

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

REGULAR MEETING AGENDA

Thursday, August 13, 2020 – 6:00 P.M.

Board of Supervisors Chambers
481 Fourth Street, Hollister CA

THE ATTENDANCE AT THE MEETING IS OPEN TO THE PUBLIC AS OF JULY 9, 2020, UNDER THE CONDITIONS LISTED BELOW IN COMPLIANCE WITH EXECUTIVE ORDER N-29-30. The public may also join meeting by Zoom: <https://zoom.us/join> per instructions below:

TEMPORARY PROCEDURES FOR LAFCO COMMISSION MEETING:

Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, members of the Boards and Commissions are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

For the safety of public and county employee, please note the following. As of July 9, 2020 the LAFCO meetings will be open to the public, under the following conditions:

a) All attendees must comply with the State of California's face covering requirements, found at:

https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf

b) All attendees must follow social distancing (6 feet) requirements while in-line and inside the County Administrative Building.

c) If you are exempt from the state face covering guidance (above), you must wear a face shield which will be provided to attend the LAFCO meeting. If you cannot, or choose not to, wear a face covering or face shield, you may participate in the LAFCO meeting by the Zoom call-in below.

d) All attendees must comply with any other rules of procedure/instructions announced by the Commission/County Staff.

e) Due to Social Distancing Requirements, seating is limited for the Public. It is a first-come first serve, basis, except any members of recognized press entities shall be given priority.

FAILURE TO COMPLY WITH THE ABOVE GUIDELINES:

- A) The individual will be asked to leave the room.
- B) The Chair will call a recess of the LAFCO meeting.
- C) If the recess does not result in the individual complying with the above requirements or leaving the meeting, the Commission may close the meeting to the public and resume the meeting exclusively through Zoom and phone-in participation, at any point during the LAFCO meeting.

The meeting will continue to be available through Zoom with the instructions as follows below:

Members of the public are encouraged to participate in Board meetings in the following ways:

Zoom Instructions for Remote Participants:

Three ways to attend zoom meetings: over the phone, on a web browser, or through the Zoom App. Each meeting will have a meeting ID and password, which is a unique number associated with an instant or scheduled meeting.

1. **Over the phone (Audio Only):** (669) 900-6833 or (408) 638-0968.
2. **Open the Web-browser:** <https://zoom.us/join>
3. **Smart Device Application:**
 - *Apple App store: <https://apps.apple.com/us/app/id99740126127>
 - *Android App store:
<https://play.google.com/store/apps/details?id=us.zoom.videomeetings>

Zoom Audio Only (phone)

If you are calling in as audio-only, please dial **(669) 900-6833 or (408) 638-0968**.

1. It will ask you to enter the Meeting ID #997 4012 6127, followed by the “#” key, which can be found at the top page of the agenda. The meeting agenda can be found at <http://cosb.us/>
2. It will then ask for a **Password #355627**, press the “#” key to continue.
3. Once you enter the zoom meeting, you will automatically be placed on mute.

Zoom On Web-browser or Zoom app on Tablet or Smartphone

If joining through web-browser launch: <https://zoom.us/join> or launch the Zoom app on your Tablet or Smartphone

1. Select **“JOIN A MEETING”**
2. The participant will be prompted to enter **Meeting ID #997 4012 6127** and **Password #355627** to join the meeting. Which can be found at the top page of the agenda. The meeting agenda can be found at <http://cosb.us/>
3. Participant can launch audio through their computer or set it up through the phone.

4. **Public Comment:** select the “Participants Tab” and click “Raise hand” icon, the zoom facilitator will unmute you when your turn arises.

1. Call to Order and Roll Call
2. Recitation of the Pledge of Allegiance
3. Approve Affidavit of Posting Agenda
4. Public Comment Period - This is an opportunity for members of the public to speak on items that are not on the agenda

CONSENT AGENDA

5. Approval of minutes: July 9, 2020

BUSINESS ITEMS – HEARING ITEMS

6. LAFCO 535 – Riverview Estates II Annexation to County Service Area (CSA) No. 53: Involving the annexation of approximately 4.88 acres located on the west side of Southside Road and approximately 200 feet south of Hospital Road, involving Assessor’s Parcel Number 020-320-037 into County Service Area No. 53. The project involves an approved 24 lot residential subdivision for affordable housing. The County Service Area is authorized to provide the following services: street lighting, street sweeping, road maintenance, landscaping and drainage maintenance, and extended police and fire protection. The actions requested are to determine the annexation is exempt from environmental review under section 15061(b)(3) of the CEQA Guidelines and to consider approval of the annexation.

BUSINESS ITEMS – NON-HEARING ITEMS

7. Appointment of regular voting delegate and alternate voting delegate for elections of the 2020-21 California Association of Local Agency Formation Commissions (CALAFCO) Board of Directors, and any other business requiring a vote at any virtual business meeting held by CALAFCO.

INFORMATIONAL

8. Commissioner Announcements and Requests for Future Agenda Items
9. Executive Officer oral status report on pending proposals
10. Adjourn to next regular meeting on September 10, 2020, unless meeting is cancelled by the Chair.

Disclosure of Campaign Contributions – LAFCO Commissioners are disqualified and are not able to participate in proceedings involving an “entitlement for use” if, within the 12 months preceding the LAFCO decision, the Commissioner received more than \$250 in campaign contributions from the applicant, an agent of the applicant or an financially interested person who actively supports or opposes the LAFCO decision on this matter.

Those who have made such contributions are required to disclose that fact for the official record of the proceedings. Disclosures must include the amount of the contribution and the recipient Commissioner and may be made either in writing to the Executive Officer of the Commission prior to the hearing or by an oral declaration at the time of the hearing.

The foregoing requirements are set forth in the Political Reform Act of 1974, specifically in Government Code section 84308.

Disability Accommodations - Persons with a disability who require any disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the meeting are asked to contact the LAFCO office at least three (3) days prior to the meeting by telephone at 831/637-5313 or by email at jslibsager@cosb.us.

*LOCAL AGENCY FORMATION COMMISSION
2301 Technology Parkway
Hollister, CA 95023*



CERTIFICATE OF POSTING

Pursuant to Government Code § 59454.2(a) I, Janet Slibsager, Clerk of the Board of Supervisors, certify that the REGULAR MEETING AGENDA for the

SAN BENITO COUNTY LOCAL AGENCY FORMATION COMMISSION

Scheduled for August 13, 2020 was posted at the San Benito County Planning Department, 2301 Technology Parkway, Hollister, CA and at the San Benito County Administration Office, 481 Fourth Street, Hollister, CA on this 7th Day of August, 2020.

All locations freely accessible to the general public.

