APPROVED
SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
MAY 6, 2013

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There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Andrew Vanderlaan. Also present were: Regular Commissioners – Supervisors Dianne Jacob and Bill Horn, Mayors Jim Janney and Sam Abed and Special District Member Vice Chairman John Ingalls. Alternate Commissioners – Special District Member Jo MacKenzie and City Member Lorraine Wood. LAFCO Staff – Executive Officer Michael Ott, Assistant Executive Officer Shirley Anderson, Local Governmental Analyst Robert Barry, Legislative Research Director Harry Ehrlich and Legal Counsel Thomas Bosworth. Absent were: Regular Commissioners – Special District Member Bud Pocklington and City Member Councilmember Lori Zapf. Alternate Commissioners – Supervisor Greg Cox, Councilmember Sherri Lightner and Public Member Harry Mathis.

Item 1
Roll Call

The Commission Secretary performed the roll call for the May 6, 2013, LAFCO meeting. With the exception of Regular Commissioners Pocklington and Zapf and Alternate Commissioners Cox, Lightner and Mathis, all other commissioners were present. Alternate MacKenzie voted in place of Commissioner Pocklington.

Item 2
Approval of Minutes of Meeting Held April 8, 2013

On motion of Commissioner Abed, seconded by Commissioner Jacob, and carried unanimously by the Commissioners present; the Commission dispensed with reading the minutes of April 8, 2013 and approved said minutes with the necessary corrections.

Item 3
Executive Officer's Recommended Agenda Revisions

Chairman Andrew Vanderlaan asked the Executive Officer if there were any agenda revisions. Executive Officer Michael Ott indicated that there were no revisions to the agenda.

Item 4
Regular/Alternate Commissioner Installations for LAFCO City Representatives: Mayor Jim Janney and Mayor Sam Abed as Regular Members and Councilmember Lorraine Wood as Alternate City Member

Michael Ott addressed the Commission and indicated that Mayor Jim Janney and Mayor Sam Abed will be installed as the regular city commissioners and Councilmember Lorraine Wood as an alternate city commissioner. He also said that Vice Chairman John Ingalls was reelected to LAFCO for a new four year term as the

regular special district member and will be installed by the Assistant Clerk of the Board of Supervisors David Hall.

Item 5
Commissioner/Executive Officer Announcements:
(a) Presentation of Plaque to Mayor Mark Lewis

Chairman Vanderlaan asked the Commission and Executive Officer if there were any agenda announcements. Executive Officer Michael Ott read a Recognition plaque regarding Mayor Mark Lewis of his dedicated service and contributions serving as an alternate and regular Commissioner member of LAFCO.

Item 6
Public Comments

Chairman Vanderlaan 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 a member of the public.

Michael Hunsaker, Representative of the Property Owner Defense League addressed the Commission regarding concerns about future development, annexation, and boundaries issues in the San Marcos, Vista, Carlsbad and San Diego areas.

Item 7
Proposed "North County Cemetery District Annexation"
to the North County Cemetery District (DA13-05)

Chairman Vanderlaan opened the public hearing item.

Michael Ott provided a brief summary of Item 7 involving an annexation to the North County Cemetery District. Mr. Ott indicated that LAFCO Consultant, Harry Ehrlich will provide a staff report.

Harry Ehrlich, LAFCO Consultant, provided a staff presentation to the Commission regarding the North County Cemetery District annexation. Mr. Ehrlich indicated that there are four cemetery districts in the County (Valley Center, North County, Ramona and Pomerado). He said that the North County Cemetery District covers territory of approximately 95 square miles and a total of 68,508.26 acres, which is located within the sphere of influence. He indicated that the District would provide service to all qualified property owners and residents within the annexation area. He also said that the sphere was updated on August 2, 2007 and affirmed on August 6, 2007.

Mr. Ehrlich announced that the General Manager, Dennis Shepard of the North County Cemetery is in attendance, to answer any questions.

Chairman Vanderlaan indicated that two speaker slips have been submitted to the Commission in support of Item 7.

Dennis Shepard, General Manager, North County Cemetery District addressed the Commission in support of the item. He thanked LAFCO staff and County Assessor's department - technician Raul Cortes for an outstanding job of processing the annexation.

Marvin D. Hudson, Resident and Board Member, supported the item, but wished not to speak to with the Commission.

Chairman Vanderlaan closed the public hearing.

Commissioner John Ingalls suggested that LAFCO review district boundaries of all the districts. In response, Michael Ott said that LAFCO will review all districts within the next six months as part of the Five-Year Sphere and Service Review.

With no more speakers from the public and no further discussion from the Commission, on motion of Commissioner Janney, seconded by Ingalls, and carried unanimously by the commissioners present, the Commission took the following actions:

(1) Concur in the determination by the North County Cemetery District that this annexation is exempt from CEQA review pursuant to Section 15320 of the State CEQA Guidelines because the proposal consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised.

