

**APPROVED MINUTES  
SAN DIEGO LAFCO  
June 1, 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  
                                     Paul McNamara, City of Escondido

Members Absent:         Chris Cate, City of San Diego (alternate)  
                                     Greg Cox, County of San Diego (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; Chief Policy Analyst Robert Barry; Local Government Analyst Linda Heckenkamp; Administrative Assistant Erica Blom; and Executive Assistant Tamaron Lockett serving as Commission Clerk.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Wells 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 also noted the meeting was being live-streamed on LAFCO's YouTube page and instructions for the general public to participate and provide comments are provided on the agenda.

### 4. PUBLIC COMMENT

Chair Jacob invited anyone from the public to address the Commission on a matter not related to an agenda item. The Commission Clerk confirmed no members of the public had registered to address the Commission. The Administrative Assistant also confirmed there were no live e-mail comments received for public comment.

### 5. CONSENT ITEMS

#### Item 5a

##### **Approval of Meeting Minutes for May 4, 2020**

Item presented to approve draft action minutes prepared for the Commission's May 4, 2020 regular meeting. Recommendation to approve.

#### Item 5b

##### **Commission Ratification | Recorded Payments for April 2020**

Item presented to ratify recorded payments made and received by the Executive Officer for the month of April 2020. Recommendation to ratify.

#### Item 5c

##### **Proposed "Hamilton-Felicita Reorganization" | (RO19-15)**

##### **Annexation to the City of Escondido and Detachment from County Service Area No. 135**

Item presented to consider a reorganization filed by interested landowners to annex 0.63 unincorporated acres to the City of Escondido with concurrent detachments from County Service Area No. 135. Recommendation to approve without modifications. Standard terms included exclusion from Rincon del Diablo Municipal Water District's Improvement "E" and waiver of protest proceedings.

#### Item 5d

##### **Proposed Support Services Agreement with the County of San Diego**

Item presented to consider approving a proposed support service agreement with the County of San Diego. The proposal agreement would replace a memorandum of understanding from June 1974 and ancillary agreement and serves to memorialize and clarify existing support services provided by the County and reimbursed by LAFCO. Recommendation to approve.

## CONSENT ITEMS CONTINUED...

### Item 5e

#### **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 5f

#### **Annual Report |**

#### **Sphere of Influence and Municipal Service Review Summary of Actions**

Item presented to receive an annual report identifying the sphere of influence and municipal service review actions registered for the past calendar year. Recommendation to accept and file.

### Item 5g

#### **Current Proposals and Related Activities**

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

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

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

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

## 6. PUBLIC HEARING ITEMS

### Item 6a

#### **Proposed “County Service Area No. 137 Formation |**

#### **Formation of County Service Area No. 137 in the Unincorporated Community of Live Oak Springs and Associated Sphere Establishment (CO20-06 et al.)**

Item presented to consider a change of organization filed by resolution from the County of San Diego for the formation of County Service Area No. 137. Analyst Linda Heckenkamp provided the staff presentation and noted the purpose of the proposal is for the County to formally assume and make related improvements to an existing community water system serving the Live Oak Springs unincorporated community and its estimated 300 residents in the southeast San Diego County. Analyst Heckenkamp outlined the staff recommendation to approve the proposal as submitted with conditions that include receipt by the Executive Officer of satisfactory evidence of sufficient funding by the County to recover costs as well as delegating protest proceedings to the Executive Officer.

## **PUBLIC HEARING ITEMS CONTINUED...**

### **Item 6a Continued**

Chair Jacob invited questions from the Commission.

Commissioner MacKenzie asked for more information on water rates should the Commission approve the formation of County Service Area No. 137. County Counsel Suedy Alfaro responded the County has already committed monies to prepare a detailed rate study to fully recover operating costs and is prepared to take the resulting recommendations to the community for approval. Ms. Alfaro noted the County agrees with the staff recommendation to term approval on the County providing proof sufficient funding streams to cover the District's operating costs within the next 36 months. Ms. Alfaro added two members of County Public Works staff – Daniel Brogadir and Peejay Tubongbanua – were also available to the Commission to address more technical issues.

