



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES FOR
SEPTEMBER 18, 2014**

Call to Order:

The San Luis Obispo Local Agency Formation Commission meeting was called to order at 9:00 a.m. on Thursday, September 18, 2014 in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo, California by Chairperson Roberta Fonzi.

Pledge of Allegiance: Led by Commissioner Picanco

Roll Call:

Present: Chairperson Roberta Fonzi, Vice Chairman Tom Murray, Commissioners Muril Clift, Bruce Gibson, Frank Mecham, Marshall Ochylski and Duane Picanco, and Alternate Commissioners David Brooks and Robert Enns

Absent: Alternate Commissioners Adam Hill and Kris Vardas

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

Approval of Minutes: Commissioner Gibson moved that the Minutes of August 21, 2014 be approved with no changes or corrections. Vice Chairman Murray seconded the motion. The Minutes were approved with a unanimous roll call vote.

Non-Agenda Public Comments: None

Regular Matters:

Item A-1: LAFCO File No. 2-R-14 Annexation No. 24 to the Templeton Community Services District (Creekside)

LAFCO Executive Officer, David Church, presented this item with a PowerPoint presentation provided by LAFCO Analyst, Mike Prater.

Mr. Church summarized the proposal stating that approving the annexation would eliminate the need for the Templeton Community Services District (District) to pay property taxes by placing District-owned land within its service area. The 24-acre property was the site of two District water wells and a Fire Training Facility.

Mr. Church described the LAFCO Conditions of Approval stating that a perpetual open space easement would be placed on the property as called for in the County conditions of approval for

a public trail along with Salinas River; the District shall record a covenant on the deed that would require the preservation of prime agricultural land on at least a 1:1 ratio if conversion of prime agricultural land is proposed in the future by a land use change of action; both documents shall be submitted to the LAFCO Executive Officer and Legal Counsel for review and approval prior to recording the covenant on the property.

Chairperson Fonzi had questions regarding the easements for the trail and the prime agricultural land.

Staff responded to those questions indicating that easements could be applied to specified areas of the property.

Public Comment: None

Mr. Jeff Briltz, Templeton Community Services District Manager. Mr. Briltz spoke briefly about the annexation. He responded to Chairperson Fonzi's questions stating that the trail easement would be along the bank of the Salinas River and would be about 25 feet in width. He also stated that any easement for the agricultural land would be for that area only and not for the entire property.

There were no questions or comments from the Commissioners.

Commissioner Mecham moved to approve, by resolution, Annexation #24 to the Templeton Community Services District with conditions as stated in the Staff report.

Commissioner Gibson seconded the motion.

AYES: Commissioners Mecham, Gibson, Clift, Vice-Chairman Murray, Commissioners Ochylski, Picanco, and Chairperson Fonzi

NAYS: None

ABSTAIN: None

The motion carried with a unanimous roll call vote.

Informational Matters:

Item B-1: Status Report: Groundwater Legislation Update - AB 2453-Achadjian, SB 1168-Pavley, AB 1739-Dickinson and SB 1319-Pavley

Mr. Church presented this item with a PowerPoint presentation provided by Mr. Prater.

Mr. Church summarized three recently approved bills: SB 1319, SB 1168, and AB 1739. Regarding AB 2453, Mr. Church discussed several of the six chapters of the bill.

Mr. Church indicated that SB 1319, SB 1168, and AB 1739 are collectively known as the Sustainable Groundwater Management Act. This legislation requires the management and regulation of groundwater basins in California that are not adjudicated. Mr. Church provided more information about the Act.

Also regarding AB 2453 Mr. Church stated that LAFCO retains discretion in establishing the final boundary of the District, determining the powers of the District; and approving the formation of the District. He added that the process would include an application, Commission review of the application, and public hearings on the application. If the application is approved by the Commission, a landowner vote on the formation of the District would be held.

There were questions from the Commission regarding adjudication of basins.

Chairperson Fonzi stated that there would be public comment following discussion of each bill.

Public Comment AB 1739/SB 1168/SB 1319:

Susan Harvey, North County Watch, Post Office Box 455, Templeton, CA 93465. Ms. Harvey spoke regarding residential users of water and about legislation of the potential groundwater district. Her concerns were the amount of water usage that was determined for residents of the basin.

Close Public Comment.

There were numerous comments from the Commissioners regarding agencies that are under the Public Utilities Commission (PUC), creating the District, standards for the potential District, and the creation of possible JPAs regarding the District.

Public Comment AB 2453 (Achadjian):

Sue Luft, 4561 Almond Drive, Templeton, CA 93465. Ms. Luft spoke about PRO Water Equity ideas about the potential District's board of directors. Ms. Luft expressed support for the Board of Supervisors submitting a resolution of application to form the District.

Laurie Gage, 5715 Linne Road, Paso Robles, CA 93446, Vice-President of PRO Water Equity. Ms. Gage gave the Commission a report on AB 2453. Ms. Gage handed out two documents to be added to the record regarding the makeup of the potential Board of Directors for the District and a chart of landowners by size of acreage.

Jerry Reaugh, 3200 Branch Road, Paso Robles, CA 93446. Mr. Reaugh is the Chairman for PRAAGS stated that he supported the LAFCO process for forming the District. He also supported the Board of Supervisors applying for the formation of the District with a resolution of application.

Susan Harvey, North County Watch, Post Office Box 455, Templeton, CA 93465. Ms. Harvey stated that she supported County management of the District and complimented Mr. Church for being accessible to members of the public who had questions about the formation of the District.

Bob Brown, 795 Melody Mountain Lane, Paso Robles, CA 93446, PRAAGS Board member. Mr. Brown urged that the County submit a resolution of application to for the District.

Close Public Comment

There were questions from the Commissioners regarding the various bills and suggestions that public meetings take place as well as public education about the election process, as well as

the property owner voting mechanism.

Mr. Church and **LAFCO Legal Counsel Ray Biering** responded to the Commissioners' questions.

Commissioner Picanco moved to receive and file the staff report for this item.

Commissioner Ochylski seconded the motion.

AYES: Commissioners Picanco, Ochylski, Clift, Gibson, Mecham, Vice Chairman Murray and Chairperson Fonzi

NAYS: None

ABSTAIN: None

The motion carried with a unanimous roll call vote.

Item B-2: Status Report: Sphere of Influence/Municipal Services Review Update for Various Special Districts in the County

Mr. Prater presented this item along with a PowerPoint presentation of maps of the Sphere of Influence (SOI) areas.

Mr. Prater summarized the LAFCO and Cortese-Knox-Hertzberg Act factors for reviewing an area's Sphere of Influence/Municipal Services Review (SOI/MSR). He stated that the next step would be the 30-day public review period for the SOI/MSR which would be from October 10 through November 10. Following that the SOI/MSR Update would likely be reviewed at the November 2014 LAFCO hearing.

Public Comment: None

Commissioner Picanco moved to receive and file the staff report for this item.

Commissioner Mecham seconded the motion.

AYES: Commissioners Picanco, Mecham, Clift, Gibson, Vice Chairman Murray, Commissioner Ochylski and Chairperson Fonzi

NAYS: None

ABSTAIN: None

The motion carried with a unanimous roll call vote.

Commissioner Comments: None

Legal Counsel Comments: None

Executive Officer Comments: Mr. Church reminded the Commissioners about the

CALAFCO 2014 Annual Conference which will take place from October 15-17 in Ontario, California.

Adjournment: With no further business before the Commission, the meeting adjourned at 10:30 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