



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

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[SantaClaraLAFCO.org](http://SantaClaraLAFCO.org)

**Commissioners**

Sylvia Arenas  
Jim Beall  
Rosemary Kamei  
Yoriko Kishimoto  
Otto Lee  
Russ Melton  
Susan Vicklund Wilson

**ITEM #5**

**Alternate Commissioners**

Helen Chapman  
Domingo Candelas  
Cindy Chavez  
Terry Trumbull  
Mark Turner

**Executive Officer**

Neelima Palacherla

**LAFCO MEETING: April 3, 2024**

**TO: LAFCO**

**FROM: Neelima Palacherla, Executive Officer  
Dunia Noel, Asst. Executive Officer**

**SUBJECT: PROPOSED WORK PLAN AND BUDGET FOR FY 2025**

**FINANCE COMMITTEE / STAFF RECOMMENDATIONS**

1. Adopt the Proposed Work Plan for Fiscal Year 2024-2025.
2. Adopt the Proposed Budget for Fiscal Year 2024-2025.
3. Find that the Proposed Budget for Fiscal Year 2025 is expected to be adequate to allow the Commission to fulfill its statutory responsibilities.
4. Authorize 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 2025 Final Budget to the cities, the special districts, the County, the Cities Association of Santa Clara County and the Santa Clara County Special Districts Association.

**ANNUAL BUDGET PROCESS REQUIREMENTS**

The Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH Act) which became effective on January 1, 2001, requires LAFCO, as an independent agency, to annually adopt a proposed budget by May 1 and a final budget by June 15 at noticed public hearings. Both the proposed and the final budgets are required to be transmitted to the cities, the special districts and the County. Government Code §56381(a) establishes that at a minimum, the budget must be equal to that of the previous year unless the Commission finds that reduced staffing or program costs will nevertheless allow it to fulfill its statutory responsibilities. Any unspent funds at the end of the year may be rolled over into the next fiscal year budget. After adoption of the final budget by LAFCO, the County Auditor is required to apportion the net operating expenses of the Commission to the agencies represented on LAFCO.

**FISCAL YEAR 2024-2025 WORKPLAN & BUDGET DEVELOPMENT  
TIMELINE**

Dates	Staff Tasks / LAFCO Action
March 11 - April 3	Notice of this public hearing was advertised in a local newspaper, posted on the LAFCO website and distributed to local agencies. The agenda and a link to the posted agenda packet are also distributed to local agencies, interested persons and organizations. The proposed Workplan and Budget are posted on the LAFCO website and available for public review and comment.
April 3	LAFCO public hearing on adoption of Proposed Workplan and Budget
April 4	Proposed Work Plan and Budget, preliminary apportionments and LAFCO public hearing notice for Final Budget Hearing transmitted to agencies
June 5	LAFCO public hearing and adoption of Final Budget
June 5 - July 1	Final Budget transmitted to agencies; Auditor requests payment from agencies

**LAFCO FINANCE COMMITTEE**

At its February 7, 2024 LAFCO meeting, the Commission appointed Commissioner Melton, Commissioner Beall and Alternate Commissioner Chapman to serve on the Finance Committee.

At its special meeting held on March 22, 2024, the Finance Committee discussed the progress on the current year work plan and the status of the current year budget; and recommended the proposed FY 2025 work plan and budget for consideration and adoption by the full commission.

**CURRENT YEAR IN REVIEW**

**PROGRESS REPORT ON FY 2023-2024 WORK PLAN**

LAFCO’s current fiscal year workplan was adopted at a noticed public hearing held on April 5, 2023. **Attachment A** depicts the current status (through the third quarter of the year) of the 2023-2024 Work Program.

