

**APPROVED MINUTES
SAN DIEGO LAFCO
August 4, 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: Paloma Aguirre, County of San Diego
Joel Anderson, County of San Diego (arrived at 8:19 a.m.)
Kristi Becker, City of Solana Beach
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
John McCann, City of Chula Vista

Members Absent: Monica Montgomery Steppe, County of San Diego (alternate)
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 members: Executive Officer Keene Simonds, Assistant Executive Officer Priscilla Mumpower, Commission Counsel Holly Whatley, Local Government Analyst II Michaela Peters, Local Government Analyst I Meghan Traynor, Communications Associate Aiden Velasquez, GIS Analyst Dieu Ngu, and Commission Clerk Erica Sellen. LAFCO Consultants Patrick Bouteller, Bill Fulton, Mike Stein, and Adam Wilson were also present.

Item 1b

PLEDGE OF ALLEGIANCE

Commissioner Browning 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 welcomed new Commissioner Supervisor Paloma Aguirre and thanked Supervisor Jim Desmond for his service on LAFCO.

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 also noting the late distribution of supplemental correspondence involving Agenda Items 6c and 7a.

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

5. CONSENT ITEMS

Item 5a

Approval of Meeting Minutes for June 2, 2025

Item presented to approve draft action minutes prepared for the Commission's June 2, 2025 meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for May and June 2025

Item presented to ratify recorded payments made and received by the Executive Officer for the months of May and June 2025. Recommendation to ratify.

Item 5c

Approval of Independent Audit Expense for 2024-2025

Item presented to consider approval of an independent audit expense of \$12,950 with Davis Farr, LLP for financial statement auditing services covering the 2024-2025 fiscal year. The proposed one-year audit services contract with Davis Farr is intended to serve as a bridge arrangement allowing LAFCO to proceed with a planned competitive bidding process later this year to establish a multi-year contract beginning with fiscal year 2025-2026 consistent with the adopted workplan. Recommendation to approve.

Item 5d

2025-2026 Workplan Status

Item presented to receive a first update on the adopted 2025-2026 workplan. Item reports 10 of the 30 special projects are substantively underway with the majority focusing on high-priority items carried over from the previous fiscal year. Status updates on all 30 projects are provided. Recommendation to receive and file.

CONSENT ITEMS CONTINUED...

Item 5e

Report on Applicant Proposals

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

Item 5f

Notice of Administrative Approval |

“Goodwin–Pine Valley Improvement Club Out-of-Agency Wastewater Services” with the San Diego County Sanitation District (OAS25-13)

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 28890 Old Highway 80 (APN 410-120-07) arising from the existing septic system's proximity to a non-conforming well on-site. 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 5g

Proposed “Balazs-Artesian Breeze Way Change of Organization” | Annexation to Rancho Santa Fe CSD and Related Actions (CO25-07)

Item presented to consider a change of organization proposal initiated by landowner petition to annex 2.4 acres to the Rancho Santa Fe Community Services District (CSD). The affected territory as submitted consists of one undeveloped parcel located within the unincorporated community of Del Sur and lies entirely within the agency’s existing sphere of influence (APN 267-147-06). The purpose of the proposal is to make public wastewater service available to the affected territory to accommodate the planned development of a single-family residence; other CSD services – including security and underground utilities – are not part of the proposal. Staff recommended conditional approval of the proposal as submitted without modifications. It is also recommended the Commission waive protest proceedings and find the project exempt under State CEQA Guidelines Section 15319.

Item 5h

Report on Recent Committee Meeting |

Special Districts Advisory Committee’s July 18, 2025 Meeting

Item presented to receive a report on the most recent meeting of its Special Districts Advisory Committee held on July 18th. The report is in the form of draft minutes and presented consistent with a request by Commissioner MacKenzie. Information only.

Item 5i

Legislative Report (information)

Item presented to receive an update on active legislation relevant to the agency's regulatory and planning responsibilities. Information only.

CONSENT ITEMS 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.

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

Roll call requested:

AYES: Aguirre, Anderson, Becker, Browning (voting), MacKenzie, Whitburn, White, & Willis

NOES: None

ABSENT: Montgomery Steppe & 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 revisit consideration of filling the vacant Regular Public Member seat with a term extending through April 2029. The item is placed on the agenda at the request of Vice Chair Willis for the specific purpose of reconsidering an unsuccessful motion from the June 2nd meeting to appoint Brigette Browning to the regular seat and fill the resulting alternate seat vacancy with Eileen Delaney.

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

Vice Chair Willis addressed the item.

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

- Michelle Krug (support)
- Alisha Morrison (support)

PUBLIC HEARING ITEMS CONTINUED...

Item 6a Continued...

- * Both speakers provided support for appointing Brigette Browning as the regular public member.

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

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

Commissioner Aguirre expressed support in appointing Brigette Browning as the regular public member.

The Chair proceeded to close the hearing.

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Commissioner Willis motioned with a second from Commissioner Becker to appoint Brigette Browning as the regular public member and Eileen Delaney as the alternate public member.

Roll call requested:

- AYES: Aguirre, Anderson, Becker, Browning, MacKenzie, Whitburn, White, & Willis
- NOES: None
- ABSENT: Montgomery Steppe & von Wilpert
- ABSTAINING: None

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

The Executive Officer proceeded to administer the Oath of Office for Eileen Delaney.

Item 6b

Proposed “Nakano Development Project Reorganization” | Annexation to the City of San Diego with Concurrent Detachment from City of Chula Vista and Otay Water District with Related Actions (RO25-08)

Item presented to consider a reorganization proposal initiated by resolution of the City of San Diego as part of a negotiated boundary change with the City of Chula Vista. The principal request involved annexing approximately 23.8 acres to San Diego with concurrent detachments from Chula Vista and the Otay Water District. The affected territory consists of one undeveloped legal parcel located along the southern boundary of Chula Vista immediately north of San Diego near the I-805 crossing at Palm Avenue (624-071-02). The reorganization's purpose is to facilitate a planned 221-unit residential subdivision (“Nakano”) that has been entitled by both municipalities with San Diego ...

PUBLIC HEARING ITEMS CONTINUED...

Item 6b Continued...

identified as the preferred service provider due to Chula Vista's access limitations. Staff recommends conditional approval of the proposal as submitted with conforming sphere of influence amendments for all three affected agencies. Staff further recommends the Commission waive protest proceedings and Policy L-106 (municipal service reviews) as well as adopt findings paralleling the EIR adopted by Chula Vista.

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

Local Government Analyst II Peters 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.

Commissioner McCann noted the City of Chula is in support.

The Chair proceeded to close the hearing.

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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: Aguirre, Anderson, Becker, Browning, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: Montgomery Steppe & von Wilpert
ABSTAINING: None

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

Item 6c

Proposed “Valiano – Eden Hills LLC Project: Out-of-Agency Wastewater Services” and Related Actions | City of Escondido (OAS19-26)

Item presented to consider the first of two requested approvals associated with the planned 243-unit "Valiano" residential development in the Harmony Grove unincorporated community. The first request is to authorize the City of Escondido to extend out-of-agency

PUBLIC HEARING ITEMS CONTINUED...

Item 6c Continued...

wastewater service covering the entire 239.0-acre project site. Staff recommends approval of the request along with conforming sphere of influence amendments to the City of Escondido (addition) and City of San Marcos (removal). Staff also recommends the Commission apply standard approval conditions except for the otherwise standard practice of requiring the landowner to submit an annexation proposal based on local conditions as detailed. Staff further recommends the Commission waive Policy L-106 and adopt parallel findings to the EIR adopted by the County of San Diego in approving the underlying development project.

- * The second request involves a reorganization involving an approximate 10 acre portion of the affected territory to detach from the Rancho Santa Fe Fire Protection District (FPD) and concurrently annex to the San FPD. This second request will be taken up by the Commission at a future meeting with new noticing.

Chair Whitburn invited disclosures from Commissioners on material ex parte communications. Commissioners White, Drake, Willis, and Becker reported speaking to Chris Brown, Government Affairs Consultant.

Executive Officer Simonds noted supplemental correspondence from Rincon del Diablo Municipal Water District (MWD) and provided background on the item. Local Government Analyst II Peters 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.

Commissioner Drake stated that Rincon del Diablo MWD supports the staff recommendation but noted the relationship between the District and the affected territory. He added that the District would support the development and the City by offering an alternative arrangement.

Vice Chair Willis requested staff to follow up with Rincon del Diablo MWD's concerns.

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

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

PUBLIC HEARING ITEMS CONTINUED...

Item 6c Continued...

Roll call requested:

AYES: Aguirre, Anderson, Becker, Browning, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: Montgomery Steppe & von Wilpert
ABSTAINING: None

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

7. BUSINESS ITEMS

Item 7a

Outside Audit Report on Fiscal Year 2023-2024

Item presented to receive an outside audit report on the financial statements for fiscal year 2023-2024. The audit has been performed by O'Connor & Company (Novato) and concludes all tested transactions were accompanied by sufficient documentation and no material weaknesses were identified. The audit report and accompanying management letter are presented to the Commission for formal acceptance and filing and to provide direction to staff on related matters moving forward.

Executive Officer Simonds provided the staff presentation and noted supplemental correspondence involving LAFCO's current fund balance.

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 Willis inquired about LAFCO's reserves. Executive Officer Simonds stated LAFCO's spendable reserve fund balance is \$1.708 million.

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

Roll call requested:

AYES: Aguirre, Anderson, Becker, Browning, MacKenzie, Whitburn, White, & Willis
NOES: None
ABSENT: Montgomery Steppe & von Wilpert

PUBLIC HEARING ITEMS CONTINUED...

Item 7a Continued...

ABSTAINING: None

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

Item 7b

Proposed “450 and 452 Bear Valley Parkway Out-of-Agency Wastewater Services” | City of Escondido (OAS24-16)

Item presented to consider a request from the City of Escondido to extend out-of-agency wastewater service to an unincorporated 0.6-acre parcel located entirely within the agency's sphere of influence. The affected territory is currently developed with two single-family residences – each assigned its own street address at 450 and 452 Bear Valley Parkway (APN 239-060-05). The request relates to a prior administrative approval granted by the Executive Officer in August 2021 authorizing a wastewater connection to the original residence at 450 Bear Valley Parkway. This request seeks authorization of out-of-agency wastewater service to a new second single-family residence (SFR) at 452 Bear Valley Parkway to facilitate a pending Senate Bill 9 lot split. Staff recommends approval of the request and related service allowances to accommodate ADU’s for both SFRs. Staff further recommends the Commission forgo the practiced condition requiring the landowner to submit an annexation proposal based on local conditions. A categorical exemption from environmental review is also recommended pursuant to the CEQA.

Local Government Analyst I Traynor 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 Commissioners. No discussion.

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Commissioner White 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, 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.

BUSINESS ITEMS CONTINUED...

Item 7c

Update on High Priority Project |

Municipal Service Review on the San Diego Association of Governments

Item presented to receive an update on its scheduled municipal service review of the San Diego Association of Governments (SANDAG) – one of 10 high-priority projects included in the approved work plan. This item is being provided consistent with earlier Commission direction to receive regular updates on the status of high-priority projects during the administrative process and in doing so help ensure the scope of work and planned deliverables align with Commission expectations. The update is for information with an opportunity to provide feedback to staff with the current expectation of delivering a complete draft report as early as April 2026.

Local Government Analyst I Traynor and LAFCO Consultant Bill Fulton 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 Anderson expressed interest in SANDAG's tolling service and the distribution and application of TransNet funds.

Commissioner Delaney agreed with Commissioner Anderson and stated a voting member from the unincorporated area is important and currently underrepresented.

8. EXECUTIVE OFFICER REPORT

None.

9. COMMISSIONER ANNOUNCEMENTS & REQUESTS FOR FUTURE ITEMS

None.

10. CLOSED SESSION

a) Conference with Legal Counsel – Existing Litigation:

Government Code section 54956.9(d)(1)

Case name: *City of San Diego v. San Diego County LAFCO et al*
(San Diego Superior Court Case No. 25CU031043C).

Chair Whitburn invited public comments from the following registered speaker:

CLOSED SESSION ITEM CONTINUED...

Item 10a Continued...

- Paula de Sousa, Best Best & Krieger, on behalf of the Association for the City of La Jolla

The Commission Clerk confirmed there were no other registered speakers and no live e-mail comments. Chair Whitburn then adjourned the meeting into close session.

In returning from closed session, Commission Counsel Holly Whatley reported a unanimous vote of 8-0 to provide direction to staff to defend the lawsuit as identified on the agenda.

The eight affirmative votes to defend the lawsuit were from the following members of the Commission: Chair Whitburn, Vice Chair Willis, and Commissioners Aguirre, Anderson, Becker, MacKenzie, White & Browning.

11. 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 August 4, 2025 meeting.

ATTEST,

Erica Sellen
Commission Clerk

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