Janet Slibsager

Clerk of the Board of Supervisors

CONSENT AGENDA

5. Approval of minutes: July 9, 2020 meeting.



SAN BENITO LOCAL AGENCY FORMATION COMMISSION MINUTES OF MEETING

July 9, 2020

Board of Supervisors Chambers - Hollister, CA

CALL TO ORDER

1. Chair Mark Medina called the meeting to order at 6:00 p.m. Those present were Executive Officer Bill Nicholson and Commissioners: Cesar Flores, Mark Medina, Richard Bettencourt, Jim Gillio, and Ignacio Velazquez. Also present were Reed Gallogly, LAFCO Counsel, and Jennifer Frechette, Assistant Recording Secretary.
2. Commissioner Bettencourt led the Pledge of Allegiance.
3. **APPROVE AFFIDAVIT OF POSTING AGENDA**

Commissioner Bettencourt made a motion to accept the Affidavit of Posting, Commissioner Gillio seconded.

*Ayes: Medina, Gillio, Bettencourt, Flores, Velazquez
Noes: None
Abstain: None
Absent: None*

PUBLIC COMMENT

Public Comment Period: There was no one from the public who wished to speak.

CONSENT AGENDA

4. **Approval of minutes: June 11, 2020**

Commissioner Bettencourt made a motion to approve the minutes of June 11, 2020, Commissioner Flores seconded.

*Ayes: Medina, Gillio, Bettencourt, Velazquez, Flores
Noes: None
Abstain: None
Absent: None*

BUSINESS ITEMS- NON-HEARING ITEMS

5. **Consideration of Exemption from LAFCO Review Under Government Code Section 56133(e)(4) for continuation of sewer and water service from the City of Hollister to a migrant farm labor container conversion housing project consisting of up to 10 bedrooms and five bathrooms located at 3235 Southside Road (Assessor's Parcel Number 020-300-030). The project is proposed by the San Benito County Farm Labor Association.**

Executive Officer Bill Nicholson provided information on the migrant farm worker housing project that is located on property owned by the County of San Benito. This is a special housing complex that would provide farm workers with housing isolation in the case they contract COVID-19. The site is at the County Migrant Farm Labor Complex which is hooked up to City water and sewer. LAFCO's determination that the connections qualify for an exemption from LAFCO approval is required so the City of Hollister can bring to their City Council for approval for connections. Historic service has been provided and due to previous disconnection of other units at the site, this does not represent an expansion of service.

Commissioner Gillio is in support of this project.

Chairman Medina is in support of this project.

Chairman Medina opened up the item to public comment.

No one from the public wished to speak.

Commissioner Bettencourt made a motion to approve letter to the City of Hollister for Exemption, Commissioner Gillio seconded.

Ayes: Medina, Velazquez, Bettencourt, Gillio, Flores
Noes: None
Abstain: None
Absent: None

6. Update on Legislation proposed by or monitored by the California Association of Local Agency Formation Commissions (CALAFCO)

Executive Officer Bill Nicholson provided information regarding CALAFCO and that all the bills have been pulled due to COVID-19, allowing the state to focus on COVID-19. The CALAFCO board has made a decision to cancel the annual conference that was going to be held in Monterey, CA.

INFORMATIONAL

7. Commissioner Announcements and Requests for Future Agenda Items

There were no announcements or requests.

8. Executive Officer oral status report on pending proposals

Executive Officer Bill Nicholson provided information on next months meeting that there will be an annexation for a housing project on the Hospital site where they need to annex in the County Service Area.

Chairman Medina would like to know when the Commission can receive the paperwork to allow time to go over it.

Mr. Nicholson said he will send the paperwork as soon as possible for the next meeting of August 13, 2020.

ADJOURNMENT

9. Upon a motion by Commissioner Bettencourt, and seconded by Commissioner Gillio, adjourned meeting at 6:12 p.m.

Final Minutes Approved by the Commission
on _____

By: _____
Mark Medina, Chairman

BUSINESS ITEMS- HEARING ITEMS

6. LAFCO 535 – Riverview Estates II Annexation to County Service Area (CSA) No. 53: Involving the annexation of approximately 4.88 acres located on the west side of Southside Road and approximately 200 feet south of Hospital Road, involving Assessor's Parcel Number 020-320-037 into County Service Area No. 53. The project involves an approved 24 lot residential subdivision for affordable housing. The County Service Area is authorized to provide the following services: street lighting, street sweeping, road maintenance, landscaping and drainage maintenance, and extended police and fire protection. The actions requested are to determine the annexation is exempt from environmental review under section 15061(b)(3) of the CEQA Guidelines and to consider approval of the annexation.



SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

August 13, 2020 (Agenda)
(Agenda Item 6)

LAFCO No. 535: Riverview Estates II Annexation to County Service Area No. 53

PROPONENT: Community Services Development Corporation (submitted by resolution)

ACREAGE & LOCATION: Approximately 4.88 acres located on the west side of Southside Avenue, approximately 200 feet south of Hospital Road in the Hollister area

PURPOSE: Include this property within County Service Area (CSA) No. 53 to provide the following services: road maintenance, street lighting, landscape maintenance and drainage maintenance through an assessment collected with the property tax bill

PROJECT EVALUATION - DETERMINATIONS

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

This annexation area contains an approved, but not constructed, 24 lot affordable housing subdivision "Riverview Estates II (PLN190009). Before the Final Map can be recorded, the County required that the property be annexed into CSA #53 in order to provide ongoing maintenance of improvements in the subdivision into the future. This site of the former County Hospital was purchased from the County by the Community Services Development Corporation (CSDC) in 2018 for an affordable housing subdivision project.

The County General Plan designates the site as Public Use/Municipal and the zoning is Single Family Residential. The property is not within the City of Hollister Sphere of Influence which is located approximately three-quarters of a mile to the north.

Surrounding land uses include developed residential housing to the north and west, the County Public Works yard to the south and the County Migrant Farm Labor Center to the east across Southside Road.

2. Topography, Natural Features and Drainage Basins:

The annexation area and surrounding land is gently sloping to the west. There are no significant natural features due to the previous development of the site, and storm drainage will be connected to the existing system serving adjacent residential development in the existing CSA No. 53.

3. Population:

There are no existing homes within the annexation area and no registered voters.

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

In the "Proposal Justification Questionnaire for Annexation" completed by the CSDC, the following services are authorized to be provided through annexation into CSA No. 53: street maintenance, street sweeping, street light maintenance, landscaping and storm drainage maintenance, and extended police and structural fire protection services. The County indicates that several services currently authorized in this CSA will not be provided to this annexation and are not being provided within the CSA: extended police and fire services ("extended" means provided at a higher level than to other areas of the County not within the CSA), and street sweeping which is preformed by the City of Hollister as a service when a project receives a connection with the City's water system. The homeowners pay their water and sewer bills directly to the City.

The current annual rate collected from homeowners in CSA No. 53 is \$407.53. CSA No. 53 was formed in 1999 to serve the 56 lot Riverview Estates Subdivision located on the south side of Hospital Road and contiguous with the annexation area to the west comprising 16 acres.

In addition to water service from the City of Hollister, the City will provide sewer service. The LAFCO Commission determined the connection to these City services was exempt from LAFCO review on July 13, 2017 based on the pre-2001 City services provided to the former County Hospital (Hazel Hawkins). There are no other LAFCO actions involving service to be provided to the new development beyond annexation into CSA No. 24.

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

The site is a 4.88 acre previously developed parcel that does not produce an agricultural crop and is not prime agricultural land. The property is not under a Williamson Act contract.

