



# City of San Juan Bautista

The "City of History"

P.O. Box 1420  
311 Second Street  
San Juan Bautista,  
California 95045  
Main: (831) 623-4661  
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## City Council

**Mayor**  
*Rick Edge*

**Vice Mayor**  
*Ed Lavarone*

**Councilmember**  
*Priscilla J. Hill*

**Councilmember**  
*Maggie Bilich*

**Councilmember**  
*Andrew Moore*

## City Staff

**City Manager**  
*Stephen B. Julian*

**City Clerk**  
*Linda G. McIntyre*

**City Treasurer**  
*Colleen Johnson*

**Fire Chief**  
*Scott Freels*

**City Planner**  
*Matthew Sundt*

[www.san-juan-bautista.ca.us](http://www.san-juan-bautista.ca.us)

August 12, 2009

Judi Johnson, Executive Officer  
LAFCO of San Benito County  
3224 Southside Road  
Hollister, CA 95023

### **HAND DELIVERED AUGUST 12, 2009**

**Re: Davidson Sphere of Influence Application and Government Code Section 56425(b).**

On July 7, 2009, the San Benito County Board of Supervisors approved County Resolution No. 2009-66 authorizing a proposed agreement between the City of San Jun Bautista and the County of San Benito to be forwarded to the LAFCO for consideration pursuant to Government code 56425(b). With this attached resolution your agency can now proceed to complete the review of the Davidson Sphere of Influence application that was submitted to LAFCO on May 19, 2008. We look forward to your determination that the application is complete within 30-days of receipt of this letter.

Should you have any questions, you may reach me at 623-4661 at City Hall on Tuesdays, or call me at my home office in Monterey at 372-1314.

Respectfully,

Matthew Sundt  
City Planner

cc: City Council; City Manager; Anthony Botelho; County Counsel; Michael Cady; John Truxaw; File

Attachment: County of San Benito Resolution 2009-66

**County of San Benito**

**Resolution No. 2009-66**

**RESOLUTION AUTHORIZING A PROPOSED AGREEMENT BETWEEN THE CITY OF SAN JUAN BAUTISTA AND THE COUNTY OF SAN BENITO TO BE FORWARDED TO THE LOCAL AGENCY FORMATION COMMISSION FOR CONSIDERATION PURSUANT TO GOVERNMENT CODE 56425(b)**

**WHEREAS**, the Cortese/Knox/Hertzberg Act (“the Act”) requires the Local Agency Formation Commission (LAFCO) to consider adjustments to Spheres of Influence upon the request of local agencies; and

**WHEREAS**, before a local agency submits an application to the Commission, the Act encourages the City and County to reach agreement regarding the boundaries of the proposed sphere (Exhibit A of the Attached Agreement) and development principles (Exhibit B of the Attached Agreement) to ensure that development within the sphere occurs in an orderly and logical manner; and

**WHEREAS**, Government Code 56425(b) provides that “prior to a city submitting an application to the commission to update its sphere of influence, representatives from the city and representatives from the county shall meet to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere.”

**WHEREAS**, staff from the City and County have reached a proposed agreement regarding the Sphere of Influence boundaries (Exhibit A of the Attached Agreement), and the development principles (Exhibit B of the Attached Agreement); and

**WHEREAS**, Government Code §56425(b) also indicates that if an agreement is reached between the City and the County, the City shall forward the agreement in writing to the commission, along with the application to update the sphere of influence.

**WHEREAS**, Government Code §56425(c) provides, in part, “if the commission's final determination is consistent with the agreement reached between the city and county pursuant to subdivision (b), the agreement shall be adopted by both the city and county after a noticed public hearing.

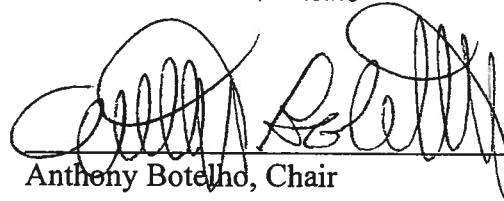
**WHEREAS**, LAFCO is required by Government Code 56425 (b) to give great weight to this agreement in making its final determination of the city’s Sphere of Influence.

