

ANNUAL REPORT 2022-2023

SANTA CLARA **LAFCO**



MISSION

The Local Agency Formation Commission (LAFCO) is a state mandated local agency established to oversee the boundaries of cities and special districts.

The mission of LAFCO is to promote sustainable growth and good governance in Santa Clara 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.

COMMISSIONERS

Russ Melton, Chairperson
Sylvia Arenas, Vice Chairperson
Jim Beall
Rosemary Kamei
Yoriko Kishimoto
Otto Lee
Terry Trumbull

ALTERNATE COMMISSIONERS

Domingo Candelas
Helen Chapman
Cindy Chavez
Teresa O'Neill
Mark Turner

STAFF

Emmanuel Abello
Sonia Humphrey
Dunia Noel
Neelima Palacherla

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PROGRAM HIGHLIGHTS

LAFCO'S COUNTYWIDE FIRE SERVICE REVIEW NEARS COMPLETION



In June 2022, LAFCO retained AP Triton, LLC to resume and complete the Countywide Fire Service Review under a revised timeline.

On August 1, 2022, LAFCO staff and the consultant held a project kick-off meeting with the Technical Advisory Committee (TAC) to introduce the new consultant, review key steps and the revised timeline, discuss the data collection process, review required service review determinations, and finalize the proposed evaluation criteria for service review determinations.

On August 3, 2022, LAFCO staff and the consultant attended the Santa Clara County Fire Chiefs' Association meeting to provide an overview of the data submittal process to the Fire Chiefs and their designated staff. Subsequently, LAFCO's consultant began their data collection process which resulted in the creation of validated profiles for each affected agency. Technical Advisory Committee (TAC) Meetings were also held in February 2023

and May 2023 to discuss the consultant's progress, preliminary findings, and next steps in the service review process.

The consultant used these validated profiles to conduct their analysis and prepare an administrative draft of the Countywide Fire Service Review. LAFCO staff reviewed the administrative draft and provided comments to the consultant for their consideration. A Draft Report was then prepared for public review and comment which includes:

- Countywide overview of the fire service and emergency medical response service system in Santa Clara County;
- Individual profiles and service review determinations for 8 city fire departments and the 4 fire districts, and sphere of influence recommendations for the fire districts; and

PROGRAM HIGHLIGHTS

LAFCO'S COUNTYWIDE FIRE SERVICE REVIEW (CONTINUED)

- Review, analysis and recommendations for addressing current and emerging issues identified by LAFCO.

The Countywide Fire Service Review Draft Report was made available on the LAFCO website on June 30, 2023 and a Notice of Availability was sent to all affected agencies / organizations, LAFCO commissioners, and other interested parties announcing the release of the Draft Report for public review and comment.

In July 2023, LAFCO staff held one TAC meeting (in San Jose) and two Community Meetings (one in Morgan Hill and one in Palo Alto) to present and receive comments on the Draft Report. On August 2, 2023, LAFCO held a Public Hearing to accept comments on the Draft Report.

LAFCO received a significant number of comments on the Draft Report. LAFCO staff compiled all the comments received. LAFCO's consultant prepared a table with responses to the comments received and revised the Draft Report, as appropriate. The table of comments/responses and the redlined Revised Draft Report for the Countywide Fire Service Review was made available for additional public review and comment on the LAFCO website. LAFCO will consider adoption of the Revised Draft Report at its October 4, 2023 LAFCO Public Hearing.



Special Thanks!

We extend our deepest thanks to the affected agencies/organizations, TAC members, and the County Planning Office GIS Team for their time and invaluable contributions to the Service Review.

We appreciate each and everyone who took the time to engage in and share their thoughts on this important project.

