



San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

REGULAR MEETING AGENDA

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MONDAY, OCTOBER 5, 2020 9:00 A.M.

VIDEOCONFERENCE ATTENDANCE ONLY

Chair Dianne Jacob
Vice Chair Andy Vanderlaan

Executive Officer Keene Simonds
Commission Counsel Holly O. Whatley

Consistent with the Governor's Executive Order N-29-20, the October 5, 2020 meeting will occur remotely through videoconferencing. The public may watch the meeting live using the link on our website home page (www.sdlafco.org).

The public may submit comments remotely and/or register to speak by:

1. Submitting an eComment at www.sdlafco.org prior to 2:00 P.M. on Friday, October 2, 2020
 - These comments will be distributed and posted online ahead of the meeting
 - This includes the option to request a call-in to directly comment during the meeting
2. Emailing erica.blom@sdcounty.ca.gov during the meeting on Monday, October 5, 2020
 - These comments will be read by staff into the record and subject to a three-minute limit

1. 9:00 A.M. – WELCOME AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. AGENDA REVIEW

The Chair will confirm with the Executive Officer if any changes to the agenda are needed.

4. PUBLIC COMMENT AND RELATED REQUESTS

Opportunity for members of the public to address the Commission on any subject matter within the Commission's jurisdiction but not an item listed on the agenda. Each speaker's presentation may not exceed three minutes. This is also an opportunity for members of the public to request discussion on any items listed under the consent calendar.

5. CONSENT ITEMS

All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. The Chair will also consider Commissioner requests to pull an item for discussion before entertaining a motion.

CONSENT ITEMS CONTINUED...

- a) **Approval of Meeting Minutes for August 3, 2020 (action)**
The Commission will consider approving action minutes prepared by the Commission Clerk for the August 3, 2020 regular meeting. Recommendation to approve.

- b) **Commission Ratification | Recorded Payments for July and August 2020 (action)**
The Commission will review payments received and made for the months of July and August 2020. These payments cover all recorded transactions made by the Executive Officer for the period and include \$308,315 in total distributions. Recommendation to ratify.

- c) **Proposed “Schirber-Hymettus Avenue Change of Organization” | Annexation to the Leucadia Wastewater District (CO20-07) (action)**
The Commission will consider a change of organization proposal filed by the Leucadia Wastewater District to annex approximately 1.7 acres of incorporated territory within the District’s sphere of influence. The affected territory encompasses one assessor parcel developed with a single-family residence in the City of Encinitas. The proposal purpose is to extend public wastewater and facilitate the development of an accessory dwelling unit. Staff recommends approval with a modification to include 0.5 acres of adjacent public right-of-way. Standard terms are also recommended along with waiving protest. The subject parcel is identified as 254-331-12.

- d) **Progress Report on 2020-2021 Workplan (action)**
The Commission will receive a progress report on accomplishing specific projects included in the adopted workplan for 2020-2021. This report notes three-fifths of all workplan projects initiated with three near completion and another already completed. Recommendation to accept and file.

- e) **Current Proposals and Related Activities (information)**
The Commission will receive a report identifying active change of organization or reorganization proposal applications on file as well as a summary of pending proposal submittals. This includes identifying seven new proposal applications submitted since August. The item is for information and concurrently satisfies LAFCO’s reporting requirement to affected agencies for proposed special district annexations submitted by landowner or voter petitions.

6. PUBLIC HEARING ITEMS

Public hearing items require expanded public notification per provisions in State law or have been voluntarily scheduled by the Executive Officer to ensure opportunity for public input.

- a) **Proposed “San Diego County Fire Protection District Reorganization” | Concurrent Divestiture of Fire Protection and Emergency Medical Service Functions for County Service Area No. 135 and Formation of the San Diego County Fire Protection District along with Conforming Sphere of Influence Actions (RO20-14 et. al.) (action)**
The Commission will consider a reorganization proposal filed by the County of San Diego to transition fire protection and emergency medical service functions into a new dependent special district. The proposal involves concurrent divestiture of fire protection and emergency medical service powers for County Service Area No. 135 and formation of the San Diego County Fire Protection District as the designated successor agency within the 1.6 million acre affected territory with an estimated 50,476 residents. The proposal’s primary purpose is to provide a more traditional governance model for the County Fire Authority to organize, fund, and deliver fire protection emergency medical services going forward and consistent with the recommendations of an earlier municipal service review. Staff recommends approval with terms and conforming sphere of influence actions as well delegating protest proceedings to the Executive Officer.

