



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

5a

AGENDA REPORT
 Consent | Action

March 6, 2023

TO: Commissioners
FROM: Erica Sellen, Executive Assistant
SUBJECT: **Approval of Meeting Minutes |
 Regular Meeting of February 6, 2023**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on February 6, 2023. 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 February 6, 2023, regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Andy Vanderlaan (Public).
- All alternate Commissioners were present except David Drake (Rincon del Diablo), Nora Vargas (County of San Diego) and Marni von Wilpert (City of San Diego).

DISCUSSION

<p>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</p>	<p>Chair Jim Desmond County of San Diego</p> <p>Joel Anderson County of San Diego</p> <p>Nora Vargas, Alt. County of San Diego</p>	<p>Kristi Becker City of Solana Beach</p> <p>Dane White City of Escondido</p> <p>John McCann Alt. City of Chula Vista</p>	<p>Stephen Whitburn, Vice Chair City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Jo MacKenzie Vista Irrigation</p> <p>Barry Willis Alpine Fire Protection</p> <p>David Drake, Alt. Rincon del Diablo</p>	<p>Andy Vanderlaan General Public</p> <p>Harry Mathis, Alt. General Public</p>
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ANALYSIS

The attached draft minutes for the February 6, 2023, regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by the Commission Secretary. 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 February 6, 2023, 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 attached draft minutes prepared for the February 6, 2023 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 Sellen
Executive Assistant

Attachment:

- 1) Draft Meeting Minutes for February 6, 2023

**DRAFT MINUTES
SAN DIEGO LAFCO
February 6, 2023 REGULAR MEETING**

1. CALL TO ORDER BY CHAIR | ROLL CALL

The regular meeting was called to order at 10:02 a.m. by Chair Desmond. The Commission Secretary performed the roll call with the following attendance recorded.

Regulars Present: Joel Anderson, County of San Diego
Jim Desmond, County of San Diego (CHAIR)
Jo MacKenzie, Vista Irrigation District
Barry Willis, Alpine Fire Protection District
Stephen Whitburn, City of San Diego

Alternates Present: Kristi Becker, City of Solana Beach (Voting)
Harry Mathis, Public (Voting)

Members Absent: David Drake, Rincon del Diablo Municipal Water District (alternate)
Andy Vanderlaan, Public (regular)
Nora Vargas, County of San Diego (alternate)
Marni von Wilpert, City of San Diego (alternate)

The Commission Secretary confirmed a quorum was present with seven voting members present with Alternate Commissioner Becker voting in place of one of the vacant city seats, and Alternate Commissioner Mathis voting in absence of Commissioner Vanderlaan. Also present at the time of roll call were the following LAFCO staff members: Executive Officer Keene Simonds; Commission Counsel Holly Whatley; Local Government Analyst II Priscilla Mumpower; Local Government Analyst I Carolanne Ieromnimon; GIS/IT Analyst Dieu Ngu; Administrative Assistant Michaela Peters; and Executive Assistant Erica Sellen serving as the Commission Secretary.

Commissioner Anderson arrived at 10:13 a.m.

Item 1a

Introduction of New Commissioner: Stephen Whitburn with City of San Diego

Chair Desmond invited Commissioners and LAFCO staff to introduce themselves and welcomed new Commissioner Stephen Whitburn with City of San Diego.

2. PLEDGE OF ALLEGIANCE

Commissioner Mathis led the Pledge of Allegiance.

3. AGENDA REVIEW

Chair Desmond asked the Executive Officer if there were requests to remove or rearrange items on the agenda. Executive Officer Keene Simonds 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.

4. PUBLIC COMMENT AND RELATED REQUESTS

Item 4a

Public Comment

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.

Item 4b

Public Requests to Discuss Consent Items

Chair Desmond invited the public to request discussion on any agenda item from the consent calendar. 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 December 5, 2022

Item presented to approve draft action minutes prepared for the Commission's December 5, 2022 regular meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for November and December 2022

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

Item 5c

Proposed "Briggs-Cooper Crest Road Change of Organization" | Annexation to the Leucadia Wastewater District (CO22-14)

Item presented to consider a change of organization proposal filed by the Leucadia Wastewater District to annex 2.9 acres of incorporated territory within its sphere of influence. The affected territory involves one legal parcel in the City of Encinitas presently developed with a single-family residence. Staff recommends conditional approval of the proposal as submitted. It is also recommended the Commission waive protest and make an exemption finding as responsible agency under the California Environmental Quality Act.

