

**APPROVED MINUTES
SAN DIEGO LAFCO
June 2, 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 8:19 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
 Stephen Whitburn, City of San Diego (CHAIR)
 Dane White, City of Escondido
 Barry Willis, Alpine Fire Protection District (VICE CHAIR)

Alternates Present: Brigette Browning, Public (voting)
 David Drake, Rincon Municipal Water District

Members Absent: John McCann, City of Chula Vista (alternate)
 Marni von Wilpert, City of San Diego (alternate)

The Commission Clerk confirmed a quorum with eight voting members present – including Alternate Browning voting as Public Member.

Also present at the time of roll call were the following LAFCO staff members: 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 Consultant Adam Wilson was also present.

Item 1b

PLEDGE OF ALLEGIANCE

Vice Chair Willis led the Pledge of Allegiance.

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

None.

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 while separately addressing the receipt and distribution of late supplemental correspondence involving Agenda Item 5g.

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

Chair Whitburn invited members of the public to speak to the Commission on any subject matter within the agency's growth management duties and interests but not on the agenda.

The following registered speakers addressed the Commission:

- Shahrokh Saadat Nejad, San Diego Resident

The Commission Clerk confirmed there were no other registered speakers (audience or remote) or live e-mail comments.

5. CONSENT ITEMS

Item 5a

Approval of Meeting Minutes for May 5, 2025

Item presented to approve draft action minutes prepared for the Commission's May 5, 2025 meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for April 2025

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

Item 5c

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.

Item 5d

Report on Active Proposals and Related Activities

The Commission will receive a status report on active proposals currently on file as well as anticipated filings based on ongoing discussions with proponents. Information only.

CONSENT ITEMS CONTINUED...

Item 5e

Notice of Administrative Approval | “Halstead – Olivewood Lane Out-of-Agency Wastewater Services with the San Diego County Sanitation District” (OAS25-11)

Item presented to receive notice of an administrative approval by the Executive Officer authorizing San Diego County Sanitation District to provide out-of-agency wastewater services to an unincorporated property at 1545 Olivewood Lane (APN 403-360-53-00) due to a failing septic system. 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 Guidelines Section 15269(c). Information only.

Item 5f

Commissioner Request |

Expenses within the Professional Services Account

Item presented to receive an informational report summarizing professional service expenses over the past five fiscal years consistent with an earlier request made by Commissioner MacKenzie. Information only.

Item 5g

Update on La Jolla Incorporation Proposal

Item presented to receive an update on the proposed “City of La Jolla Special Reorganization” and concurrent request by proponents to detach the community of La Jolla from the City of San Diego and incorporate it as an independent municipality. The update addresses two recent developments involving a May 12th action by the City Council to initiate litigation as well as the status of a conflict waiver for Commission Counsel. Information only.

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

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

Roll call requested:

AYES: Anderson, Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: McCann & 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

Appointment of a Public Member and Other Possible Actions

Item presented to consider candidate recommendations from the Commission's Executive Committee (Chair Whitburn, Vice Chair Willis, and Past Chair Desmond) to fill the vacant Regular Public Member seat with a term extending through April 2029. Recommendation for the Commission to interview the three candidates advanced by the Executive Committee with any successful appointment requiring both a majority vote and at least one affirmative vote from each of the four membership categories represented on the Commission.

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

Assistant Executive Officer Mumpower provided the staff presentation.

Following the staff presentation, Chair Whitburn opened the floor for Commission nominations for other candidates among the applicant pool. No nominations.

Chair Whitburn invited presentations from the following candidates advanced by the Executive Committee:

- Brigette Browning
- Greg Cox
- Eileen Delaney

Chair Whitburn invited follow-up questions from Commissioners. No questions.

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

- David Leyva – opposition to policy procedures associated with appointment.
- Luisa McCarthy (opposition)
- Doyle Morrison (opposition)
- Alisha Morrison (opposition)

- * All above speakers provided opposition specific to waiving A-109 provision that otherwise requires one public member reside in the unincorporated area and the other resides in the incorporated area.

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

PUBLIC HEARING ITEMS CONTINUED...

Item 6a Continued...

Chair Whitburn thanked all participants and proceeded to invite questions and comments from the Commissioners.

Commissioner Becker thanked all participants, and with reasons given nominated Brigitte Browning as the regular public member. Motion seconded by Chair Whitburn.

Chair Whitburn asked the Commission if there was any discussion on the motion.

Vice Chair Willis made a substitute motion to nominate Eileen Delaney as the regular public member. The substitute motion was seconded by Commissioner Desmond.

Chair Whitburn asked the Commission if there was any discussion on the substitute motion. Commissioner Desmond noted he appreciates Commissioner Browning's contributions but would like to see a board member with land use experience.

Commissioner Anderson requested clarification of the voting requirements. Executive Officer Simonds stated there are four distinct funding agencies on LAFCO (County of San Diego, City of San Diego, Cities, and Special Districts) and at least one affirmative vote is needed from each, along with the majority vote.

Chair Whitburn proceeded to close the public hearing and asked the Commission to vote on the substitute motion.

