

**APPROVED
SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
JULY 6, 2015**

There being a quorum present, the meeting was convened at 9:00 a.m., by Vice Chairman/Mayor Sam Abed. Also present were: Regular Commissioners – Supervisor Dianne Jacob, Special District Member Jo MacKenzie, City Councilmember Lorraine Wood, City Councilmember Lorie Zapf and Public Member Andy Vanderlaan. Alternate Commissioners – Supervisor Greg Cox, Special District Member Ed Sprague and Public Member Harry Mathis. LAFCO Staff – Executive Officer Michael Ott, LAFCO Consultant Harry Ehrlich and Legal Counsel Michael Colantuono. Absent were: Regular Commissioner – Chairman/Supervisor Bill Horn. Alternate Commissioners – City Councilmember Racquel Vasquez and City Councilmember Chris Cate.

Item 1

Roll Call

The Commission Secretary performed the roll call for the July 6, 2015, LAFCO meeting. With the exception of Regular Commissioner Chairman/Supervisor Bill Horn and Alternate Commissioners Racquel Vasquez and Chris Cate, all other Commissioners were present. Alternate Special District Member, Ed Sprague voted in place of the vacant district seat on the Commission and Alternate Commissioner Supervisor Greg Cox voted in place of Chairman/Supervisor Bill Horn.

Item 2

Approval of Minutes of Meeting Held June 1, 2015

With Commissioner Cox abstaining, on motion of Commissioner Jacob, seconded by Commissioner Vanderlaan, and carried unanimously by the Commissioners present; the Commission dispensed with reading the minutes of June 1, 2015 and approved said minutes.

Item 3

Executive Officer's Recommended Agenda Revisions

Vice Chairman Sam Abed asked the Executive Officer if there were any agenda revisions. Executive Officer Michael Ott indicated that there is one agenda revision regarding a letter from Chairman Bill Horn requesting a continuance related to agenda Items 7A, 7B and 7C. Mr. Ott indicated that there were three options in consideration of agenda Items 7A, 7B and 7C as follows: (1) Continue

the agenda items to another meeting date; (2) Allow testimony and no action be taken until the next meeting; and/or (3) Proceed with the agenda items.

Item 4

Commissioner / Executive Officer Announcements

Vice Chairman Sam Abed asked the Executive Officer if there were any announcements. Executive Officer Michael Ott indicated that there were no announcements.

Item 5

Designation of LAFCO Officer(s) for July 6, 2015 Meeting

Michael Ott indicated that this item was to designate Commissioners to serve as the Acting Chairman and Vice Chairman. No action was required because the Vice Chairman (Commissioner Sam Abed) was present to preside over the meeting.

Item 6

**Proposed “Rancho Canada Mobile Home Park Annexation”
to the San Diego County Sanitation District (DA15-01)**

Michael Ott indicated that the proposal involves annexation of 1.48 acres to the San Diego County Sanitation District and that the property owner wants to obtain sewer service. Mr. Ott requested that the staff report be waived by the Commission.

On motion of Commissioner Jacob, seconded by MacKenzie, 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 mitigation negative declaration prepared by the County of San Diego. The mitigation is within the jurisdiction of the County and not LAFCO because the affected resources and services are within the County; and
- (2) Adopt the form of resolution approving this 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 the following conditions:

Payment by the property owners of district capacity fees and sewer service fees, and State Board of Equalization charges.

Item 7A

Municipal Service Review and Sphere of Influence of Water and Wastewater Services within the Fallbrook Public Utility District and Rainbow Municipal Water District (MSR13-66; SR13-66; MSR13-66; SR13-82)

Item 7B

Adoption of Amendment to the Spheres of Influence for the Fallbrook Public Utility District and Rainbow Municipal Water District (SA14-04A; SA14-04B)

Item 7C

Proposed “Fallbrook Public Utility District and Rainbow Municipal Water District Reorganization” (Fallbrook Public Utility District; Rainbow Municipal Water District): Dissolution of the Rainbow Municipal Water District; Annexation of territory formerly within the Rainbow Municipal Water District to the Fallbrook Public Utility District; and expansion of Fallbrook Public Utility District’s Latent Powers for Assumption of Sewer Service Responsibility from the Rainbow Municipal Water District (RO14-04; LPE14-04)

Vice Chairman Abed indicated that Chairman Bill Horn submitted a letter and requested that the proposal be continued. Mr. Abed indicated that he should be here to vote because the proposal is within his district. Supervisor Dianne Jacob stated that it is protocol for an item to be heard by a member who represents a certain area. She indicated that testimony should be heard at the next meeting.

