

LOCAL AGENCY FORMATION COMMISSION

SANTA CLARA COUNTY

www.santaclara.lafco.ca.gov

County Government Center, 11th Floor, East Wing

70 West Hedding Street, San Jose, CA 95110

(408) 299-4321 FAX (408) 298-8460

CHAIRPERSON: Donald F. Gage

COMMISSIONERS: Blanca Alvarado, Suzanne Jackson, Linda LeZotte Susan Vicklund Wilson

ALTERNATES: Patricia Figueroa, Pete McHugh, Chuck Reed, Mary Lou Zoglin

**AGENDA
REGULAR MEETING
Wednesday, December 12, 2001
1:00 p.m.**

**CHAMBERS OF THE BOARD OF SUPERVISORS
70 West Hedding Street, First Floor, East Wing
San Jose, CA 95110**

The items marked with an asterisk (*) are included in the Consent Agenda and will be taken in one motion. At the beginning of the meeting, anyone who wants to discuss a consent item should make a request to remove that item from the Consent Agenda.

If you wish to participate in the following proceedings, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings.

If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, in the proceeding that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

1. ROLL CALL

2. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on this agenda. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

3. APPROVE MINUTES OF OCTOBER 10, 2001 MEETING

4. COMMENT ON GILROY'S DRAFT GENERAL PLAN AND AMENDMENT OF ITS 20-YEAR BOUNDARY

Consider comments on the City of Gilroy's proposed amendment of its 20-year boundary to include 660 acres of unincorporated land located east of the Gilroy Outlets.

Possible Action: Consider item and approve staff recommendation

5. 2002 SCHEDULE OF MEETINGS AND APPLICATION FILING DATES

Possible Action: Accept the 2002 schedule of meetings and application filing dates

6. EXECUTIVE OFFICER'S REPORT

A. Update on Service Review Guidelines

B. Update on Payments to LAFCO

C. Report on LAFCO Workshop for Cities on City-Conducted Annexations

7. APPOINTMENT OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2002

Possible Action: Appoint Chairperson and Vice-Chairperson for 2002

8. WRITTEN CORRESPONDENCE

9. ADJOURN

Adjourn to the next regular business meeting on February 13, 2001.

NOTE TO COMMISSIONERS:

Upon receipt of this agenda, please contact Emmanuel Abello, LAFCO Clerk at (408) 299-4321 Ext. 5661 if you are unable to attend the LAFCO meeting.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board's Office 24 hours prior to the meeting at (408) 299-4321, TDD: (408) 993-8272.

SANTA CLARA COUNTY

Local Agency Formation Commission

MINUTES

WEDNESDAY, OCTOBER 10, 2001

1. ROLL CALL

The Local Agency Formation Commission (LAFCO) of Santa Clara County convenes this 10th day of October 2001 at 1:18 p.m. in the Chambers of the Board of Supervisors, County Government Center, 70 West Hedding Street, San Jose, California, with the following members present: Commissioners Donald Gage, Suzanne Jackson, Linda LeZotte, and Susan Vicklund Wilson. The LAFCO staff in attendance include Neelima Palacherla, LAFCO Executive Officer; Kathy Kretchmer, LAFCO Counsel; Coleen Oda, LAFCO Planner; Ginny Millar, LAFCO Surveyor; and Dunia Noel, LAFCO Analyst. Commissioner Blanca Alvarado arrives at 1:21 p.m. The meeting is called to order by Chairperson Gage and the following proceedings are had, to wit:

2. PUBLIC PRESENTATIONS

There are no public presentations.

3. APPROVE MINUTES OF AUGUST 8, 2001 MEETING

On motion of Commissioner LeZotte, seconded by Commissioner Wilson, it is ordered on a vote of 4-0 with Commissioner Alvarado absent and Commissioner Jackson abstaining, that the August 8, 2001 minutes be approved as submitted.

4. CONSENT CALENDAR4.1 ANNEXATION TO THE WEST VALLEY SANITATION DISTRICT OF A 0.725 ACRE PROPERTY LOCATED ON 17520 HIGH STREET, LOS GATOS

Neelima Palacherla, LAFCO Executive Officer, directs attention to her report, dated August 27, 2001, recommending that the Commission approve the annexation and waive protest proceedings. She proposes, however, that the staff recommendation be amended to include that approval be conditioned on submission of the correct maps and the legal description of the property by the applicant.

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On motion of Commissioner Jackson, seconded by Commissioner Wilson, it is unanimously ordered that Resolution No. 01-11 be adopted approving the annexation to the West Sanitation District of a property located on 17520 High Street; waiving protest proceedings; and, approving the amended staff recommendation.

5. PUBLIC HEARING

5.1 OUT OF AGENCY EXTENSION OF SEWER SERVICES BY THE CITY OF MORGAN HILL TO 17110 COPPER HILL DRIVE

This being the time and place set for public hearing to consider a request for Out-of-Agency Extension of sewer service by the City of Morgan Hill to 17110 Copper Hill Drive, Chairperson Gage declares the hearing open.

(Commissioner Alvarado arrives at 1:21 p.m.)

Ms. Palacherla directs attention to her staff report, dated October 1, 2001, recommending approval of the request by the City of Morgan Hill to extend sewer services to 17110 Copper Hill Drive, Morgan Hill. She advises that the property is located outside the city limits and the Urban Service Area (USA). However, it is within the Sphere of Influence (SOI) of Morgan Hill. The parcel is in Holiday Lake Estates, located south of the Anderson Reservoir, which includes 200 parcels that remain unincorporated. She advises that while the application is not completely consistent with LAFCO policies for extending services beyond the boundaries of an agency, a letter from the County Department of Environmental Health Services indicates that the existing septic system has failed and can no longer be repaired. She further advises that it is likely that more developed properties in the area will apply for extension of services due to failure of their septic tanks.

In response to an inquiry by Chairperson Gage, Ms. Palacherla advises that both conditions relating to a failing septic tank and its being irreparable must exist prior to approving an application.

Ms. Palacherla continues by advising that there is no impact on agricultural lands, and the project complies with the General Plan and policies of

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the City of Morgan Hill. She concludes by noting that the City of Morgan Hill is able to provide services to 17110 Copper Hill Drive.

In response to an inquiry by Commissioner Wilson, Terry Linder, Senior Planner, City of Morgan Hill, advises that there are existing city sewer lines along Copper Hill Drive and Holiday Drive. Commissioner Wilson emphasized the importance of LAFCO reviewing the proposed area during the service review for Morgan Hill because of the proximity of the sewer lines to Anderson Reservoir. Ms. Palacherla advises that direction from the Commission would allow the staff to review the proposed area at the time of service review and SOI update for Morgan Hill.

Chairperson Gage notes that sewer service extensions must be coordinated between the cities of Gilroy and Morgan Hill and South County Regional Wastewater Authority (SCRWA). Ms. Linder advises that the matter will be coordinated with SCRWA.

Receiving no further requests from the public to speak, the Chairperson orders that the hearing be closed.

On motion of Commissioner Alvarado, seconded by Commissioner Wilson, it is unanimously ordered that Resolution No. 01-12 be adopted, approving the request for extension of sewer service to 17110 Copper Hill Drive in the unincorporated area, within the SOI of the City of Morgan Hill. Further, it is unanimously ordered that the staff be directed to determine the location of the sewer lines and report in the next meeting; that the staff recommendation be approved; and, staff be directed to obtain information regarding city sewer lines in the area and to review this area more closely at the time of Service Reviews and SOI update for Morgan Hill to resolve the ambiguities of service provision and the USA boundary in this area.

6. LAFCO ANNUAL REPORT

Ms. Palacherla directs attention to the 2000-2001 LAFCO Annual Report and provides a brief overview on the most significant LAFCO projects, particularly the implementation of Assembly Bill 2838 in January 2001. She advises that LAFCO adopted a budget that includes provisions for staff and resources to address the new responsibilities of LAFCO as mandated by the new law. She continues by advising that LAFCO has signed a Memorandum of

Understanding with Santa Clara County for its staffing needs. She reports that the staff has established policies for lobbying and disclosure requirements, new noticing and filing requirements, and revised the procedures for reorganization proposals. Commissioner Jackson expresses appreciation to the Executive Officer and LAFCO staff for their work for the Commission.

On Commission consensus, it is ordered that the 2000-2001 Annual Report be approved.

7. UPDATE ON SERVICE REVIEW GUIDELINES

In response to an inquiry by Commissioner Jackson, Ms. Palacherla advises that staff will coordinate with cities during the preparation of the guidelines for the service reviews.

8. EXECUTIVE DIRECTOR'S REPORT

A. New LAFCO Staff

Ms. Palacherla introduces Dunia Noel, the new LAFCO Analyst who will begin employment on October 15, and provides an overview of her background, particularly her experience on agricultural conservation, open space preservation and housing issues. She also reports that Emmanuel Abello will be the full-time LAFCO Clerk. Ms. Palacherla notes that Mr. Abello has been with LAFCO for two months and comments on his background and experience. Ms. Palacherla additionally expresses appreciation to Ruth Marston, former LAFCO Clerk, for her services to LAFCO.

B. 2001 CALAFCO Annual Conference

On motion of Commissioner Jackson, seconded by Commissioner Wilson, it is unanimously ordered that the travel expenses be authorized for LAFCO staff to attend the 2001 CALAFCO Conference be authorized.

Ms. Palacherla announces that she will present information at the CALAFCO roundtable regarding issues that the Commissioners desire to raise.

C. Santa Clara County and Cities Boundaries Map

Ms. Palacherla reports that LAFCO has worked with the County Planning Office to update the Santa Clara County and Cities map. She notes that since the maps did not arrive in time for the meeting, these will be mailed out to the Commissioners. In response to the inquiry of Commissioner LeZotte, Ms.

Palacherla explains that the maps will be mailed to various agencies and to all cities in the County.

D. Update on Payments to LAFCO from Cities

Ms. Palacherla directs attention to her report relating to the payments to LAFCO from the cities. In response to an inquiry by Chairperson Gage, Ms. Palacherla advises that the Auditor's office will send out reminder notices to the cities that have not yet paid. Chairperson Gage requests that Ms. Palacherla provide an update on the payments at the next LAFCO meeting.

E. LAFCO Legislative Report

Ms. Palacherla directs attention to the staff report on legislation of interest to the Commission, AB 720 which includes the cross-referencing and clean-up language on AB 2838, and Senate Bill 23xx (Soto) relating to public power districts.

9. WRITTEN CORRESPONDENCE

Ms. Palacherla notes that a letter from Richard Blanchard of the San Antonio Hills Homeowners Association requests LAFCO to stop an annexation being undertaken by the Town of Los Altos Hills. Ms. Palacherla comments that the annexation of this area, whose residents are represented in the meeting by Alan Epstein, is feasible because it is within the SOI and USA boundaries of Los Altos Hills. Ms. Palacherla further advises that San Antonio Hills wants to stop this annexation until such time that San Antonio Hills is also ready to be annexed, so both areas can be annexed to the Town of Los Altos Hills at the same time. Ms. Palacherla further notes that since San Antonio Hills is located in the SOI of the City of Los Altos, it cannot be annexed to Los Altos Hills without first being removed from the SOI of the City of Los Altos.

In response to the inquiry of Commissioner Jackson, Ms. Palacherla notes that LAFCO cannot act on the request because it has no authority to stop the annexation initiated by the Town of Los Altos Hills since the area being annexed is within its USA. Mr. Epstein requests that LAFCO not stop the ongoing annexation because of the time and resources already expended to it by the residents, and Chairperson Gage indicates that LAFCO will not interfere in the matter.

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10. ADJOURNMENT

On the order of the Chairperson, there being no objection, the meeting is adjourned at 1:44 p.m. to the next regular meeting to be held on Wednesday, December 12, 2001 at 1:15 p.m. in the Chambers of the Board of Supervisors, County Government Center, 70 West Hedding Street, San Jose, California.

Donald F. Gage, Chairperson
Local Agency Formation Commission

ATTEST:

Emmanuel Abello, LAFCO Clerk

County Government Center, 11th Floor, East Wing
70 West Hedding Street, San Jose, CA 95110
(408) 299-5127 FAX 295-1613
Neelima Palacherla, Executive Officer

December 5, 2001

TO: Santa Clara County Local Agency Formation Commission (LAFCO)
FROM: Neelima Palacherla, Executive Officer *NP*
SUBJECT: **Comments on Gilroy's Draft General Plan and Amendment of its
20-Year Boundary to Include 664 acres of Unincorporated Land
Located East of the Gilroy Outlets**
Agenda Item # 4

RECOMMENDATIONS

1. Direct staff to send a comments letter to Gilroy's City Council reflecting the following:
 - a. Gilroy's proposed 20-year boundary is inconsistent with LAFCO policies ✓
 - b. LAFCO's intention to take a final action on endorsement of the 20-Year Boundary following the City Council's adoption of the General Plan and revision of its 20-year boundary.
2. Authorize staff to testify at the City of Gilroy's public hearings on Gilroy's Draft General Plan / Draft EIR.

PROJECT DESCRIPTION

As part of its General Plan update process, the City of Gilroy proposes to add 664 acres of unincorporated prime agricultural land located east of the Gilroy Outlets to the City's 20-Year boundary. (See Attachment A for map of the proposed 20-year boundary.) These 664 acres are currently within the Santa Clara County Agricultural Preserve.

In 1997, LAFCO adopted policies relating to the Gilroy Agricultural Lands Area (See Attachment B for LAFCO policies) which state that if the City amends its 20-Year Boundary into the agricultural lands, LAFCO would not be able to consider

any Urban Service Area (USA) expansion requests in the area unless LAFCO endorses the amended 20-Year Boundary.

While the City of Gilroy's General Plan is still considered a draft and the City Council is not expected to finalize the General Plan until January 2002 at the earliest, staff believes that LAFCO should provide the Council with its comments concerning the proposed 20-year boundary at this time. The purpose of commenting on the City's General Plan at this time is threefold:

1. To inform the City Council of LAFCO policies for the Gilroy Agricultural Lands Area,
2. To encourage the city to adopt a General Plan that is consistent with LAFCO policies, and
3. To make the Council aware of the consequences of adopting a General Plan that would not be consistent with LAFCO policies and other local plans.

LAFCO comments at this time are based on the proposal in the Draft General Plan and the information in the Draft EIR (DEIR). A final decision regarding whether or not to endorse the boundary will be made by LAFCO only after the City adopts its General Plan and revises its existing 20-year boundary.

In October 2001 during the comment period for the DEIR, LAFCO staff commented on the DEIR for the Draft Gilroy General Plan. (See Attachment C for LAFCO comments letter on the DEIR). That letter, in addition to commenting on other issues of concern, requested that the City of Gilroy address how the proposed 20-Year Boundary complies with LAFCO policies for the Gilroy Agricultural Lands Area. The City's response to staff's letter is not available at the time of writing this staff report.

The City of Gilroy is holding Planning Commission and City Council public hearings on the Draft General Plan / Draft EIR in December 2001 and January 2002 at which time the City will accept comments on the Draft General Plan. Comments may be made in writing or in person at the public hearings.

ENVIRONMENTAL ASSESSMENT

Not Applicable

Agency comments on another agency's General Plan/Draft EIR do not come within the definition of "project" for CEQA purposes. Therefore, CEQA is not applicable to LAFCO's act of commenting on the City of Gilroy's General Plan and Draft EIR.

BACKGROUND

Origins of LAFCO's Policies for Gilroy Agricultural Lands Area

In the fall of 1996, after a three-year process, the "*Strategies to Balance Planned Growth and Agricultural Viability*" (See Attachment D) was adopted by the City of Gilroy, County of Santa Clara, and LAFCO. This inter-jurisdictional agreement is unique in that the three agencies were able to develop important agricultural strategies that are supportable by each agency, as well as by the Santa Clara County Farm Bureau and Greenbelt Alliance. Intending to strike a balance between accommodating growth and preserving agricultural lands, the "*Strategies to Balance Planned Growth and Agricultural Viability*" document recommended that the City of Gilroy re-affirm its 20-Year Boundary to serve as a long term urban growth boundary east of U.S. 101 and that LAFCO in turn re-examine its policies regarding USA expansions east of U.S. 101 within the 20-year boundary.

The City of Gilroy amended its General Plan on February 18, 1997 to adopt specific policies to implement the "*Strategies to Balance Planned Growth and Agricultural Viability*" action recommendations and on February 12, 1997 LAFCO adopted a set of policies relating specifically to the Gilroy Agricultural Lands Area in accordance with the agreement.

These Gilroy Agricultural Lands Area policies acknowledge that lands within the 20-year boundary are less likely to remain in long-term agricultural and that a stable 20-year boundary may be considered an effective protection/mitigation for loss of agricultural lands within the boundary. These policies also state that LAFCO supports the City's 20-year boundary as it existed in 1996 and that any revision to the boundary is required to be endorsed by LAFCO before LAFCO can approve any USA expansions in the area. The policies then go on to establish criteria for LAFCO endorsement of a revised boundary.

Current Gilroy General Plan Update Process

The September 2001 Draft General Plan is based on the initial Draft General Plan of June 1999. The original Draft was approved by members of the original Gilroy's General Plan Update Committee and subsequently reviewed, modified and recommended to the City Council by the Planning Commission in Winter 1999/2000. Although the inclusion of the 664 acres into the 20-year boundary was not part of the Planning Commission recommendation, the City Council requested staff to conduct technical studies to evaluate the feasibility of including the 664 acres in the 20-year boundary. (The "*Strategies to Balance Planned Growth and Agricultural Viability*" allows the City to consider revisions of its 20-year boundary in conjunction with a comprehensive review of its General

Plan.) Following completion of those studies, the City Council, by way of a straw vote, gave direction in April 2001 for inclusion of the 660 acres east of the Outlets in Gilroy's 20-Year Boundary and authorized revision of the Draft Plan and EIR accordingly.

CONSISTENCY WITH LOCAL PLANS

Inconsistent With Local Plans

The proposed expansion of the 20-Year Boundary to include 664 acres of unincorporated agricultural land is inconsistent with the policies of the *Santa Clara County General Plan*, and those of the *South County Joint Area Plan*, which discourage further unnecessary loss of agricultural lands by urban expansion.

Furthermore, the proposed 20-year boundary is inconsistent with the key strategy presented in the inter-jurisdictional agreement entitled "*Strategies to Balance Planned Growth and Agricultural Viability*," which is to maintain a stable boundary to preserve productive agricultural land south and east of Gilroy.

CONSISTENCY WITH LAFCO POLICIES

Inconsistent With LAFCO Objectives

The primary objectives of LAFCO are to:

- Encourage the orderly formation of local governmental agencies,
- Preserve agricultural land resources,
- Discourage urban sprawl, and
- Encourage the efficient provision of services.

The proposed inclusion of 664 acres into the 20-Year Boundary is not consistent with the above stated LAFCO objectives to preserve agricultural land, discourage urban sprawl, and encourage efficient delivery of municipal services.

Development under the Proposed 20-Year Boundary would remove 664 acres of prime agricultural land, a significant part of the "agricultural preserve," in an area considered by the *Santa Clara County General Plan* to have the greatest long-term potential to remain viable for agriculture. The City is proposing that only 430 acres of the 664 acres be designated as Campus Industrial and that the remaining 234 acres be designated as Open Space. The DEIR however clearly states that the Open Space acreage would be too narrow to be effectively farmed. Thus for all intents and purposes, a total of 664 acres would be converted from agricultural to urban uses.

Inconsistent With LAFCO Policies for Gilroy Agricultural Lands Area

LAFCO policies outlines specific factors to be considered both for endorsement of an amended 20-year boundary and for specific USA proposals. Most of the information used for the analysis was obtained from the DEIR.

Mitigation for Previous and Future USA Expansion Projects Cannot be Provided Under the Proposed Boundary

The 20-year boundary as established, was intended to serve as a mitigation factor to encourage LAFCO to consider USA proposals within the boundary more favorably. For example, in 1997, LAFCO approved the Obata Urban Service Area Amendment involving 90 acres of agricultural land located within the 20-Year boundary line east of U.S. 101. Although the project involved the conversion of prime agricultural lands, LAFCO was able to approve the project because the City's 20-year boundary was determined to be an effective protection for important agricultural lands east and south of Gilroy. Expansion of the 20-Year Boundary to include 664 acres of agricultural lands would remove that mitigation.

There are currently lands within the boundary that could potentially seek inclusion into the USA. LAFCO will not be able to consider the proposed boundary as mitigation for such future proposals. It is unclear how mitigation would be provided for future USA proposals, if the boundary itself were amended to include unincorporated prime agricultural land.

Expansion of 20-Year Boundary Would Adversely Impact 664 Acres of Prime Agricultural Land Immediately, Not Just in the Long-term

The State of California's Department of Conservation (CDC) has identified the 664 acres as "prime agricultural land." Although a specific development timeline has not been established for the site, inclusion in the USA, annexation to the City, and eventual development are the logical steps following inclusion in the 20-Year Boundary. Including the 664 acres in the 20-Year Boundary is a signal to landowners and developers that the area will be developed in the next 20 years.

Even though it has been suggested that these lands will continue to be farmed up until the time they are developed, it seems unlikely that any farmer would want to make a significant agricultural investment in the property, given that the site will be designated as Campus Industrial and targeted for urban development. Expansion of the 20-Year Boundary will likely take these lands (664 acres of unincorporated prime agricultural lands) out of agricultural production, even before there are specific plans for the site.

Furthermore, expansion of the 20-Year Boundary will increase land speculation in the "agricultural preserve" and make it difficult for land preservation

organizations to obtain conservation easements on the adjacent and remaining agricultural lands.

Development Under the Proposed Boundary Would Result in Premature Conversion of Agricultural Lands

Under the Draft General Plan, 1,680 acres of undeveloped lands (including 430 acres of the 660 acres) will be designated for industrial development. Information provided by City staff shows that with the existing rate of industrial development in Gilroy (15 acres per year over the last six years, or 19 acres per year over the last three years), the City's supply of industrial land could meet its needs for the next 88 years to 112 years. Even if you double the City's existing industrial development rates to 40 acres per year, 1,680 acres would represent a 42-year supply.

Even without the addition of the 430 acres located within the "agricultural preserve," the City would have 1,250 acres of industrial designated land, an industrial land supply that would last for 45 years assuming a rate of 28 acres a year (this is the City's highest rate to date).

Given this information, it is premature to bring in 664 acres of unincorporated prime agricultural lands into the 20-Year Boundary before first developing existing vacant land within the boundary.

