



**Local Agency
Formation Commission
of Santa Clara County**

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Sylvia Arenas
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Russ Melton
Susan Vicklund Wilson

Alternate Commissioners

Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner

Executive Officer
Neelima Palacherla

REGULAR MEETING

Board of Supervisors' Chambers, 70 West Hedding Street, First Floor
San Jose, CA 95110

APRIL 5, 2023 • 1:15 PM

AGENDA

Chairperson: Susan Vicklund Wilson

PUBLIC ACCESS AND PARTICPATION

This meeting will be held in person at the location listed above. Currently, members of the public may also attend by virtual teleconference. To attend the meeting by virtual teleconference, access the meeting at <https://sccgov-org.zoom.us/j/94707905179> or by dialing **(669) 900-6833** and entering **Meeting ID 947 0790 5179#** when prompted.

PUBLIC COMMENT INSTRUCTIONS

Written Public Comments may be submitted by email to LAFCO@ceo.sccgov.org. Written comments will be distributed to the Commission as quickly as possible. Please note that documents may take up to 24 hours to be posted to the agenda on the LAFCO website.

Spoken public comments may be provided in-person at the meeting. Persons who wish to address the Commission on an item are requested to complete a Request to Speak Form and place it in the designated tray near the dias. Request to Speak Forms must be submitted prior to the start of public comment for the desired item. For items on the Consent Calendar or items added to the Consent Calendar, Request to Speak Forms must be submitted prior to the call for public comment on the Consent Calendar. Individual speakers will be called to speak in turn. Speakers are requested to limit their comments to the time limit allotted.

Spoken public comments may also be provided through the teleconference meeting. To address the Commission virtually, click on the link <https://sccgov-org.zoom.us/j/-94707905179> to access the meeting and follow the instructions below:

- You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you when it is your turn to speak.
- When the Chairperson calls for the item on which you wish to speak, click on "raise hand" icon. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak. Call-in attendees press *9 to request to speak, and *6 to unmute when prompted.
- When called to speak, please limit your remarks to the time limit allotted.

NOTICE TO THE PUBLIC

1. Pursuant to Government Code §84308, no LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO. Prior to rendering a decision on a LAFCO proceeding, any LAFCO commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a commissioner receives a contribution which would otherwise require disqualification returns the contribution within 30 days of knowing about the contribution and the proceeding, the commissioner shall be permitted to participate in the proceeding. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO commissioner. For forms, visit the LAFCO website at www.santaclaralafco.org. No party, or his or her agent and no participant, or his or her agent, shall make a contribution of more than \$250 to any LAFCO commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO.
2. Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the FPPC: www.fppc.ca.gov. Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).
3. Pursuant to Government Code §56300(c), LAFCO adopted lobbying disclosure requirements which require that any person or entity lobbying the Commission or Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. In addition to submitting a declaration, any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. Additionally, every applicant shall file a declaration under penalty of perjury listing all lobbyists that they have hired to influence the action taken by LAFCO on their application. For forms, visit the LAFCO website at www.santaclaralafco.org.
4. Any disclosable public records related to an open session item on the agenda and distributed to all or a majority of the Commissioners less than 72 hours prior to that meeting are available for public inspection at the LAFCO Office, 777 North First Street, Suite 410, San Jose, California, during normal business hours. (Government Code §54957.5.)
5. In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408) 993-4705.

1. ROLL CALL

2. LAFCO MEMBERSHIP CHANGES

3. PUBLIC COMMENTS

This portion of the meeting provides an opportunity for members of the public to address the Commission on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off- agenda items unless authorized by law. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

4. APPROVE CONSENT CALENDAR

The Consent Calendar includes Agenda Items marked with an asterisk (*). The Commission may add to or remove agenda items from the Consent Calendar. All items that remain on the Consent Calendar are voted on in one motion. If an item is approved on the Consent Calendar, the specific action recommended by staff is adopted. Members of the public who wish to address the Commission on Consent Calendar items should comment under this item.

***5. APPROVE MINUTES OF FEBRUARY 1, 2023 LAFCO MEETING**

PUBLIC HEARING

6. GILROY URBAN SERVICE AREA AMENDMENT 2021 (WREN INVESTORS & HEWELL)

Proposal to expand Gilroy’s urban service area to include two areas: Area A, approximately 50.3 acres, is located west of Wren Avenue and south of Vickery Avenue and includes 13 parcels (APNs 790- 09- 006, 008, 009, 010, 011; 790- 17- 001, 004, 005, 006, 007, 008, 009 and 010); and Area B, approximately 5.36 acres, is located northeast of Vickery Lane and Kern Avenue and includes two parcels (APNs 790-06-017 and 018).

Option 1 - Staff Recommendation:

- 1a. Deny the proposed City of Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell).
- 1b. Denial of the project does not require a CEQA Action.

Option 2 - Other Option for Commission Consideration:

- 2a. Approve the proposed City of Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell).
- 2b. In order to approve the project, LAFCO as a Responsible Agency under CEQA, must take the following actions regarding the Mitigated Negative Declaration for this project:
 - Find that the Initial Study and Mitigated Negative Declaration approved by the City of Gilroy on January 27, 2021 were completed in compliance with

CEQA and are an adequate discussion of the environmental impacts of the project

- Find that prior to making a decision on this project, LAFCO reviewed and considered the environmental effects of the project as outlined in the Initial Study and Mitigated Negative Declaration.
- Find that the City of Gilroy submitted a mitigation monitoring program and that the monitoring program ensures compliance with the mitigation measures identified in the Mitigated Negative Declaration that would eliminate or reduce significant adverse environmental effects to less than significant levels, associated with the Urban Service Area expansion over which LAFCO has responsibility.

7. PROPOSED WORK PLAN AND BUDGET FOR FY 2024

Recommended Action:

1. Adopt the Proposed Work Plan for Fiscal Year 2023-2024.
2. Adopt the Proposed Budget for Fiscal Year 2023-2024.
3. Find that the Proposed Budget for Fiscal Year 2024 is expected to be adequate to allow the Commission to fulfill its statutory responsibilities.
4. Authorize staff to transmit the Proposed Budget adopted by the Commission including the estimated agency costs as well as the LAFCO public hearing notice for the adoption of the Fiscal Year 2024 Final Budget to the cities, the special districts, the County, the Cities Association of Santa Clara County and the Santa Clara County Special Districts Association.

ITEMS FOR ACTION / INFORMATION

8. APPOINTMENT OF PUBLIC MEMBER AND ALTERNATE PUBLIC MEMBER

Recommended Action: Interview, select, and appoint a public member and an alternate public member to LAFCO, to each serve a four-year term from June 2023 through May 2027.

9. UPDATE ON COUNTYWIDE FIRE SERVICE REVIEW

Recommended Action:

1. Appoint one LAFCO Commissioner to serve on the Countywide Fire Service Review Technical Advisory Committee in place of Commissioner Vicklund Wilson, whose term on LAFCO ends May 31, 2023.
2. Accept report and provide direction, as necessary.

***10. AMENDMENT TO MOU BETWEEN COUNTY OF SANTA CLARA AND LAFCO OF SANTA CLARA REGARDING WEBCASTING SERVICES FOR LAFCO MEETINGS**

Recommended Action: Approve the proposed amendment to the Memorandum of Understanding (MOU) between County of Santa Clara and LAFCO of Santa Clara regarding the County's provision of webcasting services for LAFCO meetings held in the County Board Chambers, extending the term, and updating the rates for reimbursable expenses.

11. EXECUTIVE OFFICER'S REPORT

Recommended Action: Accept report and provide direction, as necessary.

11.1 Update on LAFCO Clerk Recruitment

11.2 Presentation on LAFCO to Santa Clara Valley Open Space Authority

11.3 Meeting on Bay Area People's Food & Farm Project

11.4 Special Districts Association Meeting

11.5 Laserfische Server Migration Services

12. APPOINTMENT OF 2023 LAFCO CHAIRPERSON AND VICE-CHAIRPERSON

Recommended Action: Appoint a commissioner to serve as Chairperson for 2023 and appoint a commissioner to serve as Vice-Chairperson for 2023.

13. PENDING APPLICATIONS / UPCOMING PROJECTS

14. COMMISSIONER REPORTS

15. NEWSPAPER ARTICLES / NEWSLETTERS

16. WRITTEN CORRESPONDENCE

- A letter from Burbank Sanitary District re. Burbank Annexation 44, 1881 West San Carlos, APNs 274-16-050, 052, 053, 069 and 070 – March 28, 2023 City Council Agenda (March 21, 2023)

17. ADJOURN

Adjourn to the regular LAFCO meeting on June 7, 2023 at 1:15 PM in the Board of Supervisors' Chambers, 70 West Hedding Street, San Jose.



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ITEM # 2

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

LAFCO MEETING: April 5, 2023
TO: LAFCO
**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer**
SUBJECT: LAFCO MEMBERSHIP CHANGES

FOR INFORMATION ONLY

In mid-February 2023, LAFCO welcomed two new alternate commissioners and one regular commissioner, as discussed in greater detail below.

WELCOME NEW COMMISSIONERS

Russ Melton (appointed by the City Selection Committee)

On February 9, 2023, the City Selection Committee appointed Russ Melton (Councilmember, City of Sunnyvale) to serve as regular member on LAFCO. Commissioner Melton replaces former Commissioner Rich Constantine, whose term as Morgan Hill’s Mayor ended in December 2022. Commissioner Melton will complete former Commissioner Constantine’s remaining four-year term on LAFCO which is set to expire May 31, 2024. Prior to this new appointment, Commissioner Melton served as an alternate member on LAFCO, beginning in February 2017.

Mark Turner (appointed by the City Selection Committee)

On February 9, 2023, the City Selection Committee appointed Mark Turner (Mayor, City of Morgan Hill) to serve as alternate member on LAFCO. Alternate Commissioner Turner replaces former Alternate Commissioner Melton, who was recently appointed as regular member on LAFCO. Alternate Commissioner Turner will complete former Alternate Commissioner Melton’s remaining four-year term on LAFCO which is set to expire May 31, 2024.

Domingo Candelas (appointed by the City of San Jose)

In mid-February 2023, the City of San Jose appointed Domingo Candelas (Councilmember, City of San Jose) to serve as the alternate member on LAFCO. Alternate Commissioner Candelas replaces former Alternate Commissioner Mahan. Alternate Commissioner Candelas will complete former Alternate Commissioner Mahan’s remaining four-year term on LAFCO which is set to expire on May 31, 2024.

LAFCO ORIENTATION PROGRAM

LAFCO staff conducts an orientation program to educate incoming commissioners on the history and purpose of LAFCO, its State mandate, the role of commissioners and staff; and Santa Clara LAFCO's key planning boundaries, regulatory and planning tools, application review process, service reviews program, decision-making process, policies and procedures, outreach and collaboration efforts, and current/upcoming projects. Staff conducted an orientation session for Alternate Commissioner Candelas on March 20, 2023 and will conduct an orientation session for Alternate Commissioner Turner on April 3, 2023.



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ITEM # 5

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

**LAFCO MEETING MINUTES
WEDNESDAY, FEBRUARY 1, 2023**

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 Susan Vicklund Wilson
- Commissioner Sylvia Arenas
- Commissioner Jim Beall
- Commissioner Rosemary Kamei
- Commissioner Yoriko Kishimoto
- Commissioner Otto Lee
- Alternate Commissioner Helen Chapman
- Alternate Commissioner Russ Melton (voting in place of the cities member due to vacant cities position)
- Alternate Commissioner Terry Trumbull

The following commissioners was absent:

- Alternate Commissioner Cindy Chavez

The following staff members were present:

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

2. LAFCO MEMBERSHIP CHANGES

Chairperson Vicklund Wilson welcomed Commissioners Sylvia Arenas, Jim Beall, Rosemary Kamei and Otto Lee. She announced that there are vacancies for the cities member and City of San Jose alternate member, which would be appointed shortly.

3. PUBLIC COMMENTS

There were none.

4. APPROVE CONSENT CALENDAR

Chairperson Vicklund Wilson proposed to add Items #5, #9 and #14.1 to the consent calendar.

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

Commissioners Kamei and Lee expressed support for approval of the consent calendar but stated they would abstain on Item #5 as they were not present at that time.

Ms. Palacherla informed that Alternate Commissioner Melton is present and will be voting in place of the vacant cities seat.

The Commission approved the consent calendar, with Commissioners Kamei and Lee abstaining on Item #5.

Motion: Kishimoto

Second: Melton

AYES: Arenas, Beall, Kamei, Kishimoto, Lee, Melton, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

***5. CONSENT ITEM: APPROVE MINUTES OF DECEMBER 7, 2022 LAFCO MEETING**

The Commission approved the minutes of December 7, 2022 meeting, with Commissioners Kamei and Lee abstaining.

***6. CONSENT ITEM: RESOLUTION 2023-01 ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING COVID-19 STATE OF EMERGENCY UNDER GC §54953(e)**

The Commission adopted Resolution No. 2023-01 allowing for video and teleconferencing meetings during COVID-19 State of Emergency under GC §54953(e).

7. GILROY URBAN SERVICE AREA AMENDMENT 2021 (WREN INVESTORS & HEWELL)

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

Commissioner Arenas lost internet connection and was unable to indicate her vote, and Ms. Subramanian advised that no vote will be entered.

The Commission continued the public hearing on the Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell) to the April 5, 2023 LAFCO meeting.

Motion: Melton

Second: Kishimoto

AYES: Beall, Kamei, Kishimoto, Lee, Melton, Vicklund Wilson

NOES: None

ABSTAIN: Arenas

ABSENT: None

MOTION PASSED

8. GUEST SPEAKER – LAFCO’S PAST, PRESENT AND FUTURE

Chairperson Vicklund Wilson introduced the guest speaker, Mr. Don Weden. Mr. Weden made a PowerPoint presentation on LAFCO’s Past, Present and Future.

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

Chairperson Vicklund Wilson expressed appreciation to Mr. Weden for the informative presentation. She proposed that the Commission hold a retreat considering that LAFCO’s membership has changed significantly, and she suggested that Mr. Weden be invited to make a presentation at that time.

Commissioner Lee agreed and stated that he learned a lot about LAFCO history and would like a copy of the slides. **Commissioner Melton** expressed agreement and informed that he attended Mr. Weden’s presentation at a LAFCO retreat about five years ago, and it is relevant today as it was then. He agreed that there is a need for a retreat and proposed that it could be held in the Fall.

***9. CONSENT ITEM: APPOINTMENT OF 2023 LAFCO CHAIRPERSON AND VICE-CHAIRPERSON**

The Commission continued the appointment of 2023 Chairperson and Vice-Chairperson to the April 5, 2023 LAFCO meeting to allow for LAFCO to have a fully seated Commission.

10. UPDATE ON COUNTYWIDE FIRE SERVICE REVIEW

Ms. Noel presented the staff report.

In response to **Commissioner Beall**, Ms. Noel informed that the consultant is closely coordinating with CalFire and that while the agency is not on the TAC, it is represented in the fire service review process since it has contracts with some of the jurisdictions in the county for fire services. **Commissioner Beall** informed that the State has urban forestry management grants for open space districts and fire safe councils. He proposed exploring application for a grant to fund fire safety planning. Ms. Noel thanked Commissioner Beall and indicated that fire safe councils play a significant role. **Commissioner Kishimoto** indicated that the grant can be used for fire prevention work of fire agencies. She also expressed that her interest with regards to wildland urban interface, and noted that she will have questions on that topic at the next TAC meeting.

Cody Einfalt, Management Analyst, Town of Los Altos Hills, inquired about the agency profiles being prepared by AP Triton. In response, Ms. Palacherla informed

that AP Triton is preparing profiles of fire agencies and city fire departments, and since Los Altos Hills is served by the Los Altos Hills County Fire District, the information will be captured in the District's profile.

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

The Commission accepted the report.

Motion: Melton

Second: Lee

AYES: Arenas, Beall, Kamei, Kishimoto, Lee, Melton, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

11. **FINANCE COMMITTEE FOR FISCAL YEAR 2023-2024**

Ms. Noel presented the staff report.

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

Commissioner Melton offered to serve on the Finance Committee. He encouraged other members to serve on the Committee as the work on LAFCO's annual work plan will help members understand more how LAFCO operates, its service reviews and other projects, and how the agency is funded. **Commissioner Beall** likewise offered to serve.

In response to an inquiry by **Chairperson Vicklund Wilson**, Ms. Palacherla advised that Commissioner Melton is a cities' appointee and Commissioner Beall is a special districts appointee, and she stated that an alternate or a county member may also serve on the Committee. Ms. Noel also indicated that the Committee may only need to meet once or twice.

Alternate Commissioner Chapman offered to serve on the Committee.

The Commission established the Finance Committee composed of Commissioner Melton, Commissioner Beall and Alternate Commissioner Chapman to work with staff to develop and recommend the proposed FY 2023-2024 LAFCO work plan and budget for consideration by the full commission.

Motion: Melton

Second: Kishimoto

AYES: Arenas, Beall, Kamei, Kishimoto, Lee, Melton, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

18. WRITTEN CORRESPONDENCE

19. CLOSED SESSION: PERFORMANCE EVALUATION

The Commission adjourned to Closed Session at 2:45 p.m.

20. REPORT OUT OF CLOSED SESSION

Chairperson Vicklund Wilson reconvened the meeting at 3:10 p.m. Ms. Subramanian stated that there is no reportable action from the Closed Session.

21. ADJOURN

The Commission adjourned at 3:11 p.m., to the next regular LAFCO meeting on April 5, 2023, at 1:15 p.m., in the Board of Supervisors' Chambers, 70 West Hedding Street, San Jose.

Approved on April 5, 2023.

Susan Vicklund Wilson, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk

**GILROY URBAN SERVICE AREA AMENDMENT 2021
(WREN INVESTORS & HEWELL)**

STAFF REPORT

The staff report for this item was published on the LAFCO website on March 10, 2023 and a notice of availability was emailed to LAFCO commissioners, the applicant and those on the LAFCO meeting agenda mailing list.

See: https://santaclaralafco.org/sites/default/files/Wren_Hewell_USA_Amendment.pdf.

SUPPLEMENTAL INFORMATION

The following comment letter was received:

- **Supplemental Information No. 1** - A letter from the Santa Clara Valley Open Space Authority (OSA)

Comment letters received after this date will be provided to the Commission in another supplemental packet.



March 31, 2023

Local Agency Formation Commission of Santa Clara County
777 North First Street
Suite 410
San Jose, CA 95112

RE: Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell)

Dear Ms. Palacherla,

The Santa Clara Valley Open Space Authority is writing in support of the Staff Recommended Action to deny the proposed City of Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell) (Project). We have reviewed the Project documents and agree with the analysis and determination made by LAFCO staff that this USA Amendment is unnecessary and inconsistent with regional policy concerning urban growth. Further, we believe the Project's negative impacts to agricultural resources should be considered for this and future USA annexation proposals.

Santa Clara Valley Open Space Authority (Authority)

The Santa Clara Valley Open Space Authority (Authority) is a public, independent special district created by the California State Legislature in 1993 at the urging of community leaders who saw the importance of maintaining the ecological integrity of the region. The Authority works to conserve the natural environment and open spaces, connect people to nature, and preserve working farms and ranches for future generations. Since the Authority's founding in 1993, it has protected nearly 30,000 acres of land through fee acquisition, conservation easements, contributions to partner projects, and management agreements.

Santa Clara County Agricultural Plan

The Authority is one of the few agencies in Santa Clara County responsible for conserving agricultural land and prioritizes the protection of vulnerable South County farmland. The County has lost over 21,000 acres of farmland and rangeland to development in the past 30 years and an additional 28,000 acres are deemed at risk. In January of 2018 the Santa Clara County Board of Supervisors adopted the Santa Clara Valley Agricultural Plan (SCVAP), a regional effort led by

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openspaceauthority.org

the Authority and the County of Santa Clara and funded through the California Department of Conservation (DOC) Sustainable Agricultural Lands Conservation Program. The SCVAP outlined farmland conservation strategies to support the social and economic benefits of agriculture within Santa Clara County, limit the conversion of agricultural land and minimize the impacts of climate change.

The SCVAP identified the Santa Clara Valley Agricultural Resource Area (ARA), a region for focused agricultural conservation efforts which encompasses priority farmland in South County. The Project is located within the Buena Vista ARA sub-area, a distinct landscape between San Martin and Gilroy with unique farming characteristics. The Buena Vista sub-area is important to continued agricultural viability in South County for the large farming parcels on which row crop cultivation, farmers markets, and niche farming occur. Farmlands within this area are some of the greatest at risk for development and critical for regional agricultural conservation. The Authority addresses conversion threats within the ARA through acquiring voluntary conservation easements, leasing Authority holdings to farmers and grazers, and supporting policy initiatives which protect viable farmland.

Project impacts to agricultural resources

Agricultural resources in the DOC's Farmland Mapping and Monitoring Program (FMMP) are identified by land use and soil type. Between 2010 – 2016, Prime Farmland or Farmland of Statewide Importance within the Project area was reclassified to Grazing Lands. Soil can fall out of Important Farmland designation if the land has not been actively irrigated during the prior four years, but the soil quality may retain its resource potential. Soil capacity is more accurately captured using the USDA's Soil Survey Geographic Database (SSURGO) dataset. Recent SSURGO data indicates soil within the Project area includes 38 acres of Farmland of Statewide Importance and 15 acres of Prime Farmland if irrigated and/or protected from flooding. This data more accurately reflects the high farmland potential to better assess impacts to agricultural resources. Additionally, 2018 FMMP data reclassified 37 acres within the Project area to Farmland of Local Importance, indicating the land has significance to the local agricultural economy. This designation, as adopted by the Santa Clara County Board of Supervisors, includes undeveloped lands mapped as Important Farmland in the past and reflects the capacity for future agricultural production.

