

**SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
NOVEMBER 5, 2007**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Andy Vanderlaan. Also present were: Regular Commissioners – Councilmember Toni Atkins, Supervisors Bill Horn and Dianne Jacob, Mayor Carl Hilliard (who arrived at 9:08 am), Andy Menshek, Bud Pocklington, and Councilmember Betty Rexford. Alternate Commissioners – Mayor Mark Lewis, Harry Mathis, and John Ingalls; LAFCO Staff – Executive Officer Michael Ott; Chief, Governmental Services, Ingrid Hansen; Local Governmental Analyst Claire Riley; and LAFCO Legal Counsel William Smith. Absent was: Alternate Commissioner – Supervisor Greg Cox.

Item 1

Approval of Minutes of Meeting Held October 1, 2007

On motion of Commissioner Pocklington, seconded by Commissioner Rexford, and carried unanimously by the commissioners present, the Commission dispensed with reading the minutes of October 1, 2007, and approved said minutes.

Item 2

Executive Officer's Recommended Agenda Revisions

Michael Ott indicated that there were no revisions to the agenda.

Item 3

Commissioner/Executive Officer Announcements

Michael Ott indicated that there were no Commissioner/Executive Officer announcements.

Item 4

Public Comment

Michael Ott indicated that there were no public comments.

Item 5

Proposed "Lessard Reorganization" (Vallecitos Water District) (RO07-09)

At the request of Michael Ott, the Commission waived the staff report.

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

- (1) Found in accordance with the Executive Officer's determination that pursuant to Section 15319 (a) of the State CEQA Guidelines, this reorganization 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/prezoning of either the gaining or losing governmental agency (whichever is more restrictive), and any utility extensions would only have the capacity to serve existing structures; and

- (2) Adopted the form of resolution approving this reorganization for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the reorganization, subject to the following terms and conditions:

Vallecitos Water District

- (a) Payment of the following annexation fees to the Vallecitos water District for inclusion of property in Sewer Improvement Districts 1, 2, 6 & "A" for water and sewer service;

Water annexation	=	\$ 592.38
Sewer annexation	=	\$2,255.45
State Board Equalization fee	=	<u>\$ 300.00</u>
TOTAL AMOUNT	=	\$3,147.83

- (b) Initiate detachment proceedings with VID;
(c) Initiate proceedings with LAFCO;
(d) Submit copy of title report with metes and bounds legal description of the property including tract maps and traverse calculations, if applicable;
(e) No connections to any water or sewer mains will be allowed until completion of the annexation and detachment, completion of LAFCO proceedings, payment of annexation fees, payment of water and wastewater capital facilities fees, payment of all current fees and charges and completion of all water and sewer facilities required for the project. Abandon existing VID meter/service after new VWD meter is installed; and
(f) Completion of annexation within one year of initial VWD Board approval.

Vista Irrigation District

Payment of applicable detachment fees to the Vista Irrigation District.

Item 6

Proposed "Spaulding Annexation" to the Spring Valley Sanitation District (DA07-12)

At the request of Michael Ott, the Commission waived the staff report.

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

- (1) Found 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/prezoning of either the gaining or losing governmental agency (whichever is more restrictive), and any utility extensions would only have the capacity to serve existing structures; and
- (2) Adopted the form of resolution approving this annexation for the reasons set forth in the Executive Officer's Report, waived the Conducting Authority proceedings according to Government Code Section 56663(c), and ordered the annexation, subject to the following term and condition:

Payment of all District annexation fees to Spring Valley Sanitation District.

Item 7A

Adoption of an Amendment to the Sphere of Influence for the Rural Fire Protection District (SA07-06)

Item 7B

Proposed "Pilot Travel Center Annexation" to the Rural Fire Protection District (DA07-06)

Ingrid Hansen provided a staff report to the Commission.

Chairman Andy Vanderlaan opened the public hearing.

Commissioner Andy Menshek summarized his concerns about the Pilot Travel Center Annexation to the Rural Fire Protection District. He stated that one of his concerns was that an island would be created in an unserved area that is outside the sphere of influence for both the Rural Fire Protection District and the City of San Diego. In addition, Mr. Menshek said that the Environmental Impact Report dated April 3, 2007 did not fully address the Rural FPD's service issues; he indicated his objection to the EIR based on the staff report and information contained in the Otay Mesa specific plan. Mr. Menshek also had concerns with the response time to the subject territory. Mr. Menshek said that expansion of commercial property should not be considered until a resolution to the concerns he discussed are resolved. Also, Mr. Menshek said that an automatic aid agreement should be established between the Rural FPD and the City of San Diego before approving the proposal. He said he would like to see the fire district prepare a long-term budget that addresses staffing, liabilities, funding sustainability for the proposed station, and fire protection funding for the life of the Pilot Travel Center project. Commissioner Menshek recommended that the proposal be continued until these issues are resolved.

