



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

Alternate Commissioners

Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer
Neelima Palacherla

REGULAR MEETING

December 1, 2021 ▪ 1:15 PM

AGENDA

Chairperson: Susan Ellenberg ▪ Vice-Chairperson: Rich Constantine

***** BY VIRTUAL TELECONFERENCE ONLY *****

Pursuant to AB 361, Government Code section 54953(e)(1)(A), this meeting will be held by teleconference only because the Governor has issued a state of emergency due to COVID-19 and the County Health Officer recommends public bodies continue to meet remotely. No physical location will be available for this meeting. However, members of the public will be able to access and participate in the meeting.

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

PUBLIC ACCESS

Members of the public may access and watch a livestream of the meeting on Zoom at <https://sccgov-org.zoom.us/j/99381649388>. Alternately, the public may listen in to the meeting by dialing (669) 219-2599 and entering **Meeting ID 99381649388#** when prompted.

WRITTEN PUBLIC COMMENTS may be submitted by email to LAFCO@ceo.sccgov.org. Written comments will be distributed to the Commission as quickly as possible. Please note that documents may take up to 24 hours to be posted to the agenda on the LAFCO website.

SPOKEN PUBLIC COMMENTS will be accepted through the teleconference meeting. To address the Commission, click on the link <https://sccgov-org.zoom.us/j/-99381649388> to access the Zoom-based meeting.

1. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Chairperson calls for the item on which you wish to speak, click on "raise hand" icon. The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak. (Call in attendees press *9 to request to speak, and *6 to unmute when prompted.)
3. When called, please limit your remarks to the time limit allotted.

NOTICE TO THE PUBLIC

1. Pursuant to Government Code §84308, no LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his /or her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO. Prior to rendering a decision on a LAFCO proceeding, any LAFCO commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a commissioner receives a contribution which would otherwise require disqualification returns the contribution within 30 days of knowing about the contribution and the proceeding, the commissioner shall be permitted to participate in the proceeding. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO commissioner. For forms, visit the LAFCO website at www.santaclaralafco.org. No party, or his or her agent and no participant, or his or her agent, shall make a contribution of more than \$250 to any LAFCO commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO.
2. Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the FPPC: www.fppc.ca.gov. Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).
3. Pursuant to Government Code §56300(c), LAFCO adopted lobbying disclosure requirements which require that any person or entity lobbying the Commission or Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. In addition to submitting a declaration, any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them. Additionally, every applicant shall file a declaration under penalty of perjury listing all lobbyists that they have hired to influence the action taken by LAFCO on their application. For forms, visit the LAFCO website at www.santaclaralafco.org.
4. Any disclosable public records related to an open session item on the agenda and distributed to all or a majority of the Commissioners less than 72 hours prior to that meeting are available for public inspection at the LAFCO Office, 777 North First Street, Suite 410, San Jose, California, during normal business hours. (Government Code §54957.5.)
5. In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408) 993-4705.

1. ROLL CALL

2. PUBLIC COMMENTS

This portion of the meeting provides an opportunity for members of the public to address the Commission on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off- agenda items unless authorized by law. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

3. APPROVE CONSENT CALENDAR

The Consent Calendar includes Agenda Items marked with an asterisk (*). The Commission may add to or remove agenda items from the Consent Calendar. All items that remain on the Consent Calendar are voted on in one motion. If an item is approved on the Consent Calendar, the specific action recommended by staff is adopted. Members of the public who wish to address the Commission on Consent Calendar items should comment under this item.

***4. APPROVE MINUTES OF OCTOBER 13, 2021 LAFCO MEETING**

ITEMS FOR ACTION / INFORMATION

***5. RESOLUTION 2021-08 ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING COVID-19 STATE OF EMERGENCY UNDER AB 361**

Recommended Action: Adopt Resolution No. 2021-08 allowing for video and teleconferencing meetings during COVID-19 State of Emergency under AB 361.

6. ANNUAL FINANCIAL AUDIT REPORT

Recommended Action:

1. Receive a presentation from Chavan & Associates, LLP on LAFCO's Annual Financial Audit Report.
2. Receive and file the Annual Financial Audit Report (June 30, 2021) prepared for Santa Clara LAFCO by Chavan & Associates, LLP.

7. AMENDMENT TO EXTEND CONTRACT FOR INDEPENDENT PROFESSIONAL AUDITING SERVICES

Recommended Action: Authorize the LAFCO Executive Officer to amend the Chavan & Associates, LLP service agreement, subject to LAFCO Counsel's review and approval, in order to (a) extend the agreement term to January 1, 2024, and (b) include an additional \$25,500 in the contract, for a total contract amount not to exceed \$65,500.

8. UPDATE ON LAFCO'S COUNTYWIDE FIRE SERVICE REVIEW

Recommended Action: Accept report and provide direction, as necessary.

9. ADOPTION OF SCHEDULE OF 2022 LAFCO MEETINGS

Recommended Action: Adopt the schedule of LAFCO meetings and application filing deadlines for 2022.

10. APPOINTMENT OF 2022 LAFCO CHAIRPERSON AND VICE-CHAIRPERSON

Recommended Action: Appoint a commissioner to serve as Chairperson for 2022 and appoint a commissioner to serve as Vice-Chairperson for 2022.

11. EXECUTIVE OFFICER'S REPORT

11.1 Update on County's Classification Study for LAFCO

Recommended Action: Accept report and provide direction, as necessary.

11.2 Update on Rancho Rinconada Recreation and Park District Special Study

Recommended Action: Accept report and provide direction, as necessary.

11.3 Comment Letter on San Jose Staff Recommendations on the Long-Term Future of Coyote Valley – North, Mid-, and South Coyote Valley

Recommended Action: Accept report and provide direction, as necessary.

11.4 Meeting with Sunnyvale Regarding Sewer Service Extension to Moffett Field/NASA Ames

Recommended Action: Accept report and provide direction, as necessary.

11.5 Meeting and Letter Regarding Proposed USA Amendment (Gilroy) for Kerley Ranch Development

Recommended Action: Accept report and provide direction, as necessary.

11.6 LAFCO Orientation Session for County Staff

Recommended Action: Accept report and provide direction, as necessary.

12. PENDING APPLICATIONS / UPCOMING PROJECTS

12.1 Gilroy Urban Service Area Amendment 2021 – Wren Investors and Hewell

13. COMMISSIONER REPORTS

14. NEWSPAPER ARTICLES / NEWSLETTERS

15. WRITTEN CORRESPONDENCE

CLOSED SESSION

16. PERFORMANCE EVALUATION

Public Employee Performance Evaluation (Government Code §54957)

Title: LAFCO Executive Officer

17. ADJOURN

Adjourn to the regular LAFCO meeting on February 2, 2022 at 1:15 PM in the Board of Supervisors' Chambers, 70 West Hedding Street, San Jose.



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

Alternate Commissioners

Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer

Neelima Palacherla

ITEM # 4

**LAFCO MEETING MINUTES
WEDNESDAY, OCTOBER 13, 2021**

CALL TO ORDER

The meeting was called to order at 1:16 p.m.

Pursuant to the provisions of California Governor's Executive Order N-29-20 issued on March 17, 2020, this meeting was held by teleconference only.

1. ROLL CALL

The following commissioners were present:

- Vice Chairperson Rich Constantine
- Commissioner Sergio Jimenez
- Commissioner Gary Kremen
- Commissioner Mike Wasserman (arrived at 1:29 p.m.)
- Commissioner Susan Vicklund Wilson
- Alternate Commissioner Helen Chapman (voted in place of Commissioner Yoriko Kishimoto)

The following commissioners were absent:

- Chairperson Susan Ellenberg
- Commissioner Yoriko Kishimoto
- Alternate Commissioner Cindy Chavez
- Alternate Commissioner Matt Mahan
- Alternate Commissioner Russ Melton
- Alternate Commissioner Terry Trumbull

The following staff members were present:

- Neelima Palacherla, LAFCO Executive Officer
- Dunia Noel, LAFCO Assistant Executive Officer
- Emmanuel Abello, LAFCO Clerk
- Mala Subramanian, LAFCO Counsel

2. PUBLIC COMMENTS

There were none.

3. APPROVE CONSENT CALENDAR

Acting Chairperson Constantine proposed inclusion of Agenda Items 4 and 5 on the consent calendar for approval in one motion, without discussion if there is no objection.

The Commission approved Agenda Items 4 and 5 on consent.

Motion: Jimenez

Second: Chapman

AYES: Chapman, Constantine, Jimenez, Kremen

NOES: None ABSTAIN: Vicklund Wilson

ABSENT: Ellenberg, Kishimoto, Wasserman

MOTION PASSED

***4. CONSENT ITEM: APPROVE MINUTES OF JUNE 2, 2021 LAFCO MEETING**

The Commission approved the minutes of June 2, 2021 meeting.

***5. CONSENT ITEM: RESOLUTION 2021-07 ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING COVID-19 STATE OF EMERGENCY UNDER AB 361**

The Commission adopted Resolution No. 2021-07 allowing for video and teleconferencing meetings during COVID-19 State of Emergency under AB 361.

6. UPDATE ON LAFCO'S COUNTYWIDE FIRE SERVICE REVIEW

Ms. Noel presented the staff report.

The Commission accepted the staff report.

Motion: Vicklund Wilson

Second: Jimenez

AYES: Chapman, Constantine, Jimenez, Kremen, Vicklund Wilson

NOES: None ABSTAIN: None

ABSENT: Ellenberg, Kishimoto, Wasserman

MOTION PASSED

7. FY 2020-2021 ANNUAL REPORT

Ms. Palacherla presented the Annual Report. She indicated that like many others, LAFCO has been impacted by the ongoing pandemic and noted that staff has had to adopt new work practices and balance priorities. She also noted that LAFCO is functioning with reduced staffing since January due to the vacant position and has experienced a higher demand for services and expertise. She recognized the work of staff and the leadership of the Commission in promoting good governance and creating sustainable communities in the County. She also acknowledged the support

from local agencies including the County, the 15 cities and 28 special districts, and the many other partner organizations.

The Commission accepted the FY 2020-2021 Annual Report.

Motion: Jimenez

Second: Kremen

AYES: Chapman, Constantine, Jimenez, Kremen, Vicklund Wilson

NOES: None ABSTAIN: None

ABSENT: Ellenberg, Kishimoto, Wasserman

MOTION PASSED

8. EXECUTIVE OFFICER'S REPORT

8.1 Support Letter for County of Santa Clara's Appeal of its RHNA Allocation

The Commission accepted report.

8.2 Inquiries Regarding Santa Clara Valley Transportation Authority (VTA) and LAFCO's Service Reviews

Ms. Noel added that staff has recently learned that VTA has reached out to those members of the public who have written letters to LAFCO regarding VTA services.

The Commission accepted the report.

8.3 Presentation to the Santa Clara County Civil Grand Jury

The Commission accepted the report.

8.4 Meeting with Cupertino and San Jose on Potential Changes in Shared Boundaries

The Commission accepted the report.

8.5 Meeting with Milpitas and San Jose on Potential Changes in Shared Boundaries

The Commission accepted the report.

8.6 Meeting with Representatives of Kerley Ranch/Integral Communities on Potential USA Amendment (Gilroy)

The Commission accepted the report.

8.7 Meetings with Town of Los Gatos on Island Annexations

The Commission accepted the report.

8.8 Santa Clara County Special Districts Association Meetings

The Commission accepted the report.

8.9 Santa Clara County Association of Planning Officials Meeting

The Commission accepted the report.

8.10 CALAFCO Legislative Committee Meetings

The Commission accepted the report.

9. PENDING APPLICATIONS / UPCOMING PROJECT

The Commission noted the pending application Gilroy Urban Service Area Amendment 2021 – Wren Investors and Hewell.

10. COMMISSIONER REPORTS

Commissioner Wasserman informed that the mask mandate to stem the spread of Covid-19 infection may soon be lifted due to improving condition based on the criteria that were adopted by the six public health officers in the Bay Area.

11. NEWSPAPER ARTICLES / NEWSLETTERS

There were none.

12. WRITTEN CORRESPONDENCE

There were none.

13. PERFORMANCE EVALUATION

The Commission adjourned to closed session at 1:32 p.m., and reconvened to open meeting at 1:55 p.m. There was no report out of closed session.

14. ADJOURN

The Commission adjourned at 1:57 p.m., to the next regular LAFCO meeting on December 1, 2021 at 1:15 p.m., in the Board of Supervisors' Chambers, 70 West Hedding Street, San Jose.

Approved on December 1, 2021.

Susan Ellenberg, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

ITEM # 5

Alternate Commissioners

Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer
Neelima Palacherla

LAFCO MEETING: December 1, 2021

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Mala Subramanian, Legal Counsel**

**SUBJECT: RESOLUTION 2021-08 ALLOWING FOR VIDEO AND
TELECONFERENCE MEETINGS DURING COVID-19 STATE
OF EMERGENCY UNDER AB 361**

STAFF RECOMMENDATION

Adopt Resolution No. 2021-08 allowing for video and teleconferencing meetings during COVID-19 State of Emergency under AB 361.

BACKGROUND AND DISCUSSION

AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately. AB 361 continues many of the provisions related to the Brown Act that were in place under Executive Orders, which expired September 30, 2021 that allowed for video and teleconferencing during the state of emergency. Since AB 361 has been signed into law, the Commission can continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended, or could return to in-person meetings sooner, if desired.

On September 21, 2021, the Santa Clara County Health Officer recommended that public agencies continue to meet remotely to enhance safety at public meetings. The proposed resolution provides the Commission and all subsidiary Commission committees with the option to continue to hold video and teleconference meetings while the state of emergency is still in effect and social distancing is recommended.

In order to continue to hold video and teleconference meetings, the Commission will need to review and make findings every thirty days or thereafter that the state of emergency continues to directly impact the ability of the members to meet safely in person and that state or local officials continue to impose or recommend measures to promote social distancing.

ATTACHMENT

Attachment A: Resolution No. 2021-08 Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency Under AB 361.

RESOLUTION NO. 2021-08

ITEM # 5
Attachment A

**RESOLUTION ALLOWING FOR VIDEO AND
TELECONFERENCE MEETINGS DURING THE
COVID-19 STATE OF EMERGENCY UNDER AB 361**

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency for COVID-19; and

WHEREAS, AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately and allows the Commission to continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended; and

WHEREAS, on September 21, 2021, the Santa Clara County Health Officer recommended that public bodies continue to meet remotely to enhance safety at public meetings; and

WHEREAS, in light of this recommendation, the Commission desires for itself and for all other Commission legislative bodies that are subject to the Brown Act to continue to meet via video and/or teleconference; and

WHEREAS, pursuant to AB 361 the Commission will review the findings required to be made every 30 days or thereafter and shall not meet without making those continued findings.

