

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

REGULAR MEETING AGENDA

Thursday, January 14, 2021 – 6:00 P.M.

Board of Supervisors Chambers
481 Fourth Street, Hollister CA

Pursuant to California Governor Gavin Newsom’s Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, members of the Commission are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present.

THIS MEETING WILL BE CLOSED TO THE PUBLIC and can be accessed by the public in the following methods: Through Zoom (<https://zoom.us/join>) per the instruction stated below, and other methods as described further below with the following ID and Password:

Webinar ID: 993 1400 5134
Webinar Password: 698231

Participating by Zoom:

Three ways to attend Zoom meetings: on a web browser, through the Zoom App, or over the phone. Each webinar will have a webinar ID and password, which is a unique number associated with an instant or scheduled meeting (found at the top of this text). The chat feature is disabled for all participants. Additionally, the video function is not available to the public.

Zoom on Web-browser:

- a. If joining through web-browser, launch the address <https://zoom.us/join> or open the direct link listed below: <https://zoom.us> or launch the Zoom app on your Tablet or Smartphone:
- b. Select “JOIN A MEETING”
- c. The participant will be prompted to enter Webinar ID and Password listed above and name to join the meeting. The meeting agenda can be found at <https://www.cosb.us/>
- d. The participant can launch audio through their computer or set it up through the phone.
- e. Public Comment: Select the “Participants Tab” and click “Raise hand” icon, and the zoom facilitator will unmute you when your turn arrives.

Zoom Audio Only (phone):

- a. If you are calling in as audio-only, please dial US: +1 669 900 6833 or +1 408 638 0968
- b. It will ask you to enter the Webinar ID listed above, followed by the “#” key (pound key), then enter Webinar Password listed above at the top page of the agenda. The meeting agenda can be found at <https://www.cosb.us/>
- c. It will then ask for a Participant ID, press the “#” key (pound key) to continue.
- d. Once you enter the Zoom meeting, you will automatically be placed on mute.

e. Public Comment: If you are using a phone, please press “*9” (star-nine) to raise your hand, and the Zoom facilitator will unmute you when your turn arrives.

Written Comments & Email Public Comment

Members of the public may submit comments via email by 5:00 PM on the Wednesday prior to the meeting to the LAFCO Clerk at Jfrechette@cosb.us.

Public Comment Guidelines

- A. The Commission welcomes your comments.
- B. If participating on Zoom, once you are selected you will hear that you have been unmuted: At this time, please state your first name, last name, and county you reside in for the record.
- C. Each individual speaker will be limited to a presentation total of three (3) minutes, or such other time as may be designed by the Chair.
- D. Please keep your comments, brief, to the point, and do not repeat prior testimony, so that as many people as possible can be heard. Your cooperation is appreciated.

If you have any questions, please contact the LAFCO Clerk at (831) 636-4000, Ext. 13 or email JFrechette@cosb.us

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

SELECTION OF OFFICERS

5. Open nominations and conduct election for Chair for calendar year 2021
6. Open nominations and conduct election for Vice-Chair for calendar year 2021

CONSENT AGENDA

7. Approval of minutes: August 13, 2020

BUSINESS ITEMS – HEARING ITEMS

8. LAFCO 536 – Bravo Annexation to the Aromas Water District: Involving the annexation of approximately 18.35 acres located on the west side of Cole Road and approximately 1,200 feet north of Ricardo Drive into the Aromas Water District. The purpose of the request is to receive district water for the existing residence at 530 Cole Road (Assessor’s Parcel Number 011-260-005). The actions requested are to determine the annexation is exempt from environmental review under sections 15303(d) and 15319 of the CEQA Guidelines and to consider approval of the annexation.

BUSINESS ITEMS – NON-HEARING ITEMS

9. California Association of Local Agency Formation Commissions (CALAFCO) Special Bulletin Flyers – To receive the recently prepared Bulletins about the importance of supporting each LAFCOs visibility and viability in the fallout from the COVID-19

Pandemic. CALAFCO created three flyers which promote our purpose and values: one for each Commission, one for our cities and special districts and one for the State Legislature. The action requested is to receive the Bulletin and authorize the Executive Officer to mail out the City and Special District version to agencies within San Benito County under the Chair's signature.

10. First amendment to the Contract for Executive Officer Services adding a cost of living increase (Continued from the May 14, 2020 Commission meeting).

INFORMATIONAL

11. Commissioner Announcements and Requests for Future Agenda Items
12. Executive Officer oral status report on pending proposals, including a summary of City General Plan and Sphere of Influence update efforts in both Hollister and San Juan Bautista.
13. Adjourn to next regular meeting on February 11, 2021, unless meeting is cancelled by the Chair.

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.

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 Clerk's Office at least three (3) days prior to the meeting by telephone at 831/636-4000, Ext. 13 or by email at Jfrechette@cosb.us.

*LOCAL AGENCY FORMATION COMMISSION
2301 Technology Parkway
Hollister, CA 95023*



CERTIFICATE OF POSTING

Pursuant to Government Code §59454.2(a) I, Jennifer Frechette, Clerk of the Board of Supervisors, certify that the REGULAR MEETING AGENDA for the

**SAN BENITO COUNTY LOCAL AGENCY FORMATION
COMMISSION**

Scheduled for January 14, 2021, was posted at the San Benito County Resource Management Agency, 2301 Technology Parkway, Hollister, CA and at the San Benito County Administration Office, 481 Fourth Street, Hollister, CA on this 7th day of January 2021.

A handwritten signature in blue ink, appearing to read "Jennifer Frechette", is written over a horizontal line.

Jennifer Frechette
Clerk of the Board

CONSENT AGENDA

7. Approval of minutes: August 13, 2020 meeting.



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

August 13, 2020
Board of Supervisors Chambers – Hollister

1. CALL TO ORDER

Chair Medina called the meeting to order at 6:00 PM. Those present in the gallery were Executive Officer Bill Nicholson and Commissioners: Mark Medina, Richard Bettencourt and Cesar Flores via Zoom. Absent commissioners were Peter Hernandez and Ignacio Velasquez. Also present were Reed Gallogly, LAFCO counsel, and Jennifer Frechette, Recording Secretary.

