



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

5a

AGENDA REPORT
 Consent | Action

October 3, 2022

TO: Commissioners
FROM: Erica Blom, Executive Assistant
SUBJECT: **Approval of Meeting Minutes |
 Regular Meeting of August 1, 2022**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on August 1, 2022. The minutes are in action-form and being presented for formal Commission 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 August 1, 2022, regular meeting. The attendance record for the meeting follows.

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

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

The attached draft minutes for the August 1, 2022, 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).

RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the August 1, 2022, 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 August 1, 2022, as Attachment One 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,



Erica Blom
Executive Assistant

Attachment:

- 1) Draft Meeting Minutes for August 1, 2022

**DRAFT MINUTES
SAN DIEGO LAFCO
August 1, 2022 REGULAR MEETING**

1. CALL TO ORDER BY CHAIR

Item 1a

ROLL CALL

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

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

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

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

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

The Commission Secretary confirmed a virtual/hybrid quorum was present with eight voting members present. Also present at the dais were Executive Officer Keene Simonds, Commission Counsel Holly Whatley, Local Government Analyst II Priscilla Mumpower, Local Government Analyst I Carolanne Ieromnimon, and Executive Assistant Erica Blom serving as the Commission Secretary.

Commissioner Anderson arrived at 9:02 a.m.

Commissioner Drake arrived at 9:03 a.m.

Commissioner Salas arrived at 9:10 a.m.

* Attending by videoconference.

Item 1b

PLEDGE OF ALLEGIANCE

Chair Desmond led the Pledge of Allegiance.

2. AGENDA REVIEW

Chair Desmond asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer stated no changes were needed to the agenda and gave an outline of the day's meeting. The Executive Officer also noted the meeting was being live streamed and provided instructions for members of the public on how to participate.

3. PRESENTATIONS

The Commission received a scheduled verbal presentation from Director Dahvia Lynch with the San Diego County Planning & Development Services regarding projects of mutual interests to the County and LAFCO involving the unincorporated areas.

4. PUBLIC COMMENT AND RELATED REQUESTS

Chair Desmond invited anyone from the public to address the Commission on a matter not directly related to an agenda item. The Commission Secretary confirmed there were no registered speakers and confirmed there were no live e-mail comments received.

5. CONSENT ITEMS

Item 5a

Approval of Meeting Minutes for June 6, 2022

Item presented to approve draft action minutes prepared for the Commission's June 6, 2022 regular meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for May and June 2022

Item presented to ratify recorded payments made and received by the Executive Officer for the months of May and June 2022. Recommendation to ratify.

Item 5c

Budget Report on 2021-2022 |

4th Quarter Actuals and Proposed Close-of-Year Budget Amendments

Item presented to review a report comparing budgeted and actual transactions through the fourth quarter of 2021-2022. Amendments also proposed as part of the administrative close of the fiscal year. Recommendation to receive and file.

Item 5d

Proposed Budget Amendments for 2022-2023 and Related Actions (OAS22-06)

Item presented to consider proposed amendments to accommodate transactions involving a two-year planning grant award from the Department of Conservation. The proposed amendments involve increasing the budget for both expenses and revenues by \$0.216 million from \$2.045 million to \$2.261 million to transact grant monies to track agricultural trends in San Diego County. The proposed amendments presented for Commission approval along with a related action to rescind a previously authorized special revenue fund as detailed. Recommendation to approve.

CONSENT ITEMS CONTINUED...

Item 5e

Approval of Fund Balance Designations for 2022-2023

Item presented to perform the annual task under policy to review and make fund balance designations involving a total cash balance as of July 1, 2022 was \$1,547,565. It is proposed the Commission reset the fund balance designations to largely match the preceding fiscal year and marked by continuing to allocate \$750,000 in committed monies for opportunity or stabilization uses. Recommendation to approve.

Item 5f

Commission Ratification | Employees' Wage and Benefit Changes

Item presented to consider ratifying wage and benefit changes for employees consistent with the County of San Diego's new labor agreements retroactive to July 1, 2022. The changes would apply over a three-year period beginning in 2022-2023 and marked by a 5.0% cost-of-living adjustment. Recommendation to ratify.

Item 5g

Approval of Independent Audit Expense for FY2021-2022

Item presented to consider approval of an independent audit expense in the amount of \$9,950 with R.J. Ricciardi and Associates covering 2021-2022. This amount is consistent with the terms of an earlier proposal received from R.J. Ricciardi and Associates to provide annual auditing services to the Commission as part of an open selection process completed in September 2019. Recommendation to approve.

Item 5h

Protest Hearing Results |

Sphere "Fallbrook PUD Latent Powers Activation"

Parks and Recreation, Street Lighting, and Roads & Streets Service Functions

Item presented to receive the results of the protest hearing held for the reorganization proposal filed by Fallbrook Public Utility District (PUD) to activate additional service functions. This proposal was conditionally approved by the Commission in April 2022 and involves the activation of parks and recreation, street lighting, and roads and streets service functions. The noticed protest hearing was held by staff on May 31, 2022 and continued to June 14, 2022 without generating sufficient opposition as detailed. Recommendation to receive and file.

Item 5i

Protest Hearing Results |

"Ramona Municipal Water District Reorganization"

Transfer of Fire + Emergency Medical Function to San Diego County FPD

Item presented to receive the results of the protest hearing held for the reorganization proposal filed by Ramona Municipal Water District (MWD) to transfer fire protection and emergency medical function to the San Diego County Fire Protection District (FPD). This proposal was conditionally approved by the Commission in June 2022 and involves concurrently divesting MWD's integrated fire protection and emergency medical service function and annexing the affected territory to FPD. The protest hearing was held by staff on July 11th without generating sufficient opposition. Recommendation to receive and file.

CONSENT ITEMS CONTINUED...

Item 5j

Progress Report on Workplan Projects

Item presented to receive a progress report on projects included in the adopted workplan for 2022-2023. Recommendation to receive and file.

Item 5k

Final Calculations for 2022-2023 Apportionments

Item presented to receive a report identifying local agency apportionments for 2022-2023. The apportionments are final and have been calculated by the County of San Diego Auditor's Office and based on the \$1.804 million total contribution amount set by the Commission at its June 6, 2022 meeting. Item presented for information only.

Item 5l

Report on Active Proposals and Related Activities

Item presented to receive a status report on the 30 active proposals currently on file as well as anticipated filings based on ongoing discussions with proponents. The item is for information and concurrently satisfies LAFCO's reporting requirement. Information only.

Item 5m

CALAFCO Annual Conference Items

Item presented to consider action items relating to the upcoming California Association of LAFCOs' (CALAFCO) Annual Conference scheduled for October 19th-21st in Newport Beach. Recommendation for the Commission to appoint Commissioners MacKenzie and Vanderlaan as delegate and alternate delegate, respectively.

Item 5n

Authorizing Continued Hybrid or Fully Remote 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 remote meetings. The item addresses Assembly Bill 361 and its allowances for public agencies, under specified circumstances, to continue to utilize remote meetings under modified Brown Act provisions given the pandemic in 30-day intervals. Approval would take immediate effect and cover the August 1st meeting and extend to August 31st. Recommendation to approve.

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Commissioner McNamara motioned with a second from Commissioner MacKenzie to approve the consent calendar with staff recommendations as presented.

Commissioner Desmond noted he would support the motion with the lone exception of voting no on Agenda Item No. 5n.

Roll call requested:

CONSENT ITEMS CONTINUED...

