



**LAFCO MEETING  
AGENDA  
Wednesday, February 3, 2010  
1:15 PM**

**Board Meeting Chambers  
70 West Hedding Street, First Floor  
San Jose, CA 95110**

**CHAIRPERSON: Susan Vicklund-Wilson • VICE-CHAIRPERSON: Liz Kniss  
COMMISSIONERS: Pete Constant, Don Gage, Margaret Abe-Koga  
ALTERNATES: Al Pinheiro, Sam Liccardo, George Shirakawa, Terry Trumbull**

The items marked with an asterisk (\*) are included on 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.

**Disclosure Requirements**

**1. Disclosure of Campaign Contributions**

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, 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. For disclosure forms and additional information see:

<http://www.santaclara.lafco.ca.gov/annexations&Reorg/PartyDisclForm.pdf>

**2. Lobbying Disclosure**

Any person or group lobbying the Commission or the Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. Any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. For disclosure forms and additional information see:

<http://www.santaclara.lafco.ca.gov/annexations&Reorg/LobbyDisclForm.pdf>

**3. Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings**

If the proponents or opponents of a LAFCO proposal spend \$1,000 with respect to that proposal, they must report their contributions of \$100 or more and all of their expenditures under the rules of the Political Reform Act for local initiative measures to the LAFCO office. For additional information and for disclosure forms see:

[http://www.santaclara.lafco.ca.gov/sclafcopolicies\\_annex&reorg\\_home.html](http://www.santaclara.lafco.ca.gov/sclafcopolicies_annex&reorg_home.html)

1. **ROLL CALL**
2. **WELCOME NEW LAFCO COMMISSIONER: MARGARET ABE-KOGA**
3. **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.

4. **APPROVE MINUTES OF DECEMBER 9, 2009 LAFCO MEETING**

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**CONSENT ITEM**

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5. **WEST PARR AVENUE REORGANIZATION: ANNEXATION TO SANTA CLARA COUNTY FIRE PROTECTION DISTRICT AND DETACHMENT FROM THE COUNTY LIBRARY SERVICES AREA**

**Possible Action:** Consider the request for annexation and staff recommendation.

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**ITEMS FOR ACTION / DISCUSSION**

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6. **UPDATE ON AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN LAFCO AND THE COUNTY OF SANTA CLARA AND ON OBTAINING STAND ALONE GENERAL LIABILITY INSURANCE COVERAGE FOR LAFCO**

**Possible Action:** Accept report and provide direction as necessary.

7. **EXECUTIVE OFFICER'S REPORT**

- 7.1 **BUDGET SUBCOMMITTEE FOR FISCAL YEAR 2010-2011**

**Possible Action:** Establish a LAFCO Budget Subcommittee for Fiscal Year 2010-2011.

- 7.2 **UPDATE ON IMPLEMENTATION OF LAFCO'S ELECTRONIC DOCUMENT MANAGEMENT SYSTEM**

For Information Only.

- 7.3 **UPDATE ON COUNTYWIDE FIRE SERVICE REVIEW**

For Information Only.

- 7.4 **CALAFCO STAFF WORKSHOP IN SANTA ROSA: APRIL 14-16**

**Possible Action:** Authorize staff to attend the 2010 CALAFCO Staff Workshop and authorize travel expenses funded by LAFCO budget.

**8. PROPOSED REVISIONS TO THE 2010 SCHEDULE OF LAFCO MEETINGS**

**Possible Action:** Adopt the proposed revisions to the schedule of the 2010 LAFCO meetings and application filing deadlines.

**9. COMMISSIONER REPORTS**

**10. NEWSPAPER ARTICLES / NEWSLETTERS**

**11. WRITTEN CORRESPONDENCE**

**12. PENDING APPLICATIONS / UPCOMING PROJECTS**

- Los Gatos Urban Service Area Amendment 2010 (Lands of Midpeninsula Regional Open Space District)

**13. ADJOURN**

Adjourn to regular LAFCO meeting on Wednesday, April 21, 2010, at 1:15 PM in the Board Meeting Chambers, 70 West Hedding Street, First Floor, San Jose, CA 95110.

Any disclosable public records related to an open session item on the agenda and distributed to all or a majority of the Commission less than 72 hours prior to that meeting are available for public inspection at the LAFCO Office at the address listed at the bottom of the first page of the agenda during normal business hours. In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408) 299-6415, or at TDD (408) 993-8272, indicating that the message is for the LAFCO Clerk.



