

LOCAL AGENCY FORMATION COMMISSION OF
SANTA CLARA COUNTY
MINUTES
WEDNESDAY, APRIL 4, 2012

CALL TO ORDER

Chairperson Pete Constant called the meeting to order at 1:15 p.m.

1. ROLL CALL

The following Commissioners were present:

- Chairperson Pete Constant
- Commissioner Margaret Abe-Koga
- Commissioner Mike Wasserman
- Commissioner Liz Kniss (*arrived at 1:24 p.m.*)
- Alternate Commissioner Terry Trumbull

The following were absent:

- Commissioner Susan Vicklund-Wilson
- Alternate Commissioner Sam Liccardo
- Alternate Commissioner Al Pinheiro
- Alternate Commissioner George Shirakawa

The following staff members were present:

- LAFCO Executive Officer Neelima Palacherla
- LAFCO Analyst Dunia Noel
- LAFCO Counsel Mala Subramanian

2. PUBLIC COMMENT

There was no public comment.

Doug Muirhead, a resident of Morgan Hill, thanked staff for the presentation on LAFCO at the Changemaker Training in December 2012.

3. APPROVE MINUTES OF FEBRUARY 8, 2012 LAFCO MEETING

The Commission approved the minutes of February 8, 2012 LAFCO meeting.

Motion: Terry Trumbull

Second: Mike Wasserman

MOTION PASSED

AYES: Pete Constant, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: Liz Kniss

4. **CAMPBELL URBAN SERVICE AREA (USA) / SPHERE OF INFLUENCE (SOI)
AMENDMENT 2012 AND CENTRAL PARK REORGANIZATION**

Neelima Palacherla, LAFCO Executive Officer, presented the staff report. **Chairperson Constant** directed attention to correspondence expressing support for the application.

This being the time and place for the public hearing, **Chairperson Constant** declared the public hearing open.

Mike Krisman, President, Campbell Village Neighborhood Association, thanked the Commission, LAFCO staff, and the cities of Campbell and San Jose for working together towards the annexation of Cambrian #36 to Campbell. Mr. Krisman stated that residents of Cambrian #36 and Central Park neighborhood overwhelmingly support the annexation to Campbell.

Paul Kermoyan, Planning Director, City of Campbell, indicated that he is available to answer any questions.

Chairperson Constant determined that there are no members of the public who wished to speak on the item and ordered the public hearing closed. He commended the Campbell Village Neighborhood Association for working hard towards this annexation goal. **Commissioner Kniss** expressed support for the proposal.

The Commission adopted **Resolution No. 2012-02** approving the USA and SOI amendment for the City of Campbell and Reorganization of Central Park Neighborhood, which includes detachment of Central Park from San Jose and annexation to Campbell. Said Resolution, by reference hereto, is made part of these minutes.

Motion: Mike Wasserman

Second: Liz Kniss

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

5. **PROPOSED LAFCO BUDGET FOR FISCAL YEAR 2013**

Ms. Palacherla presented the staff report.

This being the time and place for the public hearing, **Chairperson Constant** declared the public hearing open.

Commissioner Wasserman noted that the proposed FY2013 budget is lower than the previous year's budget. **Commissioner Kniss** expressed support for the proposed budget.

The Chairperson determined that there are no members of the public who wished to speak on the item and ordered the public hearing closed.

The Commission adopted the Proposed LAFCO Budget for Fiscal Year 2012-2013; found that the Proposed LAFCO Budget for Fiscal Year 2013 is expected to be adequate to allow the Commission to fulfill its statutory responsibilities; and authorized staff to

transmit the Proposed LAFCO Budget including the estimated agency cost as well as final budget public hearing notice to each of the cities, the County and the Cities Association.

Motion: Liz Kniss

Second: Margaret Abe-Koga

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

6. PROPOSED WORK PLAN FOR REMAINING SERVICE REVIEWS

Ms. Palacherla presented the staff report.

In response to an inquiry by **Commissioner Wasserman**, Mala Subramanian, LAFCO Counsel, stated that she would report back to the Commission on whether or not LAFCO commissioners who concurrently serve on governing bodies of special districts would need to recuse themselves on LAFCO service review actions involving those special districts. **Chairperson Constant** stated that it is a service to the community to provide information on what the special districts are doing and the service reviews are a useful tool in that.

The Commission approved the proposed Service Review Work Plan for the remaining special districts to be conducted in two phases followed by the Cities Service Review; and directed staff to prepare a draft RFP for consultants to conduct the Special Districts Service Review and distribute to affected agencies for their review and comment.

Motion: Margaret Abe-Koga

Second: Terry Trumbull

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

7. AGENCY RESPONSES TO RECOMMENDATIONS IN THE 2011 COUNTYWIDE WATER SERVICE REVIEW REPORT

Ms. Palacherla presented the staff report. The Commission accepted the report.

Motion: Mike Wasserman

Second: Liz Kniss

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

8. LAFCO WEBSITE REDESIGN: DRAFT REQUEST FOR PROPOSALS

Ms. Palacherla presented the staff report.

In response to an inquiry by **Chairperson Constant**, Ms. Palacherla stated that the redesigned website would include additional content on special districts and new features like the search function. In response to a follow-up question by **Chairperson**

Constant, Ms. Palacherla advised that LAFCO's website redesign would not integrate with the electronic data management system at this time. **Chairperson Constant** stated that he would prefer for more information to be made available on the website.

