



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

777 North First Street
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San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Rich Constantine
Susan Ellenberg
Sequoia Hall
Sergio Jimenez
Linda J. LeZotte
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, APRIL 8, 2020

CALL TO ORDER

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

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, this meeting was held by teleconference only.

1. ROLL CALL

The following commissioners were present:

- Chairperson Sergio Jimenez
- Vice Chairperson Rob Rennie
- Commissioner Susan Ellenberg
- Commissioner Sequoia Hall
- Commissioner Linda J. LeZotte
- Commissioner Mike Wasserman
- Commissioner Susan Vicklund Wilson
- Alternate Commissioner Yoriko Kishimoto
- Alternate Commissioner Russ Melton
- Alternate Commissioner Terry Trumbull

The following commissioners were absent:

- 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.

Alternate Commissioner Melton, Finance Committee Chair, provided a summary of the current year budget and highlighted key items in the proposed budget. He noted that any available revised figures will be presented at the June meeting.

Chairperson Jimenez opened the public hearing, determined that there are no speakers from the public and closed the public hearing.

Chairperson Jimenez noted that the City of San Jose may have a \$45 million budget shortfall due to the current economic situation and inquired if the LAFCO budget is susceptible to similar concerns. **Commissioner Wasserman** explained that the payroll costs have increased because the County has recently entered into new multi-year contracts with the Service Employees International Union (SEIU) Local 521 and the County Management Employees Association (CEMA) which include annual salary increases and reduction in the PERS contributions by CEMA employees. **Alternate Commissioner Melton** indicated that many LAFCO costs such as payroll and overhead come from the County and noted that there may be a reduction in intra-County professional cost due to a potential decrease in the number of applications as a result of the economic uncertainty. Ms. Palacherla advised that more accurate information will be available before the June meeting and in time for the final budget. **Commissioner Rennie** noted that staff did substantial work on the annexation of 28 Los Gatos islands and inquired how the budget reflects that cost. In response, Ms. Palacherla informed that staff worked on the project as part of their regular workload and that the costs for preparing the annexation maps and reports were borne not by LAFCO but the County which has established a special fund to incentivize island annexations. **Commissioner Hall** cautioned against considering budget reduction as there could be applications or other projects in the coming year.

The Commission:

1. Adopted the Proposed Work Plan and Budget for Fiscal Year 2020-2021.
2. Found that the Proposed Budget for Fiscal Year 2021 is expected to be adequate to allow the Commission to fulfill its statutory responsibilities.
3. Authorized staff to transmit the Proposed Budget adopted by the Commission including the estimated agency costs as well as the LAFCO public hearing notice for the adoption of the Fiscal Year 2021 Final Budget to the cities, the special districts, the County, the Cities Association and the Special Districts Association

Motion: Ellenberg

Second: Vicklund Wilson

AYES: Ellenberg, Hall, Jimenez, LeZotte, Rennie, Wasserman, Vicklund Wilson

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

6. EXECUTIVE OFFICER'S REPORT

6.1 Update on Rancho Rinconada Recreation and Park District Special Study

6.2 Comment Letter on the Final Environmental Impact Report for Mountain View Winery Annexation Project

In response to an inquiry from **Commissioner LeZotte**, Ms. Noel informed that the March 18 Saratoga City Council public hearing was cancelled and that no new date was set. She stated that staff is monitoring this project particularly regarding the level of analysis included in the document for Cupertino Sanitary District to provide wastewater services. In response to **Commissioner Rennie**, Ms. Palacherla informed that the issue of high fire hazard zone is also a big concern for LAFCO and that the issue was raised in previous letters that LAFCO sent to the City. She noted that this is LAFCO's third letter on the project. Ms. Noel added that the 300-room hotel is part of the project description and the proposed increased development is the reason why LAFCO raised concerns related to fire, emergency and wastewater services.

6.3 Comment Letter on City of Gilroy's Draft Supplemental Environmental Impact Report (EIR) for Gilroy Sports Park Master Plan Phase III Amendments

In response to an inquiry from **Commissioner Hall**, Ms. Palacherla informed that staff submitted comments because LAFCO could potentially be a responsible agency. Ms. Noel advised that staff is waiting to see if Gilroy's Final Supplemental EIR will address LAFCO's comments. With regard to Item 6.4, she reported that Gilroy is in the early stage for preparing environmental documents for its 2040 General Plan and LAFCO submitted a comment letter conveying several questions, including what the Plan will look like and how the environmental documents will be used for projects that will require LAFCO approval in the future.

In response to **Commissioner Hall**, Ms. Subramanian explained why LAFCO, as a Responsible Agency must take an active role in commenting on EIRs and why LAFCO must follow up to see if responses to LAFCO's comments are provided. In response to his follow-up inquiry, Ms. Subramanian advised that LAFCO could challenge the EIR within a certain period and that LAFCO has done that in the past to make sure the document is adequate for LAFCO's use. She noted that if the document is not challenged within a certain period, LAFCO must utilize it. **Commissioner Hall** requested that staff monitor this issue especially under the current special circumstances, and bring any concerns to the Commission's attention as needed.

6.4 Comment Letter on City of Gilroy's Revised Notice of Preparation of a Draft Environmental Impact Report for the Gilroy 2040 General Plan

Chairperson Jimenez requested staff to track and provide updates to the Commission on the projects in Gilroy and Saratoga.

6.5 LAFCO Training Session for the County Planning Office

The Commission noted the report.

6.6 Santa Clara County Special Districts Association Meeting and LAFCO Presentation

The Commission noted the report.

6.7 2020 CALAFCO Staff Workshop Rescheduled to March 2021

The Commission noted the report.

6.8 Joint Venture Silicon Valley's 2020 State of the Valley Conference

The Commission noted the report.

6.9 Bay Area LAFCO Meeting

The Commission noted the report.

6.10 Santa Clara County Association of Planning Officials Meeting

The Commission noted the report.

6.11 Inter-Jurisdictional GIS Working Group Meeting

The Commission noted the report.

7. PENDING APPLICATIONS / UPCOMING PROJECTS

There were none.

8. COMMISSIONER REPORTS

Alternate Commissioner Kishimoto announced that Midpeninsula Regional Open Space District trails are open to the public with social distancing observed.

Chairperson Jimenez acknowledged the work being done to keep the trails and open spaces available as the public appreciate them more under the current situation. **Commissioner Hall** stated that the more accessible urban open spaces are beneficial for mental and physical health in these times.

Chairperson Jimenez acknowledged Commissioners Ellenberg and Wasserman for their work as members of the County Board of Supervisors to keep Santa Clara County residents safe. **Commissioner Wasserman** expressed appreciation to LAFCO members for leading by example during the Shelter-in-Place order, and he stated that many of the emails he received appreciate County services like libraries and parks. He discussed ways to minimize the spread of the infection and expressed hope that there will be positive changes in human behavior as a result of this situation such as the reduction of traffic when people stay home and teleconference, and reduction in flu deaths with the practice of social distancing.

Commissioner Ellenberg expressed appreciation for Commissioner Wasserman's public service announcement and his work during this emergency. She wished those who were celebrating a safe and healthy Passover

9. NEWSPAPER ARTICLES / NEWSLETTERS

There were none.

10. WRITTEN CORRESPONDENCE

There was none.

11. ADJOURN

The Commission adjourned at 2:08 p.m., to the next regular LAFCO meeting on June 3, 2020 at 1:15 p.m., in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on June 3, 2020.

Sergio Jimenez

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

By: Emmanuel Abello
Emmanuel Abello, LAFCO Clerk