

# SAN BENITO LOCAL AGENCY FORMATION COMMISSION

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## REGULAR MEETING AGENDA

June 13, 2019

Board of Supervisors Chambers  
481 Fourth Street, Hollister CA

5:00 P.M.

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: April 25 and May 9, 2019

### BUSINESS ITEMS – PUBLIC HEARING ITEM

6. Adoption of the Final Fiscal Year 2019–2020 LAFCO Budget

### BUSINESS ITEMS – NON-HEARING ITEMS

7. Continued discussion on Agricultural Preservation from the May 9, 2019 Commission meeting with a focus on sphere of influence boundaries and important farmland, agricultural mitigation programs, and other tools to protect farmland.
8. Consideration of changing Commission meeting day and time – Discussion continued from the May 9, 2019 Commission meeting.

### INFORMATIONAL

9. Commissioner Announcements and Requests for Future Agenda Items
10. Executive Officer oral status report on pending proposals
11. Adjourn to next regular meeting at a day and time as determined by the Commission.

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.

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**Commissioners:** Cesar Flores, Chair ♦ Richard Bettencourt, Vice Chair ♦ Ignacio Velazquez ♦ Mark Medina ♦ Jim Gillio

**Alternate Commissioners:** Peter Hernandez ♦ Roberta Daniel ♦ Mary Vasquez Edge **Executive Officer:** Bill Nicholson

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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](mailto: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 June 13, 2019 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 6<sup>th</sup> Day of June, 2019.

All locations freely accessible to the general public.

Janet Slibsager

Clerk of the Board of Supervisors

# CONSENT AGENDA

**5. Approval of minutes: April 25  
and May 9, 2019.**

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**SAN BENITO LOCAL AGENCY FORMATION  
COMMISSION  
MINUTES OF SPECIAL MEETING**

April 25, 2019

Board of Supervisors Chambers - Hollister, CA

**CALL TO ORDER**

1. Chair Cesar Flores called the meeting to order at 6:00 p.m. Those present were Executive Officer Bill Nicholson and Commissioners: Richard Bettencourt, Jim Gillio, and Ignacio Velazquez. Commissioner Mark Medina and Commissioner Peter Hernandez were absent. Also present were G. Michael Ziman, LAFCO Counsel, and Janet Slibsager, Recording Secretary.
2. Commissioner Flores led the Pledge of Allegiance.

**PUBLIC COMMENT**

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

**CONSENT AGENDA**

4. **Approval of minutes: March 14, 2019.**

*Commissioner Velazquez made a motion to approve the minutes from the March 14, 2019 LAFCO meeting.*

*Commissioner Bettencourt seconded the motion.*

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

**BUSINESS ITEMS – PUBLIC HEARING ITEM**

5. **Consider adoption of the Proposed Fiscal year 2018-19 Budget.**

Chairman Flores introduced the item.

Commissioner Gillio said that he had a question on page 3 in the revenue section. He said that there are points in there than concerned him so he reached out to the County Budget Officer Stewart Patri to learn more about that. He said it looked like there was one \$40,000 payment from the City of Hollister for this fiscal year. He said what actually happened was that payment was for last fiscal year recorded on January 2019. He said that we haven't received any payments for the fiscal year yet and the County has not submitted any payments. He said what happens according to our fiscal officer is that at the end of every fiscal year we settle up,

there will be payments made in the middle of the year. He said he would keep track of that to make sure the County is paying their portion along with the City of Hollister and San Juan.

Executive Officer Nicholson added that he misunderstood, it showed up as a revenue payment. He said that he does know for LAFCO is independent from the City and County, it has its own budget and LAFCO's payments for support of LAFCO comes from applications from annexations and also from the Cities and Counties paying the balance. The City and Counties only pay what LAFCO actually spends not what is approved in the budget. He said that the auditor will determine at the end of the year what was revenue and what was expenditures. He thanked Commissioner Gillio for clarifying that.

Commissioner Bettencourt had a comment on the budget in regards to the legal counsel services in the amount of \$10,000 and how it wasn't used and if it was moved to another account.

