



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

**5a**

**AGENDA REPORT**  
 Consent | Action

June 5, 2023

**TO:** Commissioners  
**FROM:** Tamaron Luckett, Commission Clerk  
**SUBJECT:** **Approval of Meeting Minutes |  
 Regular Meeting of May 1, 2023**

**SUMMARY**

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on May 1, 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 May 1, 2023, regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Kristi Becker (City of Solana Beach), Andy Vanderlaan (Public) and Barry Willis (Alpine Fire Protection District).
- All alternate Commissioners were present except Nora Vargas (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 lafco@sdcounty.ca.gov	<b>Chair Jim Desmond</b> County of San Diego  <b>Joel Anderson</b> County of San Diego  <b>Nora Vargas, Alt.</b> County of San Diego	<b>Kristi Becker</b> City of Solana Beach  <b>Dane White</b> City of Escondido  <b>John McCann Alt.</b> City of Chula Vista	<b>Vice Chair Stephen Whitburn</b> City of San Diego  <b>Marni von Wilpert, Alt.</b> City of San Diego	<b>Jo MacKenzie</b> Vista Irrigation  <b>Barry Willis</b> Alpine Fire Protection  <b>David Drake, Alt.</b> Rincon del Diablo	<b>Andy Vanderlaan</b> General Public  <b>Harry Mathis, Alt.</b> General Public
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## ANALYSIS

The attached draft minutes for the May 1, 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](http://www.sdlafco.org)).

## RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the May 1, 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 May 1, 2023 with any requested 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,



Tameron Luckett  
Commission Clerk

Attachment:

- 1) Draft Meeting Minutes for May 1, 2023

**DRAFT MINUTES  
SAN DIEGO LAFCO  
May 1, 2023 REGULAR MEETING**

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

The regular meeting was called to order at 8:15 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  
Stephen Whitburn, City of San Diego  
Dane White, City of Escondido
- Alternates Present: David Drake, Rincon del Diablo Municipal Water District (voting)  
Harry Mathis, Public (voting)  
John McCann, City of Chula Vista (voting)
- Members Absent: Kristi Becker, City of Solana Beach (regular)  
Andy Vanderlaan, Public (regular)  
Nora Vargas, County of San Diego (alternate)  
Marni von Wilpert, City of San Diego (alternate)  
Barry Willis, Alpine Fire Protection District (regular)

The Commission Clerk confirmed a quorum was present with eight voting members present with Alternate Commissioners Mathis voting in absence of Commissioner Vanderlaan, Commissioner McCann voting in absence of Commissioner Becker, and Commissioner Drake voting in place of Commissioner Willis. 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; Local Government Analyst I Michaela Peters; GIS/IT Analyst Dieu Ngu; Executive Assistant Erica Sellen; and Commission Clerk Tamaron Lockett.

**2. PLEDGE OF ALLEGIANCE**

Alternate Commissioner Drake led the Pledge of Allegiance.

**3. AGENDA REVIEW**

Chair Desmond asked the Executive Officer and Commissioners 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 along with noting a supplemental correspondence was received for agenda item 6a. The Executive Officer also provided instructions for members of the public on how to participate and provide comments with referenced to the agenda cover page.

#### 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 Clerk confirmed there were no registered speakers or live e-mail comments.

##### 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 Clerk confirmed there were no requests.

#### 5. CONSENT ITEMS

##### Item 5a

###### Approval of Meeting Minutes for May 1, 2023

Item presented to approve draft action minutes prepared for the Commission's May 1, 2023 regular meeting. Recommendation to approve.

##### Item 5b

###### Commission Ratification | Recorded Payments for February and March 2023

Item presented to ratify recorded payments made and received by the Executive Officer for the months of February and March 2023. Recommendation to ratify.

##### Item 5c

###### Budget Update for 2022-2023 | 3<sup>rd</sup> Quarter Actuals with Year-End Projections

Item presented to review a report comparing budgeted and actual transaction through the third quarter of 2022-2023. Recommendation to receive.

##### Item 5d

###### Protest Hearing Results | "Borrego Springs FPD Reorganization" (RO22-19)

Item presented to receive the results of the protest hearing for the "Borrego Springs FPD. Reorganization". The reorganization was conditionally approved in March 2023 and involves the dissolution of Borrego Springs Fire Protection District and the transfer of its fire protection, emergency medical and ambulance functions to the San Diego County FPD as the successor agency via a concurrent annexation. The noticed protest hearing was held on April 13<sup>th</sup> without generating written opposition. Recommendation to receive and file.

##### Item 5e

###### Progress Report on Adopted Workplan

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

## CONSENT ITEMS CONTINUED...

### 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.

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Motion by Commissioner MacKenzie with second from Alternate Commissioner McCann (voting) to approve the consent calendar items with staff recommendations (Alternative One) as presented.

Roll call requested:

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

The Commission Clerk confirms the motion was approved 8-0.

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

### Item 6a

#### Proposed “Cumming Ranch Change of Organization” | Expansion of Ramona Municipal Water District’s Activated Wastewater Service Area and Related Sphere of Influence Action (CO22-16)

Item presented to consider a change of organization filed by resolution of the Ramona Municipal Water District (MWD) to expand its activated wastewater service area. The affected territory as submitted comprises one contiguous area consisting of multiple undeveloped parcels under common ownership that collectively totals 390 acres. The purpose of the proposal is to facilitate the availability of public wastewater service area to the affected territory and in doing so, accommodate the planned development of 125 single-family residences and ancillary improvements known as the “Cumming Ranch” subdivision. Staff recommends conditional approval of the proposal along with a conforming amendment to Ramona MWD’s secondary sphere involving its wastewater function. Staff also recommends waiver of protest proceedings and findings 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.