Dave Nissen provided testimony and said that the Rural FPD is in a facility that shares a 10-year lease with the County of San Diego's Sheriff's Department. He indicated that a permanent site is forecasted at the location of Otay Mesa and Alta road, which will be constructed with mitigation funds provided by developers in East Otay Mesa. Mr.

Nissen indicated that an automatic aid agreement between Rural FPD and the City of San Diego is in process. He indicated that Commissioner Menshek's concerns can be addressed at a future LAFCO meeting in order to move forward with the proposal.

Commissioner Atkins said that the City of San Diego is prepared to move forward with an automatic aid agreement with the Rural FPD.

Commissioners Menshek and Pocklington urged the Commission to continue the item to a future LAFCO meeting. Commissioner Jacob indicated that the items could be conditionally approved in December 2007, depending on the Rural FPD's response.

At the request of Chairman Andy Vanderlaan, Michael Ott summarized Commissioner Menshek's concerns. Mr. Ott indicated that Commissioner Menshek requested David Nissen provide to LAFCO staff the following within approximately 2 weeks in order to be placed on the December 3rd meeting agenda:

- 1) A response that addresses the concerns of Commissioner Menshek regarding the environmental impact report;
- 2) A discussion of the adequacy of the response time to the annexation site from the Rural Fire Protection District, creation of a service island, and the execution of an Automatic Aid Agreement with the City of San Diego; and
- 3) A budget that addresses staffing, liabilities, funding sustainability for the proposed station, long-term funding sources (property taxes and mello-roos financing) and ownership of the station.

Commissioner Atkins indicated that the City of San Diego would probably need more than 2 weeks to establish an automatic aid agreement between the City and the Rural Fire Protection District.

With no additional speakers, and no further discussion from the Commission, on motion of Commissioner Pocklington, seconded by Commissioner Menshek, and carried unanimously by the commissioners present, the Commission continued the public hearing and took the following actions:

Continued the proposed sphere amendment and "Pilot Travel Center Annexation" to the Rural Fire Protection District (Ref. Nos. SA07-06; DA07-06) to a future LAFCO meeting with the following conditions, requiring the Rural FPD to provide:

- 1) A response that addresses the concerns of Commissioner Menshek regarding the environmental impact report;
- 2) A discussion of the adequacy of the response time to the annexation site from the Rural Fire Protection District, creation of a service island, and the execution of an Automatic Aid Agreement with the City of San Diego; and
- 3) A budget that addresses staffing, liabilities, funding sustainability for the proposed station, long-term funding source (property taxes and mello-roos financing), and ownership of the station.

Item 8

Update of City Sphere of Influence and Municipal Service Review Summaries

Claire Riley provided a staff report to the Commission.

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

Accepted the Update of City Sphere of Influence and Municipal Service Review Summaries.

Item 9

First Quarter Budget Report and Update FY 2007-08

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

Accepted and ratified the FY 2007-08 First Quarter Budget Report and Update.

Item 10

Quarterly Self-Approved Expense Claims Report

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

Accepted and ratified the Quarterly Self-Approved Expense Claims Report.

11A

Personnel Matter: Discuss the Recommendation of the Executive Officer's Performance/Compensation Review Committee; adjourn to CLOSED SESSION, IF NEEDED: PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GOV. CODE § 54957); TITLE: EXECUTIVE OFFICER

11B

Personnel Matter: Reconvene to Public Session if a Closed Session is called, and Approve the Recommendations of the Executive Officer's Performance/Compensation Review Committee.

On motion of Commissioner Jacob, seconded by Commissioner Rexford, and carried unanimously by the commissioners present, the Commission approved the recommendations contained in the report of the Executive Officer's Performance/Compensation Review Committee.

There being no further business to come before the Commission, the meeting adjourned at 9:30 a.m. to the December 3, 2007 meeting, in Room 310, County Administration Center.

**Tita Jacque Mandapat
Administrative Assistant**