Executive Officer Nicholson provided information that if they do not spend all of the money in any of the categories it just doesn't get spent they do not move it to another account.

Commissioner Bettencourt said another concern was the medical insurance costs for a former Executive Officer settlement for a retired employee. Why are we responsible for that and not the County?

Executive Officer Nicholson said he was not here and that this issue has been raised in past budgets. He said at the time the response has been that the person worked for the County but was assigned to do LAFCO functions, so she left the County under whatever terms and it was an agreement that the County would pay her benefits, so they split the cost for her medical between LAFCO and the County based on her time that she spent between the two duties. He said it is an unusual thing to have on the budget but the person was a County employee.

Commissioner Gillio asked what year this was.

Executive Officer said possibly 2012.

Commissioner Velazquez stated it was before that because when he got on board that person wasn't here and that was 2013. He said it is something that we need to address; you make a really good point. He said it is something that we need to have a larger conversation about, that is a lot of money.

Executive Officer Nicholson said that this is a proposed budget and then we have a final budget on June 12<sup>th</sup>. He said that he could come back and report the final budget of that amount and how it got set and what we can do about it, if anything.

Commissioner Gillio asked if maybe we could get a legal opinion because it sounds like something that the County should be responsible for but would like to know for sure.

Commissioner Bettencourt said another concern on that issue was wouldn't Counsel have to recuse themselves.

The Executive Officer Nicholson and Commissioners said they did not believe they would have to.

Commissioner Flores had a question that it says proposed budget 2018-19, was that correct.

Executive Officer Nicholson replied, no it should be 2019-20, that is a typo. He said the hearing notice is correct for 2019-2020. Thanked Commissioner Flores for catching that.

Commissioner Bettencourt said the County hasn't been charging us for a lot of the services that they help you out with as far as getting a packet together and so forth. I see that this year it is in the budget. .

Executive Officer Nicholson replied that since he has been here for three years he has a better ideas what it costs to do things and has moved money around from different categories. He said that the County doesn't bill everything to LAFCO for what they do.

Commissioner Flores said that he would like to entertain a motion to consider the adoption of the proposed budget for the fiscal year 2019-2020.

*Commissioner Gillio made a motion to approve as stated.*

*Commissioner Bettencourt seconded the motion.*

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

## **INFORMATIONAL**

### **6. Commissioner Announcements and Requests for Future Agenda Items.**

Commissioner Velazquez said he would like to put on a future agenda a time change to possibly the 3<sup>rd</sup> Wednesday at 3:00 p.m. for LAFCO meetings.

Commissioner Bettencourt said that he would like to look at the County LAFCO Code in regards to alternates, giving them the right to speak but not the right to vote would like to discuss with the other commissioners.

Commissioner Velazquez said that we should agendize to have a conversation about it.

Commissioner Flores announced that Mary Vasquez Edge has been selected as the Alternate for the two cities, San Juan Bautista and Hollister until March 2020.

**7. Executive Officer oral status report on pending proposals.**

Executive Officer Nicholson announced that the next meeting will be May 9<sup>th</sup> at 5:30 p.m. and at that time we will talk about changing the next meeting. The public hearing we are going to have is an annexation to CSA #24, there is a subdivision being annexed. He said another item pending is a presentation on agriculture mitigation, so at our May 9<sup>th</sup> meeting there will be a presentation from the San Benito Farmland Trust who manages easements which will be informational only. Reported that he attended CALAFCO workshop in San Jose and will put a summary together for the next meeting and give you a the legislation that CALAFCO is supporting. He said that there may be some letters of support that affect LAFCO.

