# ITEM NO. 4

# LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY MINUTES WEDNESDAY, JUNE 4, 2008

### 1. ROLL CALL

The Local Agency Formation Commission (LAFCO) of Santa Clara County convenes this 4th day of June 2008 at 1:16 p.m. in the Chambers of the Board of Supervisors, County Government Center, 70 West Hedding Street, San Jose, California, with the following members present: Chairperson Pete Constant, Vice Chairperson Susan Vicklund-Wilson, and Commissioners Blanca Alvarado, Don Gage and John Howe. Alternate Commissioners Al Pinheiro and Terry Trumbull are also present.

The LAFCO staff in attendance includes Neelima Palacherla, LAFCO Executive Officer; Dunia Noel, LAFCO Analyst; and, Mala Subramanian and Scott Smith, LAFCO counsel for the San Martin Incorporation proposal.

The meeting is called to order by Chairperson Constant and the following proceedings are had, to wit:

### 2. CLOSED SESSION

On order of the Chairperson, there being no objection, the Commission adjourns to Closed Session at 1:18 p.m. to discuss one item of significant exposure to litigation per Government Code §54956.9.

The Commission reconvenes at 2:15 p.m.

### 3. PUBLIC PRESENTATIONS

There are no public presentations.

### 4. APPROVE MINUTES OF APRIL 16, 2008 AND MAY 7, 2008 MEETINGS

On motion of Commissioner Howe, seconded by Commissioner Gage, it is unanimously ordered on a vote of 5-0 that the minutes of April 16, 2008 and May 7, 2008 meetings be approved, as submitted.

## 5. ENVIRONMENTAL / CEQA REVIEW FOR THE SAN MARTIN INCORPORATION PROPOSAL

The Chairperson requests the staff report. Scott Smith, LAFCO Counsel, advises the Commission to consider the counsel's memorandum included in the staff report, as well as the oral and written testimony provided at the meeting, in order to determine whether the proposal has foreseeable physical environmental impacts. He directs attention to the section of the memorandum discussing the inconsistencies of the proposed incorporation boundaries with long-standing policies of LAFCO, the County and the cities. He advises that the Commission, in its role as a fact-finder, must consider whether the inconsistencies will result in physical impacts and, based on that finding, consider the alternatives and the CEQA action. He then briefly discusses each of the possible options, namely, a negative declaration, a mitigated negative declaration, an environmental impact report, or a modification of proposal boundary with a negative declaration.

The Chairperson opens the public comment period for this item.

Michelle Beasley, South Bay Field Representative, Greenbelt Alliance, expresses concern that the expansive boundaries of San Martin will have regional implications, specifically on the existing boundaries of Gilroy and Morgan Hill. She states that the Commission's role is more important than ever because of climate change, rising fuel costs, and rapidly disappearing farmlands. She states that a negative declaration is insufficient because Greenbelt Alliance is convinced that San Martin would grow in a sprawling pattern in order to survive. The future town would face development pressure because it is strategically located along Caltrain and U.S. Highway 101, and since the Bay Area population is projected to grow by 1.7 million in 2030.

Chairperson informs that Richard Van'tRood, SMNA spokesperson, be allowed to speak for five minutes because seven individuals have deferred their time to him.

Mr. Van'tRood informs that, in addition to the four possible CEQA actions outlined by Mr. Smith, the court has determined in the Carmel Valley case that incorporation is not a project under CEQA. He then informs that the proposal's inconsistencies arise from LAFCO's urban service area (USA) and agricultural mitigation policies, and the South County Joint Area Plan. With regard to USA boundary, he states that USA policies were

put in place some years ago to stop urban sprawl from the rampant annexations by the cities. He notes that establishing an urban service area (USA) would create an impression that the town is being incorporated for the purpose of development. He suggests that the USA boundary may be established if the town chooses to do so after it incorporates and states that the preference of the proponents is to have no USA boundary because the community is a rural residential area.

With regard to agricultural mitigation policies, he informs that the language of the policies is not mandatory and states that these are intended for annexations that result in the loss of prime agricultural lands rather than an incorporation of a town. He states that San Martin had lost a lot of agricultural lands over the years under the County. He then indicates that the policies' timing and fulfillment of mitigation are applicable to annexation projects so it does not apply to incorporation. With regard to South County Joint Area Plan, he indicates that the County General Plan would be adopted after the town incorporates, and any change would require an environmental review. He states that the Area Plan mandates South County jurisdictions to come up with a new agreement once San Martin is incorporated. He then comments that none of these policy issues create an environmental impact. He states that every town should have its own unique character and that decision will be made by people who live in the community.

