



CITY SELECTION COMMITTEE

THURSDAY, MAY 14, 2020 – 6:45 PM OR AT THE CONCLUSION OF THE LEGISLATIVE ACTION COMMITTEE  
VIRTUAL MEETING VIA [ZOOM](#)

*Please submit letters of interest to [csc@citiesassociation.org](mailto:csc@citiesassociation.org) by Friday, May 8, 2020.*

MEETING LIVESTREAMED ON YOUTUBE → [CITIES ASSOCIATION OF SANTA CLARA COUNTY CHANNEL](#)

*Instructions for joining the Live Webinar at the end of the agenda.*

*Discussion & action may be taken on any of the following items:*

1. Welcome & Roll Call (Sayoc) 6:45 PM
2. Consideration of approval of consent agenda consisting of the February 13, 2020 Minutes
3. Consideration of appointment of a representative and alternate to the Santa Clara County Emergency Operational Area Council (EOAC) – terms expire December 2020
  - **North County:** *vacated by Lisa Matichak. Interest received from Councilmember Lydia Kou (Palo Alto who is currently the alternate.*
  - **North County - alternate:** *if Lydia Kou is appointed, an alternate is needed.*
4. Consideration of two appointments to the **Airport Land Use Commission (ALUC)**
  - 2 terms expiring May 2020 (currently held by Councilmember Lisa Matichak (Mountain View) & Councilmember Glenn Hendricks (Sunnyvale)
  - Term – 4 years (May 2024)
  - One appointed representative must be from adjacent jurisdiction to airport
5. Consideration of appointment of a representative and alternate to **Local Agency Formation Commission (LAFCO)**
  - Representative and alternate both expiring May 31, 2020
  - Currently served by Councilmember Rob Rennie (Los Gatos) and Vice Mayor Russ Melton (Sunnyvale) – alternate.
  - Term – four years
  - Must be a member of the city council in your jurisdiction.
6. Public comment
7. Adjourn until next meeting, TBD. 6:57 PM

Members of the public wishing to comment on an item on the agenda may do so in the following ways:

1. Email comments to [csc@citiesassociation.org](mailto:csc@citiesassociation.org) by 3:00 p.m. on May 8. Emails will be forwarded to the City Selection Committee. Emails received after 3:00 p.m. and prior to the Chair announcing that public comment is closed for each item will be read into the record by the Chair at the meeting (up to 3 minutes, at the discretion of the Chair). IMPORTANT: identify the Agenda Item number in the subject line of your email. All emails received will be entered into the record for the meeting.
2. Provide oral public comments during the meeting: [click the following link to register in advance to access the meeting via Zoom Webinar](https://zoom.us/webinar/register/WN_xZs6AXEcS7KawfpL8eooHw) or copy and paste [https://zoom.us/webinar/register/WN\\_xZs6AXEcS7KawfpL8eooHw](https://zoom.us/webinar/register/WN_xZs6AXEcS7KawfpL8eooHw)
  - You will be asked to enter an email address and a name. Your email address will not be disclosed to the public. After registering, you will receive an email with instructions on how to connect to the meeting.
  - When the Chair announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified shortly before they are called to speak.
  - When called to speak, please limit your comments to the time allotted (up to 3 minutes, at the discretion of the Chair).
  - Phone participants:
    - \*6 - Toggle mute/unmute
    - \*9 - Raise hand



CITY SELECTION COMMITTEE MEETING MINUTES  
THURSDAY, FEBRUARY 13, 2020  
6:50 PM OR IMMEDIATELY FOLLOWING LEGISLATIVE ACTION COMMITTEE  
CITY OF SUNNYVALE | WEST CONFERENCE ROOM  
456 WEST OLIVE | SUNNYVALE, CA 94088

1. Welcome & Roll Call by Marico Sayoc at 6:55 PM

Present:

Campbell – Liz Gibbons  
Cupertino - Rod Sinks  
Gilroy – absent  
Los Altos - Neysa Fligor  
Los Altos Hills – Michelle Wu  
Los Gatos – Marico Sayoc  
Milpitas - Carmen Montano  
Monte Sereno – absent  
Morgan Hill – Rich Constantine  
Mountain View - absent  
Palo Alto - Liz Kniss  
San José – Chappie Jones  
Santa Clara – Debi Davis  
Saratoga – Mary-Lynne Bernald  
Sunnyvale – Gustav Larsson  
Executive Director – Andi Jordan

Also present: Mayor Steven Scharf, Cupertino

2. Consideration of approval of consent agenda consisting of the January 9, 2020 Minutes

Motion to approve Consent Agenda: Constantine (Morgan Hill)

Second: Jones (San José)

Motion to approve (with attendance edits): Sinks (Cupertino)

Second: Gibbons (Campbell)

Motion approved 11-0-1-3

AYES: 11 – Gibbons (Campbell), Sinks (Cupertino), Fligor (Los Altos), Wu (Los Altos Hills), Sayoc (Los Gatos), Montano (Milpitas), Constantine (Morgan Hill), Kniss (Palo Alto), Jones (San José), Davis (Santa Clara), Larsson (Sunnyvale)

NAYES: 0

ABSTENTIONS: 1 – Bernald (Saratoga)

ABSENT: 3 - Tucker (Gilroy), Turner (Monte Sereno), Abe-Koga (Mountain View)

3. Consideration of appointment to the Santa Clara Recycling & Waste Reduction Division (RWRC):
- South County (Gilroy, Morgan Hill)
  - Term Expires 12/23 (previously served by Hon. Cat Tucker, Gilroy, who is termed out)