6. Assessed Value, Tax Rates and Indebtedness:

The property, APN 020-320-037, has an assessed value is \$976,935. Annexation into the CSA will not change the property tax rate, but will add an assessment currently set at \$407.653 per house.

The current CSA No. 53 has a Fiscal Year 2020-21 budget of \$38,574. In the previous fiscal year, the CSA received \$23,948 in revenue. Actual expenses last fiscal year were \$10,123. The CSA had a fiscal year end balance of \$43,768 which includes a contingency reserve and funds the residents in the CSA hope will be used to develop a

small park. However, the current yearly rate per housing unit may be lower than required for long-term road maintenance costs such as repaving the road at some point in the future. This issue is currently being evaluated by the County on a CSA-wide basis.

7. Environmental Impact of the Proposal:

The County of San Benito, acting as lead agency for initial approval of the 24 lot subdivision determined that the project qualified as an exemption from CEQA under section 15061(b)(3) as it can be seen with certainty that there is no potential the project can have a significant impact on the environment. The former use as a hospital resulted in physical impacts that are comparable to or greater than the proposed single-family development. The County filed a Notice of Exemption on November 21, 2019, and LAFCO can rely on this determination.

8. Landowner and Subject Agency Consent:

Written consent to the annexation has been provided by the property owner through adoption of a resolution of application by the CSDC, and the Commission can waive the protest proceedings should the annexation be approved.

9. Boundaries, Lines of Assessment and Registered Voters:

The boundaries appear to be definite and certain and there are no conflicts with lines of assessment or ownership. The site is contiguous to the CSA No. 53 boundary to the west and north.

The map and legal description for the 4.88 acre annexation are being reviewed by the County Surveyor for sufficiency in filing with the State Board of Equalization.

The territory is "uninhabited" both because there are no homes yet, and because it meets the definition in the Government Code governing LAFCO operations because there are fewer than 12 registered voters. The landowner has consented to the annexation and there is no need to hold a protest hearing.

10. Environmental Justice and Affordable Housing

The site is not adjacent to a disadvantaged unincorporated community involving the original affordable housing project located to the west. The approved 24 lot subdivision involves affordable housing to be constructed with grant funds by the Community Services Development Corporation, a non-profit homebuilder. Therefore, the project will help the County meet its affordable housing construction targets from the State.

ALTERNATIVES FOR COMMISSION CONSIDERATION

Staff does not recommend any alternative boundary, as the adjacent lands are all developed. 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 based upon the following findings, determinations and orders:

- A. Find that the Commission has considered the Environmental Exemption determination of San Benito County as Lead Agency for approval of the Subdivision, and finds that the Commission agrees the annexation to CSA No. 53 qualifies for an exemption from CEQA review under section 15061(b)(3) of the CEAA Guidelines.
- B. Make the determinations presented in this report and approve the proposal known as the "Riverview Estates II Annexation to the County Service Area No. 53" by adopting Resolution No. 535.
- C. Waive the conducting authority (protest) proceedings and direct the staff to complete the proceedings without further notice, hearing or election.
- D. Direct the staff not to record the annexation until the map and legal description are found by the County Surveyor to be acceptable.

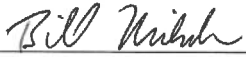
OPTION 2 – DENY this proposal, based on not being able to make the determinations presented in this report.

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

RECOMMENDED ACTION:

Approve OPTION 1.

Respectfully submitted,

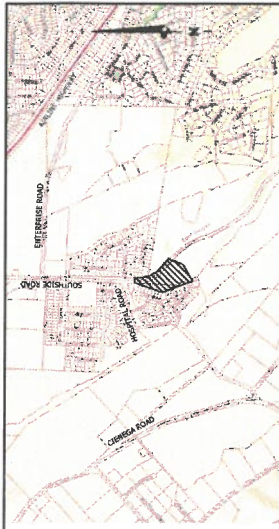


BILL NICHOLSON
Executive Officer
LAFCO of San Benito County

Attachments:

1. Annexation Map, Aerial Photo, Tentative Subdivision and CSA #53 Maps
2. Proposal Justification Questionnaire - Annexation
3. Resolution No. 2020-CSDC-3 of the Community Development Services Corporation
"Resolution of Application"
4. Notice of Exemption filed by San Benito County
5. Draft LAFCO Resolution No. 535 Approving the Riverview Estates II Annexation to
County Service Area No. 53

cc: Sonny Flores, Executive Director, Community Services Development Corporation
Harry Mavrogenes, San Benito County RMA Director
Jessica Stratton, CSA Administrator, San Benito County RMA



VICINITY MAP
NO SCALE

- LEGEND:
- DENOTES BOUNDARY OF AREA TO BE ANNEXED
 - DENOTES EXISTING BOUNDARY OF COUNTY SERVICE AREA No. 53
 - DENOTES EXISTING PROPERTY LINE
 - DENOTES EXISTING CENTERLINE
 - P.O.B. DENOTES POINT OF BEGINNING
 - AREA = 5.96 ACRES TOTAL

