

**APPROVED MINUTES
SAN DIEGO LAFCO
March 3, 2025 REGULAR MEETING**

1. 8:15 A.M. – CALL TO ORDER BY CHAIR

Item 1a

ROLL CALL OF COMMISSIONERS PRESENT

The regular meeting was called to order at 8:17 a.m. by Chair Whitburn. The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Joel Anderson, County of San Diego
 Kristi Becker, City of Solana Beach
 Jim Desmond, County of San Diego
 Jo MacKenzie, Vista Irrigation District
 Harry Mathis, Public
 Stephen Whitburn, City of San Diego (CHAIR)
 Dane White, City of Escondido
 Barry Willis, Alpine Fire Protection District (VICE CHAIR)

Alternates Present: Brigitte Browning, Public
 David Drake, Rincon Municipal Water District
 John McCann, City of Chula Vista

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

The Commission Clerk confirmed a quorum with eight voting members present.

Also present at the time of roll call were the following LAFCO staff: Executive Officer Keene Simonds; Assistant Executive Officer Priscilla Mumpower; Commission Counsel Holly Whatley; Local Government Analyst II Michaela Peters; Local Government Analyst I Joelle Burila; Local Government Analyst I Meghan Traynor; Communications Associate Aiden Velasquez; GIS Analyst Dieu Ngu; and Commission Clerk Erica Sellen. LAFCO Consultants Chris Cate, Tom Kennedy, and Adam Wilson were also present.

Item 1b

PLEDGE OF ALLEGIANCE

Commissioner Mathis led the Pledge of Allegiance.

Item 1c

STATEMENT (JUST CAUSE) AND/OR CONSIDERATION OF A REQUEST TO PARTICIPATE REMOTELY (EMERGENCY CIRCUMSTANCES) BY A COMMISSIONER, IF APPLICABLE

None.

2. **COMMENDATION FOR COMMISSIONER HARRY MATHIS**

On behalf of the Commission, Chair Whitburn thanked Commissioner Mathis for his years of service. On behalf of the San Diego County Board of Supervisors, Commissioners Desmond and Anderson thanked Mr. Mathis and presented him with a proclamation. Commissioner Mathis expressed his gratitude for the opportunity to be on the Commission. Executive Officer Simonds provided a formal commendation to Mr. Mathis.

3. **AGENDA REVIEW**

Chair Whitburn asked Executive Officer Simonds if there were any requests to remove or rearrange items on the agenda. Executive Officer Simonds stated no changes to the agenda were needed but there was supplemental correspondence for Agenda Item 6a.

4. **PUBLIC COMMENT AND OPPORTUNITY FOR PUBLIC TO REQUEST DISCUSSION ON CONSENT ITEMS**

Chair Whitburn invited anyone from the public to address the Commission on a matter not directly related to an agenda item. Chair Whitburn invited comments from the following registered speaker:

- Michelle Krug

The Commission Clerk confirmed there were no other registered speakers and no live e-mail comments.

5. **CONSENT ITEMS**

Item 5a

Approval of Meeting Minutes for February 3, 2025

Item presented to approve draft action minutes prepared for the Commission's February 3, 2025 meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for January 2025

Item presented to ratify recorded payments made and received by the Executive Officer for the month of January 2025. Recommendation to ratify.

Item 5c

Budget Update for 2024-2025 | Second Quarter Actuals + Year-End Projections

Item presented to review a report comparing budgeted and actual amounts for the second quarter of 2024-2025 and related end-year projections. No amendments are proposed. Recommendation to formally accept and file.

Item 5d

Progress Report on 2024-2025 Workplan

Item presented to receive a progress report on the adopted workplan, and activities associated with the 30 special projects set for 2024-2025. Recommendation to formally receive the item.

CONSENT ITEMS CONTINUED...

Item 5e

Notice of Administrative Approval | “Lopez–Bear Valley Parkway Out-of-Agency Wastewater Services with the City of Escondido” (OAS25-03)

Item presented to receive notice of administrative approval by the Executive Officer authorizing Escondido to provide out-of-agency wastewater services to an unincorporated property at 455 Bear Valley Parkway due to a failing septic system. The approval is for an existing single-family residence and accessory dwelling unit. Approval is termed on the landowner submitting an annexation proposal within one year. The project is exempt from further environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15269(c). Information only.