PROGRAM HIGHLIGHTS

CELEBRATION OF LAFCO'S 60TH ANNIVERSARY

On June 7, 2023, six decades of current and former Santa Clara LAFCO Commissioners and staff, elected officials and local agency staff, and friends—nearly 80 people—came together to celebrate the 60th anniversary of Santa Clara LAFCO. They shared stories of Santa Clara LAFCO's illustrious history and accomplishments, honored the dedicated individuals who have shaped the agency, and expressed optimism for Santa Clara LAFCO's bright future.

Special guest speakers included former State Assemblymember Dominic Cortese (Commissioner 1969-1979), former County Board of Supervisor Blanca Alvarado (Commissioner 1994-2008), and former LAFCO Commissioner Susan Vicklund Wilson (Commissioner 1995-2023).

In recognition of this momentous occasion, Santa Clara LAFCO received a Resolution of Commendation from Congresswoman Zoe Lofgren (Commissioner 1982-1994), a Joint Certificate of Recognition from State Senator Dave Cortese and Assemblymember Ash Kalra (Commissioner 2015-2016), and a Commendation from the Santa Clara County Board of Supervisors.

SANTA
CLARA
LAFCO

60th
ANNIVERSARY
1963-2023



60 years strong! A reunion of past and present LAFCO commissioners and staff.



With warmth and enthusiasm, Master of Ceremonies and LAFCO Chairperson Russ Melton welcomes friends of LAFCO to commemorate this historic occasion together.



Esteemed former County Supervisor Blanca Alvarado, serving as a Commissioner from 1994-2008, shares her experiences and the pioneering strategies she championed at LAFCO.



Former State Assemblymember Dominic Cortese, a guiding force on the Commission from '69-'79, delves into his impactful journey with LAFCO, leading to landmark LAFCO Legislation and the birth of CALAFCO.



With years of dedication behind her, former Commissioner Susan Vicklund Wilson (1995-2023) speaks passionately about the pivotal role of LAFCO and the significant responsibilities entrusted to its commissioners.



County Supervisors/LAFCO Commissioners Arenas and Lee mark the historic milestone with a County Resolution.



Attendees relishing a flavorful feast on the sunny patio!



In the company of planning legends – LAFCO staff with retired County Planning Director and Principal Planners!

“

It was not only a fun reunion of people who have contributed to LAFCO over the years, but also a pep rally, reminding everyone of how important LAFCO has been and continues to be for the benefit of past, present, and future generations.

Don Weden, Retired Principal Planner for County of Santa Clara

”



“

It was a great event and the stories and storytellers were awesome.

Andrea Mackenzie, General Manager
Santa Clara Valley Open Space Authority

”

A collective journey through LAFCO's storied past, a celebration of its contributions, and a look forward to a promising future...

PROGRAM HIGHLIGHTS

APPLICATION REVIEW AND PROCESSING

The number of applications LAFCO processes varies each year.

LAFCO staff processed four city-conducted annexations: two annexations to the City of San Jose totaling 20.81 acres, one annexation to the Town of Los Gatos totaling 0.53 acres, and one annexation to the City of Monte Sereno totaling 0.43 acres.

In December 2022, LAFCO approved a sphere of influence amendment for the West Valley Sanitation District (WVSD) and approved an annexation of the land to the WVSD.

In February 2023, LAFCO was scheduled to hear an Urban Service Area Amendment proposal submitted by the City of Gilroy. However, LAFCO postponed its consideration of the proposal to the April 2023 LAFCO meeting and then to the June 2023 LAFCO meeting. In June 2023, LAFCO considered the proposal and continued the public hearing to the August 2023 LAFCO meeting and requested the City of Gilroy to submit additional information in response to Commissioner questions and requested LAFCO staff to provide a written response to information submitted by the City.

PUBLIC INFORMATION AND CUSTOMER SERVICE

Staff routinely responds to numerous inquiries from the general public, property owners, developers, real estate agents, and attorneys about a variety of topics, including location

of boundaries, annexation date and records, property tax bills and special assessments, nearest or appropriate service providers, LAFCO policies and procedures, etc.

