

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

DEPT: Chief Executive Office

BOARD AGENDA #: \*B-1

AGENDA DATE: November 1, 2016

**SUBJECT:**

Approval to Transfer County Owned Property at 321 E Street in Waterford, California (APN 134-007-030) to the Stanislaus Consolidated Fire Protection District

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**BOARD ACTION AS FOLLOWS:**

No. 2016-544

On motion of Supervisor O'Brien, 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:

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No. DF-20-B-1

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Chief Executive Office

Urgent

Routine

BOARD AGENDA #: \*B-1

AGENDA DATE: November 1, 2016

CEO CONCURRENCE: 

4/5 Vote Required: Yes  No

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**SUBJECT:**

Approval to Transfer County Owned Property at 321 E Street in Waterford, California (APN 134-007-030) to the Stanislaus Consolidated Fire Protection District

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**STAFF RECOMMENDATIONS:**

1. Find that the property owned by Stanislaus County ("County") and currently occupied by the Stanislaus Consolidated Fire Protection District ("Fire District") at 321 E Street in Waterford, California (APN 134-007-030) ("Property") is not required for use by the County.
2. Find that the Property, currently owned by the County, is required for Fire District use and does have an operating fire station located on the Property.
3. Find that these recommended actions are exempt from the provisions of the California Environmental Quality Act (CEQA) according to Section 15312 and Class 12 of the CEQA Guidelines (surplus government property sales) and authorize the County to file the Notice of Determination.
4. Authorize the County Chief Executive Officer to execute the attached Quitclaim Deed and any documents necessary to affect the transfer of any interest the County may have in property currently occupied by the Fire District at 321 E Street in Waterford, California (APN 134-007-030) to Stanislaus Consolidated Fire Protection District.
5. Authorize the County Chief Executive Officer to administer and execute any other documents necessary to complete the transfer of real property.

**DISCUSSION:**

The Stanislaus Consolidated Fire Protection District ("Fire District") has requested that Stanislaus County ("County") quitclaim to the Fire District the property located at 321 E Street in Waterford, California (APN 134-007-030, identified on Attachment 1) ("Property").

The earliest record found shows that the Property was purchased by the County in 1944 (Lots 4 and 5) and 1951 (Lots 6, 7, and a portion of 8) for the Waterford-Hickman Fire Protection District to house a fire station (Attachments 2 and 3). The Stanislaus County Local Agency Formation Commission (LAFCO) passed Resolution No. 94-17 in November 1994 to reorganize the Empire, Riverbank, and Waterford-Hickman Fire Protection Districts (Attachment 4). In 1995, the Empire, Riverbank, and Waterford-Hickman Fire Protections Districts were reorganized into one new successor district and the Stanislaus Consolidated

Approval to Transfer County Owned Property at 321 E Street in Waterford, California (APN 134-007-030) to the Stanislaus Consolidated Fire Protection District

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Fire Protection District was formed (Attachment 5). The Board of Supervisors' resolution No. 95-116 (dated January 31, 1995) states that any property previously held by participating districts would transfer over to the newly formed Fire District. A Certificate of Completion dated March 3, 1995 cites the completion of the reorganization (Attachment 6); however, research shows no formal action has been taken to transfer the Property from the County to the Fire District.

In June of 2003, the Fire District sent the Stanislaus County Assessor's Office a memorandum requesting to change the Property's ownership to the Fire District and attached the 1995 reorganization Board of Supervisors' agenda item to support the request (Attachment 7). The Fire District is currently listed as the assesse on the Property, but a recent title search revealed that the County remains listed as the owner of the Property.

Provisions under the law allow the County to quitclaim real property to a special district provided the property is not required for County use. The Property is currently used as a location for one of the Fire District's fire stations, consistent with its usage for the past 65 years. The Property is not used by the County and is not required for County use.

Board action approving the transfer of ownership would authorize the County Chief Executive Officer to sign the Quitclaim Deed which relinquishes any interest the County has in the Property to the Fire District (Attachment 8). If this action is approved, the Quitclaim Deed would be recorded in the official records of the County of Stanislaus.

Upon transfer of the Property, any expansion or further development of the Property would be subject to the requirements of the Fire District and the City of Waterford.

**POLICY ISSUE:**

Pursuant to Government Code 25365, the Board of Supervisors may, by a four-fifths vote, quitclaim to any special district any real property if the property is not required for county use. The Code further requires that the Board of Supervisors shall publish a notice of its intended action pursuant to Section 6061 at least one week prior thereto in a newspaper of general circulation published in the county (Attachment 9). Government Code Section 6061 states that publication of notice pursuant to this section shall be for one time.

The conveyance of the property located at 321 E Street in Waterford, California is exempt from the provisions of the California Environmental Quality Act (CEQA) according to Section 15312 Class 12 of the CEQA Guidelines (sales of government property).

Pursuant to Government Code 27281, deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate of acceptance attached to or printed on the deed or grant (Attachment 10).

**FISCAL IMPACT:**

The property located at 321 E Street in Waterford, California (APN 134-007-030) ("Property") to be transferred is exempt from taxation. No exchange of funds is proposed and no fiscal impact is anticipated as a result of the conveyance. The Stanislaus Fire Protection District agrees to reimburse the County for all costs associated with the transfer of the Property (publication, filing the Notice of Determination, etc.).

Approval to Transfer County Owned Property at 321 E Street in Waterford, California (APN 134-007-030) to the Stanislaus Consolidated Fire Protection District

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**BOARD OF SUPERVISORS' PRIORITY:**

This action to convey ownership of 321 E Street in Waterford, California (APN 134-007-030) to the Stanislaus Fire Protection District ("Fire District") would enable the Fire District to manage its property resource directly and is consistent with the Board of Supervisors' priority of providing Efficient Delivery of Public Services. The recommended action also supports the Board's priority of A Safe Community through the continued delivery of fire and life safety services to the community.

**STAFFING IMPACT:**

There are no staffing impacts associated with the transfer of title to the Stanislaus Consolidated Fire Protection District. The property located at 321 E Street in Waterford, California (APN 134-007-030) has been and will continue to be managed, operated, and maintained by the Stanislaus Fire Protection District at its sole expense.

