

**APPROVED MINUTES
SAN DIEGO LAFCO
May 4, 2020 REGULAR MEETING**

**Via Videoconference Only
Per Governor's Executive Order N-29-20**

1. CALL TO ORDER | ROLL CALL

The regular meeting was called to order remotely by videoconference at 9:00 a.m. by Chair Jacob.

The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Jim Desmond, County of San Diego
 Dianne Jacob, County of San Diego (CHAIR)
 Mark Kersey, City of San Diego
 Jo MacKenzie, Vista Irrigation District
 Mary Casillas Salas, City of Chula Vista
 Andy Vanderlaan, Public (VICE)
 Bill Wells, City of El Cajon
 Barry Willis, Alpine Fire Protection District

Alternates Present: Erin Lump, Rincon del Diablo Municipal Water District
 Harry Mathis, Public

Members Absent: Chris Cate, City of San Diego (alternate)
 Greg Cox, County of San Diego (alternate)
 Paul McNamara, City of Escondido (alternate)

The Commission Clerk confirmed there was a virtual quorum by the Governor's order present with eight voting members. Also present: Executive Officer Keene Simonds; Commission Counsel Holly Whatley; Local Government Analyst Linda Heckenkamp; Administrative Assistant Erica Blom; and Executive Assistant Tamaron Lockett serving as Commission Clerk.

2. PLEDGE OF ALLEGIANCE

Commissioner Willis led the Commission in the Pledge of Allegiance.

3. AGENDA REVIEW AND RELATED REQUESTS

Chair Jacob asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer stated no changes to the agenda were needed and recommended the Commission proceed as planned. The Executive Officer read a disclaimer provided by Commission Counsel addressing the Governor's orders to hold public meetings via teleconference and/or via videoconference due to COVID-19. This included instructions to the public watching the meeting live on Zoom or YouTube on opportunities to participate and provide comments to the Commission.

4. PUBLIC COMMENT

Chair Jacob asked the public if anyone would like to address the Commission on any item not related to the agenda. The Commission Clerk noted no registered or live e-comments were received from the public. Chair Jacob ended the public comment period.

5. CONSENT ITEMS

Item 5a

Approval of Meeting Minutes for March 2, 2020

Item presented to approve draft action minutes prepared for the Commission's March 2, 2020 regular meeting. Recommendation to approve.

Item 5b

Budget Update for 2019-2020 | 3rd Quarter Actuals with Year-End Projections

Item presented to review third quarter budget report for 2019-2020. Report projects LAFCO will finish with a 5% operating surplus. Recommendation to accept and file the report along with approving correcting budget amendments to help ensure all expense units finish with positive balances.

Item 5c

Commission Ratification | Recorded Payments for February and March 2020

Item presented to ratify recorded payments made and received by the Executive Officer for the months of February and March 2020. Recommendation to ratify.

Item 5d

Progress Report on 2019-2020 Workplan

Item presented to receive a progress report on accomplishing specific projects as part of the adopted 2019-2020 workplan. Recommendation to accept and file.

Item 5e

Current Proposals and Related Activities

Item presented to update current proposals on file along with identifying anticipated submittals. Item for information only.

CONSENT ITEMS CONTINUED...

Item 5f

Response to COVID-19

Item presented to receive a report on administrative adaptations undertaken in response to COVID-19. This includes addressing the closure of the administrative office to the public and temporary transition to telework for employees. Item for information only.

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Commissioner Desmond motioned to approve the staff recommendations as provided in the associated agenda reports with a second from Commissioner Vanderlaan. Roll call requested:

AYES: Desmond, Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis
NOES: None
ABSENT: Cate, Desmond, and McNamara
ABSTAINING: None

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

6. PUBLIC HEARING ITEMS

Item 6a

Consideration of Applications by the San Diego County Water Authority for Non-District Determinations Involving Conducting Authority Proceedings for Proposed Reorganizations Filed by Fallbrook Public Utility District (RO20-05) and Rainbow Municipal Water District (RO20-04) and Related Requests

Item presented to consider applications received from the San Diego County Water Authority to exempt it from standard conducting authority provisions and instead follow its principal act for the recent detachment proposals filed by Fallbrook Public Utility District (PUD) and Rainbow Municipal Water District (MWD). Related requests also submitted for Commission consideration. The Executive Officer addressed the staff report and recommendations to approve the applications for alternative conducting authority proceedings. The Executive Officer also recommended no action on the associated requests by the Water Authority to suspend processing Fallbrook PUD and Rainbow MWD's proposals and condition any future detachment approvals on an expanded vote.

Through the Chair the Executive Officer and Commission Counsel responded to initial questions from the Commission. This included addressing additional details on baseline standards in LAFCO law with respect to conducting elections to confirm jurisdictional changes and the ability for LAFCO to require an expanded vote.

PUBLIC HEARING ITEMS CONTINUED...

Item 6a Continued

Chair Jacob opened the public hearing and the Commission Clerk proceeded to call the following six registered speakers for the item with their positions on the staff recommendations – if any – provided in parenthesis:

- Kristin Lawson with San Diego County Water Authority (support)
- Mark Hattam with San Diego County Water Authority (support)
- Charley Wolk with Fallbrook Public Utility District (support)
- Jack Bebee with Fallbrook Public Utility District (support)
- Tom Kennedy with Rainbow Municipal Water District (support)
- Joe Naiman with Fallbrook Bonsall Village News

The Administrative Assistant confirmed no live e-mail comments received.

Chair Jacob proceeded to close the public hearing.

Commission discussion followed.

Chair Jacob recommended approval of the staff recommendation with the addition of having staff return in June with options to create a committee to assist the Commission in processing the Fallbrook PUD and Rainbow MWD's proposals given the associated complexities. Chair Jacob also suggested it would be prudent for staff to provide an estimated cost update of the detachment proposals given the unique scope of the analysis to further inform the applicants.

