

**DRAFT
SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
MAY 2, 2011**

2

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Carl Hilliard. Also present were: Regular Commissioners – Supervisor Dianne Jacob, Supervisor Bill Horn, Mayor Mark Lewis, Councilmember Lorie Zapf (arrived at 9:08 a.m.), Special District Member John Ingalls, Special District Member Bud Pocklington and Public Member Andy Vanderlaan. Alternate Commissioners – Special District Member Jo MacKenzie. LAFCO Staff – Executive Officer Michael Ott, Assistant Executive Officer Shirley Anderson, Local Governmental Analyst Robert Barry, and Legislative Director Harry Ehrlich. Absent were: Alternate Commissioners - Public Member Harry Mathis, Mayor Jim Janney, Supervisor Greg Cox, and Councilmember Sherri Lightner.

Item 1
Roll Call

The Commission Secretary performed the roll call for the May 2, 2011 LAFCO meeting. All regular commissioners were present with the exception of Alternate Commissioners Cox, Janney, Mathis, and Lightner.

Item 2
Approval of Minutes of Meeting Held April 4, 2011

Carried unanimously by the Commissioners present, the Commission dispensed with reading the minutes of April 4, 2011 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

Commissioner Vanderlaan gave a brief recap of the recent CALAFCO Board meeting in Oakland, CA. He mentioned that a CALAFCO Conference will be held in late August in Napa, CA.

Executive Officer, Michael Ott announced the June 6, 2011 meeting location is scheduled to be held in Tower 6 of the County Administration Center.

Item 5
Public Comments

Chairman Hilliard addressed the public asking if anyone requested to speak on an item that is not related to the agenda. Chairman Hilliard stated there were no speaker slips received from the members of the public requesting to speak.

Item 6
OAS11-01 Administrative Approval of a Contractual Service Agreement: City of La Mesa / Thomas Giacinto (0.5 acre)

Michael Ott explained to the Commission that Item 6 involves a contractual sewer service arrangement between the City of La Mesa and the property owner Thomas Giacinto. Mr. Ott indicated that Assistant Executive Officer Shirley Anderson will provide a brief presentation.

Shirley Anderson provided a staff presentation to the Commission and indicated that the property owner has a failing septic system and requests a connection to the City of La Mesa sewer system. She indicated that a letter was submitted from the Department of Environmental Health indicating that the septic system is failing and difficult to repair.

This item was an information item and no action was necessary.

Item 7
SA11-04 "South Bay Expressway Reorganization: (Otay Water District; South Bay Irrigation District (18.82 acres)

Michael Ott indicated that Local Governmental Analyst Robert Barry will provide a brief presentation regarding the proposed reorganization. Mr. Barry stated that the reorganization was submitted by petition of the landowner and is a reorganization of five CALTRANS right-of-way areas, (totaling approximately 18.82 acres) that border State Route 125 (SR-125). Currently, the Otay Water District (WD) and the South Bay Irrigation District (ID) provide recycled water to the subject reorganization areas for landscaping irrigation purposes long the SR-125 corridor. The proposed sphere amendments and reorganization will result in an exchange of right-of-way territory between the districts that will conform to the current irrigation service arrangement.

This item was an information item and no action was necessary.

Item 8

2011 Legislative Update: A summary of anticipated legislative activity will be presented

LAFCO Legislative Director, Harry Ehrlich informed the Commission he distributed a supplement for Attachment B regarding SB244 to the commissioners. Mr. Ehrlich presented the most recent updates, highlighted and discussed with the Commission concerns and possible impacts to LAFCO regarding the following bills: AB54; AB1430; and SB244.

Some issues related to LAFCO and discussed among the Commissioners and LAFCO staff were: Working relationships between CALAFCO and San Diego LAFCO and decisions on positions to take.

AB54: Mutual Water Companies; Drinking water. Mr. Ehrlich stated that CALAFCO is taking a support position on AB54. This bill would give LAFCO more authority to review agencies and would require them to provide boundary maps. Mr. Ehrlich recommended to the Commission to maintain a "watch" position on this bill.

Commissioner Pocklington asked what the working relationship is between CALAFCO and San Diego LAFCO regarding these bills. Michael Ott informed the Commission that Mr. Ehrlich is the Vice Chair of the CALAFCO Legislative Committee as well as San Diego LAFCO's Legislative Director, so there is a very close working relationship.

Commissioner Jacob asked if some of the mutual water companies would request becoming special district as a result of this bill. Mr. Ehrlich replied that it could be a possibility in the future although currently it's not possible because the corporations are under the provisions of the Safe Water Act.

AB1420 – Cortese-Knox-Hertzberg Act (CKH). Involves some technical changes and restructuring definitions of the CKH Act. This bill is sponsored by CALAFCO and staff recommends a support position on this bill.

SB244 – General Plan; disadvantaged communities. The Commission took an "opposed" position on SB244 at the April 4th meeting. Some recent minor amendments have been made. Additional amendments are being requested by the author. This is an unfunded mandate and it proposes significant impacts to statewide agencies and LAFCO's. Staff recommends a continued "opposed" position on this bill.

Commissioner Vanderlaan informed the Commission that the CALAFCO Board and Executive Officer are trying to work with the author to amend this bill to lessen the fiscal impact of LAFCO's, cities and special districts. CALAFCO currently is in opposition to this bill.

Item 8

2011 Legislative Update: A summary of anticipated legislative activity will be presented

Commissioners Pocklington and Horn made a few comments regarding the current economy and the impact it will have regarding disadvantaged communities.

Commissioners Jacob, Hilliard, Vanderlaan and Alternate Commissioner MacKenzie and Mr. Ehrlich expressed concerns regarding technical amendments, state mandates and procedural issues.

Alternate Commissioner Jo MacKenzie informed the Commission that CSDA has taken an opposed position on this bill. Ms. MacKenzie also commented that smaller agency updates to their websites may result in significant fiscal impacts due to lack of technical assistance.

Commissioner Pocklington placed a motion on the floor to oppose SB244, seconded by Commissioner Horn, and carried unanimously by the commissioners present.

Commissioner Vanderlaan placed a motion on the floor to support AB1430, seconded by Commissioner Pocklington, and carried unanimously by the commissioners present.

Item 9

Ratification of Wage and Benefit Proposal: Ratification of the County's Wage and Benefit Proposal

Michael Ott provided a brief presentation and requested approval from the Commission to ratify the Wage and Benefit Proposal. The three primary features include: (1) one-time monetary payment equivalent to 2% of base pay for all regular employees and eligible unrepresented regular employees; (2) flex credit increase in 2012 and 2013; and (3) employer (LAFCO) reduction in cost responsibility for the portion of employee paid retirement offsets in 2011 and 2012.

On motion by Commissioner Pocklington, seconded by Commissioner Vanderlaan, and passed unanimously by the commissioners present to ratify the application of the County's wage and benefit contract extension proposal per the compensation ordinance amendment attached to the agenda for comparable LAFCO positions with the following labor code designations: CE/SD6, MA/SD2, EM/SD1, and CE/SD2.

Item 10

Rules Review Committee Meeting: Commissioners Hilliard, Jacob, Vanderlaan, and Zapf will meet in Room 306a,

Chairman Hilliard informed the Commission that the Rules Review Committee Meeting will take place immediately following the Commission meeting in Room 306a.

There being no further business to come before the Commission, the meeting adjourned at 9:34 a.m. to the June 6, 2011 meeting, in Tower 6, County Administration Center.

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