In response to an inquiry by the Chairperson, Ms. Subramanian advises that the Carmel Valley case, which was litigated by their firm, had a different set of facts and was in a completely different situation than the San Martin incorporation proposal. In response to a follow-up inquiry by the Chairperson, Ms. Subramanian informs that Monterey LAFCO determined that an EIR would be required; however, the court found that there was no substantial evidence in the record to justify an EIR. She states that with regard to the San Martin incorporation, is documentation, including memos and policy considerations, which would allow the Commission to make a decision to require an EIR. At the request of the Chairperson, Ms. Subramanian states that the court did make a determination that incorporation is not a project but also said that if it was a project, there was no substantial evidence in the record for an EIR. With regard to the comment that

agricultural mitigation policies apply only to annexation, Ms. Subramanian indicates that the argument to that is a concern that once the land is within the boundary of the proposed town, a General Plan amendment could potentially change the land use from agricultural to commercial and housing. The intent behind the policies is to avoid that, and concerns and facts in annexation and incorporation are similar.

Dave Piccardo, a resident of San Martin, directs attention to SMNA's April 10, 2008 letter requesting that the phrase "rural agricultural and residential area" under the Present Land Use/Zoning/General Plan Use section, be revised to read "rural residential and agricultural area." He informs that this means SMNA is placing more emphasis on residential rather than agricultural use.

Commissioner Gage inquires how annexation is different from incorporation from the standpoint of CEQA and how this affects this incorporation process. In response to this, Mr. Scott advises that looking at land use, even in the absence of policies or with policies that relate to annexation and not incorporation, the Commission is in charge of determining the likelihood that physical consequences might result from that change in organization, whether it is annexation or incorporation. He adds that while the proponents argue that the policies have been written from the point of view of an annexation, he expresses the opinion that the plain text of policies in the General Plan or Master Plan apply to either scenarios when considered in connection with LAFCO's SOI determinations. He informs that LAFCO policies make no distinction between annexation and incorporation. Further, he informs that upon incorporation, the town will adopt the County's Zoning Ordinance which will be in place for 120 days, while a General Plan may be adopted within 36 months. At the request of Commissioner Gage, Mr. Smith advises that the town should start with the General Plan process right away. In response to another inquiry by Commissioner Gage, Mr. Smith cites the Bozung vs. Ventura LAFCO case where LAFCO approved the annexation of Thousand Oaks with a Negative Declaration that did not reflect the evidence on how the annexation is going to open the flood gates of urban development. In the case of San Martin, he comments that it is

difficult to determine what is going to happen once the town council is occupied by those who may or many not be the proponents of the incorporation.

In response to an inquiry by Commissioner Wilson, Ms. Palacherla advises that while it may not be the intent of the proponents to provide new services after the incorporation, the new town will have the authority to decide what services and development should be allowed within its boundary. Consistent with that of the 15 cities in the County, San Martin should have a USA, Commissioner Wilson inquires about the potential environmental impact of not having unincorporated buffers. Mr. Smith advises that arguments could be made that by not moving the line, physical impacts would not have happened based on the documental from the 1970s before the policies were in place. He then states that the Commission should determine whether that is likely to occur in this case. Commissioner Wilson informs that she have been on LAFCO for over a decade and has seen for a fact the development pressure and its domino effect in South County which is real and not speculative. In response to a further inquiry by Commissioner Wilson, Mr. Smith indicates that the consultant has raised environmental impacts in the discussion of the policies in the introductory section of the draft IS/ND. The Commission may conclude that the discussion of the likelihood of physical impacts be recast as a discussion about impacts in the appropriate sections of agricultural lands and growth inducement, among others.

The Chairperson comments that it is foreseeable to say that without the incorporation, development will continue to occur in San Martin because of actions and decisions by the County; however, it is speculative to say that the future town, being incorporated to maintain the rural community, would cave in to development pressures. He states that in the Bozung case, there was a real and credible evidence of development pressures that are not present in San Martin.

