



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES FOR
JANUARY 18, 2018**

Call to Order:

The San Luis Obispo Local Agency Formation Commission meeting was called to order at 9:00 a.m. on Thursday, January 18, 2018 in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo, California by Chairman Marshall Ochylski

Pledge of Allegiance: Led by Vice-Chairman Waage

Roll Call:

Present: Chairman Marshall Ochylski, Vice-Chairman Ed Waage, Commissioners Debbie Arnold, Lynn Compton, Robert Enns, Roberta Fonzi, Tom Murray, and Alternate Commissioners Ed Eby and Heather Jensen

Absent: Alternate Commissioners Adam Hill, and Jamie Irons

Staff: David Church, LAFCO Executive Officer
Raymond A. Biering, LAFCO Legal Counsel
Mike Prater, LAFCO Senior Analyst
Donna J. Bloyd, LAFCO Commission Clerk

Approval of Minutes: **Commissioner Fonzi** moved approval of the Minutes for November 16, 2017 with no changes or corrections. **Commissioner Murray** seconded the motion. Chairman Ochylski abstained from voting.

The motion passed with a six vote majority.

Selection of the 2018 Chair and Vice-Chair

Commissioner Arnold moved that **Vice-Chairman Waage** be nominated as the Commission Chairman for 2018. In the same motion she moved that **Commissioner Compton** be nominated as Vice-Chair for 2018.

Commissioner Fonzi seconded the motion.

The motion was passed with a unanimous voice vote.

Presentation: Commissioner Marshall Ochylski for his service as the LAFCO Chairman in 2017

Chairman Waage presented **Commissioner Ochylski** with a Certificate of Appreciation from CALAFCO and a Certificate of thanks from San Luis Obispo LAFCO.

Commissioner Ochylski thanked the LAFCO Staff and Commissioners for their efforts in 2017 and complimented all for working together respectfully.

LAFCO Executive Officer David Church presented **Commissioner Ochylski** with the traditional LAFCO gift card for coffee.

Non-Agenda Public Comments:

Mr. Hank Krzciuk, 9540 Avonne Avenue, No. 46, San Simeon, CA 93452. Mr. Krzciuk thanked LAFCO Executive Officer David Church for his support and guidance regarding the weed abatement issue in San Simeon.

Informational Matters:

A-1: Fiscal Year 2017-18 Second Quarter Budget Status Report

Public Comment: None

Commissioner Ochylski moved that the consent agenda be approved.

Commissioner Fonzi seconded the motion.

The motion was passed with a unanimous voice vote.

B-1: Consider Activating Weed Abatement Power for the San Simeon Community Services District

Mr. Church introduced this item and began by stating that LAFCO does not process activation of powers frequently. He stated that the active powers for each district were determined in 2006.

Mr. Church noted that the San Simeon Community Services District (SSCDS) currently has water, sewer, road maintenance and street lighting powers.

Mike Prater, LAFCO Senior Analyst, summarized the process for activating latent powers (activation) and noted that the plan for services was a very important document which describes the service-level and range of services that will be provided.

Mr. Prater stated that if the activation is approved, the next step would be a Conducting Authority hearing (protest hearing). The hearing would be administered by the Executive Officer as authorized by the Commission.

Mr. Prater described past activations mentioning Ground Squirrel Hollow solid waste power in 2014, Nipomo CSD parks and recreation powers, which were not activated following a vote of

the residents against activating those powers in 2009 and the Templeton Cemetery District function, which was approved in 2006.

Mr. Prater summarized the SSCSD application and stated that LAFCO Staff recommended approval of the application as described in the Staff Report.

There were questions from the Commission regarding the details of the activation and what weed abatement services that CALFIRE provides and the costs thereof.

Mr. Prater responded to the questions.

Public Comment:

Mr. Hank Krzciuk, 9540 Avonne Avenue, No. 46, San Simeon, CA 93452. Mr. Krzciuk stated that the concern of the SSCSD residents was fire prevention. He asked the Commission to approve the activation.

Commissioner Murray moved to conditionally approve the activation of the weed abatement power for the San Simeon Community Services District pursuant to the Staff recommendations.

Commissioner Arnold seconded the motion.

AYES: Commissioners Murray, Arnold, Vice-Chair Compton, Commissioners Enns, Fonzi, Ochylski and Chairman Waage

NAYS: None

ABSTAINING: None

The motion was passed with a unanimous roll call vote.

B-2: 2017 LAFCO Annual Report and Proposed Work Plan for 2018

Mr. Church presented this item. He began by indicating that 2017 had been a very productive year for LAFCO. He thanked the Commission for keeping LAFCO moving and balanced. He also thanked the Commission diving into the issues.

