

**APPROVED  
SAN DIEGO LAFCO  
MINUTES OF THE REGULAR MEETING  
SEPTEMBER 11, 2017**

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There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman, Mayor Sam Abed. Also present were: Regular Commissioners – Vice Chairwoman, Special District Member Jo MacKenzie; Supervisors Dianne Jacob and Bill Horn; City Member Councilmember Lori Zapf and Mayor Catherine Blakespear; Special District Member Ed Sprague and Public Member Andy Vanderlaan. Alternate Commissioners – Special District Member Judy Hanson and Public Member Harry Mathis. LAFCO Staff – Executive Officer Keene Simonds; Chief Governmental Analyst Robert Barry and General Legal Counsel Holly Whatley. Absent were: Alternate Commissioners – Supervisor Greg Cox; City Councilmember Chris Cate and Mayor Racquel Vasquez.

**Item 1**

**Pledge of Allegiance**

Commissioner Ed Sprague led the Pledge of Allegiance at the meeting. Chairman Abed acknowledged the remembrance of September 11<sup>th</sup>.

**Item 2**

**Roll Call**

The Commission Clerk performed the roll call for the September 11, 2017, LAFCO meeting. With the exception of Alternate Commissioners: Supervisor Greg Cox; Councilmember Chris Cate and Mayor Racquel Vasquez, all other Commissioners were present.

**Item 3**

**Approval of Minutes of Meeting Held August 7, 2017**

On motion of Commissioner Sprague, seconded by Commissioner MacKenzie, and carried unanimously by the Commissioners present; the Commission dispensed with reading the minutes of August 7, 2017 and approved said minutes.

**Item 4**

**Ratification of Executive Officer's Employment Contract**

Chairman Sam Abed addressed the Commission regarding the employee agreement contract that Legal Counsel provided between the Local Agency Formation Commission and the new Executive Officer Keene Simonds. Mr. Abed indicated that the item will not adjourn to close session and that the agreement will be effective September 11, 2017.

Executive Officer Keene Simonds extended his appreciation to the Commissioners and LAFCO staff.

**Item 5**

**Executive Officer’s Recommended Agenda Revisions**

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

**Item 6**

**Commissioner / Executive Officer Announcements**

Chairman Sam Abed asked if there were any announcements from the Commissioners or the Executive Officer. Commissioner Andy Vanderlaan announced that Commissioner Jo MacKenzie was nominated for CALAFCO Board Director.

Commissioner Jo Mackenzie provided information to the Commission regarding SB623 bill. Ms. MacKenzie said that this is a two-year bill that is related to charging a tax fee related to water. Ms. MacKenzie indicated that LAFCO should monitor this bill. Supervisor Dianne Jacob asked who is responsible for the bill. In response, Commissioner MacKenzie indicated that the author was Hertzberg.

**Item 7**

**Proposed “Phillips Street Reorganization”  
(City of Vista) (RO17-19)**

Robert Barry, Chief Governmental Analyst, addressed the Commission regarding the reorganization. Mr. Barry indicated that the proposal involves annexation of a parcel totaling 9.73–acres to the City of Vista, with concurrent detachments from Buena Sanitation District and Vista Fire Protection District. He said that the City of Vista conditionally approved a Tentative Subdivision Map (PC6-059) for development of a 23-lot residential subdivision on the proposal area.

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

- (1) Find that the Commission, acting as a responsible agency, has considered the environmental effects of the project as shown in the attached Mitigated Negative Declaration prepared by the City of Vista. The mitigation is within the jurisdiction of the City and not LAFCO because the affected resources and services will be within the city limits upon annexation; and
- (2) Adopt the form of resolution approving the reorganization 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 reorganization subject to the following term and condition:

Payment by the property owners of State Board of Equalization charges.

**Item 8A**  
**Adoption of an Amendment to the Sphere of Influence**  
**For the Lakeside Fire Protection District (SA16-17)**

**Item 8B**  
**Proposed “Hillside Meadows Reorganization”**  
**(City of Santee Detachment) (RO16-17)**

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 detachment from the City of Santee, an amendment to the sphere of influence of the Lakeside Fire Protection District, and annexation of the proposal area to the Lakeside Fire Protection District. Mr. Barry indicated that the County of San Diego has conditionally approved development plans for 146 single-family residential units on an unincorporated parcel adjacent to the proposal area. The County’s conditional development approvals require detachment of the proposal area from the City of Santee to rejoin the unincorporated parcel. The amendment to the sphere of influence and annexation to the Lakeside Fire Protection District is required because the District would assume fire protection service responsibility following the detachment from the City.

