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Andrew Vanderlaan  
Public Member

**Vice Chairman**

John Ingalls  
Santa Fe  
Irrigation District

**Members**

Bill Horn  
County Board of  
Supervisors

Dianne Jacob  
County Board of  
Supervisors

Bud Pocklington  
South Bay  
Irrigation District

Lori Zapf  
Councilmember  
City of San Diego

Jim Janney  
Mayor  
City of Imperial Beach

Sam Abed  
Mayor  
City of Escondido

**Alternate Members**

Greg Cox  
County Board of  
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Sherri Lightner  
Councilmember  
City of San Diego

Jo MacKenzie  
Vista Irrigation District

Lorraine Wood  
Councilmember  
City of Carlsbad

Harry Mathis  
Public Member

**Executive Officer**

Michael D. Ott

**Counsel**

Thomas Bosworth

**AGENDA  
SPECIAL DISTRICTS ADVISORY COMMITTEE  
FRIDAY, August 16, 2013, 9:30 A.M.**

**Note: Location at  
County Operations Center  
5560 Overland  
1st Floor, Room 172  
San Diego, CA 92123**

**Agenda Item:**

**Recommended  
Action:**

- |                                                                                                                                                                                                                            |                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| 1. <b>Welcome and Roll Call</b>                                                                                                                                                                                            |                                |
| 2. <b>Approval of Minutes of Meeting held April 19, 2013</b>                                                                                                                                                               | <b>Approve</b>                 |
| 3. <b>Consultant's Recommended Agenda Revisions</b>                                                                                                                                                                        | <b>Receive</b>                 |
| 4. <b>Committee Member / Consultant's Announcements</b>                                                                                                                                                                    | <b>Information</b>             |
| 5. <b>Public Comment</b><br>Opportunity for persons to speak to the Committee on any subject within the Committee's jurisdiction, but not an item on today's agenda. Each speaker's presentation may not exceed 3 minutes. |                                |
| 6. <b>Review and Comment on LAFCO Procedures Guide<br/>(Distributed Separately)</b>                                                                                                                                        | <b>Discussion/<br/>Comment</b> |
| 7. <b>Review of Pending Legislation Impacting LAFCOs*<br/>(Distributed via e-mail)</b>                                                                                                                                     | <b>Discussion</b>              |
| 8. <b>Update on current LAFCO and Special Districts<br/>Projects</b>                                                                                                                                                       | <b>Discussion<br/>Item</b>     |
| 9. <b>Adjournment to the September 20, 2013 Meeting<br/>Date if necessary</b>                                                                                                                                              | <b>Adjourn</b>                 |

***\*Refer to Attached Report***

**LOCAL AGENCY FORMATION COMMISSION  
SPECIAL DISTRICTS ADVISORY COMMITTEE  
APRIL 19, 2013 MEETING**

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There being a quorum present, the meeting was convened at 9:45 a.m., by Vice Chairperson Kimberly Thorner (Olivenhain MWD). Attending were: **Committee Members** – Gary Arant (Valley Center MWD), Jim Archer (Alpine FPD), Tom Bumgardner (Valley Center Parks & Recreation District), Gary Croucher (Otay Water District), Judy Hanson (Leucadia WD), Margarete Morgan (Vista FPD), John Pastore (Rancho Santa Fe CSD), Augie Scalzitti (Padre Dam MWD), Dennis Shepard (North County Cemetery District), and Terry Thomas (South Bay ID). Absent were: **Committee Members**: Bill Haynor (Whispering Palms CSD), Jon Lorenz (Lakeside FPD), Tom Pocklington (Bonita-Sunnyside FPD), and Janine Sarti (Palomar Health), Others Attending: Harry Ehrlich, LAFCO Consultant, Brian Brady (Rainbow MWD) and Joel Scalzitti (Helix WD) were present.

**Item 2**

**Approval of Minutes of January 18, 2013**

ON MOTION of Jim Archer, seconded by Terry Thomas, Judy Hanson abstaining (not present at the last meeting) and approved by the remaining Committee members, the Committee dispensed with reading the January 18, 2013 minutes and approved said minutes.

**Item 3**

**Consultant's Recommended Agenda Revisions**

Harry Ehrlich indicated revisions to the order of Agenda Items presented at today's meeting.