It is clear that continued loss of viable farmland in Santa Clara County remains a critical issue for the community and policymakers. Contending influences within the rural-urban interface creates a unique challenge for Santa Clara County farmers. Landowner investment in farmland or agricultural operations may cease in anticipation of development potential, causing more farmland to fall out of Important Farmland designation. As noted in the SCVAP, most agricultural conversions are associated with city annexations in South County. The Authority echoes LAFCO staff assessment that expansion of urban services and infrastructure as part of a future residential development may threaten the surrounding unincorporated area. Less than a quarter mile north of the Project area is a large block of contiguous Prime Farmland which may be susceptible to the effects of urban sprawl. To prevent further loss of Important Farmland, the Authority supports LAFCO Policies to encourage development within the USA before considering

annexation requests. Moreover, by promoting compact development in established communities there is less development pressure on the region's open spaces and agricultural lands.

Regional policies for urban growth

The Authority promotes sustainable growth policy to promote infill development and reduce urban sprawl, climate emissions, and conversion of vulnerable agricultural lands and open space. USA annexation of the Project area would conflict with regional objectives for sustainable growth as outlined in policies such as Plan Bay Area 2050, the County General Plan, and the SCVAP.

Plan Bay Area 2050 charted a course for reducing per-capita GHG emissions through the promotion of compact mixed-use development near transit stations, existing urban areas, and within designated Priority Development Areas (PDAs) outside of natural and working lands. Productive farmlands are critical for sustaining local and regional food systems while providing valuable ecosystem benefits to surrounding communities. Prioritizing urban infill projects within an existing USA helps maintain these benefits through alleviating development pressure on urban edge agricultural resources. LAFCO staff have identified that developing near the City's edge would likely divert resources from infill development in areas like Downtown Gilroy, a current PDA, and would be inconsistent with County General Plan policy supporting infill development.

Successful implementation of the SCVAP and regional agricultural conservation goals relies on smart urban growth policy to ensure that productive farmland soils within the ARA are protected from conversion. The Authority agrees with LAFCO Staff Recommendation to deny the proposed Project and reinforces the importance of protecting our rural regions and agricultural resources within South County.

Thank you for the opportunity to review and support this LAFCO Project Action.

Sincerely,

A handwritten signature in blue ink that reads "Andrea Mackenzie". The signature is fluid and cursive, written in a professional style.

Andrea Mackenzie
General Manager

CC: Open Space Authority Board of Directors
Santa Clara County LAFCo Commissioners
Matt Freeman, Assistant General Manager, OSA
Marc Landgraf, External Affairs Manager, OSA

Supplemental Information No. 2
ITEM # 6

The following letters were received:

1. A request from the City of Gilroy for the continuance of the public hearing to June 7, 2023 (April 4, 2023)
2. Joint comment letter from CLEAN South Bay, Green Foothills, Greenbelt Alliance and Sierra Club Loma Prieta Chapter (April 3, 2023)

From: [Cindy McCormick](#)
To: [Palacherla, Neelima](#); [Noel, Dunia](#); [Abello, Emmanuel](#)
Cc: [Sharon Goei](#)
Subject: [EXTERNAL] Continuance request
Date: Tuesday, April 4, 2023 10:22:21 AM
Attachments: [image001.png](#)
Importance: High

Good Morning Neelima –

The City of Gilroy respectfully requests a continuance of the April 5th LAFCo hearing to June 7th 2023. Additional time is needed to review the LAFCo staff report and to recent letters from the Open Space Authority and the joint letter from CLEAN South Bay, Green Foothills, Greenbelt Alliance, and Sierra Club Loma Prieta Chapter.

Thank you!

CINDY MCCORMICK
CUSTOMER SERVICE MANAGER
Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org
Main 408.846.0440 | www.cityofgilroy.org/planning
7351 Rosanna Street | Gilroy | CA 95020



From: Alice Kaufman <alice@greenfoothills.org>
Sent: Monday, April 3, 2023 5:02 PM
To: LAFCO; Arenas, Sylvia; Supervisor.Lee; JBeall@valleywater.org; Jim Beall; rosemary.kamei@sanjoseca.gov; Yoriko Kishimoto; MeltonCouncil; Susan@swwilsonlaw.com
Cc: McGarrity, Patrick; Osorio, Michelle; david.gomez; Omar Din; joseph.fruen@sanjoseca.gov; Jordan Grimes; James Eggers; Trish Mulvey; Palacherla, Neelima; Noel, Dunia
Subject: [EXTERNAL] Gilroy Urban Service Area (USA) Amendment 2021 (Wren Investors & Hewell) - Item 6, 4/5/23 agenda
Attachments: Joint enviro orgs letter - LAFCO Gilroy USA Amendment.pdf

.Dear LAFCO Commissioners,

Please find attached a joint letter urging **denial** of the proposed Gilroy USA Amendment, signed by the following environmental organizations:

- CLEAN South Bay
- Green Foothills
- Greenbelt Alliance
- Sierra Club Loma Prieta Chapter

Thank you for your consideration of these comments.



Alice Kaufman (She/Her)
Policy and Advocacy Director
Green Foothills | (650) 968-7243 x313 | greenfoothills.org
Join the movement for local nature. [Sign up for alerts.](#)





April 3, 2023

Local Agency Formation Commission of Santa Clara County
777 North First Street
Suite 410
San Jose, CA 95112

RE: Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell)

Dear LAFCO Commissioners,

Please accept these comments on behalf of the undersigned organizations with regard to the Gilroy Urban Service Area (USA) Amendment. We are nonprofit environmental organizations with thousands of supporters in Santa Clara County. We strongly support the staff recommendation and urge you to **deny** the proposed Gilroy USA Amendment.

The Gilroy USA Amendment is a textbook example of unwise sprawl development. It would expand Gilroy's urban service area to allow new residential development on agricultural land outside the City, when Gilroy still has years of available residential land for infill development. In addition, Gilroy has not shown that the City is able to adequately provide services such as fire and police protection, wastewater treatment and road maintenance. For these reasons, the Gilroy USA Amendment should be denied.

Approving the Gilroy USA Amendment Would Facilitate Sprawl

LAFCOs were created by the State of California in 1963 in response to the runaway sprawl development that was rampant throughout the state at that time, including in Santa Clara County. This sprawl development not only obliterated farmland and open space, but resulted in poor infrastructure and inadequate provision of services. Cities were unable to adequately provide for and maintain all the land that they had annexed. The results of this lack of planning can be felt today in some cities that still suffer the fiscal impacts of having annexed many square miles of land for residential development that is now costly to service.

LAFCOs are charged with preventing this kind of unwise and costly sprawl development. Annexations and expansions of urban service areas are reviewed by LAFCOs, which are

required to ensure that cities promote compact urban infill growth by not approving any annexations or USA expansions if there is still an adequate supply of available land within the urban footprint for new development (including redevelopment of underutilized parcels). In addition, LAFCOs have the responsibility of judging whether cities will be able to adequately provide urban services to areas proposed to be brought within the USA. Finally, LAFCOs are required to protect farmland by preventing premature conversion of agricultural lands.

The proposed Gilroy USA Amendment is contrary to both the specific requirements and the broad policy basis of LAFCO. Preventing sprawl and promoting urban infill development go hand in hand. The City should be focusing its development in its downtown, transit-oriented areas, not only because there is an 8-year supply of vacant or underutilized residential land already available within the USA, but also because climate resilience and principles of smart growth demand it. Enabling low-density development on a city's edge, as the Gilroy USA Amendment would do, is the exact opposite of climate-resilient growth.

The Regional Housing Needs Allocation (RHNA) process emphasizes equity and affirmatively furthering fair housing. This type of low-density sprawl development (the City's proposed zoning would allow 3 DU/acre on the majority of the site) is contrary to these goals.

It is important to note that once these parcels are brought within the city's USA, LAFCO approval will not be required for annexation into the city. Thus, the present USA amendment is the only opportunity for LAFCO to consider whether annexation is appropriate or timely.

The Gilroy USA Amendment Risks Worsening Existing Service Problems

It is LAFCO's responsibility to assess whether the City is able to provide urban services to the subject parcels without detracting from current service levels. In this case, Gilroy's urban services are already impacted in several areas, and further straining those services is likely to worsen those existing problems. These areas include:

Fire and police protection services. The 2019 Master Plan Update by the Gilroy Fire Department found that call processing/dispatch performance is more than 72% slower than best practice standards, and that first-due call-to-arrival performance is significantly slower than best practices to achieve desired outcomes to keep small fires small and to provide lifesaving care in serious medical emergencies. The Master Plan Update further found that "[t]he City does not deploy enough firefighters daily to safely resolve even a single serious fire or EMS incident, or to provide adequate capacity for simultaneous incidents," and concluded that "[t]he City is geographically too large to effectively serve with [the existing] three fire stations."¹ The Update recommended that the city add a fourth fire station in the southwest section of the city as soon as fiscally feasible, and that if the city should expand to the northeast, a fifth fire station in the

¹ 2019 Master Plan Update, City of Gilroy Fire Department, page 6
(<https://www.cityofgilroy.org/DocumentCenter/View/9720/Vol-1---Gilroy-FD-Master-Plan-Update-Report---Final-11-14-19?bidId=>)

northeast section should be seriously considered. (The subject parcels are adjacent to the northeast section of the city.)

The Wren Investors and Hewell Urban Service Area Amendment Plan for Services (“Plan for Services”) submitted by the City to LAFCO states that “tax revenues from the proposed project would not be sufficient to fund additional staffing needs for services that the City would provide to the site” and that funding for future staffing of both the police and fire department would be derived from the General Fund.² According to the Plan for Services, the Gilroy Police Department is not currently meeting the standard for response to community-generated calls for service.³

Roads. The City of Gilroy Capital Improvement Program (CIP) for fiscal years 2021-2025 states: “Most of Gilroy’s roads have received minimal to no treatment in a number of years. The older the pavement of a given roadway, the faster it deteriorates. As a result, the percentage of “Very Poor” streets (PCI 0-25) has increased by 5.6% from 2017 to 2019 while the percentage of “Poor” streets (PCI 25-50) has increased by 10.5%, and the percentage of “Good” streets (PCI 70-100) has decreased by 16.3%. Consequently, the City’s deferred maintenance cost has increased from \$14.9 million in 2017 to \$33.4 million in 2019.”⁴ According to the LAFCO staff report, the estimated costs of all the projects identified in the CIP is approximately \$118M, of which only \$25M is funded in the current CIP. Thus, there is an unfunded backlog of nearly \$100M in capital improvement projects.

Wastewater. The Plan for Services states that future development on the site would connect to the closest sewer main to the site, which is the Joint Morgan Hill-Gilroy Trunk, and states that “modeling of the system shows that during wet weather flow conditions, the Joint Morgan Hill-Gilroy Trunk becomes deficient when Morgan Hill flows are introduced.”⁵ Although a relief trunk line is partially constructed, completion of this line depends on the City of Morgan Hill committing funds to the project.

Negative Fiscal Impact on Both City and County. The Fiscal Impact Analysis of the Gilroy USA Amendment submitted by the city to LAFCO concluded that this project would have a negative fiscal impact on both the City of Gilroy and the County of Santa Clara.⁶ The Plan for Services proposes to meet this shortfall via a community facilities district (CFD). However, it is unknown at this point whether a CFD could ensure adequate funding for these purposes. It should also be noted that a CFD would only mitigate the negative fiscal impact on the City, not the negative fiscal impact on the County.

² Wren Investors and Hewell Urban Service Area Amendment Plan for Services, page 7-4 and 8-3

³ Wren Investors and Hewell Urban Service Area Amendment Plan for Services, page 8-2

⁴ City of Gilroy Capital Improvement Program Fiscal Year 2021 to Fiscal Year 2025, page 6 (<https://www.cityofgilroy.org/DocumentCenter/View/11586/Adopted-CIP-FY21-FY25?bidId=>)

⁵ Wren Investors and Hewell Urban Service Area Amendment Plan for Services, page 4-3

⁶ Fiscal Impact Analysis of the Wren Investors and Hewell Urban Service Area Amendment to the City of Gilroy and the County of Santa Clara, prepared by Applied Development Economics, Inc., 2019

The Gilroy USA Amendment Would Cause Loss of Farmland

The Santa Clara Valley Open Space Authority (OSA) has submitted a letter to LAFCO identifying the impacts of the Gilroy USA Amendment to farmland. OSA's letter states in part:

Recent SSURGO [Soil Survey Geographic Database (USDA)] data indicates soil within the Project area includes 38 acres of Farmland of Statewide Importance and 15 acres of Prime Farmland if irrigated and/or protected from flooding. This data more accurately reflects the high farmland potential to better assess impacts to agricultural resources. Additionally, 2018 FMMP data reclassified 37 acres within the Project area to Farmland of Local Importance, indicating the land has significance to the local agricultural economy. This designation, as adopted by the Santa Clara County Board of Supervisors, includes undeveloped lands mapped as Important Farmland in the past and reflects the capacity for future agricultural production.

It is clear that continued loss of viable farmland in Santa Clara County remains a critical issue for the community and policymakers. Contending influences within the rural-urban interface creates a unique challenge for Santa Clara County farmers. Landowner investment in farmland or agricultural operations may cease in anticipation of development potential, causing more farmland to fall out of Important Farmland designation. As noted in the SCVAP, most agricultural conversions are associated with city annexations in South County. [OSA] echoes LAFCO staff assessment that expansion of urban services and infrastructure as part of a future residential development may threaten the surrounding unincorporated area. Less than a quarter mile north of the Project area is a large block of contiguous Prime Farmland which may be susceptible to the effects of urban sprawl.⁷

We support OSA's assessment of the impacts to farmland of the Gilroy USA Amendment. It should be noted that the state definition of "prime farmland" is dependent on the land being in active irrigation for a period of time. This allows landowners to cause their land to fall out of "prime farmland" designation by refraining from irrigation, purposely in order to avoid mitigation requirements and other regulatory barriers to development. We also note the potential growth-inducing impacts to neighboring farmland that could result from conversion of the subject parcels to development.

⁷ Letter from Santa Clara Valley Open Space Authority to LAFCO of Santa Clara County, 3/31/23

We support the LAFCO staff's recommendation and urge the Commissioners to deny the Gilroy USA Amendment. Thank you for your consideration of these comments.

Sincerely,

Alice Kaufman, Policy and Advocacy Director
Green Foothills

James Eggers, Director
Sierra Club Loma Prieta Chapter

Trish Mulvey
CLEAN South Bay

Jordan Grimes, Resilience Manager
Greenbelt Alliance



Local Agency
Formation Commission
of Santa Clara County

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Sylvia Arenas
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Russ Melton
Susan Vicklund Wilson

Alternate Commissioners

Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner

Executive Officer

Neelima Palacherla

ITEM # 7

LAFCO MEETING: April 5, 2023

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer**

SUBJECT: PROPOSED WORK PLAN AND BUDGET FOR FY 2024

FINANCE COMMITTEE / STAFF RECOMMENDATIONS

1. Adopt the Proposed Work Plan for Fiscal Year 2023-2024.
2. Adopt the Proposed Budget for Fiscal Year 2023-2024.
3. Find that the Proposed Budget for Fiscal Year 2024 is expected to be adequate to allow the Commission to fulfill its statutory responsibilities.
4. Authorize staff to transmit the Proposed Budget adopted by the Commission including the estimated agency costs as well as the LAFCO public hearing notice for the adoption of the Fiscal Year 2024 Final Budget to the cities, the special districts, the County, the Cities Association of Santa Clara County and the Santa Clara County Special Districts Association.

ANNUAL BUDGET PROCESS REQUIREMENTS

The Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH Act) which became effective on January 1, 2001, requires LAFCO, as an independent agency, to annually adopt a proposed budget by May 1 and a final budget by June 15 at noticed public hearings. Both the proposed and the final budgets are required to be transmitted to the cities, the special districts and the County. Government Code §56381(a) establishes that at a minimum, the budget must be equal to that of the previous year unless the Commission finds that reduced staffing or program costs will nevertheless allow it to fulfill its statutory responsibilities. Any unspent funds at the end of the year may be rolled over into the next fiscal year budget. After adoption of the final budget by LAFCO, the County Auditor is required to apportion the net operating expenses of the Commission to the agencies represented on LAFCO.

**FISCAL YEAR 2023-2024 WORKPLAN & BUDGET DEVELOPMENT
TIMELINE**

Dates	Staff Tasks / LAFCO Action
March 13 - April 5	Notice of this public hearing was advertised in a local newspaper, posted on the LAFCO website and distributed to local agencies. The agenda and a link to the posted agenda packet are also distributed to local agencies, interested persons and organizations. The proposed Workplan and Budget are posted on the LAFCO website and available for public review and comment.
April 5	LAFCO public hearing on adoption of Proposed Workplan and Budget
April 6	Proposed Work Plan and Budget, preliminary apportionments and LAFCO public hearing notice for Final Budget Hearing transmitted to agencies
June 7	LAFCO public hearing and adoption of Final Budget
June 7 - July 1	Final Budget transmitted to agencies; Auditor requests payment from agencies

LAFCO FINANCE COMMITTEE

At its February 1, 2023 LAFCO meeting, the Commission appointed Commissioner Melton, Commissioner Beall and Alternate Commissioner Chapman to serve on the Finance Committee.

At its special meeting held on February 27, 2023, the Finance Committee discussed the progress on the current year work plan and the status of the current year budget; and recommended the proposed FY 2024 work plan and budget for consideration and adoption by the full commission.

CURRENT YEAR IN REVIEW

PROGRESS REPORT ON FY 2022-2023 WORK PLAN

LAFCO’s current fiscal year workplan was adopted at a noticed public hearing held on April 6, 2022. **Attachment A** depicts the current status (through the third quarter of the year) of the 2022-2023 Work Program.

A major component of the current work program involves the ongoing Countywide Fire Service Review. LAFCO retained a new consultant in June 2022 and relaunched its Countywide Fire Service Review. The new consultant is working with LAFCO staff and the service provider agencies to finalize / validate agency profiles after completing an extensive and challenging data collection process. To date, two Technical Advisory Committee meetings have been held to obtain feedback on key

aspects including evaluation criteria and preliminary findings. It is anticipated that another Technical Advisory Committee meeting will be held in the next few weeks and a Draft Service Review Report will be published for public review and comment by the end of this fiscal year.

LAFCO has received and /or processed major applications such as a special district sphere of influence amendment/annexation and a city urban service area amendment. Staff has held pre-application meetings and has received and responded to many requests for assistance and expertise from local and regional agencies on a variety of matters related to city service extensions, city annexations/island annexations, special district detachments, and housing element updates. Similarly, responding to public inquiries is another significant and growing area of the workplan and staff has seen an increase in the volume and complexity of such inquiries, including requests for information under the Public Records Act, and information requests from local attorneys, appraisers, real estate agents and developers.

In accordance with the Commission's directive, as opportunities arise and time permits, staff continues to conduct targeted outreach to various local entities (special districts, County, cities, civil grand jury, and other community organizations/individuals) through informational presentations on LAFCO and its role in promoting sustainable growth and governance in the county.

The Commission has experienced major changes in its membership; in the last two months, 6 new commissioners have come on board and LAFCO will be selecting a new public member and an alternate public member to fill positions due to term expirations in May 2023. Staff conducts onboarding activities and new commissioner orientations for all new appointees.

Other notable administrative activities and projects that have been completed or are currently underway include among others, the annual financial audit, the annual report, required staff training, LaserFische and LAFCO database server upgrades/migrations, transition back to in-person and hybrid meetings to allow for remote public participation, and preparations for webcasting LAFCO meetings.

Notwithstanding the preceding progress on various work plan items, some important, high priority projects such as the comprehensive review and update of LAFCO policies and scanning of LAFCO records have fallen behind and will not be completed by the end of the fiscal year. The delays are partly due to the application workload, increased demand for LAFCO services and staff's efforts to prioritize and meet the needs of the local agencies and the public; and staffing issues including a vacant position since January 2021. Completion of the County classification study in July 2022 allows LAFCO staff to implement the Study's recommendations and work with the County Employee Services Agency on recruitment efforts for a new LAFCO Clerk. It is anticipated that the vacant LAFCO Clerk position will be filled by the end of this fiscal year.

The projects in the current workplan that will not be completed by the end of the fiscal year have been added to the proposed FY 2024 workplan.

The LAFCO Annual Report for FY 2023 will be published at the end of the current fiscal year and will document all the applications reviewed and processed by LAFCO in Fiscal Year 2023; and will summarize the various accomplishments, activities/projects that LAFCO has engaged in or completed during the period.

STATUS OF FY 2022-2023 ADOPTED BUDGET

Attachment D includes the FY 2023 budget adopted by the Commission at a noticed public hearing on June 1, 2022, the status of LAFCO's expenditures and revenues as of February 21, 2023, and expenditure and revenue projections for end of FY 2023. The adopted LAFCO budget for FY 2023 is \$985,974 and reflects a 11% increase compared to the previous fiscal year's (FY 2022) budgeted operating expenses. It is estimated that the total year-end projected expenditures for FY 2023 would be approximately 13% lower than the adopted budget primarily due to salary savings from the vacant staff position. Staff anticipates that year end revenue for FY 2023 will be slightly lower than the amount budgeted. LAFCO has received the respective FY 2023 funds from the County, the cities and the independent special districts. The actual fund balance rolled over at the end of FY 2022 was significantly higher at \$410,027, compared to the amount estimated (\$201,006) in the FY 2023 budget. The excess fund balance and the unspent FY 2023 expenditure amounts will carry over into FY 2024 and will be used to reduce net operating expenses that would in turn translate to reduced FY 2024 costs for contributing agencies.

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

Attachment C includes the proposed work plan for FY 2024, as recommended by the Finance Committee, for consideration and adoption by the full commission.

The proposed workplan includes ongoing as well as new projects and outlines detailed projects/activities organized under six broad areas: (1.) LAFCO application processing; (2.) island annexations; (3.) outreach, government/community relations and customer service; (4.) service reviews, special studies and sphere of influence updates; (5.) commission support; and (6.) administrative projects. The work plan assigns priority levels (high, moderate, low); and designates whether the work is to be conducted by staff or outside consultants.