Supervisor Jacob placed a motion on the floor that Items 7A, 7B and 7C be continued and that no testimony be heard. It was seconded by Commissioner Abed.

Michael Ott indicated that the next LAFCO Commission meeting dates available are August 3rd, September 14th, or October 5th. Mr. Ott indicated that the General Manager of Rainbow Municipal Water District would not be available for the August 3rd LAFCO meeting.

Commissioner Jacob said that testimony could only be heard if it is related to the motion that was placed on the floor for the continuance of the meeting date.

Commissioner Abed opened the public hearing. He also requested that both districts address the Commission regarding the LAFCO meeting continuation date.

Thomas Kennedy, General Manager, Rainbow Municipal Water District addressed the Commission regarding the continuance of the meeting date. Mr. Kennedy said that September 14th would be the next available date for the item to be heard. He also requested that testimony be heard from some members of the public since they may not be available for the next scheduled meeting.

Brian Brady, General Manager, Fallbrook Public Utility District addressed the Commission regarding the continuance of the meeting date. Mr. Brady indicated that any date would be acceptable for the item to be heard.

Commissioner Jacob included in her motion that the continuance for these items be heard on September 14, 2015.

Commissioner Abed asked Commissioner Jacob if she would like to retain her motion to limit the public to speak about the continuation date or allow the public to speak who will not be in attendance at the next meeting. In response, Commissioner Jacob indicated that testimony may be heard from members of the public that cannot attend the LAFCO meeting on September 14th, but they cannot repeat the testimony at the next meeting.

Phillip Forbes, property owner, addressed the Commission in support of Items 7A, 7B and 7C. Mr. Forbes said that the merger would be a cost savings for ratepayers in the district.

John Rader, property owner, addressed the Commission regarding concerns about the water usage rates being decreased for residents of the Bonsall area. He is in opposition of Items 7A, 7B and 7C.

Jack Griffiths, property, addressed the Commission regarding concerns of dissolving the Rainbow Municipal Water District and merging with the Fallbrook Public Utility District. He is in opposition of Items 7A, 7B and 7C.

Commissioner Abed closed the public hearing.

Supervisor Jacob said that Items 7A, 7B and 7C will be continued to September 14th. She also suggested that LAFCO staff provide an update on the financials at the September 14th meeting.

Item 8

Legislative Status Report

Harry Ehrlich provided an update to the Commission regarding the current status of the state legislation activities. He informed the Commission that several bills have been introduced. Mr. Ehrlich provided details about two bills impacting LAFCOs and opposition letters were submitted regarding bill SB 239 (Hertzberg) and Budget Trailer Bill 825. He also said that SB 88 (Committee on Budget and Fiscal Review) related to the California Safe Drinking Water Act and SB 239 (Hertzberg) related to Cities and Districts extended fire services have been

amended. He indicated that the Commission and LAFCO have also taken a watch position on the previous bills that were introduced to the Commission.

On motion of Commissioner MacKenzie, seconded by Commissioner Zapf, and carried unanimously by the commissioners present, the Commission took the following action:

Received, discussed and provided direction as recommended by LAFCO Staff on the Legislative Status Report.

Item 9

Public Comments

Commissioner Abed asked the public if anyone requested to speak on an item that is not related to the agenda. He indicated that there was one speaker slip received from the public for comments.

Robroy R. Fawcett, a private citizen, addressed the Commission regarding concerns of the Palomar Health Care District financial issues and services that the district provides. Mr. Fawcett indicated that the district should be dissolved. A handout was also provided for the Commission.

There being no further business to come before the Commission, the meeting adjourned at 9:38 a.m. to the August 3, 2015 meeting, in Room 302, County Administration Center.

**Tamaron Lockett
Administrative Assistant
Local Agency Formation Commission**