AYES: Anderson, Cate, Desmond (as qualified), MacKenzie, McNamara, Salas, Vanderlaan, and Willis
NOES: None (as qualified with Desmond no on 5n)
ABSENT: Vargas and Von Wilpert
ABSTAINING: None

The Commission Secretary confirms the motion covering Items 5a to 5m was approved 8-0. It was separately confirmed the motion specific to only Item 5n was approved 7-1 with Commissioner Desmond voting against.

6. PUBLIC HEARING ITEM | COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATIONS

Item 6a

Proposed “Mar Vista Island Reorganization” |

Annexation to the City of Vista with Concurrent Detachments from the Buena Sanitation District and Vista Fire Protection District and Related Sphere Action (RO21-04)

Item presented to consider a reorganization proposal filed by City of Vista involving two non-contiguous areas located along Mar Vista Drive within its sphere of influence. The affected territory collectively totals 142 unincorporated acres with an estimated resident population of 375. The reorganization involves three jurisdictional changes and headlined by annexation to Vista. The immediate purpose of the proposal is to transfer wastewater service responsibilities within one of the two non-contiguous areas that comprises the Stonegate Subdivision to Vista, and in doing so replace an existing outside service agreement with Buena Sanitation District. The longer-term purpose of the proposal is to coordinate land use and municipal service planning for all of the affected territory under Vista. Concurrent detachments from Buena Sanitation District and Vista Fire Protection District are proposed. Vista is requesting approval under the expedited island annexation proceedings. Staff recommends approving the proposal as requested along with conditions – including Vista agreeing to grandfather all existing uses within the affected territory. A conforming action to remove the affected territory from Vista Fire Protection District’s sphere of influence is also recommended. Protest proceedings would be waived under the island annexation proceedings.

Chair Desmond invited disclosures from Commissioners on any material ex parte communications. No disclosures were provided.

Chair Desmond asked for the staff presentation. Analyst II Priscilla Mumpower proceeded with the staff presentation and outlined specific recommendations.

Chair Desmond proceeded to open the public hearing and invited comments by speakers to address the Commission. Comments were received from the following persons:

- Robert “Bob” Rall, Resident
- Reine Cooper, Resident
- John Conley, City of Vista Planning Director

The Commission Secretary confirmed there were no live e-mail comments received.

PUBLIC HEARING ITEMS | COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATION CONTINUED...

Item 6a Continued

Chair Desmond invited Commissioner comments or questions.

Commission discussion followed with several comments/questions focusing on outreach efforts within the affected territory.

Commissioner Desmond motioned to approve the staff recommendation listed as Alternative Two in the agenda report with a second from Commissioner McNamara. This involves continuing consideration of the item with direction for staff to perform additional outreach within the affected territory in advising of the proposal and to return within 90 days.

Roll call requested:

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

The Commission Secretary confirms the motion was approved 6-2.

With concurrence through the Chair, Commissioner MacKenzie also asked staff to provide additional details – including road names and other geographic features – for the affected territory in conjunction with returning the item to the Commission.

7. BUSINESS ITEMS

Item 7a

Draft Municipal Service Review on the Escondido Region | Part Two

Item presented to review a draft report and associated addendum prepared as part of a phased scheduled municipal service review (MSR) on the Escondido region. These draft documents form to represent the second of a two-part municipal service review and specific to covering the City of Escondido. The municipal service review report has been prepared by Escondido via Concordia Homes with input from LAFCO staff. The addendum has been prepared by LAFCO staff to expand and bridge the analysis gap between the two documents on topics of elevated interest to the Commission – and specifically with respect to core City functions (water, wastewater, and fire protection) and finances. A formal public review period will follow the initial discussion by the Commission with staff returning with final versions of both documents to formally receive and file as well as to adopt the determinations included in the addendum.

Chair Desmond asked for the staff presentation. Analyst II Priscilla Mumpower outlined the draft documents with a focus on the addendum prepared by LAFCO staff and the associated key conclusions and recommendations included therein.

