



**LAFCO MEETING MINUTES
WEDNESDAY, OCTOBER 5, 2016**

CALL TO ORDER

The meeting was called to order at 1:00 p.m.

1. ROLL CALL

The following commissioners were present:

- **Chairperson Mike Wasserman**
- **Commissioner Sequoia Hall**
- **Commissioner Ash Kalra**
- **Commissioner Linda J. LeZotte**
- **Commissioner Tara Martin-Milius**
- **Commissioner Susan Vicklund Wilson**

The following staff members were present:

- **LAFCO Executive Officer Neelima Palacherla**
- **LAFCO Assistant Executive Officer Dunia Noel**
- **LAFCO Counsel Malathy Subramanian**

2. PUBLIC COMMENTS

Doug Muirhead, a resident of Morgan Hill, stated that ground water recharge areas are unavailable in South County due to the proliferation of private wells. He urged LAFCO and the County to discuss policy in the future which would allow extension of water service or creation of micro water distributors to eliminate private wells, and allow creation of additional recharge areas.

The Chairperson, there being no objection, ordered that the agenda be taken out-of-order to allow speakers from the public to address the Commission before the Closed Session.

3. MINUTES OF AUGUST 3, 2016 LAFCO MEETING

The Commission took no action.

***10. OUT OF ORDER: TOLLING AGREEMENT BETWEEN LAFCO AND THE CITY OF MORGAN HILL**

Mr. Muirhead informed that while the Executive Officer has responded satisfactorily to his email prior to the meeting, he would like to request for the record that in the spirit of the Open Meeting Act, LAFCO keep the public informed about the status of the tolling agreement or commencement of litigation.

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

10. CONTINUED: TOLLING AGREEMENT BETWEEN LAFCO AND THE CITY OF MORGAN HILL

Ms. Subramanian presented the staff report.

Chairperson Wasserman noted the comment made by Mr. Muirhead prior to the Closed Session.

In response to an inquiry by **Commissioner LeZotte**, Ms. Subramanian indicated that no one has sued or threatened to sue Morgan Hill regarding the environmental documents of its 2035 General Plan.

11. LAFCO OFFICE SPACE: AUTHORIZATION TO LEASE PRIVATE OFFICE SPACE

Ms. Palacherla presented the staff report.

Commissioner LeZotte sought clarification on the recommended action and Ms. Palacherla advised that the lease agreement will be executed in coordination with the Ad Hoc Space Committee.

Motion: LeZotte

Second: Milius

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

The Commission authorized the Executive Officer to execute a lease agreement for office space at 675 North First Street for a five-year lease term not to exceed a total cost of \$213,000 and authorized an expenditure of up to \$64,000 to address Life Safety improvement issues and permit / plan check fees, after coordinating with the Ad Hoc Office Space Committee and subject to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda for informational purposes.

12. EXECUTIVE OFFICER'S REPORT

12.1 UPDATE ON THE SANTA CLARA VALLEY CLIMATE & AGRICULTURE PROTECTION PROGRAM (CAPP)

Ms. Noel presented the staff report. She indicated that the Commission was provided with copies of a letter from Mr. Muirhead, and she acknowledged Santa Clara County Planning Manager Rob Eastwood in the audience.

12.2 MEETING WITH TOWN OF LOS GATOS AND RESIDENT RE: POTENTIAL EFFORT TO ANNEX AN UNINCORPORATED ISLAND

The Commission noted the report.

12.3 MEETING WITH CITY OF LOS ALTOS STAFF RE: JARDIN DRIVE PROPERTY OWNERS' REQUEST FOR DETACHMENT FROM MOUNTAIN VIEW AND ANNEXATION TO LOS ALTOS

In response to an inquiry by **Commissioner Wilson**, Ms. Noel advised that there is an existing master tax agreement when boundary change occurs between cities.

The Commission noted the report.

12.4 MEETING WITH REPRESENTATIVES OF THE SAN MARTIN NEIGHBORHOOD ALLIANCE (SMNA)

The Commission noted the report.

12.5 SANTA CLARA COUNTY SPECIAL DISTRICTS ASSOCIATION (SDA) MEETING

In response to an inquiry by **Commissioner Hall**, Ms. Palacherla stated that she reported at the SDA meeting that LAFCO is looking for office space but did not indicate that there will be an increase in special district contributions as such information will only be known during the development of the budget for the next fiscal year. **Commissioner Hall** stated that special districts with small budgets should be made aware of cost increases in advance so they can prepare.

12.6 SANTA CLARA COUNTY ASSOCIATION OF PLANNING OFFICIALS (SCCAPO) MEETING

The Commission noted the report.

12.7 BAY AREA LAFCO CLERKS MEETING

The Commission noted the report.

12.8 INTER-JURISDICTIONAL GIS WORKING GROUP MEETING

The Commission noted the report.

Ms. Noel reported that, as an additional item to the report, the property of Steve Burch has been annexed to the Town of Los Altos Hills in September 2016. **Commissioner Milius** expressed appreciation to staff for facilitating the completion of the project.

13. ANNUAL REPORT

Ms. Palacherla reported that Fiscal Year 2016 was an exceptional year for LAFCO. She informed that the Annual Report highlight the vital role LAFCO plays in promoting sustainable growth in the county. She indicated that the Commission had to make difficult, politically challenging decisions, and take took unprecedented actions to uphold LAFCO's goals. Ms. Palacherla recognized the Commission's leadership and commitment.

Ms. Palacherla directed attention to the graphs illustrating how some cities have been able to accommodate large population increase without expanding their boundaries. She also informed that San Jose's General Plan does not anticipate expansion of its boundary to accommodate growth over the next 20 years.

Chairperson Wasserman complimented commissioners and staff for their efforts.

The Commission accepted the 2015-2016 Annual Report (July 1, 2015 to June 30, 2016).

Motion: LeZotte

Second: Hall

AYES: Hall, Kalra, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

14. CALAFCO TESTIMONY AT LITTLE HOOVER COMMISSION (LHC) HEARING ON SPECIAL DISTRICTS

Ms. Palacherla presented the staff report.

Commissioner LeZotte inquired about the date of the next LHC hearing as the topic on climate change policy was of interest to the Santa Clara County Water District (SCVWD). Ms. Palacherla stated that she informed the SDA about the LHC hearing.

Commissioner Karla informed that he wrote an article in the San Jose Mercury News about the protection of the Coyote Valley. He noted that many people do not recognize land conservation's important role in addressing climate change.

In response to an inquiry by **Commission Wilson**, Ms. Palacherla noted that the Little Hoover Commission may come up with recommendations in the future but no information is available yet.

A brief discussion ensued about the contributions of the special districts in containing the Loma fire. **Commissioner Hall** informed that the Santa Clara Valley Open Space Authority (OSA) sacrificed some of its trails in order to create firebreaks. **Chairperson Wasserman** expressed appreciation to OSA and he reported that replacement vegetation in the firebreaks is planned to prevent erosion. He reported that he held community meetings in the South County, received updates and toured the headquarters of the interagency firefighting effort in Gilroy. **Commissioner LeZotte** informed that the SCVWD has opened its two reservoirs to fire helicopters, and that the District will acquire tanker trucks to provide drinking water to firefighters in future fire emergencies. **Chairperson Wasserman** described how the interagency Loma firefighting operation was organized quickly and efficiently, and expressed appreciation to the public safety sector for all their efforts.

13. PENDING APPLICATIONS / UPCOMING PROJECTS

There was none.

14. COMMISSIONER REPORTS

There was none.

15. NEWSPAPER ARTICLES / NEWSLETTERS

There was none.

16. WRITTEN CORRESPONDENCE

There was none.

17. ADJOURN

The Commission adjourned at 2:15 PM to the regular LAFCO meeting on December 7, 2016 at 1:15 PM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on _____.

Mike Wasserman, Chairperson
Local Agency Formation Commission of Santa Clara County

By: _____
Emmanuel Abello, LAFCO Clerk