



**Local Agency
Formation Commission
of Santa Clara County**
777 North First Street
Suite 410
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

November 30, 2020

TO: INDEPENDENT SPECIAL DISTRICT BOARD MEMBERS & MANAGERS/CLERKS

FROM: NEELIMA PALACHERLA, LAFCO EXECUTIVE OFFICER

RE: NOTICE OF INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE MEETING

SELECTION OF SPECIAL DISTRICT MEMBERS TO SERVE ON LAFCO

The Local Agency Formation Commission of Santa Clara County (LAFCO) will convene a meeting of the Independent Special District Selection Committee (ISDSC).

Meeting Date: January 11, 2021

Time: 1:00 PM

Teleconference: The meeting will be held virtually by teleconference only.

Meeting Link: <https://sccgov-org.zoom.us/j/91919964066>

Meeting ID: 919 1996 4066

Passcode: 114268

Phone: 669-219-2599

The purpose of the ISDSC meeting is to appoint special district members to serve on LAFCO –

- One regular member to serve the remainder of the current term which ends in May 2021, and for a new 4-year term from June 2021 to May 2025
- One alternate member to serve the remainder of the current term which ends in May 2021 (if the current alternate member is appointed as the regular member), and for a new 4-year term from June 2021 to May 2025

The agenda for the ISDSC meeting is attached.

This memorandum provides formal notice of the ISDSC meeting and includes information on the selection process of special district members.

SPECIAL DISTRICT REPRESENTATION ON LAFCO

In December 2012, LAFCO adopted Resolution No. 2012-07, expanding its membership to include two special district members and one alternate special district member. As agreed upon by the Special Districts Association of Santa Clara County, the Santa Clara Valley Water District (SCVWD) appoints one special district

member to LAFCO, and the ISDSC appoints the second member and an alternate member to serve in place of the two regular special district members.

Currently, the ISDSC has appointed Sequoia Hall as the regular member, and Yoriko Kishimoto as the alternate member; both of their terms on LAFCO end in May 2021. Commissioner Hall's term on the Board of the Santa Clara Valley Open Space Authority expires in December 2020, at which time his position on LAFCO also ends. If the current Alternate Commissioner is selected to serve as the regular member for the remainder of the term, it would create a vacancy for the alternate member position as well.

ISDSC MEMBERSHIP

The ISDSC membership is comprised of presiding officers of the following 17 independent special districts in Santa Clara County:

1. Aldercroft Heights County Water District
2. Burbank Sanitary District
3. Cupertino Sanitary District
4. El Camino Healthcare District
5. Guadalupe Coyote Resource Conservation District
6. Lake Canyon Community Services District
7. Lion's Gate Community Services District
8. Loma Prieta Resource Conservation District
9. Midpeninsula Regional Open Space District
10. Purissima Hills Water District
11. Rancho Rinconada Recreation and Park District
12. San Martin County Water District
13. Santa Clara Valley Open Space Authority
14. Santa Clara Valley Water District
15. Saratoga Cemetery District
16. Saratoga Fire Protection District
17. South Santa Clara Valley Memorial District

If the presiding officer of an independent special district is unable to attend the ISDSC meeting, the legislative body of the district may appoint one of its members to attend and vote in place of the presiding officer. District managers or other district staff members may not vote.

ISDSC members representing a majority (9) of the independent special districts shall constitute a quorum. The ISDSC shall not conduct its business without a quorum of its membership.

SPECIAL DISTRICT MEMBERS SELECTION PROCESS

Specifically, the ISDSC will select one member to serve in each of the following two positions:

- One regular special district member
- One alternate special district member

The alternate member will vote or serve in place of the regular member if either of the two regular special district members is absent or does not qualify to participate in a meeting.

A brief description of LAFCO and the unique role and responsibilities of a LAFCO commissioner is attached.

At the ISDSC meeting, any member of an independent special district governing board may submit nominations for the special district member positions. The nominees must be elected or appointed special district officers residing within the county but must not be members of the legislative body of a city or county. Each nominee will be given an opportunity to make a brief statement.

The selection will occur through a roll call vote of the members of the ISDSC (i.e., to each presiding officer or voting delegate of independent special districts) present at the meeting. Each member of the ISDSC is entitled to one vote. The ISDSC is encouraged to make selections that fairly represent the diversity of the independent special districts in the county, with respect to population and geography.

If only one nomination is received for a position, that nominee is selected. The nominee who receives the majority of the votes cast is selected. If no nominee receives a majority of the votes cast, a run-off election between the two nominees who receive the greatest number of votes is held. After votes are tallied, the results will be announced.

TERMS OF OFFICE FOR LAFCO MEMBERS

The term of office for a LAFCO commissioner is 4 years and until the appointment and qualification of a successor. There are no term limits.

A member's term of office on LAFCO will cease immediately if he or she ceases to be on the special district board. The statute also provides that a member may be removed at any time and without cause upon a majority vote of the ISDSC.

DISQUALIFICATION ON PROPOSALS AFFECTING THE DISTRICT

Pursuant to Government Code §56332(d), a special district member is not automatically disqualified from acting on a proposal affecting the member's special district. However, the statute allows that the ISDSC may, at the time of appointment of a member or alternate, specify that the member is disqualified from voting on proposals affecting the member's district.

FOR MORE INFORMATION

Please visit the LAFCO website at www.SantaClaraLAFCO.org. If you have any questions about this process please email neelima.palacherla@ceo.sccgov.org.

