



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

5d

AGENDA REPORT
 Business | Discussion

April 18, 2025

TO: Special Districts Advisory Committee

FROM: Priscilla Mumpower, Assistant Executive Officer
 Joelle Burila, Local Government Analyst I

SUBJECT: Policy Review | Draft Special Districts Advisory Committee Rules Update

SUMMARY

The Special Districts Advisory Committee (“Committee”) will receive an update from the San Diego Local Agency Formation Commission (LAFCO) staff regarding the review and update to modernize its formal Committee rules as part of the Commission’s FY 24-25 adopted workplan. This item involves a comprehensive review of the Committee’s rules, focusing on its purpose and core focuses, composition and elections, and place and time of meetings. The Ad Hoc Committee, which was formed during the September 2024 Committee meeting, has convened twice to review the Committee’s rules to ensure their continued relevance and effectiveness. The item is being presented for discussion with the opportunity for the Committee to provide feedback and direction. The Committee rules must be presented to LAFCO for final approval.

BACKGROUND

Special District’s Advisory Committee

The Committee was established in 1971 to assist and inform the San Diego Local Agency Formation Commission (LAFCO) processes which led to the inaugural appointments of special district members to LAFCO. Following these inaugural appointments, the Committee’s role evolved to serve as a resource, advising LAFCO on its growth management responsibilities,

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with a particular focus on issues affecting special districts. The Committee’s specific duties and tasks are detailed in the Committee’s Rules, and any changes to these rules require a simple majority affirmative vote of the Committee and the LAFCO Commission.

Adopted Workplan & Review of the Special District’s Advisory Committee Rules

San Diego LAFCO’s current fiscal year workplan includes 30 projects and is divided into two distinct categories – statutory and administrative – along with priority assignments set by the Commission. The policy review of the Committee rules is prioritized as the 26th project on the Commission’s workplan. This task involves coordinating with the Committee to modernize the rules and related procedures, ensuring alignment with the current interests and priorities of the membership.

Establishment of an Ad Hoc Committee

At its September 2024 meeting, the Committee approved the formation of an Ad Hoc Committee to assist LAFCO staff in the policy review of the membership’s rules. The Committee established the ad hoc committee’s composition to include six members: Chair Kim Thorne, Paul Bushee, Al Lau, Dave McQuead, Mark Robak, and Oliver Smith. The ad hoc committee’s primary task is to review the rules and present recommendations for the full Committee consideration. The ad hoc committee has successfully fulfilled its designated responsibilities. This item is presented for the Committee's comprehensive review and evaluation of the recommended rule amendments.

DISCUSSION

This item is being presented for the Committee’s review of a draft update to the Committee rules and discussion of the recommendations proposed by the Ad Hoc Committee. The Ad Hoc Committee met on two occasions – Thursday, December 12, 2024, and Tuesday, January 14, 2025 – and identified key elements and potential amendments for consideration moving forward. The proposed amendments include reducing the number of members from sixteen (16) to fifteen (15) members and broadening the criteria for seat eligibility to encompass various sectors such as healthcare, water, sewer, fire, cemetery and more. Additionally, the ad hoc committee recommends the election process to be adjusted to occur biennially, with officers selected during the first January meeting of the year. The meeting schedule will shift from the last month of each quarter (March, June, September, December) to the first month of each quarter (January, April, July, October), and meeting locations will be updated to reflect the new LAFCO office address. Furthermore, it’s recommended the quorum requirement be revised from five (5) members to eight (8) members, constituting a simple majority affirmative vote. Lastly, a clause is introduced to mandate a review of these Rules every five years or as needed to ensure continued relevance and effectiveness.

LAFCO staff has revised the Committee’s rules to incorporate the Ad Hoc Committee’s recommended amendments and is presenting a draft version with tracked changes for the

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Committee’s review. Following the Committee’s discussion and possible action, the finalized Committee rules may be submitted to the Commission for consideration and approval as early as the June 2025 meeting.

The draft Special Districts Advisory Committee Rules with tracked changes are provided as Attachment One.

ANALYSIS

This item is for the Committee to discuss and provide related feedback to LAFCO staff as collectively warranted.

RECOMMENDATION

See above.

ALTERNATIVES FOR ACTION

See above.

PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee’s agenda for discussion and possible action as part of the business calendar. The following procedures are recommended in the consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Invite comments from interested audience members.
- 3) Discuss and provide feedback as requested.

Respectfully,



Joelle Burila
Analyst I

Attachment: Draft Special District Advisory Committee Rules Update

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**SAN DIEGO
LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
RULES**

**SECTION I
FORMATION AND PURPOSE**

A. Authorization for Formation

The Special Districts Advisory Committee was formed on August 2, 1971 to review the “Rules and Regulations Affecting the Functions of Special Districts and for Representation of Independent Special Districts” on San Diego LAFCO. Instead of disbanding the Committee after district representatives were seated, the Commission retained the Committee to serve as both a forum for discussion and a method of channeling information to LAFCO on pending projects/issues.