One of the arguments for inclusion of this land within the boundary has been that even though the city has a large supply of vacant industrial land, it is not available in large parcels and so is not suitable for campus industrial development. We recognize that the City desires to provide for such campus style industrial development, and even though bringing in large undeveloped agricultural lands may seem the most convenient way to accomplish their desires, it is certainly not the most appropriate solution given LAFCO policies to preserve such lands. The City must explore other more creative alternatives of accommodating such uses and using the existing undeveloped land prior to seeking further expansion.

Expansion of the 20-Year Boundary Will Have a Negative Impact on Adjacent Agricultural Lands

Development of the 664 acres will impact adjacent agricultural lands negatively. There have been countless studies that have documented the impacts that urban uses have on adjacent agricultural areas. A recent study completed by the California Department of Conservation found that conversions of agricultural lands to urban uses adversely affect the efficiency of the remaining farming operations in the area.

Conversion of the 664 acres of agricultural land to an urban use, such as a campus industrial, will increase land use compatibility problems in the area. For example, agricultural production can decrease as a result of increased air

pollution, and restrictions on pesticide use and burning, while production costs increase because of rising land costs due to speculation and road congestion. Urban encroachment into farming areas also induces growth by encouraging additional losses of cropland to urban development.

These 664 acres are part of the "agricultural preserve," recognized by many as the area most viable for continued, long-term agriculture in Santa Clara County. Its viability is largely based on the fact that it consists of large parcels of prime agricultural lands where urban uses have not been able to encroach into the area and create land use conflicts. Development of the 664 acres will impact a large part of the "agricultural preserve."

Expansion of the 20-Year Boundary Removes Incentives for In-fill

Gilroy historically has grown in a practical and sustainable fashion with most new development occurring close to existing services and developments. This has kept Gilroy's infrastructure costs low relative to other communities in the area. However, under the Proposed 20-Year Boundary, Gilroy will have a large surplus of vacant land within its existing boundary. A surplus this large will discourage concentric growth and removes incentives for in-fill development. It will result in the inefficient extension of urban infrastructure and services leading to sprawling development.

Development Under the Proposed Boundary Will Have Serious Impacts on the Hydrology of Site and Surrounding Area

The 664 acres of unincorporated agricultural lands proposed for inclusion into the 20-Year Boundary are located within the Llagas Creek 100-Year over bank floodplain, as designated by the Federal Emergency Management Agency (FEMA). The DEIR states that the potential for flooding is so severe that development of the site would require major flood control improvements/facilities, including a new floodway channel, detention pond and bridge. The City should seek other alternative sites that would not require this level of improvements.

Development Under the Proposed Boundary Will Have Serious Traffic Impacts In the Immediate Area and the Region

In order to develop the 664 acres as a campus industrial site, major traffic improvements will need to be completed on the site, in the immediate area, and in the region. Higgins and Associates, Consulting Traffic Engineers, conducted a traffic analysis based on the build-out of the area. They then estimated the costs of additional roadway system changes that would be needed to allow traffic operation to be within LOS D at Leavesley and Tenth Street corridors area, as well as on the freeway and at its ramps, and LOS C for other areas. Higgins

suggested 11 infrastructure improvement projects and noted that additional transit services will have to be enhanced and upgraded, including the widening of Highway 101 by one additional lane per direction from Gilroy south to Prunedale (total of 8 lanes).

Development Under the Proposed Boundary Will Have Serious Fiscal Impacts

Schaff & Wheeler, Consulting Civil Engineers, estimate that the required flood control improvements will cost \$13.2 million. City staff has determined that the flood control improvements are area specific and should be funded by an assessment district in the total amount of \$16,671,961 (\$13.2 million adjusted for inflation). A specific development proposal for the 664 acres has not been developed yet. Therefore the specific funding arrangements for flood control improvements have not been determined yet.

Higgins and Associates, Consulting Traffic Engineers, estimate that the required traffic improvements will cost \$113 million, not including the costs of widening Highway 101 (an additional \$400 million) or adding a direct connector at the Tenth Street interchange (\$28 million). Higgins suggest that the source of the \$113 million be split, \$33 million would be funded by individual projects as project frontage improvements, and \$79 million would be funded through the City's existing traffic impact fee program. According to Higgins, Gilroy's citywide traffic impact fee must be increased by 45% to fund the traffic improvements necessary to build-out the 664 acres. The City has not made a decision about how the necessary traffic improvements would be funded.

Development Under the Proposed Boundary Will Likely Have Impacts on School Districts and School Facilities

Under the Proposed Boundary, approximately 430 acres of unincorporated, prime agricultural land would be designated as Campus Industrial. Although a specific development proposal for the area has not been presented at this time, it has been asserted that the area could be a development site for large and successful technology companies. These large companies would employ large amounts of people, who would likely live near their jobs, particularly if housing in the nearby area were affordable. Development under the Proposed Boundary will increase local population and housing demand. This would likely impact school districts and their facilities. Additional information is needed to determine potential impacts of this development on school facilities.

Proposed Development Under the 20-Year Boundary Would Impact Jobs-Housing Balance

The City assumes that existing City residents, and not new residents or non-residents would fill the majority of these high-wage positions. Furthermore, the

City assumes that development of the 664 acres would not significantly impact housing demand in the City or the existing jobs-housing imbalance. Additional information and analysis is needed before determination of potential impacts.

Development Under the Proposed 20-Year Boundary Could Increase the City's Demand for Water

Development under the Proposed 20-Year Boundary could increase the City's demand for water. The City is considering various policies and actions to address water demand and water availability. Additional information and analysis is needed before potential impacts can be determined.

Development Under the Proposed 20-Year Boundary Would Impact Public Services

As stated earlier, the City is proposing to expand the 20-Year Boundary to include 664 acres of unincorporated "prime agricultural land," with the eventual goal of attracting large high-tech companies to build campus industrial projects there. This urban use will require that the city provide and maintain urban services, such as water, waste management, fire, police, roadways, etc. The demand for these urban services will result in an unnecessary decentralized provision of City services, especially when there exists undeveloped land within the City's existing boundary. As a general rule, this pattern of decentralized services is less efficient and more costly.

CONCLUSION

Given the availability of over 40 years supply of vacant industrial lands within the existing 20-year boundary, this proposal to further include 664 additional acres of prime agricultural lands into the City's 20-year boundary is unnecessary at this time. The development of these 664 acres would result in permanent loss of prime agricultural lands. Development of this land can be achieved only after extensive and costly infrastructure extensions including flood control and roadway improvements. Amending the City's 20-Year boundary at this time is wholly against the spirit of the jointly adopted inter jurisdictional agreement "*Strategies to Balance Planned Growth and Agricultural Viability*," and also against LAFCO policies for the Gilroy Agricultural Lands Area, which are an extension of that agreement.

It is LAFCO's responsibility to ensure growth occurs in an orderly manner. The Cortese Knox Hertzberg Act requires that LAFCO ensure that growth does not threaten prime agricultural lands and / or result in urban sprawl. Staff therefore believes that it is critical that LAFCO convey its concerns regarding the proposed boundary to the City Council prior to any further action by the City council so

that the Council can take these issues into consideration during their decision making process.

Again, to reiterate, these are intended as initial comments on the proposed revision to the 20-year boundary and a final action regarding endorsement of the boundary will be taken only after the City Council adoption of the General Plan and revision of 20-year boundary.

ATTACHMENTS

Attachment A – Map of Current and Proposed 20-Year Boundary

Attachment B – Policies for Gilroy Agricultural Lands Area including lands map

Attachment C – LAFCO Staff's Comment Letter on City's DEIR for Draft General Plan

Attachment D – *Strategies to Balance Planned Growth and Agricultural Viability*

Current 20-Yr Boundary ●●●●

Proposed 20-Yr Boundary - - - -

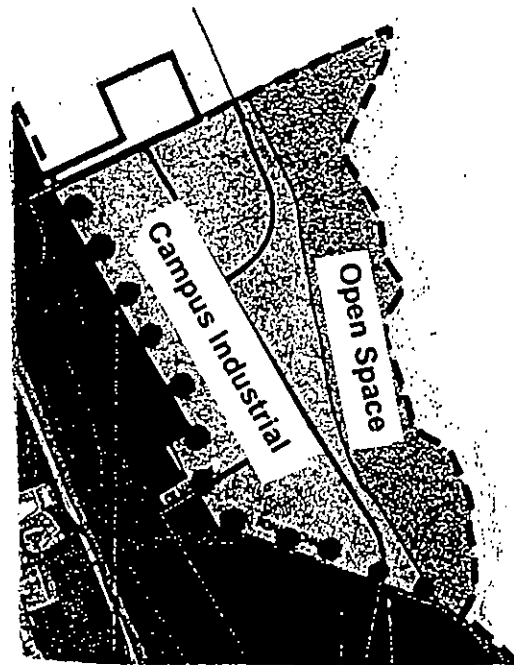


Figure 3-2
Draft Land Use Map

Residential

- HILLSIDE
- LOW DENSITY
- MEDIUM DENSITY
- HIGH DENSITY
- NEIGHBORHOOD DISTRICT

Commercial

- DOWNTOWN
- PROFESSIONAL OFFICE
- GENERAL SERVICES
- VISITOR SERVING

Industrial

- CAMPUS INDUSTRIAL
- INDUSTRIAL PARK
- GENERAL INDUSTRIAL

Other

- HECKER PASS SPECIAL USE DISTRICT
- OPEN SPACE
- PARK/RECREATION FACILITY
- PUBLIC/QUASI-PUBLIC FACILITY
- EDUCATIONAL FACILITY
- CITY LIMITS
- 20 YEAR PLANNING BOUNDARY

CIRCULATION LEGEND

- FREEWAY
- EXPRESSWAY
- ARTERIAL
- COLLECTOR

 City of Gilroy
General Plan



ITEM NO. 4
ATTACHMENT A

POLICIES FOR GILROY AGRICULTURAL LANDS AREA

STATEMENT OF INTENT

It is the intent of LAFCO to establish policies for the area east and south of the City of Gilroy, to reflect the inter-jurisdictional agreement entitled "*Strategies to Balance Planned Growth and Agricultural Viability*," which was endorsed by the City of Gilroy on September 23, 1996, LAFCO on October 9, 1996 and the County Board of Supervisors on October 29, 1996. The agreement is intended to ensure the economic viability of agricultural businesses and to preserve productive agricultural lands south and east of Gilroy for continued agricultural use.

The agreement is primarily comprised of lands east of U.S. 101, south of Buena Vista Avenue to the County boundary, shown as the "agricultural preserve area" on the 1996 map prepared for this agreement, entitled "Gilroy Development Boundaries," included as Exhibit A to these policies. These policies will refer to this area as the Gilroy Agricultural Lands Area.

It is the intent of LAFCO to establish these policies in recognition of the commitment of the City of Gilroy to strengthen the "20 year planning boundary" in the area east of U.S. 101, as part of the inter-jurisdictional agreement. The City's 20 year planning boundary has been in effect since 1979, as part of the City's General Plan.

Some of the policies for the Gilroy Agricultural Lands Area are the same as those listed in previously established LAFCO Policies and Guidelines. They have been included in this section to form a complete set of policies for the Gilroy Agricultural Lands Area.

POLICIES

1. LAFCO supports the City's "20 year boundary" east of U.S. 101, as it existed in 1996, and will not approve any Urban Service Area (USA) expansion request and/or reorganization proposal to the north, east or south of this portion of the 20 year boundary, except as provided in Policy No. 6 below. An additional exception to this policy would be lands needed for the specific purpose of expanding the South County Regional wastewater Authority (SCRWA) plant.
2. LAFCO acknowledges the City's adoption of a stable 20 year boundary east of U.S. 101 to be an effective measure of protection for a significant amount of important agricultural lands east and south of Gilroy, and

also acknowledges those lands within the existing 20 year boundary are less likely to remain in long term agricultural use.

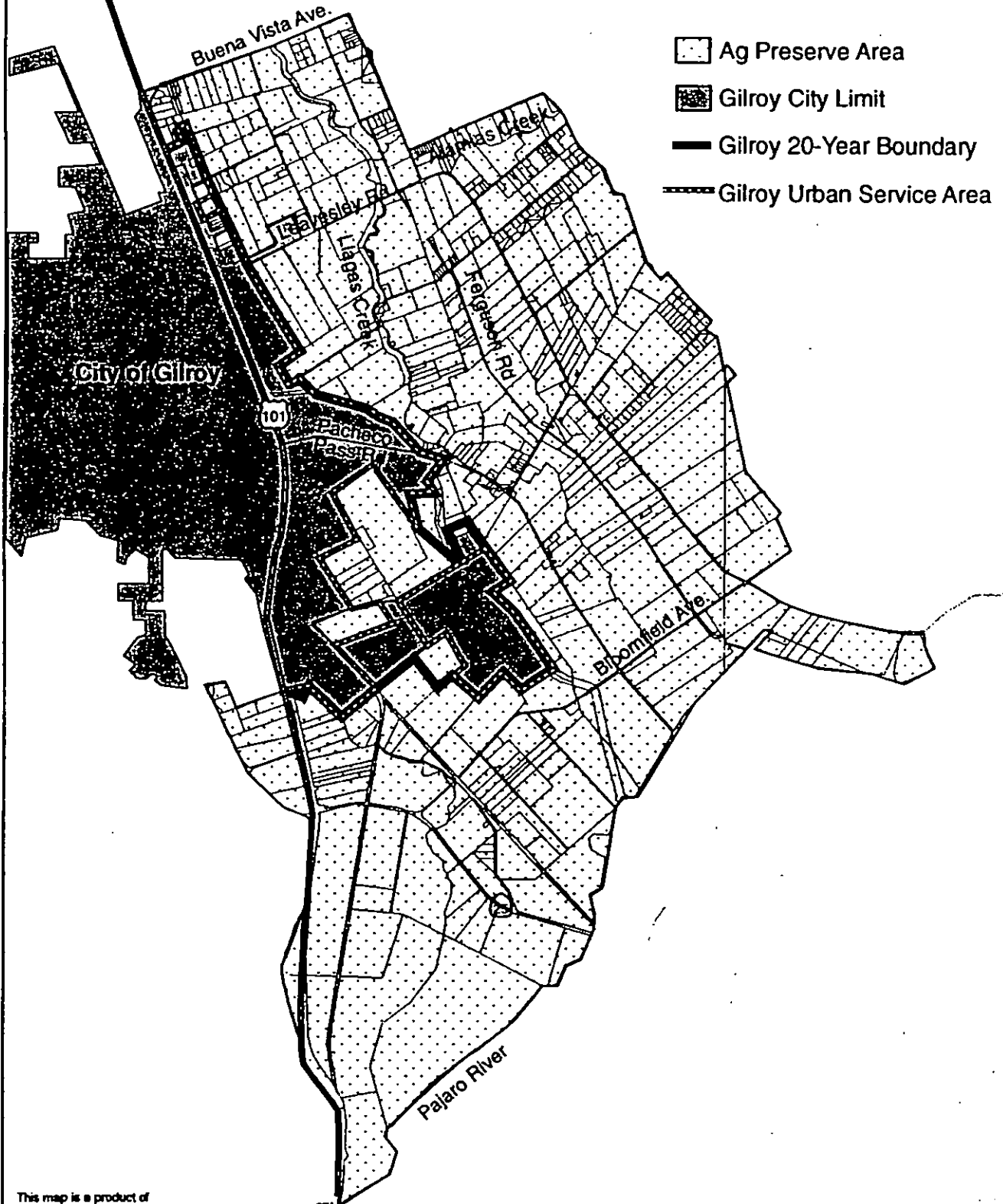
3. When reviewing proposals within the 20 year boundary east of U.S. 101 on lands that have agricultural or open space value (regardless of the City zoning designation), LAFCO may consider this boundary, together with actions taken to implement the other agricultural protection strategies of the inter-jurisdictional agreement, to be a mitigation for the loss of prime soils, agricultural land and/or open space.
4. Urban service area expansion proposals within the 20 year boundary east of U.S. 101 must be contiguous to the current urban service area boundary, and may not include lands under current Williamson Act contract, unless the landowner has applied for non-renewal of the Williamson Act contract within the time limits prescribed in the contract.
5. In addition to the conditions listed above in Policy No. 4 above, LAFCO will consider City urban service area requests specifically within the 20-year boundary east of U.S. 101, as it existed in 1996, based upon, but not limited to, the following factors. The City shall provide this information at the time of application.
 - a. The City's ability to provide adequate urban services without detracting from current service levels.
 - b. Analysis of why the conversion of land to urban uses is necessary to promote planned, orderly, efficient development of the city, given the existing amount of similarly designated vacant land within the existing USA .
 - c. The ability of school districts to provide school facilities.
 - d. The role of special districts in providing services.
 - e. Fiscal impacts of the proposal upon affected agencies.
6. If the City amends the 20-year boundary east of U.S. 101 as it existed in 1996, LAFCO will carefully consider the amendment before endorsement of the new boundary. LAFCO will not approve any City proposals outside of the 1996 boundary east of U.S. 101 unless the commission has endorsed the amended 20-year boundary. Factors to be considered, both for endorsement of an amended boundary and for

any specific proposal, will include, but not be limited to, the following. The City shall provide this information at the time of application.

- a. City's demonstration of how mitigation for previous USA expansion projects will continue to be provided, in cases where the mitigation for loss of prime agricultural land within the 20 year boundary line east of U.S. 101 depended upon the stabilization of that boundary as it existed in 1996.
 - b. The City's participation in efforts to support the viability of agriculture business and the preservation of agricultural lands, including strategies listed in the adopted *"Strategies to Balance Planned Growth and Agricultural Viability."*
 - c. Whether the conversion of agricultural and other open space lands is premature, based upon the availability of other areas of vacant land having the same land use designation already within the USA.
 - d. The ability of the City to provide adequate urban services without detracting from current service levels or incurring excessive infrastructure or services costs.
 - e. The ability of school districts to provide school facilities.
 - f. The role of special districts in providing services.
 - g. Consideration of public safety hazards within the expansion area, including flood hazards.
 - h. The impact of public facilities, such as roads, upon adjacent agricultural lands.
 - i. Fiscal impacts upon affected agencies.
7. LAFCO will only consider amending the Urban Service Area every twelve months, in keeping with previously established LAFCO Policies And Guidelines. The City may submit several requests in one application, and may combine requests in the Gilroy Agricultural Lands Area with proposals from other portions of the city for consideration. As with any urban service area expansion proposal, each geographic area will be considered separately.

Adopted February 12, 1997

Gilroy Development Boundaries



This map is a product of
Santa Clara County, Office of Planning

This map is a digital representation of data collected from various sources.
The County assumes no responsibility for data accuracy.

December 1996

**LOCAL AGENCY FORMATION COMMISSION
SANTA CLARA COUNTY**

www.santaclara.lafco.ca.gov

County Government Center, 11th Floor, East Wing

70 West Hedding Street, San Jose, CA 95110

(408) 299-3800 FAX 295-1613

Neelima Palacherla, Executive Officer

October 23, 2001

William Faus
Planning Division Manager
City of Gilroy
Community Development Department
7351 Rosanna Street
Gilroy, CA 95020

**Re: Comments on the Draft Environmental Impact Report for the City of Gilroy
Revised Draft General Plan**

Dear Mr. Faus:

Thank you for giving the Santa Clara County Local Agency Formation Commission (LAFCO) the opportunity to comment on the **Draft Environmental Impact Report for the City of Gilroy Revised Draft General Plan**. The Santa Clara County LAFCO has a number of comments regarding the *Draft EIR*, specifically relating to the *EIR's* discussion of Local Agency Formation Commission (LAFCO) policies for the Gilroy Agricultural Lands Area and the role they play in implementing certain portions of the Revised Draft General Plan.

ORIGIN OF LAFCO POLICIES FOR GILROY AGRICULTURAL LANDS

On February 12, 1997, Santa Clara County LAFCO adopted a set of policies (see Attachment) pertaining to the Gilroy Agricultural Lands Area. This Area is primarily comprised of lands east of U.S. 101, and south of Buena Vista Avenue to the County boundary (see Exhibit A). These policies are the product of a three year process that developed a multi-agency plan to promote both agricultural preservation and the viability of agricultural business in the unincorporated area east and south of the City of Gilroy.

More specifically, the policies represent an important part of the implementation of the inter-jurisdictional agreement, *Strategies to Balance Planned Growth and Agricultural Viability*, which was adopted by the City of Gilroy, Santa Clara County, and LAFCO in the fall of 1996. The inter-jurisdictional agreement is unique in that the three agencies were able to develop important agricultural strategies that are supportable by each agency, as well as by the Santa Clara County Farm Bureau and Greenbelt Alliance.

Several actions were considered to be integral to the inter-jurisdictional agreement:

1. The City of Gilroy's re-affirming the existing 20-Year Planning Boundary east of U.S. 101 as the City's long-term urban growth boundary east of 101,
2. The City of Gilroy adopting a general plan policy clarifying the objectives of the boundary east of U.S. 101, and
3. LAFCO re-examining policies regarding urban service area (USA) expansions east of U.S. 101 outside of Gilroy.

In compliance with this joint agreement, LAFCO adopted policies relating to Gilroy Agricultural Lands Area on February 12, 1997. These policies have now been in affect for over four years and have played an important role in LAFCO's decision-making process and for evaluating proposals in this area.

LAFCO POLICIES ON GILROY AGRICULTURAL LANDS AREA (see Attachment for Policies)

The policies include three important components: the statement of intent, the actual policies and a map of the Gilroy Agricultural Lands Area. The statement of intent makes it clear that the policies are established by LAFCO in recognition of the commitment of City of Gilroy to strengthen its 20-Year Planning Boundary east of U.S. 101.

The policies acknowledge the adoption of a stable 20-Year Planning Boundary to be an effective measure of protection for the agricultural areas east and south of Gilroy (Policy #2 and #3). The policies also acknowledge that this boundary, together with implementation of other strategies, may be considered mitigation for the loss of prime agricultural land within the boundary.

While the policies provided LAFCO with a more balanced perspective when considering potential USA projects within the boundary, they do not allow an "automatic" approval for all proposals within the boundary. Rather, several factors are to be carefully considered (Policy #5).

The policies do not preclude the City of Gilroy from changing its 20-Year Planning Boundary (as is proposed in the Revised Draft General Plan and Revised Draft EIR); however, any boundary changes by the City of Gilroy into the agricultural lands area must be endorsed by LAFCO before any proposals outside of the 1996 boundary east of U.S. 101 will be approved (Policy #6). Policy #6 also outlines specific factors for LAFCO to consider before endorsing the boundary change and potentially considering a specific project within the boundary (Policy #6, factors a. through i.).

Policy #6 is particularly relevant, due to the fact that the proposed 20-Year Planning Boundary as described in the *Revised Draft General Plan for the City of Gilroy* includes adding 664 acres of agricultural lands located east of the Gilroy Outlets. These lands are currently outside of the current 20-Year Planning Boundary and the City of Gilroy's current Urban Service Area boundary. With amendment of the 20-Year Planning

Boundary into the agricultural lands, LAFCO would not be able to consider any USA expansion requests in the area unless the Commission has endorsed the amended 20-Year Planning Boundary.

DRAFT EIR NEEDS TO INCLUDE ADDITIONAL INFORMATION

Given Policy #6, the remaining LAFCO Policies for Gilroy Agricultural Lands Area, and the fact that the Draft EIR will be a key resource for LAFCO's consideration of endorsement of the portion of the proposed 20-Year Planning Boundary located east of U.S. 101, LAFCO requests that the following additional information be discussed in the EIR:

Detailed Discussion of LAFCO Policies for Gilroy Agricultural Lands Area

A more detailed discussion of LAFCO Policies for Gilroy Agricultural Lands Area in the appropriate parts of the Draft EIR, such as *Section 4.1 Land Use- Consistency with Plans (page 4.1-6)*. Specifically acknowledging LAFCO's role in the endorsement of the 20-Year Planning Boundary, LAFCO's role in considering USA proposals and LAFCO's specific policies for the Gilroy Agricultural Lands Area. The Draft EIR should include an evaluation of whether the Revised Draft General Plan is consistent with LAFCO Policies for Gilroy Agricultural Lands Area (See Attachment).

Readable Maps of Relevant Boundary Lines and Changes to Boundary Lines

Better quality maps that clearly show the current 20-Year Planning Boundary, proposed 20-year Planning Boundary and their relationship to the current USA boundary, current Sphere of Influence boundary, and current city limits. The maps provided in the Draft EIR are difficult to read and are therefore of limited use.

Detailed Information on Vacant Land Located Within Existing City Limits

The Draft EIR states that "within the existing City limits, more than 3,000 acres of land are either vacant or in agricultural use. While some of these lands have already been planned for development, suitable lands are available to accommodate considerable growth and infill development to meet future growth needs." (Page 4.2-2, paragraph 3)

The Draft EIR should provide detailed information about the land use designation for these vacant lands. This information will be needed in order for LAFCO to consider the proposed 20-Year Planning Boundary, and potentially USA proposals.

Map of Changes to Land Use Designation or General Plan Boundary Involving Agricultural Lands

On page 4.4-18 of the Draft EIR, a table summarizing the proposed changes to land use designations or general plan boundary involving agricultural lands is provided. The EIR should include a map indicating the location of these areas.

Addition of Southern Hillside (Area M) to 20-Year Boundary

The *Revised Draft EIR* states that the City proposes to add 1,470 acres of lands currently designated as "Ranchlands" under the Santa Clara County General Plan into the revised 20-Year Planning Boundary. According to the *EIR*, the City proposes to designate these lands as "Open Space," as a means to preserve the lands in primarily a natural state, with grazing as a permitted use.

This proposal seems to be in conflict with the goal and objectives of the proposed 20-Year Planning Boundary. The *Revised Draft General Plan* states that the goal of the 20-Year Planning Boundary is "to indicate the area of land that could potentially be developed in the next 20 years." The addition of 1,470 acres of ranchlands to the 20-Year Planning Boundary seems contrary to this goal, particularly if the primary goal for these lands is to maintain it as open space. The *EIR* should clearly state how the goal of preserving these hillsides as open space will be achieved by amending the 20-Year Planning Boundary to include these lands.

The *Revised Draft EIR* should include information on the specific differences (permitted and conditional uses, minimum lot sizes, etc.) between the County's "Ranchlands" designation and the City's "Open Space" designation and evaluate the potential impacts that this proposed change may have on these specific lands and the surrounding area.

CONCLUSION

In closing, LAFCO believes that the abovementioned changes will result in a more accurate Draft EIR and provide LAFCO with better information to base future LAFCO decisions on.

Thank you for the opportunity to review and comment on the *Draft EIR*. If you have questions regarding these comments, you can reach me at (408) 299-3800 x7027.

Sincerely,



Neelima Palacherla, Executive Officer

Cc: Santa Clara County Local Agency Formation Commission (LAFCO)
Autumn Bernstein, South Bay Field Representative, Greenbelt Alliance
Jenny Derry, Executive Director, Santa Clara County Farm Bureau
Ann Draper, Director of Planning, County of Santa Clara

Attachment

Attachment A - Policies for Gilroy Agricultural Lands Area including lands map

Strategies to Balance Planned Growth and Agricultural Viability

in the areas south and east of Gilroy







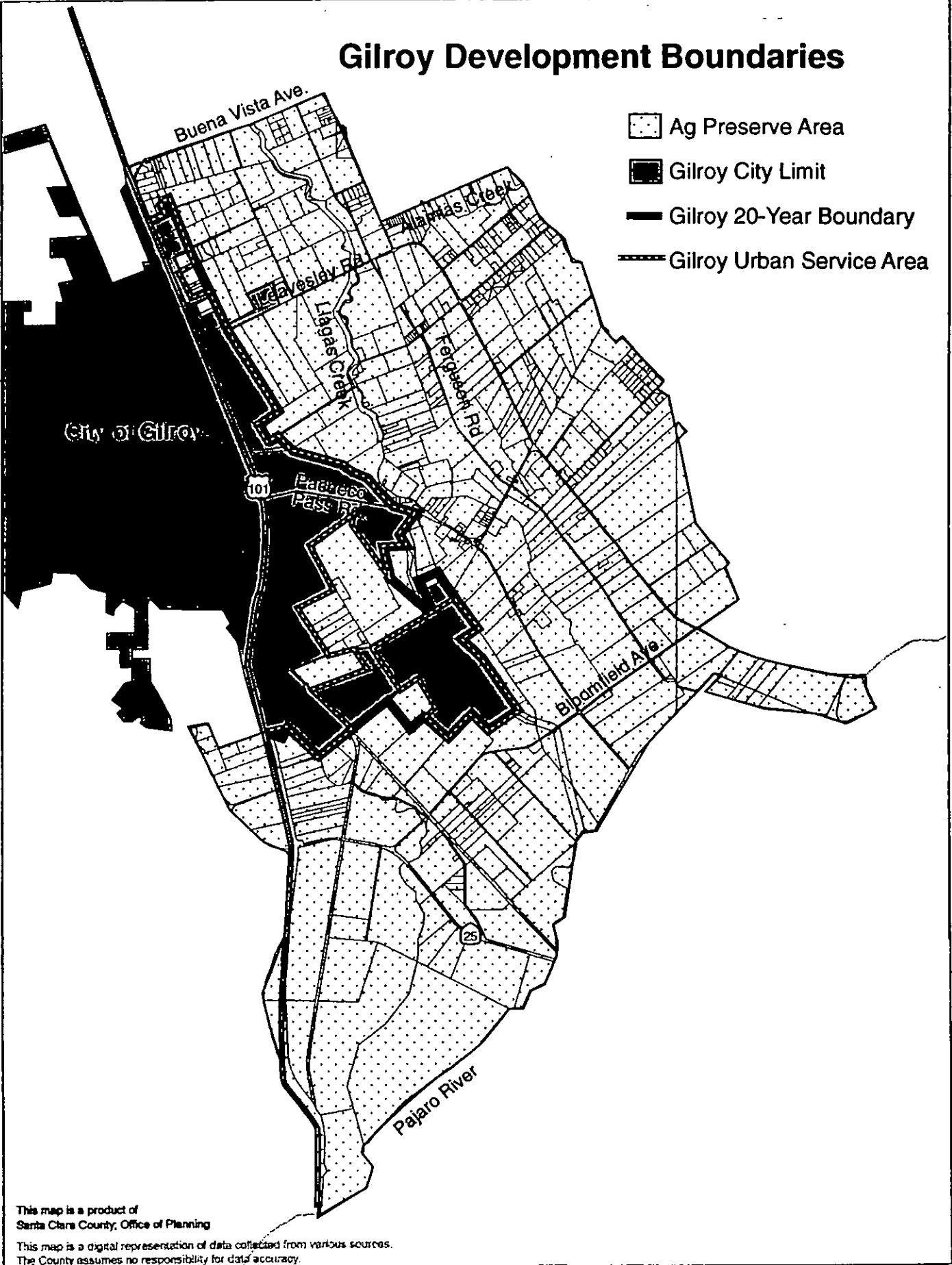
Adopted by the City of Gilroy, September 23, 1996
Adopted by LAFCO, October 9, 1996
Adopted by the Santa Clara County Board of Supervisors
October 29, 1996

A Joint project of the City of Gilroy, Santa Clara County and the Local Agency Formation Commission

October 1996

Gilroy Development Boundaries

-  Ag Preserve Area
-  Gilroy City Limit
-  Gilroy 20-Year Boundary
-  Gilroy Urban Service Area



This map is a product of Santa Clara County, Office of Planning

This map is a digital representation of data collected from various sources. The County assumes no responsibility for data accuracy.

INTRODUCTION

Purpose of the South County Agricultural Study

The purpose of the South County agricultural study was to identify ways to ensure the long term maintenance of agriculture as a viable land use in the area south and east of Gilroy. This area is designated in the County General Plan for "Large Scale Agriculture" and has long been identified as an "agricultural preserve."

The study, which was initiated in 1994, was undertaken in response to concerns about the impacts of incremental urbanization in this area. The study was jointly sponsored by the Local Agency Formation Commission (LAFCO), Gilroy and the County. (LAFCO is the state-mandated local agency responsible for preventing urban sprawl and preserving agricultural lands. Its authority includes control over modifications to city urban service areas, among other things.)

Preparation of Report by Consultant

The first step in the joint project was to hire a consultant to prepare a report identifying an array of options to help insure the long term preservation of agriculture. The consultant's report, *Study of the South County Agricultural Preserve*, was completed in early 1995.

(Note: The consultant's report included information concerning not only the Large Scale Agricultural area, but also additional lands that are designated "Agriculture - Medium Scale" in the County's General Plan. This proposal, however, is concerned only with those lands within the Large Scale Agriculture area.)

Establishment of Task Force

In July 1995, a 7-member Task Force was created for the purpose of reviewing the consultant's report and recommending to LAFCO, Gilroy, and the County which of the report's various agricultural preservation alternatives should be implemented.

Task Force Progress

After meeting monthly for approximately six months, the Task Force had difficulty reaching a consensus concerning which alternatives to recommend.

The Task Force Chair, Supervisor Michael Honda, then asked staff to develop a proposal that could receive broad support from Task Force members and participating agencies, taking into account the various opinions and concerns expressed during the Task Force's previous meetings.

Re-Evaluation of Joint Project's Focus and Assumptions

LAFCO, Gilroy, and County staff met to re-evaluate the joint project, in light of the Chair's direction. It reached several conclusions that provide the basis for this proposal:

1. Although the primary focus of the South County agriculture study is on agricultural preservation, this joint project must acknowledge and take into account the City of Gilroy's concerns about its potential future growth needs.
2. If the recommendations of the Task Force are to be adopted and effectively implemented by the participating agencies, the recommendations must be balanced. The Task Force's proposal must take into account the interests of each of these agencies, as well as the interests of the agricultural and open space communities.
3. The Task Force's proposal must recognize that agriculture is a business, which - like all other businesses - faces strong competition from other parts of California and other parts of the world. To maintain local agriculture's economic viability, local governments must be sensitive to the needs of agriculture and recognize the role that local governments can play in supporting agriculture.
4. Successful, long term maintenance of agriculture as a viable land use will not be accomplished simply by adopting this proposal. The success of this proposal depends on the presence of a long term, ongoing, cooperative working relationship that actively involves the agricultural community, Gilroy, the County, LAFCO, and others.

Overview of Proposed Strategies

This proposal: "Strategies to Balance Planned Growth and Agricultural Viability" contains four basic elements:

- Strategy 1: Plan for Responsible, Sustainable Development
- Strategy 2: Support Agricultural Viability
- Strategy 3: Promote City/County Cooperation
- Strategy 4: Monitor Implementation

All four must be adopted and implemented together if the goals of this joint project are to be achieved.

Strategy 1: **PLAN FOR RESPONSIBLE, SUSTAINABLE DEVELOPMENT**

As mentioned previously, the purpose of the joint project was to identify ways to insure the long term viability of agriculture in the study area. The Task Force has also recognized the need for Gilroy to plan for its own growth. This strategy, described in more detail below, attempts to respond to that need (taking into consideration the region wide interests of all stakeholders in the area).

Planning for Future Growth

It is important for Gilroy to determine its own destiny with respect to its future growth and economic development, taking into account region wide interests. Gilroy, like most California cities, faces the challenge of balancing limited revenues with increasing costs related to servicing new neighborhoods while replacing aging urban infrastructure in older neighborhoods. Gilroy must have the opportunity to evaluate its own growth needs and plan for sustainable, responsible growth while continuing to provide for the needs of existing residents and business owners. The recommended actions, listed below, provide that opportunity by building upon and strengthening Gilroy's current growth management tools and preserving future options for development.

Gilroy's History of Gradual, Concentric Growth

Gilroy historically has grown in a practical and sustainable fashion with most new development occurring close to existing services and developments. This has kept Gilroy's infrastructure costs low relative to other communities in the area.

Development Constraints within the Large-Scale Agricultural Area

The fact that most of Gilroy's growth has occurred west of Highway 101 has not been by chance. As a practical matter, the lands east and south of Gilroy (within the Large Scale Agricultural area) are subject to development constraints that generally make them unsuitable for urban development.

Most of the lands immediately east of Gilroy lie within the flood plains of Llagas Creek and various other creeks and rivers in the area. These areas would be inundated by a 100-year flood event. (See map titled "Areas Subject to Flooding" pg. 4.) The Llagas flood control project currently being constructed is not expected to be completed for another ten years and even when it is completed, it will not protect most of the Large Scale Agricultural area from a 100-year flood event.

Upgrading the level of flood protection provided to this area above and beyond what is currently planned will be extremely costly. Even if funding could be found, enhanced flood control facilities could not realistically be expected to be in place within the next 20-30 years. (The current Llagas project will have taken approximately 40 years to complete, from the time it was originally proposed)

The potential for providing flood protection within the area on a site-by-site basis is also complicated since "flood proofing" individual sites often requires the use of large areas for the temporary detention of flood waters and any flood control improvements must take into consideration the impacts of diverting flood waters to other properties downstream.

Any future plans for possible urban expansion into this area will have to take into account these development constraints and the potential long term costs to the City and its taxpayers of attempting to overcome them.

Action Proposals for Strategy 1: PLAN FOR RESPONSIBLE, SUSTAINABLE DEVELOPMENT

1A: Reaffirm Gilroy's Existing 20-Year Growth Boundary to Serve as a Long Term Urban Growth Boundary East of Highway 101

The City of Gilroy's General Plan has included a 20 year growth boundary since the early 1980's. (See map titled "Gilroy Development Boundaries" pg. 2.) This boundary is one tool that the City of Gilroy uses to plan the timing and location of new development in a responsible and sustainable way. This strategy is not suggesting that the City adopt a new growth boundary but that it build on the existing one already in place.

Action 1A.1:

Re-affirm the existing 20 year boundary in Gilroy's General Plan as the City's long term urban growth boundary east of Highway 101.

Action 1A.2

Adopt a General Plan Policy clarifying the objectives of the 20 year boundary east of 101 to include:

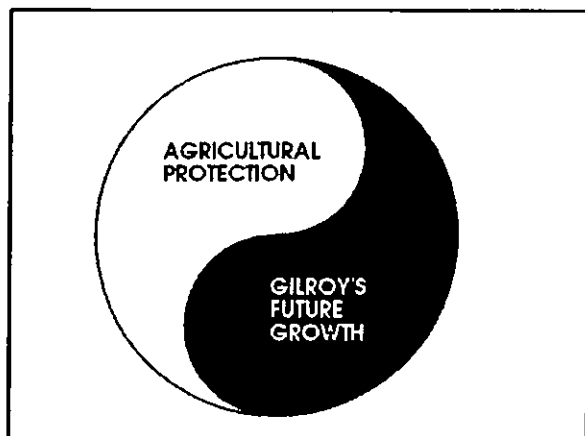
- a. *Minimizing public service and infrastructure maintenance costs,*
- b. *Encouraging investment in existing neighborhoods,*
- c. *Discouraging development in areas subject to public safety hazards, including flood hazards,*
- d. *Maintaining the productivity and economic viability of agricultural lands by minimizing urban encroachment into agricultural areas, and*
- e. *Promoting Gilroy's agricultural heritage by supporting the continuation of active agricultural production along the city's eastern border.*

Implementor: *City of Gilroy.*

1B: Review and/or Revise the 20 year Growth Boundary east of Highway 101.

The 20 year boundary has served as a general guide for development, but because it can be amended every year, it is largely considered a flexible line. In order for the 20 year boundary to function as an effective long term planning tool, the City should clarify that east of Highway 101, the line is not easily amended, but is a long term growth boundary not subject to piecemeal amendments.

The 20 year boundary should not be considered "permanent", but rather, it should be considered a long term boundary that can be amended in the context of a comprehensive update of the General Plan or a specific plan that takes into account citywide land availability and the objectives of the long term growth boundary. This strategy will allow Gilroy to define its own growth boundaries,



clearly identifying areas suitable for development, while preserving future growth options. Furthermore this strategy will give the City more control over the timing of such growth.

(Since they are not intended for urban development, lands may be acquired and included within the 20 year boundary for the specific purpose of expanding the South County Regional Waste Water Authority (SCRWA) plant.)

Action 1.B.

Adopt a General Plan policy indicating that the 20 year boundary east of Highway 101 is to be amended generally in conjunction with a comprehensive citywide revision of the City's General Plan in order to avoid piecemeal and incremental amendment of the boundary. Additional amendments may be warranted if based upon specific area plans that take into account citywide land availability and the objectives of the long term growth boundary or to incorporate specific lands needed to expand the SCRWA plant.

Implementor: *City of Gilroy.*

1C: Re-Examine LAFCO Policies Concerning Gilroy Urban Service Area Expansions East of Highway 101

In recent years, the City of Gilroy and LAFCO have struggled over the implications of Gilroy's Urban Service Area (USA) expansion proposals on agricultural lands east of U.S. 101. LAFCO policy strives to protect prime agricultural land from premature conversion to urban uses. This policy has sometimes been at odds with the City's desire to expand.

If the City of Gilroy strengthens its 20 year boundary as discussed under sections 1A and 1B above, LAFCO should re-examine its policies regarding requests for expansions to Gilroy's USA. With the assurance of a stable boundary, LAFCO should consider amending its policies to allow modest growth of Gilroy's USA within the 20 year boundary east of U.S. 101.

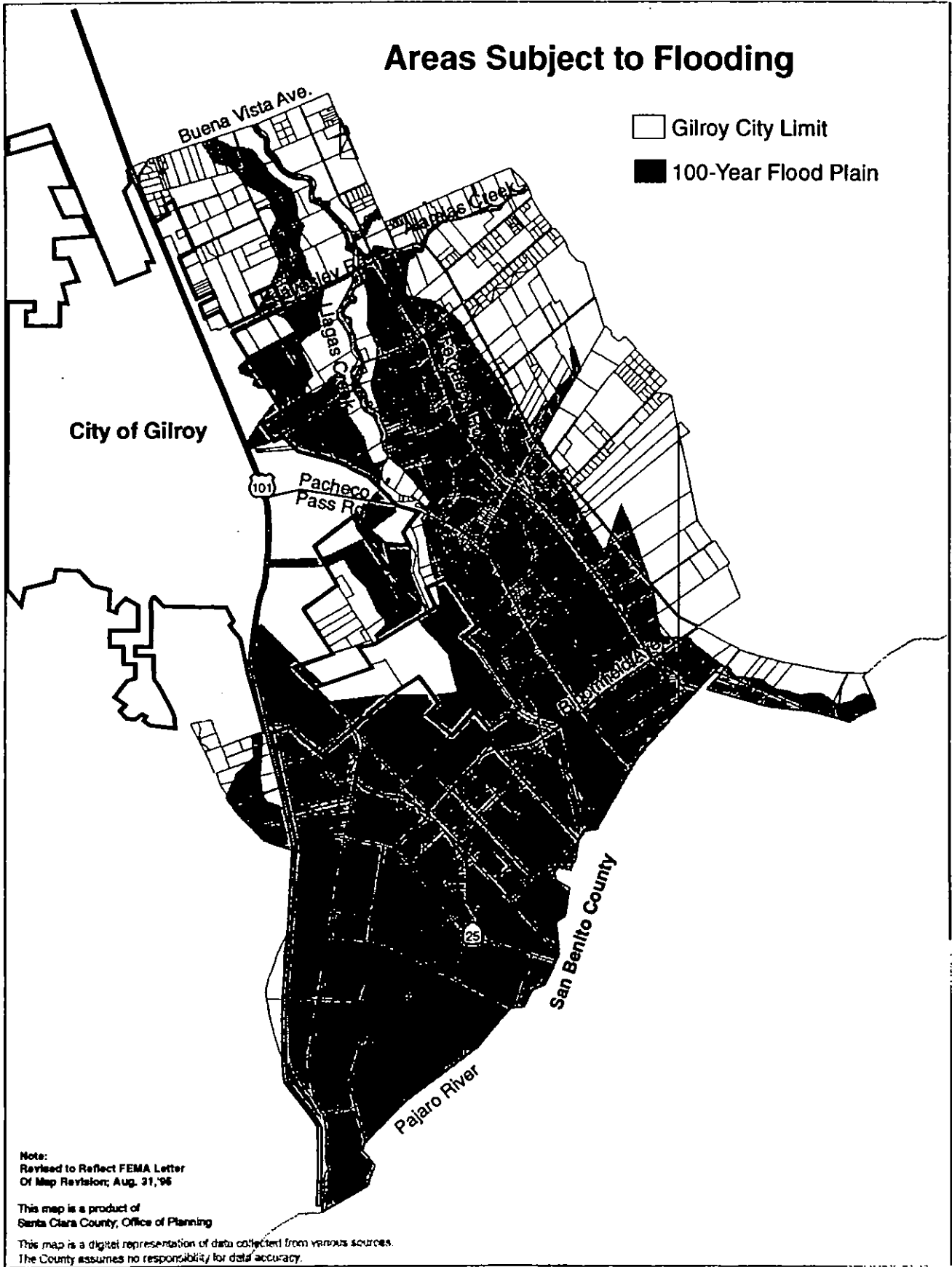
Action 1.C.1:

Amend LAFCO policies, in recognition of new City policies regarding its 20 year boundary east of Highway 101.