REQUEST TO INDEPENDENT SPECIAL DISTRICT MANAGERS AND/OR CLERKS

- Distribute this Notice to All Members of the District Board
- Provide the name of the district's Presiding Officer or the name of the district member appointed by the legislative body of the district to attend and vote in place of the presiding officer to LAFCO@ceo.sccgov.org by **January 7, 2021**

ATTACHMENTS

ISDSC Meeting Agenda

LAFCO and Role of LAFCO Commissioners



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**INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE (ISDSC) MEETING
Monday, January 11, 2021
1:00 PM**

***** BY VIRTUAL TELECONFERENCE ONLY *****

Meeting Link: <https://sccgov-org.zoom.us/j/91919964066>

Meeting ID: 919 1996 4066

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AGENDA

- 1. Roll Call and Establish Quorum**
- 2. Overview of LAFCO and Role of LAFCO Commissioners**
- 3. Overview of Selection Process**
- 4. Selection of Regular Member for Remainder of Term ending May 2021**
 - a. Call for nominations
 - b. Candidate statements
 - c. Roll call vote
 - d. Announce results
- 5. Selection of Regular Member for a new 4-year term from June 2021–May 2025**
 - a. Call for nominations
 - b. Candidate statements
 - c. Roll call vote
 - d. Announce results
- 6. Selection of Alternate Member for Remainder of Term ending May 2021**
(if the current alternate member is appointed as the regular member)
 - a. Call for nominations
 - b. Candidate statements
 - c. Roll call vote
 - d. Announce results
- 7. Selection of Alternate Member for a new 4-year term from June 2021–May 2025**
 - a. Call for nominations
 - b. Candidate statements
 - c. Roll call vote
 - d. Announce results
- 8. Determine if a member should be disqualified from voting on proposals affecting the district of which he/she is member**
- 9. Next Steps**
- 10. Adjourn**



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LAFCO AND ROLE OF LAFCO COMMISSIONERS

LAFCO PURPOSE AND AUTHORITY

LAFCO is a state mandated independent local agency established to oversee the boundaries of cities and special districts within the county. Santa Clara LAFCO's mission is to promote sustainable growth and good governance in the county by:

- preserving agricultural lands and open space,
- curbing urban sprawl,
- encouraging efficient delivery of services,
- exploring and facilitating regional opportunities for fiscal sustainability, and
- promoting accountability and transparency of local agencies.

LAFCO will be proactive in raising awareness and building partnerships to accomplish this through its special studies, programs and actions.

LAFCO regulates jurisdictional and planning boundaries of cities and special districts. Boundary change proposals that LAFCO considers may include city / district annexations, detachments, formations, dissolutions, mergers, consolidations and urban service area amendments. LAFCO also has regulatory authority over service extensions outside city and district jurisdictional boundaries. LAFCO plans for orderly growth and development through its service review program and its review and update of city / district spheres of influence. LAFCO works for the good of the whole county – protecting natural resource lands while facilitating development of vibrant communities.

LAFCO COMPOSITION AND FUNDING

Santa Clara LAFCO is composed of seven commissioners including two County supervisors appointed by the Board of Supervisors; one council member from the City of San Jose, appointed by the City Council; one council member from any of the other 14 cities, appointed by the City Selection Committee; two special district members – one appointed by the Independent Special District Selection Committee and one appointed by the Santa Clara Valley Water District (by agreement); and one public member appointed by the other members of the Commission. Five alternate commissioners are appointed, one for each of the categories.

In each member category, the alternate member shall serve and vote in place of a regular member who is absent or who disqualifies herself or himself from participating on a specific matter before the Commission at a regular/special commission meeting or in closed session. All alternate members are expected and encouraged to attend and participate in all Commission meetings, even if the regular member(s) is (are) present. Alternate members may attend and participate in closed session meetings of the Commission. However, alternate members may not vote or make a motion when the regular member is present.

LAFCO is funded jointly by the cities, the independent special districts and the County, and contracts with the County of Santa Clara for its staffing and services.

UNIQUE ROLE OF LAFCO COMMISSIONERS

Pursuant to Government Code Section 56325.1, while serving on LAFCO, all commissioners must exercise their independent judgement on behalf of the interests of the public as a whole in furthering the purposes of LAFCO, and not solely the interests of the appointing authority. All commissioners are required to sign the Commissioner Pledge acknowledging their understanding of their unique role and responsibilities as a LAFCO Commissioner.

LAFCO MEETINGS

LAFCO meets on the first Wednesday of even months at 1:15 PM at the County Government Center in San Jose. LAFCO commissioners are expected to make every effort to attend all six regular meetings. LAFCO commissioners receive a per diem of \$100 for attendance at LAFCO meetings.

Commissioners may also participate on LAFCO committees (e.g. Finance Committee) and Technical Advisory Committees for special studies. LAFCO staff will conduct an orientation/training for new commissioners prior to their first LAFCO meeting. Additionally, CALAFCO (California Association of LAFCOs) provides training on topics of relevance to LAFCOs through an annual conference and other special workshops/classes.

No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO.

MORE INFORMATION

More information is available on the LAFCO web site at www.SantaClaraLAFCO.org and in the [What is LAFCO? Brochure](#).

Should you have any questions or wish to discuss further, please contact the LAFCO Executive Officer by e-mail at neelima.palacherla@ceo.sccgov.org.