Item 5f

Report on Active Proposals and Related Activities

Item presented to receive a status report on active proposals currently on file as well as anticipated filings based on ongoing discussions with proponents. Information only.

Chair Whitburn invited comments for Item 5f from the following registered speaker:

- Michelle Krug

The Commission Clerk confirmed there were no other registered speakers and no live e-mail comments.

Item 5g

Support Services Provided by the County of San Diego and Recent Costs

Item presented to receive an informational report on support services provided by the County of San Diego and associated reimbursement costs made over the last five fiscal years. The report responds to an earlier request by the Commission. Information only.

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

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, Mathis, Whitburn, White, & Willis
NOES: None
ABSENT: von Wilpert
ABSTAINING: None

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

[...]

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

Item 6a

Proposed Draft Workplan and Budget for 2025-2026

Item presented to consider recommendations for a proposed draft workplan and budget for 2025-2026. The workplan lists 30 special projects in priority order with several continuing from the current workplan including municipal service reviews of wholesale water service providers and healthcare districts. Proposed additions include commencing a new municipal service review on the Port District and launching a pilot grant program. The draft budget totals \$3.164 million, reflecting an 8.6% increase to accommodate targeted enhancements for salaries/benefits and services/supplies. Local agency apportionments are proposed to increase by 7.6%, with the balance covered by reserves. A public review period would follow approval, with final proposed versions presented in May. Recommendation to approve.

Chair Whitburn invited disclosures from Commissioners on material ex parte communications. No disclosures were reported.

Executive Officer Simonds provided the staff presentation.

Chair Whitburn opened the hearing and invited public comments from the following registered speakers with stated positions to the staff recommendation noted in parenthesis:

- James Johnson, Oceanside resident and business owner (support)
- Liz Rhea, Oceanside resident (support)
- George Rhea, Oceanside resident (support)
- * All above speakers provided support specific to the draft workplan calling for a governance study of the Oceanside Small Craft Harbor District with a request to also make it a higher priority.

The Commission Clerk confirmed there were no other registered speakers and no live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. Commissioner Desmond expressed that he is open to using additional reserves to curb the increase to local agencies, provided they can be rebuilt in accordance with policy. He also asked how LAFCO can address concerns raised by the public speakers to advance the urgency of the proposed governance study on the Oceanside Small Craft Harbor District. In response, Executive Officer Simonds stated staff would review options in scaling a proposed governance study and presenting a scope of work at the next hearing. General discussion followed.

Chair Whitburn inquired whether LAFCO could use its reserves to lower the proposed increase to the apportionment rate from 7.6% to 5.0% and in doing so reduce agencies' costs. Commissioner White expressed support for the comments made by Commissioners Desmond and Whitburn with respect to reducing impacts on local agencies while recognizing the importance of maintaining a sufficient reserve level.

The Chair proceeded to close the hearing and made a motion to approve.

PUBLIC HEARING ITEMS CONTINUED...

Item 6a Continued...

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Commissioner Whitburn motioned with a second from Commissioner Desmond to approve the staff recommendation (Alternative One) as listed in the agenda report, while directing staff to return with information proceeding with a special governance study on the Oceanside Small Craft Harbor District as well as options for using additional reserves to reduce the apportionment increase for agencies.

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, Mathis, Whitburn, White, & Willis
NOES: None
ABSENT: von Wilpert
ABSTAINING: None

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

Item 6b

Proposed “Huang-Mt. Whitney Road Change of Organization” | Expansion of Rincon del Diablo MWD’s Activated Wastewater Service Area and Conforming Sphere of Influence Action (CO24-09)

Item presented to consider a change of organization proposal initiated by landowner petition to expand Rincon del Diablo MWD’s activated wastewater service area to include 0.91 acres of unincorporated land in the Harmony Grove community. The territory is within Rincon MWD’s jurisdiction and primary sphere but outside the activated wastewater service area and secondary sphere. The proposal aims to establish wastewater service for a planned single-family residence. Recommendation to approve.

