

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

February 10, 2022
Board of Supervisors Chambers - Hollister, CA

CALL TO ORDER

1. Chair Bob Tiffany called the meeting to order at 4:00 p.m. Those present were Executive Officer Bill Nicholson and Commissioners: Cesar Flores, Bea Gonzales, Richard Bettencourt, and Bob Tiffany. Commissioner Ignacio Velazquez arrived late. Also present were Shirley Murphy, LAFCO Counsel, and Dulce Alonso, Recording Secretary.
2. Commissioner Flores led the Pledge of Allegiance.

3. **APPROVE AFFIDAVIT OF POSTING AGENDA**

Commissioner Flores made a motion to accept the Affidavit of Posting, Commissioner Gonzales seconded. (4/0 vote)

*Ayes: Tiffany, Bettencourt, Gonzales, and Flores
Noes: None
Abstain: None
Absent: Velazquez*

BUSINESS ITEMS – GENERAL BUSINESS, NON-HEARING ITEMS

4. **Adopt proposed resolution authorizing teleconferencing options for meetings of the Local Agency Formation Commission for the period of February 10, 2022, to March 12, 2022 pursuant to AB 361.**

Commissioner Flores made a motion to accept the Resolution authorizing teleconferencing option, Commissioner Gonzales seconded. (4/0 vote)

*Ayes: Tiffany, Bettencourt, Gonzales, and Flores
Noes: None
Abstain: None
Absent: Velazquez*

PUBLIC COMMENT

5. **Public Comment Period:** No comments.

SELECTION OF OFFICERS

6. **Open nominations and conduct election for Chair for calendar year 2022.
And**
7. **Open nominations and conduct election for Vice-Chair for calendar year
2022**

Items 6 and 7 were heard together.

Commissioner Bettencourt stated he would like for Commissioner Tiffany to continue to be the chair.

Commissioner Tiffany stated it would be ideal and he would like to have a full year as chair.

Commissioner Gonzales stated she would like to keep Commissioner Tiffany as chair for continuity and Commissioner Bettencourt as vice-chair or Commissioner Flores.

Commissioner Flores stated continuity is good, but he wouldn't mind being the vice-chair as well.

Commissioner Tiffany asked Commissioner Bettencourt if he was ok with it and Commissioner Bettencourt confirmed. Commissioner Tiffany added that there would be an advantage of having Commissioner Flores as vice-chair since he represents the City of San Juan.

Public Comment was not called because no one from the public was present at this meeting.

Commissioner Gonzales made a motion to nominate Commissioner Tiffany as Chair and Commissioner Flores as Vice-Chair for LAFCO for the year 2022, Commissioner Bettencourt seconded.

Ayes: Tiffany, Bettencourt, Gonzales, and Flores
Noes: None

Abstain: None
Absent: Velazquez

CONSENT AGENDA:

8. Approval of minutes: October 14, 2021 and Special Joint Meeting of October 27, 2021.

Public Comment was not called because no one from the public was present at this meeting.

Commissioner Bettencourt made a motion to approve the minutes from October 14, 2021 and Special Joint Meeting of October 27, 2021, seconded by Commissioner Flores.

Ayes: Tiffany, Bettencourt, Gonzales, and Flores
Noes: None
Abstain: None
Absent: Velazquez

INFORMATIONAL:

9. Introduction to upcoming budget process for 2022-23 Fiscal Year.

Executive Officer Bill Nicholson gave a brief overview of the upcoming budget process for 2022-23 fiscal year. Under LAFCO law there needs to be a preliminary budget and then a final budget. Before presenting the budget to the commissioners in April Mr. Nicholson stated he wanted to get some feedback. The main activity is processing applications that come in and the work varies. Right now, nothing is pending. The other activities that LAFCO performs involves work on the Sphere of Influence amendments for cities or districts and Municipal Service Reviews (MSR).

Executive Officer Bill Nicholson stated the initial rounds of MSRs were completed in 2007 and there have been updates to various special districts but not to the cities and those are the most complex.

Commissioner Tiffany asked what is involved in an MSR.

Executive Officer Bill Nicholson stated there are 9 factors that are looked at in MSRs. You get into the operations that the service area provides, you look at the government efficiencies and budget, and identify if they have issues or problems with operations. LAFCO would then come up with recommendations.

Commissioner Tiffany asked about CSAs and terms of timing.

Executive Officer Bill Nicholson stated that there have been issues in the drafting of the MSR document for CSAs. The county has consulted the Wallace Group to update the draft from 2015. They are updating facts that were lacking in the last round. The MSR document is a LAFCO document and previously it was drafted without being engaged with LAFCO, but currently it is being done in communication with LAFCO. Before it is completed and goes to the Board of Supervisors, LAFCO needs to approve the MSR.

Commissioner Bettencourt asked if LAFCO has any teeth to recommend any changes regarding CSAs to the Board of Supervisors.

Executive Officer Bill Nicholson stated that LAFCO can recommend services be removed or added.

Commissioner Tiffany asked if Mr. Nicholson will be spending more time working with the county on CSAs and MSRs.

Executive Officer Bill Nicholson stated he had put in the budget an additional \$7,000.00 to potentially work on them, and he has considered keeping this amount in the upcoming budget.

Commissioner Velazquez asked if it would be easier or better for the county to work on the CSAs instead of LAFCO spending its time on them.

Executive Officer Bill Nicholson stated that LAFCO could prepare the MSR for the CSAs, but the county has hired a consultant to prepare the MSR, so the county is spending the money, not LAFCO. He would be looking at it through the responsibility of LAFCO not the county, so LAFCO has its own review.

10. Commissioner Announcements and Requests for Future Agenda Items.

Commissioner Bettencourt stated that the Board of Supervisors passed a GHAD (Geologic Hazard Assessment District) and he asked Executive Officer Bill Nicholson if LAFCO has any responsibility with the GHAD. He also asked LAFCO Counsel Shirley Murphy if there were any other GHADs in the county.

LAFCO Counsel Shirley Murphy stated there may be more GHADs, like the one by San Juan Oaks.

Executive Officer Bill Nicholson stated that LAFCO is exempt from responsibility from the GHAD under Government Code Section 56036(b) because it is a financing entity not a governing body making decisions.

Commissioner Velazquez stated that there is an issue again with the proposed Gavilan College site and it is going to be important to address this now and how it works for the public. He suggested the clarification of how this works should be on the next meeting.

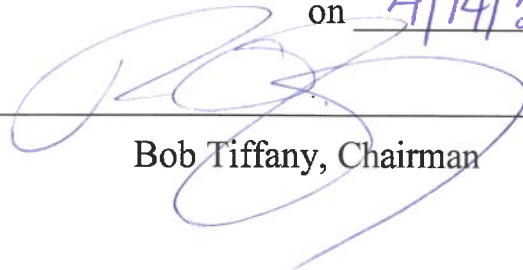
11. Executive Officer oral status report on pending proposals and other LAFCO business items.

Executive Officer Bill Nicholson stated that Fairview Corners project was approved by the county so LAFCO's role is to decide if they should get city sewer or not. Another project coming up is the Christopher property research park at the north side of HWY 156 and San Felipe Rd. It is currently going through the City Annexation process, Sphere of Influence expansion, and scoping out the topics in the EIR. It is going to take a while before it gets to LAFCO because of the environmental review. The City of San Juan Bautista is working on a General Plan boundary study, and they will then have a proposed Sphere of Influence to come to LAFCO and then it would be the time to do the MSR update.

ADJOURNMENT

- 12. **Upon a motion by Commissioner Flores, and seconded by Commissioner Velazquez, adjourned meeting at 4:45 p.m.**

Final Minutes Approved by the Commission
on 4/14/22

By: 
Bob Tiffany, Chairman