



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, OCTOBER 7, 2019, 9:00 A.M.

COUNTY ADMINISTRATION CENTER
1600 PACIFIC HIGHWAY, ROOM 302
SAN DIEGO, CALIFORNIA 92101

1. **9:00 A.M. – CALL TO ORDER BY CHAIR | ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INTRODUCTION OF NEW COMMISSIONER**
City of Escondido Mayor Paul McNamara, Alternate City Member.
4. **AGENDA REVIEW**
The Chair will consider requests to remove or rearrange items on the agenda.
5. **PUBLIC COMMENT**
Opportunity for members of the public to speak 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.)
6. **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 August 5, 2019 (action)**
The Commission will consider approving summary minutes prepared for the August 5, 2019 regular meeting. Staff recommends approval.
 - b) **Commission Ratification of Recorded Payments for July and August 2019 (action)**
The Commission will review payments received and made for the months of July and August 2019. These payments cover all recorded transactions for the two-month period and include \$276,233 in total distributions made by the Executive Officer. Staff recommends ratification.
 - c) **Proposed "Orchard Hills Reorganization" | Concurrent Annexation to the Vallecitos Water District and Detachment from the Vista Irrigation District (RO19-06) (action)**
The Commission will consider a reorganization proposal filed by an interested landowner with the principal action to annex 12.5 unincorporated acres east of the City of San Marcos to the Vallecitos Water District. A concurrent detachment from Vista Irrigation District is also proposed. The proposal's purpose is to extend Vallecitos Water District's wastewater and water services to facilitate the development of a 20-lot subdivision. Staff recommends approval of the proposal without modifications. Standard approval terms are also recommended along with waiving protest proceedings. The County Assessor identifies the subject parcels as 218-220-10 and 218-220-17.

CONSENT ITEMS CONTINUED...

d) Ratification of an Administrative Approval | “Hamilton Lane–Felicitia Road Outside Wastewater Service Agreement” Involving the City of Escondido (OAS19-15) (action)

The Commission will consider ratification of an administrative approval by the Executive Officer of an outside-of-agency wastewater service agreement involving the City of Escondido. The agreement authorizes the City to provide wastewater service to two unincorporated and developed residential parcels and was approved by the Executive Officer consistent with policies given a documented public health threat involving failing septic systems. Staff recommends ratification. The County Assessor identifies the subject parcels as 238-360-05 and 238-360-19.

e) Protest Results for the “Pauma Valley Fire Joint-Reorganization” | Divestiture of Fire Protection and Emergency Medical Service Powers for Mootamai, Pauma, and Yuima Municipal Water Districts and Concurrent Expansion of Activated Fire Protection and Emergency Medical Services Latent Power Area for County Service Area No. 135 (RO18-13 et al.) (information)

The Commission will receive the results of the protest hearing conducted for the “Pauma Valley Fire Joint-Reorganization.” The noticed hearing was held by the Executive Officer on September 11th and did not produce any written objections from affected landowners or registered voters. LAFCO’s approval to transfer fire protection and emergency medical service responsibilities from the Mootamai, Pauma, and Yuima Municipal Water Districts (MWDs) to the County of San Diego through County Service Area (CSA) No. 135 will be ordered once all terms are satisfied.

f) Progress Report on 2019-2020 Workplan (action)

The Commission will receive a progress report on accomplishing specific projects included in the adopted workplan for 2019-2020. The report is being presented to the Commission to receive and file as well as to identify and discuss potential revisions for future consideration.

g) Current Proposals and Related Activities (information)

The Commission will receive a progress report on accomplishing specific projects as part of the adopted workplan for 2019-2020. The report is being presented to the Commission to receive and file and satisfies a noticing requirement under statute.

7. PUBLIC HEARING ITEMS

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

a) Proposed “San Marcos Highlands Reorganization” | Concurrent Annexations to the City of San Marcos, San Marcos Fire Protection District, and Vallecitos Water District and Detachments from the Vista Fire Protection District and Vista Irrigation District with Associated Sphere of Influence Amendments (RO17-07 et al.) (action)

The Commission will consider a reorganization proposal filed by an interested landowner with the principal action to annex 124.9 unincorporated acres to the City of San Marcos. Concurrent boundary changes involving portions of the affected territory are also proposed and involve annexations to the San Marcos Fire Protection District and Vallecitos Water District and detachments from Vista FPD and Vista Irrigation District. The purpose of the proposal is to facilitate the development of the affected territory as part of a 189-lot residential development tentatively approved by the City of San Marcos. Staff recommends approval of the proposal and the requested boundary changes as submitted with conforming sphere of influence amendments. Standard approval terms are also recommended along with waiving protest proceedings. A list of the subject parcels is provided in the accompanying agenda report.

PUBLIC HEARING ITEMS CONTINUED...

b) Final Report and Related Actions | Municipal Service Review on the Escondido Region: Part One (action)

The Commission will receive a final report prepared as part of San Diego LAFCO's scheduled municipal service review on the Escondido region. The final report 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. The final report returns with limited revisions from its earlier draft presentation in August and subsequent public review. Staff recommends the Commission formally accept the final report along with adopting a resolution making required determinations. The report will inform subsequent sphere of influence updates.

8. BUSINESS ITEMS

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

a) Proposed Memorandum of Understanding with Riverside LAFCO | Establishing Approval Responsibilities for Multi-County Reorganization Involving Eastern Municipal Water District, Fallbrook Public Utility District, Rainbow Municipal Water District, and San Diego County Water Authority (action)

The Commission will consider a proposed memorandum of understanding (MOU) with Riverside LAFCO to establish approval responsibilities for a pending joint-reorganization proposal affecting Riverside and San Diego Counties. The proposed MOU provides clarifications under statute and assigns all related approvals to San Diego LAFCO with respect to Fallbrook Public Utility District and Rainbow Municipal Water District's interest to transfer wholesale water provision from San Diego County Water Authority to Eastern Municipal Water District. Staff recommends approval.

b) CALAFCO Proposed New Dues Structure (discussion)

The Commission will discuss a new dues structure and associated bylaw changes proposed by the California Association of LAFCOs (CALAFCO) ahead of a membership vote on October 31st. The proposed new dues structure is intended to eliminate an ongoing structural deficit and would collectively increase due contributions overall by nearly one-half. A secondary aim of the proposed new dues structure is to revise the contribution formula to provide improved parity in the amounts paid between LAFCOs and in doing so respond to concerns by – and among others – San Diego. Approval would increase San Diego LAFCO's annual dues by 19% from \$8,926 to \$10,662.

c) Proposed Amendment to Employment Agreement for Executive Officer Keene Simonds (action)

The Commission will consider a recommendation by the Executive Officer Compensation Committee (MacKenzie, Jacob, and Mathis) to approve a second amendment to the employment agreement with Executive Officer Keene Simonds. The recommendation follows the Commission's August 5, 2019 performance review of the employee and may be taken up following closed session.

9. EXECUTIVE OFFICER REPORT

10. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

11. 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

CLOSED SESSION CONTINUED...

- 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
- 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: MacKenzie, Jacob, and Mathis
Unrepresented Employee: Executive Officer

ADJOURNMENT TO NEXT MEETING

November 4, 2019

Attest to Posting



RUTH ARELLANO
Executive Assistant

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

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