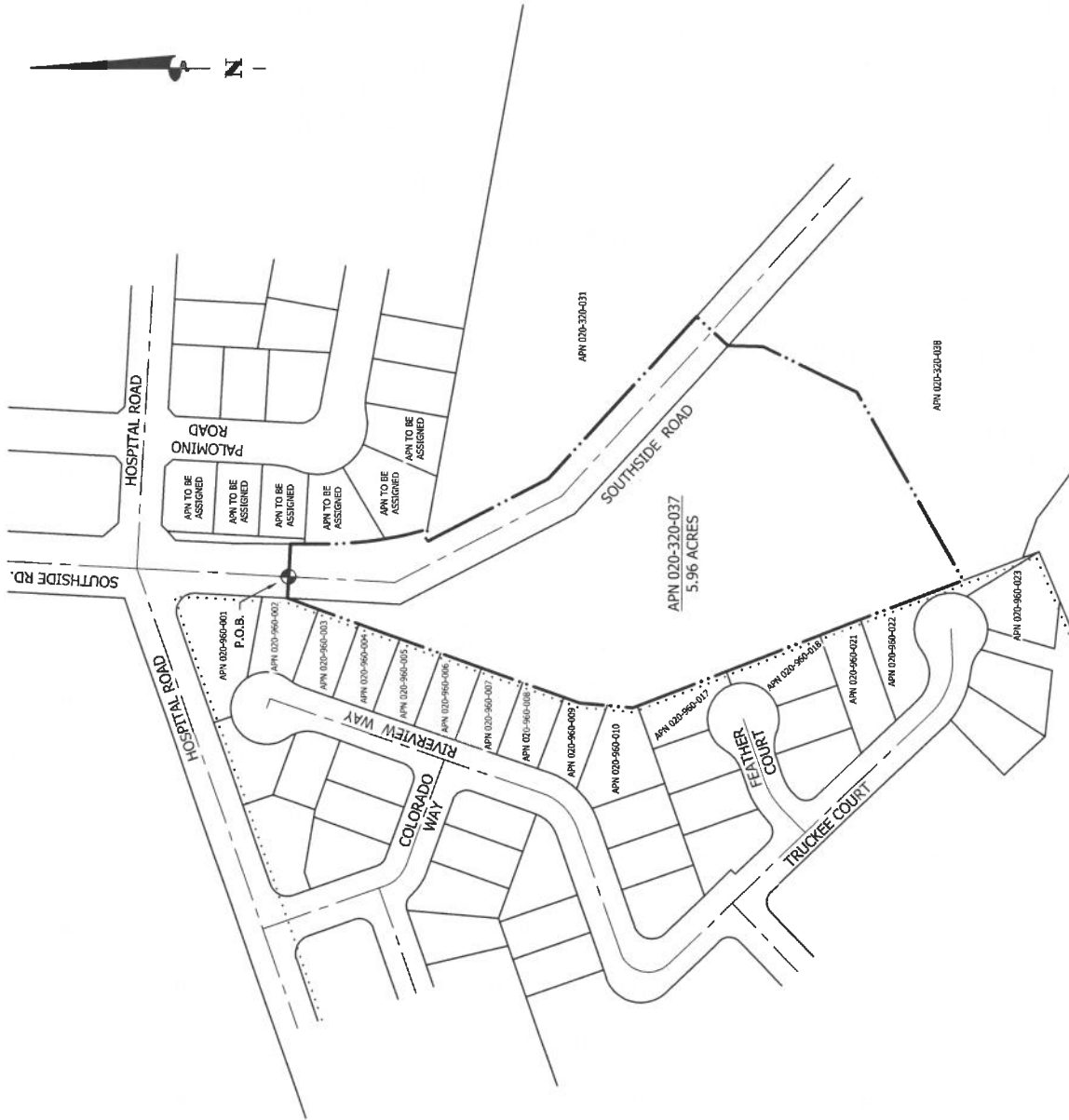
APPROVAL OF COUNTY SURVEYOR

GEORGE MARCHENKO - INTERIM COUNTY SURVEYOR Date
PLS 6954 exp. 09/30/2021

SURVEYOR

KENNETH J. WEATHERLY DATE
PLS 6875 exp. 09/30/2020

GRAPHIC SCALE



ATTACHMENT 1

SAN BENITO ENGINEERING & SURVEYING, INC. Hollister, California 95023 (931) 637-2763 E-MAIL: esb@pacfic.com		COUNTY OF SAN BENITO PTN HOMESTEAD LOTS 42, 43 & 45 OF THE RANCHO SAN JUSTO STATE OF CALIFORNIA		1 	
SURVEYOR KENNETH J. WEATHERLY - PLS 6875 REG. EXP. 09/30/2020 JOB NO. 110001	APPROVER GEORGE MARCHENKO - PLS 6954 REG. EXP. 09/30/2021 JOB NO. 110001	MAP ROLL SHEET	DATE 04/10/2021 DATE: 28 May 2021 at 4:29pm DRAWING: 1170220000.dwg	ANNUAL SCALE 1" = 100'	

APN 020-280-043
SUNNYSIDE ESTATES
CONDITIONED TO DEDICATE
12' ALONG SOUTHSIDE AND 5'
ALONG HOSPITAL

84'

SOUTHSIDE ROAD

25'
30'

HOSPITAL ROAD

APN 020-960-001

30'
30'

APN 020-960-002

72'

RIVERVIEW ESTATES

APN 020-290-049
BENNETT RANCH
CONDITIONED TO DEDICATE
12' ALONG SOUTHSIDE

APN 020-320-031
COUNTY
LABOR CAMP

APN 020-320-027/29
COUNTY
OLD HOSPITAL
PROPERTY

60'

APN 020-2320-027/29
COUNTY
PUBLIC WORKS YARD

ATTCHMENT 1-B



ATTCHMENT 1-C
(AERIAL WITH HOSPITAL)

502 Monterey Street Hollister, California 95023
 (531) 772-7672 FAX (531) 834-9781 e-mail info@sanborncorp.com

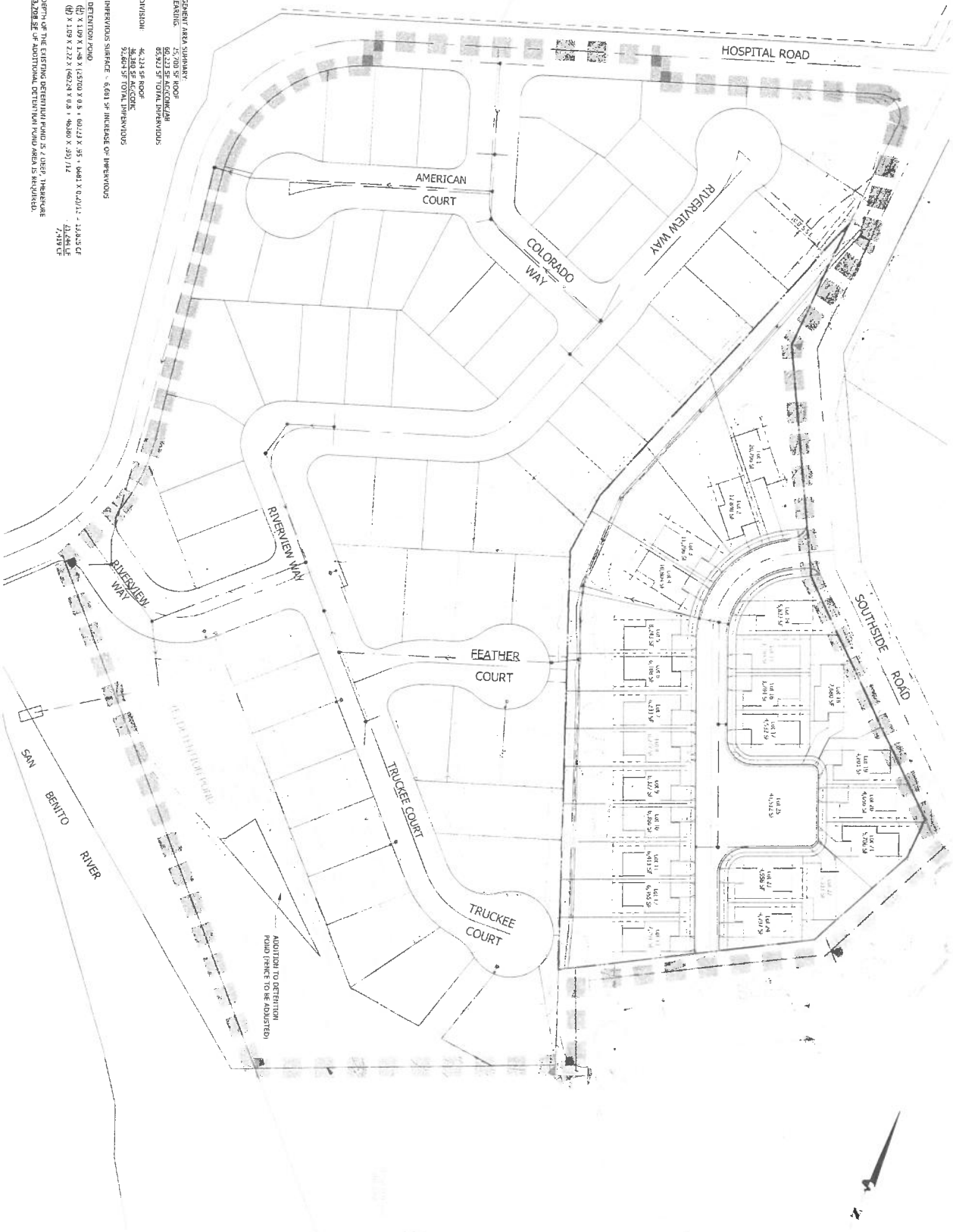
DRAINAGE MANAGEMENT AREA SUMMARY
 - 25.00 SF OF ROOF
 - 65.00 SF OF AC/CURB
 - 85.00 SF TOTAL IMPERVIOUS

