

**LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
NOVEMBER 20, 2009 MEETING**

There being a quorum present, the meeting was convened at 9:33 a.m., by Chairman Tom Pocklington (Bonita-Sunnyside FPD) at the Leucadia Wastewater District offices in the City of Carlsbad. Attending were: **Committee Members** - Gary Croucher (Otay Water District), Judy Hanson (Leucadia WD), Douglas Humphrey (Resource Conservation District of Greater San Diego County), Larry Jackman (San Miguel Consolidated FPD), Margarette Morgan (Vista Fire Protection District); John Pastore (Rancho Santa Fe CSD), Jim Poltl (Vallecitos Water District); Dennis Shepard (North County Cemetery District), Terry Thomas (South Bay Irrigation District); Kimberly Thorner (Olivenhain MWD); Diana Towne (Rincon del Diablo, MWD); Richard Williamson (Borrego Water District). Absent were: **Committee Members** - Gary Arant (Valley Center MWD); Ron Fuller (Alpine FPD); Augie Scalzitti (Padre Dam MWD); Attending LAFCO Consultant, Harry Ehrlich; and members of the public - Paul Bushee (Leucadia Wastewater District); Dana Frieauf (San Diego CWA); and Mark Watton (Otay WD).

Item 2

Approval of Minutes of August 21, 2009

With Diana Towne abstaining, ON MOTION of Kimberly Thorner, and seconded by Larry Jackman, and unanimously approved by the remaining Committee members, the Committee dispensed with reading the August 21, 2009 minutes and approved said minutes.

Item 3

Consultant's Recommended Agenda Revisions

Harry Ehrlich indicated there are no revisions. Tom Pocklington indicated that there would be a tour of the Leucadia facility immediately following the meeting.

Item 4

Committee Member/Consultant's Announcements

Harry Ehrlich mentioned the tentative committee calendar for 2010 and a copy of the calendar was distributed to attendees.

Mr. Pocklington requested Committee members to exchange ideas on matters associated with their districts and areas of responsibility.

Item 4

Committee Member/Consultant's Announcements (Cont.)

Member Terry Thomas made note of a fact sheet that Sweetwater Authority distributes each year on water resources and that it is available for others to view. Member Diana Towne mentioned that Rincon del Diablo MWD is looking into a possible groundwater project in Harmony Grove area (Water Factory Project) as well as focusing more efforts on doing large residential customer water audits. Member Kimberly Thorner announced that Poseidon had "broken ground" last week on their desalination project in Carlsbad and that Olivenhain MWD had begun implementation of its "water demand offset" program and developers were actively participating with payments.

Item 5

Public Comment

No members of the public requested to speak.

Item 6

Discussion and input on Water Supply and Reliability Policy and Revised Draft of Policy Guidelines

Harry Ehrlich provided the Committee with a brief staff presentation and overview of updated Attachments A and B. He stated feedback was received from the Committee at the prior meeting and a letter received on November 12, 2009, from the San Diego CWA. The letter had been emailed out and copies were distributed to the committee at the meeting.

Mr. Ehrlich encouraged comments from the Committee and public attendees on the updated draft proposed guidelines.

Dana Friehauf of San Diego County Water Authority reviewed the comments of their November 6, 2009 letter and willingness to work with San Diego LAFCO on final drafting of the Guidelines. She stated that their prime concern is the process that LAFCO may use to make decisions on analysis of the water availability factors for annexations. She reminded the committee that CWA has a specific annexation policy adopted in 2006.

Mark Watton of Otay Water District pointed out a need for flexibility and two way discussion from local water agencies and LAFCO. He outlined the importance of alternative water supplies and potential for agencies to develop local offsets or sharing methods. He also suggested the clarification on number 3, of what a "collaborative effort" entails and that it is more than "communication" with agencies.

Item 6

Discussion and input on Water Supply and Reliability Policy and Revised Draft of Policy Guidelines (Cont.)

Gary Croucher commented on needing more clarification of the "level of expertise" from the agencies would entail. Mr. Ehrlich provided explanation of how LAFCO staff would review provided applications and supplemental reports, etc. to verify or validate application information, not do separate detailed studies unless required by conflicting comments or review after discussion with affected agencies, etc.

Kim Thorner suggested LAFCO receiving water supply reliability assurances through the input of the retail agency responsible for service or supply. She suggested that the local water supply agency "be relied upon to do the water supply availability analysis" and that a statement could be added to the proposed guidelines stating that it is the intent of LAFCO to rely upon the input and analysis of the local water agency to confirm the availability of water supply.

Larry Jackman commented that he supported the idea of one summary statement being added to the policy. Mr. Ehrlich agreed to look at this concept to see if approach could be considered in next draft.

John Pastore questioned on what specific information LAFCO needs from special districts. He suggested that more details of what information is needed and how it will be used might help districts understand the purpose of the draft guideline policy.

Gary Croucher commented again on the accountability held at the district level. Particularly, on the smaller development projects the agencies' will have when signing the AB221 form. He feels this may generate questions from districts for LAFCO because of possibilities of legal liabilities involved. Mr. Ehrlich responded that he did not believe this to be an issue but that he would research it as the policy is reviewed.

More general comments were made by members Thomas, Williamson and Humphrey on concerns for considering projects and water availability, etc. Judy Hanson added that she is concerned that the perception that new developments are being processed and no new water may be available for some time and that this may be why the Commission believes that this policy is needed.

Harry Ehrlich requested any additional comments to be sent to him and he will consider in any revised draft of the guidelines to be prepared in the coming months.

Item 7

Status Report on Current Projects and Legislation

Mr. Ehrlich provided a verbal short list of pending projects as information to the committee that may be considered in 2010. They include: the Rincon Estates Project in Escondido; a MSR in Yuima/Pauma Valley Water District area; and the Fire Service Island Analysis Program. Mr. Ehrlich also distributed a draft of the December 2009 Legislative Summary report that is going to the commission on December 7, 2009 as information.

A final discussion was held on updated water supply information from the CWA reports as requested at the last meeting.

No actions were taken on these updates.

Adjournment

There being no further business to come before the Special Districts Advisory Committee, it was noted that no meeting is planned for December 2009 and the meeting was adjourned at 11:10 a.m. to the scheduled tour.

**Ruth Arellano
Administrative Assistant**