

RESOLUTION NO. 2013-02

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF SANTA CLARA COUNTY ADOPTING THE SPECIAL DISTRICTS SERVICE REVIEW:
PHASE 1 REPORT, ADOPTING SERVICE REVIEW DETERMINATIONS, AND ADOPTING
SPHERE OF INFLUENCE UPDATES AND DETERMINATIONS FOR RANCHO
RINCONADA RECREATION AND PARK DISTRICT, SANTA CLARA COUNTY LIGHTING
SERVICE AREA, SANTA CLARA VECTOR CONTROL DISTRICT, SARATOGA
CEMETERY DISTRICT, SOUTH SANTA CLARA VALLEY MEMORIAL DISTRICT, AND
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY**

RESOLVED by the Local Agency Formation Commission of Santa Clara County, State of California, that

WHEREAS, Government Code Section 56430 requires the Commission to conduct service reviews in order to prepare and update spheres of influence in accordance with Government Code Section 56425; and

WHEREAS, the Commission previously authorized the Special Districts Service Review: Phase 1 and Sphere of Influence Updates to be prepared; and

WHEREAS, the Executive Officer set April 3, 2013 and June 5, 2013 as public hearing dates for the Special Districts Service Review: Phase 1 and Sphere of Influence Updates;

WHEREAS, the Commission considered the report of the Executive Officer; and the attachments thereto, the comments received in writing and comments presented at the April 3, 2013 and June 5, 2013 public hearings; and

WHEREAS, the Commission, as Lead Agency has complied with the California Environmental Quality Act (CEQA), as described below.

NOW THEREFORE, the Local Agency Formation Commission of Santa Clara County does hereby resolve, determine, and order as follows:

SECTION 1:

The Special Districts Service Review: Phase 1 and the updates to the Sphere of Influence (SOI) of the six special districts are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306 Class 6; Section 15061(b)(3) General Rule; Section 15378(b)(5); and Section 15320 Class 20 of the State CEQA Guidelines;

SECTION 2:

The Special Districts Service Review: Phase 1 Report is hereby adopted.

SECTION 3:

The Service Review determinations for the agencies included in the Special Districts Service Review: Phase 1 Report, incorporated herein by reference, are hereby adopted.

SECTION 4:

The Sphere of Influence (SOI) determinations as included in the Special Districts Service Review: Phase 1 Report and updates to the SOI boundary for the six special districts are hereby adopted as follows:

- a. Reaffirm the existing zero SOI for the Rancho Rinconada Recreation and Park District as recommended in the Service Review Report. LAFCO staff is directed to facilitate discussions between the RRRPD and the City of Cupertino on the governance options identified in the Report, as necessary. LAFCO staff is directed to report back to LAFCO on the outcome of the discussions, at which time, LAFCO will consider next steps associated with the governance options.
- b. Reaffirm the existing coterminous SOI for the Santa Clara County Lighting Service Area as recommended in the Service Review Report.
- c. Reaffirm the existing coterminous SOI for the Santa Clara County Vector Control District as recommended in the Service Review Report.
- d. Reaffirm the existing coterminous SOI for the Saratoga Cemetery District as recommended in the Service Review Report.
- e. Request that the South Santa Clara Valley Memorial District (SSCVMD) provide a report to LAFCO by September 13, 2013 on the District's progress in implementing the recommendations identified for immediate action and provide a second report to LAFCO by May 23, 2014 on the District's progress in implementing the remaining recommendations, as recommended in the Service Review Report. Reevaluate the District and its SOI at that time and determine whether sufficient improvement has been made and if further action is necessary. Retain the existing coterminous SOI for the SSCVMD pending further evaluation of the District.
- f. Reaffirm the existing coterminous SOI for the Santa Clara Valley Transportation Authority as recommended in the Service Review Report.

SECTION 5:

LAFCO staff is directed to:

- a. Contact each affected agency and request a written response on how and when the agency plans to address the findings and/or implement the recommendations presented in the Service Review Report and to provide an explanation if the agency disagrees with a finding or does not plan to implement a recommendation.

- b. Request that the County consider implementing the recommendations in the Service Review Report in order to facilitate transparency and public accountability of special districts in the county.

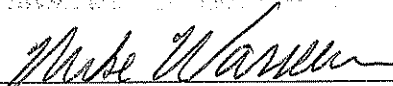
PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Clara County, State of California, on June 5, 2013 by the following vote:

AYES: CONSTANT, HALL, ABE-KOGA, LEZOTTE, VICKLUND-WILSON, WASSERMAN

NOES: None

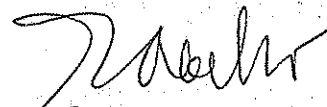
ABSENT: None


ABSTAIN: None


Mike Wasserman, Chairperson
LAFCO of Santa Clara County

ATTEST:

APPROVED AS TO FORM:


Emmanuel Abello, LAFCO Clerk


Malathy Subramanian, LAFCO Counsel

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