**LOCAL AGENCY FORMATION COMMISSION OF  
SANTA CLARA COUNTY  
MINUTES  
WEDNESDAY, DECEMBER 9, 2009**

**CALL TO ORDER**

**Chairperson John Howe** calls the meeting to order at 1:22 p.m.

**1. ROLL CALL**

The following Commissioners and Alternates are present:

- **Chairperson John Howe**
- **Vice-Chairperson Susan Vicklund-Wilson**
- **Commissioner Pete Constant**
- **Commissioner Donald F. Gage**
- **Commissioner Liz Kniss**
- **Alternate Commissioner Al Pinheiro**

The following staff members are present:

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

**2. PUBLIC PRESENTATION**

There was none.

**3. APPROVE THE MINUTES OF OCTOBER 9, 2009 MEETING**

**MOTION:** Approve the minutes of October 9, 2009 meeting, as submitted. (Pete Constant)

**SECOND:** Don Gage

**MOTION PASSED**

**AYES:** Pete Constant, John Howe, Don Gage, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**4. LAFCO ANNUAL REPORT (HELD FROM OCTOBER 14, 2009 LAFCO MEETING)**

**MOTION:** Accept LAFCO Annual Report for the period July 1, 2008 to June 30, 2009.  
(Pete Constant)

**SECOND:** Don Gage

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**5. COUNTYWIDE FIRE SERVICE REVIEW**

Ms. Noel reports on the status of Countywide Fire Service Review and hiring a consultant. She advises that the draft request for proposals (RFP) has been reviewed by the affected agencies. Ms. Noel proposes that upon approval by the Commission, the RFP will be issued immediately with the deadline set for January 11, 2010. The Fire Service Review Technical Advisory Committee will then interview the proponents and select a consultant.

**MOTION:** Authorize staff to issue a RFP for consultant to prepare a countywide fire service review and delegate authority to the LAFCO Executive Officer to enter into an agreement with a qualified consultant in an amount not to exceed \$70,000 and to execute any necessary amendments subject to LAFCO Counsel's review and approval. (Don Gage)

**SECOND:** Liz Kniss

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**Commissioner Gage** requests LAFCO Counsel to review the RFP to ensure that the Commission and staff are adequately protected.

**6. COMMENTS ON PROPOSED REGIONAL STRUCTURE FOR CALAFCO**

Ms. Palacherla reports that CALAFCO is requesting input on the proposal to create regions to encourage more participation among the LAFCOs. Staff is recommending being part of a region that includes the nine Bay Area LAFCOs, plus the LAFCOs of Santa Cruz and San Benito.

**Commissioner Wilson** informs that the CALAFCO subcommittee has discussed this proposal and found that there is value in regional meetings among commissioners and staff. She adds that the State legislature values input from CALAFCO because CALAFCO has a broad spectrum of representation from the counties, cities, and special districts. She requests that the Commission support this concept to facilitate regular regional meetings among LAFCO commissioners and staff.

**MOTION:** Direct staff to provide comments to the CALAFCO Board and Executive Director, indicating Santa Clara LAFCO's preference for a region that includes the nine-county Bay Area region, plus Santa Cruz and San Benito. (Don Gage)

**SECOND:** Susan Vicklund-Wilson

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

In response to an inquiry by **Commissioner Kniss**, **Commissioner Wilson** states that input from Santa Clara LAFCO, as well as that from other LAFCOs, will be considered by the CALAFCO subcommittee establishing regions. She states that the CALAFCO Board hopes to establish regional forums by the end of 2010, starting at the CALAFCO Annual Conference in October 2010.

In response to a follow-up inquiry by **Commissioner Kniss**, **Commissioner Wilson** states that CALAFCO regional forums will only take up LAFCO issues; and that the regions have not yet been created. **Commissioner Kniss** expresses concern with CALAFCO's proposal to create regions in view of recent political and economic developments, such as the State's redistricting process, and the new requirements of SB 375, among others, as well as the conflicting regional interests. In response to this, **Commissioner Wilson** informs that CALAFCO regions are not meant to be decision-making bodies based on representation; rather, they are meant to be forums to gather input from the various regions. With regard to regional interests, **Commissioner Wilson** states that compositions of CALAFCO regions maybe changed depending on how regional interests change over time. **Commissioner Kniss** requests Commissioner Wilson to monitor this proposal because there are already existing regional groupings in the State. **Commissioner Wilson** states that all proposals will come back to the various LAFCOs before CALAFCO finalizes the regional groupings. **Commissioner Gage** expresses confidence in Commissioner Wilson's representation on the CALAFCO Board as she has done an outstanding job for many years.

**7. ADOPTION AND PRESENTATION OF RESOLUTION COMMENDING  
CHAIRPERSON JOHN HOWE FOR HIS SERVICE TO LAFCO**

**Vice-Chairperson Wilson** presents a resolution commending Chairperson John Howe for his service on LAFCO from May 2004 to December 2009.

