

August 28, 2014 (Agenda)

Local Agency Formation Commission
2301 Technology Parkway
Hollister CA 95023

Contract with County for Mapping Services

Dear Members of the Commission:

RECOMMENDATION

It is recommended the Commission adopt the enclosed contract with the County of San Benito and direct that this be provided to the County for its consideration.

DISCUSSION

Maintenance of Jurisdictional Maps for Local Agencies

The Final Budget for this fiscal year adopted by the Commission on May 22 includes an increase of \$7,825 from the Proposed Budget, such additional funds to be used to help create and maintain boundary maps of cities and special districts.

The Commission received correspondence from County Clerk-Auditor-Recorder Joe Paul Gonzalez requesting funding to assist in preparing jurisdictional boundary maps. Testimony was provided by Mr. Gonzalez and Angela Curro, Assistant County Clerk-Recorder-Registrar of Voters in favor of this funding.

In order there be a clear understanding by LAFCO and the County regarding expectations for use of these funds, staff recommends there be an agreement between the Commission and the Board of Supervisors.

An agreement is enclosed for your consideration. This has been developed jointly with the County Administrative, Assessor, Elections and Public Works staffs. In accordance with this proposed agreement:

- LAFCO will rely on the County to prepare and update the maps of local agencies that are included within the Directory of Local Agencies prepared and maintained by the Commission.

- LAFCO recognizes that city and special district boundaries are often utilized by the County related to maintaining tax rate areas and election boundaries and that mapping services pursuant to this agreement might be used for those purposes.

Review of Maps and Legal Descriptions for Boundary Changes

In a separate but related matter, the County Surveyor reviews maps and legal descriptions for annexations and other boundary changes to insure they are definite and certain, and will be acceptable to the State Board of Equalization. It is our practice not to record, and thereby complete, a boundary change until the County Surveyor approves these materials.

To compensate the County staff for providing this service, the LAFCO processing fee schedule has the following component: "A \$500 deposit payable to 'San Benito County Surveyor' for reviewing maps and legal descriptions must be submitted with proposals that include maps and legals. Boundary changes will be completed only when obligations to the County Surveyor are satisfied."

Deposits received by our office with an application are forwarded to the County Surveyor along with the map and legal description to be reviewed.

Please contact the LAFCO office if you have any questions.

Sincerely,



BOB BRAITMAN
Executive Officer

cc: Ray Espinosa, County Administrative Officer
Joe Paul Gonzalez, County Clerk-Auditor-Recorder-Register of Voters
Angela Curro, Assistant County Clerk-Recorder-Registrar of Voters
Arman Nazemi, Public Works Department
Matt Granger, Legal Counsel

CONTRACT BETWEEN THE SAN BENITO LOCAL AGENCY FORMATION
COMMISSION AND THE COUNTY OF SAN BENITO FOR MAPPING SERVICES
RELATED TO BOUNDARIES OF CITIES AND SPECIAL DISTRICTS.

This Agreement is entered into by and between the San Benito Local Agency Formation Commission (hereafter "LAFCO" or "Commission") and the County San Benito (hereafter "County" or "Board of Supervisors").

The parties agree as follows:

1. LAFCO Authority. LAFCO is a public agency that operates pursuant to the Cortese/Knox/Hertzberg Local Governmental Reorganization Act of 2000 (§56000 et seq. of the Government Code). Among LAFCO obligations is adopting and periodically updating the Sphere of Influence of each city and special district.

2. County Mapping Services. LAFCO desires to utilize the services of the County to prepare and update the maps of local agencies that are included within the Directory of Local Agencies prepared and maintained by the Commission.

3. Maps for Property Taxation Purposes. LAFCO recognizes that city and special district boundaries are often utilized by the County Assessor and Tax Collector related to maintaining tax rate areas and that mapping services pursuant to this agreement might be used for those purposes.

4. Payment by LAFCO to County for Mapping Services.

A. Funding for this agreement shall be included in the LAFCO Final Budget as adopted by the Commission.

B. County shall invoice LAFCO on a quarterly or annual basis for services to be provided pursuant to this agreement. The amount of the invoice shall not exceed the funds that have been appropriated in the LAFCO budget for that fiscal year for these mapping services. For Fiscal Year 2014-15 this amount shall not exceed \$7,825.

5. Communications. All communications required hereunder to be effective shall be in writing and shall be deemed to have been given and received when delivered by hand, or if mailed, three (3) business days after deposit in the interoffice mail or the U.S. Mail prepaid postage. Written notice to each party shall be addressed to:

Bob Braitman
Executive Officer
San Benito LAFCO
2301 Technology Parkway
Hollister CA 95023

Ray Espinosa
County Administrative Officer
County of San Benito
481 4th Street, 1st Floor
Hollister CA 95023-3840

6. Review of Maps and Legal Descriptions for Boundary Changes. This agreement is separate from the services provided by the County Surveyor in reviewing the maps and legal descriptions that are filed with LAFCO as part of applications to modify local government boundaries and for which the County Surveyor is compensated by the applicants or proponents of such changes.

7. Term of the Agreement/Termination

A. LAFCO on August 28, 2014 agreed to contract with the County for mapping services as described in this agreement and authorized the Chair of the Commission to execute this agreement.

B. This agreement shall be effective on the last date it is signed by the Chair of the Commission and the Chair of the Board of Supervisors; and shall remain in effect until either LAFCO or the County determines to terminate the agreement.

LOCAL AGENCY FORMATION COMMISSION

Chair, San Benito LAFCO

Date: July 24, 2014

COUNTY OF SAN BENITO

Chair, Board of Supervisors

Date: _____

APPROVED AS TO FORM
LAFCO LEGAL COUNSEL

By: _____

Date: _____