

**APPROVED
SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
NOVEMBER 7, 2016**

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There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Supervisor Bill Horn. Also present were: Regular Commissioners – Vice Chairman Mayor Sam Abed; Supervisor Dianne Jacob; City Councilmember Lorie Zapf; City Councilmember Lorraine Wood; Special District Member Jo MacKenzie; 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 Michael Ott; Chief Analyst Robert Barry; Local Governmental Analyst Joe Serrano and Legal Counsel Michael Colantuono. Absent were: Alternate Commissioners – City Councilmember Racquel Vasquez; Supervisor Greg Cox and City Councilmember Chris Cate.

Item 1

Pledge of Allegiance

Vice Chairman Sam Abed led the Pledge of Allegiance at the meeting.

Item 2

Roll Call

The Commission Clerk performed the roll call for the November 7, 2016, LAFCO meeting. With the exception of Alternate Commissioners City Councilmember Racquel Vasquez; Supervisor Greg Cox and City Councilmember Chris Cate, all other Commissioners were present.

Item 3

Approval of Minutes of Meeting Held October 3, 2016

On motion of Commissioner Abed, seconded by Commissioner Sprague, and carried unanimously by the Commissioners present; the Commission dispensed with reading the minutes of October 3, 2016 and approved said minutes.

Item 4

Executive Officer's Recommended Agenda Revisions

Chairman Bill Horn asked the Executive Officer if there were any agenda revisions. Executive Officer Michael Ott said that there were no agenda revisions.

Item 5

Commissioner / Executive Officer Announcements

Chairman Bill Horn asked the Executive Officer if there were any announcements.

Executive Officer Michael Ott said at the CALAFCO Annual Conference San Diego LAFCO received the 2016 Government Leadership award.

Mr. Ott also indicated that Commissioner Vanderlaan was appointed the Chairman of the Southern Region for CALAFCO beginning January 1, 2017.

Commissioner Vanderlaan and Legal Counsel Michael Colantuono provided comments regarding environmental impacts, Disadvantaged Unincorporated Communities (DUCs) that affect LAFCO, and ground water resources.

Commissioner MacKenzie asked if CALAFCO discussed changes of the legislative voting mechanism for Special District's representation. In response to the question, Local Government Consultant Harry Ehrlich said that there were some discussions between California Special Districts Association (CSDA) and CALAFCO.

Commissioner MacKenzie also indicated that the Little Hoover Commission will be meeting later this month and they will be focusing on Healthcare districts. Michael Ott indicated that representatives from the Grossmont and the Fallbrook Healthcare Districts will be testifying before the Commission.

Item 6A-6B

Municipal Services Review and Spheres of Influence Review of North County Cemetery Services: North County Cemetery District (MSR13-97; SR13-74) and Valley Center Cemetery District (MSR13-94; SR13-94)

Item 6C

Adoption of Amendments to the Spheres of Influence for the North County Cemetery District (SA15-16a) and Valley Center Cemetery District (SA15-16b)

Executive Officer Michael Ott indicated that Local Government Consultant Harry Ehrlich will provide a staff presentation. Mr. Ehrlich provided a brief PowerPoint presentation to the Commission regarding the Municipal Services Review, Spheres of Influence Review and Adoption of Amendments to the Spheres of Influence for North County and Valley Center Cemetery Districts.

Commissioner Abed asked about the existing expanded area and how is it providing service. Mr. Ehrlich said that there are no public cemetery services in the areas outside of the four cemetery districts. He said this action would not provide more services, but the opportunity to plan for services.

Chairman Horn opened the public hearing for Items 6A, 6B and 6C.

Dennis Shepard, General Manager, North County Cemetery District, requested to speak in support of Items 6A, 6B and 6C. Mr. Shepard thanked LAFCO staff and he said the Board of Trustees emphasis is to continue to serve the communities in North County.

Commissioner MacKenzie asked for clarification regarding the acreage of the proposed sphere expansion area for the Cemetery Districts. In response to the question, Harry Ehrlich indicated that the acreage was incorrect in the report. Executive Officer Michael Ott said before the resolutions are finalized, the acreage will be updated with the correct amount.

Commissioner Abed asked if there would be budgetary impacts for the agencies involved. In response to the question, Michael Ott said that the service expansion area does not affect the budget impact from either entity.

With no more speakers from the public and no further discussion from the Commission or staff, Chairman Horn closed the public hearing for Items 6A, 6B and 6C.

On motion of Commissioner Vanderlaan, seconded by Commissioner Sprague, 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, the proposed sphere updates, affirmations, and amendments are 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) Find in accordance with the Executive Officer's determination that pursuant to Section 15306 of the State CEQA Guidelines, the service review is not subject to the environmental impact evaluation process because the service review consists of basic data collection, research, management, and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource. The project is strictly for information gathering purposes and is a part of a study leading to an action that has not yet been approved, adopted or funded.
- (3) Determine, pursuant to Government Code Section 56430, the San Diego Local Agency Formation Commission is required to conduct a service review before, or in conjunction with an action to establish or update a sphere of influence.
- (4) Determine, pursuant to Government Code Section 56425, the San Diego Local Agency Formation Commission is required to develop and determine a sphere of influence for each local governmental agency within the County, and review and update, as necessary.

