



Regional
OpenSpace

Midpeninsula Regional Open Space District

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March 13, 2014

Ms. Neelima Palacherla
LAFCO Executive Director
Local Agency Formation Commission of Santa Clara County
70 West Hedding Street
11th Floor, West Wing
San Jose, CA 95110
neelima.palacherla@ceo.sccgoc.org

RE: Response to LAFCO's Service Review and Implementation Recommendations

Dear Ms. Palacherla,

Thank you for your letter dated January 29, 2013, in which you outline two recommendations for Midpeninsula Regional Open Space District (District) that are a direct result of the recently completed 2013 Special Districts Service Review. As you have requested, this letter serves to provide the District's response on how this agency will implement the two identified LAFCO recommendations, including the associated timeframe. Details are provided below:

Recommendation #1 – Accountability and Transparency

Per LAFCO, the following recommendation would improve the accountability and transparency of the District:

As a courtesy, the District should submit copies of its Form 700s with each of the counties in which it has territory.

RESPONSE: Current District policy requires forwarding copies of completed Form 700s to the Fair Political Practices Commission. Beginning with the completed Form 700s for 2013, the District will forward copies to the Clerk of the Board of Supervisors in Santa Clara County, San Mateo County, and Santa Cruz County. This requirement will be added to the District's Conflict of Interest Code upon its biannual review, which will be submitted to the Fair Political Practices Commission by October 1, 2014.

Recommendation #2 – Governance Structure

LAFCO also recommends the following:

Apply to LAFCO of Santa Clara County for annexation of the portion of Sierra Azul Open Space Preserve located outside of the District's bounds and within its sphere of influence (SOI) to align the District's boundary with the SOI, as the District has initiated capital planning efforts within that portion of the preserve in the form of trails and amenities, is conducting regular maintenance, and offers park ranger services to that area.

RESPONSE: Currently, the District owns and manages a numbers of properties that lie outside its jurisdiction, but within its sphere of influence along its southernmost reach, in and around Sierra Azul Open Space Preserve. Lands owned and/or managed by the District in fee title or as easement within this zone total 8,846 acres, which encompass approximately 71.7% of the total land area. The remaining 3,500 acres of land, of which the majority is owned by San Jose Water Company, are distributed across 74 separate parcels. District land in this zone includes the Mount Umunhum area of Sierra Azul Open Space Preserve, a portion of which is open to the public for hiking, equestrian, and mountain bicycling use. Additional trails and a new staging/parking area are currently underway. Included in this zone is also the future opening of the Mount Umunhum summit to the public, which is currently scheduled to occur as early as 2017.

It has been the District's intention to make its jurisdiction boundary and sphere of influence boundary coterminous. In fact, this is a recommendation that is included in the Draft Sierra Azul Open Space Preserve Master Plan. Due to competing priorities over the last five plus years, the District has been unable to complete the Master Plan project, which would have set in place District Board authority to begin the annexation process. In light of Santa Clara County LAFCO's recent recommendation, the District will proceed with researching the annexation process ahead of completing the Master Plan project. The District plans to take the next fiscal year (April 2014 – March 2015) to lay out the various steps, requirements, and processes for the annexation. Included as part of this pre-planning effort would likely be a discussion that is held amongst the various County LAFCOs to determine which LAFCO would act as the Lead and to gain full concurrence regarding the role and involvement of the other LAFCOs in this annexation process. District Board authority to initiate the formal annexation process as well as the actual preparation of an application would occur the following fiscal year (April 2015 – March 2016).

If you have any questions regarding this letter, please feel free to contact Ana Ruiz, Assistant General Manager via phone at (650) 691-1200 or via email at aruiz@openspace.org. We appreciate your thorough review of our Service Plan and your recommendations for improvements.

Sincerely,



Stephen E. Abbors
General Manager

cc: District Board of Directors
Jennifer Woodworth, District Clerk
Santa Clara County LAFCO
Santa Cruz County LAFCO