

**APPROVED
SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
OCTOBER 2, 2017**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Sam Abed.

Item 1

Pledge of Allegiance

Commissioner Blakespear led the Pledge of Allegiance. Chairman Abed acknowledged the adversity in the Las Vegas incident and led a moment of silence to the victims, their families, and first responders.

Item 2

Roll Call

The Commission Clerk performed the roll call for the October 2, 2017 LAFCO meeting. Roll was recorded as follows:

Regulars Present: Sam Abed, City
Catherine Blakespear, City
Bill Horn, County
Dianne Jacob, County
Ed Sprague, District
Andy Vanderlaan, Public
Lori Zapf, City of San Diego

Alternates Present: Judy Hanson, District (Voting)
Harry Mathis, Public
Racquel Vasquez, City

Members Absent: Jo MacKenzie, District
Chris Cate, City of San Diego – Alternate
Greg Cox, County – Alternate

Additionally, the following staff were present at roll call: Executive Officer Keene Simonds; Chief Governmental Analyst Robert Barry; and General Legal Counsel David Ruderman.

Item 3

Approval of Minutes of Meeting Held September 11, 2017

On motion of Commissioner Sprague, seconded by Commissioner Horn, and carried unanimously by the Commissioners present, the Commission dispensed with reading the minutes of September 11, 2017 and approved said minutes.

Item 4

Executive Officer's Recommended Agenda Revisions

Chairman Sam Abed asked the Executive Officer if there were any agenda revisions. Executive Officer Keene Simonds indicated there were no agenda revisions.

Item 5

Commissioner / Executive Officer Announcements

Chairman Sam Abed asked if there were any announcements from the Commissioners or the Executive Officer. Executive Officer Keene Simonds announced to the Commission that David Ruderman of Colantuono, Highsmith & Whatley would be filling in for Legal Counsel Michael Colantuono. Mr. Simonds also provided CALAFCO registration forms to the Commissioners regarding the "LAFCO 101" session scheduled for October 25, 2017 at the CALAFCO Annual Conference and invited members to contact staff if interested in registering.

Item 6

Proposed "Calle Diegueno Annexation" to the Whispering Palms Community Services District (DA17-08)

Item presented on the consent calendar. The proposal involves annexation of a parcel totaling 4.76-acres to the Whispering Palms Community Services District. The primary purpose of the annexation is to transition the existing and proposed residential development from septic to public sewer. On motion of Commissioner Sprague, seconded by Alternate Commissioner Hanson, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer's determination, that pursuant to Section 15319(a) of the State CEQA Guidelines, this annexation is not subject to the environmental impact evaluation process because the proposal area contains existing structures and is developed to the density allowed by current zoning or rezoning of either the gaining or losing governmental agency whichever is more restrictive, provided however that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities; and

- (2) Adopt the form of resolution approving the annexation for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the annexation subject to specified terms and conditions.

Item 7

Reauthorization for the Executive Officer to Establish a Credit Card on behalf of San Diego LAFCO

Item presented on the consent calendar. Item seeks formal reauthorization for the new Executive Officer to establish and administer a new credit card that will not exceed \$15,000 on behalf of the San Diego Local Agency Formation Commission. Approval also assigns authorization to the Executive Officer by position rather than by a specific appointee. On motion of Commissioner Sprague, seconded by Alternate Commissioner Hanson, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) The Commission adopt the resolution authorizing the Executive Officer to establish and administer a credit card on behalf of San Diego Local Agency Formation Commission with a selected banking institution.

Items 8A and 8B

Adoption of an Amendment to the Sphere of Influence for the San Diego County Sanitation District (SA17-05)

Proposed "Michael Family Trust Annexation" to the San Diego County Sanitation District (DA17-05)

Chairman Abed opened the public hearing for Items 8A and 8B. Robert Barry, Chief Local Governmental Analyst, addressed the Commission regarding the reorganization that involves an annexation and a sphere amendment to the San Diego County Sanitation District. Mr. Barry indicated that the property owners require provision of sewer service and development of two additional single-family units. He also said that the County of San Diego approved a Tentative Parcel Map (TPM No. 21013) and a Mitigated Negative Declaration (ER06-14-044) for the three residential lots. Chairman Abed closed the public hearing and indicated that there were no speaker slips received regarding these items. On motion of Commissioner Jacob, seconded by Commissioner Horn and carried unanimously by the Commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer's determination, that this sphere of influence amendment is exempt from CEQA review pursuant to Section 15061(b)(3) of the State CEQA Guidelines, 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; and,
- (2) Find in accordance with the Executive Officer's determination, that this annexation is exempt from CEQA review pursuant to Section 15319(b) of the State CEQA Guidelines because the annexation area consists of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures; and,
- (3) Amend the larger-than-agency sphere of influence of the San Diego County Sanitation District and adopt the written Statement of Determinations as shown in Exhibit A; and,
- (4) Approve the proposed "Michaels Family Trust Annexation" involving annexation to the San Diego County Sanitation District; and,
- (5) Adopt the form of resolution approving the sphere amendment and annexation for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the annexation subject to specified terms and conditions.

Item 9

Legislative Update Report

For information only Executive Officer Keene Simonds provided an update and summary of legislative reports and recommendations that were issued by the Little Hoover Commission to the Commission. He indicated that between January to February 2017 over 1,200 new bills were introduced and that October 15, 2017 will mark the last day for bills to be signed or vetoed by the Governor. Mr. Simonds also said that currently 20 bills are being tracked that are impacted by LAFCOs. Mr. Simonds indicated as of date there are three bills that will become effective in January (SB 448 (Wieckowski), AB 464 (Gallagher) and AB 1361 (Garcia) impacting LAFCOs. He said AB 1361 was amended and passed through the legislative that would allow Indian tribes under certain conditions to contract with municipal water districts for outside water services and LAFCOs have discretion in denying approval for these services. Mr. Simonds also summarized the final report issued by the Little Hoover Commission and recommendations therein directed at both special districts and LAFCOs.

Commissioner Abed addressed concerns about AB 1361 municipal water districts processing contracts with the Indian tribes for water services.

Item 10

Public Comment

Chairman Abed asked the public if anyone requested to speak on an item that is not related to the agenda. He indicated that there were no speaker slips received from members of the public for comments.

Item 11

Commissioner Announcements

Commissioner Horn indicated that he will not be available at the November 6, 2017 LAFCO meeting. Mr. Simonds said that there will be no proposals to present at the November's meeting therefore it will likely be cancelled with confirmation coming in the next several days.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned by Chairman Abed at 9:15 a.m.

**TAMARON LUCKETT
EXECUTIVE ASSISTANT**