



**SAN BENITO COUNTY
SAN BENITO LOCAL AGENCY FORMATION
COMMISSION**

Kollin Kosmicki Board of Supervisors	Dom Zanger Board of Supervisors	Roxanne Stephens Hollister City Council	Leslie Jordan San Juan Bautista City Council	Vacant Public Member
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Board of Supervisors Chambers 481 Fourth Street, Hollister, CA 95023

**LAFCO - REGULAR SESSION-
MARCH 13, 2025
4:00 PM**

The meeting will be available through Zoom and Peak Agenda for those who wish to join or require accommodations

**Members of the public may participate remotely via zoom at the following link
<https://zoom.us/join> with the following Webinar ID and Password:**

**Webinar ID: 859 2317 1762
Webinar Password: 572809**

*Those participating by phone who would like to make a comment can use the “raise hand” feature by dialing “*9”. In order to receive the full zoom experience, please make sure your application is up to date.*

Remote zoom participation for members of the public is provided for convenience only. In the event that the zoom connection malfunctions for any reason, the LAFCO committee reserves the right to conduct the meeting without remote access.

Remote Viewing:

Members of the public who wish to watch the meeting can view a livestream of the meeting online through:

Peak Agenda Page: https://cosb.granicus.com/ViewPublisher.php?view_id=1

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 Vdelgado@sanbenitocountyca.gov

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.*
- e. *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 Vdelgado@sanbenitocountyca.gov

1 Call to Order and Roll Call

2 Recitation of the Pledge of Allegiance

2.1. [Recitation of Pledge of Allegiance by Commissioner Jordan.](#)

3 Approve Affidavit of Posting Agenda

3.1. [Approve Affidavit of Posting Agenda](#) **LAFCO Certificate of Posting 3.13.25**

4 PUBLIC COMMENT PERIOD - This is an opportunity for members of the public to speak on items that are not on the agenda

5 BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

5.1. [Approval of Minutes: February 13, 2025 Regular Meeting.](#) **2-13-2025 LAFCO Minutes**

5.2. [Appointment of Public Member and Public Member Alternate Commissioners](#) **2-18-25 Notice of Public Member Vacancies** **Katz Letter of Interest** **Bernosky Letter of Interest** **Mello Letter of Interest** **Perez Letter of Interest** **Rodriguez Application** **Nelson Letter of Interest** **Toledo-Bocanegra Letter of Interest**

5.3. [LAFCO Application and Tax Sharing Processes](#) **Application Process Flow Chart** **Tax Sharing Negotiation Flow Chart**

5.4. [General Factors for Consideration for Applications](#) **General Application Factors**

5.5. [Update on Status of Wastewater Municipal Service Review](#)

6 BUSINESS ITEMS - PUBLIC HEARING ITEMS

6.1. **Consider LAFCO File 2024-548: Kang Annex to Aromas Water District**

Staff Report File 548 Kang Annexation

Reso 2025-01 File 548 Kang Annexation with attachments

7 INFORMATIONAL

7.1. **Executive Officer Communications: The executive officer may make brief announcements about LAFCO activities, for information only.**

7.2. **Commissioner Announcements and Requests for Future Agenda Items**

8 ADJOURNMENT

8.1. **Adjourn to next regular meeting 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 a 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 Vdelgado@sanbenitocountyca.gov



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 2.1

MEETING DATE: 03/13/2025

DEPARTMENT: CLERK OF THE BOARD

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

RECITATION OF PLEDGE OF ALLEGIANCE BY COMMISSIONER JORDAN.

AGENDA SECTION:

Recitation of the Pledge of Allegiance

BACKGROUND/SUMMARY:

N/A

RECOMMENDATION:

N/A

ATTACHMENTS:



**SAN BENITO LAFCO
AGENDA ITEM
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Kollin Kosmicki
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Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 3.1

MEETING DATE: 03/13/2025

DEPARTMENT: CLERK OF THE BOARD

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

APPROVE AFFIDAVIT OF POSTING AGENDA

AGENDA SECTION:

Approve Affidavit of Posting Agenda

BACKGROUND/SUMMARY:

N/A

RECOMMENDATION:

Approve Affidavit of Posting Agenda

ATTACHMENTS:

[LAFCO Certificate of Posting 3.13.25](#)

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



CERTIFICATE OF POSTING

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

SAN BENITO COUNTY LOCAL AGENCY FORMATION COMMISSION

Scheduled for March 13, 2025 was posted at the San Benito County Planning Department, 2301 Technology Parkway, Hollister, CA and at the San Benito County Administration Office, 481 Fourth Street, Hollister, CA on this 6th Day of March, 2025.

All locations freely accessible to the general public.

Vanessa Delgado
Vanessa Delgado
Clerk of the Board



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
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Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 5.1

MEETING DATE: 03/13/2025

DEPARTMENT: CLERK OF THE BOARD

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

APPROVAL OF MINUTES: FEBRUARY 13, 2025 REGULAR MEETING.

AGENDA SECTION:

BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

BACKGROUND/SUMMARY:

See attached minutes.

ATTACHMENTS:

[2-13-2025 LAFCO Minutes](#)



**SAN BENITO COUNTY SAN BENITO LOCAL AGENCY
FORMATION COMMISSION**

**Kollin
Kosmicki**
Board of
Supervisors

Dom Zanger
Board of
Supervisors

**Roxanne
Stephens**
Hollister City
Council

**Leslie
Jordan**
San Juan
Bautista City
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VACANT

Public
Member

Board of Supervisors Chambers 481 Fourth Street, Hollister, CA 95023

**LAFCO - REGULAR SESSION-
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1. Call to Order and Roll Call

The meeting was called to order by Chair Kosmicki at 4:00 PM. Those present were Commissioners Zanger, Stephens, Salinas, and Jordan as well as Executive Officer Jennifer Stephenson, Counsel Josh Nelson, and Clerk of the Board Vanessa Delgado.

Commissioner Alternate Salinas sat in for Commissioner Bettencourt.

2. Recitation of the Pledge of Allegiance

2.1 Recitation of Pledge of Allegiance by Commissioner Dom Zanger.

Recitation of Pledge of Allegiance was led by Commissioner Dom Zanger.

3. Approve Affidavit of Posting Agenda

3.1 Approve Affidavit of Posting Agenda

Commissioner Salinas expressed that some items on the agenda were not discussed by the commission at a prior meeting and by policy items need to be discussed by the commission prior to being on the agenda.

Executive Officer Jennifer Stephenson announced that, in practice, items have been brought up by the commission or chair.

Counsel Josh Nelson announced that items are allowed to be on the agenda by the Chair.

Moved by Dom Zanger; seconded by Roxanne Stephens to approve Affidavit of Posting Agenda.

Motion : 4- 1

Voting For: Kollin Kosmicki, Dom Zanger, Roxanne Stephens, Leslie Jordan

Voting Against: Elia Salinas

4. PUBLIC COMMENT PERIOD - This is an opportunity for members of the public to speak on items that are not on the agenda

There was one public comment from Raymond Martinez.

5. BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

5.1 Approval of Minutes: January 9, 2025 Regular Meeting.

Commissioner Jordan stated there were places in the minutes that "Supervisor" was used instead of "Commissioner" and requested the minutes be corrected.

Commissioner Salinas announced that a matter on the agenda was a lack of transparency.

Moved by Leslie Jordan; seconded by Richard Bettencourt to approve Minutes per staff recommendation and change "Supervisor" to Commissioner" within the minutes.

Motion: 5- 0

Voting For: Kollin Kosmicki, Dom Zanger, Roxanne Stephens, Leslie Jordan, Elia Salinas

Voting Against: None

5.2 Consider Removal of Public Member and Public Member Alternate

Commissioner Kosmicki announced he requested this item.

Commissioner Jordan motioned to move the item to the end of the agenda, seconded by Commissioner Salinas. Motioned failed because the vote was 2/3 with Commissioners Kosmicki, Zanger, and Stephens against.

Commissioner Bettencourt announced that he had resigned as commissioner for LAFCO at 10:00 AM.

There were six public comments from Carol Lenoir, Greg Alvarado, Celeste Toledo-Bocanegra, Mark Dickson, Stacie McGrady, and EJ Sabathia.

There was discussion among the commission regarding the public members being voted in by the LAFCO commission, the positive need for change in representation, keeping Mr. Bettencourt, and the responsibility of each commissioner.

Moved by Dom Zanger; seconded by Kollin Kosmicki to remove alternate member Elia Salinas and begin the process to select a new public member.

Motion: 3- 1

Voting For: Kollin Kosmicki, Dom Zanger, Roxanne Stephens

Voting Against: Leslie Jordan

5.3 Special Districts on LAFCO

Executive Officer Jennifer Stephenson provided background and history on how the subject of special districts, interested special districts, lack of interest from the majority of the special districts, and changing the funding paid by each jurisdiction and special districts.

Commissioner Kosmicki requested that the request adoption of alternate funding formula to 75% by the special district be tabled.

There were two public comments from Elia Salinas and Joe.

There was discussion among the commission regarding the majority of the special districts needing to agree to be part of LAFCO, rescinding the letter, limiting representation, the LAFCO mandates, alternates taking part in discussions,

Moved by Dom Zanger; seconded by Roxanne Stephens to approve sending letter to rescind invitation to special districts and table the adoption of alternate funding formula.

Motion: 3- 1

Voting For: Kollin Kosmicki, Dom Zanger, Roxanne Stephens

Voting Against: Leslie Jordan

5.4 Presentation on Municipal Service Reviews and the Law

Executive Officer Jennifer Stephenson provided a presentation regarding Municipal Service Reviews, requirements and purpose, requirement to conduct regular sphere of influence updates and municipal service reviews, MSR requirements, purpose of MSRs, what an MSR is not, MSRs and CEQA/Growth, history of past MSRs, Why does it matter?, MSR Workplan, MSR follow-up and outcomes, and sphere of influence update.

There was one public comment from Elia Salinas.

There was discussion among the commission regarding a past Sunnyslope Water District MSR getting thinner even with changes in law, the importance of doing MSRs on time, legal requirements to have MSRs, Regional Wastewater plant, and MSRs not being growth promoting.

This was a presentation only, no action taken.

5.5 Appointment of Wastewater MSR Ad Hoc Committee

There was one public comment from Elia Salinas.

There was discussion among the commission regarding the work that was done on the Wastewater MSR, changes to the document, and additional direction on the changes.

Moved by Kollin Kosmicki; seconded by Dom Zanger to appoint Commissioners Stephens and Kosmicki on the Wastewater MSR Ad Hoc.

Motion: 4- 0

Voting For: Kollin Kosmicki, Dom Zanger, Roxanne Stephens, Leslie Jordan

Voting Against: None

5.6 Appointment of City MSR Ad Hoc Committee

Executive Officer Jennifer Stephens provided information on the City MSR and requested the ad hoc to be able to move forward with data collection and conversations on spheres of influence and suggested having one Board of Supervisor and one City member.

There were no public comments.

Moved by Kollin Kosmicki; seconded by Dom Zanger to appoint Commissioners Jordan and Zanger to the City MSR Ad Hoc and have the Executive Officer begin the process of the MSR.

Motion: 4- 0

Voting For: Kollin Kosmicki, Dom Zanger, Roxanne Stephens, Leslie Jordan

Voting Against: None

5.7 Tax Sharing Agreements and Current Applications - Update and Direction

Executive Officer Jennifer Stephenson provided information on the application process, negotiations for property taxes, exception to the tax sharing agreement when the applicant initiates the annexation and not the City, the 60 to 90 day limit for the agreement by the city and county, the need for a resolution from both the county and city, approving what's already been approved by the current tax share agreement, being able to move forward with the Aromas application, and recommendation for the county to approve a tax sharing agreement for all enterprises districts.

There were two public comments from Elia Salinas and A. Syml.

There was discussion among the commissioners and Executive Officer regarding why it took so long to work on a tax sharing agreement, applying the current master tax sharing agreement, and moving forward with three additional applications.

This was an informational item only.

6. INFORMATIONAL

6.1 Executive Officer Communications: The executive officer may make brief announcements about LAFCO activities, for information only.