Commissioner Alvarado comments that nobody can determine the future of San Martin; therefore, LAFCO has to do due diligence to be able to tell the voters and residents in the community whether or not there is evidence that a town will be able to support itself. Since there is no guarantee that after 36 months, the General Plan will reaffirm the

rural community of San Martin, especially when pressure mounts for city services that would have to be funded by the residents themselves. The Commission has an obligation to give voters the confidence to decide whether or not to proceed with the incorporation. She then discusses how urban sprawl caused the enactment of State law and local policies that are meant to manage growth in an orderly fashion. The boundaries being proposed by staff and the original initial study are in keeping with these policies. She informs that the exclusion of area 4, 5 and 7 is the most practical way and the best alternative at this time.

Commissioner Alvarado then moves to accept the staff report, adopt the original Initial Study and Negative Declaration with a modified boundary. In response to Ms. Palacherla, Commissioner Alvarado states that the motion excludes areas 4, 5 and 7. Upon the suggestion of Mr. Smith, Commissioner Alvarado clarifies that the motion directs staff to revise the Negative Declaration as necessary, in view of exclusion of areas 4, 5 and 7.

Commissioner Wilson seconds the motion.

In response to Commissioner Alvarado, the Chairperson indicates that the Commission is unable to determine the physical impacts of the proposed boundaries unless it speculates. He informs that the job of the Commission is to look at what is foreseeable given the available information because the Commission will fail to fulfill its role if its decision is based on speculation.

Ms. Palacherla explains the potential impacts of policy inconsistencies by reading an excerpt from the County's Open Space and Urban Development Policies, "...the scattered pattern of urban development unnecessarily destroyed the economic productivity of much of the County's prime agricultural lands, and further this development idled substantial amounts of land that were not needed for urban purposes. Between 1962 and 1967, for example, 7,400 acres of agricultural land were developed for residential use, but an even larger amount, 9,200 acres, became vacant urban land."

In response to the inquiry by the Chairperson, Mr. Van't Rood indicates that the proponents oppose the exclusion of areas 4, 5, and 7 because these areas are not substantially different from the rest of San Martin, it does not make sense to cut up San

Martin to create an artificial buffer, and it is inappropriate to create a land use distinction by removing parts of the San Martin boundary.

Commissioner Wilson, stating that there are places in Gilroy and Morgan Hill that look exactly like San Martin, inquires whether those too should be included in San Martin. She comments that Morgan Hill and the County letters discuss the impact if areas 4, 5 and 7 are not removed. She then expresses her support for the motion. She continues by stating that not deleting areas 4, 5 and 7 will have a real, and not speculative impact on San Martin, Gilroy, Morgan Hill and the County.

In response to an inquiry by the Chairperson, Mr. Smith informs that cities in Southern California tend to buffer themselves from development that the counties initiate; however, Santa Clara County has a long standing tradition of not providing services in unincorporated areas. In response to a follow-up inquiry by the Chairperson, Mr. Smith indicates that in accordance to CKH Act, the Commission may find that the boundaries could have buffers inside or outside the city limits, or on both sides of the city limits. He indicates, however, that the policies are a little different.

Commissioner Howe comments that it is speculative to say who would do what in the future, and expresses more confidence in the future San Martin town council because its members have local accountability rather than the County Board of Supervisors. He then informs that he is voting against the motion.

The Chairperson calls the question.

The motion fails on a vote of 2-3, with Chairperson Constant, and Commissioners Gage and Howe voting against.

Commissioner Gage moves to include in the proposed boundary areas 4, 5 and 7. At the request of the Chairperson, Mr. Smith advises that the Commission may direct staff to prepare the final CEQA document based on the findings and deliberations at this meeting. Commissioner Gage indicates that his motion includes adoption of the Negative Declaration.

Commissioner Howe seconds the motion.

The Chairperson acknowledges Alternate Commissioner Pinheiro, stating that he may participate in the discussion but may not vote or make a motion. Alternate Commissioner Pinheiro informs that the City of Gilroy has requested staff to include a portion of Masten/Fitzgerald Road in its SOI because many city residents use it. Commissioner Gage indicates that Gilroy is planning to widen that road as part of its General Plan. In this regard, Commissioner Wilson states that the need to amend Gilroy's SOI boundary is already a physical impact of the incorporation. Ms. Palacherla advises that staff has informed Gilroy staff that the SOI amendment is a separate application under a separate process with specific requirements and fees, and Gilroy had withdrawn that request. At the request of the Chairperson, Commissioner Gage indicates that the Gilroy SOI amendment is not part of the motion.

