

SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

August 28, 2014

Board of Supervisors Chambers
Hollister, CA

1. Chair Anthony Botelho called the meeting to order at 6:00 p.m.
2. Present were Commissioners Barrios, Botelho, Bettencourt, Edge and Valdivia, Alternate Commissioner Tognazzini, Executive Officer Bob Braitman and Acting Legal Counsel Barbara Thompson. Alternate Commissioners Gomez and Rivas were not present.
3. The Pledge of Allegiance was recited.

4. Public Comment Period

There were no public comments.

CONSENT AGENDA:

5. Approval of Minutes

Upon motion by Valdivia, second by Bettencourt, the minutes of the July 24, 2014 meeting were approved.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

OUT OF AGENCY SERVICE AGREEMENTS

6. LAFCO No. 489 – City of Hollister (CHISPA)

The Executive Officer corrected the staff report to indicate the approved project consists of seven two-story buildings with 41 apartments and 13 single family homes, for a total of 54 dwelling units.

Testimony was provided by Dana Cleary, Director of Real Estate Development, Community Housing Improvement Systems and Planning Association (CHISPA).

After due consideration, upon motion by Valdivia, second by Edge, the Commission certified it reviewed the Mitigated Negative Declaration, approved the proposal allowing the City to provide water and sewer services outside its boundaries and within its Sphere

of Influence with the understanding the property will be annexed to the City prior to the issuance of a Certificate of Occupancy for the first residential unit.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

BOUNDARY CHANGE PROPOSALS

7. LAFCO No. 488 – Resubmitted Guerra/Intravia Annexation to the City of Hollister

There were no public comments.

After due consideration, upon motion by Barrios, second by Valdivia, the Commission certified it had considered the Mitigated Negative Declaration, approved the proposal and waived the conducting authority proceedings. Staff was directed not to record until the County Surveyor finds the map and legal description to be acceptable.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

MUNICIPAL SERVICE REVIEWS / SPHERE OF INFLUENCE UPDATES

8. Aromas Tri-County Fire Protection District

The Commission received the staff report on the Aromas Tri-County Fire Protection District Sphere of Influence Update.

There were no public comments.

After due consideration, upon motion by Botelho, second by Valdivia, the Commission determined that since there was no change in the District's Sphere the action was exempt from CEQA, approved the recommended Municipal Service Review determinations and updated without revising the Sphere of Influence.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

9. Sunnyslope County Water District

The Commission received the staff report on the Sunnyslope County Water District Sphere of Influence update.

Testimony was provided by Donald Ridenhour, District General Manager.

After due consideration, upon motion by Valdivia, second by Barrios, the Commission determined that since there was no change in the District's Sphere the action was exempt from CEQA, approved the recommended Municipal Service Review determinations and updated without revising the Sphere of Influence.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

BUSINESS ITEMS

10. Contract with County of San Benito For Mapping Services

The Executive Officer recommended the Commission contract with the County for specified mapping services.

Testimony was provided Arman Nazemi of the County Public Works Department.

After due consideration, upon motion by Barrios, second by Edge, the Commission adopted the contract for mapping services and directed this be provided to the County for its consideration.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

11. Authorize Voting Representative for the CALAFCO Annual Business Meeting

There were no public comments.

After due consideration, upon motion by Barrios, second by Valdivia, the Commission designated the Executive Officer as the voting delegate for the annual Business Meeting of the California Association of LAFCOs.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

12. Report on LAFCO-related Legislation

The Commission received the staff report on pending legislation.

Testimony was provided by Donald Ridenhour regarding groundwater management.

After due consideration, upon motion by Valdivia, second by Bettencourt, the Commission assumed “watch” positions regarding Senate Bill 614 (Wolk) dealing with disadvantaged unincorporated communities, Assembly Bill 2443 (Rendon) concerning mutual water companies and Assembly Bill 1739 (Dickinson) and Senate Bill 1168 (Pavley) regarding groundwater management.

Staff was directed to continue to monitor legislation and report on future agendas.

Ayes: Barrios, Bettencourt, Botelho, Edge, Valdivia
Noes: None
Abstain: None

13. There were no Commissioner announcements or requests for future agenda items.

INFORMATIONAL

14. Oral Staff Report on Pending Proposals

The Executive Officer reported a protest hearing on the Southside Road Annexation to the Sunnyslope County Water District was held earlier that day and no protests were received.

There were no public comments.

15. There were no staff announcements.

16. Upon motion by Valdivia, second by Edge, the meeting was adjourned at 7:15 PM to the next regular meeting on Thursday, September 25, unless canceled by the Chair or a special meeting is called.

Final Minutes Approved by the Commission
on September 25, 2014

By _____
Anthony Botelho, Chair

DRAFT