2. Commissioner Bettencourt led the Pledge of Allegiance

3. APPROVE AFFIDAVIT OF POSTING AGENDA

Commissioner Bettencourt made a motion to accept the affidavit of Posting, Commissioner Medina seconded. (3/0 vote)

Ayes: Bettencourt, Medina, Flores

Noes: None

Abstain: None

Absent: Hernandez, Velasquez

PUBLIC COMMENT

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

CONSENT AGENDA

5. **Approval of minutes: July 9, 2020**

Commissioner Bettencourt made a motion to approve the minutes of August 14, 2020, commissioner medina seconded. (3/0 vote)

Ayes: Bettencourt, Flores, Medina

Noes:

Abstain:

Absent: Hernandez, Velasquez

BUSINESS ITEMS – PUBLIC HEARING ITEMS

- 6. LAFCO 535 – Riverview Estates II Annexation to County Service Area (CSA) No. 53: Involving the annexation of approximately 4.88 acres located on the west side of Southside Road and approximately 200 feet south of Hospital Road, involving Assessor’s Parcel Number 020-320-037 into County Service Area No. 53. The project involves an approved 24 lot residential subdivision for affordable housing. The County Service Area is authorized to provide the following services: street lighting, street sweeping, road maintenance, landscaping and drainage maintenance, and extended police and fire protection. The actions requested are to determine the annexation is exempt from environmental review under section 15061(b)(3) of the CEQA Guidelines and to consider approval of the annexation.**

Executive Officer Bill Nicholson provided information on the item. It’s an annexation of County Service Area 53 off Southside Road, recently approved subdivision for Riverview Estates II for 24 low income homes to be developed by the CSDC. The same services will be provided as the adjacent development, Riverview Estates I. Primarily storm water, road maintenance, streetlights, and street sweeping, sewer and water to be provided by the City. No controversy, everyone within a hundred feet were notified and posted in the Hollister Freelance.

Chairman Medina opened public comment.

Seth Capron, consultant to CSDC, commented that this was a great program.

Chairman Medina closed public comment.

Commissioner Bettencourt agrees that this is a great project and should have more.

Commissioner Bettencourt made a motion, Commissioner Flores seconded. (3/0 vote)

Ayes: Bettencourt, Flores, Medina

Noes:

Abstain:

Absent: Hernandez, Velasquez

BUSINESS ITEMS – NON- HEARING ITEMS

- 7. Appointment of regular voting member and alternate voting member for elections of the 2020-21 California Association of Local Agency Formation Commissions (CALAFCO) Board of Directors, and any other business requiring a vote at any virtual business meeting held by CALAFCO.**

Chairman Medina opened the item

Chairman Medina asked if there was an appointment for anyone.

Commissioner Bettencourt asked for a refresher, if this appointment is for somebody to go to the CALAFCO.

Executive Officer Bill Nicholson stated that this year the CALAFCO conference had been cancelled in person and based on feedback received there will not be a virtual conference. CALAFCO stills need to have an election which will be done through email. A voting delegate and alternate still need to be selected. Can be any commissioner or staff.

Commissioner Flores asked who was the representative in the past?

Executive Officer Bill Nicholson responded that Jim Gillio attended the conference last year in Sacramento and was a voting delegate and he was the alternate since he attended as well. Before that, none of the commissioners had attended and he was the voting delegate, but now its online.

Commissioner Flores asked if any of the commissioners are interested and volunteering?

Commissioner Bettencourt is interested.

Chairman Medina made a motion to appoint Commissioner Bettencourt as voting delegate, Commissioner Flores seconded. (3/0 vote)

Ayes: Bettencourt, Flores, Medina

Noes:

Abstain:

Absent: Hernandez, Velasquez

Commissioner Hernandez entered

INFORMATIONAL

8. Commissioner Announcements and Requests for Future Agenda Items

Commissioners had no announcements.

9. Executive Officer oral status report on pending proposals

Executive Officer Nicholson stated there are no pending applications, will not have a need to have a September meeting, application wise. Will be sending an email on CALAFCO, which are trying to figure out how to substitute the conference, to either do more training or have a 90-minute online session. Will be sending out a survey to all commissioners to gather feedback. For City, they had a lot of applications for annexations last week but have not heard anything.

10. ADJOURMENT

Upon a motion by Commissioner Bettencourt, and seconded by Commissioner Flores, adjourned meeting at 6:12 p.m.

Final Minutes Approved by the Commission
on _____

By: _____
Mark Medina, Chairman

BUSINESS ITEMS- HEARING ITEMS

8. LAFCO 536 – Bravo Annexation to the Aromas Water District: Involving the annexation of approximately 18.35 acres located on the west side of Cole Road and approximately 1,200 feet north of Ricardo Drive into the Aromas Water District. The purpose of the request is to receive district water for the existing residence at 530 Cole Road (Assessor’s Parcel Number 011-260-005). The actions requested are to determine the annexation is exempt from environmental review under sections 15303(d) and 15319 of the CEQA Guidelines and to consider approval of the annexation.



SAN BENITO LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

January 14, 2021 (Agenda)
(AGENDA Item 8)

LAFCO No. 532: Bravo Annexation to Aromas Water District

PROPONENT: Board of Directors of the Aromas Water District, by resolution,
Property owners by petition

ACREAGE & LOCATION A 18.35 acre parcel located on the west side of Cole Road and approximately 1,200 feet north of Ricardo Drive, in the unincorporated Aromas area

PURPOSE: To make municipal water service available to the annexing parcel due to diminished water quantity and poor water quality from the on-site well.

