



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

Chair Jim Desmond
Vice Chair Paul McNamara

Executive Officer Keene Simonds
Commission Counsel Holly O. Whatley

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

The November 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.

1. With respect to in-person participation in Room 302 in the County Administration Building:
 - a) Face coverings are not required and optional based on individual preferences.
 - b) Please complete and submit a speakers slip to staff for any item you would like to provide testimony
2. With respect to remote participation:
 - a) The public may watch the meeting live on YouTube using the link on our website (www.sdlafco.org)
 - b) The public may also watch and/or listen to the meeting live on Zoom (<https://zoom.us/>) or by telephone at (669) 900-9128 using Meeting/Webinar ID: 895 6767 7168 and Passcode 508649.
 - c) The public may provide testimony to the Commission by registering with Dieu Ngu by telephone at (619) 321-3380 or e-mail at dieu.ngu@sdcounty.ca.gov by 8:00AM on Monday, November 7, 2022.
 - d) The public may provide eComments on any item by emailing to michaela.peters@sdcounty.ca.gov
 - eComments received before 8:00A.M on Monday, November 7, 2022 will be forwarded to the Commission and posted online before the meeting. They will also be referenced during the meeting.
 - eComments received during the meeting and before the subject item is concluded will be read into the record by staff subject to the three-minute limit.

1. **9:00 A.M. – CALL TO ORDER BY CHAIR I ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. AGENDA REVIEW

The Executive Officer will summarize the agenda as well as to advise of any requested changes. The Chair will also consider requests from Commissioners.

4. PUBLIC COMMENT AND RELATED REQUESTS

a) Public Comment

Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's growth management duties/interests but not an item listed on the agenda. Three-minute limit. Each speaker's comments may not exceed three minutes.

b) Public Requests to Discuss Consent Items

Opportunity for members of the public to request the Commission pull one or more items from the consent calendar for discussion.

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 October 3, 2022 (action)

The Commission will consider action minutes prepared by the Commission Clerk for the October 3, 2022 regular meeting. Recommendation to approve as presented. (Pages 7-16)

b) Commission Ratification | Recorded Payments for September 2022 (action)

The Commission will review a report identifying all payments made and received in September 2022. Recommendation to ratify payments as presented. (Pages 17-22)

c) Budget Update for 2022-2023 | 1st Quarter Actuals with Year-End Projections (action)

The Commission will review a report comparing budgeted and actual transactions through the first quarter of 2022-2023 and related analysis. The report is being presented to the Commission to formally accept and provide direction to staff as needed. (Pages 23-28)

d) Proposed "Felicitia Road-Elliott Reorganization" | Annexation to the City of Escondido and Detachment from County Service Area No. 135 and Related Actions (RO21-08) (action)

The Commission will consider a reorganization initiated by a landowner with the principal action to annex approximately 0.3 acres of unincorporated territory to the City of Escondido. A concurrent detachment from County Service Area (CSA) No. 135 and its regional communication service function is also part of the reorganization. The affected territory is parcel specific and located at 2509 Felicitia Road (238-360-21). Staff recommends conditional approval of the proposal as submitted with a recommendation to also exclude the affected territory from Rincon del Diablo Municipal Water District's (MWD) Improvement District E, involving fire protection and emergency medical services. Protest proceedings would also be waived. (Pages 29-90)

CONSENT ITEMS CONTINUED...

- e) **Proposed “Toidi-Jonel Way Change of Organization” | Annexation to San Diego County Sanitation District (CO22-15) (action)**
The Commission will consider a change of organization initiated by a landowner to annex approximately 2.5 acres of unincorporated territory to the San Diego County Sanitation District. The affected territory as submitted comprises one entire parcel developed with a single-family residence at 6638 Jonel Way (585-113-05) in the unincorporated community of Bonita. Staff recommends conditional approval of the proposal as submitted along with waiving protest proceedings. (Pages 91-130)

- f) **Report on Active Proposals and Related Activities (information)**
The Commission will receive a status report on the 24 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. (Pages 131-148)

- g) **Authorizing Continued Hybrid or Fully Remote Meetings for a 30-Day Period (action)**
The Commission will consider authorizing the ongoing use of hybrid and/or fully remote meetings up to 30 days as allowed under Assembly Bill 361. Staff recommends approval of a full 30-day extension beginning November 7th through December 6th. (Pages 149-154)

6. PUBLIC HEARING ITEMS |

COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATIONS

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. All public hearing items require verbal disclosures by Commissions regarding any material communications.

- a) **CONTINUATION | 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) (action)**
The Commission will consider a reorganization proposal filed by the City of Vista involving two non-contiguous areas within its sphere of influence under the expedited island proceedings. The proposal has been continued from the August 1st meeting and headlined by Vista’s request to annex approximately 142 unincorporated acres with an estimated resident population of 375. Concurrent detachments from Buena Sanitation District and Vista Fire Protection District are also proposed. Staff’s recommendation to approve the proposal has been amended to include an additional condition to require Vista to prepare and adopt a specific plan covering the affected territory within 24 months to provide the residents time certainty with respect to engaging the City on planned uses and/or improvements. All other approval conditions and related actions included in the original recommendation remain. Protest proceedings would be waived under the island annexation proceedings. A list of assessor parcel numbers is on file. (Pages 155-254)

PUBLIC HEARING ITEMS CONTINUED...

b) Final Addendum and Related Actions:

Municipal Service Review on the City of Escondido | Part Two (action)

The Commission will receive a final addendum prepared as part of a phased scheduled municipal service review on the Escondido region. The addendum has been prepared by LAFCO staff and supplements a comprehensive municipal service review report on the City of Escondido separately prepared by the City via Concordia Homes. The addendum returns to the Commission substantially intact following its initial draft presentation in August with a continued function to expand and bridge the analysis gap on topics of elevated interest to the Commission – and (over) specifically core City functions (water, wastewater, and fire protection) and finances. Limited revisions are summarized and marked by the addition of a new recommendation for LAFCO to assess the connectivity between its own growth policies for places like Escondido with other regional governments. Staff recommends the Commission formally accept the addendum and adopt a resolution to codify the addendum's recommendations and related determinative statements as required under the municipal service review statute. (Pages 255-522)

c) CANCELLATION | Scheduled Sphere of Influence Update for the City of Escondido

The Commission previously noticed a public hearing for the Commission to consider actions to update the sphere of influence for the City of Escondido as part of the November 7th public meeting. The Executive Officer subsequently cancelled the public hearing with the expectation of returning the item as early as the next meeting to allow additional time to consult with Escondido and other interested parties before making specific recommendations. (Pages 523-528)

7. BUSINESS CALENDAR

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

a) Draft Policy Establishment on Out-of-Agency Services (discussion)

The Commission will review a draft policy to govern outside service approvals for cities and special districts. The draft policy has been prepared as part of the adopted workplan with a focus to reflect and expand on existing practices and marked by establishing definitions and exemptions to focus the statute's local applicability. The item is being presented for discussion and feedback ahead of staff initiating a formal public review. (Pages 529-538)

b) Quarterly Progress Report on Adopted Workplan (discussion)

The Commission will receive a quarterly progress report on accomplishing the 30 specific projects included in the adopted workplan for 2022-2023. Item presented to the Commission to discuss in step with formally receiving and filing the report with the opportunity to also identify potential amendments for consideration at a future meeting. (Pages 539-544)

c) Senate Bill 2449 | Brown Act Procedures for Remote Attendance (discussion)

The Commission will receive a memorandum from Commission Counsel on approved amendments to the Brown Act and allowances therein to accommodate remote attendance beginning January 1, 2023. The item is being presented for review and discussion with the opportunity to provide feedback on related implementation measures. (Pages 545-554)

BUSINESS CALENDAR ITEMS CONTINUED...

d) Designation of Labor Negotiators | Pursuant to Government Code Section 54957.6 (action)

The Commission will designate its representatives for purposes of negotiating the salary and benefits for the Executive Officer. Historically, the Commission has designated the Executive Officer Compensation Committee (currently, Desmond, McNamara and Vanderlaan) as the Labor Negotiators. Verbal report only.

e) Proposed Amendment to Employment Agreement for Executive Officer Keene Simonds (action)

The Commission will consider a recommendation by the Executive Officer Compensation Committee (Desmond, McNamara and Vanderlaan) to approve a fourth amendment to the employment agreement with Executive Officer Keene Simonds. This item may be taken up following closed session on the Executive Officer's performance review and the conference with labor negotiators.

8. EXECUTIVE OFFICER REPORT

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

10. CLOSED SESSION

Closed session items are calendared by Commission Counsel.

a) Public Employee Performance Evaluation

Pursuant to California Government Code Section 54957(b)

Employee: Keene Simonds

b) Conference with Labor Negotiators

Pursuant to California Government Code Section 54957.6

Agency designated representatives: Individuals Designated Per Agenda Item No. 7d above

Unrepresented Employee: Executive Officer

11. ADJOURNMENT TO NEXT MEETING

December 5, 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.

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