**Item 4**

**Committee Member / Consultant Announcements**

There were no announcements at this time.

**Item 5**

**Public Comment**

There were no members of the public requesting to speak.

**Item 6**

**Update on Filling SDAC**

**Vacancy – Possible Interviews**

Vice Chairperson Thorner provided information, procedures to the committee members regarding the election process and their options of filling the current vacancy at today's

**Item 6**  
**Update on Filling SDAC**  
**Vacancy – Possible Interviews (Cont.)**

meeting. Harry Ehrlich also updated the committee members about the current Committee vacancy and introduced two of the candidates present. Mr. Ehrlich also provided a brief background of the two candidates who were not present: Betty Evans (Vallecitos Water District) and Julie Nygaard (Tri-City Healthcare). The candidates who were present at the meeting and introduced were: Brian Brady (Rainbow Municipal Water District) and Joel Scalzitti (Helix Water District). Both candidates presented their background and experience relative to the Committee's functions.

After open discussion and comments from all of the members present, the Committee came to a consensus of selecting Brian Brady (Rainbow MWD) to fill the existing vacancy and placing the names of other candidates to fill any future vacancies needed within the existing member's terms.

ON MOTION of Jim Archer, seconded by John Pastore, opposed by Margarett Morgan, Terry Thomas, and Augie Scalzitti and passed by the remaining members present in favor to select candidate, Brian Brady (Rainbow MWD) to fill the existing vacancy on the Special Districts Advisory Committee and to place the following individuals on a list to fill any future vacancies that may occur within the existing members terms: 1) Joel Scalzitti (Helix Water District); 2) Julie Nygaard (Tri-City Healthcare District); and 3) Betty Evans (Vallecitos Water District).

**Item 7**  
**Review of Pending Legislation Impacting LAFCO's**

Mr. Ehrlich provided a brief update to the committee members regarding a recent e-mail and information on the following bills: AB1427; AB453; AB753; SB772; and SB56.

**Item 8**  
**Other Current LAFCO and Special Districts Projects**

Kimberly Thorner encouraged a roundtable discussion for members to inform the committee of any current projects or events occurring within their districts.

There being no further business to come before the Special Districts Advisory Committee, it was noted that the next meeting is tentatively planned for May 17, 2013, if a meeting is to be held. The meeting was adjourned at 11:23 a.m.

**Ruth Arellano**  
**Administrative Assistant**

**Chairman**

August 16, 2013

Andrew Vanderlaan  
Public Member

TO: Special Districts Advisory Committee

**Vice Chairman**

John Ingalls  
Santa Fe  
Irrigation District

FROM: Harry Ehrlich, LAFCO Consultant

SUBJECT: Review of San Diego LAFCO Draft 2013 Procedures Guide

**Members**

Bill Horn  
County Board of  
Supervisors

Dianne Jacob  
County Board of  
Supervisors

Bud Pocklington  
South Bay  
Irrigation District

Lori Zapf  
Councilmember  
City of San Diego

Jim Janney  
Mayor  
City of Imperial Beach

Sam Abed  
Mayor  
City of Escondido

**Alternate Members**

Greg Cox  
County Board of  
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Sherri Lightner  
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Jo MacKenzie  
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Lorraine Wood  
Councilmember  
City of Carlsbad

Harry Mathis  
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Michael D. Ott

**Counsel**

Thomas Bosworth

**6**

San Diego LAFCO has maintained a Procedures Guide for many years that outlines implementation of the Cortese-Knox-Hertzberg Act and applicable law that impacts processing of applications and other administrative functions of agency. Since several laws have been enacted in the past few years that have revised processes or definitions in the Act, staff have undertaken a review of the procedures and developed a draft of updates and amendments, of which one is provided for the Advisory Committee review and comment. The procedures are currently in six (6) sections along with an appendix of flow diagrams that detail how various applications or functions are processed.

Since the draft is about 219 pages, we have printed out copies with redlined edits for your easier review. While staff would welcome review and all comments, our intent in requesting review and input from the SDAC is for providing an opportunity for analyses of the proposed revisions and comments for applicability and understanding by special district representatives on behalf of all of our districts.

Staff will provide an overview presentation at the meeting, take comments and address any questions of the Committee. An electronic version is accessible at the following link on the SD LAFCO website if you prefer reviewing it in that format.

<http://www.sdlafco.org/document/2013%20DRAFT%20LAFCO%20procedures%20guide.pdf>

Therefore, it is

**RECOMMENDED:** That your Committee

Receive a presentation on the proposed update to the Procedures Guide, and provide feedback, as necessary, to staff for future inclusion in the Final Draft to the Commission expected to be in the next few months.



HARRY EHRLICH  
LAFCO Consultant

HE:ra

Enclosure: Draft 2013 Procedures Guide

## Chairman

Andrew Vanderlaan  
Public Member

August 16, 2013

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## Vice Chairman

John Ingalls  
Santa Fe  
Irrigation District

TO: Special Districts Advisory Committee

FROM: Harry Ehrlich, LAFCO Consultant

## Members

Bill Horn  
County Board of  
Supervisors

SUBJECT: Legislative Update of August 2013

Staff prepares a Legislative Update for the Commission each month as the Legislature is in session. You will find attached the August 2013 report as information. Staff will be prepared to update the SDAC on any of the bills that are being tracked or other legislation that may be of concern to special districts.

Dianne Jacob  
County Board of  
Supervisors

Therefore, it is

Bud Pocklington  
South Bay  
Irrigation District

**RECOMMENDED:** That your Committee

Lori Zapf  
Councilmember  
City of San Diego

Review the attached report and provide any comments or input to staff as needed.

Jim Janney  
Mayor  
City of Imperial Beach



Sam Abed  
Mayor  
City of Escondido

HARRY EHRLICH  
LAFCO Consultant

## Alternate Members

Greg Cox  
County Board of  
Supervisors

HE:ra

Sherri Lightner  
Councilmember  
City of San Diego

Attachment: August 5, 2013 Legislative Update Report

Jo MacKenzie  
Vista Irrigation District

Lorraine Wood  
Councilmember  
City of Carlsbad

Harry Mathis  
Public Member

## Executive Officer

Michael D. Ott

## Counsel

Thomas Bosworth

## Chairman

Andrew Vanderlaan  
Public Member

August 5, 2013

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## Vice Chairman

John Ingalls  
Santa Fe  
Irrigation District

TO: Local Agency Formation Commission

## Members

Bill Horn  
County Board of  
Supervisors

FROM: Executive Officer  
Director, Legislative Research

SUBJECT: August 2013 Legislative Status Report

Dianne Jacob  
County Board of  
Supervisors

This is the monthly Legislative Report for August, 2013, designed to keep the Commission informed about legislation in the first year of the 2013-14 Legislative Session. The Legislature has been on their Summer Recess since July 12, 2013 and returns to session August 5, 2013.

Bud Pocklington  
South Bay  
Irrigation District

Several of the bills that staff identified for tracking have had action over the past month. As updated in June, staff recommended and the Commission has approved positions on seven (7) bills as follows:

Lori Zapf  
Councilmember  
City of San Diego

Jim Janney  
Mayor  
City of Imperial Beach

**AB 453 (Mullin) Sustainable Communities Grants:** This bill would provide a Local Agency Formation Commission the ability to apply for Sustainable Community planning grant funds under the Strategic Growth Council oversight program. Position approved: **Support; Letter sent to Author.**

Sam Abed  
Mayor  
City of Escondido

## Alternate Members

Greg Cox  
County Board of  
Supervisors

**SB 181, SB 182 and SB 183 (Committee on Governance and Finance):** These are three annual validation bills that document the authority of public agencies and territories, etc. These bills are routine but essential for passage each year. Position approved: **Support.**

Sherri Lightner  
Councilmember  
City of San Diego

Jo MacKenzie  
Vista Irrigation District

**SB 772 (Emmerson) Mutual and Private Water Companies:** This bill would require the State Department of Public Health or an applicable local health agency to provide information to the Public Utilities Commission and LAFCO for each public water system and private water system. It would also require a commission to include a review of all such systems in sphere of influence studies and municipal service reviews each five years. The bill has been held by the author and is now a two-year bill. Position approved: **Oppose unless amended; letter to Author.**

Lorraine Wood  
Councilmember  
City of Carlsbad

Harry Mathis  
Public Member

## Executive Officer

Michael D. Ott

## Counsel

Thomas Bosworth

**AB 1427 (The Assembly Omnibus Bill):** This bill as introduced makes non-controversial changes to the Cortese-Knox-Hertzberg Act and Government Code. Staff have reviewed the bill and provided input on it. Position approved: **Support; Letter sent to Author and Governor.**

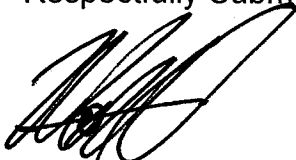
**AB 743 (Logue) Cortese-Knox-Hertzberg Act Island Annexation Sunset:** As discussed at the May meeting, current law provides for a process for cities to request a commission to annex qualified territory of up to 150 acre limit. Since stakeholders had differing views on the merits of the program, staff originally proposed a position of Watch be authorized in order to allow for continued dialogue and negotiations within CALAFCO and legislators, etc. Since that time, the California State Association of Counties and the League of California Cities have taken support positions on the bill. Amendments made on April 3, 2013 to AB 743 retain the limit of island territory of a maximum of 150 acres. CALAFCO is the sponsor of the bill. Position recommendation: **Support and send Letter to Author.**

Staff is providing an update on actions for each of the bills in the attached Tracking Report and any activity on bills affecting the commission at the August 5, 2013 meeting. Therefore, it is:

**RECOMMENDED:** That your Commission

Receive, discuss, and provide direction, as necessary, on the August 5, 2013 Legislative Status Report and authorize staff to inform authors of each bill of the approved position in the form of appropriate letters and testimony.

Respectfully Submitted,



MICHAEL D. OTT  
Executive Officer



HARRY EHRLICH  
Director, Legislative Research

MDO:HE:ra

**Attachment**  
Legislative Tracking Report

**SAN DIEGO LAFCO**  
**LEGISLATIVE TRACKING REPORT**  
**AUGUST 5, 2013**

**12**

**Attachment**

**AB 115 (Perea): Safe Drinking Water State Revolving Fund; Grants to Small Water Systems**

**Introduced:** 1/14/2013

**Status:** 5/14/2013-Passed Assembly; referred to Senate committee on Environmental Quality.

**Summary:** Would authorize the State Department of Public Health to fund projects, by grant, loan, or a combination of the two, where multiple water systems apply for funding as a single applicant for the purpose of consolidating water systems or extending services to households relying on private wells, as specified. The bill would authorize funding of a project to benefit a disadvantaged community that is not the applying agency. By authorizing the use of a continuously appropriated fund for new purposes, this bill would make an appropriation. This bill contains other existing laws. Appears to address a problem of encouraging small agencies to develop water improvement projects together and consolidate agencies.

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**AB 168 (Wilk): Local government finance: vehicle license fee revenues: allocations**

**Introduced:** 1/24/2013

**Status:** 1/25/2013-Failed to be heard by Committee; dead for this year.

**Summary:** Under existing law, the Controller is required to allocate vehicle license fee revenues in the Motor Vehicle License Fee Account according to a specified order, with moneys allocated on or after July 1, 2004, but before July 1, 2011, first to the County of Orange, next to each city and county meeting specified criteria, and on or after July 1, 2011, to the Local Law Enforcement Services Account in the Local Revenue Fund, for allocation to cities, counties, and cities and counties. This bill would make technical, nonsubstantive changes to these provisions. This bill appears to be a spot bill to be amended at a later time.

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**AB 194 (Campos): Open Meetings: protections for public criticism**

**Introduced:** 1/28/2013

**Status:** 4/24/2013: Failed to be considered; dead for the year.

**Summary:** Would make it a misdemeanor for a member of a legislative body, while acting as the chairperson of a legislative body of a local agency, to prohibit public criticism protected under the Ralph M. Brown Act. This bill would authorize a district attorney or any interested person to commence an action for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of the protection for public criticism is null and void, as specified.



