



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

**Commissioners**  
Susan Ellenberg  
Sequoia Hall  
Sergio Jimenez  
Linda J. LeZotte  
Rob Rennie  
Mike Wasserman  
Susan Vicklund Wilson

**Alternate Commissioners**  
Cindy Chavez  
Maya Esparza  
Yoriko Kishimoto  
Russ Melton  
Terry Trumbull  
**Executive Officer**  
Neelima Palacherla

## **LAFCO MEETING MINUTES WEDNESDAY, FEBRUARY 5, 2020**

### **CALL TO ORDER**

The meeting was called to order at 1:15 p.m.

### **1. ROLL CALL**

#### **The following commissioners were present:**

- Chairperson Sergio Jimenez
- Vice Chairperson Rob Rennie (left at 1:55p.m.)
- Commissioner Susan Ellenberg
- Commissioner Linda J. LeZotte
- Commissioner Mike Wasserman
- Commissioner Susan Vicklund Wilson
- Alternate Commissioner Yoriko Kishimoto (voted in place of Commissioner Sequoia Hall)
- Alternate Commissioner Russ Melton (voted in place of Commissioner Rennie)
- Alternate Commissioner Terry Trumbull (left at 2:05 p.m.)

#### **The following commissioners were absent:**

- Commissioner Sequoia Hall
- Alternate Commissioner Cindy Chavez
- Alternate Commissioner Maya Esparza

#### **The following staff members were present:**

- LAFCO Executive Officer Neelima Palacherla
- LAFCO Assistant Executive Officer Dunia Noel
- LAFCO Analyst Lakshmi Rajagopalan
- LAFCO Clerk Emmanuel Abello
- LAFCO Counsel Mala Subramanian

### **2. PUBLIC COMMENTS**

There were none.



level. She stated that the cost of the election is unknown at this time and informed that the City of Cupertino would be responsible for calling that election.

**Commissioner Kishimoto** noted that it may be unnecessary to reorganize RRRPD if it is well-managed, but it is unusual to have a special district just to manage one swimming pool and stated her interest in options #1 or #3. At this point, Commissioner Rennie left the meeting and Alternate Commissioner Melton took his place.

In a brief discussion that ensued between **Commissioner LeZotte** and Ms. Palacherla, it was noted that previous service reviews for the district found that there is duplication of services. Ms. Palacherla stated that the two options may be initiated by LAFCO, Cupertino, RRRPD or District residents, and that the City is scheduled to consider the Report.

Upon the request of **Chairperson Jimenez**, Ms. Palacherla reminded the Commission about the reason for initiating the study and the scope of the study. She noted that last year, the Commission received complaints and allegations of mismanagement at RRRPD which LAFCO directed to the District Attorney's Office. She noted that the Commission, in authorizing the special study, focused the scope of study not on investigating the operations of the district but on the pros and cons and the process for the governance options identified for the district in LAFCO's previous service review report. She reminded the Commission that LAFCO has established a zero SOI for the District since 1982, implying that the district should be incorporated into the City of Cupertino to eliminate overlapping services and enhance efficiencies.

In response to inquiries from **Chairperson Jimenez**, Mr. Berkson informed that the study is designed to jumpstart the process and that the City may have to develop a more detailed plan if it decides to pursue any of the options. At the request of **Chairperson Jimenez**, Ms. Palacherla clarified LAFCO's role under the three options.

In response to an inquiry by **Commissioner Wasserman**, Ms. Palacherla stated that RRRPD has three board members currently and expects to fill the other two seats in the election and noted that the Board of Supervisors has the ability to appoint members if nobody runs for the seats. In response to another inquiry from **Commissioner Wasserman**, Ms. Subramanian indicated that staff would have to research the principal act of the district to determine if any district action requires majority of a full board, i.e., three votes. **Commissioner Wasserman** requested that staff conduct the research and bring the information back to the Commission at the next meeting.

In response to the inquiry by **Alternate Commissioner Kishimoto**, Mr. Berkson advised that election only occurs when there is a certain level of protest following LAFCO action on options 2 or 3.

The Commission took no action on the report.

**6. CONSULTANT SERVICES FOR ASSISTANCE WITH COMPREHENSIVE REVIEW AND UPDATE OF LAFCO POLICIES**

Ms. Noel presented the staff report.

**Commissioner Wasserman** expressed support for the staff recommendation, indicating that Mr. Shoe has a great track record and the institutional knowledge needed. **Commissioner Vicklund Wilson** stated that Mr. Shoe is well-respected and well-qualified to assist with the review and update of LAFCO policies. **Commissioner LeZotte** expressed agreement and noted that she has worked with Mr. Shoe previously and believes that he is eminently qualified and has the skills and knowledge to do the job.

The Commission:

1. Approved a services contract with George William Shoe, Jr. to provide consulting services and assistance in completing a comprehensive review and update of LAFCO's policies, in an amount not to exceed \$15,000.
2. Authorized the LAFCO Chairperson to execute the contract, and to execute any necessary amendments subject to LAFCO Counsel's review and approval.

Motion: Wasserman

Second: Vicklund Wilson

AYES: Ellenberg, Jimenez, Kishimoto, LeZotte, Melton, Wasserman, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: Hall, Rennie

**MOTION PASSED**

**7. LAFCO LAUNCHES NEW WEBSITE**

Ms. Rajagopalan presented the staff report.