**CONTACT PERSON:**

Stan Risen, Chief Executive Officer

Phone (209) 525-6333

**ATTACHMENT(S):**

1. Stanislaus County Assessor Map
2. Grant Deed (1944)
3. Grant Deed (1951)
4. Stanislaus County Local Agency Formation Commission Resolution No. 94-17
5. Board of Supervisors Resolution No. 95-116
6. Certificate of Completion
7. Stanislaus Consolidated Fire Protection District Memorandum (June 5, 2003)
8. Quitclaim Deed
9. Published Notice of Intention to Transfer Property
10. Certificate of Acceptance

Attachment 1

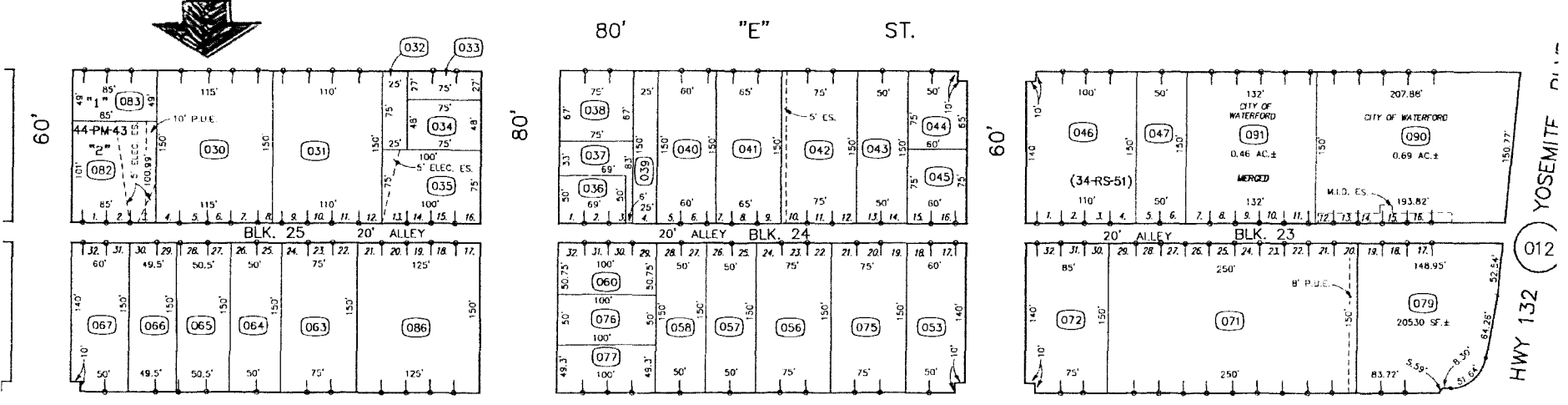
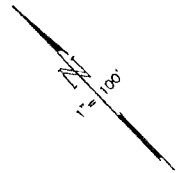
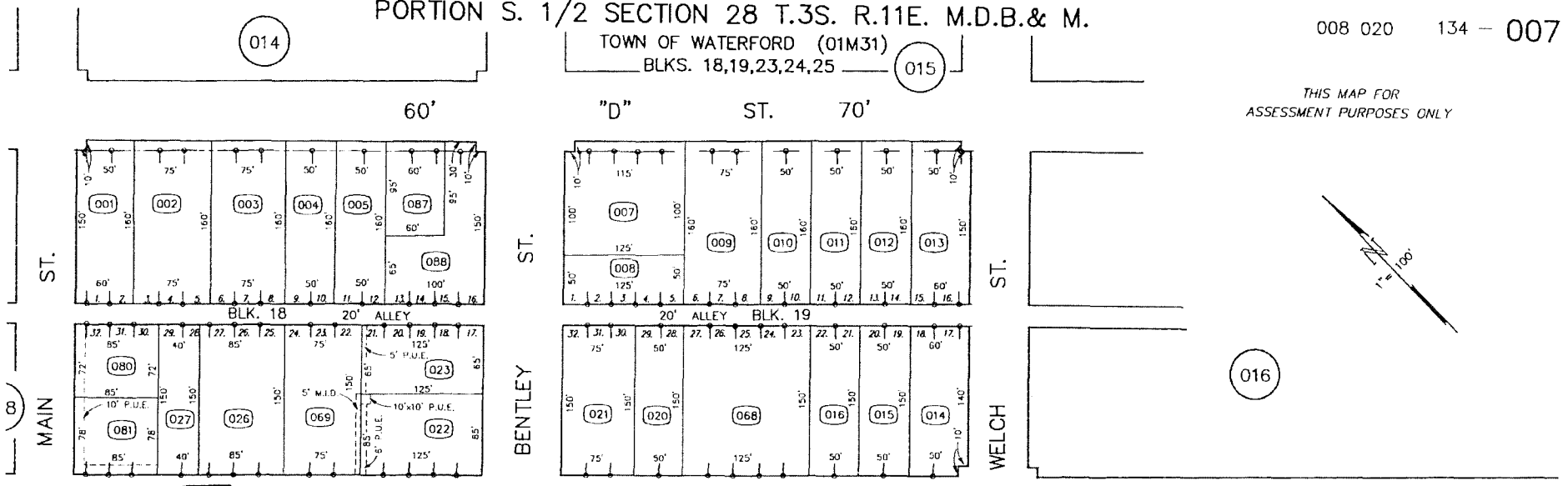
Stanislaus County Assessor Map

PORTION S. 1/2 SECTION 28 T.3S. R.11E. M.D.B.& M.

008 020 134 - 007

TOWN OF WATERFORD (01M31)  
BLKS. 18,19,23,24,25

THIS MAP FOR  
ASSESSMENT PURPOSES ONLY

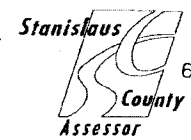


YOSEMITE ST.  
HWY 132

005 FROM: 134-07,11,13  
DRAWN:  
REVISED: 01-23-79, 08-27-91 K.J., 02-04-03 M.B., 01-21-00 (V) M.B., 04-01-05 CS, 11-02-07 M.B., 09-24-12 M.B., 11-05-12 M.B., 10-10-13 M.B., 8-18-16 M.F.

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006



69,77,85,03,05,13,17

134 - 007

Attachment 2  
Grant Deed (1944)

STATE OF CALIFORNIA, )  
COUNTY OF STANISLAUS )SS.

On June 23, 1944, before me, LEILA T. BENSON, a Notary Public in and for said County and State, personally appeared FRANK G. SHOWALTER AND OLIVE E. SHOWALTER, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

LEILA T. BENSON  
(SEAL) Notary Public in and for the County of Stanislaus, State of California.  
My commission expires December 6, 1944.

