




MEETING DATE: 09-06-05

ITEM NO. 15

COUNCIL AGENDA REPORT

DATE: AUGUST 31, 2005

TO: MAYOR AND TOWN COUNCIL

FROM: DEBRA J. FIGONE, TOWN MANAGER 

SUBJECT: PROVIDE DIRECTION TO STAFF REGARDING PROCEEDING WITH THE COUNTY ISLAND ANNEXATION PROCESS

RECOMMENDATION:

Provide direction to staff regarding proceeding with the County annexation process. Options for consideration include:

1. Proceed with outreach and communication to affected residents and property owners, including informal mail-in advisory poll. Concurrently submit County island annexation mapping requests and return to Council with results of advisory poll for direction regarding proceeding with process. This option maximizes the amount of time available to conduct the annexation process; however, it does pose a risk that some of the process costs would not be reimbursed if the Town did not proceed with some of the annexations.
2. Proceed with outreach and communication to affected residents and property owners, including informal mail-in advisory poll. Return to Council with results of advisory poll for direction regarding proceeding with County annexation mapping requests. This option limits the amount of time available for the annexation process, increasing the risk that the process may not be completed for some of the annexations prior to the expiration of the legislation authorizing the streamlined process.
3. Do not proceed with island annexations.

BACKGROUND:

On April 4, 2005, the Town Council discussed the streamlined island annexation process as it is presently defined by revised State law, the policies of Santa Clara County related to the process, and the opportunities for annexation of County islands in Los Gatos. On August 15, 2005, the Town


PREPARED BY: PAMELA JACOBS
ASSISTANT TOWN MANAGER

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Reviewed by: _____ Assistant Town Manager OK Town Attorney _____ Clerk Administrator
_____ Finance _____ Community Development Revised: 9/1/05 11:16 am

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Council discussed the support offered by the County to facilitate the annexation process. This includes subsidizing cities' costs associated with the annexation process and providing street improvements in the areas annexed. At that time, the County had not yet addressed the issue of its willingness to adopt development standards for unincorporated islands that mirror cities' development standards.

The Council directed staff to wait for the County's position regarding aligning development standards before proceeding. The Council also stated its desire to communicate with the affected residents and property owners to understand their interests related to annexation before proceeding with the process.

This staff report presents information regarding the County's position related to aligning development standards and presents an outreach plan for communicating with affected residents. Staff is seeking Council direction regarding next steps.

DISCUSSION:

County Position on Development Standards

Staff attended the County Board of Supervisors meeting on August 31st at which the Board discussed the issue of development standards in County islands as relates to island annexations. At the meeting, the Board expressed its support for adopting a "Resolution of Intent" declaring that changes in residential development standards in the islands will be considered or undertaken in the future to facilitate annexation. County staff indicated that the draft resolution could be prepared within two weeks and that it would then go before the Board for adoption. Based on Board members' comments at the August 31st meeting, it is anticipated that the Board will adopt the resolution.

This action is commensurate with the Town Council's stated interest to have the County take a position supporting the alignment of development standards in the islands with those of the Town. The County's position can be reflected in printed information and verbal communication with affected residents and property owners in the islands. Because the Town's development standards are often cited as the reason that island residents do not want to annex to the Town, these residents may be more receptive to annexation upon learning that the County and Town standards would be aligned at some time in the future.

Outreach and Communication Plan

As part of the annexation process, the Town would always conduct outreach to the affected residents and property owners. Given the Council's interest in understanding island residents' position on annexing to the Town, the following outreach plan includes a step whereby residents can express their interest regarding annexation in addition to the public hearing that would also be held. Staff does not recommend an official ballot process, as that would be costly and time intensive, and is not

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required for the streamlined process. If it is still the Council's desire to understand island residents' position on annexation, an approach would be the use of an "advisory poll." A postcard mailer could go to the affected residents and property owners, with the request to send it back by a date certain. The recipient would note their position on annexation; however, it would be made clear that the postcard is advisory only and does not represent an official vote. As noted in the following plan, the advisory poll postcard would be mailed after written and verbal communication with the residents informing them and answering their questions about the annexation process. The recommended outreach plan is as follows:

1. Letter and fact sheet to residents and property owners (potential joint letter from Town and County)
 - Providing information about annexation process and benefits, and who to call with questions
 - Inviting to annexation information meeting
 - Informing that "advisory poll" mailer will arrive at later date
2. Annexation information meetings with Town and County staff (2 meetings recommended)
3. Advisory poll mailer
4. Letter about results of advisory poll and/or copy of staff report sharing same with Council
5. Public Hearings if annexations proceed

Given that the legislation authorizing the streamlined annexation process expires on January 1, 2007, it is important that the outreach noted above (#s 1 - 4) occur in a timely fashion. The process would need to occur during September and October, with the results of the advisory poll available to the Council by the first meeting in November. Staff would need to make this a priority within existing work plans, which may delay other projects.

CONCLUSION:

The County has committed to subsidize annexation costs, to improve roads in islands eligible for the streamlined process, and to pursue aligning development standards. This staff report presents an outreach plan for communicating with affected residents and property owners. As noted in the August 15th staff report, the County will only cover the costs for *completed* island annexations. In the event that any particular annexation is not completed, the Town will be billed for the related costs. Staff is seeking Council direction regarding next steps. Options for consideration include:

1. Proceed with outreach and communication to affected residents and property owners, including informal mail-in advisory poll. Concurrently submit County island annexation mapping requests and return to Council with results of advisory poll for direction regarding proceeding with process. This option maximizes the amount of time available to conduct the annexation process; however, it does pose a risk that some of the process costs would not be reimbursed if the Town did not proceed with some of the annexations.
2. Proceed with outreach and communication to affected residents and property owners, including informal mail-in advisory poll. Return to Council with results of advisory poll for

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direction regarding proceeding with County annexation mapping requests. This option limits the amount of time available for the annexation process, increasing the risk that the process may not be completed for some of the annexations prior to the expiration of the legislation authorizing the streamlined process.

3. Do not proceed with island annexations.

ENVIRONMENTAL ASSESSMENT:

Is not a project defined under CEQA, and no further action is required.

FISCAL IMPACT:

It is expected that one-time sources are available to cover the costs of the outreach plan, and to cover the up-front costs of annexation, which would subsequently be reimbursed by the County for completed annexations.

Distribution:

Pete Kutras, County Executive, Santa Clara County, 70 West Hedding Street, 11th Floor,
San Jose, CA 95110

Jane Decker, Deputy County Executive, 70 West Hedding St., East Wing, 11th Floor, San Jose, CA
95110-1770

Ann Ravel, County Counsel, Santa Clara County Counsel's Office, 70 West Hedding Street,
East Wing, 9th Floor, San Jose, CA 95110-1770

Ben Lopes, Fire Chief, Santa Clara County Fire Department, 14700 Winchester Boulevard,
Los Gatos, CA 95030-95110

Carol Gruetzner, 16192 Oleander Avene, Los Gatos, CA 95032

Larry Gerston, 16191 Lilac Lane, Los Gatos, CA 95032

Woody Nedom, 16280 Azalea Way, Los Gatos, CA 95032

Forrest Firth, 15905 Orange Blossom, Los Gatos, CA 95032

Ken Waldvogel, Assistant Fire Chief, Santa Clara County Fire Department, 14700 Winchester
Boulevard, Los Gatos, CA 95030

Dunia Noel and Neelima Palacherla - Local Agency Formation Commission, Santa Clara County
- 11th Floor, East Wing, 70 West Hedding Street, San Jose, CA 95110