A major component of the current year work program involves the Countywide Fire Service Review. LAFCO held two public hearings on the Countywide Fire Service Review Report and approved the final report at its October 2023 meeting, following an extensive public review and comment process involving presentation of the report at a Technical Advisory Committee meeting in San Jose, at community meetings in Morgan Hill and Palo Alto, and at LAFCO public hearings. Staff is

currently working with the affected agencies on facilitating the implementation of recommendations in the report.

Another important work plan priority is the comprehensive review and update of LAFCO policies. At its December 2023 meeting, the Commission created an ad hoc committee of 3 commissioners to work with staff on the project, which is currently underway and expected to be brought before the full commission for their consideration at the end of the calendar year, following stakeholder involvement through a public review and comment process.

LAFCO has received and /or processed various applications such as a city urban service area amendment and various city/district annexations. Staff has held pre-application meetings and has received and responded to many requests for assistance and expertise from local and regional agencies on a variety of matters related to city service extensions, city annexations/island annexations, special district annexations, and housing element updates. Similarly, responding to public inquiries is another significant and growing area of the workplan and staff has seen an increase in the volume and complexity of such inquiries.

In accordance with the Commission's directive, as opportunities arise and time permits, staff continues to conduct targeted outreach to various local entities (special districts, County, cities, civil grand jury, and other community organizations/individuals) through informational presentations on LAFCO and its role in promoting sustainable growth and good governance in the county.

The Commission membership has remained stable, and the LAFCO office is now fully staffed with 4.0 FTE positions. The LAFCO Clerk position was filled in September 2023; training activities for the new staff person are currently in progress.

Other notable administrative activities and projects that have been completed or are currently underway include among others, the annual financial audit, the annual report, implementation of a work plan for the training and professional development of LAFCO staff including the new Clerk and the Associate Analyst, transition back to in-person LAFCO meetings with an option for remote public participation, and webcasting LAFCO meetings.

Given the emphasis on the above-mentioned activities, some important projects such as the scanning of LAFCO records are currently on hold. Projects in the current workplan that will not be completed by the end of the fiscal year have been added to the proposed FY 2025 workplan.

The LAFCO Annual Report for FY 2024 will be published at the end of the current fiscal year and will document all the applications reviewed and processed by LAFCO in Fiscal Year 2024; and will summarize the various accomplishments, activities/projects that LAFCO has engaged in or completed during the period.

#### **STATUS OF FY 2023-2024 ADOPTED BUDGET**

**Attachment D** includes the FY 2024 budget adopted by the Commission at a noticed public hearing on June 7, 2023, the status of LAFCO's expenditures and revenues as

of March 11, 2023, and expenditure and revenue projections for end of FY 2024. The adopted LAFCO budget for FY 2024 is \$893,186. It is estimated that the total year-end projected expenditures for FY 2024 would be approximately 11% lower than the adopted budget primarily due to salary savings from the unfilled clerk position for a portion of the year, and from the unused consultant service item. Staff anticipates that overall, year-end revenue for FY 2024 will be slightly lower than the amount budgeted. LAFCO has received the respective FY 2024 funds from the County, the cities and the independent special districts. The actual fund balance rolled over at the end of FY 2023 was higher at \$407,582, compared to the amount estimated (\$366,814) in the FY 2024 budget. The excess fund balance and the unspent FY 2024 expenditure amounts will carry over into FY 2025 and will be used to reduce net operating expenses that would in turn translate to reduced FY 2025 costs for contributing agencies.

## **PROPOSED WORK PLAN FOR FISCAL YEAR 2024**

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**Attachment C** includes the proposed work plan for FY 2025, as recommended by the Finance Committee, for consideration and adoption by the full commission.

The proposed workplan includes ongoing as well as new projects and outlines detailed projects/activities organized under six broad areas: (1.) LAFCO application processing; (2.) island annexations; (3.) outreach, government/community relations and customer service; (4.) service reviews, special studies and sphere of influence updates; (5.) commission support; and (6.) administrative projects. The work plan assigns priority levels (high, moderate, low); and designates whether the work is to be conducted by staff or outside consultants.