(2) Adopt the form of resolution approving the reorganization and annexation for the reasons set forth in the Executive Officer's report, waving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following terms and conditions:

    (a) Payment of applicable State Board of Equalization filing fees.

Item 8
Five-Year Sphere of Influence and Service Review: North Coastal (San Dieguito) Water and Wastewater Agencies: Carlsbad Municipal Water District (MSR/SR13-20); Fairbanks Ranch Community Services District (MSR/SR13-21); Leucadia Wastewater District (MSR/SR13-22); Olivenhain Municipal Water District (MSR/SR13-23); Rancho Santa Fe Community Services District (MSR/SR13-24); San Dieguito Water District (MSR/SR13-25); Santa Fe Irrigation District (MSR/SR13-26); and Whispering Palms Community Services District (MSR/SR13-27)

Chairman Vanderlaan opened the public hearing item.

Michael Ott explained to the Commission that Item 8 involves a sphere of influence and municipal service review related to wastewater, and water reclamation services. He addressed the Commission and stated that the Santa Fe Irrigation District provided a handout to amend information in the staff report and that LAFCO staff support the amendments. Mr. Ott also said that Robert Barry will provide a PowerPoint presentation.

Robert Barry, Local Governmental Analyst, provided a PowerPoint presentation to the Commission regarding the Five-Year Sphere of Influence and Service Review for the North County Coastal (San Dieguito) Water and Wastewater Agencies: Carlsbad Municipal Water District; Fairbanks Ranch Community Services District; Leucadia Wastewater District; Olivenhain Municipal Water District; Rancho Santa Fe Community Services District; San Dieguito Water District; Santa Fe Irrigation District; and Whispering Palms Community Services District. He said that the current spheres are recommended to be affirmed. Mr. Barry discussed the existing special study area designations for two districts: Olivenhain Municipal Water District and Rancho Santa Fe Community Services District. He indicated that the existing study area for Olivenhain Municipal Water District should be removed and that the one for Rancho Santa Fe Community Services District expand for development within Sun Valley and the Bridges Project. He also said that the LAFCO's Rules should be updated to reflect the special districts functions and services.

Chairman Vanderlaan indicated that there was one speaker slip that has been submitted to the Commission in support of Item 8.

Mark Biskup, City of Carlsbad, Representative addressed the Commission regarding the sphere of influence map and boundary adjustments to be corrected by LAFCO staff.

Kimberly Thorner, General Manager, Olivenhain Municipal Water District addressed the Commission and requested that Item 8 be continued until the next meeting June 3rd so that the discussion and additional comments could be provided.

Commissioner Vanderlaan closed the public hearing.

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

> Continuance of Item 8 until the June 3, 2013 LAFCO Meeting for additional comments from the Olivenhain Municipal Water District.

Item 9
Administrative Approval of a Contractual Service Agreement:
Ramona Municipal Water District / United States Forest Service (OAS12-13)

Michael Ott explained to the Commission that Item 9 involves a contractual service agreement and expansion of water service beyond its boundary and sphere of influence.

> This was an information item and no action was required by the Commission.

Item 10
Quarterly Self-Approved Claims Report

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

> Accept and Ratify the May 6, 2013, Quarterly Self-Approved Expense Claims Report.

Item 11
May 2013 Legislative Update Report

LAFCO Consultant Harry Ehrlich provided an update to the Commission regarding the current state legislation. He indicated that the Commission approved positions of six (6) bills that were recommended from the April's LAFCO meeting. Mr. Ehrlich provided the position of each bill that the Commission took action and one new legislation bill that required action.

AB 453 (Mullin) Sustainable Communities Grants: Position approved - Support and Letter sent to Author.

AB 743 (Logue) Cortese-Knox-Hertzberg Act Island Annexation Sunset: Recommended continuance to Watch.

SB 181, SB 182, and SB 183 (Committee on Governance and Finance): Recommended continuance to Support.

SB 772 (Emmerson) Mutual and Private Water Companies: Opposed unless amended and letter sent to Author.

New Legislation Bill: AB 1472 (Assembly Omnibus Bill): Recommended Support.

Mr. Ehrlich informed the Commission that a letter of Support will be sent out for AB 1427 (Assembly Omnibus Bill).

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

> Receive, discuss, and provide direction, as necessary, on the May 6, 2013 Legislative Status Report and authorize staff to inform authors of each bill of the approved position in the form of appropriate letters and testimony.

There being no further business to come before the Commission, the meeting adjourned at 10:05 a.m. to the June 3, 2013 meeting, in Room 302, County Administration Center.

Tamaron Luckett
Administrative Assistant
Local Agency Formation Commission