

7. SANTA CLARA COUNTY OPEN SPACE AUTHORITY

AGENCY OVERVIEW

Santa Clara County Open Space Authority (OSA) owns 12,792 acres of land and has assisted in preserving an additional 3,103 acres of conservation easements and mitigation lands, including open space, parklands, wildlife areas, recreation areas and watershed areas. The last service review for the District was completed in 2006.

OSA was created as an independent special district on February 1, 1993 by the State Legislature.

The principal act that governs the District is the Santa Clara County Open Space Authority Act.⁷² The principal act empowers the District to preserve open space and create greenbelts needed to counter the continuing conversion of these lands to urban uses, to preserve the quality of life in the County and to encourage agricultural activities.⁷³ The Act requires that priority for open-space acquisition be focused on those lands closest, most accessible, and visible to the urban area. The remote ranchlands east of the westernmost ridgeline of the Diablo Range shall be acquired as permanent open space only through conservation easement purchases or the granting of lands or conservation easements by owners to OSA.⁷⁴

Boundaries

OSA's boundaries include all lands in Santa Clara County, with the exception of lands within the boundaries of Midpeninsula Regional Open Space District (MROSD), MROSD's sphere of influence (SOI), and the City of Gilroy. The cities of Milpitas, Santa Clara, Campbell, San Jose and Morgan Hill passed resolutions stating their intent to be included within OSA's jurisdiction. The City of Gilroy was the only city within the jurisdiction of the District that opted out of being a part of OSA. The District's boundary encompasses 1,067 square miles.

Sphere of Influence

OSA's SOI is generally coterminous with its boundary, except for the City of Gilroy, which is included in the District's sphere of influence, but excluded from its boundary area.

⁷² Public Resources Code §35100, January 1, 2013.

⁷³ Public Resources Code §35101.

⁷⁴ Public Resources Code §35152.

Type and Extent of Services

Services Provided

OSA owns and provides public access to two open space preserves (Rancho Cañada del Oro Open Space Preserve and Sierra Vista Open Space Preserve), maintains multi-use trails for hikers, bicyclists and equestrians and has a goal of opening new lands to visitors as funding allows.

The trails are open every day of the year and are free to the public. Currently, Sierra Vista Open Space Preserve is only accessible through Alum Rock City Park (owned and operated by the City of San Jose), which is closed on Mondays. Sierra Vista Preserve is open from 8:00 am to sunset. There is no fee to use Sierra Vista Open Space Preserve; however, vehicles are charged \$6 on weekends to use the Alum Rock Park parking lot. From April 16th through September 15th, the Rancho Cañada del Oro Open Space Preserve is open from 6:00 am to sunset, and all other times of the year it is open from 7:00 am to sunset.

OSA also manages and maintains properties that are currently closed to the public, including Diablo Foothills, Palassou Ridge, Coyote Valley, El Toro, and Santa Cruz Mountains properties. These areas are closed for various reasons, including habitat protection, land management, user safety, and funding limitations. Occasionally, the District opens these areas to visitors on special-activity days.

Additionally, OSA provides a variety of activities, such as guided nature hikes, bike and equestrian rides, photography walks, educational programs for children, and stargazing sessions. All activities are free and open to everyone.

The District engages in resource management, such as protecting waterways and natural resources and removing invasive plants, preserving cultural artifacts and supporting agriculture and ranching. However, due to limited funding for land protection and stewardship, as reported by the District, OSA aims to invest in projects that improve coordination amongst federal, state and local agencies, leverage funding and partner resources, promote integrated approaches for multiple benefits (water supply, water quality, agriculture, flood management, climate resilience, habitat protection, recreation, and education), and maximize the amount and types of funding.

A distinct feature of OSA is its Urban Open Space program, which reserves 20 percent of its capital expenditures for open space projects of the participating cities and the County within OSA jurisdiction. Funds are allocated once a year to cities and the County of Santa Clara based on each agency's percentage of parcels within OSA jurisdiction. Projects that qualify for funding include land acquisition, environmental restoration, and improvements that provide or enhance open space. This includes projects that increase public appreciation of open space, such as trails, overlooks, and interpretive signage, and projects that convert surplus or abandoned lands. Requests for open space project funding originate with the participating jurisdictions. City and county staff apply for funds to support specific projects that meet their own and the District's open space requirements and goals.

Service Area

OSA does not provide services outside of its boundaries. The City of Gilroy, which is located outside of the District's boundaries but within its SOI, is unserved.

Although OSA's enabling act allows for various sources of funding, the District is currently funded by a benefit assessment. OSA is legally permitted to spend funds obtained by benefit assessments only to serve areas and residents that pay benefit assessments. Lands located east of the Diablo mountain range, which are primarily range lands, do not receive services from OSA funded by benefit assessment revenues. These lands are served but services are funded by other sources, such as grants or other unrestricted funds. The OSA Board of Directors must affirm and approve the assessment annually.

Service to Other Agencies

OSA has been providing land management services by contract to Santa Clara Valley Transportation Authority (SCVTA) since June 2007. The District manages SCVTA's Coyote Ridge Resource Management Plan, which consists of biological monitoring of several endangered, threatened and rare species, invasive plant removal, road and fence maintenance, and grazing management and site security. In addition, OSA drafts annual reports that capture the activities and findings to track trends. Based on information from the annual reports, the District makes recommendations to SCVTA to alter management techniques to enhance the habitat for the species described in the Coyote Ridge Management Plan.

Contracts for Services

The District has been contracting with CalPERS for retirement benefits since June 27, 1995. OSA also maintains a contract with the County of Santa Clara (since November 1999) for group health and life insurance benefits. The District contracts with a bookkeeper for 16 hours of bookkeeping services and with an independent IT provider for IT services.

Collaboration

OSA collaborates with other entities in purchasing land and easements and caring for open space lands. The high cost of land in the County makes working with partners essential, as reported by the District. OSA has contributed to the purchase of easements held by other agencies and has received funding from the Coastal Conservancy, Bay Area Ridge Trail, and state bond funds for some of OSA's lands. The District has also worked with multiple partners in preserving the County's open space, including The Nature Conservancy, Peninsula Open Space Trust, Midpeninsula Regional Open Space District, Santa Clara County Parks and Recreation, City of San Jose, California Department of Conservation, National Resource Conservation Service, and Silicon Valley Land Conservancy.

In its resource management efforts, the District partners with the Santa Clara Valley Transportation Authority, the Santa Clara Valley Water District, Resource Conservation Districts, Fire Safe Councils, Santa Clara County Joint Fire Academy, California Fish and Wildlife, and Santa Clara County Sheriff's Office to address issues such as resource and habitat management, invasive plants, wildlife migration, and urban-wildland interface fires.

