



AYES: Hall, Jimenez, LeZotte, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: Rennie

**MOTION PASSED**

Upon the order of the Chairperson, there being no objection, the Commission adjourned to Closed Session at 1:19 p.m., and considered Agenda Item No. 6.

**6. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Conference with Legal Counsel - Initiation of litigation pursuant to Government Code 54956.9(d)(4) (1 case)

The Commission reconvened to an open meeting at 1:31 p.m., and considered the remainder of the agenda.

**7. REPORT FROM THE CLOSED SESSION**

**Chairperson Hall** informed that there is no report from the Closed Session.

**8. Continued from October 5, 2016 and December 7, 2016 meetings: MONTE SERENO URBAN SERVICE AREA (USA) AND SPHERE OF INFLUENCE (SOI) AMENDMENT 2016 (LUCKY ROAD)**

This being the time and place for the public hearing, the Chairperson declared the public hearing open, determined that there are no speakers from the public, and closed the public hearing.

Ms. Palacherla informed that the applicant has requested continuance of the public hearing to the April 12, 2016 LAFCO meeting.

In response to an inquiry by **Commissioner Wilson**, Ms. Palacherla informed that the application was first scheduled to be heard at the October 2016 LAFCO meeting, and at the applicant's request it was continued to December. **Commissioner Wasserman** moved to approve the continuance as requested by the applicant. **Commissioner Jimenez** noted that the public hearing has been continued twice and inquired if there is a policy that limits the number of times a continuance could be granted. Ms. Palacherla advised that LAFCO does not have such a policy. In response to a follow-up inquiry by **Commissioner Jimenez**, Ms. Palacherla informed that no major change in the circumstances is expected. She added that the facts about the application have remained the same since the Commission originally considered it in 2012. In response to an inquiry by **Commissioner Wilson**, Ms. Subramanian advised that there would be no impediment to LAFCO denying further continuance if such a request was made again.

The Commission continued the public hearing to April 12, 2017 at 10:00 a.m.

Motion: Wasserman

Second: Jimenez

AYES: Hall, Jimenez, LeZotte, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: Rennie

**MOTION PASSED**

9. **JARDIN DRIVE**

This being the time and place for the public hearing, the Chairperson declared the public hearing open.

Ms. Palacherla presented the staff report.

David Kornfield, Advanced Planning Services Manager, City of Los Altos, the applicant, informed that the affected property owners are present and are in support of the staff recommendation and the condition for approval. He expressed appreciation to staff for their help.

Ed Mussman, a resident in the subject territory, expressed appreciation to staff for their diligent work on this proposal. He indicated that since the property owners have paid all fees for the permits, the changes to service connections can begin if there is favorable LAFCO vote.

The Chairperson determined that there are no speakers from the public and closed the public hearing

**Commissioner Jimenez** observed that the cities and property owners have worked together towards a common goal and inquired if this is typical at LAFCO. Ms. Palacherla acknowledged the collaboration and noted that in this case the proposal required support from both cities in order to move forward. **Commissioner Wilson** directed attention to the project map and indicated that the proposal complies with LAFCO policies related to orderly growth and efficient delivery of services.

The Commission adopted **Resolution No. 2017-02** approving an amendment of the USA and SOI between the cities of Los Altos and Mountain View, and approving the Jardin Drive Reorganization 2016.

Motion: Wilson

Second: Wasserman

AYES: Hall, Jimenez, LeZotte, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: Rennie

**MOTION PASSED**

The Chairperson expressed appreciation to the residents for their work on behalf of their neighborhood.

10. **SETTLEMENT AGREEMENT BETWEEN LAFCO AND THE CITY OF MORGAN HILL REGARDING THE CITY'S GENERAL PLAN EIR**

Ms. Subramanian presented the staff report.

The Commission authorized the General Counsel to execute the Settlement Agreement.

Motion: Wasserman

Second: Jimenez

AYES: Hall, Jimenez, LeZotte, Wasserman, Wilson, Yeager

NOES: None

ABSTAIN: None

ABSENT: Rennie

**MOTION PASSED**



**13.5 SANTA CLARA COUNTY ASSOCIATION OF PLANNING OFFICIALS (SCCAPO) MEETING**

The Commission noted the report.

**13.6 BAY AREA LAFCOS MEETING**

The Commission noted the report.

**13.7 INTER-JURISDICTIONAL GIS WORKING GROUP MEETING**

The Commission noted the report.

**14. CALAFCO RELATED ACTIVITIES**

**14.1 2017 CALAFCO STAFF WORKSHOP**

The Commission authorized staff to attend the 2017 CALAFCO Staff Workshop and authorize travel expenses funded by the LAFCO budget

Motion: Jimenez Second: Wilson

AYES: Hall, Jimenez, LeZotte, Wasserman, Wilson

NOES: None ABSTAIN: None ABSENT: Rennie, Yeager

**MOTION PASSED**

**14.2 REPORT ON THE CALAFCO LEGISLATIVE COMMITTEE MEETING**

There was none.

**15. PENDING APPLICATIONS / UPCOMING PROJECTS**

There was none.

**16. COMMISSIONER REPORTS**

**Commissioner LeZotte** distributed copies of Greenbelt Alliance’s publication entitled **At Risk** which reported that the Bay Area has about 293,100 acres of farms, ranches and natural lands that are at risk of development over the next 30 years. She continued by reading an excerpt from the report on Santa Clara County which states that LAFCO has prevented the development of about 700 acres of farmlands around Gilroy, and about 1,300 acres in the southeast quadrant of Morgan Hill.

**Commissioner LeZotte** informed that she will no longer be the Santa Clara Valley Water District’s representative on LAFCO and she expressed her appreciation to staff for their counsel, wisdom and excellent work over the years. She indicated that she is most proud of voting against the proposals that would have allowed the development of south county lands. She indicated that she tried to uphold the essence of what LAFCO is and impart the knowledge and understanding that LAFCO commissioners represent the interest of the County as a whole and not that of the jurisdictions they represent.

**Commissioner Wilson** thanked Commissioner LeZotte for her many years of service on LAFCO as San Jose Councilmember and as the SCVWD Board Member. She added that Commissioner LeZotte’s comments have sometimes helped her make difficult decisions. **Chairperson Hall** stated that the county is better off with Commissioner LeZotte’s leadership and informed that he enjoyed working with her. **Commissioner Wasserman**

expressed appreciation to Commissioner LeZotte and noted that while they sometimes have different positions on certain proposals over the years, he has learned a lot from her as she is intelligent and always prepared.

**17. NEWSPAPER ARTICLES / NEWSLETTERS**

**Commissioner Jimenez** informed that the Mercury News has an article on the Greenbelt Alliance's At Risk publication and encouraged commissioners to read it as it is very informative. Ms. Palacherla informed that staff would email the article to the commissioners.

**18. WRITTEN CORRESPONDENCE**

There was none.

**22. ADJOURN**

The Commission adjourned at 1:58 PM to the regular LAFCO meeting on April 12, 2017 at 10:00 AM in the Board Meeting Chambers, 70 West Hedding Street, San Jose.

Approved on \_\_\_\_\_.

\_\_\_\_\_  
Sequoia Hall, Chairperson  
Local Agency Formation Commission of Santa Clara County

By: \_\_\_\_\_  
Emmanuel Abello, LAFCO Clerk