Commissioner Willis motioned with a second from Commissioner Desmond to nominate Eileen Delaney as the regular public member.

Roll call requested:

AYES:	Anderson, Desmond, MacKenzie, White, & Willis
NOES:	Becker, Browning (voting), & Whitburn
ABSENT:	McCann & von Wilpert
ABSTAINING:	None

The Executive Officer confirmed the substitute motion met the majority vote of 5-3 but failed due to lack of at least one affirmative vote from each membership category (City of San Diego).

Chair Whitburn proceeded to ask the Commission to vote on the original motion.

PUBLIC HEARING ITEMS CONTINUED...

Item 6a Continued...

Commissioner Anderson asked for an amendment to the original motion to include Eileen Delany as the alternate. Commissioner Becker and Chair Whitburn agreed to the amendment.

Roll call requested:

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AYES:	Anderson, Becker, Browning (voting), & Whitburn
NOES:	Desmond, MacKenzie, White, & Willis
ABSENT:	McCann & von Wilpert
ABSTAINING:	None

The Commission Clerk confirmed the motion was 4-4 and failed due to lack of both a majority and at least one affirmative vote from each membership category (Special Districts).

Chair Whitburn invited further motions from Commissioners. No further motions.

Chair Whitburn thanked all three candidates and stated that Commissioner Browning will continue to serve as the alternate (voting) public member.

7. BUSINESS ITEMS

Item 7a

Proposed Policy Amendments | Special Districts Advisory Committee Rules

Item presented to consider approving proposed amendments to the governing rules of the Special Districts Advisory Committee (Committee). This item aligns with a current fiscal year workplan objective to modernize the Committee in advising the Commission on its activities and responsibilities. The proposed amendments have been developed by the Committee and provide clarification on the Committee's purpose and core functions, refine membership composition and election procedures, adjust meeting scheduling, and update various administrative provisions. Recommendation to approve.

Local Government Analyst I Burila provided the staff presentation and supplemented the recommendation with two additional revisions consistent with feedback from Commissioner MacKenzie.

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

BUSINESS ITEMS CONTINUED...

Item 7a Continued...

Chair Whitburn proceeded to invite questions and comments from the Commissioners. Commissioner MacKenzie asked if the Committee’s meeting schedule could sync with the Commission’s meeting schedule to get timely discussion results. Executive Officer Simonds stated the Committee’s schedule is firm, but staff can provide draft Committee minutes at the next Commission meeting.

Chair Whitburn invited Special Districts Advisory Committee Chair Kimberly Thorner to address the Commission. Committee Chair Thorner thanked LAFCO staff for their work and guidance and noted her availability should the Commission have questions.

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Commissioner Willis motioned with a second from Commissioner MacKenzie to approve the staff recommendation (Alternative One) as listed in the agenda report with the supplemental revisions addressed by Analyst Burila.

Roll call requested:

- AYES: Anderson, Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
- NOES: None
- ABSENT: McCann & von Wilpert
- ABSTAINING: None

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

Item 7b

Proposed “Moody – Lemon Avenue Out-of-Agency Wastewater Services” | City of La Mesa (OAS26-05)

Item presented to consider a request from the City of La Mesa to extend out-of-agency wastewater service to an approximately 0.3-acre unincorporated parcel located within the Valle de Oro community. The affected territory consists of one undeveloped legal parcel with no assigned situs address and is immediately adjacent to both the City’s incorporated boundary and its sphere of influence. The request is intended to facilitate the provision of public wastewater service to support the planned development of one single-family residence and one accessory dwelling unit as allowed under County of San Diego zoning regulations. Approval of the request requires the Commission to make two separate policy determinations: the proposed out-of-agency service extension is preferable to annexation given local conditions, and the extension reasonably addresses an impending threat to public health and safety. Recommendation to approve and find the project categorically exempt from environmental review under State CEQA Guidelines Section 15319(b).

Local Government Analyst II Peters 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.

Vice Chair Willis asked if there was any opposition to the proposed out-of-agency service agreement. Analyst Peters confirmed there was none. No discussion proceeded.

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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, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: McCann & von Wilpert
ABSTAINING: None

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

Item 7c

Legislative Report

Item presented to receive a report summarizing legislative items of interest related to the Commission's regulatory and planning responsibilities. The report specifically highlights seven bills with potential material implications for LAFCOs, including two measures - AB 356 and AB 448 - that directly involve an agency under the Commission's oversight - Palomar Healthcare District. This item is presented for discussion and potential action, including the option to approve formal positions on one or more of the proposed bills.

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.

Commissioner Becker thanked staff for tracking the bills.

Commissioner MacKenzie asked staff to monitor SB339 (Ortega).

BUSINESS ITEMS CONTINUED...

Item 7c Continued...

Commissioner Anderson expressed concern about supporting AB 448 and stated he appreciates staff's hard work but will not support to avoid perception that LAFCO is weighing into topics beyond its direct responsibilities.

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

Roll call requested:

AYES: Becker, Browning (voting), MacKenzie, Whitburn, White, & Willis
NOES: Anderson
ABSENT: McCann & von Wilpert
ABSTAINING: Desmond

The Commission Clerk confirmed the motion was approved 6-1-1.