**ADJOURNMENT**

6. Upon a motion by Commissioner Gillio, and seconded by Commissioner Bettencourt, adjourned meeting at 6:25 p.m.

Final Minutes Approved by the Commission  
on \_\_\_\_\_

By: \_\_\_\_\_  
Cesar Flores, Chairman



**SAN BENITO LOCAL AGENCY FORMATION  
COMMISSION  
MINUTES OF MEETING**

May 9, 2019

Board of Supervisors Chambers - Hollister, CA

**CALL TO ORDER**

1. Chair Cesar Flores called the meeting to order at 5:00 p.m. Those present were Executive Officer Bill Nicholson and Commissioners: Richard Bettencourt, Jim Gillio, and Ignacio Velazquez. Commissioner Mark Medina showed up at 5:15 p.m. Also present were G. Michael Ziman, LAFCO Counsel, and Janet Slibsager, Recording Secretary.
2. Commissioner Flores led the Pledge of Allegiance. Commissioner Flores stated for clarification for the public, if you noticed that he salutes, he is a Vietnam Vet and to show that they served they salute.

**PUBLIC COMMENT**

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

**CONSENT AGENDA**

4. **Approval of minutes:**  
There were no minutes.

*Motion by Commissioner Gillio and seconded by Commissioner Bettencourt approved the Certificate of Posting. (4/0 vote, Medina Absent)*

**BOUNDARY CHANGE PROPOSALS – PUBLIC HEARING ITEM**

5. **LAFCO 529-Nguyen Subdivision Annexation to County Service Area (CSA) No. 24: Involving the annexation of approximately 8.63 acres of property and a portion of the adjacent roadway into the County Service Area No. 24. The property is located on the east side of Rosebud Avenue and approximately 1,000 feet north of Santa Ana road, involving Assessor's Parcel Number 019-180-045, and is proposed for a division into seven residential lots. The County Service Area annexation is proposed to provide the following services: road maintenance, street weeping, street lighting, and drainage maintenance. The actions requested are to make an environmental determination**

**regarding the adequacy of the County's Initial Study and to consider approval the annexation.**

Chairman Flores introduced the item.

Commissioner Gillio said that it makes sense to add this into the existing CSA for road maintenance.

*Commissioner Gillio made a motion to approve LAFCO 529 as stated. Commissioner Bettencourt seconded the motion.*

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

#### **APPROVED BOUNDARY CHANGE PROPOSALS**

- 6. LAFCO 526-Chappel Road Annexation to the City of Hollister, status report on protest hearing conducted Marcy 28, 2019.**

Chairman Flores introduced the item.

Executive Officer Bill Nicholson provided information, that this was an annexation to the City of Hollister regarding property on the inside curve of Hwy 25 bypass for the City of Hollister. When LAFCO approved the annexation they added 2 parcels and because the landowners hadn't agreed to the annexation we had to hold a protest hearing. We held the protest hearing and no one showed up, so there was not a protest filed and, therefore, the annexation will move forward with the recordation. No further action is required by the Commission on this he said it was just a report back.

#### **BUSINESS ITEMS – NON-HEARING ITEMS**

- 7. Presentation on Agricultural Land Preservation and Mitigation: Involving a summary of the California Association of Local Agency Formation Commissions (CALAFCO) White Paper "State of the Art on Agricultural Preservation" along with a presentation by the San Benito Agricultural Land Trust.**

Chairman Flores introduced the item.

Executive Officer Bill Nicholson provided information and provided a PowerPoint Presentation which covered the following in regards to Ag Land and CALAFCO White Paper: State of the Art on Agricultural Preservation; State of California's Farmland (Facts on California Farmland, 1984-2014); Resilient Agriculture; Resilient Commodities; San Benito County Soil Map-North County; Approaches to Agricultural Preservation Policies; Farmland Preservation Tools - #1 Avoid Impacts; #2 Minimize Impacts, #3 Mitigate Impacts; What is the purpose of LAFCO – One of the main priorities is to promote orderly development and in balancing that development with sometimes competing state interest of discouraging Urban Sprawl preserving open space and prime agricultural land and officially extending governmental services. So the State knows that you have to support development and LAFCO is a lot about efficient development such as do you have capacity for sewer, water and adequate mechanism to get police and fire service. LAFCO also looks at the Ag land, open space and tries to protect that. When you sit here you sit here as a LAFCO Commissioner and Ag land and open space is one of the tenants of that.