Chairman Abed closed the public hearing and indicated that there were no speaker slips received regarding these items.

With no speaker received slips from the public and no discussion from the Commission, 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 pursuant to Section 15061(b)(3) of the State CEQA Guidelines, this reorganization is not subject to the environmental impact evaluation process because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and the activity is not subject to CEQA;
- (2) Amend the larger-than-agency sphere of influence of the Lakeside Fire Protection District and adopt the written Statement of Determinations as shown in Exhibit A;
- (3) Approve the proposed “Hillside Meadows Reorganization” involving detachment of the proposal area from the City of Santee with a concurrent annexation to the Lakeside Fire Protection District; and
- (4) Adopt the form of resolution approving the sphere amendment and reorganization 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 reorganization subject to the following conditions:

None

## **Item 9**

### **Fourth Quarter FY 2016-17 Executive Officer Self-Approved Claims Report**

Chairman Abed indicated that there were no self-approved reimbursement claims to report during the third quarter of FY 2016-17.

The Commission accepted the fourth quarterly self-approved expense claims report.

## **Item 10**

### **Legislative Update Report**

Robert Barry, Chief Local Governmental Analyst, provided an update and summary of legislative reports to the Commission. He indicated that 20 bills are being tracked and seven (7) of those bills were related to LAFCO.

Commissioner MacKenzie asked if there were any updated information regarding the Little Hoover Commission. In response, Robert Barry indicated that staff will bring a summary next month to the Commission.

### **AB979 (Lackey) Cortese-Knox-Hertzberg Act: Special District representation on LAFCO**

This bill is sponsored by CSDA and cosponsored by CALAFCO addressing the procedure for special districts to propose to hold an election for representation for a Redevelopment Agency Oversight representation on a commission board. LAFCO is to administer an election process for selecting a representative. San Diego LAFCO has used this method to select representatives to the commission. Amendments were proposed and made on May 15, 2017. LAFCO sent a letter of support. This bill passed Assembly and at Senate Floor the third reading will be held on August 21, 2017.

### **AB892 (Waldron) Municipal Water Districts; water service to Indian tribes**

This bill is now reported as a two-year bill.

### **AB1725 Assembly Local Government Committee Omnibus Bill**

This is an annual bill that usually addresses any non-controversial or clarification issues involving the Cortese-Knox-Hertzberg Act and LAFCO. This bill was amended by the Committee on July 3, 2017 and at the Senate Floor third reading on August 21, 2017. Recommended position: Support position.

### **SB448 (Wieckowsky) Local government organization: districts and audits**

This bill proposes to define inactive special districts and to establish a process for the State Controller to annually publish a list of inactive districts for information to LAFCO. LAFCOs would be required to study the district and hold a public hearing to determine if the district should be dissolved, if action is taken by LAFCO it would not be subject to protest. This bill was amended by the Committee on July 17, 2017. Recommended position: Consider Support position after amendments are published. This bill is scheduled for Assembly Appropriations Committee on August 23, 2017.

**AB1361 (Garcia) Municipal Water District Service to Indian Tribe Lands**

This bill is an amendment bill from June 28, 2017, that would authorize a Municipal Water District to provide water service to an Indian Tribe's lands that are not within the district if requested by the Indian Tribe and all conditions of service are agreed upon. This bill is sponsored by the Rincon Indian Tribe and was passed as amended at the Senate Governance and Finance Committee on July 19, 2017. CALAFCO has opposed on this bill. LAFCO sent a letter to address some of the concerns on July 13, 2017. Recommended position: Watch position.

The Commission received this Legislative Update Report and provides direction to staff on the identified legislative bills as appropriate.

**Item 11**

**Proposal and Major Jurisdictional Activity**

Robert Barry, Chief Local Governmental Analyst, indicated that the Proposal and Major Jurisdictional Activity is to update the Commission on LAFCO's major projects and activities. Mr. Barry said that LAFCO have several major proposals coming forth, including the Alpine Island Annexation and the San Marcos Highlands Reorganization.

This item is for information purposes only and no action was recommended by the Commission.

**Item 12**

**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.

Robert Barry informed the Commission of the passing of former Deputy Executive Officer June Savala of Los Angeles LAFCO.

There being no further business to come before the Commission, the meeting adjourned at 9:25 a.m. to the October 2, 2017 meeting, in Room 302, County Administration Center.

**TAMARON LUCKETT  
EXECUTIVE ASSISTANT**