

**DRAFT  
SAN DIEGO LAFCO  
MINUTES OF THE REGULAR MEETING  
FEBRUARY 1, 2010**

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There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Bud Pocklington. Also present were: Regular Commissioners – Supervisor Dianne Jacob, Supervisor Bill Horn, Councilmember Donna Frye, Special District Member John Ingalls, Mayor Mark Lewis and Public Member Andy Vanderlaan. Alternate Commissioners – Special District Jo MacKenzie and Mayor Jim Janney. LAFCO Staff – Executive Officer Michael Ott, Local Governmental Analyst Robert Barry and LAFCO Legal Counsel Karen Landers. Absent were: Regular Commissioner - Carl Hilliard. Alternate Commissioners – Supervisor Greg Cox, Councilmember Sherri Lightner and Public Member Harry Mathis.

**Item 1  
Roll Call**

The Commission Secretary performed the roll call for the February 1, 2010 LAFCO meeting. All regular commissioners were present with the exception of Carl Hilliard. The Commission Secretary indicated that Alternate Commissioner Jim Janney will vote in place of Commissioner Carl Hilliard who is absent.

**Item 2  
Approval of Minutes of Meeting Held December 7, 2009**

With Alternate Commissioner Jo MacKenzie abstaining, ON MOTION of Supervisor Bill Horn, seconded by Commissioner Donna Frye, and carried unanimously by the commissioners present, the Commission dispensed with reading the minutes of December 7, 2009 and approved said minutes.

**Item 3  
Executive Officer's Recommended Agenda Revisions**

Michael Ott indicated that there were no revisions to the agenda.

**Item 4  
Commissioner/Executive Officer Announcements:  
Presentation of Recognition Plaque**

Chairman Bud Pocklington presented Supervisor Bill Horn a recognition plaque for services he provided to LAFCO.

Chairman Bud Pocklington commented about the Water Facility Tour he and Keith Lewinger organized to the Hoover Dam and Colorado River on January 22<sup>nd</sup> – 23<sup>rd</sup>, 2010. Chairman Pocklington commented about the water drought issues within the state.

Commissioner John Ingalls commented about the Water Facility Tour and water drought issues and resources of reclaimed water. He also suggested to the Executive Officer that LAFCO staff should attend the California Water Reuse Conference in March.

Michael Ott, Executive Officer said there are several announcements. Mr. Ott announced to the Commission that a 2009 Statement of Economic Interests (Form 700) was mailed to each Commissioner with the exclusion of the Supervisors and indicated that it is due by April 1, 2010 and that if the forms are not completed by the due date there will be a \$10 a day penalty fee applied.

Mr. Ott provided an update to the Commission about issues affecting CALAFCO. He said a coalition group was formed which represents the Southern California region.

Commissioner Andy Vanderlaan commented about issues related to CALAFCO. He said that the CALAFCO board has developed a proposal to create four divisions in the state to improve regional representation. Mr. Vanderlaan also said that the coalition will meet monthly and keep the Commission updated with information.

#### **Item 5**

#### **Appointment of LAFCO Legal Counsel pursuant to Government Code Sections 56384(b) and 56380**

Michael Ott summarized provisions in State Law regarding the appointment of LAFCO Legal Counsel. Mr. Ott provided a brief background about Karen Landers of the Office of County Counsel and recommended that the Commission appoint her as LAFCO's General Counsel. Mr. Ott indicated that Colantuono and Levin, PC, would remain as LAFCO's Special Counsel.

Chairman Pocklington asked if there were any questions from the Commissioners.

On motion of Commissioner Vanderlaan, seconded by Commissioner Horn, and carried unanimously by the commissioners present, the Commission took the following action:

Pursuant to Government Code Sections 56384(b) and 56380, appoint Karen Landers as the San Diego LAFCO's Legal Counsel, effective February 1, 2010.

Commissioner Pocklington welcomed Karen Landers as part of LAFCO.

Legal Counsel, Karen Landers said she has been observing the LAFCO meeting for a year and she thanked the Commission for appointing her as Legal Counsel.

#### **Item 6**

#### **Public Comment**

There were no public comments.

## **Item 7A**

### **Continued Public Hearing Items: Adoption of an Amendment to the Sphere of Influence for the Lakeside Sanitation District (SA08-08)**

## **Item 7B**

### **Proposed “Oak Creek RV Park Annexation” to the Lakeside Sanitation District (DA08-08)**

Michael Ott said there will be a brief staff presentation on these two items and the items are related to the Lakeside Sanitation District and an associated annexation and sphere of influence amendment. Mr. Ott said these items were continued from the August 4, 2008 to resolve some planning issues. He also said that Robert Barry will provide further information and details.

Robert Barry, Local Governmental Analyst provided a brief report to the Commission about the proposed “Oak Creek RV Park Annexation”. Mr. Barry said that the landowner needed to address outstanding planning issues with the County of San Diego. He said the proposed project consists of 8.88 acres and the territory is not within the sanitation district’s sphere of influence, therefore, a sphere amendment is required.