**MOTION:** Adopt and present a Resolution of Commendation to Chairperson John Howe. (Susan Vicklund-Wilson)

**SECOND:** Don Gage

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** John Howe

**ABSENT:** None

**8. 2009 ACHIEVEMENT CALAFCO AWARD**

**Chairperson Howe** announces that Commissioner Wilson was reelected to another term on the CALAFCO Board of Directors and was recognized by CALAFCO as the Outstanding CALAFCO Member of the Year. He expresses appreciation to Commissioner Wilson for participating on CALAFCO. **Commissioner Gage** expresses appreciation to Commissioner Wilson for doing an excellent job on CALAFCO and serving on her own time not only on behalf of the Commission but also for all of the people of Santa Clara County.

**Chairperson Howe** announces that Emmanuel Abello, LAFCO Clerk, has been recognized by CALAFCO as the Outstanding LAFCO Clerk of the Year, for his skilled clerical and administrative support in using technology to automate various processes, his support to LAFCO's records management system, for managing the website, and for conducting an online survey for CALAFCO. Chairperson Howe continues by stating that Emmanuel was also recognized as the Employee of the Month in December 2009 by the Office of the County Executive.

**9. 2010 SCHEDULE OF LAFCO MEETINGS**

**MOTION:** Adopt the 2010 Schedule of LAFCO meetings. (Don Gage)

**SECOND:** Pete Constant

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**10. APPOINTMENT OF CHAIRPERSON AND VICE-CHAIRPERSON FOR 2010**

**Chairperson Howe** expresses appreciation to Commissioner Wilson for allowing him to serve as the Chairperson in 2009 as under the normal rotation schedule, Commissioner Wilson was to serve as chairperson during that year.

Ms. Palacherla recommends that based on the rotation schedule, Commissioner Wilson would serve as Chairperson for 2010 and Commissioner Gage as Vice-Chairperson.

**Commissioner Gage** proposes that since his term on the County Board of Supervisors will expire next year, Commissioner Kniss be the Vice-Chairperson for 2010.

**MOTION:** Appoint Commissioner Wilson as Chairperson and Commissioner Kniss as Vice-Chairperson for 2010. (Don Gage)

**SECOND:** Pete Constant

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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

### **11.1 REPORT ON 2009 CALAFCO ANNUAL CONFERENCE**

Ms. Palacherla reports that the 2009 CALAFCO Annual Conference covered various topics, including "Challenges and Opportunities for Regional Governance," "Infrastructure needs for Casinos on Native American Lands," "Judicial Review of LAFCO Decisions," "Coping with Local Agency Financial Stress," "Environmental Justice," "Is the Williamson Act Sustainable?," and a session on CEQA. Ms. Palacherla further reports that Commissioner Wilson moderated "Annexation as a Means to Preserve Open Space Lands," a session that examined the issues that LAFCOs must consider when reviewing proposals by the cities annexing lands in order to preserve them.

### **11.2 UPDATE ON IMPLEMENTATION OF LAFCO'S ELECTRONIC DOCUMENT MANAGEMENT SYSTEM**

Ms. Palacherla reports that Peelle Technologies, Inc., is scanning the second set of LAFCO records and will soon install the electronic records management software and a scanner.

### **11.3 NEW CITIES REPRESENTATIVE APPOINTED TO LAFCO**

Mr. Palacherla reports that the Santa Clara County Cities Association has selected Mayor Margaret Abe-Koga of Mountain View as the cities' representative to LAFCO for a term starting in January 2010 and ending in May 2012.

In response to an inquiry by Commissioner Gage, Ms. Palacherla informs that Mayor Al Pinheiro of Gilroy will remain as the alternate.

**MOTION:** Accept the Executive Officer's report. (Pete Constant)

**SECOND:** Don Gage

#### **MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

## **12. LEGISLATIVE REPORT**

Ms. Noel reports that Senate Bill (SB) 113 and SB 215 are among the bills that are going to take effect on January 1, 2010. She explains that SB 113 makes non-substantive changes to local government laws, including those requested by CALAFCO. She continues by stating that SB 215 adds SB 375 and regional transportation plans to the factors that LAFCO must consider in reviewing applications. Ms. Noel informs that LAFCO staff in the Bay Area will meet with ABAG staff about this issue. She states that AB 528 clarifies the financial disclosure requirements in the CKH Act to conform to the changes brought by AB 1998 on the Political Reform Act. She states that staff and LAFCO Counsel will review the current disclosure policies and may recommend possible revisions for the Commission's consideration and approval.



**Commissioner Wilson** informs that Ms. Palacherla has been appointed to the CALAFCO Legislative Committee.

**MOTION:** Accept the legislative report. (Don Gage)

**SECOND:** Susan Vicklund-Wilson

**MOTION PASSED**

**AYES:** Pete Constant, Don Gage, John Howe, Liz Kniss, Susan Vicklund-Wilson

**NOES:** None

**ABSTAIN:** None

**13. COMMISSIONERS' REPORTS**

There is no report.