Recorded at the request of MODESTO TITLE CO. JUL 3 1944 at 30 min. past 3 o'clock P.M., in volume 794 of OFFICIAL RECORDS, page 82 STANISLAUS COUNTY RECORDS

R. G. WARING RECORDER

9318:MU \$1.30 *me & mb*

GRANT DEED

FOR AND IN CONSIDERATION of the sum of TEN Dollars to them in hand paid, EDWARD ALLEN AND ROBERTA A. ALLEN, husband and wife, DO HEREBY GRANT unto COUNTY OF STANISLAUS, a Politic Body, ALL THAT REAL PROPERTY situated in the County of Stanislaus State of California bounded and described as follows:

Lots 4 and 5 in Block 25 of the TOWN OF WATERFORD, according to the Official Map thereof, filed in the office of the County Recorder of Stanislaus County, California on November 15, 1905 in Vol. 1 of Maps at page 31.  
Subject to all taxes and assessments levied or assessed against said property for the fiscal year 1944-45.

Actual consideration less than \$100.00  
No revenue stamps necessary.

WITNESS our hands this 15th day of May, 1944.

EDWARD ALLEN  
ROBERTA A. ALLEN

STATE OF CALIFORNIA, )  
COUNTY OF STANISLAUS )SS.

On May 17th-1944 before me, J. F. HORSLEY, a Notary Public in and for said Stanislaus County and State, personally appeared EDWARD ALLEN AND ROBERTA A. ALLEN known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

J. F. HORSLEY  
(SEAL) Notary Public in and for the County of Stanislaus State of California.  
My commission expires Oct 4-1945

C O U N T Y O F S T A N I S L A U S  
S T A T E O F C A L I F O R N I A

IN THE BOARD OF SUPERVISORS  
On the date of June 26, 1944

COPY  
SUPERVISORS' ORDER

IN THE MATTER OF ACCEPTING DEED FROM -  
EDWARD ALLEN AND ROBERTA A. ALLEN -

It appearing to the Board that the County of Stanislaus purchased from EDWARD ALLEN AND ROBERTA A. ALLEN, the following described real property in the County of Stanislaus, for the use of Waterford-Hickman Fire District, and

That EDWARD ALLEN AND ROBERTA A. ALLEN have presented a Deed for said property to the County of Stanislaus, and said deed being in due form and duly acknowledged,

It is moved, seconded and carried by the unanimous vote of the Board that said Deed be, and the same is hereby, accepted.

The real property therein conveyed is described as follows, to-wit:

Lots 4 and 5 in Block 25 of the TOWN OF WATERFORD, according to the Official Map thereof, filed in the Office of the County Recorder of Stanislaus County, California, on November 15th, 1905 in Vol. 1 of Maps at Page 31.

Together with the tenements, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining.  
Subject to all liens, conditions, restrictions and reservations of record.

And it is further ordered that the County Auditor be, and he is hereby authorized and directed to draw a warrant in the sum of \$119.58 on the Waterford-Hickman Fire District Fund in favor of the MODESTO TITLE COMPANY, to cover the purchase price of said property and title expense in connection with the deal.

STATE OF CALIFORNIA, COUNTY OF STANISLAUS --SS.

I, C. C. EASTIN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered on the Minutes of the said Board of Supervisors. In witness whereof, I have hereunto set my hand and affixed the seal of said Board of Supervisors on June 26, 1944

(SEAL) C. C. EASTIN, CLERK.  
BY M. V. WILSON, DEPUTY CLERK

Recorded at the request of MODESTO TITLE CO. JUL 3 1944 at 40 min. past 10 o'clock A.M., in volume 794 of OFFICIAL RECORDS, PAGE 83 STANISLAUS COUNTY RECORDS.

R. G. WARING RECORDER

9282:MU NO FEE *me & mb*



Attachment 3  
Grant Deed (1951)

## GRANT DEED

ROBERT W. KING and ABBIE JEAN KING for a valuable consideration, receipt of which is hereby acknowledged, do hereby grant to County of Stanislaus, California a body corporate and politic, the real property in the Town of Waterford, County of Stanislaus, State of California, described as follows:

Lots 6, 7 and 8 in Block 25 of the Town of Waterford excepting the South 10 feet from lot 8.  
As per map filed November 15, 1905, Vol. 1, page 31 in County of Stanislaus records  
(\$3.30 Revenue Stamps Cancelled)

Dated May 10, 1951

ROBERT W. KING  
ABBIE JEAN KING

STATE OF CALIFORNIA )  
COUNTY OF STANISLAUS ) SS.

On May 10, 1951, before me, DICK B. WILLIAMS a Notary Public in and for said County and State, personally appeared ROBERT W. KING and ABBIE JEAN KING known to me to be the person, whose name, subscribed to the within instrument and acknowledged that - executed the same. WITNESS my hand and official seal.

DICK B. WILLIAMS

(SSAL) Notary Public in and for said County and State My commission expires 8-11-51

COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

IN THE BOARD OF SUPERVISORS  
On the date of May 21, 1951

-- Copy  
Supervisor's Order

RESOLUTION ACCEPTING DEED OF  
ROBERT W. KING AND ABBIE JEAN KING,  
HUSBAND AND WIFE

WHEREAS, ROBERT W. KING and ABBIE JEAN KING, husband and wife as joint tenants, have executed and delivered to Stanislaus County, a body corporate and politic, a Grant Deed conveying to said County that certain parcel of real property situated in the County of Stanislaus, State of California, and particularly described as follows to-wit:

Lots 6, 7 and 8 in Block 25 of the Town of Waterford, as per Map filed November 15, 1905 in Vol. 1 of Maps, Page 31, Stanislaus County Records. Excepting the South 10 feet from said Lot 8.

Now, therefore, be it resolved by the Board of Supervisors of Stanislaus County, State of California, that said Grant Deed be accepted and the County Clerk of the County of Stanislaus and ex-officio clerk of this Board be, and he is hereby, authorized and directed to cause said Grant Deed to be filed and recorded in the office of the County Recorder of the County of Stanislaus, State of California.

The foregoing resolution was adopted by the Board of Supervisors of the County of Stanislaus, State of California, at a regular meeting of said Board, held on May 21, 1951 by the following vote, to-wit:

AYES: Supervisors, GEORGE E. SWATZEL, OLIVER W. CHANCE, CLINTON C. WILSON, and KEN ABERS

NOES: Supervisors, None.

ABSENT: P. H. RAINES

State of California, County of Stanislaus--SS.

I, C. C. EASTIN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered on the Minutes of the said Board of Supervisors. In witness whereof, I have hereunto set my hand and affixed the seal of said Board of Supervisors on May 21, 1951

(SSAL)

C. C. EASTIN, Clerk  
By M. V. WILSON, Deputy Clerk

RECORDED BY STANISLAUS ABS. & ESC. CO. MAY 23 1951 at 11:20 in Vol. 1032 page 593 Official Records of Stanislaus County

12444 KW No fee 100 & 80

R. G. HARTING RECORDER

## FULL RECONVEYANCE

SECURITY TITLE INSURANCE AND GUARANTEE COMPANY, a corporation, trustee under deed of trust executed by EMBINIO PETERPOSTNIK and PEARL L. PETERPOSTNIK, husband and wife, Trustor, dated June 25, 1947, and recorded July 1, 1947 (Doc. No. 17802) in Book 928, Page 83, of Official Records, in the office of the County Recorder of Stanislaus County, California, having been requested in writing, by the holder of the obligations secured by said deed of trust, to reconvey the estate granted to trustee under said deed of trust, does hereby reconvey to the person or persons legally entitled thereto, without warranty, all the estate, title, and interest acquired by trustee under said deed of trust.

(Brief description of property: Lot 14 of Rouse Colony )

(CORP. SEAL)

Dated May 23, 1951

SECURITY TITLE INSURANCE AND GUARANTEE COMPANY, trustee

By LEONARD R. LOCKHART Vice President  
By HARRY J. DIMUJILLO Assistant Secretary

STATE OF CALIFORNIA )  
COUNTY OF STANISLAUS ) SS.

On May 23, 1951, before me, the undersigned a Notary Public in and for said County and State, personally appeared LEONARD R. LOCKHART known to me to be a Vice President, and HARRY J. DIMUJILLO known to me to be an Assistant Secretary of SECURITY TITLE INSURANCE AND GUARANTEE COMPANY, the corporation that executed the foregoing instrument as trustee and known to me to be the persons who executed said instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same as trustee. WITNESS my hand and official seal.

GUS G. STIVOUAKIS

(SEAL) Notary Public in and for said County and State My commission expires Dec 20, 1951

RECORDED BY STANISLAUS ABS. & ESC. CO. MAY 23 1951 at 11:20 in Vol. 1032 page 593 Official Records of Stanislaus County

12445 KW \$1.90 100 & 80

R. G. HARTING RECORDER

Attachment 4

Stanislaus County Local Agency Formation Commission Resolution No. 94-17

**STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION**

**RESOLUTION**

**DATE:** November 30, 1994

**NO. 94-17**  
Amended

**SUBJECT:** Reorganization of the Empire, Riverbank and Waterford-Hickman Fire Protection Districts

On the motion of Commissioner Simon, seconded by Commissioner Caruso, and approved by the following:

Ayes:	Commissioners: Simon, Caruso, Entin, McKay, Kuhn
Noes:	Commissioners: None
Absent:	Commissioners: Kellner, Dobbs
Disqualified:	Commissioners: Mayfield
Abstaining:	Commissioners: None
Ineligible:	Commissioners: None

**THE FOLLOWING RESOLUTION WAS ADOPTED:**

**WHEREAS,** the proposal was originally scheduled and noticed for public hearing on October 26, 1994;

**WHEREAS,** it was determined that an inconsistency in the appointment of the board of directors was a material change in the terms or conditions of the proposal;

**WHEREAS,** Government Code Section 56839 (b), requires the executive officer to give written notice of the material change to each affected agency, and further, the Commission shall not, without written consent of all affected local agencies, take any further action on the consolidation for 30 days following that mailing;

**WHEREAS,** as only three of the four agencies had consented in writing to the material change prior to the October 26, 1994 hearing, the Commission continued the hearing to November 30, 1994;

**WHEREAS,** the proposal for Reorganization of the Empire, Riverbank and Waterford-Hickman Fire Protection District and the Stanislaus County Fire Safety Department was made by a Resolution of Application which included the submittal of substantially similar resolutions adopted by each of the Board of Directors of the existing fire districts and the Board of Supervisors of Stanislaus County;

**WHEREAS,** pursuant to Government Code Section 56839, if a majority of the board members of each of the districts adopt resolutions of application that are substantially similar, the Commission shall approve, or conditionally approve, the proposal;

**WHEREAS**, the Commission has conducted a public hearing on the proposed Reorganization of the Empire, Riverbank and Waterford-Hickman Fire Protection Districts;

**WHEREAS**, notice of the said public hearing was given pursuant to Section 56834 and 56835 of the California Government Code;

**WHEREAS**, the Commission has, in evaluating the proposal, considered the reports submitted on October 26, 1994 and November 30, 1994 by the Executive Officer and the factors set forth in Section 56841 of the California Government Code, all oral testimony and written evidence submitted in respect to any matter relating to the proposal considered at the public hearing held on November 30, 1994;

**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, per California Code of Regulations, Title 14, Class 20, Section 15320(b);

2. Finds that: (a) notice, as required by law, has been made; (b) the approval of the proposal is consistent with all applicable local general plans; (c) the territory is inhabited; (d) the territory is situated entirely within the County of Stanislaus; (e) that a majority of the Empire, Riverbank and Waterford-Hickman Fire Protection Districts Boards of Directors and the Board of Supervisors of Stanislaus County have adopted substantially similar resolutions of application for reorganization of their agencies under Section 56839 of the California Government Code; (f) written consent to the material change in the appointment of the Board of Directors, in accordance with Government Code Section 56839(b), has been received from each of the affected fire districts and Stanislaus County; (g) the boundaries of the new Stanislaus Consolidated Fire Protection District shall be the same as the descriptions of the existing three fire districts, as attached hereto and made a part hereof; and, (h) the sphere of influence of the new district shall be coterminous with that district's boundary;

3. Approve the proposal subject to the following terms and conditions:

- (a) The effective date of the reorganization shall be January 1, 1995, or as soon as possible thereafter, being the date of recordation with the Stanislaus County Clerk-Recorder by the Executive Officer;
- (b) The name of the new district shall be Stanislaus Consolidated Fire Protection District;
- (c) All existing Laws, Ordinances, Resolutions, Policies and Procedures, that have been enacted, adopted or passed by individual districts prior to the effective date of the reorganization shall remain in effect after the effective date of the reorganization until superseded, amended, modified or deleted by the Board of Directors of the new district;
- (d) All decisions or actions affecting the proposed reorganization and made prior to the effective date of reorganization shall require the majority approval of the Directors of each of the participating entities;

- (e) A five (5) member Board shall be created. Directors will be appointed as provided in Health and Safety Code, Section 13837;
- (f) The initial Board of Directors shall be appointed by the Board of Supervisors and the Riverbank and Waterford City Councils as provided in the Health and Safety Code, Section 13837. Two directors are to be appointed for two (2) years; three directors to be appointed for four (4) years;
- (g) The new District shall continue the established practice of equal employment opportunity;
- (h) All existing station locations, with the exception of the Claribel Road Station, of the participating Districts are to initially remain in operation with at least the current manning levels;
- (i) All equipment, assets, liabilities, facilities, property, cash, fund balances or other fiscal matters of the participating districts shall accrue to the new District;
- (j) All personnel classification and compensation, wages, benefits and working conditions shall be carried forward and in effect until superseded by a new Memorandum of Understanding;
- (k) All property taxes, benefit assessments and other funding which is currently received by the individual districts shall continue to be received by the successor district;
- (l) The new District shall enter into a long-term (10 year) contractual agreement with Stanislaus County to maintain certain and specific services, i.e., "traditional fire services". These will include but not limited to: Automatic aid of fire, rescue and EMS services; Stand-by and move-up emergency services to districts and departments; Coordination of multi-agency operations and simulations; Fire service representation at the Regional Fire Training Center; County Office of Emergency Service; Management of the County's Emergency Operations Center (EDC); Provision of County Fire Warden Services; Hazardous Material Mitigation; Special services to fire agencies (i.e., SB 90 claims, ICS, Policy development); and the Agricultural Burn Permit Program;
- (m) The County Fire Service Fund, also known as the "Less than County-wide Fire Tax" collected by Stanislaus County shall be transferred annually to the Stanislaus Consolidated Fire Protection District as authorized pursuant to Government Code Section 56842(a)(2) for the provision of non-emergency services to Fire Protection Districts in Stanislaus County except within the cities of Modesto and Turlock. Those services are: Fire Prevention; plan review, Fire (arson) Investigation; administrative support; and some training.

4. Recommend that the Board of Supervisors and Riverbank and Waterford City Councils make the appropriate appointments to be the initial designated directors of the reorganized district prior to the recordation of the Certificate of Completion by the Executive Officer;

No. 94-17  
Amended

5. Set the appropriations limit of the consolidated district for calendar year 1995 at \$4,620,271. The Appropriations Limit of the reorganized district may be reestablished by the reorganized district in accordance with the legal requirements for setting the Appropriations Limit;

6. Designate the Stanislaus County Board of Supervisors as the conducting authority, authorize that Board, pursuant to Government Code, Section 56029 (d), to order the Consolidation or Reorganization without an election, and authorize that Board to set the matter for hearing within thirty (30) days pursuant to Government Code, Sections 56839 and 57081.

ATTEST:

  
Fran Sutton-Berardi  
Senior Planner

Attachment 5

Board of Supervisors Resolution No. 95-116



THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: January 31, 1995

No. 95-116

On motion of Supervisor Paul, Seconded by Supervisor Blom  
and approved by the following vote,  
Ayes: Supervisors: Paul, Mayfield, Blom, Simon and Chairman Caruso  
Noes: Supervisors: None  
Excused or Absent: Supervisors: None  
Abstaining: Supervisor: None

9:30 a.m.

THE FOLLOWING RESOLUTION WAS ADOPTED:

ORDERING THE REORGANIZATION OF THE EMPIRE, RIVERBANK AND WATERFORD/HICKMAN FIRE PROTECTION DISTRICTS INTO ONE NEW SUCCESSOR DISTRICT KNOWN AS THE STANISLAUS COUNTY FIRE PROTECTION DISTRICT AND THE ASSIMILATION OF THE STANISLAUS COUNTY FIRE SAFETY DEPARTMENT INTO THE NEW DISTRICT WITHOUT ELECTION.

WHEREAS, the Stanislaus County Local Agency Formation Commission (LAFCO) approved a proposal to reorganize Empire, Riverbank and Waterford/Hickman Fire Protection Districts into one consolidated District, and

WHEREAS, the County of Stanislaus will concurrently merge its Fire Safety Department into the consolidated District for provision of fire protection and emergency medical services, and

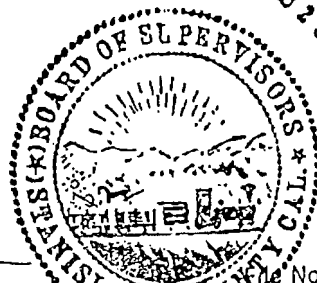
WHEREAS, Government Code, Section 56029 (D) designates the Board of Supervisors as the Conducting Authority to conduct proceedings for reorganizations involving consolidation of districts pursuant to Part 4 of Division 3 of Government Code commencing with Section 57000, and

WHEREAS, Government Code, Section 56839 (a) provides that the LAFCO shall authorize the Board, as Conducting Authority, to order the consolidation or reorganization without election if application for consolidation or reorganization is made by adoption of substantially similar resolutions of applications, and

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

ATTEST: REAGAN M. WILSON, Clerk  
Stanislaus County Board of Supervisors  
State of California,

REAGAN M. WILSON  
Clerk of the Board of Supervisors of the  
County of Stanislaus, State of California



DF-1-A-10  
DF-3-33  
DF-19-A-28  
M-7-BB-20  
S-33-D-25

WHEREAS, such resolutions were adopted and submitted to the LAFCO, and

WHEREAS, the LAFCO adopted Resolution "94 - 17 AMENDED" making determinations and approving the proposal to reorganize on November 30, 1994, and  
WHEREAS, Government Code, Section 57081 (b) directs the Board to order the reorganization without an election unless a petition that meets the described criteria is submitted within 30 days of adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Stanislaus County acting as Conducting Authority, that the reorganization of the three Fire Protection Districts into one consolidated district and the assimilation of the Stanislaus County Fire Safety Department into the new District is hereby ordered, and

BE IT FURTHER RESOLVED that the reasons for approval of the reorganization are that the Empire, Riverbank, and Waterford/Hickman Fire Protection Districts and the County of Stanislaus will benefit from the proposed reorganization because it will result in more effective and economical operations due to the eliminations of costly duplication of operations, and

BE IT FURTHER RESOLVED that said territory should be reorganized with the following terms and conditions:

1. The effective date of the reorganization will be the date of recordation with the Stanislaus County Clerk by LAFCO;
2. All existing Laws, Ordinances, Resolutions, Policies and Procedures, that have been enacted, adopted or passed by the individual districts prior to the effective date of the reorganization shall remain in effect after the effective date of the reorganization until superseded, amended, modified or deleted by the Board of Directors of the new District;
3. All decisions or actions affecting the proposed reorganization and made prior to the effective date of reorganization shall require the majority approval of the Directors of each of the participating entities;

4. A five member Board shall be created. Directors will be appointed as provided in Health and Safety Code, Section 13837;
5. The new District shall continue the established practice of equal employment opportunity;
6. All existing station locations of the participating Districts except for the Claribel Road Station are to remain in operation with at least the current staffing level;
7. The Stanislaus Consolidated Fire Protection District shall establish an engine company move-up to insure adequate station coverage;
8. All equipment, assets, liabilities, facilities, property, cash, fund balances or other fiscal matters of the participating districts shall accrue to the new District;
9. All personnel classifications and compensation, wages, benefits and working conditions shall be carried forward and in effect until superseded by a new Memorandum of Understanding, and

BE IT FURTHER RESOLVED that the regular county assessment roll will be utilized,  
and

BE IT FURTHER RESOLVED that the affected territory will not be taxed for existing  
general bonded indebtedness of any agency whose boundaries are changed, and

BE IT FURTHER RESOLVED that all property taxes and other funding which is  
currently received by the individual districts shall continue to be received by the successor district,  
and

BE IT FURTHER RESOLVED that the name of the District shall be the "Stanislaus  
Consolidated Fire Protection District"

BE IT FURTHER RESOLVED that the boundaries of the District shall be the same as the combined boundaries of the existing Districts and incorporated herein by reference, and

BE IT FURTHER RESOLVED that the new District shall enter into a long-term (10 year) contractual agreement with Stanislaus County to maintain certain and specific services, i.e., "traditional fire services". These will include but not be limited to: automatic aid of fire, rescue and EMS services; stand-by and move-up emergency services to districts and departments; coordination of multi-agency operations and simulations; fire service representation at the Regional Fire Training Center; County Office of Emergency Service; management of the County's Emergency Operations Center (EDC); provision of County Fire Warden Services; Hazardous Material Mitigation; special services to fire agencies (i.e., SB 90 claims, ICS, policy development); and the Agricultural Burn Permit Program;

BE IT FURTHER RESOLVED that the County Fire Service Fund, also known as the "Less than Countywide Fire Tax" collected by Stanislaus County shall be transferred annually to the Stanislaus Consolidated Fire Protection District as authorized pursuant to Government Code Section 56842 (a)(2) for the provision of non-emergency services to fire protection districts in Stanislaus County except within the cities of Modesto and Turlock. Those services are: fire prevention; plan review, fire (arson) investigation; administrative support; and some training.

BE IT FURTHER RESOLVED that these Conducting Authority proceedings be deemed complete on the 31st day after the date of adoption of this resolution, unless a petition is filed within said time conforming to the requirements of Government Code Section 57081 (b) and any other applicable law in which case an election shall be held on the issue of this reorganization, and

BE IT FURTHER RESOLVED that in the form and manner required by law, notice has been given of the hearing by the Conducting Authority.

*BOUNDARY DESCRIPTION*

**"STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT"**

"Stanislaus Consolidated Fire Protection District" boundary encompasses all existing territory within the three fire protection districts listed below:

Empire Fire Protection District  
Riverbank Fire Protection District  
Waterford-Hickman Fire Protection District

Attachment 6  
Certificate of Completion

Recording Requested By:

Stanislaus Co Recorder's Office  
Karen Mathews, County Recorder

When Recorded Mail To:

DOC - 95-0015964--00

Name: Christine Ferraro  
Clerk to the Board  
Address: Board of Supervisors  
1100 H Street  
Town, State Modesto, CA 95354  
& Zip:

REQD BY  
Friday, MAR 03, 1995 09:37:16  
FRE \$0.00;  
Ttl Pd \$0.00 Nbr-0000022341  
RSJ/R2/7

(Space above This Line Reserved  
For Recorder's Use Only)

Certificate of Completion  
Reorganization of the Empire, Riverbank and Waterford-Hickman Fire Protection Districts  
(Document Title/s)

015964 MAR-395

(Below for Deeds or Instruments conveying title)  
MAIL TAX STATEMENTS TO PARTY SHOWN: \_\_\_\_\_

55 17

**LAFCO**

S T A N I S L A U S  
LOCAL AGENCY FORMATION COMMISSION

1100 H STREET  
(209) 525-7660

MODESTO, CALIFORNIA 95364  
FAX: 525-5911

DATE: March 3, 1995

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: Reorganization of the Empire, Riverbank and Waterford-Hickman Fire Protection Districts.
2. Name of each district or city for which a reorganization was ordered: Empire, Riverbank and Waterford-Hickman Fire Protection Districts.
3. Name of each county within which any of such districts or cities are located: Stanislaus.
4. Type or kind of reorganization ordered for each such city or district: Reorganization consisting of consolidation of the Empire, Riverbank and Waterford-Hickman Fire Protection Districts to form the "Stanislaus Consolidated Fire Protection District."
5. Terms or conditions of the reorganization: See attached Resolution No. 95-116.
6. Date of adoption of the resolution ordering the reorganization. January 31, 1995.
7. Territory involved is inhabited.

RON E FREITAS  
EXECUTIVE OFFICER

By:

  
Fran Sutton-Berardi  
Senior Planner

bm,L21

Form 24

Attachments

015964 MAR-3 95



THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: January 31, 1995

No. 95-116

On motion of Supervisor Paul, Seconded by Supervisor Blom  
and approved by the following vote,  
Ayes: Supervisors: Paul, Mayfield, Blom, Simon and Chairman Caruso  
Noes: Supervisors: None  
Excused or Absent: Supervisors: None  
Abstaining: Supervisor: None

9:30 a.m.

THE FOLLOWING RESOLUTION WAS ADOPTED:

ORDERING THE REORGANIZATION OF THE EMPIRE, RIVERBANK AND  
WATERFORD/HICKMAN FIRE PROTECTION DISTRICTS INTO ONE NEW SUCCESSOR  
DISTRICT KNOWN AS THE STANISLAUS COUNTY FIRE PROTECTION DISTRICT  
AND THE ASSIMILATION OF THE STANISLAUS COUNTY FIRE SAFETY  
DEPARTMENT INTO THE NEW DISTRICT WITHOUT ELECTION.