The proposed work plan includes a broad spectrum of responsibilities that LAFCO, as an independent local agency and as a regulatory body of the state, is expected to fulfil in its role of promoting sustainable growth and good governance in Santa Clara County. It incorporates the Commission's legislative functions and mandates and also the Commission's proactive local initiatives and priorities such as its directives for ongoing public outreach and education and its proactive service review and implementation program.

The Finance Committee discussed the possible creation of a LAFCO student internship program and recommended that LAFCO staff contact the County to

further explore such a potential initiative. The Committee also discussed a potential strategic planning workshop in the upcoming year and requested opportunities for ongoing commissioner education.

Reduced staffing levels over the last two years have impacted the functioning of the LAFCO office. While the LAFCO Clerk position is expected to be filled in the next several months, actual professional staffing capabilities will be below 4.0 FTE for at least half of the upcoming fiscal year, considering the onboarding and training period for the new staff person.

According to the Comprehensive Organizational Assessment report prepared by LAFCO's consultant, even the 4.0 FTE staffing level is lower than other LAFCOs with comparable operations. However, in August 2020, the Commission voted to maintain the current 4.0 FTE staffing level given uncertain economic conditions related to the COVID-19 pandemic but kept open the option to consider the potential addition of 1.0 FTE in the future.

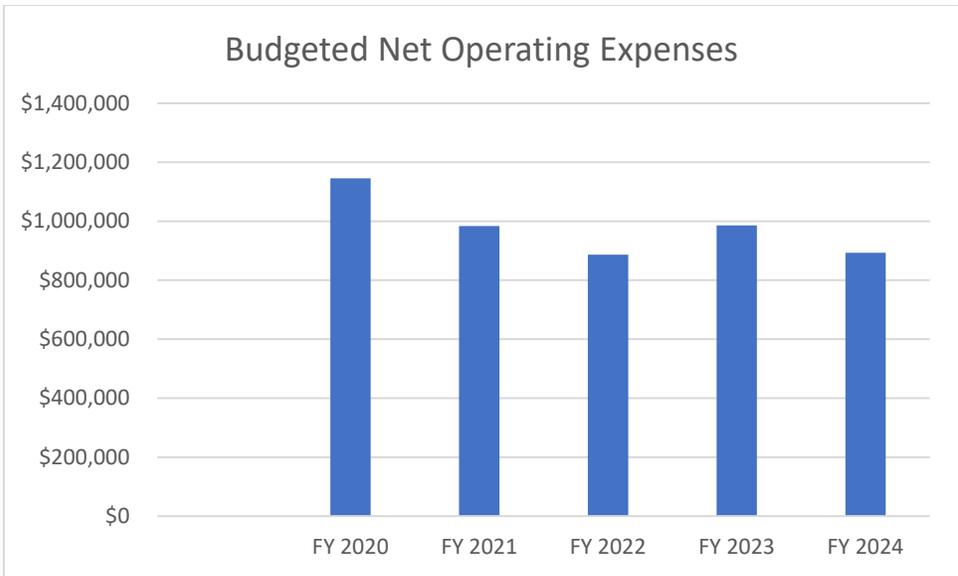
Staff actively manages the workload in order to focus on accomplishing essential activities such as processing applications, completing projects currently underway such as the Countywide Fire Service Review, maintaining core administrative functions, tracking on-going projects and studies, supporting the commission and responding to local agency and public requests for assistance. Non-essential activities and other proactive initiatives will need to be deferred until staffing levels/expertise are restored. This is consistent with past practice where LAFCO's statutorily mandated activities take priority over administrative projects that are not statutorily required, and over proactive commission-initiated projects which are discretionary but support LAFCO's mission and statutory requirements.

PROPOSED BUDGET FOR FISCAL YEAR 2024

Attachment D includes the proposed Budget for FY 2023-2024 as recommended by the Finance Committee, for consideration and adoption by the full commission. The Finance Committee conducted a thorough review of the work plan and budget and recognized the public benefit of LAFCO's work and the high demand for LAFCO's services from local agencies and the public. The Committee maintained its commitment to ensure adequate resources that allow the Commission to fulfill its statutory responsibilities and accomplish its work plan while also limiting costs for LAFCO's funding agencies. The overall expenditure for FY 2024 (\$1,296,000) in the proposed budget is approximately 6% higher than the current year budgeted expenses (\$1,222,980).

Projected current year cost savings (such as from salary savings), and a larger than estimated fund balance from FY 2022 are expected to result in a \$366,814 fund balance at the end of the current year – and will be used to reduce net operating expenses in FY 2024.

LAFCO's proposed net operating expense for FY 2024 is 9% lower than the FY 2023 budgeted net operating expense and is similar to the FY 2022 level.



DESCRIPTION OF FY 2023-2024 BUDGET LINE ITEMS

LAFCO and the County of Santa Clara entered into a Memorandum of Understanding (MOU) (effective since July 2001), under the terms of which, the County provides staffing, facilities, and services to LAFCO. The associated costs are reflected in the proposed LAFCO budget. LAFCO is a stand-alone, separate fund within the County’s accounting and budget system and the LAFCO budget information is formatted using the County’s account descriptions/codes.

The following is a detailed itemization of the proposed budget.

EXPENDITURES

Expenditures are divided into two main sections: Staff Salary and Benefits (Object 1) which comprise 68% of the total expenditures, and Services and Supplies (Object 2).

OBJECT 1. SALARIES AND BENEFITS \$882,121

This line item supports the salary and benefits for the 4.0 FTE positions including the Executive Officer position, a Senior Analyst position, an Associate Analyst position, and a Clerk position. The Clerk position is currently vacant and is anticipated to be filled by the end of the current fiscal year. LAFCO contracts with the County of Santa Clara for staffing and services and in accordance with the MOU between the County and LAFCO, all four positions are staffed through the County Executive’s Office. The proposed amount is based on the best available projections from the County at this time for salary and benefits for the 4 positions. Changes to the projections for the four positions that occur within the next couple of months will be reflected in the Final LAFCO budget.

OBJECT 2. SERVICES AND SUPPLIES

5255100 Intra-County Professional \$10,000

This includes the costs for services from various County agencies such as the County Surveyor's Office, the County Assessors' Office, and the Registrar of Voters. The County Surveyor assists with map review and approval for boundary change proposals. In addition, the Surveyor's Office also assists with research to resolve boundary discrepancies. The County Assessor's Office prepares reports for LAFCO and the Registrar of Voters provides data necessary for processing LAFCO applications. This item also allows LAFCO to seek GIS mapping services including maintenance and technical assistance from the County Planning Office, as necessary. This budgeted amount has been maintained at the same level as the current year.

5255800 Legal Counsel \$82,780

This item covers the cost for general legal services.

In February 2009, the Commission retained the firm of Best Best & Krieger for legal services on a monthly retainer. The contract was amended in 2010 to reduce the number of total hours required to 240 hours per year. The contract sets the hourly rate and allows for an annual automatic adjustment to the rates based on the Consumer Price Index (CPI). In 2017, the contract was once again amended to increase the monthly retainer cost and limit the CEQA work within the retainer to 24 hours annually. Any additional CEQA work above 24 hours would be charged outside the retainer at the same hourly rate.

The monthly retainer for FY 2024 increases to \$6,630, based on a 5.6% increase in the Consumer Price Index for the prior calendar year (2022). This item covers the annual retainer fees and includes additional monies to cover approximately 10 hours of work outside the retainer at the current hourly rate of \$316.

5255500 Consultant Services \$150,000

This item is budgeted for hiring consultants to assist LAFCO with special projects such as for conducting service reviews and special studies, facilitating a strategic planning workshop, scanning LAFCO's hardcopy records into the existing electronic document management system, meeting broadcast services for LAFCO meetings and for conducting the annual financial audit, among others. The Commission must take action to authorize such special projects prior to expending funds. This item also includes costs associated with ongoing existing contracts such as costs for maintenance and hosting of the LAFCO website by an outside provider. The Finance Committee recommended that an amount of \$6,000 be allocated under this item to cover a potential future student internship program cost.

5285700 Meal Claims \$750

This item includes cost of food to support Commission events, workshops, meetings.

5220200 Insurance \$8,335

This item is for the purpose of purchasing general liability insurance and workers' compensation coverage for LAFCO. In 2010, LAFCO switched from the County's

coverage to the Special District Risk Management Authority (SDRMA), for the provision of general liability insurance. Additionally, LAFCO also obtains workers' compensation coverage for its commissioners from SDRMA. Workers' compensation for LAFCO staff is currently covered by the County and is part of the payroll charge. SDRMA has recently provided estimated FY 2024 contribution amounts for use in the budgeting process: Property Liability (\$7,225) and Workers' Compensation (\$1,100). SDRMA is in the process of negotiating rates on behalf of its program membership and expects to confirm rates in mid-May. The Final budget will reflect any major revisions to these estimates.

5270100 Rent & Lease \$54,766

This item includes FY 2024 monthly rent for LAFCO office space located at 777 North First Street, Suite 420, San Jose. The original lease term expired on May 5, 2022. At its February 2, 2022 meeting, the Commission authorized the extension of the lease for a five-year period through April 30, 2027.

5250100 Office Expenses \$5,000

This item includes funds for purchase of books, subscriptions/publications necessary to keep current on laws and trends; small equipment and supplies for office operations, including printer/photocopier lease.

5255650 Data Processing Services \$27,520

This item includes estimated costs associated with County Technology Solutions & Services Department (TSS) providing IT services to the LAFCO program. According to TSS, the projected costs cover Telecom services for 5 phones- VOIP/Landline (\$3,000), Wireless Carrier Service (\$144), MS Adobe special order, Acrobat Pro and MS Visio monthly subscription (\$2,480), and other services (\$21,896) comprising Enterprise Content Management services and solutions, Kronos support, Architecture and Innovation Services, Claranet services, Data Analytics and Visualizations, digital print and sccLearn. Any further revised cost estimates received from the County will be reflected in the Final LAFCO budget.

5225500 Commissioner's Fees \$10,000

This item covers the \$100 per diem amount for LAFCO commissioners and alternate commissioners to attend LAFCO meetings and committee meetings.

5260100 Publications and Legal Notices \$1,000

This item is for costs associated with publication of hearing notices for LAFCO applications and other projects/ studies, as required by state law. This budgeted amount has been maintained at the same level as the current year.

5245100 Membership Dues \$13,870

This item includes CALAFCO – the California Association of LAFCOs membership dues. At its meeting on February 17, 2023, the CALAFCO Board approved an 8.27% rate adjustment to account for inflation in accordance with the CALAFCO Bylaws. The FY 2024 membership dues for Santa Clara LAFCO is \$12,221.

Additionally, this item includes estimated membership dues for CSDA – the California Special Districts Association. In June 2018, CSDA informed that Santa Clara LAFCO as a customer of SDRMA, must be a member of CSDA pursuant to SDRMA bylaws.

5250750 Printing and Reproduction \$1,500

This covers printing expenses for reports such as service reviews or other studies and documents.

5285800 Business Travel \$15,900

This item includes funding for staff and commissioners to attend conferences and workshops. It would cover costs of air travel, accommodation, conference registration and other expenses at the conferences. CALAFCO annually holds a Staff Workshop (location TBD, April 2024) and an Annual Conference (Monterey, October 2023) that is attended by commissioners as well as staff.

5285300 Private Automobile Mileage \$1,000

This item provides for mileage reimbursement when staff travels by private car to conduct site visits and attend meetings / training sessions. This budgeted amount has been maintained at the same level as the current year.

5285200 Transportation and Travel (for use of County car) \$600

This item would cover costs associated with the use of a County vehicle for travel to conferences, workshops, site visits and meetings.

5281600 Overhead \$20,358

This overhead charge is established by the County Controller’s Office, for service rendered by various County departments that do not directly bill LAFCO. The overhead includes LAFCO’s share of the County’s FY 2024 Cost Allocation Plan which is based on actual overhead costs from FY 2022 – the most recent year for which actual costs are available. The overhead amount includes the following charges from:

County Executive’s Office:	\$6,653
Controller-Treasurer:	\$11,003
Employee Services Agency:	\$6,072
OBA:	\$357
BHS-MH - Employee:	\$198
TSS Intragovernmental Service:	\$958
Technology Services & Solutions:	\$1,710
Procurement:	\$57
Equal Opp. (County Counsel):	\$809
CoB – Harvey Rose Mgt Audit:	\$22

Further, a “roll forward” is applied which is calculated by comparing FY 2022 Cost Plan estimates with FY 2022 actuals. The FY 2022 cost estimates were higher than the actuals by \$7,480; this amount is deducted from the FY 2024 Cost Plan. This is a state requirement.

5275200 Computer Hardware \$3,000

This item is designated for any required hardware upgrades / purchases.

5250800 Computer Software \$5,000

This amount is designated for computer software purchases, and annual licenses for GIS software and records management (LaserFische) hardware/software annual maintenance agreement.

5250250 Postage \$500

This amount covers postage costs for mailing notices, agendas, agenda packets and general correspondence.

5252100 Training Programs \$2,000

This item covers the costs associated with attendance at staff development courses and seminars. CALAFCO conducts University Courses throughout the year on topics of relevance to LAFCO.

REVENUES

4103400 Application Fees \$30,000

It is anticipated that LAFCO will receive approximately \$30,000 in fees from processing applications. The actual amount earned from fees corresponds to the level of application activity.

4301100 Interest \$6,000

It is estimated that LAFCO will receive an amount of approximately \$6,000 from interest earned on LAFCO funds.

3400150 Fund Balance from Previous Fiscal Year (i.e, FY 2023) \$366,814

It is projected that there will be a savings or fund balance of approximately \$366,814 at the end of the current year, which will be carried over to reduce the proposed Fiscal Year 2024 costs for LAFCO’s funding agencies (cities, independent special districts and the County).

Projected Year-End [FY 2023] Fund Balance = (Projected Year-End [FY 23] Revenue + Actual Fund Balance from Previous Fiscal Year [FY 22] + Funds Received from Local Agencies in FY 23) - (Projected Year-End [FY 23] Expenses)

$$= (\$31,000 + \$410,027 + \$985,974) - \$1,060,187$$

$$= \$366,814$$

The fund balance excludes the reserves.

RESERVES

3400800 Reserves Available \$200,000

This item includes reserves for two purposes: litigation reserve – for use if LAFCO is involved with any litigation; and contingency reserve – to be used for unexpected expenses. If used during the year, this account will be replenished in the following year. Since 2012, the reserves have been retained in a separate Reserves account, thus eliminating the need for LAFCO to budget each year for this purpose.

The Reserves amount was held at \$250,000 since FY 2020 to timely implement potential recommendations from the Comprehensive Organizational Assessment, and as a tentative measure in recognition that LAFCO operates in an increasingly complex and controversial environment.

In FY 2022, LAFCO reduced the Reserves from \$250,000 to \$200,000, in order to further reduce costs to local agencies given the COVID -19 related economic hardships; and maintained the reserve level at \$200,000 in FY 2023. The Finance Committee recommends maintaining the current level of reserves for FY 2024. This places the proposed Reserve amount at approximately 15% of the total FY 2024 expenditures. LAFCO has not adopted a Reserves policy, however as an independent agency, LAFCO should maintain sufficient reserves for flexibility and stability in the event of unanticipated needs.

FY 2024 NET OPERATING EXPENSES

FY 2024 Net Operating Expenses = (Proposed FY 2024 Expenditures) - (Proposed FY 2024 Fee & Interest Revenues + Projected Fund Balance from FY 2023)

= (\$1,296,000) - (\$36,000 + \$366,814)

= \$893,186

The projected operating expense for FY 2024 is based on projected expenditures and revenues as well as on estimated fund balance for the current year. Further revisions may be needed as we get a better indication of current year expenses/revenues towards the end of this fiscal year. Additionally, a more accurate projection of costs/revenues for the upcoming fiscal year could become available, particularly for employee salary and benefits. This could result in changes to the proposed net operating expenses for FY 2024 which could in turn impact the costs for each of LAFCO's funding agencies.

COST APPORTIONMENT TO CITIES, INDEPENDENT SPECIAL DISTRICTS AND COUNTY

In January 2013, independent special districts were seated on LAFCO. Government Code §56381(b)(1)(A) provides that when independent special districts are represented on LAFCO, the county, cities and independent special districts must each provide a one-third share of LAFCO's operational budget.

The City of San Jose has permanent membership on LAFCO pursuant to Government Code Section 56327. As required by Government Code §56381.6(b), the City of San

Jose’s share of LAFCO costs must be in the same proportion as its member bears to the total membership on the commission, excluding the public member. The remaining cities’ share must be apportioned in proportion to each city’s total revenues, as reported in the most recent edition of the Cities Annual Report published by the Controller, as a percentage of the combined city revenues within a county.

Government Code Section §56381 provides that the independent special districts’ share shall be apportioned in proportion to each district’s total revenues as a percentage of the combined total district revenues within a county. The Santa Clara County Special Districts Association (SDA), at its August 13, 2012 meeting, adopted an alternative formula for distributing the independent special districts’ share to individual districts. The SDA’s agreement requires each district’s cost to be based on a fixed percentage of the total independent special districts’ share.

Therefore, in Santa Clara County, the County pays a third of LAFCO’s operational costs, the independent special districts pay a third, the City of San Jose pays one sixth and the remaining cities pay one sixth. Government Code §56381(c) requires the County Auditor to request payment from the cities, independent special districts and the County no later than July 1 of each year for the amount each agency owes based on the net operating expenses of the Commission and the actual administrative costs incurred by the Auditor in apportioning costs and requesting payment.

The following is a draft apportionment to the agencies based on the proposed net operating expenses for FY 2024.



Apportionment of the costs among the 14 cities and among the 17 independent special districts will be calculated by the County Controller’s Office after LAFCO adopts the final budget in June. In order to provide each of the cities and districts

with a general indication of their costs in advance, **Attachment E** includes draft estimated apportionments, based on the proposed FY 2024 net operating expenses and the FY 2020-2021 Cities Annual Report. The final apportionments will be prepared by the County Controller's Office based on the latest available Cities Annual Report.

ATTACHMENTS

Attachment A:	Status of FY 2023 Work Plan
Attachment B:	LAFCO Financials 2008-2022
Attachment C:	Proposed Work Plan for Fiscal Year 2024
Attachment D:	Proposed LAFCO Budget for Fiscal Year 2024
Attachment E:	Estimated FY 2024 Costs to Agencies

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

PRIORITY* H - High Priority (essential activities: state mandate, Commission directive, requirements)
M - Medium Priority (important, provided resources allow or time permits)
L - Low Priority (desirable provided resources allow or time permits, not urgent)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
LAFCO APPLICATIONS	Process applicant-initiated LAFCO proposals	Encourage pre-application meetings prior to application submittal Conduct pre-agenda meetings with County Depts to obtain Assessor & Surveyor reports, as needed Process applications per CKH Act requirements: issue Notice of Application, Certificate of Filing / Sufficiency, Public Hearing Notice, staff report, conduct protest proceedings, as needed	Staff	H	Several pre-application meetings held (Monte Sereno, Sunnyvale/Cupertino Sanitary District, WVSD, San Jose) 3 city conducted and a SOI amendment/annexation application completed, one USA amendment in progress
	Comment on potential LAFCO applications, relevant projects & development proposals, city General Plan updates and/ or related environmental documents	Ongoing, as needed	Staff	H	Ongoing County Housing Element
	Review and update LAFCO policies for context, clarity and consistency with State law	In progress	Staff / Consultant	H	In progress
	Prepare flowcharts for LAFCO processes and update application packets for current requirements and ease of public use	Upon completion of policies update	Staff	L	Internal application processing checklists updated

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
ISLAND ANNEXATIONS	Conduct outreach to cities with islands, follow up on responses including review/research of city limits/ USA boundaries, provide assistance with annexations or necessary USA amendments	Prepare and distribute island maps to cities	Staff	L	As needed
	Facilitate interagency discussions to support remaining island annexations	Monte Sereno	Staff	H	As needed, pending city initiation
	Review and finalize city-conducted island annexations	Ongoing, as needed	Staff	H	As needed
OUTREACH, GOVERNMENT / COMMUNITY RELATIONS & CUSTOMER SERVICE	Conduct outreach to increase awareness of LAFCO's role	<p>Presentations to cities, other agencies on LAFCO, as relevant</p> <p>Distribute LAFCO communications material to elected officials and staff of cities, special districts and the County</p> <p>Seek exhibit opportunities at public spaces / events</p> <p>Maintain website as the primary information resource on LAFCO</p> <p>Increase social media presence (Twitter)</p>	Staff	L M L H L	<p>Presentations provided upon request (Grand Jury, Leadership Sunnyvale, San Jose Planning)</p> <p>Website updated</p>
	Engage and establish relationships with local (cities, districts, county), regional (ABAG/MTC), state (SGC, OPR, DoC, SWRCB) agencies, organizations such as SDA, SCCAPO, CALAFCO, other stakeholder groups	<p>Attend regular meetings of SDA (quarterly), SCCAPO (monthly), County Planning Dept.(quarterly)</p> <p>Small water systems issues / legislation</p> <p>Collaborate with agencies and entities with goals common to LAFCO</p>	Staff	M M M	Ongoing

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
	Track LAFCO related legislation	EO attends CALAFCO Legislative Committee Commission takes positions and submit letters on proposed legislation	Staff	L M	EO served on the Legislative Committee until October 2021
	Respond to public enquiries re. LAFCO policies, procedures and application filing requirements	Timely response to public inquiries Update the PRA form for the website Document research on complex inquiries Report to Commission on complex inquiries	Staff	H L L H	Ongoing High volume of enquiries
SERVICE REVIEWS, SPECIAL STUDIES & SPHERE OF INFLUENCE UPDATES	Countywide Fire Service Review	Manage new consultant's work and contract Coordinate TAC meetings Attend stakeholder interviews with consultant Work with consultant on any data collection issues Review and comment on administrative draft reports Distribute Public hearing notices and coordinate community workshops and public hearings Prepare and distribute stakeholder/public outreach material Coordinate stakeholder / public engagement process Prepare staff reports with implementation recommendations	Staff / Consultant	H	Working with new consultant on data collection and profiles preparation, review and comment Conducted 2 TAC meetings