- (5) Determine that per Government Code Section 56425(i), the written statements on file with the Commission specifying the nature, location, and extent of any functions or classes of services provided by each of the Cemetery Districts shall be affirmed.
- (6) Adopt the Municipal Service Review Determinations for the North County Cemetery District and Valley Center Cemetery District as shown in Exhibit A and Exhibit B.
- (7) Amend the sphere of influence of the North County Cemetery District and adopt the written Statement of Determinations as shown in Exhibit C.
- (8) Amend the sphere of influence of the Valley Center Cemetery District and adopt the written Statement of Determinations as shown in Exhibit D.
- (9) Direct the Executive Officer to include the Commission's actions per these recommendations in a resolution of approving the affirmation, update, and amendment of the spheres of influence and service review for the North County CD and Valley Center CD.

Item 7

Proposed "Rancho Hills Annexation" to the Rancho Santa Fe Community Services District (DA16-11)

Executive Officer Michael Ott indicated that this item is for information purposes only and no action was recommended by the Commission.

Item 8

Proposed "Montecito Ranch Latent Powers Sewer Expansion" to the Ramona Municipal Water District (LP(E)16-12)

Executive Officer Michael Ott indicated that this item is for information purposes only and no action was recommended by the Commission.

Supervisor Dianne Jacob requested to hear the staff report for Item 8.

Michael Ott said that the Ramona Municipal Water District and the developer of Montecito Ranch have reached an agreement to provide public sewer as opposed to forming an independent new district within the boundaries of Ramona Municipal Water District.

Chief Analyst Robert Barry presented a brief report to the Commission. He said there will be a Preliminary Staff Report and this item will be coming back for Commission consideration in early Spring.

Item 9**First Quarter FY 2016-17 Executive Officer
Self – Approved Expense Claims Report**

Executive Officer Michael Ott indicated that there were no self-approved reimbursement claims to report during the first quarter of FY 2016-17.

On motion of Commissioner Abed, seconded by Commissioner MacKenzie, and carried unanimously by the Commissioners present; the Commission took the following actions:

Accept the First Quarter Self-Approved Expense Claims Report.

Item 10**First Quarter FY 2016-17 Budget Update**

Executive Officer Michael Ott gave a brief report to the Commission regarding the First Quarter FY 2016-17 Budget. Mr. Ott indicated that total expenditures are approximately \$400,000 and within the budget. He said that the expenditures will proportionally increase due to legal costs regarding the Coronado lawsuit and processing high-priority fire reorganization and island projects.

On motion of Commissioner Abed, seconded by Commissioner MacKenzie, and carried unanimously by the Commissioners present; the Commission took the following actions:

- (1) Receive and approve the First Quarter FY 2016-17 LAFCO Budget Update;
- (2) Ratify and approve the Commitment of funds (\$100,000) in Account 46725 for fee waivers and associated analysis of a reorganization of CSA No. 115. Authorize the Executive Officer to remove this classification upon transfer of the associated funds to LAFCO's operating account and to notify the Commission accordingly; and
- (3) Remove the Assigned designation for \$22,075 in Trust Fund Account 46726 associated with the transfer of funds to LAFCO's operating account in association with the Montecito Ranch Latent Powers proposal (Ramona MWD).

Item 11**San Diego LAFCO East County Fire Protection
Committee and Stakeholder Committee Status Report**

Executive Officer Michael Ott introduced Joe Serrano, Local Governmental Analyst, as the Project Manager for the San Diego LAFCO East County Fire Protection Committee. He also introduced other members of the project team (Local Government Consultant, John Traylor and LAFCO Consultant Rich Miller).

Mr. Serrano provided a brief presentation to the Commission regarding the two conflicting proposals submitted by the San Miguel Consolidated Fire Protection District

and the Lakeside Fire Protection District to reorganize County Service Area No. 115 (Pepper Drive). He indicated that both applications, maps and legal descriptions, and Terms and Conditions are currently being reviewed and the overall process is moving forward. He said the next Committee meeting will be December 5, 2016.

Commissioner Jacob thanked Mr. Ott and Mr. Serrano plus LAFCO staff, and the two fire districts for the September 26, 2016 tour of the fire stations.

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

Item 12

Public Comment

Chairman Horn 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 13

CLOSED SESSION: ADJOURNED TO CLOSED SESSION (IF NECESSARY) TO CONFERENCE WITH LEGAL COUNSEL PURSUANT TO SUBDIVISION (D) OF GOVERNMENT CODE SECTION 54956.9 – REGARDING LITIGATION WITHIN THE RESPONSIBILITY OF THE SAN DIEGO LAFCO

Legal Counsel Michael Colantuono informed the Commission that Item 13 will be considered in open session regarding litigation in the matter of *City of Coronado v. San Diego LAFCO and City of Imperial Beach*. Mr. Colantuono reported that the court refused LAFCO's proposal to insist that the City of Coronado bring the Department of the Navy into the case. Mr. Colantuono said he will be seeking permission from the court to bring the Department of the Navy into the case by filing a cross-complaint and if the court does not grant permission, there will be a closed session for the next meeting.

There being no further business to come before the Commission, the meeting adjourned at 9:40 a.m. to the December 5, 2016 meeting, in Room 302, County Administration Center.

**ERICA BLOM
ADMINISTRATIVE ASSISTANT
SAN DIEGO LOCAL AGENCY COMMISSION FORMATION**