WHEREAS, the Stanislaus County Local Agency Formation Commission (LAFCO)  
approved a proposal to reorganize Empire, Riverbank and Waterford/Hickman Fire Protection  
Districts into one consolidated District, and

WHEREAS, the County of Stanislaus will concurrently merge its Fire Safety Department  
into the consolidated District for provision of fire protection and emergency medical services, and

WHEREAS, Government Code, Section 56029 (D) designates the Board of Supervisors  
as the Conducting Authority to conduct proceedings for reorganizations involving consolidation  
of districts pursuant to Part 4 of Division 3 of Government Code commencing with Section  
57000, and

WHEREAS, Government Code, Section 56839 (a) provides that the LAFCO shall  
authorize the Board, as Conducting Authority, to order the consolidation or reorganization  
without election if application for consolidation or reorganization is made by adoption of  
substantially similar resolutions of applications, and

I hereby certify that the foregoing is a full,  
true and correct copy of the Original entered  
in the Minutes of the Board of Supervisors.

ATTEST: REAGAN M. WILSON, Clerk  
Stanislaus County Board of Supervisors  
State of California,

REAGAN M. WILSON  
Clerk of the Board of Supervisors of the  
County of Stanislaus, State of California

By: By: Deputy By: *[Signature]*



DF-1-A-10  
DF-3-33  
DF-19-A-28  
M-7-BB-20  
S-33-D-25

015964 MAR-3 95

WHEREAS, such resolutions were adopted and submitted to the LAFCO, and

WHEREAS, the LAFCO adopted Resolution "94 - 17 AMENDED" making determinations and approving the proposal to reorganize on November 30, 1994, and

WHEREAS, Government Code, Section 57081 (b) directs the Board to order the reorganization without an election unless a petition that meets the described criteria is submitted within 30 days of adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Stanislaus County acting as Conducting Authority, that the reorganization of the three Fire Protection Districts into one consolidated district and the assimilation of the Stanislaus County Fire Safety Department into the new District is hereby ordered, and

BE IT FURTHER RESOLVED that the reasons for approval of the reorganization are that the Empire, Riverbank, and Waterford/Hickman Fire Protection Districts and the County of Stanislaus will benefit from the proposed reorganization because it will result in more effective and economical operations due to the eliminations of costly duplication of operations, and

BE IT FURTHER RESOLVED that said territory should be reorganized with the following terms and conditions:

1. The effective date of the reorganization will be the date of recordation with the Stanislaus County Clerk by LAFCO;
2. All existing Laws, Ordinances, Resolutions, Policies and Procedures, that have been enacted, adopted or passed by the individual districts prior to the effective date of the reorganization shall remain in effect after the effective date of the reorganization until superseded, amended, modified or deleted by the Board of Directors of the new District;
3. All decisions or actions affecting the proposed reorganization and made prior to the effective date of reorganization shall require the majority approval of the Directors of each of the participating entities;

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4. A five member Board shall be created. Directors will be appointed as provided in Health and Safety Code, Section 13837;
5. The new District shall continue the established practice of equal employment opportunity;
6. All existing station locations of the participating Districts except for the Claribel Road Station are to remain in operation with at least the current staffing level;
7. The Stanislaus Consolidated Fire Protection District shall establish an engine company move-up to insure adequate station coverage;
8. All equipment, assets, liabilities, facilities, property, cash, fund balances or other fiscal matters of the participating districts shall accrue to the new District;
9. All personnel classifications and compensation, wages, benefits and working conditions shall be carried forward and in effect until superseded by a new Memorandum of Understanding, and

BE IT FURTHER RESOLVED that the regular county assessment roll will be utilized,  
and

BE IT FURTHER RESOLVED that the affected territory will not be taxed for existing  
general bonded indebtedness of any agency whose boundaries are changed, and

BE IT FURTHER RESOLVED that all property taxes and other funding which is  
currently received by the individual districts shall continue to be received by the successor district,  
and

BE IT FURTHER RESOLVED that the name of the District shall be the "Stanislaus  
Consolidated Fire Protection District"

015964 MAR-3 95

BE IT FURTHER RESOLVED that the boundaries of the District shall be the same as the combined boundaries of the existing Districts and incorporated herein by reference, and

BE IT FURTHER RESOLVED that the new District shall enter into a long-term (10 year) contractual agreement with Stanislaus County to maintain certain and specific services, i.e., "traditional fire services". These will include but not be limited to: automatic aid of fire, rescue and EMS services; stand-by and move-up emergency services to districts and departments; coordination of multi-agency operations and simulations; fire service representation at the Regional Fire Training Center; County Office of Emergency Service; management of the County's Emergency Operations Center (BDC); provision of County Fire Warden Services; Hazardous Material Mitigation; special services to fire agencies (i.e., SB 90 claims, ICS, policy development); and the Agricultural Burn Permit Program;

BE IT FURTHER RESOLVED that the County Fire Service Fund, also known as the "Less than Countywide Fire Tax" collected by Stanislaus County shall be transferred annually to the Stanislaus Consolidated Fire Protection District as authorized pursuant to Government Code Section 56842 (a)(2) for the provision of non-emergency services to fire protection districts in Stanislaus County except within the cities of Modesto and Turlock. Those services are: fire prevention; plan review, fire (arson) investigation; administrative support; and some training.

BE IT FURTHER RESOLVED that these Conducting Authority proceedings be deemed complete on the 31st day after the date of adoption of this resolution, unless a petition is filed within said time conforming to the requirements of Government Code Section 57081 (b) and any other applicable law in which case an election shall be held on the issue of this reorganization, and

BE IT FURTHER RESOLVED that in the form and manner required by law, notice has been given of the hearing by the Conducting Authority.

015964 MAR-395

**BOUNDARY DESCRIPTION**

**"STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT"**

"Stanislaus Consolidated Fire Protection District" boundary encompasses all existing territory within the three fire protection districts listed below:

Empire Fire Protection District  
Riverbank Fire Protection District  
Waterford-Hickman Fire Protection District

015964 MAR -3 95

Attachment 7

Stanislaus Consolidated Fire Protection District Memorandum

(June 5, 2003)



Stanislaus Consolidated Fire Protection District  
3705 Oakdale Road  
Modesto, CA 95357  
(209) 552-3700

MEMORANDUM

DATE: June 5, 2003  
TO: Don Oppman, Assessor's Office  
FROM: Sonya Shipley *SS* - *faxed 6/5/03*  
SUBJECT: Name Change on Parcels Owned by the District

As authorized by the attached Board of Supervisors agenda item No. 95-116 dated January 31, 1995, the former Empire, Riverbank and Waterford/Hickman Fire Protection Districts were reorganized into the Stanislaus Consolidated Fire Protection District. Please change the owner name on the following parcels to reflect Stanislaus Cons Fire Prot Dist with a mail address of 3705 Oakdale Rd. Modesto 95357.