CONSENT ITEMS CONTINUED...

Item 5d

Proposed “Stits-Eolus Avenue Change of Organization” | Annexation to the Leucadia Wastewater District (CO22-13)

Item presented to consider a change of organization proposal filed by the Leucadia Wastewater District (WWD) to annex 0.84 acres of incorporated territory within its sphere of influence. The affected territory as submitted comprises one legal parcel in the City of Encinitas presently developed with a single-family residence along with a portion of the adjacent public right-of-way. Staff recommends conditional approval of the proposal as submitted. It is also recommended the Commission waive protest and make an exemption finding as responsible agency under the California Environmental Quality Act.

Item 5e

Budget Update for 2022-2023 | 2nd Quarter Actuals with Year-End Projections

Item present to review a report comparing budgeted and actual transactions through the second quarter of 2022-2023 and related analysis. The report projects the Commission will finish with a net surplus of \$0.045 million or 2.0%. Recommendation to receive and file.

Item 5f

Report on Active Proposals and Related Activities

Item presented to receive a status report on the active proposals on file with LAFCO. Information only.

**

Commissioner Willis motioned with a second from Commissioner Becker to approve the consent calendar items with staff recommendations (Alternative One) as presented.

Roll call requested:

AYES: Becker (voting), Desmond, MacKenzie, Mathis (voting), Willis, and Whitburn
NOES: None
ABSENT: Anderson, Drake, Vanderlaan, Vargas, and von Wilpert
ABSTAINING: None

The Commission Clerk confirms the motion was approved 6-0.

Commissioner Anderson was absent at the time of consent calendar voting.

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

Item 6a

Proposed “Weston Boundary Change Cleanup Reorganization” | Boundary Adjustments Involving City of San Diego, City of Santee, Padre Dam Municipal Water District and County Service Area No. 135 with Sphere Amendments” (RO22-05)

Item presented to consider a reorganization proposal filed by the City of Santee with the primary action involving multiple boundary adjustments – annexations and detachments – between Santee and City of San Diego. Secondary boundary adjustments are also proposed involving two overlapping special districts, County Service Area No. 135 and Padre Dam Municipal Water District. The affected territory as proposed is 5.3 acres in size, comprises 26 non-contiguous areas, and includes all or portions of 30 assessor parcels as well as public right-of-way segments associated with the “Weston” residential subdivision in Santee. Staff recommends conditional approval of the proposal as submitted along with conforming sphere of influence amendments. It is also recommended the Commission waive protest proceedings along with making exemption findings as both lead (spheres) and responsible (boundaries) agencies under the California Environmental Quality Act.

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

Chair Desmond asked for the staff presentation. Local Government Analyst I Carolanne Ieromnimon proceeded with the staff presentation and detailed the recommendations.

Chair Desmond proceeded to open the public hearing and invited comments by speakers 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.

Commission discussion followed.

Chair Desmond proceeded to close the public hearing.

**

Commissioner Anderson motioned with a second from Commissioner Whitburn to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

AYES: Anderson, Becker (voting), Desmond, MacKenzie, Mathis (voting), Willis, and Whitburn

NOES: None

ABSENT: Drake, Vanderlaan, Vargas, and von Wilpert

ABSTAINING: None

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

7. BUSINESS ITEMS

Item 7a

CONTINUED: Proposed “Pastrana-Artesian Road Change of Organization” | Annexation to Rancho Santa Fe Community Services District and Related Negative Declaration under California Environmental Quality Act (CO22-02)

Item presented to consider a change of organization initiated by a landowner to annex approximately 10.0 acres of unincorporated territory to the Rancho Santa Fe Community Service District. The annexation is specific to extending public wastewater services; other District services – security, underground utilities, and landscape maintenance – are not part of the proposal. The affected territory as submitted comprises one entire parcel currently undeveloped in the unincorporated community of Rancho Santa Fe. Staff recommends conditional approval of the proposal as submitted along with waiving protest proceedings. It is also recommended the Commission adopt a negative declaration as lead agency consistent with the findings of an initial study prepared by LAFCO staff.

Chair Desmond asked for the staff presentation. The Executive Officer gave a review of the continuance of this item noting accommodating a request received prior to the previous meeting from the Rincon Tribe. Local Government Analyst I Carolanne Ieromnimon proceeded with the full staff presentation and detailed the 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.

