



**LAFCO MEETING MINUTES
WEDNESDAY, APRIL 6, 2016**

CALL TO ORDER

The meeting was called to order at 1:03 p.m.

1. ROLL CALL

The following commissioners were present:

- **Chairperson Cat Tucker**
- **Vice Chairperson Mike Wasserman**
- **Commissioner Johnny Khamis** (left at 1:43 p.m.)
- **Commissioner Linda J. LeZotte**
- **Commissioner Susan Vicklund Wilson**
- **Commissioner Ken Yeager**
- **Alternate Commissioner Yoriko Kishimoto**, voting in place of Sequoia Hall
- **Alternate Commissioner Tara Martin-Milius**
- **Alternate Commissioner Terry Trumbull**

The following staff members were present:

- **LAFCO Executive Officer Neelima Palacherla**
- **LAFCO Assistant Executive Officer Dunia Noel**
- **LAFCO Counsel Malathy Subramanian**

2. PUBLIC COMMENTS

Carolyn Bostick, a resident of 23310 Mora Glen Drive in an unincorporated area outside the Town of Los Altos Hills, requested assistance in the annexation of her property to the Town and connection to its sewer system.

In response to an inquiry by **Commissioner Wasserman**, Ms. Palacherla informed that Steve Burch spoke at the February 2016 meeting about this request. She advised that since the property is within the Town's urban service area the Town can annex the property and provide sewer service. She reported that the Town has expressed interest in annexing the property. Ms. Palacherla informed that Mr. Burch reported that his septic system is failing but has not provided any documentation from the County Department of Environmental Health. She informed that Mr. Burch has applied for annexation with the Town and the County Surveyor has approved the annexation map. She explained that she worked with the County Surveyor's Office and the County Roads and Airports Department to address the Town's concerns regarding the length and condition of the road to be annexed. In response to an inquiry by **Commissioner Wasserman**, Ms. Palacherla informed that the annexation does not require LAFCO approval. **Commissioner Wasserman** questioned why LAFCO is being viewed as an

impediment to this request and reiterated that the annexation will be processed directly by the Town and that staff has done everything needed to facilitate it.

3. MINUTES OF FEBRUARY 3, 2016 LAFCO MEETING

The Commission approved the minutes of February 3, 2016 LAFCO meeting.

Motion: Wilson

Second: LeZotte

AYES: Khamis, Kishimoto, LeZotte, Tucker, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

4. SETTLEMENT AGREEMENT AND RELEASE WITH THE CITY OF GILROY REGARDING LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA COUNTY v. CITY OF GILROY ET.AL.

Ms. Palacherla presented the staff report.

Doug Muirhead, a resident of Morgan Hill, expressed concern regarding the lack of transparency in the settlement agreement as there is no admission of wrongdoing.

The Commission authorized LAFCO Counsel to execute the Settlement Agreement.

Motion: Kishimoto

Second: Khamis

AYES: Khamis, Kishimoto, LeZotte, Tucker, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

5. PROPOSED LAFCO BUDGET FOR FISCAL YEAR 2017

Ms. Palacherla presented the staff report.

Commissioner Wasserman recognized the large workload for staff and the need for more resources. He recommended a part-time position that can be made full-time, as needed. **Commissioner Wilson** acknowledged the long hours that staff puts in and noted the need to increase staff. **Commissioner LeZotte** recommended that the new position should be full-time in order to allow staff to pursue projects in the work plan, such as the communications strategy, and in anticipation of more complex applications. She observed that hiring a full-time position from the start would be more efficient since a part-time employee may not want a full-time job when the time comes to make the position full-time. She noted that staff has been doing incredible work, but that the workload continues to increase.

In response to an inquiry by **Alternate Commissioner Kishimoto**, Ms. Palacherla informed that the implementation of recommendations from the 2015 Cities Service Review related to storm drains is not part of the workplan, and that while LAFCO may facilitate the implementation of recommendations from the Cities Service Review, it cannot directly implement them. **Alternate Commissioner Kishimoto** expressed support for a part-time position which could be made into a full-time position, when necessary. **Commissioner Khamis** likewise expressed support for a part-time position.

Commissioner Yeager noted that there is not much difference in cost between the part-time and full-time positions and requested staff recommendation for the level of staffing. In response, Ms. Palacherla advised that a fulltime position would be ideal as the staff's workload has been building up over the years with new responsibilities and additional directives from the Commission, such as those relating to the oversight of local agencies, the work for public communications and outreach strategy, and the need to update policies, among others. In response to a follow-up inquiry by **Commissioner Yeager**, Ms. Palacherla advised that recruiting for a part-time position may be challenging. In response to another inquiry by **Commissioner Yeager**, Ms. Palacherla recommended that the allocation for consultant services be maintained regardless of adding a part-time or full-time positions because of the need for consultant expertise in certain areas.

Commissioner Wilson recalled that the Commission added specific items to the workload over the years. She agreed that the consultant services are needed even when there is additional staff. She informed that in view of these and the comments by the other members, she will support a full-time position. **Commissioner LeZotte** reiterated her support for a full-time position in view of the workload and the time it takes to train new staff. She informed that the part-time staff may need to work over time anyway. She noted that it would be inefficient to hire staff who can only work part-time, reevaluate after a year to find out that a full-time position is needed, and then train a new full-time employee.

Commissioner Wasserman directed attention to Attachment D of the staff report and expressed support for Option #2 which provides for an additional part-time position. He informed that the Commission, which represents the public agencies that fund LAFCO, must make responsible decisions about the LAFCO budget. He noted that Option #2 is still above the current budget and if all that is expended, more resources could be requested. **Commissioner Tucker** observed that the workplan does not justify the need for additional staffing as the actual workload is not accurately predicted; however, in recognition of the stated staffing needs, she expressed support for a part-time position.

This being the time and place for the public hearing, **Chairperson Tucker** declared the public hearing open, determined that there are no members of the public who wanted to speak on the item, and declared the public hearing closed.

The Commission selected LAFCO staffing/funding Option #2 for adding a half-time position and adopted the Proposed Budget for Fiscal Year 2016-2017.

Motion: Khamis

Second: Wasserman

AYES: Khamis, Kishimoto, Tucker, Wasserman

NOES: Wilson, Wilson, Yeager

ABSTAIN: None

ABSENT: None

MOTION PASSED

In response to an inquiry by **Commissioner LeZotte**, Ms. Palacherla advised that the 2016 year-end projection for legal counsel services as indicated on Attachment B of the staff report does not take into account the reimbursement of attorney fees from the settlement of the lawsuit with Gilroy.

8. PENDING APPLICATIONS / UPCOMING PROJECTS

There was none.

9. COMMISSIONER REPORTS

There was none.

10. NEWSPAPER ARTICLES / NEWSLETTERS

The Commission noted the CALAFCO Quarterly Report for February 2016.

11. WRITTEN CORRESPONDENCE

There was none.

12. ADJOURN

The Commission adjourned at 1:49 p.m., to a regular LAFCO meeting on Wednesday, June 1, 2016, at 1:00 PM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on August 3, 2016.

Mike Wasserman, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk