

**APPROVED**

**Action Minutes**

**San Mateo Local Agency Formation Commission**

**July 17, 2013**

In the Board of Supervisors' Chambers, Hall of Justice and Records, Redwood City, California, Chair Horsley called the regular July 17, 2013 meeting of the Local Agency Formation Commission to order at 2:30 p.m.

Members Present: Commissioners Allan Alifano, David Altscher, Joshua Cosgrove (Alternate), Linda Craig, Richard Garbarino, Adrienne Tissier, Chair Don Horsley

Members Absent: Joe Sheridan

Staff Present: Martha Poyatos, Executive Officer  
Brenda Bennett, Executive Secretary

Chair Horsley welcomed newly selected City Member Allan Alifano and Alternate City Member Michael O'Neill, who was seated in the audience. Also, in the audience was Alternate Commissioner Jayne Herman.

**CONSENT AGENDA**

- a) Approval of Action Minutes: May 15, 2013
- b) LAFCo File No. 13-08—Proposed Annexation of 130 Golden Oak to the West Bay Sanitary District and Subsequent Annexation to the On-site Wastewater Disposal Zone (CEQA Exempt) (1.92 acres)

Commission Action: M/S Tissier/Altscher to approve the consent calendar.

Motion carried 7-0.

**PUBLIC COMMENT**

There was none.

**NEW MATTERS**

**Resolution Honoring Naomi Patridge for her Service to the Commission**

Commission Action: M/S Horsley/Tissier adopting resolution honoring Naomi Patridge for her service to the Commission.

Motion carried 7-0.

LAFCo File No. 13-02--Proposed Annexation of 299 Club Drive to the City of San Carlos and Consideration of Mitigated Negative Declaration

Ms. Poyatos, Executive Officer, provided the Commission with an overview of the proposed annexation of 299 Club Drive to the City of San Carlos to receive sewer and other city services for a subdivision of three homes. She noted the proposal was consistent with the City's General Plan and the actions taken by the City of San Carlos City Council on the development proposal. She further noted that the City of San Carlos, acting as lead agency under the California Environmental Quality Act (CEQA) had prepared and adopted the "Initial Study and Mitigated Negative Declaration for 299 Club Drive Annexation and Subdivision, March 2013" that included pre-zoning, General Plan Amendment and annexation. She said the Commission as the responsible agency under CEQA must consider the Initial Study and Mitigated Negative Declaration prepared by the City of San Carlos.

There was no public comment.

Commission Action: M/S Tissier/Alifano to close the public hearing.

Motion carried 7-0.

Commission Action: M/S Tissier/Garbarino that pursuant to Sections 15096 (g) (2) and 15096 (h) of the State CEQA Guidelines, the Commission has considered the "Initial Study and Mitigated Negative Declaration for 299 Club Drive Annexation and Subdivision, March 2013" prepared by the City of San Carlos and the findings made by the City of San Carlos for the 299 Club Drive Annexation and the Mitigation Measures adopted by the City of San Carlos and finds that the mitigation measures are within the responsibility of the City of San Carlos and not LAFCo, and such changes have been or should be adopted by the City of San Carlos. (CEQA Guidelines 15091 subd. (a)(2).)

Motion carried 7-0.

Commission Action: M/S Garbarino/Tissier to adopt Resolution No. 1169 approving LAFCo File No. 13-02-Proposed Annexation of 299 Club Drive to the City of San Carlos and waiving conducting authority proceedings pursuant to Government Code Section 56663(c).

Motion carried 7-0.

LAFCo File No. 13-03--Proposed Annexation of 191 Lemoore to the City of San Carlos and Consideration of Exemption from the California Environmental Quality Act (CEQA)

Ms. Poyatos, Executive Officer, said this was a proposed annexation of one existing single-family residence to the City of San Carlos and that the City of San Carlos has approved pre-zoning and annexation of the parcel, and that the City and County have adopted resolutions of

property tax exchange. She noted that annexation to the City of San Carlos would require detachment from the County-governed Scenic Heights County Sanitation District. She said there was 100% landowner consent and the proponents were requesting a waiver of conducting authority proceeding noting the City had consented to waiver of the protest hearing.

Commission Action: M/S Tissier/Craig to close the public hearing.

Motion carried 7-0.

Commission Action: M/S Craig/Tissier to make the finding that the proposed annexation is exempt from the provisions of CEQA pursuant to Section 15319 of Public Resources Code (Annexation of existing exempt facilities – up to three single family homes).

Motion carried 7-0.

Commission Action: M/S Garbarino/Craig to approve:

- a) LAFCo File NO. 13-03-Proposed Annexation of 191 Lemoore to the City of San Carlos amended to concurrently detach the parcel from the Scenic Heights County Sanitation District and conditioned upon submittal of a map and legal description that meet the requirements of the State Board of Equalization.
- b) Waiver conducting authority proceedings pursuant to Government Code Section 56663(c).

Motion carried 7-0.

### **CONTINUED MATTERS**

#### **Status Report on the Los Trancos County Water District**

Item continued to the September 11, 2013 meeting.

#### **Recommended Response to the San Mateo County Civil Grand Jury Report: “Sequoia Health Care District – How Are your Property Tax Dollars Spent?”**

Ms. Poyatos, Executive Officer, reported that with the exception of Findings F1 and F2 and Recommendations R1 and R2, the findings and recommendations in the Civil Grand Jury Report were not relevant to the Commission’s statutory role. She said that while much of the subject matter in the balance of the findings and recommendations is covered in municipal service reviews, and the Grand Jury Report would be referenced in future municipal service review of healthcare districts, and the Grand Jury recommendations were not disputed by LAFCo, that the subject matter was outside LAFCo’s control and required no response.

Commission Action: M/S Tissier/Altscher to direct staff to finalize and the send the proposed response to the Grand Jury.

Motion carried 7-0.

California Association of LAFCOs (CALAFCo)

- a) Annual Conference: Wednesday, August 28-30, 2013, Resort at Squaw Creek Lake Tahoe, California

Information only.

- b) Call for Nominations for CALAFCo Board of Directors

There were no nominations.

- c) Designation of Voting Delegate at Annual Conference Business Meeting

Commission Action: M/S Garbarino/Tissier to designate Chair Horsley as the voting delegate and Commissioner Craig as the alternate voting delegate at the Annual Conference business meeting.

Motion carried 7-0.

Legislative Report

Ms. Poyatos said the subcommittee would meet by the September Commission meeting. She highlighted proposed AB 678 – Health care districts; community health needs assessment that would require the health care district conduct an assessment every five years of the community’s health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community’s health needs in the context of the assessment.

Resolution Commemorating the 50<sup>th</sup> Anniversary of Local Agency Formation Commissions in California

Commission Action: M/S Craig/Alifano to approve a resolution commemorating the 50<sup>th</sup> anniversary of Local Agency Formation Commissions in California.

Motion carried 7-0.

Commissioner/Staff Reports

Ms. Poyatos, Executive Officer, noted that the Commission at its September meeting would be asked to select a Vice Chair and based on the usual rotation of Chair and Vice Chair would be a City member.

Adjournment

The meeting was adjourned at 3:03 p.m.