***Interest received from Gilroy Council Member Fred Tovar.***

**Motion to appoint Councilmember Fred Tovar to RWRC/South County:** Sinks  
(Cupertino)  
Second: Gibbons (Campbell)

Motion approved 12-0-0-3

AYES: 12 – Gibbons (Campbell), Sinks (Cupertino), Fligor (Los Altos), Wu (Los Altos Hills), Sayoc (Los Gatos), Montano (Milpitas), Constantine (Morgan Hill), Kniss (Palo Alto), Jones (San José), Davis (Santa Clara), Bernald (Saratoga), Larsson (Sunnyvale)

NAYES: 0

ABSTENTIONS: 0

ABSENT: 3- Tucker (Gilroy), Turner (Monte Sereno), Abe-Koga (Mountain View)

4. Public comment – there was no public comment received.
5. Adjourn until next meeting, TBD.

*Respectfully submitted,  
Andi Jordan  
Executive Director*

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*Minutes approved on DATE:*

*MOTION  
SECOND*

*AYES  
NAYES  
ABSTENTIONS  
ABSENT*

Item 3. Consideration of appointment of a representative and alternate to the Santa Clara County Emergency Operational Area Council (EOAC) – terms expire December 2020

- North County: vacated by Lisa Matchak. Interest received from Councilmember Lydia Kou (Palo Alto) who is currently the alternate.
- North County - alternate: if Lydia Kou is appointed, an alternate is needed.

Attachments:

EOAC information & Bylaws

Letters of interest may be submitted to [csc@citiesassociation.org](mailto:csc@citiesassociation.org) until May 8, 2020, and nominations will be accepted from the floor.



# Santa Clara County Emergency Operational Area Council

North County Cities—*Los Altos, Los Altos Hills, Mountain View and Palo Alto*

Central County Cities—*Milpitas, Santa Clara and Sunnyvale*

South County and West Valley Cities—*Campbell, Cupertino, Gilroy, Los Gatos, Monte Sereno, Morgan Hill, Saratoga*

## Members

### **Chair**

#### **Supervisor**

**Mike Wasserman**  
Santa Clara County  
Board of Supervisors

### **Vice Chair**

**Chief William Kelly**  
City of Santa Clara  
*Fire Chief's Association*  
Representative

### **Garry Herceg**

Deputy County Executive  
*County Executive Designee*

### **Director**

**John Varela**  
Santa Clara Valley  
Water District

### **Vice Mayor**

**Rob Rennie**  
Los Gatos Town Council  
*South County &*  
*West Valley Cities*  
Representative

### **Councilmember**

**Lydia Kou**  
Palo Alto City Council  
*North County Cities*  
Representative

### **Councilmember**

**Debi Davis**  
Santa Clara City Council  
*Central County Cities*  
Representative

### **Councilmember**

**Johnny Khamis**  
*San Jose City Council*  
Representative

### **Councilmember**

**Donald Rocha**  
*San Jose City Council*  
Representative

### **Dr. Sara Cody**

County Health Officer

### **Steve Rymer**

Morgan Hill City Manager  
*City Manager's Association*  
Representative

### **Inez Evans**

Chief Operating Officer  
Santa Clara Valley  
Transportation Authority

### **Jennifer Ponce**

*Emergency Managers*  
*Association President &*  
Representative

The **Operational Area** consists of the county, cities, special districts and other entities within the county's geographic area. The operational area coordinates emergency activities and serves as a link for communications and coordination between local, regional and state emergency operations centers.

## Purpose

**To** enhance planning and preparedness for large-scale emergencies;

**To** create effective partnerships in emergency planning, preparedness, training and exercise within the Operational Area;

**To** consolidate activities of cities and special districts to participate more efficiently in planning for future emergencies and disasters;

**To** provide access to public-private partners to participate in emergency planning and preparedness; and

**To** develop broad-based emergency preparedness and funding priorities and recommendations.

## Functional Roles & Responsibilities

**Coordinating**, reviewing, and recommending Board of Supervisor adoption of emergency and mutual aid plans as well as the ordinances, resolutions, rules and regulations necessary to implement those plans and agreements.

**Reviewing** and recommending disaster response policies, procedures, and funding priorities.

**Ensuring** a unity of purpose in emergency plans, policies and procedures.

**Fostering** an effective flow of disaster information and emergency preparedness through training, uniformity in planning, response plans and policies.

**Establishing** subcommittees for specific detailed work that requires technical experts to develop plans, policies and procedures for the Operational Area.

**Providing** technical review of all disaster plans by any public entity or special district for approval to form and compliance with the Incident Command System (ICS), Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS).

## Alternates

### **Supervisor Ken Yeager**

Santa Clara County Board of Supervisors

### **Miguel Márquez**

Chief Operating Officer  
*County Executive Designee*

### **Director Richard Santos**

Santa Clara Valley  
Water District

### **Councilmember**

#### **Peter Leroe-Munoz**

Gilroy City Council  
*South County &*  
*West Valley Cities*  
Representative

### **Mayor**

#### **Ken Rosenberg**

Mayor – Mountain View  
*North County Cities*  
Representative

### **Councilmember**

#### **Anthony Phan**

City Council  
*Central County Cities*  
Representative

### **Chief Michael Sellers**

City of Santa Clara  
*Police Chief's Association*  
Representative

### **Chief Scott Van Boerum**

NASA Ames Research Center  
Fire Chief  
*Fire Chief's Association*  
Representative

### **Dr. Lisa Hernandez**

Deputy Health Officer

### **Rufus Francis**

Director of System  
Safety & Security  
Santa Clara Valley  
Transportation Authority

### **Lisa Schoenthal**

*Emergency Managers*  
*Association Representative*

# SANTA CLARA COUNTY EMERGENCY OPERATIONAL AREA COUNCIL

## BYLAWS

### I. Establishment of the Operational Area Council (OAC)

The OAC was established by the County of Santa Clara Board of Supervisors through Section A8-23 and A8-24 to the County Ordinance Code.

