

**SAN BENITO LOCAL AGENCY FORMATION COMMISSION**  
**February 22, 2007**  
**Minutes**

PRESENT: Alvarez, Edge, Monaco, Valdivia,

ABSENT: De La Cruz

STAFF: Interim Executive Officer (IEO) Art Henriques; Deputy County Counsel (DCC) Shirley Murphy; Clerk Trish Maderis.

Chair Alvarez opened the meeting at 5:17 p.m. by asking all present to join in the pledge of allegiance to the flag. He then reiterated the standing rules of order.

**OPPORTUNITY FOR PUBLIC COMMENT**

Chair Alvarez opened and then closed the public hearing as there were none present to address matters not on the agenda.

**CONSENT AGENDA**

1. Acknowledge Certificate of Posting
2. Minutes of January 25, 2007

**COMMISSIONERS MONACO/VALDIVIA MOTIONED TO APPROVE THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED WITH THE FOLLOWING VOTE: AYES: ALVAREZ, EDGE, MONACO, VALDIVIA; NOES: NONE; ABSTAIN: PIERCE; ABSENT: DE LA CRUZ.**

**REGULAR AGENDA**

3. Budget status update/report

Trish Maderis was invited to present the report. She informed that the most revenues received are from requirements of Conditions of Approval for subdivision applications to annex to CSAs. Expenses, she said, are general, and somewhat higher at this point because of conference attendance. Ms. Maderis said the only other projected expenses are: a staff workshop (CALAFCO sponsored) in April. "I would venture to say that the service and supply expenses may increase \$2,000.00 in the next fiscal year," Ms. Maderis advised. "The total budget is \$102,000."

She went on to explain that currently the LAFCO salary budget is transferred to Planning Department revenue to cover staffing services. Because it had been anticipated that LAFCO would not be staffed by Planning for the entire current year, more transfers will be necessary than previously anticipated. The exact amount was difficult as it is still unknown when LAFCO will be transferred from the Planning Department. IEO Henriques stressed the Planning Department will be working with LAFCO during the transition period. He urged the Commissioners to keep in mind that as soon as a 'better cost' is known for the MSRs, and Sphere studies additional funding for such items will be brought to the Commissioners for next year's budget. He stressed the LAFCO and staff and Commission work load may be increased as a result of those studies, as well.

Questions surfaced regarding:

- legal service costs and provision (DCC Murphy provided information regarding this matter – hourly rate of County Counsel will be increased for the new fiscal year – however there is a 'built-in cushion' in case of litigation) Thus far this fiscal year the costs for these services have been under \$1,000 per quarter <Ms. Maderis had completed an analysis of the costs to date.>
- contributions from member agencies (Cities and County) {this information is obtained from the County Auditor's Office with billing nor payments to LAFCO from San Juan Bautista and the City of Hollister since FY 2002-03. Since the finances have not been used, the Auditor's Office did not bill – apparently set by Government Code
- Staff was directed to research and clarify how the billing agreement(s)/arrangements are set up

This matter will be re-agendaized following receipt of the requested information.

#### 4. Municipal Service Review/Sphere of Influence Study RFQ progress report

IEO Henriques said regarding the Sphere and MSR work that a request for quotes has been circulated; potential candidates have been asked to respond in early March, 2007. Background work for the contract will be available to potential candidates. More information and action is anticipated at the March 2007 Commission meeting if possible. All work must be done in 2007. "This is a priority item," IEO Henriques said. DCC Murphy reminded that Special Districts are subject to the review(s) as well. Guidelines for the MSRs had been distributed.

#### 5. Continued Commission discussion for Executive Officer and Staff services for Fiscal Year 2006-07 – recommendation to proceed with recruitment of Executive Officer.

IEO Henriques reported on the meeting with the Ad Hoc Committee (Commissioners Alvarez and Valdivia) and will work with County HR to coordinate the recruitment. A consultant for the transition to permanent may be necessary, he said. Costs related to the establishment of the independent office were touched upon. Direction was given to staff to continue the efforts as outlined in the staff report, together with the profile and proposed salary in cooperation with HR and the Ad Hoc Committee.

Commissioners discussed:

- potential for oral screening board with outside experts (neighboring Counties)
- intent to have least two recommendations to Commissioners for consideration of new Executive Officer from screening board
- two members of the Commission will work on the screening committee (Alvarez and Valdivia suggested as they have been working on this item)
- range of possible salary discussed (will be part-time temporary employee) – and is dependent on qualifications [will be addressed at next meeting; background of costs salary requested for next meeting with ad hoc committee to review and make recommendation]
- whether to keep on contract basis
- HR personnel to be asked to attend next meeting (March 22, 2007) to answer questions about the draft recruitment package.

6. Selection of Commission Retreat date

Following discussion, the retreat was *tentatively* scheduled for April 4, 2007 9:00 a.m. to 1:00 p.m. at San Juan Oaks. The Executive Officer of CALAFCO is anticipated attending to assist with information and questions.

7. 2007 CALAFCO Annual Conference

The value of this meeting was discussed and agreed. On a motion by **COMMISSIONERS MONACO/EDGE ATTENDANCE WAS AUTHORIZED FOR THE EXECUTIVE OFFICER, CHAIR, AND COUNSEL. THE MOTION PASSED (4-0-0-1) WITH THE FOLLOWING VOTE: AYES: ALVAREZ, EDGE, MONACO, VALDIVIA; NOES: NONE; ABSTAIN: PIERCE; ABSENT: DE LA CRUZ.**

Announcements/comments

Chair Alvarez clarified that agendas are being sent to LAFCO alternate members.

**NOTING THERE WAS NO FURTHER BUSINESS TO COME BEFORE THE COMMISSIONERS AT THIS MEETING; CHAIR ALVAREZ ADJOURNED THE MEETING AT 5:58 P.M.**

*Minutes prepared by:*

Judi Johnson

*Attest:*

IEO Art Henriques