Commission discussion followed.

**

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

Roll call requested:

AYES: Anderson, Becker (voting), Desmond, MacKenzie, Mathis (voting), Willis, and Whitburn
NOES: None
ABSENT: Drake, Vanderlaan, Vargas, and von Wilpert
ABSTAINING: None

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

BUSINESS ITEMS CONTINUED...

Item 7b

Proposed Policy Update on Municipal Service Reviews

Item presented to consider approving a policy update guiding municipal service review activities. The proposed update returns to the Commission substantively intact following its draft presentation in October 2022 and subsequent public review and comment period. The update is part of the adopted workplan and represents a comprehensive revision to reflect current and best practices. This includes making explicit the sequential role of the municipal service review in determining the appropriateness of proceeding with subsequent sphere of influence changes. Establishing community engagement measures are also reflected and done so at the earlier direction of the Commission.

Chair Desmond asked for the staff presentation. Local Government Analyst II Priscilla Mumpower proceeded with the staff presentation and summarized the report and key developments.

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.

Commission discussion followed. Executive Officer Keene Simonds suggested to bring this item back to the Commission at its next meeting in March given interest by members for additional analysis and options with respect to the proposed waiver provisions.

**

Commissioner Willis motioned with a second from Commissioner MacKenzie to continue the item to the next meeting.

Roll call requested:

AYES:	Anderson, Becker (voting), Desmond, MacKenzie, Mathis (voting), Willis, and Whitburn
NOES:	None
ABSENT:	Drake, Vanderlaan, Vargas, and von Wilpert
ABSTAINING:	None

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

(Items continued...)

BUSINESS ITEMS CONTINUED...

Item 7c

Quarterly Report on Adopted Workplan & Proposed Amendments

Item presented to receive a quarterly report on the adopted workplan for 2022-2023. Work through the second quarter shows exactly two-thirds of the 30 targeted projects for the fiscal year have been initiated in some substantive manner with one already complete and six others nearing their completion. The quarterly report is being presented to the Commission to discuss and provide feedback in step with formal filing. The Commission will also consider two related amendments that are headlined by the proposed addition of an informational report to evaluate governance options to expand the public's recreational use of local reservoirs in unincorporated areas. This addition is consistent with an earlier request from Commissioners Anderson and Desmond and has the support of the City of San Diego Mayor's Office.

Chair Desmond asked for the staff presentation. Executive Officer Keene Simonds proceeded with the staff presentation and summarized the report with additional details on the proposed amendments.

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.

Commission discussion followed.

**

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

Roll call requested:

AYES: Anderson, Becker (voting), Desmond, MacKenzie, Mathis (voting), Willis, and Whitburn
NOES: None
ABSENT: Drake, Vanderlaan, Vargas, and von Wilpert
ABSTAINING: None

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

Item 7d

Chair and Vice Chair Appointments

Item presented to consider making officer appointments and select a chair and vice chair consistent with adopted policy.

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.

BUSINESS ITEMS CONTINUED...

Item 7d

Commission discussion followed.

**

Commissioner Willis motioned with a second from Commissioner Anderson to reappoint Commissioner Desmond as Chair and appoint Stephen Whitburn as Vice Chair.

Roll call requested:

AYES: Anderson, Becker (voting), Desmond, MacKenzie, Mathis (voting), Willis, and Whitburn
NOES: None
ABSENT: Drake, Vanderlaan, Vargas, and von Wilpert
ABSTAINING: None

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

8. COMMENDATIONS

None

9. EXECUTIVE OFFICER REPORT

- Welcomed new LAFCO Consultant, Chris Cate.
- Discussed the future meeting start times to accommodate everyone. Possibly having a special Commission meeting in March at 8:45 a.m. to decide the meeting start time going forward.

10. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

- Chair Desmond disclosed why the Palomar item previously calendared for February was pulled from the initial agenda and forwarded to next meeting in March.
- Chair Desmond requested a future item, local rules for outside service areas, to be brought to the Commission.

11. CLOSED SESSION

None

12. ADJOURNMENT TO NEXT MEETING

With no further business the Acting Chair adjourned the meeting at 10:59 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its February 6, 2023 meeting.

ATTEST,

Erica Sellen
Executive Assistant

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