**NOW, THEREFORE, BE IT RESOLVED**, by the San Benito County Board of Supervisors that the Board of Supervisors has considered the attached agreement and authorizes the City of San Juan Bautista to forward the attached agreement to the Local Agency Formation Commission for consideration pursuant to Government Code §56425.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BENITO THIS 7th DAY OF JULY, 2009 BY THE FOLLOWING VOTE:

Ayes: Supervisor(s): **Monaco, Loe, Barrios, De La Cruz, Botelho**  
Noes: Supervisor(s): *None*  
Absent: Supervisor(s): *None*  
Abstain: Supervisor(s): *None*

By:

  
Anthony Botelho, Chair

**ATTEST:**

Linda Churchill  
Clerk of the Board of Supervisors

By: *Linda Churchill*

Date: 7/7/09

**APPROVED AS TO LEGAL FORM:**

San Benito County Counsel

By: *Barbara Thompson*  
Barbara Thompson, Acting County Counsel

Date: 7/1/09

**MEMORANDUM OF AGREEMENT  
BETWEEN THE CITY OF SAN JUAN BAUTISTA AND  
THE COUNTY OF SAN BENITO  
REGARDING THE CITY'S SPHERE OF INFLUENCE**

This Agreement is entered into on this        day of June, 2009, by and between the City of San Juan Bautista (hereafter "City") and the County of San Benito (hereafter "County").

**WITNESSETH**

**WHEREAS**, the Cortese/Knox/Hertzberg Act ("the Act") requires the Local Agency Formation Commission (LAFCO) to consider adjustments to Spheres of Influence upon the request of local agencies; and

**WHEREAS**, a Sphere of Influence is defined by Government Code 56076 as a plan for the probable physical boundaries and service area of a local agency, and pursuant to Government Code 56425 has been identified by the County of San Benito and the City of San Juan Bautista as contained in Exhibit A; and

**WHEREAS**, before a local agency submits an application to the Commission, the Act encourages the City and County to reach agreement regarding the boundaries (Exhibit A) and development principles (Exhibit B) to ensure that development within the sphere occurs in an orderly and logical manner; and

**WHEREAS**, the City's General Plan provides a clear policy base for growth and development in the Sphere of Influence areas and defines programs that the City will implement to ensure the preservation of the agricultural land, open space and the rural character of San Juan Bautista; and

**WHEREAS**, the City and County have reached an agreement regarding the Sphere of Influence boundaries (Exhibit A), and the development principles (Exhibit B); and

**WHEREAS**, LAFCO is required by Government Code 56425 (b) to give great weight to this agreement in making its final determination of the city's Sphere of Influence.

**NOW, THEREFORE**, the parties agree as follows:

1. The Sphere of Influence boundary contained in Exhibit A provides for the orderly and logical growth for the City of San Juan Bautista.

EXHIBIT A  
SPHERE OF INFLUENCE BOUNDARY MAP



# San Benito County

 Davidson Property

 San Juan Bautista City Limit

 San Juan Bautists SOI

CAGNEY LN

SAN JUAN HOLLISTER RD

MISSION VINEYARD RD

SAN JUAN CANYON RD

ROSS DR

THE ALAMEDA

SIXTH ST

LANG ST

APN: 023-160-008

APN: 023-160-004

SALINAS RD

ODD STAG ECKBACH RD



EXHIBIT B  
DEVELOPMENT PRINCIPLES

The following development principles are agreed to and shall be used by the City of San Juan Bautista and the County to guide development within the proposed Sphere of Influence as described in Exhibit A and to update their General Plans.

1. **Intent.** It is the intent of the County and the City to work cooperatively towards the goal of developing the agreed upon Sphere of Influence (as shown in Exhibit A) in an orderly and logical manner consistent with the Cortese/Knox/Hertzberg Act, the City and County General Plans, the California Environmental Quality Act and any other applicable laws and regulations.
2. **Interagency Cooperation.** The City and the County shall work cooperatively on planning for land use, circulation connections, agricultural land and open space preservation by referring discretionary development projects and General Plan Amendments within each agency's jurisdiction to the other for review and comment prior to action on a development proposal. This provision shall not supersede or terminate other methods of commenting or providing feedback regarding a proposal or project.
3. **County Ordinances and General Plan.** Prior to annexation to the City, any development proposed for the affected area shall be processed in accordance with the County's General Plan and zoning ordinance.
4. **City Processing.** The City intends to complete pre-zoning, pre-annexation, and any necessary entitlement activities prior to or concurrent with an annexation proposal being processed by LAFCO.