PROPOSED SUBSTATION:
 46.33 SF ROOF
 56.67 SF AC/CURB
 103.00 SF TOTAL IMPERVIOUS

DIFFERENCE IN IMPERVIOUS SURFACE = 6.68 SF INCREASE OF IMPERVIOUS

ADDITION TO DETENTION POND:
 - 10' WIDE BEFORE: (D) X 1.09 X 1.48 X (0.5700 X 0.8 + 0.0121 X 35' + 0.041 X 0.011) = 1.1453 CF
 - 10' WIDE AFTER: (D) X 1.09 X 2.22 X (0.6204 X 0.8 + 0.0480 X 35' + 0.041 X 0.011) = 2.4484 CF
 1.3031 CF

THE ESTIMATED DEPTH OF THE EXISTING DETENTION POND IS 7.00 FEET. THEREFORE, APPROXIMATELY 3.208 SF OF ADDITIONAL DETENTION POND AREA IS REQUIRED.



ATTACHMENT 1-E

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

Proposal Justification Questionnaire for Annexations, Detachments and Reorganizations

(Attach additional sheets as necessary)

1. Name of Application: San Benito County Community Services Development Corporation (CSDC)
2. Describe the acreage and general location; include street addresses if known: 4.88 acres located at 3110 South side Rd, Hollister, CA 95023
3. List the Assessor's Parcels within the proposal area: 020-030-032
4. Purpose of proposal: to annex into CSA #53
5. Land Use and Zoning - Present and Future
 - A. Describe the existing land uses within the proposal area. The existing land use is vacant and was previously the site of a hospital and convalescent home. The convalescent home was closed approximately 10 years ago and the buildings were demolished in 2018.
 - B. Describe changes in land uses that would result from or be facilitated by this proposed boundary change. The land use change would allow for 24 affordable single family homes to be developed. Annexation into CSA #53 is a condition of approval on the subdivision tentative map when it was approved by the SBC Board of Supervisors.
 - C. Describe the existing zoning designations within the proposal area. The existing zoning is public use/municipal.
 - D. Describe any proposed change in zoning for the proposal area. Do the existing and proposed uses conform with this zoning? The future affordable development conforms with the current zoning.
 - E. (For City Annexations) Describe the rezoning that will apply to the proposal area upon annexation. Do the proposed uses conform with this rezoning? N/A

- F. List all known entitlement applications pending for the property (i.e., zone change, land division or other entitlements). Tentative subdivision map approved 11/22/2019. Annexation into CSA #53 is a requirement before the county can record the final map.

6. Describe the area surrounding the proposal

Using Table A, describe existing land uses, general plans and zoning designations for lands adjacent to and surrounding the proposal area. The application is incomplete without this table. See table A

7. Conformity with Spheres of influence – N/A

- A. Is the proposal area within the sphere of influence of the annexing agency?
- B. If not, are you including a proposal to revise the sphere of influence?

8. Conformity with County and City General Plans

- A. Describe the existing County General Plan designation for the proposal area. Public use/ municipal. The Board of Supervisors amended the General Plan allowable uses in this zoning designation to include affordable housing.
- B. (For City Annexations) Describe the City general plan designation for the area. N/A
- C. Do the proposed uses conform with these plans? If not, please explain. Yes, affordable housing meets current zoning.

9. Topography and Natural Features

- A. Describe the general topography of the proposal area and any significant natural features that may affect the proposal. The site is mostly level, with a sloped hillside between the planned homes and the existing Riverview I subdivision.
- B. Describe the general topography of the area surrounding the proposal. The subdivision is surrounded by some hillsides to the east and some flat residential development to the north.

10. Impact on Agriculture

- A. Does the property currently produce a commercial agricultural commodity? No.

B. Is the property fallow land under a crop rotational program or is it enrolled in an agricultural subsidy or set-aside program? No.

D. Is the property Prime Agricultural Land as defined in G.C. Section §56064? No.

E. Is the proposal area within a Land Conservation (Williamson) Act contract? No.

1) If "yes," provide the contract number and date contract was executed. N/A

2) If "yes", has a notice of non-renewal be filed? If so, when? N/A

3) If this proposal is an annexation to a city, provide a copy of any protest filed by the annexing city against the contract when it was approved. N/A

11. Impact on Open Space

Is the affected property Open Space land as defined in G.C. Section 65560? No.

12. Relationship to Regional Housing Goals and Policies (City annexations only)

If this proposal will result in or facilitate an increase in the number of housing units, describe the extent to which the proposal will assist the annexing city in achieving its fair share of regional housing needs.

The parcel is not being annexed into the city, but it will contribute significantly toward the county meeting its fair share of regional housing needs. The project is a mutual self help project that is 100% low and very low income home ownership.

13. Population

A. Describe the number and type of existing dwelling units within the proposal area. The annexed parcel is undeveloped.

B. How many new dwelling units could result from or be facilitated by the proposal?

Single-family 24 affordable single family homes Multi-family _____

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. Services to CSA #53 currently includes: Street and highway lighting, street sweeping, drainage control, local park, recreation and parkway facilities and services, sanitary sewer service, landscape, weed control, storm water retention

and drainage pond, road improvement and maintenance, extended police and structural fire services.

- B. Describe the level and range of the proposed services. The same services described in 14.A will be extended to the annexed parcel.
- C. Indicate when the services can feasibly be provided to the proposal area. Services are currently available at Riverview I, and will be available when needed for this project.
- 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. The proposal includes CSDC constructing the wet and dry utilities, as well as the streets and sidewalks, for the 24 new homes to be built on the parcel.
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation. Improvements will be paid for by CSDC. Ongoing maintenance and operation will be performed by the county with funds from CSA #53.
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services. The only available alternative would be private improvements maintained by a Homeowners Association. Due to high administrative per unit costs for small HOA's, the monthly fees would be prohibitively expensive for the low and very low income homeowners.

15. Ability of the annexing agency to provide services

Attach a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues (per Gov't Code §56668j).

