

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

September 24, 2015 (Agenda)

LAFCO No. 501: Ivancovich Annexation to City of Hollister

PROPONENT: City Council of the City of Hollister, by resolution.

ACREAGE & LOCATION Approximately one acre south of and adjacent to Buena Vista Road, between Miller Road and Calaveras Elementary School; Hollister area

PURPOSE: To annex a parcel that contains part of a City-approved tract of 82 single-family homes; the majority of the proposed tract is already within the City.

PROJECT INFORMATION

Project Information

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

The site is vacant. The City General Plan designation is Medium Density Residential (R3). It is rezoned Medium Density Residential Performance Overlay (R3 M/PZ). The property is located within the City Sphere of Influence.

The County General Plan designation is AP (Agricultural Productive).

Surrounding land uses are an elementary school to the east, vacant land to the west and south and agricultural and residential uses to the north.

3. Topography, Natural Features and Drainage Basins:

The site and surrounding areas are generally level.

4. Population:

There are no existing homes within the proposal area. As many as 82 single-family homes are anticipated to be built on this parcel and the adjacent land within the City based on Tentative Tract 2013-6.

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 is attached and made a part of this report.

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

The site is prime agricultural land. It is vacant with no active agricultural uses.

7. Assessed Value, Tax Rates and Indebtedness:

The annexation area is within Tax Rate Area 067-003. The assessed value is \$119,353 (2014-2015 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.

8. Environmental Impact of the Proposal:

The City is the lead agency and has found significant environmental effects may result from the proposal. In accordance with Section 15070 of the State CEQA Guidelines, the City has adopted mitigation measures to reduce or avoid all significant effects.

A Mitigated Negative Declaration (MND) has been certified by the City Council. A copy of this document is being provided to the Commission.

9. Landowner and Subject Agency Consent:

The property owner involved in this proposal has given written consent to the annexation. The City of Hollister 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. 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 will not have a significant environmental impact and affirm the Mitigated Negative Declaration.
- B. Adopt this report and approve the proposal known as Ivancovich 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.
- C. 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.
- 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

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

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 contiguous to the current City limits (current service area). The annexation will not extend the boundary of police service currently in effect. Upon annexation and upon development, the project will not include roadways that would affect traffic enforcement/collision investigation responsibilities. The annexation of the affected area will not create the need for any police related structures or improvements.

Fire Service

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 Valley View Road and Airline Highway. The affected area is part of an unincorporated parcel surrounded by the City limits (current City limits (current service area), thus it will not extend the range of fire service currently in effect. The affected area is within the five minute first engine response time, as set forth in City Fire Protection Master Plan for Fire Station 1. The affected area in its current condition would result in a negligible increase in fire services.

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 incremental increase in General Government services for the City Council, City Administration, City Finance, and Animal Control. These will be financed through an incremental increase in General Fund revenues, such as property and sales taxes. The City is also requiring that all projects requesting annexation enter into an agreement to be fiscally neutral (project will provide all revenues necessary to

provide public services). The affected area has entered into an annexation agreement for fiscal neutrality. The incremental increase in services for Building, Planning and Engineering will be financed through permit fees.

Sewer Service

The property owner will be required to fund the installment of sewer lines from the main transmission line to City standards. To offset the use of the capacity for the transmission facilities, the property owner will be assessed an impact fee at the time of connection of the business. A sewer treatment impact fee will also be assessed to provide funding for additional capacity at the treatment plant. 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. Sewage or wastewater flows are transported to the treatment plant via a series of transmission lines. The affected area is near a sanitary sewer transmission line in the right-of-way of Buena Vista Road. This line is part of a system of lines that currently transports wastewater flows to the DWTP and/or IWPT and is designed to serve the affected area. 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 including spray fields, non-potable irrigation for landscaping, and certain agricultural uses. 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 development will incrementally utilize capacity at both the treatment plant and within the City sewer transmission line.

Domestic Water Service

The subject site is within the City of Hollister's adopted service area. All plans for water service will need to be approved the City. The area requested for annexation, will comprise a total of 1 acre of vacant land. An existing 12-inch water main is located in the right-of-way of Buena Vista Road along the northern boundary of the project site. The project proponent will be required to fund the installment of a future water connection to the City of Hollister standards.