B. Statement of Purpose

The LAFCO Special Districts Advisory Committee serves at the discretion of the Commission for all purposes set forth in these Rules. Recognizing the diversity of special districts and the need for technical advice on pending LAFCO projects/issues, the Commission hereby continues the San Diego LAFCO Special Districts Advisory Committee. The purposes of the Committee are to:

1. Assist LAFCO in the performance of its duties by (1) reviewing, before consideration by the Commission, those proposed boundary changes, municipal service reviews, spheres of influence ~~adoption or amendment actions~~, or other special studies that affect special districts and require technical insight and expertise, and (2) making recommendations to the Commission.
2. Identify areas of potential conflict between cities, county service areas, and special districts and facilitate voluntary resolution of those conflicts rather than by formal action of LAFCO.
3. Identify districts that are no longer functioning efficiently and/or cost-effectively and make appropriate recommendations.
4. Assist districts that desire reorganization as a means of providing better service.
5. Assist LAFCO in coordinating its decisions with other agencies.
6. Review, study, and recommend changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

SECTION II MEMBERSHIP

A. Composition

The San Diego LAFCO Special Districts Advisory Committee shall consist of ~~sixteen fifteen~~ (4615) members. They shall represent as many different types of special districts as possible. ~~There shall be representation from at least one water, one sewer, and one fire district. The committee's goal is to ensure diverse representation by including a wide variety of special districts and covering as many geographic areas in San Diego County as possible. This approach aims to reflect the unique needs, regional perspectives and types of special districts within the County.~~ Members may be either a special district elected board member or a staff person. Members of the Committee may not also be ~~members~~ Commissioners of LAFCO. The number of candidates and members of the Advisory Committee representing the same agency shall be limited to one. In addition, candidates for the Advisory Committee shall not also be candidates for LAFCO.

Membership is restricted to those independent special districts located entirely within the County of San Diego, or for which the County of San Diego is its principal county. The County of San Diego shall be permitted a nonvoting representative, who shall be appointed by the County Chief Administrative Officer.

B. Selection Procedure

Members of the Special Districts Advisory Committee shall be selected by the Independent Special District Selection Committee of San Diego County, as constituted in Government Code Section 56332 of the Cortese-Knox-Hertzberg Act (CKH). ~~An annual~~ biennial election shall be conducted, in accordance with the adopted "San Diego County Independent Special District Selection Committee Rules," to fill all existing vacancies in the committee membership. If a vacancy occurs subsequent to a regular election, and more than sixty (60) days prior to the next regular election, a list of candidates for consideration to an interim appointment shall be presented for committee discussion at the next available committee meeting after the vacancy occurs. The Committee Chairperson may make an interim appointment, with recommendations from the full advisory committee, until the next regular election.

Following the approved amendments to these Rules in 2025, and pursuant to the established election schedule, the Committee election shall occur in 2026 for the initial cohort of eight (8) members, who shall be selected based on the longest-expired terms. The subsequent election, to be held in 2028 in accordance with the biennial cycle, shall include the remaining seven (7) members, selected based on the most recently expired terms.

C. Term of Membership

Members shall serve four-year terms that will expire on October 31 or until certification of the election results. Members may serve more than one term. As outlined in CKH Government Code Section 56334, Committee members may continue to serve beyond their expired term until a successor is appointed.

D. Termination of Membership

Any member may be removed at any time and without cause by a simple affirmative majority vote of the Independent Special District Selection Committee.

A member may be removed if he or she is absent from four (4) consecutive regular meetings.

A member shall be ineligible to continue as a member if he or she ceases to be a board member or staff person of his or her special district, or is appointed to either a regular or alternate position on LAFCO.

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SECTION III OFFICERS

A. Number and Selection

The officers of the Committee shall be Chairperson and Vice Chairperson. The Committee may create and appoint such additional officers as may be necessary to carry out the work of the Committee.

The officers shall be chosen annually at the first regular ~~December~~ January meeting, or the first-next regular meeting held thereafter. Each officer shall hold office until resignation, removal, other disqualification to serve, or until a successor has been chosen.

B. Duties of the Chairperson

The Chairperson shall preside at all meetings of the Committee, and appoint members and provide instructions to all subcommittees. The Chairperson, the Vice Chairperson, or other designated committee member may attend and represent the Committee at any meeting of LAFCO.

C. Duties of the Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all of the duties of the Chairperson. The Vice Chairperson shall also preside as the Chairperson of all subcommittees and shall report to the Chairperson on the progress of a subcommittee's activities.