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
		Follow up with agencies and report back to the commission			
	Continue to monitor implementation of recommendations from previous service reviews and conduct special studies, as necessary	RRRPD study – city took action to delay decision on consolidation	Staff	L	Pending city action
	Map Mutual Water companies	Initial maps complete, further work through service review	Staff	L	As needed
	Engage in or support grant / partnership opportunities on issues related to enhancing viability of agriculture, and climate smart growth	As needed, and as opportunities arise	Staff	L	As needed
	Compile and post JPA filings on the LAFCO website	Notice provided, gather JPA information through service review process	Staff	L	Ongoing
COMMISSION SUPPORT	Provide ongoing support to the 12 commissioners for regularly-scheduled Commission meetings, special meetings and Committee meetings (Finance Committee, Ad Hoc Committee on Organizational Assessment and the Fire Service Review TAC)	<p>Prepare and distribute public hearing notices and agenda packets, provide staff support during the meetings, record minutes, broadcast meetings</p> <p>Hold pre-agenda review meeting with Chair</p> <p>Hold pre-meeting calls with individual commissioners to address agenda item questions</p> <p>Process commissioner per diems for attendance at LAFCO meetings</p>	Staff	H	Ongoing
	Keep the Commission informed	EO report off-agenda emails, as needed	Staff	H	Ongoing

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
	Onboarding new Commissioners	Facilitate filing / completion of Form 700, commissioner pledge, ethics training. Update LAFCO letterhead, directory, and website Set up vendor accounts, provide parking permits Conduct new Commissioner orientation Recognize outgoing commissioners for service on LAFCO	Staff	H	Five new commissioners; one position remains vacant at this time Onboarding, orientations completed for 4; one in progress LAFCO past, present, future: guest presentation at 2/1 LAFCO meeting
	Commissioners Selection Process	Inform appointing bodies of any upcoming vacancies and provide information on appointment criteria Convene ISDSC committee meeting, as necessary Coordinate public member selection process, as necessary	Staff	H	Initiated process for selection of new public member and alternate public member
	Conduct a Strategic Planning Workshop	2018 Workshop re. LAFCO Communications and Outreach Plan	Staff / Consultant	L	On hold
	Commissioner participation in CALAFCO	Support commissioner participation in CALAFCO activities / or election to the CALAFCO Board	Staff	L	2 commissioners attended CALAFCO Annual Conference

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
ADMINISTRATIVE PROJECTS	Prepare LAFCO annual work plan	March –June	Staff	H	In progress
	Prepare LAFCO annual budget	March –June	Staff	H	In progress
	Prepare LAFCO Annual Report	August 2022	Staff	H	Completed
	Prepare LAFCO Annual Financial Audit	October 2022 (Contract with Chavan Associates extended for FY 2023 and FY 2024)	Consultant / Staff	H	Completed
	Office / facility management	Coordinate with Building Manager on facilities issues Coordinate with County re. computers/network, phone, printers, office security, procurement , installation & maintenance Order and manage office supplies Make travel arrangements and process expense reimbursements. Process mileage reimbursements Office space lease extended (lease extended through April 30, 2027)	Staff	H	Ongoing Transitioning to in-person / hybrid meetings Coordinating with County for webcasting LAFCO meetings
	Records management	Organize scan of LAFCO records to Electronic Document Management System (LaserFische) Maintain LAFCO’s hard copy records Maintain and enhance the LAFCO Website Maintain LAFCO database	Staff/ Consultant Staff	H H H H	On hold Completed LaserFische and LAFCO database server migrations Website content updates completed

STATUS OF CURRENT YEAR WORK PLAN (FISCAL YEAR 2023)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*	STATUS
ADMINISTRATIVE PROJECTS	Contracts and payments & receivables	Track consultant contracts and approve invoices Approve vendor invoices / process annual payments for various services/ memberships Coordinate with County Controller's Office and track annual collection of payments from member agencies	Staff	H	Ongoing
	Review and update LAFCO bylaws / administrative policies and procedures	Ongoing, as needed	Staff	H	Ongoing
	Staff training and development	CALAFCO workshops, conferences, relevant courses	Staff	M	Staff registered for CALAFCO Workshop
	Coordinate with County on administrative issues	Attend monthly meetings with the Deputy County Executive	Staff	H	Ongoing
	Staff performance evaluation	April - October 2022	Staff/ Commission	H	Completed in February 2023
	Comprehensive Organizational Assessment Study - implementation	As needed	Staff/ Commission	H	LAFCO/County MOU to be revised
	Recruitment and training of LAFCO staff	One LAFCO Analyst position currently vacant - recruitment pending County Classification study results	Staff	H	Begin LAFCO Clerk recruitment
	Other administrative functions mandated of a public agency (Form 700 annual filing & AB 1234 training compliance, Form 806, maintaining liability/workers comp insurance, etc.)	Ongoing	Staff	H	Ongoing

FY 2008 - FY 2022 LAFCO FINANCIALS
February 2023

ITEM # 7
Attachment B

ITEM NO.	TITLE	ACTUALS FY 2008	ACTUALS FY 2009	ACTUALS FY 2010	ACTUALS FY 2011	ACTUALS FY 2012	ACTUALS FY 2013	ACTUALS FY 2014	ACTUALS FY 2015	ACTUALS FY 2016	ACTUALS FY 2017	ACTUALS FY 2018	ACTUALS FY 2019	ACTUALS FY 2020	ACTUALS FY 2021	ACTUALS FY 2022
EXPENDITURES																
	Salary and Benefits	\$356,009	\$400,259	\$406,650	\$413,966	\$393,194	\$411,929	\$450,751	\$466,755	\$484,216	\$514,381	\$628,534	\$713,900	\$744,439	\$730,716	\$639,099
Object 2:	Services and Supplies															
5255100	Intra-County Professional	\$66,085	\$57,347	\$13,572	\$4,532	\$6,118	\$5,260	\$5,663	\$4,379	\$18,523	\$1,292	\$703	\$3,593	\$346	\$201	\$354
5255800	Legal Counsel	\$0	\$9,158	\$67,074	\$52,440	\$48,741	\$56,791	\$53,550	\$52,854	\$57,498	\$71,131	\$59,400	\$72,276	\$69,975	\$65,791	\$78,977
5255500	Consultant Services	\$19,372	\$75,000	\$76,101	\$58,060	\$102,349	\$59,563	\$35,602	\$37,250	\$39,625	\$0	\$45,000	\$52,650	\$106,709	\$41,966	\$25,389
5285700	Meal Claims	\$0	\$368	\$277	\$288	\$379	\$91	\$228	\$209	\$367	\$50	\$901	\$257	\$166	\$0	\$56
5220100	Insurance	\$491	\$559	\$550	\$4,582	\$4,384	\$4,378	\$4,231	\$4,338	\$4,135	\$4,679	\$4,893	\$5,296	\$5,893	\$10,452	\$8,591
1151	Office Expenses	\$1,056	\$354	\$716	\$639	\$1,212	\$536	\$850	\$783	\$6,266	\$48,632	\$15,412	\$4,702	\$2,544	\$1,151	\$1,462
5270100	Rent and Lease										\$41,120	\$39,360	\$44,478	\$46,254	\$47,903	
5255650	Data Processing Services	\$8,361	\$3,692	\$3,505	\$1,633	\$3,384	\$1,663	\$3,311	\$9,024	\$1,519	\$6,869	\$877	\$11,894	\$15,500	\$21,223	\$18,125
5225500	Commissioners' Fee	\$5,700	\$5,400	\$3,500	\$3,400	\$4,000	\$4,900	\$5,800	\$4,900	\$6,700	\$5,300	\$5,400	\$5,000	\$4,600	\$6,100	\$4,200
5260100	Publications and Legal Notices	\$1,151	\$563	\$1,526	\$363	\$916	\$222	\$378	\$2,484	\$487	\$191	\$145	\$192	\$44	\$90	\$704
5245100	Membership Dues	\$5,500	\$7,000	\$7,000	\$7,000	\$7,000	\$14,473	\$0	\$7,428	\$7,577	\$8,107	\$8,674	\$9,615	\$11,822	\$12,144	\$12,316
5250750	Printing and Reproduction	\$5	\$0	\$0	\$0	\$0	\$0	\$9	\$177	\$703	\$0	\$0	\$0	\$799	\$0	\$0
5285800	Business Travel	\$7,238	\$8,415	\$4,133	\$8,309	\$3,095	\$4,777	\$5,800	\$4,042	\$5,811	\$3,877	\$13,091	\$4,260	\$6,908	\$0	\$0
5285300	Private Automobile Mileage	\$1,016	\$704	\$832	\$1,185	\$615	\$424	\$409	\$396	\$1,009	\$1,264	\$590	\$689	\$696	\$61	\$0
5285200	Transportation&Travel (County Car Usage	\$894	\$948	\$629	\$0	\$384	\$250	\$371	\$293	\$559	\$605	\$0	\$328	\$256	\$0	\$0
5281600	Overhead	\$42,492	\$62,391	\$49,077	\$46,626	\$60,647	\$43,133	\$42,192	\$34,756	\$49,452	\$0	\$28,437	\$69,944	\$4,505	\$30,917	\$49,173
5275200	Computer Hardware	\$0	\$451	\$0	\$83	\$2,934	\$1,791	\$2,492	\$0	\$106	\$0	\$0	\$773	\$0	\$0	\$0
5250800	Computer Software	\$0	\$0	\$626	\$314	\$579	\$3,124	\$933	\$1,833	\$2,079	\$754	\$4,505	\$3,012	\$1,200	\$4,708	\$1,753
5250250	Postage	\$1,160	\$416	\$219	\$568	\$309	\$589	\$246	\$597	\$411	\$209	\$183	\$117	\$73	\$184	\$159
5252100	Staff Training Programs	\$0	\$665	\$491	\$250	\$300	\$0	\$0	\$1,431	\$0	\$0	\$0	\$350	\$525	\$70	\$70
5701000	Reserves	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL EXPENDITURES		\$516,530	\$633,691	\$636,478	\$604,238	\$640,540	\$613,895	\$612,816	\$633,929	\$687,043	\$667,342	\$857,865	\$998,208	\$1,021,478	\$972,028	\$888,331
REVENUES																
4103400	Application Fees	\$46,559	\$41,680	\$35,576	\$48,697	\$37,426	\$45,458	\$63,561	\$27,386	\$146,168	\$20,436	\$29,864	\$33,049	\$7,587	\$34,622	\$41,847
4301100	Interest: Deposits and Investments	\$24,456	\$16,230	\$6,688	\$4,721	\$4,248	\$3,416	\$2,674	\$2,844	\$6,073	\$10,830	\$12,620	\$12,141	\$18,176	\$10,488	\$7,831
TOTAL REVENUES		\$71,015	\$57,911	\$42,264	\$53,418	\$41,674	\$48,873	\$66,235	\$30,230	\$152,241	\$31,266	\$42,484	\$45,190	\$25,763	\$45,110	\$49,678
AVAILABLE FUND BALANCE																
3400150	END OF YEAR	\$271,033	\$368,800	\$334,567	\$275,605	\$209,987	\$208,219	\$160,052	\$226,111	\$187,310	\$293,489	\$331,177	\$314,693	\$352,123	\$312,351	\$410,027
3400800	RESERVES AVAILABLE				\$100,000	\$100,000	\$150,000	\$250,000	\$250,000	\$200,000						
BUDGETED COSTS TO AGENCIES																
5440200	County	\$271,641	\$270,896	\$267,657	\$292,601	\$298,597	\$281,780	\$156,002	\$187,521	\$220,668	\$225,778	\$266,298	\$277,942	\$381,904	\$327,928	\$295,443
4600100	Cities (San Jose 50% +other cities 50%)	\$271,641	\$270,896	\$267,657	\$292,601	\$298,597	\$282,625	\$156,002	\$187,521	\$220,668	\$225,778	\$266,298	\$277,942	\$381,904	\$327,928	\$295,443
4600100	Special Distrcits							\$296,892	\$187,521	\$220,668	\$225,778	\$266,298	\$277,942	\$381,904	\$327,928	\$295,443

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

PRIORITY* H - High Priority (essential activities: state mandate, Commission directive, requirements)
M - Medium Priority (important, provided resources allow or time permits)
L - Low Priority (desirable provided resources allow or time permits, not urgent)

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*
LAFCO APPLICATIONS	Process applicant-initiated LAFCO proposals	Encourage pre-application meetings prior to application submittal Conduct pre-agenda meetings with County Depts to obtain Assessor & Surveyor reports, as needed Process applications per CKH Act requirements: issue Notice of Application, Certificate of Filing / Sufficiency, Public Hearing Notice, staff report, conduct protest proceedings, as needed	Staff	H
	Comment on potential LAFCO applications, relevant projects & development proposals, city General Plan updates and/ or related environmental documents	Ongoing, as needed	Staff	H
	Review and update LAFCO policies for context, clarity and consistency with State law	In progress	Staff / Consultant	H
	Prepare flowcharts for LAFCO processes and update application packets and application fee schedules for current requirements and ease of public use	Upon completion of policies update	Staff	L
ISLAND ANNEXATIONS	Conduct outreach to cities with islands, follow up on responses including review/research of city limits/ USA boundaries, provide assistance with annexations or necessary USA amendments	Prepare and distribute island maps to cities	Staff	L
	Review and finalize city-conducted island annexations	Ongoing, as needed	Staff	H

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*
OUTREACH, GOVERNMENT / COMMUNITY RELATIONS & CUSTOMER SERVICE	Conduct outreach to increase awareness of LAFCO's role	Presentations to cities, other agencies on LAFCO, as relevant	Staff	L
		Distribute LAFCO communications material to elected officials and staff of cities, special districts and the County		M
		Seek exhibit opportunities at public spaces / events		L
		Maintain website as the primary information resource on LAFCO		H
		Increase social media presence (Twitter)		L
	Engage and establish relationships with local (cities, districts, county), regional (ABAG/MTC), state (SGC, OPR, DoC, SWRCB) agencies, organizations such as SDA, SCCAPO, CALAFCO, other stakeholder groups	Attend regular meetings of SDA (quarterly), SCCAPO (monthly), County Planning Dept.(quarterly)	Staff	M
		Small water systems issues / legislation		M
		Collaborate with agencies and entities with goals common to LAFCO		M
	Track LAFCO related legislation	EO attends CALAFCO Legislative Committee meetings	Staff	L
		Commission takes positions and submits letters on proposed legislation		M
	Respond to public enquiries re. LAFCO policies, procedures and application filing requirements	Timely response to public inquiries	Staff	H
		Update the PRA form for the website		L
Document research on complex inquiries		L		
Report to Commission on complex inquiries		H		

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*
SERVICE REVIEWS, SPECIAL STUDIES & SPHERE OF INFLUENCE UPDATES	Countywide Fire Service Review	Manage new consultant's work and contract Coordinate TAC meetings Review and comment on administrative draft report Distribute Public hearing notices and coordinate community workshops and LAFCO public hearings Prepare and distribute stakeholder/public outreach material Coordinate stakeholder / public engagement process along with public comment and response process Prepare staff reports with implementation recommendations Follow up with agencies on implementation and report back to the commission	Staff / Consultant	H
	Countywide Water and Wastewater Service Review	Develop water/wastewater service review workplan and identify method for consultant selection	Staff	M
	Continue to monitor implementation of recommendations from previous service reviews and conduct special studies, as necessary	RRRPD study – city took action to delay decision on consolidation	Staff	L
	Map Mutual Water companies	Initial maps complete, further through service review	Staff	L
	Engage in or support grant / partnership opportunities on issues related to enhancing viability of agriculture, and climate smart growth	As needed, and as opportunities arise	Staff	L
	Compile and post JPA filings on the LAFCO website	Notice provided, gather JPA information through service review process	Staff	L

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*
COMMISSION SUPPORT	Provide ongoing support to the 12 commissioners for regularly-scheduled Commission meetings, special meetings and Committee meetings (Finance Committee, and the Fire Service Review TAC)	Prepare and distribute public hearing notices and agenda packets, provide staff support during the meetings, record minutes, broadcast meetings Hold pre-agenda review meeting with Chair Hold pre-meeting calls with individual commissioners to address agenda item questions and prepare meeting script for Chair Process commissioner per diems for attendance at LAFCO meetings	Staff	H
	Keep the Commission informed	EO report Off-agenda emails, as needed Provide ongoing educational opportunities/events	Staff	H
	Onboarding new Commissioners	Facilitate filing / completion of Form 700, commissioner pledge, ethics training Update LAFCO letterhead, directory, and website Set up vendor accounts, provide parking permits Conduct new Commissioner orientation Recognize outgoing commissioners for LAFCO service	Staff	H
	Commissioners Selection Process	Inform appointing bodies of any upcoming vacancies and provide information on appointment criteria Convene ISDSC committee meeting, as necessary Coordinate public member selection process, as necessary	Staff	H
	Conduct a Strategic Planning Workshop	Most recent workshop in 2018 re. LAFCO Communications and Outreach Plan	Staff / Consultant	L
	Commissioner participation in CALAFCO	Support commissioner participation in CALAFCO activities / or election to the CALAFCO Board	Staff	L

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*
ADMINISTRATIVE PROJECTS	Prepare LAFCO annual work plan	March -June	Staff	H
	Prepare LAFCO annual budget	March -June	Staff	H
	Prepare LAFCO Annual Report	August 2023	Staff	H
	Prepare LAFCO Annual Financial Audit	October 2023 (Contract with Chavan Associates extended for FY 2023 and FY 2024)	Consultant / Staff	H
	Office / facility management	Coordinate with Building Manager on facilities issues Coordinate with County re. computers/network, phone, printers, office security, procurement, installation & maintenance Order and manage office supplies Make travel arrangements and process expense reimbursements. Process mileage reimbursements Office space lease extended (lease extended through April 30, 2027)	Staff	H
	Records management	Organize scan of LAFCO records to Electronic Document Management System (LaserFische) Maintain LAFCO's hard copy records Maintain and enhance the LAFCO Website Maintain LAFCO database	Staff/ Consultant	H
			Staff	H
				H
			H	
Contracts and payments & receivables	Track consultant contracts and approve invoices Approve vendor invoices / process annual payments for various services/ memberships Coordinate with County Controller's Office and track annual collection of payments from member agencies	Staff	H	
Review and update LAFCO bylaws / administrative policies and procedures	Ongoing, as needed	Staff	H	

PROPOSED WORK PLAN FOR FISCAL YEAR 2024

	PROJECT DESCRIPTION	ACTIVITIES / TIMELINE	RESOURCES	PRIORITY*
ADMINISTRATIVE PROJECTS				
	Staff training and development	CALAFCO workshops, conferences, relevant courses	Staff	M
	Coordinate with County on administrative issues	Attend monthly meetings with the Deputy County Executive	Staff	H
	Staff performance evaluation	April - October 2023	Staff/Commission	H
	Recruitment, hiring, and training of LAFCO staff	Training of new LAFCO Clerk - recruitment and hiring expected by end of FY 2023	Staff	H
	Student internship program	Contact the County to explore creation of a paid student internship program	Staff	L
	Other administrative functions mandated of a public agency (Form 806, maintaining liability/workers comp insurance, etc.)	Ongoing	Staff	H

PROPOSED LAFCO BUDGET FISCAL YEAR 2023- 2024

ITEM #	TITLE	APPROVED BUDGET FY 2023	ACTUALS Year to Date 2/21/2023	PROJECTIONS Year End FY 2023	PROPOSED BUDGET FY 2024
EXPENDITURES					
Object 1:	Salary and Benefits	\$810,419	\$403,351	\$719,768	\$882,121
Object 2:	Services and Supplies				
5255100	Intra-County Professional	\$10,000	\$0	\$10,000	\$10,000
5255800	Legal Counsel	\$78,326	\$42,043	\$75,500	\$82,780
5255500	Consultant Services	\$150,000	\$22,552	\$100,000	\$150,000
5285700	Meal Claims	\$750	\$56	\$300	\$750
5220100	Insurance	\$9,237	\$7,042	\$9,237	\$8,335
5250100	Office Expenses	\$5,000	\$344	\$2,000	\$5,000
5270100	Rent & Lease	\$53,182	\$35,272	\$53,182	\$54,766
5255650	Data Processing Services	\$28,038	\$16,375	\$28,038	\$27,520
5225500	Commissioners' Fee	\$10,000	\$1,900	\$7,000	\$10,000
5260100	Publications and Legal Notices	\$1,000	\$308	\$1,000	\$1,000
5245100	Membership Dues	\$12,887	\$12,921	\$12,921	\$13,870
5250750	Printing and Reproduction	\$1,500	\$0	\$500	\$1,500
5285800	Business Travel	\$10,000	\$3,125	\$6,000	\$15,900
5285300	Private Automobile Mileage	\$1,000	\$7	\$200	\$1,000
5285200	Transportation&Travel (County Car Usage)	\$600	\$0	\$200	\$600
5281600	Overhead	\$30,041	\$15,021	\$30,041	\$20,358
5275200	Computer Hardware	\$3,000	\$0	\$1,000	\$4,000
5250800	Computer Software	\$5,000	\$853	\$2,000	\$4,000
5250250	Postage	\$1,000	\$10	\$300	\$500
5252100	Staff/Commissioner Training Programs	\$2,000	\$0	\$1,000	\$2,000
5701000	Reserves	\$0	\$0	\$0	\$0
TOTAL EXPENDITURES		\$1,222,980	\$561,180	\$1,060,187	\$1,296,000
REVENUES					
4103400	Application Fees	\$30,000	\$19,603	\$25,000	\$30,000
4301100	Interest: Deposits and Investments	\$6,000	\$4,657	\$6,000	\$6,000
TOTAL REVENUE		\$36,000	\$24,260	\$31,000	\$36,000
3400150	FUND BALANCE FROM PREVIOUS FY	\$201,006	\$410,027	\$410,027	\$366,814
NET LAFCO OPERATING EXPENSES		\$985,974	\$126,893	\$619,160	\$893,186
3400800	RESERVES Available	\$200,000	\$200,000	\$200,000	\$200,000
COSTS TO AGENCIES					
5440200	County	\$328,658	\$328,658	\$328,658	\$297,729
4600100	Cities (San Jose 50% + Other Cities 50%)	\$328,658	\$328,658	\$328,658	\$297,729
4600100	Special Districts	\$328,658	\$328,658	\$328,658	\$297,729