Item 7d

Fee Waiver Request and Related Actions |

“Proposed Pauma Valley Community Services District Island Annexation”

Item presented to consider a request from the Pauma Valley CSD to waive all fees associated with its anticipated application to annex nine unincorporated parcels, collectively totaling approximately 19 acres. The subject parcels are fully enclosed within Pauma Valley CSD's boundary and adopted sphere of influence. Pauma Valley CSD provides two primary municipal service functions – wastewater and security – and asserts these parcels currently receive such services despite being located outside the agency's formal boundary. The estimated value of the requested fee waiver is \$6,405 based on the assumption the annexation would proceed without requiring a protest proceeding and qualifies as categorically exempt under the California Environmental Quality Act. Staff recommends the Commission consider the waiver request and potential alternatives and take action as deemed appropriate.

Local Government Analyst I Traynor provided the staff presentation before deferring to Vice Chair Willis for additional opening comments.

Chair Whitburn invited comments from the public.

The Commission Clerk confirmed there was one remote speaker:

- Eric Steinlicht, General Manager, Pauma Valley CSD

BUSINESS ITEMS CONTINUED...

Item 7d Continued...

Chair Whitburn proceeded to invite questions and comments from the Commissioners.

Commissioner Becker expressed concern about approving the fee waiver given precedent-setting and will not be in support.

Commissioner MacKenzie agreed with Commissioner Becker and suggested a payment plan.

Additional discussion from several Commissioners followed.

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Commissioner MacKenzie motioned with a second from Commissioner Desmond to direct staff to work with Pauma Valley CSD on a payment plan based on full cost recovery.

Roll call requested:

AYES: Anderson, Becker, Browning (voting), Desmond, MacKenzie, Whitburn,
& White
NOES: Willis
ABSENT: McCann & von Wilpert
ABSTAINING: None

The Commission Clerk confirmed the motion was approved 7-1.

Item 7e

Authorization to Serve as Grant Co-Applicant with RCD of Greater San Diego | Proposed Partnership to Fund an Agricultural Liaison Position

Item presented to consider a resolution to serve as co-applicant with the Resource Conservation District (RCD) of Greater San Diego County on a proposed agricultural conservation capacity grant of up to \$250,000. The grant would be awarded by the California Department of Conservation through its Sustainable Agricultural Lands Conservation (SALC) Program. This proposal aligns with a key recommendation from the SALC 1.0 planning grant and incorporates feedback previously provided by Commissioners. Specifically, the grant would help fund an agricultural liaison position to enhance the RCD's capacity to hold conservation easements and deliver outreach and technical assistance to local farmers. Recommendation to approve the resolution and, if awarded, authorize the Executive Officer to enter into a memorandum of understanding (MOU) with the RCD of Greater San Diego County to define roles, responsibilities, and deliverables.

Local Government Analyst I Traynor provided the staff presentation.

BUSINESS ITEMS CONTINUED...

Item 7e 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. Commissioner MacKenzie asked for clarification on LAFCO's role. Executive Officer Simonds stated that LAFCO will serve in a support role for the RCD.

General discussion followed.

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

Roll call requested:

AYES: Anderson, Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: McCann & von Wilpert
ABSTAINING: None

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

Item 7f

Report on the 2025 CALAFCO Staff Workshop

Item presented to receive an informational update following staff's participation in the California Association of LAFCOs' (CALAFCO) Annual Staff Workshop, held April 30–May 2 in Temecula. The program featured presentations led by LAFCO practitioners, subject matter experts, and consultants. San Diego LAFCO staff attended one day of the three-day event and participated in seven sessions. Staff also contributed to two sessions: a general session titled "*Tips to Improve the MSR Process*" and a breakout session, "*Balancing Growth and Green: LAFCO's Role in the Future of Agriculture.*" Information only.

Local Government Analyst II Peters provided a verbal 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.

8. EXECUTIVE OFFICER REPORT

Executive Officer Simonds made the following comments:

- Commission Clerk Erica Sellen is celebrating 10 years with LAFCO.
- The April meeting was LAFCO Consultant Chris Cate's last meeting, and his duties have been transitioned to new LAFCO Consultant Pat Bouteller.
- Local Government Analyst I Joelle Burila will be going on maternity leave and staff looks forward to her return towards the end of the calendar year.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

Commissioners made the following comments:

- Commissioner MacKenzie noted CSDA approved funding mechanisms for RCDs.
- Commissioner Drake said the San Diego Union Tribune reported Sharp Healthcare has absorbed the assets and debts of Tri-City Healthcare. (LAFCO Consultant Adam Wilson said LAFCO is working on the healthcare MSRs.)
- Commissioner Desmond commented on the LAFCO voting procedures for the public member position and the deference assigned to the City of San Diego.

10. ADJOURNMENT TO NEXT MEETING

With no further business, Chair Whitburn adjourned the meeting at 10:04 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its June 2, 2025 meeting.

ATTEST,

Erica Sellen
Commission Clerk