

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

January 28, 2016 (Agenda)

- LAFCO No. 511: Expansion of the City of Hollister Sphere of Influence, and
Spray Field Annexation to the City of Hollister
- PROPONENT: City Council of the City of Hollister, by resolution.
- ACREAGE &
LOCATION Approximately 52 acres located south of and contiguous to San Juan Road
on west side of the San Benito River; Hollister area
- PURPOSE: To annex City-owned territory used for municipal purposes and thereby
consolidate governance of municipal property and reduce property taxes
paid by the City.

PROJECT INFORMATION

Project Information

1. Land Use, Planning and Zoning - Present and Future:

The site is used as a spray field for reclaimed water from the City's wastewater treatment facility and as a passive recreation area. No change in use is proposed or anticipated.

The property is not presently within the City Sphere of Influence and it is recommended the sphere be enlarged to include this area.

City General Plan and rezoning designations are Public Facilities/Institutional (PF/1). The County General Plan designation is Heavy Industrial (M2).

Surrounding land uses are vacant. The County General Plan designates areas east and north as Heavy Industrial (M2) and south and west as Agricultural Productive (AP).

2. Topography, Natural Features and Drainage Basins:

The site is generally level. The San Benito River is located to the north and undeveloped hillsides are located to the south.

3. Population:

There are no dwelling units on the property and none are anticipated.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The City "Plan for Providing Services Within the Affected Territory" as required by Government Code Section 56653 is attached and made a part of this report.

5. Impact on Prime Agricultural Land, Open Space and Agriculture:

The City reports that while the site is prime agricultural land it is used as a spray field for the wastewater treatment facility with no active agricultural uses.

6. Assessed Value, Tax Rates and Indebtedness:

The annexation area is within Tax Rate Area 067-003. The assessed value is \$1,351,788 (2015-2016 roll).

The proposal is subject to a master property tax exchange agreement that has been approved by the Board of Supervisors and Hollister City Council. The overall tax rate will not be affected by this change.

An interesting aspect of California law is that cities are required to pay property taxes, as would any owner, on property owned by the city that is outside the city boundaries. For this annexation area the City will pay \$18,477 in property taxes this fiscal year.

City-owned property within city boundaries however is exempt from such taxation. Therefore, this annexation will relieve the City of Hollister from the obligation to pay property taxes on these parcels in future years.

7. Environmental Impact of the Proposal:

The proposal has been found to be categorically exempt. (Class 1 Existing Facilities and Class 19 - Annexation of Existing Facilities and Lots for Exempt Facilities.)

9. Landowner and Subject Agency Consent:

The City of Hollister consents to the annexation and to the waiver of conducting authority proceedings.

10. Boundaries, Lines of Assessment and Registered Voters:

The boundaries appear to be definite and certain and there do not appear to be conflicts with lines of assessment or ownership.

The property is contiguous to the existing City boundary. The territory is uninhabited; namely, there are fewer than 12 registered voters.

The map and legal description are being reviewed by the County Surveyor for sufficiency in filing with the State Board of Equalization.

11: Environmental Justice

Annexation will have no effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.

ALTERNATIVES FOR COMMISSION CONSIDERATION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted.

- A. Find the proposal to be categorically exempt.
- B. Amend the City of Hollister Sphere of Influence to include the annexation area.
- C. Adopt this report and approve the proposal known as the Spray Field Annexation to the City of Hollister, subject to the condition that the territory be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the City.
- D. Find: 1) the subject territory is uninhabited, 2) all affected landowners have given consent to the annexation and 3) the annexing agency has given written consent to the waiver of conducting authority proceedings.
- E. Waive the conducting authority proceedings and direct the staff to complete the proceeding.

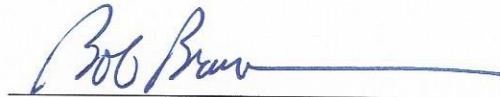
- F. Direct the staff not to record the annexation until the map and legal description are found by the County Surveyor to be acceptable.

OPTION 2 - Adopt this report and DENY this proposal.

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

RECOMMENDED ACTION:

Approve OPTION 1.

A handwritten signature in blue ink that reads "Bob Braitman". The signature is written in a cursive style and is positioned above a horizontal line.

BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

14. Government Services and Controls – Plan for Providing Services (per §56653)

- A. Describe the services to be extended to the affected territory by this proposal.
- B. Describe the level and range of the proposed services.
- C. Indicate when the services can feasibly be provided to the proposal area.
Please see below answers for A, B, and C.

Police Service

The City of Hollister has 29 sworn police officers and 10 non-sworn personnel. This equates to approximately .79 police officers per 1,000 residents. Police service to the affected area upon annexation will be provided by the Hollister Police Department. The Police Department provides this service throughout the City based upon staffing levels set by the City Council of the City of Hollister. The affected area is is not contiguous to the current City limits (current service area). The annexation will will not extend the boundary of police service currently in effect.

Upon annexation the project will include existing roadways that would affect traffic enforcement/collision investigation responsibilities due any call to the passive recreation area. The incremental increase in police service will be financed by the City of Hollister General Fund. The annexation of the affected area will not create the need for any police related structures or improvements.

Fire Service

The City of Hollister has 24 full-time firefighters with eight persons on shift per day. The staff is supplemented by 25 paid call firefighters that respond as needed. The Hollister Fire Department will provide fire Service to the affected area upon annexation. The Fire Department provides this service throughout the City and adjoining County areas, via a mutual aid agreement, based upon staffing levels set by the City Council. The Fire Department currently houses its fire personnel and equipment at its stations located at the northwest corner of Fifth and Sally Streets and the north side of Union Road between Valleyview Road and Airline Highway. The affected area is is not contiguous to the current City limits (current service area), thus it will not extend the range of fire service currently in effect. The affected area is is not within the five minute first engine response time, as set forth in City Fire Protection Master Plan for Fire Station 1. The affected area is already developed as a sprayfield and for passive recreation and covered by mutual aid agreements and will not require an incremental increase in staffing levels and capital equipment, due to the increase in population and structures.

General Government

General Government services include the City Council, City Administration (City Manager, City Attorney), City Finance (Payment of Utility Bills), Building, Planning, Engineering, and Animal Control. These services are currently being provided to the City at large. Annexation of the affected area in its current condition will not cause any

increase in City General Government services. Development of the site if annexed will cause a negligible increase in General Government services for the City Council, City Administration, City Finance, and Animal Control. The property was acquired and developed by the City of Hollister as a spray field for reclaimed wastewater with passive recreation as a secondary land use. Maintenance of the property will continue to be funded with enterprise funds from the City of Hollister water reclamation facility, potential grants for development of passive recreation and

Sewer Service

Accessory structures have been developed on the property to support the spray field equipment along with portable toilets for passive recreational land uses. The City of Hollister has an 8 inch and a 21 inch sewer transmission main on the north side of San Juan Hollister Road. Sewage currently generated from the site is disposed with a portable toilet service at the City of Hollister water reclamation facility.

There will be no alteration of land use upon annexation of the property. Disposal of sewage to portable toilets is expected to continue for the foreseeable future. The unincorporated properties bordering the project site are located within the boundary of the Hollister Urban Area Water Project and could request outside jurisdiction sewer service from the City of Hollister. It is conceivable that sewer services may be extended to serve the unincorporated lands adjoining the site over the long-term and restroom facilities could be developed on site to replace existing portable toilets.

The City of Hollister currently treats its domestic wastewater at the Hollister Domestic Wastewater Treatment Plant (DWTP), which serves the current City limits and portions of unincorporated San Benito County. Domestic wastewater is the waste flows from the City's residential, industrial, commercial, and institutional land uses. The City currently treats domestic and industrial wastewater at its new regional immersed membrane bioreactor (MBR) wastewater treatment plant located on the west side of the City, on the north side of San Juan Hollister Road. The plant has a design capacity of 5.0 million gallons per day (MGD) and produces effluent that meets Title 22 requirements for disinfected tertiary recycled water.

In accordance with the implementation of the Long Term Wastewater Management Plan (LTWMP) filed with the Water Quality Control Board, the City is currently implementing a long-term program of phased improvements for the disposal and reuse of reclaimed wastewater. The sprayfields on the project site are part of the improvements for disposal. The new facility expands the City's ability to provide wastewater treatment service for the next 10 years, with an additional five years of expansion possible with the expansion of the membrane biological reactor. The City will continue to implement efforts to improve water quality and also to implement the water conservation measures.