Storm Drain

The City of Hollister maintains a series of transmission lines that convey storm flows within the city and some adjoining areas of unincorporated San Benito County to either the San Benito River or Santa Ana Creek. The affected area is within San Benito River drainage area. Annexation of the property in its current state is not expected to alter the capacity of the City storm transmission lines and area wide storm water treatment and recharge facilities.

Parks and Recreation

Annexation of the site in its current state will not require any additional park facilities or recreational programs. The City of Hollister maintains a number of park facilities within its jurisdictional limits to serve the needs of City residents and residents of the adjoining unincorporated San Benito County. The City or private developers, or a combination of both has historically constructed these facilities. The amount of parkland required is correlated to population growth that could result from residential development and is set forth by the City General Plan and the City Subdivision Ordinance for residential development. The City of Hollister would require residential land uses to contribute to park impact fee programs.

The City of Hollister funds a number of recreation programs to serve the needs of City residents and residents of adjoining unincorporated San Benito County. These programs are funded at a level of 75 percent by user fees. The remaining costs are funded by the City of Hollister General Fund. The City will enter into an annexation agreement with the owners of the affected area to ensure that the development of the site is fiscally neutral, which would include the City portion of the funding required for recreational programs.

Road Construction

The City of Hollister requires that there be adequate roadways to serve the transportation needs of City residents. The City, private developers, or a combination of both will fund roadways.

Street and Utility Maintenance

Annexation of the site in its current state will not require an increase in the need for the funding for street or utility maintenance. The property has existing access to Buena Vista Road to the north and annexation of the property would not require the addition of new roads, landscape area or utility systems to service the properties.

- 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.
All utilities will be public. The property shall be included within a Community Facilities District to finance the related maintenance costs. The proposed streets are public and will be maintained by the City of Hollister. The street, water, sewer, storm water drainage improvements are developer financed.
- 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. 501

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE IVANCOVICH 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 reviewed and considered the Mitigated Negative Declaration prepared by the City of Hollister.

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

IVANCOVICH ANNEXATION TO CITY OF HOLLISTER

(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 September 24, 2015 and is effective on the date signed by the Chair.






- AYES:
- NOES:
- ABSTAINS:

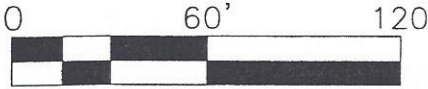
Dated: _____
_____ Chair
San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission

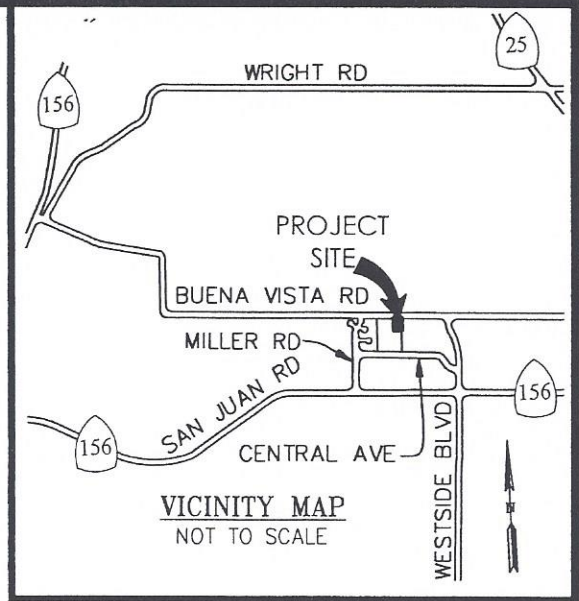
LEGEND

-  BOUNDARY LINE
-  LOT LINE
-  CENTERLINE
-  TIELINE
-  EXISTING CITY LIMIT LINE
- POB** POINT OF BEGINNING
- POC** POINT OF COMMENCEMENT



SCALE IN FEET: 1" = 60

LINE TABLE		
LINE	BEARING	DIST
L1	N01°45'50"E	30.01'