Mr. Church also complimented LAFCO Commission Clerk, Donna Bloyd and LAFCO Senior Analyst Mike Prater for their efforts during the year.

Mr. Church praised LAFCO Legal Counsel Ray Biering, for his legal expertise and wisdom.

Mr. Church summarized 2017's highlights and the proposals and activities completed in 2017. He then presented the work plan for 2018. The work plan includes goals and target dates for the SOI/MSR Update program. He discussed projects that are on LAFCO's radar for 2018 and stated that LAFCO Staff would work on two Sphere of Influence Updates/MSRs and begin two other Sphere of Influence Updates/MSRs in 2018.

Commissioner Fonzi thanked Mr. Church for his work for LAFCO and on LAFCO projects. She asked that additional information be added to the task of compiling the County's property tax exchange information.

Mr. Church stated that a report on property tax exchange was being prepared.

Commissioner Murray asked that the Commission and LAFCO Staff consider fire-related issues on a county-wide basis. He was concerned about fire and emergency medical response and the financial issues of fire departments/organizations in San Luis Obispo County (County).

Mr. Church agreed that reviewing the County's, cities' and districts' fire service situation would be appropriate.

There was discussion among the Commissioners and LACO Staff regarding fire prevention concerns including financial issues and coverage of County areas.

Public Comment:

Mr. Hank Krzciuk, 9540 Avonne Avenue, No. 46, San Simeon, CA 93452. Mr. Krzciuk stated that fire prevention issues are very important and asked that the Commission review ambulance services as well.

Commissioner Fonzi moved approval of the 2017 Annual Report and the Work Plan for 2018 as amended to include added reports regarding the property tax exchange matter and fire-related issues.

Vice-Chair Compton seconded the motion.

The motion was passed with a unanimous voice vote.

B-3: Review of San Luis Obispo LAFCO Policies and Procedures

Mr. Church briefly summarized the LAFCO policies and Procedures for the Commission.

Mr. Biering defined the difference between a "policy" and an "ordinance". He stated that these policies were guidelines to help the Commission go forward with projects, and that the Commission had discretion in applying these policies and procedures

Mr. Church stated that the policies were flexible and allowed for interpretation. He added that they are procedures are process-oriented.

Commissioner Ochylski stated that the clarification of the terms was helpful.

Commissioner Murray asked about the process for incorporating a district into a city.

Mr. Church explained the process saying that LAFCO must follow the Cortese-Knox-Hertzberg Act as well as California State guidelines for the process. He gave examples of areas that had incorporated and described the process and outcome for the areas. He also indicated that incorporation was a challenging and expensive process.

Public Comment: None

Commissioner Ochylski moved that the LAFCO Policies and Procedures Review be filed.

Commissioner Murray seconded the motion.

The motion was passed with a unanimous voice vote.

C-1: Status Report: Cemetery District Sphere of Influence Update/Municipal Service Review

Mr. Prater presented this item beginning by thanking the districts for their cooperation and helpfulness in compiling the information needed for the SOI Update/MSR. He added that the County Auditors office provided financial reports for the districts for use in the Update.

Mr. Prater reviewed a map of the cemetery districts stating that the districts remained consistent over the years.

Public Comment: None

Chairman Waage stated that this report was received.

C-2: Study Session: Nipomo Community Services District Sphere of Influence Update/Municipal Service Review

Mr. Church discussed this item stating that LAFCO Staff had worked with the Nipomo Community Services District (NCSD) and that the NCSD Staff had been very helpful. The Public Review Draft of the SOI Update/MSR has been released for the review period of January 11 through February 26 (a 45-day period).

Mr. Church indicated that there are no anticipated changes to the SOI at this point and that the existing SOI properties are being considered as the Study Areas. He added that the existing County-District 2010 Memorandum of Agreement (MOA) is still relevant.

Mr. Prater discussed the Cortese-Knox-Hertzberg Act requirements for an SOI and presented maps of the existing SOI Study Areas.

Public Comment:

Ed Eby, LAFCO Alternate Special District Member. Mr. Eby stated that he was a member of the NCSD Board of Directors and that he had reviewed the MSR. He added that an ad hoc committee of the NCSD Board will meet on February 14 to review the SOI Update/MSR.

Commissioner Comments: None

Legal Counsel Comments: None

Executive Officer Comments: None

Adjournment: With no further business before the Commission, the meeting adjourned at 10:10 a.m. until the next meeting of the Commission in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo.

THESE MINUTES ARE NOT OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL THEY ARE APPROVED BY LAFCO COMMISSIONERS AT THE NEXT REGULAR MEETING.

Respectfully submitted,
Donna J. Bloyd, LAFCO Commission Clerk