With no more questions from the Commission, Chair Jacob proceeded to open the public hearing and the Commission Clerk confirmed no members of the public were registered to address the Commission on this item. The Administrative Assistant also confirmed she had not received any emails in real-time on this item.

Chair Jacob proceeded to close the public hearing.

Additional Commission discussion followed.

**\*\***

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

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

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

### **Item 6b**

#### **Sphere of Influence Update for County Service Area No. 135**

Item presented to consider approving a sphere of influence update for County Service Area No. 135 and its active service functions: (a) public safety radio communication and (b) integrated fire protection. The Executive Officer provided the staff presentation and addressed the recommendations to proceed with affirming the primary (public safety radio) and secondary (fire protection and emergency medical) sphere of influence designations without changes along with making the required determinations under

## **PUBLIC HEARING ITEMS CONTINUED...**

### **Item 6b Continued**

LAFCO statute. The Executive Officer added this recommendation does not preclude the Commission from considering subsequent changes to the sphere designations in step with considering a pending proposal by the County of San Diego to reorganize and split the District to include a new dependent fire protection district.

Commission discussion followed.

Chair Jacob opened the public hearing and asked if there any public comments. The Commission Clerk confirmed no registered speakers had been received for this item. The Administrative Assistant confirmed one email had been received on this item from County Fire Chief Tony Mecham providing his support for the staff recommendation.

Chair Jacob proceeded to close the public hearing.

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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 and Cox
ABSTAINING:	None

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

## **7. BUSINESS ITEMS**

### **Item 7a**

#### **Consideration to Form a Committee and Related Actions Involving Reorganization Proposals Filed by Fallbrook Public Utility District and Rainbow Municipal Water District**

Item presented on business calendar to consider options to establish an advisory committee for the reorganization proposals recently filed by the Fallbrook Public Utility District and Rainbow Municipal Water District seeking – and among other actions – detachments from San Diego County Water Authority. The Executive Officer provided the staff presentation and outlined the distinct options before the Commission with respect to determining Committee (a) composition and (b) tasks. This included noting considerable discussions were held with the subject agencies and this produced firm consensus on tasking the Committee to follow the steps identified in the agenda report as Option 2a. It was also noted there was evolving consensus on setting the composition of the Committee to include 12 members and identified in the agenda report as Option 1d.

## **BUSINESS ITEMS CONTINUED...**

### **Item 7a Continued**

Chair Jacob invited questions and comments from the Commission.

General discussion followed and included Commissioner Desmond noting preference not to have Commissioners serve on the Committee unless others feel differently. Commissioner Desmond also sought clarification that the Committee's tasks under Option 2a would involve only advising the Executive Officer and there would be no formal votes or recommendations forwarded to the Commission. The Executive Officer confirmed the Committee would take no formal votes and they would disband prior to the Commission taking up the reorganization proposals at hearing.

Chair Jacob invited comments from the public. The Commission Clerk noted there were four registered speakers for the item and proceeded to invite each of the following persons to address the Commission:

- Sandy Kerl with San Diego County Water Authority
- Jack Bebee with Fallbrook Public Utility District
- Tom Kennedy with Rainbow Municipal Water District
- Joe Naiman with Fallbrook Village News

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

Chair Jacob invited any final comments or questions from the Commission.

Commissioner MacKenzie requested clarification on whether the Committee would be subject to the Brown Act and suggested the Commission set a timetable for their activities.

Commission Counsel Holly Whatley confirmed the Committee would be subject to the Brown Act.

The Executive Officer also responded that staff could provide regular updates to the Commission on the Committee's work.

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Commissioner Desmond motioned to approve the establishment of the Committee with setting the composition consistent with Option 1d less the two representatives from the Commission as well as setting tasks consistent with Option 2a. Commissioner Desmond also added to the motion that staff provide regular updates to the Commission. The motion was seconded by Chair Jacob.

## **BUSINESS ITEMS CONTINUED...**

### **Item 7a Continued**

Roll call requested:

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

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

### **Item 7b**

#### **Outside Audit for the Fiscal Year Ending June 30, 2019**

Item presented on business calendar to accept and file an outside audit prepared by R.J. Ricciardi for financial statements issued for 2018-2019. The Executive Officer provided the staff presentation and noted no material weaknesses were identified by the outside audit and all tested transactions were accompanied by sufficient documentation. The Executive Officer added the audited fund balance finished at \$1,488,233 and reflects a year-end change of (7.4%) from the prior fiscal year and the result of operating shortfall due to unique expenses incurred during the corresponding 12-month period.

Commission discussion followed.

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

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

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

### **Item 7c**

#### **Review of Job Classes and Salary Ranges for Non-Management Positions | Proposed Revisions to Executive Assistant Position and Establishment of Commission Clerk Position and Other Related Actions**

Item presented on the business calendar and involves the Commission's scheduled review of job classes and salary ranges for active and budgeted non-management positions. The Executive Officer provided the staff presentation and noted the report before the Commission had been prepared with the assistance of County of San Diego Human (cont)

## **BUSINESS ITEMS CONTINUED...**

### **Item 7c Continued**

Resources and includes three distinct recommendations with details provided in the agenda report: amend the existing job class description for the Executive Assistant position; establish a new job class description and salary range for Commission Clerk; and approve an organization chart with budgeted positions for 2020-2021.

Chair Jacob invited Commissioner comments or questions.

Commissioner MacKenzie noted the item has been on the Commission's to-do list for the last two years and supports the recommendations.

Additional Commission discussion followed.

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Commissioner MacKenzie 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 and Cox
ABSTAINING:	None

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

### **Item 7d**

#### **Authorization to Serve as Lead Applicant for an Agricultural Planning Grant with the State of California Department of Conservation and Related Actions**

Item presented on the business calendar to consider authorization for the Commission to serve as lead applicant for a \$250,000 planning grant with the Department of Conservation in collaboration with the County of San Diego, SANDAG, and Resource Conservation District of Greater San Diego County. Chief Policy Analyst Robert Barry provided the staff presentation and noted the purpose of the grant is to allow LAFCO and the other participating agencies to track past and current agricultural uses in San Diego County and collectively help inform the agencies' respective duties and tasks.

Chair Jacob invited Commissioner comments or questions.

No comments or questions were received.

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## **BUSINESS ITEMS CONTINUED...**

### **Item 7d Continued**

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

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

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

## **8. EXECUTIVE OFFICER REPORT**

The Executive Officer made the following comments:

- Directed the Commission's attention to off-agenda correspondence received from the County Fire Authority regarding fire response times in Julian.
- Noted staff remains in contract with the City of Escondido regarding their intentions in either completing their scheduled municipal service review or transitioning the project over to LAFCO staff.

## **9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS**

- Commissioner Willis addressed concerns regarding the current Governor orders relating to COVID-19 on San Diego County and the adverse financial ramifications going forward and noted the connection to LAFCO's task of orderly growth. Additional comments on the topic were provided by Commissioners Jacob, Desmond, and Lump.

## **10. CLOSED SESSION**

None

## **11. ADJOURNMENT TO NEXT MEETING**

With no further business the Chair adjourned the videoconference meeting at 10:48 a.m.

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I hereby attest the minutes above accurately reflect the deliberations of the Commission at its June 1, 2020 videoconference meeting.

ATTEST,

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Tamaron Lockett  
Executive Assistant

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A video recording of the June 1, 2020 regular meeting is also available online at [www.sdlafco.org](http://www.sdlafco.org) or by contacting LAFCO staff at 858-614-7755.