

SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

OUT-OF-AGENCY SERVICE AGREEMENT

September 24, 2015 (Agenda)

LAFCO 504: City of San Juan Bautista – Vosburgh

LOCATION: Approximately 7.7 acres located between Salinas road and Old Stage Road (100 Salinas Road); San Juan Bautista area

PURPOSE: Allow the City to provide water service to this property

RECOMMENDATION Authorize the City of San Juan Bautista to provide water service to this property which is outside its boundaries.

GENERAL ANALYSIS:

Project Information

1. Land Use, Planning and Zoning – Present and Future

The parcel where service is requested (APN 012-160-010) is in agriculture. The property is not contiguous to the City but is within the City Sphere of Influence.

The property owner is requesting water service in anticipation of building a single-family home. Service will require a 950 foot extension of an 8" waterline.

The City currently provides water service to several nearby parcels that are located outside of the City.

The County General Plan designates the site as (Agricultural Productive, minimum of five acres). The City General Plan also designates the site as Agriculture.

The City reports the property owner has entered into an irrevocable consent to annex to the City in the future when it is adjacent to the City boundaries.

2. Topography, Natural Features and Drainage Basins:

The site and surrounding areas are generally level. There are no significant natural boundaries affecting the proposal.

3. Population:

The construction of a single-family home on the property may result.

4. Environmental Impact of the Proposal

The City as lead agency reports the water connection is statutorily exempt from CEQA (Class 15268 - Ministerial Projects) which includes "Approval of individual utility service connections."

5: Environmental Justice

The provision of public services will support the fair treatment of people of all races and income and the equitable location of public facilities or services.

LAFCO Approval is Required

Government Code §56133 states "A city or district may provide new or extended services by contract or agreement outside of its jurisdictional boundaries only if it first requests and receives written approval from the commission." Therefore, in addition to regulating boundaries LAFCO regulates the extension of local services without boundary changes.

Section 56133 provides further that LAFCO ". . . may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization."

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:

**Option 1** APPROVE the request to provide water and sewer services.

- A. Find the approval to be categorically exempt from CEQA (Class 15268).
- B. Adopt this report and approve the proposal, to be known as the City of San Juan Bautista Out-of-Agency Service Agreement – Vosburgh, allowing the City to provide water outside of its boundaries and within its Sphere of Influence.

**Option 2** DENY the request.

**Option 3** CONTINUE the item to obtain additional information.

RECOMMENDED ACTION:

Approve **Option 1.**

A handwritten signature in blue ink, appearing to read "Bob Braitman", is written over a horizontal line.

BOB BRAITMAN  
Executive Officer  
LOCAL AGENCY FORMATION COMMISSION



LAFCO No. 504

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE CITY OF SAN JUAN BAUTISTA OUT-OF-AGENCY  
SERVICES FOR VOSBURGH

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

WHEREAS, Government Code Section 56133 allows a city to provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the Commission; and the Commission may authorize a city to provide new or extended services outside its boundaries and within its sphere of influence in anticipation of a later change of organization, 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 from CEQA (Class 15268).

(2) The subject proposal is assigned the distinctive short-form designation:

CITY OF SAN JUAN BAUTISTA OUT-OF-AGENCY SERVICES –  
VOSBURGH

(3) The City of San Juan Bautista is hereby authorized to provide water service outside its boundaries and within its Sphere of Influence for this affected territory.

This resolution was adopted on September 24, 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

SAN JUAN BAUTISTA

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