

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

January 28, 2016

Board of Supervisors Chambers
Hollister, CA

1. Chair Velazquez called the meeting to order at 6:00 pm. Present were Commissioners Bettencourt, Botelho and Edge, Executive Officer Bob Braitman and Legal Counsel Matthew Granger. Commissioner Barrios and Alternate Commissioners Gomez and Rivas were not present.
2. The Pledge of Allegiance was recited.
3. Public Comment Period - There were no public comments.

SELECTION OF OFFICERS

4. Upon motion by Botelho, second by Bettencourt, Commissioner Edge was elected Chair for Calendar Year 2016.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

5. Upon motion by Botelho, second by Velazquez, Commissioner Bettencourt was elected Vice Chair for Calendar Year 2016

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

6. Commissioner Edge assumed the role of Chair for the remainder of the meeting.

CONSENT AGENDA:

7. Approval of Minutes

Upon motion by Botelho, second by Velazquez, the minutes of the December 3, 2015 meeting were approved as submitted.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

OUT OF AGENCY SERVICE AGREEMENTS

8. LAFCO No. 508 – City of Hollister Out of Agency Service (Rodriguez)

Testimony was provided by Anne Hall and David Baumgartner representing the landowner and Byron Turner, San Benito Planning Department.

After due consideration, upon motion by Botelho, second by Bettencourt, the Commission continued this item to the next Commission meeting and directed that additional information be provided regarding providing sewer services outside of the City boundaries.

Ayes: Bettencourt, Botelho, Edge,
Noes: Velazquez
Abstain: None

9. LAFCO No. 510 – City of Hollister Out of Agency Service (Bertero)

Testimony was provided by Anne Hall, representing the landowner.

After due consideration, upon motion by Edge, second by Botelho, the Commission found the proposal to be Categorical Exempt from CEQA (Class 15268) and approved the City's request to provide water services outside its boundaries to APN 018-170-015.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

BOUNDARY CHANGE PROPOSALS

10. LAFCO No. 509 – Muckelemi Street Annexation to the City of San Juan Bautista

Testimony was provided by Roger Grimsley, City of San Juan Bautista City Manager.

After due consideration, upon motion by Bettencourt, second by Botelho, the Commission found the proposal to be categorically exempt, approved the proposal subject to the territory being liable for authorized taxes, charges, fees and assessments comparable to other properties in the City, found the subject territory is uninhabited and that the annexing agency has given written consent to waiver of conducting authority

proceedings and directed the staff not to record the annexation until the County Surveyor finds the map and legal description to be acceptable.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

11. LAFCO No. 511 – Expand the Sphere of Influence of the City of Hollister and Spray Field Annexation to the City of Hollister

There was no public comment.

After due consideration, upon motion by Botelho, second by Velazquez, the Commission found the proposal to be categorically exempt, approved the proposal subject to the territory being liable for authorized taxes, charges, fees and assessments comparable to other properties in the City, found the subject territory is uninhabited and that the annexing agency has given written consent to waiver of conducting authority proceedings and directed the staff not to record the annexation until the County Surveyor finds the map and legal description to be acceptable.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

12. LAFCO No. 502 – El Cerro Annexation to the City of Hollister

There was no public comment.

The Commission received an oral report from the staff on the protest hearing that had been conducted earlier that day on the proposed annexation. The staff informed the Commission a final decision regarding number of valid protests submitted will be made within the next week.

BUSINESS ITEMS

13. Resignation of Bob Braitman as Executive Officer.

There was no public comment

Upon motion by Botelho, second by Bettencourt the Commission accepted the resignation of Bob Braitman as Executive Officer, effective June 30, 2016

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

The Chair appointed an ad hoc committee of Commissioners Botelho and Velazquez to research and describe the options to fill the LAFCO staff positions.

14. Consideration of Contract with BAE Urban Economics

There was no public comment.

After due consideration upon motion by Botelho, second by Velazquez, the Commission approved and authorized the Chair to sign the contract with BAE Urban Economics to prepare a fiscal analysis related to mitigating the fiscal impacts of new residential development, funding for contract provided by the County of San Benito and the City of Hollister

The County indicated it would possibly be pursuing an amendment to the contract regarding residential projects in relation to the City of San Juan Bautista.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

15. Consideration of Commissioner Handbook

There was no public comment.

After due consideration, upon motion by Velazquez, second by Bettencourt, the Commission adopted the Commissioner Handbook as submitted with the inclusion of the policy on public records.

Ayes: Bettencourt, Botelho, Edge, Velazquez
Noes: None
Abstain: None

16. Report on LAFCO-related Legislation

There was no public comment.

The Commission received the staff report on legislative matters and directed staff to continue to monitor legislation relevant to LAFCO.

17. Commissioner Announcements and Requests for Future Agenda Items

There were no announcements from Commissioners.

INFORMATIONAL

18. Oral Staff Report on Pending Proposals

The Executive Officer reported on the status of pending proposals.

There was no public comment.

19. Staff Announcements

There were no staff announcements

20. Closed Session

The Legal Counsel announced the Commission would adjourn to executive session pursuant to Government Code Section 54957.

The Commission adjourned to a closed session at 7:20 PM and resumed the meeting at 8:25 PM.

Legal Counsel stated that the Commission took no reportable actions while in closed session.

21. Adjournment

Upon motion by Velazquez, second by Botelho, the meeting adjourned at 8:30 PM to the next regular meeting on Thursday, August 27, unless canceled by the Chair or a special meeting is called.

By _____
Rick Edge, Chair

DRAFT