### II. Purpose, Role, and Responsibilities.

Section A8-24 of the County Ordinance Code describes the purpose, role, and responsibilities of the OAC as follows:

The Santa Clara County Emergency Operational Area Council is charged with the purpose to enhance planning and preparedness for large-scale emergencies; to create effective partnerships in emergency planning, preparedness, training and exercise within the Operational Area; to consolidate activities of cities and special districts to participate more efficiently in planning for future emergencies and disasters; to provide access to public-private partners to participate in emergency planning and preparedness; and to develop broad-based emergency preparedness and planning funding priorities and recommendations.

The role and responsibility of the Santa Clara County Emergency Operational Area Council shall include:

- (a) Electing a chair and vice-chair annually.
- (b) Meeting at least quarterly or upon the call of the chair or, in the chair's absence from the County or inability to call a meeting, upon call of the vice-chair.
- (c) Recommending for adoption by the Board of Supervisors by-laws concerning the administration and operations of the Santa Clara County Emergency Operational Area Council.
- (d) Coordinating, reviewing, and recommending for approval for adoption by the Board of Supervisors emergency and mutual aid plans and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements, as well as reviewing and recommending disaster response policies, procedures, and funding priorities.
- (e) Ensuring a unity of purpose in emergency plans, policies, and procedures.
- (f) Fostering an effective flow of disaster information and emergency preparedness through training, uniformity in planning, and response plans and policies.

(g) Establishing subcommittees for specific detailed work that requires the focus of technical experts to develop plans, policies, and procedures for the Santa Clara Operational Area, consisting of at least the following: (1) Infrastructure Committee; (2) Mass Care and Shelter Committee; (3) Communications Committee; (4) Public Information and Preparedness Committee; and (5) Business and Private Sector Committee.

(h) Providing technical review of all disaster plans by any public entity or special district for approval to form and compliance with:

- (1) Incident Command System.
- (2) Standardized Emergency Management System.
- (3) National Incident Management System.

The role of the Santa Clara County Emergency Operational Area Council does not include:

- (a) Operational powers during emergencies or disasters.
- (b) Final adoption of emergency plans, policies, and procedures.
- (c) Enforcement functions of emergency plans, policies, and procedures.

### **III. Membership**

Under Section A8-23 of the County Ordinance Code, the membership of the OAC shall consist of:

- (a) A designated member of the Santa Clara County Board of Supervisors.
- (b) A designated member of the Santa Clara Valley Water District.
- (c) Five designated council members from cities in Santa Clara County.
- (d) The County Executive or his/her designee.
- (e) A designated member of the Santa Clara County City Managers Association.
- (f) A designated member of the Santa Clara County Police Chiefs Association.
- (g) A designated member of the Santa Clara County Fire Chiefs Association.
- (h) The Santa Clara County Public Health Officer.



(i) The Valley Transportation Authority Chief Operating Officer.

(j) A designated representative of the Santa Clara County emergency management community who shall serve without a vote.

All OAC member positions shall also have a named alternate, appointed in the same manner and by the same appointing authority as the primary member. Each alternate is responsible for being informed sufficiently to represent the primary member at meetings and to vote should the primary member be unable to attend a meeting or resign from office.

#### **IV. Terms**

The term of office for each member shall be two years, with members eligible to serve multiple terms. The terms of the County Executive, County Public Health Officer, and COO of the VTA are unlimited.

#### **V. Attendance**

Every OAC member shall attempt to attend each meeting of the OAC. In the event that an OAC member fails to attend a posted meeting and fails to notify the Chair or Vice Chair in advance of the absence, the absence shall be recorded as unexcused. If a member incurs three unexcused absences from posted meetings in a single year, the Chair will request the appointing authority to consider replacing the designated member with a representative who can attend meetings on a regular basis.

#### **VI. Leadership**

The OAC shall elect a Chair and Vice-Chair by a majority vote at the first meeting of the calendar year. The term of the Chair and Vice Chair shall be one year.

The Chairperson shall preside over the meetings of the OAC; shall sign all resolutions, reports, and other documents adopted or approved by the OAC; and shall perform such other duties as the OAC may prescribe.

The Vice-Chair shall have all of the powers and duties of the Chair in his/her absence. In the absence of the Chair and Vice-Chair, the remaining members shall appoint a member to act as temporary Chairperson.

If the office of Chair or Vice Chair becomes vacant during the term of such office, the OAC shall elect a successor from its membership at the earliest meeting at which such an election is practicable. Such election shall be for the unexpired term of such office.

## **VII. Committees**

The OAC may create both standing and ad hoc committees for the purpose of accomplishing its business. All committees shall be advisory to the OAC and decisions shall be reached by consensus; if consensus is not reached, the OAC shall receive information on the various options that were considered by the committee.

## **VIII. Secretary**

The Clerk of the Board of the County shall be ex-officio secretary of the OAC and shall be responsible for providing secretarial assistance to the OAC during its meetings.

## **IX. Meetings**

*Notice:* OAC meetings shall be properly noticed and open to the public in accordance with the Ralph M. Brown Act.

*Procedure:* Except as provided in these bylaws, meetings and other business of the OAC shall be conducted in accordance with Robert's Rules of Order.