PROJECT INFORMATION & DETERMINATIONS

1. Land Use, Planning and Zoning - Present and Future:

The parcel contain one single family homes and a small outbuilding. The proposed annexation will make community water service available to the property to replace an existing well with water quality and quantity issues. The County General Plan designates the area as Rural (R), and the zoning has the corresponding designation of Rural (R), which matches the density of development in the vicinity with five net acre and larger sized parcels.

All surrounding land uses are also rural with scattered residences. The District notes the annexing parcel is within the Sphere of Influence of the Aromas Water District. However, this will be an isolated parcel within the District in this area with the closest District territory located approximately one mile to the north near the recent Cole Road Annexation area (LAFCO File No. 532 annexed in January 2020).

2. Topography, Natural Features and Drainage Basins:

The site and surrounding areas are rolling coastal hills with oak trees. There will be no issues or impacts from installation of a new water line onto the property.

3. Population:

There is only one home on the annexing parcel, therefore the annexation can be considered "uninhabited" (less than 12 registered voters) under LAFCO's definition. Annexation is not expected to result in construction of any additional homes or in an increase of population. The landowners have consented by petition to the annexation so there will not be a need for a protest hearing.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The District's "Plan for Providing Services" is addressed in response to Question 14 on the "Proposal Justification Questionnaire for Annexation" as required by the Government Code attached to this report is supplemented with information from the recent Cole Road Annexation (LAFCO File No. 532). The District has 964 current metered water connections although approximately 47 are inactive. The water demand of the new connection will not impact the District's domestic water supply as the existing three active District wells have a design capacity of 2,005 gallons per minute (gpm) and the current maximum daily demand is only 518 gpm. The estimated maximum daily demand for one dwelling is only 0.42 gpm.

The property at 530 Cole Road, owned by Gabriel Bravo, has had diminished water supply as a result of recent drought conditions. Rather than drill a new well, the owner is seeking a connection to the Aromas Water District public system. There is an existing District water main in Cole Road in front of the property. The District indicates that a connection to the water line can be installed within 20 days of the annexation being completed. Improvements will consist of a water line and a water meter.

5. Impact on Prime Agricultural Land, Open Space and Agriculture:

The 18.35 acre parcel does not produce commercial agricultural crops and does not involve prime agricultural land. The properties is not under a Williamson Act contract. Therefore, there will be no impact on agricultural or open space resources from the annexation.

6. Assessed Value, Tax Rates and Indebtedness:

The Tax Rate Area for all parcels is 079-004. The 2019-2020 assessed value is \$401,968.

Connection costs and improvements would be paid by each property owner at the time of connection. Ongoing maintenance of facilities is included in the rates charged by the District and a small percentage of the base property tax rate.

7. Environmental Impact of the Proposal:

The Aromas Water District, as the "Lead Agency" under CEQA for this project, determined that the annexation qualified for a Categorical Exemption. CEQA Guidelines sections 15303(d) and 15319 were referenced in the Notice of Exemption filed by the District with the County Clerk: CEQA Guidelines sections 15303(d) entitled "New Construction or Conversion of Small Structures" including water and other similar utilities, and section 15319 entitled "Annexations of Existing Facilities and Lots for Exempt Facilities." Refer

to Attachment 5 for a copy of Resolution No. 2020-10 adopted by the District making the CEQA exemption determination. The Commission can rely on this determination in its role as a "Responsible Agency" under CEQA for processing the annexation.

8. Boundaries, Lines of Assessment and Registered Voters:

The boundaries appear to be definite and certain and there do not appear to be conflicts with lines of assessment or ownership. As stated earlier, the parcel is separated from the existing District boundary by approximately one mile, however under the State Water Code, land within a California Water District need not be contiguous with other district territory (section 37485). Staff is still awaiting confirmation from the Contract County Surveyor as to the accuracy of the map and legal description of the annexation territory.

9. Environmental Justice and Affordable Housing

The annexation area is not adjacent to a disadvantaged unincorporated community as the adjacent land located in the County contains large rural residential lots. The annexation of an existing rural residential parcel will not involve any new affordable or market rate housing.

ALTERNATIVES FOR COMMISSION CONSIDERATION

After reviewing this report and any testimony or materials that are presented, the Commission can take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted.

- A. Find the proposal qualifies for a Categorical Exemption in compliance with CEQA, as determined by the Aromas Water District, in conformance with sections 15303(d) and 15319.
- B. Adopt this report and related determinations and approve the proposal known as the Bravo Annexation to the Aromas Water District
- C. Direct the staff not to record the annexation until the map and legal description requirements are found by the County Surveyor to be acceptable.

OPTION 2 - Adopt this report and DENY this proposal.

OPTION 3 - CONTINUE this proposal to a future meeting for additional information.

RECOMMENDED ACTION:

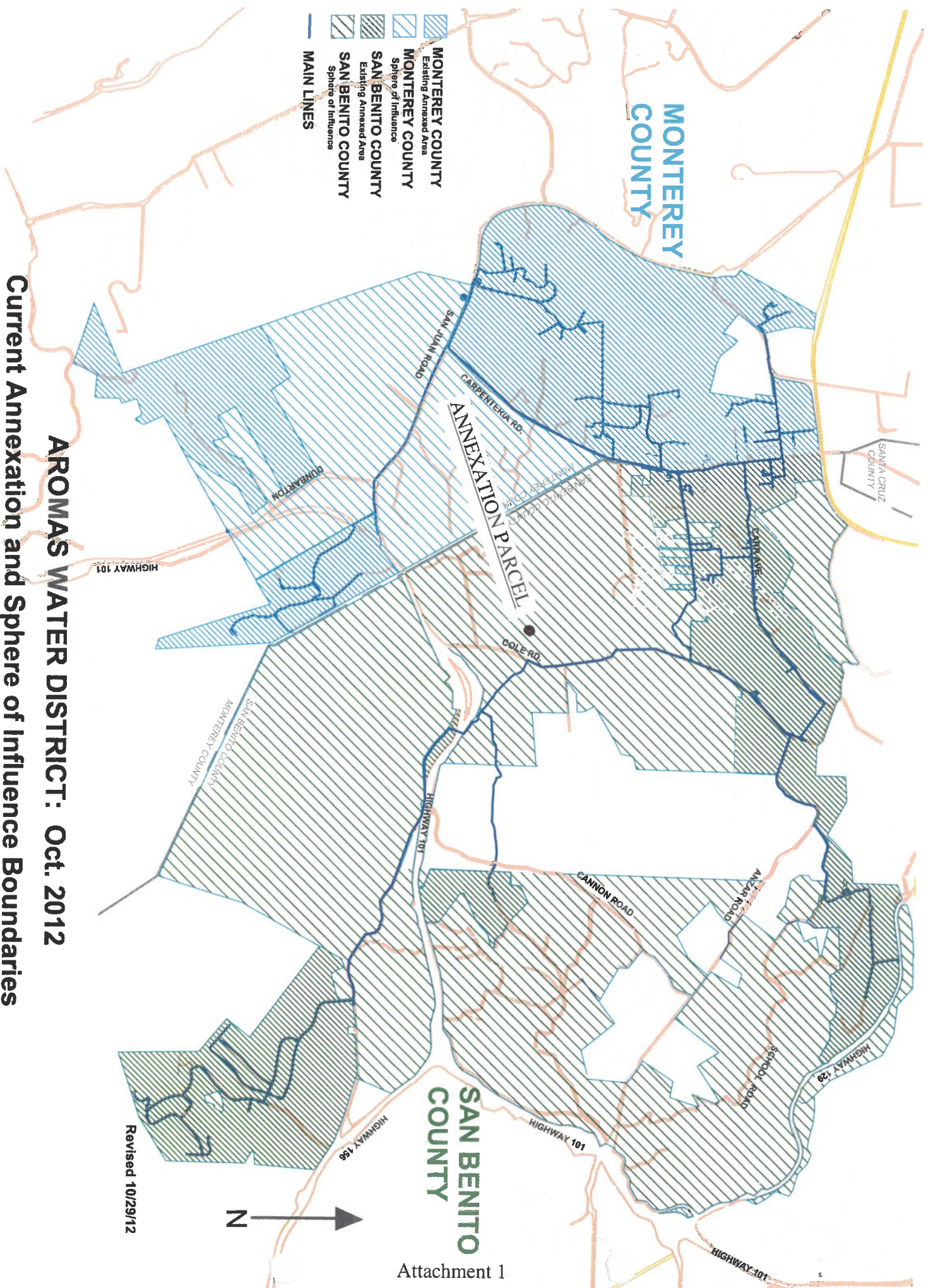
Approve OPTION 1.

BILL NICHOLSON
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

Attachments:

1. Sphere of Influence Map
2. Area Map and Annexation Map
3. Proposal Justification Questionnaire - Annexation
4. Resolution No. 2020-08 by the Aromas Water District "Resolution of Application"
5. Resolution No. 2020-10 by the Aromas Water District "Categorical Exemption Finding"
6. Draft LAFCO Resolution No. 536 Approving the Bravo Annexation to the Aromas Water District

cc: Robert Johnson, General Manager, Aromas Water District
Gabriel Bravo, Property Owner
Reed Gallogly, LAFCO Counsel



AROMAS WATER DISTRICT: Oct. 2012
Current Annexation and Sphere of Influence Boundaries

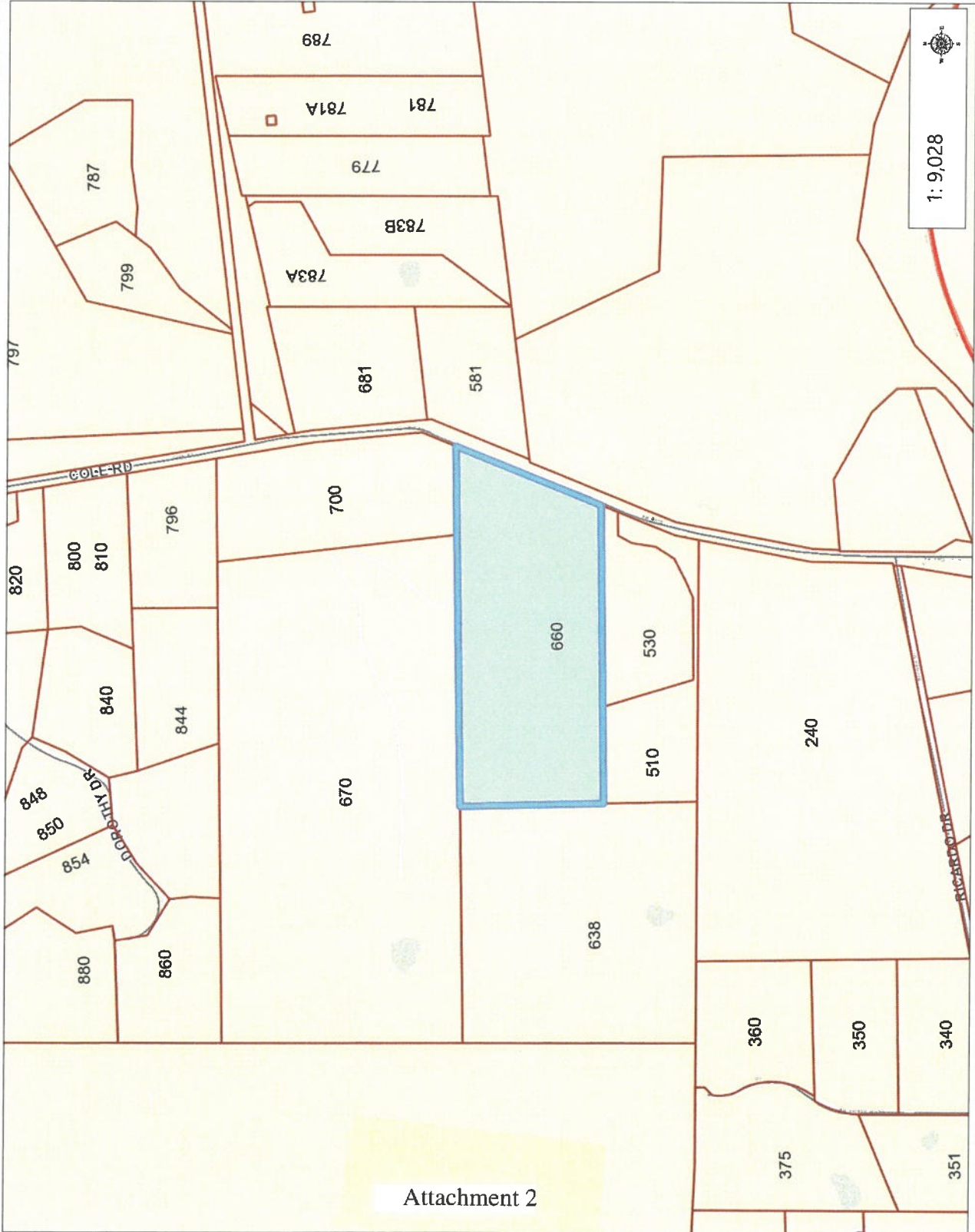


Bravo Annexation

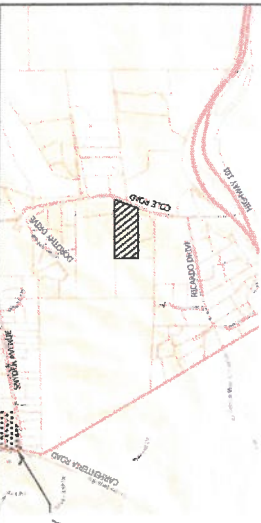


- Legend**
- SBC Parcels
 - California County Boundaries
 - <all other values>
 - San Benito
 - City Limit
 - Hollister Airport Runways
 - Tentative Streets
 - Park
 - World Street Map

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



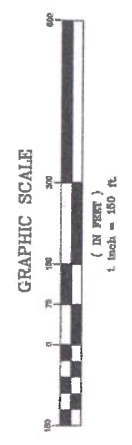
- LEGEND:
- DENOTES BOUNDARY OF AREA TO BE ANNEXED
 - DENOTES EXISTING BOUNDARY OF THE AROMAS COUNTY WATER DISTRICT
 - DENOTES EXISTING PROPERTY LINE
 - DENOTES EXISTING CENTERLINE
 - DENOTES POINT OF BEGINNING
 - ⊕ P.O.B.
 - ⊕ AREA = 18.35 ACRES TOTAL

APPROVAL OF COUNTY SURVEYOR

GEORGE MARICHENKO - INTERIM COUNTY SURVEYOR Date _____
 PLS 6964 exp. 09/30/2021



SURVEYOR
 KENNETH J. WEATHERLY
 PLS 6875 exp. 09/30/2022
 DATE 11/16/20



SAN BENITO ENGINEERING & SURVEYING, INC. 502 Monterey Street (881) 687-2769 E-MAIL: sbes@sanbenito.com		COUNTY OF SAN BENITO PART OF LOT 57 JESSE D. CARR'S SUB. PART OF THE RANCHO AROMITAS Y AGUA CALIENTE STATE OF CALIFORNIA	
DATE	REVISION	NO.	DATE
APPROVED: KENNETH J. WEATHERLY - PLS 6875 RES. EXP. _____ JOB NO. 13088	APPROVED: _____ RES. EXP. _____ DATE: 17 November 2020 at 3:30pm	DATE: 17 November 2020 at 3:30pm	DATE: _____

Proposal Justification
Questionnaire for Annexation



Item 2
(Five Copies)

1. Name of Application:
Bravo APN 011-260-005-000, Annexation into Aromas Water District (AWD)
2. Describe the acreage and general location:
Parcel is 18 acres (no intention to subdivide) on the west side of Cole Road in San Benito County, CA.
3. Assessor Parcel Number:
011-260-005-000
4. Purpose of Proposal:
Single family residence on 18-acre parcel requesting municipal water service from AWD due to diminished water quantity and poor water quality from single on-site residential well.
5. Land Use and Zoning- Present and Future:
 - A. Existing Land Use: one single family residence and one small outbuilding
 - B. Describe changes in land uses that would result from this annexation: There would be no changes from the current land use.
 - C. Existing zoning designations: property is zoned Rural Residential
 - D. Describe any proposed change in zoning: No zone change will be required; the current land use conforms with the current Rural Residential zoning.
6. Describe the area surrounding the proposed annexation:
All surrounding land is rural residential in nature.
7. Conformity with Sphere of Influence:
The proposed parcel is within the existing AWD Sphere of Influence.
8. Conformity with County General Plans:
This parcel conforms with the County General Plan designation of the area.
9. Topography and Natural Features:
The proposed parcel's topography is low-lying undulating hills – there are NO significant natural features that may affect this proposal.
10. Impacts on Agriculture:
Responses for 10A through 10D are Not Applicable. This proposal has no impact on Agriculture.
11. Impact on Open Space:
This proposal has no effect on the surrounding area.

Proposal Justification
Questionnaire for Annexation



12. Relationship to Regional Housing Goals and Policies (City annexations only):
Not Applicable to this proposal
13. Population:
A. There is one existing dwelling unit on the property
B. Possible new dwelling units = Zero
14. Government Services and Controls – Plan for Providing Services:
A. Water service will be provided to the parcel in this proposal
B. Domestic water service for a single-family residence
C. Service can be provided within 20 days of application approval
D. Improvements would include a water meter and service line
E. Services will be financed by check
F. No alternatives are necessary
15. Ability of the annexing agency to provide services:
The annexing entity, the AWD has the capacity to provide the services requested – see attached resolution
16. Dependability of Water Supply for Projected Needs:
An existing water main runs in front of the parcel, so the timely availability is recorded above in Answer 14C – 20 days
17. Bonded indebtedness and zones:
Responses for 17A through 17D are Not Applicable to this proposal. There is existing infrastructure that has been paid for.
18. Environmental Impact of the Proposal:
A. Who is the “Lead agency” for this proposal? – Aromas Water District
B. Environmental Documentation prepared – Categorical Exemption
C. An EIR was NOT prepared – Not Applicable
19. Boundaries:
A. These boundaries were used because they are the boundaries of the parcel. No other properties should have been included in this proposal.
B. This question is Not Applicable
20. Final Comments:
A. Conditions –
a. none to be added
B. Comments/justifications regarding proposal –
a. Mr. Bravo’s well’s capacity has reduced significantly, thus making the provision of water a health and safety issue
C. No additional reports besides the contents of the application packet

Proposal Justification
Questionnaire for Annexation



21. Notices and Staff Reports:

List up to three persons to receive copies of a notice of hearing and staff report.

<u>Name and Agency</u>	<u>Address</u>	<u>Email address</u>
A. Robert Johnson, Aromas Water District /	PO Box 388, Aromas, CA 95004 /	robert@aromaswaterdistrict.org
B. Gabriel Bravo, requestor /	530 Cole Road, Aromas, CA 95004 /	piggycity1@yahoo.com

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Email address</u>	<u>Phone</u>
A. Robert Johnson /	PO Box 388, Aromas, CA /	robert@aromaswaterdistrict.org /	(831) 726.5071
B. Gabriel Bravo /	530 Cole Road, Aromas, CA 95004 /	piggycity1@yahoo.com /	(831) 595-0545

Signature:  _____

Date: 9/11/2020



RESOLUTION 2020-08

RESOLUTION OF APPLICATION OF THE AROMAS WATER DISTRICT INITIATING PROCEEDINGS FOR THE BRAVO (APN: 011-260-005) ANNEXATION TO THE AROMAS WATER DISTRICT

WHEREAS, the Aromas Water District (DISTRICT) desires to initiate a proceeding for the adjustment of boundaries specified herein.

NOW, THEREFORE BE IT RESOLVED, the Aromas Water District Board of Directors hereby resolves and order as follows:

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code.
2. This proposal is an annexation to the DISTRICT
3. A map of the affected territory is set forth in Exhibit A, attached hereto and by reference incorporated herein.
4. It is desired that the proposal be subject to the following terms and conditions: DISTRICT water will be utilized for municipal uses only.
5. The reasons for the proposal are to: Health and Safety Issues related to the lack of available well water and the need to annex into the DISTRICT to receive DISTRICT water.
6. The proposal is consistent with the Sphere of Influence of the DISTRICT.
7. Consent is hereby given to the waiver of conducting authority proceedings.


PASSED AND ADOPTED by the Board of Directors of the Aromas Water District, Aromas, Monterey and San Benito Counties, California, at a Regular meeting duly held on this 22nd day of SEPTEMBER by the following vote:

AYES: DUTRA, HOLMAN, LEAP, NORTON, SMITH


NOES:

ABSENT:

APPROVE:


Wayne Holman, Board President

ATTEST:


Board Secretary, Louise Coombes



RESOLUTION 2020-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE AROMAS WATER DISTRICT
FINDING THAT A PROJECT IS CATEGORICALLY EXEMPT
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Aromas Water District has made the following findings:

WHEREAS, the requested annexation for service by Mr. Gabriel Bravo, APN #011-260-005 (San Benito County) is a small utility extension to a single-family residence, and

WHEREAS, the California Environmental Quality Act provides a Categorical Exemption for annexations of single-family dwellings for provision of utilities pursuant to Section 15319 of the California Code of Regulations Guidelines for Implementation of the California Environmental Quality Act.

NOW THEREFORE, BE IT RESOLVED, the Aromas Water District Board of Directors hereby resolves, and order as follows:

that the annexation of San Benito Parcel No. APN #011-260-005 to the Aromas Water District is Categorically Exempt under Section 15319 of the California Code of Regulations from the requirements of the California Environmental Quality Act.

PASSED AND ADOPTED by the Aromas Water District Board of Directors, Aromas, Monterey and San Benito Counties, California, at a Regular meeting duly held on this 22nd day of SEPTEMBER by the following vote:

AYES: DUTRA, HOLMAN, LEAP, NORTON, SMITH


NOES:

ABSENT:

APPROVE:

ATTEST:


Wayne Holman, Board President


Board Secretary, Louise Coombes

CATEGORICAL EXEMPTION

Notice of Exemption

Appendix

TO: County Clerk
County of San Benito
440 Fifth Street
Hollister, CA 95023

Project Title: Annexation of Bravo Property (APN 011-260-005) into the Aromas Water District

Project Location: 530 Cole Road, San Benito County

Project Location City & County: San Benito County

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of the proposed action is to annex this one existing residential parcel into the Aromas Water District to provide residential water service in place of well water for the property owner, Gabriel Bravo.

Name of Public Agency Approving Project: San Benito County Local Agency Formation Commission

Name of Person or Agency Carrying Out Project: Aromas Water District

Exempt Status: (Check One)

Ministerial (Sec21080(b)(1); 15268);

Declared Emergency

Emergency Project

Categorical Exemption: Sections 15303(d), and 15319

Statutory Exemptions: State code number

Other: The activity is not a project subject to CEQA

Reason Why Project is Exempt: This project is de minimis in nature. This annexation would provide municipal water to one existing residence experiencing poor water quality and inadequate water quantity on this 18-acre parcel. There are no plans to subdivide the parcel.