The proposed work plan includes a broad spectrum of responsibilities that LAFCO, as an independent local agency and as a regulatory body of the state, is expected to fulfill in its role of promoting sustainable growth and good governance in Santa Clara County. It incorporates the Commission's legislative functions and mandates and also the Commission's proactive local initiatives and priorities such as its directives for ongoing public outreach and education and its proactive service review and implementation program.

The Finance Committee discussed the need for continued public outreach particularly to South County communities, requested expanded opportunities for commissioner educational presentations from local agencies, and encouraged a robust professional staff development and training program.

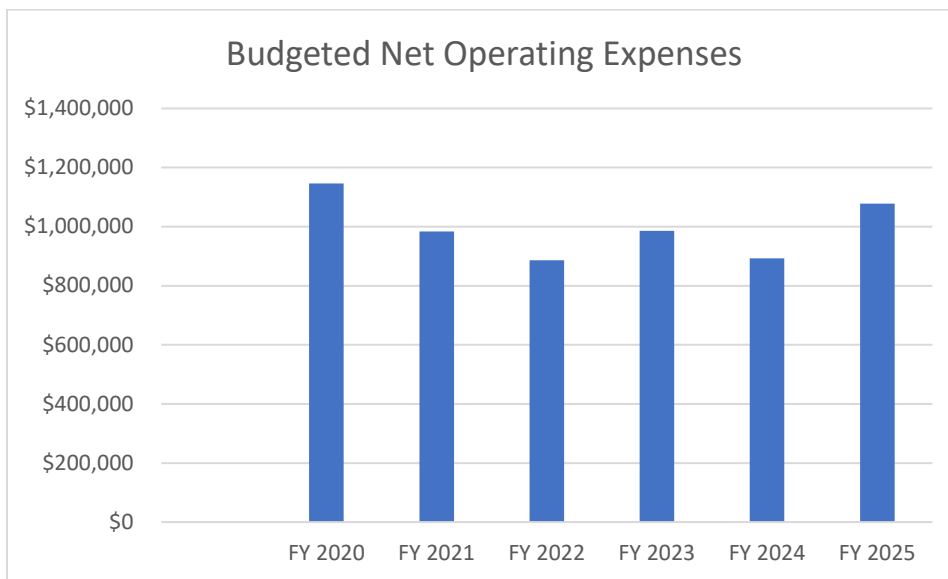
Staff actively manages the workload in order to focus on accomplishing essential activities such as processing applications, completing projects currently underway, maintaining core administrative functions, tracking on-going projects and studies, supporting the commission and responding to local agency and public requests for assistance. Consistent with past practice, LAFCO's statutorily mandated activities take priority over administrative projects that are not statutorily required, and over proactive commission-initiated projects which are discretionary but support LAFCO's mission and statutory requirements.

## PROPOSED BUDGET FOR FISCAL YEAR 2025

**Attachment D** includes the proposed Budget for FY 2024-2025 as recommended by the Finance Committee, for consideration and adoption by the full commission. The Finance Committee conducted a thorough review of the work plan and budget and recognized the public benefit of LAFCO's work and the high demand for LAFCO's services from local agencies and the public. The Committee maintained its commitment to ensure adequate resources that allow the Commission to fulfill its statutory responsibilities and accomplish its work plan while also limiting costs for LAFCO's funding agencies.

The overall projected expenditure for FY 2025 (\$1,280,912) in the proposed budget is slightly lower than the current year budgeted expenses (\$1,296,000).

However, LAFCO's proposed net operating expense for FY 2025 is approximately 20% higher than the FY 2024 budgeted net operating expense. The primary reason for this is because unlike the previous 2 fiscal years with large year-end fund balances (due to staff salary savings), the fund balance at the end of the current year which will be used to reduce net operating expenses in FY 2025, is projected to be relatively smaller at \$172,301.



