



San Diego County

Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

REGULAR MEETING AGENDA

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MONDAY, AUGUST 5, 2019, 9:00 A.M.

COUNTY ADMINISTRATION CENTER | ROOM 302
1600 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA

1. **9:00 A.M. – CALL TO ORDER BY CHAIR | ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **AGENDA REVIEW**

The Chair will consider requests to remove or rearrange items on the agenda.
4. **PUBLIC COMMENT**

Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction, but not an item listed on the agenda. Each speaker's presentation may not exceed three minutes. (Please note for items listed on the agenda, speakers should fill out a speaker slip and address the Commission when the item is discussed, and their name is called.)
5. **CONSENT ITEMS**

All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. The Chair will also consider requests to pull an item for discussion.

 - a) **Approval of Meeting Minutes for June 3, 2019 (action)**

The Commission will consider approving minutes for the June 3, 2019 regular meeting. Staff recommends approval.
 - b) **Commission Ratification of Recorded Payments for May and June 2019 (action)**

The Commission will review payments received and made for the months of May and June 2019. These payments cover all recorded transactions for the period and include \$418,419 in total distributions made by the Executive Officer. Staff recommends ratification.
 - c) **End of Year Budget Report for 2018-2019 (action)**

The Commission will review an end of year report comparing budget and actual expense and revenue transactions for 2018-2019. The report notes the Commission finished the fiscal year in positive standing with a net operating balance of \$56,354 or 1.5% albeit with the aid of a mid-year budget adjust to access additional reserves. The report is being presented for formal filing.

CONSENT ITEMS CONTINUED...

- d) **Ratification of an Administrative Approval |
“Wilmott-Champagne Boulevard Outside-of-Agency Service Agreement” Involving the Valley Center Municipal Water District (action)**
The Commission will consider ratification of an administrative approval by the Executive Officer of an outside-of-agency water service agreement involving the Valley Center Municipal Water District (MWD) a developed residential parcel at 28616 Champagne Boulevard in Bonsall. The approval responds to a documented public health threat involving the failure of the residence’s on-site well. Staff recommends Commission ratification.
- e) **Amendments to Commission Rules |
Reimbursements and Executive Officer Compensation Committee (action)**
The Commission will consider approving non-substantive amendments to its adopted rules. The first set of amendments involves establishing stand-alone reimbursement policies. The second set of amendments involves prescribing the composition of the Executive Officer Compensation Committee to parallel the membership of the Personnel Committee. Staff recommends approval of the amendments with immediate effective dates.
- f) **Commendations for Past Members of the Special Districts Advisory Committee (action)**
The Commission will recognize the service contributions for two past members – Erin Lump and John Pastore – of the Special Districts Advisory Committee. This recognition follows the two members’ recent departure from the Committee. Staff recommends adoption of draft commendation resolutions for presentation off dais at a future Committee meeting.
- g) **Progress Report on 2019-2020 Workplan (action)**
The Commission will receive a progress report on accomplishing specific projects as part of the adopted workplan for 2019-2020. This includes noting through the first month two-fifths of the two dozen plus projects are now underway with three nearing their completion and highlighted by a scheduled municipal service review on the San Diego County Sanitation District. The report is being presented to the Commission to receive and file.
- h) **CALAFCO Annual Conference Items |
Board Nominations and Voting Delegates (action)**
The Commission will consider action items relating to the upcoming California Association of LAFCOs’ (CALAFCO) Annual Conference scheduled for October 30th to November 1st in Sacramento. This includes a recommendation for the Commission to formally nominate Commissioner MacKenzie to seek re-election to the CALAFCO Board as well as appoint Commissioners Vanderlaan and MacKenzie as delegate and alternate delegate, respectively.
- i) **Current Proposals and Related Activities (information)**
The Commission will receive a report summarizing active proposals on file with the Commission as well as pending submittals. The item is for information only and concurrently satisfies LAFCO’s reporting requirement for special district proposals submitted by petition.

(continued)

6. PUBLIC HEARING ITEMS

Public hearing items require expanded public notification per provisions in State law.

a) Final Report and Related Actions |

Municipal Service Review on the San Diego County Sanitation District (action)

The Commission will receive a final report prepared as part of San Diego LAFCO's scheduled municipal service review on the San Diego County Sanitation District and wastewater services within its seven distinct service areas. The final report returns with limited revisions from its earlier draft presentation in June. Staff recommends the Commission formally accept the final report along with adopting a resolution making required determinations.

b) Sphere of Influence Update |

San Diego County Sanitation District (action)

The Commission will consider approving a sphere of influence update for the San Diego County Sanitation District. The update draws on information included in a recently prepared municipal service review and recommends the Commission proceed to affirm the existing sphere without changes and ahead of performing a comprehensive update before or during the next five-year study cycle with potential study areas identified. Staff recommends approval.

c) "Pauma Valley Fire Joint-Reorganization" |

Concurrent Divestiture of Fire Protection and Emergency Medical Service by Mootamai, Pauma, and Yuima Municipal Water Districts and Latent Power Area Expansion of Fire Protection and Emergency Medical Services for County Service Area No. 135 (action)

The Commission will consider a joint- proposal filed by four subject agencies to transfer fire protection and emergency medical service responsibilities involving 18,565 acres in unincorporated Pauma Valley to the County of San Diego. The transfer would involve concurrently divesting these service powers from the Mootamai, Pauma, and Yuima Municipal Water Districts and expanding the latent power area for these services for County Service Area No. 135. Staff recommends approval with modifications to include an additional 18.6 acres of adjacent land to CSA No. 135's latent power area along with a conforming sphere amendment. Standard terms are also recommended. A list of subject parcels is provided in the agenda report.

d) CANCELLED | "Orchard Hills Reorganization" |

Concurrent Annexation to the Vallecitos Water District and Detachment from the Vista Irrigation District (action)

This notice hearing to consider a reorganization proposal to annex 12.5 acres to Vallecitos Water District and concurrently detach from the Vista Irrigation District has been cancelled. A new notice will be provided in step with rescheduling the item for future consideration.

e) "Lomas de Oro Court Change of Organization" |

Detachment from Leucadia Wastewater District (action)

The Commission will consider a change of organization proposal filed by interested landowners to detach 1.6 acres of incorporated territory in the City of Encinitas from the Leucadia Wastewater District. The affected territory as submitted consists of two developed single-family residential parcels currently dependent on private septic systems and the purpose of the proposal is to facilitate connection to Encinitas' public wastewater system. Staff recommends approval with a modification to expand the detachment to include 0.1 acres of adjacent public right-of-way with a conforming sphere amendment for Leucadia. Standard terms are also recommended. The subject parcels are identified as 265-355-40 and 265-355-42.

f) **“Salem-Snyder Road Change of Organization” |
Annexation to Otay Water District (action)**

The Commission will consider a change of organization proposal filed by an interested landowner to annex 1.5 acres of unincorporated territory to the Otay Water District (WD). The affected territory as submitted is developed with one single-family residence and located within the Valle De Oro community and the purpose of the proposal is to replace an aging septic system. Staff recommends approval of the proposal with a conforming sphere of influence amendment. Standard terms are also recommended. The subject parcel is identified as 497-011-37.

g) **“Windmill Construction Reorganization” |
Annexation to the City of La Mesa and Concurrent Detachments from San Miguel Fire Protection District and County Service Area No. 135 - Regional Communications (action)**

The Commission will consider a reorganization proposal filed by an interested landowner to annex 0.13 acre of unincorporated territory to the City of La Mesa with concurrent detachment from County Service Area No. 135 – Regional Communications and the San Miguel Consolidated Fire Protection District. The affected territory as submitted consists of one undeveloped parcel subject to a pending development approval by the City of La Mesa. Staff recommends approval of the proposal with a conforming sphere of influence amendment. Standard terms are also recommended. The subject parcel is identified as 491-260-19.

7. **BUSINESS ITEMS**

Business items involve regulatory, planning, or administrative items that do not require a hearing.

a) **Draft Municipal Service Review on the Escondido Region: Part One (information)**

The Commission will review a draft prepared as part of the scheduled municipal service review on the Escondido region. The draft represents the first of a two-part municipal service review and is specific to addressing public services provided by the Deer Springs Fire Protection District and Rincon del Diablo Municipal Water District. This includes preparing determinative statements addressing all the factors required under statute as part of the municipal service review mandate and headlined by population estimates, infrastructure needs, and financial standing. The draft is being presented to the Commission for discussion and feedback ahead of staff initiating a public review in anticipation of returning in October with final actions.

b) **Designation of Labor Negotiators (action)**

Pursuant to Government Code Section 54957.6, the Commission will designate its representatives for purposes of negotiating the salary and benefits for the Executive Officer. Verbal report only.

8. **EXECUTIVE OFFICER REPORT**

9. **COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS**

10. **CLOSED SESSION**

Closed session items are calendared by Commission Counsel.

a) **Conference with Legal Counsel – Existing Litigation:**

Pursuant to Government Code Section 54956.9(d)(1): Julian-Cuyamaca Fire Protection District, et al. v. San Diego LAFCO et al., San Diego Superior Court Case No. 37-2019-00018076-CU-M C-TL

b) **Conference with Legal Counsel – Existing Litigation:**

Pursuant to Government Code Section 54956.9(d)(1): Julian Fire Company Association, et al. v. Julian-Cuyamaca Fire Protection District, et al., San Diego Superior Court Case No. 37-2018-00020015-CU-WM-CTL

CLOSED SESSION ITEMS CONTINUED...

- c) Conference with Legal Counsel--Initiation of Litigation:**
Pursuant to Government Code Section 54956.9(d)(4): (One potential case.)

- d) Conference with Legal Counsel--Anticipated Litigation:**
Pursuant to Government Code Section 54956.9(d)(2): Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9. (Two cases.)

- e) Public Employee Performance Evaluation**
Pursuant to California Government Code § (54957(b))
Employee: Keene Simonds, Executive Officer

- f) Conference with Labor Negotiators**
Pursuant to California Government Code Section 54957.6
Agency designated representatives: See Agenda Item 7b
Unrepresented Employee: Executive Officer

ADJOURNMENT TO NEXT MEETING

October 7, 2019

Attest to Posting



Tamaron Luckett
Executive Assistant

All associated agenda reports are available for viewing at www.sdlafco.org.

Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) business days prior to the meeting for any requested arraignments or accommodations.

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