The annexation will have a negligible effect on the capacity at both the treatment plant and within the City sewer transmission lines.

Domestic Water

The subject site is outside of the City of Hollister's adopted service area. The property was developed for municipal purposes as a spray field for treated wastewater and passive recreation in 2008. Municipal water was not extended for the recreation activities. There are no plans to extend water services to the property for passive recreational land uses upon annexation.

Storm Drain

The City of Hollister has storm drainage transmission lines to the north side of Old San Juan Road and east of the San Benito River on San Juan Road. The 53.8 acre site has been developed at a spray field for treated wastewater and passive recreational land uses and storm drainage was integrated into the construction and design of the facilities. Alteration of the municipal land uses is not expected upon annexation of the property. Consequently the spray field/park will have a negligible demand for storm drainage services and facilities upon annexation.

Parks and Recreation

The 51.83 acre spray field/passive recreation area was developed in 2008. Annexation of the site will not generate population growth and continued use of the site in its current state will not require any additional park facilities or recreational programs.

Road Construction

The City of Hollister requires that there be adequate roadways to serve the transportation needs of City residents. The project site is adjacent to and fronts on San Juan Road just west of the San Juan Road Bridge. Access to the spray field/passive recreation area has been developed with a left-turn lane for west bound traffic, and deceleration and acceleration lanes for traffic entering and existing the facility. Additional road improvements will not be required for the existing municipal facility upon annexation.

Street and Utility Maintenance

The spray field/passive recreation area is currently unoccupied. Annexation of the site in its current state will will not require an increase in the need for the funding for street or utility maintenance. Maintenance of the existing municipal facility is funded with enterprise funds for wastewater treatment and disposal.

- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal.
None.
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation.
The site has been developed for municipal purposes as a sprayfield/passive recreation. Extension of services will not be required upon annexation.
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.
None.

LAFCO No. 511

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE SPRAY FIELD
ANNEXATION TO THE CITY OF HOLLISTER

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the San Benito Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act and the County Service Area Law (Sections 56000 et seq. and Section 25210 et seq. of the Government Code) ; and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within San Benito County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of San Benito County as follows:

- (1) The Commission finds the proposal to be categorically exempt.
- (2) The subject proposal is assigned the distinctive short-form designation:

SPRAY FIELD ANNEXATION TO CITY OF HOLLISTER
- (3) Said territory is found to be inhabited.
- (4) The boundaries of the affected territory are found to be definite and certain as approved and set forth in the legal descriptions, attached hereto and made a part hereof.
- (5) All proceedings in connection with this formation shall be conducted only in compliance with the approved boundaries set forth in the attachments

(6) Since the subject territory is uninhabited, all affected landowners have given written consent to the annexation and the annexing agency has given written consent to the waiver of conducting authority proceedings, the conducting authority proceedings are waived and the staff is directed to complete the proceeding.

(7) The territory being annexed shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the City.

(8) Staff is directed not to record the annexation until the maps and legal descriptions are found by the County Surveyor to be acceptable.

This resolution was adopted on January 28, 2016 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