### DESCRIPTION OF FY 2024-2025 BUDGET LINE ITEMS

LAFCO and the County of Santa Clara entered into a Memorandum of Understanding (MOU) (effective since July 2001), under the terms of which, the County provides staffing, facilities, and services to LAFCO. The associated costs are reflected in the proposed LAFCO budget. LAFCO is a stand-alone, separate fund within the County's accounting and budget system and the LAFCO budget information is formatted using the County's account descriptions/codes.

The following is a detailed itemization of the proposed budget.

**EXPENDITURES**

Expenditures are divided into two main sections: Staff Salary and Benefits (Object 1) which comprise approximately 67% of the total expenditures; and Services and Supplies (Object 2).

**OBJECT 1. SALARIES AND BENEFITS \$862,484**

This line item supports the salary and benefits for the 4.0 FTE positions including the Executive Officer position, a Senior Analyst position, an Associate Analyst position, and a Clerk position. All four positions are currently staffed. LAFCO contracts with the County of Santa Clara for staffing and services and in accordance with the MOU between the County and LAFCO, all four positions are staffed through the County Executive’s Office. The proposed amount is based on the best available projections from the County at this time for salary and benefits for the 4 positions. Changes to the projections for the four positions that occur within the next couple of months will be reflected in the Final LAFCO budget.

**OBJECT 2. SERVICES AND SUPPLIES**

**5255100 Intra-County Professional \$10,000**

This includes the costs for services from various County agencies such as the County Surveyor’s Office, the County Assessors’ Office, and the Registrar of Voters. The County Surveyor assists with map review and approval for boundary change proposals. In addition, the Surveyor’s Office also assists with research to resolve boundary discrepancies. The County Assessor’s Office prepares reports for LAFCO and the Registrar of Voters provides data necessary for processing LAFCO applications. This item also allows LAFCO to seek GIS mapping services including support and technical assistance from the County Planning Office, as necessary. This item also includes the approximate annual cost (\$7,806) associated with webcasting the regular LAFCO meetings held in the County Board of Supervisors Chambers. In February 2021, LAFCO and the County entered into an MOU regarding webcasting services and associated costs for LAFCO meetings. As a result of the pandemic and virtual meetings, webcasting of LAFCO meetings did not begin until April 2023.

This line item has been maintained at the same level as the current year.

**5255800 Legal Counsel \$85,780**

This item covers the cost for general legal services.

In February 2009, the Commission retained the firm of Best Best & Krieger for legal services on a monthly retainer. The contract was amended in 2010 to reduce the number of total hours required to 240 hours per year. The contract sets the hourly rate and allows for an annual automatic adjustment to the rates based on the Consumer Price Index (CPI). In 2017, the contract was once again amended to increase the monthly retainer cost and limit the CEQA work within the retainer to 24 hours annually. Any additional CEQA work above 24 hours would be charged outside the retainer at the same hourly rate.

The monthly retainer for FY 2025 increases to \$6,875, based on a 3.7% increase in the Consumer Price Index for the prior calendar year (2023). This item covers the annual retainer fees and includes additional monies to cover approximately 10 hours of work outside the retainer at the hourly rate of \$328.

**5255500 Consultant Services \$150,000**

This item is budgeted for hiring consultants to assist LAFCO with special projects such as for conducting service reviews and special studies, facilitating a strategic planning workshop, and scanning LAFCO's hardcopy records into the existing electronic document management system, among others. The Commission must take action to authorize such special projects prior to expending funds. This item also includes costs associated with ongoing contracts such as costs for the maintenance and hosting of the LAFCO website by an outside provider; and for the contract with an independent financial auditor for conducting the annual financial audits of LAFCO.

**5285700 Meal Claims \$750**

This item includes cost of food to support Commission events, workshops, meetings.

