



**LAFCO MEETING MINUTES
WEDNESDAY, FEBRUARY 6, 2013**

CALL TO ORDER

Chairperson Mike Wasserman called the meeting to order at 1:18 p.m.

1. ROLL CALL

The following commissioners were present:

- **Chairperson Mike Wasserman**
- **Commissioner Pete Constant**
- **Commissioner Sequoia Hall**
- **Commissioner Margaret Abe-Koga**
- **Commissioner Linda LeZotte**
- **Alternate Commissioner Johnny Khamis**
- **Alternate Commissioner Yoriko Kishimoto**
- **Alternate Commissioner George Shirakawa**
- **Alternate Commissioner Terry Trumbull**
- **Alternate Commissioner Cat Tucker**

The following were absent:

- **Vice Chairperson Susan Vicklund Wilson**
- **Commissioner Joe Simitian**

The following staff members were present:

- **LAFCO Executive Officer Neelima Palacherla**
- **LAFCO Assistant Executive Officer Dunia Noel**
- **LAFCO Counsel Melanie Donnelly**

2. INDEPENDENT SPECIAL DISTRICTS REPRESENTATION ON LAFCO

The Commission noted the report.

3. WELCOME NEW LAFCO COMMISSIONERS

Chairperson Wasserman welcomed the new LAFCO commissioners.

4. PUBLIC COMMENT

There was no public comment.

5. **APPROVE MINUTES OF DECEMBER 12, 2012 LAFCO MEETING**

The Commission approved the minutes of the December 12, 2012 LAFCO meeting.

Motion: Constant

Second: Abe-Koga

MOTION PASSED

AYES: Constant, Abe-Koga, Shirakawa, Trumbull, Wasserman

NOES: None

ABSTAIN: Hall, LeZotte

ABSENT: None

6. **SARATOGA URBAN SERVICE AREA AMENDMENT 2013**

Ms. Palacherla presented the staff report. She added that public hearing notices were mailed to property owners and registered voters in the urban service area (USA) amendment areas, and to property owners and registered voters within 300 feet of the amendment areas. She stated that the notice was published in a newspaper, on the LAFCO website and posted on the bulletin board at the County Government Center. She reported that staff has received inquiries from property owners about the implications of exclusion from the USA. She noted that the Commission has been provided with copies of emails from a property owner on On Orbit Drive who is opposed to the USA retraction.

Commissioner LeZotte expressed concern that the USA amendment application is being considered even though the City has not complied with a prior condition of approval. In response to an inquiry by **Commissioner LeZotte**, Ms. Palacherla informed that six to twelve months is sufficient time for the City to prepare a plan and timeline for the annexation.

In response to an inquiry by **Alternate Commissioner Kishimoto**, Ms. Palacherla advised that the City's ability to provide services and facilities to an area is one of the criteria for evaluating an USA amendment proposal. She added that the City has indicated that it is unable to maintain the roads in the area.

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

Chuck Page, Councilmember, City of Saratoga, expressed appreciation to the Commission and staff for recognizing the City's goal of maintaining open space. He indicated that the annexation of the Garrod property and the City's acquisition of the Congress Springs Quarry property are part of that goal. Referring to an inquiry by **Commissioner LeZotte**, Mr. Page indicated that the City did not prepare a plan and timeline for annexation of the larger island because it is ineligible for the streamlined annexation process. Referring to an inquiry by **Alternate Commissioner Kishimoto**, he stated that the island is being excluded from Saratoga's USA boundary because the City cannot afford the liability of a poorly built road.

Howard Miller, Councilmember, City of Saratoga, noted that City staff is available to answer any questions. He stated that the City will develop a plan and timeline for annexation of the larger island. He stated that since it is ineligible for the streamlined annexation process, the outcome may be uncertain. He requested the Commission to approve the inclusion of the Congress Springs Quarry property into Saratoga's USA.

Motion: LeZotte

Second: Constant

MOTION PASSED

AYES: Constant, Hall, Abe-Koga, LeZotte, Shirakawa, Trumbull, Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

Alternate Commissioner Kishimoto suggested that in developing policies, one of the conditions should include the dedication of open space lands with an open space easement recorded on them. **Commissioner Hall** expressed agreement.

The Commission directed staff to review LAFCO's policies regarding city annexations of open space lands, including the dedication of open space easements, and propose revisions as necessary, for Commission consideration.

Motion: Hall

Second: LeZotte

MOTION PASSED

AYES: Constant, Hall, Abe-Koga, LeZotte, Shirakawa, Trumbull, Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

7. UPDATE ON GUADALUPE COYOTE RESOURCE CONSERVATION DISTRICT'S IMPLEMENTATION OF THE RECOMMENDATIONS OF LAFCO'S 2011 COUNTYWIDE WATER SERVICE REVIEW REPORT

Dunia Noel, Assistant LAFCO Executive Officer, presented the staff report.

Commissioner Hall commended the Guadalupe-Coyote Resource Conservation District for being proactive in initiating changes in pursuit of its mission.

The Commission accepted the report.

Motion: Constant

Second: Hall

MOTION PASSED

AYES: Constant, Hall, Abe-Koga, LeZotte, Shirakawa, Trumbull, Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

8. EXECUTIVE OFFICER'S REPORT

8.1 UPDATE ON SPECIAL DISTRICTS SERVICE REVIEW

Ms. Noel presented the staff report.

The Commission accepted the report and appointed Commissioner Linda LeZotte to serve on the Special Districts Service Review Technical Advisory Committee.

Motion: Constant

Second: Trumbull

MOTION PASSED

AYES: Constant, Hall, Abe-Koga, LeZotte, Shirakawa, Trumbull, Wasserman

NOES: None

ABSTAIN: None

ABSENT: None

13. **ADJOURN**

The meeting was adjourned at 2:02 p.m. to the next meeting on Wednesday, April 3, 2013 in the Board Meeting Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

Approved:

Mike Wasserman, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk