

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

July 23, 2015 (Agenda)

LAFCO No. 497: Water Well and Reservoir Annexation to City of San Juan Bautista

PROPONENT: City Council of the City of San Juan Bautista, by resolutions.

ACREAGE & LOCATION Parcel A – Approximately one acre located at the north east corner of San Juan- Hollister Road and Mission Vineyard Road (651 San Juan- Hollister Road); San Juan Bautista area
Parcel B – Approximately 1.6 acres located easterly of San Juan Hollister Road (Hwy 156), near the terminus of Polk Street (600 Lasuen Drive); San Juan Bautista area

PURPOSE: Remove the City's obligation to pay property taxes on this City-owned property by bringing it into the City.

PROJECT INFORMATION

Project Information

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

One parcel contains a water well; the other parcel a 1.2 million gallon water reservoir. No change in land use will result from the annexation.

The County General Plan and zoning designates the sites as Agriculture Productive. The parcels are within the City Sphere of Influence.

The City General Plan designates the sites as Agriculture and they are rezoned Public Facilities (PF). The uses conform with these designations.

Surrounding land uses are agriculture to east, west and south and industrial to the north.

3. Topography, Natural Features and Drainage Basins:

The well is on territory gently sloping to the north as is the land surrounding the well. The reservoir is situated on the ridge of the Nyland property which slopes away from the ridge to a natural drainage swale and the State highway adjacent to the City.

4. Population:

There are no homes within the proposal area and none are planned.

5. 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 states the City will continue to maintain the property as it does now and no other services are required to be extended.

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

The site does not produce an agricultural crop and is not prime agricultural land.

7. Assessed Value, Tax Rates and Indebtedness:

The assessed value of the annexation area is \$17,279 (2014-2015 roll). Parcel A is within Tax Rate Area 079-007 and has assessed value of \$12,146 Parcel B is within Tax Rate Area 079-010 and has assessed value of \$5,113.

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

8. Environmental Impact of the Proposal:

The City as lead agency found the proposal to be categorically exempt from CEQA (Class 19 – Annexation of Existing Facilities and Lots for Exempt Facilities).

9. Landowner and Subject Agency Consent:

The City of San Juan Bautista as property owner has given its consent to the annexation, and the consents 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.

Parcel A is contiguous to the existing City boundary. Parcel B is not contiguous but the Commission has the authority to approve annexations of unincorporated, noncontiguous territory located in the same county as the city owned by the city and used for municipal purposes, as in this instance.

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

The territory is uninhabited; namely, there are fewer than 12 registered voters.

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. Adopt this report and approve the proposal known as Water Well and Reservoir Annexation to the City of San Juan Bautista, 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.
- C. Find: 1) the subject territory is uninhabited, 2) the affected landowner has given consent to the annexation and 3) the annexing agency has given written consent to the waiver of conducting authority proceedings.
- D. Waive the conducting authority proceedings and direct the staff to complete the proceeding.
- E. 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.



BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

LAFCO No. 497

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION
COMMISSION MAKING DETERMINATIONS AND APPROVING THE
WATER WELL AND RESERVOIR ANNEXATION
TO THE CITY OF SAN JUAN BAUTISTA

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 City of San Juan Bautista as lead agency has found the proposal to be categorically exempt from CEQA (Class 19 – Existing Facilities and Lots for Exempt Facilities).
- (2) The subject proposal is assigned the distinctive short-form designation:
WATER WELL AND RESERVOIR ANNEXATION TO CITY OF SAN JUAN
BAUTISTA
- (3) Said territory is found to be uninhabited.
- (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 map and legal description are found by the County Surveyor to be acceptable.

This resolution was adopted on July 23, 2015 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