**5220200 Insurance \$8,335**

This item is for the purpose of purchasing general liability insurance and workers' compensation coverage for LAFCO. In 2010, LAFCO switched from the County's coverage to the Special District Risk Management Authority (SDRMA), for the provision of general liability insurance. Additionally, LAFCO also obtains workers' compensation coverage for its commissioners from SDRMA. Workers' compensation for LAFCO staff is currently covered by the County and is part of the payroll charge.

SDRMA has recently provided estimated FY 2025 contribution amounts for use in the budgeting process: Property Liability (\$5,758) and Workers' Compensation (\$979). The Final budget will reflect any major revisions to these estimates.

**5270100 Rent & Lease \$56,416**

This item includes FY 2025 monthly rent for LAFCO office space located at 777 North First Street, Suite 420, San Jose. The original lease term for the office space expired on May 5, 2022. At its February 2, 2022 meeting, the Commission authorized the extension of the lease for a five-year period through April 30, 2027.

**5250100 Office Expenses \$5,000**

This item includes funds for purchase of books, subscriptions/publications necessary to keep current on laws and trends; and small equipment and supplies for office operations, including printer/photocopier lease.

**5255650 Data Processing Services \$22,517**

This item includes estimated costs associated with County Technology Solutions & Services Department (TSS) providing IT services to the LAFCO program. According to TSS, the projected costs cover Telecom services for 5 phones- VOIP/Landline (\$2,520), Wireless Carrier Service (\$1,236), enterprise licensing including MS Adobe special order, Acrobat Pro and MS Visio monthly subscription (\$2,827), and other

services (\$15,933) comprising Enterprise Content Management services and solutions, Kronos support, Architecture and Innovation Services, Claranet services, Data Analytics and Visualizations, digital print and sccLearn. Any further revised cost estimates received from the County will be reflected in the Final LAFCO budget.

**5225500 Commissioner's Fees \$10,000**

This item covers the \$100 per diem amount for LAFCO commissioners and alternate commissioners to attend LAFCO meetings and committee meetings.

**5260100 Publications and Legal Notices \$1,000**

This item is for costs associated with publication of hearing notices for LAFCO applications and other projects/ studies, as required by state law. This budgeted amount has been maintained at the same level as the current year.

**5245100 Membership Dues \$14,509**

This item includes CALAFCO – the California Association of LAFCOs membership dues. At its meeting in December 2023, the CALAFCO Board voted to approve a 3.1% rate adjustment to account for the CPI increase (June 2022 to June 2023), in accordance with the CALAFCO Bylaws. The FY 2025 membership dues for Santa Clara LAFCO is \$12,509.

Additionally, this item includes estimated membership dues for CSDA – the California Special Districts Association. In June 2018, CSDA informed that Santa Clara LAFCO as a customer of SDRMA, must be a member of CSDA pursuant to SDRMA bylaws.

**5250750 Printing and Reproduction \$1,500**

This covers printing expenses for reports such as service reviews or other studies and documents.

**5285800 Business Travel \$21,000**

This item includes funding for staff and commissioners to attend conferences and workshops. It would cover costs of air travel, accommodation, conference registration and other expenses at the conferences. CALAFCO annually holds a Staff Workshop (Temacula, April 2025) and an Annual Conference (Yosemite, October 2024) that is attended by commissioners as well as staff.

**5285300 Private Automobile Mileage \$1,000**

This item provides for mileage reimbursement when staff travels by private car to conduct site visits and attend meetings / training sessions. This budgeted amount has been maintained at the same level as the current year.

**5285200 Transportation and Travel (for use of County car) \$600**

This item would cover costs associated with the use of a County vehicle for travel to conferences, workshops, site visits and meetings.