*Meeting Schedule and Location:* The OAC shall generally meet bi-monthly. Special sessions shall be called as necessary. Meetings of the OAC shall generally be held at the Sheriff's Administration Building, 55 West Younger Avenue, San Jose.

*Quorum:* A quorum is required to initiate the transaction of business at any regular or special meeting of the OAC. A majority of the members of the OAC, not counting any vacancies, shall constitute a quorum. A quorum is sufficient to pass a motion on any action item before the OAC.

*Agenda:* The Chair shall prepare the agenda for each OAC meeting. Items to be placed on the agenda of any regular meeting shall be on file with the secretary of the OAC ten days prior to the scheduled meeting. Any member of the OAC may place an item on the agenda.

## **X. Adjournment**

A majority of the members present, whether or not a quorum is present, may adjourn any meeting to another time and place. If the meeting is adjourned for more than twenty-four hours, notice of the adjournment shall be given.

## **XI. Bylaws Amendments**

Proposed amendments shall be presented to the OAC in writing at a regular meeting. The OAC may then recommend amendment of these bylaws, subject to the approval of the Board of Supervisors. A recommendation to amend the bylaws shall be approved as to form and legality by County Counsel and transmitted to the Board of Supervisors for final approval.

## **XII. Conflict of Interest Policy**

In accordance with the Political Reform Act, an OAC member shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a reasonably foreseeable material financial effect on one or more of the OAC member's economic interests, unless the effect is indistinguishable from the effect on the public generally. The OAC is included within the County of Santa Clara's Conflict of Interest Code, which identifies the OAC's designated positions and disclosure categories.

An OAC member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the OAC shall abstain from voting on the matter. Generally, if an OAC member is disqualified from participating in a decision because of a conflict of interest, the OAC member must (1) publicly announce the source of the conflict of interest (2) leave the room during any discussion or deliberations on the matter in question, and (3) not participate in the decision or be counted for purposes of a quorum. An OAC member with a disqualifying conflict of interest shall not be present during a closed session meeting of the OAC when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue.

In accordance with Government Code section 1090, OAC members shall not be financially interested in any contract made by the OAC, including in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids. If an OAC member has such a financial interest, the OAC is barred from entering into the contract even if that member abstains from participation in the contracting process.

Furthermore, pursuant to the common law doctrine against conflict of interests, an OAC member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties.

818613



**ORDINANCE NO. NS-300.863**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CLARA  
REPEALING SECTIONS A8-8 AND A8-9 OF THE COUNTY OF SANTA CLARA  
ORDINANCE CODE RELATING TO DISASTER COUNCIL, REPEALING  
SECTIONS A8-23 AND A8-24 RELATING TO THE EMERGENCY  
PREPAREDNESS COUNCIL, AND ENACTING NEW SECTIONS A8-23 AND  
A8-24 RELATING TO THE SANTA CLARA COUNTY EMERGENCY  
OPERATIONAL AREA COUNCIL**

Summary

This ordinance repeals Sections A8-8 and A8-9 relating to the Disaster Council, A8-23 and A8-24 relating to the Emergency Preparedness Council, and enacts new Sections A8-23 and A8-24 creating a newly formed Santa Clara County Emergency Operational Area Council.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA  
ORDAINS AS FOLLOWS:**

SECTION 1. Sections 8, 9, 23 and 24 of Division A8 of the County of Santa Clara Ordinance Code are hereby repealed.

SECTION 2. New Sections 23 and 24 of Division A8 of the Ordinance Code of the County of Santa Clara are hereby added and titled to read as follows:

**Sec. A8-23. Santa Clara County Emergency Operational Area Council.**

A Santa Clara County Emergency Operational Area Council is established for Santa Clara County and shall consist of the following voting and non-voting members:

- (a) A designated member of the Santa Clara County Board of Supervisors.
- (b) A designated member of the Santa Clara Valley Water District.
- (c) Five designated council members from cities in Santa Clara County.

- (d) The County Executive or his/her designee.
- (e) A designated member of the Santa Clara County City Managers Association.
- (f) A designated member of the Santa Clara County Police Chiefs Association.
- (g) A designated member of the Santa Clara County Fire Chiefs Association.
- (h) The Santa Clara County Public Health Officer.
- (i) The Valley Transportation Authority Chief Operating Officer.
- (j) A designated representative of the Santa Clara County emergency management community who shall serve without a vote.

**Sec. A8-24. Santa Clara County Emergency Operational Area Council purpose, role, and responsibility.**

The Santa Clara County Emergency Operational Area Council is charged with the purpose to enhance planning and preparedness for large-scale emergencies; to create effective partnerships in emergency planning, preparedness, training and exercise within the Operational Area; to consolidate activities of cities and special districts to participate more efficiently in planning for future emergencies and disasters; to provide access to public-private partners to participate in emergency planning and preparedness; and to develop broad-based emergency preparedness and planning funding priorities and recommendations.

The role and responsibility of the Santa Clara County Emergency Operational Area Council shall include:

- (a) Electing a chair and vice-chair annually.
- (b) Meeting at least quarterly or upon the call of the chair or, in the chair's absence from the County or inability to call a meeting, upon call of the vice-chair.
- (c) Recommending for adoption by the Board of Supervisors by-laws concerning the administration and operations of the Santa Clara County Emergency Operational Area Council.

- (d) Coordinating, reviewing, and recommending for approval for adoption by the Board of Supervisors emergency and mutual aid plans and such ordinances and resolutions and rules and regulations as are necessary to implement such plans and agreements, as well as reviewing and recommending disaster response policies, procedures, and funding priorities.
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  - (1) Incident Command System.
  - (2) Standardized Emergency Management System.
  - (3) National Incident Management System.

The role of the Santa Clara County Emergency Operational Area Council does not include:

- (a) Operational powers during emergencies or disasters.
- (b) Final adoption of emergency plans, policies, and procedures.

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(c) Enforcement functions of emergency plans, policies, and procedures.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California, on JUN 25 2013 by the following vote:

AYES: CORTESI, ██████████, SIMITIAN, WASSERMAN, YEAGER

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



KEN YEAGER, President  
Board of Supervisors

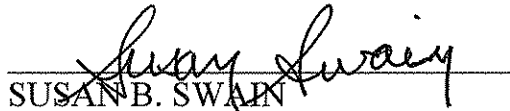
Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors

ATTEST:



LYNN REGADANZ  
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



SUSAN B. SWAIN  
Lead Deputy County Counsel

760202



Item 4. Consideration of two appointments to the Airport Land Use Commission (ALUC)

- 2 terms expiring May 2020 (currently held by Councilmember Lisa Matichak (Mountain View) & Councilmember Glenn Hendricks (Sunnyvale))
- Term – 4 years (May 2024)

One appointed representative must be from adjacent jurisdiction to airport

Attachments:

ALUC Bylaws

Letters of Interest from Hendricks, Matichak

Letters of interest may be submitted to [csc@citiesassociation.org](mailto:csc@citiesassociation.org) until May 8, 2020, and nominations will be accepted from the floor.

**BYLAWS OF THE  
AIRPORT LAND USE COMMISSION  
OF SANTA CLARA COUNTY**

**1.0 NAME**

The name of this organization is the Airport Land Use Commission of Santa Clara County, which may be abbreviated ALUC.

**2.0 PURPOSE**

The purpose of the ALUC is to carry out the statutory responsibilities required by Sections 21670 through 21679.5 of the Public Utilities Code of the State of California. Specifically, these responsibilities include, but are not limited to, assisting local agencies in ensuring compatible land uses in the vicinity of local airports, maintaining an Airport Land Use Plan, and reviewing the plans, regulations, and other actions of local agencies and airport operators.

**3.0 MEMBERSHIP**

1. The Commission shall be composed of seven (7) voting members to be selected as follows:
  - a. Two (2) representing the cities, appointed by the city selection committee; at least one, and preferably both, of these members must represent a city adjacent to an airport.
  - b. Two (2) representing the county, appointed by the Board of Supervisors.
  - c. Two (2) having expertise in aviation, appointed by a committee comprised of the aviation director of the San Jose International Airport, the director of Palo Alto Airport, and the director of the county roads and airports department.
  - d. One (1) representing the general public to be selected by the other six (6) members of the Commission.

2. Terms of office shall be:

- a. Except for the terms of office of the first Commission, the term of office of each member shall be four years, ending on the first Monday in May of the fourth year. Terms of office shall be determined by the appointing bodies pursuant to Section 21670 of the Public Utilities Code of the State of California.
- b. Should the ALUC in existence at the time of adoption of these by-laws be disbanded and a new ALUC be re-established, the members of the first re-established Commission shall classify themselves by lot so that the term of office of one member is one year, of two members is two years, of two members is three years, and of two members is four years. The expiration date of the term of office of each member shall be the first Monday in May of the year in which the term is to expire. Any vacancy shall be filled for the unexpired term as designated in "a" above.

3. Members of the ALUC are required to file a statement of economic interest per the requirements of FPPC Form 700.

4. Each member, upon appointment and taking the oath of office, shall promptly appoint a single proxy who shall take the oath of office and file conflict of interest reports with the clerk of the board. The proxy shall be designated in a signed written instrument, which shall be kept on file by the Clerk of the Board. When so directed by the appointing member, a proxy member will represent the sitting member in all affairs of the Commission and exercise the vote of the member at meetings. If a member cannot be present for a meeting and his/her proxy will be attending, the Director of the Department of Planning and Development, or designee, should be notified within a reasonable period of time before the meeting so that arrangements will be made for the proxy to serve. If neither the member nor proxy can attend, the Chair or the Director of the Department of Planning and Development, or designee, must be notified within a reasonable period of time before the meeting.

5. Proxies serve at the pleasure of the appointing member and

must meet the basic qualifications required for appointment to county Commissions. A vacancy in the office of proxy shall be filled promptly by appointment of a new proxy. Proxies are voting members only when substituting for the member.

6. Staff representatives from airports operated for the benefit of the public, including staff representatives from San Jose International Airport, the Santa Clara County Roads and Airports Department, the City of Palo Alto, and Moffett Federal Airfield, may attend any meeting of the Commission to serve as a staff resource to the Commission. Staff representatives shall not vote on any matter considered by the Commission.
7. If an ALUC member (or proxy in stead) is absent for two regular meetings, the Chair shall first consult with the member to attempt to determine the cause for the absences, and may then forward a letter to the member's appointing body requesting correction of the problem, potentially including replacement of the member.
8. The Chair shall notify the member's appointing body sufficiently in advance (e.g. 6 months) of the end of that member's term for that body to appoint a successor who would take office at the end of the term of the outgoing member.
9. Resignations from the ALUC shall be submitted to the resigning member's appointing body, with a copy to the Secretary and Clerk of the Board.

#### **4.0 ROBERT'S RULES OF ORDER**

Except as otherwise provided herein, the Commission shall be governed by the rules of procedure set forth in Robert's Rules of Order (The Modern Edition).

#### **5.0 OFFICERS**

1. The officers of this Commission shall be:
  - a. Chair
  - b. Vice-chair
2. The Chair and Vice-chair shall be elected by, and serve at the pleasure of, the Commission for a period of one (1) year with

a maximum of two consecutive years in each position. A Commissioner may not serve as a Commission officer again until he/she has not been an officer for 12 consecutive months.

3. Elections of officers shall occur at the first meeting after January 1 of each year or, when necessary, at the first meeting following an office becoming vacant.

## **6.0 STAFF**

1. The staff of this Commission shall be:
  - a. Staff Coordinator
  - b. Secretary
  - c. County Counsel
2. The Staff Coordinator shall be an employee of the County Planning Office assigned by the Director of the Department of Planning and Development, or designee.
3. The Secretary shall be the Director of the Department of Planning and Development, or designee, or the Clerk of the Board, or designee.
4. The County Counsel shall be appointed by the Office of the County Counsel and provides legal advice as needed.

## **7.0 DUTIES OF OFFICERS AND STAFF**

1. The Chair shall:
  - a. Preside at meetings of the Airport Land Use Commission.
  - b. Call public hearings and other public meetings and initiate other action as provided for in California Public Utilities Code Sections 21670-21679.5.
  - c. Perform other duties customarily performed by a Chair.
2. The Vice-chair shall serve as Chair upon absence or incapacity of the Chair.
3. The Staff Coordinator shall:
  - a. Receive, review and report on applications and referrals

to the Airport Land Use Commission.

- b. Make written responses to local agency referrals.
- c. Prepare plans and reports as required by the Commission and keep the Commission informed of new matters involving Airport Land Use Commissions.
- d. Prepare letters regarding official action taken by the Airport Land use Commission.

4. The Secretary shall:

- a. Prepare and distribute notices for public meetings at least seven (7) calendar days prior to each meeting.
- b. Prepare and distribute an agenda setting forth all items of business to be transacted or discussed by the Commission as well as staff reports for each meeting of the Airport Land Use Commission at least seven (7) days prior to the meeting.
- c. Prepare, print and distribute minutes of each meeting of the Commission.
- d. Carry on correspondence at the direction of the Commission. The Secretary as directed by the Chair may carry out routine correspondence regarding matters that do not require a vote by the Commission (e.g., correspondence not purporting to reflect the position or opinion of the Commission).
- e. Maintain the records of the Airport Land Use Commission.

## 8.0 AGENDA

1. The agenda shall specify the time, location and order of business of any meeting, and shall include for the meeting:
  - a. All matters referred to the Commission.
  - b. All matters submitted by any member of the Commission.
  - c. All matters referred or requested by any other person during the usual course of business during regular meetings of the ALUC, provided those matters are consistent with the work of the Commission.
  - d. The Chair, or other Commissioner designated by the Chair shall, at his/her discretion, meet in person, by telephone, or other means of communication with the Staff

Coordinator designated to the ALUC to place any and all matters upon the Agenda for consideration at a regular meeting not later than 12 o'clock Noon on the tenth (10<sup>th</sup>) calendar day immediately preceding the regular meeting day. Any and all members of the ALUC are invited to participate in the agenda setting process and review items for the agenda not later 12 o'clock Noon on the tenth (10<sup>th</sup>) day preceding the regular meeting date. Items for inclusion on the agenda shall be submitted by the Staff Coordinator to the Secretary, no later than 8:00am on the ninth (9<sup>th</sup>) day preceding the regular meeting.

- e. A Consent Calendar, which includes routine ALUC correspondence, approval of Minutes, or other items not requiring a public meeting.
2. The Commission may, from time to time, adopt by minute order a new or revised agenda and order of business with such agenda topics or headings listed in such order as is consistent with the Brown Act and as may be convenient or desirable for the conduct of Commission business.

## 9.0 VOTING

1. At the time of voting on any issue before the Commission, each voting member or his/her proxy may cast one vote.
2. A majority of the full Commission (i.e. four members) shall constitute a quorum for the transaction of business. No action may be taken by the Commission except by the recorded vote of a majority of the full membership.
3. A member shall disqualify himself/herself from participation in the review or adoption of a proposal in the event of conflict of interest and shall notify the Secretary of any conflicts prior to the meeting at which the item that is the subject of the conflict will be considered. The member may be replaced by his/her proxy provided the proxy has no conflict of interest with the proposal.

## 10.0 MEETINGS

1. Except as otherwise provided in these rules and regulations or the Brown Act, meetings of the Commission shall be open and public and shall comply with all applicable requirements

of the Brown Act, and shall be conducted in accordance with the agenda and order of business prepared for the meeting.

2. Regular meetings of the Airport Land Use Commission will be held on the fourth Wednesday of each month (or as needed at the discretion of the Chair or at the request of the majority of the Commission members).
3. Special meetings of the Airport Land Use Commission may be called by the Chair provided that written notice is mailed to all members at least seven (7) days prior to the meeting and all Brown Act requirements for special meetings are met.

### 11.0 RULES AND REGULATIONS FOR PUBLIC MEETINGS

All Commission meetings shall be held in accordance with the Brown Act.

### 12.0 AMENDMENTS

Amendments of these bylaws shall be by a two-thirds vote of the entire membership (i.e. five votes in favor) at a Commission meeting following at least ten (10) days written notice of any amendment.



Paul Donahue, Chair  
Airport Land Use Commission

11/18/2015

APPROVED AS TO FORM AND LEGALITY:



11/18/2015

Elizabeth G. Pianca, Deputy County Counsel Date



**Seats in Commission**

Commission Information for

**Commission Name:** Airport Land Use Commission   
 **Status:** Active   
 **Term Length:** 4 yrs   
 **Term Limit:** 0  
**Term Exception:**

(1+) = The seat has been vacant for one or more terms

Actions	Seat Name	Status	Pending Vacancy	Last Name	First Name	Appointment Date	Term Start Date	Expiration Date	Seat Type	Current Appointing Authority	Next Appointing Authority	Nominating Authority	Appt. Actions	Qualifications
	Seat 01	Expired	All <input type="button" value="v"/>	Windus	Walter	8/11/2009	5/4/2009	5/6/2013	Rotating	District 4	District 5			Nominee represents the County and is appointed by the Board of Supervisors.
	Seat 01A	Filled	All <input type="button" value="v"/>	Honaker	Carl	Non-BOS Appt (6/23/2017)	5/2/2017	5/3/2021	Alternate	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.
	Seat 02	Expired	All <input type="button" value="v"/>	Barragan	Diego	12/15/2015	5/5/2015	5/6/2019	Rotating	District 3	District 4			Nominee represents the County and is appointed by the Board of Supervisors.
	Seat 02A	Expired	All <input type="button" value="v"/>	Graham	Keith	Non-BOS Appt (2/25/2014)	5/3/2011	5/4/2015	Alternate	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.
	Seat 03	Filled	All <input type="button" value="v"/>	Blake	E. Ronald	Non-BOS Appt (6/18/2018)	5/8/2018	5/2/2022	Allocated	Directors of Aviation for the County Airports and San Jose International Airport				Appointed by a committee comprised of the Aviation Director of the San Jose International Airport, Palo Alto Airport, and the Director of the County Roads and Airports Department; must have expertise in aviation.
	Seat 03A	Filled	All <input type="button" value="v"/>	Matsushima	Julie	Non-BOS Appt (8/22/2018)	5/8/2018	5/2/2022	Alternate	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.
	Seat 04	Filled	All <input type="button" value="v"/>	Donahue	Paul	Non-BOS Appt (2/4/2020)	5/8/2018	5/2/2022	Allocated	The other 6 members of the Commission				Appointed by the other six (6) members of the Commission
	Seat 04A	Expired	All <input type="button" value="v"/>	Shaikh	Jamil	Non-BOS Appt (5/5/2016)	5/6/2014	5/7/2018	Allocated	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.

Actions	Seat Name	Status	Pending Vacancy	Last Name	First Name	Appointment Date	Term Start Date	Expiration Date	Seat Type	Current Appointing Authority	Next Appointing Authority	Nominating Authority	Appt. Actions	Qualifications
		All ▼	All ▼						All ▼					
	Seat 05	Vacant					05/07/2019	05/01/2023	Allocated	Directors of Aviation for the County Airports and San Jose International Airport				Appointed by a committee comprised of the Aviation Director of the San Jose International Airport, Palo Alto Airport, and the Director of the County Roads and Airports Department; must have expertise in aviation.
	Seat 05A	Vacant					05/07/2019	05/01/2023	Alternate	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.
	Seat 06	Filled		Matichak	Lisa	Non-BOS Appt (11/26/2018)	5/3/2016	5/4/2020	Allocated	Santa Clara County Cities Association, City Selection Committee				Appointed by the Santa Clara County Cities Association, City Selection Committee
	Seat 06A	Filled		Holbrook	Robert	Non-BOS Appt (12/4/2018)	5/3/2016	5/4/2020	Alternate	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.
	Seat 07	Filled		Hendricks	Glenn	Non-BOS Appt (6/14/2016)	5/3/2016	5/4/2020	Allocated	Santa Clara County Cities Association, City Selection Committee				Appointed by the Santa Clara County Cities Association, City Selection Committee.
	Seat 07A	Filled		Melton	Russ	Non-BOS Appt (1/19/2017)	5/3/2016	5/4/2020	Alternate	primary seat holder				Proxy members must be appointed by the current sitting member. Proxies serve at the pleasure of the appointing member and meet the basic qualifications required for appointment to County commissions.

April 16, 2020

Mrs. Andi Jordan  
Executive Director  
Cities Association of Santa Clara County (CASCC)  
P.O. Box 3144  
Los Altos, CA 94024

Dear Mrs. Jordan:

With the pending expiration of my assignment to the Santa Clara County Airport Land-Use Commission (ALUC) next month, I would like to express my interest in reappointment to this position for another term.

I understand that the CASCC City Selection Committee may be considering this appointment at their May 14 meeting, and I look forward to the CASCC's decision at that time.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Glenn Hendricks  
Councilmember

Larry Klein  
Mayor

Nancy Smith  
Vice Mayor

Gustav Larsson  
Councilmember

Glenn Hendricks  
Councilmember

Russ Melton  
Councilmember

Michael S. Goldman  
Councilmember

Mason Fong  
Councilmember



## CITY OF MOUNTAIN VIEW

Office of the Mayor and City Council • 500 Castro Street • Post Office Box 7540 • Mountain View, California 94039-7540  
650-903-6305 • FAX 650-903-6039

April 23, 2020

Members of the Cities Association of Santa Clara County,

I have been serving as a Cities Association representative on the Santa Clara County Airport Land Use Commission (ALUC) since appointment in November 2018. I am interested in being re-appointed to this Commission.

The ALUC addresses compatibility of land use around the airports in Santa Clara County. The Commission is particularly focused on the height of development due to safety concerns for planes taking off from the airports. Other important areas of focus are the density of people and the exposure to noise around the airports.

