

Minute Item: 5

Ref. Nos.: SA17-09a; SA17-09b; RO17-09

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SAN DIEGO
ADOPTING AMENDMENTS TO THE SPHERES OF INFLUENCE
FOR THE TRI-CITY HEALTHCARE DISTRICT
AND PALOMAR HEALTH HEALTHCARE DISTRICT
AND
ESTABLISHING SPECIAL SPHERE OF INFLUENCE STUDY AREA DESIGNATIONS
FOR TRI-CITY HEALTHCARE DISTRICT
AND PALOMAR HEALTH HEALTHCARE DISTRICT
AND
MAKING DETERMINATIONS, APPROVING, AND ORDERING THE
“TRI-CITY HEALTHCARE DISTRICT REORGANIZATION”
(TRI-CITY HEALTHCARE DISTRICT)

WHEREAS, Tri-City Healthcare District (HD) has filed a resolution of application with the Local Agency Formation Commission of the County of San Diego, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposal seeks Commission approval to reorganize approximately 36,700 acres of lands located in northern San Diego County and involves the following jurisdictional changes affecting three subject agencies, Tri-City HD, Palomar Health HD, and Fallbrook Regional HD as shown in Exhibit “A” and involve: annexation of approximately 8,232-acres to the Tri-City Healthcare District; detachment of approximately 25,657-acres from the Tri-City Healthcare District; annexation of approximately 57-acres to the Palomar Health Healthcare District; and, detachment of approximately 2,747-acres from the Fallbrook Regional Healthcare District; and

WHEREAS, portions of the affected territory as proposed currently lies outside of the spheres of influence established for Tri-City HD and Palomar Health HD, and as a result requires conforming amendments to accommodate the requested reorganization under Government Code Section 56375.5; and

WHEREAS, the Commission’s Executive Officer has reviewed the reorganization proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the reorganization proposal and need for concurrent sphere of influence amendments involving Tri-City HD and Palomar Health HD have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing along with a necessary concurrent sphere of influence amendments for consistency under Government Code Section 56375.5 on March 5, 2018.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The hearing was held on the date set therefore, and due notice of said hearing was given in the manner required by law.
2. At the hearing, the Commission called for, heard, and considered all interested parties and read and considered the Executive Officer's report.
3. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering three distinct "projects" associated with the proposal and as detailed in the Executive Officer's report: (a) the proposed reorganization; (b) corresponding sphere of influence amendments for Tri-City Healthcare District and Palomar Health Healthcare District; and (c) establishment of special sphere of influence study area designations for Tri-City Healthcare District and Palomar Health Healthcare District. The Commission finds – and consistent with the Executive Officer's determination – all three projects are exempt from further environmental review because, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the sphere of influence amendments and the "Tri-City Healthcare District Reorganization" are not subject to the environmental impact evaluation process because it can be seen with certainty that there is no possibility for the proposed project to significantly impact the environment, and the activity is not subject to CEQA.
4. The Commission conditionally APPROVES amendments to the spheres of influence for Tri-City Healthcare District and Palomar Health Healthcare District as identified as SA17-09a and SA17-09b and shown in Exhibit "A". Approval conditions follow.
 - a) Approval and completion of the associated proposed Tri-City Healthcare District Reorganization identified by the Commission as RO17-09.
5. The written statements of the Commission addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code Section 56425 are provided as Exhibit "B".
6. The Commission conditionally APPROVES the proposed Tri-City Healthcare District Reorganization identified as RO17-09 without modification or amendment and as shown in Exhibit "C". The following conditions must be satisfied within one calendar year – or March 5, 2019 – unless prior written request for an extension is received and approved by the Commission.

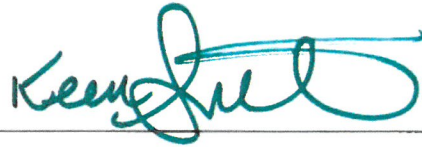
- a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - b) Final confirmation by the County of San Diego Assessor's Office of the completeness of the map and geographic description of the affected territory for recording with the State Board of Equalization.
 - c) Payment of any outstanding fees and/or charges requested by the Executive Officer consistent with the Commission's adopted fee schedule.
 - d) Receipt by the Executive Officer of a written agreement between Tri-City Healthcare District and Fallbrook Regional Healthcare District signed by their respective designees to phase the implementation of the corresponding property tax exchange separately established by Board of Supervisors.
7. The affected territory as designated by the Commission is inhabited as defined in Government Code Section 56046.
 8. The Commission waives conducting authority proceedings under Government Code Section 56663 given that the proposed reorganization territory includes more than 1,000 property owners and registered voters and that a public hearing notice for the proposal was published on February 12, 2018 in the San Diego Union-Tribune. The public hearing notice for the proposal included the required language regarding the intent of the Commission to waive protest proceedings; the need for submittal of any written opposition prior to the conclusion of proceedings; and the potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory.
 9. All three subject agencies subject to the reorganization – Tri-City Healthcare District, Palomar Health Healthcare District, and Fallbrook Regional Healthcare District – utilize the regular assessment roll of the County of San Diego.
 10. Upon effective date of the reorganization proposal, any previously authorized charges, fees, special assessments, rules, regulations, and ordinances that were lawfully enacted by the three subject agencies – Tri-City Healthcare District, Palomar Health Healthcare District, and Fallbrook Regional Healthcare District – will be applied to the affected territory as reorganized.
 12. The effective date of the reorganization proposal shall be the date of recordation of the Certificate of Completion.
 13. The Commission conditionally APPROVES the establishment of special sphere of influence study area designations for Tri-City Healthcare District and Palomar Health Healthcare District as shown in Exhibit "D". Approval conditions follow.

a) Approval and completion of the associated proposed Tri-City Healthcare District Reorganization identified by the Commission as RO17-09.

14. As allowed under Government Code 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

PASSED AND ADOPTED by the San Diego County Local Agency Formation Commission on March 5, 2018 by the following vote:

- AYES: Commissioner Blakespear, Jacob, MacKenzie, Sprague, Vanderlaan, Wells, and Zapf
- NOES: None
- ABSENT: Commissioner Horn
Alternate Commissioners Cate, Cox, and Mathis
- ABSTAINING: None



Attested by:

Keene Simonds, Executive Officer
San Diego Local Agency Formation Commission

March 22, 2018