**14. NEWSPAPER ARTICLES / NEWSLETTERS**

14.1 The Sphere, a CALAFCO newsletter, was distributed to the commissioners.

**15. WRITTEN CORRESPONDENCE**

There is no written correspondence.

**16. PENDING APPLICATIONS / UPCOMING PROJECTS**

16.1 Annexation to West Valley Sanitation District (17655 Tourney Road, Los Gatos)

**17. ADJOURN**

The meeting is adjourned at 2:11 p.m.

Approved:

\_\_\_\_\_  
Susan Vicklund-Wilson, Chairperson  
Local Agency Formation Commission of Santa Clara County

By: \_\_\_\_\_  
Emmanuel Abello, LAFCO Clerk



**MEETING DATE:** February 3, 2010

**TO:** Local Agency Formation Commission of Santa Clara County

**FROM:** Neelima Palacherla, Executive Officer  
Dunia Noel, Analyst

**SUBJECT:** **West Parr Avenue Reorganization: Annexation to the Santa Clara County Central Fire Protection District and Detachment from the County Library Service Area**

Agenda Item # 5

### **STAFF RECOMMENDATION**

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#### **1. CEQA Action**

- a. As Lead Agency under CEQA, determine that the proposal is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed project in question has the potential for causing a significant adverse effect on the environment.

#### **2. West Parr Avenue Reorganization**

- a. Approve the annexation of a portion of West Parr Avenue between Pollard Road and Capri Drive, located in Los Gatos to the Santa Clara County Central Fire Protection District as depicted in Exhibits A & B of **Attachment A**.
- b. Approve detachment of a portion of West Parr Avenue between Pollard Road and Capri Drive, located in Los Gatos from the County Library Service Area as depicted in Exhibits A & B of **Attachment A**.

#### **3. Protest Proceedings**

- a. Waive further protest proceedings pursuant to Government Code Section 56663(c).

### **PROJECT DESCRIPTION**

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The proposal consists of the annexation of a portion of West Parr Avenue between Pollard Avenue and Capri Drive located in Los Gatos, to the Santa Clara County Central Fire Protection District and the detachment of a portion of West Parr Avenue between Pollard Road and Capri Drive from the County Library Service Area.

## **BACKGROUND**

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In June 2009, LAFCO approved the realignment of the Urban Service Area Boundary and Sphere of Influence Boundary between the cities of Campbell and Los Gatos along West Parr Avenue from Pollard Road to Capri Drive so that the USA and SOI boundaries coincide with the center-line of West Parr Avenue. LAFCO also approved the detachment of a portion of West Parr Avenue right-of-way from the City of Campbell between Vale Avenue and Theresa Avenue in order to enable the annexation of West Parr Avenue (up to the centerline) by the Town of Los Gatos. In September 2009, the Town of Los Gatos annexed a portion of West Parr Avenue from Pollard Road to Capri Drive, consistent with LAFCO's realignment of the Town's Urban Service Area Boundary. A LAFCO Certificate of Completion for this annexation was issued and recorded on November 24, 2009. The annexation resulted in the elimination of an unincorporated island and created a more common boundary as desired the cities of Campbell and Los Gatos.

Subsequently it was discovered that a portion of this newly annexed area (see Exhibits A & B of **Attachment A**) was not within the boundary of the Santa Clara County Central Fire Protection District (SCCFPD) and therefore that portion of West Parr Avenue did not have a designated fire protection and emergency medical service (EMS) provider, as the Town of Los Gatos does not provide fire protection service or EMS service. In December 2009, SCCFPD forwarded a District Resolution to LAFCO requesting to annex the road right-of-way. The District's request was sent to LAFCO because only LAFCO can conduct and approve annexations to special districts. Upon LAFCO's approval of the annexation, the SCCFPD will be responsible for serving this area.

Furthermore, concurrent with the annexation to the Town of Los Gatos, the annexed territory should have been detached from the County Library Service Area (CLSA), as the Town provides its own library services. Since the detachment from the CLSA did not take place at that time, Staff recommends that the area be detached from the CLSA as part of this reorganization of West Parr Avenue. The detachment is a corrective action and will help to ensure that the boundaries of the affected local government agencies and the affected tax rate areas are consistent with actual municipal service responsibilities.

Another issue involving tax rate areas for the West Parr Avenue boundary changes concerns the Campbell Municipal Light Maintenance District. The portion of West Parr Avenue that was annexed by the Town of Los Gatos and that was originally in Campbell continues to be included within the Campbell Municipal Light Maintenance District. This poses a problem for assignment of a tax rate area as areas within the Town of Los Gatos cannot be part of the Campbell Municipal Light Maintenance District.

LAFCO has no authority over changes to maintenance district boundaries. Therefore, the City of Campbell must address this issue with the County Controller's Office.

### **CONSISTENCY WITH LAFCO POLICIES**

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The area proposed for annexation and the area proposed for detachment are both uninhabited. The boundaries of the proposed annexation and proposed detachment are both definite and certain as described in Exhibits A & B of **Attachment A**. The project will not create an island, corridor or strip. The project involves only portions of the road right-of-way and does not involve agricultural land or Williamson Act land.

Government Code §56663(c) allows LAFCO to waive further protest proceedings for an uninhabited annexation (i.e. for an annexation territory that contains less than 12 registered voters) if all owners of land within the annexation area consent to the annexation and no written opposition to the waiver of protest proceedings is received from any affected agency. LAFCO has provided notice to all affected agencies and has received no written opposition to the proposed waiver. Therefore LAFCO may waive protest proceedings for the proposed annexation and the proposed detachment.

### **ATTACHMENT**

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Attachment A: Legal description and map (Exhibit A and B) for annexation to the Santa Clara County Central Fire Protection District and detachment from the County Library Service Area

WEST PARR AVENUE REORGANIZATION:  
ANNEXATION TO SANTA CLARA COUNTY FIRE PROTECTION DISTRICT  
AND DETACHMENT FROM THE COUNTY LIBRARY SERVICE AREA  
EXHIBIT "A"

~~TOWN OF LOS GATOS~~

~~URBAN SERVICE AREA AMENDMENT~~

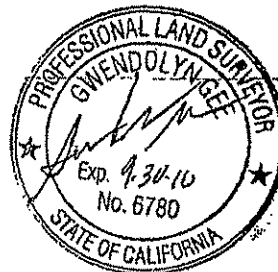
~~AND ANNEXATION, WEST PARR AVENUE~~

A portion of Lots 13, 14, 15 and 16, and a portion of San Tomas Aquino Road (50 feet wide, now Capri Drive, 60 feet wide) as said Lots and Road are shown on that certain Map of the W. J. Parr Subdivision, filed for record in Book "A" of Maps at Page 95, Santa Clara County Records, lying in the Rancho Rinconada De Los Gatos, more particularly described as follows:

BEGINNING on the centerline of Parr Avenue (50 feet wide) as shown upon said map, also being the point of intersection of the annexations to the City of Campbell entitled "Pollard 1977-1" and "Pollard 79-10" with the annexation to the Town of Los Gatos entitled "Pollard Road No. 77-1"; thence easterly along said centerline and along the existing city limit line of the City of Campbell, (1) North  $88^{\circ} 52' 00''$  East, 2441.20 feet to the centerline of said San Tomas Aquino Road; thence southerly along said centerline and continuing along said existing city limit line of the City of Campbell, (2) South  $11^{\circ} 21' 00''$  West, 25.61 feet to the easterly prolongation of the southerly line of said Parr Avenue, also being the most northerly corner of the annexation to the Town of Los Gatos entitled "Capri-Division-Winchester"; thence westerly along said southerly line of Parr Avenue and the easterly prolongation thereof, also being the existing limit line of the Town of Los Gatos, (3) South  $88^{\circ} 52' 00''$  West, 2441.20 feet to the southeast corner of said annexation to the Town of Los Gatos entitled "Pollard Road No. 77-1"; thence northerly along the easterly line of said annexation, (4) North  $11^{\circ} 21' 00''$  East, 25.61 feet to the Point of Beginning and containing 1.40 acres of land, more or less.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.*