PUBLIC HEARING ITEMS CONTINUED...

**b) Proposed “SVBF Temple Reorganization” |
Concurrent Annexation to Rincon del Diablo Municipal Water District, San Diego County Water Authority, and Metropolitan Water District of Southern California with Conforming Sphere of Influence Actions (RO20-16 et. al.) (action)**

The Commission will consider a reorganization proposal filed by the Rincon del Diablo Municipal Water District requesting annexation of 19.5 acres of unincorporated territory along with concurrent annexations to its wholesale providers, San Diego County Water Authority and Metropolitan Water District of Southern California. The affected territory encompasses one assessor parcel. The purpose of the proposal is to extend public water service to the subject parcel and in doing so facilitate the development of a religious facility and accessory structures. Staff recommends approval with modifications to include 3.8 acres of adjacent public right-of-way as well as add the affected territory to Rincon del Diablo’s Improvement District “E”. Conforming sphere of influence actions are also recommended along with specified terms and waiver of protest proceedings. The subject parcel is identified as 241-080-47.

c) Proposed Update to Agricultural and Open Space Lands Policy (action)

The Commission will consider approving a proposed update to the “Preservation of Open-Space and Agricultural Lands Policy.” The proposed update returns intact from the draft presented in August and subsequent public review and comment period. The proposed update includes several substantive revisions that collectively aim to better balance the Commission’s statutory direction to preserve agricultural and open space resources while reflecting local conditions and objectives. Staff recommends approval with an immediate effective date.

7. BUSINESS CALENDAR

Business items involve regulatory, planning, or administrative items that do not require a hearing.

a) Ad Hoc Committee Update |

Proposed Rainbow MWD and Fallbrook PUD Reorganizations (discussion)

The Commission will receive an update on the Ad Hoc Committee and its tasks to assist in the administrative reviews of the reorganization proposals separately filed by the Rainbow Municipal Water District and Fallbrook Public Utility District to detach from the San Diego County Water Authority. This item is for discussion only with the opportunity for related Commission direction.

b) Proposed Amendment to Employment Agreement for Executive Officer Keene Simonds (action)

The Commission will consider a recommendation by the Executive Officer Compensation Committee (Chair Jacob, Vice Chair Vanderlaan, and Immediate Past Chair MacKenzie) to approve a third amendment to the employment agreement with Executive Officer Keene Simonds. This item may be taken up following closed session on the Executive Officer’s performance review and the conference with labor negotiators.

8. EXECUTIVE OFFICER REPORT

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

10. CLOSED SESSION

Closed session items are calendared by Commission Counsel.

a) Public Employee Performance Evaluation

Pursuant to California Government Code § (54957(b))
Employee: Keene Simonds, Executive Officer

CLOSED SESSION ITEMS CONTINUED...

b) Conference with Labor Negotiators

Pursuant to California Government Code Section 54957.6
Agency designated representatives: Jacob, MacKenzie and Vanderlaan
Unrepresented Employee: Executive Officer

c) Conference with Legal Counsel – Existing Litigation:

Pursuant to Government Code Section 54956.9(d)(1): Julian-Cuyamaca Fire Protection District, et al. v. San Diego LAFCO et al. (4th Appellate Dist. Case No. Do77048 [San Diego Superior Court Case No. 37-2019-00018076-CU-M C-TL])

d) Conference with Legal Counsel – Existing Litigation:

Pursuant to Government Code Section 54956.9(d)(1): Julian Fire Company Association, et al. v. Julian-Cuyamaca Fire Protection District, et al., (4th Appellate Dist. Case No. Do76639 [San Diego Superior Court Case No. 37-2018-00020015-CU-MC-CTL])

e) Conference with Legal Counsel – Initiation of Litigation:

Pursuant to Government Code Section 54956.9(d)(4): (One potential case.)

11. ADJOURNMENT TO NEXT MEETING

November 2, 2020

Attest to Posting:

Tamaron Lockett
Commission Clerk

All associated agenda reports are available for viewing at www.sdlafco.org.

Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) business days prior to the meeting for any requested accommodations.