Executive Officer Jennifer Stephenson announced that Forms 700s are due, the out of area agreements have been audited and will be mapped, there will be a review of the cities' Spheres of Influence of over the years, provided information on three upcoming applications for annexation, announced the Aromas Water District Annexation will be presented to the commission at the last meeting, and provided an update on CALAFCO.

6.2 Commissioner Announcements and Requests for Future Agenda Items

Commissioner Jordan requested to bring back the Wastewater MSR update to the next meetiner. The commission agreed 4/0 to bring it back to the next meeting.

7. ADJOURNMENT

7.1 Adjourn to next regular meeting unless meeting is cancelled by the Chair.

The meeting adjourned at 6:25 PM.

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**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 5.2

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

APPOINTMENT OF PUBLIC MEMBER AND PUBLIC MEMBER ALTERNATE COMMISSIONERS

AGENDA SECTION:

BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

BACKGROUND/SUMMARY:

The Public Member and Public Member Alternate positions became available as of February 13, 2025. There are few requirements for the manner in which the two positions are appointed. CKH law states "Whenever a vacancy occurs the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158 (doors of meeting place or official bulletin board). A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice." The notice of vacancy for the two positions was posted as required and is attached for reference. Applications/letters of interest received to date are also attached. The Commissioner Handbook outlines the requirement for applicant interviews prior to appointment. The interviews must be completed in open session and while other applicants may be asked to leave the room during the interview of other candidates, they are not required to oblige. The appointment must have consensus from a majority of the Commission with at least 1 city and 1 county vote of approval. The Public Member and Public Member Alternate are chosen only by the City and County members. This means that while the Public Member can take their position immediately, they may not take part in voting for the Public Member Alternate appointment.

RECOMMENDATION:

Review applications submitted, conduct interviews with the randomized questions provided to the Commission, and appoint one individual as the Public Member and one individual to fill the role of Public Member Alternate for the remainder of terms ending February 29, 2028.

ATTACHMENTS:

2-18-25 Notice of Public Member Vacancies
Katz Letter of Interest
Bernosky Letter of Interest
Mello Letter of Interest
Perez Letter of Interest
Rodriguez Application
Nelson Letter of Interest
Toledo-Bocanegra Letter of Interest

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

2301 Technology Parkway
Hollister, CA 95023
(831)636-4000 Ext. 13
jennifer@pcateam.com
sanbenitolafco.org



OPENINGS FOR TWO CITIZENS TO SERVE AS THE PUBLIC MEMBER AND PUBLIC MEMBER ALTERNATE ON THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION

The San Benito Local Agency Formation Commission (LAFCO) has openings for two San Benito County residents to serve as either the Public Member or Public Member Alternate to complete four-year terms that commenced on March 1, 2024. LAFCO is an agency created by state legislation to ensure that changes in governmental organization occur in a manner which promotes efficient, quality services and preserves open space and agricultural land resources. LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in its decisions regarding annexations, incorporations, reorganizations, and other changes of local government. LAFCO's webpage is: sanbenitolafco.org

LAFCO normally meets every month at the San Benito County Board of Supervisors' chambers in Hollister, California on the second Thursday of the month at 4 p.m.

This appointment is for a Public Member and a Public Member Alternate who resides anywhere within San Benito County including the territory in the city limits of Hollister and San Juan Bautista for terms ending February 29, 2028. A Public Member and a Public Member Alternate must be able and available to attend Commission meetings. No officer or employee of the county or any city or independent special district whose boundaries include any territory within San Benito County is allowed to sit as a Public Member or Public Member Alternate on the Commission. LAFCO's Public Members, as are all other Commissioners, are required to file an annual Statement of Economic Interest and complete mandated ethics training as a public official.

If you are interested, we invite you to send a letter describing your background and reasons for wanting to become the selected Public Member or Public Member Alternate to serve on San Benito Local Agency Formation Commission no later than Wednesday March 5, 2025. If you have any questions, please do not hesitate to call Jennifer Stephenson, LAFCO Executive Officer at (310) 936-2639 or email jennifer@pcateam.com. Please send your letter of interest to LAFCO of San Benito County, 2301 Technology Parkway Hollister, CA 95023 or by email to jennifer@pcateam.com. Applicants will be invited to an interview with the Commission at the March 13, 2025 LAFCO meeting at 4 p.m. located in the San Benito County Board of Supervisors' Chambers, 481 Fourth Street, Hollister, CA 95023. Selection is anticipated to take place following the interviews.

Dated: February 18, 2025

San Benito LAFCO
Jennifer Stephenson
EXECUTIVE OFFICER

From: Barry Katz pbandjkatz@gmail.com
Subject: I write to apply to become a LAFCO public commissioner.
Date: March 5, 2025 at 10:26 AM
To: jennifer@pcateam.com

BK

Barry A Katz
421 Rose Ave
Aromas, CA 95004
pbandjkatz@gmail.com
831-706-1811

Jennifer Stephenson
San Benito Local Agency Formation Commission
2301 Technology Parkway
Hollister, CA 95023
(831)636-4000 Ext. 13
jennifer@pcateam.com
sanbenitolafco.org

Ms. Stephenson, and LAFCO Commissioners,

Barry A Katz
421 Rose Ave
Aromas, CA 95004
pbandjkatz@gmail.com
831-706-1811

Jennifer Stephenson
San Benito Local Agency Formation Commission
2301 Technology Parkway

Hollister, CA 95023

(831)636-4000 Ext. 13

jennifer@pcateam.com

sanbenitolafco.org

Ms. Stephenson, and LAFCO Commissioners,

I write to apply to become a LAFCO public commissioner. I would prefer the public commissioner position, but would also accept the public member alternate position.

I am a retired resident of Aromas in San Benito County. Prior to retiring about 2 years ago, I worked in Agriculture for 41 years. I was employed at the Monterey Mushrooms, Royal Oaks Facility. I started out in R&D primarily doing growing research. Most of my career I worked as a grower at progressively higher levels, where I learned the importance of managing limited resources. The last 10 years, I was an analyst in the packaging department.

I have become increasingly involved in local government. I have not held a public position. However, I have attended and frequently commented during the public comment periods at SBC Supervisors, SBC Planning Commission, and Hollister City Council meetings. I appreciate the importance of state and local governance.

I think that growth in our region needs to be planned and coordinated between agencies to maintain the quality of living here in our gradually evolving, but currently largely agricultural community. Services need to be planned, built and maintained to this aim.

I see my role as listening to issues, lending my reasoned opinions to the discussion, and working towards solutions that will best serve our community.

Thank you very much for considering me for these positions.

Sincerely,

Barry A Katz

**Robert E. Bernosky
751 Donald Drive
Hollister California 95023**

March 5, 2025

San Benito Local Agency Formation Commission
Attn: Jennifer Stephenson
2301 Technology Parkway
Hollister, CA 95023

RE: Application to Fill Vacancy

Dear Ms. Stephenson,

I am applying to fill the vacancy of the Public Member position on the San Benito LAFCO.

As a resident of San Benito County for 31 years and active in the community, I am fully aware of the difficulties we have being in close proximity to the Bay Area. The costs of living for employees there drive people to the open expanse and beauty of San Benito County. Unfortunately, the combination of the unintended consequences of Prop 13 and what some may regard as prior local elected leaders not properly managing growth, have made us vulnerable to urban sprawl.

Relevant positions that I have held in San Benito County include:

- Board member and clerk, North County Joint Union School District
- Board member and president, Rancho San Joaquin Mutual Water Company
- Community Service Area Representative, Ranch San Joaquin
- Member and President, County Committee on School District Organization
- Secretary, Pacheco Pass Water District
- Board Member and president, Hollister School District

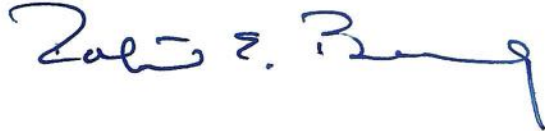
These position have guided my opinions on the dangers of unbounded urban sprawl.

To be sure, I want to preserve our western and agricultural culture in San Benito County. I understand that we have to balance this with private property ownership rights, but we can no longer give carte blanche to those who want to put up rooftops without us having the ability to provide adequate infrastructure. I believe the terms "smart growth" or "smart balanced growth" are what I mostly identify with.

I am a chief financial officer by career, most often getting involved in companies that are distressed. I trade under the name Special Situation Solutions, which is exactly where I excel. "Special" situations are typically those where others may find too difficult to go into. We are there to listen first and then devise and score solutions before implementing them. LAFCO is an oversight role, but I believe the concepts are applicable to members of LAFCO.

Thank you very much for the consideration. Please feel free to reach out to me if I can provide any further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert E. Bernosky". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert E. Bernosky
rebernosky@icloud.com
(831) 801-5823

From: Lynn Mello mellooutlynn@gmail.com
Subject: LAFCO Letter of Interest
Date: March 4, 2025 at 9:01 AM
To: jennifer@pcateam.com

LM

Dear San Benito County Local Agency Formation Commission,

Thank you for this opportunity to submit a letter of interest for the Public Member or Public Member Alternate Commissioner seat on the San Benito County Local Agency Formation Commission (LAFCO).

I am a retired Registered Nurse and former San Benito County Deputy Director of Public Health, and live in Aromas, District 2. Health and wellness were the primary focus of my career and over time and practice, I found that I became far more interested in environmental and economic factors that affected the health of the community and overall population. I learned as a young public health nurse that public policy was at the root of the health of the community and that infrastructure, land use, and districting played a major role in the well-being of population.

My interest in the LAFCO commissioner position stems from my predilection toward social justice and optimal health and well-being for individuals and communities. I believe that the built environment can be designed to preserve and promote optimal living conditions that allow people and communities to thrive.

Urban sprawl, homelessness, overcrowded housing, lack of housing, land preservation and equity are complex challenges of the 21st century in many communities, San Benito included. I am ready to play a role in taking on these challenges and working toward solutions in service to the community. I have an understanding of how public service works and believe I can represent our community fairly and transparently.

Please accept this letter of interest with consideration for my seat on the LAFCO Commission as a public member or alternate public member.

Sincerely,

Lynn Mello
1600 Cole Road,
Aromas, CA 95004
831-297-4628

Lynn Mello

March 4, 2025

E-mail

San Benito County Local Agency Formation Commission
Attn: LAFCO Commissioners
2301 Technology Parkway
Hollister, CA 95023
Email: Jennifer@pcateam.com

To San Benito LAFCO Commissioners:

I am interested in being a Public Member Alternate or a Public Member of San Benito LAFCO. I know the importance that a commission can have on our county and being involved in the community and its representative governance. I am a co-founder of a grass root political action group whose mission is to preserve the agricultural land and public resources for San Benito County.

I am a resident of Hollister, California. My family has been in San Benito County for over 25 years and I have a vested interest in this county. I know that I can work with all parties to preserve our rural community without overloading our county's public resources. I understand the need for providing open spaces for our community to thrive and provide adequate resources for our residents.

I have over 35 of years experience working for a public agency. I am aware of government and state contracting codes that govern local and state agencies. I am use to working with budget constraints and overseeing public agency contracts along with GASB requirements. I also have experience preparing public bids, RFPs, pre-qualification of vendors and procuring goods in accordance with applicable Public Contract Code, Ed Code and Government Code.

I hope you will consider me for the Public Member Alternate or Public Member of San Benito LAFCO.