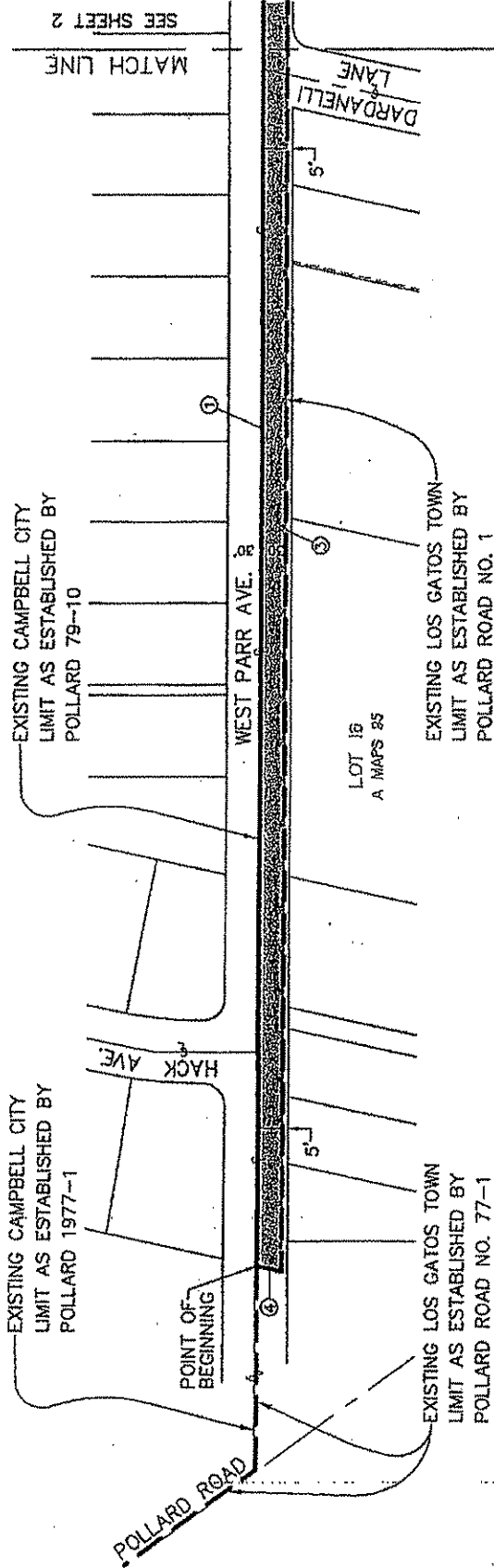
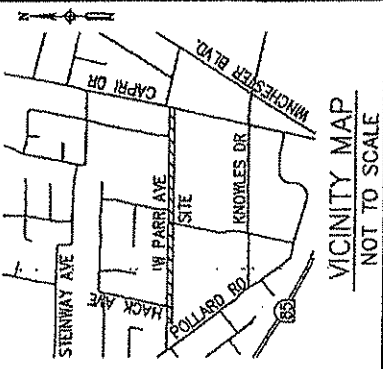
Gwendolyn Gee  
PLS 6780, Expires 9-30-10  
County of Santa Clara, County Surveyor



WEST PARR AVENUE REORGANIZATION:  
ANNEXATION TO SANTA CLARA COUNTY FIRE PROTECTION DISTRICT  
AND DETACHMENT FROM THE COUNTY LIBRARY SERVICE AREA



0 37.5 75 150  
GRAPHIC SCALE  
1 IN = 150 FT



COURSES:

1. N88°52'00"E 2441.20'
2. S11°21'00"W 25.61'
3. S88°52'00"W 2441.20'
4. N11°21'00"E 25.61'

LEGEND:

- EXISTING LOS GATOS TOWN LIMIT LINE
- PROPOSED LOS GATOS TOWN LIMIT LINE
- AREA TO BE ADDED TO USA AND TOWN OF LOS GATOS

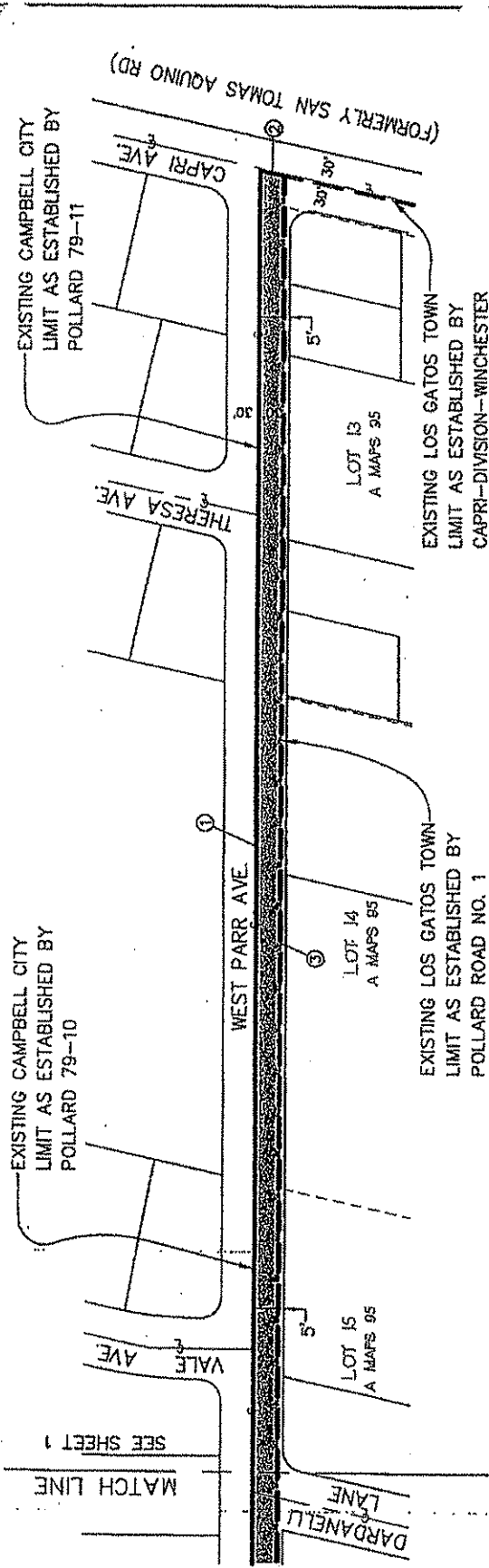
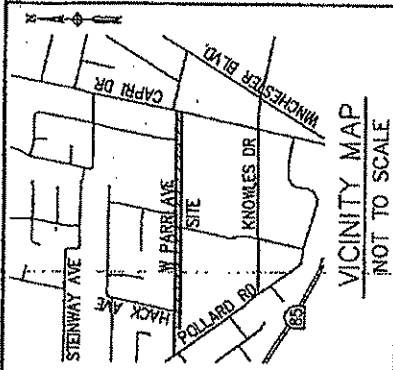
Disclaimer:  
"For assessment purposes only. This description is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