Mr. Nicholson invited Sara Steiner, Secretary from the San Benito Agricultural Land Trust to finish up the presentation to provide information on their Trust.

Dan Dungy, President, of the San Benito Land Trust, did an introduction on the Land Trust. He introduced some of the members: Sara Steiner, Secretary; Emily Renzel, Paul Hain, Vice-President; Karminder Brown and Lynn Overtree.

He said that they have been around for 25 years and have over 6,000 acres of conservation easement land that they manage and own fee title on about 550 acres of grazing land.

Sara Steiner San Benito Agricultural Land Trust spoke of two San Benito County mitigation funds received recently. Spoke of how Development Mitigation Funds benefit landowners; how development mitigation funds become a community benefit; provided how the San Benito County Farm Bureau supports them; Questions.

Commissioner Bettencourt said that he is all for preserving Ag. Had a question about tax structure on an easement that is bought by a developer and the tax base.

Ms. Steiner provided information.

Commissioner Gillio said that I think the value of the property is reduced because there is no development potential. So the amount of property tax that is collected is also reduced. He said that he is all for the Land Trust and has attended some of them. He said that farming is changing and you can't make the money you use to.

Ms. Steiner said a conservation easement is a big benefit, it gives the landowner funding to expand, invest, pay off loans, etc.

Commissioner Velazquez asked how soon can we meet. He said that this is very important to him and farming is important. He said that he appreciates what they are doing.

Discussion ensued by Commissioners, staff and San Benito County Land Trust.

This was a presentation only.

Chairman Flores thanked everyone who presented.

**8. Consideration of changing Commission meeting day and start time to 3:00 p.m. on the Third Wednesday of each month.**

Chairman Flores introduced the item.

Commissioner Medina said that he is not a big fan in moving the time of the meeting during the day people work. He said that he would like to move to 6:00 p.m. to allow the public to attend.

Commissioner Bettencourt said that he was o.k. with what the rest of the commissioners wanted to do.

Commissioner Gillio said that Commissioner Medina was not here at the last meeting when we discussed this. He said that he understood what he said but was more comfortable in doing it at 3:00 p.m., but would go with the majority if they want to keep it at 5:00 p.m. He said that he would like to examine the day to try and line it up with some of our other current meetings.

Commissioner Velazquez said that we have had this conversation many times and he totally understands what you are saying. He said that we have had evening meetings and no one shows up, moved them earlier no one showed up. He said that it really comes down to the item on the meeting whether people are going to come out. He said that it is tough on all of us. He said we had a conversation at the last meeting in regards to trying to line up some of the other meetings at the same time. He said we talked about 3:00 p.m. before the COG meeting. He said he would side for the 3:00 p.m. possibly the 3<sup>rd</sup> Thursday to line up with COG.

Discussion ended by the Commissioners.

Executive Officer Bill Nicholson said that he needed to make one point clear, the next agenda is going to have to have our final budget and under the State Law LAFCO has to adopt their budget by June 15<sup>th</sup> and we need to publish 21 days before. He said that we are kind of stuck for the next meeting on picking the same day which would be the second Thursday, June 13<sup>th</sup>. He said an option would be to come back the next meeting with a calendar of the other meetings, both City and County, and I can work with Janet on the options. He said that if the commission would like to set a different time for the June 13<sup>th</sup> meeting they could do that, but the meetings have been at 5:00 p.m.

*Commissioner Gillio made a motion to bring back to the next meeting for the LAFCO date and time, dates specific at the meeting of June 13<sup>th</sup> at 5:00 p.m.*

*Commissioner Velazquez seconded the motion.*

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

9. **Update on CALAFCO tracked legislation and consider letter of opposition to AB 600 (Chu) which requires all cities, counties and certain special districts to develop accessibility plans if they have disadvantaged unincorporated communities identified in the General Plan Land Use Element, and for LAFCO to hold public hearings after adoption of the accessibility plans and if necessary, initiate changes or organization or service extensions to provide services to the identified communities. Also consider letter of support for AB 1822 (Commission on Local Government) involving the annual omnibus bill sponsored by CALAFCO with technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.**

Chairman Flores introduced the item.

Executive Officer Nicholson said for the two Assembly Bills: AB 600 (Chu) letter of opposition, and AB 1822 (Commission on Local Government) letter of support. AB 600 was recently amended due to widespread opposition, and we need to modify the arguments against the Bill as modified.

*Commissioner Bettencourt made a motion to approve letter of opposition for Assembly Bill 600 and letter of support for Assembly Bill 1822, as stated with modifications to AB 600 as modified per Executive Officer.*

*Commissioner Medina seconded the motion.*

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

### **INFORMATIONAL**

10. **Commissioner Announcements and Requests for Future Agenda Items.**

Commissioner Bettencourt said that he had a discussion with Bill Nicholson earlier today about the possibility of another way of suppressing and slowing down growth by taking the spheres away from the City.

Mr. Nicholson provided additional information. He said the sphere of influence is a boundary set by LAFCO, not set by a City or County or special district, LAFCO has to approve the sphere. He said that the situation right now is the City of Hollister has a very old sphere in their General Plan and they have never come to LAFCO to fix it, the same applies to the City of San Juan Bautista.

**11. Executive Officer oral status report on pending proposals.**

Executive Officer Nicholson announced that there is another subdivision to be annexed into CSA #24 and we will have that application coming within the next couple of meetings.

He said that we also found seven years ago LAFCO approved the annexation at the west side of Rosebud Avenue into CSA #24 and in order to collect taxes on it you need to record it and LAFCO never recorded it, so it is approved by LAFCO and LAFCO has a year deadline to complete an action that was approved and it had been over six years. So we will need to redo the application for that one and will be coming at a later date.

He said that another application that he received is from the Aromas Water District for annexation of a donut hole in the middle of the Rancho Larios Subdivision which will be coming in the next couple of meetings.

**ADJOURNMENT**

6. Upon a motion by Commissioner Bettencourt, and seconded by Commissioner Gillio, adjourned meeting at 6:14 p.m.

Final Minutes Approved by the Commission  
on \_\_\_\_\_

By: \_\_\_\_\_  
Cesar Flores, Chairman

**BUSINESS ITEMS-  
PUBLIC HEARING ITEM**

**6. Adoption of the Final Year  
2019-2020 LAFCO Budget.**

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**LOCAL AGENCY FORMATION COMMISSION**  
SAN BENITO COUNTY

2301 Technology Parkway  
Hollister, CA 95023  
Phone: (831) 637-5313

June 13, 2019 (Agenda)

Local Agency Formation Commission  
2301 Technology Parkway  
Hollister CA 95023

**Final LAFCo Budget for FY 2019-20**  
**(Agenda Item 6)**

Dear Members of the Commission:

RECOMMENDATION

It is recommended the Commission:

1. Review the Final Budget for Fiscal Year 2019-20, accept all public testimony and approve the Final Budget with any desired modifications.
2. Direct staff to distribute the Adopted Budget to cities, special districts and the County as required by Government Code Section 56381.
3. Authorize the County Auditor-Controller to adjust the amounts collected from local agencies for LAFCo operations based on the actual year-end fund balance.
4. Direct staff to advise the Commission of any changed budgetary conditions that could adversely affect the Commission's ability to fulfill its responsibilities in the coming year.

DISCUSSION

Introduction

Staff is recommending adoption of the Final Budget for Fiscal Year 2019-20 to meet the statutory deadline for adoption by June 15<sup>th</sup>. No comments were received from the County, Cities or special districts as a result of the required mailing of the Preliminary Budget as adopted by the Commission on April 25, 2019. Notice this public hearing was published as required by LAFCo statute.

### Appropriations

The Proposed Budget requested \$141,497 in appropriations, which reflected a \$6,588 increase from the FY 2018-19 budget. There are no recommended changes in appropriations for the Final Budget. However, there was a slight error in the proposed Budget spreadsheet titled "Explanation of Accounts" which incorrectly identified the increase in budget appropriations to be \$299 higher (\$6,887 instead of the actual increase of \$6,588). The increase is primarily the result of a \$9,427 addition in Board Clerk support costs for agendas, minutes, and support with legal notices and mailings; and an increase in the amount of \$7,000 for the Executive Officer to support the County in preparation of a Municipal Service Review update for County Service Areas (CSAs) through a professional contract with a consultant to be retained by the County.