- 036-19-03 - 31
- 133-13-01 > 32
- 133-13-02 >
- 009-13-20 - 33
- 134-07-30 - 34
- 132-09-27 >
- 132-09-28 > 36

*note: 35 owned by the Grange  
Honorarius assoc.*

Please contact me at 552-3717 if you have any questions.

Thank you for your assistance.

:ss

Attachment: Board agenda item 1/31/95 #95-116

*fax: 5-6586*

*fax: 5-7023*

Attachment 8  
Quitclaim Deed





NO FEE (GC §103)  
RECORDING REQUESTED BY:  
BOARD OF SUPERVISORS

Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2017-0026423-00**  
Wednesday, APR 12, 2017 10:18:39  
Ttl Pd \$0.00 Rcpt # 0003957365  
OJC/R2/1-4

When Recorded Mail To:  
STANISLAUS COUNTY  
BOARD OF SUPERVISORS  
1010 10<sup>TH</sup> STREET, SUITE 6700  
MODESTO, CA 95354

Future Tax Statements:  
Stanislaus Consolidated Fire Protection District  
3324 Topeka St.  
Riverbank, CA 95367

Road Name: 321 E STREET  
WATERFORD, CA

APN: 134-007-030

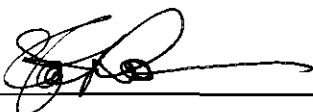
## QUITCLAIM DEED

The undersigned grantor(s) declare(s):  
Documentary transfer tax is \$ 0.00 Exemption: R&T Code 11922  
( ) computed on full value of property conveyed, or  
( ) computed on full value less value of liens and encumbrances remaining at the time of sale  
( ) Unincorporated area: ( X ) City of Waterford

FOR NO CONSIDERATION, receipt of which is hereby acknowledged, the undersigned does hereby remise, release and quitclaim to **Stanislaus Consolidated Fire Protection District** forever, all right, title, interest and claim in the real property in the County of Stanislaus, State of California described as:

SEE EXHIBIT "A"

Undersigned : Stanislaus County, a political subdivision of the State of California

BY:   
(sign)  
Stan Risen, Chief Executive Officer  
AKA Stanley Edward Risen  
(print) (title)

BY: \_\_\_\_\_  
(sign)  
\_\_\_\_\_  
(print) (title)

Dated: 11/1/2016

Dated: \_\_\_\_\_

HJC

## EXHIBIT A

All that portion of Block 25 of the Map of the Town of Waterford, recorded in Volume 1 of Maps, at Page 31, on November 15, 1905, Stanislaus County Records, lying in the South half of Section 28, Township 3 South, Range 11 East, Mount Diablo Meridian, City of Waterford, County of Stanislaus described as follows:

### Parcel No. 1

Lots 4 and 5 of said Block 25 as granted to Stanislaus County from Edward Allen and Roberta A. Allen by Deed recorded July 3, 1944 in Volume 794 of Official Records, Page 83, Stanislaus County Records.

### Parcel No. 2

Lots 6, 7 and 8, excepting the South 10 feet from said Lot 8, of Block 25 as granted to Stanislaus County from Robert W. King and Abbie Jean King by Deed recorded May 23, 1951 in Volume 1032 of Official Records, Page 593, Stanislaus County Records.

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Stanislaus

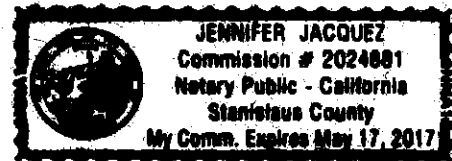
On November 1, 2016 before me, Jennifer Jacquez, Notary Public  
(insert name and title of the officer)

personally appeared Stanley Edward Risen  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~(is/are)~~ subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jennifer Jacquez (Seal)



**DECLARATION OF PUBLICATION  
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of THE MODESTO BEE, printed in the City of MODESTO, County of STANISLAUS, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of STANISLAUS, State of California, Under the date of February 25, 1951, Action No. 46453; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Oct 22, 2016

-----

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

October 22nd, 2016

(By Electronic Facsimile Signature)

Cynthia A. Williams

STANISLAUS COUNTY  
NOTICE OF INTENTION  
TO TRANSFER REAL PROPERTY

NOTICE IS HEREBY GIVEN pursuant to Government Code Section 25365, that it is the intention of the Board of Supervisors of Stanislaus County to convey the property hereafter described to the Stanislaus Consolidated Fire Protection District; that said transfer will be considered by the Board of Supervisors in the Chambers - Basement Level 1010 10th Street Modesto, California, on November 1, 2016 at 9:00 a.m., at which time any person interested may appear and be heard in regard to such transfer or on any matter pertinent hereto. The land is situated in the State of California, County of Stanislaus, and is described as:

321 E Street in Waterford, CA. APN # 134-007-030 ("Property")

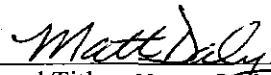
Once approved, the County will quitclaim the Property to the Stanislaus Consolidated Fire Protection District. If you should have any questions, please contact: Stan Risen, Chief Executive Officer at (209) 525-6333 between the hours of 8:00 a.m. and 5:00 p.m., or visit the office at 1010 10th Street, Suite 6800, Modesto, CA.

Pub Dates Oct 22, 2016

Attachment 10  
Certificate of Acceptance

**CERTIFICATE OF ACCEPTANCE OF REAL PROPERTY**  
**STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT**

This is to certify that the interest in real property, described in the Quitclaim Deed dated November 1, 2016 from the County of Stanislaus, a Political Subdivision, to Stanislaus Consolidated Fire Protection District is hereby accepted by the undersigned agent on behalf of Stanislaus Consolidated Fire Protection District pursuant to authority conferred by resolution 15-11 of Stanislaus Consolidated Fire Protection District dated December 8, 2016, and the grantee consents to recordation thereof by its duly authorized agent.

  
\_\_\_\_\_  
Name and Title: Matt Daly, Fire Chief  
On behalf of: Stanislaus Consolidated Fire  
Protection District  
December 20, 2016  
\_\_\_\_\_  
Date