



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, FEBRUARY 7, 2022
COUNTY ADMINISTRATION CENTER
1600 PACIFIC HIGHWAY, ROOM 302
SAN DIEGO, CALIFORNIA

Chair Andy Vanderlaan
Vice Chair Jim Desmond

Executive Officer Keene Simonds
Commission Counsel Holly O. Whatley

County of San Diego	Cities	City of San Diego	Special Districts	General Public
Jim Desmond Joel Anderson Nora Vargas, Alt.	Paul McNamara Mary Casillas Salas Kristi Becker, Alt.	Chris Cate Mami von Wilpert, Alt.	Jo MacKenzie Barry Willis David A. Drake, Alt.	Andy Vanderlaan Harry Mathis, Alt.

The February 7, 2022 meeting will be held in a hybrid format to accommodate both in-person and remote participation by the Commission and its staff members. The public is similarly welcome to participate in person or remotely (video or telephone). The following standards apply.

- With respect to in-person participation in Room 302 in the County Administration Building:
 - Face coverings must be worn irrespective of vaccination status.
 - Face coverings must remain on when providing public comments.
- With respect to remote participation:
 - The public may watch the meeting live using the link on our website home page: www.sdlafco.org.
 - The public may attend remotely using either the Zoom app, Zoom website (<https://zoom.us/>) or call in by telephone at (669) 900-9128. Use Meeting/Webinar ID: 895 6767 7168 and Passcode: 508649.
 - The public may provide comments in real-time by emailing erica.blom@sdcounty.ca.gov. E-mailed comments will be read into the record by LAFCO staff.
 - The public may also provide comments in real-time by telephone or video by pre-registering no later than 4:00pm on February 4, 2022. Pre-register by calling 619-321-3380 or emailing lafco@sdcounty.ca.gov.
 - All comments are subject to a three-minute limit.

1. 9:00 A.M. – CALL TO ORDER | ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. AGENDA REVIEW & COMMISSION DISCLOSURES

a) Requests to Remove or Rearrange Items

The Chair will consider requests to remove and/or rearrange items on the agenda in coordination with the Executive Officer.

AGENDA REVIEW & COMMISSION DISCLOSURES CONTINUED...

b) Commission Disclosures

The Chair will invite Commissioners to disclose ex parte communications with any individuals associated with proposals, requests, or other material actions on the agenda.

4. PUBLIC COMMENT AND RELATED REQUESTS

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 Commissioner requests to pull an item for discussion before entertaining a motion.

a) Approval of Meeting Minutes for December 6, 2021 (action)

The Commission will consider action minutes prepared by the Commission Clerk for the December 6, 2022 regular meeting. Recommendation to approve as presented. (Pages 5-12)

b) Commission Ratification | Recorded Payments for November and December 2021 (action)

The Commission will review a report identifying all payments made and received for November and December 2021. Recommendation to ratify payments as presented. (Pages 13-20)

c) Proposed "Aldern-Eolus Avenue Change of Organization | Annexation to the Leucadia Wastewater District (CO21-10) (action)

The Commission will consider a change of organization proposal filed by the Leucadia Wastewater District to annex 0.5 acres consisting of one entire parcel developed with a single-family residence within the City of Encinitas. The proposal purpose is to extend public wastewater service as a preventive measure to replace an aging septic system. Staff recommends conditional approval of the proposal with a modification to include the adjacent public right-of-way on Eolus Avenue to the centerline along with waiving protest proceedings. The subject parcel is identified by the County of San Diego Assessor's Office as 254-392-17. (Pages 21-50)

d) Proposed Update to Rule No. 2 | Commissioner Per Diem (action)

The Commission will consider approving an amendment to Rule No. 2 involving per diems. The proposed update adjusts for inflation and workload and increases authorized per diem payments from \$200 to \$250. Recommendation to approve. (Pages 51-62)

e) Budget Update for 2021-2022 | 2nd Quarter Actuals with Year-End Projections (action)

The Commission will review a report comparing budgeted and actual transactions through the second quarter of 2021-2022 and related analysis. The report projects the Commission will finish with an operating surplus of \$0.056 million or 2.9%. Recommendation to approve. (Pages 63-68)

f) Current Proposals and Related Activities (information)

The Commission will receive a report identifying active proposals on file with LAFCO as well as a summary of pending proposal submittals. Information only. (Pages 69-80)

CONSENT ITEMS CONTINUED...

g) Authorizing Continued Hybrid or Fully Teleconferenced Meetings (action)

The Commission will consider authorizing the ongoing use of hybrid and/or fully teleconferenced meetings for a 30-day period as allowed under Assembly Bill 361. Approval would retroactively extend the Commission's previous authorization for hybrid and/or fully remote meetings through March 4, 2022. Recommendation to approve. (Pages 81-86)

h) Proposed Term Revision for "Bear Valley Parkway Outside of Agency Service Agreement" – City of Escondido (OAS21007) (action)

The Commission will consider a proposed revision for a term applied to its October 2021 approval of an outside wastewater service extension between the City of Escondido and the landowner at 450 Bear Valley Parkway (239-060-05). The proposed revision would no longer require the landowner to complete annexation proceedings within one calendar year and instead require the landowner to enter into an irrevocable offer to annex should it be proposed in the future. Recommendation to approve. (Pages 87-108)

6. PUBLIC HEARING ITEMS

Public hearing items require expanded public notification per provisions in State law or have been voluntarily scheduled by the Executive Officer to ensure opportunity for public input.

**a) Final Report and Related Actions |
Municipal Service Review on the Fallbrook Region (action)**

The Commission will receive a final report prepared as part of the scheduled municipal service review on the Fallbrook region. The report addresses the Commission's task in statute to independently evaluate public services in the region with specific focus on the principal local government agencies subject to its oversight – Fallbrook Public Utility District, Rainbow Municipal Water District, North County Fire Protection District, and County Service Area No. 81. The report returns to the Commission from its draft presentation in December 2021 and subsequent public review substantively intact with exceptions detailed. Staff recommends the Commission formally accept the final report as well as adopt a resolution making specific determinations as part of the municipal service review directive. (Pages 109-328)

**b) Sphere of Influence Updates for the Fallbrook Region |
Fallbrook Public Utility District, Rainbow Municipal Water District, North County Fire Protection District, and County Service Area No. 81 (action)**

The Commission will consider approving sphere of influence updates for the four affected agencies in the unincorporated Fallbrook region directly subject to the Commission's oversight. The updates draw on information included in a recently prepared municipal service review on the region and recommends the Commission proceed to affirm the spheres for all four affected agencies – Fallbrook Public Utility District, Rainbow Municipal Water District, North County Fire Protection District (FPD) and County Service Area No. 81 –without changes. A special study area – notably – is also recommended for North County FPD to facilitate additional consideration of a potential expansion of the sphere within the next five years for reasons detailed. Staff recommends the Commission proceed to approve the recommendations by resolution and in doing so allow for a formal 30-day reconsideration period as provided under statute. (Pages 329-344)

7. BUSINESS CALENDAR

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

a) Proposed Policy on Environmental Justice (action)

The Commission will consider a proposed policy establishing baseline standards with respect to addressing environmental justice as part of its regulatory and planning activities. This includes expanding the scope of municipal service reviews to disclose existing pollution burdens and proximity to disadvantaged communities and relatedly informing the evaluation of subsequent jurisdictional changes. Recommendation to approve. (Pages 345-352)

b) Second Quarter Update on the Adopted Workplan & Proposed Amendments (action)

The Commission will receive a quarterly update on the adopted workplan for 2021-2022 for discussion and possible action with respect to proposed amendments. The update also recommends related amendments to begin the process to sponsor and/or otherwise facilitate legislation to enhance community engagement in municipal service reviews. Recommendation to receive and file. (Pages 353-364)

c) Chair and Vice Chair Appointments (action)

The Commission will consider making officer appointments and select a chair and vice chair consistent with adopted policy. Recommendation to approve. (Pages 365-368)

8. EXECUTIVE OFFICER REPORT

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

10. CLOSED SESSION

None

11. ADJOURNMENT TO NEXT MEETING

March 7, 2022

Attest to Posting:

Tamaron Lockett
Commission Clerk

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 business days prior to the meeting for any accommodations.