Sincerely,
Annette Perez
writetoannette@yahoo.com
408-472-8623

**SAN BENITO COUNTY
BOARDS AND COMMISSIONS**

MEMBERSHIP APPLICATION

I hereby express an interest in being nominated for membership on the following commission: (PLEASE PRINT)

BOARD/COMMISSION: LAFCO Public member

NAME: Julio J Rodriguez

PHONE: 831-524-6873 E-mail: jjrod1995@yahoo.com

ADDRESS: 1695 Sausalito Dr

CITY: Hollister ZIP: 95023

LENGTH OF RESIDENCY: 29 years

SUPERVISOR DISTRICT: 4

OCCUPATION: Substitute teacher

EDUCATION: SFSU Urban Studies

AFFILIATIONS: _____

REASON(S) FOR SEEKING APPOINTMENT: I believe my experience and education

along with my knowledge of the History of San Benito I will be able to serve San Benito County as the public member

Thank you for your consideration

DATE: 3/4/2025 SIGNATURE: 

Return completed form to: **SAN BENITO COUNTY**
Attention: Vanessa Delgado, Clerk of the Board
481 Fourth Street
Hollister, CA 95023

Any questions, please call: (831) 636-4000, Ext. 13
Revised 8-04-2022

March 5, 2025

San Benito County Local Agency Formation Commission
Attn: LAFCO Commissioners
2301 Technology Parkway
Hollister, CA 95023
Email: Jennifer@pcateam.com

To San Benito LAFCO Commissioners:

I am tendering my application to be considered for the open position(s) of the San Benito LAFCO board as either Public Member or Public Member Alternate. I am an active member of our community recently serving as co-chair/ founder of a grass roots political action committee whose mission was the preservation of agricultural lands and open space while protecting such lands from out-of-county use and potential pollution and risk to public health.

My educational background is in organizational management, finance, environmental management and education.

San Jose State University (BS/Business) 1996

Regis University (MS: Organizational Leadership and Management) 2010

Work Experience:

I had the honor to work on the development of the O'Neill Sea Odyssey educational program (1996- 1998), and Save Our Shores Educational program for schools and Sanctuary Stewards (1995-1996). In 1998 I held a working symposium at MBARI (Monterey Bay Area Research Institute) where environmental leaders from around the country attended and participated in a 3 day symposium/ workshop developing "Sea Camp Monterey Bay" with the support of CA Coastal Commissioner Les Strnad and the California Coastal Commission.

1999-2003 Eco-Cycle Broomfield Colorado Recycling and Education Center. Program manager.

2004-2022 Hunter Douglas (acquired in 2018 by CertainTeed) National Sales and Customer Service Manager for US, Mexico, South America, Europe, China and India. I worked closely with architects and contractors on major building projects including professional athletic arenas, Hospitals, Universities, Elementary / High Schools, Retail and Commercial buildings, and Art Centers/Museums.

My husband and I moved to Hollister in 2019 to be close to our son and his family. I integrated into the San Benito/Hollister community and became involved in both environmental and political programs. I believe it is vital to have open communication

and respect for all public and political members of our community whether there is agreement with their position or not. I am interested in being a Public Member or Alternate Member of the San Benito LAFCO. I respect the gravity of the position and the need to have an open mind with the ability to bring common sense and supportive information to the board for a full opportunity to analyze and respond to any and all issues or concerns before the board. I am a proponent of "Slow Growth" and managed resources. Growth happens, but growth must be managed, logical, and fulfill the purposes of the County as a whole. Rapid growth without adequate infrastructure is a recipe for disaster.

I believe my work experience, education and passion for our County will guide me in being open-minded, considerate, and thorough in my research and preparation to be a LAFCO Board Member,

I hope you will consider me for the Public Member Alternate or Public Member of San Benito LAFCO.

Sincerely,
Maureen Nelson

MNelson903@aol.com

303-641-0295

If given the opportunity to serve as the SBC LAFCO Public Member, I promise the residents of San Benito County that I will abide by Section Code 56331.4 as stated, "Any member appointed on behalf of local governments shall represent the interests of the public as a whole and not solely the interests of the appointing authority."

Prioritizing public input and focusing on diligently helping oversee and manage local government boundaries, while protecting agricultural and open space lands, will be my top priorities. This includes a firm commitment to preventing Urban Sprawl by carefully reviewing any and all new land use and zoning proposals.

I'm not part of any interest group and will work with farmers, property owners, community members and within the LAFCO code.

My time and experience as a Planning Commissioner have provided me with the knowledge, experience, and understanding of the important issues to serve as an effective Public Member of this body.

Thank you all for your consideration,
Celeste Toledo-Bocanegra

**SAN BENITO COUNTY
BOARDS AND COMMISSIONS**

MEMBERSHIP APPLICATION

RECEIVED

FEB 14 2025

**SAN BENITO COUNTY CLERK
OF THE BOARD, HOLLISTER, CA**

I hereby express an interest in being nominated for membership on the following
commission: (PLEASE PRINT)

BOARD/COMMISSION: Public member LAFCO

NAME: CELESTE TOLEDO-BOCANEGRA

PHONE: 831-524-1633 E-mail: Celeste_tb@yahoo.com

ADDRESS: 330 Bridgevale RD

CITY: Hollister ZIP: 95023

LENGTH OF RESIDENCY: 14 Yrs.

SUPERVISOR DISTRICT: Kollin Kosmicki

OCCUPATION: Small Business

EDUCATION: Associate's degree

AFFILIATIONS: _____

REASON(S) FOR SEEKING APPOINTMENT: Checks and balances.

DATE: 02/13/2025 SIGNATURE: Celeste Toledo-Bocanegra

Return completed form to:

**SAN BENITO COUNTY
Attention: Vanessa Delgado, Clerk of the Board
481 Fourth Street
Hollister, CA 95023**

Any questions, please call: (831) 636-4000, Ext. 13
Revised 8-04-2022



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 5.3

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

LAFCO APPLICATION AND TAX SHARING PROCESSES

AGENDA SECTION:

BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

BACKGROUND/SUMMARY:

One of LAFCO's primary roles is to process change of boundary applications for cities and special districts. The Commission is charged with ultimately approving or denying the applications after they have met all legal requirements to be considered complete.

The two attachments provide easy to follow flow charts summarizing 1) the application process from initiation to conclusion and finalization and 2) the tax sharing negotiation process and legal timing requirements. Staff will walk through these processes briefly for context and future applications.

RECOMMENDATION:

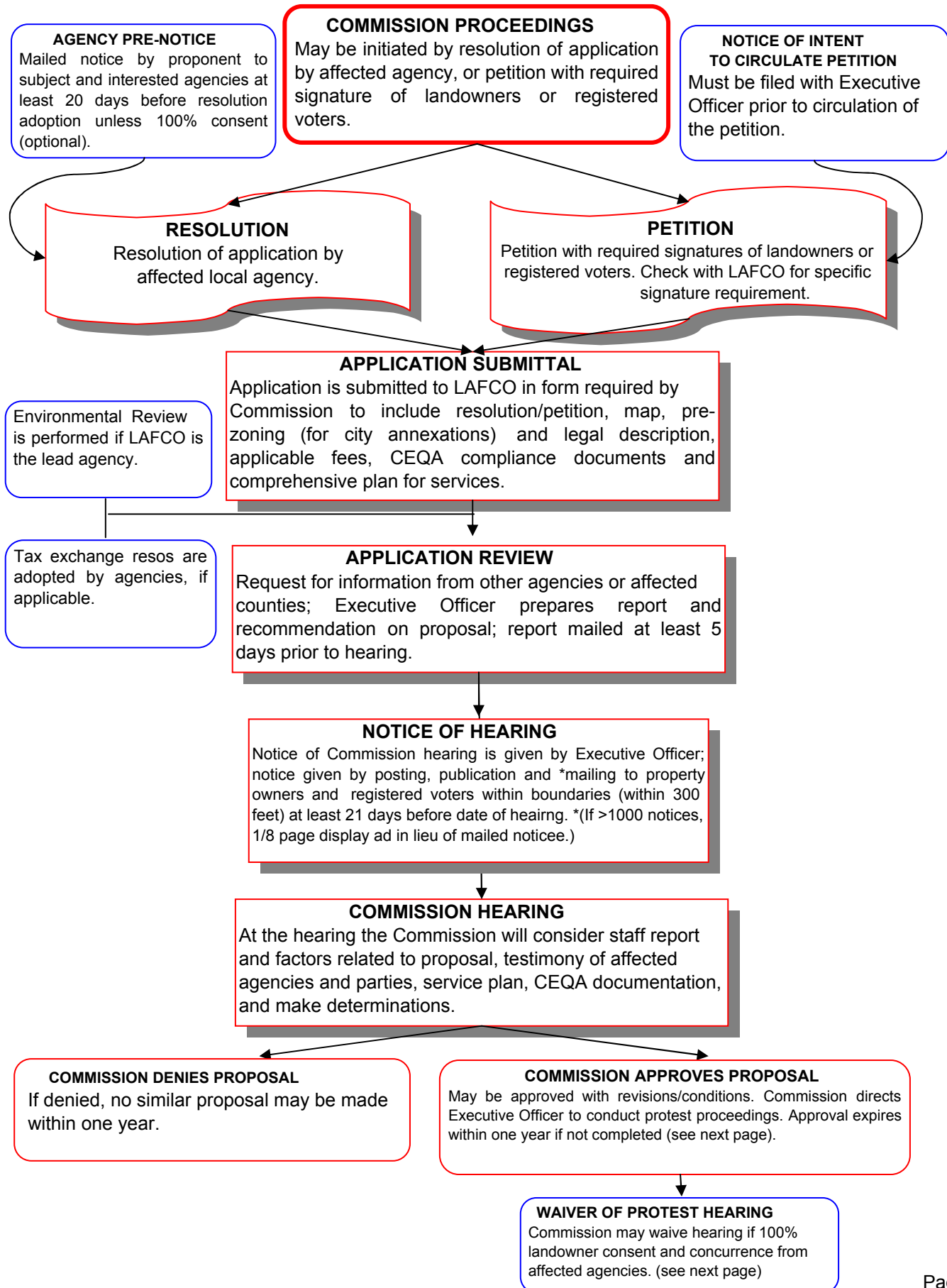
Receive presentation of flow charts from staff and discuss.

ATTACHMENTS:

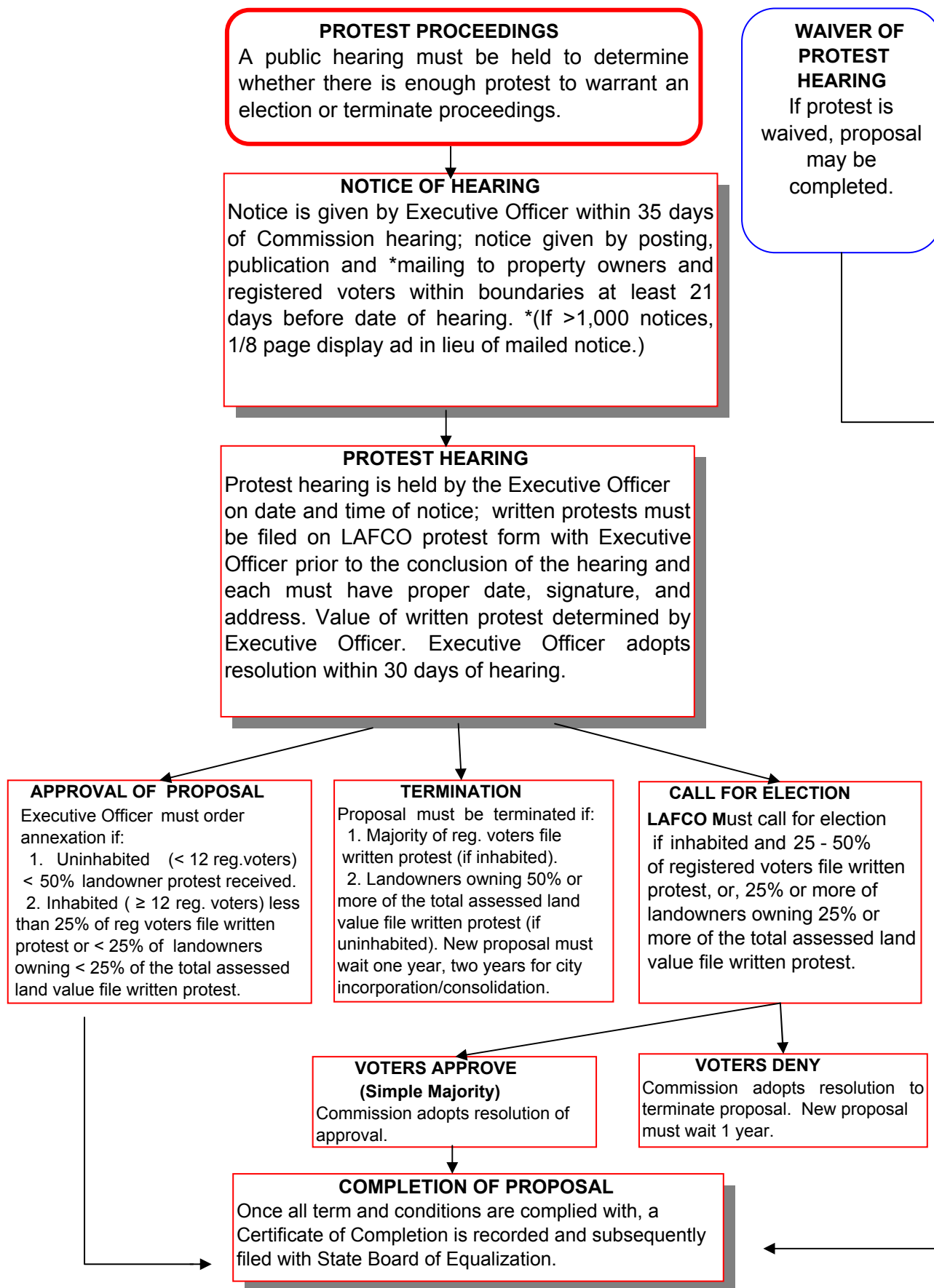
[Application Process Flow Chart](#)

[Tax Sharing Negotiation Flow Chart](#)

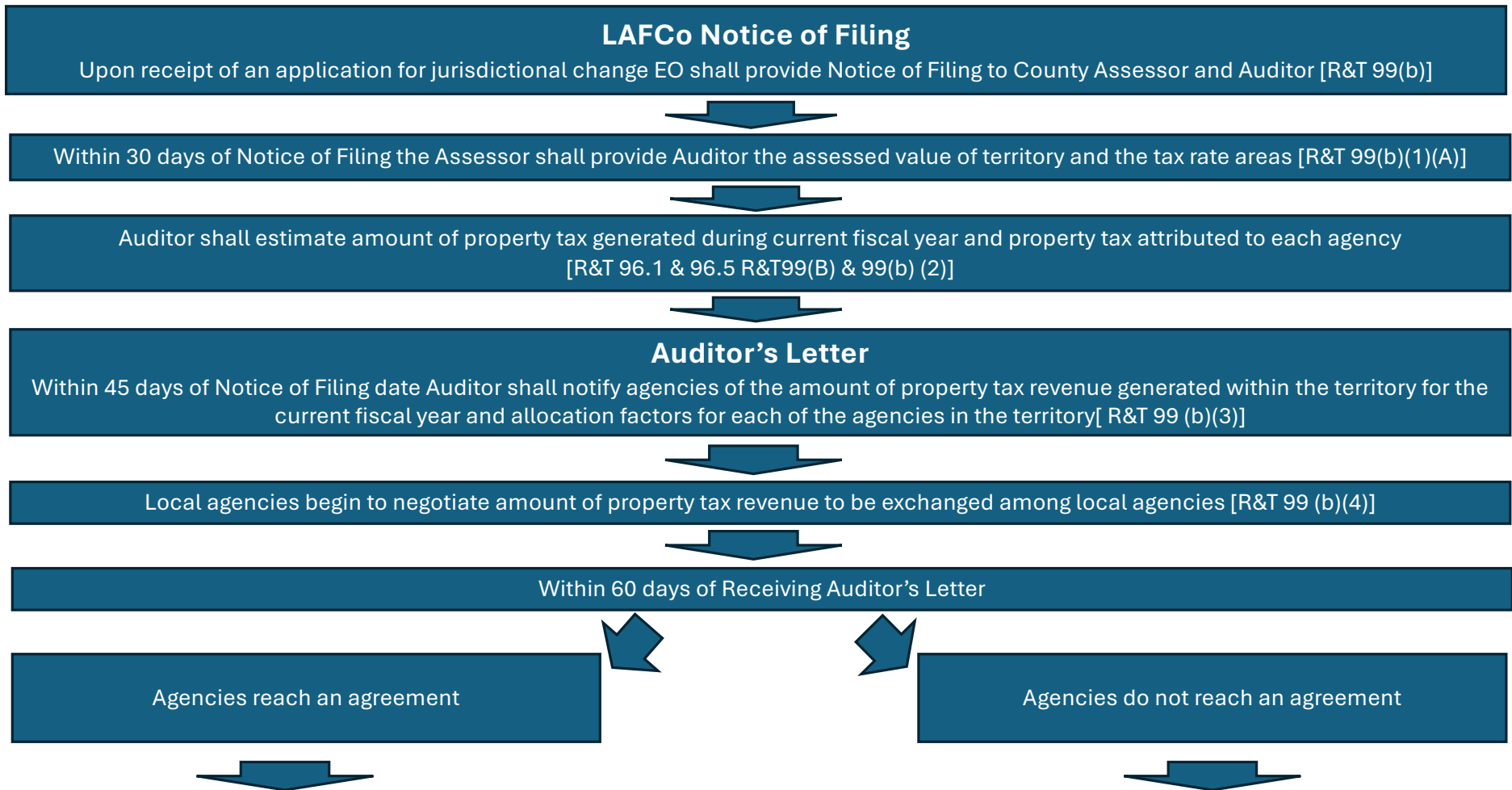
CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000
ANNEXATION/DETACHMENT/REORGANIZATION PROCEDURE DIAGRAM

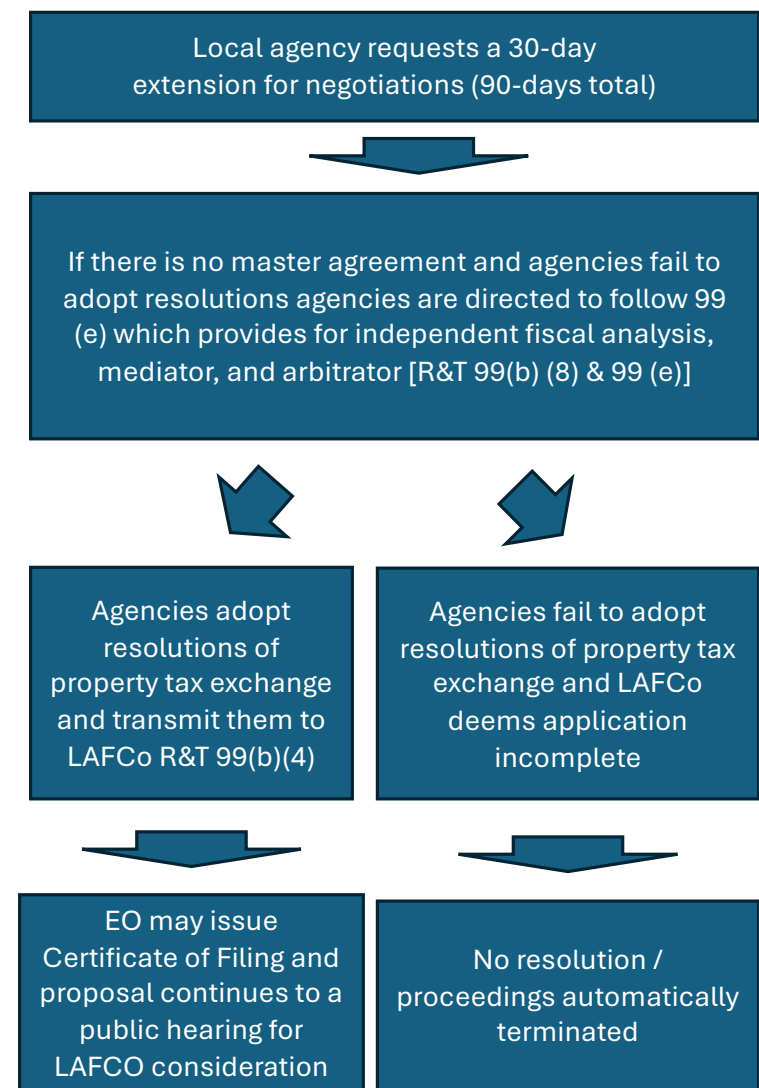
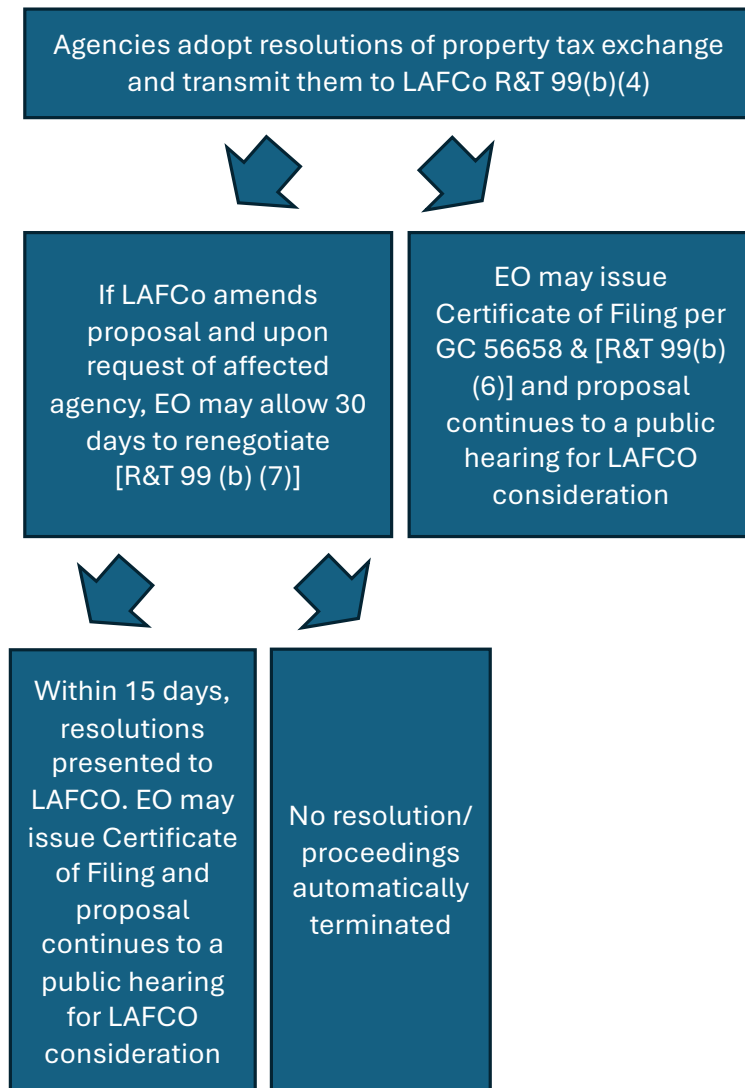


CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000
ANNEXATION/DETACHMENT/REORGANIZATION PROCEDURE DIAGRAM



Property Tax Exchange Process (Annexations and Detachments)
Where there is no master tax sharing agreement in place per R&T 99(d)







**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 5.4

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

GENERAL FACTORS FOR CONSIDERATION FOR APPLICATIONS

AGENDA SECTION:

BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

BACKGROUND/SUMMARY:

Criteria are established in law and by policy to assess applications to LAFCO and inform the Commission's decision. These criteria or factors are outlined in Government Code Section 56668 and expanded upon in Section 2.1 of San Benito LAFCO's Policies and Guidelines which identifies general principles for evaluating proposals. Subsequent policy sections outline further principles specific to the type of application, such as city annexations.

The factors presented here are analyzed in all application staff reports in a detailed manner in order to better inform Commissioner decisions.

RECOMMENDATION:

Review factors for consideration and discuss.

ATTACHMENTS:

[General Application Factors](#)

LOCAL AGENCY FORMATION COMMISSION
OF
SAN BENITO COUNTY
POLICIES AND GUIDELINES

Approved 1982

Amended March 27, 2003

Amended December 16, 2004

Updated December 13, 2024

CHAPTER 2: GENERAL POLICIES, APPLICATIONS AND PROPOSALS, REQUIREMENTS AND CRITERIA

Section 2.1. General Principles for Evaluating Proposals

By applying the General Principles listed below, the following criteria are established for evaluating proposals coming before the commission:

Section 2.1.1 Factors to Be Considered By LAFCO in Reviewing a Proposal

Government Code Section 56668 states factors to be considered by LAFCO in the review of a proposal. Should the factors be changed in the Government Code in any way, those factors shall supersede the factors listed here. The factors that shall be considered include, but are not limited to, all of the following:

- (a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- (b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.
- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.
- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.
- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.
- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- (g) A regional transportation plan adopted pursuant to Section 65080.