Implementor: *LAFCO.*

Areas Subject to Flooding

- Gilroy City Limit
- 100-Year Flood Plain



Note:
Revised to Reflect FEMA Letter
Of Map Revision; Aug. 31, '96

This map is a product of
Santa Clara County, Office of Planning

This map is a digital representation of data collected from various sources.
The County assumes no responsibility for data accuracy.

Strategy 2: SUPPORT AGRICULTURAL VIABILITY

The Economic Viability of Agriculture is Critical to its Preservation.

This strategy recognizes that agriculture is a business and that to insure its preservation one must insure its economic viability. Farmers in South County are finding it increasingly difficult to compete in today's market. Farming in South County is made more difficult by (among other things) higher transportation costs related to the lack of nearby processing plants, higher labor costs related to higher housing costs, and by conflicts with urban uses. The following strategies were suggested by the Task Force and representatives of the local farming community as way of improving the competitiveness of farming, and thus the viability of farming.

Action Proposals for Strategy 2: SUPPORT AGRICULTURAL VIABILITY

2A: Increase Economic Competitiveness by Allowing Appropriate "Vertical Integration" Activities

Some farmers in the County have been very successful in increasing the amount of on-site processing, packaging, and marketing of their own agricultural products. This concept, known as vertical integration, can benefit farmers in many ways including:

- Eliminating middlemen between farmers and consumers;
- Lowering transportation costs for farmers in the area by allowing processing of agricultural products closer to where they are grown; and
- Providing farmers with additional sources of income so that they can remain in farming longer.

The County Zoning Ordinance currently allows some vertical integration activities, subject to issuance of a Use Permit. The process is sometimes seen as overly lengthy, imposing, cumbersome, and expensive. The farming community has indicated that increasing opportunities for the farmer to vertically integrate, will help improve the viability of farms in the South County.

This strategy recommends:

- That the County review the existing Use Permit Process in order to "streamline" the process; and
- That the Zoning Ordinance be amended to allow more "vertical integration" activities.

Not all agriculture related uses will be appropriate for all parts of South County. Siting of vertical integration uses will require careful analysis of their potential impacts on a case by case basis. Furthermore, these types of uses must be clearly linked to agriculture. Proposed uses will be approved only if they meet specific conditions.

Action 2.A.1:

Expedite the approval process for vertical integration uses in the large-scale agricultural area.

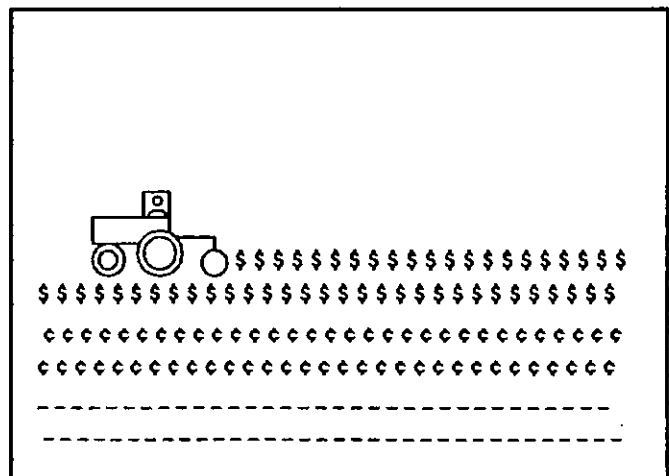
Action 2.A.2:

Review whether allowable vertical integration activities should be expanded to include additional uses. Amend the County regulations applicable to the "large scale" agricultural area, south and east of the City of Gilroy, to allow uses identified as necessary to support the viability of agriculture.

Action 2.A.3:

Review the adequacy of the County policies in avoiding or mitigating significant impacts of vertical integration uses and develop required "findings" to minimize impacts associated with such uses.

Implementor: Santa Clara County.



2B: Provide Property Tax Relief to Agricultural Lands

The California Land Conservation Act of 1965 (known as the Williamson Act) was enacted by the State of California to protect farmers from escalating property taxes. The underlying purpose of this act was to protect farmland from development pressures. The Williamson Act allows local governments to assess agricultural landowners based on the income-producing value of the land rather than on its potential for residential, commercial or industrial use.

This strategy simply involves the continuation of the Williamson Act program for properties within the large-scale agricultural area.

Action 2.B.1:

Continue to enable property owners within the large scale agricultural area to enter into and continue Williamson Act contracts.

Implementor: Santa Clara County.

2C: Allow Supplemental Farm Income Through Home Occupation Activities

Many small farm operators must supplement their income through a second business. Often these businesses are conducted out of the home. These types of businesses are referred to as home occupations. This action suggests that, making it easier for farmers to initiate or expand home occupation activities, will give farmers additional income and help keep farmers in business longer.

Action 2.C.1:

Enable farmers to engage in "home occupations" in the Agriculture Zoning Districts.

Implementor: Santa Clara County.

2D: Acquire Open Space Easements from Willing Sellers

All members of the Task Force agreed that a good way to insure that agricultural lands remain in production was through the purchase of open space easements. A permanent open space easement guarantees that a parcel will remain in an open space or agriculture use.

Action 2.D.1:

Explore ways of creating or joining a non-profit or government organization to purchase open space easements in the South County.

Action 2.D.2:

Explore ways of funding the purchase of agricultural open space easements.

Implementors: Non-profit organizations, City of Gilroy, Santa Clara County, other public agencies.

2E: Identify Regulatory and Tax Burdens on Agriculture

The agriculture industry is regulated by a variety of federal, state and local agencies. It is asserted by the farming industry that the cumulative effect of the various layers of regulation places a financial burden on the industry and unintentionally has negative impacts on agricultural viability. This strategy recommends that the farming community prepare a list of federal, state and local regulations that affect agriculture and identify those that are overly burdensome or onerous. This strategy then recommends that the federal government, the state and the County be made aware of the impact that their regulations have on the future of agriculture in the County.

Action 2.E.1:

Identify the extent of regulatory and tax burdens on agriculture at federal, state and local levels.

Action 2.E.2:

Forward list of findings and recommended actions or changes to federal, state and local legislators.

Implementors: Farm Bureau, Santa Clara County.

2F: Promote Marketing of Local Agriculture

Local marketing programs have been successful in other communities examined in the *Study of the South County Agricultural Preserve*. The purpose of these programs is to increase local awareness of local agricultural products in order to increase local sales.

Ideas discussed by the Task Force include a media advertising campaign, a "sticker" program that identifies the produce or product as Santa Clara County Grown, an expanded "County Crossroads" Map Program identifying farms that conduct direct sales to the public, and the development of a large permanent regional farmers market to allow direct sales. These programs are generally funded through local government advertising budgets, tourism boards or local farming cooperatives.

Action 2.F.1:

Examine and work towards implementation of marketing strategies.

Implementors: Gilroy Bureau of Tourism, Farm Bureau, Santa Clara County, City of Gilroy, private businesses.

2G: Support Affordable Farm Worker Housing

Many farmers have identified the lack of affordable housing for farm workers as a disincentive to agriculture in South County. The Santa Clara County Housing and Community Development Program and other groups have been working on this issue for many years. Despite the success of their efforts, the demand for both permanent affordable family units, and for affordable seasonal housing, far exceeds the current supply.

This strategy suggests that the County and City of Gilroy support farm worker housing by developing permanent and seasonal housing.

Action 2.G.1:

Continue to explore and implement ways of providing affordable farm worker housing.

*Implementors: Santa Clara County,
the farming community,
the City of Gilroy,
non-profit organizations.*

2H: Support Agriculture Water Conservation and Reasonable Water Rates

The accelerating growth rate of California's population, in light of the limited supply of fresh water is putting pressure on the State and local water agencies to re-examine the way water is distributed among various users. Urban, agricultural, sport and environmental interests are competing for their share of the state's water supply.

Farmers in Santa Clara County as a rule are very sophisticated in their use of water conservation methods. The local farming community is extremely concerned the water district will increase rates for agriculture users without taking into consideration existing conservation efforts. They are concerned that if rates for agricultural users are raised, their water costs will be so high, they will not be able to survive in this market.

Action 2.H.1:

Work with the Santa Clara Valley Water District to discuss additional agricultural related water conservation efforts and to influence the county-wide discussion on water rates in order to help maintain competitive rates for agricultural users.

*Implementors: Farming community,
Santa Clara County,
Santa Clara Valley Water District, City of Gilroy,
County-wide environmental community.*



Strategy 3: PROMOTE CITY/COUNTY COOPERATION

A very positive outcome of this joint project has been the opportunity to strengthen the cooperative working relationships between the City and the County. This spirit of cooperation can continue if both the County and the City continue to focus on common goals.

Action Proposals for Strategy 3: PROMOTE CITY/COUNTY COOPERATION

3A: Adopt Joint Policies to Protect Lands Planned for Future Urban Development

The City of Gilroy has expressed some concern regarding the County's past approval of projects in unincorporated areas which conflict with Gilroy's future General Plan designations for that area.

Under this strategy the County and the City would re-evaluate existing land use policies and land use designations as they relate to parcels within Gilroy's 20 year growth boundary. The County would agree to avoid land uses and development which would potentially conflict with future annexations and the optimal utilization of lands within the City's 20 year growth boundary.

Action 3.A.1:

Review existing County ordinances and policies within the 20 year boundary to determine compatibility with City of Gilroy General Plan.

Action 3.A.2:

Establish a referral process for projects on unincorporated parcels and General Plan or zoning interpretation issues which might be incompatible with the policies of the City of Gilroy's General Plan and future development within the 20 year boundary.

*Implementors: Santa Clara County,
City of Gilroy.*

3B: Reaffirm Policies to Protect Agricultural Lands

Many policies in the Santa Clara County 1995 General Plan directly support the continuation of agriculture in the County. The South County Joint Area Plan, which has been adopted by both the City of Gilroy and Santa Clara County, includes policies relating to the preservation of agriculture in the South County. Both the City of Gilroy and LAFCO

have policies concerning the premature annexation of land and maintaining land in agricultural use, until it is needed for the orderly expansion of the City. These policies were instrumental in giving birth to the South County agricultural study and will continue to be important in protecting the future of agricultural lands in South County.

Action 3.B.1:

In order to insure the long term viability of agriculture in South County, both the City and the County must reaffirm their commitment to agriculture as stated in County and City General Plans and the Joint South County Plan.

*Implementors: Santa Clara County,
City of Gilroy.*

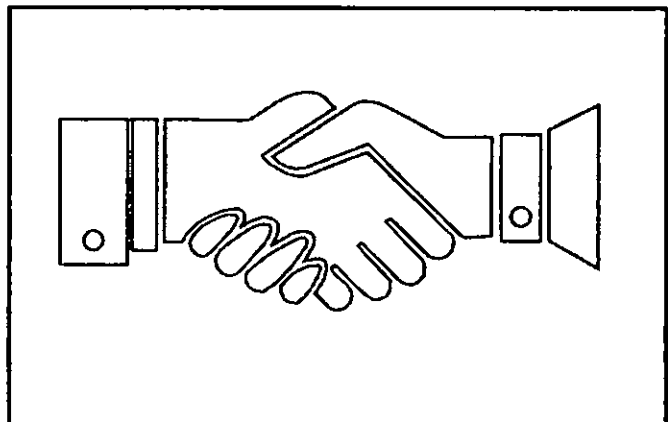
3C: Clarify Procedures for Referral to Gilroy of Development Proposals in the Large-Scale Agricultural Area.

