



San Diego County
Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

5a

AGENDA REPORT
 Consent | Action

October 5, 2020

TO: Commissioners
FROM: Tamaron Lockett, Commission Clerk
SUBJECT: Approval of Meeting Minutes for August 3, 2020

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on Monday, August 3, 2020. The minutes are in action-form and being presented for formal approval with any desired corrections or clarifications as requested by the Commission.

BACKGROUND

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and – among other items – requires public agencies to maintain written minutes for qualifying meetings.

DISCUSSION

This item is for San Diego LAFCO to consider approving action minutes for the August 3, 2020 regular meeting. The attendance record for the meeting follows.

- All members were present except Commissioners Jo MacKenzie, Chris Cate (alternate), and Greg Cox (alternate).

Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org	Jim Desmond County of San Diego Chair Dianne Jacob County of San Diego Greg Cox, Alternate County of San Diego	Mary Casillas Salas City of Chula Vista Bill Wells City of El Cajon Paul McNamara, Alternate City of Escondido	Mark Kersey City of San Diego Chris Cate, Alternate City of San Diego	Jo MacKenzie Vista Irrigation Barry Willis Alpine Fire Protection Erin Lump, Alternate Rincon del Diablo MWD	Vice Chair Andy Vanderlaan General Public Harry Mathis, Alternate General Public
--	--	--	--	--	---

ANALYSIS

The attached draft minutes for the August 3, 2020 regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by staff. A video recording of the meeting has also been posted on the Commission's website (www.sdlafco.org).

RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the August 3, 2020 regular meeting as presented. This recommendation is consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):

Approve the draft minutes prepared for the August 3, 2020 regular meeting with any desired corrections or clarifications.

Alternative Two:

Continue item to the next regular meeting and provide direction to staff as needed.

PROCEDURES

This item has been placed on San Diego LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Respectfully,



Tameron Lockett
Commission Clerk

Attachment:

- 1) Draft Meeting Minutes for August 3, 2020

**DRAFT MINUTES
SAN DIEGO LAFCO
August 3, 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 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
Mary Casillas Salas, City of Chula Vista
Andy Vanderlaan, Public (VICE CHAIR)
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)
Jo MacKenzie, Vista Irrigation District (regular)

The Commission Clerk confirms a quorum was present with seven voting members present with the eighth seat involving Commissioner MacKenzie being absent as a result of a technical error in connecting to the meeting by videoconference. The Executive Officer mistakenly identified the wrong alternate to vote in Commissioner Mackenzie's absence and as such their vote has been subsequently vacated by the Clerk.

Also present during the meeting were Executive Officer Keene Simonds, Commission Counsel Holly Whatley, Chief Policy Analyst Robert Barry, Local Government Analyst II Linda Heckenkamp, GIS Analyst Dieu Ngu, Commission Clerk Tamaron Lockett, and Administrative Assistant Erica Blom.

2. PLEDGE OF ALLEGIANCE

Commissioner McNamara 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 were needed but noted the final agenda was amended from its preliminary posting to include an additional business item identified as 7c. 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 June 1, 2020

Item presented to approve draft action minutes prepared for the Commission's June 1, 2020 regular meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for May and June 2020

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

Item 5c

End of Year Budget Report for 2019-2020

Item presented to review end of year report comparing budgeted and actual expense and revenue transactions for 2019-2020. Recommendation to accept and file.

Item 5d

Proposed "Orphan-Eolus Avenue Change of Organization" | Annexation to the Leucadia Wastewater District (CO20-03)

Item presented to consider a change of organization filed by Leucadia Wastewater District to annex 0.56 incorporated acres within the District's sphere of influence (254-392-30). The proposal purpose is to extend public wastewater service to replace an aging septic system. Recommendation to approve a modification of 0.1 acres of adjacent public right-of-way. Standard terms along with waiving protest proceedings.

CONSENT ITEMS CONTINUED...

Item 5e

Proposed “Lupa–Anthony Heights Drive Change of Organization” | Annexation to the Vallecitos Water District (CO20-01)

Item presented to consider a change of organization filed by interested landowner to annex 1.5 acres unincorporated acres to the Vallecitos Water District (228-010-25). The proposal purpose is for provision of wastewater service to an existing single-family residence. Recommendation to approve without modifications. Standard terms along with waiving protest proceedings.

Item 5f

Protest Hearing Results | “County Service Area No. 137 Formation” (CO20-06)

Item summarizes the results of the protest hearing held for the change of organization proposal involving the formation of County Service Area No. 137. The hearing was held July 2, 2020 and produced limited protest from landowners and registered voters. The County of San Diego will assume potable water service to the unincorporated community of Live Oak Springs once terms are satisfied. Item for information only.

Item 5g

Progress Report on 2020-2021 Workplan

Item presented to receive a progress report on accomplishing specific projects as part of the adopted 2020-2021 workplan. Recommendation to accept and file.

Item 5h

Current Proposals and Related Activities

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

Item 5i

CALAFCO | Annual Conference, Board Nominations, and Quarterly Report

Item presented to receive updates and current and planned activities for CALAFCO. Item for information only.

Item 5j

Approval of Independent Audit Expense for FY2019-2020

Item presented to consider approval of an independent audit expense covering 2019-2020. Recommendation to approve.

CONSENT ITEMS CONTINUED...

**

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

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

The Commission Clerk confirms the motion was approved 7-0.

6. PUBLIC HEARING ITEMS

Item 6a

Proposed Amendments to Adopted Conflict of Interest Code

Item presented to consider proposed amendments to the Commission's adopted Conflict of Interest Code as part of a biennial review. The amendments involve clarifying and/or improving existing provisions to identifying designated positions and applicable disclosure categories. Recommendation to approve.

Executive Officer Keene Simonds presented the item to the Commission.

Chair Jacob invited Commissioner comments or questions. No comments or questions were received.

Chair Jacob opened the public hearing and invited e-comments and live comments from the audience. Commission Clerk noted there were no registered speaker e-comments. The Administrative Assistant also confirmed there were no live e-mail comments received. Chair Jacob proceeded to close the public hearing.

**

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

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

The Commission Clerk confirms the motion was approved 7-0.

7. BUSINESS ITEMS

Item 7a

Draft update to Agricultural and Open Space Lands Policy

Item presented to the Commission to review a draft update to its “Preservation of Open-Space and Agricultural Lands Policy.” The draft returned from an earlier version presented in March 2019 to reflect initial Commission feedback and stakeholder input. The draft included 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. No action discussion only.

The Executive Officer presented the item to the Commission and noted a letter was received from the Farm Bureau in support.

Chair Jacob invited questions and comments from the Commission.

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

- Dan Silver with Endangered Habitats League, Support
- Kim Thorner, Chair, San Diego Special Districts Advisory Committee
- Tom Kennedy with Rainbow Municipal Water District
- Joe Naiman with Fallbrook Village News
- Laura Hunter with Wildlife Habitat Conservation Coalition, Support

The Administrative Assistant noted live e-mail comments were received from the following persons:

- James Peugh with San Diego Audubon Society
- Bill Tippets, Support

Commission discussion followed. Commissioners Jacob and Desmond noted they were pleased with the outreach to stakeholders and were ready to proceed with the formal public review and comment period. Chair Jacob also noted the County of San Diego has an Agricultural Promotion Program Policy and suggested LAFCO staff consult with the County to confirm consistency.

Chair concluded the item with direction to staff to proceed as planned with the public review and comment period.

BUSINESS ITEMS CONTINUED...

Item 7b

Ad Hoc Committee Update |

Proposed Rainbow MWD and Fallbrook PUD Reorganizations

Item presented to the Commission to update the activities of the 10-member Ad Hoc Committee and its work in assisting LAFCO staff in the administrative reviews of the separate but related proposals filed by Rainbow MWD and Fallbrook PUD to detach from the San Diego County Water Authority.

The Executive Officer presented the item to the Commission and summarized topics covered at the last meeting of the Ad Hoc Committee held on July 6th.

Chair Jacob invited Commissioner comments and questions.

General Commission discussion followed.

Chair Jacob proceeded to invite members of the public to comment on the item. Additional comments were received from the following persons:

- Sandy Kerl with San Diego County Water Authority
- Nick Kanetis with EMWD
- Jack Bebee with Fallbrook PUD
- Tom Kennedy with Rainbow MWD

The Administrative Assistant noted two live e-mail comments were received from the following persons and read into the record:

- Mark Muir, former Chair with the San Diego County Water Authority
- Gary Croucher, Vice Chair with San Diego County Water Authority

Additional Commission discussion followed.

Chair Jacob concluded the item and asked staff to return with an update at the next regular meeting.

Item 7c

Adoption of a Draft Resolution to serve as Lead Applicant for Planning Grant

Item presented for the Commission to consider adopting a resolution of authorization to serve as the lead applicant and apply for a \$250,000 agricultural conservation planning grant with the Department of Conservation and its Sustainable Agricultural Lands Conservation Program. Item follows preliminary action directing staff to proceed with preparing a grant in cooperation with the RCD of Greater San Diego County in June.

BUSINESS ITEM CONTINUED...

7c Continued

Robert Barry Chief Policy Analyst presented the item to the Commission.

Chair Jacob invited Commissioner comments or questions. No discussion followed.

Commissioner Willis 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, Salas, Vanderlaan, Wells, and Willis
NOES: None
ABSENT: Cate, Cox, and MacKenzie
ABSTAINING: None

The Commission Clerk confirms the motion was approved 7-0.

8. EXECUTIVE OFFICER REPORT

The Executive Officer made the following comments:

- Tameron Luckett has promoted from Executive Assistant to Commission Clerk while Linda Heckenkamp has been promoted from Analyst I to Analyst II.
- Unless otherwise directed by the Commission, staff will plan on all meetings for the remainder for the calendar year to be held by video-conference in response to COVID-19 and need to practice social distancing.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

None

10. CLOSED SESSION

None

11. ADJOURNMENT TO NEXT MEETING

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

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its August 3, 2020 videoconference meeting.

ATTEST,

//electronically signed//

Tamaron Luckett
Commission Clerk

**

A video recording of the August 3, 2020 regular meeting is also available online at www.sdlafco.org or by contacting LAFCO staff at 858-614-7755.