16. Dependability of Water Supply for Projected Needs (as per §56653)

If the proposal will result in or facilitate an increase in water usage, attach a statement from the retail water purveyor that describes the timely availability of water supplies that will be adequate for the projected needs. CSDC has a Can and Will Serve Letter from the City of Hollister. Water availability was already addressed by the county in the tentative map approval process. Annexation into CSA #53 will have no effect on water usage.

17. Bonded indebtedness and zones – These questions pertain to long term debt that applies or will be applied to the affected property.

- A. Do agencies whose boundaries are being changed have existing bonded debt?
☐ Yes ☒ No If yes, please describe
- B. Will the proposal area be liable for payment of its share of this existing debt?
☐ Yes ☐ No If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.?) N/A
- C. Should the proposal area be included within any 'Division or Zone for debt repayment? ☐ Yes ☒ No If yes, please describe.
- D. (For detachments) Does the detaching agency propose that the subject territory continue to be liable for existing bonded debt? ☐ Yes ☐ No Please describe.
N/A

18. Environmental Impact of the Proposal

- A. Who is the "lead agency" for this proposal? San Benito County prepared the Notice of Exemption for this project. See attached.
- B. What type of environmental document has been prepared?
None, Categorically Exempt -- Class x
EIR _____ Negative Declaration _____ Mitigated ND _____
Subsequent Use of Previous EIR _____ Identify the prior report. _____
- C. If an EIR has been prepared, attach the lead agency's resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations." N/A

19. Boundaries

- A. Why are these particular boundaries being used? Ideally, what other properties should be included in the proposal? The boundaries for the subdivision are being added to the current boundaries for CSA #53, which encompasses the Riverview II subdivision.
- B. If any landowners have included only part of the contiguous land under their ownership, explain why the additional property is not included. N/A

20. Final Comments

- A. Describe any conditions that should be included in LAFCO's approval.
- B. Provide any other comments or justifications regarding the proposal. It will be more efficient and cost effective for the county and the Riverview I & II homeowners to have a combined CSA serving both subdivisions. The property is currently being serviced by CSA #53 for storm water retention and weed control on the west portion of the property.
- C. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials. See attached SBC Tentative Map approval.

21. Notices and Staff Reports

List up to three persons to receive copies of a notice of hearing and staff report.

	<u>Name and agency</u>	<u>Address</u>	<u>Email address</u>
A.	Anne Hall	502 Monterey St, Hollister, CA 95023	ahall@sanbenitoeng.com
B.	Sonny Flores	1101 San Felipe Rd, Hollister, CA 95023	sflores@csdcsbc.org

C.

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Email address</u>	<u>Phone</u>
Sonny Flores	1101 San Felipe Rd Hollister, CA 95023	sflores@csdcsbc.org	831-636-5524

Signature



Date

6-1-2020

TABLE A

Information regarding the areas surrounding the proposal area

	Existing Land Use	General Plan Designation	Zoning Designation
East	San Benito Migrant Center		
West	Residential	SFR	
North	Residential	SFR	
South	County Public works yard	Public use	PU/M

Other comments or notations:

RESOLUTION 2020-CSDC-3

RESOLUTION OF THE BOARD OF DIRECTORS OF San Benito County Community Services and Development Corporation

**RE: Authorization for the Executive Director Sonny Flores to Sign Documents
Associated with the California Department of Real Estate Subdivision Public
Report for the property located at 3110 South Side Road, Hollister, CA 95023.**

The Board of Directors of San Benito County Community Services and Development Corporation (CSDC), a California nonprofit public benefit corporation (the "Corporation") has adopted the following resolution on June 19, 2020.

WHEREAS, the Corporation is a corporate entity established under the laws of the State of California and is empowered to own property, sell property, assign leases, incur indebtedness on the Corporation's behalf, and cause to be executed and delivered for the Corporation's purposes in the corporate name, sales contracts deeds of trust and revised deeds of trust, and other documents that further the development and sale of the Riverview II self-help development located at 3110 South side Road, Hollister, CA 95023

WHEREAS, the Board of Directors of the Corporation deem it to be in the best interest of the Corporation to ensure that the daily business of CSDC, continues with minimum disruptions, and;

NOW THEREFORE BE IT RESOLVED, that the Executive Director Sonny Flores shall be authorized and directed to take any and all actions and execute any and all documents on behalf of the Corporation that further the development and sale of the Riverview II subdivision including, but not limited to, signing all San Benito County LAFCO applications, documents, and contracts related to the submittal and approval of the CSA #53 annexation.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED THIS 19th DAY OF June, 2020 by the following vote;

AYES 4 **NAYS** _____ **ABSTAIN** _____ **ABSENT** _____

I, the undersigned, Chairman of the Corporation do hereby attest and certify that the foregoing Resolution is a true, full and correct copy of the Resolution duly adopted at a meeting of the Board of Directors of said Corporation, which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: 6-22-2020

BY: Fernando Gonzalez
Chairman Fernando Gonzalez

ATTACHMENT 3

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: San Benito

From: (Public Agency): Resource Management Agency
County of San Benito
2301 Technology Parkway, Hollister, CA 95023

(Address)

Project Title: PLN190009 Riverview Estates II Affordable Housing Project

Project Applicant: Community Services Development Corporation

Project Location - Specific:

West side of Southside Road, southerly of Hospital Road (APN 020-320-032)

Project Location - City: Hollister

Project Location - County: San Benito

Description of Nature, Purpose and Beneficiaries of Project:

General Plan Amendment, Rezoning and Vesting Tentative Map for a 100% affordable, self-help housing project consisting of 24 single-family detached lots on approximately 4.9-acres.

Name of Public Agency Approving Project: County of San Benito

Name of Person or Agency Carrying Out Project: Sonny Flores, Executive Director, CSDC

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: 15061 (b) (3)
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is on a site that was previously developed with a County hospital with an intensity of potential physical environmental impacts that are comparable to or greater than the proposed single-family development. No substantial evidence was presented or discovered that the project may have any environmental impacts over and above the previously existing baseline for the hospital structures and use.

Lead Agency

Contact Person: Darryl Boyd, Principal Planner

Area Code/Telephone/Extension: 831-902-2286

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Darryl Boyd

Date: 11/21/19

Title: Principal Planner

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

ATTACHMENT 4

Revised 2011

LAFCO No. 535

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE RIVERVIEW ESTATES II
ANNEXATION TO COUNTY SERVICE AREA NO. 53

WHEREAS, the Riverview Estates II Annexation to County Service Area No. 53 (LAFCO File No. 535) 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. of the Government Code); and

WHEREAS, the proposal seeks Commission approval to annex 4.88 acres into County Service Area (“CSA”) Number 53 and represents one parcel identified by the San Benito County Assessor as APN Numbers 020-320-037; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Commission heard and fully considered all the evidence presented at public hearings held on the proposal on August 13, 2020; 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 through publication in the Hollister Freelance Newspaper, and notice to neighboring landowners within 300 feet; 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, and San Benito County’s determination the Riverview Estates Subdivision and related project actions were exempt from Environmental Review under section 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as responsible agency for the annexation and has determined that the application is a “project” subject to CEQA; and

WHEREAS, the Local Agency Formation Commission finds the applications to be in the best interests of the affected area and the 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 it has reviewed and considered the environmental exemption adopted by San Benito County as lead agency under CEQA, and the Commission finds the document adequately addresses all environmental impacts of the subdivision development and annexation to CSA No. 53. This environmental finding is based on the Commission's independent judgment and analysis, and the Commission agrees with the conclusions in the Notice of Exemption filed by San Benito County on November 21, 2019.

