



**SAN LUIS OBISPO  
LOCAL AGENCY FORMATION COMMISSION  
MEETING MINUTES FOR  
FEBRUARY 19, 2015**

**Call to Order:**

The San Luis Obispo Local Agency Formation Commission meeting was called to order at 9:00 a.m. on Thursday, February 19, 2015 in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo, California by Chairman Tom Murray.

**Pledge of Allegiance:** Led by Vice Chairman Mecham at 8:58 a.m.

**Roll Call:**

**Present:** Chairman Tom Murray, Vice-Chairman Frank Mecham Commissioners, Muril Clift, Bruce Gibson, Roberta Fonzi, Marshall Ochylski and Ed Waage, and Alternate Commissioners David Brooks, Robert Enns, and Jamie Irons

**Absent:** Alternate Commissioner Adam Hill

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

**Presentations:**

**Chairman Murray** welcomed former **Commissioner Duane Picanco** to the meeting and stated that Mr. Picanco provided exemplary service to the LAFCO Commission. He also thanked Mr. Picanco for his 24 years' service on the Commission. Mr. Picanco stated that he enjoyed serving on the Commission and appreciated the opportunity to serve. He was glad to see the changes that have taken place in LAFCO over the past 24 years.

**Vice-Chairman Mecham** spoke stating that he appreciated Mr. Picanco's service on the LAFCO Commission and for the City of Paso Robles.

**Commissioner Fonzi** stated that Mr. Picanco was very knowledgeable and his presence will be missed on the Commission.

**LAFCO Legal Counsel Ray Biering** spoke stating that it had been an honor working with Mr. Picanco.

**LAFCO Executive Officer David Church** thanked Mr. Picanco for his service.

**Approval of Minutes:** **Vice Chairman Mecham** moved that the Minutes of January 15, 2015

be approved with no changes or corrections. **Commissioner Fonzi** seconded the motion. The Minutes were approved with a unanimous roll call vote.

**Non-Agenda Public Comments:** None

**Consent Agenda:**

**A-1** LAFCO File 4-R-14: Results of the Protest Hearing for Dissolution of County Service Area 17 (California Valley)

Mr. Church corrected the report and stated that less than two percent (2%) and not one percent (1%) as shown on the memo of the 5,305 recipients in CSA 17 submitted a written protest. He thanked LAFCO Commission Clerk for fielding over 200 telephone calls regarding the dissolution.

**Public Comment:** None

**Commissioner Clift** moved to approve the Consent Agenda.

**Commissioner Ochylski** seconded the motion.

AYES: Commissioners Clift, Ochylski, Fonzi, Gibson, Vice-Chairman Mecham, Commissioner Waage and Chairman Murray

NAYS: None

ABSTAINING: None

The motion carried unanimously with a roll call vote.

**Regular Matters:**

**B-1:** LAFCO Policy and Procedures Review

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

Mr. Church stated that while reviewing the required policies, there were several changes needed to the policies and guidelines in order to keep the policy document up-to-date and accurate. He added that the changes do not signify a change in the intent of the policies and procedures.

In Chapter One, on page three of the document, changes were updating the LAFCO Commissioners, on page seven there was an update of the Commissioners and their terms.

In Chapter Two, Policies, changes to page eight made clarifications to nine sections to the policies not eight sections as originally noted. On page 17, the numbering of the Sphere of Influence section was corrected and on page 21, Agricultural Policy #12 was reviewed and discussed with regard to its interpretation.

Mr. Church indicated that the Agricultural policy could be interpreted to require 1:1 preservation of all land annexed. This was not the intent of the policy. There was discussion among the Commissioners, LAFCO Staff and LAFCO Legal Counsel, Ray Biering.

The Commission directed Mr. Church to clarify the language in Agricultural Policy #12 and return to the Commission with that clarification.

**Public Comment:**

Alternate LAFCO Commissioner David Brooks, speaking as a member of the public. Mr. Brooks stated that the word “shall” should be used in reference to one of the points in the policy.

Mr. Church and Mr. Biering agreed with Mr. Brooks’ statement and the Commission requested that the proposed change be made.

No action was taken. LAFCO Staff will return with the proposed changes to the policy.

9:55 a.m. **Commissioner Gibson** leaves the LAFCO Commission meeting.

**Informational Matters:**

**C-1:** Sustainable Groundwater Management Act (SGMA) & Water District Application Update

Mr. Church introduced this item as well as introducing Mr. Mark Hutchinson, County of San Luis Obispo Public Works Department.

**Mr. Hutchinson** provided a PowerPoint presentation to go along with his presentation of the Sustainable Groundwater Management Act (SGMA).

Mr. Hutchinson spoke about the State policies regarding groundwater management. Included were definitions of Groundwater Sustainability Agencies (GSAs) and Groundwater Sustainability Plans (GSPs).

Mr. Hutchinson spoke about the State timeline for forming GSAs and GSPs and gave the State timelines for institution of the GSAs and GSPs. Included by Mr. Hutchinson was information on sustainability of groundwater and tools for managing groundwater as well as the state role in managing the groundwater.

Mr. Hutchinson also spoke about possible State intervention in GSAs and GSPs, State strategy for establishing community-focused GSAs and noted some action steps that could be taken by communities.

Included in Mr. Hutchinson’s presentation were fiscal implications for establishing GSAs and GSPs and staffing them.

Informative links include:

<http://www.water.ca.gov/groundwater/bulletin118.cfm>

<http://www.acwa.com/content/groundwater/groundwater-sustainability>

**Chairman Murray** opened the item for **public comment** at this time.

**Joy Fitzhugh**, San Luis Obispo County Farm Bureau, Morabito Place, San Luis Obispo, CA 93408. Ms. Fitzhugh thanked LAFCO Executive Office David Church for his availability to members of the public. She asked if a water district could become a Groundwater Sustainability Agency (GSA).

