

**LAFCO MEETING MINUTES  
WEDNESDAY, JUNE 6, 2018**

**CALL TO ORDER**

The meeting was called to order at 1:17 p.m.

**1. ROLL CALL**

The following commissioners were present:

- **Alternate Commissioner Terry Trumbull** (voted in place of Commissioner Vicklund Wilson and served as chairperson for the meeting)
- **Commissioner Sequoia Hall**
- **Commissioner Sergio Jimenez**
- **Commissioner Rob Rennie**
- **Commissioner John L. Varela**
- **Commissioner Mike Wasserman**
- **Alternate Commissioner Russ Melton**

The following commissioners were absent:

- **Chairperson Ken Yeager**
- **Vice Chairperson Susan Vicklund Wilson**
- **Alternate Commissioner Sylvia Arenas**
- **Alternate Commissioner Cindy Chavez**
- **Alternate Commissioner Yoriko Kishimoto**

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 Malathy Subramanian**

**2. PUBLIC COMMENTS**

Doug Muirhead, a resident of Morgan Hill, stated his interest in staff working on policy review and revisions, and in conducting additional outreach. To that end, he noted that it would be helpful if there is a way to account for staff time that is not spent on processing applications.



This being the time and place for the public hearing, **Acting Chairperson Trumbull** declared the public hearing open, determined that there are no speakers from the public, and closed the public hearing.

The Commission:

1. Adopted **Resolution No. 2018-04**, revising the LAFCO Fee Schedule effective on June 8, 2018.
2. Amended the LAFCO Bylaws to include the proposed policies on LAFCO Fees.

Motion: Jimenez

Second: Rennie

AYES: Hall, Jimenez, Rennie, Trumbull, Varela, Wasserman

NOES: None      ABSTAIN: None      ABSENT: Yeager

**MOTION PASSED**

## 6. **INDEPENDENT PROFESSIONAL AUDIT SERVICES**

Ms. Palacherla presented the staff report.

A brief discussion ensued regarding the appointment of a member on consultant selection, and **Commissioner Jimenez** offered to serve on the interview panel.

The Commission:

1. Authorized staff to issue a Request for Proposals for an independent Certified Public Accounting firm to audit LAFCO's financial statements and prepare its General Purpose Financial Statements for the fiscal years ending June 30, 2018, June 30, 2019, June 30, 2020, and June 30, 2021.
2. Delegated authority to the LAFCO Executive Officer to enter into an agreement with the most qualified consultant in an amount not to exceed \$50,000 for a 4-year contract and to execute any necessary amendments, subject to LAFCO Counsel's review and approval.
3. Appointed Commissioner Sergio Jimenez to serve on the consultant interview panel.

Motion: Hall

Second: Wasserman

AYES: Hall, Jimenez, Rennie, Trumbull, Varela, Wasserman

NOES: None      ABSTAIN: None      ABSENT: Yeager

**MOTION PASSED**

7. EXECUTIVE OFFICER'S REPORT

7.1 REPORT ON THE INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE MEETING

The Commission noted the report.

7.2 UPDATE ON THE LAFCO COMMUNICATIONS AND OUTREACH PLAN

The Commission noted the report.

7.3 MEETING WITH STATE WATER RESOURCE CONTROL BOARD STAFF ON MUTUAL WATER COMPANIES AND SMALL WATER SYSTEMS IN COUNTY

**Acting Chairperson Trumbull** informed that the State legislature transferred authority over drinking water to the State Water Resources Control Board (SWRCB) about three years ago.

Doug Muirhead, a resident of Morgan Hill, provided the examples of San Pedro Ponds and the State Board's consolidation efforts and suggested that the Commission discuss and consider policy development to address issues surrounding ground water recharge, water services extensions, land use, growth inducement, and other environmental factors in the South County.

**Commissioner Wasserman** indicated that part of LAFCO's mission is to encourage efficient delivery of services, and stated that it was important to provide safe, reliable water supply. In response to an inquiry by **Commissioner Wasserman**, Ms. Noel informed that staff also does not have detailed information at this time but that the initial conversation with SWRCB involved discussions regarding the viability of some small water systems. She indicated more information will be provided to the Commission after staff's meeting with SWRCB in mid-July. **Commissioner Wasserman** observed that SWRCB has reached out for a reason but the bottom line should be safe, reliable, economical, and efficient delivery of water, whenever possible.

**Commissioner Varela** indicated that well owners of the small water companies have reached out to SCVWD but it is not clear how SCVWD could provide assistance. He also suggested that the option of Morgan Hill or Gilroy incorporating the small water systems in their service area be considered.

**Acting Chairperson Trumbull** informed that as a member of the Palo Alto Utilities Commission he is aware that a charge was added to water bills to fund water clean up mainly in San Joaquin Valley and there may be some in Santa Clara County. He indicated that the Water Board may consider providing funds to the SCVWD for the clean-up efforts.

**Commissioner Rennie** reported that he attended a local government conference where some people were advocating for better services for low income communities and questioning why LAFCOs do not support service extensions. As a LAFCO commissioner, he explained to other participants that service extensions can have growth-inducing impacts. He suggested that CALAFCO consider creative solutions to address this issue. Ms. Palacherla advised that there are various bills in the legislative process attempting to address this concern but funding issues remain. She indicated that this issue is more prevalent in the Central Valley but informed that SWRCB has identified a few failing systems in the county and will provide more information to staff at a meeting scheduled for mid-July. She added that staff and SWRCB discussed a similar issue three years ago for a small local community but there was no follow-up due to lack of funding for the required new infrastructure. **Commissioner Rennie** suggested that LAFCO be more innovative and flexible in addressing such situations.

**Commissioner Hall** reminded that the perchlorate plume in the San Martin area was on the top ten super fund sites.

**7.4 MEETING WITH MORGAN HILL STAFF AND REPRESENTATIVES OF SOUTH COUNTY CATHOLIC HIGH SCHOOL ON PROPOSED URBAN SERVICE AREA AMENDMENT**

The Commission noted the report.

**7.5 MEETING WITH COUNTY PLANNING STAFF ON PROPOSED AGRICULTURAL WORKER HOUSING DEVELOPMENT IN UNINCORPORATED AREA NEAR GILROY**

The Commission noted the report.

**7.6 MEETING WITH COUNTY PLANNING AND SANTA CLARA VALLEY OPEN SPACE AUTHORITY STAFF ON THE SANTA CLARA VALLEY AGRICULTURAL PLAN**

The Commission noted the report.

**7.7 MEETING WITH THE NATURE CONSERVANCY AND GREENBELT ALLIANCE STAFF ON POTENTIAL PARTNERSHIPS**

The Commission noted the report.

**7.8 PRESENTATION TO THE SOUTH COUNTY REALTORS ALLIANCE**

The Commission noted the report.

**7.9 SILICON VALLEY AT HOME (SV@HOME) LUNCHTIME FORUM: WHEN LOCAL DECISIONS TAKE ON REGIONAL IMPORTANCE**

The Commission noted the report.

**7.10 SANTA CLARA COUNTY ASSOCIATION OF PLANNING OFFICIALS (SCCAPO) MEETING**

The Commission noted the report.

**7.11 INTER-JURISDICTIONAL GIS WORKING GROUP MEETING**

The Commission noted the report.

**8. LEGISLATIVE REPORT**

Ms. Noel presented the staff report.

The Commission:

1. Accepted the report.
2. Took a support position and authorized staff to send letters of support for the following:
  - a. AB 3254 (Assembly Local Government Committee) Omnibus Bill
  - b. AB 2258 (Caballero) LAFCOs Grant Program
  - c. AB 2238 (Aguiar-Curry) Hazard Mitigation Plan and Safety Element
  - d. AB 2600 (Flora) Regional Park and Open Space Districts
  - e. SB 929 (McGuire) Independent Special Districts Internet Websites.

Motion: Varela

Second: Wasserman

AYES: Hall, Jimenez, Rennie, Trumbull, Varela, Wasserman

NOES: None      ABSTAIN: None      ABSENT: Yeager

**MOTION PASSED**

**9. CALAFCO RELATED ACTIVITIES**

**9.1 2018 CALAFCO ANNUAL CONFERENCE ON OCTOBER 3-5**

The Commission authorized commissioners and staff to attend the Annual Conference and directed that associated travel expenses be funded by the LAFCO Budget for Fiscal Year 2019.

Motion: Wasserman

Second: Varela

AYES: Hall, Jimenez, Rennie, Trumbull, Varela, Wasserman

NOES: None      ABSTAIN: None      ABSENT: Yeager

**MOTION PASSED**

**9.2 NOMINATIONS TO THE CALAFCO BOARD OF DIRECTORS**

The Commission noted the report.

**9.3 DESIGNATE VOTING DELEGATE AND ALTERNATE**

The Commission appointed Commissioner Vicklund Wilson as the voting delegate and Commissioner Sergio Jimenez as alternate voting delegate.

Motion: Wasserman      Second: Varela

AYES: Hall, Jimenez, Rennie, Trumbull, Varela, Wasserman

NOES: None      ABSTAIN: None      ABSENT: Yeager

**MOTION PASSED**

**9.4 REPORT ON THE 2018 CALAFCO STAFF WORKSHOP (APRIL 11- 13)**

The Commission noted the report.

**10. PENDING APPLICATIONS / UPCOMING PROJECTS**

There was none.

**11. COMMISSIONER REPORTS**

There was none.

**12. NEWSPAPER ARTICLES / NEWSLETTERS**

There was none.

**13. WRITTEN CORRESPONDENCE**

There was none.

**14. CLOSED SESSION: PERFORMANCE EVALUATION**

The Commission adjourned to closed session at 1:52 p.m., and reconvened to open session at 2:08 p.m., with no reportable action.

**14. ADJOURN**

The Commission adjourned at 2:09 p.m., to the regular LAFCO meeting on August 1, 2018 at 1:15 p.m., in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on October 17, 2018.



Ken Yeager, Chairperson  
Local Agency Formation Commission of Santa Clara County

By: 

Emmanuel Abello, LAFCO Clerk