

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Public Works       

BOARD AGENDA #        \*C-1

Urgent  Routine

AGENDA DATE October 4, 2011

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval of the Annexation of Park View Estates into County Service Area No. 10 Salida

STAFF RECOMMENDATIONS:

1. Find that the area included in the Legal Description of Park View Estates is located in the unincorporated territory of Stanislaus County and that it is not within the boundary of any other County Service Area (CSA).
2. Declare that all services being provided by CSA No. 10 Salida will be extended fully to the territory included in the Park View Estates annexation; and that said services shall commence after Local Agency Formation Commission (LAFCO) issuance of a Certificate of Completion for the annexation and upon start of the 2012-2013 Budget Year.

(Continued on Page 2)

FISCAL IMPACT:

This project has a Condition of Approval that stipulates the developer/subdivider shall pay all costs associated with the annexation. The Condition of Approval was prescribed on December 19, 2006 when the Stanislaus County Board of Supervisors gave their approval to General Plan Amendment Application No. 2005-09, Community Plan Amendment Application No. 2005-02, Rezone Application No. 2005-09, and Tentative Map Application No. 2005-05 for Park View Estates. Therefore any associated LAFCO fees and the State Board of Equalization fees of \$800 will be covered by the developer/subdivider. Public Works Department costs are expected to be minimal.

BOARD ACTION AS FOLLOWS:

No. 2011-566

On motion of Supervisor Chiesa, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. CSA-10-A-12

**STAFF RECOMMENDATIONS (Continued):**

3. Find that the annexation will not produce a change in assessment methodology for CSA No. 10 Salida and that parcels in the new territory shall be subject to that pre-existing methodology.
4. Find that the assessment formula for CSA No.10 is sufficient to adequately assess the annexed parcels for the cost of services received.
5. Pursuant to Government Code section 56663(c), consent to LAFCO's Waiver of Conducting Authority Protest Proceedings for the annexation of Park View Estates - Change of Organization to CSA No. 10 Salida.
6. Approve the annexation of the Park View Estates into CSA No. 10 Salida, subject to Government Code section 56886(t) and 57330.
7. Order that, subject to LAFCO approval of the annexation, Assessor Parcel Number (APN) 136-028-091 and its subsequent subdivided parcel numbers shall be added to the Fiscal Year 2012-2013 annual assessments.

**DISCUSSION:**

The area proposed for annexation into CSA No. 10 Salida is known as Park View Estates. It is located on the east side of Finney Road just north of the intersections of Finney Road and Segesta Way in the North Salida area. The APN is 136-028-091, and it is .86 of an acre. Attachment "A" illustrates the proposed boundary and includes its legal description.

This proposed annexation is in response to a petition filed by the proponents with LAFCO for annexation into CSA No. 10 Salida. Government Code 56650 and 56663 specifies that a petition may initiate LAFCO proceedings for annexation of territory to a County Service Area. Prior to the commencement of LAFCO proceeding, action is required by the Board of Supervisors to confirm that all services being provided by CSA No.10 Salida will be extended fully to the territory included in the Park View Estates annexation; and that the parcel owners consent to a LAFCO "Waiver of Conducting Authority Protest Proceedings" pursuant to Government Code section 56663 (c). See Attachment "B", a letter dated August 16, 2011 from LAFCO's Executive Officer, Marjorie Blom to the proponent, Reyes Rangel.

The proposed annexation is also being made to meet a Condition of Approval (COA) for General Plan Amendment Application No. 2005-09, Community Plan Amendment Application No. 2005-02, Rezone Application No. 2005-09, and Tentative Map Application No. 2005-05 for Park View Estates. The Stanislaus County Board of Supervisors gave their approval to these applications December 19, 2006. The COA given was listed as COA No. 27 under the Department of Public Works as follows:

## Approval of the Annexation of Park View Estates into County Service Area No. 10 Salida

Condition of Approval No. 27 "Prior to the final map being recorded, the area being subdivided shall be annexed to the County Service Area No. 10. The subdivider shall provide all necessary documents and pay all costs associated with the annexation. The annexation process takes approximately 3 months and requires both the Board of Supervisors and LAFCO approval."

The approved Tentative Map and Development Plan sub-divides parcel 136-028-091 into six medium density residential lots situated on a cul-de-sac. The proposed name of the cul-de-sac is Park View Court. The cul-de-sac will have one storm water inlet and catch basin on each side of the court near it's junction with Finney Road. The elevation of the subdivision is designed to direct storm water runoff towards these two catch basins and they in turn will be tied into the existing County storm drainpipes running underneath Finney Road. Installation of this infrastructure will be at the developer's expense and to county standards.

If this annexation is approved, the six residential lots will become part of CSA No. 10 Salida and they will be assessed using the existing formulas and methodology approved by the district's property owners in 2004. Assessments will commence with Budget Year 2012-2013. The existing formulas for CSA No. 10 use Equivalent Benefit Units (EBUs) and are as follows:

Parcel EBU = Parcel Type EBU x Acres or Units.

Levy Per EBU = Total Balance to Levy / Total EBU's.

Parcel Levy Amount = Levy Per EBU x Parcel EBU.

A detailed explanation of the assessment formula and methodology can be found on the attached 2011-2012 Engineer's Report of CSA No. 10 Salida, Attachment "C". This formula and methodology has been found to be sufficient to cover ongoing operational and maintenance costs for this County Service Area, which is the county's largest CSA.

The services to be extended by CSA No. 10 Salida to the Park View Estates annexation will be the same as those extended to all other parcels within the district and includes the following:

- CSA administration
- Parks and streetscape maintenance
- Storm Drain System Maintenance

A complete detailed explanation of these services can be found in the 2011-2012 Engineer's report for CSA No. 10 Salida, Attachment "C". The Stanislaus County Public Works and Parks Departments will perform all maintenance activities. Ongoing annual maintenance and operating costs are funded entirely through the district's proposed assessments.

## Approval of the Annexation of Park View Estates into County Service Area No. 10 Salida

### **POLICY ISSUES:**

State of California Government Code, section 25212 authorizes the Board of Supervisors to be the governing body for County Service Areas within their county.

This action is consistent with the Board's priority of providing A Safe Community and A Well Planned Infrastructure System by initiating the formal process to annex into CSA No. 10 Salida, thereby allowing the developer to comply with County Standards and the Conditions of Approval for their project.

### **STAFFING IMPACT:**

Staffing impact is limited to the time required to prepare this agenda item and coordinate the project with the Local Agency Formation Commission.

### **CONTACT PERSON:**

Mike Wilson, Senior Engineering Technician, Stanislaus County Public Works.  
Telephone: (209) 525-4190.

MW:lc

H:\SERVICES\Districts\CSA\CSA 10 - Salida\Park View Estates Annexation\Park View Estates Annexation To CSA10\_BOS 10.4.11

**EXHIBIT "A"**  
**PARK VIEW ESTATES ANNEXATION TO COUNTY SERVICE AREA 10**  
**LEGAL DESCRIPTION**

That piece of real property being a portion of the Northwest Quarter of Section 34, Township 2 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California, being more particularly described as follows:

COMMENCING at the west quarter corner of Section 34, Township 2 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California ; thence,

Course 1. North 0°30'13" West 460.16 feet along the west line of said Section 34 to a point on said west line, being on the existing boundary of County Service Area No. 10, and being the POINT OF BEGINNING; thence,

Course 2. North 00°30'13" West 201.12 feet along said boundary; thence leaving said boundary,

Course 3. North 89°22'36" East 217.00 feet to an angle point in said boundary; thence

Course 4. South 00°29'32" East 201.05 feet along said boundary; thence,

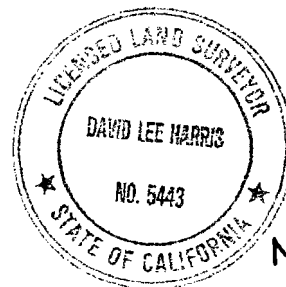
Course 5. South 89°21'29" West 216.96 feet along said boundary to the POINT OF BEGINNING.

Containing 1.00 acre, more or less.

Subject to all easements and/or rights of way of record.

BASIS OF BEARINGS: The bearing of North 0°30'13" West for the west line of Section 34 as shown on that certain map filed for record in Book 44 of Parcel Maps, Page 51, Stanislaus County Records.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

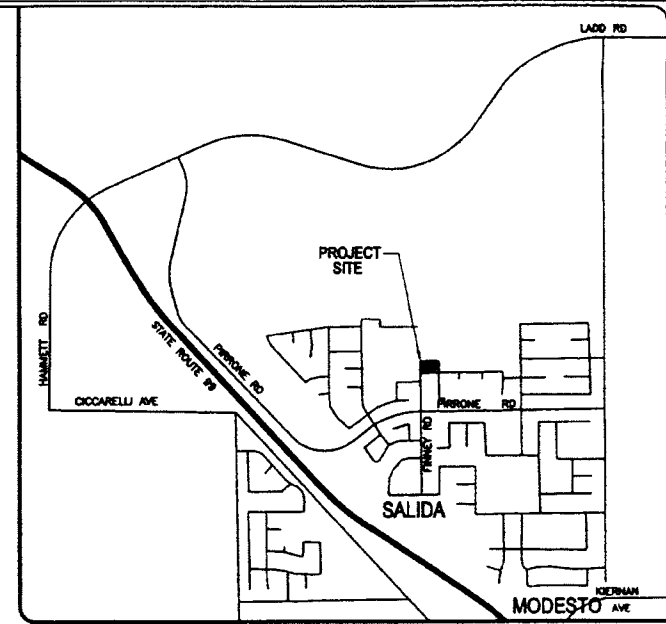
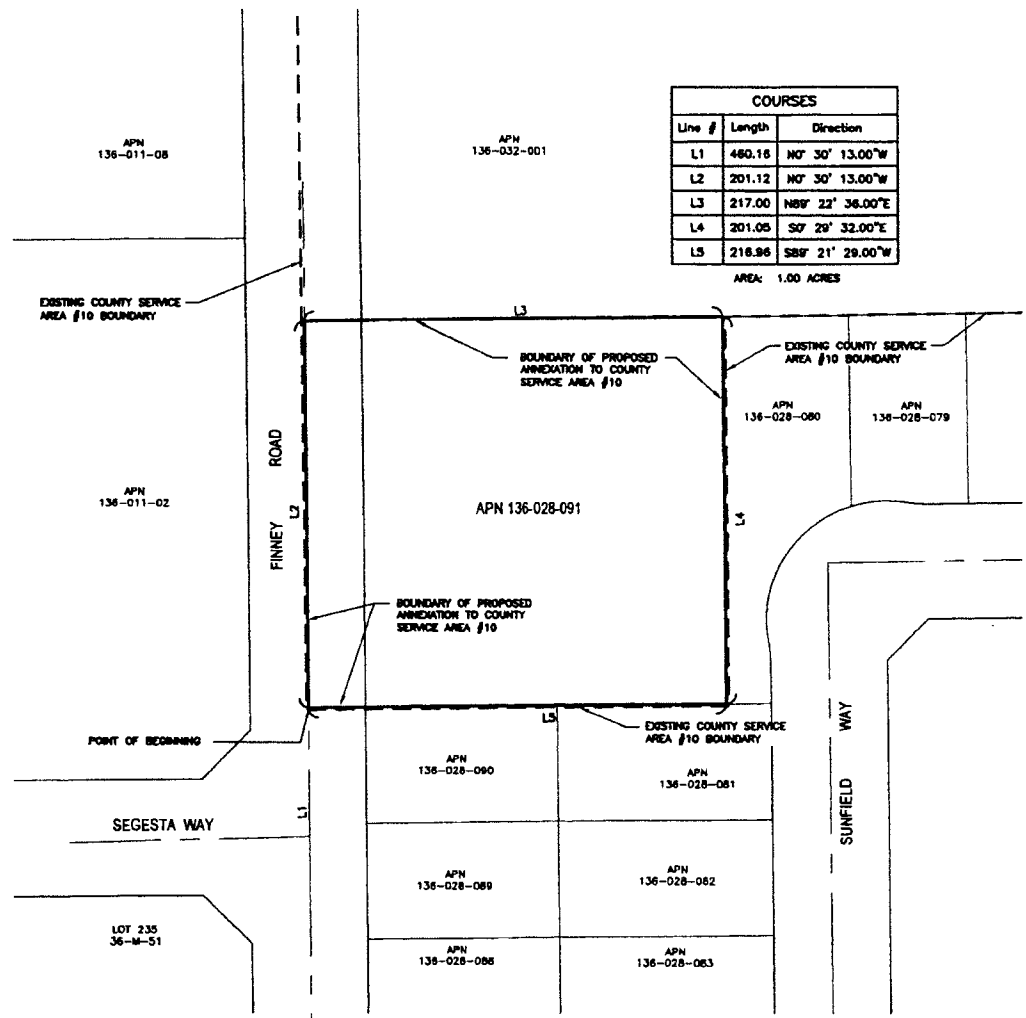


Nov. 11, 2010

*David Lee Harris*

COURSES		
Line #	Length	Direction
L1	460.18	N0° 30' 13.00"W
L2	201.12	N0° 30' 13.00"W
L3	217.00	N89° 22' 36.00"E
L4	201.05	S0° 29' 32.00"E
L5	218.96	S89° 21' 29.00"W

AREA: 1.00 ACRES

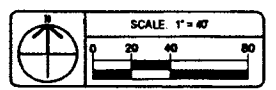


VICINITY MAP  
NO SCALE

LEGEND

- EXISTING COUNTY SERVICE AREA NO. 10 BOUNDARY
- PROPOSED ANNEXATION TO COUNTY SERVICE AREA NO. 10

DISCLAIMER:  
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



WEST 1/4 CORNER, SEC. 34, T23S, R8E, STANISLAUS COUNTY, CA. POINT OF COMMENCEMENT

DRAWN BY: MS		
DATE: 9/16/2010		
FILE: 01_annexa_11.dwg		
JOB NO.: 2005-022		
REVISIONS		
SYMBOL	DESCRIPTION	APPD.

**PARK VIEW ESTATES ANNEXATION TO COUNTY SERVICE AREA 10**  
BEING A PORTION OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE & MERIDIAN  
STANISLAUS COUNTY, CA

**SOUSA ENGINEERING**  
CIVIL - SURVEY - PLANNING

1008 6TH STREET  
MODESTO, CA 95264

PH: (209)238-3151  
FAX: (209)238-3158

LAFCO APPLICATION NO. 2011-05 & SOI MODIFICATION 2011-06  
PARK VIEW ESTATES CHANGE OF ORGANIZATION  
TO COUNTY SERVICE AREA NO. 10 (SALIDA)  
**VICINITY MAP**



LAFCO APPLICATION NO. 2011-05 & SOI MODIFICATION 2011-06  
PARK VIEW ESTATES CHANGE OF ORGANIZATION  
TO COUNTY SERVICE AREA NO. 10 (SALIDA)  
**AREA MAP**