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

RIVERVIEW ESTATES II ANNEXATION TO COUNTY SERVICE AREA NO. 53

(3) Said territory is found to be uninhabited as there are no registered voters within the annexation area.

(4) The boundaries of the affected territory are found to be definite and certain as approved and set forth in the legal descriptions, with verification from the County Surveyor.

(5) All proceedings in connection with this proposal shall be conducted in compliance with the approved boundaries set forth in the attachments.

(6) The Commission has considered evidence in the record regarding the County's administration of CSA No. 53.

(7) Since the subject territory is uninhabited, the landowner has given consent to the annexation, the conducting authority proceedings are waived and the staff is directed to complete the proceeding.

(8) The territory being annexed shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within County Service Area No.53.

(9) The proposal is APPROVED, and Staff is directed not to record the annexation until the following condition of approval has been satisfied:

(a) The maps and legal descriptions presented as Exhibit A and B are found by the County Surveyor to be acceptable.

I, Mark Medina, Chairman of the Local Agency Formation Commission of San Benito County, California, do hereby certify that the foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof held upon the 13th day of August, 2020, by the following vote:

AYES:

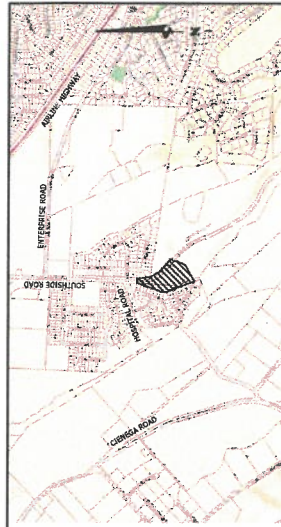
NOES:

ABSTAINS:

Dated: _____
Mark Medina, Chair
San Benito Local Agency Formation Commission

ATTEST

Bill Nicholson, Executive Officer
San Benito Local Agency Formation Commission



VICINITY MAP
NO SCALE

- LEGEND:
- DENOTES BOUNDARY OF AREA TO BE ANNEXED
 - DENOTES EXISTING BOUNDARY OF COUNTY SERVICE AREA No. 53
 - DENOTES EXISTING PROPERTY LINE
 - DENOTES EXISTING CENTERLINE
 - ⬤ P.O.B. DENOTES POINT OF BEGINNING
 - AREA = 5.96 ACRES TOTAL

APPROVAL OF COUNTY SURVEYOR

GEORGE MARCHEIKO - INTERIM COUNTY SURVEYOR Date
PLS 6864 exp. 09/30/2021

SURVEYOR

KENNETH J. WEATHERLY DATE
PLS 6875 exp. 09/30/2020

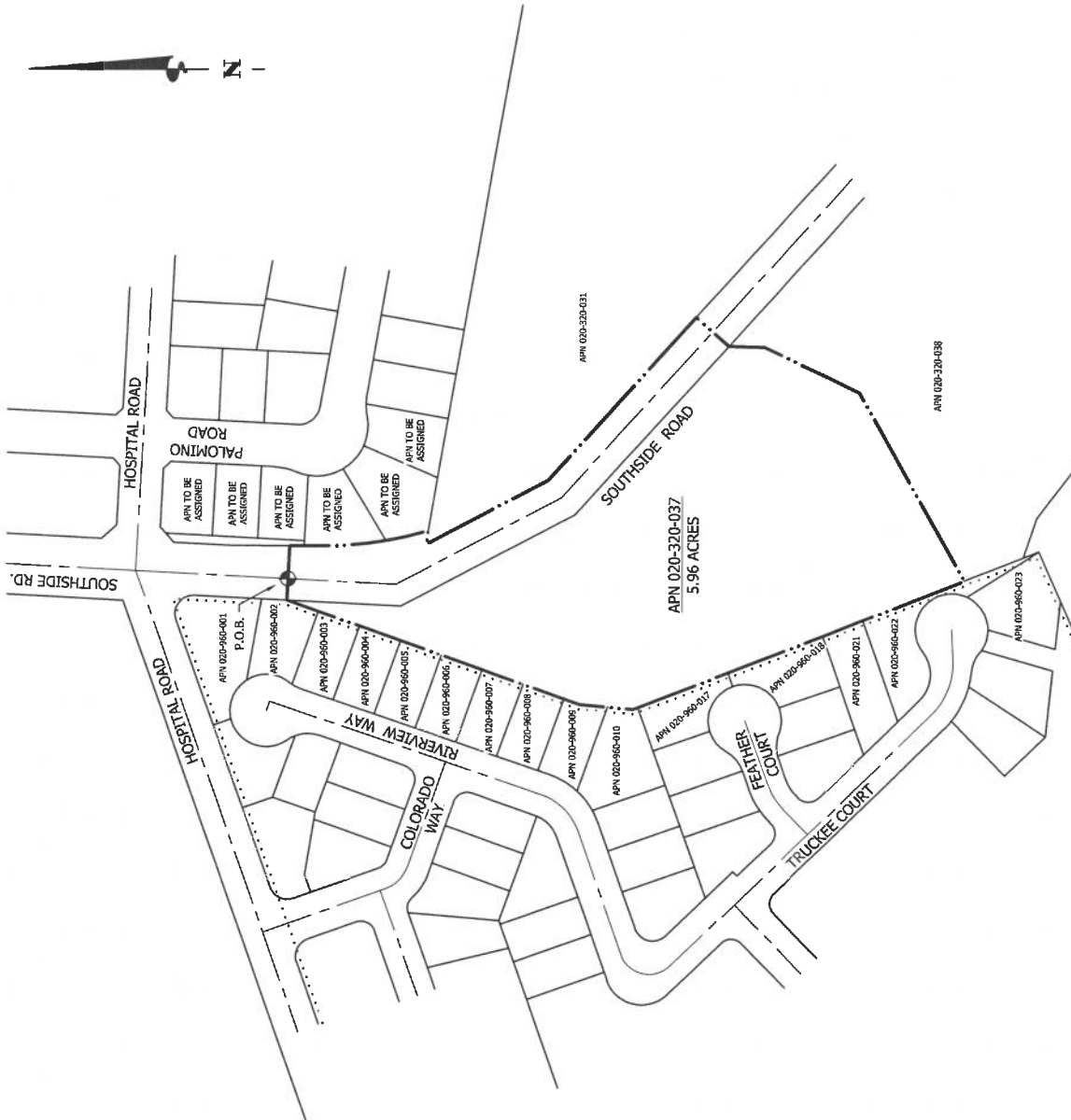
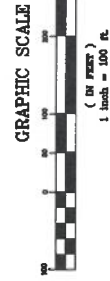


EXHIBIT "A"

