

**SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
APRIL 2, 2007**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Andy Vanderlaan. Also present were: Regular Commissioners – Councilmember Toni Atkins, Supervisor Dianne Jacob, Andy Menshek, Mayor Ron Morrison, Bud Pocklington, and Councilmember Betty Rexford. Alternate Commissioners – Mayor Mark Lewis, Harry Mathis, and John Ingalls; LAFCO Staff – Executive Officer Michael Ott; Chief, Governmental Services, Ingrid Hansen; Administrative Assistant Claire Riley; LAFCO Consultant Harry Ehrlich; and LAFCO Legal Counsel William Smith. Absent were: Regular Commissioner – Supervisor Bill Horn; and Alternate Commissioner – Supervisor Greg Cox.

Item 1

Approval of Minutes of Meeting Held March 5, 2007

On motion of Commissioner Rexford, seconded by Commissioner Menshek, and carried unanimously by the commissioners present, the Commission dispensed with reading the minutes of March 5, 2007, and approved said minutes.

Item 2

Executive Officer's Recommended Agenda Revisions

Michael Ott said that there were no revisions to the agenda.

Item 3

Commissioner/Executive Officer Announcements

Michael Ott indicated that the May 7, 2007 LAFCO meeting will be held in Room 310, with Rooms 302-303 reserved for a possible overflow of attendees. He also said that the June 4th meeting may be rescheduled to June 11th because of possible conflicts with room reservations, and asked that commissioners check their availability for June 11th.

Item 4

Public Comment

There were no public comments.

Item 5

Proposed "Lindsey Sewer Latent Powers Expansion" (Olivenhain Municipal Water District) (LP06-34)

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

- (1) Certified, pursuant to Section 15091 of the State CEQA Guidelines, that the Commission has reviewed and considered both the attached Environmental Impact Report (EIR) as well as the EIR Addendum. The mitigation measures included in the resolution or approval of the County of San Diego for the impacts identified in the EIR have been adopted by the Board of Supervisors, and the mitigation is within the jurisdiction of the Olivenhain MWD because the affected resources and services are in the unincorporated area of the County; and
- (2) Adopted the form of resolution approving the latent powers sewer expansion for the reasons set forth in the Executive Officer's report, subject to the following terms and conditions:
 - (a) A Sewer Master Plan by Rancho Cielo Estates, LTD which includes the territory described in exhibit "A" has been completed and accepted by the District;
 - (b) The property owner will pay all applicable sewer capacity fees and all other fees and charges of the District in accordance with the District's Rules and Regulations;
 - (c) The property owner is required to provide all fee sites and easements as required for construction of on-site and off-site facilities as required by the District, in its sole discretion;
 - (d) The property owner is required to construct all onsite and offsite sewer facilities as required by the District, in its sole discretion;
 - (e) Annexation fees be paid in accordance with Article 24 (as amended) of the District's Administrative Code;
 - (f) The property owner will be required to comply with all Local Agency Formation Commission's terms and conditions, to pay all Local Agency Formation Commission fees and charges, and to pay the District for all staff time, engineer time, attorney's fees and consulting fees and costs incurred in an effort to obtain this approval;
 - (g) Certification of a final Environmental Impact Report and no challenge within the time authorized by law or, if there is a challenge, the final Environmental Impact Report is upheld by a court of competent jurisdiction;
 - (h) An amendment to the Rancho Cielo Specific Plan or an amendment of the county General Plan to permit the project must be approved, if required by the County; and
 - (i) The property owner must secure a Final Map.

Item 6

San Diego County Cemetery District Municipal Service Review and Updates and Affirmations to the Spheres of Influence (MSR06-14; SR06-14[a]; SR06-14[b]; SR06-14[c]; SR06-14[d])

Michael Ott said that Claire Riley, LAFCO Administrative Assistant, would provide the Commission with a brief staff report of the San Diego County Cemetery District Municipal Service Review and Updates and Affirmations to the Spheres of Influence for North County, Pomerado, Ramona, and Valley Center Cemetery Districts. Mr. Ott said that Dennis Shepard, General Manager for the North County Cemetery District, was very instrumental in assisting Ms. Riley with the completion of the staff report and would also make a brief presentation.

Claire Riley provided a PowerPoint presentation to the Commission.

Dennis Shepard indicated that the MSR and Updates/Affirmations to the SOI for the Cemetery Districts are in response to the growth and interest of the communities. In response to a question from Commissioner Pocklington, Mr. Shepard said that land availability issues for the Cemetery Districts are discussed in the staff report.

Chairman Andy Vanderlaan opened the public hearing.

With no speakers from the public, and no further discussion from the Commission, on motion of Commissioner Pocklington, seconded by Commissioner Menshek, and carried unanimously by the commissioners present, the Commission closed the public hearing and took the following action:

1. Found in accordance with the Executive Officer's determination, that pursuant to §15306 of the State CEQA Guidelines, the municipal service review is not subject to the environmental impact evaluation process because the service review consists of data collection and research that will not result in a disturbance to an environmental resource;
2. Found in accordance with the Executive Officer's determinations that pursuant to §15061 (b) (3) of the State CEQA guidelines, the sphere affirmations and updates are not subject to the environmental impact evaluation process because it can be seen with certainty that there is no possibility for the proposed project to significantly impact the environment, and the activity is not subject to CEQA;
3. For the reasons set forth in the San Diego County Cemetery District Municipal Service Review, adopted the San Diego County Cemetery District Municipal Service Review and the associated Determinations;
4. Updated the sphere of influence for the North County Cemetery District and Pomerado Cemetery District, as shown on Maps 1 and 2, and adopted the Statements of Determinations as proposed in Attachments 1 and 2; and

5. Affirmed the existing spheres of influence for the Ramona Cemetery District and the Valley Center Cemetery District, as shown on Maps 3 and 4, and adopted the Statement of Determinations as proposed in Attachments 3 and 4.

Item 7

2007 Legislative Report

Legislative Director Harry Ehrlich provided an update on SB 806 and SB819. He said that letters of support were sent to Sacramento after the March 5 LAFCO meeting. Mr. Ehrlich said that SB 806 (Hollingsworth) is pending a hearing on April 18th, and SB 819 (Hollingsworth) is pending a hearing on May 9th. Mr. Ehrlich reported that he and Michael Ott met with County staff and provided them with information regarding the fire reorganization and information about SB 806.

Commissioner Jacob provided an update to the Commission regarding her meeting with the Legislative Delegation in Sacramento.

There being no further business to come before the Commission, the meeting adjourned at 9:20 a.m. to the May 7, 2007 meeting, in Room 310, County Administration Center.

**Tita Jacque Cayetano
Administrative Assistant**