The County recognizes that projects in the large-scale agricultural area can and do have an impact on Gilroy's land use plans and policies. This strategy encourages the County to examine (and expand if necessary) existing referral policies to insure ongoing open communication between the City and the County.

Action 3.C.1:

Review current procedures for referral of projects to the City of Gilroy and revise procedures if necessary.

*Implementors: Santa Clara County,
City of Gilroy.*



Strategy 4: MONITOR IMPLEMENTATION

In order to insure success, the "Strategies to Balance Planned Growth and Agricultural Viability" must include an active, ongoing implementation and monitoring plan. The effectiveness of the implementation actions must be reviewed and approaches modified when necessary to insure their success.

Furthermore the success of this proposal depends upon the ability to include key public and private stakeholders in the implementation phase of the project. If these stakeholders are included in the implementation phase of the strategy, they will have a stake in the program's success.

Action Proposals for Strategy 4: MONITOR IMPLEMENTATION

4A: Assign Responsibilities for Implementation

Implementation responsibilities of these strategies are listed in preceding sections. Priorities should be established by Santa Clara County, the City, and LAFCO regarding which strategies should be acted upon first. All of these actions require the participation of and input from the farming community as well as others interested in preserving our agriculture heritage. These groups must accept responsibility for implementation to insure the program's success.

Action 4.A.1:

Use implementation responsibilities assigned in previous strategies as a basis for moving forward with implementation.

*Implementors: Santa Clara County,
City of Gilroy, LAFCO.*

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4B: Involve Stakeholders in Implementation Activities

The success of this proposal will depend upon the active involvement of affected agencies, community organizations, and the public at large throughout the implementation process.

Action 4.B.1:

Provide appropriate opportunities for active participation by public and private stakeholders in the efforts to implement the strategies recommend in this study

*Implementors: Santa Clara County,
City of Gilroy, LAFCO.*

4C: Monitor Progress Toward Implementation

It is suggested that the South County Joint Planning Advisory Committee be assigned responsibility for monitoring the progress of implementation of the strategy.

Action 4.C.1:

Assign responsibility to the South County Joint Planning Advisory Committee for monitoring progress toward implementation of the above strategies.

Implementors: Santa Clara County, City of Gilroy

ACKNOWLEDGEMENTS

South County Agricultural Task Force Members

Michael Honda, Chairperson
Santa Clara County Board of Supervisors, LAFCO

David Collier
Gilroy Planning Commission

Lon Davis
San Martin Planning Committee

Tom Kruse
Santa Clara County Planning Commission

Vicki Moore
Greenbelt Alliance

Charles Morales
Gilroy City Council

Ralph Santos
Farm Bureau

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Santa Clara County Planning Office

**2002 SCHEDULE OF MEETINGS
AND APPLICATION FILING DATES**

DATE OF MEETING	FILING DEADLINES
February 13, 2002	January 2, 2002
April 10, 2002	February 20, 2002
June 12, 2002	April 24, 2002
August 14, 2002	June 19, 2002
October 9, 2002	August 21, 2002
December 11, 2002	October 23, 2002

TIME OF MEETING: 1:15 p.m.
Every 2nd Wednesday of even months

LOCATION OF MEETINGS: County Government Center
Board of Supervisors' Chambers
70 West Hedding Street, 1st Floor
San Jose, CA 95110

FILING LOCATION: County Government Center
70 West Hedding Street, 10th Floor
San Jose, CA 95330

For more information please contact:

Emmanuel Abello, LAFCO Clerk
Phone: (408) 299-4321, Ext. 5661
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County Government Center, 11th Floor, East Wing
70 West Hedding Street, San Jose, CA 95110
(408) 299-5127 FAX 295-1613
Neelima Palacherla, Executive Officer

December 5, 2001

TO: LAFCO
FROM: Neelima Palacherla, Executive Officer *up*
SUBJECT: Executive Officer's Report
Agenda Item No. 6

A. Update on Service Review Guidelines

For Information Only

The State Office of Planning and Research (OPR) plans to publish the final Service Review Guidelines in January 2002 and offer technical assistance to LAFCOs through March 2002. (See attached timeline.)

In the meantime, staff has compiled a list of special districts in this county that are under LAFCO jurisdiction (see attached list of special districts) and is:

- Working on developing boundary and sphere of influence maps for these special districts
- Working on developing and conducting a survey to create an inventory / profile of special districts in this County

B. Update on Payments to LAFCO

For Information Only

The County Controller's Office reports that as of November 28, 2001, LAFCO has received payments from all the cities.

C. Report on LAFCO Workshop for Cities on City-Conducted Annexations

For Information Only

On November 13, 2001, staff conducted a workshop for cities to provide them with an overview of provisions in state law regarding annexation process, city conducted annexation requirements and the new provisions for island annexations.

The workshop was attended by about 45 persons representing almost all the cities and included city planners, clerks and attorneys.

Governor's Office of Planning and Research

Timeline for the Development of Advisory Guidelines and Technical Assistance Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000

AB 2838, Chapter 761, Statutes of 2000, makes a number of significant changes to the role and responsibilities of Local Agency Formation Commissions (LAFCO). For the purpose of supporting LAFCOs' efforts to implement these changes, the Governor's Office of Planning and Research (OPR) is required to develop two separate advisory Guidelines:

- Guidelines for Conducting a Review of Municipal Services
- Guidelines for the Incorporation Process

In addition, OPR will be participating and/or hosting workshops throughout the Fall of 2001 and the Spring of 2002 to provide technical support to communities in making the significant policy changes envisioned by the Legislature and the Governor in approving AB 2838.

Below is a ten-point timeline for the completion of the two Guidelines and the provision of technical assistance.

Service Review Guidelines

Task One - Information Collection and Organization

Outreach: Workshops in Sacramento, Fresno and Orange County; establishment of a working group; mailings to interested parties; and postings of materials on the Internet.

Outcomes: Publish summary of workshops.

Timeline: March/April/May 2001

Task Two - Issues, Recommendations & Outline

Outreach: Working group activities; mailings to interested parties of outline and issues; and posting of materials on the Internet. There will be a 21-day comment period for reviewing the draft recommendations and outline of Guidelines.

Outcome: Publish and receive comments on initial issue identification paper and draft outline of Guidelines.

Timeline: May through July 2001

Task Three - Draft Service Review Guidelines

Outreach: Workshops in San Diego and Red Bluff; working group activities; mailings to interested parties; and postings of materials on the Internet for comment on the Draft Guidelines.

Outcome: Publish and receive comments on Preliminary and Final Draft Guidelines.

Timeline: August through December 2001

Task Four - Final Service Review Guidelines

Outreach: Working group activities.

Outcome: Publish Final Guidelines.

Timeline: January 2002

Task Five – Technical Assistance

Outreach: Workshops in at least two separate regions in the State; coordination of training efforts with CALAFCO, League of Cities, CSAC, Special Districts Association and other relevant statewide associations; development and distribution of training materials, including posting materials on the Internet.

Outcome: Provide multiple opportunities for LAFCOs and other interested parties to gain technical expertise in developing their own service reviews.

Timelines: September through March 2002

Incorporation Guidelines

Task Six - Information Collection and Organization

Outreach: Workshops in San Diego, Bakersfield and Sacramento; establishment of a task force; mailings to interested parties; and postings of materials on the Internet.

Outcomes: Publish summary of workshops.

Timeline: August and September 2001

Task Seven – Issues, Recommendations & Outline

Outreach: Task force activities; mailings to interested parties of outline and issues paper; and posting of materials on the Internet. There will be a 21-day comment period for reviewing the draft recommendations and outline of Guidelines.

Outcome: Publish and receive comments on initial issue identification paper and draft outline of Guidelines.

Timeline: October and November 2001

Task Eight - Draft Incorporation Guidelines

Outreach: Workshops in Ukiah, Tracey and Van Nuys; task force activities; mailings to interested parties; and postings of materials on the Internet for comment on the Draft Guidelines.

Outcome: Publish and receive comments on Draft Guidelines.

Timeline: December 2001 and January 2002

Task Nine – Final Incorporation Guidelines

Outreach: Task force activities.

Outcome: Publish Final Guidelines

Timeline: February 2002

Task Ten - Expand Technical Assistance to Both Guidelines

Outreach: Workshops in at least three separate regions in the State; coordination of training efforts with CALAFCO, League of Cities, CSAC, Special Districts Association and other relevant statewide associations; development and distribution of training materials, including posting materials on the Internet.

Outcome: Provide multiple opportunities for LAFCOs and other interested parties to gain technical expertise on issues related to the implementation of AB 2838.

Timelines: March 2002 through June 2003

SPECIAL DISTRICTS IN SANTA CLARA COUNTY

1. Aldercroft Heights County Water District
2. Burbank Sanitary District
3. Central Fire Protection District
4. County Sanitation District No. 2-3
5. County Service Area-1 (County Library Service Area)
6. Cupertino Sanitary District
7. El Camino Hospital District
8. Guadalupe Coyote Resource Conservation District
9. Lake Canyon Community Services District
10. Lion's Gate Community Services District
11. Loma Prieta Resource Conservation District
12. Los Altos Hills County Fire District
13. Midpeninsula Regional Open Space District
14. Pacheco Pass Water District
15. Pacheco Storm Water Drainage & Maintenance District
16. Purissima Hills County Water
17. Rancho Rinconada Recreation and Park District
18. San Martin County Water
19. Santa Clara County Open Space Authority
20. Santa Clara County Vector Control District
21. Santa Clara Lighting Service Area
22. Santa Clara Valley Transportation Authority
23. Santa Clara Valley Water District
24. Saratoga Cemetery District
25. Saratoga Fire Protection District
26. South Santa Clara County Fire Protection District
27. South Santa Clara Valley Memorial District
28. Sunol Sanitary District
29. West Bay Sanitary District
30. West Valley Sanitation District

**LOCAL AGENCY FORMATION COMMISSION
SANTA CLARA COUNTY**
www.santaclara.lafco.ca.gov

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(408) 299-5127 FAX 295-1613
Neelima Palacherla, Executive Officer

December 4, 2001

TO: LAFCO

FROM: Neelima Palacherla, Executive Officer *MP*

SUBJECT: Appointment of 2002 Chairperson and Vice Chairperson
Agenda Item # 7

RECOMMENDATION

Appoint Commissioner Linda LeZotte as Chair and Commissioner Blanca Alvarado as Vice Chair for Calendar year 2002.

DISCUSSION

Appointment of Chair and Vice Chair is made on a calendar year basis. LAFCO's rotation schedule is as follows:

- City representative
- County representative
- San Jose representative
- County representative
- Public representative

The Chair for the previous year was Commissioner Gage, a county representative and the vice chair was Commissioner LeZotte, a City of San Jose representative. In accordance with the rotation schedule, staff recommends that LAFCO appoint Commissioner LeZotte as 2002 Chairperson and Commissioner Alvarado as Vice Chairperson.