OSA closely collaborates with Santa Clara County and the cities within its boundaries through the Urban Open Space program, which was described earlier in the *Services Provided* section. Partnerships with these municipal agencies and the County have included the following:

- ❖ The City of San Jose has used its Urban Open Space allocations to develop segments of the City's trail network and to enhance its urban parks, including a \$3 million contribution toward the Three Creeks Trail. The City also contributed \$800,000 to help fund a portion of Rancho Cañada del Oro Open Space Preserve that lies within the City's border.
- ❖ In 2006, the OSA Board of Directors approved \$450,000 to make the 287-acre Martial Cottle property, owned by Santa Clara County and the State of California, a historic park. Funding was intended to assist with initial planning and the development of active agriculture or community gardens. Public recreation facilities at the park will include trails and picnic sites.
- ❖ In September 2007, the City of Campbell received an allocation of \$109,000 for a trail development and revegetation project, which includes trails, landscaping and benches on the site of percolation ponds along Hacienda Avenue.
- ❖ OSA contributed \$173,021 to improvements at Edith Morley Park, a 5.5-acre site located adjacent to percolation ponds on Campbell Technology Parkway. The project, approved in 2001, provided wetland preservation, native plantings, walking paths and benches. Edith Morley Park offers recreational amenities as well as a marsh and wetland area for exploration and environmental studies.
- ❖ The District allocated \$55,000 to the City of Santa Clara in 2000 for the first phase of the San Tomas Aquino/Saratoga Creek Trail. This segment is located near Great America Parkway and Tasman Drive, providing a place for outdoor exercise and recreation to many who work in the area. When completed, the trail will cover 12 miles and provide an alternate transportation route for residents and workers.
- ❖ OSA has made two allocations totaling \$457,953 to the City of Santa Clara for development of the Ulistac Natural Area located on Lick Mill Boulevard along the Guadalupe River. The site offers trails, a native plant garden, interpretive signage for visitors and is also a wetland restoration project. Funding from the District's Urban Open Space program contributed toward trail improvements, plant improvements and fencing.
- ❖ The Alviso Adobe is a two-story 175-year-old Monterey Colonial style adobe structure that was placed on the National Register of Historic Places in 1997. In December 2005, the District approved an allocation of \$356,837 for a restoration project that includes an orchard, garden and outdoor activity area. The project is pending while the City of Milpitas pursues additional funding.
- ❖ In August 2009, the OSA Board of Directors authorized the allocation of \$184,000 for the purchase of a property on El Toro Mountain—the peak that rises on the western edge of the City of Morgan Hill.

The District participates in regional plans, including the Santa Clara Valley HCP/NCCP, Bay Area Critical Linkages, Conservation Lands Network (Bay Area Open Space Council), MTC/ABAG Sustainable Communities Strategy, County General Plan Health Element, Pajaro Regional Water Management Plan, Countywide Trails Master Plan, and County Parks Strategic Acquisition Plan.

The District is also a member of the multiple organizations and associations, including International Association of Business Communicators, National Association of Professional Women, California Farm Bureau, Land Trust Alliance, Bay Area Open Space Council, Society for Rangeland Management, California Special Districts Association, California Parks & Recreation Society, Society for Human Resource Management, CalChamber, Santa Clara County Special Districts Association, Joint Venture Silicon Valley, California Council of Land Trusts, California Invasive Plant Council, Meetup.com, Land Trust Alliance, San Francisco Planning and Urban Research Association (SPUR), American Trails Association, National Audubon Society, Society for Conservation Biology, Save the SF Bay, Association of Environmental Planners (AEP), and Upper Alameda Creek Watershed Partnership.

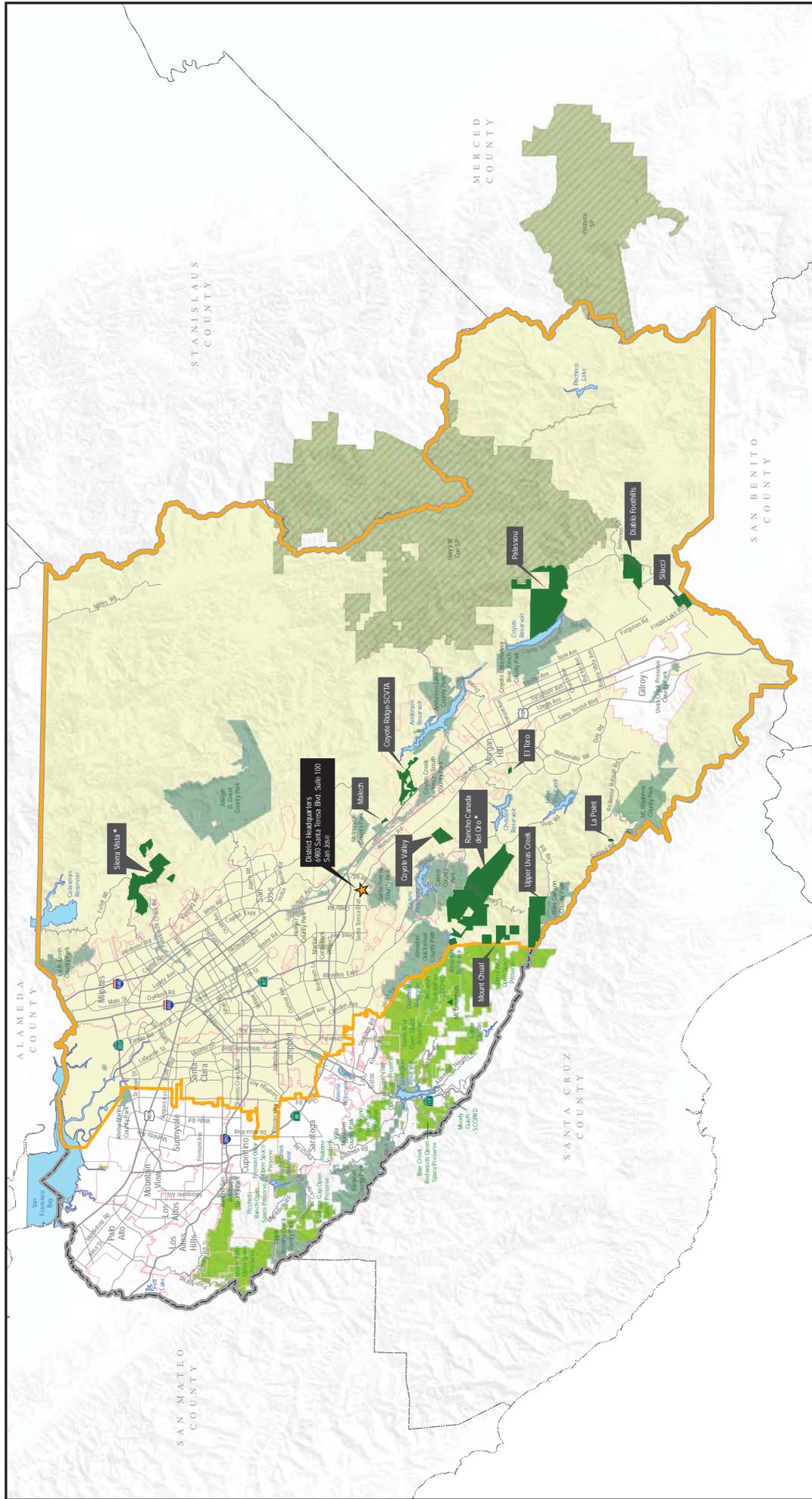
Overlapping and Neighboring Service Providers

The District's service fills a gap in the need for open space protection, passive recreation opportunities, and open space management services that other agencies generally do not have the capacity to provide. The only other entities in Santa Clara that provide similar services are the County through its county park system and MROSD. Open space preserves and trails managed by MROSD are located within MROSD's boundaries and SOI and do not overlap with the service area of OSA. There are 21 parks operated by the County that also provide open space recreation, such as hiking, biking and equestrian use, which are located within OSA's boundaries.⁷⁵ However, unlike open space preserves operated by OSA that are kept in their natural condition, county parks contain more amenities such as picnicking facilities, active recreation facilities, RV camping opportunities, and landscaped areas. Through the Urban Open Space program, OSA financially contributes to the open space and natural improvements made to some of the county parks.