LAFCO COST APPORTIONMENT: COUNTY, CITIES, SPECIAL DISTRICTS
Estimated Costs to Agencies Based on the Preliminary FY 2024 LAFCO Budget

Preliminary Net Operating Expenses for FY 2024				\$893,186
JURISDICTION	REVENUE PER 2020/2021 REPORT	PERCENTAGE OF TOTAL REVENUE	ALLOCATION PERCENTAGES	ALLOCATED COSTS
County	N/A	N/A	33.3333333%	\$297,728.67
Cities Total Share			33.3333333%	\$297,728.67
San Jose	N/A	N/A	50.0000000%	\$148,864.34
Other cities share			50.0000000%	\$148,864.33
Campbell	\$67,824,629	1.9995536%		\$2,976.62
Cupertino	\$125,426,339	3.6977230%		\$5,504.59
Gilroy	\$131,638,480	3.8808646%		\$5,777.22
Los Altos	\$61,718,303	1.8195316%		\$2,708.63
Los Altos Hills	\$19,614,107	0.5782480%		\$860.81
Los Gatos	\$51,370,842	1.5144757%		\$2,254.51
Milpitas	\$186,509,610	5.4985331%		\$8,185.35
Monte Sereno	\$4,845,074	0.1428388%		\$212.64
Morgan Hill	\$113,620,439	3.3496705%		\$4,986.46
Mountain View	\$373,855,966	11.0217345%		\$16,407.43
Palo Alto	\$664,162,959	19.5803423%		\$29,148.15
Santa Clara	\$1,000,850,828	29.5063155%		\$43,924.39
Saratoga	\$35,690,808	1.0522090%		\$1,566.36
Sunnyvale	\$554,860,115	16.3579598%		\$24,351.17
Total Cities (excluding San Jose)	\$3,391,988,499	100.0000000%		\$148,864.33
Total Cities (including San Jose)				\$297,728.67
Special Districts Total Share		(Fixed %)	33.3333333%	\$297,728.66
Aldercroft Heights County Water District		0.06233%		\$185.57
Burbank Sanitary District		0.15593%		\$464.25
Cupertino Sanitary District		2.64110%		\$7,863.31
El Camino Healthcare District		4.90738%		\$14,610.68
Guadalupe Coyote Resource Conservation District		0.04860%		\$144.70
Lake Canyon Community Services District		0.02206%		\$65.68
Lion's Gate Community Services District		0.22053%		\$656.58
Loma Prieta Resource Conservation District		0.02020%		\$60.14
Midpeninsula Regional Open Space District		5.76378%		\$17,160.42
Purissima Hills Water District		1.35427%		\$4,032.05
Rancho Rinconada Recreation and Park District		0.15988%		\$476.01
San Martin County Water District		0.04431%		\$131.92
Santa Clara Valley Open Space Authority		1.27051%		\$3,782.67
Santa Clara Valley Water District		81.44126%		\$242,473.98
Saratoga Cemetery District		0.32078%		\$955.05
Saratoga Fire Protection District		1.52956%		\$4,553.94
South Santa Clara Valley Memorial District		0.03752%		\$111.71
Total Special Districts		100.00000%		\$297,728.66
Total Allocated Costs				\$893,186.00



**Local Agency
Formation Commission
of Santa Clara County**

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Sylvia Arenas
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Russ Melton
Susan Vicklund Wilson

Alternate Commissioners

Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner

Executive Officer
Neelima Palacherla

LAFCO MEETING: April 5, 2023

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer**

**SUBJECT: Appointment of Public Member and Alternate Public
Member**

STAFF RECOMMENDATION

Interview, select, and appoint a public member and an alternate public member to LAFCO, to each serve a four-year term from June 2023 through May 2027.

BACKGROUND

Chairperson Susan Vicklund Wilson currently serves as the Public Member and her 4-year term on LAFCO will expire on May 31, 2023. Alternate Commissioner Terry Trumbull currently serves as Alternate Public Member and his 4-year term on LAFCO will expire on May 31, 2023.

At the February 1, 2023, the Commission directed LAFCO staff to initiate the process in accordance with the LAFCO Bylaws that would enable the Commission to select and appoint a public member and an alternate public member at the April 5, 2023 LAFCO meeting.

LAFCO's Bylaws require the solicitation of candidates. On February 28, 2023, an announcement/request for applications for public member and alternate public member (**Attachment A**) was posted on the LAFCO website and circulated to local agencies, other local stakeholder groups, and interested parties. The announcement indicated that applications were due on March 14, 2023. This report provides an overview of the candidates and the selection process.

Eligible Applicants

Applicants for the public member and alternate public member positions must be Santa Clara County residents. The public member and alternate public member appointees are prohibited by State law from concurrently being an officer or employee of the county, or any city or district with territory in the county. Residents of cities already represented on the commission may not fill these positions. Therefore, residents of the cities of San Jose, Sunnyvale and Morgan Hill may not be considered at this time. Additionally, the appointees shall not concurrently hold any

elected or appointed office with a local government agency that makes or informs land use decisions while serving on LAFCO. The current public member and alternate public member are eligible to apply.

LAFCO received six applications before the deadline.

It is LAFCO staff's determination that the following five candidates meet the eligibility provisions to become a public member or alternate public member on the Commission:

- Jane Howard (seeking Public Member or Alternate Public Member)
- Jerry Karp (seeking Public Member)
- Teresa O'Neill (seeking Alternate Public Member)
- Jake Tonkel (seeking Alternate Public Member)
- Terry Trumbull, Current Alternate Public Member, (seeking Public Member or Alternate Public Member)

List of candidates for Public Member and Alternate Public Member

Public Member	Alternate Public Member
Jane Howard	Jane Howard
Jerry Karp	Teresa O'Neill
Terry Trumbull	Jake Tonkel
	Terry Trumbull

LAFCO also received an application from David Heindel, who stated that they are a resident of the City of San Jose. LAFCO staff has informed Mr. Heindel that the Commission is unable to consider his application because San Jose residents are not eligible for the position, as noted in the recruitment announcement.

Please see **Attachment B** for copies of each of the five eligible candidates' applications, which includes information on their qualifications, local government and community experience, and reasons for seeking the appointment(s).

At the meeting, staff will provide a draft set of interview questions for the Commission's consideration. The Commission will finalize the interview questions and interview each of the candidates using the set of questions. The Commission will then appoint, by majority vote, a public member and an alternate public member. Government Code §56325(d) states that the public member is "appointed by the other members of the Commission," therefore, Chairperson Vicklund Wilson, as the current Public Member of the Commission, is not eligible to vote this process.

NEXT STEPS

Once appointed, LAFCO staff will work with the public member and alternate public member to complete the requisite onboarding process, including receiving a LAFCO orientation session. The public member's and alternate public member's first LAFCO meeting will be June 7, 2023.

ATTACHMENTS

- Attachment A: Recruitment Announcement for Public Member and Alternate Public Member
- Attachment B: Public Member and Alternate Public Member Applications



**Local Agency
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of Santa Clara County**

777 North First Street
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San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners
Sylvia Arenas
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Russ Melton
Susan Vicklund Wilson

ITEM # 8
Attachment A
Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

RECRUITMENT OF PUBLIC MEMBER AND ALTERNATE PUBLIC MEMBER

LAFCO PURPOSE AND AUTHORITY

Santa Clara LAFCO is a state mandated independent local agency established to oversee the boundaries of cities and special districts within the county. Santa Clara LAFCO’s mission is to promote sustainable growth and good governance in the county by preserving agricultural and open space lands, preventing urban sprawl, and encouraging efficient delivery of services.

LAFCO regulates jurisdictional and planning boundaries of cities and special districts including city / district annexations, detachments, dissolutions, mergers, consolidations and urban service area amendments. LAFCO also has regulatory authority over service extensions outside city and district jurisdictional boundaries. LAFCO plans for orderly growth and development through its service review program and sphere of influence updates. LAFCO works for the good of the whole county – protecting natural resource lands while facilitating development of vibrant communities.

LAFCO COMPOSITION

Santa Clara LAFCO is composed of seven commissioners including two County supervisors appointed by the Board of Supervisors; one council member from the City of San Jose, appointed by the San Jose City Council; one council member from any of the other 14 cities, appointed by the City Selection Committee; two Board Members from independent special districts, one appointed by the Independent Special District Selection Committee; and by agreement amongst the districts, one appointed by the Santa Clara Valley Water District; and one public member appointed by the above six members of the Commission.

Five alternate commissioners are appointed, one for each of the categories to serve and vote in place of the regular member if the regular member is absent or is disqualified from voting. Alternate members are expected and encouraged to attend and participate in all LAFCO meetings, even if the regular member is present.

LAFCO MEETINGS

Santa Clara LAFCO typically meets on the first Wednesday of even months at 1:15 p.m. Meetings are held at the County Government Center located at 70 West Hedding Street in San Jose. Special meetings and subcommittee meetings are calendared as needed. LAFCO commissioners receive a per diem of \$100 for attendance at LAFCO meetings. Commissioners are required to comply with FPPC disclosure regulations and file annual statements of financial interests.

ELIGIBILITY PROVISIONS

Applicants for the public member and alternate public member positions must be Santa Clara County residents. The public member and alternate public member appointees are prohibited by State law from concurrently being an officer or employee of the county, or any city or district with territory in the county. Residents of cities already represented on the commission may not fill these positions. Therefore, residents of the cities of San Jose, Sunnyvale and Morgan Hill may not be considered at this time. Additionally, the appointees shall not concurrently hold any elected or appointed office with a local government agency that makes or informs land use decisions while serving on LAFCO.

Persons interested in the position of Public Member and/or Alternate Public Member should email a letter of interest and a completed application form to LAFCO@ceo.sccgov.org no later than Tuesday, March 14, 2023, at 5:00 p.m.

Interviews for public member and alternate public member positions are anticipated to be held at the April 5, 2023 LAFCO meeting.

MORE INFORMATION

More information on LAFCO is available on its website at www.SantaClaraLAFCO.org and in the [What is LAFCO? Brochure](#).

Should you have questions or need assistance submitting this application, please contact LAFCO staff by email at LAFCO@ceo.sccgov.org or by phone at (408) 993 4704.

APPLICATION FORM

The application form is available in the following two formats:

- [PDF \(Fillable\) Application Form](#)
- [Word \(Fillable\) Application Form](#)

ITEM # 8
Attachment B

March 13, 2023

Local Agency Formation Commission of Santa Clara County
777 North First Street
Suite 410
San Jose, CA 95112

Re: Application for Public Member or Alternate Public Member

Dear Commissioners,

I am pleased to submit my application for consideration for the LAFCO Public Member or Alternate Public Member Commissioner position. I am very interested in serving in this position and I believe my application will provide you the information to demonstrate my ability to capably serve in this position. I thank you for your review and consideration of my application and I look forward to the next steps in the selection process.

If I can provide any additional information or answer any questions, please do not hesitate to contact me. My contact information is included in my application.

Sincerely,

A handwritten signature in black ink that reads "Jane Howard". The signature is written in a cursive style with a large, looping initial "J".

Jane Howard
6400 Laguna Seca Lane
Gilroy, CA 95020



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of Santa Clara County**
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San Jose, CA 95112
SantaClaraLAFCO.org

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Rosa Melton
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Alternate Commissioners
Helen Chapman
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Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

APPLICATION FOR PUBLIC MEMBER OR ALTERNATE PUBLIC MEMBER

Candidates for the position of public member or alternate public member must provide a letter of interest and complete this application form. All application materials must be submitted via email to LAFCO@ceo.sccgov.org, no later than 5:00 PM, on Tuesday, March 14, 2023.

Application for: Public Member Alternate Public Member Either Position

Personal Information

Name Jane Howard	Phone 408-888-8123
Address 6400 Laguna Seca Lane	Email ajhoward@garlic.com
City, State & Zip Gilroy, CA 95020	
Present Employer/Occupation Small business owner - E Z Clean Car Wash	

- Are you a resident of Santa Clara County? Yes No
- Are you a resident of any of the following cities?
San Jose Yes No
Sunnyvale Yes No
Morgan Hill Yes No
- Are you currently an officer or employee of the County, or any city or district with territory in Santa Clara County?
Yes No
- Do you currently hold any elected or appointed office with a local government agency that makes or informs land use decisions in Santa Clara County?
Yes No
- Would you be available to attend in-person daytime meetings? Yes No

6. Summarize your qualifications, including your experience, training, education, or background:

I have lived in Gilroy since 1980. During my 42 years living in Gilroy, I have served on a number of boards and advisory committees. Below is a partial list of my broad and diverse experiences and background:

- 1997 - 1999 and 2014 - 2020 - City of Gilroy General Plan Advisory Committee
- 1996 - 2000 - Gilroy Unified School District board trustee
- 2005 - 2010 - Santa Clara County Board of Education board trustee
- 1998 - 1999 - Gilroy Chamber of Commerce Government Relations Committee Chair
- 2005 - 2022 - Executive Director - Visit Gilroy and California Welcome Center Gilroy
- 2005 - 2022 - Gilroy Economic Development Corporation Board of Directors
- 2005 - 2022 - Gilroy Downtown Business Association Board of Directors
- 2005 - 2022 - Gilroy Chamber of Commerce Board of Directors
- 2005 - 2022 - Central Coast Tourism Council Board of Directors and Past President
- 2014 - 2020 - Visit California Rural Tourism Advisory Committee

7. Community /Civic Activities and Interests. Please include any present or past membership on county, city, or special district boards or committees, civil grand juries, and/or participation in other community groups or organizations.

Following is a list of community/civic activities and memberships:

- 1996 - 1999 - South Valley Hospital Board of Directors and Past Chair
- 1998 - 1999 - Gilroy Garlic Festival Board of Directors
- 1998 - 2004 - Leadership Gilroy Education Foundation Board of Directors and Past President
- 2003 - present - Gilroy Unified School District Citizens Oversight Committee
- 2003 - 2004 - Santa Clara County Civil Grand Jury
- 2000 - present - Gilroy Rotary Club and Past President
- 2008 - present - Gilroy Gardens Board of Directors
- 1999 & 2022 - Gilroy Chamber of Commerce Woman of the Year

Also, I have traveled to all continents except for Antartica and have extensive experience in marketing and advertising.

8. Why are you seeking this appointment?

I am seeking this appointment to contribute to the preservation of Santa Clara County land and natural resources while encouraging economic development in our communities. Having served on the Gilroy Economic Development Corporation for over 17 years, I have the experience and understanding to know what policies and land use decisions contribute to the economic vitality of a community. In addition, in my role as Executive Director of Visit Gilroy I have served on a number of boards and commissions that are directly engaged in the vibrancy and sustainability of our county's natural assets. I am now retired as the Executive Director of Visit Gilroy and have the time, interest and background to serve as a capable and active commissioner on LAFCO. I believe my experiences as a small business owner, public service and board and community activities provide me a broad understanding of a number of issues that will contribute to my ability to evaluate the proposals brought to LAFCO for review and consideration.

9. What experience, if any, do you have interacting with LAFCO or the LAFCO process?

Although I have no direct LAFCO interaction or participation with the LAFCO process, I am very familiar with the role and responsibilities of LAFCO commissioners. During my tenure as a member and chair of the Gilroy Chamber of Commerce Government Relations Committee, we had several presentations by LAFCO commissioners affecting South County land uses. In addition, my years of experience serving on two City of Gilroy General Plan Advisory Committees provides me the background and understanding of the importance of land use policy decisions.

10. How did you become aware of this recruitment?

I was notified by LAFCO Alternate Commissioner Mark Turner of this recruitment.

By submitting this application, I certify that the information contained in this application is true and correct.

Please contact LAFCO staff at 408 993-4704 or LAFCO@ceo.sccgov.org if you have questions or need assistance submitting this application.
Thank you for your interest in Santa Clara LAFCO.



**Local Agency
Formation Commission
of Santa Clara County**

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SantaClaraLAFCO.org

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Cindy Chavez
Terry Trumbull
Mark Turner

Executive Officer
Neelima Palacherla

APPLICATION FOR PUBLIC MEMBER OR ALTERNATE PUBLIC MEMBER

Candidates for the position of public member or alternate public member must provide a letter of interest and complete this application form. All application materials must be submitted via email to LAFCO@ceo.sccgov.org, no later than 5:00 PM, on Tuesday, March 14, 2023.

Application for: Public Member Alternate Public Member Either Position

Personal Information

Name Jerry Karp	Phone 4082968910
Address 3663 Cody Court	Email j4jsk@aol.com
City, State & Zip santa Clara, Ca 95051	
Present Employer/Occupation Retired	

- Are you a resident of Santa Clara County? Yes No
- Are you a resident of any of the following cities?
 San Jose Yes No
 Sunnyvale Yes No
 Morgan Hill Yes No
- Are you currently an officer or employee of the County, or any city or district with territory in Santa Clara County?
 Yes No
- Do you currently hold any elected or appointed office with a local government agency that makes or informs land use decisions in Santa Clara County?
 Yes No
- Would you be available to attend in-person daytime meetings? Yes No

6. Summarize your qualifications, including your experience, training, education, or background:

Sales Representative, Electronics Industry 1973-1979
Founded JSK Associates 1979, Manufacturers representative
Retired 2021
Founding Member of Surface Mount Technology Association (SMTA)
VP San Jose Chapter (Founding Chapter)
VP Publications, Board of Directors, SMTA
General Manager, SMTA International Exposition, San Jose, Ca
AA, College of Insurance, NYC specializing in Investigations & Negotiations
Attended Brooklyn College with classes in Political Science & Social Services
Co-Editor of 50th Anniversary Journal, Electronics Industry Association

7. Community /Civic Activities and Interests. Please include any present or past membership on county, city, or special district boards or committees, civil grand juries, and/or participation in other community groups or organizations.

Juror, 2023 Santa Clara Civil Grand Jury

8. Why are you seeking this appointment?

To provide service and oversight to the community I reside in

9. What experience, if any, do you have interacting with LAFCO or the LAFCO process?

None currently

10. How did you become aware of this recruitment?

Santa Clara Civil Grand Jury Email

By submitting this application, I certify that the information contained in this application is true and correct.

Please contact LAFCO staff at 408 993-4704 or LAFCO@ceo.sccgov.org
if you have questions or need assistance submitting this application.
Thank you for your interest in Santa Clara LAFCO.

March 9, 2023

Members of the Commission
Local Agency Formation Commission of Santa Clara County
777 North First Street, Suite 410
San Jose, California 95112

Dear Commissioners,

I am writing to express my interest in being appointed to the upcoming opening for Alternate Public Member of LAFCO. As a lifelong resident of Santa Clara County, I have seen a tremendous amount of change from the days of my childhood. I care deeply about ensuring our County has a very promising future, while preserving important aspects of our history, with the hope that more Santa Clarans will have an even better quality of life. I believe I have the requisite governance experience, land use knowledge, and decision-making processes to positively contribute to the important work of LAFCO. I humbly ask for your support for the Alternate Public Member position of the commission.

While Santa Clara's LAFCO has done great work in recent decades to create a productive balance between development, farm land, and open space, to better serve all those who need a place to live, work, recreate, and receive vital services, there is still much to do, especially in areas outside current urban boundaries.

I have served the community through leadership positions in a range of community and non-profit organizations, as well as the Santa Clara Unified School District Board of Education, City of Santa Clara Planning Commission, and the Santa Clara City Council. In many of my areas of service, I have worked on issues involving land use. I am listing a few significant achievements below.

- President of the SCUSD Board of Education when the Board approved and then constructed the first large housing development for teachers in this region on an under-utilized portion of a school site
- Proposed and worked to obtain approval and initial operation of an eleven-acre urban farm on District property which today provides fruits and vegetables to the student nutrition program as well as hands-on environmental education opportunities
- Representing the City of Santa Clara Planning Commission, served as a member of the General Plan Steering Committee which laid out in phases the conversion of previously industrial or commercial zoned land to multi-use purposes
- As a member of Santa Clara City Council, convinced the City to re-start an infill affordable housing project which went dormant with the dissolution of the Redevelopment Agency and issue an RFP to seek more creative ideas for the property. Subsequently voted to award contract to a community-supported proposal which includes meaningful open space, a small urban farm, and several types of housing (www.agrihood-sc.com) which is soon to welcome its first residents
- Led effort on City Council to start master site plans and specific plans to allow for the transition, in an effective way, of industrial sites to mixed-use, in-fill development, including Santa Clara Square (90+ acres, 1800 housing units, 2 million square feet of retail and office, dedicated parks completed), Lawrence Station, and Tasman East, with several others still in process
- Introduced and got passed proposal for Santa Clara to collect Quimby and Mitigation Act developer fees to enhance parkland in the City, as Santa Clara was only city in the area that wasn't using this mechanism

- Supported and participated in drafting a city charter amendment to preserve open space that was passed with about 90% affirmative votes
- Co-leader of successful effort to enact an affordable housing ordinance for new developments
- Served for ten years on County Committee on School District Organization, which reviews and analyzes proposals on boundary changes and services provision among the many school districts in Santa Clara County, looking at many factors, including land use

I believe I have the experience, interest, work ethic, and passion to be an effective alternate for the Public Member of the Commission. I am attaching my resume for your review and look forward to answering any questions you may have.

Thank you for your service to LAFCO and the community.

Sincerely,



Teresa O'Neill

Teresa.oneillSC@gmail.com

2822 Sycamore Way

Santa Clara, California 95051

Attachment

Teresa O'Neill

2822 Sycamore Way
Santa Clara, California 95051-5642
e-mail teresa.oneillSC@gmail.com

Home Telephone 408-243-3664
Mobile Telephone 408-219-9624

Summary Business professional and community leader. Experienced solution-finder supporting sales and marketing processes by effecting resolution of issues over contracts, systemic constraints, pricing, legal and regulatory compliance, risk management, and business controls. Excellent communication skills employed in presentations, negotiations, consensus-building, training, and written materials.

Education Stanford University, Stanford, California
A.B.-Communication

Experience Professional

Hewlett-Packard Company, Palo Alto, California

Contracts Manager, Legal Department 2000- 2015

- Negotiate range of contracts on behalf of strategic alliance, sales, supply chain, marketing, and research and development teams with major technology companies and customers
- Team with business managers to formulate business case for executive sponsorship and negotiation strategy
- Responsible for contract drafting, approvals, and execution
- Perform risk/benefit and gap analyses on wide variety of provisions, consulting with commercial and intellectual property attorneys and other subject experts as required

Contracts Business Consultant, Member of Support Staff,

Prior HP Organizations 1984-2000

- Managed GSA schedule programs, from proposal preparation, pre-award audits, negotiations, to post-award administration. Produced high levels of sales for products and services while having favorable audits and full contract-compliance.
- Managed project to investigate IT systems in contracts environment, produced project charter, directed consulting team and subsequent new system development projects.

- Reviewed proposed Federal procurement laws and regulations for potential impact. Derived policies in response to Federal action. Advised personnel on policy implementation. Devised compliance monitoring approaches. Directed and facilitated variety of internal and Federal Government reviews and audits.
- Consulted with and prepared proposals for lines of business on structuring customer opportunities, particularly discounts and terms and conditions, in compliance with business objectives, controls, and regulations. Reviewed business practices for legal compliance issues and drafted summary statements for disclosure purposes.
- Designed compliance program to meet requirements of Defense Industry Initiatives (“DII”), the Procurement Integrity law, and the HP Standards of Business Conduct. Wrote audit programs for Internal Audit and trained on their use. Guest audited. Provided guidance on variety of ethics and business conduct issues. Resulted in HP being only signatory to the DII that was not subject to Federal indictment and/or investigation.

Community

- Mission City Federal Credit Union, member, Board of Directors, 2021-
 - Currently serving as Treasurer, member of Governance and Net Worth Committees
- Silicon Valley Central Chamber of Commerce, 2021-
 - Board of Directors, 2022-
 - Co-chair, Santa Clara Business Council, 2021-
- City of Santa Clara, City Council Member-2012-2020
 - Service on Governance, Ethics, Marketing, Bicycle Pedestrian Advisory, School-City Liaison, Neighborhood-University Relations, and Neighborhood Protection Ordinance Committees
- Northern California Power Agency, Commissioner, 2015-2020
 - Legislative and Regulatory Committee, 2015-2020, Chair, 2016-2018
 - Executive Committee, 2016-2020, Vice-Chair, 2018-2020, Chair, 2020
- Northwest Public Power Association, member, Board of Directors, 2019-2020 Finance Committee
- Santa Clara County Recycling and Waste Reduction Commission, 2012-2017
- Silicon Valley Animal Control Authority Board of Directors, 2014, 2016-2020, Chair, 2019
- Santa Clara County Expressway Policy Advisory Board, 2013-2020
- Valley Transportation Agency, Board of Directors, 2016-2020, Vice-Chair, 2018, Chair, 2019, Policy Advisory Committee member, 2013-2016
- Capitol Corridor Joint Powers Authority Board of Directors, 2016-2020
- Santa Clara Unified School District, Parcel Tax Oversight Committee, 2015-2017
- Santa Clara Unified School District, Budget Advisory Committee, 2015-2019
- Co-Chair, Measure BB Bond Campaign Santa Clara Unified School District-2018
- Chair, Measure H Bond Campaign, Santa Clara Unified School District-2014

- Chair, Measure A Parcel Tax Campaign, Santa Clara Unified School District—2012
- Vice-Chair, Charter Review Committee, City of Santa Clara--2011
- Planning Commission, City of Santa Clara—2007-2012 Served as Chair and Vice-Chair
- City of Santa Clara General Plan Steering Committee—2008-2010
- City of Santa Clara Citizens' Advisory Committee—2010-2012
- Silicon Valley Leadership Group, Education Committee, representing Hewlett-Packard Company—2006—2015
- Santa Clara County Committee on School District Organization—2009-2020
- Santa Clara Unified School District, Board of Trustees—1998-2006 Served as President and Vice-President of the Board
- Santa Clara County School Boards Association Executive Board—1998-2006 Served as President, Vice-President, Treasurer, and Legislative Chair
- California School Boards Association—1998-2006 Served as member of Delegate Assembly
- Triton Museum of Art Board of Directors—2003-2008, Advisory Board, 2008-Graduate, Leadership Santa Clara program—2000
- AIDS Coalition Silicon Valley Board of Directors—2000-2010 Served as Board Chair and Treasurer
- Project H.E.L.P. Board of Directors—2000-2009
Member of Finance and Executive Director Evaluation Committees
- Santa Clara Schools Foundation Board of Directors—2007- Served as President and Vice-president
- Santa Clara Sister Cities Association Board of Directors--2006-2008 Served as Secretary
- United Way Silicon Valley—1990- 2011-- member of Community Building and Impact Committee and Emergency Assistance Network Advisory Board. Former chair and member of several Needs Area Committees, Community Action Council, Allocations Committee, Administrative Review board.
- Chair and committee member for several HP site United Way campaigns, Medical Emergency Response Teams, Safety Committees, community service projects
- St. Justin Parish Community— member of Outreach Team, overseeing various activities of the St. Justin Community Ministry, a church-based community services agency serving 2400 Santa Clara residents monthly, member and Chair of Parish Council, catechist for high school- and junior high-age youth, member of ministry to the sick team



**Local Agency
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of Santa Clara County**
777 North First Street
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SantaClaraLAFCO.org

Commissioners
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Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
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Susan Vicklund Wilson

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

APPLICATION FOR PUBLIC MEMBER OR ALTERNATE PUBLIC MEMBER

Candidates for the position of public member or alternate public member must provide a letter of interest and complete this application form. All application materials must be submitted via email to LAFCO@ceo.sccgov.org, no later than 5:00 PM, on Tuesday, March 14, 2023.

Application for: Public Member Alternate Public Member Either Position

Personal Information

Name Teresa O'Neill	Phone 408-219-9624
Address 2822 Sycamore Way	Email teresa.oneillSC@gmail.com
City, State & Zip Santa Clara, CA 95051	
Present Employer/Occupation retired	

- Are you a resident of Santa Clara County? Yes No
- Are you a resident of any of the following cities?
 San Jose Yes No
 Sunnyvale Yes No
 Morgan Hill Yes No
- Are you currently an officer or employee of the County, or any city or district with territory in Santa Clara County?
 Yes No
- Do you currently hold any elected or appointed office with a local government agency that makes or informs land use decisions in Santa Clara County?
 Yes No
- Would you be available to attend in-person daytime meetings? Yes No

6. Summarize your qualifications, including your experience, training, education, or background:

I have dealt with land use issues during my tenure as an elected member of the Santa Clara Unified School District Board of Education, an appointed Planning Commissioner for the City of Santa Clara, and a Santa Clara City Councilmember. I have reviewed and made decisions on a wide range of projects, from bond construction projects worth multiple millions of dollars, to a billion dollar football stadium, to thousands of new housing units. Making these decisions involved looking at all the infrastructure and services needed to construct, operate, and maintain those projects. While a Planning Commissioner, I attended trainings sponsored by the League of California Cities and the California branch of the American Planning Association on various aspects of city planning and land use. I also completed 2 classes offered by the University of California-Davis's Land Use and Environmental Planning certificate program.

7. Community /Civic Activities and Interests. Please include any present or past membership on county, city, or special district boards or committees, civil grand juries, and/or participation in other community groups or organizations.

In addition to the Santa Clara Unified School District Board of Education, the Santa Clara Planning Commission, and the Santa Clara City Council, I have served on numerous non-profit and governmental boards and committees, including the following:

Valley Transportation Authority
Capitol Corridor Joint Powers Authority
Northern California Power Agency
Northwest Public Power Association
Silicon Valley Animal Control Authority
Santa Clara County Recycling and Waste Reduction Commission
AIDS Coalition Silicon Valley
Triton Museum of Art
Santa Clara Schools Foundation
Silicon Valley Central Chamber of Commerce
Mission City Federal Credit Union
Santa Clara Sister Cities Association
Santa Clara County Committee on School District Organization

Please see the resume attached to my letter of interest for more details

8. Why are you seeking this appointment?

I would like to continue to serve our community by making use of my experience in land use decisions from my service on the Santa Clara School Board, Planning Commission, and City Council, my collaborative approach to working with fellow policy-makers, professional staff, and members of the public, and my analytic, holistic decision-making process on the critical work of the Santa Clara LAFCO. Beyond being interested in land use in and of itself, I realize that land use choices can impact every aspect of community life. Decisions, such as LAFCO is chartered to make, can have a range of unintended consequences, if all aspects of proposals are not entered into the equation. I welcome this challenge and opportunity to give back to our community.

9. What experience, if any, do you have interacting with LAFCO or the LAFCO process?

I have not had direct experience in a LAFCO review, as the projects I have worked on have been within existing jurisdictional boundaries, but I have followed some LAFCO issues, particularly the proposed development of Coyote Valley. While not exactly following a parallel process, I served on the County Committee on School District Organization where the Committee reviewed requests to change school district boundaries and made decisions after analyzing data in criteria areas.

10. How did you become aware of this recruitment?

I saw the notice on the LAFCO website after hearing that new members were coming onto LAFCO.

By submitting this application, I certify that the information contained in this application is true and correct.

Please contact LAFCO staff at 408 993-4704 or LAFCO@ceo.sccgov.org if you have questions or need assistance submitting this application.
Thank you for your interest in Santa Clara LAFCO.

Dear LAFCO Commissioners,

I am writing to express my interest in the position of Alternate Public Member on the Local Agency Formation Commission of Santa Clara County. As a resident of Santa Clara County my entire life, I have become deeply invested in the issues that affect our communities, and I am committed to contributing meaningfully to their resolution.

My background in studying environmental sustainability and engineering, as well as my experience as a Peace Corps volunteer, has equipped me with the skills and knowledge necessary to address the complex issues that LAFCO faces regularly. Moreover, my involvement in advocating for environmental justice, affordable housing, and helping our unhoused community demonstrates my commitment to creating a more equitable and just society.

I believe that my skills and experience would enable me to make a valuable contribution to the commission. As an Alternate Public Member, I would bring a fresh perspective to the table and would work collaboratively with other members to ensure that the commission is making informed decisions that serve the best interests of the community.

Thank you for considering my application. I look forward to the opportunity to discuss my qualifications further and to contribute meaningfully to the work of LAFCO.

Sincerely,

Jake Tonkel



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Application for: Public Member Alternate Public Member Either Position

Personal Information

Name Jacob "Jake" Tonkel	Phone 4083485556
Address 215 Union Ave.	Email jacobrtonkel@gmail.com
City, State & Zip Campbell, CA 95008	
Present Employer/Occupation ZimmerBiomet/Engineering Mangager	

- Are you a resident of Santa Clara County? Yes No
- Are you a resident of any of the following cities?
 San Jose Yes No
 Sunnyvale Yes No
 Morgan Hill Yes No
- Are you currently an officer or employee of the County, or any city or district with territory in Santa Clara County?
 Yes No
- Do you currently hold any elected or appointed office with a local government agency that makes or informs land use decisions in Santa Clara County?
 Yes No
- Would you be available to attend in-person daytime meetings? Yes No

6. Summarize your qualifications, including your experience, training, education, or background:

I feel that I have a unique background that would allow me to be an effective public member of LAFCO. I have my B.S. in Mechanical Engineering with a focus on renewable energy and a minor in environmental sustainability. While I work in the medical device industry, my understanding of renewable energy generation and deep understanding of technical and scientific advances that are crucial to sustainable planning will serve me well while evaluating policy related to land use, development, and public services. This knowledge is essential for LAFCO, which deals with these issues regularly. As our communities need to work closely to solve some of the most complex environmental challenges from climate change, to fire and flood mitigation, my background studying complex sustainability issues also allows me to step back and look at the larger picture. As many of the elected officials that serve on LAFCO are elected to local jurisdictions, the public member needs to be more aware of how the local agencies interact with each other and what blind spots they may have.

My experience as a Peace Corps volunteer in Morocco has given me the opportunity to work closely with diverse communities, understand their needs and perspectives, and develop solutions that are equitable and sustainable. I believe that this skillset would be highly valuable in a position on LAFCO, where collaboration and understanding are essential in making informed decisions.

I've finished multiple leadership trainings. New Leaders Council Silicon Valley, I've undergone trainings on implicit bias, diversity equity and inclusion and communication techniques for outreach to diverse community groups. In 2021 I completed the Silicon Valley Housing Policy Leadership Academy, where we learn about the challenges of development of affordable housing, the collaboration that needs to occur between development, non-profits and local government agencies and what tools we have to make progress.

I was involved early on in the adoption of the San Jose Climate Smart program, where I got the opportunity to understand the technical and community buy-in challenges of reaching local climate goals. The LAFCO responsibility to manage sustainable growth really deserves to have people with complex understanding of these local climate challenges.

Overall, I am confident in my ability to analyze complex data, identify patterns, and propose effective solutions that are in the best interests of the community. +

7. Community /Civic Activities and Interests. Please include any present or past membership on county, city, or special district boards or committees, civil grand juries, and/or participation in other community groups or organizations.

I am deeply involved in advocating for environmental justice, affordable housing, and helping our unhoused community. I've been involved in projects with 350.org Bay Area, Rotary San Jose – Climate Action Committee, San Jose Climate Smart Committee, and Unhoused Response Group. I've worked on state legislation with California Public Banking Alliance as well focused on financial justice for many of our local income communities and communities of color. I believe that these issues are closely related to land use and public services. Environmental justice is about ensuring that all communities, regardless of race, ethnicity, or income level, have access to a clean and healthy environment. Land use decisions have a significant impact on the environment and can disproportionately affect low-income communities and communities of color. By promoting sustainable land use practices and ensuring that environmental impacts are considered, we can help create a more just and equitable society.

I am interested in learning more about affordable housing related to land use and public services. Land use decisions can impact the availability and affordability of housing, which is a critical need for our communities. By promoting policies that prioritize affordable housing and ensure that it is accessible to everyone, we can help ensure that our communities are diverse and inclusive and mitigate impacts to our open space and climate footprint. Moreover, helping our unhoused community is an urgent issue that requires immediate action. This issue is closely related to public services, as unhoused individuals often require access to basic services like sanitation, healthcare, and emergency services but often reside in areas of mixed or messy jurisdictions. By addressing the root causes of homelessness and investing in public services, we can help provide critical support to those who need it most and create a more just and equitable society.

Past Memberships in community organizations: South Bay Progressive Alliance, 350 Bay Area, New Leaders Council SV, California Public Banking Alliance, Climate Smart San Jose, Rotary Club SJ - Rotary Climate Action Team, Protect Juristac, Democratic Socialist of America, Sunrise SV +

8. Why are you seeking this appointment?

I believe that serving as the alternate public member of the LAFCO would allow me to make a positive impact on my local community by contributing to important but not well-known policies related to land use, development, and the provision of public services. Not only do I think my experiences with a wide of range of community-based organizations would help me effectively represent many of the diverse needs of our community, but my involvement in those organizations would help me bring many needed voices to an entity that doesn't see the same publicity or public involvement as many local city or county meetings. I believe we need greater participation at every level of government and this role would allow me to be able to be proactive in reaching out to the many stakeholders involved. Being perhaps the youngest member of LAFCO, if appointed, would also provide a much needed perspective on sustainable growth and the long term consequences of policy decisions.

As the alternate, I would be able to learn more about the local government and the decision-making processes that shape our communities. I would have the opportunity to work with other stakeholders, including elected officials and representatives from other local agencies, to develop policies that are in the best interests of our community. I believe that this experience would enable me to gain valuable insights into the workings of local government and help me better understand how to serve my community.

9. What experience, if any, do you have interacting with LAFCO or the LAFCO process?

I do not have prior experience with LAFCO, but I believe that not having such experience would enable me to approach the role of alternate public member with fresh perspectives and an open mind. As a newcomer to LAFCO, I would be able to learn equally from each of the LAFCO members, without any preconceived notions or biases. This would allow me to offer unique insights and ask thoughtful questions that might not have been considered previously. As someone who works outside of politics, development and non-profit circles (as a biomedical engineer), I feel I can be an effective independent voice.

As an alternate public member of LAFCO, I understand that I would be new to the process, and I welcome the opportunity to learn and participate. The role of an alternate is to attend meetings, learn from the discussions, and step in when a regular member is absent. This provides me with the room to learn and observe the decision-making processes of LAFCO and gain a deeper understanding of the issues facing our community. Additionally, as an alternate, I would have the chance to ask questions and engage with other LAFCO members, allowing me to contribute to the discussion and learn from the experiences of others. Ultimately, I believe that being an alternate public member of LAFCO would be an excellent opportunity for me to learn and grow, and I am eager to take on this role.

10. How did you become aware of this recruitment?

Myself and many of my friends follow local politics pretty closely and one had suggested I look into applying to the alternate seat because of my background in sustainability and housing policies.

By submitting this application, I certify that the information contained in this application is true and correct.

Please contact LAFCO staff at 408 993-4704 or LAFCO@ceo.sccgov.org if you have questions or need assistance submitting this application.
Thank you for your interest in Santa Clara LAFCO.



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Candidates for the position of public member or alternate public member must provide a letter of interest and complete this application form. All application materials must be submitted via email to LAFCO@ceo.sccgov.org, no later than 5:00 PM, on Tuesday, March 14, 2023.

Application for: Public Member Alternate Public Member Either Position

Personal Information

Name Terry A. Trumbull	Phone cell 650-441-8513
Address 1011 Lincoln Ave.	Email TerryTrumbull1011@gmail.com
City, State & Zip Palo Alto, CA 94301-3046	
Present Employer/Occupation retired	

- Are you a resident of Santa Clara County? Yes No
- Are you a resident of any of the following cities?
San Jose Yes No
Sunnyvale Yes No
Morgan Hill Yes No
- Are you currently an officer or employee of the County, or any city or district with territory in Santa Clara County?
Yes No
- Do you currently hold any elected or appointed office with a local government agency that makes or informs land use decisions in Santa Clara County?
Yes No
- Would you be available to attend in-person daytime meetings? Yes No

6. Summarize your qualifications, including your experience, training, education, or background:

It has been my honor to spend the last twenty years as alternate public member. Earlier I had served five terms on the County Planning Commission, as well representing the Commission on 10-13 public bodies, such as the Planning Policy Commission. I was founder and first Chairman of the California Planning Roundtable, which evaluated policy ideas to improve planning in the state on behalf of the California chapter of the American Planning Association.

In addition, I have served on more than 40 local, state, and federal commissions, including serving for 5 years as full time chair of the California Waste Management Board and as an appointee by President Carter to the National Commission on Resource Conservation and Recovery.

I graduated from UC Davis with a degree in Economics, from Georgetown Law School with a doctorate in law, and a LL.M. in Urban Legal Studies from George Washington University. While in law school, I worked for 2.5 years for a housing law firm before joining the Department of Interior's water pollution control legal staff. In the later role, I assisted in drafting the Executive Order by which President Nixon created the US EPA. That led to my work as manager of the standards and regulation developed process for EPA.

My professional work includes serving as a land use and environmental attorney for more than 400 California cities and counties.

Prior to my retirement in 2019, I taught eight environmental classes per year for twenty-four years at San Jose State, Santa Clara, UC Santa Cruz, and Menlo College. These classes included environmental law, advanced environmental law, water policy, energy policy, politics and the environment, resource management, and transportation and the environment.

7. Community /Civic Activities and Interests. Please include any present or past membership on county, city, or special district boards or committees, civil grand juries, and/or participation in other community groups or organizations.

Besides those noted above, I served as:

- a member of the BAAQMD Hearing Board for 15 years and as its Chair for the last 8-9 years;
 - on the BAAQMD Advisory Board where I chaired its Planning Committee;
 - as Chair of the Advisory Commission to US EPA on implementation of the Resource Conservation and Recovery Act (RCRA);
 - a member of the City of Palo Alto's Utilities Advisory Commission, which recommended policies on seven city owned utilities;
 - as Chair of Palo Alto's Commission on Plastics and Chlorofluorocarbons;
 - as Vice Chair of the County General Plan Commission in 1978-80, when we made major changes to try to stop urban sprawl;
 - I was named outstanding county planning commissioner in California in 1998;
 - as Chair of the County's Architectural and Site Approval committee;
 - as a member of an EPA funded committee to develop an environmental plan for the County;
 - a member of the County Energy Commission;
 - as a founding member of the State Bar's Environment Committee;
 - as Chair of the South County and Santa Cruz Mountains Planning Advisory Committees;
 - as a member of the Los Gatos Hillside Planning Committee;
 - as a member of the County Transportation Commission;
 - as a member of the Lehigh Cement plant committee, which renewed its land use permit in 1978; and
 - as the western states director on the Association and Territorial Solid Waste Management Officials.
- I have been on the Board of Directors of Breathe California since 1988 and am its past Environmental Chair. For the past 33 years, I have hosted Environmental Concerns, a Monday evening weekly show in San Jose and Campbell sponsored by Breathe California.

8. Why are you seeking this appointment?

I have enjoyed working on governmental issues for my entire life. After 20 years as an alternate member, I would enjoy the work as a member of the Commission.

I grew up with public policy issues. My father was Chief Engineer for the Central Valley Regional Water Quality Control Board and we discussed his work every evening over dinner. I had several significant student experiences at UC Davis, and decided to go to law school in Washington, D.C., to understand involvement at all levels of government.

9. What experience, if any, do you have interacting with LAFCO or the LAFCO process?

As noted, I have served as an alternate for LAFCo for twenty years, and have attended the vast majority of its meetings during that time. I have only been a voting member 2-3 times, but did chair a meeting about 7 years ago. I have also attended several statewide LAFCo conferences, and enjoyed learning about different approaches of other county LAFCos.

10. How did you become aware of this recruitment?

It was announced in a LAFCo meeting.

By submitting this application, I certify that the information contained in this application is true and correct.