These increases were partially offset by reductions in several accounts identified in the attached "Explanation of Accounts" with a \$7,204 reduction in Geographic Information System (GIS) mapping and data gathering costs being the primary savings.

The Commission should be reminded that appropriations that are not expended during one fiscal year become part of the Available Fund Balance and reduce the amount to be collected from the County and Cities for LAFCo operations at year-end.

### Revenues

Contributions from the County and cities represent the great majority of LAFCo revenue. In the current fiscal year, revenue from application fees for processing boundary changes and modifying spheres of influence is anticipated to generate approximately \$10,000 in income, 50% to 75% lower than in previous years. The balance of full budget costs are provided through billing by the Auditor's Office to the County (50%) and the City's of Hollister and San Juan Bautista sharing the other 50%. For perspective, after three-quarters of the fiscal year, LAFCo costs were only \$59,460 of the budgeted annual total of \$134,610. The Auditor will only bill the cities and county based on actual expenditures, not on the adopted budget amount. The cities split their share of costs based on the percentage of total revenues received by each city. Based on the State Controller's website, in 2017 Hollister received 93.725% of total city revenue and San Juan Bautista received only 6.275%. For the previous fiscal year, the Hollister contribution amounted to \$40,792, so San Juan Bautista's share would have only been around \$2,700, and the County's 50% share was around \$43,500.

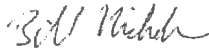
### Conclusion/Recommendation

In consideration of this information, it is recommended the Final Budget be approved and distributed to local agencies as required by Government Code Section 56381; the

Local Agency Formation Commission  
Final Budget for FY 2019-2020  
June 13, 2019 (Agenda)  
Page 3

Auditor-Controller be requested to adjust the actual amounts billed to the County and Cities for LAFCO operations to reflect the actual the year-end fund balance; and that staff be directed to apprise the Commission of any changed conditions during the fiscal year which could adversely affect the Commissions ability to fulfill its responsibilities.

Sincerely,



BILL NICHOLSON  
Executive Officer

Attachment – Final Budget Chart by Account

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

Final Budget for Fiscal Year 2019-20

Explanation of Accounts

Object Code No.	<u>Description</u>	FY 2018-19 <u>Adopted</u>	As of <u>3/31/19</u>	FY 2019-20 <u>Proposed</u>	<u>Change</u>
619.166	CALAFCO Membership	925	925	1,075	150
	Membership dues reflect a 16.25% one-time increase this year passed by CALAFCO.				
619.172	Service & Supplies: Postage	1,320	202	1,000	(320)
	Keeping account the same based on anticipated application activity.				
619.174	Service & Supplies: Office Supplies & Copies	3,200	182	2,000	(1,200)
	Reducing account based on historic application activity & use of County copying rate.				
619.180	Services & Supplies: Legal Notice	750	296	750	0
	Keeping account the same based on anticipated application activity.				
619.194	Training - Registration	1,000	0	1,000	0
619.196	Travel - Lodging	1,520	0	1,520	0
	Executive Officer and possible Commissioner or Counsel attendance at CALAFCO Conference – To be held in Sacramento in October 2019 and Southern California in April 2020.				
619.198	Training & Education - Meals	565	0	300	(265)
	Corresponding meal reimbursement for conference attendance reduced.				
619.200	Travel – Mileage	3,000	196	2,000	(1,000)
	For attending conferences and special meetings, reduced based on historic usage.				
619.210	Legal Counsel Services	10,000	0	10,000	0
	Legal services are provided by County Counsel and outside counsel; not billed yet.				
619.222	LAFCO Consultant Services	62,300	43,225	69,300	7,000
	Executive Officer services at 35 hours/mo. approved in FY 2017-18. Propose increase of 50 hours (\$7,000) in support of MSR for County Service Areas (CSAs).				
619.226	Prof. Services: Public Works (Map/Legal review)	4,000	0	4,000	0

San Benito Local Agency Formation Commission  
 Final Budget for Fiscal Year 2019-20  
 Page 2

<u>Object Code No.</u>	<u>Description</u>	<u>FY 2019-20 Adopted</u>	<u>As of 3/31/19</u>	<u>FY 2019-20 Proposed</u>	<u>Change</u>
619.252	County GIS Contribution	9,000	0	1,796	(7,204)
	The Commission participates in the County GIS Program. The reduced amount is provided by the County as the LAFCO share of annual Basic Maintenance Expenses.				
619.101	Cost Allocation Plan	7,329	6,037	7,329	0
	County overhead for Auditor/Administration and related functions.				
TBD	Board Clerk Support	0	0	9,427	9,427
	Proposed reimbursement for Board Clerk performing LAFCO Clerk functions.				
645.704	Retire – Medical Insurance	10,000	6,615	10,000	0
	Medical insurance costs for former Executive Officer settlement.				
999.999	Contingency Reserve	20,000	0	20,000	0
	Contingency Reserve – remain at \$20,000 the amount was increased in FY 2016-17 by \$10,000 for emergencies/unanticipated costs. Funds only spent with prior Commission authorization.				
	Totals	134,610	59,460	141,497	7,887

# **BUSINESS ITEMS-NON PUBLIC HEARING ITEM**

**7. Continued discussion on Agricultural Preservation from the May 9, 2019**

**Commission meeting with a focus on sphere of influence boundaries and important farmland, agricultural mitigation programs, and other tools to protect farmland.**

**8. Consideration of changing Commission meeting day and time – Discussion continued from the May 9, 2019 Commission meeting.**


**\*\*\*\*\***

**LOCAL AGENCY FORMATION COMMISSION**  
SAN BENITO COUNTY

2301 Technology Parkway  
Hollister, CA 95023  
Phone: (831) 637-5313 Fax: (805) 647-7647

DATE: June 13, 2019 (Agenda)

TO: Local Agency Formation Commission

FROM:   
Bill Nicholson, Executive Officer

RE: Continued discussion on Agricultural Preservation from the May 9, 2019 Commission meeting - Focus on sphere of influence boundaries and important farmland, agricultural mitigation programs, and other tools to protect farmland (Agenda Item 7)

The Commission received a PowerPoint presentation from LAFCo staff and representatives of the San Benito Agricultural Land Trust at the May 9, 2019 regular Commission meeting. The presentation included information from the document entitled: "State of the Art on Agricultural Preservation" – a White Paper prepared jointly by the California Association of Local Agency Formation Commissions (CALAFCO) and the American Farmland Trust. Following the presentation, Commissioners asked questions and engaged in a dialogue with the representatives of the San Benito Agricultural Land Trust (SBALT), but did not take any action.

At the request of Commissioner Bettencourt, with confirmation from LAFCo Chair Flores, this topic has been placed on the June 13<sup>th</sup> Agenda for additional discussion with a focus on the role LAFCo can play in protecting prime and important farmland in San Benito County. The White Paper identified a hierarchy of three measures LAFCos can take to protect farmland:

- 1) AVOID the conversion by encouraging infill development on vacant and underutilized land within existing city and unincorporated community boundaries;
- 2) MINIMIZE the conversion of farmland by developing at higher densities so more growth can be accommodated on less farmland, and directing growth to lower quality soils rather than to prime farmland; and
- 3) MITIGATE for the loss of productive farmland when conversion cannot be avoided, such as through obtaining conservation easements to permanently protect farmland within the County on high quality soils where irrigation water is available.

While the General Plans of the City of Hollister and San Juan Bautista, as well as the County all discourage conversions of productive farmland, all the plans include land designated for urban development that is currently in productive agricultural use. Historically there was nothing done to compensate for the loss of this important resource as the communities urbanized. However, more recently both the City of Hollister and San Benito County have identified agricultural mitigation as a requirement in the CEQA (California Environmental Quality Act) documents for development projects.

