

**San Benito County
AIRPORT LAND USE COMMISSION
REGULAR MEETING**

August 15, 2013 3:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

Vice Chair Gomez, Director Boch, Director De La Cruz, and Director Scattini

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Transportation Planning Manager, Mary Gilbert; Transportation Planner, Veronica Lezama ; Secretary, Monica Gomez

CALL TO ORDER:

Vice Chair Gomez called the meeting to order at 4:57 P.M.

A. Acknowledge Certificate of Posting

Upon a motion duly made by Director De La Cruz, and seconded by Director Scattini the Directors approved the Certificate of Posting.

B. Public Comment: None

CONSENT AGENDA:

1. Approve Airport Land Use Commission Draft Meeting Minutes dated April 18, 2013 – Gomez

There was no public comment on the Consent Agenda.

Upon a motion duly made by Director De La Cruz, and seconded by Director Scattini, the Directors approved Item 1 from the Consent Agenda.

REGULAR AGENDA:

2. Airport Land Use Commission (ALUC) Fee Schedule – Lezama

- A) HOLD** Public Hearing on Proposed ALUC Fee Schedule; and
- B) ADOPT** Notice of Exemption pursuant to the California Environmental Quality Act (“CEQA”) California Public Resources Code Sections 21065 and 21080 (b)(8) and CEQA Guidelines, California Code of Regulations, Title 14, Sections 15061 (b)(1) and 15273(a); and
- C) ADOPT** Resolution No. 13-01 Adopting a Fee Schedule which Levies a New Fee on Project Proponents for the Cost of Project Reviews Conducted by ALUC.

Ms. Lezama reported that the newly adopted Hollister Municipal Airport Land Use Compatibility Plan recommends that the Airport Land Use Commission consider adopting a fee schedule for the purpose of recovering costs for conducting project reviews. The proposed fees do not exceed the estimated reasonable cost of providing the services.

Ms. Lezama reported that the Airport Land Use Commission receives no funding. ALUC staff time is funded

through the Council of Governments' Planning and Subvention budget.

The proposed ALUC fee structure is based on actual personnel time spent on reviewing a project proposed within the Airport Influence Area. The fee shall be calculated by multiplying ALUC's personnel hourly rate by the number of hours spent on a project review. ALUC Personnel classifications and hourly rates are listed below.

Ms. Lezama mentioned that timely notice of the fee and public hearing was published in the *Freelance Newspaper* for review and comment for ten days prior to this public hearing. In addition a Notice of Exemption was prepared for the proposed Fee Structure pursuant to the California Environmental Quality Act.

Director Boch recommended that staff charge the applicant an upfront deposit for the fees. He stated that the City of San Juan Bautista has encountered problems with applicants who do not complete their project and the City is left with the bill.

Director De La Cruz concurred with Director Boch's recommendation. Although, he believed it was anti-business, he stated that everyone is heading in the same direction and somehow the Government has to recover costs.

Vice-Chair Gomez opened the Public Hearing at 5:00 p.m. There were no members from the public present for the hearing. Vice- Chair Gomez closed the Public Hearing at 5:00 p.m.

The Commission discussed having staff come back with a fee schedule that includes an upfront fee for the applicant.

County Counsel, Shirley Murphy mentioned that staff would have to redo the public hearing notice.

Upon a motion duly made by Director Boch, and seconded by Director De La Cruz, The Airport Land Use Commission directed staff to proceed with preparing the necessary documents for establishing a fee schedule that includes a reasonable upfront deposit for the purpose of recovering costs for conducting ALUC project reviews. Motion Passes 4/0

Upon a motion duly made by Director De La Cruz, and seconded by Director Boch, the Directors voted to adjourn the ALUC Meeting.

ADJOURN TO ALUC MEETING THURSDAY, SEPTEMBER 19, 2013.