Staff also responds to Public Records Act (PRA) Requests, most of which require a significant amount of research and records gathering. This past year LAFCO staff responded to several PRA Requests concerning Los Gatos annexations, and agreements between Santa Clara County and other local jurisdictions on road improvements for island annexations.

PRE-APPLICATION MEETINGS AND OTHER DISCUSSIONS

Staff conducts pre-application meetings to inform prospective applicants of the LAFCO policies and procedures that apply to the anticipated projects and to discuss any potential concerns. This allows the applicant to consider and address these concerns before applying to LAFCO.

Pre-application meetings and/or discussions were held with the following to provide guidance:

- » Representatives of Bay Area People's Food & Farm Project, regarding formation of a new special district to create a regional public funding mechanism and regional government entity, accountable to Bay Area residents, related to farming and access to healthy foods (March 2023)

PROGRAM HIGHLIGHTS

- » City of Sunnyvale staff, regarding proposed changes to the Cupertino Sanitary District's boundaries to reflect areas receiving sewer service from the City of Sunnyvale (January 2023)

COMMENT LETTERS

Staff provides written comments on various proposed projects to ensure that LAFCO's concerns are known and considered early in an agency's project review process. LAFCO staff attended several community workshops on the County of Santa Clara's 2023-2031 Housing Element and submitted a comment letter on the following:

- » Notice of Preparation for County of Santa Clara Housing Element EIR (County of Santa Clara, September 2022)

- » Interjurisdictional GIS Working Group meetings

OUTREACH AND EDUCATION

PRESENTATIONS ON LAFCO

As part of LAFCO's ongoing outreach efforts, staff conducts presentations on LAFCO to increase awareness about LAFCO's goals and actions. Staff made presentations providing an overview of LAFCO to the following:

- » Leadership Sunnyvale, as part of their program curriculum on special districts and LAFCO (December 2022)
- » Santa Clara Valley Open Space Authority (OSA) and OSA's Citizens' Advisory Committee (March 2023)

COLLABORATION AND PARTNERSHIPS

COUNTYWIDE ASSOCIATIONS AND WORKING GROUPS

Staff attends the meetings of pertinent countywide associations to provide updates on LAFCO activities that are of interest to local agencies, including special districts, cities and the County. Staff regularly attend and participate in the following:

- » Santa Clara County Special Districts Association quarterly meetings
- » Santa Clara County Association of Planning Officials monthly meetings



PROGRAM HIGHLIGHTS

CALAFCO ACTIVITIES

Santa Clara LAFCO participates in CALAFCO activities, time permitting.

In October 2022, Commissioners Constantine and Jimenez attended the Annual CALAFCO Conference in Newport Beach. The annual conference's theme was CALAFCO 50+1 Years - A Golden Era in the Golden State and provided an opportunity for LAFCOs across the state to share some of their best practices and learn new techniques and approaches from other LAFCOs.

In September 2022 and in February 2023, LAFCO staff attended two CALAFCO University "virtual webinars," specifically "Two Agencies in Dispute, LAFCO's Role in Assisting in Resolving Conflict" and "The Dirty Dozen: Things I wish I knew about the CKH Act."

In April 2023, LAFCO staff attended the Annual CALAFCO Staff Workshop in Murphys. This Workshop provided practical and hands-on courses, as well as roundtable discussions and professional development sessions.

LAFCO LEGISLATIVE POSITIONS

In Fiscal Year 2022-2023, Santa Clara LAFCO took a position on the following legislation:

- » Support: AB 1753 (Assembly Local Government Committee) CALAFCO Omnibus Bill



CHANGES IN LAFCO MEMBERSHIP

A SEASON OF CHANGE - NEW FACES AT LAFCO

This year saw many changes in LAFCO membership.