**COUNTY OF SANTA CLARA**  
COUNTY GOVERNMENT CENTER EAST WING  
DEVELOPMENT SERVICES OFFICE  
70 WEST REDDING STREET, 7th FLOOR  
SAN JOSE, CALIFORNIA 95110  
OFFICE OF THE COUNTY SURVEYOR (408) 298-5700 (408) 278-4537 FAX

LOS GATOS URBAN SERVICE AREA AND ANNEXATION, WEST PARR AVENUE Lying Within RANCHO RINCONADA DE LOS GATOS COUNTY OF SANTA CLARA

DATE: 04-03-09  
DRAWN: CW  
CHECKED: JS  
SCALE: 1" = 150'  
PROJECT NO: -  
SHEET: 1 OF 2

WEST PARR AVENUE REORGANIZATION:  
ANNEXATION TO SANTA CLARA COUNTY FIRE PROTECTION DISTRICT  
AND DETACHMENT FROM THE COUNTY LIBRARY SERVICE AREA



- COURSES:**
1. N88°52'00"E 2441.20'
  2. S11°21'00"W 25.61'
  3. S88°52'00"W 2441.20'
  4. N11°21'00"E 25.61'
- 1.40 ACRES +/-

- LEGEND:**
- EXISTING LOS GATOS TOWN LIMIT LINE
  - PROPOSED LOS GATOS TOWN LIMIT LINE
  - AREA TO BE ADDED TO USA AND TOWN OF LOS GATOS

**Disclaimer:**  
"For assessment purposes only. This description is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

<p><b>COUNTY OF SANTA CLARA</b> COUNTY GOVERNMENT CENTER, EAST WING 70 WEST REDDING STREET, 7th FLOOR SAN JOSE, CALIFORNIA 95110 OFFICE OF THE COUNTY SURVEYOR (408) 298-6700 (408) 273-6937 FAX</p>	<p>LOS GATOS URBAN SERVICE AREA AND ANNEXATION WEST PARR AVENUE LYING WITHIN RANCHO RINCONADA DE LOS GATOS COUNTY OF SANTA CLARA</p>	<p>DATE: - DRAWN: CW CHECKED: JS</p>	<p>SCALE: 1" = 150' PROJECT NO: - SHEET: 2 OF 2</p>
	<p>CALIFORNIA</p>		

LAFCO Meeting: February 3, 2010  
TO: LAFCO  
FROM: Neelima Palacherla, Executive Officer

**SUBJECT: Update on the Amendment of the Memorandum of Understanding (MOU) between LAFCO and the County of Santa Clara and on Obtaining Stand Alone General Liability Insurance Coverage for LAFCO**  
Agenda Item #6

### **Staff Recommendation**

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Accept report and provide further direction as necessary.

### **Background**

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As the Commission is aware, LAFCO has a Memorandum of Understanding (MOU) with the County that sets forth terms and conditions under which the County will provide staffing, facilities and support services to LAFCO. One of the many services that the County is required to provide LAFCO pursuant to the current MOU is insurance coverage for general and auto liability.

The MOU has been in effect since July 2001. However, over the years, several changes to LAFCO staffing provision and staff position classifications have taken place such as reclassification of LAFCO staff positions. LAFCO staff has been working with the County to update the MOU to reflect these changes. In the course of reviewing the proposed revisions to the MOU, the County's Risk Management Office notified LAFCO staff that LAFCO should obtain its own general liability insurance coverage separate from the County.

