



**San Diego County**  
**Local Agency Formation Commission**  
 Regional Service Planning | Subdivision of the State of California

**5a**

**AGENDA REPORT**  
 Consent | Action

February 7, 2022

**TO:** Commissioners  
**FROM:** Tamaron R. Lockett, Commission Clerk  
**SUBJECT:** Approval of Meeting Minutes for December 6, 2021

**SUMMARY**

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on Monday, December 6, 2021. The minutes are in action-form and being presented for formal approval.

**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 6, 2021 regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Nora Vargas (County of San Diego).
- All alternate Commissioners were present except Joel Anderson (County of San Diego) and Marni von Wilpert (City of San Diego).

<b>Administration</b> Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 www.sdlafco.org	<b>Vice Chair Jim Desmond</b> County of San Diego	<b>Paul McNamara</b> City of Escondido	<b>Chris Cate</b> City of San Diego	<b>Jo MacKenzie</b> Vista Irrigation	<b>Chair Andy Vanderlaan</b> General Public
	<b>Joel Anderson</b> County of San Diego	<b>Mary Casillas Salas</b> City of Chula Vista	<b>Marni von Wilpert, Alt.</b> City of San Diego	<b>Barry Willis</b> Alpine Fire Protection	<b>Harry Mathis, Alt.</b> General Public
	<b>Nora Vargas, Alt.</b> County of San Diego	<b>Kristi Becker, Alt.</b> City of Solana Beach		<b>David Drake, Alt.</b> Rincon del Diablo	

## ANALYSIS

The attached draft minutes for the December 6, 2021 regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by the Commission Clerk. A video recording of the meeting has also been posted on the Commission's website ([www.sdlafco.org](http://www.sdlafco.org)).

## RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the December 6, 2021 regular meeting as presented. This recommendation is consistent with Alternative One outlined in the proceeding section.

## ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):

Approve the draft minutes prepared for the December 6, 2021 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  
Commission Clerk

Attachment

- 1) Draft Meeting Minutes for December 6, 2021

**DRAFT MINUTES  
SAN DIEGO LAFCO  
December 6, 2021 REGULAR MEETING**

**1. CALL TO ORDER | ROLL CALL**

The regular meeting was called to order at 9:00 a.m. by Chair Vanderlaan in the County of San Diego Administration Center, 1600 Pacific Highway, Room 302, San Diego and via a virtual/hybrid format.

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

Regulars Present: Chris Cate, City of San Diego  
Jim Desmond, County of San Diego (VICE CHAIR)\*  
Jo MacKenzie, Vista Irrigation District\*  
Paul McNamara, City of Escondido\*  
Mary Casillas Salas, City of Chula Vista\*  
Andy Vanderlaan, Public (CHAIR)\*  
Barry Willis, Alpine Fire Protection District\*

Alternates Present: Kristi Becker, City of Solana Beach\*  
David Drake, Rincon del Diablo  
Harry Mathis, Public\*

Members Absent: Joel Anderson, County of San Diego (alternate)  
Nora Vargas, County of San Diego (regular)  
Marni von Wilpert, City of San Diego (alternate)

The Commission Clerk confirmed a virtual/hybrid quorum was present with seven voting members with Alternate Commissioner David Drake voting in place of Commissioner Barry Willis who entered at 9:10 a.m. Also present at the virtual/hybrid dais were Executive Officer Keene Simonds, Commission Counsel Holly O. Whatley\*, Local Government Analyst I Priscilla Allen, Executive Assistant Erica Blom\*, and Commission Clerk Tamaron Lockett.

\* Attending by videoconference

**2. PLEDGE OF ALLEGIANCE**

Commissioner Mathis led meeting attendees in a moment of silence in observation of Pearl Harbor Day followed by the Pledge of Allegiance.

### 3. AGENDA REVIEW AND COMMISSIONER DISCLOSURES

Chair Vanderlaan asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer confirmed no changes were needed to the agenda as posted and presented although a clarification was needed for Item 7b. Commission Council Holly Whatley proceeded to state the closed session item associated with Item 7b was heard at the December 6<sup>th</sup> meeting but due to technical issues with the videorecording a report out was not provided. Council added a report out on the associated closed session would be provided in conjunction with Item 7b.

There were no disclosures by the Commission.

### 4. PUBLIC COMMENT

Chair Vanderlaan invited anyone from the public to address the Commission on a matter not directly related to an agenda item. The Commission Clerk confirmed there were no comments from the chambers or pre-registered speakers. The Executive Assistant also confirmed there were no live e-mail comments.

### 5. CONSENT ITEMS

#### Item 5a

##### **Approval of Meeting Minutes for November 1, 2021**

Item presented to approve draft action minutes prepared for the Commission's November 1, 2021 regular meeting. Recommendation to approve.

#### Item 5b

##### **Commission Ratification | Recorded Payments for October 2021**

Item presented to ratify recorded payments made and received by the Executive Officer for the month of October 2021. Recommendation to ratify.

#### Item 5c

##### **Progress Report on Adopted Workplan**

Item presented to receive a progress report on the adopted workplan for 2021-2022. Recommendation to receive and file.

#### Item 5d

##### **Authorizing Continued Hybrid or Fully Teleconferenced Meetings of the Commission and all Committees For a 30-Day Period**

Item presented to consider authorizing the ongoing use of hybrid and/or fully teleconferenced meetings for a 30-day period. The item addresses the Commission's requirement under Assembly Bill 361 and its allowances to allow public agencies, under specified circumstances, to continue to utilize remote meetings under modified Brown Act provisions given the ongoing COVID 19 pandemic. Recommendation to approve.

**CONSENT ITEMS CONTINUED...**

**Item 5e**

**Approval of Meeting Calendar 2022**

Item presented to consider approving a meeting schedule for the 2022 calendar year to include the first Monday of each month at 9:00 A.M. except for January, July, and September. Recommendation to approve.

**Item 5f**

**Current Proposals and Related Activities**

Item presented to receive a report identifying active proposals on file as well as a summary of pending proposal submittals. Information only.

**Item 5g**

**Annual Report on Commissioner Terms**

Item presented to receive a report identifying current Commissioner terms. Information only.

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Chair Vanderlaan asked if the Commissioners would like to pull any consent items for discussion. There were no Commission requests. Executive Assistant noted one public comment was registered on the consent calendar involving Item 5f and the filed “Mar Vista Island Reorganization.” Bob Rall proceeded to address the Commission and concerns with the associated environmental review for the referenced proposal. No other comments on the consent calendar were received.

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Commissioner MacKenzie motioned with a second from Commissioner Salas to approve the consent calendar and staff recommendations as presented. Roll call requested:

AYES: Cate, Desmond, MacKenzie, McNamara, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Anderson, Vargas, and von Wilpert  
ABSTAINING: None

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

**6. PUBLIC HEARING ITEMS**

**Item 6a**

**Proposed “Winter Haven Road Change of Organization” | Expansion of Fallbrook Public Utility District’s Activated Wastewater Service Area and Related Sphere of Influence Action (CO21-06)**

Item presented to consider a change of organization proposal initiated by two interested landowners to expand and add 1.5 acres to Fallbrook Public Utility District’s (PUD) activated wastewater service area. The affected territory as submitted comprises two parcels located

## **PUBLIC HEARING ITEMS CONTINUED...**

### **Item 6a Continued**

directly across from each other on Winter Haven Road in unincorporated Fallbrook. The proposal's purpose is to facilitate the extension of public wastewater service and a replacement of an aging septic system for one parcel and accommodate the planned development of the other parcel.

A staff presentation was provided with a recommendation to conditionally approve the proposal as submitted with a conforming amendment to Fallbrook PUD's secondary sphere of influence specific to wastewater services along with waiving protest proceedings.

Chair Vanderlaan invited Commissioner comments or questions.

Commission discussion followed.

Chair Vanderlaan proceeded to open the public hearing and invited comments by pre-registered attendees and live e-mail. Commission Clerk confirmed there were no registered speakers. The Executive Assistant also confirmed there were no live e-mail comments.