Because resource management is offered as a part of its range of services provided, OSA provides some similar services with Guadalupe Coyote Resource Conservation District (GCRCD), Loma Prieta Resource Conservation District (LPRCSD) and Santa Clara Valley Water District (SCVWD), but the services offered by OSA are limited to preserves owned by the District. GCRCD has the goal of conserving resources, specifically related to watershed, floodplain, riparian corridor and land management, waterway protection and restoration, habitat preservation, erosion prevention, invasive species control, and scientific studies, education and information. LPRCD advises and assists individuals and public agencies in

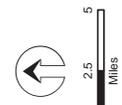
⁷⁵ Almaden Quicksilver County Park, Alviso Marina County Park, Anderson lake County Park, Calero County Park, Chesbro Reservoir County Park, Chitactac-Adams Heritage County Park, Coyote Creek Parkway, Coyote Lake-Harvey Bear Ranch County Park, Ed Levin County Park, Hellyer County Park, Joseph D. Grant County Park, Motorcycle County Park, Mt. Madonna County Park, Penitencia Creek, Santa Teresa County Park, Sunnyvale Baylands Park, Uvas Canyon County Park, Uvas Creek Park Preserve, Uvas Reservoir, and Vasona and Los Gatos Creek County Parks.

the prevention of soil erosion, runoff control, development and use of water, land use planning, conservation of wildlife and other related natural resources. SCVWD's stewardship responsibilities include creek restoration and wildlife habitat projects, pollution prevention efforts and a commitment to natural flood protection. OSA provides only a fraction of the natural resource management services provided by GCRC, LPRC and SCVWD and strictly within the district-owned lands. OSA is developing close relationships with GCRC and LPRC in an effort to link resource management efforts and funding. The District is also looking into partnering with SCVWD for water resource protection.



Santa Clara County Open Space Authority (SCOSA)

- Santa Clara County Open Space Authority SOI
- Santa Clara County Parks
- Santa Clara County Open Space Authority
- Properties Managed and Maintained by SCOSA
- * Preserves Owned and Operated by SCOSA
- City Limits (Incorporated Areas)



ACCOUNTABILITY AND GOVERNANCE

OSA's Board of Directors has seven members, each elected to a four-year term and representing an individual geographic district. The last contested election took place in November 2012. The District's enabling act does not limit the number of terms that a board member may hold. The current member names, positions, and term expiration dates are shown in Figure 7-2.

Figure 7-2: OSA Governing Body

Santa Clara County Open Space Authority					
<i>District Contact Information</i>					
Contact:	Lauren Monack, Administrative Manager				
Address:	6980 Santa Teresa Blvd, Ste. 100, San Jose, CA 95119				
Telephone:	408-224-7476				
Fax:	408-224-7548				
Email:	lmonack@openspaceauthority.org				
Website:	http://www.openspaceauthority.org/				
<i>Board of Directors</i>					
Member Name	Position	Began Serving	Term Expires	Manner of Selection	Length of Term
Alex Kennett	District 1, Director	Sep. 2001	December 2016	Elected	4 years
Jim Foran	District 2, Director	Mar. 2003	December 2014	Elected	4 years
Sequoia Hall	District 3, Director	Mar. 2004	December 2016	Elected	4 years
Dorsey Moore	District 4, Director	Dec. 2012	December 2016	Elected	4 years
Virginia Holtz	District 5, Chair	Jul. 2005	December 2014	Elected	4 years
Mike Potter	District 6, Director	May 2013	December 2014	Appointed	4 years
Kulwant Gill	District 7, Vice-chair	Mar. 2007	December 2014	Elected	4 years
<i>Meetings</i>					
Date/Time:	2 nd and 4 th Thursday of each month.				
Location:	Administration office board room				
Agenda Distribution:	Emailed to a list of interested persons and posted on website.				
Minutes Distribution:	Posted online after board approval.				

Regular meetings are conducted at the District's administration office board room on the second and fourth Thursday of every month, except for November and December when regular Board meetings are held on the second Thursday of the month. Closed session begins at 6:30 pm; open session begins immediately following.

Board members receive \$75 in compensation per regular or special board meeting with a maximum of two meetings per month. Government Code §53235 requires that if a district provides compensation or reimbursement of expenses to its board members, the board members must receive two hours of training in ethics at least once every two years and the district must establish a written policy on reimbursements. The District has a written policy on reimbursements. The last time the board members received ethics training was in

2011. All the District's board members are currently scheduled to receive ethics training this year. Additionally, the District is required to make available to the public a list of reimbursements over \$100 made to board members and employees over the last year.⁷⁶ OSA provided the list of reimbursements for FY 12.

Board meeting notices are posted on the windows at the District's administration and land management offices, on the main sign board at the County building, and on the district website. Agendas are mailed to those who have requested such notifications by mail. Once the minutes have been approved by the Board, they are uploaded to the district website.

The public is apprised of district activities via updates and postings on the district website, which also includes the activities calendar, annual reports and fact sheets, as well as newsletter distribution, e-newsletters, Facebook postings, posting of flyers at community centers, libraries and local government centers and on OSA sign boards, press releases, public notices in local newspapers, and newspaper ads. OSA's website contains information on the District's services, Board of Directors, Board of Directors' meeting agendas and minutes, meeting schedule, financial statements, and district news.

The Board of Directors established a Citizens Advisory Committee with the goal of collecting public input, maintaining a channel of communication between the public and the Board, aiding in fostering a positive public image of OSA, and helping to educate the public about the District's goals and accomplishments.

To submit complaints, customers can access district staff and general contact information from the district website where phone numbers, email addresses, and the mailing address for the District are available. OSA does not record or track its complaints as there are very few. There were no complaints received in 2012. The general manager is responsible for receiving all complaints and delegating to the appropriate staff member to respond.

OSA has Board Operating Rules and Procedures and an Employee Handbook that provide a framework and direction for district governance and administration. Included in the Operating Rules and Procedures, are policies on code of ethics and conduct, public records requests, and Brown Act requirements as related to the Board open and closed meetings and adoption and distribution of agendas.

The Political Reform Act (Government Code §81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (California Code of Regulations §18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. The District adopted a conflict of interest code, which was last reviewed in 2012.

Government Code §87203 requires persons who hold office to disclose their investments, interests in real property and incomes by filing appropriate forms with the

⁷⁶ Government Code 53065.5

Fair Political Practices Commission each year. All OSA directors have submitted the required Form 700 for 2013.

MANAGEMENT AND STAFFING

The District consists of both field and administrative staff. Field staff work primarily outdoors and perform a variety of functions, including trail safety and construction, vegetation and resource management, various construction tasks, as well as making contact and sharing information with members of the public. Administrative staff perform numerous functions in support of the District's mission.

The District employs 17 full-time and one part-time (80 percent time) personnel, thus making it 17.8 full-time equivalents (FTEs). The general manager, who is responsible for day-to-day operations, reports to the Board of Directors and manages the executive assistant, administrative manager and assistant general manager. The deputy clerk/office manager, receptionist, communication specialist, volunteer programs supervisor, and coordinator of interpretive programs report to the administrative manager. The assistant general manager administers the open space planner/project manager, conservation planning/GIS tech, and supervising open space technician, who supervises six open space technicians. The District performs employee evaluations annually.

OSA tracks its employee workload through timesheets and work plans. The departmental work plans prioritize and allocate funding to projects in each department for the next three years. Staff are assigned based on the work plans; supervising managers track the projects and the outcomes.