Commissioner Wasserman noted that the proposed cost is reasonable. In response to the inquiries by **Commissioner Wasserman**, Ms. Palacherla reported that the project is funded in the FY2012 budget and the Commission roster provides only the public contact information of LAFCO members. In response to another inquiry by **Commissioner Wasserman**, Ms. Palacherla advised that the site would record the number of site visits and record which pages are more frequently accessed.

Commissioner Wasserman suggested that visitors to the website maybe invited to complete a short survey. **Chairperson Constant** stated that it is important that the site analytics do not violate the privacy rights of visitors. In response to an inquiry by **Commissioner Abe-Koga**, Ms. Palacherla informed that the Finance Committee has directed staff to do further research on converting to paperless agenda packets.

Commissioner Abe-Koga stated that the City of Mountain View and the Valley Transportation Authority currently distribute agenda packets to mobile devices.

The Commission authorized staff to issue a Request for Proposals (RFP) for a professional service firm to redesign the LAFCO website; and delegated authority to the LAFCO Executive Officer to enter into an agreement with the most qualified consultant in an amount not to exceed \$17,000 and to execute any necessary amendments subject to LAFCO Counsel's review and approval.

Motion: Terry Trumbull

Second: Liz Kniss

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

9. UPDATE ON LAFCO'S EFFORTS TO PROMOTE TRANSPARENCY AND ACCOUNTABILITY AMONG SPECIAL DISTRICTS

Chairperson Constant announced that the Finance Committee discussed the importance of transparency and public accountability as part of LAFCO's oversight role over special districts.

Ms. Palacherla presented the staff report.

Chairperson Constant stated that LAFCO has an obligation to make information on special districts easily accessible and added that LAFCO must encourage special districts to include this information on their websites. **Commissioner Wasserman** thanked staff for adding information about availability of special districts' financial reports and policies on the LAFCO website. He added that special districts are entrusted with tax dollars and must be publicly accountable and transparent by making their policies and audit reports available on their websites.

The Commission accepted the report.

Motion: Mike Wasserman

Second: Liz Kniss

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

10. EXECUTIVE OFFICER'S REPORT

10.1 UPDATE ON 2012 AUDIT AND SERVICE REVIEW OF THE EL CAMINO HOSPITAL DISTRICT

Ms. Palacherla presented the staff report.

Monique Kane, Executive Director, Community Health Awareness Council, stated that her organization is providing mental health counseling to public schools in Mountain View, Los Altos and Los Altos Hills. She added that the program was expanded to include Sunnyvale with funding from the El Camino Hospital. She then provided details on the services that her organization provides.

Maureen Wadiak, Director, Community Services Agency, provided information on the intensive senior case management program in Mountain View and Los Altos funded by El Camino Hospital. She described the different services provided such as chronic disease management, fall prevention and hospital-to-home care transition in order to shorten hospital stay, minimize hospital readmission and to save on healthcare cost.

Commissioner Kniss stated that their work was commendable. In response to an inquiry by **Commissioner Kniss**, Ms. Wadiak informed that she and Ms. Kane have been asked to speak on the impact of funding from the El Camino Program to the community.

The Commission accepted the report.

Motion: Liz Kniss

Second: Margaret Abe-Koga

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

10.2 LAFCO STRATEGIC PLANNING WORKSHOP

Ms. Palacherla presented the staff report and requested Commissioners to provide input on topics for the workshop.

Commissioner Kniss informed that she has a schedule conflict and not would be able to attend.

The Commission accepted the report.

Motion: Liz Kniss

Second: Margaret Abe-Koga

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

10.3 SPECIAL DISTRICTS REPRESENTATION ON LAFCO

Ms. Palacherla presented the staff report.

In response to an inquiry by **Commissioner Kniss**, Ms. Palacherla advised that the CKH Act allows two representatives from special districts and specifies the process for their selection and appointment. **Commissioner Wasserman** stated that it is understandable for the Santa Clara Valley Water District to be represented on LAFCO because it would provide over 70 percent of special districts share of LAFCO cost; however, he questioned the appointment of small special districts. **Commissioner Kniss** expressed agreement and stated that this mode of representation lacks a balance. **Chairperson Constant** informed that Santa Clara LAFCO is one of the few commissions in the State without special districts representation. He requested staff to report back with information on CKH Act provisions relating to special districts representation and the manner of their selection. **Chairperson Constant** reiterated the importance of the CKH Act provision requiring LAFCO members to represent the interest of LAFCO as a whole and not that of their individual appointing authorities.

The Commission accepted the report and directed staff to provide a report on CKH Act provisions on special districts representation and the process for selection.

Motion: Liz Kniss

Second: Margaret Abe-Koga

MOTION PASSED

AYES: Pete Constant, Liz Kniss, Margaret Abe-Koga, Terry Trumbull, Mike Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

11. PENDING APPLICATIONS / UPCOMING PROJECTS

There were none.

12. COMMISSIONER REPORTS

There were none.

13. NEWSPAPER ARTICLES / NEWSLETTERS

CALAFCO's The Sphere - March 2012.

14. WRITTEN CORRESPONDENCE

There were none.

15. ADJOURN

The meeting was adjourned at 2:11 p.m. to the next meeting on Wednesday, May 30, 2012 in Isaac Newton Senter Auditorium, County Government Center, 70 West Hedding Street, San Jose, California.

Approved:

Pete Constant, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk