

RESOLUTION NO. 2006-10

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SANTA CLARA ADOPTING SPHERE OF INFLUENCE
DETERMINATIONS FOR EACH CITY AND SPECIAL DISTRICT IN THE
SOUTH AND CENTRAL SANTA CLARA COUNTY SERVICE REVIEW**

RESOLVED by the Local Agency Formation Commission of the County of Santa Clara, 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 South and Central Santa Clara County Service Review to be prepared and to include the Sphere of Influence (SOI) Updates for the cities and special districts within South and Central Santa Clara County; and

WHEREAS, the Executive Officer set May 31, 2006 and August 9, 2006 as public hearing dates on the South and Central Santa Clara County Service Review and the recommended Service Review Determinations and SOI Updates; and

WHEREAS, this Commission considered the comments received in writing and the comments presented at the May 31, 2006 and August 9, 2006 public hearings; and

WHEREAS, the South and Central Santa Clara County Service Review and the Service Review Determinations and SOI Updates Final Report is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15306 Class 6, Section 15378(a) and (b)(5), Section 15061(b)(3) General Rule, and Section 15320 Class 20 of the CEQA Guidelines;

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

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SECTION 1:

Upon consideration of the SOI recommendations and determinations for the cities as presented in the South and Central Santa Clara County Service Review and SOI Updates Report, the Commission hereby adopts the SOI recommendations and determinations as stated in Exhibit A, attached hereto and incorporated herein by reference, reaffirming the existing SOI boundaries of the cities Gilroy, Milpitas, Morgan Hill, San Jose and Santa Clara.

SECTION 2:

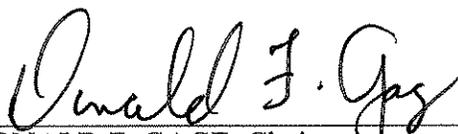
Upon consideration of the SOI recommendations and determinations for special districts as presented in the South and Central Santa Clara County Service Review and SOI Updates Report, the Commission hereby adopts the SOI recommendations and determinations as stated in Exhibit B, attached hereto and incorporated herein by reference, for Burbank Sanitary District, County Sanitation District 2-3, Lion's Gate Community Services District, Santa Clara County Library Service Area, Santa Clara County Lighting Service Area, Santa Clara County Open Space Authority, Santa Clara Vector Control District, Santa Clara Valley Memorial District, and Sunol Sanitary District.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Santa Clara, State of California, on August 9, 2006 by the following vote:

AYES: Commissioners HOWE, GAGE, LEZOTTE and VICKLUND-WILSON

NOES: None

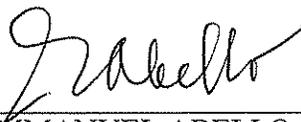
ABSENT: Commissioner ALVARADO



DONALD F. GAGE, Chairperson
Local Agency Formation Commission

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:



EMMANUEL ABELLO
LAFCO Clerk



KATHY KRETCHMER
LAFCO Counsel

**SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS
FOR AGENCIES IN THE SOUTH AND CENTRAL SANTA CLARA COUNTY**

CITY OF GILROY

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the City of Gilroy's existing SOI Boundary.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
A variety of urban uses are planned within Gilroy's USA Boundary and Gilroy's 20-year Planning Boundary. However, both the County and City's General Plans call for the continuation of non-urban uses beyond these boundaries.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The type of public services and public facilities required in the proposed Gilroy SOI will not change, although the level of demand will increase modestly.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and public services is generally adequate. However, some City park and recreation facilities require renovation, the City's Police Department is staffed lower than City standards, some City storm drainage facilities are deficient, and the existing City library is inadequate to meet the needs of the community.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
There exist social and economic conditions that cause interaction and interdependence between the City of Gilroy and the areas proposed as its SOI.

CITY OF MILPITAS

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the City of Milpitas' existing SOI boundary.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
A variety of urban uses are planned within Milpitas' USA and Milpitas' UGB. However, both the County of Santa Clara and the City of Milpitas General Plans call for the continuation of non-urban uses beyond these boundaries.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The type of public services and public facilities required in the proposed Milpitas SOI will not change, although the level of demand will increase modestly.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and public services is generally adequate. However, some areas of the City's storm water drainage system are below City standards, and some areas of the City have pipelines or manholes that are potentially deficient.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
There exist social and economic conditions that cause interaction and interdependence between the City of Milpitas and the areas proposed as its SOI.

CITY OF MORGAN HILL

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the City of Morgan Hill's existing SOI boundary.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
A variety of urban uses are planned within Morgan Hill's USA Boundary and Morgan Hill's UGB. However, both the County and the City's General Plans call for the continuation of non-urban uses beyond these boundaries.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The type of public services and public facilities required in the proposed Morgan Hill SOI will not change, although the level of demand will increase modestly.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and public services is generally adequate. However, City park facilities are limited due to the low amount of parkland acres per capita, the existing City library is inadequate to meet the needs of the community, and new wastewater infrastructure and upgrades are needed in the unincorporated portion of Holiday Lake Estates Unit I area.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
There exist social and economic conditions that cause interaction and interdependence between the City of Morgan Hill and the areas proposed as its SOI.

CITY OF SAN JOSE

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the City of San Jose's existing SOI boundary.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
A variety of urban uses are planned within San Jose's Urban Service Area and San Jose's Urban Growth Boundary. However, both the County of Santa Clara and the City of San Jose General Plans call for the continuation of non-urban uses beyond these boundaries.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The type of public services and public facilities required in the proposed San Jose SOI will not change. The development of the Coyote Valley Area will require a full range of City services and community facilities and could have an impact upon existing City services and community facilities.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and public services is generally adequate. However, some City community centers and recreation facilities require renovations, and some City storm water drainage facilities are deficient.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
There exist social and economic conditions that cause interaction and interdependence between the City of San Jose and the areas proposed as its SOI.