- (h) The proposal's consistency with city or county general and specific plans.
- (i) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.
- (j) The comments of any affected local agency or other public agency.
- (k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- (l) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.
- (m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.
- (n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.
- (o) Any information relating to existing land use designations.
- (p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.
- (q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to [Section 51178](#) or maps that identify land determined to be in a state responsibility area pursuant to [Section 4102 of the Public Resources Code](#), if it is determined that such information is relevant to the area that is the subject of the proposal.

Section 2.1.2 Cities and those special districts providing municipal services are:

1. Encouraged to time updates and/or prepare capital improvements and infrastructure plans to dovetail with preparation of Municipal Service Reviews required in §56430.
2. Encouraged to propose precise Spheres of Influence which will be considered by the Commission. This Commission will establish Spheres of Influence for those agencies under its jurisdiction pursuant to the requirements of the Knox-Cortese-Hertzberg Act.
3. Encouraged to define and establish staged development plans for the area within

the Sphere of Influence and periodically update these plans. The Commission may deny a particular annexation in the absence of an acceptable plan.

Section 2.1.3: Demonstrated Need

Any proposal involving annexations, incorporations, and formations shall not be approved unless it demonstrates a need for the additional services to be provided to the area; while all proposals involving detachments, disincorporations, and dissolutions shall not be approved unless the proponent demonstrates that the subject services are not needed or can be provided as well by another agency or private organization.

Section 2.1.4 Prezoning

The Commission shall require prezoning for all city annexations so that the potential effects of the proposals can be evaluated by the Commission and known to the affected citizens.

Section 2.1.5: Need Established by General Plan

For proposals concerning the extension of other services by annexation, incorporation, or district formation, need shall be established by the applicable general plan land use designations and the service levels specified for the subject area in the applicable general plan.

Section 2.1.6: Cities are encouraged to:

1. Annex unincorporated islands.
2. Promote larger inhabited annexations.

Section 2.1.7: Agencies are discouraged from strip or leap-frog annexations.

Section 2.1.8: Extraterritorial Services

Cities and special districts may not provide municipal services outside of their approved boundaries and Sphere of Influence unless otherwise approved by LAFCO. If a demonstrated need arises for services outside of a city's or special district's boundaries, an application to LAFCO is required for approval of extension of such extraterritorial services according to the requirements outlined in Government Code Section 56133.

Section 2.1.9: The Commission favors:

1. Urban development within cities rather than in unincorporated territory.
2. Development of vacant land within a city prior to development in fringe areas.
3. Annexation to an existing agency over creation of a new agency.
4. Annexation to cities over formation of special districts to provide urban services.
5. Consolidation of existing special districts where feasible.

Section 2.1.10: Agricultural and Open Space Areas Identified by Land Use Authorities

The Commission will recognize and preserve clearly defined, long-term agricultural and open space areas established by the County or cities.

Section 2.1.11: City-County Cooperation

The Commission encourages closer city-county cooperation in planning decisions.

Section 2.1.12: Justification of Overlap

Special district annexation and formation proposals which result in duplication of authority to perform similar functions must be clearly justified.

Section 2.1.13: City and Special District Cooperation

Cities and special districts are encouraged to mutually resolve service and financial problems prior to city annexation.

Section 2.1.14: Consistency with Sphere of Influence

All changes of organization shall be consistent with adopted spheres of influence of affected agencies. Consistency shall be determined by a LAFCO finding of consistency with the sphere of influence maps and policies adopted by LAFCO for the affected agencies.

Section 2.1.15: Logical Boundaries

LAFCO shall promote more logical and reasonable expansion of agency boundaries through the following:

- a) Cities and special districts will be required to annex entire street sections whenever possible. The full width and full length of roads adjacent to; and all the • roads within any proposed annexation shall be included in territory proposed to be annexed to any municipality in San Benito County.
- b) To the greatest possible extent, boundaries shall follow existing political boundaries, natural features (such as ridges and watercourses), and constructed features (such as railroad tracks).
- c) Boundaries should avoid dividing an existing identifiable community, commercial district, or other area having social or economic homogeneity. Where such divisions are proposed, the proponents shall justify exceptions to this standard.
- d) Boundaries of proposals must be definite and certain, split lines of assessment must be avoided whenever possible. If the proposed boundary divides assessment parcels, the proponents must justify to the Commission the necessity for such division. If the Commission approves the proposal, the Commission may condition the approval upon obtaining a boundary adjustment or lot split from a city or county.
- e) The boundary resulting from the change of organization must not create areas difficult to serve.

- e) Cities and special districts are discouraged from selective annexation of territories having higher assessed valuations. The Commission shall amend or reject any proposal that, in its estimation, appears to select principally revenue-producing properties for inclusion in a jurisdiction.
- f) The creation of unincorporated islands will be prohibited unless properly justified.
- g) The Commission will require, as a condition of city annexation, detachment of the annexed territory from special districts where appropriate to avoid an irregular pattern of boundaries.
- h) The Commission encourages that boundaries of special districts abut with city boundaries insofar as appropriate.

Section 2.1.16 Consistency with Plans

Agencies shall consider the general plans of neighboring governmental entities and be comparable with the district's and neighboring' cities' staged development plans.

Section 2.1.17 Effects of Proposal

The Commission shall consider the effects of a proposed action on adjacent areas, mutual social and economic interests, and on local governmental structure.



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 5.5

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

UPDATE ON STATUS OF WASTEWATER MUNICIPAL SERVICE REVIEW

AGENDA SECTION:

BUSINESS ITEMS - GENERAL BUSINESS, NON-HEARING ITEMS

BACKGROUND/SUMMARY:

The Ad Hoc Committee will report on the status of its review of the Wastewater MSR and any recommended direction.

ATTACHMENTS:



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 6.1

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

CONSIDER LAFCO FILE 2024-548: KANG ANNEX TO AROMAS WATER DISTRICT

AGENDA SECTION:

BUSINESS ITEMS - PUBLIC HEARING ITEMS

BACKGROUND/SUMMARY:

Aromas Water District adopted Resolution 2022-21 on November 22, 2022 to initiate application to LAFCO for the annexation of one parcel (APN 012-090-026-000) into the District. The District submitted an annexation application to LAFCO for the property located at 940 Rocks Road pursuant to Section 56000 et seq. of the Cortese-Knox-Hertzberg Act. The property consists of 24.54 acres more or less with one single-family residence.

The annexation is sought with the intent of receiving domestic water services from the District due to diminished water quantity and poor water quality from the property's single well. LAFCO approved an emergency connection for the property to the District's water system on December 30, 2024, given that the property owner had been forced to truck in water for an extended period. LAFCO will consider the application for annexation to formally include the property in the District's boundaries.

RECOMMENDATION:

Adopt proposed Resolution 2025-01 approving the annexation of one parcel by the Aromas Water District, waiving the protest hearing due to 100% landowner approval of the annexation, and affirming the Notice of Exemption.

ATTACHMENTS:

[Staff Report File 548 Kang Annexation](#)

[Reso 2025-01 File 548 Kang Annexation with attachments](#)

Kang Annexation to Aromas Water District

LAFCo File No. 548

Summary

The Aromas Water District (District) adopted Resolution 2022-21 on November 22, 2022 to initiate application to LAFCO for the annexation of one parcel into the District. The District submitted an annexation application to LAFCO for the property located at 940 Rocks Road pursuant to Section 56000 et seq. of the Cortese-Knox-Hertzberg Act. The property consists of 24.54 acres more or less with one existing single-family residence on land zoned for agricultural uses. Upon annexation, there is no intent to subdivide or change the use of the land. The annexation is sought with the intent of receiving domestic water services from the District due to diminished water quantity and poor water quality from the property's single well. LAFCO approved an emergency connection for the property to the District's water system on December 30, 2024, given that the property owner had been forced to truck in water for an extended period.

The property consists of Assessor's parcel # 012-090-026-000. A map showing the proposed annexation area is included as **Exhibit A** and a boundary description is shown as **Exhibit B** of the attached Resolution 2025-01 for consideration. The tax sharing resolution between the County of San Benito and Aromas Water District is attached to Resolution 2025-01 as **Exhibit C**.

Government Code Section 56662 allows the Commission to make determinations without notice and hearing provided there is 100 percent landowner consent, the territory is uninhabited (less than 12 registered voters) and no agency has submitted a written demand for a notice and hearing within 10-days of receiving notice, which was mailed by LAFCo staff to agencies on February 27, 2025. This proposal qualifies since the affected landowner has signed a form of consent for annexation, no demand for notice and hearing was requested, the proposal is within the Sphere of Influence and there are less than 12 registered voters.

Recommendation

Staff recommends that the San Benito LAFCo approve the annexation bringing the approximate 24.54 acres of territory into the Aromas Water District, subject to the terms and conditions stated in the proposed Resolution 2025-01 (**Attachment 1**).

Suggested motions

- *Adopt proposed Resolution 2025-01 approving the annexation of the parcel by the Aromas Water District, waiving the protest hearing due to 100% landowner approval of the annexation, and affirming the Notice of Exemption prepared by the Aromas Water District as the Lead Agency for this annexation (**Attachment 1**).*

Proposal and History

The Aromas Water District proposes to annex 24.54 acres more or less owned by Kwan Soo Kang (012-090-026-000) to allow for the provision of domestic water services to the property due to diminished water quantity and poor water quality from the property's single well. LAFCO approved an emergency connection for the property to the District's water system on December 30, 2024, given that the property owner had been forced to truck in water for an extended period. This application for annexation is to formally include the property in the District's boundaries.

Location

The property is located at 940 Rocks Road in San Juan Bautista, contiguous to the Aromas Water District boundaries. The property consists of APN 012-090-026-000.

Existing Services

LAFCO approved an emergency connection for the property to the District's water system on December 30, 2024, given that the property owner had been forced to truck in water for an extended period. The connection was completed on February 11, 2025.

<u>Service:</u>	<u>Existing Provider:</u>	<u>Proposed Provider:</u>
Water	Aromas Water District	Aromas Water District

Finances and Operations

The District's service infrastructure is already installed and connected to the property. The ongoing operations will be paid through payment of the ordinary utility service fees.

Property Tax Apportionment

The County of San Benito has passed a tax sharing resolution regarding Aromas Water District annexations resolving that no property tax will be shared with the District as it is considered an enterprise district that relies on rates to fund ongoing services, as opposed to property taxes. The County of San Benito tax sharing resolution is attached to Resolution 2025-01 as **Exhibit C**.

Sphere of Influence

The proposed annexation is consistent with Aromas Water District's Sphere of Influence, as required by Government Code Section 56375.5.

CEQA Compliance

The Aromas Water District, as Lead Agency, compiled a Notice of Exemption for the project. The NOE was posted on February 29, 2024 for the required time period, shown as **Exhibit D** to proposed Resolution 2025-01.

Compliance with Applicable Plans

The County of San Benito is the existing land use authority for the parcel in question.

The parcel currently contains one single family home. The property is currently designated as Agricultural in the San Benito County General Plan. There are no plans to change the existing land use or to subdivide the property. The application is consistent with County's General Plan.

Terms and Conditions

LAFCo staff has reviewed the initiating resolution adopted by the District, and it does not include any additional terms and conditions to be incorporated into the proposed resolution. Staff recommends several conditions to approval be included in Resolution 2025-01. The conditions included generally consist of the following:

- Approval of the proposal as outlined in the Resolution of Application with waiver of protest proceedings.

- Further protest proceedings are waived and the Commission orders the 24.54-acre more or less annexation to the Aromas Water District pursuant to Part 4 of Division 3 of the California Government Code commencing with Section 57000. The Commission approves and authorizes the conducting authority to annex the territory described in Exhibits “A” and “B” to the Aromas Water District without notice and election.
- The boundary description and map, if rejected by the State Board of Equalization or amended by LAFCo, will be revised at the expense of the applicant. The applicant shall be responsible for all associated costs.
- The boundary description and map if amended by action of the Commission will be revised and checked by the San Benito County Surveyor at the expense of the applicant, prior to filing of the Certificate of Completion.
- The amount of base property tax and tax increment transferred shall be in accordance with the County of San Benito tax sharing resolution regarding Aromas Water District annexations attached as **Exhibit C**.
- All Aromas Water District previously authorized fees and charges shall apply to this annexed territory upon recordation of the Certificate of Completion.
- Verification of payment of any charges and engineering and infrastructure costs, owed (unless waived) to the County, LAFCo and (or) the District respectively shall be submitted to LAFCo prior to the issuance of the Certificate of Completion.
- The effective date shall be the date of recordation of the Certificate of Completion.
- Completion of proceedings shall be concluded within one-year after adoption of this resolution. If the proceedings are not concluded within one-year after passage of this resolution, all proceedings shall be terminated.

GOVERNING LAW AND LAFCo POLICY

Generally, Government Code §56000 *et seq.* governs proceedings. The proposal complies with LAFCo’s legal and policy requirements, as summarized below:

GOVERNING LAW

LAFCo is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government.

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following Section 56668 of the Government Code:

- **Population, and population density; land area and land use; per capita assessed valuation; topoehy, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**

This proposal will have no impact upon population growth in the area as the property is not anticipated to change in land use and is not proposed for subdivision.

The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. “Services,” as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. <i>At present, the Aromas Water District already serves the affected property through an authorization for emergency connection. Connection costs were borne by the property owner. Services are provided at the same level as other areas within the District’s boundaries. The single additional connection has a nominal affect on the District demand.</i>
The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. <i>This annexation will likely have little effect on adjacent areas as no changes to the property’s zoning is anticipated and the property is not proposed for subdivision. The zoning is consistent with the surrounding areas that are zoned for grazing, rural residential, and agricultural uses. There does not appear to be any positional effects on mutual social and economic interests as a result of this proposed annexation. The annexation would not alter the local governmental structure for the subject area, as the County would remain the land use authority. The municipal service structure for domestic water service would be the only change, although this change has already occurred with the connection to the District already approved.</i>
The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns, of urban development, and the policies and priorities set forth in Section 56377. <i>The application generally conforms with San Benito LAFCO’s policies as described in the following section. The application aligns with planned and logical patterns of development and service structure.</i>
The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. <i>The parcel is zoned as agricultural with a single family residence. There are no proposed changes to land use as a result of this application and there are no anticipated impacts on agricultural lands as a result of this proposal.</i>
The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. <i>The boundaries of the proposed annexation area are clearly defined in the map and boundary description (Exhibits A and B). The annexation will create an island within the District.</i>
Consistency with city or county general and specific plans. <i>The annexation is consistent with the County’s General Plan.</i>
The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed.

<i>The Aromas Water District's SOI is consistent with the proposed annexation, as required by Government Code Section 56375.5.</i>
• The comments of any affected local agency or other public agency. <i>No unfavorable comments or objections have been received from agencies affected by the proposal or from the public.</i>
• The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. <i>The extension of domestic water services to the property has already occurred. The ongoing operations will be paid through payment of the ordinary water rates established by the District to ensure sufficiency of revenues to provide sustainable services to the area.</i>
• The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7. <i>The application will have no affect on the County achieving its regional housing needs.</i>
• Any information or comments from the landowner or owners, voters, or residents of the affected territory. <i>The one landowner consents to the proposed annexation.</i>
• Any information relating to existing land use designations. <i>The parcel currently contains one single family home. The property is currently designated as Agriculture in the San Benito County General Plan.</i>
• The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. <i>There are no issues associated with environmental justice with this proposal.</i>

San Benito LAFCo GENERAL & SPECIFIC POLICIES

San Benito LAFCO has general application policies and policies specific to annexation applications for cities. The application is evaluated for consistency with LAFCO's applicable general and annexation specific policies.

GENERAL POLICIES

Cities and those special districts providing municipal services are:	
1) Encouraged to time updates and/or prepare capital improvements and infrastructure plans to dovetail with preparation of Municipal Service Reviews required in §56430. <i>A municipal service review is not warranted for this application, as the annexation application is within the Sphere of Influence and is anticipated to have a nominal impact on demand.</i>	Not Applicable
2) Encouraged to propose precise Spheres of Influence which will be considered by the Commission. This Commission will establish Spheres of Influence for those agencies under its jurisdiction pursuant to the requirements of the Knox-Cortese-Hertzberg Act.	Consistent

The application is consistent with Aromas Water District’s Sphere of Influence.	
3) Encouraged to define and establish staged development plans for the area within the Sphere of Influence and periodically update these plans. The Commission may deny a particular annexation in the absence of an acceptable plan. <i>There is no staged development plan for the area; however, the annexation application is not the result of development.</i>	Not applicable
Any proposal involving annexations, incorporations, and formations shall not be approved unless it demonstrates a need for the additional services to be provided to the area; while all proposals involving detachments, disincorporations, and dissolutions shall not be approved unless the proponent demonstrates that the subject services are not needed or can be provided as well by another agency or private organization. <i>The property in question has been required to truck in water for approximately 2 years due to diminished quantity and quality of water from the well on property. There is a demonstrated need for services.</i>	Consistent
The Commission shall require rezoning for all city annexations so that the potential effects of the proposals can be evaluated by the Commission and known to the affected citizens. <i>Not change in zoning is proposed.</i>	Not applicable
For proposals concerning the extension of other services by annexation, incorporation, or district formation, need shall be established by the applicable general plan land use designations and the service levels specified for the subject area in the applicable general plan. <i>The property is already developed and, as such, has demonstrated need.</i>	Not applicable
Cities are encouraged to 2) annex unincorporated islands and 2) promote larger inhabited annexations. <i>This is not a city annexation.</i>	Not Applicable
Agencies are discouraged from strip or leap-frog annexations. <i>The annexation is adjacent to the district boundaries.</i>	Consistent
Cities and special districts may not provide municipal services outside of their approved boundaries and Sphere of Influence unless otherwise approved by LAFCO. If a demonstrated need arises for services outside of a city’s or special district’s boundaries, an application to LAFCO is required for approval of extension of such extraterritorial services according to the requirements outlined in Government Code Section 56133. <i>The District applied for annexation, but due to the lengthy process, LAFCO preemptively approved extension of services outside of the District’s boundaries for emergency purposes in anticipation of the impending annexation.</i>	Consistent
The Commission favors:	
1) Urban development within cities rather than in unincorporated territory.	Consistent

<i>The property is already developed.</i>	
2) Development of vacant land within a city prior to development in fringe areas.	Consistent
<i>Development is not proposed as part of this annexation.</i>	
3) Annexation to an existing agency over creation of a new agency.	Consistent
<i>Aromas Water District is an existing agency.</i>	
4) Annexation to cities over formation of special districts to provide urban services.	Consistent
<i>The property is immediately adjacent to a special district and the annexation promotes logical boundaries.</i>	
5) Consolidation of existing special districts where feasible.	Consistent
<i>Consolidation is not applicable as part of this application.</i>	
The Commission will recognize and preserve clearly defined, long-term agricultural and open space areas established by the County or cities.	Consistent
<i>While the property is zoned as agriculture, no change in use is proposed.</i>	
The Commission encourages closer city-county cooperation in planning decisions.	Consistent
<i>A city is not affected by this annexation.</i>	
Special district annexation and formation proposals which result in duplication of authority to perform similar functions must be clearly justified.	Consistent
<i>No duplication of services will result from this annexation.</i>	
Cities and special districts are encouraged to mutually resolve service and financial problems prior to city annexation.	Not applicable
<i>This is not a city annexation.</i>	
All changes of organization shall be consistent with adopted spheres of influence of affected agencies. Consistency shall be determined by a LAFCO finding of consistency with the sphere of influence maps and policies adopted by LAFCO for the affected agencies.	Consistent
<i>The territory proposed for annexation is within Aromas Water District's Sphere of Influence.</i>	
LAFCO shall promote more logical and reasonable expansion of agency boundaries through the following:	
1) Cities and special districts will be required to annex entire street sections whenever possible. The full width and full length of roads adjacent to; and all the roads within any proposed annexation shall be included in territory proposed to be annexed to any municipality in San Benito County.	Consistent
<i>The District proposes to annex the full width of Rocks Road.</i>	
2) To the greatest possible extent, boundaries shall follow existing political boundaries, natural features (such as ridges and watercourses), and constructed features (such as railroad tracks).	Consistent
<i>The boundaries follow parcel lines and Rocks Road.</i>	

3) Boundaries should avoid dividing an existing identifiable community, commercial district, or other area having social or economic homogeneity. Where such divisions are proposed, the proponents shall justify exceptions to this standard. <i>The annexation does not propose to divide any social or economic community.</i>	Consistent
4) Boundaries of proposals must be definite and certain, split lines of assessment must be avoided whenever possible. If the proposed boundary divides assessment parcels, the proponents must justify to the Commission the necessity for such division. If the Commission approves the proposal, the Commission may condition the approval upon obtaining a boundary adjustment or lot split from a city or county. <i>The boundaries of the proposed annexation area are definite and certain in the map and boundary description and do not split any lines of assessment.</i>	Consistent
5) The boundary resulting from the change of organization must not create areas difficult to serve. <i>The annexation does not create difficult-to-serve areas.</i>	Consistent
6) Cities and special districts are discouraged from selective annexation of territories having higher assessed valuations. The Commission shall amend or reject any proposal that, in its estimation, appears to select principally revenue producing properties for inclusion in a jurisdiction. <i>The annexation does not appear to be selective as it is at the will of the landowner.</i>	Consistent
7) The creation of unincorporated islands will be prohibited unless properly justified. <i>The annexation will create an island within the District; however, due to the critical nature of the application and connection it is justified until the owners of the other properties decide to annex.</i>	Inconsistent
8) The Commission will require, as a condition of city annexation, detachment of the annexed territory from special districts where appropriate to avoid an irregular pattern of boundaries. <i>An annexation to a city is not proposed.</i>	Not applicable
9) The Commission encourages that boundaries of special districts abut with city boundaries insofar as appropriate. <i>There is not a city immediately adjacent to the area.</i>	Not applicable
Agencies shall consider the general plans of neighboring governmental entities and be comparable with the district's and neighboring cities' staged development plans. <i>There is not a staged development plan in place.</i>	Not applicable
The Commission shall consider the effects of a proposed action on adjacent areas, mutual social and economic interests, and on local governmental structure. <i>The proposed annexation is not anticipated to have an impact on adjacent areas or mutual and social economic interests. The local governmental structure will only be altered in so far as the affected property will be within the Aromas Water District and be a constituent of the governing body of the District.</i>	Consistent

Remarks and Conclusion

This annexation aligns with LAFCo's purpose of ensuring efficient services. The proposed annexation does not appear to result in any adverse impacts on any other agency's ability to provide services. The proposal is consistent with LAFCo law and Commission policy.