OSA reports that the District evaluates itself through audits and engineers reports. Operations are reviewed through evaluation of the work plan outcomes to ensure that processes in place make efficient use of time and money. The Board of Directors sets goals reflected in the work plans, and based on the results, evaluates the performance of the general manager and of the District as a whole.

The District's mission is to conserve the natural environment, support agriculture and connect people to nature, by protecting open spaces, natural areas, and working farms and ranches for future generations. OSA also lists a number of operational goals on its website. To plan for its capital improvements, the District started adopting annual work plans in 2011. In 2013, OSA initiated the development of a five-year capital improvement plan (CIP), which will be updated annually. Other documents used by the District to guide its efforts include the annually adopted budget, the annually audited financial statement, and five-year master plan last updated in 1999. The District is in the process of preparing a 30-year Conservation Vision Plan and a five-year Strategic Plan that will guide the District's annual plans and budgets.

Government Code §53901 states that within 60 days after the beginning of the fiscal year each local agency must submit its budget to the county auditor. These budgets are to be filed and made available on request by the public at the county auditor's office. The County has reported that in recent years, it has not been the practice for special districts to file their budgets with the County. OSA has submitted its budget to the County for FY 14.

Special districts must submit a report to the State Controller of all financial transactions of the district during the preceding fiscal year within 90 days after the close of each fiscal year, in the form required by the State Controller, pursuant to Government Code §53891. If filed in electronic format, the report must be submitted within 110 days after the end of the fiscal year. The District has complied with this requirement.

All special districts are required to submit annual audits to the County within 12 months of the completion of the fiscal year, unless the Board of Supervisors has approved a biennial or five-year schedule.⁷⁷ In the case of OSA, the District must submit audits annually. OSA has submitted its audit to the County for FY 12.

POPULATION AND PROJECTED GROWTH

Land Uses

The territory within the District's bounds is composed of well-established communities that are nearly built out, including the cities of Milpitas, Santa Clara, Campbell, San Jose and Morgan Hill. The District's boundary area also contains undeveloped and unincorporated areas, which include open space and agricultural lands.

Current Population

Based on 2010 Census data, the District's population as of 2010 was approximately 1,272,600.

Disadvantaged Unincorporated Communities

LAFCO is required to evaluate disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community is defined as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.⁷⁸

The California Department of Water Resources (DWR) has developed a mapping tool to assist in determining which communities meet the disadvantaged communities median household income definition.⁷⁹ DWR did not identify any disadvantaged communities within Santa Clara County.⁸⁰

However, DWR is not bound by the same law as LAFCO to define communities with a minimum threshold of 12 or more registered voters. Because income information is not

⁷⁷ Government Code §26909.

⁷⁸ Government Code §56033.5.

⁷⁹ Based on census data, the median household income in the State of California in 2010 was \$57,708, 80 percent of which is \$46,166.

⁸⁰ DWR maps and GIS files are derived from the US Census Bureau's American Community Survey (ACS) and are compiled for the five-year period 2006-2010.

available for this level of analysis, disadvantaged unincorporated communities that meet LAFCO's definition cannot be identified at this time.

Projected Growth

OSA reported that growth within its boundary had been increasing service demand. Santa Clara County is the fastest growing county in the Bay Area region, which is projected to add 750,000 people in the next 30 years. Morgan Hill and Gilroy are the fastest growing cities in the Bay Area. OSA believes that even limited development in unincorporated lands and around the cities of Gilroy, Morgan Hill and San Jose could threaten agricultural viability and fragment critical habitat and linkages.

The District forecasts service demand by preparing a 30-year conservation vision plan and a five-year strategic plan that will evaluate growth patterns and build-out scenarios under the current County General Plan, which will inform provision of open space services and need for revenue.

High population growth is anticipated within the District's bounds, based on the Association of Bay Area Government's (ABAG) projections for Santa Clara County. ABAG projects that the City of Campbell will experience 17 percent growth over the 25-year period from 2010 to 2035.⁸¹ The City of Milpitas is anticipated to experience 54 percent growth, Morgan Hill 25 percent, San Jose 41 percent, and Santa Clara 37 percent over the same period. Unincorporated areas of Santa Clara County are anticipated to have 19 percent growth over the same period from 2010 to 2035. Based on these growth projections, the average estimated growth for OSA between 2010 and 2035 is 29 percent; it is anticipated that the District's population will be 1,641,654 by 2035.

FINANCING

Financial Adequacy

OSA reported that its financing was marginally adequate to deliver services. The benefit assessment that funds the District does not fully provide for all of the District's financial needs. As the District's land holdings and stewardship responsibilities have grown, administration, operation and management expenses account for the majority of its budget. This limits available funding for new land conservation projects, land management, stewardship, and provision of increased public service. Without additional and sustainable sources of funding, the District reportedly will no longer be able to provide new services and will be limited to operating and maintaining its existing preserves. Additionally, there will be less funding available for cities through the District's Urban Open Space Program. One of the related challenges for the District is finalizing the opening of lands to the public. OSA is evaluating other revenue streams to supplement its funding including applying for government grants.

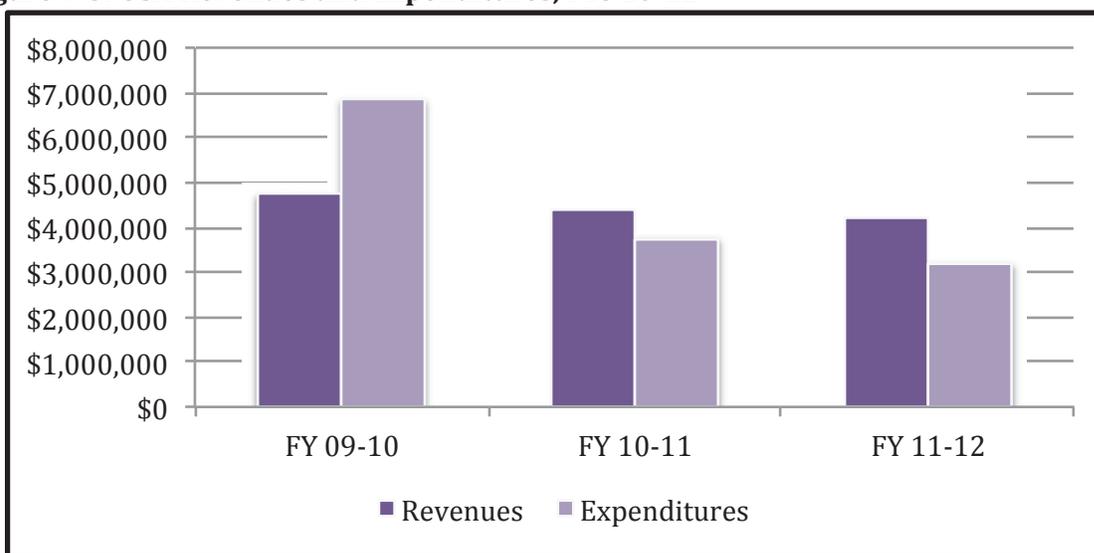
⁸¹ ABAG, Projections 2009, 2009.

While the economic recession provided some opportunities for acquiring land at reduced rates, the availability of funding (government and foundation grants) to support land protection has greatly declined, along with the capacity of conservation partners. As government budgets have declined, there has been an increase in competition for limited public and private funding. There are few, if any, programs that will fund operations and maintenance costs. The new revenue streams being considered by the District are grants, water bonds, transportation measure, climate auction revenue (cap and trade), contract services, and grazing fees.