Commissioner Alvarado expresses opposition to the motion, stating that the County Planning Office requested that appropriate environmental analysis be made considering its potential impact on countywide growth management policies. She informs that this is the position of the County which she would maintain whenever this subject comes up. She then questions the adoption of a Negative Declaration in the midst of the huge environmental impacts and states that the residents of San Martin will bear the consequences.

The Chairperson comments that he has read and reviewed all documents and opines that many impacts stated are only on paper and are not supported by evidence.

Mr. Smith recommends that the motion include direction for staff to prepare the Negative Declaration based on comments and findings at this meeting <u>and to bring it back</u> <u>for deliberation as the process continues</u>. The Chairperson notes that this is included in the motion, and Commissioners Gage and Howe express agreement.

The Chairperson calls the question.

It is ordered on a vote of 3-2, with Commissioners Alvarado and Wilson opposed, that staff be directed to retain areas 4, 5 and 7 in the incorporation boundary and proceed with the Negative Declaration based on the comments and findings at this meeting and bring it back for deliberation as the process continues.

# 6. COMPREHENSIVE FISCAL ANALYSIS (CFA) FOR THE SAN MARTIN INCORPORATION PROPOSAL

The Chairperson requests the staff report. Ms. Palacherla reports that staff revised the CFA after the May 7, 2008 pubic hearing with new information relating to election costs and the repayment to the County of the transition year costs. She then walks through the revised table showing the new city's revenues and expenditures for different boundaries. She then indicates that there is a concern that financial feasibility of San Martin is very marginal even without including any mitigation payments to the County.

The Chairperson opens the public comments period for this item.

Susan Glasser, a resident of San Martin, speaks against the incorporation because a sewer system is needed to attract businesses and building a new system is difficult under the present economic situation. She then inquires about the cost of a sewer plant, its funding, where it would be built, and whether an EIR has been done.

Lucy Walsh and Maureen Peterson, both residents of San Martin, indicate that they are giving their time to Larry Warren. Mr. Warren, also a resident of San Martin, comments that the CFA does not reflect the reduced tax assessments, collapse of real estate market, reduced property values, and reduced gas consumption. He then informs that the use of unrealistic road paving and maintenance cost, as well as the unfunded items, will result in deficits that will be passed on as increased fees and assessments to the residents.

Margaret Wolford, a resident of San Martin, informs that the town will be bankrupt before it is incorporated and the residents will end up paying more taxes because the city's tax base will not generate enough revenues under the present economic situation.

David Piccardo, a resident of San Martin and a certified public accountant, informs that his comments on the draft CFA included in his letter dated May 28, 2008, have not been included in the revised CFA. He informs that the CFA has many unrealistic assumptions, such as the pricing of road maintenance; investment earnings and the unexplained decrease in insurance cost in the fifth year of incorporation. Commissioner Gage informs that the Counsel has been directed to review the CFA and a revised version will be available within 30 days. In response to an inquiry by Mr. Piccardo, Commissioner

Gage indicates that LAFCO counsel is currently reviewing the CFA, and Mr. Piccardo suggests that the law firm hire an accountant.

Richard Van'tRood, SMNA spokesperson, responding to a statement that San Martin is marginally feasible, informs that all new towns are marginally feasible because all surpluses are given to the counties as mitigation payments. He states that the CFA is a reliable document because all the assumptions are conservative. He then questions the inclusion of the \$300,000 allocated for updating the General Plan. He informs that the deferred payment of \$1 million for road maintenance payments in the first five years is excessive because the total road maintenance budget is only about \$800,000.

Commissioner Howe moves to accept the staff report with direction to staff and counsel to come back with a legal analysis on the CFA at the July 2, 2008 meeting, and that public input from this meeting be considered in revising the CFA.

In response to an inquiry by Commissioner Gage, Ms. Subramanian advises that reopening of revenue neutrality negotiations has not been discussed and that the Counsel intends to come back with a legal analysis on July 2, 2008. Commissioner Gage seconds the motion. Commissioner Howe proposes that if there is a difference in opinion between staff and counsel, that the information be included and so delineated on the report. In response to an inquiry by Commissioner Wilson, Ms. Subramanian advises that she will submit the legal analysis at the next meeting and the Commission may provide appropriate direction to staff.