**5281600 Overhead \$21,119**

This overhead charge is established by the County Controller's Office, for service rendered by various County departments that do not directly bill LAFCO. The



overhead includes LAFCO's share of the County's FY 2025 Cost Allocation Plan which is based on actual overhead costs from FY 2023 – the most recent year for which actual costs are available. The overhead amount includes the following charges from:

County Executive's Office:	\$5,268
Controller-Treasurer:	\$10,317
Employee Services Agency:	\$7,371
OBA:	\$418
BHS-MH - Employee:	\$84
TSS Intragovernmental Service:	\$829
Technology Services & Solutions:	\$1,607
Procurement:	\$33
Equal Opp. (County Counsel):	\$854
CoB – Harvey Rose Mgt Audit:	\$24

Further, a "roll forward" is applied which is calculated by comparing FY 2023 Cost Plan estimates with FY 2023 actuals. The FY 2023 cost estimates were higher than the actuals by \$5,842; this amount is deducted from the FY 2025 Cost Plan. This is a state requirement.

**5275200 Computer Hardware \$4,000**

This item is designated for any required hardware upgrades / purchases.

**5250800 Computer Software \$4,000**

This amount is designated for computer software purchases, including annual licenses for GIS software (ArcGIS) and records management software (Lasersfiche) with 2 hours of online/onsite support.

**5250250 Postage \$500**

This amount covers postage costs for mailing notices, agendas, agenda packets and general correspondence.

**5252100 Training Programs \$2,000**

This item covers the costs associated with attendance at commissioner / staff professional development courses and seminars. CALAFCO conducts University Courses throughout the year on topics of relevance to LAFCO.

**REVENUES**

**4103400 Application Fees \$25,000**

It is anticipated that LAFCO will receive approximately \$25,000 in fees from processing applications. The actual amount earned from fees corresponds to the level of application activity.

**4301100 Interest \$6,000**

It is estimated that LAFCO will receive an amount of approximately \$6,000 from interest earned on LAFCO funds.

**3400150 Fund Balance from Previous Fiscal Year (i.e., FY 2024) \$172,301**

It is projected that there will be a savings or fund balance of approximately \$172,301 at the end of the current year, which will be carried over to reduce the proposed Fiscal Year 2025 costs for LAFCO's funding agencies (cities, independent special districts and the County).

Projected Year-End [FY 2024] Fund Balance = (Projected Year-End [FY 24] Revenue + Actual Fund Balance from Previous Fiscal Year [FY 23] + Funds Received from Local Agencies in FY 24) - (Projected Year-End [FY 24] Expenses)

$$= (\$30,000 + \$407,582 + \$893,186) - \$1,158,467$$

$$= \$172,301$$

The fund balance excludes the reserves.

**RESERVES**

**3400800 Reserves Available \$200,000**

This item includes reserves for two purposes: litigation reserve – for use if LAFCO is involved with any litigation; and contingency reserve – to be used for unexpected expenses. If used during the year, this account will be replenished in the following year. Since 2012, the reserves have been retained in a separate Reserves account, thus eliminating the need for LAFCO to budget each year for this purpose.

The Reserves amount was held at \$250,000 since FY 2020 to timely implement potential recommendations from the Comprehensive Organizational Assessment, and as a tentative measure in recognition that LAFCO operates in an increasingly complex and controversial environment.

In FY 2022, LAFCO reduced the Reserves from \$250,000 to \$200,000, in order to further reduce costs to local agencies given the COVID -19 related economic hardships; and maintained the reserve level at \$200,000 in FY 2023. The Finance Committee recommends maintaining the current level of reserves for FY 2025. This places the proposed Reserve amount at approximately 15% of the total FY 2025 expenditures. LAFCO has not adopted a Reserves policy, however as an independent agency, LAFCO should maintain sufficient reserves for flexibility and stability in the event of unanticipated needs.

