

**SAN BENITO COUNTY
LOCAL AGENCY FORMATION COMMISSION**



May 27, 2010

5:15 p.m.

Board of Supervisors Chambers

481 4th St; Hollister, CA 95023

The mission of the San Benito County Local Agency Formation Commission is to:

- * encourage the orderly growth of government agencies
- * preserve agricultural lands
- * discourage urban sprawl
- * assure efficient local government service

Disclosure Requirements

1. Disclosure of Campaign Contributions

If you wish to participate in the following proceedings, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings.

If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings. For disclosure forms and additional information contact: contact SBC LAFCo, 3224 Southside Road, Hollister, CA 95023

2. Lobbying Disclosure

Any person or group lobbying the Commission or the Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. Any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. For disclosure forms and additional information contact SBC LAFCo, 3224 Southside Road, Hollister, CA 95023; 831-630-0745.

3. Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings

If the proponents or opponents of a LAFCO proposal spend \$1,000 with respect to that proposal, they must report their contributions of \$100 or more and all of their expenditures under the rules of the Political Reform Act for local initiative measures to the LAFCO office. For additional information and for disclosure contact SBC LAFCo, 3224 Southside Road, Hollister, CA 95023; 831-630-0745

5:15 p.m. CALL TO ORDER:

- a) Pledge of Allegiance
- b) Noting Commissioners and staff present
- c) Opportunity for Public Comment

Notice to the Public: this open forum period is provided to allow members of the public an opportunity to address the LOCAL AGENCY FORMATION COMMISSION on general issues of LAFCo responsibility: setting Municipal and Special District boundaries, preservation of agricultural land, and prevention of leap-frog development. It is not intended for comments on items on the current agenda, any pending items, or items that have been continued to a future public hearing date.

CONSENT AGENDA:

These items will be considered as a whole without discussion. One motion enacts the recommendations designated in the staff report. There will be no separate discussion for these items unless requested by a member of the Commission, Staff or the public prior to the meeting.

- 1) **Approval of the Agenda ~ May 25, 2010**
- 2) **Notice of cancellation of April 22, 2010 LAFCo meeting**
- 3) **Notice of Posting ~ Meeting May 27, 2010; completed May 21, 2010**
- 4) **Legal notice: <Free Lance, May 4, 2010 ~ Annexation to CSA 43/ > and City of Hollister annexation (3 parcels) ~ SBC LAFCo 2010 – 11 Budget {24 days actual}**
- 5) **Minutes: March 25, 2010**

REGULAR AGENDA

For each regular agenda item, the following schedule shall occur:

- a) *Staff report.*
- b) *Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Minutes Recorder prior to consideration of the item.*
- c) *Consideration by the Board*

- 6) **Presentation: Reshaping CALAFCo ~ Kate McKenna, EO Monterey County / Deputy Executive Officer CALAFCo**
- 7) **Request:** Delegate authority for processing of a Sphere of Influence change/Annexation to the Aromas Water District be transferred to Monterey County LAFCo

REGULAR AGENDA ~ Public hearing (noticed)

- 8) **Annexation to CSA #43** for Extended Police and Fire Protection; Owner: Phil Pearce; Location: San Juan Canyon Road; San Juan Bautista, CA; APNs: 023-010-045, 023-010-062, 023-010-072, & 023-00-070; Parcel to be considered: 746.8 acres (+/-); ZONING: Rural; Environmental Assessment: Mitigated Negative Declaration prepared for MS 1185-06.
- 9) **Annexation of three (3) parcels owned by the City of Hollister ~ used for municipal facilities:**
 - a. 2.84 acres at Hollister Municipal Airport
 - b. 93.512 acres used for seasonal storage ponds
 - c. 1.16 used for a Lesalt Plant by the City of Hollister & Sunnyslope County Water DistrictOwner: City of Hollister; Location: all properties contiguous to city limits, Hollister, CA APNs: 019-020-009, 018-110-041, & 025-370-010; Total acreage to be considered: 97.512; ZONING: Public Facility Institutional; Environmental Assessment: Categorical exemption/no change in use. **Request to continue: must be re-noticed.**

REGULAR AGENDA

10) Request: City of Hollister – reduction/waiver of fees for targeted ‘island’ annexations

11) Discussion with Representatives of SBC Auditor’s office re: SBC LAFCo Preliminary budget 2010-11 (CA Government Code Section 56381)

REGULAR AGENDA ~~ Public hearing (*noticed*)

12) (Consider and Adopt) San Benito County Local Agency Formation Commission 2010 - 11 budget (CA Government Code Section 56381)

REGULAR AGENDA

13) Receive and discuss:

- a) **Indemnification Policy**
- b) **Sphere of Influence (SOI) Application**

14) Reports of Staff/Commissioners

- a) **Annual conference:** October 2010 Palm Springs
- b) **DCC Chaffee:** CALAFCo Staff workshop ~~ April 1 – 16, 2010 in Santa Rosa CA
- c) **Other**

CLOSED SESSION:

Reportable actions taken by the Commission during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) & (b), Ralph M. Brown Act.)

15) Public Employment Performance Evaluation

Title: Executive Director

Authority: California Government Code Section 54957

REGULAR AGENDA:

16) Unfinished business

17) Adjourn to July 22, 2010 LAFCo meeting

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**NOTICE:** *The following policies shall govern the conduct of all LAFCo meetings:*

*All LAFCo proceedings are tape-recorded.*

*Individuals wishing to address the LAFCo on a particular item should fill out a speaker card and present it to the Clerk. This will assist the Chair in hearing your comments at the appropriate time.*

*When the Chair invites you to address the Commission, please state your name and address at the beginning of your remarks. Speakers will be recognized to offer presentations in the following order:*

*Those supporting the application*

*Those opposing the application*

*Other interested parties*

**SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE LAFCo COMMISSION. HOWEVER, it is very helpful to the Commissioners if you would fill out the Speaker Card that is available on the rear table in the meeting room. Please fill out the card and return it to the Clerk. As your name is called by the Clerk, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment on the agenda item. Please limit your remarks to three (3) minutes.*

**NOTICE: AMERICANS WITH DISABILITY ACT (ADA)**

*San Benito County LAFCo complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by LAFCo. If assistance is needed regarding any item appearing on the LAFCo agenda, please contact the Office of the LAFCo Executive Director at 3224 Southside Road, Hollister or call 831-630-0745 to request accommodation.*

**NOTICE**

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the LAFCo at, or prior to, the Public Hearing on these matters.*

**NOTE:** *A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at [www.san-benito.ca.us/agendas](http://www.san-benito.ca.us/agendas). All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the LAFCo Commissioners review and discuss at the Commission meeting.*