



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
MEETING MINUTES FOR
JUNE 16, 2011**

Call to Order:

The San Luis Obispo Local Agency Formation Commission meeting was called to order at 9:00 a.m. on Thursday, June 16, 2011 in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo, California by Vice Chairman Bruce Gibson.

Roll Call:

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

Absent: Chairman Richard Roberts, and Commissioner Kris Vardas, and Alternate Commissioner, Roberta Fonzi

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 Vice Chairman Gibson

Approval of Minutes: Motion was made, seconded and passed, to approve the minutes of May 19, 2011.

Non-Agenda Public Comments:

Mr. Eric Greening, 7365 Valle Avenue, Atascadero, CA 93422. Mr. Greening asked when the Sphere of Influence Update and Municipal Service Review for the City of Pismo Beach would be back before the Commission.

Mr. Church stated that it would likely come before the Commission in September 2011

Consent Agenda:

None

Regular Matters:

Item A-1: Ground Squirrel Hollow Community Services District Outside User Agreement to provide road maintenance services to a 356-linear foot easement adjacent to the CSD Service Area

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

Mr. Church stated that the Cortese-Knox-Hertzberg Act allows approval of Outside User Agreements outside the Sphere of Influence (SOI) only in response to a documented *existing or impending threat to public health and/or safety*.

Mr. Church stated that agencies involved with the Ground Squirrel Hollow Community Services District (District) included the CAL FIRE/County Fire Department which is in favor of approving the Agreement. The Paso Robles School District is also in favor of improvements to the easement stating that the muddy area could be a safety threat to the public. The United States Postal Service is another agency in favor of improvements to the easement so that the mail trucks do not get stuck in the mud.

Mr. Church stated that a maintenance program is key in ensuring continued unobstructed emergency access to the District.

Some factors to take into consideration are that the area experiences poor road conditions due to bad weather and vehicle use; an Outside User Agreement would allow the District to provide road maintenance services; annexation is impractical in this situation due to the small size of the easement and the costs of annexation.

Mr. Church stated that Conditions of Approval includes the following statement:

The Outside User Agreement shall be limited to serving Ground Squirrel Hollow Road at the intersection of Geneseo Road and the Lauridsen/Stroud Trust Offer of Dedication only as shown in exhibits of this staff report. No other surrounding parcels or areas shall claim entitlements by virtue of this agreement. The Outside User Agreement is limited to road maintenance only.

Mr. Glenn Marshall, San Luis Obispo County Public Works Department stated that the County supported this Agreement to improve this portion of the road. He further stated that the Agreement would offer more public benefit specific to the CSD than the County as a whole.

Ms. Lonnie Lepore, Manager of Ground Squirrel Hollow CSD, 612 Clarion Court, San Luis Obispo, CA 93401, stated that the members of the CSD were in favor of approval of the Agreement.

Commissioner Eby and **Alternate Commissioner Murray** asked Ms. Lepore questions about the condition of the road, funding for the improvements, and the road base material.

Commissioner Clift commended the CSD and residents of the CSD for taking the initiative to improve the area.

Motion was made by Commissioner Murray to approve the Outside User Agreement to provide road maintenance services to a 356-linear foot easement adjacent to the CSD Service Area

Commissioner Clift seconded the motion.

The motion passed as follows:

AYES: Commissioners Murray, Clift, Eby, Patterson, Picanco, and

Vice Chairman Gibson

NAYS: None

ABSTAIN: None

Item B-1: Status Report regarding the Public Review Draft Sphere of Influence Update and Municipal Service Review for the City of Atascadero.

Mr. Church introduced this item. Mike Prater provided a PowerPoint presentation.

Mr. Church stated that the City of Atascadero had approved the Memorandum of Agreement (MOA) between the City and County. In August 2011, the MOA will be presented to the County Board of Supervisors for their approval.

The Commissioners and Vice Chairman had questions about the MOA, water, agricultural land and the completion of the SOI Update/MSR.

Mr. Church and Mr. Prater responded to the questions.

Public Comment:

Mr. Eric Greening, 7635 Valle Avenue, Atascadero, CA 93422 spoke about the mitigated conversion of agricultural lands, the Lakes project, the Atascadero Mutual Water Company, and the Santa Barbara Road interchange roundabout. He stated his concerns about the highway-commercial area.

Commissioner Picanco had questions about the commercial area.

Mr. Church responded to the questions.

Item B-2: Status Report regarding the Public Review Draft Sphere of Influence Update and Municipal Service Review for the City of Paso Robles.

Mr. Church introduced this item. Mr. Prater provided a PowerPoint presentation.

Mr. Church stated that the City of Paso Robles' (City) Sphere of Influence (SOI) was updated in 2004 and included the Beechwood and Olsen properties. Both properties were annexed into the City in 2004.

Mr. Prater presented maps of the Study Areas for the City's SOI Update/MSR and discussed the study areas.

Mr. Church stated that the next meeting to discuss the MOA would be held in late June.

Commissioners Eby and Picanco had questions about the landfill in study area one.

Vice Chairman Gibson had questions about study area five.

Mr. Church responded to the questions.

Mr. Ed Gallagher, City of Atascadero, stated that the City was going to take a hard look at the traffic in study area five. He also stated that the City had approval to develop that area.

Item B-3: CALAFCO Annual Conference-Napa County, August 31-September 2, 2011.

Mr. Church asked the Commissioners to determine which of the conference attendees would be the designated voting delegate and alternate delegate. It was decided that Chairman Roberts would be the delegate.

Commissioner Comments: **Commissioner Eby** gave a brief update on the Nipomo CSD water pipeline. He stated that the CSD was reviewing financing options for the project and might consider an assessment. He added that 25% of the population of Nipomo did not know that there was a water shortage in the CSD.

Legal Counsel Comments: None

Executive Officer Comments: Mr. Church stated that the representative for the Los Robles del Mar project in the City of Pismo Beach had applied for and received a share of State water. He further stated that the representative had indicated that a new application for the Los Robles del Mar project would be forthcoming. Mr. Church stated that the SOI Update/MSR should be completed before considering any annexations to the City.

Mr. Biering stated that the water for the project was a part of the legal settlement between the Los Robles del Mar developer and the City.

Mr. Church stated that the Orcutt Area Specific Plan Protest Hearing had been continued until Monday, July 18, 2011.

Commissioner Picanco stated that he would like the July LAFCO Commission meeting to include a tour of the Pismo Beach SOI area.

Adjournment: With no further business before the Commission, the meeting adjourned at 9:49 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