NOW THEREFORE, the Commission does hereby resolve and finds on behalf of itself and all other Commission legislative bodies: (1) a state of emergency has been proclaimed by the Governor; (2) the state of emergency continues to directly impact the ability of the Commission's legislative bodies to meet safely in person; and (3) local officials continue to recommend measures to promote social distancing.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Clara County, on December 1, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Susan Ellenberg, Chairperson
LAFCO of Santa Clara County

ATTEST:

APPROVED AS TO FORM:

Emmanuel Abello, LAFCO Clerk

Malathy Subramanian, LAFCO Counsel



**Local Agency
Formation Commission
of Santa Clara County**
777 North First Street
Suite 410
San Jose, CA 95112
SantaClaraLAFCO.org

Commissioners
Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

ITEM # 6

Alternate Commissioners
Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull
Executive Officer
Neelima Palacherla

LAFCO MEETING: December 1, 2021

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer
Emmanuel Abello, LAFCO Clerk**

SUBJECT: ANNUAL FINANCIAL AUDIT REPORT

STAFF RECOMMENDATION

1. Receive a presentation from Chavan & Associates, LLP on LAFCO's Annual Financial Audit Report.
2. Receive and file the Annual Financial Audit Report (June 30, 2021) prepared for Santa Clara LAFCO by Chavan & Associates, LLP.

BACKGROUND

The independent auditing firm of Chavan & Associates, LLP has prepared the LAFCO financial audit for FY 2021, ending on June 30, 2021 (**Attachment A**).

The audit was conducted in accordance with the generally accepted auditing standards as specified in the report. The auditors found LAFCO's financial statements present fairly, in all material aspects, the financial position of LAFCO, as of June 30, 2021.

Key financial highlights from the audit for the fiscal year ending June 30, 2021 are as follows:

- Total assets increased by \$25,350, a 4% increase from the prior year.
- The net OPEB liability decreased by \$43,930, a 17% decrease from the prior year.
- Total net pension liabilities increased by \$67,879, an 8% increase from the prior year.
- Current liabilities decreased by \$31,522, a 27% decrease from the prior year.
- Noncurrent liabilities increased by \$34,438, a 3% increase from the prior year.

- Deferred outflows of resources increased by \$15,211, a 20% decrease from the prior year.

The audit did not identify any internal control deficiencies or material weaknesses in the presentation of LAFCO's financial information.

Provided for the Commission's information are additional documents, entitled the Management Letter and the Commission Letter dated October 20, 2021 (see **Attachments B and C**), which provide information relating to the audit, according to auditor's professional standards, on the auditor's responsibilities with regard to the audit of Santa Clara LAFCO.

LAFCO, at its June 2018 meeting, authorized staff to arrange for an annual audit of LAFCO's financials for Fiscal Years 2018 through 2021 to provide greater clarity and transparency on LAFCO's financial statements. In August 2018, LAFCO retained Chavan & Associates, LLP through an RFP process to audit LAFCO's financial statements and prepare its General Purpose Financial Statements for Fiscal Years ending 2018, 2019, 2020 and 2021. The financial audit for FY 2018, ending on June 30, 2018, was the first year that LAFCO issued its separate audited financial statements. In prior years, LAFCO was reported as a special revenue fund, together with other funds, in the County of Santa Clara's Comprehensive Annual Financial Report.

ATTACHMENTS

Attachment A:	Annual Financial Audit Report (June 30, 2021)
Attachment B:	Management Letter dated October 20, 2021
Attachment C:	Commission Letter dated October 20, 2021

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

Annual Financial Audit Report

June 30, 2021



Chavan & Associates, LLP

Certified Public Accountants
15105 Concord Circle, Suite 130
Morgan Hill, CA 95037

Local Agency Formation Commission of Santa Clara County

Table of Contents

TITLE	PAGE
FINANCIAL SECTION:	
Independent Auditor's Report	1 - 2
Management's Discussion and Analysis	4 - 8
Basic Financial Statements:	
Government-Wide Financial Statements:	
Statement of Net Position	10
Statement of Activities	11
Fund Financial Statements:	
Balance Sheet – Governmental Funds	12
Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position	13
Statement of Revenues, Expenditures, and Changes in Fund Balance – Governmental Funds.....	14
Reconciliation of Governmental Funds Statement of Revenues, Expenditures, and Changes in Fund Balance to the Statement of Activities	15
Notes to the Basic Financial Statements.....	16 - 36
REQUIRED SUPPLEMENTARY INFORMATION:	
Schedule of Revenue, Expenditures and Changes in Fund Balance – Budget and Actual (GAAP) General Fund.....	38
Schedule of Contributions for Pension Plans	39
Schedule of Changes in Net Pension Liability	40
Schedule of Contributions for OPEB Plans.....	41
Schedule of Changes in Net OPEB Liability.....	42
OTHER INDEPENDENT AUDITOR'S REPORTS:	
Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	44 - 45

**FINANCIAL
SECTION**



INDEPENDENT AUDITOR'S REPORT

To the Commissioners
Local Agency Formation Commission of Santa Clara County
San Jose, California

Report on the Financial Statements

We have audited the accompanying financial statements of the Local Agency Formation Commission of Santa Clara County (LAFCO), as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise LAFCO's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and the State Controller's Minimum Audit Requirements for California Special Districts. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to LAFCO's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of LAFCO's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the general fund of LAFCO, as of



June 30, 2021, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, schedule of pension contributions, schedule of changes in net pension liability, schedule of OPEB contributions, and schedule of changes in net OPEB liability as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated October 20, 2021 on our consideration of LAFCO's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering LAFCO's internal control over financial reporting and compliance.

C & A LLP

October 20, 2021
Morgan Hill, California

Management's Discussion and Analysis

Local Agency Formation Commission of Santa Clara County

Management's Discussion and Analysis For the Fiscal Year Ended June 30, 2021

INTRODUCTION

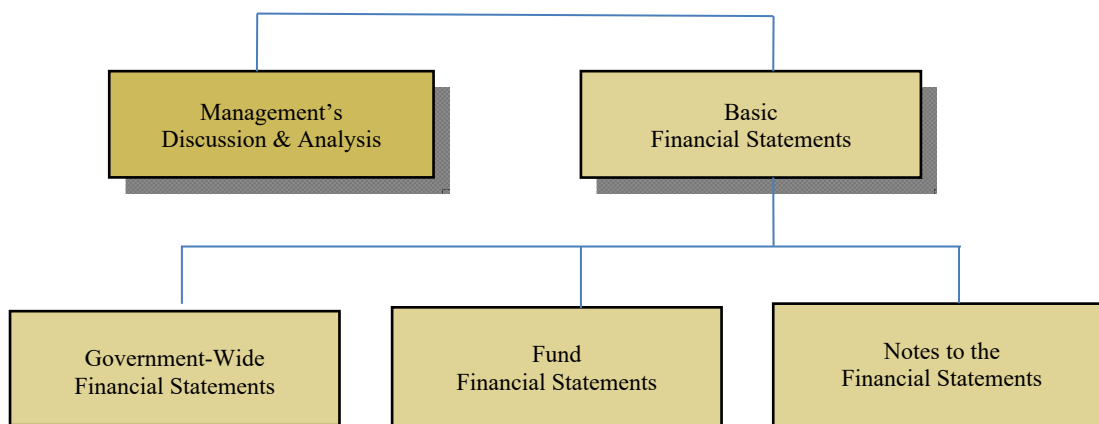
The Management's Discussion and Analysis (MD&A) is a required section of LAFCO's annual financial report, as shown in the overview below. The purpose of the MD&A is to present a discussion and analysis of LAFCO's financial performance during the fiscal year that ended on June 30, 2021. This report will (1) focus on significant financial issues, (2) provide an overview of LAFCO's financial activity, (3) identify changes in LAFCO's financial position, (4) identify any individual fund issues or concerns, and (5) provide descriptions of significant asset and debt activity.

This information, presented in conjunction with the annual Basic Financial Statements, is intended to provide a comprehensive understanding of LAFCO's operations and financial standing.

USING THE ANNUAL REPORT

The Statement of Net Position and Statement of Activities comprise the government-wide financial statements and provide information about the activities of the whole organization, presenting both an aggregate view of LAFCO's finances and a longer-term view of those finances. Fund financial statements provide the next level of detail. For governmental funds, these statements tell how services were financed in the short-term as well as what remains for future spending. The basic financial statements also include notes that explain some of the information in the financial statements and provide more detailed data.

Required Components of the Annual Financial Report



The view of LAFCO as a whole looks at all financial transactions and asks the question, “How did we do financially during the fiscal year 2020 - 2021?” The Statement of Net Position and the Statement of Activities answer this question. These statements include all assets and liabilities using the accrual basis of accounting similar to the accounting practices used by most private-sector companies. This basis of accounting takes into account all of the current year revenues and expenses regardless of when cash is received or paid.

These two statements report LAFCO's net position and changes in net position. This change in net position is important because it tells the reader that, for LAFCO as a whole, the financial position of LAFCO has improved or diminished. The causes of this change may be the result of many factors, some financial, and some not. Non-financial factors include changing laws in California restricting revenue growth, facility conditions and other factors.

Local Agency Formation Commission of Santa Clara County

Management's Discussion and Analysis For the Fiscal Year Ended June 30, 2021

In the Statement of Net Position and the Statement of Activities, LAFCO reports governmental activities. Governmental activities are the activities where LAFCO's programs and services are reported. LAFCO does not have any business type activities.

FINANCIAL HIGHLIGHTS

Key financial highlights for the fiscal year ended June 30, 2021 were as follows:

- Total assets increased by \$25,350, a 4% increase from the prior year.
- The net OPEB liability decreased by \$43,930, a 17% decrease from the prior year.
- Total net pension liabilities increased by \$67,879, an 8% increase from the prior year.
- Current liabilities decreased by \$31,522, a 27% decrease from the prior year.
- Noncurrent liabilities increased by \$34,438, a 3% increase from the prior year.
- Deferred outflows of resources increased by \$15,211, a 20% decrease from the prior year.

REPORTING LAFCO'S MOST SIGNIFICANT FUNDS

Fund Financial Statements

The analysis of LAFCO's fund financial statements begins with the balance sheet. Fund financial reports provide detailed information about LAFCO's major funds. LAFCO uses one operating fund, the General Fund, to account for a multitude of financial transactions.

Governmental Funds

The General Fund is a governmental fund type and is reported using an accounting method called modified accrual accounting, which measures cash and all other financial assets that can readily be converted to cash. The governmental fund statements provide a detailed short-term view of LAFCO's general government operations and the basic services it provides. Governmental fund information helps determine whether there are more or fewer financial resources that can be spent in the future to finance educational programs. The relationship (or differences) between governmental activities (reported in the Statement of Net position and the Statement of Activities) and governmental funds is reconciled in the financial statements.

Local Agency Formation Commission of Santa Clara County

Management's Discussion and Analysis For the Fiscal Year Ended June 30, 2021

LAFCO AS A WHOLE

Recall that the Statement of Net Position provides the perspective of LAFCO as a whole. Table 1 provides a summary of LAFCO's net position as of June 30, 2021 as compared to June 30, 2020:

Table 1 - Summary of Statement of Net Position

Description	2021	2020	Change	Percentage Change
Assets				
Current Assets	\$ 648,336	\$ 622,986	\$ 25,350	4.07%
Deferred Outflows	\$ 181,659	\$ 191,752	\$ (10,093)	-5.26%
Liabilities				
Current Liabilities	\$ 85,985	\$ 117,507	\$ (31,522)	-26.83%
Noncurrent Liabilities	1,344,098	1,309,660	34,438	2.63%
Total Liabilities	\$ 1,430,083	\$ 1,427,167	\$ 2,916	0.20%
Deferred Inflows	\$ 92,055	\$ 76,844	\$ 15,211	19.79%
Net Position				
Unrestricted	\$ (692,143)	\$ (689,273)	\$ (2,870)	-0.41%

The increase to current assets was an increase to cash resulting from an operating surplus of \$56,872 for the year. Current liabilities decreased by \$34,438 mostly because of a decrease in unearned revenue of \$35,967 from member fees received in June 2021 for fiscal year 2022. Noncurrent liabilities reflect a net increase of \$34,438 mostly because of an increase in LAFCO's net pension liability of \$67,879 which was attributed changes in assumptions and benefit plan changes. The increases and decreases to deferred outflows and inflows can also be directly attributed to changes in assumptions and benefit plan changes.

Local Agency Formation Commission of Santa Clara County

Management's Discussion and Analysis

For the Fiscal Year Ended June 30, 2021

Table 2 shows the changes in net position for fiscal year 2021 as compared to 2020.

Table 2 - Summary of Changes in Net Position

Description	2021	2020	Change	Percentage Change
Revenues				
Program revenues:				
Operating grants and contributions	\$ 983,785	\$ 1,149,072	\$ (165,287)	-14.38%
Charges for services	34,627	7,587	27,040	356.40%
General revenues:				
Investment income	10,489	18,176	(7,687)	-42.29%
Total Revenues	<u>1,028,901</u>	<u>1,174,835</u>	<u>(145,934)</u>	<u>-12.42%</u>
Program Expenses				
General government	1,031,771	1,117,799	(86,028)	-7.70%
Total Expenses	<u>1,031,771</u>	<u>1,117,799</u>	<u>(86,028)</u>	<u>-7.70%</u>
Change in Net Position	(2,870)	57,036	(59,906)	-105.03%
Beginning Net Position	(689,273)	(749,145)	59,872	-8.69%
Prior Period Adjustments	-	2,836	(2,836)	100.00%
Ending Net Position	<u>\$ (692,143)</u>	<u>\$ (689,273)</u>	<u>\$ (2,870)</u>	<u>0.41%</u>

Program revenues decreased due a decreased share of operating costs charged back to member agencies during the year. Program expenses decreased due to a decrease to employee costs and professional services. See Note 4 and Note 5 for information related to LAFCO's benefit plans.

LAFCO'S FUND BALANCE

Table 3 provides an analysis of LAFCO's fund balances and the total change in fund balances from the prior year.