**FY 2025 NET OPERATING EXPENSES**

FY 2025 Net Operating Expenses = (Proposed FY 2025 Expenditures) - (Proposed FY 2025 Fee & Interest Revenues + Projected Fund Balance from FY 2024)

$$= (\$1,280,912) - (\$31,000 + \$172,301)$$

$$= \$1,077,611$$

The projected operating expense for FY 2025 is based on projected expenditures and revenues as well as on estimated fund balance for the current year. Further revisions may be needed as we get a better indication of current year expenses/revenues towards the end of this fiscal year. Additionally, a more accurate projection of costs/revenues for the upcoming fiscal year could become available, particularly for employee salary and benefits. This could result in changes to the proposed net operating expenses for FY 2025 which could in turn impact the costs for each of LAFCO's funding agencies.

## **COST APPORTIONMENT TO CITIES, INDEPENDENT SPECIAL DISTRICTS AND COUNTY**

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In January 2013, independent special districts were seated on LAFCO. Government Code §56381(b)(1)(A) provides that when independent special districts are represented on LAFCO, the county, cities and independent special districts must each provide a one-third share of LAFCO's operational budget.

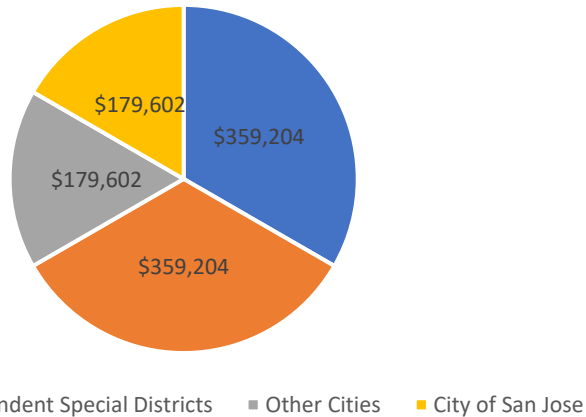
The City of San Jose has permanent membership on LAFCO pursuant to Government Code Section 56327. As required by Government Code §56381.6(b), the City of San Jose's share of LAFCO costs must be in the same proportion as its member bears to the total membership on the commission, excluding the public member. The remaining cities' share must be apportioned in proportion to each city's total revenues, as reported in the most recent edition of the Cities Annual Report published by the Controller, as a percentage of the combined city revenues within a county.

Government Code Section §56381 provides that the independent special districts' share shall be apportioned in proportion to each district's total revenues as a percentage of the combined total district revenues within a county. The Santa Clara County Special Districts Association (SDA), at its August 13, 2012 meeting, adopted an alternative formula for distributing the independent special districts' share to individual districts. The SDA's agreement requires each district's cost to be based on a fixed percentage of the total independent special districts' share.

Therefore, in Santa Clara County, the County pays a third of LAFCO's operational costs, the independent special districts pay a third, the City of San Jose pays one sixth and the remaining cities pay one sixth. Government Code §56381(c) requires the County Auditor to request payment from the cities, independent special districts and the County no later than July 1 of each year for the amount each agency owes based on the net operating expenses of the Commission and the actual administrative costs incurred by the Auditor in apportioning costs and requesting payment.

The following is a draft apportionment to the agencies based on the proposed net operating expenses for FY 2025.

### Proposed Net Operating Expenses for FY 2025



Apportionment of the costs among the 14 cities and among the 17 independent special districts will be calculated by the County Controller’s Office after LAFCO adopts the final budget in June. In order to provide each of the cities and districts with a general indication of their costs in advance, **Attachment E** includes draft estimated apportionments, based on the proposed FY 2025 net operating expenses and the FY 2021-2022 Cities Annual Report from the State Controller’s Office. The final apportionments will be prepared by the County Controller’s Office based on the latest available Cities Annual Report.

### **ATTACHMENTS**

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- Attachment A: Status of FY 2024 Work Plan
- Attachment B: LAFCO Financials 2008-2023 and FY 2024 YTD Actuals
- Attachment C: Proposed Work Plan for Fiscal Year 2025
- Attachment D: Proposed LAFCO Budget for Fiscal Year 2025
- Attachment E: Estimated FY 2025 Costs to Agencies