

**SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
MAY 2, 2005**

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There being a quorum present, the meeting was convened at 9:05 a.m. by Chairman Bud Pocklington. Also present were: Regular Commissioners – Supervisor Bill Horn, Supervisor Dianne Jacob, Andrew Menshek, Councilmember Betty Rexford, and Andrew Vanderlaan; LAFCO and County Staff - Executive Officer Michael Ott; Chief, Policy Research, Shirley Anderson; Chief, Governmental Services, Ingrid Hansen; Local Governmental Analyst, Robert Barry; and LAFCO Legal Counsel William Smith. Absent were: Regular Commissioners – Councilmembers Patty Davis and Donna Frye; Alternate Commissioners – Supervisor Greg Cox and Harry Mathis.

Item 1

**Approval of Minutes
of Meeting Held April 4, 2005**

On motion of Commissioner Vanderlaan, seconded by Commissioner Rexford, the commissioners dispensed with reading the minutes of April 4, 2005 and approved said minutes.

Item 2

Executive Officer's Recommended Agenda Revisions

At the request of Michael Ott, the Commission pulled Item #9 “Rockhaven Ranch Reorganization” (City of El Cajon) from the agenda’s Consent Item for discussion.

Item 3

Commissioner/Executive Officer Announcement

Chairman Pocklington announced the seating of Commissioner Andy Menshek as a regular special district member to LAFCO and presented him with a plaque of appreciation for his dedicated service as LAFCO’s Alternate Special Districts Commissioner from 2000 to 2005. Mr. Ott announced that with the election of Mr. Menshek as a regular district member on LAFCO, an alternate district member vacancy was created. Mr. Ott reported that Commissioner Menshek received 34 of 39 votes from the election. He said that Commissioner Menshek would serve a four-year term that expires in May of 2009. Mr. Ott reported that the Call for Nominations for an Alternate Special District member on LAFCO was mailed on April 29, 2005. Mr. Ott also reported that the City Selection Committee would be meeting sometime during the second week of May to deliberate on Commissioner Rexford’s term that expires on May 2, 2005, as well as appoint a new alternate city member to LAFCO.

Item 4

Public Comment

No members of the public requested to speak.

Item 5

Proposed "Lake Jennings Park Road Annexation" to the Lakeside Water District (DA04-44)

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

- (1) Certified that the information contained in the Negative Declaration prepared by the County of San Diego has been reviewed and considered; and
- (2) Adopted the form of resolution approving this annexation for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the annexation subject to the following condition:

Payment by property owner of District annexation fees, and State Board of Equalization charges.

Item 6

Proposed "Townsend Annexation" to the Spring Valley Sanitation District (DA05-04)

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

- (1) Found in accordance with the Executive Officer's determination, that pursuant to Section 15319(b) of the State CEQA Guidelines, the annexation is not subject to the environmental impact evaluation process because the proposal area involves annexation of individual small parcels of the minimum size for facilities exempted by Section 15303; and
- (2) Adopted the form of resolution approving this annexation for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the annexation subject to the following condition:

Payment by property owner of District annexation fees, and State Board of Equalization charges.

Item 7

Proposed "River Run East Annexation" to the Lakeside Water District (DA05-05)

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

- (1) Certified that the information contained in the Negative Declaration prepared by the Lakeside Water District has been reviewed and considered; and

- (2) Adopted the form of resolution approving this annexation for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the annexation subject to the following condition:

Payment by property owner of District annexation fees, and State Board of Equalization charges.

Item 8
Proposed "Rockhaven Ranch Reorganization "
(City of El Cajon) (R004-42)

LAFCO's Local Governmental Analyst, Robert Barry, provided a PowerPoint presentation to the Commission.

Commissioner Jacob commented on several concerns of annexing small portions of unincorporated areas to the City of El Cajon. She said that a comprehensive plan to annex unincorporated areas to the City should be taken into consideration as a whole versus small increments. She also discussed concerns of revenue loss that the San Miguel Consolidated Fire Protection District is experiencing due to the reorganization.

Commissioner Menshek indicated that the San Miguel Consolidated Fire Protection District supports the reorganization because of the geographical location of Fire Station #8. Mr. Menshek discussed issues regarding fire protection districts that experience property tax reductions due to detachments, but continue to provide services to those areas that are not in their jurisdictional boundary.

Michael Ott indicated that Recommendation #3 directed John Traylor to establish criteria for calculating detachment fees, and that Mr. Traylor would be meeting with the City of El Cajon, and the East County, San Miguel Consolidated, and Lakeside Fire Protection Districts to discuss issues related to automatic aid, revenues, and response times.

Commissioner Horn said that consolidating fire districts would improve collaboration efforts in providing services to communities throughout the county.

Commissioner Vanderlaan suggested that John Traylor and Bill Metcalf collaborate with one another to research information regarding criteria/standards for detachment fees.

In response to a question from Commissioner Jacob, Michael Ott indicated that disclosure of detachment fees should be made prior to LAFCO approval of jurisdictional change proposals.

James Griffin from the City of El Cajon addressed the Commission in support of the reorganization.

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

- (1) Certified that the information contained in the Mitigated Negative Declaration prepared by the City of El Cajon has been reviewed and considered;
- (2) Adopted the form of resolution approving this reorganization for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the reorganization subject to the following conditions:

City of El Cajon: Landowner to pay all City annexation fees.

San Miguel Consolidated FPD: Landowner to pay detachment fee of \$6,260.00

San Diego LAFCO: Landowner to pay LAFCO processing fees and State Board of Equalization fee

- (3) Directed John Traylor to collaborate with fire districts in establishing standards for detachment fees in addition to researching information regarding automatic aid provisions that apply to jurisdictions.

Item 9A

Adoption of an Amendment to the Sphere of Influence for the Padre Dam Municipal Water District (SA03-19A)

Item 9B

Adoption of an Amendment to the Sphere of Influence for the Lakeside Water District (SA03-19B)

Item 9C

Proposed "Baxter Gravel, LP Reorganization" (Padre Dam Municipal Water District and the Lakeside Water District (RO03-19))

At the request of Michael Ott, the Commission waived the staff report.

Chairman Pocklington opened the public hearing.

With no members of the public wishing to speak in support or in opposition of the item, and no discussion from the Commission, Chairman Pocklington closed the public hearing.

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

- (1) Certified that the information contained in the Supplemental Environmental Impact Report prepared by the County of San Diego, and the Addendum prepared by the Lakeside Water District has been reviewed and considered;

- (2) Amended the spheres of influence of the Padre Dam Municipal Water District and the Lakeside Water District to include the territory identified on the attached map, and adopted the written Statements of Determinations as shown in Exhibits A and B; and
- (3) Adopted the form of resolution approving these minor sphere amendments and reorganization for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the reorganization subject to the following conditions:

Lakeside Water District:

- A. Payment of an annexation fee of \$47,056.00.

Padre Dam Municipal Water District:

- A. Property Owner shall pay the following sums to the Padre Dam MWD:
 1. Property Owner agrees to reimburse the Padre Dam MWD for actual expenses incurred by the Padre Dam MWD in processing the application, petition, and in making the filings required by law, including, but not limited to, all filing fees, attorney's fees, staff time, and any changes in processing / filing fee schedules of the involved agencies that may occur during the time the actions are being processed.
 2. Property Owner agrees to pay Padre Dam MWD the annexation fees calculated on the basis of \$312.51 per acres or portion thereof, for a total of \$10,072.20, concurrently with the filing of the petition for annexation.
- B. Property Owner shall comply with all terms and conditions as determined by Lakeside WD, San Diego County Water Authority, Metropolitan Water District, and San Diego LAFCO for annexation, including payment of any annexation related fees, or other similar requirements.
- C. Property Owner acknowledges and agrees to participate in any required Proposition 218 action, and will not oppose the imposition of any special taxes, fees, charges, and assessments currently applicable to the Padre Dam MWD and any applicable service area.
- D. Property Owner acknowledges and agrees that the annexation is for the purpose of supplying potable water and fire flow only when the proper facilities are installed at the Property Owner's or other future private property owner's expense. Property Owner acknowledges that Padre Dam MWD will supply water service in accordance with its rules and regulations.
- E. Property Owner agrees and acknowledges that water fees shall apply to the property in accordance with Padre Dam MWD rules and regulations.

- F. Property Owner agrees and acknowledges that the petition for annexation constitutes a petition as described in California Constitution Article 13 D, Section 5(b) representing the consent of all of the property owners to be annexed; that the property be subject to all property taxes and bonded indebtedness, assessments, fees, and charges that currently apply to Padre Dam MWD, and any applicable service area.
- G. Property Owner also petitions that the property to be annexed be subject to taxation after annexation thereof for the purpose of including the payment of the principal and interest on bonds and other obligations of Padre Dam MWD, or any applicable service area, authorized and outstanding at the time of annexation, in the same manner as if the annexed property had always been a part of the Padre Dam MWD.
- H. Annexation to the Metropolitan Water District (MET) and the San Diego County Water Authority (CWA) subject to the terms and conditions of the MET and CWA.

Item 10

**North Central San Diego County Municipal Service Review; Updates to the Spheres of Influence for the Olivenhain Municipal Water District and the Rancho Santa Fe Community Services District; Affirmation of Partial Sphere for the City of San Diego; and Removal of a Special Study Area Designation from the Santa Fe Irrigation District's Sphere of Influence
(MSR02-18; SR02-18[A]; SR02-18[B]; SR02-18[C]; SR02-18[D])**

At the request of Michael Ott, the Commission waived the staff report.

Chairman Pocklington opened the public hearing.

Greg Garratt addressed the Commission in support of the North Central San Diego County Municipal Service Review and provided the Commissioners with information about the County's subdivision map of the subject area.

Jo Mackenzie addressed the Commission in support of the North Central San Diego County Municipal Service Review.

Michael Ott thanked Harry Ehrlich (Deputy General Manager of the Olivenhain Municipal Water District) and John Pastore (General Manager of the Rancho Santa Fe Community Services District) for their assistance in helping LAFCO staff prepare the municipal service review.

With no additional members of the public wishing to speak in support or in opposition of the item, and no discussion from the Commission, Chairman Pocklington closed the public hearing.

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

- (1) Found, in accordance with the Executive Officer's determination, that pursuant to Section 15306 of the State CEQA Guidelines, the North Central San Diego County Municipal Service Review and Sphere of Influence Update Study is not subject to the environmental impact evaluation process because the service review consists of basic data collection and research that will not result in a disturbance to an environmental resource;
- (2) Certified that the information contained in the Negative Declaration for the North Central San Diego County Municipal Service Review and Sphere of Influence Update Study prepared by the Olivenhain MWD and Rancho Santa Fe CSD has been reviewed and considered;
- (3) Found, in accordance with the Executive Officer's determination, that pursuant to Section 15061(b)(3) of the State CEQA Guidelines affirming the coterminous partial sphere of influence for the portion of the City of San Diego located in the North Central San Diego County Municipal Service Review and Sphere of Influence Update Study area is 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;
- (4) Found, in accordance with the Executive Officer's determination, that pursuant to Section 15061(b)(3) of the State CEQA Guidelines removing the Special Study Area designation and affirming the remainder of the Santa Fe ID sphere as currently configured is 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;
- (5) Accepted the North Central San Diego County Municipal Service Review and Sphere of Influence Update Study as proposed by the Olivenhain MWD and Rancho Santa Fe CSD, as attached hereto, and adopted the required Determinations as proposed in Exhibit A;
- (6) Recognized that the property represented by the MacKenzie Group was located in the sphere updated study area and granted a waiver to the LAFCO policy discouraging amendments within five years of a sphere update approval;
- (7) Amended or affirmed the spheres of influence for Olivenhain MWD, Rancho Santa Fe CSD, City of San Diego, and Santa Fe ID as described in the North Central San Diego County Municipal Service Review and Sphere of Influence Update Study, and adopted the written Statements of Determinations for those agencies as proposed in Exhibit B; and
- (8) For the reasons set forth in the North Central San Diego County Municipal Service Review and Sphere of Influence Update Study, adopted the form of resolution approving this Municipal Service Review and Sphere of Influence Update Study.

Item 11

Sphere of Influence Conformance Between Member Agencies, County Water Authority (CWA), and Metropolitan Water District (MET)

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

- (1) Affirmed the practice of establishing, amending, and updating the spheres of influence for the Metropolitan Water District of Southern California (MET) and the San Diego County Water Authority (CWA) concurrent with the spheres of member-agencies;
- (2) Affirmed the practice of establishing, amending, and updating the spheres of influence for the MET and the CWA coterminous with the sphere boundaries of member agencies; and
- (3) Directed staff to technically revise the language in LAFCO Policy L-102 to clarify the status of the MET and CWA spheres.

Item 12

PRELIMINARY Scope of Work: REORGANIZATION of Fire Protection and Emergency Medical Services, Unincorporated Sub-Region of San Diego County

Shirley Anderson presented the staff report to the commission.

On motion of Commissioner Jacob, seconded by Commissioner Horn, and carried unanimously by the commissioners present, the Commission approved the Preliminary Scope of Work: Reorganization of Fire Protection and Emergency Medical Services, Unincorporated Sub-Region of San Diego County.

Item 13

Third Quarter Budget Update

This was an information item and no action was required.

Item 14

Self-Approved Expense Claims Report

This was an information item and no action was required.

There being no further business to come before the Commission, the meeting adjourned at 10:05 a.m. to the June 6, 2005 meeting, in Rooms 302-303, County Administration Center.

**TITA JACQUE CAYETANO
Administrative Assistant**