Mr. Barry explained the proposed project consists of an expansion to an existing RV park that currently has 120 spaces. He said the County of San Diego approved modifications of the existing Major Use Permit, which included development of 84 additional spaces for an open development area and granted an exemption to the occupancy limits for the existing RV park. He also said the modification allowed a total of 204 RV spaces - which includes 120 existing and the additional 84 spaces.

Mr. Barry said that 75% of the development will not require occupancy limitations and 25% will have a maximum occupancy of 90 spaces for a 12-month period and these conditions were approved by the County of San Diego Planning Commission. He also said the County has addressed the planning issues regarding occupancy limits with the property owner.

Chairman Pocklington opened the public hearing.

There was one speaker slip submitted in support to this item.

Jim Waring, Project Representative, filed a speaker slip in support of the item but did not want to speak unless requested.

Commissioner Dianne Jacob commented that all the issues had been resolved and supported the Executive Officer’s recommendation.

Since no speaker slips were submitted in opposition to this item, and there was no discussion from the Commission, on motion of Commissioner Jacob, seconded by Commissioner Frye, and carried unanimously by the commissioners present, the Commission closed the public hearing, and took the following actions:

- (1) Certify that the information contained in the Addendum to the Negative Declaration prepared by the County of San Diego has been reviewed and considered; and

- (2) Amend the sphere of influence of the Lakeside Sanitation District and adopt the written Statement of Determinations as shown in Exhibit A; and
- (3) Adopt the form of resolution approving this minor sphere amendment and annexation for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Governmental Code Section 56663(c), and ordering the annexation subject to the following condition:

Lakeside Sanitation District

Payment of capacity and sewer service fees.

**Item 8**

**Proposed FY 2010-11 LAFCO Budget**

Michael Ott provided a brief presentation to the Commission. He reported that the proposed budget for FY 2010-11 would reduce costs by \$3,000 compared to the FY 2009-10 budget by decreasing salaries and benefits costs as well as services and supplies costs.

Mr. Ott reported that the FY 2009-10 LAFCO Budget for salaries and benefits had been frozen for a year. He indicated that a conservative 2% increase is factored into the wage and benefit projections for FY 2010-11. He said the FY 2010-11 LAFCO Budget was circulated to all cities, special districts, and the County of San Diego for review. He indicated that the final FY 2010-11 LAFCO Budget will be considered by the Commission on March 1, 2010.

Commissioner Pocklington asked if there are any comments or questions from the Commission.

Commissioner Jacob asked the Executive Officer about the breakdown of costs for anticipated revenues and suggested a table be developed for the revenue. Michael Ott said the anticipated revenue is itemized on page 6 of the report and that he will provide an itemized table in the final budget.

Commissioner Ingalls asked about the litigation costs on page 7 of the report. He indicated that the report mentioned \$25,000 was spent in FY 2009-10. He also asked the Executive Officer if he would provide a breakdown of professional and special services over \$50,000. Mr. Ott said he will provide an itemized breakdown for professional and special services in the final version of the 2010-11 budget.

Commissioner Pocklington opened the public hearing.

Since no speaker slips were submitted in opposition to this item, and there was no discussion from the Commission, on motion of Commissioner Vanderlaan, seconded by Commissioner Ingalls, and carried unanimously by the commissioners present, the Commission closed the public hearing, and took the following actions:

- (1) Opened the hearing on the Proposed FY 2010-11 LAFCO Budget;

- (2) After receiving public comments and Commission discussion closed the hearing;
- (3) Adopted the Proposed FY 2010-11 LAFCO Budget and direct the Executive Officer to prepare LAFCO's Final FY 2010-11 Budget incorporating Commissioners Jacob's and Ingalls' comments;
- (4) Authorized the Executive Officer to request the County Auditor to utilize the LAFCO budget adoption date as the basis for selecting the most recent edition(s) of the accounting publications used to prepare the LAFCO cost apportionment; and
- (5) Authorized the appropriations and transfer of an estimated \$145,000 from LAFCO's Trust fund to professional and specialized services, special departmental and fixed assets to cover litigation costs and the initiation and completion of a capital improvement project in FY 2009-10 and 2010-11.

**Item 9A**

**Adoption of an Amendment to the Sphere of Influence for the Spring Valley Sanitation District (SA09-11)**

**Item 9B**

**Proposed "Houska-Helix Terrace Annexation" to the Spring Valley Sanitation District (DA09-11)**

At the request of Michael Ott, the Commission waived the staff presentation.

This was an information item and no action was required by the Commission.

There being no further business to come before the Commission, the meeting adjourned at 9:30 a.m. to the March 1, 2010 meeting, in Room 302, County Administration Center.

**Tamaron Lockett  
Administrative Assistant  
San Diego Local Agency Formation Commission**