

**APPROVED  
SAN DIEGO LAFCO  
MINUTES OF THE REGULAR MEETING  
NOVEMBER 3, 2014**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Andrew Vanderlaan. Also present were: Regular Commissioners – Supervisor Dianne Jacob; Mayor Sam Abed (arrived 9:10 a.m.); Mayor Jim Janney; (Acting) Vice Chairman (Supervisor Bill Horn); Special District Member Bud Pocklington and City Councilmember Lori Zapf (arrived 9:07 a.m.). Alternate Commissioners – Public Member Harry Mathis; Special District Member Jo MacKenzie (arrived 9:07 a.m.); City Councilmember Lorraine Wood. LAFCO Staff – Executive Officer Michael Ott; Local Government Analyst Robert Barry; LAFCO Consultant John E. Traylor; Legislative Consultant Harry Ehrlich and Legal Counsel Rachel Witt. Absent were: Alternate Commissioners – Supervisor Greg Cox and Councilmember Sherri Lightner.

**Item 1**

**Roll Call**

The Commission Secretary performed the roll call for the November 3, 2014, LAFCO meeting. With the exception of Alternate Commissioners Supervisor Greg Cox and Councilmember Sherri Lightner, all other Commissioners present. Alternate Jo MacKenzie voted in place of Commissioner John Ingalls, due to the vacant seat on the Commission.

**Item 2**

**Approval of Minutes of Meeting Held October 6, 2014**

On motion of Commissioner Horn, seconded by Commissioner Pocklington, and carried unanimously by the Commissioners present; the Commission dispensed with reading the minutes of October 6, 2014 and approved said minutes.

**Item 3**

**Executive Officer's Recommended Agenda Revisions**

Chairman Andrew Vanderlaan asked the Executive Officer if there were any agenda revisions. Executive Officer Michael Ott indicated that there were no agenda revisions.

#### **Item 4**

##### **Commissioner / Executive Officer Announcements**

###### **a. Fire Protection and Water / Wastewater Workshop to be held at the December 1, 2014 LAFCO Meeting.**

Chairman Andrew Vanderlaan asked the Commission and Executive Officer if there were any announcements. Executive Officer Michael Ott indicated that there will be a Workshop held at the December 1<sup>st</sup> LAFCO Meeting regarding Water / Wastewater. Mr. Ott said that the topic of Fire Protection will be postponed until LAFCO's February 2<sup>nd</sup> Meeting.

Chairman Vandelaan indicated that CALAFCO presented the "Project of the Year Award" to San Diego LAFCO for their 50<sup>th</sup> Year LAFCO Procedures Guide. Mr. Ott was asked to provide background about the award. He thanked the Commission for its support and resources to prepare the Procedures Guide.

#### **Item 5**

##### **Public Comments**

Chairman Andrew Vanderlaan asked the public if anyone requested to speak on an item that is not related. He indicated that there were no speaker slips received from members of the public for comments.

#### **Item 6**

##### **Proposed "Hoffman – Acacia Avenue Annexation" to the San Diego County Sanitation District (DA14-07)**

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

On motion of Commissioner Jacob, seconded by Commissioner Pocklington, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer's determination, that pursuant to Section 15319(b) of the State CEQA Guidelines, the annexation is not subject to the environmental impact evaluation process because the annexation area consists of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures; and
- (2) Adopt the form of resolution approving this annexation for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority

proceedings according to Government Code Section 56663(c), and ordering the annexation subject to the following conditions:

Payment by the property owners of district fees and State Board of Equalization chargers.

**Item 7A**

**Adoption of an Amendment to the Sphere of Influence for the City of Carlsbad (SA13-48a)**

**Item 7B**

**Adoption of an Amendment to the Sphere of Influence for the City of San Marcos (SA13-48b)**

**Item 7C**

**Proposed “San Marcos – Carlsbad Reorganiztion”  
(City of San Marcos) (RO13-48)**

Chairman Vanderlaan opened the public hearing for Items 7A, 7B and 7C.

Michael Ott indicated that agenda Items 7A, 7B and 7C involve sphere amendments, annexations and detachments to the Cities of Carlsbad and San Marcos and are in association with the San Marcos–Carlsbad Reorganization which will consolidate three separate parcels. Mr. Ott said that Robert Barry will provide a PowerPoint presentation.

