



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES FOR
FEBRUARY 16, 2017**

Call to Order:

The San Luis Obispo Local Agency Formation Commission meeting was called to order at 9:00 a.m. on Thursday, February 16, 2017 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 Chairman Ochylski

Roll Call:

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

Absent: Vice-Chairman Ed Waage and Alternate Commissioner Jamie Irons

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

Chairman Ochylski advised the Commission that **LAFCO Executive Officer, David Church**, would not be at the meeting due to illness in his family.

Approval of Minutes: **Commissioner Fonzi** moved approval of the Minutes for January 19, 2016 with no changes or corrections. **Commissioner Murray** seconded the motion.

The motion passed with Commissioners Arnold and Compton abstaining.

Chairman Marshall Ochylski welcomes the two new County members to the LAFCO Commission, **Debbie Arnold** and **Lynn Compton**.

Presentation: Bruce Gibson for his years of service to LAFCO

Chairman Ochylski also spoke about **Supervisor Gibson** who is no longer a LAFCO Commissioner.

Mike Prater, LAFCO Senior Analyst also welcomed Commissioners Arnold and Compton to the LAFCO Commission and displayed the award and CALAFCO Certificate that would be presented to **Supervisor Gibson** when he is available.

Commissioner Murray spoke regarding his experience on the LAFCO Commission with Supervisor Gibson and stated that he was looking forward to working with his new colleagues.

Non-Agenda Public Comments:

Greg Grewal, Creston, CA. Mr. Grewal spoke about a recent letter from the new owner of the Estrella Ranch.

Informational Matters:

Item A-1: Study Session: Estrella-El Pomar-Creston Water District Formation

Mr. Prater presented this item stating that petitions from the applicants had been submitted and were confirmed by the San Lis Obispo Assessors' office. He explained the Assessor's role in assessing the petitions.

Mr. Prater added that the application, plan for services, budget, fees and fiscal study were also submitted to LAFCO for review and that the Staff review is being completed and the report to the Commission is being prepared.

Mr. Prater also added that 23 landowners had requested to be added to the application.

Mr. Prater discussed the following regarding the proposed district:

- Boundaries
- Inter-agency cooperation
- Powers & Functions
- Protest Process

Ms. Carolyn Berg, San Luis Obispo County Public Works Dept., updated the Commission, discussing the County's efforts and phases of the SGMA process.

There were questions from the Commission regarding a Proposition 218 vote, the opt-in policy for this district, and other concerns.

Mr. Prater and Ms. Berg responded to the questions.

Public Comment:

Dana Merrill, Paso Robles, CA. Mr. Merrill presented a PowerPoint presentation to go along with his talk to the Commission. He discussed the various landowners in the proposed district, as well as the timeline, meetings, consensus, concepts, budget and upcoming tasks regarding the proposed district.

Jerry Reaugh, Paso Robles, CA. Mr. Reaugh spoke about why it was important to form the two water districts and spoke about the need to manage the groundwater situation in the basin.

Greg Grewal, Creston, CA. Mr. Grewal presented a map he made showing the Shandon-San Juan area quiet title parcels and is opposed to forming the EPC water district.

Willy Cunha, Shandon, CA. Mr. Cunha stated that he saluted LAFCO for the meetings on forming the Shandon-San Juan Water District. He stated that the District was on its way to the election process so that the District can be formed by the June 30, 2017 deadline. He spoke further about forming the EPC District and is in favor of forming the District.

Don Clark, Creston, CA. Mr. Clark spoke in favor of forming the EPC Water District.

Gwen Pelfrey, Templeton, CA. Ms. Pelfrey is opposed to forming both of the two water districts and spoke about San Luis Obispo County responsibilities in the basin.

Paul Clark. Mr. Clark stated that he supported formation of the two districts and endorses all that Mr. Cunha said. Mr. Clark stated that he had been authorized to speak on his behalf by Mr. Mike Cervi, who had requested to be removed from the EPC. In the recent letter Mr. Cervi stated that he did not want withdraw from the EPC.