D. Duties of the Secretary

LAFCO shall ~~provide a staff person~~ designate one or more staff members to act as the Secretary for the Committee. ~~The Secretary~~ Staff member(s) shall (1) prepare and mail agendas and other notices to the Committee, (2) take, transcribe, and distribute minutes of committee meetings, and (3) perform such other tasks as are necessary to conduct the business of the Committee.

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**SECTION IV
MEETINGS**

A. Compliance with Ralph M. Brown Act

All meetings of the Special Districts Advisory Committee shall be posted, noticed, and conducted in compliance with the Ralph M. Brown Act.

B. Schedule of Meetings

Regular meetings of the Special Districts Advisory Committee shall be scheduled on the third (3rd) Friday of the ~~last~~ first month of each quarter. If the regular meeting date of the Local Agency Formation Commission (LAFCO) on the first (1st) Monday of the following month is a holiday, the regular meeting of the Special Districts Advisory Committee shall be on the fourth (4th) Friday.

Special meetings may be called at any time by the Executive Officer or Chairperson, or by ~~nine-eight~~ (89) committee members. Notice of such special meetings shall be mailed or delivered to each member, and must be received at least twenty-four (24) hours before the time set for said meeting.

C. Time and Place of Meeting/Agendas

Meetings of the Committee shall be scheduled to ~~be held~~ occur at the ~~University of California cooperative Extension located at 9335 Hazard Way, Suite 201, San Diego, California.~~ San Diego County Administration Center located at 1600 Pacific Highway, San Diego, California 92101. Any meeting may, however, be held at a site at the discretion of the ~~Chairman~~ Chairperson and/or Executive Officer. The meeting dates and locations for the following calendar year shall be determined at the prior last regular October meeting. The meeting location of all meetings shall be indicated on the agenda distributed and posted for that meeting. Meetings shall be scheduled to commence at 9:30 a.m., and

when a quorum is present. The specific meeting room and time will be determined monthly, prior to preparation, distribution, and posting of that month's agenda, and will depend on availability of meeting rooms. All committee members will be sent either an agenda or cancellation notice at least one week prior to each scheduled meeting.

D. Conduct of Meetings

LAFCO staff shall serve as the designated facilitators of Committee meetings.

A member unable to attend a meeting shall notify the LAFCO office at least twenty-four (24) hours prior to the meeting.

The ~~Chairman~~Chairperson may alter the sequence in which agenda items will be considered.

Except as permitted by Section 54954.2 of the Ralph M. Brown Act, the Committee shall not discuss, or take action on, any item not included on the agenda for that meeting.

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A member may briefly respond to statements or questions from members of the public during the Public Comment period.

A member may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

A member, or the Committee itself, may request LAFCO staff to provide information at a future meeting or to place an item on a future agenda.

SECTION V VOTING

A. Vote Entitlement

Each committee member shall be entitled to one vote, even though that member may be a board member or staff person of more than one special district.

B. Quorum

The presence of ~~five-eight~~ (85) or more members shall constitute a quorum for the transaction of business at any regular or special meeting of the Committee.

C. Number of Votes Required to Carry Action

Adoption of any recommendation or other action shall require a simple majority affirmative vote. ~~When seven (7) or fewer votes are cast, a minimum of four (4) affirmative votes shall be required to carry an action.~~

D. Disqualification

When a committee member is a board member or staff person of a special district that is a subject district of a proposal (as defined by Government Code Section 56077), that member may participate in the discussion of, but may not vote on the Committee's action regarding that proposal.

SECTION VI SUBCOMMITTEES

The Advisory Committee may create such subcommittees as the business of the Committee may require, each of which shall exist for such period and have such authority and perform such duties as the Committee from time to time determines.

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SECTION VII PLACE OF BUSINESS

The principal business office of the Special Districts Advisory Committee is in the San Diego LAFCO office, 2550 Fifth Avenue, Suite 725 San Diego, California 92103-6624. ~~Suite 200, 9335 Hazard Way, San Diego, California 92123.~~

SECTION VIII AMENDMENT

~~These~~ The Special Districts Advisory Committee Rules may be amended by simple majority affirmative vote ~~a majority vote of by~~ the Committee at any regular or special meeting followed by final approval by the Commission at the next available meeting. The Executive Officer may make technical changes as necessary, after consulting with all Committee members, to ensure compliance of these Rules with current law and Committee policy.

These Rules shall be reviewed every five years or as needed to ensure their continued relevance and effectiveness. Amendments may be made in accordance with the

procedures set forth herein.

Adopted: September 23, 1971

Amended: December 1972
December 18, 1973
December 21, 1976
July 26, 1994
June 19, 1992
December 20, 1996
December 19, 1997
March 20, 1998
December 17, 2004
July 31, 2014
March 9, 2018
June 2, 2025

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