Staff recommends approval of Resolution 2025-01 (**Attachment 1**) approving the annexation of one parcel (012-090-026-000) to the Aromas Water District.

cc: Aromas Water District

Resolution # 2025-01

**LOCAL AGENCY FORMATION OF THE COUNTY OF SAN BENITO,
STATE OF CALIFORNIA**

*A Resolution Making Determinations and Approving the Annexation of 24.54 acres more or less to Aromas Water District –
LAFCO File 548: Kang Annexation to the Aromas Water District*

WHEREAS, the Aromas Water District has filed an application to annex 24.54 acres more or less known as LAFCO File No. 548: Kang Annexation to the Aromas Water District (District). This property is on Assessor's parcel # 012-090-026-000, and described and depicted in Exhibits "A" and "B", attached hereto and incorporated herein and filed with the Executive Officer of the San Benito Local Agency Formation Commission pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act (§56000 *et seq* of the Government Code); and

WHEREAS, pursuant to Government Code §56662 this Commission has authority to approve this annexation to said Aromas Water District without notice and hearing and without an election where all property owners in said territory consent to said annexation, the property is found to be "uninhabited," the territory is within the Sphere of Influence, and when no agency has protested the annexation or when all registered voters and landowners within the territory have been given notice and no written protests or objections have been received; and

WHEREAS, the Aromas Water District prepared and certified as the Lead Agency a Notice of Exemption for this project for the affected territory pursuant to the requirements of the California Environmental Quality Act (§21000 *et seq.* of the Public Resources Code); and

WHEREAS, the Executive Officer reviewed the application and determined its completeness within 30 days of their submission and prepared and filed this report with this Commission at least five days prior to the regularly scheduled meeting during which this application is to be considered; and

WHEREAS, the Aromas Water District and County of San Benito have established a master tax sharing agreement for annexations (Master Tax Sharing Agreement), which does not allow for property tax sharing with the District as a result of annexations and which applies to this annexation; and

WHEREAS, this Commission has considered the application, the report of the Executive Officer, the environmental documentation and determination, applicable General and Specific Plans, LAFCO's policies and each of the factors required by Government Code §56668 to be considered in the review of a proposal; and

WHEREAS, information satisfactory to this Commission has been presented that all the owners of land and registered voters within the affected territory have been given notice for this proposal in accordance with Government Code Section 56663(d); and

WHEREAS, all interested parties and proponents of the proposal were given an opportunity to comment; and

WHEREAS, it is desired that the proposed annexation to the Aromas Water District be subject to terms and conditions as follows:

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

1. The foregoing recitals are true and correct.
2. In reviewing this application, the Commission finds that all property owners and registered voters in said territory have been given an opportunity to testify regarding this annexation herein referred to as the Kang Annexation to Aromas Water District.
3. In reviewing this application, the Commission finds that services to be provided by the Aromas Water District are necessary and that there will not be a duplication of other powers provided by the District with any other service providers.
4. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's adopted policies.
5. The LAFCO Executive Officer's Staff Report including attachments and recommendation for approval of the proposal is hereby incorporated by reference and hereby adopted.
6. The boundary description and map, if rejected by the State Board of Equalization or amended by LAFCO, will be revised at the expense of the applicant. The applicant shall be responsible for all associated costs.
7. The boundaries, as set forth in the proposal or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits "A" Map and "B" Boundary Description attached hereto and by this reference incorporated herein subject to the terms and conditions included. The boundary description and map if amended by action of the Commission will be revised and checked by the San Benito County Surveyor at the expense of the applicant, prior to filing of the Certificate of Completion.
8. As stated in the LAFCO Staff Report of March 13, 2025, no amount of base property tax and tax increment shall be transferred in accordance with the Master Tax Sharing Agreement attached hereto as Exhibit "C".
9. Said annexation territory is found to be uninhabited (less than 12 registered voters).
10. The subject proposal is assigned the following short form designation:
LAFCO File No. 548: Kang Annexation to Aromas Water District.

11. The boundaries of the affected territory are found to be definite and certain.
12. The application for the annexation to Aromas Water District (LAFCO File No. 548) is hereby approved.
13. Further protest proceedings are waived and the Commission orders the 24.54-acre more or less annexation to the Aromas Water District pursuant to Part 4 of Division 3 of the California Government Code commencing with Section 57000. Satisfactory proof has been given that the subject territory is uninhabited, that all landowners within the affected territory have given their written consent to the proposal and all affected agencies have not objected in writing to the waiver of conducting authority proceedings (Section 56663 of Government Code). Therefore, the Commission does hereby approve and authorize the conducting authority to annex the territory described in Exhibits "A" and "B" to the Aromas Water District without notice and election.
14. All Aromas Water District previously authorized fees and charges shall apply to this annexed territory upon recordation of the Certificate of Completion.
15. Verification of payment of any charges and engineering and infrastructure costs owed (unless waived) to the County, LAFCo and (or) the District respectively shall be submitted to LAFCO prior to the issuance of the Certificate of Completion.
16. All LAFCO, San Benito County, and State of California fees must be paid in full prior to filing the Certificate of Completion. LAFCO will forward invoices and (or) a list of estimated required fees or deposits to the agency prior to filing the Certificate of Completion.
17. Two 8 1/2 x 11 reductions of all maps along with two copies of the final LAFCO approved boundary description along with an electronic copy of both the map and description shall be submitted to LAFCO prior to recordation of the Certificate of Completion. All descriptions and maps shall be wet stamped by a California Licensed Land Surveyor.
18. Approval of this annexation is conditioned upon the applicant's obligation to defend, indemnify, and hold harmless the San Benito Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this annexation. The San Benito Local Agency Formation Commission shall promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.
19. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.

20. The Notice of Exemption prepared for this annexation is hereby affirmed by San Benito LAFCO.
21. The Commission directs the Executive Officer to file a Notice of Determination within 5-days of Commission approval of this annexation. Applicant shall be responsible for payment of any documentary handling fees or Fish and Game fees required by the San Benito County Clerk or the State Department of Fish and Game.
22. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings.
23. The effective date shall be the date of recordation of the Certificate of Completion.
24. Completion of proceedings shall be concluded within one-year after adoption of this resolution. If the proceedings are not concluded within one-year after passage of this resolution, all proceedings shall be terminated.

PASSED AND ADOPTED at a regular meeting of the San Benito Local Agency Formation Commission, State of California, on the 13th day of March, 2025 by the following votes:

AYES:
NOES:
ABSTAINS:
ABSENT:

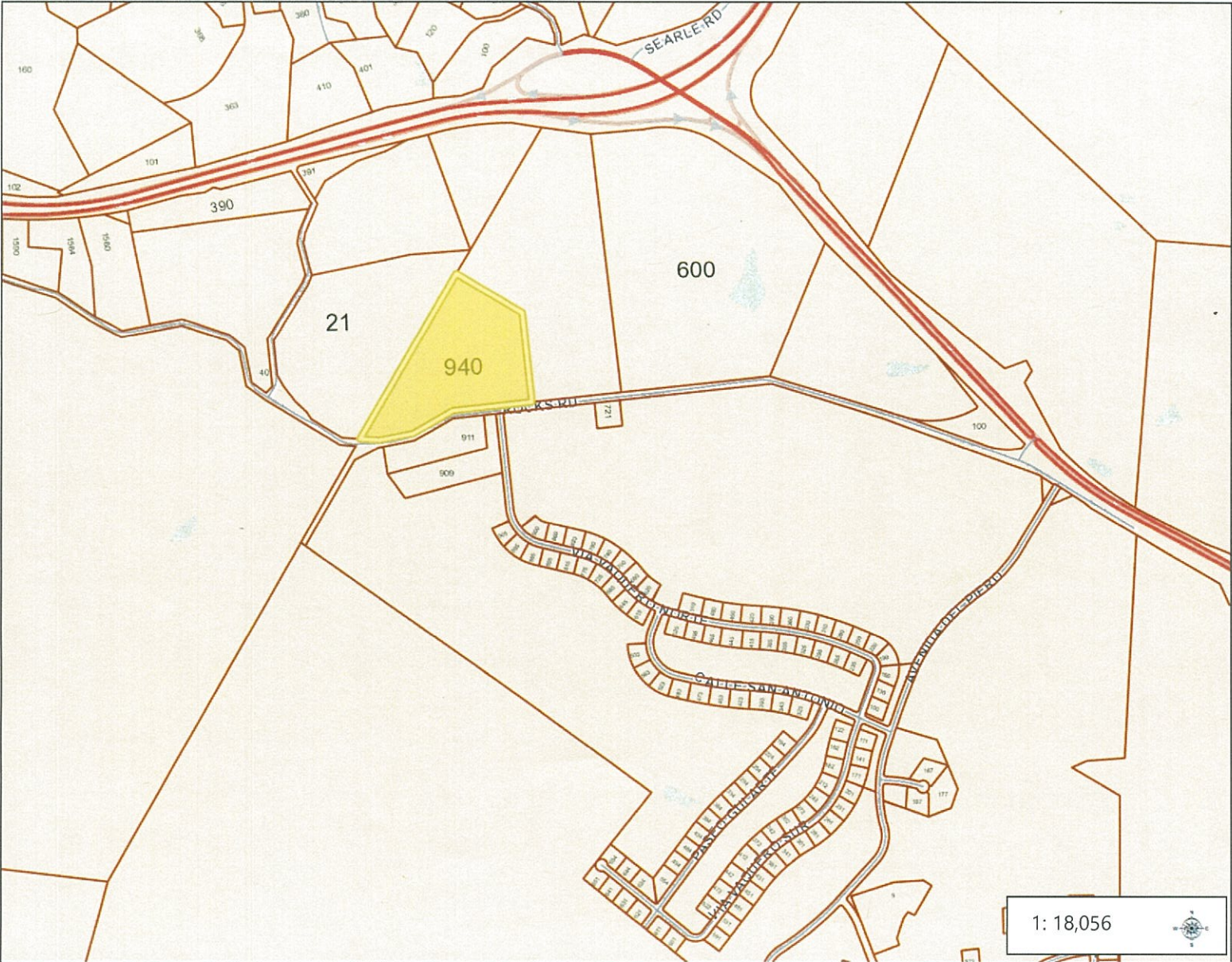
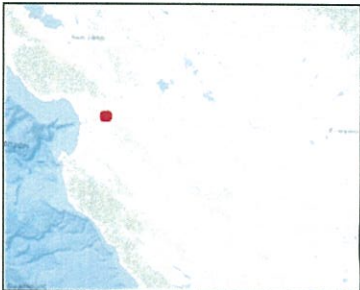
Kollin Kosmicki, Chair
San Benito Local Agency Formation
Commission

SAN BENITO LOCAL AGENCY
FORMATION COMMISSION
ATTEST:

Jennifer Stephenson
Executive Officer



County of San Benito



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

1: 18,056



3,009.3 0 1,504.66 3,009.3 Feet

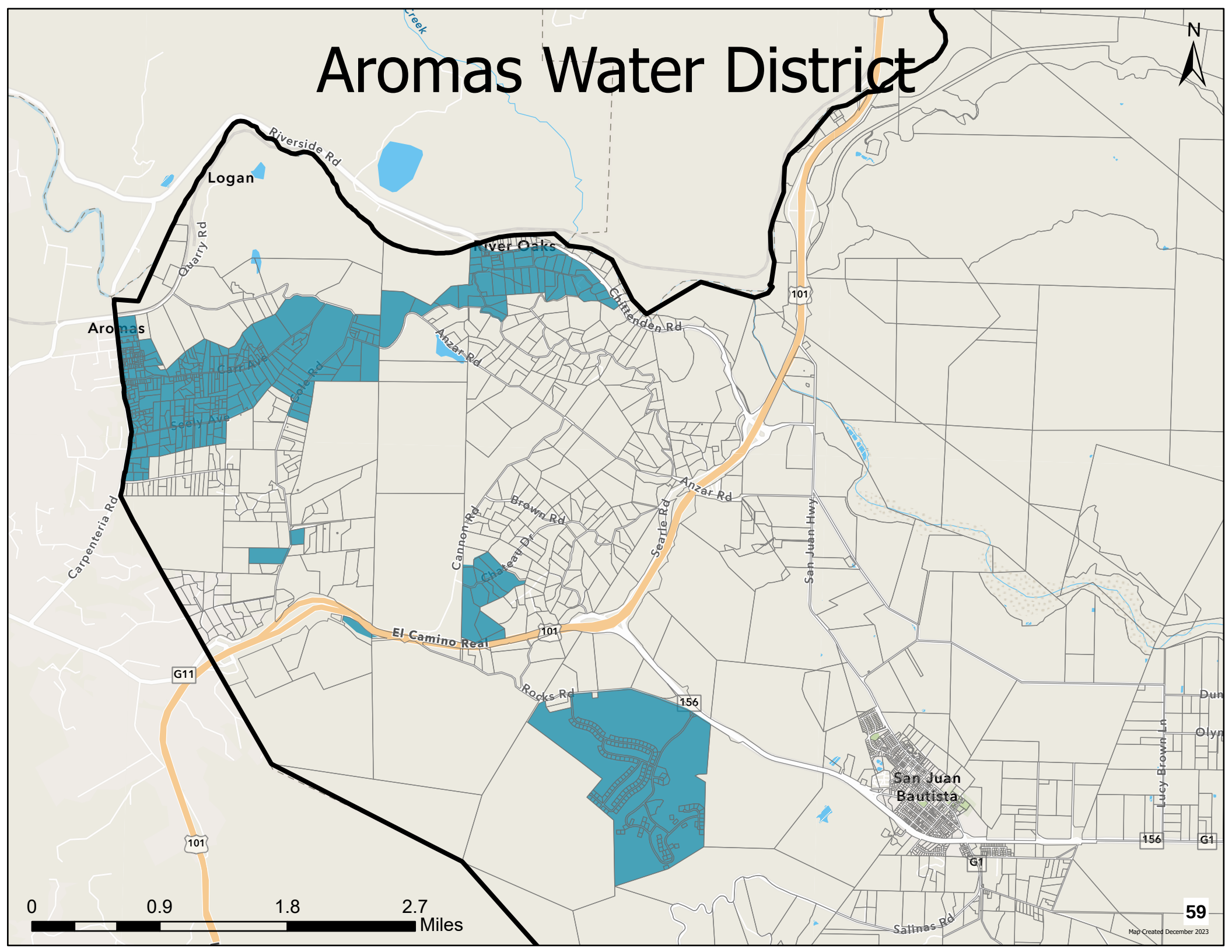
WGS_1984_Web_Mercator_Auxiliary_Sphere
©County of San Benito, GIS Services

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.