To improve its operational efficiency and cut costs, OSA undertook multiple measures, including:

- ❖ Delegating operations to specific departments, thus creating divisions of responsibility and assigning managers for work projects,
- ❖ Implementing strategic hiring in key areas, including public outreach and deputy clerk office manager positions,
- ❖ Establishing a Citizens Advisory Committee,
- ❖ Boosting communication and project management between administration and field staff and increasing depth of staffing, so seasonal workers are performing more operating tasks and permanent technicians can train and perform more field tasks,
- ❖ Through all-staff meetings, development opportunities and training, developing a cohesive work environment that includes field staff and administrative staff,
- ❖ Creating a position for a resource management specialist who would be working on natural resource partnerships, mitigation agreements and implementing Santa Clara Valley Habitat Conservation Plan-related tasks, and
- ❖ Developing a plan to restructure the Urban Open Space Program to incorporate cost-sharing with the participating cities and leverage other funding sources.

Figure 7-3: OSA Revenues and Expenditures, FYs 10-12



Source: Audited financial Statements for FY 2010 through FY 2012

As shown in Figure 6-3, over the past three fiscal years (FYs 10 to 12), district expenditures exceeded revenues in FY 10, due to land management expenditures being higher than usual. In FYs 11 and 12, revenues exceeded expenditures.

Revenue Sources

A majority of OSA's funding is derived from benefit assessments. In 1994, the Board approved formation of Benefit Assessment District 1, which levies an assessment of \$12 on single family homes and an adjusted rate on commercial and industrial properties. The benefit assessment is frozen, so it cannot be changed or increased with inflation. This provides about \$4 million in revenues per year. In addition, the District tries to leverage its funds through grants, projects with other agencies, and private donations. OSA does not receive property tax revenue.

In FY 12, OSA received revenue that consisted of 98 percent of benefit assessments, and the remaining two percent from investment income, donations and other revenue sources, as shown in Figure 7-4.

Figure 7-4: OSA Revenues, FY 12

Type of Revenue	Amount of Revenue	% of Total
Assessments	\$ 4,150,932	98.3%
Investment Income	\$ 55,680	1.3%
Donations	\$ 3,644	0.1%
Other revenues	\$ 10,903	0.3%
TOTAL	\$ 4,221,159	100.0%

Source: Audited Financial Statements, FY 12.

Rates

The District charges permit fees for special events held at its preserves that start at \$250. OSA has a management agreement with SCVTA for the management of 548 acres owned by SCVTA on top of Coyote Ridge in south San Jose. The District does not receive a net benefit from managing SCVTA property on Coyote Ridge. Instead, OSA is reimbursed through an endowment funded by SCVTA for costs incurred for managing the property.

OSA compares itself to other similar agencies and looks for best management practices to set appropriate rates.

Expenditures

In FY 12, the District's total expenditures amounted to \$3.2 million, as depicted in Figure 7-5. Most of the funds were spent on administration (48 percent). The rest of the expenses consisted of land management (29 percent), capital outlays (21 percent) and program expenditures (two percent).

Figure 7-5: OSA Expenditures, FY 12

Type of Expenditure	Amount	% of Total
Administration	\$1,535,048	48%
Program	\$64,473	2%
Land management	\$934,582	29%
Capital outlays	\$672,644	21%
TOTAL	\$ 3,206,747	100.0%

Source: Audited Financial Statements, FY 12.

Capital Outlays

OSA is planning to spend over \$5 million on capital expenditures in FY 13. Capital expenditures will include land purchases (\$5 million), capital improvements (\$75,000) and vehicles (\$40,000).

In FY 12, the District spent \$672,644 on capital outlays. This included the construction of 1.3 miles of the Sierra Vista Trail, clearing of vegetation and road repair of 5.5 miles of ranch roads to incorporate in the existing multi-use trail system, purchase and installation of a 40 foot fiberglass bridge, purchase and installation of trail signs, park benches, picnic table, and split rail fencing within the Sierra Vista Open Space Preserve. Also included in the capital outlays was an electrical upgrade at the District's Blair barn, located at Rancho Canada del Oro Open Space Preserve, to eliminate safety hazards. Acquisitions featured the purchase of two properties totaling 165.5 acres within the Santa Cruz Mountains adjacent to the Rancho Canada del Oro Open Space Preserve. OSA also purchased a 2012 Ford Expedition, a second ATV and an ATV transport trailer.

Reserves

The District keeps two financial reserves—unrestricted funds and a benefit assessment reserve. At the end of FY 12, OSA had a balance of \$33,881,487 in its unrestricted fund.

At the end of each fiscal year, the District allocates 20 percent of its actual capital expenditures to the Benefit Assessment District 1 reserve, as required by the policy established at the time the benefit assessment was approved by the voters. Funds from these reserves are allocated to an account for the purpose of holding the funds until the eligible cities within OSA's jurisdiction apply for them. The maximum amount available to any city is based on the population of each city and the funds must be used for projects related to natural resources and open space through the District's Urban Open Space Program.

Debt

At the end of FY 12, the District's long-term debt attributed to accrued unused leave time amounted to \$64,555.

INFRASTRUCTURE AND FACILITIES

The district office, occupied by the administrative personnel, is under an operating lease. The current lease runs from June 1st, 2013 through June 30th, 2015. The rental expense for FY 12 was \$96,991.

The OSA land management office, occupied by the field personnel, is also under an operating lease. The current lease runs from October 2010 through September 2013. The rental expense for FY 12 was \$34,800.

OSA currently owns 12,792 acres of land and manages 19 miles of trails. The two preserves owned and operated by the District are Sierra Vista Open Space Preserve and Rancho Cañada del Oro Open Space Preserve.

Sierra Vista Open Space Preserve is located in the foothills east of the City of San Jose above Alum Rock Park and is comprised of 1,843 acres of oak woodlands, grasslands and chaparral communities. Currently, Sierra Vista Open Space Preserve is accessible through Alum Rock City Park owned and operated by the City of San Jose and via a pedestrian access gate along Sierra Road. The preserve currently does not have vehicle access to parking; Alum Rock Park charges \$6 per vehicle on weekends to park in its lot. The preserve provides watershed protection for Penitencia Creek and is home to a number of protected wildlife species, such as the red-legged frog, California tiger salamander, golden eagle, mountain lion, bobcat, and grey fox. Cattle grazing within the preserve is used as a natural resource tool to reduce invasive plants and restore native species. No bathrooms, water sources or parking areas are located within the Sierra Vista Preserve.

Rancho Cañada del Oro Open Space Preserve is located in the east foothills of the Santa Cruz Mountains west of Bailey Avenue and McKean Road in south Santa Clara County. The 4,651-acre preserve was opened to the public in 2004 with the dedication of the Bald Peaks and Longwall Canyon trails which adjoin trails within Calero County Park. In addition to public access the preserve protects the upper watershed of Llagas Creek, rare serpentine rock and grassland habitat, and provides critical habitat for a number of protected wildlife species such as Santa Clara Valley Dudleya, Western pond turtle, foothill yellow-legged frog, numerous raptors and large predators. Cattle grazing is used as a natural resource tool on the property to reduce invasive plant species and increase native vegetation populations.

Construction in 2005 of a paved staging area with a restroom, picnic tables and a gravel lot designed for horse trailers made the preserve's trails more convenient for hikers and equestrians. The addition of the Mayfair Ranch and Catamount trails in 2007 provided a direct connection to the higher-elevation trails that enabled the District to open all Rancho Cañada del Oro trails to mountain bike use. The ADA-approved loop trail opened in 2007, provides a nature experience for visitors with limited mobility. The preserve offers several horse troughs, but no water for human consumption is available.