Commissioner Desmond responded in favor of the Chair's suggestion of creating a committee with the qualification that there needs to be clear goals and objectives.

Additional Commission discussion.

Commissioner Jacob motioned to approve the staff recommendation as provided in the agenda report with the additions of directing staff to return in June with options on creating a committee along with updated cost estimates with a second from Commissioner Wells. Roll call requested:

AYES: Desmond, Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis
NOES: None
ABSENT: Cate, Cox and McNamara
ABSTAINING: None

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

PUBLIC HEARING ITEMS CONTINUED...

Item 6b

Final Report and Related Actions |

Municipal Service Review on County Service Area No. 135

Item presented on public hearing calendar to receive a final report involving the scheduled municipal service review on County Service Area No. 135 and its active municipal service functions: public safety radio communications and fire protection. The Executive Officer provided the staff representation and noted the report includes a limited number of revisions from its draft presentation in March and subsequent public review and comment period. The Executive Officer detailed the key recommendations in the final report and headlined by proceeding with a formal proposal to reorganize and split CSA No. 135 for purposes of transitioning fire protection and emergency medical services into a new dependent fire protection district. Recommendation to accept the final report and adopt the resolution making determinations on all factors required under statute as part of the municipal service review direction.

Initial Commission discussion followed.

Chair Jacob opened the public hearing and the Commission Clerk proceeded to call the following registered speaker for the item with their positions on the staff recommendations – if any – provided in parenthesis:

- Tony Mecham with County Service Area No. 135 (support)

The Administrative Assistant proceeded to read the following live email comment for the item with their positions on the staff recommendations – if any – provided in parenthesis:

- Stephen Abbott with North County Fire Protection District (support)

Chair Jacob proceeded to close the public hearing.

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Commissioner Jacob motioned to approve the staff recommendation as provided in the agenda report with a second from Commissioner Willis. Roll call requested:

AYES:	Desmond, Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis
NOES:	None
ABSENT:	Cate, Cox and McNamara
ABSTAINING:	None

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

PUBLIC HEARING ITEMS CONTINUED...

Item 6c

Sphere of Influence Updates for the Valley Center Region

Item presented on public hearing calendar to consider approving sphere of influence updates for three special districts in the Valley Center region. Analyst Linda Heckenkamp provided the staff presentation and noted the item involves updates as part of the Commission's five-year study requirements to review and – as needed – make changes to spheres in step with designating cities and special districts' appropriate and near-term service areas. This included detailing the recommendation to update all three affected special districts' – Valley Center Community Services District, Valley Center Fire Protection District, and Valley Center Municipal Water District – spheres without changes while also making changes to special study areas specific to the Valley Center Municipal Water District.

Chair Jacob opened the public hearing and the Commission Clerk proceeded to call the following two registered speakers for the item with their positions on the staff recommendations – if any – provided in parenthesis:

- Gary Arant with Valley Center Municipal Water District (support)
- Joe Napier with Valley Center Fire Protection District (support)

The Administrative Assistant confirmed no live e-mail comments received.

Chair Jacob proceeded to close the public hearing.

Commissioner Willis motioned to approve the staff recommendation as provided in the agenda report with a second from Commissioner Vanderlaan. Roll call requested:

AYES: Desmond, Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis
NOES: None
ABSENT: Cate, Cox and McNamara
ABSTAINING: None

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

Item 6d

Adoption of Final Workplan and Budget for 2020-2021

Item presented on public hearing calendar to consider recommendations in adopting a final workplan and budget for 2020-2021. The Executive Officer provided the staff presentation and noted both items return to the Commission following their draft review in March and subsequent public review and comment period with revisions. The Executive Officer noted revisions to the workplan expand the number of projects by six to

PUBLIC HEARING ITEMS CONTINUED...

Item 6d Continued

include incomplete activities in the current year as well as to add a new activity to begin live-streaming meetings. The Executive Officer noted revisions to the budget eliminate the previous 2% increase included in the draft and return expenses to current year amounts to avoid any new funding impacts given the COVID-19 emergency. Recommendation approval of both documents.

Commission discussion.

Chair Jacob opened the public hearing and the Commission Clerk confirmed there were no registered speakers for the item. The Administrative Assistant also confirmed no live e-mail comments received.

Chair Jacob proceeded to close the public hearing.

Commissioner Desmond motioned to approve the staff recommendation as provided in the agenda report with a second from Commissioner Willis. Roll call requested:

AYES: Desmond, Jacob, Kersey, MacKenzie, Salas, Vanderlaan, Wells, and Willis
NOES: None
ABSENT: Cate, Cox and McNamara
ABSTAINING: None

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

7. BUSINESS ITEMS

None

8. EXECUTIVE OFFICER REPORT

The Executive Officer made the following comments:

- Announced Chief Policy Analyst Robert Barry is working on a grant proposal with other local governmental agencies to help identify and track agricultural uses in San Diego County.
- Announced a tentative agreement with former Commissioner Ed Sprague to return to LAFCO as an advisor on fire protection issues and as successor to the recently retired John Traylor.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

Commissioner MacKenzie provided an update on CALAFCO items and included the decision to proceed with planning the Annual Conference in October.

10. CLOSED SESSION

None

11. ADJOURNMENT TO NEXT MEETING

With no further business the Chair adjourned the videoconference meeting at 10:31 a.m.

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I hereby attest the minutes above accurately reflect the deliberations of the Commission at its May 4, 2020 videoconference meeting.

ATTEST,

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Tameron Lockett
Executive Assistant

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A video recording of the May 4, 2020 regular meeting is also available online at www.sdlafco.org or by contacting LAFCO staff at 858-614-7755.