

**APPROVED 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 24<sup>th</sup> and 26<sup>th</sup>**

Item presented to consider authorization for closure of the LAFCO Office on December 24<sup>th</sup> and 26<sup>th</sup>. 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.)

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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,

//

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](http://www.sdlafco.org) or by contacting LAFCO staff at 858-614-7755.

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