Please contact LAFCO staff at 408 993-4704 or LAFCO@ceo.sccgov.org
if you have questions or need assistance submitting this application.
Thank you for your interest in Santa Clara LAFCO.



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ITEM # 9

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

LAFCO MEETING: April 5, 2026

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer**

SUBJECT: UPDATE ON COUNTYWIDE FIRE SERVICE REVIEW

STAFF RECOMMENDATION

1. Appoint one LAFCO Commissioner to serve on the Countywide Fire Service Review Technical Advisory Committee in place of Commissioner Vicklund Wilson, whose term on LAFCO ends May 31, 2023.
2. Accept report and provide direction, as necessary.

COUNTYWIDE FIRE SERVICE REVIEW

The report provides a summary of the service review related work that has been completed since the February 1, 2023 LAFCO meeting and the anticipated next steps.

AGENCY PROFILES AND VERIFICATION

AP Triton (LAFCO’s Consultant) has completed data collection and is in the process of preparing profiles for the affected agencies and has begun sending these affected agencies their draft profile for verification.

AP Triton is in the process of conducting their analysis and preparing their findings.

FEBRUARY 2023 TAC MEETING TO DISCUSS PRELIMINARY FINDINGS

The Countywide Fire Service Review Technical Advisory Committee (TAC), which includes LAFCO Commissioners Kishimoto and Vicklund Wilson; Fire Chiefs Kerdkaew, Torres, and Wyatt; and City Managers Lindsay, Turner, and Shikada, held its second meeting on February 17, 2023. TAC meetings are open to the public and LAFCO staff regularly notifies local agencies, other affected stakeholders, and interested parties about upcoming TAC meetings.

At TAC Meeting #2, AP Triton provided an update on the preparation of agency profiles and service provider validation of profiles. EO Palacherla informed the group about further opportunities for the public, community, and stakeholders to provide input on the Countywide Fire Service Review. AP Triton’s Team presented

their [preliminary findings](#), which are posted on the LAFCO website. EO Palacherla then informed the group about the next steps in the service review process. A third TAC Meeting is expected to be held in late April (Date TBD) to further review and discuss AP Triton's findings.

NEXT STEPS

The following are the remaining key steps and timeline for completing the Countywide Fire Service Review:

- TAC Meeting #3 to further review and discuss AP Triton's findings: Late April (Date TBD)
- LAFCO releases Draft Report for public review and comment: May
- Community workshops on Draft Report: June - July
- LAFCO public hearing on Draft Report: Early August
- LAFCO releases Revised Draft Report for public review and comment: Late August
- LAFCO public hearing to adopt Final Report: Early October
- Publication of Adopted Final Report: October

Staff will continue to provide the Commission with updates on this project as it progresses.



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Susan Vicklund Wilson

ITEM # 10

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

LAFCO MEETING: April 5, 2023

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer**

**SUBJECT: AMENDMENT TO MOU BETWEEN COUNTY OF SANTA
CLARA AND LAFCO OF SANTA CLARA REGARDING
WEBCASTING SERVICES FOR LAFCO MEETINGS**

STAFF RECOMMENDATION

Approve the proposed amendment to the Memorandum of Understanding (MOU) between County of Santa Clara and LAFCO of Santa Clara regarding the County’s provision of webcasting services for LAFCO meetings held in the County Board Chambers, extending the term, and updating the rates for reimbursable expenses.

BACKGROUND

At the February 5, 2020 LAFCO meeting, the Commission directed staff to work with the Office of the Clerk of the Board of Supervisors (COB) to develop a Memorandum of Understanding (MOU) between LAFCO and the County to allow use of the County’s Agenda Management System (AMS) with integrated webcasting capabilities, and the webcasting equipment in the County Board Chambers, to webcast LAFCO meetings. At the February 3, 2021 LAFCO meeting, the Commission approved said MOU. However, implementation of the MOU was delayed until April 2023, when LAFCO resumed in-person meetings in the County Board Chambers. The term of the current MOU will expire on June 30, 2023. Therefore, LAFCO Legal Counsel, in consultation with County Counsel, has drafted an amendment to the MOU (**Attachment A**) for the Commission’s consideration and approval, which would extend the term of the current MOU to June 30, 2026, an additional three-years and update the rates for reimbursable expenses.

Webcasting LAFCO meetings provides county residents and interested members of the public the ability to watch webcasts of LAFCO meetings on the internet and promotes transparency and public engagement.

NEXT STEPS

Following Commission approval, the Amendment to the MOU will be forwarded to the County Procurement Department for signature.

ATTACHMENTS

- Attachment A: Amendment No. 1 to MOU between County of Santa Clara and LAFCO of Santa Clara regarding webcasting services in County Board of Supervisors Chambers
- Attachment B: MOU between County of Santa Clara and LAFCO of Santa Clara regarding webcasting in the County Board of Supervisors Chambers (executed on February 5, 2021)

**AMENDMENT NO. 1
TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SANTA
CLARA AND THE LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA
REGARDING WEBCASTING IN THE COUNTY BOARD OF SUPERVISORS'
CHAMBERS**

This Amendment No. 1 to the Memorandum of Understanding (“MOU”) is made and entered into as of this ___ day of _____, 2023, by and between the County of Santa Clara, a political subdivision of the State of California (the “County”), and the Local Agency Formation Commission of Santa Clara County, an independent local agency created pursuant to Cal. Gov. Code §56325 (“LAFCO”). County and LAFCO are sometimes individually referred to as (“Party”) and collectively as (“Parties”).

RECITALS

WHEREAS, the County And LAFCO entered into the MOU in January 2021 so that individuals would have the ability to observe and participate in webcasts of LAFCO meetings on the internet; and

WHEREAS, the Parties desire the amend the MOU to extend the term and increase the rates for reimbursable expenses.

NOW, THEREFORE, the County and LAFCO hereby agree as follows:

1. **Exhibit B.** Exhibit B of the MOU is hereby amended and restated in its entirety to read as set forth in the attached Exhibit B.
2. **Term.** Section 2.1 of the MOU is hereby amended in its entirety to read as follows:

“2.1 Term. This MOU shall be effective as of the date hereof and will terminate on June 30, 2026 unless (a) earlier terminated pursuant to Section 2.2 or (b) extended pursuant to Section 2.3. Notwithstanding the foregoing, no Services shall be provided or any Reimbursable Expenses incurred prior to the occurrence of the first Meeting taking place in the Chambers.”
3. **Continuing Effect of MOU.** Except as amended by this Amendment No. 1, all other provisions of the MOU remain in full force and effect and shall remain binding upon the Parties. From and after the date of this Amendment No. 1, whenever the term “MOU” appears in the MOU, it shall mean the MOU as amended by this Amendment No. 1.
4. **Severability.** If any portion of this Amendment No. 1 is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

5. **Counterparts.** This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the County and LAFCO have executed this Amendment No. 1 to the MOU as follows:

**LOCAL AGENCY FORMATION
COMMISSION OF SANTA CLARA
COUNTY**

COUNTY OF SANTA CLARA

Name: Susan Vicklund Wilson
Title: LAFCO Chairperson
Date:

Name: Matthew Hada
Title: Director of Procurement
Date:

APPROVED AS TO FORM

**APPROVED AS TO FORM AND
LEGALITY**

Name: Malathy Subramanian
Title: LAFCO Counsel
Date:

Name: Robert D. Fannion
Title: Deputy County Counsel
Date:

Exhibit B

PASS-THROUGH SERVICE COSTS FOR WEBCAST-RELATED FY24 STAFFING AND EQUIPMENT USE

SERVICE	COST PER HOUR	COST PER MEETING	NOTES
COB Hourly Productive Rate - Broadcast Equipment	\$105.00	\$105.00	Hourly cost for use and maintenance of shared equipment. Charged at only one hour per meeting.
COB Hourly Productive Rate - Agenda Management System (AMS) - Optional	\$105.00	\$105.00	Hourly cost for use of agenda management software. Charged at only one hour per meeting.
Technology Services and Solutions Department – Multimedia Team	\$234.00	\$702.00	Onsite management of integrated Zoom broadcast. Includes 1-hour setup time.
CreaTV Camera Operator	\$105.00	\$420.00	Two camera operators required. Vendor requires 2-hour minimum
CreaTV Production Coordinator	\$52.50	\$52.50	Production coordination costs, including creation of graphics. Charged at only one hour per meeting.
Dynamic Captioning - Optional	\$105.00	\$210.00	Remote real-time closed captioning production by human captioner. Vendor requires a 2-hour minimum.

Cost Per Meeting - All Services : \$1,594.50 (with AMS and Captioning)

Cost per meeting - No AMS: \$1,489.50 (with Captioning)

Cost per meeting - No AMS or Captioning: \$1,279.50

Note: The rates above are based on current pass-through costs for two-hour meetings. LAFCO will be charged a standard per meeting rate, depending on the types of services utilized. By June 15 of each fiscal year, Clerk of the Board will bill LAFCO based on the actual number of meetings held in the prior 12 month period. Payment is due by June 30. LAFCO will be informed of any anticipated changes to estimated costs for the upcoming fiscal year by March 31.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SANTA CLARA AND
THE LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA REGARDING
WEBCASTING IN THE COUNTY BOARD OF SUPERVISORS' CHAMBERS**

This Memorandum of Understanding (“MOU”) is made and entered into as of January [•] 2021 (the “Effective Date”), by and between the County of Santa Clara, a political subdivision of the State of California (the “County”), and the Local Agency Formation Commission of Santa Clara County, an independent local agency created pursuant to Cal. Gov. Code §56325 (“LAFCO”, and together with the County, the “Parties”).

RECITALS

WHEREAS, LAFCO wishes to ensure that residents of the County have the ability to observe and participate in webcasts of LAFCO meetings on the internet;

WHEREAS, LAFCO meetings are currently held in the County of Santa Clara Government Center Board of Supervisors' Chambers (the “Chambers”);

WHEREAS, the County currently has equipment and service contracts with media services firms (such firms collectively, including (i) any subcontractors of such firms and (ii) any other firms (and subcontractors of such firms) that may provide the same or similar services to the County in the future, are referred to herein as the “Contractors”) to webcast meetings of the Board of Supervisors of the County (the “Board”) taking place in the Chambers;

WHEREAS, the County desires, subject to the terms and conditions of this MOU, to facilitate the webcasting of LAFCO meetings in the Chambers.

NOW, THEREFORE, the County and LAFCO hereby agree as follows:

1. Provision of Webcasting Services

1.1. Webcasting of Meetings.

- a. In exchange for the consideration set forth in Section 1.2 and subject to the terms of this MOU, the County agrees to direct the Contractors and the County’s Technology Services & Solutions Department (“TSS”) to provide webcasting services substantially equivalent to those set forth in Exhibit A hereto (the “Services”) for LAFCO meetings (each, a “Meeting”) held in the Chambers and to allow LAFCO and the Contractors to use all equipment in the Chambers that is necessary or convenient for the provision of the Services.
- b. LAFCO shall have the option, with respect to each Meeting, to utilize all of the Services or only those of the Services required by LAFCO at such Meeting.
- c. The Parties acknowledge and agree that the Contractors and Services set forth in Exhibit A are subject to change in the ordinary course at the reasonable discretion of the County. Exhibit A is intended by the Parties to provide current details of the Services and not bind the County to employ any particular Contractors or exact manner of webcasting the Meetings.

- 1.2. Reimbursement. Subject to the terms of this MOU, LAFCO will fully reimburse the County for all expenses associated with the provision of the Services (“Reimbursable Expenses”) at the rates set forth in Exhibit B or at other rates actually incurred by the County. Reimbursable Expenses shall also include the reasonable replacement or repair costs of any damage to (a) the Chambers,

(b) any County equipment, or (c) any equipment belonging to the Contractors that may be incurred while providing the Services as a result of any negligence or willful misconduct by LAFCO.

- a. The County shall deliver statements (each, a “Reimbursement Statement”) setting forth Reimbursable Expenses to LAFCO not more than 45 days after June 30 of each year during the Term (as defined in Section 2.1) or at other times mutually agreed by the Parties. Upon receipt of a Reimbursement Statement, LAFCO shall within 45 days deposit or cause to be deposited the full undisputed amount set forth on such Reimbursement Statement to an account designated by the Clerk of the Board of Supervisors of the County (the “Clerk”).
- b. If any element of the Reimbursable Expenses set forth on a Reimbursement Statement is disputed by LAFCO, LAFCO shall inform the Clerk of such dispute within 30 days of receipt of such Reimbursement Statement. The Parties shall make good faith efforts to resolve any disputed Reimbursable Expenses. In connection with any such dispute, LAFCO may request that the Clerk provide reasonable documentation of Reimbursable Expenses, including any changes to the costs set forth on Exhibit B.

2. Term and Termination

- 2.1. Term. This MOU shall be effective as of the date hereof and will terminate on June 30, 2023 unless (a) earlier terminated pursuant to Section 2.2 or (b) extended pursuant to Section 2.3. Notwithstanding the foregoing, no Services shall be provided or any Reimbursable Expenses incurred prior to the occurrence of the first Meeting taking place in the Chambers.
- 2.2. Termination.
 - a. At any time during the Term and subject to the terms of Section 2.4, either Party may terminate this MOU for any reason upon 30 days written notice delivered to the other Party.
 - b. If for any reason one or more of the Contractors cease providing webcasting services to the County (a “Contractor Termination”), the County shall have the right to terminate this MOU immediately upon notice to LAFCO. If the County does not terminate this MOU upon such Contractor Termination, the Parties shall make good faith efforts to agree to a replacement for the Contractor no longer providing services and this MOU shall continue in force as provided in this Section 2.
- 2.3. Extension. At any time not less than 90 days prior to the end of the Term, LAFCO may deliver to the County a written request to extend this MOU (an “Extension Request”). Upon written agreement to such request by the Clerk on behalf of the County, the term shall be extended by the period of time agreed by the Parties in the Extension Request, which period shall not exceed 5 years.
- 2.4. Termination Expenses. Upon the conclusion of the Term or when this MOU is terminated as provided in Section 2.2, the County shall within 90 days of such termination deliver to LAFCO a Reimbursement Statement including a.) all Reimbursable Expenses incurred prior to such termination and b.) any reasonable costs incurred by TSS for removing any LAFCO equipment and materials from the Chambers.
- 2.5. Survival. Notwithstanding the termination of this MOU as provided in this Section 2, the terms of Section 1.2 shall survive such termination with respect to any Reimbursable Expenses provided in Section 2.4, Section 4 shall survive with respect to any Claims incurred prior to such termination, Section 7.5 shall survive with respect to any cause of action arising from this MOU, and Section 7.7 shall survive with respect to any alleged causes of action taking place prior to the termination of this MOU.

3. Use of the Chambers

3.1. County Priority. Subject to the terms of this Section 3 and subject to all County policies, rules, and codes with respect to the use of the Chambers and County property, including without limitation any applicable health or safety rules ("County Rules"), the County shall allow LAFCO to use the Chambers for meetings during those times that the County determines the Chambers are not otherwise being used for the business of the County.

- a. The County shall make reasonable efforts to make the Chambers available for all Meetings. To facilitate scheduling by the County, LAFCO shall provide the Clerk with reasonable advanced notice of all planned Meetings to be conducted in the Chambers.
- b. Notwithstanding the provisions of Section 3.1(a), the Clerk may pre-empt any Meeting in the event of a conflict with any scheduled or emergency meeting of the Board or other County entity that the Clerk reasonably determines will require the use of the Chambers.
- c. In the event of any pre-emption of a Meeting pursuant to Section 3.1(b), the Parties shall work cooperatively to arrange a reasonable alternate time for the use of the Chambers for such Meeting.

3.2. Condition of the Chambers.

- a. At the conclusion of each Meeting taking place in the Chambers, LAFCO shall use reasonable efforts to reset hardware and/or software and, as applicable, return settings to the configuration normally used by TSS or the Contractors. To the extent reasonably necessary, the Parties shall cooperate to develop technical procedural documents to be used by LAFCO personnel in connection with the Services and their obligations under this Section 3.2(a). The Parties shall reasonably divide the costs associated with developing any technical manuals or procedures required by this Section 3.2(a).
- b. LAFCO shall use the Chambers only for public meetings related to the purposes set forth in Cal. Gov. Code § 56300 (*et seq.*) and shall not use or permit the Chambers to be used for any other purpose or by any other entity without the prior written consent of County. LAFCO agrees to fully reimburse the County as provided in Section 1.2 for any damage to the Chambers or other expenses incurred as a result of any violation of this Section 3.2(b).
- c. LAFCO agrees to comply with all County Rules when using the Chambers and any County equipment. In addition to any other legal or civil liability for violation of County Rules, LAFCO shall be responsible for any reasonable costs or expenses that arise as a result of a failure to comply with County Rules (including without limitation any reasonable attorneys' fees or legal expenses arising from such failure), and any such undisputed costs or expenses shall be considered Reimbursable Expenses hereunder and reimbursed by LAFCO pursuant to the terms of Section 1.2.

4. Indemnification

In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the Parties pursuant to Cal. Gov. Code § 895.6, the County and LAFCO agree that all losses or liabilities incurred by a party shall not be shared pro rata but instead the County and LAFCO agree that, pursuant to Cal. Gov. Code § 895.4, each of the parties hereto shall fully indemnify and hold the other Party, its officers, Board members, employees and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Cal. Gov. Code § 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of the indemnifying Party, its officers, Board members,

employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this Agreement (“Claims”). No Party, nor any officer, Board member, employee or agent thereof shall be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of the other Party hereto, its officers, Board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other parties under this MOU. Notwithstanding the foregoing, LAFCO agrees to defend and indemnify the County in any lawsuit or legal action brought by the Contractors related specifically to the use of the Chambers by LAFCO or the provision of the Services by the Contractors for LAFCO.

5. Insurance

Without limiting the indemnification obligations of either party under Section 4 of this MOU, each party shall maintain or cause to be maintained the following insurance coverage: (1) a policy of commercial general liability with limits of liability not less than one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) annual aggregate; (ii) a policy of workers’ compensation providing statutory coverage; (iii) a policy of public officials errors and omissions liability with limits of liability not less than one million dollars (\$1,000,000) per occurrence/aggregate; and (iv) such other insurance or self-insurance as shall be necessary to insure it against any claim or claims for damages arising under this MOU. Insurance afforded by the commercial general liability policy of a Party shall be endorsed to provide coverage to the other Party as an additional insured. Each Party shall provide a Certificate of Insurance certifying that coverage as required herein has been obtained. The requirements of this Section 5 may be satisfied by the provision of similar coverage through a self-insurance program.

6. Notices

Notices to the parties in connection with this Agreement shall be made by certified mail, return receipt requested. Notices are effective upon the earlier of five (5) days after placement in the U.S. mail, postage paid or when actually received by a Party. Notices shall be sent to the following:

County:
Office of the Clerk-Board of Supervisors
Attn: Administrative Services Manager
County Government Center
70 West Hedding Street, East Wing, 10th Floor
San Jose, CA 95110

LAFCO:
Neelima Palacherla, LAFCO Executive Officer
Local Agency Formation Commission of Santa Clara County
777 North First Street, Suite 410
San Jose, CA 95112

7. Miscellaneous

7.1. Entire Agreement; Amendment. This MOU and the Exhibits hereto constitute the entire agreement among the Parties with respect to the subject matter hereof and supersedes all prior agreements and understandings, written and oral, among the Parties with respect to the subject

matter hereof. This MOU may be amended only by a written instrument executed by the Parties hereto.

- 7.2. Execution and Effectiveness. This MOU shall be binding on the County and LAFCO from the Effective Date. Unless otherwise prohibited by law, the parties agree that an electronic copy of a signed MOU, or an electronically signed MOU, has the same force and legal effect as an MOU executed with an original ink signature. The term “electronic copy of a signed MOU” refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed MOU in a portable document format. The term “electronically signed MOU” means an MOU that is executed by applying an electronic signature using technology approved by the County.
- 7.3. Representations. The persons executing this MOU represent that they have authority to bind their respective Parties.
- 7.4. Third Party Beneficiaries. This MOU does not, and is not intended to, confer any rights or remedies upon any person or entity other than the Parties.
- 7.5. Governing Law; Consent to Jurisdiction. The Parties agree that this MOU was executed in and shall be governed by the laws of the State of California, without regard to its conflicts of law principles, including the application of any applicable statutes of limitations and equitable principles and the availability of any remedies. The Parties further agree to submit to the jurisdiction of the courts located in Santa Clara County, California.
- 7.6. Assignment. Neither Party may assign this MOU or such Party’s rights and obligations hereunder without the prior written consent of the other Party.
- 7.7. Compliance with Non-Discrimination and Equal Opportunity Laws. The Parties shall comply with all applicable laws concerning nondiscrimination and equal opportunity in the use of the Chambers and in all related employment and contracting, including but not limited to the following: Santa Clara County’s policies for contractors on nondiscrimination and equal opportunity; Title VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act of 1990; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973 (Sections 503 and 504); the Equal Pay Act of 1963; California Fair Employment and Housing Act (Gov. Code § 12900 et seq.); California Labor Code sections 1101, 1102, and 1197.5; and the Genetic Information Nondiscrimination Act of 2008. In addition to the foregoing, the Parties shall not discriminate against any subcontractor, employee, or applicant for employment because of age, race, color, national origin, ancestry, religion, sex, gender identity, gender expression, sexual orientation, mental disability, physical disability, medical condition, political belief, organizational affiliation, or marital status in the recruitment, selection for training (including but not limited to apprenticeship), hiring, employment, assignment, promotion, layoff, rates of pay or other forms of compensation. The Parties shall not discriminate in the use of the Chambers or the provision of the Services because of age, race, color, national origin, ancestry, religion, sex, gender identity, gender expression, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status. LAFCO acknowledges that its nondiscrimination obligations extend to LAFCO’s policies and procedures in conducting Meetings in the Chambers, including obligations regarding effective communication with persons with disabilities, and acknowledges that the indemnification provisions in Section 4 of this agreement include claims arising out of applicable nondiscrimination laws.

[Signature Page Follows]

IN WITNESS WHEREOF, the County and LAFCO have executed this MOU as of the dates set forth below.

COUNTY OF SANTA CLARA

DocuSigned by:
Marlon Paulo
B6C24B6275434D4...
Marlon Paulo,
Deputy Director of Procurement for
By: Cheryl Liu
Name: Cheryl Liu
Title: Director of Procurement
Date: February 5, 2021

**LOCAL AGENCY FORMATION
COMMISSION OF SANTA CLARA
COUNTY**

DocuSigned by:
Susan Ellenberg
CE8B17F281D64AF...
By: Susan Ellenberg
Name: Susan Ellenberg
Title: Chairperson, Santa Clara LAFCO
Date: February 5, 2021

**APPROVED AS TO FORM
AND LEGALITY**

DocuSigned by:
Robert Fannion
FE20C0D4105E411...
By: Robert D. Fannion
Name: Robert D. Fannion
Title: Deputy County Counsel
Date: February 5, 2021

APPROVED AS TO FORM

DocuSigned by:
Malathy Subramanian
0BF2DA8CFE254DA...
By: Malathy Subramanian
Name: Malathy Subramanian
Title: LAFCO Counsel
Date: February 5, 2021

Exhibit A

SPECIFICATIONS

SOFTWARE

- LAFCO may upload and publish its meetings to the internet using the IQM2 software application (MinuteTraq), under the County of Santa Clara's licensing agreement with IQM2.

HARDWARE

- LAFCO may access IQM2 in Chambers using a County-owned laptop.
- LAFCO may stream its meetings to the internet using the County-owned equipment.
- LAFCO may caption LAFCO meetings using the County's closed caption encoder and phone interface system
- LAFCO shall be responsible for any archiving of LAFCO webcasts. No County equipment will be used for this purpose.

INTERNET ACCESS & SECURITY

- The identity and contact information of the LAFCO personnel that will access the Chambers control room to manage and operate the County laptop and webcast encoder shall be communicated to the Clerk of the Board's designated information technology support personnel in advance of access.
- LAFCO will employ reasonable and industry standard precautions to protect County information technology assets and prevent unauthorized access to County information technology.
- County shall allocate IP addresses for LAFCO use in Chambers, as necessary.
- County reserves right to implement any and all network security protocols it sees fit to reasonably maintain the integrity of its network and data.

FUTURE UPGRADES

- The above specifications reflect required compatibility/technical standards necessary at the time this Agreement is put into effect. County reserves the right to modify these specifications over time as may be necessary to operate with future equipment upgrades. That notwithstanding, County shall make reasonable efforts to work with LAFCO staff to determine new requirements.

Exhibit B**PASS-THROUGH SERVICE COSTS FOR WEBCAST-RELATED
STAFFING AND EQUIPMENT USE**

SERVICE	COST PER HOUR	COST PER MEETING	NOTES
Hourly Productive Rate and Use of Agenda Management System (AMS)	\$96.00	\$192.00 w/ AMS \$96.00 w/o AMS	Hourly cost for use and maintenance of shared equipment and software and Clerk of the Board support activities.
TSS – Customer Care	\$172.00	\$344.00	Field support for set up and duration of meetings.
CreaTV Meeting Crew	\$105.00	\$420.00	Two onsite camera operators. Vendor requires 2-hour minimum.
CreaTV Production Coordinator	\$52.50	\$52.50	Pre-production for graphics (Lower Third). Usually, 1-hour per meeting.
Dynamic Captioning	\$90.00	\$180.00	Remote, real-time closed captioning production. Vendor requires 2-hour minimum.

Cost Per Meeting – All Services: \$1,118.50

Cost Per Meeting – No AMS or Captioning: \$842.50

Note: The rates above are based on current pass-through costs for two-hour meetings. LAFCO will be charged a standard per meeting rate, depending on the types of services utilized. By June 15 of each fiscal year, Clerk of the Board will bill LAFCO based on the actual number of meetings held in the prior 12 month period. Payment is due by June 30. LAFCO will be informed of any anticipated changes to estimated costs for the upcoming fiscal year by March 31.



**Local Agency
Formation Commission
of Santa Clara County**
777 North First Street
Suite 410
San Jose, CA 95112
SantaClaraLAFCO.org

Commissioners
Sylvia Arenas
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Russ Melton
Susan Vicklund Wilson

ITEM # 11

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

LAFCO MEETING: April 5, 2023
TO: LAFCO
**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer
Emmanuel Abello, Associate Analyst**
SUBJECT: EXECUTIVE OFFICER’S REPORT

STAFF RECOMMENDATION

Accept reports and provide direction, as necessary.

11.1 UPDATE ON LAFCO CLERK RECRUITMENT

On February 7, 2023, the County of Santa Clara Board of Supervisors adopted a salary ordinance for the LAFCO Clerk position, allowing LAFCO to begin the long-awaited LAFCO Clerk recruitment process. In March 2023, LAFCO staff resumed its work with County Executive Office staff and County Employee Services (ESA) staff by first reviewing the County’s draft job bulletin, which includes a supplemental questionnaire, and reviewing the proposed written exam for the position. LAFCO staff requested and County agreed to make some minor changes to these materials for overall clarity and emphasis on certain skills. It is anticipated that the LAFCO Clerk job announcement will be posted electronically at www.sccjobs.org soon, for a two-week period. The job announcement will also be posted on “Indeed,” a popular employment website for job listings. The announcement will also be posted on CALAFCO’s website and CALAFCO’s members and its partners will be notified about the recruitment.

The County will then screen the applications and invite qualified candidates to take the written exam. Candidates that score at least 70% on the written exam will be placed on the eligible list and ranked based on how they score on the exam. LAFCO staff is allowed to interview the top ten highest-ranking candidates, including any candidates with tied scores. It is anticipated that these interviews will be held in May 2023, followed by an employment offer to one candidate. Assuming that the offer is accepted, the new LAFCO Clerk’s start date would be in late June/early July 2023.

LAFCO staff will continue to update the Commission, as the recruitment process moves forward.

11.2 PRESENTATION ON LAFCO TO SANTA CLARA VALLEY OPEN SPACE AUTHORITY

At the invitation of Alternate Commissioner Chapman, who also is a Director on the Santa Clara Valley Open Space District (OSA) Board of Directors, EO Palacherla gave a presentation on Santa Clara LAFCO at the joint meeting of the OSA's Board of Directors and Citizens' Advisory Committee, which was held on March 9, 2023. The 30-minute presentation included an overview of LAFCO, a discussion on how LAFCO's work to steer growth to areas where urban services can be delivered efficiently and to protect farmland and open space benefits the whole county, and how that work intersects with the mission of the Santa Clara Valley Open Space Authority.

11.3 MEETING ON BAY AREA PEOPLE'S FOOD & FARM PROJECT

At their request, LAFCO staff met with representatives of the Bay Area People's Food & Farm Project (PFFP) on March 16, 2023. The PFFP is a "grass roots effort to address the fractures and inequities in our food system by building a participatory, community-led process to design a 'People's Food and Farm Bill' that will create a public funding mechanism and establish a regional governmental entity for food that will be accountable to Bay Area residents." At the meeting, LAFCO staff answered the group's questions and encouraged them to more clearly articulate the specific services that the proposed new regional entity (serving the 9-County Bay Area) would provide.

LAFCO staff first met with the group in 2021, at their request. The group informed staff of their plans, including their vision and exploration of potential governance options (i.e., creation of a joint powers authority or formation of a special district), and asked several questions. LAFCO staff advised the group on certain issues that they should consider and provided information on the process for forming a new special district.

11.4 SPECIAL DISTRICTS ASSOCIATION MEETING

Commissioner Kishimoto, Alternate Commissioner Chapman, and EO Palacherla attended the March 6, 2023 quarterly meeting of the Santa Clara County Special Districts Association (SDA) which was held by video conference.

EO Palacherla provided updates on LAFCO activities, including LAFCO's Countywide Fire Service Review and informed the group that at its April meeting, the Commission will consider a Workplan and Budget for FY 2024.

The meeting also included a guest presentation from Jacelyn Ma (Division Manager, County of Santa Clara Controller-Treasurer's Office) on Educational Revenue Augmentation Fund (ERAF) Distribution. Meeting attendees, including various district staff and board members, field staff for various state legislators, and a representative of the California Special Districts Association provided reports and shared information on current projects or issues of interest. The next meeting is scheduled for June 5, 2023.

11.5 LASERFISCHE SERVER MIGRATION SERVICES

On February 21, 2023, EO Palacherla authorized services from ECS Imaging for LAFCO's Laserfische server migration in an amount of \$2,100. The server migration was required as the County Technology Support Services (TSS) was updating its servers including the one that hosts LAFCO's electronic document management system on Laserfische. The County TSS requested that LAFCO seek technical support from ECS Imaging to implement the server migration as LAFCO has an existing licensing and technical support agreement with ECS Imaging. Please see **Attachment A** for a copy of the scope of services and payment details for the service. The FY 2023 LAFCO budget contains sufficient funds in the Consultant Services (GL 5255500) line item to cover this cost.

At its April 3, 2019 meeting, the Commission adopted Resolution No. 2019-03, delegating authority to the LAFCO Executive Officer for execution of small contracts not to exceed \$5,000 with prior LAFCO Counsel review and provided sufficient funds are contained in the appropriate line item in the LAFCO budget. Upon execution of such small contracts, the Executive Officer is required to report such action to the Commission at the next LAFCO Meeting.

ATTACHMENT

Attachment A: ECS Imaging Invoice, Scope of Services and Price Quote



ECS IMAGING, INC.
 WORLD-CLASS SOLUTION PROVIDER

ITEM # 11
 Attachment A

Invoice

Date	Invoice #
2/16/2023	17568

Bill To
Santa Clara County -LAFCO Accounts Payable 777 North First Street, Suite 410 San Jose, CA 95112

Ship To
Santa Clara County -LAFCO Emmanuel Abello emmanuel.abello@ceo.sccgov.org

P.O. Number	Project	Terms	Due Date	Job#	Rep	Rep Phone #
	Server Migration	Net 20 Days	3/8/2023		Pete	925-586-7549

Quantity	Description	Price Each	Taxable	Amount
1	ECS Professional Services	2,100.00		2,100.00

Standard Processing Fee Added to all Credit Card Payments*	Subtotal	\$2,100.00
	Sales Tax (9.25%)	\$0.00
	Total	\$2,100.00

Scope Summary

This implementation consists of the following:

Professional Services

Fixed Rate per Quote

Solution Requirements

1. Server Migration with Software Version Update (LF10 to LF11) (1 Server with 4 Client instances)
 - Includes server migration and version update.
 - Hardware Assessment and Recommendations (On Premise only)
 - Hardware Performance Consultation (On Premise only)
 - Implementation Checklists
 - Laserfiche Documentation
 - Minimum hardware/software specifications document (On Premise only)
 - Recommended hardware/software specifications document (On Premise only)
 - New feature training videos / documents
 - New licensing comparison videos / documents
 - Database and Volume Migration Support
 - Volume data and SQL database migration recommendations
 - Reestablish connections to database(s)
 - Reestablish connections to volume(s)
 - Go Live Support
 - Post Installation Troubleshooting (Up to 5 business days after Go Live)
 - Courtesy Advanced Scheduling for Reoccurring Future LF Updates

Services Include Standard Project Tasks

1. Initiation and Planning
2. Implementation
3. Testing and Validation
4. Training
5. Project Management
6. Go Live Support

Organization Specific Tasks and Responsibilities

For every implementation, there will be organization specific tasks and responsibilities necessary to complete this project. These tasks and responsibilities include but are not limited to:

- Provide appropriate hardware per ECS recommendations for the Laserfiche environment
 - NOTE: Self-hosted only
- Provide VPN (unattended) or remote access (attended access) to the organization's local Laserfiche environment
 - Laserfiche application server(s)
 - Includes test environment(s), public facing DMZ server(s)

This information is confidential and proprietary to ECS Imaging, Incorporated. The intent is only for the customer and the information contained herein (the 'Proprietary Information') is highly confidential and proprietary to and constitutes trade secrets of ECS Imaging, Inc. This information shall not be published, communicated, disclosed, or divulged to any person, firm, corporation, or other legal entity, directly or indirectly, without the prior written consent of ECS Imaging, Inc. Management.



ECS Imaging, Inc. – Scope of Services

- SQL server(s) (Laserfiche instance)
- Laserfiche repository and volume location(s)
- Source servers for database lookups, conversions, migrations
- Development workstation(s) (Conversions/migrations only)
- Provide network login credentials (AD account)
 - Set login credentials to expire after the completion of the project
- Identify the primary contact for issues with login credentials
- Provide timely responses (within 3 business days) to communication requests from ECS for business process requirements, solution revisions, solution testing, and solution sign off.

Project Duration

The total project duration is dependent on several factors including but not limited to resource availability, a delay in requirements, hardware limitations, scheduling, and other factors from both ECS and the Client. The project duration will be assessed at the time of the needs assessment and the development of the detailed project plan.

Solution Revision Limits

Unless separate requirements are defined prior to the start of this implementation, this project has a limit of two (2) revision rounds for each business process. A revision round is defined as follows:

- Revisions to the business process solution that require a reassessment of the business process function itself (i.e., Adding a new approval branch to a routing workflow)
- Revisions to the business process solution that require a functional change in how the solution is designed (i.e., Modifying a LF form with JavaScript to satisfy custom formatting)

Items Out of Scope

The scope of this project does not include the following:

- ECS acquisition of server or workstation hardware
- Costs associated with troubleshooting OS or hardware issues related to the workstations or servers
- Resolving any issues not related to Laserfiche, including but not limited to Windows permissions, network permissions, network hardware, server or client hardware, or other 3rd party infrastructure hardware or software
- Resolving issues caused by unauthorized changes made by Client staff on the ECS-built solution(s) in active development. Client agrees to seek and receive approval by the Client and ECS Imaging, Inc. project team stakeholders prior to any changes to an ECS-built solution until handoff of the solution to the Client has been completed.
- Any services not explicitly defined in the statement of services

*Any items out of scope will be considered as separate labor from the services agreed upon for this project and may require additional approval and review before proceeding. The project's primary requirements take precedence over any additional items requested that are out of scope to maintain the project timeline and ensure deliverable expectations are met.

ECS Imaging, Inc. – Scope of Services

Project Go-Live Support

Unless separate terms are defined prior to the start of this implementation, this project has a standard go-live support period of 30 calendar days from the time the project solution goes live in your production environment. During this time, the project team responsible for the implementation will be available to assist with any concerns. At the end of this 30-calendar day period, the project will be subject to closeout. Any subsequent concerns will be handled through our support helpdesk and charged against your support agreement.

Payment Milestones

Unless separate terms are defined prior to the start of this implementation, this project has a standard payment milestone schedule of 50% due upon project initiation with remaining services as incurred.



ECS IMAGING, INC.
WORLD-CLASS SOLUTION PROVIDER

877-790-1600
5905 Brockton Ave. Ste. C
Riverside, CA 92506
www.ECSImaging.com

Quote

Quotation For

Quote Info

Q4 2022 V.2

Name: Emmanuel Abello
Title: Commission Clerk
Company: Santa Clara County LAFCO
Address: 777 North First Street, Suite 410, San Jose, CA 95112
Phone: (408) 993-4705
E-mail: emmanuel.abello@ceo.sccgov.org

Date: 12/23/2022
Quote Number: 122320221
Valid Through: 1/31/2023
Terms: net 20
Account Manager: Pete H
Phone: (925)586-7549
E-mail: pete@ecsimaging.com

Description of Product and Services

Laserfiche Server Migration and Update to latest software version.

Products and Services

SKU	Description	Unit Price	Quantity	Line Total
	ECS Professional Services	\$ 2,100.00	1	\$ 2,100.00

Subtotal \$ 2,100.00

Special Terms

Subtotal \$ 2,100.00

Tax Rate Software Only (Download Only) 0.00% **Tax \$ -**

Shipping \$ -

Total \$ 2,100.00

Billing Terms

*Hardware, Software, Maintenance, Gold Hours & Projects billed 100% at project start. *Services billed 50% up front minimally w/ remaining Services as incurred."

*Standard Processing fee added to credit card payments."



**Local Agency
Formation Commission
of Santa Clara County**
777 North First Street
Suite 410
San Jose, CA 95112
SantaClaraLAFCO.org

Commissioners
Sylvia Arenas
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Russ Melton
Susan Vicklund Wilson

ITEM # 12

Alternate Commissioners
Helen Chapman
Domingo Candelas
Cindy Chavez
Terry Trumbull
Mark Turner
Executive Officer
Neelima Palacherla

LAFCO MEETING: April 5, 2023

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer**

**SUBJECT: APPOINTMENT OF 2023 LAFCO CHAIRPERSON AND
VICE-CHAIRPERSON**

STAFF RECOMMENDATION

Appoint a commissioner to serve as Chairperson for 2023 and appoint a commissioner to serve as Vice-Chairperson for 2023.

BACKGROUND

Pursuant to the LAFCO Bylaws, the rotation schedule for Chairperson and Vice Chairperson is as follows unless otherwise determined by the Commission:

- Cities member
- County member
- San Jose member
- Special Districts member
- County member
- Public member
- Special Districts member

However, the Commission has deviated from the adopted chair rotation schedule in the past to allow new commissioners adequate time to gain knowledge and experience on LAFCO matters, before serving as LAFCO Chairperson.

Appointment of the LAFCO Chairperson and Vice-Chairperson is typically made on a calendar year basis, usually at the December LAFCO meeting. The appointment of a 2023 Chairperson and Vice-Chairperson was delayed to the April 5, 2023 LAFCO Meeting to allow for LAFCO to have a fully seated Commission.

Commissioner Susan Vicklund Wilson, long-serving Public Member, is provisional Chairperson for 2023. However, Commissioner Vicklund Wilson’s term on LAFCO ends in May 2023.



Burbank Sanitary District
20863 Stevens Creek Blvd., Suite 100
Cupertino, CA 95014
Phone (408) 255-2137 Fax (408) 253-5173
www.burbanksanitary.org
"Serving the Burbank Community since 1940"

March 21, 2023

File: BSD#23-004

City Council
City of San Jose
200 E. Santa Clara Street
San Jose, CA 95113

Re: Burbank Annexation 44, 1881 West San Carlos, APNs 274-16-050, 052, 053, 069 & 070
March 28, 2023 City Council Agenda

Dear City Council:

This letter is submitted on behalf of the Burbank Sanitary District (BSD or District).

In fall 2020, the Burbank Sanitary District was contacted by the project planner for Burbank Annexation 44 and advised of the annexation application and the City's intent to detach the area from the BSD. The letter directed the District to respond promptly if it wanted to protest, and on October 28, 2020 the District responded by letter explaining that it did not object to annexation of the area by the City but did object to detachment from the District because the piecemeal detachment process makes it difficult for the District to provide services to its remaining customers and because the approach is contrary to long-standing recommendations by LAFCO.

Due to the pandemic and other priorities, Burbank Annexation 44 languished until mid-2022. Meanwhile, the District Manager attended a meeting with City and County staff to discuss the technical engineering issues and questions related to sanitary sewer detachment for another proposed annexation, Burbank Annexation 45. These issues and questions were related to anticipated sewer needs and how the development's wastewater would be conveyed to the treatment plant. Prior to that meeting, City staff had not considered let alone evaluated these issues. During the meeting, City staff discussed the potential of using a "layered annexation" approach which would allow sanitary sewer service to continue to be provided by BSD after the area was annexed to the City of San Jose for all other services. BSD indicated it was amenable to this approach.

On November 16, 2022, the Burbank Annexation 44 project planner advised the District Manager that the Planning and Public Works Departments determined detachment of the sanitary sewer would not be requested in conjunction with the Burbank Annexation 44 and the site would remain with the BSD for such services. BSD was pleased when it received this notification.

The San Jose Planning Commission considered this matter on its December 14, 2022, agenda. That staff report, which was part of your February 28, 2023, Council packet, states there will not be detachment from the BSD. Neither the staff report, nor the minutes reflect any discussion of this aspect of the annexation. The annexation process was initiated at the February 28, 2023, City Council meeting.

Burbank Sanitary District

As presented to you at that meeting, in written, verbal and slide projected materials, sanitary sewer services were to remain with the Burbank Sanitary District. Again, these services were not elaborated upon in the materials and were not a topic of discussion other than for the presenter to comment that staff worked with the Special Districts. The project architect stated the proponent was in full agreement with the staff report.

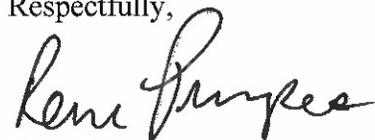
Much to the surprise of the Burbank Sanitary District, on March 6, 2023, the District Manager received the following email message from the project planner:

“I notified you last year that we decided to leave the site within the BSD. But now the decision is changed. After the discussion between our City Attorney, Public Works, DOT, and ESD, we decided to proceed with the detachment from BSD.”

Respectfully, the Burbank Sanitary District is concerned that City staff changed the recommendation at this stage of the proceedings. It is contrary to what was presented to the Planning Commission and to the City Council at the initiation of proceedings. It is not reflective of the representation staff worked with the Special Districts. It is not easily feasible or understood from an engineering standpoint. Specifically, the District needs to know upfront if the lateral sewer connections for the parcels annexed to the City will be connected to and flow through the District’s sewer systems, or connected to the City of San Jose’s sewer system. If sewage from the new development at this site will flow through BSD’s system, the District needs to understand what impact the wastewater will have on BSD’s collection system. These technical concerns exist and remain unresolved for Burbank Annexation 44, as well as for proposed Burbank Annexations 45 and 47. City staff ignores the importance of presenting this engineering information for both the City and the District.

It is imperative that the Burbank Sanitary District and the City of San Jose coordinate on the issue of sewer service in this unincorporated area. The need to coordinate has been the position of LAFCO for over a decade. We insist the sanitary sewer services remain with BSD for this and future annexations as City staff originally proposed.

Respectfully,



Rene Prupes
President, Burbank Sanitary District

C: Santa Clara County LAFCO

March 21, 2023