



San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

5a

AGENDA REPORT
Consent | Action

January 6, 2020

TO: Commissioners

FROM: Tamaron Lockett, Executive Assistant

SUBJECT: **Approval of Meeting Minutes for December 2, 2019**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on Monday, December 2, 2019. The minutes are in action-form and being presented for formal approval with any desired corrections or clarifications as requested by the Commission.

BACKGROUND

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and – among other items – requires public agencies to maintain written minutes for qualifying meetings.

DISCUSSION

This item is for San Diego LAFCO to consider approving action minutes for the December 2, 2019 regular meeting. The attendance record for the meeting follows.

- All members were present except Commissioners Jim Desmond (regular), Chris Cate (alternate), and Paul McNamara (alternate).

Administration

Keene Simonds, Executive Officer
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Jim Desmond
County of San Diego

Chair Dianne Jacob
County of San Diego

Greg Cox, Alternate
County of San Diego

Mary Casillas Salas
City of Chula Vista

Bill Wells
City of El Cajon

Paul McNamara, Alternate
City of Escondido

Mark Kersey
City of San Diego

Chris Cate, Alternate
City of San Diego

Jo MacKenzie
Vista Irrigation

Barry Willis
Alpine Fire Protection

Erin Lump, Alternate
Rincon del Diablo MWD

Vice Chair Andy Vanderlaan
General Public

Harry Mathis, Alternate
General Public

ANALYSIS

The attached draft minutes for the December 2, 2019 regular meeting accurately reflect San Diego LAFCO's actions as recorded by staff. A video recording of the meeting has also been posted on the Commission's website (www.sdlafco.org).

RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the December 2, 2019 regular meeting as presented. This recommendation is consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO through a single motion:

Alternative One (recommended):

Approve the draft minutes prepared for the December 2, 2019, regular meeting with any desired corrections or clarifications.

Alternative Two:

Continue item to the next regular meeting and provide direction to staff as needed.

PROCEDURES

This item has been placed on San Diego LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



Tamaron Lockett
Executive Assistant

Attachment:

- 1) Draft Meeting Minutes for December 2, 2019

**DRAFT MINUTES
SAN DIEGO LAFCO
December 2, 2019 REGULAR MEETING**

1. CALL TO ORDER | ROLL CALL

The regular meeting was called to order at 9:00 a.m. by Chair MacKenzie in the County of San Diego Administration Center, 1600 Pacific Highway, Room 302, San Diego.

The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Dianne Jacob, County of San Diego (VICE)
Mark Kersey, City of San Diego
Jo MacKenzie, Vista Irrigation District (CHAIR)
Mary Casillas Salas, City of Chula Vista
Andy Vanderlaan, Public
Bill Wells, City of El Cajon
Barry Willis, Alpine Fire Protection District

Alternates Present: Greg Cox, County of San Diego (Voting)
Erin Lump, Rincon del Diablo Municipal Water District
Harry Mathis, Public

Members Absent: Jim Desmond, County of San Diego
Chris Cate, City of San Diego (alternate)
Paul McNamara, City of Escondido (alternate)

The Commission Clerk confirmed a quorum was present with eight voting members with Alternate Commissioner Cox voting in place of Commissioner Desmond. Also present at the dais: Executive Officer Keene Simonds; Commission Counsel Holly Whatley; Chief Policy Analyst Robert Barry; and Executive Assistant Tamaron Lockett serving as Commission Clerk.

Commissioner Wells arrived at 9:05 a.m. and Commissioner Salas arrived at 9:10 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Kersey led the Commission in the Pledge of Allegiance.

3. AGENDA REVIEW

Chair MacKenzie asked the Executive Officer if there were requests to remove or rearrange items on the agenda. Executive Officer stated no changes to the agenda were needed and recommended the Commission proceed as planned.

4. PUBLIC COMMENT

Chair MacKenzie asked the public if anyone would like to address the Commission on any item not related to the agenda. Seeing no audience members approach the dais Chair MacKenzie ended the public comment period.

5. CONSENT ITEMS

Item 5a

Approval of Meeting Minutes for November 4, 2019

Item presented to approve draft action minutes prepared for the Commission's November 4, 2019 special meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for October 2019

Item presented to ratify recorded payments made and received by the Executive Officer for the month of October. Recommendation to approve.

Item 5c

Proposed "Wilmott-Champagne Boulevard Reorganization" | Concurrent Annexation to the Valley Center Municipal Water District and Detachment from the Vallecitos Water District; RO19-08

Item presented to consider a reorganization proposal filed by an interested landowner with the principal action to annex 2.5 unincorporated acres to the Valley Center Municipal Water District with a concurrent detachment from Vallecitos Water District. The proposal's purpose is to provide permanent water service to an existing single-family residence and in doing so to replace a temporary out-of-agency service agreement approved by LAFCO. Recommendation to approve the proposal without modifications along with standard terms and waive protest proceedings.

Item 5d

Authorize Office Closure on December 24th and 26th

Item presented to consider authorization for closure of the LAFCO Office on December 24th and 26th. Recommendation to approve.

Item 5e

Progress Report on 2019-2020 Workplan

Item presented to receive a progress report of specific projects as part of the 2019-2020 workplan. Recommendation to accept and file.

Item 5f

Current Proposals and Related Activities

Item presented to update current proposals on file with LAFCO as well as identify anticipated submittals. Item for information only.

CONSENT ITEMS CONTINUED....

Item 5g

Expiring Commissioner Terms in 2020

Item presented to receive a report identifying membership terms that are due to expire in May 2020 and necessitate new appointments and/or reappointments. This includes noting LAFCO will conduct an election on behalf of the Special Districts Selection Committee to fill a new four-year term for a regular district seat. Item for information only.

Item 5h

End of Legislative Year Review

Item presented to review the first year of the 2019-2020 legislative session relative to items impacting the Commission's regulatory and planning responsibilities. This includes noting no significant changes to LAFCO statutes were chaptered during the first year. Item for information only.

Chair MacKenzie identified the items listed on the consent calendar and asked if any Commissioners would like to pull an item, and if not make a motion.

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Commissioner Kersey motioned to approve the consent calendar as recommended in the agenda reports with a second from Commissioner Vanderlaan. Roll call requested.

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, McNamara, and Salas

ABSTAINING: Cox (minutes)

The Commission Clerk confirmed the motion was approved 7-0.

Commissioner Salas arrived after the motion was approved.

6. PUBLIC HEARING ITEMS

Item 6a

Proposed "Catalina Avenue Reorganization" |

Concurrent Annexation to the Vista Irrigation District and Detachment from the Vallecitos Water District and Associated Sphere Amendments; RO19-13

Item presented to consider a reorganization proposal filed by interested landowners with the principal action to annex 1.3 unincorporated acres outside the City of Vista to the Vista Irrigation District and a concurrent detachment from Vallecitos Water District. The proposal's purpose is to extend Vista Irrigation District's water service to facilitate the development of a single-family residence.

PUBLIC HEARING ITEMS CONTINUED...

Item 6a Continued

Recommendation to approve the proposal without modifications along with standard terms and conforming sphere of influence amendments for both subject agencies. Recommendation to also waive protest proceedings.

Executive Officer Keene Simonds presented the item to the Commission.

Commissioner Wells asked if LAFCO received any written oppositions. Executive Officer Keene Simonds noted none were received.

Chair MacKenzie opened the public hearing and invited comments from the audience. Chair noted the following person submitted a speaker card to record a position but do not wish to speak:

- Daniel Valdez with Coffey Engineering (support)

Chair MacKenzie proceeded to close the public hearing.

Commissioner Vanderlaan motioned to approve the staff recommendation as provided in the agenda report with a second from Commissioner Jacob. Roll call requested:

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, and McNamara

ABSTAINING: None

The Commission Clerk confirmed the motion was approved 8-0.

7. BUSINESS ITEMS

Item 7a

Proposed “Sweetwater Road Reorganization” |

Concurrent Annexation to the City of National City and Detachments from County Service Area No. 135, Lower Sweetwater Fire Protection District, San Diego County Sanitation District, and South Bay Irrigation District; RO19-06

Item presented on business calendar to consider a reorganization proposal initiated by an interested landowner with the principal action to annex 0.23 unincorporated acres in Lincoln Acres to the City of National City. Concurrent actions also proposed and involve detachments from County Service Area No. 135, Lower Sweetwater Fire Protection District, and South Bay Irrigation District. The proposal purpose is to...

BUSINESS ITEMS CONTINUED...

Item 7a continued

facilitate development of a 5,500 square foot commercial project tentatively approved by National City. Recommendation to approve the proposal with a discretionary modification to add approximately 50.5 acres of adjacent public right-of-ways – including the interstate 805/State Route 54 interchange – along with standard terms and waive protest proceedings.

Chief Policy Robert Barry presented the item to the Commission.

Commission discussion.

Chair MacKenzie invited comments from the public. Comments were received from the following:

- Martin Reeder with City of National City (support with a condition to address liability concerns involving levee maintenance along the Sweetwater Channel).

Additional Commission discussion with Commissioner Cox recommending approval of the staff recommendation with a new term as stated below:

“The reorganization is conditioned on receipt by the Executive Officer of an Administrative Change Letter involving the maintenance of the Sweetwater River Channel to accommodate the associated annexation of additional channel lands/improvements to the City of National City.”

Additional Commission discussion.

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Commissioner Cox motioned to approve the staff recommendation along with the conditional recommendation as stated with a second from Commissioner Jacob. Roll call requested:

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, and McNamara

ABSTAINING: None

The Commission Clerk confirmed the motion was approved 8-0.

BUSINESS ITEM CONTINUED...

Item 7b

Approval of Independent Audit |

Associated with Selection of New Outside Accounting Firm

Information presented to consider approval of an independent audit expense in the amount of \$9,950. Approval is required under policy and associated with the completion of request for proposal process and selection therein by the Executive Officer for R.J. Ricciardi and Associates to audit LAFCO's financial statements beginning with 2018-2019. Recommendation to approve.

Executive Officer Keene Simonds presented the item to the Commission.

Commission discussion.

Chair MacKenzie invited comments from the public. No comments were received.

Commissioner Vanderlaan motioned to approve the staff recommendation as provided in the agenda report with a second from Commissioner Cox. Roll call requested:

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, and McNamara

ABSTAINING: None

The Commission Clerk confirmed the motion was approved 8-0.

Item 7c

Chair and Vice Chair Appointments

Item presented to consider making officer appointments and selection of a Chair and Vice Chair for 2020 as required under adopted policy.

Commission discussion.

Commissioner MacKenzie motioned to nominate Commissioner Jacob for Chair with a second by Commissioner Salas. Roll call requested:

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, and McNamara

ABSTAINING: None

BUSINESS ITEMS CONTINUED...

Item 7c continued

The Commission Clerk confirmed the motion was approved 8-0.

Commissioner Jacob motioned to nominate Commissioner Vanderlaan for Vice Chair with a second by Commissioner Willis. Roll call requested:

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, and McNamara

ABSTAINING: None

The Commission Clerk confirmed the motion was approved 8-0.

Item 7d

Approval of Meeting Schedule for Calendar Year 2020

Item presented to consider approval of a regular meeting calendar for 2020. Recommended approval for regular meetings except February, July, and September. Recommendation to approve.

Item presented by the Executive Officer.

Commissioner discussion.

Commissioner Jacob motioned to nominate Commissioner Vanderlaan for Chair with a second by Commissioner Salas. Roll call requested:

AYES: Cox (voting), Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis

NOES: None

ABSENT: Cate, Desmond, and McNamara

ABSTAINING: None

The Commission Clerk confirmed the motion was approved 8-0.

(over)

8. EXECUTIVE OFFICER REPORT

The Executive Officer made the following comments:

- Announced eight seats are vacant for the Special Districts Advisory Committee and LAFCO is conducting elections with ballots due by January 6, 2020.
- Announced LAFCO will be conducting an election for one of the two regular district seats on the Commission ahead of a new four-year term starting on May 4, 2020.
- Executive Officer presented Chair MacKenzie with an honorary LAFCO gavel for her dedicated service as Chair over the last two years.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

None

10. CLOSED SESSION

Commission Counsel Holly Whatley advised the Commission would adjourn at 9:40 a.m. into closed session to discuss agenda items.

Item 10a

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

Item 10b

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

Item 10c

Conference with Legal Counsel – Anticipated Litigation

Pursuant to Government Code Section 54956.9(d)(1): Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9. (Two cases.)

**

Chair MacKenzie reconvened the regular meeting back into open session at 10:05 a.m. with Commission Counsel Holly Whatley announcing there were no reportable actions.

11. ADJOURNMENT TO NEXT MEETING

With no further business the Chair adjourned the meeting at 10:07 a.m.

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I hereby attest the minutes above accurately reflect the deliberations of the Commission at its December 2, 2019 meeting.

ATTEST,

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Tameron Lockett
Executive Assistant

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A video recording of the December 2, 2019 regular meeting is also available online at www.sdlafco.org or by contacting LAFCO staff at 858-614-7755.

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