

**SAN DIEGO LAFCO  
MINUTES OF THE REGULAR MEETING  
AUGUST 6, 2012**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairwoman Supervisor Dianne Jacob. Also present were: Regular Commissioners – Public Member and Vice Chairman Andy Vanderlaan, Supervisor Bill Horn (arrived at 9:04 a.m.), Mayor Jim Janney, Special District Members John Ingalls and Bud Pocklington, and Councilmember Lorie Zapf (arrived at 9:03 a.m.). Alternate Commissioners – Mayor Sam Abed and Special District Member Jo MacKenzie. LAFCO Staff – Executive Officer Michael Ott, Assistant Executive Officer Shirley Anderson, Local Governmental Analyst Robert Barry, Legislative Research Director Harry Ehrlich and Legal Counsel Thomas Bosworth. Absent were: Mayor Mark Lewis; Alternate Commissioners – Public Member Harry Mathis, Supervisor Greg Cox, and Councilmember Sherri Lightner.

**Item 1**  
**Roll Call**

The Commission Secretary performed the roll call for the August 6, 2012, LAFCO meeting. With the exception of Commissioner Lewis and Alternate Commissioners Mathis, Cox, and Lightner, all other commissioners were present. Alternate Commissioner Abed will vote in place of Commissioner Lewis who is absent.

**Item 2**  
**Approval of Minutes of Meeting Held June 4, 2012**

On motion of Commissioner Pocklington, seconded by Commissioner Vanderlaan, and carried unanimously by the commissioners present; the Commission dispensed with reading the minutes of June 4, 2012 and approved said minutes.

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

Michael Ott recommended that the Commission continue Item 12 at the request of Chairwoman Jacob until the next scheduled meeting September 10, 2012.

On motion of Commissioner Pocklington, seconded by Commissioner Vanderlaan, and carried unanimously by the commissioners present; the Commission approved the continuance of Item 12, Final Audit Review Report, to the next scheduled LAFCO meeting on September 10, 2012.

#### **Item 4**

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

Chairwoman Jacob asked the Commission and Executive Officer if there were any announcements.

Michael Ott, Executive Officer, provided new parking information for future meetings at the County Administration Center due to the upcoming parking lot construction. He distributed a notification map of future designated parking locations.

Commissioner Pocklington provided an update on recent water issues and his concerns regarding fluoridated water. He also acknowledged how pleased he was with the Audit Report and the work performed by LAFCO staff.

Alternate Commissioner Abed commented and thanked LAFCO staff on the feedback and praise he received from a prominent developer about excellent customer service LAFCO staff provided.

Commissioner Vanderlaan announced the upcoming CALAFCO Conference in October in Monterey, CA. He mentioned recent CALAFCO organizational changes due to the resignation of Bill Chiat and the appointment of the new Executive Director.

Commissioner Ingalls expressed his concern about the possibility of cancelling the next LAFCO meeting on September 10, 2012.

Commissioner Pocklington placed a motion on the floor to have a meeting on September 10, 2012 and place Item 12, FY 2008-09 to FY 2010-11 LAFCO Final Audit Review Report, on the Agenda. The motion was seconded by Commissioner Ingalls, approved and carried unanimously by all commissioners present.

#### **Item 5**

##### **Public Comments**

Chairwoman Jacob asked the public if anyone requested to speak on an item that is not related to the agenda. She indicated that there were no requests from members of the public present.

#### **Item 6**

##### **Proposed "El Norte Parkway Reorganization" (Vallecitos Water District) (RO12-03)**

On motion by Commissioner Horn and seconded by Commissioner Janney, to approve Item 6 was carried unanimously by the commissioners present.

**Item 7**

**Proposed “Young-Bernardo Reorganization”**

On motion by Commissioner Horn and seconded by Commissioner Janney, to approve Item 7 and was carried unanimously by the commissioners present.

**Item 8**

**Proposed “Chevron Service Annexation” to the San Diego County Sanitation District (DA12-05)**

This is a jurisdictional information item and no action is required.

**Item 9**

**Proposed “Lakeside River Park Field Station Annexation” to the San Diego County Sanitation District (DA12-06)**

This is a jurisdictional information item and no action is required.

**Item 10**

**Proposed “Alpine High School Annexation” the San Diego County Sanitation District (DA12-07)**

This is a jurisdictional information item and no action is required.

**Item 11**

**Grand Jury Response: Tri-City Healthcare District**

Michael Ott presented a brief narrative of the 2011-12 Grand Jury investigation report and response of the Tri-City Healthcare District. This resulted from numerous allegations initiated by a Board member complaint. Mr. Ott mentioned that the Grand Jury concluded that district staff is performing an outstanding job and received an official commendation from the Grand Jury.

Mr. Ott informed the Commission that the Grand Jury requests the Commission to appoint a governance panel consisting of a member from the Board of Supervisors and three Council members from the three cities encompassing the Tri-City district area (Carlsbad, Vista and Oceanside) and one Public member. Mr. Ott informed the Commission that Commissioners, Horn, Vanderlaan, Alternate Commissioner MacKenzie and former Commissioner Julie Nygaard have offered their volunteer assistance and expressed interest in serving on the panel.

Michael Ott explained, per Provisions of California Penal Code Section 933.05(b), the Commission must provide a written response to the Grand Jury recommendations based on one of the following four actions:

- 1) The recommendation has been implemented;

- 2) The recommendation has not yet been implemented but will be;
- 3) The recommendation requires further analysis; or
- 4) The recommendation will not be implemented because it is unwarranted or unreasonable.

Mr. Ott requested direction from the Commission regarding a response to the Grand Jury. He recommended the Commission consider waiting until after the upcoming Tri-City Board election on November 6, 2012, for Option 2 (*establishing a panel*). He also recommended the Commission place an Agenda Item regarding this matter for the meeting scheduled on December 3, 2012.

Larry Anderson, CEO, Tri-City Medical Center, requested to speak to the Commission. He supports LAFCO'S implementation of the panel but opposes any changes in governance. He provided information about recent improvement of its performance ratings, and progress within the District. He described the district's future development plans and elaborated on some of the issues occurring within the existing Board.

Chairwoman Jacob asked Mr. Anderson if he agrees with the Executive Officer's recommendations. Mr. Anderson responded with his support of Mr. Ott's recommendations.

Rosemarie Reno, Chairwoman, Tri-City Healthcare District Board, spoke before the Commission. She provided information regarding the District's governance and recent Board issues and conveyed her disagreement with some areas of the Grand Jury's report. She expressed her support of Larry Anderson and also the Commission's recommendation to wait to select a panel until after their Board election.

Commissioners Pocklington, Zapf, and Alternate Commissioner MacKenzie made comments regarding election candidates, recall, and personal experiences with the Tri-City Healthcare District.

On motion by Commissioner Pocklington, seconded by Commissioner Zapf and carried unanimously by all commissioners present to approve the following recommendation of Option 3 of the Executive Officer's report:

- (3) The (Grand Jury) recommendation requires further analysis.

## **Item 12**

### **FY 2008-09 to FY 2010-11 LAFCO Final Audit Review Report**

Commissioner Ingalls, Janney and Alternate Commissioner MacKenzie commented on the importance of budget year costs, communication to the Commission and inquired about the reason to continue Item 12 and related expenses. Chairwoman Jacob informed the Commission that she wants to discuss the Audit with the Executive Officer.

On motion by Commissioner Pocklington, seconded by Commissioner Ingalls and carried unanimously to continue this item until September 10, 2012.

**Item 13**

**Fourth Quarter FY 2011-12 Budget Update**

On motion by Commissioner Pocklington, seconded by Commissioner Horn and carried unanimously to receive and accept the Fourth Quarter FY 2011-12 LAFCO Budget Update.

**Item 14**

**Quarterly Self-Approved Expense Claims Report**

On motion by Commissioner Pocklington, seconded by Commissioner Horn and carried unanimously to accept and ratify the Quarterly Self-Approved Expense Claims Report.

**Item 15**

**Legislative Update Report**

Harry Ehrlich, Director of Legislative Research, provided a brief report to the Commission regarding recent Legislative updates. He informed the Commission regarding approval of the Cortese-Knox-Hertzberg protest provisions. He indicated the Legislature will be in session during the next few weeks. He will update the Commission on any changes at the October 1, 2012 meeting.

The Commission accepted the Legislative Report provided by Mr. Ehrlich.

There being no further business to come before the Commission, the meeting adjourned at 10:56 a.m. to the September 10, 2012 meeting, in Room 302, County Administration Center.

**Ruth Arellano  
Administrative Assistant  
San Diego Local Agency Formation Commission**