SAN BENITO ENGINEERING & SURVEYING, INC. 502 Monterey Street (tel) 837-2763 E-MAIL: ksb@gsdco.com		APPROVED: _____ KENNETH J. WEATHERLY - PLS 6875 REG. EXP. _____ DATE 28 May 2020 at 4:00pm DRAWING: 112020-000-001		SEAL
COUNTY OF SAN BENITO PTN HOMESTEAD LOTS 42, 43 & 45 OF THE RANCHO SAN JUSTO STATE OF CALIFORNIA		REVIEWED: _____ DATE: _____		1

RIVERVIEW 2 ANNEXATION INTO COUNTY SERVICE AREA No. 53

BEING A PORTION of Lots 42, 43 and 45 of the Rancho San Justo according to the Map thereof recorded July 12, 1876, in Book 1 of Maps, page 64, San Benito County Records, bounded by a line more particularly described as follows:

BEGINNING AT A POINT on the centerline of Southside Road at a point which bears South 03°00'00" West, 209.57 feet from the centerline intersection of Southside Road and Hospital Road; thence leaving said centerline

[1] South 87°00'00" East, 45.70 feet to a point in the easterly right of way line of said Southside road; thence along said right of way line

[2] South 00°16'19" West, 40.95 feet; thence

[3] along a tangent curve to the left with a radius of 520.00 feet; a tangent length of 76.22 feet; a central angle of 16°40'37", the radius of which bears South 89°43'41" East, the chord of which bears South 08°04'00" East for a distance of 150.82 feet, and along the arc of said curve for a distance of 151.36 feet; to a point; thence

[4] North 79°58'34" West, 18.88 feet; thence

[5] South 27°47'00" East, 190.37 feet; thence

[6] South 48°02'00" East, 303.50 feet; thence leaving said easterly right of way of Southside Road and at right angles thereto

[7] South 41°58'00" West, 60.00 feet to a point in the westerly right of way of said Southside Road; thence along the southerly line of the area to be annexed

[8] South 01°34'47" West, 49.11 feet; thence

[9] South 25°41'50" West, 144.42 feet; thence

[10] South 60°39'26" West, 299.71 feet to a point in the existing jurisdictional boundary of County Service Area No. 53; thence along said boundary

[11] North 21°21'42" West, 489.33 feet; thence

[12] North 05°06'11" East, 73.51 feet; thence

[13] North 19°42'01" East, 429.22 feet to a point in the westerly right of way of said Southside Road; thence leaving said jurisdictional boundary of County Service Area No. 53

[14] South 87°00'00" East, 30.00 feet to the **POINT OF BEGINNING**.

CONTAINING 5.96 acres

BUSINESS ITEMS – NON- HEARING ITEMS

7. Appointment of regular voting member and alternate voting member for elections of the 2020-21 California Association of Local Agency Formation Commissions (CALAFCO) Board of Directors, and any other business requiring a vote at any virtual business meeting held by CALAFCO.



LOCAL AGENCY FORMATION COMMISSION

SAN BENITO COUNTY

2301 Technology Parkway

Hollister, CA 95023

Phone: (831) 637-5313 Fax: (805) 647-7647

DATE: August 13, 2020 (Agenda)

TO: Local Agency Formation Commission

FROM: *BN*
Bill Nicholson, Executive Officer

RE: Appointment of regular voting Delegate and alternate voting Delegate for elections of the 2020-21 California Association of Local Agency Formation Commissions (CALAFCO) Board of Directors, and any other business requiring a vote at any virtual business meeting held by CALAFCO.
(Agenda Item 7)

Correspondence received from the CALAFCO Election Committee Chair dated July 7, 2020, confirms that the annual fall CALAFCO Conference and related annual CALAFCO Buisess meeting will no longer be held in person in Monterey on October 22, 2020. However, the Board Election Committee must still accept nominations for open seats on the CALAFCO Board, and conduct the election even though it will be done through email this year.

Therefore, the Commission is requested to nominate a voting delegate and alternate voting delegate and forward their names and email addresses to CALAFCO by September 22, 2020,

Action Requested

Nominate a Voting Delegate for the 2020-21 CALAFCO Board of Director election and an Alternate Voting Delegate, and authorize the Delegare to make the appropriate selection and to vote on any other business items at whatever annual business meeting CALAFCO may conduct.

Enclosure: Notice from CALAFCO Board Election Committee dated July 7, 2020

Commissioners: Mark Medina, Chair ♦ Ignacio Velazquez, Vice Chair ♦ Cesar Flores ♦ Richard Bettencourt ♦ Peter Hernandez

Alternate Commissioners: Rolan Resendez ♦ Elia Salinas ♦ Vacant: County Alternate **Executive Officer:** Bill Nicholson

July 7, 2020

To: Local Agency Formation Commission
Members and Alternate Members

From: Shiva Frentzen, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors



RE: IMPORTANT UPDATE - Elections for 2020/2021 CALAFCO Board of Directors

As you know, nominations are now open for the fall elections of the CALAFCO Board of Directors. Please refer to the announcement and nomination packet sent out to you on June 19, 2020 for details on which seats are open and other important information.

In that announcement we advised you that if we are unable to have an in-person annual conference due to the COVID-19 pandemic, the elections will be conducted by all mail ballot. **As the in-person annual conference has been cancelled, the 2020 Board of Directors elections will be an electronic ballot procedure.**

- ✓ We will use the timelines outlined in CALAFCO policies as detailed in the June 19 announcement with some slight modifications as provided below.
- ✓ CALAFCO still needs the name of your voting delegate. Please also provide their title and email address as the ballot will be emailed directly to your voting delegate. The voting delegate will also cast votes on behalf of your LAFCo at whatever virtual annual business meeting we may have.

Since there will be no caucus, there is no ability to nominate a candidate from the floor. All nominations must come from the nomination packets submitted and acknowledged as received by the deadline of September 22, 2020 at 5:00 p.m.

Please inform your Commission that the CALAFCO Election Committee is accepting nominations until Tuesday, September 22, 2020 at 5:00 p.m. and that this is the only way to get your name on the ballot and be considered for election.

The election committee and CALAFCO staff will meet virtually the morning of October 22 for purposes of tabulating the results and certifying the election. All election documents will be available for member LAFCo inspection upon request.

- **June 19** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 22** – Completed Nomination packet due
- **September 22** – Voting delegate name and email address due to CALAFCO
- **October 7** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 7** – Distribution of ballots by email to voting delegate
- **October 21** - Ballots due to CALAFCO by 4:00 p.m. – **NO LATE BALLOTS WILL BE ACCEPTED**
- **October 22** – Elections tabulated by the Elections Committee and an announcement made to the membership

Please direct any questions you have about the election process to Executive Director Pamela Miller at pmiller@calafco.org or by calling her at 916-442-6536; or to the Election Committee Chair Shiva Frentzen at sfrentzen@calafco.org or by calling her at 530-621-5390.

INFORMATIONAL

8. Commissioner Announcements and Requests for Future Agenda Items

9. Executive Officer oral status report on pending proposals

10. Adjourn to next regular meeting on September 10, 2020, unless meeting is cancelled by the Chair.