End of Public Comment

Ray Biering, LAFCO Legal Counsel. Mr. Biering confirmed receipt of the letter from Mr. Cervi.

Commissioner Arnold had questions regarding powers of districts, stating that she believed that a district, once formed, could give itself additional powers.

Mr. Prater responded to Commissioner Arnold's questions.

Mr. Biering stated that LAFCO is charged with forming agencies and forming boundaries. The California State Legislature has determined that LAFCO has the authority to grant powers under the Enabling Act to districts.

The item was received and filed.

Item A-2: CALAFCO Quarterly Report & Legislative Update

Mr. Prater presented this item discussing the upcoming CALAFCO Staff Workshop that will take place in Fresno April 5 - 7, 2017. He informed the Commission that he and Mr. Church were taking part in creating sessions for the workshop.

Mr. Prater also discussed the CALAFCO Annual Conference for 2017, which will take place in San Diego in October 2017. He reminded the Commission that three staff members and four Commissioners were budgeted to attend the conference. Mr. Prater asked the Commissioners to get together and decide which Commissioners would like to attend the conference. One Commissioner from each category may attend the conference: one City member, one County member, one Special District member and one Public member.

Mr. Prater stated that the SGMA white paper was published in the CALAFCO Quarterly Review.

Public Comment: None

The item was received and filed.

Item A-3: Joint Powers Authorities' Requirements to Submit Agreements/Amendments to LAFCO - Implement SB 1266

Mr. Prater spoke about SB 1266 Joint Power Authorities Filing Agreements saying that the new law requires all stand-alone Joint Powers Authorities (JPAs) that provide municipal services to file copies of the agreement and any amendments with LAFCO.

Mr. Prater stated that LAFCO will send a letter regarding the new law to all agencies (Cities, Special Districts and County).

Public Comment:

Gwen Pelfrey, Templeton, CA. Ms. Pelfrey spoke about attending meetings regarding JPAs under SGMA and the potential effect on forming GSAs.

Ray Biering responded to Ms. Palfrey's comments.

The item was received and filed.

Item A-4: Consolidation of Redevelopment Agency Oversight Board - Special District Representation

Mr. Prater summarized this item by saying that on July 1, 2018 more than 400 redevelopment agency (RDA) oversight boards will be consolidated into one oversight board per county, except for Los Angeles County. When that occurs, each county's Special Districts Selection Committee will be granted the authority to appoint one special district representative to that county's oversight board.

Public Comment: None

The item was received and filed.

Item A-5: County Service Area Sphere of Influence & Municipal Services Review Update

Mr. Prater presented the County Service Area Sphere of Influence/Municipal Services Review Update. He began by summarizing the County Service Area (CSA) Sphere of Influence/Municipal Services Review Update (SOI/MSR) process and reminding the Commission the areas covered by the CSAs.

Mr. Prater also covered the portions of the process that had been completed by LAFCO at this point: a working Administrative Draft of the SOI/MSR and the potential date for release of the Public Review Draft, which will have a 45-day review period.

Mr. Prater provided maps of each CSA.

Chairman Ochylski had questions about areas that were planned to be detached from various CSAs.

Mr. Prater responded to his questions.

Public Comment: None

The item was received and filed.

Commissioner Comments: **Commissioner Arnold** asked about a potential target date for voting on the EPC Water District Formation.

Chairman Ochylski commended the LAFCO “stellar staff”, stating that he appreciated Staff and that the meeting went well.

Legal Counsel Comments: **Mr. Biering** stated that his wife was very ill with cancer and that he did not anticipate changes to his schedule and that he would be working remotely from his Sacramento office.

Sr. Analyst Comments: **Mr. Prater** stated that the next couple of targeted LAFCO meetings could fall on March 28, April 6, or April 25 which might be a Tuesday. He recommended that Commissioners communicate directly with Mr. Church regarding Commissioner conflicts with these dates.

Adjournment: With no further business before the Commission, the meeting adjourned at 10:46 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