

SAN BENITO LOCAL AGENCY FORMATION COMMISSION  
MINUTES OF MEETING

January 22, 2015

Board of Supervisors Chambers  
Hollister, CA

1. Chair Anthony Botelho called the meeting to order at 6:00 p.m.
2. The oath of office was administered to Commissioners Ignacio Velazquez and Robert Rivas by Denise Thome, Clerk of the Board of Supervisors. The two Commissioners were seated on the dais with the other Commissioners.
3. Present were Commissioners Bettencourt, Botelho, Edge, Rivas and Velazquez, Alternate Commissioner Tognazzini, Executive Officer Bob Braitman and Legal Counsel Matthew Granger. Alternate Commissioners Barrios and Gomez were not present.
4. The Pledge of Allegiance was recited.
5. Public Comment Period - There were no public comments.

SELECTION OF OFFICERS

6. Upon motion by Bettencourt, second by Edge, Commissioner Ignacio Velazquez was elected as Chair for calendar year 2015. He assumed chairmanship.

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

7. Upon motion by Edge, second by Bettencourt, Commissioner Robert Rivas was elected as Vice Chair for calendar year 2015.

Ayes: Bettencourt, Botelho, Edge, Velazquez  
Noes: None  
Absent: Rivas

CONSENT AGENDA:

8. Approval of Minutes

Upon motion by Bettencourt, second by Botelho, the minutes of the October 23, 2014 meeting were approved.

Ayes: Bettencourt, Botelho, Edge  
Noes: None

Abstain: Rivas, Velazquez

BOUNDARY CHANGE PROPOSALS

9. LAFCO No. 491 – Dissolution of Pacheco Pass Water District

The staff presented a status report on this proposal and recommended the public hearing be held open and continued to May 28.

Testimony was provided by Garth Hall, representing the Santa Clara Valley Water District.

After due consideration, upon motion by Botelho, second by Rivas, the Commission continued the hearing until May 28, 2015

Ayes: Bettencourt, Botelho, Edge, Rivas, Velazquez

Noes: None

10. LAFCO No. 492 – De La Pena Annexation to the City of Hollister

There were no public comments.

After due consideration, upon motion by Bettencourt, second by Edge, the Commission (1) found the proposal to be Categorical Exempt, (2) approved the proposal as recommended, (3) waived the conducting authority proceedings and (4) directed the staff to record the annexation after the County Surveyor finds the map and legal description to be acceptable.

Ayes: Bettencourt, Botelho, Edge, Rivas, Velazquez

Noes: None

BUSINESS ITEMS

11. Annexations to the Aromas Water District of Properties Within Monterey County

The Executive Officer recommended the Commission designate Monterey LAFCO to process annexations to the Aromas Water District of properties within Monterey County. Testimony was provided Vickie Morris representing the Aromas Water District.

Received into the record was a January 21, 2015 e-mail from Monterey LAFCO Executive Officer Kate McKenna supporting the recommendation.

After due consideration, upon motion by Botelho, second by Bettencourt, the Commission designated Monterey LAFCO to process annexations to the Aromas Water District of properties within Monterey County.

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

12. Implementing Hollister Urban Service Area with respect to extending City sewer services

The Executive Officer described the current procedure being followed to allow the City of Hollister to provide sewer services outside of its boundaries.

Testimony was provided by Scott Fuller, General Manager of San Juan Oaks LLC, and Bill Avera representing the City of Hollister.

After due consideration, upon motion by Botelho, second by Rivas, the Commission affirmed the policy that the City of Hollister can provide sewer services outside of its boundaries only if it requests and receives specific approval from the Commission.

The Commission, after deleting “within the urban area” from the fifth “Whereas” clause, adopted the resolution setting forth its policy on the process for the City of Hollister to be authorized to provide out-of-agency services.

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

13. Schedule to Consider and Adopt Budget for Fiscal Year 2015-16

The Commission received the staff report the Proposed Budget for Fiscal Year 2015-16 will be heard on March 26 with the Final Budget to be heard on May 28.

There was no public comment.

14. Report on Future Agenda Items

The Commission received the staff report describing a work plan to be pursued by staff in including mapping for the Directory of Local Agencies, preparation of a Commissioner Handbook, preparation of the remaining Sphere of Influence updates, completing the inventory of Mutual Water Companies and processing applications as they are received.

There was no public comment.

15. Report on LAFCO-related Legislation

The Commission received the staff report on pending legislation.

There was no public comment.

16. Commissioner Announcements

At the request of Commissioner Bettencourt the staff explained LAFCO can be requested to reconsider its decisions but there is no appeal of LAFCO decisions to any other administrative body, although LAFCO decisions are subject to judicial review.

Commissioner Bettencourt made reference to the Sustainable Groundwater Management Act and the staff indicated it would review the matter and report back to the Commission.

INFORMATIONAL

17. Oral Staff Report on Pending Proposals

The Executive Officer reported on the status of pending proposals.

There was no public comment.

18. Staff Announcements.

The Commission Clerk informed the Commissioners of their obligation to file FPPC Conflict of Interest statements in their capacity as LAFCO Commissioners.

19. Upon motion by Bettencourt, second by Edge, the meeting was adjourned at 7:05 PM to the next regular meeting on Thursday, February 26, unless canceled by the Chair or a special meeting is called.

Final Minutes Approved by the Commission  
on April 26, 2015

By \_\_\_\_\_  
Ignacio Velazquez, Chair