

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

OUT-OF-AGENCY SERVICE AGREEMENT

October 22, 2015 (Agenda)

LAFCO 505: City of Hollister – Culler

LOCATION: Approximately 1.5 acres located south of Hillcrest Road, at 80 Los Altos Drive; Hollister area

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

RECOMMENDATION Authorize the City of Hollister to provide sewer service to this property which is outside its boundaries.

GENERAL ANALYSIS:

Project Information

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

The affected parcel (APN 020-460-035) contains a single family home. The property is not contiguous to the City but is within the City Sphere of Influence.

The residence is presently serviced by a septic system but the property owner would like to connect to the City sewer line adjacent to the property.

The property receives water service from the Sunnyslope County Water District.

The City General Plan designates the site as LDR (Low Density Residential). The County General and zoning are Rural Residential.

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:

There is one single-family home on the site; no change in use is proposed.

4. Environmental Impact of the Proposal

The sewer 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.

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 Hollister Out-of-Agency Service Agreement – Culler, allowing the City to provide sewer 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**.



BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

80 Los Altos Drive EXHIBIT "E"

SPHERE OF INFLUENCE

CITY BOUNDARY



SCALE 1 : 9,000



LAFCO No. 505

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE CITY OF HOLLISTER OUT-OF-AGENCY
SERVICES FOR CULLER

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 HOLLISTER OUT-OF-AGENCY SERVICES – CULLER

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

This resolution was adopted on October 22, 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