

**LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
FEBRUARY 19, 2010 MEETING**

DRAFT

There being a quorum present, the meeting was convened at 9:30 a.m., by Chairman Tom Pocklington (Bonita-Sunnyside FPD). Attending were: **Committee Members** - Gary Arant (Valley Center MWD), Judy Hanson (Leucadia WD), Douglas Humphrey (Resource Conservation District of Greater San Diego County), Larry Jackman (San Miguel Consolidated FPD), Margarett Morgan (Vista Fire Protection District); Ron Fuller (Alpine FPD); Augie Scalzitti (Padre Dam MWD), John Pastore (Rancho Santa Fe CSD), Jim Poltl (Vallecitos Water District), Terry Thomas (South Bay Irrigation District), Kimberly Thorne (Olivenhain MWD), Diana Towne (Rincon del Diablo, MWD), Richard Williamson (Borrego Water District). Absent were: **Committee Members** - Gary Croucher (Otay Water District), Dennis Shepard (North County Cemetery District). Attending: Michael Ott, Executive Officer, LAFCO, Harry Ehrlich, LAFCO Consultant, Robert Barry, LAFCO Analyst; and members of the public - Paul Bushee (Leucadia Wastewater District); Lesley Dobalian (San Diego CWA).

Item 2

Approval of Minutes of November 20, 2009

ON MOTION of Margarett Morgan, seconded by Diana Towne, and unanimously approved by the remaining Committee members, the Committee dispensed with reading the November 20, 2009 minutes and approved said minutes.

Item 3

Consultant's Recommended Agenda Revisions

Harry Ehrlich indicated there are no revisions. He announced to the Committee that a PowerPoint presentation would be given by LAFCO staff on Item 8.

Item 4

Committee Member/Consultant's Announcements

Mr. Pocklington requested Committee members to make announcements on matters associated with their districts and areas of responsibility.

Member Terry Thomas presented a water conservation landscape map of the San Diego County Water Authority's facility. Member Margarett Morgan announced having a Fire Safe Council and indicated Vista Fire Protection District is working on a water and fire-wise conservation program. Member Augie Scalzitti announced that Padre Dam MWD has a water conservation landscape around its new customer service center.

Item 4

Committee Member/Consultant's Announcements (cont.)

John Pastore asked whether anyone was aware if the County of San Diego is working on a new policy that will prohibit sewer connections within 100 feet outside of village designations. No one knows of this possible process.

Item 5

Public Comment

No members of the public requested to speak.

Item 6

Election of Chairperson and Vice Chairperson for 2010

Harry Ehrlich asked members to nominate candidates for Chair and Vice Chair. Larry Jackman motioned for continuance of current incumbents: Tom Pocklington, Chairperson and Gary Croucher, Vice Chairperson for 2010. Kim Thorner seconded the motion. All members unanimously were in favor. Tom Pocklington thanked the Committee for being re-elected.

Item 7

Discussion and input on final drafts of Legislative and Regulatory Guidelines: Water Supply and Availability

Harry Ehrlich provided the Committee with a brief overview of the Water Supply and Reliability draft policy guidelines. He stated discussion and feedback received from the Committee at the prior meeting resulted in some revisions to the policy. Mr. Ehrlich asked the Committee to review it once more and encouraged comments on the updated draft proposed guidelines.

Harry Ehrlich conveyed to the members the importance of these guidelines in assisting the Commission to analyze future water issues.

Margaret Morgan suggested on Page 3 of the report to change "cooperation" to "collaboration." She noted, the revised version reflected the change. Gary Arant thanked Mr. Ehrlich for his efforts in developing the guidelines. Other members thanked Harry Ehrlich for his efforts in responding to their input while developing the guidelines. Lesley Dobalian, San Diego County Water Authority, expressed the agency's appreciation for consideration of its concerns and suggestions and looks forward to future collaborative efforts.

Item 7

Discussion and input on final drafts of Legislative and Regulatory Guidelines: Water Supply and Availability (cont.)

Harry Ehrlich expressed the possibility of presenting the guidelines to the Commission in April or May 2010. He said he would keep the Committee and County Water Authority apprised of the actual date.

Kimberly Thorner asked if committee members need to attend the Commission meeting for any questions or support. Mr. Ehrlich responded by saying he will coordinate with the Committee for the upcoming Commission meeting.

ON MOTION of Gary Arant and seconded by Kimberly Thorner, unanimously, all were in favor to adopt the revised the San Diego LAFCO Water Supply and Reliability Draft Guidelines.

Item 8

Proposed Legislative Policy L-107 – Jurisdictional Conflicts Associated with Proposed Development

Michael Ott, Executive Officer, presented a brief explanation of Agenda Item 8. He explained the request by the Commission to develop a policy (L-107) to assist LAFCO with facilitating the proposal, review and deliberation process.

Mr. Ott discussed the goal of the draft policy. He mentioned that it has been accepted by the Commission and distributed to all special districts and cities for review and comment. He introduced Robert Barry, Local Government Analyst, as the presenter of the PowerPoint presentation for the agenda item and encouraged any comments and suggestions from committee members.

Robert Barry indicated the draft policy is still under review and highly encouraged comments from the Committee. He informed committee members that the purpose of L-107 is to address jurisdictional conflicts associated with proposed development. Mr. Barry then explained some of the recurring jurisdictional issues that are not resolved completely prior to submittal of a proposal to LAFCO, which has at times delayed the process. Some of the issues discussed during the presentation were: Concurrent special district detachments; financial and service impacts; land use designation conflicts; local community concerns; conformance with LAFCO statutory requirements; local development processing and LAFCO proposal processing.

Margarette Morgan commented on the importance of including community planning groups in the LAFCO process. Mr. Ott and Mr. Barry agreed with Ms. Morgan and informed the members LAFCO's current policy includes providing information to the community planning groups. Diana Towne asked if there is a way to register those

Item 8

Proposed Legislative Policy L-107 – Jurisdictional Conflicts Associated with Proposed Development (cont.)

groups with LAFCO. Michael Ott responded by saying the sponsor and planning groups are automatically included in the distribution within 30 days of LAFCO receiving the application. During this process the agencies and groups are notified by receiving a preliminary staff report for the proposal.

Robert Barry reiterated to the Committee the importance and benefits of developing this draft policy. He encouraged the members to contribute their input on the policy. Mr. Barry indicated it is hoped that it will result in a more efficient process and will provide more jurisdictional communication with the affected agencies and interested parties.

General comments were made by members Jim Pottl, Tom Pocklington, Margarett Morgan, John Pastore, Kimberly Thorner to LAFCO staff on the following topics: developing new forms, a pre-submittal process, standardization, better clarification, more communication within local planning groups, specifying deadlines, property tax exchanges, removing provisions 4 and 5, and possibly establishing an appeal process. Staff advised that implementation procedures would take place after approval from the Commission. Kimberly Thorner and Terry Thomas agreed and requested removing provisions 4 and 5 from the current draft. Ms. Thomas also suggested developing a chart or “tree” of the proposal process. Mike Ott clarified the Committee’s consensus: 1) add planning and sponsor groups to the consultation process in provision no. 1; 2) add an arbitration/mitigation step to provision no. 4; 3) delete provision no. 5 and replace it with an appeal procedure.

ON MOTION by Kimberly Thorner and seconded by Margarett Morgan, unanimously, all were in favor of the modifications summarized by Mr. Ott.

Adjournment

There being no further business to come before the Special Districts Advisory Committee, it was noted that the next meeting is tentatively planned for March 19, 2010, if a meeting is to be held. The meeting was adjourned at 10:26 a.m.

**Ruth Arellano
Administrative Assistant**