The Chairperson then sums up the motion and calls the question.

It is unanimously ordered on a vote of 5-0 that the staff report be accepted, that counsel be directed to come back with legal analysis on revenue neutrality at the July 2, 2008 meeting, and the public input provided at this meeting be considered.

# 7. UPDATE ON PAYMENT OF LAFCO STAFF COSTS FOR THE PROPOSED INCORPORATION OF THE TOWN OF SAN MARTIN

Chairperson requests the staff report. Ms. Palacherla directs attention to staff's letter to the proponents regarding the payment of LAFCO staff fees and the response received from the proponents.

In response to an inquiry by Commissioner Wilson, Ms. Palacherla advises that other than payments for CFA and CEQA consultants, LAFCO has not received any payment from the proponents and has no information about the fundraising events. Commissioner Gage comments that there is a need to follow the contract and to find out whether there is an assurance that LAFCO would be compensated at the end of the process. The Chairperson inquires whether there have been discussions between staff and SMNA regarding fundraising.

In response to a request by Commissioner Alvarado, Ms. Subramanian indicates that she will provide information at the July 2, 2008 meeting on the options for the Commission in the event that SMNA fails to pay prior to the public hearing, including the option to hold off the pubic hearing until the fees are paid. The Chairperson indicates that there is no violation of the contract at this time.

On motion of Commissioner Howe, seconded by Commissioner Gage, it is unanimously ordered that report be accepted, that staff be directed to send a letter to the proponents inquiring about their plans to pay and the schedule of their fundraising events, and the counsel be directed to submit a written opinion relating to options for the Commission in the event that the proponents are unable to pay the LAFCO staff cost.

# 8. UPDATE ON SCHEDULE FOR THE PROPOSED INCORPORATION OF THE TOWN OF SAN MARTIN

The Chairperson requests the staff report. Ms. Palacherla states that the incorporation timeline is dependent upon the Counsel's legal opinion on revenue neutrality. She notes that the incorporation would be on schedule for the April 2009 elections if the hearings are held in September and October 2008.

On motion of Commissioner Gage, seconded by Commissioner Constant, it is unanimously ordered on a 5-0 vote that the schedule for the proposed incorporation of the Town of San Martin be deferred to the July 2, 2008 meeting.

*Commissioner Gage leaves at 3:49 p.m. Ms. Subramanian and Mr. Smith, LAFCO counsel for San Martin incorporation, leave at 3:50 p.m., and Ms. Kathy Kretchmer, LAFCO Counsel, arrives at 3:50 p.m.* 

### 9. FINAL LAFCO BUDGET FOR FISCAL YEAR 2008-2009

This being the time and place set to consider the Final LAFCO Budget for Fiscal Year 2008-2009, the Chairperson declares the public hearing open.

The Chairperson requests the staff report. Ms. Palacherla informs that minor changes to the preliminary budget have been recommended by the budget subcommittee relating to cost allocated for County Counsel and revenues from interest, resulting in a net drop in operating expenses. The County Controller will send invoices to the cities based on the most recent Cities Annual Report.

The Chairperson expresses appreciation to Commissioners Gage and Howe for their participation on the budget subcommittee.

The Chairperson determines that there are no members of the public who would like to speak on the item and declares that the public hearing be closed.

On motion of Commissioner Wilson, seconded by Commissioner Alvarado, it is unanimously ordered on a 4-0 vote, with Commissioner Gage absent, that the Final LAFCO Budget for FY 2008-09 be adopted, find that the Final Budget is adequate to allow the Commission to fulfill its statutory responsibilities, authorize staff to transmit the final budget adopted by the Commission, including the estimated agency costs, to each of the cities, County and Cities Association, and direct the County Auditor-Controller to apportion LAFCO costs to the cities and County using the most recent edition of Cities Annual Report published by the Controller, and collect payments pursuant to Government Code §56381.

### 10. PROPOSED REVISION TO LAFCO FEE SCHEDULE

This being the time and place set to consider the proposed revision to the LAFCO Fee Schedule, the Chairperson declares the public hearing open.

The Chairperson requests the staff report. Ms. Palacherla reports that the budget subcommittee directed staff to review the fee schedule to ensure cost recovery. She directs attention to the staff report indicating the increases in staff costs, calculation of costs, and fees increases. She likewise informs that LAFCO has waived about \$60,000 in processing fees for island annexations during the last two years.