Robert Barry, Local Governmental Analyst, provided a presentation to the Commission regarding the San Marcos–Carlsbad Reorganization. Mr. Barry indicated that the proposal involves three seperate parcels consisting of annexation to the City of San Marcos; detachment from the City of Carlsbad with concuurent annexation to the City of San Marcos and the San Marcos Fire Protection District; detachment from the City of San Marcos and the San Marcos Fire Protection District with concurrent annexation to the City of Carlsbad; and detachment from County Service Area No. 83 (San Dieguito Local Parks) and County Service Area No. 107 (Elfin Forest / Harmony Grove Volunteer Fire Department) with concurrent annexation to the City of San Marcos and the San Marcos Fire Protection District. He also said that there was no opposition related to this proposal.

Chairman Vanderlaan closed the public hearing and indicated that there were no speaker slips received regarding these items.

With no speaker received slips from the public and no further discussion from the Commission, on motion of Commissioner Pocklington, seconded by Horn to approve Items 7A, 7B, and 7C carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find that the Commission, acting as a responsible agency, has considered the environmental effects of the project as shown in the attached negative declaration prepared by the City of San Marcos;
- (2) Amend the sphere of influence of the City of Carlsbad and adopt the written Statement of Determinations as shown in Exhibit A;
- (3) Amend the sphere of influence of the City of San Marcos and adopt the written Statement of Determinations as shown in Exhibit B;
- (4) Approve the “San Marcos – Carlsbad Reorganization” involving: annexation of Area 1 to the City of San Marcos; detachment of Areas 2A and 2C from the City of Carlsbad with concurrent annexation to the City of San Marcos and the San Marcos Fire Protection District; detachment of Area 2B from the City of San Marcos and the San Marcos Fire Protection District with concurrent annexation to the City of Carlsbad; and, detachment of Proposal Area 3 from County Service Area No. 83 (San Dieguito Local Parks) and County Service Area No. 107 (Elfin Forest/Harmony Grove Volunteer Fire Department) with concurrent annexation to the City of San Marcos and the San Marcos Fire Protection District; and
- (5) Adopt the form of resolution approving this sphere amendment and reorganization for the reasons set forth in the Executive Officer’s Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following conditions:

City of Carlsbad: None

City of San Marcos: None

San Marcos Fire Protection District: Payment of State Board of Equalization

County Service Area No. 83 (San Dieguito): None

County Service Area No. 107 (Elfin Forest/Harmony Grove): None

**Item 8A****Adoption of an Amendment to the Sphere of Influence for the San Dieguito Water District (SA14-06)****Item 8B****Proposed “Quail Meadows Reorganization”  
(San Dieguito Water District) (RO14-06)**

Chairman Vanderlaan opened the public hearing for Items 8A and 8B.

Michael Ott explained to the Commission that Items 8A and 8B involves a sphere amendment and reorganization to obtain sewer water. Mr. Ott said that Robert Barry will provide a brief staff report.

Robert Barry provided a report to the Commission regarding the Quail Meadows Reorganization. He said that the reorganization involves a sphere amendment and a detachment from Olivenhain Municipal Water District with a concurrent annexation to the San Dieguito Water District. He also said that the jurisdictional changes would facilitate the provision of domestic water service to the area. He indicated that the existing smaller-than-district sphere should be affirmed. Mr. Barry indicated that there was no opposition received related to this proposal.

Commissioner Bud Pocklington asked if the agencies met with the public regarding the change of services. Mr. Barry indicated that the agencies notified the property owners and there was support for the District’s reorganization.

Chairman Vanderlaan closed the public hearing and indicated that there were no speaker slips received regarding these items.

With no further speakers from the public and no discussion from the Commission, on motion of Commissioner Pocklington, seconded by Abed, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer’s determination that pursuant to Section 15320 of the State CEQA Guidelines, this reorganization is not subject to the environmental impact evaluation process because the proposal consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised;
- (2) Modify the submitted “Quail Meadows Reorganization” proposal area to include Assessor’s Parcel Number 258-130-82 and an approximate 0.36-acre portion of Assessor’s Parcel Number 257-02-38 within the area

proposed for detachment from the Olivenhain Municipal Water District as shown on Vicinity Map 2; and, to include the approximate 0.36-acre portion of Assessor's Parcel Number 257-020-38 within the area proposed for annexation to the San Dieguito Water District as shown on Vicinity Map 1;

- (3) Amend the sphere of influence of the San Dieguito Water District and adopt the written Statement of Determinations as shown in Exhibit A;
- (4) Approve the modified "Quail Meadows Reorganization" involving detachment of the proposal area from the Olivenhain Municipal Water District with concurrent annexation to the San Dieguito Water District;
- (5) Adopt the form of resolution approving this sphere amendment and reorganization for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following conditions:

Olivenhain Municipal Water District

Payment by property owner of district detachment fees and charges.

San Dieguito Water District

Payment by property owner of district annexation fees and charges, and State Board of Equalization charges.

**Item 9**

**Final 2014 Legislative Status Report**

Harry Ehrlich, Director of Legislative Research provided an update to the Commission regarding the year end Annual Legislative Report. Mr. Ehrlich indicated that LAFCO staff has monitored seven bills this year and that several of the bills were signed and two of them were vetoed by the Governor. He informed the Commission that three bills are being tracked by LAFCO staff which are: SB 614 (Wolk) that is related to jurisdictional changes and infrastructure financing of disadvantaged unincorporated communities; AB 1739 (Dickerson) and SB 1168 (Pavely) that is related to groundwater management. He also indicated that a major policy issue addressed by the Legislature is affecting the state for the approval of a \$7.5 billion Water Bond that was placed on the November 4, 2014 ballot as Proposition 1.

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

The Commission received, discussed and accepted the Final 2014 Legislative Status Report

## **Item 10**

### **First Quarter FY 2014-15 Budget Update**

Michael Ott provided an update to the Commission regarding FY 2014-15 First Quarter Budget. He indicated that a deposit of \$319,111 was made to LAFCO's Special Project Trust Fund (Account 46726) in the beginning of the fiscal year. Mr. Ott said that the deposit is associated with cost savings and end-of-the-year cost deferrals related to vacancies of LAFCO staff positions and the document management costs and revenue of jurisdictional proposals in FY 2014-15.

Mr. Ott indicated that the Commission should consider a mid-year staffing schedule change for recruitment of a Local Governmental Analyst position and approve transferring existing funds from Services and Supplies to Salaries and Benefits. He said that the recruitment is required because LAFCO has a low analytical staffing level which may cause insufficient office coverage and support on major projects and long-term programs. He also said that the Commission placed \$25,000 in (Account 52490) in FY 2014-15 budget and these funds will cover the cost of recruitment and advertisement. He indicated that the salary will be based on the qualifications of the candidate hired for the position.

Mr. Ott said that the Commission should remove the "Committed" designation from the Trust Fund Account (46726) because the associated funds were transferred into LAFCO's operating account at the end of FY 2013-14 for the records management project.

Commissioner Bill Horn asked for clarification of the Catalog Items on Figure 1 of the report. In response to the question, Mr. Ott indicated that the item is related to the Records Management / Doculynx database program set-up with the County of San Diego.

Commissioner Sam Abed asked if LAFCO was recommending the usage of Reserve Funds. In response to the question, Mr. Ott indicated that Reserve Funds will not be used for the recruitment.

Commissioner Jim Janney suggested a breakdown of the costs used for the Services and Supplies account. Mr. Ott provided line – item detail describing how

appropriations will be removed from Professional Services and Special Departmental accounts to pay for the Analyst position.

Alternate Commissioner Jo MacKenzie inquired about the "Island" project that is pending with LAFCO. In response to the question, Mr. Ott said that there are several projects that were submitted to LAFCO related to fire agency reorganizations and one municipal island proposal that he is working with Supervisor Cox on.

On motion of Commissioner Pocklington, seconded by Commissioner Zapf, and carried unanimously by the commissioners present, the Commission took the following actions:

1. Receive and accept the First Quarter FY 2014-15 LAFCO Budget Update and authorize the Executive Officer to transfer up to \$73,442 from Services and Supplies Accounts 52370 (Professional Services) and 52550 (Special Departmental) associated with the recruitment and hiring of one Local Governmental Analyst Position to be filled at the I-III level, depending on qualifications.
2. Remove the "committed" designation of \$95,000 from Trust Fund Account 46726 associated with the transfer of funds in the amount of \$95,000 to Account 47540 to support LAFCO's records management project in FY 2013-14.

There being no further business to come before the Commission, the meeting adjourned at 9:41 a.m. to the December 1, 2014 meeting, in Room 302, County Administration Center.

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