Currently LAFCO is covered under the County's policy which includes self insurance for the first \$2 million and excess coverage provided by California State Association of Counties -Excess Insurance Authority (CSAC EIA). LAFCO's annual premium is \$600 for this coverage. The County has agreed to retain LAFCO under its insurance policy until LAFCO is able to obtain its own stand alone coverage. We are also holding off on getting approval from LAFCO and the Board of Supervisors for the revised MOU until the issue surrounding LAFCO's insurance coverage is resolved.

LAFCO staff has submitted preliminary applications to two insurance carriers that provide coverage to a number of LAFCOs statewide and is expecting to receive their



quotes soon. A minimum premium under one of the policies starts at \$2,500, which is significantly higher than what LAFCO has been paying for coverage with the County.

**Next Steps**

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LAFCO staff will discuss the costs and the coverage offered under the two policies with LAFCO Counsel and the Budget Subcommittee and bring forward a recommendation to the Commission in April.

Following LAFCO approval of insurance purchase from one/more of the carriers in April, staff will prepare the necessary paperwork and obtain the insurance coverage with a start date of July 1, 2010. Additionally, in cooperation with the County staff, LAFCO staff will revise the MOU and seek approval from LAFCO and the County Board of Supervisors so that the amended MOU would be effective on July 1, 2010.

**LAFCO Meeting: February 3, 2010**  
**TO:** LAFCO  
**FROM:** Neelima Palacherla, Executive Officer  
Dunia Noel, LAFCO Analyst  
**SUBJECT:** **Executive Officer's Report**  
Agenda Item # 7

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### **7.1 Budget Subcommittee for Fiscal Year 2010-2011**

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#### **Recommendation**

Establish a Budget Subcommittee composed of two commissioners to work with staff to develop and recommend the proposed FY 2010-2011 LAFCO budget for consideration by the full Commission.

The time commitment from commissioners serving on this committee would be limited to 2-3 meetings between the months of February and June.

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### **7.2 Update on Implementation of LAFCO's Electronic Document Management System**

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#### **For Information Only**

Staff has entered into a contract with Peelle Technologies, a document management solution firm located in Campbell. Peelle has completed scanning all of the LAFCO records that were in storage and is in the process of scanning more recent LAFCO records. The firm has also installed the LaserFische software on staff's computers and has conducted one training session with LAFCO staff on how to use the software. Staff is in the process of loading the scanned records onto the LAFCO server, verifying the quality of those scans, and becoming more familiar with the LaserFische software.

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### **7.3 Update on Countywide Fire Service Review**

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#### **For Information Only**

On December 11, 2009, LAFCO released a Request for Proposals (RFP) for a professional service firm to prepare a countywide fire protection service review and to prepare sphere of influence updates for fire protection districts. According to the RFP, the ideal firm should have expertise in LAFCO functions and service reviews, fire protection service, and financial analysis relating to fire protection service delivery. LAFCO received 7 proposals prior to the January 11, 2009 deadline.

On January 27, 2009, a Consultant Selection Committee, consisting of LAFCO staff and four members of the Technical Advisory Committee, interviewed the 7 firms and is

currently in the process of selecting the most qualified firm. LAFCO staff will negotiate the final terms of the contract with the selected firm. LAFCO staff expects to have the consultants begin working on the project shortly after the contract is finalized. The Countywide Fire Protection Service Review and SOI Updates should be completed by the year end. LAFCO staff will continue to provide the Commission with updates on this project as it progresses.

#### **7.4 CALAFCO Staff Workshop**

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##### **Recommendation**

Authorize staff to attend the Workshop and authorize travel expenses funded by the LAFCO budget.

The CALAFCO Annual Staff Workshop is scheduled for April 14-16 at Hyatt Vineyard Creek Hotel in Santa Rosa. Sonoma LAFCO will host the conference. Santa Clara LAFCO staff is volunteering on the Workshop Planning Committee and will coordinate and assist with certain workshop sessions.

**PROPOSED REVISIONS TO THE  
2010 SCHEDULE OF LAFCO MEETINGS AND  
APPLICATION FILING DEADLINES**

<b>LAFCO MEETING</b>	<b>DEADLINE TO FILE APPLICATION</b>
Wednesday February 3, 2010	December 16, 2009
Wednesday April 21, 2010	February 10, 2010
Wednesday June 2, 2010	April 14, 2010
Wednesday August 4, 2010	June 9, 2010
Wednesday October 20, 2010	August 11, 2010
Wednesday December 15, 2010	October 27, 2010

**TIME OF MEETINGS:** 1:15 PM

**LOCATION OF MEETINGS:** County Government Center  
70 West Hedding Street, 1st Floor  
San Jose, CA 95110

**FILING LOCATION:** LAFCO Office  
70 West Hedding Street, 11th Floor  
San Jose, CA 95110  
(408) 299-6415