**Eric Greening**, 7365 Valle Avenue, Atascadero, CA 93422. Mr. Greening spoke about potential costs associated with forming a District and/or a GSA and for developing a GSP. He stated that the residents of the County should know the costs before any agency was formed.

Mr. Greening requested to return for public comment after the presentation of the entire item was concluded.

**Maria Lorca**, Post Office Box 502, Creston, CA 93432. Ms. Lorca spoke about a potential Paso Robles Basin Water District. She stated that many rural residents did not support a water district. She added that the potential water district was too large a district to have only a one million dollar (\$1,000,000) budget. She stated that such a district would need to be governed by the County. Mr. Lorca added that a vote would be the only way to know what people think about a potential water district.

**Susan Harvey**, 2430 Geneseo Road, Paso Robles, CA 93446. Ms. Harvey stated that Mr. Hutchinson's presentation was the best one she was aware of so far. She asked that any powers of a GSA be monitored so that the powers do not become inflated. She asked that the Commission be aware that there are two entities: a water district and a GSA. Ms. Harvey stated that she wanted the County to assume the role of GSA.

Ms. Harvey requested to return for public comment after the presentation of the entire item was concluded.

10:30 a.m. **Commissioner Ochylski** leaves the LAFCO Commission meeting.

**Alternate Special District Commissioner Enns** was seated in his place.

### **Close Public Comment**

Mr. Church, members of the Commission and Mr. Hutchinson responded to questions raised by commenters.

Mr. Church continued his presentation of this item and summarized the status of the County's application to form the District.

He responded to questions from the Commission regarding powers of a GSA or GSP, detachments from the potential basin district, boundaries of Bulletin 118.

**Re-open Public Comment:**

**Robert Brown**, 7995 Melody Mountain lane, Paso Robles, CA 93446. Mr. Brown is a member of the PRAAGS Board of Directors. Mr. Brown commented on the land ownership in the District's area. Mr. Brown stated that the public needed education and outreach regarding the potential water district. He added that the residents wanted to manage the basin rather than have the County Supervisors determine its future.

**Susan Harvey**, 2430 Geneseo Road, Paso Robles, CA 93446. Ms. Harvey stated that a boundary for the basin does not have to coincide with Bulletin 118 boundaries.

**Eric Greening**, 7365 Valle Avenue, Atascadero, CA 93422. Mr. Greening spoke about the lower part of the Atascadero sub-basin. He asked about the process for questioning Bulletin 118's boundary in that area. He requested clarity for requesting changes in the Bulletin 118 boundaries and deadlines for asking questions.

**John Diodati**, San Luis Obispo County Public Works Department. Mr. Diodati spoke about the hydrometric study of the basin and costs for managing groundwater in the County. He stated that the Paso Robles Basin Water District will comply with SGMA as a groundwater sustainability agency and Proposition 218 for funding the District.

**Mr. Church and LAFCO Commissioners** had questions for Mr. Diodati.

**Mr. Diodati** responded to their questions.

**Mr. Church and Mr. Diodati** responded to questions from Commissioners.

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

**Vice-Chairman Mecham** seconded the motion.

AYES: Commissioner Fonzi, Vice-Chairman Mecham, Commissioner Waage and Chairman Murray

NAYS: None

ABSTAINING: None

The motion carried with a unanimous roll call vote.

11:10 a.m. **Commissioner Clift** left the meeting at this time.

**C-2:** Cayucos Special Districts Sphere of Influence & Municipal Services Review Clarifications

Mr. Prater presented this item and provided a PowerPoint presentation.

Mr. Prater stated that LAFCO staff had contact the Cayucos Fire Protection District and confirmed the total number of staff members at the Fire District.

Mr. Prater also spoke about the Cayucos Sanitary District. He stated that LAFCO staff would make the changes in the Sphere of Influence Update and Municipal Services Review to correct the staff report.

**Public Comment:** None

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

**Vice-Chairman Mecham** seconded the motion.

AYES: Commissioners Enns, Fonzi, Vice-Chairman Mecham, Commissioner Waage and Chairman Murray

NAYS: None

ABSTAINING: None

The motion carried with a unanimous roll call vote.

**C-3: CALAFCO Annual Conference - Discussion of Possible Topics**

Mr. Church presented this item opening with a description of the Annual Conference title and subject for the conference. He stated that the items listed below are possible conference session topics:

- Governance and Finance
- Water: SMGA/GSAs
- Regional Planning
- Legislation
- Public Outreach
- Skill Building
- LAFCO & other Agencies
  - Climate Change
- Technology
- Water Supply Options
- Sustainability
- Ag and LAFCO
- Special Districts
- Other Ideas
- Broad Band

**Public Comment:** None

**Commissioner Comments:** **Commissioner Fonzi** had questions about the definition of the word “applicant” and “proponent” as used in LAFCO business. She also asked if the County Supervisors who act on the water district application could vote on the application in their rôles as LAFCO Commissioners.

The Cortese-Knox-Hertzberg Act allows Commissioners to act on applications from their jurisdictions. The code section is GC 56325.1

**Mr. Church and Mr. Biering** responded to her questions.

**Legal Counsel Comments:** Mr. Biering stated that he will be leading the process of the LAFCO Executive Officer's annual evaluation and that he would send evaluation forms to the Commissioners. Mr. Biering stated that the evaluation will be discussed at the next LAFCO Commission meeting.

**Executive Officer Comments:** None

**Adjournment:** With no further business before the Commission, the meeting adjourned at 11:31 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.**

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Respectfully submitted,  
Donna J. Bloyd, LAFCO Commission Clerk