(continued)

## PUBLIC HEARING ITEMS CONTINUED...

### Item 6a Continued

Chair Desmond proceeded to open the public hearing and invited comments by speakers to address the Commission beginning with audience members.

The Commission Clerk confirmed one audience registration was received from the applicant's representative Chris Brown providing support for the staff recommendation and availability to address question as needed. No other registrations were received from the audience.

The Executive Assistant also confirmed there were no registered remote speakers or comments (video, phone, or email).

Chair Desmond invited Commissioner comments. No discussion followed.

Chair Desmond proceeded to close the public hearing.

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Motion by Commissioner Anderson with a second from Alternate Commissioner Drake (voting) to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

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

The Commission Clerk confirms the motion was approved 8-0.

### Item 6b

#### Proposed Final Workplan and Budget for 2023-2024 and Related Actions

Item presented to consider recommendations from the Executive Officer in adopting a final workplan and budget for 2023-2024. Both items return following their draft adoption in March and subsequent public review. The workplan remains substantively unchanged in outlining 30 specific projects in priority order. Revisions tie to adding four projects from the current year that are now expected to continue through June 30<sup>th</sup>. The budget is unchanged and continues to total \$2.750 million. More than four-fifths of total expenses - \$2.261 million – covers operating costs and represents an increase of 12.6% and primarily tied to funding an additional staff position. Agency apportionments continue to represent nine-tenths of all operating revenues and set to increase by 13.0% via the combination of additional operating expenses plus reduction in budgeted use of reserves.

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

## PUBLIC HEARING ITEMS CONTINUED...

### Item 6b Continued

Chair Desmond asked for the staff presentation. Executive Officer Keene Simonds proceeded with the staff presentation and detailed the key recommendations.

Chair Desmond proceeded to open the public hearing and invited comments by speakers to address the Commission beginning with audience members .

Commission Clerk confirmed there were no registrations from the audience.

Commission Clerk confirmed one remote registration was received. The Chair proceeded to invite comments from the following speaker:

- Hannah Gbeh, Building Industry Association of San Diego County

The Executive Assistant confirmed there were no other remote comments.

Chair Desmond invited Commissioner comments.

Commission discussion followed.

Chair Desmond proceeded to close the public hearing.

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Motion by Alternate Commissioner McCann (voting) with a second from Alternate Commissioner Drake (voting) to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

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

The Commission Secretary confirms the motion passed 8-0.

(continued)

## 7. BUSINESS ITEMS

### Item 7a

#### CONTINUED |

#### Proposed Policy Update on Municipal Service Reviews

Item presented to consider approving a policy update guiding municipal service review activities. The proposed update has been continued from the February 6<sup>th</sup> meeting and returns to the Commission substantively intact. Reviews are limited to further refining a proposed waiver process that otherwise requires new municipal service reviews for proposals requiring sphere amendments if the last one is more than five years old. The balance of the proposed policy remains and represents a comprehensive revision to reflect current and best practices.

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

Chair Desmond invited anyone from the public to address the Commission beginning with the audience.

The Commission Clerk confirmed there were no registered speakers from the audience.

The Executive Assistant also confirmed there were no registered remote speakers or comments (video, phone, or email).

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Motion by Commissioner MacKenzie and second from Alternate Commissioner McCann (voting) to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

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

The Commission Secretary confirms the motion was approved 8-0.

### Item 7b

#### Proposed Policy Amendments |

#### Amending Rule No. 2 and Votes Need to Carry a Motion

Item presented to consider approving two related amendments to its adopted policies governing the conducting of meetings – Rule No. 2. The proposed amendments have been agendaized at the request of the Chair and are specific to existing language that requires five affirmative votes to carry any motion. The amendments would change the threshold to a majority of the quorum present.

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

### **Item 7b Continued**

Chair Desmond asked for the staff presentation. Executive Officer Keene Simonds proceeded with the staff presentation and summarized the report.

Chair Desmond invited anyone from the public to address the Commission beginning with audience members.

The Commission Clerk confirmed there were no registered speakers from the audience.

The Executive Assistant also confirmed there were no registered remote speakers or comments (video, phone, or email).

The Chair proceed to invite comments from the Commission. Discussion followed.

**\*\***

Motion by Chair Desmond and second from Alternate Commissioner McCann (voting) to approve the staff recommendation (Alternative One) as listed in the agenda report to proceed with amending the rules to require only an affirmative vote of the quorum majority present.

Additional discussion on the motion.

Motion of the maker (Desmond) agreed to an amendment by Commissioner Whitburn to revise the motion to set a “floor” to require no less than four affirmative votes to pass a successful motion. The second maker of the motion (McCann) agreed to the change.

Roll call requested:

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

The Commission Secretary confirms the motion was approved 7-1.

### **Item 7c**

#### **Report on Outside Travel to the CALAFCO Staff Workshop**

Item presented to receive a verbal report from staff on their overnight attendance at the CALAFCO Staff Workshop held on April 26th-28th in Murphys. Local Government Analyst I Michaela Peters proceeded with a verbal report.

**8. EXECUTIVE OFFICER REPORT**

Executive Officer Keene Simonds noted the Fallbrook PUD-Rainbow MWD Reorganizations will be heard at the Commission meeting on June 5<sup>th</sup>.

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

None

**10. CLOSED SESSION**

None

**11. ADJOURNMENT TO NEXT MEETING**

With no further business the Chair adjourned the meeting at 9:00 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its May 1, 2023 meeting.

ATTEST,

Tamaron Lockett  
Commission Clerk