

Motion: LeZotte

Second: Hall

AYES: Hall, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

7. APPROVE MINUTES OF OCTOBER 17, 2016 SPECIAL LAFCO MEETING

The Commission approved the minutes of October 17, 2016 Special LAFCO meeting.

Motion: LeZotte

Second: Hall

AYES: Hall, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

Upon the order of the Chairperson, there being no objection, the Commission adjourned to Closed Session at 1:25 p.m., and considered the Agenda Item Nos. 8 and 9.

8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

9. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Real Property: 777 North First Street, Suites 400, 410, and 415, San Jose, CA 95112

Agency Negotiator: Neelima Palacherla

Negotiating Parties: Steve Botto

Under Negotiation: Price and terms of payment

The Commission reconvened to an open meeting at 1:52 p.m., and considered the remainder of the agenda.

10. REPORT FROM THE CLOSED SESSION

LAFCO Counsel Mala Subramanian informed that there is no report from the Closed Session.

11. Continued from October 5, 2016: MONTE SERENO URBAN SERVICE AREA (USA) AND SPHERE OF INFLUENCE (SOI) AMENDMENT 2016 (LUCKY ROAD)

Chairperson Wasserman indicated that the applicant has requested that the Commission continue the public hearing to February 1, 2017. He then determined that there is no request from members of the public to speak on the item.

Chairperson Wasserman proposed that the agenda, in addition to the staff recommendation, indicate all other possible actions. **Commissioner Wilson** informed there has been a discussion in the past about the format of the agenda and it was determined that only those actions that are possible under the LAFCO policies and guidelines be included in order to avoid confusion. **Chairperson Wasserman** suggested the agenda should indicate possible options for the Commission's consideration. Ms.

Palacherla informed that the staff report includes possible actions available to the Commission, including detailed discussion about each of the options and the reasons why staff is or is not recommending them. **Chairperson Wasserman** noted that while all the possible actions are discussed in the staff report, the agenda includes only the recommended action. He expressed agreement with Commissioner Wilson to omit actions that are not legally possible under LAFCO policies but he proposed that the agenda indicate "possible action" instead of "project action."

The Commission continued the public hearing to February 1, 2017.

Motion: Hall

Second: LeZotte

AYES: Hall, LeZotte, Milius, Wasserman, Wilson

NOES: None

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

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

Chairperson Wasserman determined that no member of the public has requested to speak on the item.

The Commission authorized the Executive Officer to execute a lease agreement for office space at 777 North First Street for a five-year lease term, not to exceed a total cost of \$225,000 and subject to review and approval by LAFCO Counsel. The executed lease agreement will be placed on the next LAFCO agenda for information purposes.

The Commission authorized the expenditure of an additional \$10,000, to fund information technology / telephone services for the new office space.

Motion: Wilson

Second: Milius

AYES: Hall, LeZotte, Milius, Wilson

NOES: Wasserman

ABSTAIN: None

ABSENT: Yeager

MOTION PASSED

13. EXECUTIVE OFFICER'S REPORT

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

Ms. Palacherla presented the staff report.

Commissioner LeZotte inquired about participation of the Santa Clara Valley Habitat Agency (SCVHA) in the CAPP. Ms. Palacherla informed that LAFCO is not involved in the planning of the CAPP meetings and is unaware if SCVHA is participating in other CAPP activities. **Chairperson Wasserman** informed that the County and Santa Clara Valley Open Space Authority (OSA) could invite SCVHA to make a presentation at a CAPP meeting.

In response to an inquiry by **Commissioner Wilson**, Ms. Palacherla briefly described the various working groups that the County and OSA have established to gather expert and stakeholder input to CAPP. She reported that Rob Eastwood, County Planning Manager, has indicated that as part of the CAPP process, a more detailed ag lands mapping will be available in January 2017 for review by stakeholders.

13.2 BAY AREA GREENPRINT STRATEGIC ADVISORY MEETING

The Commission noted the report.

12.3 MEETING WITH CALIFORNIA SUSTAINABLE GROWTH COUNCIL STAFF AND GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

The Commission noted the report.

12.4 MEETING WITH REPRESENTATIVES OF THE SOUTH COUNTY CATHOLIC HIGH SCHOOL

The Commission noted the report.

12.5 INTER-JURISDICTIONAL GIS WORKING GROUP MEETING

The Commission noted the report.

14. LEGISLATIVE REPORT

Ms. Palacherla presented the staff report.

In response to an inquiry by **Alternate Commissioner Rennie**, Ms. Palacherla informed that she will confirm whether SB 1266's reporting requirement applies to the Silicon Valley Clean Energy. In response to an inquiry by **Commissioner Hall**, Ms. Palacherla informed that information on JPAs was included in the recently completed Cities Service Review but LAFCO does not have any authority over JPA boundaries.

15. CALAFCO RELATED ACTIVITIES

15.1 REPORT ON THE 2015 CALAFCO ANNUAL CONFERENCE

Commissioner Wilson informed that Jean-Michel Cousteau was one of the speakers at the Conference. **Alternate Commissioner Rennie** informed that he attended all the sessions, including the LAFCO 101 class, which was informative and made him better prepared to participate on the Commission. **Chairperson Wasserman** expressed appreciation to Commissioner Wilson, Alternate Commissioner Rennie and to staff, for attending the Conference.

15.2 CALAFCO WHITE PAPER ON AGRICULTURAL LAND PRESERVATION

The Commission noted the report.

16. 2017 SCHEDULE OF LAFCO MEETINGS

The commission adopted the 2017 schedule of LAFCO meetings.

Motion: LeZotte Second: Hall

AYES: Hall, LeZotte, Milius, Wasserman, Wilson

NOES: None ABSTAIN: None ABSENT: Yeager

MOTION PASSED

17. APPOINTMENT OF 2017 LAFCO CHAIRPERSON AND VICE-CHAIRPERSON

Commissioner Wilson noted that due to changes in membership there has been a deviation from the rotation schedule. She moved to appoint Commissioner Hall as Chairperson in 2017 explaining that the incoming city members will need to come up to speed on LAFCO, and that Commissioner LeZotte has recently served as chair.

The Commission appointed Commissioner Hall as LAFCO Chairperson in 2017.

Motion: Wilson Second: LeZotte

AYES: Hall, LeZotte, Milius, Wasserman, Wilson

NOES: None ABSTAIN: None ABSENT: Yeager

MOTION PASSED

After further discussion and because the San Jose seat is currently vacant, the Commission deferred the appointment of the Vice Chairperson to February LAFCO meeting.

18. PENDING APPLICATIONS / UPCOMING PROJECTS

Ms. Palacherla informed that staff has received an application from the City of Los Altos entitled Jardin Drive Reorganization 2016.

19. COMMISSIONER REPORTS

There was none.

20. NEWSPAPER ARTICLES / NEWSLETTERS

The Sphere, October 2016.

21. WRITTEN CORRESPONDENCE

There was none.

22. ADJOURN

The Commission adjourned at 2:15 PM to the regular LAFCO meeting on February 1, 2017 at 1:15 PM 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