



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES FOR
APRIL 21, 2011**

Call to Order:

The San Luis Obispo Local Agency Formation Commission meeting was called to order at 9:00 a.m. on Thursday, April 21, 2011 in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo, California by Chairman Richard Roberts.

Roll Call:

Present: Chairman Roberts, Vice Chairman Gibson, Commissioners Muril Clift, Ed Eby, James R. Patterson, Duane Picanco, and Alternate Commissioner Roberta Fonzi

Absent: Commissioner Kris Vardas, and Alternate Commissioners Franck Mecham and Tom Murray

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

Pledge of Allegiance: Led by Commissioner Picanco

Approval of Minutes: Motion was made, seconded and passed, to approve the minutes of March 17, 2011 with corrections.

Non-Agenda Public Comments:

None

Consent Agenda:

Item A-1: Submittal of Third Quarter Fiscal Year 2010-2011 LAFCO Budget Status Report

Motion was made by Vice Chairman Gibson to receive and file the Consent Agenda.

Commissioner Muril Clift seconded the motion.

The motion passed unanimously with a voice vote.

Regular Matters:

Item B-1: LAFCO File No. 4-R-10, Annexation No. 79 to the City of San Luis Obispo (Orcutt Area Specific Plan). A 231-acre annexation to implement the City's approved Specific Plan and certified Environmental Impact Report

This item was introduced by LAFCO Executive Office, David Church, LAFCO Analyst Mike Prater provided a PowerPoint presentation.

Mr. Church stated that the City of San Luis Obispo ("City"), by Resolution of Application, had presented LAFCO with the application for annexation of the subject property.

The property consists of 21 parcels with 13 owners. The property is inhabited (12 or more registered voters).

Mr. Church stated that the purpose of the annexation is to implement the City's Specific Plan, encourage orderly growth and development and allow the area to receive City services. The area is already within the City's Sphere of Influence, which was updated in 2006. The property tax agreement has been approved.

Mr. Church stated that the City was prepared to serve future growth and development and carefully manages its resources and is planning for future development.

Mr. Prater discussed the map of the area describing which portions of the area are in agriculture or residential or are planned to be left as open space in perpetuity.

Mr. Church discussed the Condition of Approval regarding open space on the property. He stated that the City's Specific Plan calls for the preservation of open space (approximately 79 acres) to be dedicated to the City and preserved as natural Open Space with public access.

Mr. Church also stated that another Condition of Approval required that a conservation easement be recorded on the Righetti Hill and Ranch Home site.

Mr. Church added that the City has an adequate, reliable, sustainable water supply and that the sewer capacity is adequate. The City provides police and fire response to the area as needed in its First Responder role and also provides other services such as Parks & Recreation, solid waste and roads.

Mr. Church stated that the City has prepared adequate CEQA documents and that LAFCO is acting as the Responsible Agency for the project.

Mike Codrun, Assistant City Manager, City of San Luis Obispo, stated that the City will prepare the Open Space element in the Specific Plan to include grazing and other uses.

Mr. Church summarized the project stating that the City had completed a comprehensive planning process including CEQA. The annexation is a logical and orderly extension of the City's boundaries. The annexation is consistent with LAFCO policies and procedures.

Commissioner Patterson had questions about the open space.

Mr. Church responded to his questions.

Mike Codrun, Assistant City Manager, City of San Luis Obispo also responded to Commissioner Patterson's questions.

Vice Chairman Gibson directed questions to the City representatives regarding open space and property rights.

Kim Murry, City of San Luis Obispo Planning Director responded to Vice Chairman Gibson's questions.

Commissioner Eby had questions about the Conditions of Approval.

Mr. Church responded to those questions.

Alternate Commissioner Fonzi had questions about the tax agreement.

Mike Codrun, Assistant City Manager, City of San Luis Obispo answered those questions.

Chairman Roberts had questions about the terms of the Conditions of Approval.

Mr. Church responded to those questions,

Kim Murry, City of San Luis Obispo Planning Director, summarized the project stating that it had been the culmination of years of hard work begun in 1977. The project has been in the planning stage for 14 years. The City had met with property owners and other interested parties over the course of the years. She added that the project was comprehensive and complete.

Public Comment:

Ms. Jeanne Helphenstine, 1404 Boxwood Court, San Luis Obispo, CA, stated that she had worked on the project with the City for many years and was in favor of the annexation.

Mr. Eric Greening, 7365 Valle Avenue, Atascadero, CA stated that he was glad to see mass transit for the area along with a jobs-housing balance.