In January 2023, LAFCO welcomed Santa Clara County Board Supervisors Sylvia Arenas and Otto Lee as commissioners, San Jose City Councilmember Rosemary Kamei as a commissioner, and Santa Clara Valley Water District Board Member Jim Beall as a commissioner. Commissioners Arenas' and Lee's terms on LAFCO will expire May 31, 2026. Commissioner Kamei's term on LAFCO will expire May 31, 2024, and Commissioner Beall's term on LAFCO will expire May 31, 2027.

In February 2023, LAFCO welcomed Sunnyvale Councilmember Russ Melton as a commissioner, and Morgan Hill City Mayor Mark Turner as an alternate commissioner, and San Jose City Councilmember Domingo Candelas as an alternate commissioner. Prior to this appointment Mr. Melton was an alternate commissioner. Their terms on LAFCO will expire May 31, 2024.

In April 2023 LAFCO conducted interviews for public member and alternate public member and appointed alternate commissioner Terry Trumbull as a commissioner and Teresa O'Neill as an alternate commissioner. Their terms on LAFCO will expire May 31, 2027.

Staff conducted orientation sessions for the newly appointed commissioners/alternate commissioners and their staff, as necessary. The orientation program includes information on the history of LAFCO, its mandate and policies, the role of commissioners and staff, the application review process, and major LAFCO activities.

In December 2022, the Commission presented Resolutions of Commendation to outgoing commissioners Rich Constantine, Linda J. LeZotte, and Mike Wasserman for their dedicated service to LAFCO. In June 2023, the Commission presented a Resolution of Recognition and Appreciation of Distinguished Services to former commissioner Susan Vicklund Wilson for her 28 years on LAFCO.

COMMISSIONER ONGOING EDUCATION: A LOOK AT LAFCO'S PAST, PRESENT AND FUTURE



As part of LAFCO's ongoing education program, Don Weden, retired Principal Planner for the County of Santa Clara, made a presentation to the Commission on the history of LAFCO and the origins of the Countywide Urban Development Policies in Santa Clara; how LAFCO and the Countywide Urban Development Policies have shaped Santa Clara County; and emerging trends, including challenges and opportunities for LAFCO.

CHANGES IN LAFCO MEMBERSHIP

RECOGNITION OF FORMER COMMISSIONER SUSAN VICKLUND WILSON FOR 28 YEARS OF SERVICE TO LAFCO

On June 7, 2023, Santa Clara LAFCO presented former LAFCO Commissioner Susan Vicklund Wilson with a Resolution of Recognition and Appreciation of Distinguished Services for her 28 years of service (June 1995 to May 2023). Several local representatives, including Congresswoman Zoe Lofgren, bestowed her with commendations, further underscoring the significance of her contributions.

During her impactful tenure, Susan served as LAFCO Chairperson for 7 years; and served on the Finance Committee for 3 years, on the Technical Advisory Committees for a variety of service reviews, and on two subcommittees that helped develop LAFCO's groundbreaking policies for Gilroy Agricultural Lands Area and LAFCO's Agricultural Mitigation Policies. She also served on the CALAFCO Executive Board for 11 years, including as Chairperson in 2011; and on the CALAFCO Legislative Committee for 9 years. She attended nearly all of CALAFCO's Annual Conferences since 1995, often participating as a speaker or moderator for panels, generously sharing her experience and expertise in LAFCO matters.



ADMINISTRATIVE ACTIVITIES

IMPLEMENTATION OF CLASSIFICATION STUDY FOR LAFCO POSITIONS

In late July 2022, the staffing structure, job specifications and salary ranges for LAFCO staff positions became effective, as recommended in the County's classification study for LAFCO, including the promotion of Emmanuel Abello (LAFCO Clerk) to the new Associate LAFCO Analyst position. In August 2022, LAFCO staff began preparing for the LAFCO Clerk recruitment process and then learned that the vacant LAFCO Clerk position had been inadvertently deleted by the County. In February 2023, the County Board of Supervisors restored the LAFCO Clerk position, allowing LAFCO staff to continue to work with County Employee Services Agency staff on the LAFCO Clerk recruitment process. In early September, LAFCO staff welcomed Sonia Humphrey (new LAFCO Clerk) and began training her in her many duties.

INDEPENDENT ANNUAL FINANCIAL AUDIT

LAFCO completed its fifth Annual Financial Audit for FY 2022 ending on June 30, 2022. The audit was conducted by Chavan & Associates, LLP (C&A) in accordance with the generally accepted auditing standards as specified in the report and accepted by the Commission on December 7, 2022. The auditors found LAFCO's financial statements to present fairly, in all material aspects, the financial position of LAFCO.

WEBCASTING OF LAFCO MEETINGS

Since 2021, LAFCO has had a Memorandum of Understanding (MOU) with the County to provide webcasting services for LAFCO meetings held in the County Board Chambers. However, implementation of the MOU was delayed to April 2023, when LAFCO resumed in-person meetings in the County Board Chambers. The public, local agencies, and others can now watch webcasts of LAFCO meetings on the internet, providing greater transparency and public engagement. In April 2023, the MOU was amended to extend the term of the MOU to June 30, 2026.



UPCOMING PROJECTS

COMPREHENSIVE REVIEW AND UPDATE OF LAFCO POLICIES

In 2020, LAFCO staff and its consultant began reviewing and preparing updates to LAFCO policies which are all very interconnected. The purpose of the comprehensive review and update is to better document existing practice, increase clarity and transparency of LAFCO's expectations, better enable LAFCO to meet its legislative mandate, and make the policies consistent with recent changes to the CKH Act. However, apart from LAFCO reaffirming the Countywide Urban Development Policies at its April 2022 meeting, this project was paused partly due to the application workload, increased demand for LAFCO services and staff's

efforts to prioritize and meet the needs of the local agencies and the public, and staffing issues including the vacancy of an analyst position since January 2021. LAFCO staff anticipates resuming and completing the comprehensive review and update of LAFCO Policies over the next year.

THIRD ROUND SERVICE REVIEWS

It is anticipated that LAFCO's Countywide Fire Service Review will be completed by the end of October 2023. Per LAFCO's work plan for conducting its third round of service reviews, a countywide water and wastewater service review would follow.



Cheers and cheers! LAFCO team soaking in the festive spirit!

LAFCO APPLICATION PROCESSING RECORD

JULY 1, 2022 TO JUNE 30, 2023

CITY-CONDUCTED ANNEXATIONS

CITY	PROPOSAL NAME	DATE RECORDED	DOCUMENT #	ACREAGE
Los Gatos	Stephenie Lane No. 4	06/20/23	25489582	0.53
	City Total			0.53
Monte Sereno	Lucky Road No. 1	11/23/2022	25407526	0.43
	City Total			0.43
San Jose	Burbank No. 44	06/20/23	25489581	0.89
	Cambrian No. 37	10/07/22	25383680	19.92
	City Total			20.81

City-Conducted Annexations Total Acreage 21.77

SPHERE OF INFLUENCE AMENDMENT AND ANNEXATIONS TO SPECIAL DISTRICTS

AGENCY	PROPOSAL NAME	LAFCO ACTION	DOCUMENT # DATE RECORDED	ACREAGE APPROVED
West Valley Sanitation District	West Valley Sanitation District SOI Amendment and Annexation 2022-01 (Linda Vista Avenue)	Approved 12/07/22	25426243 01/17/23	1.10
			District Total	1.10
SOI Amendment & Annexations to Special Districts Total Acreage				1.10

An aerial photograph of Santa Clara County, California. The foreground is a dense residential area with many trees and houses. In the middle ground, a city skyline is visible, including a prominent tower. The background consists of rolling hills and mountains under a clear sky.

SANTA CLARA LAFCO

FOR THE GOOD OF THE WHOLE

Local Agency Formation Commission
of Santa Clara County

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