Lead Agency Contact Person: Robert Johnson, General Manager, Aromas Water District
(831) 726-5071

Signature: _____

Date: _____

9/11/2020

Filed in San Benito County

JOE PAUL GONZALEZ: County Clerk

35-20201008-033

10/08/2020

Pages: 1

Fee: \$ 50.00

By asalazar, Deputy

LAFCO No. 536

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING THE BRAVO
ANNEXATION TO THE AROMAS WATER DISTRICT

WHEREAS, the Bravo Annexation to the Aromas Water District (LAFCO File No. 536) has been filed with the Executive Officer of the San Benito Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Sections 56000 et seq. of the Government Code); and

WHEREAS, the proposal seeks Commission approval to annex one parcel totaling 18.35 acres into the Aromas Water District (“District”) identified by the San Benito County Assessor as APN Numbers 011-260-005; and

WHEREAS, the property is within the District’s Sphere of Influence, and the District has requested the Commission approve the annexation in District Resolution No. 2020-10; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the proposal on January 14, 2021; and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the Commission’s consideration of the proposal through publication in the Hollister Freelance Newspaper, and notice to neighboring landowners within 300 feet; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's Report and recommendation, the determination of exemption from CEQA by the Aromas Water District, and consistency with the San Benito County General Plan; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as responsible agency for the annexation and has determined that the application is exempt from CEQA as the territory is already developed; and

WHEREAS, the Local Agency Formation Commission finds the applications to be in the best interests of the affected area and the organization of local governmental agencies within San Benito County.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Local Agency Formation Commission of San Benito County as follows:

(1) The Commission finds the annexation is exempt from environmental review in compliance with CEQA Guidelines sections 15303(d) and 15319.

(2) The annexation proposal is assigned the distinctive short-form designation:
BRAVO ANNEXATION TO THE AROMAS WATER DISTRICT

(4) Said territory is found to be uninhabited as there are less than 12 registered voters within the annexation area.

(5) The boundaries of the affected territory are found to be definite and certain as approved and set forth in the legal descriptions, with verification from the County Surveyor.

(6) All proceedings in connection with this proposal shall be conducted in compliance with the approved boundaries set forth in the attachments.

(7) The annexation boundary is consistent with the sphere of influence of the Aromas Water District.

(8) Since the affected landowner has given written consent to the annexation and the annexing agency has given written consent to the annexation and additionally since the annexing agency has given written consent to the waiver of a protest hearing, therefore a protest hearing is waived and the staff is directed to complete the proceeding without further notice, hearing or election.

(10) The territory being annexed shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to properties presently within the District.

(11) The proposal is APPROVED, and Staff is directed not to record the annexation until the following condition of approval has been satisfied:

(a) The map and legal description presented are found by the County Surveyor to be acceptable.

I, Mark Medina, Chairman of the Local Agency Formation Commission of San Benito County, California, do hereby certify that the foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof held upon the 14th day of January, 2021, by the following vote:

AYES:

NOES:

ABSTAINS:

Dated: _____

Mark Medina, Chair
San Benito Local Agency Formation Commission

ATTEST

Bill Nicholson, Executive Officer
San Benito Local Agency Formation Commission

BUSINESS ITEMS – NON-HEARING ITEMS

9. California Association of Local Agency Formation Commissions (CALAFCO) Special Bulletin Flyers – To receive the recently prepared Bulletins about the importance of supporting each LAFCOs visibility and viability in the fallout from the COVID-19 Pandemic. CALAFCO created three flyers which promote our purpose and values: one for each Commission, one for our cities and special districts and one for the State Legislature. The action requested is to receive the Bulletin and authorize the Executive Officer to mail out the City and Special District version to agencies within San Benito County under the Chair’s signature.

10. First amendment to the Contract for Executive Officer Services adding a cost of living increase (Continued from the May 14, 2020 Commission meeting).



LOCAL AGENCY FORMATION COMMISSION

SAN BENITO COUNTY

2301 Technology Parkway

Hollister, CA 95023

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

DATE: January 14, 2021 (Agenda)

TO: Local Agency Formation Commission

FROM: Bill Nicholson, Executive Officer

RE: California Association of Local Agency Formation Commissions (CALAFCO)
Special Bulletin Flyers Supporting each LAFCOs visibility and viability in the
fallout from the COVID-19 Pandemic.
(Agenda Item 9)

The California Association of Local Agency Formation Commissions (CALAFCO), has recently prepared a set of special bulletin flyers to educate and promote the importance of supporting local LAFCO visibility and viability during the challenging times with the COVID-19 Pandemic. The CALAFCO Cover Letter and custom Bulletin's for San Benito LAFCO are attached to this Memo. The Executive Officer and Commission can discuss the importance of this message for LAFCOs across the state and its relevance for San Benito County agencies during the meeting, and the impetus behind them is summarized in the attachment from CALAFCO.

Action Requested

Authorize the Executive Officer to send out the Bulletin to the cities and special districts within San Benito County under the signature of the Commission Chair

Commissioners: Mark Medina, Chair ♦ Richard Bettencourt, Vice Chair ♦ Cesar Flores ♦ Ignacio Velazquez ♦ Peter Hernandez

Alternate Commissioners: Elia Salinas ♦ Rolan Resendiz ♦ County Alternate - Vacant **Executive Officer:** Bill Nicholson

CALAFCO SPECIAL BULLETIN

December 31, 2020



Revitalizing Our Communities Special LAFCo messaging materials

TO: Member LAFCos
FROM: Pamela Miller, CALAFCO Executive Director

Greetings member LAFCos and a very happy new year to all. May 2021 bring us all peace, health, joy and blessings.

Last month at the webinar on *LAFCos' Critical Role in Moving Forward in the Crisis Realities of 2020 and Beyond*, **CALAFCO unveiled a set of new communication tools for LAFCos to use**. This tool is a result of many months of effort by CALAFCO, a team of volunteers from member LAFCos (a huge thank you to David Church, Christine Crawford, Carolyn Emery, Jason Fried, Don Lockhart and Dawn Longoria), and the generosity of our associate member partner, CV Strategies.

The idea began as part of the monthly CALAFCO/EO meetings as we discussed LAFCos visibility and viability in this unique time. Now, more than ever, we need to embrace LAFCos' purpose and values and employ bold governance to help our communities and agencies recover. It is a critical time for LAFCos to step up and into our RESOURCE role.