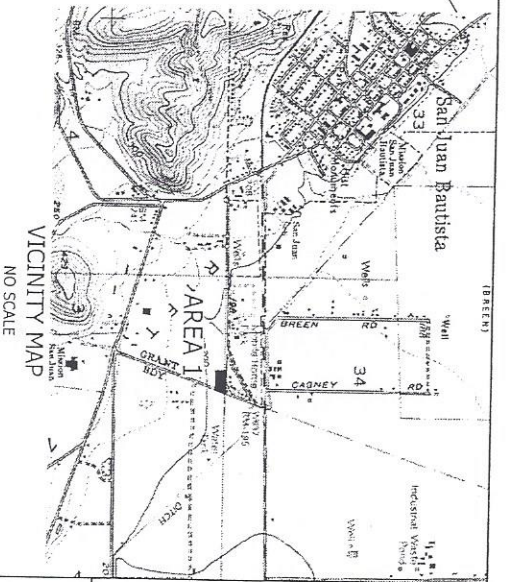
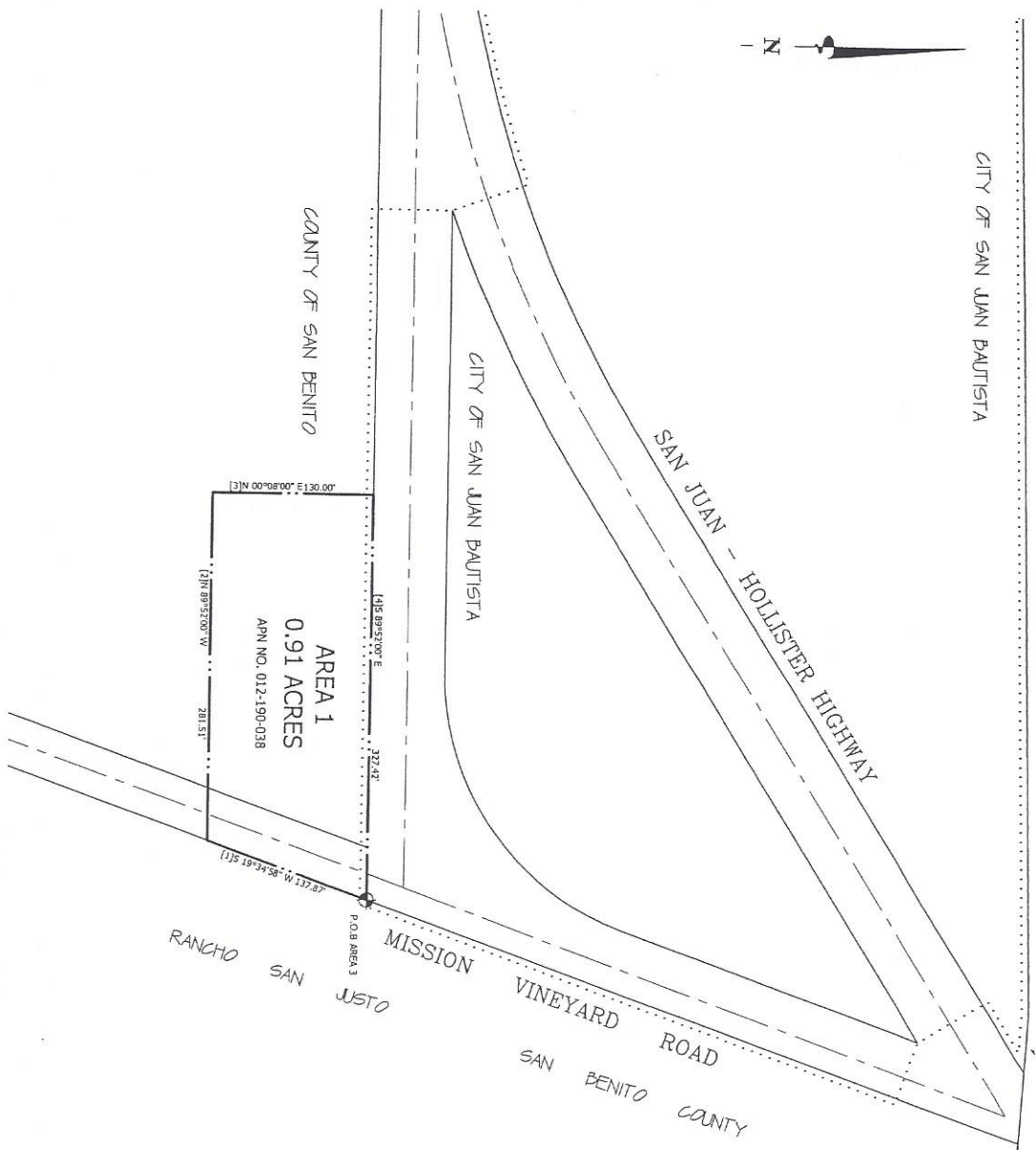
Dated: _____

Chair
San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission

**SOUTHEAST ADDITION
NO. 2015-01**



AREA 1 = 0.91 ACRES
 ——— DENOTES BOUNDARY OF AREA TO BE ANNEXED
 DENOTES EXISTING BOUNDARY OF THE CITY OF SAN JUAN BAUTISTA

APPROVED: _____
 COUNTY SUPERVISOR _____ DATE _____

ANNEXATION MAP	CITY OF SAN JUAN BAUTISTA
SCALE: 1" = 100'	DATE: 21 MAR 2015
SHEET: 1	OF: 1

COUNTY OF SAN BENITO
 PTN. OF SECTION 3
 T.13 S., R.4E., M.D.B.M.
 STATE OF CALIFORNIA

NO.	REVISIONS	DATE

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