The Chairperson comments that the Commission should ensure full cost-recovery. In response to an inquiry by Commissioner Wilson, Ms. Palacherla informs that the cities, the County and stakeholders have been noticed and staff did not receive any comments. In response to an inquiry by Commissioner Alvarado, Ms. Palacherla advises that the bulk of island annexations are in San Jose, Morgan Hill and Los Altos. The Chairperson informs that there will be more island annexations in San Jose.

The Chairperson determines that are no members of the public who wish to speak on the item and declares the public hearing closed.

On motion of Commissioner Alvarado, seconded by Commissioner Wilson, it is unanimously ordered on a 4-0 vote, with Commissioner Gage absent, that Resolution 2008-03 be adopted, revising the LAFCO fee schedule.

# 11. AMENDMENT TO AGREEMENT BETWEEN LAFCO AND COUNTY OF SANTA CLARA FOR LEGAL SERVICES FOR FISCAL YEAR 2009

The Chairperson requests the staff report. Ms. Palacherla advises that staff has requested amendment to the Legal Services Agreement between LAFCO and the Office of the County Counsel and will issue an RFP for legal services in the next few months.

On motion of Commissioner Alvarado, seconded by Commissioner Howe, it is unanimously ordered on 4-0 vote, with Commissioner Gage absent, that the First Amendment to Legal Services Agreement between LAFCO and the Office of County Counsel, relating to providing legal services for Fiscal Year 2008-09, be approved.

### 12. COMMISSIONERS' REPORTS

There are no Commissioners' reports.

### 13. EXECUTIVE OFFICER'S REPORT

# 13.1 CALAFCO ANNUAL CONFERENCE IN UNIVERSAL CITY ON SEPTEMBER 2-5, 2008

Ms. Palacherla requests the Commission to authorize attendance of commissioners and staff at the 2008 CALAFCO Annual Conference in Universal City on September 2-5, 2008, and authorize travel expenses to be funded by the LAFCO budget. In response to an inquiry by Commissioner Alvarado, Commissioner Wilson informs that this year's theme is "The future of California is our business," and that the program lists the topics and activities during the Conference.

Commissioner Wilson moves to authorize attendance of commissioners and staff at the conference with travel expenses to be paid from the LAFCO budget. Commissioner Alvarado seconds the motion. Commissioner Howe comments that there is a policy on attendance.

In response to an inquiry by the Chairperson, Ms. Palacherla advises that CALAFCO's "Agriculture and Open Space Mitigation Policy, Practices and Definitions" course in Sacramento on July 11, 2008 is designed for staff and commissioners, and that no authorization is required from the Commission.

The Chairperson calls the question.

It is unanimously ordered on a vote of 4-0, with Commissioner Gage absent, that commissioners and staff be authorized to attend the 2008 CALAFCO Annual Conference on September 2-5, 2008, and travel expenses be authorized to be paid from the LAFCO budget.

### 14. WRITTEN CORRESPONDENCE

The Chairperson notes the receipt of a letter from City of Santa Clara notifying LAFCO of its intention to extend dark fiber lines outside of the City of Santa Clara boundaries and seeking advise on whether LAFCO approval is required.

### 15. NEWSPAPER ARTICLES

The Chairperson acknowledges receipt of the June 2008 issue of CALAFCO newsletter, The Sphere.

### 16. PENDING APPLICATION / UPCOMING PROJECTS

The Chairperson announces that the Executive Officer will conduct a protest proceeding for West Valley Sanitation District Annexation 2008-01 (Canon Drive) on June 19, 2008 at 9:30 a.m. in Room 157 at 70 West Hedding Street, San Jose.

The Chairperson likewise announces that the Commission has received a Notice of Intent to Circulate a Petition for the Formation of Greater San Jose Healthcare District.

## 17. ADJOURN

The Chairperson announces a special LAFCO meeting on Wednesday, July 2, 2008 at 1:15 p.m. in the Sheriff's Auditorium, Sheriff's Office, 55 Younger Avenue, San Jose, California. He requests staff to notify the proponents and all stakeholders about the change in the venue.

On order of the Chairperson, there being no objection, the meeting is adjourned at 4:01 p.m.

Pete Constant, Chairperson Local Agency Formation Commission

ATTEST:

Emmanuel Abello, LAFCO Clerk