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Commissioners: Cesar Flores, Chair ♦ Richard Bettencourt, Vice Chair ♦ Ignacio Velazquez ♦ Mark Medina ♦ Jim Gillio

Alternate Commissioners: Peter Hernandez ♦ Roberta Daniel ♦ Mary Vasquez Edge Executive Officer: Bill Nicholson

Three recent projects were "The Promontory at Ridgemark" housing project on Southside Road in the County, and the "Chappell Road" and "Villalpando" Annexations into the City of Hollister next to the State Highway 25 Hollister Bypass. These projects all required the applicant to obtain conservation easements on similar quality farmland within the County at a 1:1 ratio of farmland converted to land placed under an easement. The San Benito Agricultural Land Trust is in the process of developing programs and procedures to be able to receive and manage easements required as mitigation for development projects in their role as a non-profit trust.

As the City of Holliser initiates their General Plan update, with consideration of adjusting their sphere of influence to more accurately reflect desired areas for future annexation, it is a good time for the Commission to identify priorities for balancing the need to accommodate growth to meet the regional housing needs and expand economic development opportunities, while at the same time managing that growth with LAFCo's mandate to protect agricultural and open space resources. Similarly, the County to looking at General Plan amendments to expand opportunities for economic development in rural areas that are adjacent to regional transportation corridors, but which often contain productive agricultural land.

#### Action Requested

No action is requested from this continued discussion. The Commission may identify some future course of action based on the discussion, such as commenting on pending city and county development proposals, coordinating with the City of San Juan Bautista to initiate a sphere of influence update for the recently updated General Plan, and engaging with the City of Hollister as they initiate the General Plan update effort over the coming year(s). Other options could involve establishment of a subcommittee on agricultural preservation consisting of two members of the Commission, or investigating existing agricultural preservation policies of other LAFCo's in similar agricultural counties. Without initiating any more formal effort, the Commission may just want to monitor the efforts of the Cities and County as they address agricultural impacts during the environmental review (CEQA) process of individual projects and plans.



**LOCAL AGENCY FORMATION COMMISSION**  
SAN BENITO COUNTY

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

DATE: June 13, 2019 (Agenda)  
TO: Local Agency Formation Commission  
FROM: <sup>BN</sup> Bill Nicholson, Executive Officer  
RE: Consideration of Changing Meeting Time - Continued discussion from the May 9, 2019 Commission meeting (**Agenda Item 8**)

DISCUSSION

At the May 9, 2019 regular Commission meeting the Commission discussed possible changes in the time of day, day of week and week of the month to hold Commission meetings. Due to possible conflicts in the use of the Board of Supervisor's Chambers, the discussion was continued to today's meeting so Janet Slibsager, Board Clerk - who also serves as the LAFCo Clerk - could provide a calendar of meetings.

Since the Commission has been targeting Wednesdays and Thursdays, the following meetings and meeting times are currently scheduled in the Board Chambers each month:

- First Week – Available Wednesday and Thursday, anytime.
- Second Week – Available early Wednesday afternoon, but the Parks and Recreation Committee meets at 5:30 pm; and LAFCo currently meets at 5 pm on Thursday but the afternoon and evening are both available.
- Third Week – Available Wednesday afternoon, but the County Planning Commission meets at 6 pm; on Thursday, the COG meets at 3 pm and periodically the Airport Land Use Commission later in the evening. In addition, the Hollister City Planning Commission meets on Thursday evening and the Commission moved their meetings away from the third Thursday evening of the month in October 2016.
- Fourth Week – Available Wednesday and Thursday, anytime.

Action Requested

It is recommended the Commission make a decision whether to change the time, of the day of the regular Commission meeting, and to change the day of the week or the week of the month the meetings are held, and to give direction to staff to produce a new meeting calendar.

# **INFORMATIONAL**

**9. Commissioner Announcements and Requests for Future Agenda Items.**

**10. Executive Officer oral status report on pending proposals.**

**11. Adjourn to next regular meeting at a day and time as determined by the Commission.**

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