Chair Whitburn invited disclosures from Commissioners on material ex parte communications. No disclosures were reported.

Local Government Analyst I Traynor provided the staff presentation.

Chair Whitburn proceeded to open the hearing and invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. No discussion.

The Chair proceeded to close the hearing and invited a motion.

PUBLIC HEARING ITEMS CONTINUED...

Item 6b Continued...

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Commissioner Desmond 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, Desmond, MacKenzie, Mathis, Whitburn, White, & Willis
NOES: None
ABSENT: von Wilpert
ABSTAINING: None

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

7. BUSINESS ITEMS

Item 7a

Draft Proposed Policy | Financial Accounting and Internal Controls

Item presented to review a draft proposed policy to establish rules and procedures for financial accounting and reporting. The draft, prepared as part of the adopted workplan, incorporates recommendations from LAFCO's outside auditor. It draws on best practices from similarly sized local agencies and addresses reporting roles, account management, capitalization thresholds, and fraud prevention. Recommendation to review and discuss with staff finalizing a version for formal consideration at a future meeting.

Assistant Executive Officer Mumpower provided the staff presentation.

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. No discussion.

No action.

Item 7b

Proposed "Lank – Poinsettia Avenue Out-of-Agency Wastewater Services" | Buena Sanitation District (OAS25-04)

Item presented to consider a request by the Buena Sanitation District to provide out-of-agency wastewater services to a 0.51-acre parcel within the City of San Marcos, located at 806 Poinsettia Avenue. The request to extend wastewater services is to support the construction of an additional single-family residence and two accessory dwelling units. Recommendation to approve.

Local Government Analyst I Traynor provided the staff presentation.

BUSINESS ITEMS CONTINUED...

Item 7b Continued...

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. No discussion.

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

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, Mathis, Whitburn, White, & Willis
NOES: None
ABSENT: von Wilpert
ABSTAINING: None

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

Item 7c

Update on Implementing Report Recommendations from University of California Berkeley to Expand LAFCOs' Effectiveness

Item presented to receive an update on staff activities advancing recommendations from a UC Berkeley report on LAFCOs' effectiveness. Presented in March 2024, the report focuses on strengthening relationships between State regulators, LAFCOs, and local communities to ensure safe drinking water, particularly through municipal service reviews and water system consolidations. Staff, in collaboration with the author and other stakeholders, is developing legislative amendments to address key recommendations, including expanding LAFCOs' authority to initiate annexations for public health-related water and wastewater services. Information only.

Local Government Analyst I Burila provided the staff presentation.

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. No discussion.

No action.

BUSINESS ITEMS CONTINUED...

Item 7d

Support for Assembly Bill 259 | Remote Participation for Local Agencies

Item presented to consider supporting Assembly Bill (AB) 259, introduced by Assemblywoman Blanca Rubio, which seeks to remove the January 1, 2026, sunset date from provisions in the Ralph M. Brown Act (AB 2449). AB 259 would allow local agencies to continue using alternative teleconferencing procedures for remote participation during emergencies or for "just cause." Recommendation to approve.

Local Government Analyst I Burila provided the staff presentation.

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. No discussion.

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

Roll call requested:

AYES: Anderson, Becker, Desmond, Mathis, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: von Wilpert
ABSTAINING: None

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

8. EXECUTIVE OFFICER REPORT

Executive Officer Keene Simonds noted the following item:

- Update on the status of the petitions filed to incorporate La Jolla.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

Chair Whitburn invited comments from the following registered speaker:

- Alisha Morrison, requested the Commission rescind LAFCO proposal RO19-16 "Sweetwater Road Reorganization" previously approved on December 2, 2019.

Commissioner MacKenzie would like to formalize a policy to remove stalled projects, similar to the County of San Diego's policy.

Commissioner Mathis thanked the Commission again for the opportunity to serve.

10. ADJOURNMENT TO NEXT MEETING

With no further business, Chair Whitburn adjourned the meeting at 9:51 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its March 3, 2025 meeting.

ATTEST,

Erica Sellen
Commission Clerk

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