Table 3 - Summary of Fund Balance

Description	2021	2020	Change	Percentage Change
General Fund	<u>\$ 562,351</u>	<u>\$ 505,479</u>	<u>\$ 56,872</u>	<u>11.25%</u>

Local Agency Formation Commission of Santa Clara County

Management's Discussion and Analysis For the Fiscal Year Ended June 30, 2021

LAFCO'S NONCURRENT LIABILITIES

Table 4 summarizes LAFCO's noncurrent liabilities as of June 30, 2021 as compared to the prior fiscal year.

Table 4 - Summary of Noncurrent Liabilities

Description	2021	2020	Change	Percentage Change
Net OPEB Liability	\$ 214,153	\$ 258,083	\$ (43,930)	-17.02%
Net Pension Liability	958,839	890,960	67,879	7.62%
Compensated Absences	171,106	160,617	10,489	6.53%
Total Noncurrent Liabilities	<u>\$ 1,344,098</u>	<u>\$ 1,309,660</u>	<u>\$ 34,438</u>	<u>2.63%</u>

GENERAL FUND BUDGETING HIGHLIGHTS

LAFCO's budget is prepared according to California law and in the modified accrual basis of accounting.

Changes from LAFCO's General Fund 2020/2021 original budget to the final budget are detailed in the required supplementary information section along with a comparison to actual activity for the year ended. The original and final budgeted revenue was \$1,019,784. The original and final budgeted expenditures and other uses of funds were \$1,208,269 and \$1,207,843, respectively.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

The Commission adopted its FY 2022 Budget at the June 2, 2021 LAFCO meeting. The budget includes appropriations totaling \$1,210,990 which is similar to that of FY 2021. The budget assumes a roll-over of \$288,660 in fund balance from the previous fiscal year and anticipates no change in application fees from the previous year.

CONTACTING LAFCO'S FINANCIAL MANAGEMENT

This financial report is designed to provide citizens, taxpayers, investors and creditors with a general overview of LAFCO's finances and to show LAFCO's accountability for the money it receives. If you have any questions regarding this report or need additional financial information, contact the Executive Officer, LAFCO of Santa Clara County, 777 North First Street, Suite 410, San Jose, CA 95112.

Basic Financial Statements

Local Agency Formation Commission of Santa Clara County

Statement of Net Position

June 30, 2021

	Governmental Activities
Assets	
Current assets:	
Cash and investments	\$ 647,060
Interest receivable	1,276
Total Assets	<u>\$ 648,336</u>
Deferred Outflows of Resources	
OPEB adjustments	\$ 28,535
Pension adjustments	153,124
Total Deferred Outflows of Resources	<u>\$ 181,659</u>
Liabilities	
Current liabilities:	
Accounts payable	\$ 21,124
Accrued liabilities	31,865
Unearned revenue	32,996
Total current liabilities	<u>85,985</u>
Noncurrent liabilities:	
Net OPEB liability	214,153
Net pension liability	958,839
Compensated absences	171,106
Total noncurrent liabilities	<u>1,344,098</u>
Total Liabilities	<u>\$ 1,430,083</u>
Deferred Inflows of Resources	
OPEB adjustments	\$ 84,757
Pension adjustments	7,298
Total Deferred Inflows of Resources	<u>\$ 92,055</u>
Net Position	
Unrestricted	\$ (692,143)
Total Net Position	<u>\$ (692,143)</u>

The notes to basic financial statements are an integral part of this statement

Local Agency Formation Commission of Santa Clara County

Statement of Activities For the Fiscal Year Ended June 30, 2021

		Program Revenues		Net (Expense)
		Charges	Operating	Revenue and
		for	Grants and	Changes in
	Expenses	Services	Contributions	Net Position
Governmental activities:				
General government	\$ 1,031,771	\$ 34,627	\$ 983,785	\$ (13,359)
General revenues:				
Investment income				10,489
Change in net position				(2,870)
Net position July 1, 2020				(689,273)
Net position ending June 30, 2021				\$ (692,143)

The notes to basic financial statements are an integral part of this statement

Local Agency Formation Commission of Santa Clara County

Balance Sheet
Governmental Funds
June 30, 2021

	General Fund
ASSETS	
Cash and investments	\$ 647,060
Interest receivable	1,276
	<hr/>
Total Assets	<u><u>\$ 648,336</u></u>
LIABILITIES	
Accounts payable	\$ 21,124
Accrued liabilities	31,865
Unearned revenue	32,996
	<hr/>
Total Liabilities	<u>85,985</u>
FUND BALANCE	
Unassigned	<u>562,351</u>
Total Fund Balance	<u>562,351</u>
Total Liabilities and Fund Balance	<u><u>\$ 648,336</u></u>

The notes to basic financial statements are an integral part of this statement

Local Agency Formation Commission of Santa Clara County

Reconciliation of the Governmental Funds Balance Sheet to the Statement of Net Position June 30, 2021

Total fund balance - governmental funds	\$	562,351
---	----	---------

Amounts reported in the Statement of Net Position are different because:

The differences between projected and actual amounts in pension and OPEB plans are not included in the plans actuarial study until the next fiscal year and are reported as deferred outflows or inflows of resources in the statement of net position as follows:

OPEB adjustments:

Difference between actual and expected experience	(74,448)
Difference between actual and expected earnings	5,769
Change in assumptions	(10,309)
Contribution subsequent to measurement date	22,766

Pension adjustments:

Difference between actual and expected experience	42,310
Difference between actual and expected earnings	16,608
Change in assumptions	(3,880)
Contribution subsequent to measurement date	90,788

Long-term liabilities are not due and payable in the current period and therefore are not reported as liabilities in the funds. Long-term (noncurrent) liabilities at year-end consists of:

Net OPEB liability	\$	214,153	
Net pension liability		958,839	
Compensated absences		<u>171,106</u>	<u>(1,344,098)</u>

Total net position - governmental activities	\$	<u><u>(692,143)</u></u>
--	----	-------------------------

The notes to basic financial statements are an integral part of this statement

Local Agency Formation Commission of Santa Clara County
Statement of Revenues, Expenditures and Changes in Fund Balance
Governmental Funds
For the Fiscal Year Ended June 30, 2021

	General Fund
Revenues:	
Intergovernmental	\$ 983,785
Charges for services	34,627
Investment income	10,489
	<hr/>
Total revenues	1,028,901
	<hr/>
Expenditures:	
Current:	
Employee services	730,717
Professional services	157,868
Commission fees	6,100
Facilities	46,254
Insurance	10,452
Supplies	5,582
Memberships	12,144
Travel	61
Miscellaneous	2,851
	<hr/>
Total expenditures	972,029
	<hr/>
Net change in fund balance	56,872
Fund balance - July 01, 2020	505,479
	<hr/>
Fund balance - June 30, 2021	\$ 562,351
	<hr/> <hr/>

The notes to basic financial statements are an integral part of this statement

Local Agency Formation Commission of Santa Clara County

Reconciliation of the Governmental Funds

Statement of Revenues, Expenditures and Changes in Fund Balance
to the Statement of Activities

For the Fiscal Year Ended June 30, 2021

Total net change in fund balance - governmental funds	\$ 56,872
---	-----------

In governmental funds, actual contributions to pension and OPEB plans are reported as expenditures in the year incurred. However, in the government-wide statement of activities, only the current year pension OPEB expense as noted in the plan's valuation reports is reported as an expense, as adjusted for deferred inflows and outflows of resources.	(49,253)
--	----------

In the Statement of Activities, compensated absences are measured by the amount earned during the year. In governmental funds, however, expenditures for those items are measured by the amount of financial resources used (essentially the amounts paid). This year, vacation earned exceeded the amounts used.	<u>(10,489)</u>
---	-----------------

Change in net position of governmental activities	<u><u>\$ (2,870)</u></u>
---	--------------------------

The notes to basic financial statements are an integral part of this statement

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES

A. General

The Local Agency Formation Commission of Santa Clara County (the “Commission” or “LAFCO”) was established in 1963 to administer a complex series of statutory laws and enabling acts that serve to encourage the orderly development and reorganization of Local Government Agencies, essential to the social, fiscal and economic wellbeing of the State. The Commission operates under the authority of Government Code Section 56000 and the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000.

The Commission is composed of seven members who include two county supervisors, two city council representatives, two special district representatives and one member representing the public at large. Commission members serve a four-year term.

B. Reporting Entity

LAFCO’s combined financial statements include the accounts of all its operations. LAFCO evaluated whether any other entity should be included in these financial statements. The basic, but not the only, criterion for including a governmental department, agency, institution, commission, public authority, or other governmental organization in a governmental unit’s reporting entity for general purpose financial reports is the ability of the governmental unit’s elected officials to exercise oversight responsibility over such agencies. Oversight responsibility implies that one governmental unit is dependent on another and that the dependent unit should be reported as part of the other. Oversight responsibility is derived from the governmental unit’s power and includes, but is not limited to:

- Financial interdependency
- Selection of governing authority
- Designation of management
- Ability to significantly influence operations
- Accountability for fiscal matters

Accordingly, for the year ended June 30, 2021, LAFCO does not have any component units but is a blended component unit of the County of Santa Clara.

C. Accounting Principles

The accounting policies of LAFCO conform to generally accepted accounting principles as prescribed by the Governmental Accounting Standards Board (GASB) and the American Institute of Certified Public Accountants (AICPA).

D. Basis of Presentation

Government-wide Financial Statements:

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the activities of LAFCO. The Statement of Net Position reports all assets, deferred outflows of resources, liabilities, deferred inflows of resources, and net position.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

The government-wide statements are prepared using the economic resources measurement focus. This approach differs from the manner in which governmental fund financial statements are prepared. Governmental fund financial statements, therefore, include a reconciliation with brief explanations to better identify the relationship between the government wide statements and the statements for the governmental funds.

The government-wide statement of activities presents a comparison between direct expenses and program revenues for each function or program of LAFCO's governmental activities. Direct expenses are those that are specifically associated with a service, program, or department and are therefore clearly identifiable to a particular function. LAFCO does not allocate indirect expenses to functions in the statement of activities. Program revenues include charges paid by the recipients of goods or services offered by a program, as well as grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues are presented as general revenues of LAFCO, with certain exceptions. The comparison of direct expenses with program revenues identifies the extent to which each governmental function is self-financing or draws from the general revenues of LAFCO.

Fund Financial Statements:

Fund financial statements report detailed information about LAFCO. The accounting and financial treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a flow of current financial resources measurement focus. With this measurement focus, only current assets, deferred outflows, current liabilities and deferred inflows are generally included on the balance sheet. The Statement of Revenues, Expenditures, and Changes in Fund Balance for these funds present increases (i.e., revenues and other financing sources) and decreases (i.e., expenditures and other financing uses) in net current assets. LAFCO has only one operating fund.

E. Basis of Accounting

Government-Wide Financial Statements:

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Assessments and service charges are recognized as revenues in the year for which they are levied. Expenses are recorded when liabilities are incurred.

Governmental Fund Financial Statement:

Governmental fund financial statements (i.e., balance sheet and statement of revenues, expenditures and changes in fund balances) are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded under the accrual basis when the exchange takes place. On a modified accrual basis, revenue is recorded in the fiscal year in which the resources are measurable and become available. "Available" means the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the LAFCO, "available" means collectible within the current period or within 60 days after year-end.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements For the Fiscal Year Ended June 30, 2021

Non-exchange transactions, in which the LAFCO receives value without directly giving equal value in return, include assessments and interest income. Under the accrual basis, revenue from assessments is recognized in the fiscal year for which the assessments are levied. Under the modified accrual basis, revenue from non-exchange transactions must also be available before it can be recognized.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Deferred Outflows/Deferred Inflows of Resources:

A deferred outflow of resources is defined as a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expenses/expenditure) until then. A deferred inflow of resources is defined as an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenues) until that time.

When applicable, unamortized portions of the gain and loss on refunding debt are reported as deferred inflows and deferred outflows of resources, respectively. Deferred outflows and inflows of resources are reported for the changes related to benefit plans. In addition, when an asset is recorded in governmental fund financial statements but the revenue is not available, a deferred inflow of resources is reported until such time as the revenue becomes available.

Unearned Revenue:

Unearned revenue arises when assets are received before revenue recognition criteria have been satisfied. Grants and entitlements received before eligibility requirements are met are recorded as deferred inflows from unearned revenue. In the governmental fund financial statements, receivables associated with non-exchange transactions that will not be collected within the availability period have been recorded as deferred inflows from unavailable resources.

Expenses/Expenditures:

On the accrual basis of accounting, expenses are recognized at the time a liability is incurred. On the modified accrual basis of accounting, expenditures are generally recognized in the accounting period in which the related fund liability is incurred, as under the accrual basis of accounting. However, under the modified accrual basis of accounting, debt service expenditures, as well as expenditures related to compensated absences, are recorded only when payment is due. Allocations of cost, such as depreciation and amortization, are not recognized in the governmental funds.

F. Fund Accounting

The accounts of LAFCO are organized into one operating fund, the General Fund which has separate set of self-balancing accounts that comprise of LAFCO's assets, deferred outflows, liabilities, deferred inflows, fund balance, revenues, and expenditures.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

G. Budgets and Budgetary Accounting

Annual budgets are adopted on a basis consistent with generally accepted accounting principles for all governmental funds. By state law, the Commission must adopt a final budget no later than June 15th. A public hearing must be conducted to receive comments prior to adoption. The Commissioners' satisfied these requirements.

H. Cash and Equivalents

For purposes of the statement of net position, the Commission considers all short-term highly liquid investments, including restricted assets, amounts held with fiscal agent and amounts held in the County's investment pool, to be cash and cash equivalents. Amounts held in the County's investment pool are available on demand to the Commission.

I. Cash and Investments

As described in Note 2, LAFCO's cash and investments are held with the Santa Clara County Treasury, as part of the cash and investment pool with other County Funds. In accordance with GASB Statement No. 31, investments are stated at fair value. However, the value of the pool shares in the County Treasurer's investment pool that may be withdrawn is determined on an amortized cost basis, which is different from the fair value of LAFCO's position in the pool. The County Treasurer's investment pool is subject to regulatory oversight by the Treasury Oversight Committee, as required by Section 27134 of the California Government Code. Statutes authorize the County to invest in the following:

1. Obligations of the County or any local agency and instrumentality in or of the State of California;
2. Obligations of the U.S. Treasury, agencies and instrumentalities;
3. Bankers' acceptances eligible for purchase by Federal Reserve System;
4. Commercial paper;
5. Repurchase agreements or reverse repurchase agreements;
6. Medium-term notes with a five-year maximum maturity of corporations operating within the United States and rated in the top three rating categories;
7. Guaranteed investment contracts

Investments are recorded at fair value in accordance with GASB Statement No. 72, Fair Value Measurement and Application. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income. Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction. In determining this amount, three valuation techniques are available:

- Market approach - This approach uses prices generated for identical or similar assets or liabilities. The most common example is an investment in a public security traded in an active exchange such as the NYSE.
- Cost approach - This technique determines the amount required to replace the current asset. This approach may be ideal for valuing donations of capital assets or historical treasures.
- Income approach - This approach converts future amounts (such as cash flows) into a current discounted amount.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements For the Fiscal Year Ended June 30, 2021

Each of these valuation techniques requires inputs to calculate a fair value. Observable inputs have been maximized in fair value measures, and unobservable inputs have been minimized.

J. Prepaid Expenditures

LAFCO has the option of reporting expenditures in governmental funds for prepaid items either when purchased or during the benefiting period. LAFCO has chosen to report the expenditure during the benefiting period.

K. Capital Assets

Capital assets, which may include land, structures and improvements, machinery and equipment, and infrastructure assets, are reported in the government-wide financial statements. Capital assets are defined as assets with an initial individual cost of more than \$5,000. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. Capital outlay is recorded as expenditures of the General Fund and as assets in the government-wide financial statements to the extent the Commission's capitalization threshold is met. Amortization of assets acquired under capital lease is included in depreciation and amortization. Currently, LAFCO has no items meeting the capital asset criteria.

L. Compensated Absences

Accumulated unpaid vacation and sick leave are recorded as a liability when future payments for such compensated absences have been earned by employees based on pay and salary rates in effect at year end. This liability is recorded in the government-wide statement of net position to reflect LAFCO's obligation to fund such costs from future operations. LAFCO includes its share of Social Security and Medicare payments made on behalf of the employees in its accrual for compensated absences. Unused vacation and sick leave are paid out upon separation from LAFCO based on the terms stated in the Memorandum of Understanding between the employees' bargaining units and LAFCO. LAFCO does not accrue for compensated absences in its governmental fund statements and recognizes liabilities for compensated absences only if they are due and payable in an event such as termination.

M. Long-Term Debt/Noncurrent Liabilities

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the Statement of Net Position. LAFCO did not have any long-term debt outstanding as of June 30, 2021 but did have noncurrent obligations from benefit plans and compensated absences.

N. Accounting Estimates

The presentation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

O. Fund Balance Classifications

In accordance with Government Accounting Standards Board 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, LAFCO classifies governmental fund balances as follows:

Nonspendable fund balance includes amounts that cannot be spent either because they are not in spendable form or because of legal or contractual constraints.

Restricted fund balance includes amounts that are constrained for specific purposes which are externally imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling legislation.

Committed fund balances includes amounts constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision-making authority and does not lapse at year-end. Committed fund balances are imposed by LAFCO's commission.

Assigned fund balance includes amounts that are intended to be used for specific purposes that are neither considered restricted or committed. Fund balance may be assigned by the General Manager.

Unassigned fund balance includes positive amounts within the general fund which have not been classified within the above-mentioned categories and negative fund balances in other governmental funds.

LAFCO uses restricted/committed amounts to be spent first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this, such as a grant agreement requiring dollar for dollar spending. Additionally, LAFCO would first use committed, then assigned, and lastly unassigned amounts of unrestricted fund balance when expenditures are made.

P. Net Position

Net position represents the difference between assets, deferred outflows of resources, liabilities and deferred inflows of resources. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowings used for the acquisition, construction or improvement of those assets. In addition, deferred outflows of resources and deferred inflows of resources that are attributable to the acquisition, construction, or improvement of those assets or related debt also are included in the net investment in capital assets component of net position. Net position is reported as restricted when there are limitations imposed on its use either through the enabling legislation adopted by LAFCO or through external restrictions imposed by creditors, grantors, laws or regulations of other governments. LAFCO applies restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

Unrestricted net position reflects amounts that are not subject to any donor-imposed restrictions. This class also includes restricted contributions whose donor-imposed restrictions were met during the fiscal year. A deficit unrestricted net position may result when significant cash balances restricted for capital projects exist. Once the projects are completed, the restriction on these assets are released and converted to capital assets.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

Q. Pensions

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Agency's California Public Employees' Retirement System (CalPERS) plan (the Plan) and additions to/deductions from the Plan's fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Plan member contributions are recognized in the period in which the contributions are due. Investments are reported at fair value.

GASB Statement No. 68, *Accounting and Financial Reporting for Pensions - an amendment of GASB Statement No. 27* (GASB Statement No. 68) requires that the reported results pertain to liability and asset information within certain defined timeframes. Liabilities are based on the results of actuarial calculations performed as of June 30, 2018. For this report, the following timeframes are used for LAFCO's pension plans:

Valuation Date (VD).....	June 30, 2019
Measurement Date (MD)	June 30, 2020
Measurement Period (MP)	June 30, 2019 to June 30, 2020

R. Other Postemployment Benefits Other Than Pensions (OPEB)

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense information about the fiduciary net position of the LAFCO's Retiree Benefits Plan (the OPEB Plan) and additions to/deductions from the OPEB Plan's fiduciary net position have been determined on the same basis as they are reported by the OPEB Plan. For this purpose, the OPEB Plan recognizes benefit payments when due and payable in accordance with the benefit terms.

S. Upcoming Accounting and Reporting Changes

GASB issued Statement No. 87, *Leases*

The objective of this statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities. The requirements of this Statement were initially to be effective for financial statements for periods beginning after December 15, 2019, but were extended to periods beginning after December 15, 2021, pursuant to GASB Statement No. 95. Earlier application is encouraged. Management does not anticipate this Statement will have a material impact on LAFCO's financial statements.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

GASB Statement No. 91, *Conduit Debt Obligations*

The objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement also clarifies the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitment and voluntary commitments extended by issuers and arrangements associated with the debt obligations; and improving required note disclosures. The requirements of this Statement are effective for financial statements for periods beginning after December 15, 2020. Earlier application is encouraged. Management doesn't believe this statement will have a significant impact on LAFCO's financial statements.

GASB Statement No. 92, *Omnibus 2020*

The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing practice issues that have been identified during implementation and application of certain GASB Statements. This Statement establishes accounting and financial reporting requirements for specific issues related to leases, intra-entity transfers of assets, postemployment benefits, government acquisitions, risk financing and insurance-related activities of public entity risk pools, fair value measurements, and derivative instruments. The requirements of this Statement apply to the financial statements of all state and local governments. The requirements of this Statement were initially to be effective for financial statements for periods beginning after June 15, 2020 but have been delayed to periods beginning after June 15, 2021, pursuant to GASB Statement No. 95. Earlier application is encouraged. Management doesn't believe this statement will have a significant impact on LAFCO's financial statements.

NOTE 2 - CASH AND INVESTMENTS

Summary of Cash and Investments

LAFCO maintained cash with the Santa Clara County Treasurer's commingled pool totaling \$647,060 as of June 30, 2021.

Fair Value Measurements

GASB 72 established a hierarchy of inputs to the valuation techniques above. This hierarchy has three levels:

- Level 1 inputs are quoted prices in active markets for identical assets or liabilities.
- Level 2 inputs are quoted market prices for similar assets or liabilities, quoted prices for identical or similar assets or liabilities in markets that are not active, or other than quoted prices that are not observable
- Level 3 inputs are unobservable inputs, such as a property valuation or an appraisal.

Investments in the County Treasury Investment Pool are not measured using the input levels above because the District's transactions are based on a stable net asset value per share. All contributions and redemptions are transacted at \$1.00 net asset value per share.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

Cash in Santa Clara County Treasury

The fair value of LAFCO's investment in the county pool is reported at amounts based on LAFCO's pro-rata share of the fair value provided by the County Treasurer for the entire portfolio (in relation to the amortized cost of the portfolio). The balance available for withdrawal is based on the accounting records maintained by the County Treasurer, which is recorded on the amortized cost basis. Santa Clara County investment pool funds were available for withdrawal on demand and had an average weighted maturity of 615 days.

All cash and investments are stated at fair value. Pooled investment earnings are allocated monthly based on the average cash and investment balances of the various funds of the County.

Risk Disclosures

Limitations as they relate to interest rate risk, credit risk, and concentration of credit risk are described below:

a) Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to the changes in market interest rates. LAFCO manages its exposure to interest rate risk by investing in the Santa Clara County investment pool, which had a fair value of approximately \$8.6 billion as of June 30, 2021.

b) Credit Risk

Credit risk is the risk of loss due to the failure of the security issuer. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. The investment with the County's investment pool is governed by the County's general investment policy. The County's investments included U.S. government securities, medium-term corporate notes, commercial paper, certificates of deposit or obligations explicitly guaranteed by the U.S. government that are not considered to have credit risk exposure. The County's two other investment types, LAIF and money market mutual funds, are not rated. The money pooled with the County of Santa Clara Investment Pool is not subject to a credit rating.

c) Custodial Credit Risk

Custodial credit risk is the risk that in the event of a bank failure, LAFCO's deposits may not be returned to it. LAFCO does not have a policy for custodial credit risk for deposits. However, the California Government code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110 percent of the total amount deposited by the public agencies. California law also allows financial institutions to secure public deposits by pledging first trust deed mortgage notes having a value of 150 percent of the secured public deposits and letters of credit issued by the Federal Home Loan Bank of San Francisco having a value of 105 percent of the secured deposits. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

investment pools (such as the money invested by LAFCO in the County of Santa Clara Investment Pool).

d) Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of an investor's holdings in a single issuer. LAFCO's investment in the County's commingled pool is diversified by the County Treasurer by limiting the percentage of the portfolio that can be invested in any one issuer's name. Investments in U.S. Treasuries, U.S. Agency securities explicitly backed by the U.S., and mutual and pooled funds are not subject to this limitation. More than 5% of the County's commingled pooled investments are invested with the Federal National Mortgage Association, Federal Home Loan Bank, Federal Home Loan Mortgage Corporation, and Federal Farm Credit Bank.

NOTE 3 - NONCURRENT LIABILITIES

The following summarized LAFCO's noncurrent liabilities as of June 30, 2021:

Description	Balance July 01, 2020	Additions	Adjustments & Deletions	Balance June 30, 2021
Net Pension Liability	890,960	159,763	91,884	958,839
Net OPEB Liability	258,083	90,402	134,332	214,153
Compensated Absences	160,617	10,489	-	171,106
Total Noncurrent Liabilities	\$ 1,309,660	\$ 260,654	\$ 226,216	\$ 1,344,098

NOTE 4 - DEFINED BENEFIT PENSION PLAN

Plan Description

All qualified permanent and probationary employees are eligible to participate in LAFCO's Miscellaneous Employee Pension Plan (the Plan), an agent multiple employer defined benefit pension plan administered by the California Public Employees' Retirement System (CalPERS). Benefit provisions under the Plan are established by State statute and Authority resolution. CalPERS issues publicly available reports that include a full description of the pension plan regarding benefit provisions, assumptions and membership information that can be found on the CalPERS website at www.calpers.ca.gov.

Benefits Provided

CalPERS provides service retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries. Benefits are equal to the product of a benefit multiplier, the employee's retirement age and final compensation. The cost of living adjustments for the CalPERS plans are applied as specified by the Public Employees' Retirement Law. The California Public Employees' Pension Reform Act (PEPRA), which took effect in January 2013, changes the way CalPERS retirement and health benefits are applied, and places compensation limits on members. As such members who established CalPERS membership on or after January 1, 2013 are known as "PEPRA" members.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

The Plans' provisions and benefits in effect at June 30, 2021, are summarized as follows:

	Miscellaneous	
	Classic	PEPRA
Benefit formula	2% @ 55 2.5% @ 55	2% @ 62
Benefit vesting schedule	5 Years	5 Years
Benefit payments	Monthly for Life	Monthly for Life
Retirement age	55-60	62
Monthly benefits as a % of eligible compensation	2.0% to 2.5%	2.00%
Required employee contribution rates	7.539%	6.750%
Required employer contribution rates	10.178%	10.178%

Employees Covered

As of June 30, 2021, there were four active employees covered by the plan.

Contributions

Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. Funding contributions for the Public Employees Retirement Fund (PERF) is determined annually on an actuarial basis as of June 30 by CalPERS. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. For the year ended June 30, 2021, the contributions were as follows:

Contributions - employer	\$ 76,329
Contributions - employee	14,459
Total	<u>\$ 90,788</u>

Pension Liabilities

As of June 30, 2021, LAFCO reported a net pension liability of \$958,839. LAFCO's net pension liability for the Plan is measured at a .023% proportionate share of the County of Santa Clara's miscellaneous pension plan's net pension liability, based on contributions made during the fiscal year. The net pension liability of the Plan is measured as of June 30, 2020, and the total pension liability for the Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2019 rolled forward to June 30, 2020 using standard update procedures. LAFCO's proportion of the net pension liability was based on a projection of LAFCO's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. LAFCO's net pension liability for its agent multiple employer plan is measured as the total pension liability less the fiduciary net position for each plan.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

The change in the net pension liability for the plan is as follows:

	Total Pension Liability	Plan Fiduciary Net Position	Net pension liability
Balance at June 30, 2019	\$ 3,133,886	\$ 2,242,926	\$ 890,960
Service cost	68,852	-	68,852
Interest	194,627	-	194,627
Differences between expected and actual experience	22,186	-	22,186
Benefit payments	(125,902)	-	(125,902)
Employer contributions	-	90,788	(90,788)
Employee contributions	-	32,010	(32,010)
Net investment income	-	97,705	(97,705)
Benefit payments	-	(125,902)	125,902
Net plan to resource movement	-	33	(33)
Administrative expense	-	(2,750)	2,750
Net change	159,763	91,884	67,879
Balance at June 30, 2020	<u>\$ 3,293,649</u>	<u>\$ 2,334,810</u>	<u>\$ 958,839</u>

Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

For the year ended June 30, 2021, LAFCO recognized pension expense of \$162,417. As of June 30, 2021, LAFCO reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of Assumptions	\$ 3,362	\$ 7,242
Differences between Expected and Actual Experience	42,366	56
Differences between Projected and Actual Investment Earnings	16,608	-
Pension Contributions Made Subsequent to Measurement Date	90,788	-
	<u>\$ 153,124</u>	<u>\$ 7,298</u>

LAFCO reported \$84,621 as deferred outflows of resources related to contributions subsequent to the measurement date that will be recognized as a reduction of the net pension liability in the year ending June 30, 2021. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Fiscal Year Ending June 30	Miscellaneous
2021	\$ 7,544
2022	18,003
2023	18,320
2024	11,171
	<u>\$ 55,038</u>

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

Actuarial Assumptions

The total pension liabilities in the June 30, 2019 actuarial valuations were determined using the following actuarial assumptions:

Valuation Date	June 30, 2019
Measurement Date	June 30, 2020
Actuarial Cost Method	Entry-Age Normal Cost Method
Actuarial Assumptions:	
Discount Rate	7.150%
Inflation	2.625%
Payroll Growth	2.875%
Projected Salary Increase	(1)
Investment Rate of Return	7.25% (2)
Mortality	(3)

- (1) Varies by entry age and service
- (2) Net of pension plan investment expenses, including inflation
- (3) Derived using CalPERS' membership data for all funds

Discount Rate

The discount rate used to measure the total pension liability was 7.15 percent for each Plan. To determine whether the municipal bond rate should be used in the calculation of a discount rate for each plan, CalPERS stress tested plans that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing, none of the tested plans run out of assets. Therefore, the current 7.15 percent discount rate is adequate and the use of the municipal bond rate calculation is not necessary. The long term expected discount rate of 7.15 percent will be applied to all plans in the Public Employees Retirement Fund (PERF). The cash flows used in the testing were developed assuming that both members and employers will make their required contributions on time and as scheduled in all future years. The stress test results are presented in a detailed report called "GASB Crossover Testing Report" that can be obtained at CalPERS' website under the GASB 68 section.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical returns of all the funds' asset classes, expected compound returns were calculated over the short-term (first 10 years) and the long-term (11-60 years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equivalent to the single equivalent rate calculated above and rounded down to the nearest one quarter of one percent.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

The table below reflects the long-term expected real rate of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation.

Asset Class	New Strategic Allocation	Real Return Years 1 - 10 (a)	Real Return Years 11+ (b)
Global Equity	50.00%	4.80%	5.98%
Fixed Income	8.00%	1.00%	2.62%
Inflation Sensitive	28.00%	0.77%	1.81%
Private Equity	1.00%	6.30%	7.23%
Real Estate	13.00%	3.75%	4.93%
Liquidity	0.00%	0.00%	-0.92%
Total	100.00%		

(a) An expected inflation of 2% used for this period.

(b) An expected inflation of 2.92% used for this period.

Sensitivity of the Net Pension Liability to Changes in the Discount

The following presents LAFCO's net pension liability, calculated using the discount rate, as well as what LAFCO's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

	<u>Miscellaneous</u>
1% Decrease	6.15%
Net Pension Liability \$	1,231,265
1% Decrease	7.15%
Net Pension Liability \$	958,839
1% Increase	8.15%
Net Pension Liability \$	525,892

Pension Plan Fiduciary Net Position

Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS financial reports.

NOTE 5 - OTHER POSTEMPLOYMENT BENEFITS (OPEB)

Plan Description

LAFCO participates in a Santa Clara County (the County) maintained cost-sharing multiple-employer defined benefit postemployment healthcare plan (the OPEB plan). The County's OPEB Plan provides healthcare benefits to eligible County, or LAFCO, employees and their dependents.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements For the Fiscal Year Ended June 30, 2021

The County participates in the California Employers' Retiree Benefit Trust Fund Program (CERBT), an agent multiple-employer postemployment health plan, to fund other postemployment benefits through CalPERS. The CERBT plan's audited financial statements are available at <https://www.calpers.ca.gov/docs/forms-publications/gasb-75-schedule-changes-fiduciary-net-position-2020.pdf>.

Benefits Provided

All County Employees hired prior to August 12, 1996 are eligible for health benefits upon attaining age 50 with 5 years of service. Employees hired on or after August 12, 1996 and before June 19, 2006 are eligible for health benefits upon attaining age 50 with 8 years of service. Employees hired on or after June 19, 2006 are eligible for health benefits upon attaining age 50 with 10 years of service. All Miscellaneous and Safety employees and Judges have the opportunity, upon attaining plan eligibility, of participating in the plan in retirement.

The County has established a 15-year (up from 10-year) retiree health benefit service requirement that applies to most employees hired on or after September 30, 2013.

Retirees retired prior to December 5, 1983 have their full premium cost subsidized by the County. In addition, the County subsidizes the Part B premium cost for the retirees in Medicare status who are not receiving Health-in-Lieu benefits.

For most of the retirees retired after December 4, 1983, the County contribution is limited to the cost of Kaiser under age 65 retiree only rate (different for Medicare and non-Medicare) over the plan year in question. Retirees pay the difference between the County contribution and the premium rate required by their enrolled plan.

Post-1983 retirees do not receive full Medicare Part B premium reimbursement, but only up to maximum monthly subsidies when combined with the medical premium.. The County does not cover premium cost associated with dependents.

Employees Covered by Benefit Terms

As of June 30, 2021, the benefit terms covered 4 active employees:

Contributions

LAFCO makes contributions based on an actuarially determined rate and are approved by the authority of LAFCO's Commission through the annual budget adoption. Total contributions during the year were \$22,766. Total contributions included in the measurement period were \$25,852. The actuarially determined contribution was \$27,912. LAFCO's contributions were 5.71% of covered employee payroll during the year.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

Actuarial Assumptions

The following summarized the actuarial assumptions for the OPEB plan included in this fiscal year:

Valuation Date:	June 30, 2019
Measurement Date:	June 30, 2020
Actuarial Cost Method:	Entry-Age Actuarial Cost Method
Amortization Method:	30-Year Closed Amortization, Level Percent of Payroll
Amortization Period:	30 years
Asset Valuation Method:	Market Value
Actuarial Assumptions:	
Discount Rate	7.00%
Inflation	2.50%
Wage Inflation	2.75%
Salary Increases	Miscellaneous: 9.75% to 3.25%, vary by service, including wage inflation. Safety: 15.95% to 4.25%, vary by service, including wage inflation.
Investment Rate of Return	7%, Net of investment expenses
Medical Cost Trend Rates:	
Non-Medicare medical plan	7% graded down to an ultimate of 4.50% over 10 years
Medicare medical plan	6.50% graded down to an ultimate of 4.50% over 8 years
Medicare Part B	4%

Discount Rate

The projection of cash flows used to determine the discount rate assumed plan member contributions will be made at the current contribution rate and that employer contributions will be made at rates equal to the actuarially determined contribution rates. For this purpose, only employee and employer contributions that are intended to fund benefits for current plan members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs for future plan members and their beneficiaries, as well as projected contributions from future plan members, are not included. Based on those assumptions, the Plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on OPEB plan investments was applied to all periods of projected benefit payments to determine the Total OPEB Liability (TOL) as of June 30, 2020, the measurement date, for the fiscal year ended June 30, 2021.

Long-Term Expected Rate of Return

The long-term expected rate of return on OPEB plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of OPEB plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Percentage of Portfolio	Long-Term Expected Rate of Return
International Equity	59.00%	7.890%
Fixed Income	25.00%	0.990%
Real Estate	8.00%	4.240%
Treasury Inflation Protected Securities (TIPS)	5.00%	0.600%
All Commodities	3.00%	4.190%
Total	100.00%	

Net OPEB Liability

LAFCO's net OPEB liability was measured as of June 30, 2020 (measurement date), and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2019 (valuation date) for the fiscal year ended June 30, 2021. The following summarizes the changes in the net OPEB liability during the year ended June 30, 2021, for the measurement date of June 30, 2020:

Fiscal Year Ended June 30, 2021 (Measurement Date June 30, 2020)	Total OPEB Liability	Plan Fiduciary Net Position	Net OPEB Liability (Asset)
Balance at June 30, 2020	\$ 507,016	\$ 248,934	\$ 258,082
Service cost	14,091	-	14,091
Interest in Total OPEB Liability	32,617	-	32,617
Employer contributions	-	23,598	(23,598)
Employee contributions	-	1,520	(1,520)
Difference between actual and exp experience	(19,223)	-	(19,223)
Proportionate share changes	(46,108)	(22,638)	(23,470)
Changes in assumptions	(13,776)	-	(13,776)
Difference between actual and exp earnings	-	8,058	(8,058)
Administrative expenses	-	(546)	546
Benefit payments	(18,090)	(18,090)	-
Implicit subsidy fulfilled	-	1,538	(1,538)
Net changes	(50,489)	(6,560)	(43,929)
Balance at June 30, 2021	\$ 456,527	\$ 242,374	\$ 214,153
Covered Employee Payroll	\$ 399,011		
Total OPEB Liability as a % of Covered Employee Payroll	114.41%		
Plan Fid. Net Position as a % of Total OPEB Liability	53.09%		
Service Cost as a % of Covered Employee Payroll	3.53%		
Net OPEB Liability as a % of Covered Employee Payroll	53.67%		

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

Deferred Inflows and Outflows of Resources

At June 30, 2021, LAFCO reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between actual and expected experience	\$ -	\$ 74,448
Difference between actual and expected earnings	5,769	-
Change in assumptions	-	10,309
OPEB contribution subsequent to measurement date	22,766	-
Totals	\$ 28,535	\$ 84,757

Of the total amount reported as deferred outflows of resources related to OPEB, \$22,766 resulting from LAFCO contributions subsequent to the measurement date and before the end of the fiscal year will be included as a reduction of the net OPEB liability in the year ended June 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year Ended June 30,	
2022	\$ (17,975)
2023	(16,930)
2024	(12,743)
2025	(9,383)
2026	(11,008)
Thereafter	(10,949)
Total	\$ (78,988)

OPEB Expense

The following summarizes the OPEB expense by source during the year ended June 30, 2021:

Service cost	\$ 14,091
Interest in TOL	32,617
Expected investment income	(16,121)
Other	(1,538)
Employee contributions	(1,520)
Difference between actual and expected experience	(16,487)
Difference between actual and expected earnings	612
Change in assumptions	(2,100)
Administrative expenses	546
OPEB Expense	\$ 10,100

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

The following summarizes changes in the net OPEB liability as reconciled to OPEB expense during the year ended June 30, 2021:

Net OPEB liability ending	\$ 214,153
Net OPEB liability beginning	<u>(258,082)</u>
Change in net OPEB liability	(43,929)
Changes in deferred outflows	(1,315)
Changes in deferred inflows	32,989
Employer specific changes in proportionate share	(2,782)
Employer contributions and implicit subsidy	<u>25,137</u>
OPEB Expense	<u>\$ 10,100</u>

Sensitivity to Changes in the Discount Rate

The net OPEB liability of LAFCO, as well as what LAFCO's net OPEB liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher, is as follows:

		Discount Rate		
		(1% Decrease)	7%	(1% Increase)
Net OPEB Liability (Asset)	\$	278,912	\$ 214,153	\$ 161,004

Sensitivity to Changes in the Healthcare Cost Trend Rates

The net OPEB liability of LAFCO, as well as what LAFCO's net OPEB liability would be if it were calculated using healthcare cost trend rates that are one percentage point lower or one percentage point higher than current healthcare cost trend rates, is as follows

		Trend Rate		
		(1% Decrease)	(Current Rate)	(1% Increase)
Net OPEB Liability (Asset)	\$	155,843	\$ 214,153	\$ 286,594

NOTE 6 - COMMITMENTS AND CONTINGENCIES

Litigation

LAFCO may be exposed to various claims and litigation during the normal course of business. However, management believes there were no matters that would have a material adverse effect on LAFCO's financial position or results of operations as of June 30, 2021.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

Operating Leases

LAFCO has a current lease agreement for building space at 777 North First Street, San Jose, California. The lease has a sixty-two-month term that expires on March 31, 2022. The base rent ranges from \$3,404 to \$3,982 which includes a 4% increase on the first of April every year. As of June 30, 2021, the future minimum lease payments of \$39,820 run through the fiscal year ended June 30, 2022. Total rent expense for the year ended June 30, 2021 was \$46,254.

NOTE 7 - RISK MANAGEMENT

LAFCO is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees; and natural disasters. LAFCO is a member of the Special District Risk Management Authority (SDRMA). During the fiscal year ended June 30, 2021, LAFCO had the following coverages subject to the terms, conditions and exclusions as provided in the Memorandum of Coverage from SDRMA:

	<u>Limits</u>
Property	
Property	\$ 1,000,000,000
Boiler and Machinery	\$ 100,000,000
Pollution	\$ 2,000,000
Cyber	Limits on File
General Liability	
Bodily Injury	\$ 2,500,000
Property Damage	\$ 2,500,000
Public Officials Personal	\$ 500,000
Employment Benefits	\$ 2,500,000
Employee/Public Officials E&O	\$ 2,500,000
Employment Practices Liability	\$ 2,500,000
Employee/Public Officials Dishonesty	\$ 1,000,000
Auto Liability	
Auto Bodily Injury	\$ 2,500,000
Auto Property Damage	\$ 2,500,000
Uninsured Motorist	Limits on File
Workers' Compensation	
Employers Liability	\$ 5,000,000
Workers' Compensation	Statutory

Workers' compensation coverage as noted above is for Commissioners while employees are covered by Santa Clara County. There have not been any claims in any of the last three fiscal years and there were no reductions in LAFCO's insurance coverage during the current year. Liabilities are recorded when it is probable that a loss has been incurred and the amount of the loss can be reasonably estimated net of the respective insurance coverage.

Local Agency Formation Commission of Santa Clara County

Notes to the Basic Financial Statements
For the Fiscal Year Ended June 30, 2021

NOTE 8 - SUBSEQUENT EVENTS

Management has evaluated all subsequent events from the statement of financial position date of June 30, 2021, through the date the financial statements were available to be issued, October 20, 2021. Beginning in March 2020, the United States economy began suffering adverse effects from the COVID 19 Virus Crisis ("CV19 Crisis"). As of the date of issuance of the financial statements, LAFCO had not suffered a material adverse impact from the CV19 Crisis. However, the future impact of the CV19 Crisis cannot be reasonably estimated.

**REQUIRED
SUPPLEMENTARY
INFORMATION**

Local Agency Formation Commission of Santa Clara County
Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget to Actual (GAAP)
General Fund
For the Fiscal Year Ended June 30, 2021

	Budgeted Amounts			Variance with Final Budget Positive - (Negative)
	Original	Final	Actual (GAAP Basis)	
Revenues:				
Intergovernmental	\$ 983,784	\$ 983,784	\$ 983,785	\$ 1
Charges for services	30,000	30,000	34,627	4,627
Investment income	6,000	6,000	10,489	4,489
Total revenues	1,019,784	1,019,784	1,028,901	9,117
Expenditures:				
Current:				
Employee services	807,402	806,845	730,717	76,128
Professional services	280,589	280,320	157,868	122,452
Commission fees	10,000	10,000	6,100	3,900
Facilities	46,254	46,254	46,254	-
Insurance	10,452	10,452	10,452	-
Supplies	21,500	21,500	5,582	15,918
Memberships	12,000	12,000	12,144	(144)
Travel	15,355	15,355	61	15,294
Miscellaneous	4,717	5,117	2,851	2,266
Total expenditures	1,208,269	1,207,843	972,029	235,814
Net change in fund balance	(188,485)	(188,059)	56,872	244,931
Fund balance beginning	505,479	505,479	505,479	-
Fund balance ending	\$ 316,994	\$ 317,420	\$ 562,351	\$ 244,931

LAFCO employs budget control by object codes and by individual appropriation accounts. Budgets are prepared on the modified accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board. Expenditures cannot legally exceed appropriations by major object code. The originally adopted and final revised budgets for the General Fund are presented as Required Supplementary Information. The basis of budgeting is the same as GAAP.

Local Agency Formation Commission of Santa Clara County

Schedule of Contributions for Pension Plans

For the Fiscal Year Ended June 30, 2021

Fiscal Year Ended	2015	2016	2017	2018	2019	2020	2021
Actuarially Determined Contributions (ADC)	\$ 50,865	\$ 56,192	\$ 64,817	\$ 72,514	\$ 77,923	\$ 84,621	\$ 90,788
Contributions in Relation to ADC	50,865	56,192	64,817	72,514	77,923	84,621	90,788
Contribution Deficiency (Excess)	-	-	-	-	-	-	-
Covered Payroll	\$ 322,075	\$ 335,288	\$ 356,470	\$ 381,587	\$ 421,278	\$ 390,298	\$ 414,272
Contributions as a Percentage of Covered Payroll	15.79%	16.76%	18.18%	19.00%	18.50%	21.68%	21.92%

Notes to Schedule:

Valuation Date: June 30, 2020

Assumptions Used: Entry Age Normal

Inflation Assumed at 2.625%.

Investment Rate of Returns set at 7.25%.

The probabilities of mortality are based on the 2017 CalPERS Experience Study for the period from 1997 to 2015. Pre-retirement and Post-retirement mortality rates include 15 years of projected mortality improvement using 90% of Scale MP-2016 published by the Society of Actuaries.

Asset valuation method is Market Value of Assets.

Payroll growth 2.75%.

The probabilities of Retirement are based on the 2017 CalPERS Experience Study for the period from 1997 to 2015.

Fiscal year 2015 was the first year of implementation, therefore only five years are shown.

The CalPERS discount rate was increased from 7.5% to 7.65% in fiscal year 2016 and then decreased from 7.65% to 7.15% in fiscal year 2018.

The CalPERS mortality assumptions were adjusted in fiscal year 2020.

Local Agency Formation Commission of Santa Clara County

Schedule of Changes in Net Pension Liability

For the Fiscal Year Ended June 30, 2021

Fiscal Year	2015	2016	2017	2018	2019	2020	2021
Total pension liability							
Service cost	\$ 54,769	\$ 54,109	\$ 56,283	\$ 66,427	\$ 72,114	\$ 66,827	\$ 68,852
Interest	162,515	171,403	180,987	189,609	206,148	198,109	194,627
Changes of assumptions	-	(42,028)	-	158,690	(28,601)	-	-
Differences between expected and actual experience	-	(3,558)	3,559	(2,638)	19,945	39,404	22,186
Benefit payments	(94,224)	(101,138)	(108,619)	(116,090)	(130,376)	(126,340)	(125,902)
Net change in Total Pension Liability	123,060	78,787	132,210	295,998	139,230	178,000	159,763
Total pension liability - beginning	2,186,600	2,309,660	2,388,448	2,520,658	2,816,656	2,955,886	3,133,886
Total pension liability - ending	\$ 2,309,660	\$ 2,388,448	\$ 2,520,658	\$ 2,816,656	\$ 2,955,886	\$ 3,133,886	\$ 3,293,649
Plan fiduciary net position							
Employer contributions	\$ 50,865	\$ 56,192	\$ 64,817	\$ 72,514	\$ 77,923	\$ 84,621	\$ 90,788
Employee contributions	27,292	26,336	28,002	29,734	31,795	31,754	32,010
Net investment income	266,077	39,872	9,509	199,967	174,067	130,885	97,705
Benefit payments	(94,224)	(101,138)	(108,619)	(116,090)	(130,376)	(126,340)	(125,902)
Net plan to resource movement	-	(156)	47	(28)	3	(8)	33
Administrative expense	-	(2,032)	(1,099)	(2,651)	(3,199)	(1,414)	(2,750)
Other	-	-	-	-	(6,074)	5	-
Net change in plan fiduciary net position	250,011	19,074	(7,342)	183,446	144,139	119,503	91,884
Plan fiduciary net position - beginning	1,534,095	1,784,106	1,803,180	1,795,838	1,979,284	2,123,423	2,242,926
Plan fiduciary net position - ending	\$ 1,784,106	\$ 1,803,180	\$ 1,795,838	\$ 1,979,284	\$ 2,123,423	\$ 2,242,926	\$ 2,334,810
Net pension liability	\$ 525,555	\$ 585,268	\$ 724,820	\$ 837,372	\$ 832,463	\$ 890,960	\$ 958,839
Plan fiduciary net position as a percentage of the total pension liability	77.25%	75.50%	71.24%	70.27%	71.84%	71.57%	70.89%
Covered payroll	312,413	322,075	335,288	356,470	381,587	421,278	390,298
Net pension liability as a percentage of covered payroll	168.22%	181.72%	216.18%	234.91%	218.16%	211.49%	245.67%
Total pension Liability as a percentage of covered payroll	739.30%	741.58%	751.79%	790.15%	774.63%	743.90%	843.88%

Fiscal year 2015 was the first year of implementation, therefore only five years are shown.

The CalPERS discount rate was increased from 7.5% to 7.65% in fiscal year 2016 and then decreased from 7.65% to 7.15% in fiscal year 2018.

The CalPERS mortality assumptions were adjusted in fiscal year 2020.

Local Agency Formation Commission of Santa Clara County

Schedule of Contributions for OPEB Plans

For the Fiscal Year Ended June 30, 2021

Fiscal Year Ended	2018	2019	2020	2021
Actuarially determined contribution (ADC)	\$ 29,697	\$ 29,697	\$ 30,704	\$ 27,912
Less: actual contribution in relation to ADC	(34,427)	(24,639)	(25,852)	(22,766)
Contribution deficiency (excess)	\$ (4,730)	\$ 5,058	\$ 4,852	\$ 5,146
Covered employee payroll	\$ 349,612	\$ 397,559	\$ 402,829	\$ 399,011
Contrib. as a % of covered employee payroll	9.85%	6.20%	6.42%	5.71%

Notes to Schedule:

Assumptions and Methods

Valuation Date:	June 30, 2019
Measurement Date:	June 30, 2020
Actuarial Cost Method:	Entry-Age Actuarial Cost Method
Amortization Method:	30-Year Closed Amortization, Level Percent of Payroll
Amortization Period:	30 years
Asset Valuation Method:	Market Value
Actuarial Assumptions:	
Discount Rate	7.00%
Inflation	2.50%
Wage Inflation	2.75%
Salary Increases	Miscellaneous: 9.75% to 3.25%, vary by service, including wage inflation. Safety: 15.95% to 4.25%, vary by service, including wage inflation.
Investment Rate of Return	7.0%, Net of investment expenses
Medical Cost Trend Rates:	
Non-Medicare medical plan	7% graded down to an ultimate of 4.50% over 10 years
Medicare medical plan	6.50% graded down to an ultimate of 4.50% over 8 years
Medicare Part B	4%

Other Notes

GASB 75 requires a schedule of contributions for the last ten fiscal years, or for as many years as are available if less than ten years are available. GASB 75 was adopted as of June 30, 2018.

There were no changes in benefit terms.

There were no changes in discount rates, inflation, or wage inflation.

Local Agency Formation Commission of Santa Clara County

Schedule of Changes in Net OPEB Liability

For the Fiscal Year Ended June 30, 2021

Fiscal Year Ended	2018	2019	2020	2021
Total OPEB liability				
Service cost	\$ 14,472	\$ 13,122	\$ 14,930	\$ 14,091
Interest	34,597	20,649	35,501	32,617
Differences between expected and actual experience	(40,235)	(3,650)	(30,126)	(19,223)
Changes of assumptions	(9,061)	3,835	4,159	(13,776)
Benefit payments	(16,867)	(8,877)	(19,358)	(18,090)
Proportionate share changes	-	21,414	(2,209)	(46,108)
Other	-	(13,486)	-	-
Net change in Total OPEB Liability	(17,095)	33,007	2,897	(50,489)
Total OPEB Liability - beginning	488,207	471,112	504,119	507,016
Total OPEB Liability - ending	\$ 471,112	\$ 504,119	\$ 507,016	\$ 456,527
Plan fiduciary net position				
Employer contributions	\$ 28,891	\$ 44,336	\$ 23,466	\$ 23,598
Proportionate share changes	-	8,578	(9,847)	(22,638)
Employee contributions	1,325	-	1,453	1,520
Net investment income	16,679	1,156	14,662	8,058
Benefit payments	(16,867)	(8,877)	(19,358)	(18,090)
Implicit subsidy fulfilled	-	-	5,503	1,538
Other	-	(126)	(733)	-
Administrative expense	(563)	-	-	(546)
Adjustments	3,999	-	-	-
Net change in plan fiduciary net position	33,464	45,067	15,146	(6,559)
Plan fiduciary net position - beginning	155,257	188,721	233,788	248,934
Plan fiduciary net position - ending	\$ 188,721	\$ 233,788	\$ 248,934	\$ 242,374
Net OPEB liability (asset)	\$ 282,391	\$ 270,331	258,082	214,153
Plan fiduciary net position as a percentage of the total OPEB liability	40.06%	46.38%	49.10%	53.09%
Covered Employee Payroll	\$ 339,998	\$ 349,612	\$ 397,559	\$ 399,011
Net OPEB liability as a percentage of covered employee payroll	83.06%	77.32%	64.92%	53.67%
Total OPEB liability as a percentage of covered employee payroll	138.56%	144.19%	127.53%	114.41%

Other Notes

GASB 75 requires a schedule of contributions for the last ten fiscal years, or for as many years as are available if less than ten years are available. GASB 75 was adopted as of June 30, 2018.

There were no changes in benefit terms.

There were no changes in discount rates, inflation, or wage inflation.

**OTHER INDEPENDENT
AUDITOR'S REPORTS**



**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH *GOVERNMENT AUDITING STANDARDS***

To the Commissioners
Local Agency Formation Commission of Santa Clara County
San Jose, California

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of LAFCO as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise LAFCO's basic financial statements, and have issued our report thereon dated October 20, 2021.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered LAFCO's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of LAFCO's internal control. Accordingly, we do not express an opinion on the effectiveness of LAFCO's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether LAFCO's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not



express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

C & A LLP

October 20, 2021
Morgan Hill, California



Local Agency Formation Commission of Santa Clara County
777 N 1st St, Ste 410
San Jose, California 95112

Introduction and Internal Controls

In planning and performing our audit of the basic financial statements of the Local Agency Formation Commission of Santa Clara County, as of and for the year ended June 30, 2021, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, we considered Local Agency Formation Commission of Santa Clara County's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we do not express an opinion on the effectiveness of Local Agency Formation Commission of Santa Clara County's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the LAFCO's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Upcoming Accounting Pronouncements

The following is a summary of new accounting pronouncements from the Financial Accounting Standards Board:

GASB issued Statement No. 87, *Leases*

The objective of this statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as



operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities. The requirements of this Statement are effective for financial statements for periods beginning after December 15, 2019 but have been delayed to periods beginning after December 15, 2021, pursuant to GASB Statement No. 95. Earlier application is encouraged. Management doesn't believe this statement will have a significant impact on LAFCO's financial statements.

GASB Statement No. 91, *Conduit Debt Obligations*

The objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement also clarifies the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitment and voluntary commitments extended by issuers and arrangements associated with the debt obligations; and improving required note disclosures. The requirements of this Statement are effective for financial statements for periods beginning after December 15, 2020 but have been delayed to periods beginning after December 15, 2021, pursuant to GASB Statement No. 95. Earlier application is encouraged. Management doesn't believe this statement will have a significant impact on LAFCO's financial statements.

GASB Statement No. 92, *Omnibus 2020*

The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing practice issues that have been identified during implementation and application of certain GASB Statements. This Statement establishes accounting and financial reporting requirements for specific issues related to leases, intra-entity transfers of assets, postemployment benefits, government acquisitions, risk financing and insurance-related activities of public entity risk pools, fair value measurements, and derivative instruments. The requirements of this Statement apply to the financial statements of all state and local governments. The requirements of this Statement were initially to be effective for financial statements for periods beginning after June 15, 2020 but have been delayed to periods beginning after June 15, 2021, pursuant to GASB Statement No. 95. Earlier application is encouraged. Management doesn't believe this statement will have a significant impact on LAFCO's financial statements.



Chavan and Associates, LLP
Certified Public Accountants

Purpose of Communication

The purpose of this communication, which is an integral part of our audit, is to describe, for management and those charged with governance, the scope of our testing of internal control and the results of that testing, and communicate additional information that may be relevant to future Organization decision making. Accordingly, this communication is not intended to be and should not be used for any other purpose.

C & A LLP

October 20, 2021
Morgan Hill, California



To the Commission
Local Agency Formation Commission of Santa Clara County

We have audited the basic financial statements of the Local Agency Formation Commission of Santa Clara County as of and for the year ended June 30, 2021, and have issued our report thereon dated October 20, 2021. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility under Generally Accepted Auditing Standards and Government Auditing Standards

As communicated in our engagement letter, our responsibility, as described by professional standards, is to form and express an opinion(s) about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the Local Agency Formation Commission of Santa Clara County solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

Other Information in Documents Containing Audited Financial Statements

Pursuant to professional standards, our responsibility as auditors for other information in documents containing Local Agency Formation Commission of Santa Clara County's audited financial statements doesn't extend beyond the financial information identified in the audit report, and we are not required to perform any procedures to corroborate such other information.

Our responsibility also includes communicating to you any information which we believe is a material misstatement of fact. Nothing came to our attention that caused us to believe that such information, or its manner of presentation, is materially inconsistent with the information, or manner of its presentation, appearing in the financial statements.



Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to management.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the Local Agency Formation Commission of Santa Clara County is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during June 30, 2021. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements include accumulated depreciation related to capital assets and unfunded liabilities and expenses based on assumptions in actuarial studies performed on defined benefit pension plans and other postemployment benefit plans (GASB 68 and GASB 75).

We evaluated the key factors and assumptions used to develop the identified estimates and determined that it is reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting Local Agency Formation Commission of Santa Clara County's financial statements relate to: cash and investments, long-term obligations, defined benefit pension plans and other postemployment benefit plans.



Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. None of the misstatements identified by us as a result of our audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole or applicable opinion units.

In addition, professional standards require us to communicate to you all material, corrected and uncorrected misstatements that were brought to the attention of management as a result of our audit procedures. There were no material, corrected or uncorrected misstatements noted during the audit.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the Local Agency Formation Commission of Santa Clara County's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested certain written representations from management, which are included in a separate letter dated October 20, 2021.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Findings or Issues

In the normal course of our professional association with the Local Agency Formation Commission of Santa Clara County, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the Local Agency Formation Commission of Santa Clara County's auditors.



Chavan and Associates, LLP
Certified Public Accountants

This report is intended solely for the information and use of the Board and management of the Local Agency Formation Commission of Santa Clara County and is not intended to be and should not be used by anyone other than these specified parties.

C & A LLP

October 20, 2021
Morgan Hill, California



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners
Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

ITEM # 7

Alternate Commissioners
Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer
Neelima Palacherla

LAFCO MEETING: December 1, 2021

TO: LAFCO

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

**SUBJECT: AMENDMENT TO EXTEND CONTRACT FOR
INDEPENDENT PROFESSIONAL AUDITING SERVICES**

STAFF RECOMMENDATION

1. Authorize the LAFCO Executive Officer to amend the Chavan & Associates, LLP service agreement, subject to LAFCO Counsel's review and approval, in order to (a) extend the agreement term to January 1, 2024, and (b) include an additional \$25,500 in the contract, for a total contract amount not to exceed \$65,500.

PROPOSED AMENDMENT TO CHAVAN & ASSOCIATES, LLP CONTRACT

On July 27, 2018, LAFCO retained Chavan & Associates, LLP (C&A) to audit LAFCO's financial statements and prepare LAFCO's General Purpose Financial Statements for Fiscal Years ending 2018, 2019, 2020, and 2021, at a total cost of \$40,000. LAFCO's four-year contract with C&A ends January 1, 2022.

As of December 1, 2021, C&A will have prepared its fourth Annual Audit Report for LAFCO, fulfilling its current contract. Therefore, it is timely for LAFCO to consider how it will meet its auditing needs going forward.

Under State law [Government Code §12410.6(b)], "commencing with the 2013-14 fiscal year, a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, performed audit services for the local agency for six consecutive fiscal years."

Chavan & Associates, LLP (C&A) has successfully prepared four (4) audits for LAFCO. Therefore, LAFCO may amend its current service agreement with C&A, to include two (2) additional audits (for Fiscal Years ending 2022 and 2023) consistent with State law on auditor rotation. C&A has indicated that they are available and can provide this service to LAFCO for an additional cost not to exceed a total amount of \$25,500 (\$12,500 for FY 2022 audit and \$13,000 for FY 2023 audit).

BACKGROUND

Effective January 2001, the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 required LAFCOs to be independent bodies. In June 2001, Santa Clara LAFCO entered into a Memorandum of Understanding (MOU) with the County of Santa Clara under which the County provides staffing, facilities and support services to LAFCO including all payroll, banking, and accounting services. LAFCO's funds are maintained in the County Treasury, LAFCO is included in the County's financial accounting system and all LAFCO financial transactions are subject to the internal controls in place at the County. The County provides accounting and reporting on both LAFCO's budget and actual transactions. The County treats LAFCO as a Special Revenue Fund to reflect its status as an independent agency that is separate from the County. The County includes LAFCO in its external audit process and in its Comprehensive Annual Financial Report (CAFR). However, LAFCO is presented together with other funds and therefore there is a lack of separate or detailed information on LAFCO.

Staff at the County Controller's Office concurred that as an independent agency, LAFCO should issue its own financial statements similar to several LAFCOs around the state, instead of being comingled with the County. This would have the advantage of providing greater clarity and transparency on LAFCO's financials.

At the April 4, 2018 meeting, the Commission directed staff to arrange for an annual audit of LAFCO's financial statements to be conducted by an independent auditor, beginning with Fiscal Year 2018, and directed staff to prepare a draft RFP for independent financial audit services for Commission consideration and approval.

On June 6, 2018, LAFCO authorized staff to issue a Request for Proposals (RFP) for an independent Certified Public Accounting firm to audit LAFCO's financial statements. Commissioner Jimenez was appointed to serve on the consultant selection panel.

On June 7, 2018, LAFCO staff released an RFP for an independent Certified Public Accounting firm to audit LAFCO's financial statements and prepare its General Purpose Financial Statements for Fiscal years ending 2018, 2019, 2020 and 2021. LAFCO received four proposals in response to its RFP.

LAFCO staff, staff from the County Controller-Treasurer's Office and Commissioner Jimenez evaluated the proposals and selected Chavan & Associates, LLP. LAFCO entered into an agreement with Chavan & Associates, LLP for a four-year contract (for Fiscal Years 2018, 2019, 2020 and 2021) at a total cost of \$40,000.

NEXT STEPS

If directed, Executive Officer Palacherla will amend the Chavan & Associates, LLP service agreement, subject to LAFCO Counsel's review and approval, to extend the agreement term to January 1, 2024, and to increase the maximum budget to \$65,500.



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

Alternate Commissioners

Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer

Neelima Palacherla

ITEM # 8

LAFCO MEETING: December 1, 2021

TO: LAFCO

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

**SUBJECT: UPDATE ON LAFCO'S COUNTYWIDE FIRE SERVICE
REVIEW**

STAFF RECOMMENDATION

Accept report and provide direction, as necessary.

COUNTYWIDE FIRE SERVICE REVIEW

This report provides a summary of the service review related work, including the recent Technical Advisory Committee Meeting, that has been completed since the October 13, 2021 LAFCO meeting and the anticipated next steps.

TECHNICAL ADVISORY COMMITTEE MEETING: NOVEMBER 9, 2021

The third meeting of the Technical Advisory Committee was held on November 9, 2021. Alternate TAC Member Ed Shikada (Palo Alto City Manager) attended and replaced TAC Member Carl Cahill, who recently left the Town of Los Altos Hills. Brian Glass (Acting Fire Chief for Santa Clara County Central Fire Protection District (CCFD)) continues to serve on the TAC, in place of Tony Bowden (Fire Chief for CCFD).

At the November 9, 2021 Technical Advisory Committee meeting, CPSM (LAFCO's consultant for the Countywide Fire Service Review) proposed some revisions to the Draft Service Review Determinations Criteria that was previously presented to and agreed to by the TAC at its May 24, 2021 meeting. The TAC reviewed these changes and requested some additional clarifying changes to the Criteria.

The TAC received an update on CPSM's data collection efforts and preparation of service provider profiles. CPSM has prepared service provider profiles based on collected data and will send them to the providers for their review and verification of the compiled data.

CPSM has also extracted data from the local Computer Aided Dispatch Systems (CADS) and the National Fire Incident Reporting System (NFIRS), where feasible. CPSM provided this extracted data to Matrix Consulting Group (County's consultant)

for their use in the County's Fire Study. By sharing this data, LAFCO has hopefully reduced a duplication of time and effort for the County and fire service providers.

The final profiles will serve as the basis for CPSM's analysis and development of findings and recommendations.

The TAC also received a brief report on LAFCO's community outreach efforts on the fire service review, including the three community meetings and community survey. A summary report on the feedback received at the community meetings and the results of the online survey will be included as Appendices in the Service Review Report.

CPSM also presented a brief summary of their preliminary analysis and findings, including some anticipated recommendations. TAC members and participants requested that CPSM's review and recommendations concerning wildfire mitigation efforts and vegetation management be more specific.

NEXT STEPS

A TAC meeting is scheduled for December 7, 2021 to discuss focus issues and recommendations. Due to various issues in the data collection phase of this project, the schedule for the project is likely extended by 2 months. LAFCO staff is working with CPSM to develop a revised schedule for completion of the Countywide Fire Service Review. Staff will prepare a revised schedule for presentation at the next TAC meeting.

ITEM # 9**2022 SCHEDULE OF LAFCO MEETINGS AND
APPLICATION FILING DEADLINES**

LAFCO MEETING	DEADLINE TO FILE APPLICATION
February 2, 2022	December 2, 2021
April 6, 2022	February 3, 2022
June 1, 2022	April 7, 2022
August 3, 2022	June 2, 2022
October 5, 2022	August 4, 2022
December 7, 2022	October 6, 2022

TIME OF MEETINGS

1:15 PM

LOCATION OF MEETINGSBoard of Supervisors' Chambers
70 West Hedding Street
San Jose, CA 95110**APPLICATION MAILING
ADDRESS**LAFCO Office
777 North First Street, Suite 410
San Jose, CA 95112
(408) 993-4705



**Local Agency
Formation Commission
of Santa Clara County**
777 North First Street
Suite 410
San Jose, CA 95112
SantaClaraLAFCO.org

Commissioners
Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

ITEM # 10

Alternate Commissioners
Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull
Executive Officer
Neelima Palacherla

LAFCO MEETING: December 1, 2021

TO: LAFCO

**FROM: Neelima Palacherla, Executive Officer
Dunia Noel, Asst. Executive Officer
Emmanuel Abello, LAFCO Clerk**

**SUBJECT: APPOINTMENT OF 2022 LAFCO CHAIRPERSON AND
VICE-CHAIRPERSON**

STAFF RECOMMENDATION

Appoint a commissioner to serve as Chairperson for 2022 and appoint a commissioner to serve as Vice-Chairperson for 2022.

BACKGROUND

Appointment of the LAFCO Chairperson and Vice-Chairperson is typically made on a calendar year basis, usually at the December LAFCO meeting. Pursuant to LAFCO bylaws, the rotation schedule is as follows unless otherwise determined by the Commission:

- Cities member
- County member
- San Jose member
- Special Districts member
- County member
- Public member
- Special Districts member

Over the last few years, LAFCO has experienced frequent changes in its membership resulting in the need for deviation from the adopted chair rotation schedule to allow new commissioners adequate time to gain knowledge and experience on LAFCO matters, before serving as LAFCO Chairperson.

During the 2016/2017 rotation schedule, the Commission skipped both the Cities member and San Jose member in order to allow both incoming appointees adequate time to become familiar with LAFCO.

In December 2016, LAFCO appointed the Special Districts member (Sequoia Hall) as Chair for 2017 and in February 2017, LAFCO appointed the County member (Ken Yeager) as Vice-Chair for 2017.

In December 2017, LAFCO appointed the County member (Ken Yeager) as Chair for 2018 and appointed the Public member (Susan Vicklund Wilson) as Vice-Chair for 2018.

In February 2019, LAFCO appointed the Public member (Susan Vicklund Wilson) as Chair for 2019 and appointed the San Jose member (Sergio Jimenez) as Vice-Chair for 2019. The appointment of the San Jose member as Vice-Chair was made to address the fact the Commission's 2016/2017 rotation scheduled skipped the San Jose member and with the understanding that the Cities member would serve as Vice-Chair in 2020 and to address the fact that the Commission's 2016/2017 rotation schedule had also skipped the Cities member.

In December 2019, LAFCO appointed the San Jose member (Sergio Jimenez) as Chair for 2020 and appointed the Cities member (Rob Rennie) as Vice-Chair for 2020, with the understanding that the appointments would return the chairperson rotation to its normal schedule. However, Commissioner Rennie's term on LAFCO expired May 31, 2020 and on May 14, 2020, the City Selection Committee of Santa Clara County appointed Rich Constantine (Mayor, City of Morgan Hill) as LAFCO Commissioner in place of Commissioner Rennie. In June 2020, LAFCO appointed the County member (Susan Ellenberg) to fill the vacant Vice-Chair position for the remainder of 2020 per the rotation schedule.

In January 2021, LAFCO appointed the County member (Susan Ellenberg) as Chair for 2021 and appointed the Cities Member (Rich Constantine) as Vice-Chair for 2021.

Please note that a representative from the Special Districts has not served as Vice-Chair in recent years.

It is recommended that the 2022 LAFCO Chairperson be the Cities member (Rich Constantine) and that the Commission determine who will serve as Vice-Chair in 2022.



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners
Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

ITEM # 11

Alternate Commissioners
Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer
Neelima Palacherla

LAFCO MEETING: December 1, 2021

TO: LAFCO

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

SUBJECT: EXECUTIVE OFFICER'S REPORT

STAFF RECOMMENDATION

Accept reports and provide direction, as necessary.

11.1 UPDATE ON COUNTY'S CLASSIFICATION STUDY FOR LAFCO

The County's Employee Services Agency (ESA) completed the LAFCO classification study and posted it to the respective unions (CEMA and SEIU). The CEMA representative shared a copy of the study, job specifications, and salary surveys for the CEMA positions with Executive Officer Palacherla. Later, the SEIU representative shared a copy of the study, job specification, and salary survey for the SEIU position with Clerk Abello.

EO Palacherla provided LAFCO's Ad Hoc Committee on LAFCO Organizational Assessment with a copy of the study, along with staff analyses and notes to facilitate their review and comment. The Ad Hoc Committee was informed that they may provide any comments directly to the County Executive's Office.

The ESA gave CEMA a deadline of November 5, 2021 to concur with the Study or to meet and confer on items of disagreement. The CEMA representative requested and received an extension of the deadline. After meeting with EO Palacherla and Analyst Noel, the CEMA representative arranged for a meet and confer with ESA in order to seek clarity and reach agreement. To date, EO Palacherla and Asst. EO Noel have participated in two meetings and await a response from ESA.

Clerk Abello is tentatively scheduled to meet with a SEIU representative during the week of November 22nd to review the study for the SEIU position and discuss any next steps.

Once the meet and confer process concludes, ESA will forward their recommendations, including job specifications, salary ranges, and the Classification Study, to the County Board of Supervisors for their consideration and potential approval.

It should be noted that there are some outstanding issues left from the Ad Hoc Committee's request to the County, specifically:

- Revision of the LAFCO Executive Officer performance evaluation process to provide the Commission more autonomy in the evaluation and salary-setting process, as recommended in the Study.
- Review and revision of the current LAFCO-County MOU to address any changes made regarding the recommendations in the Study, ensure proper support of LAFCO operations, and to continue a productive relationship with the County.

Once the County completes its actions relating to the LAFCO Classification Study, the Ad Hoc Committee can meet to discuss these issues and provide their recommendation to the full Commission for their consideration and potential approval.

The Ad Hoc Committee (composed of Commissioners Ellenberg, Jimenez, and Alternate Commissioner Melton), was created to meet with appropriate County representatives and discuss implementation of LAFCO's Comprehensive Organizational Review and Assessment Study prepared by Koff and Associates, including amendment of the LAFCO-County MOU.

LAFCO staff will continue to update the Commission as this process moves forward.

11.2 UPDATE ON RANCHO RINCONADA RECREATION AND PARK DISTRICT SPECIAL STUDY

On November 4, 2021, the City of Cupertino's Parks and Recreation Commission (PRC) met and discussed the Rancho Rinconada Recreation and Park District (RRRPD) Special Study and voted to delay a decision on the Study's recommendations in order to allow time for additional outreach and research. The Cupertino City Council will consider this item, including the City's PRC recommendation, at a future meeting (date TBD).

The RRRPD's Board of Directors recently passed a Board Resolution in support of the District remaining an independent special district rather than consolidating with the City.

11.3 COMMENT LETTER ON SAN JOSE STAFF RECOMMENDATIONS ON THE LONG-TERM FUTURE OF COYOTE VALLEY – NORTH, MID-, AND SOUTH COYOTE VALLEY

On November 9, 2021, LAFCO staff submitted a comment letter on the November 16, 2021 City Council's Meeting – Agenda Item 10.3: Staff Recommendations on the long-term future of Coyote Valley – North, Mid-, and South Coyote Valley. The letter supported City staff's recommendations to not support urban development in Mid-Coyote Valley Urban Reserve (including beyond year 2040). The letter also agreed that at some point in the future, it would be appropriate for the City to request an

urban service area amendment to exclude lands not planned for urban development and services. Please see **Attachment A** for letter.

11.4 MEETING WITH SUNNYVALE REGARDING SEWER SERVICE EXTENSION TO MOFFETT FIELD/NASA AMES

On October 19, 2021, LAFCO staff met with staff from the City of Sunnyvale's Community Development Department and the Office of the City Attorney to discuss Moffett Field/NASA Ames' recent request for an additional sewer service extension to help facilitate new development on its lands located outside of Sunnyvale's boundaries. LAFCO staff discussed State law and the LAFCO policies that may apply to such a proposal and the factors that must be considered for such a proposal.

Sunnyvale currently provides sewer service to existing development located in a portion of Moffett Field/NASA Ames, also located outside the City's boundaries. This service arrangement predates LAFCO law.

11.5 MEETING AND LETTER REGARDING PROPOSED USA AMENDMENT (GILROY) FOR KERLEY RANCH DEVELOPMENT

On October 21, 2021 LAFCO received correspondence (**Attachment B**) from a member of the Gilroy City Council regarding Kerley Ranch, a proposed Urban Service Area (USA) Amendment application received by Gilroy.

On November 18, 2021, LAFCO staff had a follow-up meeting with representatives of Kerley Ranch/Integral Communities (KR/IC). At that meeting, KR/IC sought LAFCO staff support for the proposed USA Amendment in advance of submitting an application and expressed that they would not be comfortable moving forward with an application without LAFCO staff support. EO Palacherla explained that at this early stage, LAFCO staff can best assist by informing the applicant of known and potential issues or policy conflicts and assist with the application process. The applicant and city can then consider these issues and address them prior to applying to LAFCO. The decision on whether to proceed with the application lies with the applicant and the city.

LAFCO staff is unable to provide support for or against the project at this early stage without an application for staff to review and consider; and staff is unable to take a position prior to carefully evaluating specific information in an application, particularly for a potentially complex and major project such as this. We also explained that ultimately, the Commission makes the final decision on a project.

As was reported in October, LAFCO staff met with representatives of KR/IC on August 30, 2021. At that meeting, LAFCO staff discussed the various factors that LAFCO must consider when reviewing a USA amendment application, such as the amount of existing vacant lands in the city and the need for the expansion, impacts on agricultural land, fiscal impacts on the city, and city's ability to provide services and finance services without adversely impacting areas it currently serves.

11.6 LAFCO ORIENTATION SESSION FOR COUNTY STAFF

On October 8, 2021, LAFCO staff conducted an orientation session for two of Commissioner Wasserman's new Policy Aides. Following the presentation, an electronic copy of the presentation was provided to them. LAFCO staff conducts an orientation program to educate incoming Commissioners and their staff about the history of LAFCO, its State mandate, its policies, the role of Commissioners and staff, and the application review process.

ATTACHMENTS

- Attachment A: LAFCO Comment Letter on November 16, 2021 San Jose City Council Meeting – Agenda Item 10.3: FILE NO. GPT21-002, GP21-012, C21-031, PDC21-033 & PP21-012 (Changes to the General Plan Land Use Transportation Diagram, Zoning Map and Municipal Code for properties within North, Mid- and South Coyote Valley associated with the Envision San José 2040 General Plan Four-Year Review.)
- Attachment B: Letter from Zach Hilton, Gilroy City Council Member, re: Kerley Ranch in Gilroy (dated October 21, 2021)



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

777 North First Street
Suite 410
San Jose, CA 95112

SantaClaraLAFCO.org

Commissioners

Rich Constantine
Susan Ellenberg
Sergio Jimenez
Yoriko Kishimoto
Gary Kremen
Mike Wasserman
Susan Vicklund Wilson

ITEM # 11

Attachment A

Alternate Commissioners

Helen Chapman
Cindy Chavez
Matt Mahan
Russ Melton
Terry Trumbull

Executive Officer

Neelima Palacherla

November 9, 2021

VIA E-MAIL [city.clerk@sanjoseca.gov]

Hon. Mayor Liccardo and City Council
c/o Office of the City Clerk
City of San Jose
200 E. Santa Clara St.
San Jose, CA 95113

**RE: November 16, 2021 San Jose City Council Meeting – Agenda Item 10.3:
FILE NO. GPT21-002, GP21-012, C21-031, PDC21-033 & PP21-012
(Changes to the General Plan Land Use Transportation Diagram, Zoning
Map and Municipal Code for properties within North, Mid- and South
Coyote Valley associated with the Envision San José 2040 General Plan
Four-Year Review.)**

Dear Honorable Mayor Liccardo and City Council,

Thank you for providing the Local Agency Formation Commission (LAFCO) of Santa Clara with an opportunity to review and provide comments on City staff recommendations on the long-term future of Coyote Valley. It is our understanding that you will consider these recommendations at your November 16, 2021 City Council Meeting.

Santa Clara LAFCO is a state mandated independent local agency established to regulate the boundaries of cities and special districts in Santa Clara County. Our mission is to promote sustainable growth and good governance in the county by preserving agricultural lands and open space, curbing urban sprawl, and encouraging efficient delivery of services.

Coyote Valley is a unique and special place in Santa Clara County. In 2019, LAFCO staff from counties across the state visited Coyote Valley as part of a LAFCO mobile workshop on how preservation of open space and agricultural lands and revitalization of the downtown go hand in hand in building climate and economic resilience. The group learned how preservation of Coyote Valley can optimize agricultural operations on the urban edge, improve wildlife resilience, and positively impact water resources.

Santa Clara LAFCO is in support of staff recommendations on the long-term future of Coyote Valley – North, Mid and South Coyote Valley. We agree with staff's recommendation to not support urban development in the Mid-Coyote Valley Urban Reserve even beyond 2040. We also agree that at some point in the future, it would

be appropriate for the City to request an urban service area amendment to exclude lands not planned for urban development and services. We urge you to approve staff recommendations, which will help prevent sprawl, promote efficient service provision, ensure more efficient use of existing services in urbanized areas, protect open space and agricultural lands, and help minimize climate change risks consistent with the goals of the regional Sustainable Communities Strategies – Plan Bay Area 2040.

Thank you again for providing us with the opportunity to comment on this important matter. If you have any questions regarding these comments, please contact Dunia Noel, Assistant Executive Officer, at dunia.noel@ceo.sccgov.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Npalacherla".

Neelima Palacherla
LAFCO Executive Officer

Cc: LAFCO Members

ITEM # 11
Attachment B

From: Council Member Zachary Hilton <Zachary.Hilton@ci.gilroy.ca.us>
Sent: Thursday, October 21, 2021 6:53 AM
Subject: [EXTERNAL] Kerley Ranch Gilroy
Attachments: Kerley Ranch in Gilroy.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Santa Clara LAFCO Chairperson Ellenberg & Board Members,

I write on behalf of my Gilroy City Council Member Office in support of the proposed annexation of Kerley Ranch in Gilroy, which is currently zoned as our only Neighborhood District High on the southern portion of Gilroy. It's not an island on its own when you look at it on a map and drive by. It has off-street bike/walk paths that connect to the surrounding areas, VTA bus line runs right in front, and Gavilan College is within walking distance. It is located just outside the current Urban Service Area and within our Urban Growth Boundary. 15% of the project units will be deeded affordable housing to help meet our RHNA goals.

<https://www.cityofgilroy.org/DocumentCenter/View/11368/Gilroy-2040-Land-Use-Map>

I'd be happy to meet and talk about the policies that we have in place to be better stewards of our land than in the past. We are not the same City Admin or City Council of the past.

Please see attached letter and thank you for your time.

Zach Hilton
Gilroy City Council Member
www.zachhilton.com
#HiltonForCouncil @zachhilton_ca



October 21, 2021

The Honorable Santa Clara LAFCO Chairperson Ellenberg & Board Members
777 North First Street, Suite 410
San Jose, CA, 95112

Re: Kerley Ranch in Gilroy

Dear Santa Clara LAFCO Chairperson Ellenberg & Board Members,

I write on behalf of my Gilroy City Council Member Office in support of the proposed annexation of Kerley Ranch in Gilroy, which is currently zoned as our only Neighborhood District High on the southern portion of Gilroy. It's not an island on its own when you look at it on a map and drive by. It has off-street bike/walk paths that connect to the surrounding areas, VTA bus line runs right in front, and Gavilan College is within walking distance. It is located just outside the current Urban Service Area and within our Urban Growth Boundary.

<https://www.cityofgilroy.org/DocumentCenter/View/11368/Gilroy-2040-Land-Use-Map>

Our needs to build more high-density housing is here now, will be a part of the future housing needs of our community, and especially needed when built around transit. When 75% of our land is zoned for single family homes, we don't have many options but to build at a higher density. With the recent adoption of our City's General Plan 2040, we as a community called for bold actions that include providing high density housing options, affordable housing for all, and continuing to promote cleaner modes of transportation. We encourage existing and proposed development to incorporate Transportation Demand Management measures such as car- sharing, transit passes, and unbundling of parking (requiring separate purchase or lease of a parking space) where such measures will result in a reduction in vehicle miles traveled, reduction of required amount of parking or an increase in the use of alternate transportation modes. We have planned for projects like this and have the resources in 2021 to make them successful.

Kerley Ranch concept will build duets and other modest, affordable "missing middle" housing types. Required by our Neighborhood District Policy, 15% of the total units built will be deeded affordable units. City of Gilroy has many examples of properties where we used to do this many decades ago before a majority of our city became zoned for single family homes. California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives.

California has a statewide housing shortage of nearly 3.5 million homes. Low and middle-income households face historic rent burden in California, and the problem worsens by the day as middle-income households move into naturally affordable housing previously occupied by low-income renters forcing these households to move further away from their jobs, and in some cases, onto the streets. Undersupply of “missing middle” housing, or medium density housing near jobs and transit, is one of the key factors contributing to the displacement and rent burden of Californians across the state. This sort of housing is banned in over 70 percent of the state. In Gilroy we have 75.3% of our land zoned for single family homes, 10.2% were small multifamily (2-4 units), and 12.6% were medium or large multifamily (5+ units).

According to recent data provided by ABAG, 59.1% of Gilroy’s population in 2020 was Latinx, 28.0% was White, 9.1% was Asian, and 1.1% was African American. In Gilroy, 21.0% of households are considered extremely low-income, making less than 30% of AMI. Furthermore, 24.3% of Gilroy households are large households with five or more people, with 20.0% of large family households experiencing a cost burden of 30%-50%, and 16.9% of households spending more than half of their income on housing. Some 20.1% of all other households have a cost burden of 30%-50%, with 21.1% of households spending more than 50% of their income on housing.

As we prepare for the next Housing Element, we will need to examine the ways at which the 75.3% zoning can be the limiting factor as we work towards affordability, equity, and not continue to have communities that are segregated based on incomes and race.

The City Council has made a bold statement in our strategic goals that we are committed to safe and affordable housing for all Gilroy residents and followed that up with a multi-year contract with HouseKeys to manage our below market rate housing units. HouseKeys will play a key role in advising city hall on programs and policies that we can implement to further strengthen our below market housing portfolio. HouseKeys will be working with all of our BMR projects to ensure lease compliance, safety for the residents, management responsibilities and more. The city can back all that up with code enforcement and adding conditions of approval. We can no longer just build and then walk away; we have to play an active role and we just committed ourselves to that.

Lastly, we are actively embracing, advancing ideas, and projects that promote the concept of free-range people in the City of Gilroy. We advocate for building and planning that considers future generations as well as current residents who don’t own cars. Advancing mobility options reflects what we are teaching the youth in our community through Safe Routes to School and why we are nationally recognized as a Bicycle Friendly Community from the League of American Bicyclists, as well as recognized by the World Health Organization as an Age-Friendly Community.

Sincerely,



Zach Hilton

Gilroy City Council Member

www.zachhilton.com

#HiltonForCouncil @zachhilton_ca