Mr. John Evans, 1050 Southwood Drive, San Luis Obispo, CA, Cannon Corporation. Mr. Evans worked with four of the area's property owners on the project over the years. He stated that he and the owners were in favor of the annexation.

Ms. Julia Jones, 3765 Orcutt Road, San Luis Obispo, CA stated that she was in favor of the annexation.

Commissioner Patterson had questions about the letter to the Commission from Mr. Evans.

Mr. Church answered those questions.

Vice Chairman Gibson had questions about road rights-of-way.

Mr. Church responded to those questions.

Vice Chairman Gibson complimented the City staff, County staff, and property owners for their hard work and cooperation on this project.

Motion was made by Vice Chairman Gibson to approve the annexation with the following conditions:

1. **Prior to filing the Certificate of Completion with the State Board of Equalization the proponent shall submit to LAFCO documentation of Righetti Hill property (Righetti Hill Open Space dedication and Righetti Ranch Home Site Open Space) as provided in Figure 2.4 of the Orcutt Area Specific Plan. The open space easement shall be reviewed and approved by the Executive Officer and LAFCO Counsel.**
2. **Prior to filing the Certificate of Completion with the State Board of Equalization the proponent shall submit an agreement between the County and the City that allows the County to complete all outstanding permits filed with the County within the annexation area including building and planning permits. The agreement shall be reviewed and approved by the Executive Office and LAFCO Counsel.**
3. **Prior to filing the Certificate of Completion with the State Board of Equalization the proponent shall submit revised legal descriptions and map revisions to be reviewed and approved by the County Surveyor.**

Commissioner Patterson seconded the motion.

AYES: Vice Chairman Gibson, Commissioners Patterson, Clift, Eby, Alternate Commissioner Fonzi, Commissioner Picanco, and Chairman Roberts

NOES: None

ABSTAIN: None

The motion carried with a unanimous roll call vote.

Special Matters:

Item C-1: Status Report Regarding the Sphere of Influence Update and Municipal Service Review for the City of Pismo Beach

Mr. Church spoke briefly about this item. There were no questions or comments from the Commissioners or members of the public.

Item C-2: Status Report Regarding LAFCO Funding and Work Program from the Council of Governments' Sustainable Communities Strategic Grant

Mr. Church spoke about this item stating that LAFCO staff had been working with staff at San Luis Obispo Council of Governments ("SLOCOG") on a grant from the Sustainable Growth

Council. He stated that LAFCO would positively receive a grant in FY 2011-2012 but that the amount of the grant was not determined at this time.

Chairman Roberts asked if the grant would cover the GIS software.

Mr. Church stated that it would not. The grant monies were to be used to complete the inventories of the County jurisdictions and Municipal Service reviews.

Alternate Commissioner Fonzi had questions about whether the inventories would be available to cities.

Mr. Church responded in the affirmative.

Public Comments:

None

Item C-3: Public Hearing to consider the Proposed Fiscal Year 2011-2012 LAFCO Budget

Mr. Church introduced this item and a PowerPoint presentation was provided. Mr. Church stated that last year LAFCO had achieved at 15% decrease in total expenses and charges to agencies.

Mr. Church stated that revenues are anticipated to increase by 51%. He added that this year overall expenses are increasing by 1.6%.

Mr. Church also stated that an expected grant from the San Luis Obispo Council of Governments ("SLOCOG") is expected to bring in \$5,000.00.

There was discussion among the Commissioners and LAFCO staff about the proposed reduction of charges to agencies.

Public Comments:

None

Motion was made by Commissioner Patterson to approve the proposed Fiscal Year 2011-2012 LAFCO Budget.

Vice Chairman Gibson seconded the motion.

AYES: Commissioner Patterson, Vice Chairman Gibson, Commissioners Clift, Eby, Alternate Commissioner Fonzi and Commissioner Picanco

NOES: Chairman Roberts

ABSTAIN: None

The motion carried with a unanimous roll call vote.

Commissioner Comments: None

Legal Counsel Comments: Mr. Biering stated that at the last LAFCO meeting on March 17, 2011 the Commission determined that it would amend Mr. Church's contract by offering a salary increase commensurate with cost of living increases. Mr. Biering stated that he had prepared the new contract for Chairman Roberts' signature.

Executive Officer Comments: Mr. Church gave a brief report on the 2011 Annual CALAFCO Staff Workshop. The workshop took place in Ventura, CA on April 6-8.

Adjournment: With no further business before the Commission, the meeting adjourned at 10:04 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