Notes

Kwan Soo Kang
940 Rocks Road
012-090-026
24.54 Acres

Aromas Water District



0 0.9 1.8 2.7 Miles

ORDER NO. : 0622018849

The land referred to is situated in the unincorporated area of the County of San Benito, State of California, and is described as follows:

Being a portion of Lot 3, as shown on that certain Map of the Rancho San Antonio, recorded in Volume 1 of Maps, Page 63, San Benito County Records, bounded by a line more particularly described as follows:

Beginning at a point on the South line of Rocks Road, formerly called the San Juan-Watsonville Road, at a point which bears North 83° 12' 00" East 472 feet from the Northwest corner of land described in the Deed to John B. McAbee, recorded November 13, 1882, in Volume 6 of Deeds, Page 490, San Benito County Records and being on the Easterly limit of the Lands of Long as shown on the Deed recorded in Volume 484 of Official Records, Page 761 San Benito County Records; thence at right angles to the North line of said land of McAbee North 6° 48' 00" West 30.00 feet; thence South 83° 12' 00" West 700.00 feet to the true point of beginning; thence along the center line of Rocks Road South 83° 12' 00" West 739.41 feet to an iron pipe; thence South 61° 12' 00" West 359.20 feet to an iron pipe; thence South 79° 12' 00" West 278.50 feet to an iron pipe; thence leaving said centerline along a line at right angles to the mean bearing of the back and forward tangent of said Rocks Road South 4° 11' 30" East 30.20 feet to an angle point in the Southerly line of Rocks Road, said point being the Northeasterly corner of that certain parcel of land described in the Certificate of Compliance recorded March 4, 2010 at Records File No. 2010-0001971, San Benito County Records; thence along the Southerly line thereof South 63° 25' 00" West 254.30 feet to a redwood stake in the line common to the Ranchos San Antonio and Aromitas y Aqua Caliente at the most Northwesterly corner of the 81.75 acre Tract of land conveyed by O'Connor to McAbee by Deed recorded in Volume 9 of Deeds, Page 521, San Benito County Records; thence along said Rancho line North 29° 41' 00" East 138.70 feet to a stake in the Southerly line of Rocks Road; thence continuing along said Rancho line North 30° 00' 00" East 33.85 feet to an iron bar in the centerline of said Rocks Road; thence continuing said Rancho line North 30° 00' 00" East 1641.01 feet to a point; thence leaving said Rancho line at right angles thereto South 60° 00' 00" East 632.49 feet; thence South 6° 48' 00" East 803.72 feet to the true point of beginning.

EXCEPTING THEREFROM those portions lying within Rocks Road.

The above is pursuant to Parcel Two of that certain Lot Line Adjustment recorded June 4, 2013 as Document No. 2013-0005761, Official Records of the County of San Benito.

APN: 012-090-026-000

BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

RESOLUTION OF THE BOARD OF SUPERVISORS	)	
OF SAN BENITO COUNTY TO ADVISE THE COUNTY	)	Resolution
AUDITOR OF ITS CONCURRENCE WITH THE AROMAS	)	No. 96- <u>109</u>
WATER DISTRICT ACTION APPROVING A ZERO	)	
<u>PROPERTY TAX EXCHANGE FOR ANNEXATIONS</u>	)	

WHEREAS, In the past the Board of Directors of the Aromas Water District (hereafter Board of Directors) adopted a resolution pursuant to Section 99.4 of the Revenue and Taxation Code, which approved a zero property tax exchange for the annexation of property, to the Aromas Water District; and

WHEREAS, the Board of Directors' decision to approve a zero property tax exchange was based in part on the fact that the Aromas Water District is going to provide water service to the annexed property, and that service will be primarily financed from service charges and not from property taxes; and

WHEREAS, the Board of Directors concluded that Annexations do not justify a change in the distribution of property taxes; and

WHEREAS, pursuant to Revenue and Taxation Code Section 99.4, Subdivision (b), the Aromas Water District notified the County of San Benito of the need of the above-referenced resolution; and

WHEREAS, if the Board of Supervisors concurs with the proposed property tax exchange of another local agency, the Board is required to notify the County Auditor of its concurrence; and

WHEREAS, the Board of Supervisors concurs with the Aromas Water District's proposed zero property tax exchange for Annexation; to the Aromas Water District;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of San Benito hereby declares that:

The County Auditor is notified by the adoption of this resolution that the Board of Supervisors concurs with the Aromas Water District Board of Directors' action approving a zero property tax exchange for the Annexations to the Aromas Water District.

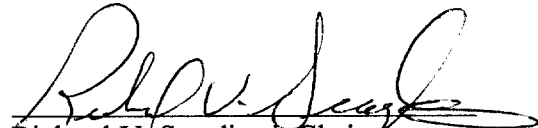
PASSED AND ADOPTED by the Board of Supervisors, County of San Benito, State of California on this 10th day of September, 1996 by the following vote:

AYES: SUPERVISORS: *Kesler, Bowling, Rodriguez, Graves, & Scagliotti*

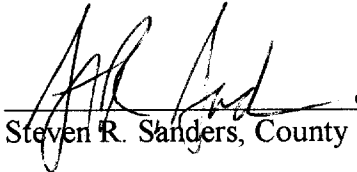
NOES: SUPERVISORS: **NONE**

ABSENT: SUPERVISORS: **NONE**

ABSTAIN: SUPERVISORS: **NONE**

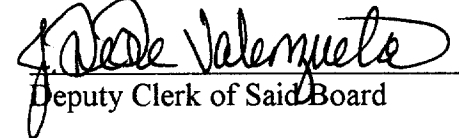

Richard V. Scagliotti, Chairman
Board of Supervisors

APPROVED AS TO LEGAL FORM:

By:  8/30/96
Steven R. Sanders, County Counsel

ATTEST:

John R. Hodges, County Clerk

By: 
Deputy Clerk of Said Board

i:\msworks\resos\aromas.wtr

CATEGORICAL EXEMPTION

Notice of Exemption

Appendix

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

SAN BENITO COUNTY CLERK - RECORDER
RECEIVED: 2-29-2024
REMOVE: 3-29-2024 SCAN: 2-29-2024

Project Title: Annexation of one residential property, APN 012-090-026-000, into the Aromas Water District (AWD) boundary.

Project Location: 940 Rocks Road, San Benito County, one existing residential parcel located contiguous to the existing AWD boundary.

Project Location City & County: San Benito County

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of the proposed action is to annex the existing residential parcel into the existing annexed area of the Aromas Water District to provide residential potable water service to the property owner, Mr. Kang.

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

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

PROJECT APPLICANT:
AROMAS WATER DISTRICT
PO Box 388
AROMAS, CA 95004

Reason Why Project is Exempt: This project is de minimis in nature. This provides municipal potable water to this existing residence, experiencing poor water quality and inadequate water quantity.

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

Signature: _____

Date: _____

2/29/24

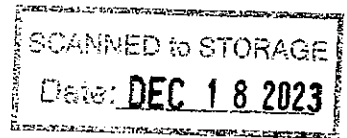
Filed in San Benito County
FRANCISCO DIAZ: County Clerk

35-20240229-006

02/29/2024
Pages: 2
Fee: \$ 50.00

By nvigna, Deputy





RESOLUTION 2023-06

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. Kwansoo Kang, APN #012-090-026-000 (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 the 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 #012-090-026-000 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 24th day of October, 2023 by the following vote:

AYES: HOLMAN, NORTON, POWERS, CAPRON

NOES:

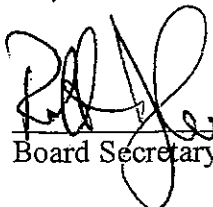
ABSTAIN:

ABSENT: MORRIS

APPROVE:

ATTEST:


Vicki Morris, Board President


Board Secretary, Robert Johnson



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:
35-20240229-006
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY AROMAS WATER DISTRICT	LEAD AGENCY EMAIL robert@aromaswaterdistrict.org	DATE 02/29/2024
COUNTY/STATE AGENCY OF FILING SAN BENITO		DOCUMENT NUMBER

PROJECT TITLE

ANNEXATION OF ONE RESIDENTIAL PROPERTY, APN 012-090-026-000, INTO THE AROMAS WATER DISTRICT

PROJECT APPLICANT NAME AROMAS WATER DISTRICT	PROJECT APPLICANT EMAIL robert@aromaswaterdistrict.org	PHONE NUMBER (831) 726-5071
PROJECT APPLICANT ADDRESS PO BOX 388	CITY AROMAS	STATE CA
		ZIP CODE 95004

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	\$4,051.25	\$	
☐ Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
☒ County documentary handling fee	\$50.00	\$	\$50.00
☐ Other		\$	

PAYMENT METHOD:

☐ Cash ☒ Credit ☐ Check ☐ Other

TOTAL RECEIVED \$ \$50.00

SIGNATURE X <i>Nancy Vigna</i>	AGENCY OF FILING PRINTED NAME AND TITLE Nancy Vigna, Deputy County Clerk-Recorder
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**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 7.1

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

EXECUTIVE OFFICER COMMUNICATIONS: THE EXECUTIVE OFFICER MAY MAKE BRIEF ANNOUNCEMENTS ABOUT LAFCO ACTIVITIES, FOR INFORMATION ONLY.

AGENDA SECTION:

INFORMATIONAL

BACKGROUND/SUMMARY:

- 1) Form 700s due April 1st
- 2) Ethics training
- 3) Application Status Summary

ATTACHMENTS:



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 7.2

MEETING DATE: 03/13/2025

DEPARTMENT: LAFCO

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

COMMISSIONER ANNOUNCEMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

AGENDA SECTION:

INFORMATIONAL

ATTACHMENTS:



**SAN BENITO LAFCO
AGENDA ITEM
TRANSMITTAL FORM**

Kollin Kosmicki
Board of Supervisors

Dom Zanger
Board of Supervisors

Roxanne
Stephens
Hollister City Council

Leslie Jordan
San Juan Bautista
City Council

Vacant
Public Member

Item Number: 8.1

MEETING DATE: 03/13/2025

DEPARTMENT: CLERK OF THE BOARD

AGENDA ITEM PREPARER: Vanessa Delgado

SUBJECT:

ADJOURN TO NEXT REGULAR MEETING UNLESS MEETING IS CANCELLED BY THE CHAIR.

AGENDA SECTION:

ADJOURNMENT

RECOMMENDATION:

Adjourn to next regular meeting unless meeting is cancelled by the Chair.

ATTACHMENTS: