

**SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
AUGUST 5, 2013**

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; Supervisor Bill Horn (left at 10:10 a.m.); Mayor Jim Janney; Mayor Sam Abed (arrived at 9:03 a.m.); Special District Member/Vice Chairman John Ingalls; Special District Member Bud Pocklington; and City Councilmember Lorie Zapf (arrived at 9:03 a.m.). Alternate Commissioners – Special District Member Jo MacKenzie, Public Member Harry Mathis and City Councilmember Lorraine Wood. LAFCO Staff – Executive Officer Michael Ott, Assistant Executive Officer Shirley Anderson, Legislative Research Director Harry Ehrlich and Legal Counsel Thomas Bosworth. Absent were: Alternate Commissioners – Supervisor Greg Cox and Councilmember Sherri Lightner.

Item 1

Roll Call

The Commission Secretary performed the roll call for the August 5, 2013, LAFCO meeting. With the exception of Alternate Commissioners Cox and Lightner, all other commissioners were present.

Item 2

Approval of Minutes of Meeting Held June 3, 2013

On motion of Commissioner Abed, seconded by Commissioner Jacob, and carried unanimously by the Commissioners present; the Commission dispensed with reading the minutes of June 3, 2013 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

Chairman Vanderlaan asked the Commission and Executive Officer if there were any agenda announcements. Michael Ott introduced new LAFCO Consultant, Casey McGehee, Document Management Consultant, who will oversee the LAFCO's records management project.

Item 5

Public Comments

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

Item 6

Public Hearing Item

Five-Year Sphere of Influence and Service Review and Proposed Affirmation of Spheres of Influences for the “Descanso Community Water District (MSR/SR13-31); Jacumba Community Services District (MSR/SR13-32); Julian Community Services District (MSR/SR13-33); Majestic Pines Community Services District (MSR/SR13-34); Morro Hills Community Services District (MSR/SR13-35); Pauma Valley Community Services District (MSR/SR13-36); Rincon Ranch Community Services District (MSR/SR13-37); Valley Center Parks and Recreation District (MSR/SR13-38).”

Chairman Vanderlaan opened the public hearing for Item 6.

Michael Ott provided a brief report to the Commission regarding Item 6 that involves a five-year sphere of influence and municipal service review related to community services districts. Mr. Ott indicated there was a speaker slip in opposition submitted in regards to this item.

Shirley Anderson, Asst. Executive Officer, provided a report on eight of the remaining eleven community services districts to the Commission. She described their services, geographical information and recommendations concerning sphere of influence, affirmations and services reviews.

Commissioner Pocklington commented on the trend of some of the smaller districts that have or are considering consolidations with other agencies in the State and the benefits to the public cost savings.

Leonard Coultas, representative for Hidden Meadows Sponsor Group, expressed concerns regarding Valley Center Parks and Recreation District fees and services and the possibility of moving the district border from the Hidden Meadows area.

Commissioners Horn, Jacob and Abed and Asst. Executive Officer, Shirley Anderson provided comments and suggestions that LAFCO could assist the Hidden Meadows Sponsor Group to help resolve the issues addressed at today’s meeting.

Chairman Vanderlaan closed the public hearing.

With no more speakers from the public and no further discussion from the Commission, on motion of Commissioner Pocklington, seconded by Ingalls, 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 15061(b)(3) of the State CEQA Guidelines, sphere affirmations are not subject to the environmental impact evaluation process because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to CEQA.
- (2) Find in accordance with the Executive Officer's determination that pursuant to Section 15306 of the State CEQA Guidelines, the service review is not subject to the environmental impact evaluation process because the service review consists of basic data collection, research, management, and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource. This project is strictly for information gathering purposes as part of a study leading to an action which has not yet been approved, adopted, or funded.
- (3) For the reasons set forth in the *2012 Five-Year Sphere of Influence and Service Review*, adopt the written statements on file specifying the functions and classes of services and affirm coterminous spheres for the Descanso Community Water District; Jacumba CSD; Julian CSD; Majestic Pines CSD; and Morro Hills CSD; a larger-than-district sphere for the Pauma Valley CSD; a transitional sphere for the Rincon Ranch CSD; and a smaller-than-district sphere for the Valley Center Parks and Recreation District; and
- (4) Adopt the written Statements of Determinations as shown in Exhibit A of the staff report.

Item 7

Administrative Approval of a Contractual Service Agreement: City of La Mesa/Deborah L. Ramos (OAS/RO13-18)

Michael Ott provided information to the Commission of an Administrative Approval of a Contractual Service Agreement with the City of La Mesa and property owner, Deborah L. Ramos associated with one single family residence with a failing septic system.

This item is for information purposes only and no action is needed.

Item 8**Proposed “Montemar Drive Annexation”
to the San Diego County Sanitation District (DA13-19)**

Michael Ott provided information to the Commission regarding the proposed annexation submitted by petition from the property owner for an annexation of one unincorporated parcel to the San Diego County Sanitation District (SD) for the provision of sewer service. The proposed annexation area, totaling approximately 7.36-acres, is located within the adopted sphere of influence of the San Diego County Sanitation District.

The proposed annexation area is undeveloped and the County of San Diego has adopted a Tentative Map (TM5316RPL2) to create 13 single-family residential lots. Mr. Ott explained that this information item is on the Agenda to comply with the termination timeframe allowed for any district to which annexation of territory is proposed.

This item is for information purposes and no action is needed.

Item 9**Fourth Quarter Budget Update**

Michael Ott provided a brief report to the Commission regarding the Fourth Quarter Budget Update for FY 2012-13. He reported that LAFCO will finish FY 2012-13 under budget with an excess of approximately \$174,006. Higher than projected processing fee revenues, cost containment measures and deferred projects contributed to favorable budgetary conditions. Mr. Ott informed the Commission that the unspent funds will be transferred to LAFCO’s Special Project Fund, per a previous LAFCO budget action.

Commissioner Jacob thanked Mr. Ott for providing the requested details and improving information for the Commission. Commissioners Abed, Zapf and Vanderlaan expressed thanks and acknowledged staff’s efforts to provide the Commission with detailed information regarding the budget.

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

That the Commission receive and accept the Fourth Quarter FY 2012-13 LAFCO Budget Update.

Item 10
Ratification of County Wage and Benefit Changes

Michael Ott provided a report to the Commission of the approved San Diego County Wage and Benefit Changes and applicability to LAFCO Staff. He requested authorization from the Commission to implement wage and benefit adjustments and changes for LAFCO staff, or to provide direction on the following items presented in the report.

- (1) Retirement Offset;
- (2) Elimination of 30-year Service Credit Wage Adjustment/Monetary Payment;
- (3) One-time Monetary Payment;
- (4) One-time Monetary (Cash) Payment;
- (5) Flex Credits (Benefits); and
- (6) Amend Step Advancement from 26-52 Weeks

Commissioners Abed, Jacob, Janney, Vanderlaan, Zapf, Alternate Commissioner MacKenzie and Mathis commented on the wage and benefit changes for LAFCO staff comparable to the County's recent Compensation Ordinance changes, retirement contribution offsets and benefits, pay for performance and one-time monetary payments. After further discussion, the Commission requested information on the specific financial impact of the proposed salary changes and one-time monetary payments to LAFCO staff. Mr. Ott stated that the impacts total less than 5% of the total salary costs and were factored into the FY 2013-14 LAFCO Budget. Commissioner Jacob also requested clarification on the legal requirements associated with salary and benefit changes. Mr. Ott indicated he will provide supplemental information requested by the Commission.

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

- 1) a. Ratify application to active and inactive LAFCO positions, the same retirement offset reduction rates approved for comparable positions in the County and the annual wage increases approved by the County effective December 27, 2013, for the following LAFCO job code classifications: CE/SD6 (Administrative Assistant: 1.24%); MA/SD2 (Assistant Executive Officer, Chief Analyst, Local Governmental Analyst III: 1.24%); EM/SD1 (Executive Officer: 2.11%); and CE/SD2 (Local Governmental Analyst I and II: 1.24%).
- 2) a. Approve the elimination of the annual cash payment (ranging from \$500 - \$1,000) for non-executive positions that have reached 30-years of service;

Item 10

Ratification of County Wage and Benefit Changes (Cont.)

- 2) b. Approve the elimination of the 5.25% 30-year wage adjustment provision associated with one executive position.

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

- 3) a. Ratify and approve to be effective as of July 1, 2013 (retroactive) for the one-time monetary payments approved by the County (equivalent to 2% of base pay in July 2013, and 2% of base pay in July 2014) for application to all LAFCO positions;
- b. Approve the one time monetary payment applicable to LAFCO staff with 12 months or more of continuous employment;

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

- 4) Non-ratification of One-time Monetary (Cash) Payment of \$250.00 for LAFCO staff in July 2013;

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

- 5) a. Ratify application to active and inactive LAFCO positions, the same benefit changes approved for comparable positions in the County and apply to the following LAFCO labor/job code designations: CE/SD6: Administrative Assistant, Administrative Aide; CL/SD5: Records Clerk; MA/SD2: Assistant Executive Officer, Chief Analyst, Analyst III; EM/SD1: Executive Officer; and CE/SD2: Local Governmental Analyst I and II; PS/SD5: Geographic Information Specialist/Graphic Arts Specialist; and SD0: Student Worker.

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

- 6) a. Approve the amendment of LAFCO Personnel Rules stipulating that consideration for step advancement for employees to occur at 52 weeks after the hire or promotion date and to establish a 12-month probationary period for LAFCO staff.

Item 11
Quarterly Self-Approved Expense Claims Report

Michael Ott reported to the Commission there are no Self-Approved Expense Claims to report for the Fourth Quarter, FY 2013-14.

The Commission duly accepted and ratified the Self-Approved Expense Claims Report from the Executive Officer.

Item 12
August 2013 Legislative Update Report

LAFCO Consultant Harry Ehrlich informed the Commission since the Legislature is currently on summer recess and is scheduled to return to session this date and there are no changes to the current report at this time. He indicated staff's recommendation is for the Commission to accept the Legislative Update Report.

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

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.

Item 13
50TH Anniversary of the Local Agency Formation Commission (LAFCO) and a Resolution Declaring September 20th as "LAFCO-Day"

Michael Ott announced the upcoming 50th Anniversary of LAFCO on September 20, 2013 and presented historical information and documentation to the Commission over the past 50 years. He acknowledged the past Commission and commissioner milestones and statewide recognition awards presented to San Diego LAFCO and staff. Mr. Ott requested approval from the Commission to declare September 20, 2013 and every September 20th thereafter as "LAFCO-Day" and to review and adopt the resolution provided in the staff report, Attachment 1.

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

In recognition of the San Diego LAFCO's 50 years of existence, the Commission approved the resolution attached to the August 5, 2013 staff report to declare September 20, 2013, and every September 20th thereafter as "LAFCO-Day".

There being no further business to come before the Commission, the meeting adjourned at 10:42 a.m. to the September 9, 2013 meeting, in Room 302, County Administration Center.

Ruth Arellano
Administrative Assistant
Local Agency Formation Commission