Chair Vanderlaan proceeded to close the public hearing.

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

AYES:	Cate, Desmond, MacKenzie, McNamara, Salas, Vanderlaan, and Willis
NOES:	None
ABSENT:	Anderson, Vargas, and von Wilpert
ABSTAINING:	None

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

## **7. BUSINESS ITEMS**

### **Item 7a**

#### **Draft Municipal Service Review on the Fallbrook Region**

Item presented to review a draft municipal service review on the Fallbrook region. The draft has been prepared as part of the adopted workplan and represents an independent assessment of the availability, need, and performance of public services in the Fallbrook region and specific to four local agencies under Commission oversight – Fallbrook Public Utility District, North County Fire Protection District, Rainbow Municipal Water District, and County Service Area No. 81. This includes preparing determinative statements addressing all the factors required under statute as part of the municipal service review mandate.

## **BUSINESS ITEMS CONTINUED...**

### **Item 7a Continued**

Executive Officer Keene Simonds provided brief opening comments with Analyst Priscilla Allen providing a formal presentation on the draft municipal service review – including addressing key conclusions and recommendations. Ms. Allen requested the Commission provide any feedback on the draft report and concurrence to proceed with a 45-day public comment period with the goal for staff to return with a final report as early as the February meeting.

Chair Vanderlaan invited comments from the public. The Commission Clerk confirmed there were three pre-registered comments to address the Commission. Comments were received from the following persons:

- Keith McReynolds, Fire Chief with North County Fire Protection District
- Paula DeSousa, Representative with Fallbrook Public Utility District
- Tom Kennedy, General Manager with Rainbow Municipal Water District

Chair Vanderlaan invited initial Commission comments or questions.

Commission discussion followed.

Alternate Commissioner Drake suggested staff include discussion of the I-15 corridor service impacts on North County FPD.

The Executive Assistant confirmed there were no live e-comments.

### **Item 7b**

#### **Proposed Amendment to Employment Agreement for Executive Officer**

Item presented to consider a recommendation by the Executive Officer Compensation Committee (Desmond, MacKenzie and Vanderlaan) to approve a fourth amendment to the employment agreement with Executive Officer Keene Simonds.

Commission Counsel Holly Whatley provided a brief report on the fourth amendment and key recommendations provided by the Compensation Committee – including a 5% increase in salary along with a \$5,000 performance award. Counsel reported out there was no action taken as part of the associated closed session item at the November meeting.

Chair Vanderlaan invited initial Commission comments or questions. No comments from the Commission.

**\*\***

Commissioner Desmond motioned to approve the recommendation to the Employment Agreement for the Executive Officer with a second from Commissioner Willis. Roll call requested:

**BUSINESS ITEMS CONTINUED...**

**Item 7b Continued...**

AYES: Cate, Desmond, MacKenzie, McNamara, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Anderson, Vargas, and von Wilpert  
ABSTAINING: None

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

**8. EXECUTIVE OFFICER REPORT**

- Executive Officer Simonds announced that Graduate Intern Carol Ieromnimon has been promoted to a full-time Analyst I. Executive Officer also announced Executive Assistant Ruth Arellano will be retiring on December 10<sup>th</sup> after 32 years of combined service with the County of San Diego and San Diego LAFCO. Executive Officer added Administrative Assistant Erica Blom has been promoted to Executive Assistant.

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

- Commissioners collectively thanked Ruth Arellano for her service at LAFCO and wished her well in retirement. Commissioners also congratulated Erica Blom on her promotion.
- Commissioner MacKenzie provided information regarding CALAFCO – including their current recruitment process for a new Executive Director.

**10. CLOSED SESSION**

None

**11. ADJOURNMENT TO NEXT MEETING**

With no further business the Chair adjourned the hybrid/videoconference meeting at 10:18 a.m.

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I hereby attest the minutes above accurately reflect the deliberations of the Commission at its December 6, 2021 hybrid/videoconference meeting.

ATTEST,



Tamaron R. Lockett  
Commission Clerk