APN: 019-120-008

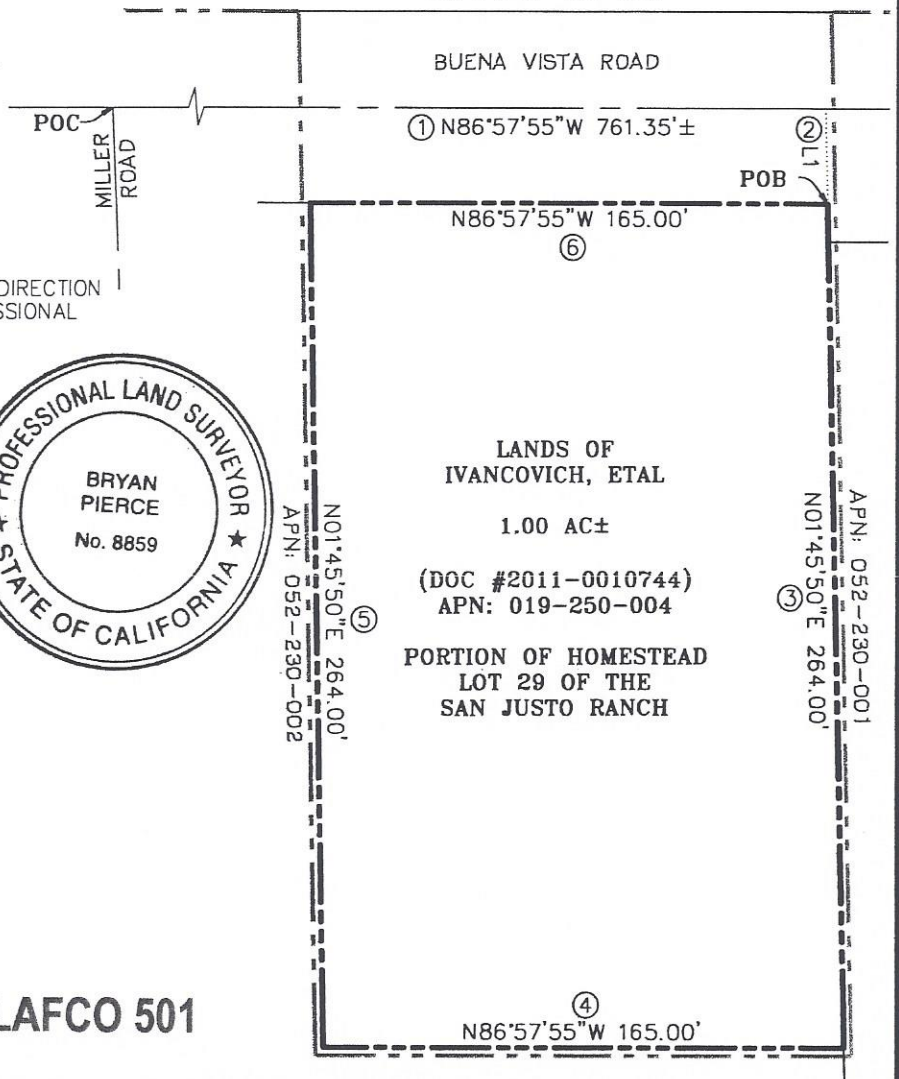
BASIS OF BEARINGS:

THE BEARING OF N86°57'55"W ALONG THE CENTERLINE OF BUENA VISTA ROAD AS SHOWN ON THE MAP ENTITLED "TRACT NO. 160, UNIT NO. 1, EL DORADO VILLAGE" FILED OCTOBER 5, 1979 IN BOOK 8 OF MAPS, AT PAGE 90, RECORDS OF SAN BENITO COUNTY, CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS SHOWN HEREON.

SURVEYOR'S STATEMENT:

THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

Bryan Pierce 07/02/2015
 BRYAN PIERCE, PLS 8859 DATE
 EXPIRES: 12/31/2015



LAFCO 501

"EXHIBIT B"
 IVANCOVICH ANNEXATION
 PLAT TO ACCOMPANY DESCRIPTION
 BEING ALL OF THE LANDS DESCRIBED IN THE
 AFFIDAVIT FILED NOVEMBER 21, 2011 IN
 DOCUMENT NO. 2011-0010744, OFFICIAL RECORDS
 OF SAN BENITO COUNTY, CALIFORNIA
 HOLLISTER, CA

RJA
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 ENGINEERS • PLANNERS • SURVEYORS
 8055 CAMINO ARROYO GILROY, CA 95020
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SHEET 1 OF 1

SCALE: 1" = 60'	DATE: 06/30/2015	JOB NO.: 072065
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