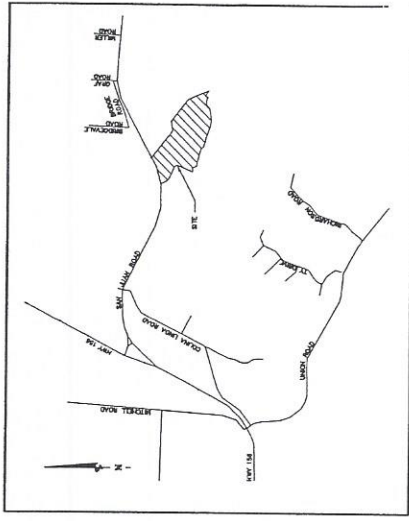
Dated: _____

Chair

San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission

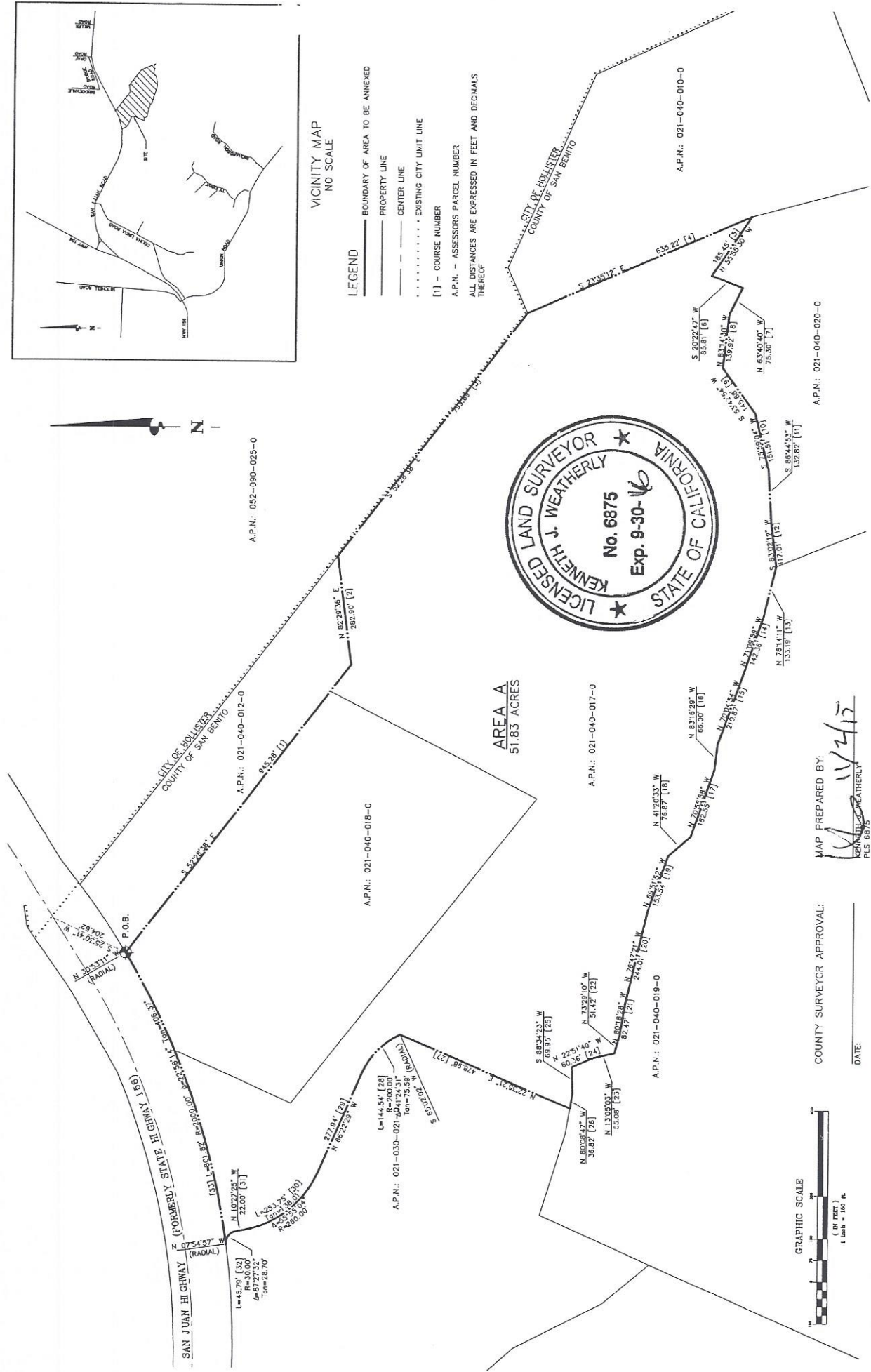


VICINITY MAP
NO SCALE

- LEGEND**
- BOUNDARY OF AREA TO BE ANNEXED
 - PROPERTY LINE
 - CENTER LINE
 - EXISTING CITY LIMIT LINE
 - (1) - COURSE NUMBER
 - A.P.N. - ASSESSORS PARCEL NUMBER
- ALL DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF



AREA A
51.83 ACRES



COUNTY SURVEYOR APPROVAL: _____
DATE: _____

MAP PREPARED BY: Kenneth J. Weatherly
PLS 6875
EXPIRES 09/31/16

SAN BENITO ENGINEERING & SURVEYING, INC.
502 Monterey Street
(951) 637-2763 FAX (831) 637-6835
E-MAIL: abes@gsllc.com