**AB 262 (Waldron): Local government: organization**

**Introduced:** 2/7/2013

**Status:** 2/8/2013- Failed to be heard by Committee; bill dead for this year.

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 makes certain findings and declarations relating to local government organization, including, among other things, that it is the policy of the state to encourage orderly growth and development, and recognition that the logical formation and determination of the boundaries of local agencies, as specified. This bill would make technical, nonsubstantive changes to these provisions.

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**AB 453 (Mullin): Sustainable Communities Grants**

**Introduced:** 2/19/2013

**Amended:** 7/3/2013

**Status:** Passed Senate Local governance, on Appropriations Committee Agenda for 8/12/2013.

**Summary:** The Strategic Growth Council is required to manager and award grants and loans to a council of governments and other planning organizations for the purpose of developing regional plans to support the development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

**San Diego LAFCO Position:** Support and Letter Sent

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**AB 678: (Gordon): Health Care Districts: community health needs assessment**

**Introduced:** 2/21/2013

**Amended:** 4/15/2013

**Status:** 7/8/2013-Passed Senate Committee on Local Governance; pending Senate Appropriations Committee on 8/12/2013

**Summary:** Would require that each health care district that leases its facilities for operations conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Also would require that a copy of the annual report on progress toward meeting the service needs in the district be provided to a local agency formation commission.

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**AB 743 (Logue): Cortese-Knox-Hertzberg Act Island Annexation Sunset**

**Introduced:** 2/21/2013

**Amended:** 6/11/2013

**Status:** Passed Assembly and Senate, returned to Assembly for concurrence

**Summary:** The Cortese-Knox-Hertzberg Act in Section 56434 authorizes a local agency formation commission, until January 1, 2014, to approve, after notice and hearing, a request of a city to annex territory constituting an island as defined in the Act of up to 150 acres and to waive protest proceedings if certain requirements are met. This bill would repeal the January 1, 2013 sunset date. The bill contains other related provisions to implement this change. Amendments made on 4/3/2013 retain the limit of territory at a maximum of 150 acres.

**San Diego LAFCO Recommended Position: Support and Sent Letter to Author**

**SB 56 (Roth): Local government finance, cities**

**Introduced:** 1/7/2013;

**Amended:** 6/11/2013

**Status:** 6/19/2013 Passed Senate Governance & Finance Committee, referred to appropriations Committee

**Summary:** Would restore funding to cities that either were incorporated or annexed territory after 2004 utilizing a sliding scale of funding over the next four years.

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**SB 181, SB 182 and SB 183: (Committee on Governance and Finance) Validations**

**Introduced:** 2/6/2013

**Status:** Passed Senate; now in Assembly at Committee on Local Government

**Summary:** These three Validating Act bills would validate the boundaries, organization, acts and proceedings of the state, counties, cities and specified districts for 2013. These are routine but required acts to continue authority and operations of various agencies of government.

**San Diego LAFCO Position: Support**

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**SB 772 (Emmerson): Mutual and Private Water Companies**

**Introduced:** 2/22/2013

**Status:** Hearing in Senate Governance and Finance Committee on 4/10/2013 Cancelled at request of Author. Bill now a two-year bill to consider input from stakeholders.

**Summary:** Would require the State Department of Public Health or the local health agency to annually provide the address and telephone number for each public and state small water system to the Public Utilities Commission and as prescribed to a local agency formation commission; adds requirements for a commission to study all mutual and private water providers when undertaking a municipal service review of retail water services and to document service areas and spheres of influence of all providers, etc. The bill provides no additional authority to implement or funding for these required activities.

**San Diego LAFCO Position: Oppose unless Amended – Letter Sent**

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**AB 1427 (Committee on Local Government): Omnibus Bill on Cortese-Knox-Hertzberg Act**

**Introduced:** 4/1/2013

**Status:** 6/24/2013 Passed Senate, sent to Assembl for engrossing for Governor

**Summary:** This is the annual Assembly Omnibus Bill that updates the Cortese-Knox-Hertzberg Act to make non-controversial changes to clarify the Act and revise definitions, etc. Proposed changes include clarifying definition of independent special district and designation of special district elected officials for nomination of special district representatives on a commission or advisory committee. The proposed bill has been reviewed by local government stakeholders prior to being introduced.

**San Diego LAFCO Proposed Position: Support and Sent Letter to Committee**