

Local Agency Formation Commission of Santa Clara County

777 North First Street Suite 410 San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners Rich Constantine Susan Ellenberg Sergio Jimenez Yoriko Kishimoto Linda J. LeZotte Mike Wasserman Susan Vicklund Wilson **Alternate Commissioners** 

Helen Chapman Cindy Chavez Matt Mahan Russ Melton Terry Trumbull

**Executive Officer** Neelima Palacherla

# LAFCO MEETING MINUTES WEDNESDAY, JUNE 1, 2022

# CALL TO ORDER

The meeting was called to order at 1:15 p.m.

Pursuant to the provisions of Government Code section 54953(e), this meeting was held by teleconference only.

# 1. ROLL CALL

## The following commissioners were present:

- Chairperson Rich Constantine
- Commissioner Ellenberg
- Commissioner Sergio Jimenez
- Commissioner Linda J. LeZotte
- Commissioner Mike Wasserman
- Commissioner Susan Vicklund Wilson
- Alternate Commissioner Helen Chapman
- Alternate Commissioner Russ Melton
- Alternate Commissioner Terry Trumbull

## The following commissioners were absent:

- Commissioner Yoriko Kishimoto
- Alternate Commissioner Cindy Chavez
- Alternate Commissioner Matt Mahan

## The following staff members were present:

- Neelima Palacherla, LAFCO Executive Officer
- Dunia Noel, LAFCO Assistant Executive Officer
- Emmanuel Abello, LAFCO Clerk
- Mala Subramanian, LAFCO Counsel

## 2. PUBLIC COMMENTS

There were none.

## 3. APPROVE CONSENT CALENDAR

**Chairperson Constantine** determined that there are no members of the public who would like to speak on the item.

**Commissioner Wasserman** proposed to add Item #8 on the consent calendar since the agenda packet includes a detailed report. **Commissioner Ellenberg** stated that there were no reports for Items #12, #13 and #14 and proposed that these be taken up on consent.

The Commission approved agenda items #4, #5, #8, #12, #13 and #14 on consent.

Motion: Wasserman Second: Ellenberg

AYES: Chapman, Constantine, Ellenberg, Jimenez, LeZotte, Wasserman, Vicklund Wilson

NOES: None ABSTAIN: None ABSENT: Kishimoto

## **MOTION PASSED**

# \*4. CONSENT ITEM: APPROVE MINUTES OF APRIL 6, 2022 LAFCO MEETING

The Commission approved the minutes of April 6, 2022 meeting.

# \*5. CONSENT ITEM: RESOLUTION 2022-08 ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING COVID-19 STATE OF EMERGENCY UNDER GC §54953(e)

The Commission adopted Resolution No. 2022-08 allowing for video and teleconferencing meetings during COVID-19 State of Emergency under GC §54953(e).

# 6. FINAL BUDGET FOR FY 2023

Ms. Palacherla presented a brief report.

This being the time and place for the public hearing, **Chairperson Constantine** declared the public hearing open, noted that there are no speakers from the public, and closed the public hearing.

**Commissioner Ellenberg** proposed that the final budget next year include details explaining each of the line item to ensure transparency. Ms. Palacherla advised that the staff report on the proposed budget in April included details on each line item. **Commissioner Ellenberg** indicated that the final budget must have that same level of detail for transparency and so it is easy to understand how the budget was used in furtherance of LAFCO goals. Ms. Palacherla indicated that both the staff reports for the proposed and final budgets are provided to all local agencies and posted on the LAFCO website. **Commissioner Ellenberg** stated that it would be more transparent if the public can review the final budget and see all the details without the need to review prior staff report, and **Chairperson Constantine** expressed agreement. **Commissioner LeZotte** likewise agreed and expressed support for approval. She stated that she had served on the Finance Committee and is confident that Commissioner Jimenez and Alternate Commissioner Melton have reviewed the budget. **Chairperson Constantine** determined that there are no members of the public who would like to speak on the item and moved for approval of the staff recommendations.

**Commissioner Ellenberg** proposed to amend the motion to include direction to staff that the future final budget provide details on how each expenditure item supports LAFCO's mission and goals. **Commissioner Wilson** seconded. In response to an inquiry by **Commissioner LeZotte**, **Chairperson Constantine** confirmed that the amended motion includes staff recommendation items 1 through 4, plus the direction to staff as proposed by Commissioner Ellenberg.

The Commission:

- 1. Adopted the Final Budget for Fiscal Year 2022-2023.
- 2. Found that the Final Budget for Fiscal Year 2023 is expected to be adequate to allow the Commission to fulfill its statutory responsibilities.
- 3. Authorized staff to transmit the Final Budget adopted by the Commission including the estimated agency costs to the cities, the special districts, the County, the Cities Association of Santa Clara County and the Santa Clara County Special Districts Association.
- 4. Directed the County Auditor-Controller to apportion LAFCO costs to the cities; to the special districts; and to the County; and to collect payment pursuant to Government Code §56381.
- 5. Directed staff to provide in future final budget details on how each expenditure item supports LAFCO mission and goals.