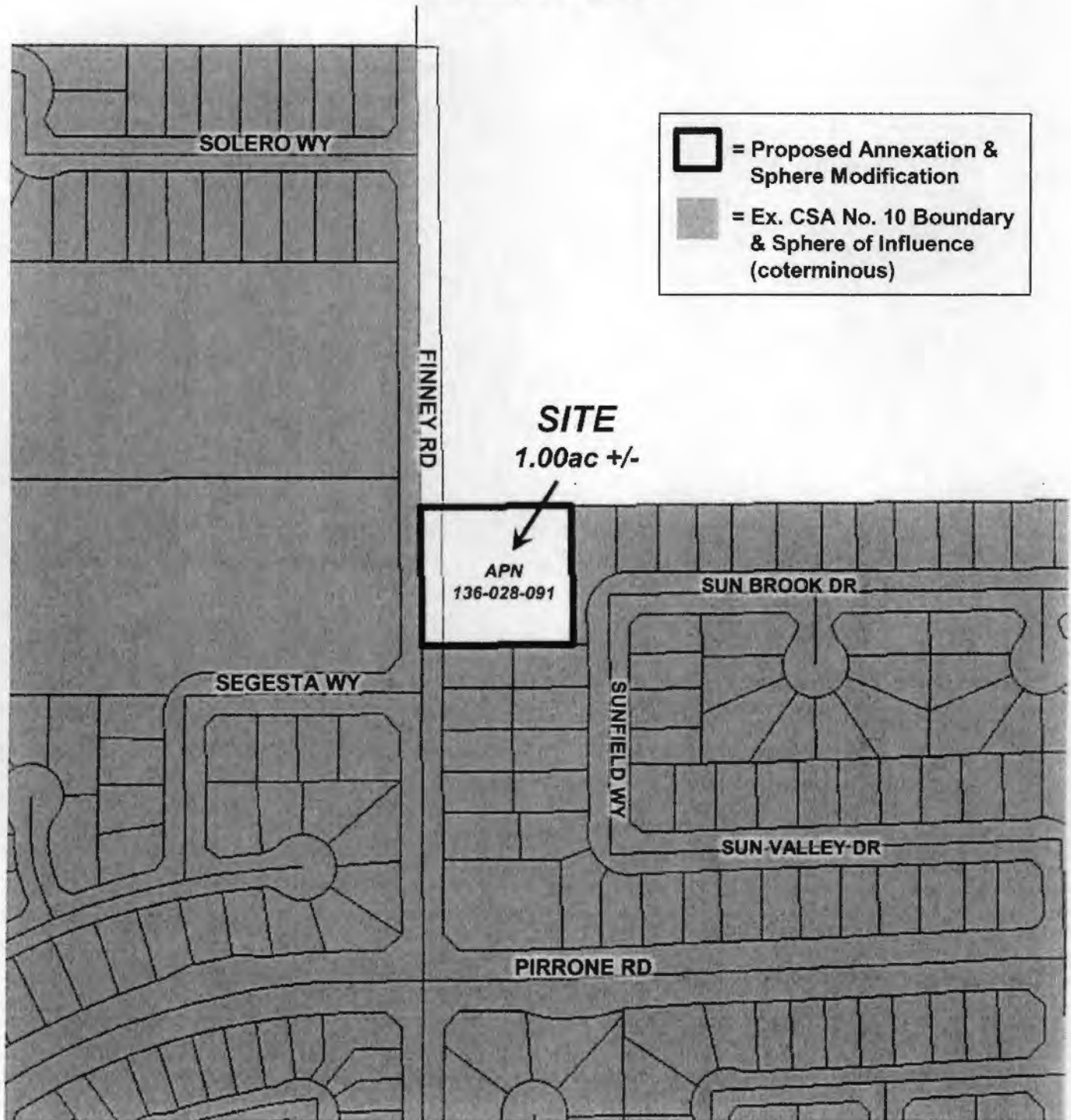




EXHIBIT "B"  
*Stanislaus*  
**LAFCO**



1010 TENTH STREET, 3<sup>RD</sup> FLOOR  
MODESTO, CA 95354

LOCAL AGENCY FORMATION COMMISSION

PHONE: (209) 525-7660  
FAX: (209) 525-7643  
www.stanislauslafco.org

August 16, 2011

Reyes Rangel  
1401 S. 7<sup>th</sup> Street  
Modesto, CA 95351

SUBJECT: Application Request for Annexation to County Service Area No. 10 (Salida) –  
Park View Estates

Dear Mr. Rangel:

This letter is to inform you that the above subject application request has been deemed incomplete and cannot be scheduled for an agenda until the following action has occurred:

1. The Stanislaus County Board of Supervisor's has adopted a resolution consenting to the waiver of conducting authority proceedings and stating that they can provide the necessary county public services to the site located at 5554 N. Finney Road, Salida.

Our office will proceed with processing this request as soon as the above action is completed. If you have any questions, or would like to discuss this matter further, please call me at your earliest convenience.

Sincerely,

Marjorie Blom  
Executive Officer

cc: Sara Lynne Pole-Hunt, Property Owner  
Mike Wilson, Stanislaus County Public Works

(I:\LAFCO\SPECIALDISTRICTS\CSA's\CSA10.ParkViewEstates.IncompleteLtr\wpd)

# **EXHIBIT “C”**

## **COUNTY SERVICE AREA NO. 10 ANNUAL ENGINEER’S REPORT**

**SALIDA**

**FISCAL YEAR 2011-2012**

**SET HEARING:  
PUBLIC HEARING:**

**JUNE 28, 2011  
JULY 26, 2011**

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# ENGINEER'S REPORT AFFIDAVIT

County of Stanislaus, State of California

## CSA NO. 10 – SALIDA

This report describes the District and all relevant zones therein including the budget(s), parcels and assessments to be levied for the Fiscal Year 2011-2012. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the County Service Area (CSA).

The undersigned respectfully submits the enclosed report as directed by the Board of Supervisors.

Dated this 6<sup>TH</sup> day of May, 2011

  
\_\_\_\_\_  
MATT MACHADO, DIRECTOR, PE  
Stanislaus County Department of Public Works



**COUNTY SERVICE AREA NO. 10  
ANNUAL ENGINEER'S REPORT  
FISCAL YEAR 2011-2012**

**INTRODUCTION:**

County Service Area No. 10 (CSA 10) was established in October 1990, to provide extended governmental services for sheriff and library services, parks, streetscape and storm drain maintenance for the benefit of parcels within CSA 10. At this time, no extended library or sheriff services are provided. Sheriff services were removed in Fiscal Year 2009-2010 due to the general benefit level of service having increased to match or exceed the CSA 10 agreed upon level of service. Stanislaus County has previously levied assessments on the real property within CSA 10 for the purpose of providing these extended governmental services. CSA 10 was formed and the levies are made pursuant to the *County Service Area Law (Government Code, Section 25210.1 et seq.)*. The boundary of CSA 10 is shown on Exhibit A that is attached hereto and made a part of this Engineer's Report.

Government Code Section 25210.77(A) requires that a written report containing a description of each parcel of real property receiving the particular extended service and the amount of the assessment for each parcel be prepared once a year and filed with the Clerk of the Board of Supervisors.

CSA 10 maintains a drainage system used exclusively by the parcels within the Landmark Business Center No. 2, separate from other storm drain systems in CSA 10. The assessment method used for the Landmark Business Center is based on total budget divided by total acreage. As the budget did not change this past year and there was no change in parcels in the business center, the Landmark Business Center No. 2 assessment remains the same as last year.

**Effect of Proposition 218**

On November 5, 1996, California voters approved Proposition 218 which added Articles XIII C and XIII D to the California Constitution and which adds substantive and procedural requirements that affect CSA 10 assessments.

Proposition 218 requires a ballot procedure and a simple majority approval of any proposed increase in assessments by the property owners within the special District.

**PART I – PLANS AND SPECIFICATIONS**

**A. Description of the service area**

CSA 10 consists of 2,805 total parcels, including: 2,696 residential parcels, 4 undeveloped parcels, 69 developed commercial/industrial parcels, 14 public parcels, and 22 commercial/industrial parcels in the Landmark Business Center No. 2. The boundary of CSA 10 is shown on Exhibit "A" that is attached hereto and made a part of this Engineer's Report. CSA 10 generally encompasses the area of Salida including the following residential and commercial developments:

- Astoria Sound

- Country View Estates Unit 1& 2
- Countrystone Units 2,3 & 4
- Fattoria Manor
- Glenwood Place
- Landmark Business Center #2
- Gold Valley
- Murphy's Landing Units 1,2,3&4
- Parkhaven Place 1 & 2
- Parkside Plaza Unit 2
- Salida Secured Self Storage (PI 16)
- Planned Industrial #19
- Planned Industrial #21
- Planned Development #257
- Planned Development #258
- Planned Development #260
- Planned Development #267
- Planned Development #279
- Planned Development #287
- Planned Development #295
- Pirrone Estates
- Salida Haciendas Units 1,2,3, & 4
- Salida Self Storage
- Somerset Estates Phases 1,2 & 3
- Sun Ridge West
- Sun Ridge West #2 Phases 1,2 & 3
- Vella Estates Units 1,2,3,4,5, & 6
- Vintner Estates 1,2, & 3
- Vizcaya Units 1 & 2
- Whitfield Park Units 1,2 & 3
- Whitfield Park Unit 4, Phases A & B
- Whitfield Park Units 5,6, & 7
- Pinnacle Partners

## **B. Description of Improvements and Services**

CSA 10 was formed to provide special or extended services to the properties within CSA 10. These extended services which benefit parcels within the CSA 10 area include parks and streetscape maintenance, and maintenance of a positive storm drain system. These extended services are considered special benefits received by the properties within CSA 10. These benefits are defined as a special benefit for the purposes of this report because they are above and beyond the services that are normally provided to the community of Salida and other property owners of unincorporated areas of the County. Services of a general benefit are defined as services that are provided to the property owners of unincorporated areas on a countywide basis.

Maintenance of the streetscapes, storm drain system and the administration of CSA 10 are services that the properties within CSA 10 receive that would otherwise not be provided if CSA 10 did not exist. The County does not generally provide these services on a countywide basis. Therefore, these extended services are considered to be 100% special benefits with

no general benefits received. On a countywide basis, the County does provide maintenance of parks for property owners of unincorporated areas. For this reason, a portion of the parks maintenance that is provided within CSA 10 can be attributed as a general benefit. The portion or ratio of this general benefit for these particular services is discussed in detail within the Park and Streetscape Maintenance Section of this report. As defined, the special benefit portion of services for park maintenance are above and beyond what is normally provided to countywide property owners. The special benefit portion of these services to the properties within CSA 10 is also discussed in the respective section of this report.

The special benefit assessments to be levied for this District are intended to provide a revenue source for all the maintenance, and servicing of the service area's improvements including, but not limited to; materials, equipment, labor and administrative expenses. However, the assessments are not intended to fund reconstruction or major renovations of the improvements and facilities.

### **Administration**

CSA 10 provides Administration of CSA 10 which is a service authorized under the *County Service Area Law, (Government Code, Section 25210.60 et seq.)*. Such administration, which is paid for from the levy of assessments within CSA 10, is provided only within CSA 10. The CSA 10 Administration fund was established to reimburse expenses incurred by Public Works in the administration of CSA 10. The administration of CSA 10 is a special benefit to the parcels assessed in CSA 10. There is no general benefit that is derived from the administration of CSA 10. Typical administrative tasks performed by Public Works are:

- Prepare Annual Engineer's Report
- Prepare Annual Budget
- Prepare agenda items for Board to set annual assessments
- Provide annual assessment information to the Auditor-Controller
- Attend Municipal Advisory Committee meetings
- Coordinate ballot procedures as needed

### **Park and Streetscape Maintenance**

CSA 10 provides Park and Streetscape Maintenance within CSA 10, which services are specifically authorized under the *County Service Area Law, (Government Code, Section 25210.60 et seq.)*. Such maintenance, which is paid for from the levy of assessments within CSA 10, is provided only within CSA 10.

The Department of Parks and Recreation (the "Department") provides park and streetscape maintenance within CSA 10. Such maintenance is paid for from assessments on parcels within CSA 10. The amount of the assessment is fixed unless the parcel owners approve an increase through a ballot measure, as required by Proposition 218, which went into effect in July 1997.

**a. Parks Maintenance**

The Department operates, services, and maintains the following parks within CSA 10:

- Segesta Park (9.35 Acres)
- Wincanton Park (3.30 Acres)
- Murphy Park (4.27 Acres)
- Countrystone Park (4.95 Acres)

The total park acreage in CSA 10 is 21.87 acres. All of these parks were constructed, and went into operation after July 1997.

One of the special benefits to CSA 10 residents is that the service level of CSA 10 parks as measured by the number of acres of parks per 1,000 residents exceeds the countywide service level.

The portion of the special benefits can be calculated by comparing the CSA 10 park acreage service level to the countywide level, as measured by acres of existing neighborhood parks per 1,000 residents. Countywide, the level is 0.39 acres of existing neighborhood parks per 1,000 residents. In CSA 10, there are 2,695 residential parcels. Based on census data, it is projected that residential units have an average of 3.03 residents. At 3.03 residents per parcel multiplied by 2,695 parcels, an estimated CSA 10 population of 8,166 residents is determined. By applying the 0.39 acres per 1,000 residents to the projected CSA 10 population of 8,166 persons, it is determined that 3.18 acres of the total CSA 10 parks acreage are related to the countywide parks service level. These 3.18 acres, representing 14.53% of the total CSA 10 parks acreage of 21.87, are considered to be a general benefit and not subject to assessment because this is the level of service that would normally be provided by the County through other funding sources. The remaining 18.69 acres, representing 85.47% of the total 21.87 acres of parks, are considered a special benefit and provide the basis for this assessment.

**b. Streetscape Maintenance**

The Department services and maintains the streetscapes on the following roads within CSA 10:

- Bacon Road
- Covert Road
- Finney Road
- Kiernan Avenue
- Murphy Road
- Overland Place
- Pirrone Road
- Sisk Road
- Toomes Road
- Whitestone Way
- Wincanton Way

The streetscapes are amenities that project developers provided to improve the quality of life in the subdivisions they were developing. Instead of establishing homeowners associations, the developers established a mechanism whereby streetscape maintenance would be provided by the County and paid for by the property owners through parcel assessments. On a countywide basis, the county does not provide streetscapes to property owners in unincorporated areas and, as such, 100% of the 5.4 miles of streetscape maintenance is considered to be a special benefit.



## **Public Works**

CSA 10 provides Storm Drain Maintenance within CSA 10 which services are specifically authorized under the County Service Area Law (*Government Code, Section 25210.70 et seq.*). Such maintenance, which is paid for from the levy of assessments within CSA 10, is provided only within CSA 10. The County services and maintains the storm drain collection system and the following storm drain basins within the CSA 10:

North Basin (3.54 Acres)  
South Basin (5.92 Acres)

The storm drain system also includes a series of pipes, pumps and an outfall facility at the Stanislaus River.

CSA 10 also provides Storm Drain Maintenance for the drainage system serving Landmark Business Center No. 2.

Storm drain maintenance specially benefits the parcels assessed since: 1) the storm drain maintenance is provided within the residential neighborhoods and commercial/industrial developments within which said parcels are located, and results in helping to improve the quality of life and safety in these developments by reducing the potential for flooding; and 2) in the absence of the CSA 10, the storm drain maintenance would not otherwise be accomplished by the County. There is no general benefit that is derived from storm drain maintenance in CSA 10.

The improvements to be maintained and funded entirely or partially through the service areas assessments are generally described as:

- Periodic cleaning and maintenance (as needed) on 40,130 linear feet of 18 inch pipe, 12,154 linear feet of 24 inch pipe; 3,201 linear feet of 30 inch pipe, 2,494 linear feet of 36 inch pipe, 870 linear feet of 42 inch pipe, 6,865 linear feet of 48 inch pipe, 390 linear feet of 60 inch pipe and 329 linear feet of 64 inch pipe,
- North Pond has three (3) 70 hp pumps and two (2) 10 hp pumps;
- South Pond has two (2) 50 hp pumps
- Landmark has two (2) 7.5 hp pumps
- Periodic cleaning and maintenance of 338 catch basins
- Repair curb and gutter as needed to maintain the storm drain system (214,317 linear feet of curb and gutter.)
- Periodic street sweeping to prevent build up of silt and other damaging materials to the storm drain system. All debris is contained and hauled offsite with containment bins
- Annual repairs and general maintenance to storm drain basin (erosion control, weed

spraying, grading/excavation as needed)

- Remove silt build up next to the wall of the separator using the suction truck.

## **PART II - METHOD OF APPORTIONMENT**

### **A. Benefit Analysis**

The method of apportionment described in this report for allocation of special benefit assessments utilizes commonly accepted engineering practices. The formula used for calculating assessments for the District reflects the composition of the parcels and improvements provided to fairly apportion the costs based on special benefits to each parcel. Furthermore, pursuant to the Constitution Article XIID Section 4, a parcels assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel and a parcel may only be assessed for special benefits received.

All the improvements and services associated with the CSA, have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential and consistent with the proposed development plans. As such, these improvements would be necessary and required of individual property owners for the development of such properties and the ongoing operation, servicing and maintenance of the improvements and facilities would be the financial obligation of those properties. Therefore, the storm drain facilities and the infrastructure, and the annual costs of ensuring the maintenance and operation of these improvements provide special benefits to the properties within the CSA.

Each parcel receives a special proportional benefit from the extended storm drainage system. The extended storm drainage only provides a special benefit to the parcels within CSA 10; therefore, no general benefit has been assigned.

CSA 10 was formed to provide special or extended services to the properties within CSA 10. These extended services which benefit parcels within the CSA 10 area include parks and streetscape maintenance, and maintenance of a positive storm drain system. For the most part, these extended services are considered special benefits received by the properties within CSA 10. These benefits are defined as "special benefit" for the purposes of this report because they are above and beyond the services that are normally provided to the community of Salida and other property owners of unincorporated areas of the County. Services of "general benefit" are defined as the services that are provided to the property owners of unincorporated areas on a countywide basis.

### **B. Assessment Methodology**

The method of apportionment for the CSA calculates the receipt of special benefits from the respective improvements based on the actual or the proposed land use of the parcels within the District. The special benefit received by each lot or parcel is equated to the overall land use of the parcels within the CSA based on the parcel's actual land use or proposed development.

Upon review of the proposed improvements it has been determined that each of the

residential parcels within the CSA receives special benefit from all the improvements to be funded by annual assessments. Based on the planned property development a single zone of benefits is appropriate for the allocation of the assessments and proportional benefit. The parcels within the CSA may be identified by one of the following land use classifications and is assigned a weighting factor known as Equivalent Benefit Unit (EBU). The EBU calculated for a specific parcel defines the parcel's proportional special benefits from the CSA's improvements, facilities and services

Pursuant to the *County Service Area Law* and in compliance with Proposition 218, the costs of the CSA 10 may be apportioned by any method, which fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated special benefit to be received by each such parcel from the services provided. The proportionate special benefit derived by each parcel is determined in relationship to the entirety of the services provided and the maintenance and operation expenses of the improvements. No assessment has been apportioned on any parcel that exceeds the reasonable cost of the proportional benefit conferred on that parcel.

In 1999, Stanislaus County Department of Public Works retained the consulting services of NBS Government Finance Group to prepare the CSA 10 Engineer's Report. At that time, NBS proposed to calculate the annual assessments by quantifying the various land use types and their respective special benefits received in terms of Equivalent Dwelling Units (E.D.U.)

#### **Equivalent Benefit units (EBU):**

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of all other property in the CSA. The EBU method of apportioning assessments uses the single family home site as the basic unit of assessment. A single family home site equals one EBU. All other land uses are converted to EBU's based on an assessment formula that equates the property's specific development status, type of development (land use) and size of property, as compared to a single family home site.

The EBU method of apportioning special benefits is typically seen as the most appropriate and equitable assessment methodology, as the benefits to each parcel from the improvements are apportioned as a function of land use type, size and development. Not all land use types described in the following are necessarily applicable to the development of properties within the CSA, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.