It is always good to have diverse perspectives weigh in on issues and this holds true for the ALUC. There are several pilots on the Commission who bring technical expertise to the discussion. I've brought land use knowledge (having served on the Mountain View Planning Commission for 7 years) and the perspective of an elected official (currently in my fourth year on the Mountain View City Council) to the discussion. As a Commissioner, I've also enabled connections to help address land use in San Mateo County that is adjacent to the Palo Alto airport. This has been an ongoing issue for the ALUC and progress is being made in this area.

I am interested in continuing to serve, and I respectfully ask for your support to continue to serve on the Airport Land Use Commission.

Thank you,

A handwritten signature in cursive script that reads "Lisa".

Lisa Matichak  
Councilmember  
City of Mountain View

Item 5. Consideration of appointment of a representative and alternate to Local Agency Formation Commission (LAFCO)

- Representative and alternate both expiring May 31, 2020
- Currently served by Councilmember Rob Rennie (Los Gatos) and Vice Mayor Russ Melton (Sunnyvale) – alternate.
- Term – four years
- Must be a member of the city council in your jurisdiction.

Letters of interest may be submitted to [csc@citiesassociation.org](mailto:csc@citiesassociation.org) until May 8, 2020, and nominations will be accepted from the floor.

Attachments:

LAFCO information dated April 17, 2020



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

777 North First Street  
Suite 410  
San Jose, CA 95112

[SantaClaraLAFCO.org](http://SantaClaraLAFCO.org)

**Commissioners**

Susan Ellenberg  
Sequoia Hall  
Sergio Jimenez  
Linda J. LeZotte  
Rob Rennie  
Mike Wasserman  
Susan Vicklund Wilson

**Alternate Commissioners**

Cindy Chavez  
Maya Esparza  
Yoriko Kishimoto  
Russ Melton  
Terry Trumbull

**Executive Officer**  
Neelima Palacherla

April 17, 2020

**APPOINTMENT OF CITIES MEMBER AND ALTERNATE CITIES MEMBER  
TO THE LOCAL AGENCY FORMATION COMMISSION OF SANTA CLARA  
COUNTY (LAFCO)**

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**CITIES MEMBER**

The City Selection Committee of Santa Clara County appoints one council member or mayor to serve as LAFCO Commissioner for a term of four years.

**ALTERNATE CITIES MEMBER**

The City Selection Committee of Santa Clara County appoints one council member or mayor to serve as Alternate LAFCO Commissioner for a term of four years.

**SELECTION PROVISIONS**

Pursuant to State Law, the cities member may be selected from any of the cities in Santa Clara County, except from the City of San Jose – which has a permanent seat on LAFCO. Additionally, the cities member must not be from the city where the LAFCO public member resides. Currently, LAFCO public members are residents of the City of Palo Alto and the unincorporated area of the County.

Further, State Law encourages the City Selection Committee to appoint members to fairly represent the diversity of the cities in the county, with respect to population and geography.

While there are no term limits for LAFCO commissioners, a cities member may only serve on LAFCO while holding office as a city officer.

At the time it appoints a member or alternate, the City Selection Committee may provide that the member or alternate is disqualified from voting on proposals affecting the city which the member or alternate represents.

**ROLE OF LAFCO COMMISSIONERS**

Pursuant to State Law, while serving on LAFCO, all commissioners must exercise their independent judgement on behalf of the interests of the public as a whole in furthering the purposes of LAFCO, and not solely the interests of the appointing authority. All commissioners are required to sign the Commissioner Pledge acknowledging their understanding of their unique role and responsibilities as a LAFCO Commissioner.

Alternate members are expected and encouraged to attend and participate in all LAFCO meetings, even if the regular member is present. The alternate cities member shall serve and vote in place of the cities member if the cities member is absent or

disqualifies himself or herself from participating on a specific matter before the Commission at a regular/special Commission meeting or in closed session.

### **LAFCO PURPOSE AND AUTHORITY**

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

LAFCO regulates jurisdictional and planning boundaries of cities and special districts. Boundary change proposals that LAFCO considers may include city / district annexations, detachments, formations, dissolutions, mergers, consolidations and urban service area amendments. LAFCO also has regulatory authority over service extensions outside city and district jurisdictional boundaries. LAFCO plans for orderly growth and development through its service review program and sphere of influence updates. LAFCO works for the good of the whole county – protecting natural resource lands while facilitating development of vibrant communities.

### **LAFCO COMPOSITION AND FUNDING**

Santa Clara LAFCO is composed of seven commissioners including two County supervisors appointed by the Board of Supervisors; one council member from the City of San Jose, appointed by the City Council; one council member from any of the other 14 cities, appointed by the City Selection Committee; two special district members – one appointed by the Independent Special District Selection Committee and one appointed by the Santa Clara Valley Water District (by agreement); and one public member appointed by the other members of the Commission. Five alternate commissioners are appointed, one for each of the categories.

LAFCO is funded jointly by the cities, the independent special districts and the County, and contracts with the County of Santa Clara for its staffing and services.

### **LAFCO MEETINGS**

LAFCO meets on the first Wednesday of even months at 1:15 PM at the County Government Center in San Jose. LAFCO commissioners are expected to make every effort to attend all six regular meetings. LAFCO commissioners receive a per diem of \$100 for attendance at LAFCO meetings. 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.

### **MORE INFORMATION**

More information on LAFCO is available on the web site at [www.SantaClaraLAFCO.org](http://www.SantaClaraLAFCO.org) and in the [What is LAFCO? Brochure](#).

Should you have any questions or wish to discuss further, please contact Neelima Palacherla, LAFCO Executive Officer at (408) 993-4713 or by e-mail at [neelima.palacherla@ceo.sccgov.org](mailto:neelima.palacherla@ceo.sccgov.org).