Motion: Constantine Second: Vicklund Wilson

AYES: Chapman, Constantine, Ellenberg, Jimenez, LeZotte, Wasserman, Vicklund Wilson

NOES: None ABSTAIN: None ABSENT: Kishimoto

## **MOTION PASSED**

## 7. UPDATE ON COUNTYWIDE FIRE SERVICE REVIEW: NEW CONSULTANT AND NEXT STEPS

Ms. Palacherla presented a brief report.

In response to **Commissioner Ellenberg**, Ms. Palacherla informed that the Technical Advisory Committee, which was established for the Countywide Fire Service Review, is a standing committee and subject to the Brown Act.

**Chairperson Constantine** determined that there are no members of the public who would like to speak on the item.

In response to **Commissioner Wasserman**, Ms. Subramanian advised that this item does not need action.

The Commission noted the report.

# \*8. CONSENT ITEM: EXECUTIVE OFFICER'S REPORT

The Commission noted the report.

- 8.1 Update on County's Classification Study for LAFCO
- 8.2 Meetings with County Planning on Housing Element Update
- 8.3 Meetings on Potential Monte Sereno Island Annexations
- 8.4 Inquiries on Lion's Gate Community Services District and Cordevalle Subdivision
- 8.5 Joint Venture Silicon Valley's 2022 State of the Valley Conference
- 8.6 Special Districts Association Meeting
- 8.7 Santa Clara County Association of Planning Officials Meeting
- 8.8 Inter-Jurisdictional GIS Working Group Meetings
- 8.9 Public Records Act Request

## 9. CALAFCO RELATED ACTIVITIES

## 9.1 2022 CALAFCO Annual Conference (October 19 – 21)

Ms. Noel presented a brief report.

In response to **Commissioner LeZotte**, Ms. Noel advised that the FY2023 budget has allocation for commissioners to attend this annual conference. In response to **Commissioner Jimenez**, Ms. Noel informed that alternate commissioners may attend when the delegates are unable to attend. She indicated that the budget allows for a few members to attend but it is unlikely that many can. Ms. Palacherla expressed agreement and indicated that alternate commissioners have attended in the past.

**Chairperson Constantine** determined that there are no members of the public who would like to speak on the item.

The Commission authorized commissioners and staff to attend the Annual Conference and directed that associated travel expenses be funded by the LAFCO Budget for Fiscal Year 2023.

Motion: Vicklund Wilson

Second: Chapman

AYES: Chapman, Constantine, Ellenberg, Jimenez, LeZotte, Wasserman, Vicklund Wilson

NOES: None

ABSTAIN: None

**ABSENT: Kishimoto** 

**MOTION PASSED** 

#### 9.2 CALAFCO Quarterly Newsletter

The Commission noted the report.

## 10. LEGISLATIVE REPORT – UPDATE AND POSITION LETTER

Ms. Noel presented the staff report.

**Chairperson Constantine** determined that there are no members of the public who would like to speak on the item.

The Commission:

- 1. Accepted the report.
- 2. Took a support position on SB 938 and authorized LAFCO staff to send a letter of support signed by the LAFCO Chair.

**Motion: Constantine** 

Second: Vicklund Wilson

AYES: Chapman, Constantine, Ellenberg, Jimenez, LeZotte, Wasserman, Vicklund Wilson

NOES: None	ABSTAIN: None	ABSENT: Kishimoto
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## **MOTION PASSED**

## 11. PENDING APPLICATIONS / UPCOMING PROJECTS

The Commission noted the pending application, Gilroy Urban Service Area Amendment 2021 – Wren Investors and Hewell.

In response to **Commissioner Wasserman**, Ms. Palacherla indicated that no documents were provided to the commission on this item.

## \*12. CONSENT ITEM: COMMISSIONER REPORTS

There were none.

# \*13. CONSENT ITEM: NEWSPAPER ARTICLES / NEWSLETTERS

There were none.

# \*14. CONSENT ITEM: WRITTEN CORRESPONDENCE

There were none.

# 15. ADJOURN

The Commission adjourned at 1:42 p.m., to the next regular LAFCO meeting on August 3, 2022, at 1:15 p.m., in the Board of Supervisors' Chambers, 70 West Hedding Street, San Jose.

Approved on August 3, 2022.

— Docusigned by: Kich Constantine — 49E434F935CF48E...

Rich Constantine, Chairperson Local Agency Formation Commission of Santa Clara County

—Docusigned by: Emmanuel Abello

By: <u>43C41738CE194CA...</u> Emmanuel Abello, LAFCO Clerk