Only special benefits are assessed, including special benefits to public property, and any general benefits have been separated from the special benefits for purposes of this report. For such purposes, the special benefits are derived from the assignment of Equivalent Benefit Units to the various land use types within CSA 10. The basis of benefit for CSA 10 was determined to be equal for all Equivalent Benefit Units within CSA 10. However, the special benefits received vary for types of land uses.

#### **EBU Application by Land Use:**

**Single Family Residential-** This land use is defined as a fully subdivided residential home site with or without structure. This land use is assessed 1.00 EBU per parcel or lot. This is the base value that all other properties are compared and weighted against.

**Multi-family Residential-** This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property; typically includes apartments, duplexes, triplex etc. (It does not typically include condominiums, town-homes, or mobile home parks). Based on average population densities and the size of the structure as compared to a typical single family residential unit, multi-family residential parcels shall be proportionally assessed for the parcel's total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single family residence (sample sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Addition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases; the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by the CSA, it has been determined that an appropriate allocation of special benefit for multifamily residential properties as compared to a single family residential is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 5 units; 0.50 EBU per unit for units 6 through 50; and 0.25 EBU per unit for all remaining units

**Condominium/Town-Home Units-** Condominiums and town-homes tend to share attributes of both single family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single family residential properties, these properties are not usually considered rental property and generally the County assigns each unit a separate APN or assessment number. However, condominiums and town homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to the APN. There is not an adjustment factor for parcels with more than five units.

**Planned-Residential Development-** This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the CSA. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionally for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out (the EBU assigned to each parcel shall represent the combination of single family, condominium, multifamily units to be developed).

**Exempt Parcels-** This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
- Dedicated public easements including open space areas, utility rights-of-way, greenbelts or other publicly owned properties that are part of the District improvements or that have little or no improvement value;
- Private properties that cannot be developed independently of an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use.

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

**Special Cases-** in many CSA's where multiple land use classifications are involved; there are usually one or more properties that the standard land use classifications or usual calculation of benefit will not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a vacant residential property, however only a small percentage of the parcel's total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel. The following table provides a summary of land use types, the EBU factors used to calculate each parcels individual EBU as outlined above.

**Land use and Equivalent benefit units**

<b>Property type</b>	<b>EBU</b>	<b>Multiplier</b>
<b>Single Family Residential</b>	<b>1.00</b>	<b>Per unit/lot (parcel)</b>
<b>Multi-Family Residential</b>	<b>0.750</b>	<b>Per unit for the first 5 units</b>
	<b>0.500</b>	<b>Per unit for units 6 thru 50</b>
	<b>0.250</b>	<b>Per units &gt; 50</b>
<b>Condominium/Town- Home Units</b>	<b>0.750</b>	<b>Per Unit</b>
<b>Planned Residential Development</b>	<b>1.000</b>	<b>Per planned Residential lot</b>
	<b>0.750</b>	<b>Per planned Condominium</b>
	<b>0.750</b>	<b>Per unit for the first 5 units</b>
	<b>0.500</b>	<b>Per unit for units 6-50</b>
	<b>0.250</b>	<b>Per unit &gt;50</b>
<b>Vacant Residential Land</b>	<b>1.000</b>	<b>Per Acre</b>
<b>Public park</b>	<b>0.400</b>	<b>Per Acre</b>
<b>Public Storm Drain Basin</b>	<b>0.400</b>	<b>Per Acre</b>
<b>Public School</b>	<b>0.400</b>	<b>Per Acre</b>
<b>Commercial/Industrial Parcel Developed</b>	<b>3.50</b>	<b>Per Acre</b>
<b>Commercial/Industrial Parcel Undeveloped</b>	<b>1.00</b>	<b>Per Acre</b>
<b>Public Property</b>	<b>2.20</b>	<b>Per Acre</b>
<b>Exempt Parcels</b>	<b>0.000</b>	<b>Per parcel</b>

The above method to calculate the annual assessment was approved as part of the ballot procedure by the property owners in 2004. This method was supported in order to more

equitably spread the assessment between residential lots and developed commercial/industrial land and public properties.

The following formula is used to calculate each parcel's EBU (proportional benefit):

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of EBU's is the sum of all individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (assessment rate) for the improvements is established by taking the total cost of the improvements and dividing the amount by the total number of EBU's of all benefiting parcels from the improvements. The rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU's} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

## **PART III – BUDGET ANALYSIS**

### **Administration**

On June 30, 2011, it is estimated that the fund balance for the CSA 10 Administration will be \$4,799. The CSA 10 Administration total assessment for Fiscal Year 2011-2012 is \$7,547.

Staff time spent on the administration of CSA 10 varies based on the level of activity within the District. If the CSA is in a “status quo” mode, staff time and charges are minimal. However, when a ballot procedure is needed, the staff time increases correspondingly.

### **Park and Streetscape Maintenance**

The Parks and streetscapes’ maintenance expenses have experienced substantial increases in recent years due to water and electric utility rate increases. It is projected there will be a fund balance of \$9,819 for CSA 10-Parks at June 30, 2011. The Parks and Recreation Department has submitted a budget for Fiscal Year 2011-2012 of \$254,702. This will provide sufficient resources to maintain the parks and streetscapes as described in the “Parks Maintenance” Services portion of this report (page 7). The amount of \$25,357 will be carried forward at year end to rebuild fund balance to a point where sufficient funding is available to cover the 6-month lag time in the receipt of revenues.

### **Public Works**

CSA-10 Public Works is expected to have a \$267,135 fund balance on June 30, 2011. Included in the fund balance is a capital reserve of \$126,000 for pump replacement. The remainder is to be used to fund CSA 10-Public Works during the 6 month period prior to December when assessments are received. The proposed Public Works budget of \$155,626 will provide storm drain system maintenance as described previously (page 8).

CSA 10’s storm drain system contains seven (7) water pumps ranging from 7.5 to 70-horse power. In order to replace pumps at the end of a 10-year life cycle, a capital reserve target of \$318,875 has been determined. This includes the cost of the pumps and the labor required to complete the installation. The objective of the reserve is to build up the reserve to the full \$318,875 over 10 years.

### **Summary**

The fiscal year is the 12-month period from July 1<sup>st</sup> through June 30<sup>th</sup> of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1<sup>st</sup> but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided.

The new assessments for the Fiscal Year 2011-2012 for a Single Family Residential lot are \$139.32 per parcel. Undeveloped Commercial/Industrial properties are levied at \$487.62 per acre, and Public Property is levied at \$306.50 per acre. The assessment for Landmark Business Center #2 is \$42.34 per acre. All of the assessments listed herein have not changed from Fiscal Year 2009-2010.

**PART IV - SERVICE AREA BUDGET**

**ADMINISTRATION**

CSA 10

<b>Total Administration Budget</b>	<b>\$5,000</b>
<b>Fund Balance Information</b>	
Beginning Fund Balance (Estimated for 2011-12)	\$4,799
Capital Improvement Reserve (-)	\$0
Available Fund Balance	\$4,799
<b>Adjustments to Available Fund Balance</b>	
General Fund (or PW) Loan Repayment/Advance (+)	\$0
Other Revenues/General Fund (Contributions I.e. Grants) (+)	
Capital Improvement Expenditure (pumps etc.) (-)	\$0
6 Months Operating Reserve (-)	(\$2,500)
Use of Fund Balance for FY 2010/11 (-)	\$0
Contingency Reserve (-)	\$0
Total Adjustments	(\$2,500)
Remaining Available Fund Balance	\$2,299
Total Administration Budget	\$5,000
Use of Fund Balance (-)	\$2,547
Balance to Levy	\$7,547
Balance to Levy Authorized	\$7,547



**PARKS AND STREETSCAPE MAINTENANCE**

CSA 10 EXPENSE DESCRIPTION	TOTAL BUDGET	
<u>PARKS &amp; RECREATION</u>		
Parks Labor	\$ 43,855	
Parks Utilities	\$ 90,000	
Vandalism	\$ 4,000	
Parks Other Supplies	\$ 4,300	
Landscape and Streetscape Contract		\$ 107,845
	\$ 142,155	\$ 107,845
<b>Total Parks &amp; Recreation Budget</b>	<b>\$ 250,000</b>	
<u>Fund Balance Information</u>		
Beginning Fund Balance (Estimated for 2011-12)	\$ 5,302	\$ 4,517
Capital Improvement Reserve (-)	\$ -	\$ -
Available Fund Balance	\$ 5,302	\$ 4,517
<u>Adjustments to Available Fund Balance</u>		
General Fund (or PW) Loan Repayment/Advance (+)	\$ -	\$ -
Other Revenues/General Fund (Contributions I.e. Grants) (+)	\$ -	\$ -
6 Months Operating Reserve (-)	\$ (71,078)	\$ (53,923)
Use of Fund Balance for FY 2010/11 (-)	\$ -	\$ -
Contingency Reserve (-)	\$ -	\$ -
Total Adjustments	\$ (71,078)	\$ (53,923)
Remaining Available Fund Balance	\$ (65,776)	\$ (49,406)
Combined Remaining Available Fund Balance		
<b>Total Parks &amp; Recreation Budget</b>	<b>\$ (250,000)</b>	
Use of Fund Balance for FY2011-12(6 mos operating cost)	\$ (125,000)	
Balance to Levy Needed	\$ (375,000)	
Balance to Levy Authorized	\$ 253,691	
Difference of Levy Needed and Levy Authorized *1	\$ (121,309)	
Calculations for Balance to Levy Authorized		
Parks & Recreation Budget	\$ 142,155	\$ 107,845
Capital Reserve and/or fund balance	\$ 22,944	\$ 2,413
Total	\$ 165,099	
General Benefit Percentage Received	14.53%	N/A
Less General Benefit	\$ (20,655)	\$ -
Special Benefit Percentage Received	85.47%	N/A
Special Benefit Portion	\$ 144,444	\$ 110,258
Use of Fund Balance to Offset Balance to Levy (-)	\$ -	\$ -
Balance to Levy After Fund Balance Offset	\$ 144,444	\$ 110,258
<b>Balance to Levy Authorized</b>	<b>\$</b>	<b>254,702</b>

**PUBLIC WORKS  
CSA 10**

<b>EXPENSE DESCRIPTION</b>	<b>TOTAL BUDGET</b>
<u>PUBLIC WORKS</u>	
Pond Excavation	\$0
Cleaning Drainage System	\$42,000
Street Sweeping	\$73,500
Curb & Gutter Repair	\$15,000
Weed Spraying	\$8,000
Landmark Bus Ctr Storm Drain Maintenance	\$1,500
Utilities	\$16,000
Public Works Budget	\$156,000
General Benefit	(\$11,308)
Total Public Works Budget	\$144,692
Capital Improvement Reserve	\$10,934
Total	\$155,626
<u>Fund Balance Information</u>	
Beginning Fund Balance (Estimated for 2011-12)	\$267,135
Capital Improvement Reserve (-)	(\$126,000)
Available Fund Balance	\$141,135
<u>Adjustments to Available Fund Balance</u>	
General Fund (or PW) Loan Repayment/Advance (+)	\$0
Other Revenues/General Fund (Contributions I.e. Grants) (+)	\$0
Capital Improvement Expenditure (pumps etc.) (-)	
6 Months Operating Reserve (-)	(\$72,346)
Use of Fund Balance for FY11-12(-)	\$0
Contingency Reserve (-)	\$0
Total Adjustments	(\$72,346)
Remaining Available Fund Balance	\$68,789
Total Public Works Budget	\$155,626
Use of Fund Balance (-)	\$0
Balance to Levy Authorized	\$155,626
Capital Reserve Target *1	\$318,875

\*1 – The capital reserve target is for the estimated amount to repair the pumps in the County Service Area (CSA).

**CSA 10 BUDGET**

**CSA 10 Budget for Fiscal Year 2011-2012**

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Parks and Streetscape Maintenance	\$254,702
Storm Drain Maintenance	\$155,626
Administrative Costs	\$7,547
<b>Total Balance to Levy - CSA 10</b>	<b>417,875</b>

The total revenue to be collected for CSA 10 shall be allocated to departments for services provided based on the following percentages

Department of Parks & Recreation	60.9504%	\$254,702
Department of Public Works-Storm Drain	37.2414%	\$155,626
Department of Public Works-Admin	1.8060%	\$7,547
<b>Total</b>		<b>\$417,884</b>

\*Note: The proposed assessment of \$139.32 will generate approximately \$9.00 more than the total allocation due to rounding numbers. This extra amount will be allocated in the same manner as the base assessment and is reflected in the above table.

**Landmark Business Center No. 2 Budget**

Landmark Business Center No. 2 has its own storm drain system that is completely independent from the rest of the properties within CSA 10. This business park only receives special extended service for storm drainage control. Landmark Business Center No. 2 does not receive any extended benefits from the maintenance of parks and streetscapes that is provided to the other properties within CSA 10.

The Storm Drain Maintenance Budget for Landmark Business Center No. 2 for Fiscal Year 2011-2012 is as follows:

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Basin Maintenance	\$750.00
Collection System	\$750.00
<b>Total Balance to Levy -</b>	<b>\$1,500.00</b>

**PART V - ASSESSMENTS**

**Land Use Benefit Factors - CSA 10**

<b>Property Type</b>	<b>B.U.F. PER ACRE or UNIT</b>
Single Family Residential	1.00 Per Unit
Commercial/Industrial Property - Undeveloped	1.00 Per Unit
Commercial/Industrial Property - Developed	3.50 Per Acre
Public Property	2.20 Per Acre

**Assessment by Land Use - CSA 10**

<b>PROPERTY TYPE</b>	<b>TOTAL E.B.U.</b>	<b>TOTAL ASSESSMENT</b>
Single Family Residential (2,696 units)	2,696.00	\$375,606.72
Commercial/Industrial Property-Undev. (19.83 Acres)	19.83	2762.72
Commercial/Industrial Property Developed (46.79 Acres)	163.77	\$22,816.44
Public Property (49.56 Acres)	109.03	\$15,190.06
Totals:	2988.62	\$416,375.94

**Assessment Per E.B.U. - CSA 10**

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Total Balance to Levy - CSA 10	\$416,376
Total Equivalent Benefit Units	2,988.62
Calculated Assessment Per Equivalent Benefit Unit	\$139.32

Based on the approved assessment of \$139.32 per Equivalent Dwelling Unit, the following are the existing CSA 10 Fiscal Year 2011-2012 Annual Assessments by land use type:

<b>LAND USE TYPE</b>	<b>2010-2011 ASSESSMENT</b>	<b>2011-2012 ASSESSMENT</b>
Single Family Residential Lot	\$139.32 Per parcel	\$139.32 Per parcel
Undeveloped Commercial/Industrial	\$139.32 Per acre	\$139.32 Per acre
Developed Commercial/Industrial	\$487.62 Per acre	\$487.62 Per acre
Public Property	\$306.50 Per acre	\$306.50 Per acre

**Method of Apportionment - Landmark Business Center No. 2**

The drainage system being maintained by CSA 10 is for the exclusive use of the parcels within Landmark Business Center No. 2. The basis of benefit for the Landmark Business Center No.2 was determined to be equal for all acreage within this development. A method used to calculate the assessments currently exists and it is as follows:

$$\text{Levy per Acre} = \text{Total Balance to Levy} / \text{Total Acreage}$$

$$\text{Parcel Levy Amount} = \text{Parcel Acreage} \times \text{Levy per Acre}$$

**Assessment Per Acre -Landmark Business Center No. 2**

<b>DESCRIPTION</b>	<b>AMOUNT</b>
Total Balance to Levy - Landmark Business	\$1,500.00
Total Acreage	35.43
Calculated Assessment Per Acre	\$42.34

<b>DESCRIPTION</b>	<b>ASSESSMENT</b>
2010/2011 Assessment	\$42.34 Per Acre
2011/2012 Assessment	\$42.34 Per Acre

Proposition 218 took effect on July 1, 1997, and requires an assessment ballot procedure in order to increase the assessment. Since there is no increase in the annual assessment, the Fiscal Year 2011-2012 assessment is in compliance with Proposition 218.

The parcels subject to the assessment are listed on Exhibit "D" that is attached hereto and made a part of this Engineer's Report.

RECORDING REQUESTED OF:  
MARJORIE BLOM  
LAFCO EXECUTIVE OFFICER  
NO FEE



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2012-0002454-00**

Tuesday, JAN 10, 2012 09:14:28  
Ttl Pd \$0.00 Rcpt # 0003153681  
OMK/R2/1-8

WHEN RECORDED, MAIL TO:  
NAME: Clerk of the Board of Supervisors  
ADDRESS: Stanislaus County, 6<sup>th</sup> Floor  
1010 Tenth Street  
TOWN & STATE: Modesto, CA  
ZIP CODE: 95354

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**CERTIFICATE OF COMPLETION**

**PARK VIEW ESTATES CHANGE OF ORGANIZATION TO  
COUNTY SERVICE AREA (CSA) NO. 10 (SALIDA)**

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BOARD OF SUPERVISORS  
2012 FEB 13 A 10:39

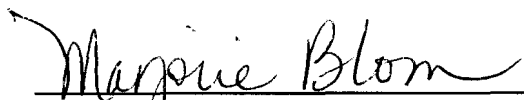
SMK

DATE: January 10, 2012

SUBJECT: **CERTIFICATE OF COMPLETION**

This CERTIFICATE OF COMPLETION has been prepared and filed pursuant to Section 57200 et. seq. of the California Government Code.

1. Name of Proposal: Park View Estates Change of Organization to County Service Area (CSA) No. 10 (Salida).
2. Name of each district or city for which a change of organization was ordered: Stanislaus County.
3. Name of each county within which any of such districts or cities are located: Stanislaus.
4. Type or kind of action ordered for each such city or district: Change of Organization consisting of annexation of territory to County Service Area No. 10 (Salida).
5. Terms or conditions of the change of organization: See Resolution No. 2011-13.
6. Date of adoption of the resolution ordering the change of organization: December 7, 2011.
7. Territory involved is uninhabited.
8. The effective and recording date of the change of organization is: January 10, 2012.

  
\_\_\_\_\_  
Marjorie Blom  
Executive Officer

Attachments: Resolution - Exhibit A  
Map & Legal Description – Exhibit B

I:\LAFCOAdmin\Special Districts\CSAs\CSA #10 Salida\Park View Estates Change of Org\Final Filing

**EXHIBIT A**

**STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION**

**RESOLUTION**

**DATE:** December 7, 2011

**NO.** 2011-13

**SUBJECT:** SOI Modification No. 2011-06 & LAFCO Application No. 2011-05 – Park View Estates Change of Organization (Annexation) to County Service Area No. 10 (Salida)

On the motion of Commissioner DeMartini, seconded by Commissioner Bublak, and approved by the following:

Ayes: Commissioners: Bublak, DeMartini, Goeken, O'Brien, Saletta  
Noes: Commissioners: None  
Absent: Commissioners: Beekman  
Ineligible: Commissioners: Chiesa, Freitas

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS**, a request has been submitted to modify the Sphere of Influence and simultaneously annex approximately one acre to County Service Area (CSA) No. 10 (Salida);

**WHEREAS**, the above-referenced proposal has been filed with the Executive Officer of the Stanislaus Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code);

**WHEREAS**, the proposal was initiated by a landowner signed petition and all of the owners of land within the affected territory have consented in writing to the sphere of influence modification and change of organization (annexation) into CSA No. 10 (Salida);

**WHEREAS**, the purpose of the proposal is to allow the subject territory to receive the extended county services offered by County Service Area No. 10 (Salida), including park and streetscape maintenance and storm drainage services;

**WHEREAS**, Commission policies allow a minor amendment to a sphere of influence of any agency without triggering a new or revised Municipal Service Review (MSR) if the requested amendment is less than 100 acres or three percent of the acreage within the subject agency's existing sphere of influence, whichever is less, and a previous MSR has been conducted;

**WHEREAS**, the subject proposal represents approximately 0.1% of the total acreage of CSA No. 10 and a Municipal Service Review was approved by the Commission on May 26, 2010, thus meeting the criteria of a minor sphere of influence amendment;

**WHEREAS**, on October 4, 2011, the Stanislaus County Board of Supervisors adopted Resolution No. 2011-566 supporting the annexation to County Service Area No. 10 (Salida) and consenting to the waiver of Conducting Authority Proceedings;



**WHEREAS**, in the form and manner provided by law pursuant to Government Code Sections 56153 and 56157, the Executive Officer has given notice of the public hearing by the Commission on this matter; and

**WHEREAS**, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, which included determinations and factors set forth in Government Code Sections 56425 and 56668, and any testimony and evidence presented at the meeting held on December 7, 2011.

**NOW, THEREFORE, BE IT RESOLVED** that the Commission:

1. Finds this proposal to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)[3] of the CEQA Guidelines.
2. Adopts the written determinations pursuant to Government Code Section 56425, as described and put forth in the staff report dated December 7, 2011, and determines that the sphere of influence for CSA No. 10 (Salida) will include the territory and be coterminous with its approved boundaries, as shown in Attachment 1.
3. Determines: (a) the development will need and benefit from the extended services of CSA No. 10; (b) annexation to CSA No. 10 will enable the required services to be provided; (c) the subject territory is uninhabited; (d) the Stanislaus County Board of Supervisors consented by Resolution to the waiver of conducting authority proceedings; and (e) all owners of land have consented in writing to the proposal.
4. Approves the proposal subject to the following terms and conditions:
  - (a) The Applicant shall pay the required State Board of Equalization fees.
  - (b) The Applicant agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval, and provide for reimbursement or assumption of all legal costs in connection with that approval.
  - (c) In accordance with Government Code Sections 56886(t) and 57330, the subject territory shall be subject to the levying and collection of all previously authorized charges, fees, assessments and taxes of County Service Area No. 10 (Salida).
  - (d) The effective date shall be the date of recordation of the Certificate of Completion.
6. Designates the proposal as the "Park View Estates Change of Organization to County Service Area No. 10 (Salida)".
7. Pursuant to Government Code Section 56663(c), waives conducting authority proceedings and orders the change of organization subject to the requirements of Government Code Section 57000 et seq.
8. Authorizes the Executive Officer to prepare and execute Certificate of Completion upon receipt of a map and legal description prepared to the requirements of the State Board of

Equalization and accepted to form by the Executive Officer, attached hereto, subject to the specified terms and conditions.

ATTEST: Marjorie Blom  
Marjorie Blom  
Executive Officer

Attachment 1: Sphere of Influence Map

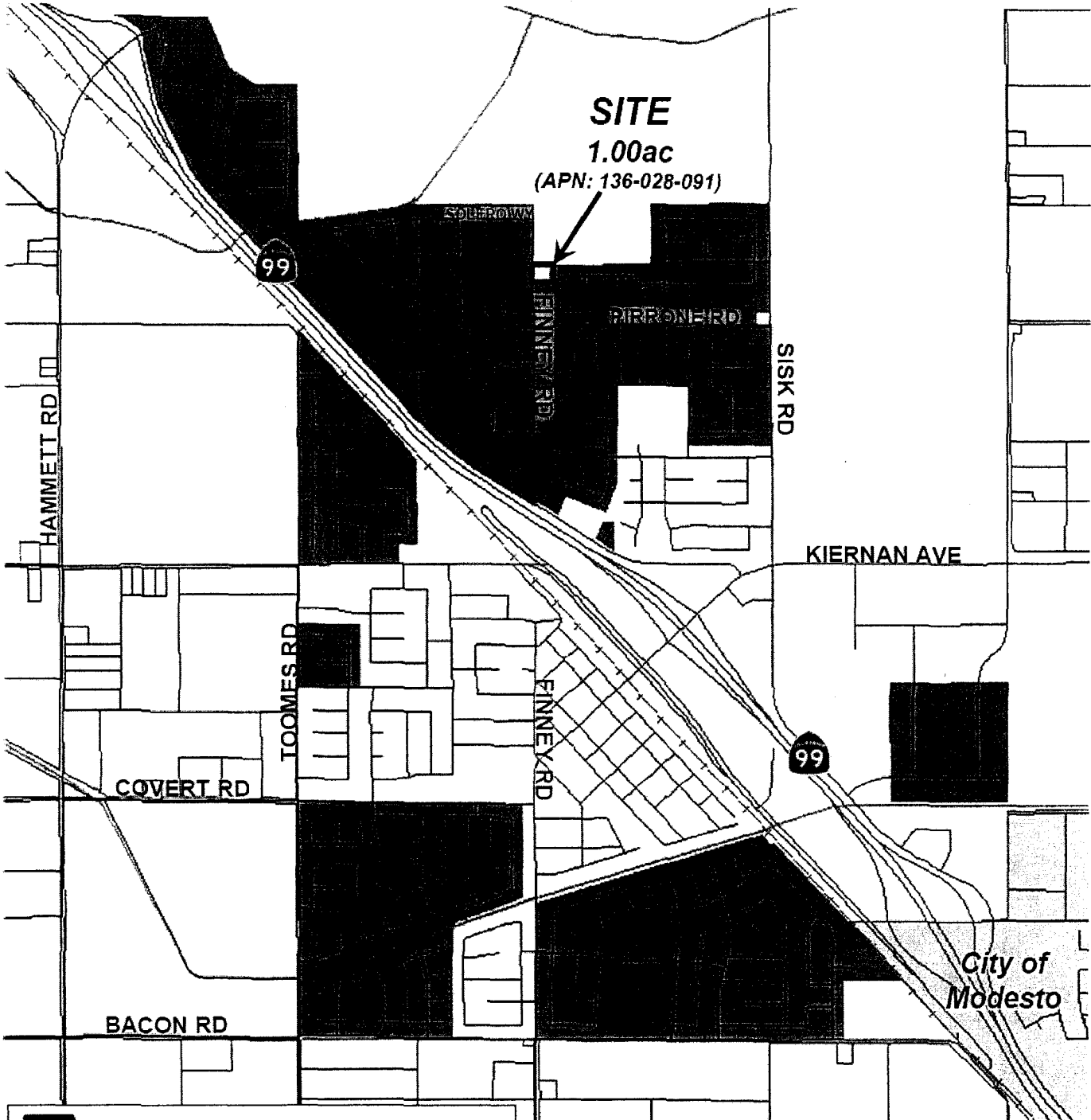
(I:\LAFCOAdmin\SPECIAL DISTRICTS\CSAs\CSA #10 Salida\Park View Estates Change of Org\Resl 2011-13.doc)



I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the minutes of the Stanislaus Local Agency Formation Commission, State of California.

By Dickie Hamilton

Attachment 1

**COUNTY SERVICE AREA NO. 10 (SALIDA)  
BOUNDARY & SPHERE OF INFLUENCE MODIFICATION**



-  = Proposed Annexation & Sphere of Influence Modification (1 acre)
-  = Ex. CSA No. 10 Boundary & Sphere of Influence (coterminous), 726+/- acres



**EXHIBIT B**

**PARK VIEW ESTATES CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA (CSA) NO. 10 (SALIDA)**

That piece of real property being a portion of the Northwest Quarter of Section 34, Township 2 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California, being more particularly described as follows:

COMMENCING at the west quarter corner of Section 34, Township 2 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California ; thence,

Course 1. North 0°30'13" West 460.16 feet along the west line of said Section 34 to a point on said west line, being on the existing boundary of County Service Area No. 10, and being the POINT OF BEGINNING; thence,

Course 2. North 00°30'13" West 201.12 feet along said boundary; thence leaving said boundary,

Course 3. North 89°22'36" East 217.00 feet to an angle point in said boundary; thence

Course 4. South 00°29'32" East 201.05 feet along said boundary; thence,

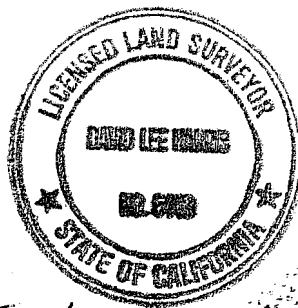
Course 5. South 89°21'29" West 216.96 feet along said boundary to the POINT OF BEGINNING.

Containing 1.00 acre, more or less.

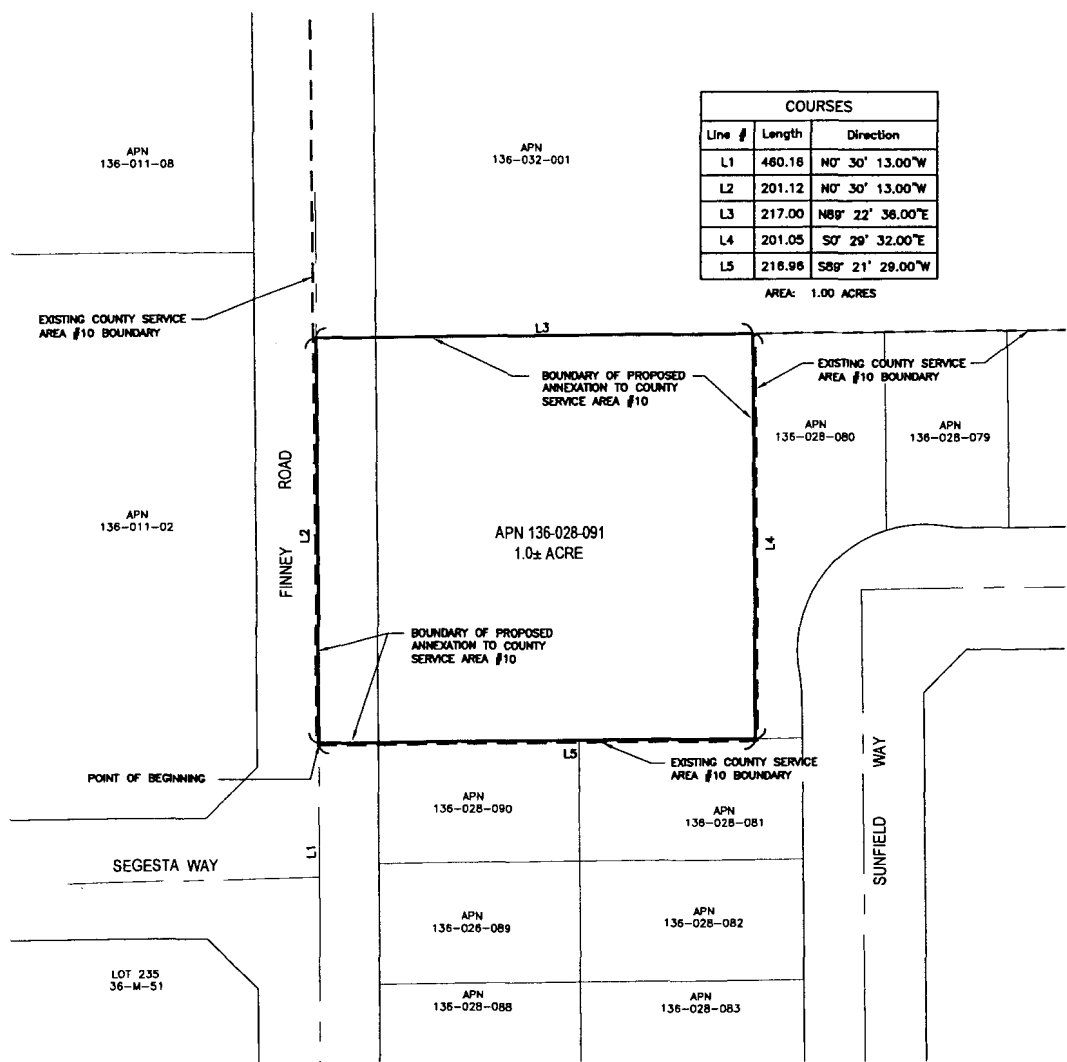
Subject to all easements and/or rights of way of record.

BASIS OF BEARINGS: The bearing of North 0°30'13" West for the west line of Section 34 as shown on that certain map filed for record in Book 44 of Parcel Maps, Page 51, Stanislaus County Records.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

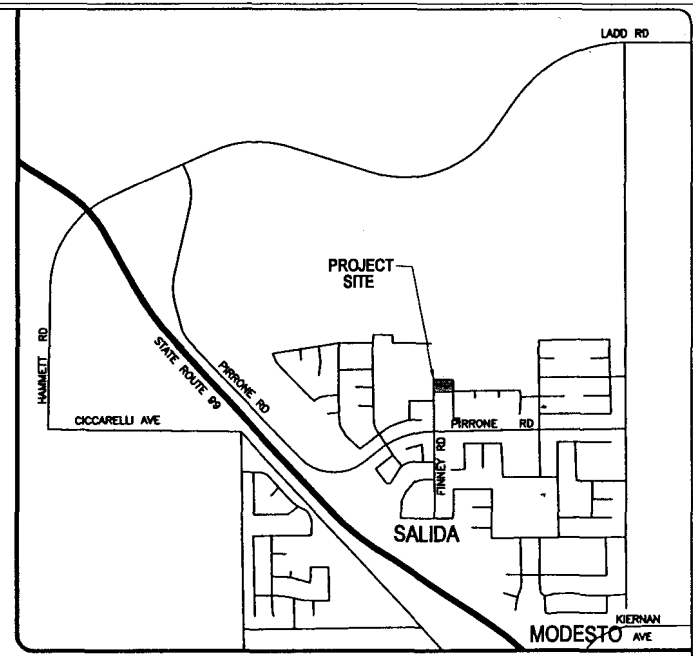


Sept. 8, 2011 *Dd Lee Hinde*



COURSES		
Line #	Length	Direction
L1	480.18	N0° 30' 13.00"W
L2	201.12	N0° 30' 13.00"W
L3	217.00	N89° 22' 36.00"E
L4	201.05	S0° 29' 32.00"E
L5	218.98	S89° 21' 29.00"W

AREA: 1.00 ACRES

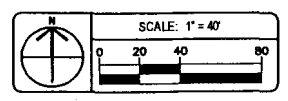


VICINITY MAP  
NO SCALE

**LEGEND**

- EXISTING COUNTY SERVICE AREA NO. 10 BOUNDARY
- PROPOSED ANNEXATION TO COUNTY SERVICE AREA NO. 10

**DISCLAIMER:**  
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



WEST 1/4 CORNER, SEC. 34, T32S, R1E, STANISLAUS COUNTY, CA, POINT OF COMMENCEMENT

DRAWN BY: MS		
DATE: 9/8/2011		
FILE: 01_annexB_11.dwg		
JOB NO.: 2005-022		
REVISIONS		
SYMBOL	DESCRIPTION	APPD.

**PARK VIEW ESTATES CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA (CSA) NO. 10 (SALIDA)**  
BEING A PORTION OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE & MERIDIAN  
STANISLAUS COUNTY, CA

**SOUSA ENGINEERING**  
CIVIL - SURVEY - PLANNING

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