In addition, OSA operates multiple trails.

Sierra Vista Open Space Preserve trails include:

- ❖ **Boccardo Trail** – The three-mile Boccardo Trail, located in Sierra Vista Open Space Preserve, is frequented by over 13,000 trail users annually. Boccardo Trail is first trail ever opened by OSA. The trail system totals about 10 miles and is a part of the Bay Area Ridge Trail, a 550-mile regional multi-use trail system planned along the ridge lines that encircle the San Francisco Bay.
- ❖ **Sierra Vista Trail** – The two-mile Sierra Vista Trail links the western preserve trails with the eastern preserve trail system. The trail is a part of the Bay Area Ridge Trail.
- ❖ **Calaveras Fault Trail** – The 4.5-mile trail runs from the Sierra Vista trail and Sierra Road entrance gate to the Penitencia Creek drainage and up along the adjacent ridge to the vista point with views of the San Jose metropolitan area and the Diablo mountain range.

Rancho Cañada del Oro Open Space Preserve trails are:

- ❖ **Llagas Creek Loop Trail** - This paved whole-access trail begins at the parking area. Almost a half-mile long, the trail runs through a meadow that offers birding, deer watching, and a vista of flowers and native grasses under oaks and California walnut trees.
- ❖ **Mayfair Ranch Trail** - New in 2007, the 3.1-mile trail begins at the staging area and climbs into oak woodlands and savannas to join the Longwall Canyon Trail. At this point visitors can continue into the preserve on a 4.7-mile loop or return to the staging area along a 1.2-mile route that passes into Calero County Park. Bicyclists are prohibited in the county park.
- ❖ **Longwall Canyon Trail** - A steep climb, this two-mile trail provides a picnic table and horse trough at its peak. The summit offers panoramic views of the valley floor, Diablo Range and surrounding ridges. It connects to the Bald Peaks Trail, which continues into the preserve.
- ❖ **Bald Peaks Trail** - The one-mile segment of the Bald Peaks Trail within Rancho Cañada del Oro joins the Catamount Trail, allowing bicyclists as well as hikers and equestrians to complete a loop that returns to the preserve's staging area. Bald Peaks Trail also continues into Calero County Park, which is closed to mountain bikes.
- ❖ **Catamount Trail** - This 1.7 mile trail has steep and moderate stretches as it rejoins the Longwall Canyon Trail. From that point, it is possible to return to the staging area through the county park or along the Mayfair Ranch Trail. Bicyclists must use the Mayfair Ranch Trail.

OSA also manages and maintains properties that are currently closed to the public, including:

- ❖ **Diablo Foothills** – The preserve consists of 822 acres of grassland, mixed oak woodland, chaparral and riparian habitats. Located southwest of Gilroy in the western foothills of the Diablo Range, the preserve protects critical habitat for several rare and threatened species such as the California tiger salamander, California red-legged frog and San Joaquin kit fox.

- ❖ **Palassou Ridge** – The preserve consists of 3,447 acres of grassland, mixed oak woodland, mixed conifer woodland, chaparral, and riparian habitats including sycamore alluvial riparian habitat. Situated to the east of the City of Gilroy the preserve offers a nexus between Coyote Lake County Park and Henry W. Coe State Park providing a continuation of protected land for wildlife travel. In addition, the preserve protects a portion of the Coyote Creek watershed.
- ❖ **Coyote Valley** – The preserve consists of 348 acres in South San Jose’s Coyote Valley. Located along the western edge of the valley the property protects grassland, mixed oak woodland, chaparral, riparian communities and serpentine grasslands and rock outcroppings. The preserve protects upland habitat of the California tiger salamander known to occur on adjacent properties. OSA plans on developing a vehicle and equestrian parking area and adjacent four-mile trail in the near future.
- ❖ **El Toro** – The preserve consists of 28 acres on the southwestern edge of the City of Morgan Hill. It protects the view shed of El Toro Mountain and provides habitat for multiple wildlife species. Primarily consisting of grasslands and chaparral; the preserve also has a small area of mixed oak woodland.
- ❖ **Santa Cruz Mountains properties** – The properties consist of 1,436 acres within the Santa Cruz Mountains southwest of San Jose and protect the watersheds of Uvas, Llagas, and Almaden creeks. Santa Cruz Mountain properties abut various other protected areas and enlarge the total amount of protected wildlife corridors that exist within the mountain range. Future acquisitions in the Santa Cruz Mountains by the District or its partners could link these properties to MROSD’s Sierra Azul Open Space Preserve, Santa Clara County’s Uvas Canyon, Mt. Madonna, Almaden Quicksilver, and Calero County Parks along with the OSA’s Rancho Cañada del Oro Open Space Preserve creating a continuous link of protected land encompassing over 40,000 acres between SRs 17 and 152.

OSA preserves and trails were reported to be in excellent condition. Preserves and trails are monitored and maintained on a near-daily basis by district staff and volunteers. Staff repair trail damage and remove obstructions as quickly as safety and feasibility allow. Trails are a mix of existing dirt ranch roads typically 10 to 12 feet wide and six foot wide constructed trails. All constructed trail segments have a two percent outslope and a maximum grade of 15 percent with a typical grade of less than six percent. In addition to the dirt trails, the District has one all-access trail comprised of a half-mile paved five foot wide trail. All trails with the exception of the Sierra Vista and Llagas Loop trails are multi-use (hiking / mountain biking / equestrian). The Sierra Vista Trail is open to mountain biking and hiking only. The paved Llagas Loop Trail is open to all mobility devices, hiking and mountain biking.

Infrastructure Needs

OSA’s annual work plans outline planned projects by department and describe their purpose, scope, schedule, and budget. Plans include opening a new preserve for public access in South San Jose’s Coyote Valley featuring a staging area for vehicle and equestrian parking and a four and a half-mile multiple use dirt trail, a vehicle and equestrian parking area at Sierra Vista Open Space Preserve, and an additional two miles of trails for the Bay

Area Ridge Trail. In addition to public access improvements, the District has also prioritized investment in improvement of several key structures within its preserve system.

As was previously mentioned in the *Financing* section of this report, the District's budget for FY 13 planned for over \$5 million in capital outlays, which included land purchases, capital improvements and vehicle upgrades.

OSA is currently engaged in preliminary discussions for several land acquisitions throughout its jurisdiction. These acquisitions would provide the basis for future capital improvements such as parking areas and trails.

Shared Facilities

The District conducts facility sharing with other organizations and agencies through its trails that are connected to other regional and local open space and park facilities. For example, the Boccardo, Sierra Vista and Calaveras Fault trails are a part of the 550-mile Bay Area Ridge regional multi-use trail system planned along the ridge lines that encircle the San Francisco Bay. One of the leads of the Mayfair Ranch Trail is to a 1.2-mile route that passes into Calero County Park. Bald Peaks Trail also continues into Calero County Park. The District reported that some of its planned land acquisitions would enhance these shared trail systems.

Additionally, through its Urban Open Space Program, OSA provides financing for open space facilities owned by Santa Clara County and participating cities in the District.

DEMAND FOR SERVICES

The three major factors influencing service demand for OSA are population growth, the range of open space opportunities and amenities offered by the District, and constituent outreach. The wider the range of recreational opportunities, the greater the chance that a resident will find a preferred option, therefore potentially more people would be using the services offered by a district. Similarly, the more constituents are aware of the recreational opportunities the more likely a greater number of people will be using the District's facilities.