CITY OF SANTA CLARA

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the City of Santa Clara's existing SOI boundary.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
The Santa Clara SOI is coterminous with the boundaries of the City. Planned land uses in the City are consistent with existing land uses.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The need for a full range of public facilities and services is expected to grow modestly in the future.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
For the most part, the present capacity of public facilities appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
All communities of interest within the USA and City limit are included within the SOI.

BURBANK SANITARY DISTRICT

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing zero SOI for Burbank Sanitary District.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Future Development within the District is expected to be minimal and consist of infill development and redevelopment, which can only occur after annexation to the City of San Jose.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The need for additional wastewater facilities and services is expected to be low in the future.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and provision of service appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
The District is part of the social and economic community of San Jose.

COUNTY SANITATION DISTRICT 2-3

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing zero SOI for County Sanitation District 2-3.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Future development within the District is expected to consist of infill development and redevelopment, which can only occur after annexation to the City of San Jose.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The need for additional wastewater facilities and services is expected to be low in the future.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
For the most part, the present capacity of public facilities and provision of service appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
The District is part of the social and economic community of San Jose.

LION'S GATE COMMUNITY SERVICES DISTRICT

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing SOI for the Lion's Gate Community Services District which is coterminus with the District's boundaries.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
The community is not expected to grow beyond the 41 residential lots. Hence, future development within the District is expected to be minimal and consist of development of vacant parcels that are planned for single-family residences.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The District was established to provide services to the master planned development. Future growth within the District would be minimal and limited to development of vacant parcels.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and provision of service appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
The Lion's Gate Reserve Residential and Golf Course Community is a distinct community of interest.

SANTA CLARA COUNTY LIBRARY SERVICE AREA

SOI RECOMMENDATION

It is recommended that the SOI for Santa Clara County Library Service Area be revised to be a zero SOI. A zero SOI, which includes no territory, assumes that the function of the agency should be (or is, in this case) reassigned to another entity and that the agency be dissolved.

SOI DETERMINATIONS

- The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Planned land uses throughout the County are generally similar to that of the existing uses.
- Present and Probable Need for Public Facilities and Services in the Area*
Implementation of the Community Facilities District and voter approval of the Special Tax will provide funding for the continuation of library services within the same geographical area that the County Library Service Area covers.
- Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The County Library system has no apparent capacity or service deficiencies.
- Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
There are no social or economic communities of interest that have been identified for the County Library Service Area.

SANTA CLARA COUNTY LIGHTING SERVICE AREA

SOI RECOMMENDATION

It is recommended that LAFCO revised the existing zero SOI to be coterminous with the existing boundaries of the County Lighting Service Area.

SOI DETERMINATIONS

- 1. The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Planned land uses throughout the Service Area are similar to that of the existing uses.
- 2. Present and Probable Need for Public Facilities and Services in the Area*
The need for additional lighting services within the Service Area is expected to be low in the future.
- 3. Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of services provided by the Lighting Service Area appears to be adequate.
- 4. Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
All lands within the County that have existing urban development could be considered a community of interest. Additionally, any cities that are adjacent to or surrounding the Lighting Service areas would be considered an economic and social community of interest.

SANTA CLARA COUNTY OPEN SPACE AUTHORITY

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing SOI for the Santa Clara County Open Space Authority.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Planned land uses throughout these areas are generally similar to those of the existing uses with the exception of the proposed Coyote Valley Specific Plan Area located in southern San Jose. The Specific Plan Area is currently undeveloped. If implemented, the Specific Plan would create an urban community comprising a minimum development of 50,000 jobs and 25,000 dwelling units.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The Authority is expected to continue to acquire lands for open space preservation throughout its boundary.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of service provided by the Open Space Authority appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
All lands within the Authority's boundary are considered a community of interest.

SANTA CLARA COUNTY VECTOR CONTROL DISTRICT

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing SOI for the Santa Clara County Vector Control District.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Planned land uses throughout the County are generally similar to those of the existing uses, with the exception of the proposed Coyote Valley Specific Plan area located in the unincorporated area south of San Jose. The Specific Plan Area is currently undeveloped. If implemented, the Specific Plan would create an urban community comprising a minimum development of 50,000 jobs and 25,000 dwelling units.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The need for vector-control services may grow in the future depending on the creation of conditions that are conducive to vector breeding.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present level of services provided by the District appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
The District currently encompasses all of the communities of interest in the County.

SANTA CLARA VALLEY MEMORIAL DISTRICT

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing SOI for the South Santa Clara County Memorial District which is coterminous with the district's boundary.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Planned land uses throughout the District are generally similar to those of the existing uses.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The need for District services is expected to exist in the future.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The District is looking for an opportunity to move to larger more adequate facility.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
There are no social or economic communities of interest that have been identified for the Memorial District.

SUNOL SANITARY DISTRICT

SOI RECOMMENDATION

It is recommended that LAFCO reaffirm the existing zero SOI for Sunol Sanitary District.

SOI DETERMINATIONS

1. *The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands*
Future development within the District is expected to consist of infill development and redevelopment, which can only occur after annexation to the City of San Jose.
2. *Present and Probable Need for Public Facilities and Services in the Area*
The need for additional wastewater facilities and services is expected to be low in the future.
3. *Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide*
The present capacity of public facilities and provision of service appears to be adequate.
4. *Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency*
The District is part of the social and economic community of San Jose.