BUSINESS CALENDAR ITEMS

Item 7a Continued

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

- Laura Hunter, Sierra Club North County Group
- Dara Czerwonka, Resident
- Dan Silver, Endangered Habitats League

The Commission Secretary confirmed there was one live e-mail comment received from resident Robert Leiter and proceeded to read it into the record.

Chair Desmond invited Commissioner comments or questions. Commission discussion followed with several comments and/or questions directed towards the draft addendum's recommendation to establish a special sphere of influence study area for the City of Escondido involving the "Harvest Hills" project site.

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Although the item was not presented for action, the Commission agreed by majority consensus for staff to proceed as planned and initiate a formal public review and comment period for the draft documents and return with final versions for future consideration. Commissioner MacKenzie registered her objection with proceeding with the public review without first returning to the Commission with additional information on Harvest Hills.

Additionally, Chair Desmond asked staff to consider the connectivity between LAFCO's planning activities and recommendations in the draft addendum concerning Escondido and SANDAG's planning activities and advise of any necessary alignments going forward.

At the conclusion of the item at approximately 10:30 a.m., Commissioner Cate departed the meeting due to another commitment with the City of San Diego.

Item 7b

Authorization to Serve as Co-Applicant for a Proposed Planning Grant with the California Department of Conservation and Related Actions

Item presented to consider authorization to serve as co-applicant with the County of San Diego on a proposed planning grant with the Department of Conservation and its Sustainable Agricultural Lands Conservation Program. The proposed planning grant is for \$500,000 with Planning & Development Services as the co-applicant. The proposed grant would expand on LAFCO's existing grant activities in assessing local agricultural trends and proceed to collect and analyze market data to establish baseline costs/revenues for existing and emerging crops while also identifying opportunities to help bridge economic gaps. Grant requires a 10% matching requirement and can be satisfied through staff time. Recommendation to approve.

Chair Desmond asked for the staff presentation. Executive Officer Keene Simonds summarized the recommendations and related merits therein.

BUSINESS ITEMS CONTINUED...

Item 7b Continued

Chair Desmond invited anyone from the public to address the Commission. The Commission Secretary confirmed there were no registered speakers and confirmed there were no live e-mail comments received.

Chair Desmond invited Commissioner comments or questions.

Commission discussion followed.

Commissioner Willis motioned to approve the staff recommendation Alternative One as listed in the agenda report with a second from Commissioner Desmond.

Roll call requested:

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

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

Item 7c

Appointments to Advisory Committee on Resource Conservation Districts

Item presented to consider making appointments to an advisory committee to implement earlier recommendations included in a countywide municipal service review on resource conservation districts. This includes – notably – identifying and addressing the scope and scale of extraterritorial services provided by local resource conservation districts to comply with LAFCO statute. Recommendations on membership composition and tasks provided.

Chair Desmond asked for the staff presentation. Analyst I Carolanne Ieromnimon introduced the item with Consultant Adam Wilson summarizing recommendations.

Chair Desmond invited anyone from the public to address the Commission. The Commission Secretary confirmed there were no registered speakers and confirmed there were no live e-mail comments received.

Chair Desmond invited Commissioner comments or questions.

Commission discussion followed.

Commissioner Willis motioned to approve the staff recommendation as stated by Consultant Adam Wilson with a second from Commissioner McNamara.

Roll call requested:

BUSINESS ITEMS CONTINUED...

Item 7c Continued

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

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

8. EXECUTIVE OFFICER REPORT

None

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

Commissioner MacKenzie discussed CALAFCO legislative committee items and the passing of long-time Los Angeles LAFCO Commissioner, Jerry Gladbach.

10. CLOSED SESSION

None

11. ADJOURNMENT TO NEXT MEETING

With no further business the Chair adjourned the meeting at 10:56 a.m.

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I hereby attest the minutes above accurately reflect the deliberations of the Commission at its August 1, 2022 hybrid/videoconference meeting.

ATTEST,



Erica Blom
Commission Secretary

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