As reported by OSA, its demand for services has been continuously increasing, due to population growth in the Bay Area, more recreational opportunities provided by the District, and more aggressive constituent outreach. The District expects more growth in the future and increased demand, not only for open space recreation services but also for conservation and preservation.

OSA has several trail counters on multiple trails within its preserves along with a vehicle counter at the Ranch Canada del Oro staging area. Through direct observations by the district staff, an adjustment factor has been devised to assist in the estimation of the number of visitors to Rancho Canada del Oro Open Space Preserve. Based upon observed averages, the calculated number of visitors to Rancho Canada del Oro Open Space Preserve in 2012 was 39,992. Trail counters were also installed along Sierra Vista Open Space Preserve in 2012 to help gather visitation data. Year 2013, however, was the first full year for data collection of total number of visitors. Monthly trail data numbers from the same

months over the previous years have shown a steady increase in the number of trail users over the years.

SERVICE ADEQUACY

This section reviews indicators of service adequacy, including open space acreage per 1,000 residents, condition of open space preserves and amenities, operating expenditures per acre of land maintained, acres of land maintained per FTE, number and variety of open space opportunities offered, and challenges to adequate service provision.

The amount of open space acreage available to district residents is one determinant of service adequacy. There are several standards for the amount of open space acreage needed, ranging from three to 10.25 acres of developed open space per 1,000 residents. The National Recreation and Park Association (NRPA) recommends that a municipal park system be composed of at least 6.25 to 10.5 acres of developed open space per 1,000 residents. While this standard is directed at municipal park systems, which implies developed open space, the standard is applicable to open space providers as well, including OSA. OSA operates 12,792 acres of open space preserves. The total acreage per 1,000 residents for the open space system in OSA is 10, which is on the higher end of the above mentioned service standards.⁸²

All of the District's preserves and trails were reported to be in excellent condition, as was previously indicated in the *Infrastructure and Facilities* section.

In FY 12, OSA spent about \$198 in operating expenditures per acre of parkland currently open to the public. The NRPA Special Report indicates that during the same period among the agencies throughout the country, that operated more than 3,500 acres and responded to the NRPA survey in 2012, the median agency spent about \$3,579 per acre in operating expenses. It should be noted that some agencies surveyed by NRPA had more amenities than OSA, therefore these agencies had to spend more funds on the operations and maintenance of these additional facilities.

Also in FY 12, the median agency throughout the country that operated more than 3,500 acres and responded to the NRPA survey maintained 95.3 acres per FTE. To compare, OSA in FY 13, managed 719 acres of land open to the public per FTE. Similar to the expenditures per acre, fewer FTEs are required to operate and maintain lands with fewer amenities and recreational programs.

OSA makes a number of open space opportunities available to the public, including two large-scale open space preserves and multiple trails. The District also offers a number of activities, including guided nature hikes, bike and equestrian rides, photography walks, stargazing sessions, and activities for children. The number and diversity of activities and facilities offered appear to be limited for the large size of the District; however, a large number of regional county parks and city parks operating throughout the OSA territory, and often sponsored by the District, further satisfy the regional demand. The District has conducted two polls among its constituents. The most recent one conducted in May 2013

⁸² Used for this indicator are the preserves currently open for public use.

revealed that OSA constituents highly value the District's efforts to safeguard water quality and resources, preserve local family farms and healthy food sources, keep open space areas safe and crime free, and protect natural resources from toxins, pollutants and vandalism.

OSA identified challenges to adequate service provision in its open space preserves. The primary challenge is limited funding. Financing limitations can cause delays in implementing capital improvements and acquisition of land. Because of the downturn in the economy, funding is further constrained by the lack of available grant funds and increased competition for funding.

GOVERNANCE STRUCTURE OPTIONS

During the process of this study, two governance structure options were identified for OSA: 1) annexation of the City of Gilroy and 2) extending services into neighboring counties.

When the OSA was originally formed in 1993, the City of Gilroy initially joined OSA and then subsequently requested detachment from the District which was approved by LAFCO. . Currently, Gilroy remains outside of the District's boundaries, but within its sphere of influence. Annexation of the City of Gilroy was identified as a logical next step for OSA, given that Gilroy is the only city within Santa Clara County that is outside of an open space provider's boundaries and City residents are already benefitting from services offered by OSA outside of the City's limits.

There are several benefits and challenges to this option. Potential benefits to annexation include the following:

- ❖ City residents would no longer be excluded from the District's governing activities.
- ❖ OSA could provide the necessary open space and conservation services to the City, which is one of the fastest growing areas within the County and is anticipated to increasingly require these services.
- ❖ The City would be eligible to take part in the District's Urban Open Space Program.
- ❖ The District would receive increased revenues for services from which city residents are already benefitting.

There are challenges to annexation that will require efforts on the part of OSA to secure support from the City Council and city residents.

- ❖ City property owners would likely be asked to approve an assessment to finance services offered by OSA in the area.
- ❖ The City has chosen to remain outside of OSA for 20 years, and a proposed change in policy will be highly scrutinized by the public and elected representatives.

While OSA is currently working with Gilroy on certain conservation efforts, the District has reported that annexation of the City is not an immediate goal of the District. The District anticipates that the process will take time and effort to identify the proper steps for annexation and secure the necessary support from the City Council and city residents. To initiate annexation, the Gilroy City Council would have to adopt a resolution; the

annexation process then must be conducted by LAFCO according to the Cortese-Knox-Hertzberg Act, as outlined in the OSA enabling act.⁸³ Levying a special tax or assessment in the annexed territory would require notice, hearing and an election.

While far less likely and feasible in the near term, another governance option considered by OSA is extending its services into neighboring counties. As elaborated by the District, habitats and watersheds are not limited by jurisdictional boundaries and are better protected and managed in their entirety on a regional scale. One example of an area where the District would like to serve is the Pajaro Watershed, which extends primarily into San Benito County, as well as Santa Cruz, and Monterey counties. However, there are certain constraints outlined in the District's own enabling act that limit the possibility of this scenario. Currently, OSA's enabling act defines the District's maximum jurisdiction as all areas within Santa Clara County, except those areas of the County presently within the boundaries and sphere of influence of the Midpeninsula Regional Open-Space District.⁸⁴ The enabling act also only empowers OSA to acquire and hold land within its maximum jurisdiction.⁸⁵ As the enabling act is currently phrased, the District may not annex territory outside of the County. Therefore, the enabling act must be amended to allow for boundary expansion into other counties. OSA recognizes that this option is unlikely in the near future, and would require significant effort on the part of the District to change state legislation.

⁸³ Public Resources Code §35121(b).

⁸⁴ Public Resources Code §35120.

⁸⁵ Public Resources Code §35152.

SANTA CLARA COUNTY OPEN SPACE AUTHORITY SERVICE REVIEW DETERMINATIONS

Growth and Population Projections

- ❖ As of 2010, Santa Clara County Open Space Authority (OSA) had approximately 1,272,600 residents, based on 2010 Census data.
- ❖ Based on Association of Bay Area Governments (ABAG) growth projections for the area, the average estimated growth for OSA between 2010 and 2035 is 29 percent; it is anticipated that the District's population will be 1,641,654 by 2035.

Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence

- ❖ There are no disadvantaged unincorporated communities within or adjacent to the District's service area based upon mapping information provided by the State of California Department of Water Resources. However, given the large size of the defined community in the census data used here, it cannot be discounted that a smaller community that meets the required income definition and has 12 or more registered voters may exist within or adjacent to the District. Due to data constraints, these smaller communities cannot be identified at this time.

Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

- ❖ The three major factors influencing service demand for OSA are population growth, the range of open space opportunities and amenities offered by the District, and constituent outreach.
- ❖ As reported by OSA, its demand for services has been continuously increasing, due to population growth in the Bay Area, more recreational opportunities provided by the District, and more aggressive constituent outreach. The District expects more growth in the future and increased demand, not only for open space recreation services but also for conservation and preservation.
- ❖ To plan for its capital improvements, the District started adopting annual work plans in 2011. The District's work plans outline planned projects by department and describe their purpose, scope, schedule, and budget. OSA has prioritized opening a new preserve for public access in South San Jose's Coyote Valley, a vehicle and equestrian parking area at Sierra Vista Open Space Preserve and an additional two miles of trails. In addition to public access improvements the District is also planning to invest in improvements to several structures.

- ❖ Based on open space acreage per 1,000 residents, condition of open space preserves and amenities, operating expenditures per acre of land maintained, acres of land maintained per FTE, number and variety of open space opportunities offered, and challenges to adequate service provision, the District's provision of services appears to be adequate.

Financial Ability of Agency to Provide Services

- ❖ OSA reported that its financing was marginally adequate to deliver services. The benefit assessment that funds the District does not fully provide for all of the District's financial needs.
- ❖ While the economic recession provided some opportunities for acquiring land at reduced rates, the availability of funding to support land protection has greatly declined. As government budgets have declined, there has been an increase in competition for limited public and private funding.
- ❖ The new revenue streams being considered by the District are grants, water bonds, transportation measure, cap and trade, contract services, and grazing fees.
- ❖ Over the past three fiscal years, revenues exceeded expenditures in two years. District expenditures exceeded revenues in FY 10, due to land management expenditures being higher than usual.
- ❖ OSA is planning to spend over \$5 million on capital expenditures in FY 13. Capital improvements will include land purchases (\$5 million), capital improvements (\$75,000) and vehicle purchases (\$40,000).
- ❖ The District appropriately maintains funds to finance capital investments and contingencies. The District keeps two financial reserves—unrestricted funds and the benefit assessment reserve. At the end of FY 12, OSA had a balance of \$33,881,487 in its unrestricted fund.

Status and Opportunities for Shared Facilities

- ❖ The District practices facility sharing through its trails that are connected to other regional and local open space and park facilities.
- ❖ Through its Urban Open Space Program, OSA provides financing for open space and park facilities owned by Santa Clara County and cities in the District.
- ❖ Some of the District's planned land acquisitions will connect to trail systems, such as the Bay Area Ridge Trail and other countywide trail systems.

Accountability for Community Services, Including Governmental Structure and Operational Efficiencies

- ❖ The District generally demonstrated accountability and transparency with regard to governance by adopting a mission statement, adopting an annual budget prior to the start of the fiscal year, publishing agendas for public meetings as legally required,

filing Form 700 Statement of Economic Interest, completing ethics training by all board members, and by maintaining a website where information is made available to the public.

- ❖ OSA has operating rules and procedures and an employee handbook that provide a framework and direction for district governance and administration. Included in the operating rules and procedures, are policies on code of ethics and conduct, public records requests, and Brown Act requirements as related to the Board open and closed meetings and adoption and distribution of agendas. The District adopted a conflict of interest code, which was last reviewed in 2012.
- ❖ Two governance structure alternatives for OSA were identified—annexation of the City of Gilroy and extension of services into neighboring counties to include the entirety of watersheds. However, it is unlikely that OSA will expand services into neighboring counties in the near future, given constraints to the District’s bounds defined by the State Legislature in its enabling act.

SANTA CLARA COUNTY OPEN SPACE AUTHORITY SPHERE OF INFLUENCE UPDATE

Existing Sphere of Influence Boundary

OSA's SOI is generally coterminous with its boundary, except for the City of Gilroy, which is included in the District's sphere of influence, but excluded from its boundary area.

Recommended Sphere of Influence Boundary

Reaffirming the District's current SOI was the only option identified for OSA throughout the course of this service review. Given the limitations to the District's bounds defined in its enabling act (described in the *Governance Structure Options* section of this report), growth beyond the District's existing SOI is unlikely. Therefore, in order to reflect the District's current service area and its goal of annexing the City of Gilroy in the future, it is appropriate for the Commission to reaffirm OSA's current SOI.

Proposed Sphere of Influence Determinations

The nature, location, extent, functions, and classes of services provided

- ❖ Santa Clara County Open Space Authority (OSA) owns 12,792 acres of land and has assisted in preserving 3,103 acres of conservation easements and mitigation lands, including open space, parklands, wildlife areas, recreation areas and watershed areas.
- ❖ OSA owns and operates two open space preserves (Rancho Cañada del Oro Open Space Preserve and Sierra Vista Open Space Preserve) and maintains multi-use trails for hikers. The District provides resource management on its lands and operates an Urban Open Space program through which it finances park and open space projects run by the County and the cities in the OSA boundary area.
- ❖ All lands within OSA are served; however, benefit assessment funds can only be used to provide services to areas and residents that pay benefit assessments. OSA does not provide services outside of its boundaries.

Present and planned land uses in the area, including agricultural and open-space lands

- ❖ The District contains a wide range of land uses, from all types of urban uses to large areas of hillside, open space, and agricultural uses.
- ❖ Land use plans in the County and its cities include land uses and population growth, which will require continued open space and resource management services.
- ❖ Open space services provided by OSA do not induce or encourage growth, but protect agricultural and open space lands. No negative impacts on agricultural land will occur.

Present and probable need for public facilities and services in the area

- ❖ Three major factors influencing service demand for OSA are population growth, the range of open space opportunities and amenities offered by the District, and constituent outreach.
- ❖ OSA's demand for services has been continuously increasing, due to population growth in the Bay Area, more recreational opportunities provided by the District, and more aggressive constituent outreach. The District expects more growth in the future and increased demand, not only for open space recreation services but also for conservation and preservation services.
- ❖ The calculated number of visitors to Rancho Canada del Oro Open Space Preserve in 2012 was 39,992. Monthly trail data numbers from Sierra Vista Open Space Preserve from the same months over previous years has shown a steady increase in the number of trail users over the years.
- ❖ The population of the District is anticipated to increase by about 29 percent by 2035. There is present and anticipated continued need for the District's services as the population of the area continues to increase and urban areas continue to grow.

Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

- ❖ Based on open space acreage per 1,000 residents, condition of open space preserves and amenities, operating expenditures per acre of land maintained, acres of land maintained per FTE, number and variety of open space opportunities offered, and challenges to service provision, it appears that OSA provides adequate services.
- ❖ The District's current revenues are marginally adequate to maintain the existing level of service. Without additional and sustainable sources of funding, the District will lack capacity to maintain current level of service and satisfy future demand.
- ❖ OSA attempts to increase the capacity of its facilities through collaboration and facility sharing with other agencies.
- ❖ No significant accountability, administrative, operational, or infrastructure deficiencies were identified. The District generally demonstrated accountability and transparency.
- ❖ Multiple infrastructure needs were identified; the District has a schedule and financing plan for these improvements.

Existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency

- ❖ OSA serves the residents of the District and of the entire Bay Area by providing open space and conservation services. All area visitors also benefit from services provided by the District.