CALAFCO's message to you is a simple one: As our communities grapple with economic fallout from the COVID-19 pandemic, they will be looking to LAFCos to help guide the recovery process (as will the Legislature). It is imperative that our organizations engage and display our capacity for leadership, decision-making, and the ability to fairly balance competing interests – even in the face of a series of crises such as the ones we are experiencing.

The messaging tools

We have created three messaging tools, two of which are for your use. Attached you will find our message to you and we request you share this with your commissions.

The second messaging tool we have created with a customized message for your LAFCo to use with your respective agencies. Each LAFCo has one unique to you with your contact information customized at the bottom. If we had a logo for your LAFCo on file, that was also inserted.

We ask that you present this to your commission as well and use it in your communication and work with agencies. If you find that your contact information needs to be changed, please notify me with the correct information and I will update for you.

The third messaging tool created was for use specifically with the Legislature. CALAFCO will be using this in Sacramento, and when you meet with your legislators and/or their staff locally, we ask that you use this special messaging tool with them.

As you can see, the messages are consistent yet contain slight variations depending upon the audience.

How to access the messaging tools


As the files for these are very large (and would require us to send them one at a time to each individual LAFCo), we've created a Dropbox file for you to access. **Please, do not make the Dropbox access link public.** If that happens, we will have to shut it down.

CALAFCO SPECIAL BULLETIN

December 31, 2020



Revitalizing Our Communities Special LAFCo messaging materials

Once you access the shared file, you will see each individual LAFCo's flier – they are listed alphabetically (eg. "LAFCO_Handout_Helping CA_LAFCo_Alameda"). Click on your flier link. When your flier appears, you will see in the upper right-hand corner something that looks like this:  That is the download button. Click on it and select direct download. This will download the pdf to your computer.

At the bottom of the list you will find the flier for use with the Legislature. It's titled, "LAFCO_Handout_Helping CA_Legislature". Follow the same instructions above to download the file.

The Dropbox link is:

[\[Redacted Dropbox Link\]](#)

These messaging resources are available to all member LAFCos at no cost and we encourage you to use them. Please do not hesitate to reach out with any questions you may have.

CALAFCO is proud to serve our members and we look forward to creating more innovative and creative ways to partner with you in the coming year.

All the best in 2021.

Attachment: CALAFCO message to Member LAFCos

REVITALIZING OUR COMMUNITIES

LAFCOS HELPING CALIFORNIA MOVE AHEAD

As our communities grapple with economic fallout from the COVID-19 pandemic, they will be looking to LAFCos to help guide the recovery process. Some of the public agencies whose boundaries you oversee may not emerge from this crisis. It is imperative that our organizations engage and display their capacity for leadership, decision-making and the ability to fairly balance competing interests – even in the face of a world crisis such as the one we are experiencing. Now, more than ever, we must embrace LAFCos' purpose and values and employ the bold governance for which we are known.

LAFCOS ARE COMMITTED TO:



1. LEADING THE CONVERSATION WITHOUT BIAS

- Facilitating a constructive discussion with local and regional agencies
- Reaching out to local and regional agencies to identify issues and solutions
- Coordinating agency access to information, programs and resources
- Bringing agencies together by building relationships
- Offering unique local solutions to meet local challenges



2. DEVELOPING MORE EFFICIENT SERVICES

- Building on interagency strengths
- Developing options for efficient and effective services in the new normal
- Connecting agencies to each other for service streamlining
- Giving great weight to proposals that promote improved service delivery to underserved communities while achieving orderly growth patterns



3. PARTNERING TO REBUILD LOCAL ECONOMY IN A BALANCED WAY

- Considering the impacts of LAFCo decisions
- Facilitating economic opportunities based on local circumstances
- Balancing economic growth and conservation of open space and agricultural lands



4. TAKING CRISIS ACTIONS TOGETHER WITH STRESSED AGENCIES

- Helping agencies look at key health indicators (i.e. fiscal, governance)
- Working with agencies to identify internal solutions
- Exploring alternative service delivery options

AVAILABLE TOOLS

- ✓ Email lists and contacts
- ✓ Connections to other agencies
- ✓ Local stakeholder access
- ✓ Professional affiliations
- ✓ SOI/MSRs/Special Studies
- ✓ Key agency health indicators
- ✓ LAFCo actions: Annexations, activation powers, reorganizations, applications, etc.



LOCAL AGENCY FORMATION COMMISSION
SAN BENITO COUNTY

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

DATE: January 14, 2021 (Agenda)
TO: Local Agency Formation Commission
FROM: Bill Nicholson, Executive Officer
RE: First Amendment to Agreement with William Nicholson for
Executive Officer Services – Continued from May 14, 2020 Meeting
(Agenda Item 10)

The Commission considered amending the Contract for Executive Officer Services with William Nicholson to include a cost of living index adjustment at the May 14, 2020 Commission meeting. Due to the recent development of the COVID-19 Pandemic and the related economic uncertainty it was causing the Commission voted to delay consideration of this item to the January 2021 meeting, and to reconsider it at that time. The Executive Officer has placed this on the Agenda as directed back in May 2020, although, the economic effects of the Pandemic are still significant.

If the Commission desires to entertain this contract amendment it can be set for an upcoming Commission meeting, possibly as part of the 2021-22 Budget process. No draft amendment has been attached to this Memo.

Action Requested

Provide direction to Staff and LAFCO Counsel whether to set this item for a future agenda, or as part of the 2021-22 Budget process or defer consideration to some alternative future time.

INFORMATIONAL

11. Commissioner Announcements and Requests for Future Agenda Items

12. Executive Officer oral status report on pending proposals, including a summary of City General Plan and Sphere of Influence update efforts in both Hollister and San Juan Bautista.

13. Adjourn to next regular meeting on February 11, 2021, unless meeting is cancelled by the Chair.