HOLLISTER, CALIFORNIA 95023

APPROVED: _____
DATE: 4/20/16

REVISION: _____
DATE: _____

REC. DP: _____
DRAWING: 150011-WEATHERLY.P

CITY OF HOLLISTER
PORTION OF HILL LOT 3
OF THE RANCHO SAN JUSTO
SAN BENITO COUNTY, CALIFORNIA

ANNEXATION MAP
SPRAY FIELD ANNEXATION
TO THE CITY OF HOLLISTER
HORIZONTAL SCALE 1" = 150'

LAFCO 511

FILE NAME: X:\LAND\CD Proj\152093\105161\44-109161.BROWNING.dwg PLOTTED ON MONDAY, 02 NOVEMBER 2015 11:29:59 AM BY KEN

RESOLUTION OF THE
SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING WRITTEN DETERMINATIONS AND CEQA FINDINGS
AND MODIFYING THE SPHERE OF INFLUENCE
OF THE CITY OF HOLLISTER
(LAFCO No. 511 – Spray Field Annexation)

WHEREAS, the City of Hollister has filed with the Executive Officer of the San Benito Local Agency Formation Commission a request to annex territory that will require the City sphere of influence to be modified pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (Section 56425 et seq. of the Government Code); and

WHEREAS, in the manner required by law, the Executive Officer has given notice of the public hearing by the Commission on the proposal; and

WHEREAS, the Commission heard, discussed and considered all evidence concerning the proposal, including but not limited to, the Executive Officer's report and recommendation, the environmental document, applicable general and specific plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The project before the Commission is a proposed amendment of the Sphere of Influence of the City of Hollister to accommodate the Spray Field Annexation.
2. The Commission as a responsible agency agrees with the City that the annexation of the Spray Field territory is exempt from CEQA and expansion of the Sphere of Influence is equally exempt from CEQA.
3. The City of Hollister sphere of influence is hereby modified to include the area shown on the map attached hereto and made a part hereof.
4. The expanded sphere will allow the City of Hollister to annex this territory which is owned by the City and utilized for municipal purposes. .
5. The area being included in the sphere is socially and economically interdependent with the remainder of the Sunnyslope County Water District community.

6. This resolution was adopted on January 28, 2016 and is effective on the date signed by the Chair.

AYES:

NOES:

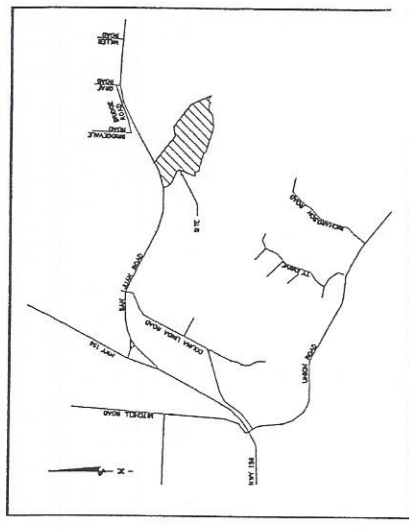
ABSTAINS:

Dated: _____

Chair
San Benito Local Agency Formation Commission

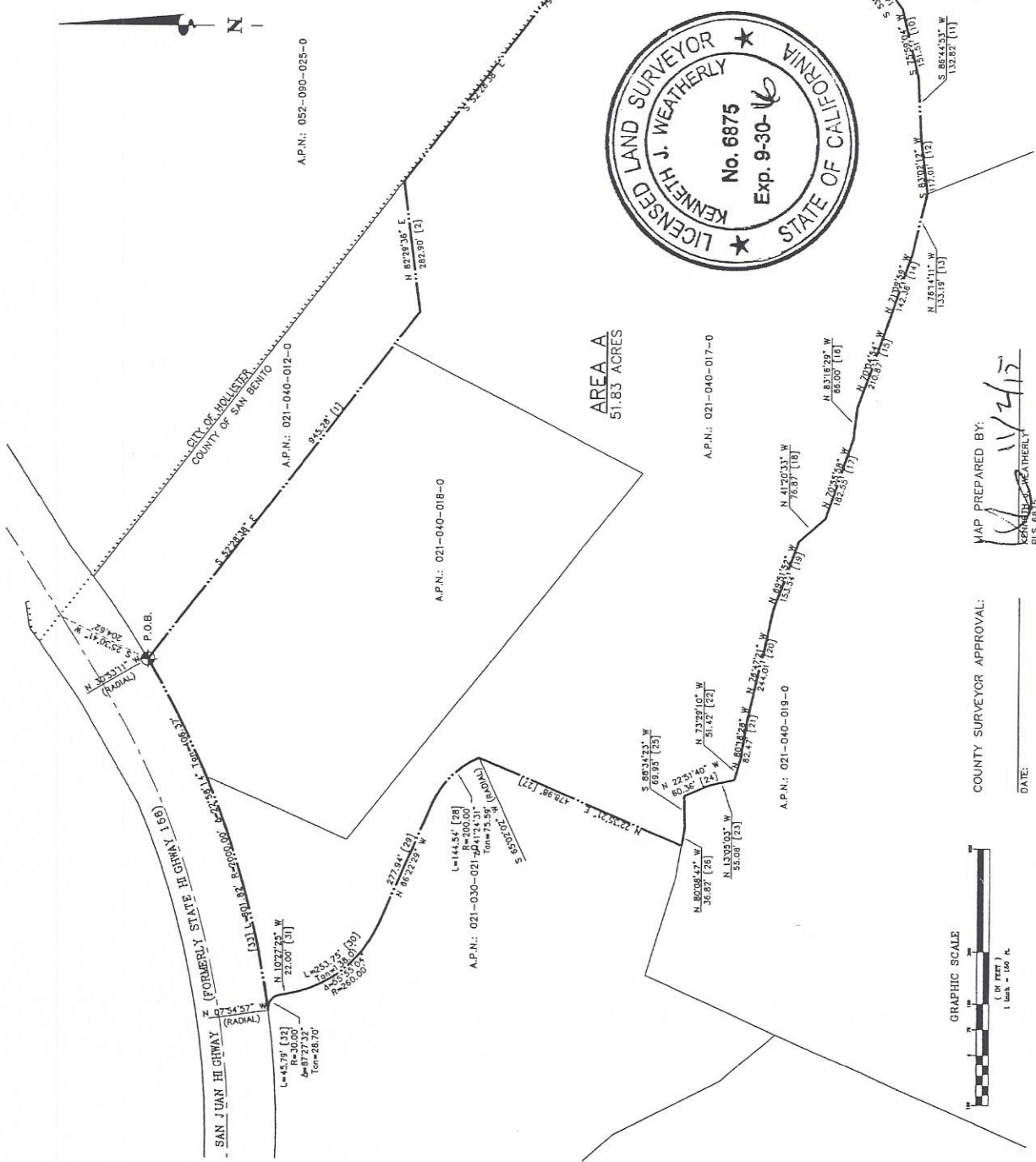
ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission



VICINITY MAP
NO SCALE

- LEGEND**
- BOUNDARY OF AREA TO BE ANNEXED
 - PROPERTY LINE
 - CENTER LINE
 - EXISTING CITY LIMIT LINE
 - (1) - COURSE NUMBER
 - A.P.N. - ASSESSORS PARCEL NUMBER
- ALL DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF



MAP PREPARED BY:
KENNETH J. WEATHERLY
PLS 6875
EXPIRES 09/30/16

COUNTY SURVEYOR APPROVAL:
DATE:



SAN BENITO ENGINEERING & SURVEYING INC.
502 Monterey Street, Hollister, California 95023
(831) 637-2763 FAX (831) 637-0835 E-MAIL: Survey@sbeng.com

CITY OF HOLLISTER
PORTION OF HILL LOT 3
OF THE RANCHO SAN JUSTO
SAN BENITO COUNTY, CALIFORNIA

APPROVED _____
DATE: 01 November 2015 at 1:00pm

DATE: _____

AP.N.: 052-080-075-0
021-040-012-0
021-040-018-0
021-040-019-0
021-040-017-0
021-040-016-0
021-040-010-0
021-040-020-0

LAFCO 511

FILE NAME: K:\Projects\2009\120915\120915\120915.dwg PLOTTED ON: Monday, 02 November 2015 at 7:05am by KJR