

RESOLUTION NO. 2011-04

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF SANTA CLARA COUNTY ADOPTING THE 2011 COUNTYWIDE WATER SERVICE
REVIEW REPORT, ADOPTING SERVICE REVIEW DETERMINATIONS, AND ADOPTING
SPHERE OF INFLUENCE UPDATES AND DETERMINATIONS FOR SANTA CLARA
VALLEY WATER DISTRICT, ALDERCROFT HEIGHTS COUNTY WATER DISTRICT,
PURISSIMA HILLS WATER DISTRICT, SAN MARTIN COUNTY WATER DISTRICT,
GUADALUPE COYOTE RESOURCE CONSERVATION DISTRICT, AND LOMA PRIETA
RESOURCE CONSERVATION DISTRICT**

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 Countywide Water Service Review and Sphere of Influence Updates to be prepared; and

WHEREAS, the Executive Officer set October 5, 2011 and December 7, 2011 as public hearing dates for the 2011 Countywide Water Service Review and Sphere of Influence Updates; and

WHEREAS, the Commission considered the report of the Executive Officer; and the attachments thereto, the comments received in writing and comments presented at the October 5, 2011 and December 7, 2011 public hearings;

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 2011 Countywide Water Service Review and the updates to the Sphere of Influence (SOI) of the four water districts and two resource conservation 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 2011 Countywide Water Service Review Report is hereby adopted.

SECTION 3:

The Service Review determinations for the agencies included in the 2011 Countywide Water Service Review Report, incorporated herein by reference, are hereby adopted.

SECTION 4:

The Sphere of Influence (SOI) determinations as included in the 2011 Countywide Water Service Review Report and updates to the SOI boundary for the four water districts and two resource conservation districts are hereby adopted as follows:

- a. Reaffirm the existing SOI for the Santa Clara Valley Water District (SCVWD) as recommended in the Service Review Report.
- b. Expand the existing SOI for the Aldercroft Heights County Water District to include APN 558-22-019 located at 20900 Panorama Heights as recommended and depicted in the Service Review Report.
- c. Reaffirm the existing SOI for the Purissima Hills Water District as recommended and depicted in the Service Review Report.
- d. Do not consider any further expansions of the SOI for the San Martin County Water District until such time as the District complies with State law regarding requesting and receiving LAFCO approval before providing services outside of the District's boundaries. Retain the existing SOI for the District pending resolution of illegal service extensions.
- e. Request that the Guadalupe Coyote Resource Conservation District return to LAFCO within a year with a plan for services which does not overlap with the Santa Clara Valley Water District's (SCVWD) efforts and could not otherwise be provided by SCVWD through its enabling act. Reevaluate the District and its SOI at that time considering the District's plan and application for providing new or different services per Government Code §56654(b) and §56824.12. Retain the existing SOI for the District pending LAFCO's further evaluation of the District.
- f. Expand the existing SOI of Loma Prieta Resource Conservation District to include the remaining portions of the Cities of Gilroy and Morgan Hill and the community of San Martin as recommended and depicted in the Service Review Report.

SECTION 5:

LAFCO staff is directed to follow-up on the implementation of the recommendations of the 2011 Countywide Water Service Review Report.

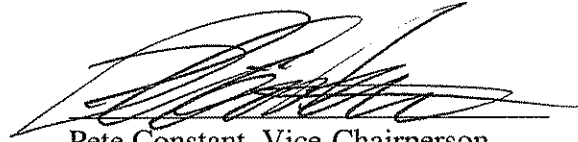
PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Clara County, State of California, on December 7, 2011 by the following vote:

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

NOES: None

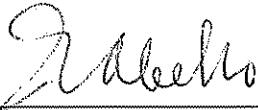
ABSENT: KNISS

ABSTAIN: None



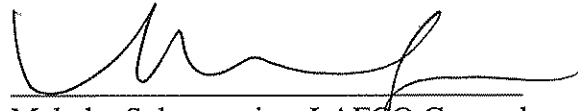
Pete Constant, Vice-Chairperson
LAFCO of Santa Clara County

ATTEST:



Emmanuel Abello, LAFCO Clerk

APPROVED AS TO FORM:



Malathy Subramanian, LAFCO Counsel