**Commissioner Wasserman** complimented the new website and suggested collaboration with the County so that the online maps will be more beneficial to the public. Ms. Palacherla stated that LAFCO's map portal has been prepared in collaboration with the County Planning Office and is customized to the layers most applicable to LAFCO. She expressed appreciation to the Planning Office's GIS staff for their support in maintaining GIS layers for LAFCO.

The Commission:

1. Accepted report.
2. Approved Terms of Use Policy and Web Content Accessibility Statement for the new LAFCO Website.

Motion: Ellenberg

Second: Vicklund Wilson

AYES: Ellenberg, Jimenez, Kishimoto, LeZotte, Melton, Wasserman, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: Hall, Rennie

**MOTION PASSED**

## 8. **WEBCASTING OF LAFCO MEETINGS**

Ms. Rajagopalan presented the staff report.

**Commissioner Vicklund Wilson** indicated that the proposal is part of the public outreach initiative that has been repeatedly recommended by the public.

The Commission directed staff to work with the Office of the Clerk of the Board of Supervisors to develop a Memorandum of Understanding between LAFCO and the County to allow use of the County's Agenda Management System with integrated webcasting capabilities, and the webcasting equipment in the County Board Chambers, to webcast LAFCO meetings.

Motion: Ellenberg

Second: Kishimoto

AYES: Ellenberg, Jimenez, Kishimoto, LeZotte, Melton, Wasserman, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: Hall, Rennie

**MOTION PASSED**

## 9. **UPDATE ON ORGANIZATIONAL ASSESSMENT STUDY**

Ms. Palacherla presented the staff report.

**Commissioner Wasserman** expressed concern that the comparator tables cannot be easily understood by the public and indicated that his aide has contacted Koff & Associates. **Chairperson Jimenez** agreed, and **Commissioner Wasserman** and **Commissioner Ellenberg** proposed to defer consideration of the report to the next meeting so that the information could be presented in a more easily understood manner.

**Alternate Commissioner Melton** agreed with the concerns and informed that the consultants explained the analysis at the Finance Committee meeting.

**Chairperson Jimenez** proposed that staff contact the consultant prior to the next meeting and seek explanation and clarification for the rationale for the comparator agency analysis. **Commissioner Ellenberg** noted the need for consistency in representing the values and illustrating the report in a way that the public could easily understand. She requested that the information be presented so that it is easily accessible to the public and understandable at a quick glance, with detailed explanation available for those interested.

## 10. **EXECUTIVE OFFICER'S REPORT**

### 10.1 **Meeting on Proposed Metta Tam Tu Buddhist Temple Development**

**Commissioner Wasserman** informed that the Buddhist temple development has a use permit approved by the County Planning Commission in 2016, and he expressed optimism that it would soon receive water from Morgan Hill.

The Commission noted the report.

**10.2 Inquiry from Los Altos Hills on Island Annexation Process**

The Commission noted the report.

**10.3 Inquiry from Mountain View on Potential Provision of Recycled Water to NASA Ames Site**

The Commission noted the report.

**10.4 Coordination with San Mateo LAFCO Staff on Potential West Bay Sanitary District Sphere of Influence Amendment & Annexation**

The Commission noted the report.

**10.5 Coordination on Upcoming Training Session for the County Planning Office**

The Commission noted the report.

**10.6 Quarterly Meeting with County Planning Staff**

The Commission noted the report.

**10.7 Santa Clara County Special Districts Association Meeting**

The Commission noted the report.

**10.8 County Sustainability Working Group Meeting**

The Commission noted the report.

**10.9 Santa Clara County Association of Planning Officials Meeting**

The Commission noted the report.

**10.10 Inter-Jurisdictional GIS Working Group Meeting**

The Commission noted the report.

**11. CALAFCO RELATED ACTIVITIES**

**11.1 2020 CALAFCO Staff Workshop**

**Chairperson Jimenez** stated that he has seen staff in action at CALAFCO conferences, and he expressed his appreciation for their work.

The Commission authorized staff to attend the 2020 CALAFCO Staff Workshop and authorized travel expenses funded by the LAFCO budget.

Motion: Vicklund Wilson                      Second: Ellenberg

AYES: Ellenberg, Jimenez, Kishimoto, LeZotte, Melton, Wasserman, Vicklund Wilson

NOES: None                      ABSTAIN: None                      ABSENT: Hall, Rennie

**MOTION PASSED**

**11.2 Staff Presentation to Cities Association on CALAFCO's Legislative Proposal Related to Santa Clara LAFCO Public Member Appointments**

Ms. Palacherla presented the staff report. **Commissioner Vicklund Wilson** recused herself from participating in the discussion as it involves the issue of public member representation on LAFCO.

The Commission took no action.

**12. PENDING APPLICATIONS / UPCOMING PROJECTS**

There was none.

**13. COMMISSIONER REPORTS**

**Alternate Commissioner Kishimoto** announced that the City of Mountain View is hosting a symposium, Green Streets for Sustainable Communities, on March 12, 2020, at the Mountain View Community Center.

**14. NEWSPAPER ARTICLES / NEWSLETTERS**

There were none.

**15. WRITTEN CORRESPONDENCE**

There was none.

**16. ADJOURN**

The Commission adjourned at 2:39 p.m., to the next regular LAFCO meeting on April 8, 2020 at 1:15 p.m., in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on April 8, 2020.

DocuSigned by:  
  
Sergio Jimenez, Chairperson  
Local Agency Formation Commission of Santa Clara County

DocuSigned by:  
  
By: Emmanuel Abello  
Emmanuel Abello, LAFCO Clerk