



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

**5a**

**AGENDA REPORT**  
 Consent | Action

February 1, 2021

**TO:** Commissioners

**FROM:** Tamaron Lockett, Commission Clerk

**SUBJECT:** Approval of Meeting Minutes for December 7, 2020

**SUMMARY**

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on Monday, December 7, 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 December 7, 2020 regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Bill Wells (City of El Cajon).
- All alternate Commissioners were present except Chris Cate (City of San Diego) and Greg Cox (County of San Diego).

<b>Administration</b> 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	<b>Vice Chair Jim Desmond</b> County of San Diego	<b>Mary Casillas Salas</b> City of Chula Vista	<b>Chris Cate</b> City of San Diego	<b>Jo MacKenzie</b> Vista Irrigation	<b>Chair Andy Vanderlaan</b> General Public
	<b>Nora Vargas</b> County of San Diego	<b>Bill Wells</b> City of El Cajon	<b>Marni von Wilpert, Alt</b> City of San Diego	<b>Barry Willis</b> Alpine Fire Protection	<b>Harry Mathis, Alternate</b> General Public
	<b>Joel Anderson, Alternate</b> County of San Diego	<b>Paul McNamara, Alternate</b> City of Imperial Beach		<b>Erin Lump, Alternate</b> Rincon del Diablo MWD	

## ANALYSIS

The attached draft minutes for the December 7, 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](http://www.sdlafco.org)).

## RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the December 7, 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 December 7, 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,



Tamaron Luckett  
Commission Clerk

Attachment:

- 1) Draft Meeting Minutes for December 7, 2020

**DRAFT MINUTES  
SAN DIEGO LAFCO  
December 7, 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  
Jo MacKenzie, Vista Irrigation District  
Mary Casillas Salas, City of Chula Vista  
Andy Vanderlaan, Public (VICE CHAIR)  
Barry Willis, Alpine Fire Protection District

Alternates Present: Erin Lump, Rincon del Diablo Municipal Water District  
Harry Mathis, Public  
Paul McNamara, City of Escondido (Voting)

Members Absent: Bill Wells, City of El Cajon (regular)  
Chris Cate, City of San Diego (alternate)  
Greg Cox, County of San Diego (alternate)

The Commission Clerk confirmed a virtual quorum was present with eight voting members – including Alternate Paul McNamara in the place of the absent Bill Wells.

**2. PLEDGE OF ALLEGIANCE**

Commissioner Desmond led meeting attendees in the Pledge of Allegiance.

**3. AGENDA REVIEW AND RELATED REQUESTS**

Executive Officer Keene Simonds stated no changes were needed to the agenda as presented. The Executive Officer also noted the meeting was being live streamed and instructions for the public to participate in real-time were 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. Commission Clerk Tamaron Luckett confirmed no members of the public had registered to address the Commission. Administrative Assistant Erica Blom also confirmed there were no live e-mail comments received for public comment.

#### 5. CONSENT ITEMS

##### Item 5a

##### **Approval of Meeting Minutes for November 2, 2020**

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

##### Item 5b

##### **Commission Ratification | Recorded Payment for October 2020**

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

##### Item 5c

##### **Proposed "Sunrise-Barham Drive Reorganization" |**

##### **Concurrent Annexations to the City of San Marcos and the Vallecitos Water District (RO20-15)**

Item presented to consider a reorganization to annex 10.8 unincorporated acres of territory to the City of San Marcos with a concurrent annexation to Vallecitos Water District for wastewater services. The proposal purpose is to facilitate the planned development of the affected territory along with an adjacent parcel into a 192-unit multi-family residential subdivision. Recommendation to conditionally approve without modifications along with waiving protest proceedings.

##### Item 5d

##### **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 5e

##### **Authorize Holiday Office Closures**

Item presented to consider an Executive Officer recommendation to authorize office closures on Thursday, December 24<sup>th</sup> and Thursday, December 31<sup>st</sup>. Recommendation to approve.

## CONSENT ITEMS CONTINUED...

### Item 5f

#### Approval of Meeting Calendar and Direction on Virtual Attendance

Item presented to consider approving a meeting schedule for the 2021 calendar year to include each month except for July and September. Staff recommends direction for the Commission to confirm and continue to hold virtual meetings by videoconference for the upcoming calendar year. Recommendation to approve.

### Item 5g

#### Current Proposals and Related Activities

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

### Item 5h

#### Noticing Expiring Commissioner Terms

Item presented to receive a report identifying membership terms set to expire and/or become vacated in 2021. The item is presented for information only.

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Chair Jacob asked if the Commissioners would like to pull any consent item. There were no requests from Commissioners. Commissioner Desmond motioned with a second from Commissioner Salas to approve the consent calendar consistent with the staff recommendations. Roll call requested:

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

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

## 6. PUBLIC HEARING ITEMS

### Item 6a

#### Proposed "Ortiz-Olive Avenue Reorganization" |

#### Annexation to the City of Vista with Concurrent Detachment from the Vista Fire Protection District and Conforming Sphere of Influence Amendment (RO20-12 et al.)

Item presented to consider a reorganization proposal to annex 5.0 acres of unincorporated territory to the City of Vista with a concurrent detachment from the Vista Fire Protection District (FPD). The proposal purpose is to facilitate the planned development of a 15-lot residential subdivision. Staff recommends conditional approval of the reorganization as

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

### **Item 6a Continued...**

submitted as well as a conforming sphere amendment involving Vista FPD and waiver of protest proceedings.

The Executive Officer opened the staff presentation with Local Government Analyst II Linda Heckenkamp provided details to the Commission.

Chair Jacob invited Commissioner comments or questions. Commissioner Willis wanted to confirm Vista FPD was aware of the proposal. Analyst Heckenkamp noted all affected agencies – including Vista FPD – have been sent communication on the proposal, but no comments were received.

Chair Jacob proceeded to open the public hearing and invited e-comments and live comments from the audience.

The Commission Clerk noted there was one registered speaker available for questions only:

- Rod Bradley, applicant

The Administrative Assistant confirmed there were no live e-mail comments from the public.

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, MacKenzie, McNamara (voting), Kersey, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Cate, Cox, and Wells  
ABSTAINING: None

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

## 7. BUSINESS ITEMS

### Item 7a

#### **Draft Municipal Service Review | Resource Conservation Districts in San Diego County**

Item presented to review a draft municipal service review (MSR) on resource conservation districts (RCDs). The draft has been prepared as part of the adopted workplan and covers all three RCDs operating in San Diego County – Mission, Greater San Diego, and Upper San Luis Rey. The draft includes recommendations paired with determinative statements addressing all of the factors required in statute as part of the municipal service review process and headlined by population estimates, infrastructure needs, financial standing, and governance. Recommend discussion and feedback ahead of initiating a formal review period and returning in February with final actions.

The Executive Officer opened the staff presentation with Local Government Analyst II Heckenkamp providing details to the Commission and addressing key recommendations.

Chair Jacob invited Commissioner comments or questions. Commissioner Willis noted that RCDs are critical in helping the farming community.

The Commission Clerk noted there was twelve total registered speakers for the item with eight speakers wanting to address the Commission. The Chair proceeded to invite comments from the following virtual attendees:

- Sheryl Landrum, Resource Conservation District of Greater San Diego County
- Gary Arant, Valley Center Municipal Water District
- Tom Kennedy, Rainbow Municipal Water District
- Jack Bebee, Fallbrook Utility District
- Andy Lyall, Upper San Luis Rey Resource Conservation District, Support
- Don Butz, Board President Resource Conservation District, Support
- Robert Pelcyger, San Luis Rey Indian Water Authority
- Scott Murray, Mission Resource Conservation District

The Administrative Assistant confirmed there were no live e-mail comments from the public.

Commission discussion followed with specific direction for staff to follow up the standing of the Upper San Luis Rey RCD in the local GSA given statements made by the San Luis Rey Indian Water Authority. Chair Jacob suggested staff make a good-faith effort to bring back the final document in February.

## BUSINESS ITEMS CONTINUED...

### Item 7b

#### Protest Hearing Results |

#### “San Diego County Fire Protection District Reorganization” (RO20-14)

Item presented to receive the results of the protest hearing held for the “San Diego County Fire Protection District Reorganization”. This proposal was conditionally approved by the Commission on October 5, 2020 and involves the 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. The noticed protest hearing was held by staff on November 9<sup>th</sup> without generating written opposition from affected landowners or voters. It is recommended the Commission receive the protest results and set the effective date of the reorganization for December 7, 2020.

The Executive Officer opened the staff presentation on behalf of Chief Policy Analyst Robert Barry and noted the recommendation to set the effective date on the reorganization appropriately paralleled Chair Jacob’s last Commission meeting.

The Commission Clerk noted there was two registered speakers for the item and proceeded to invite the following persons to address the Commission:

- Chief Tony Mecham with County of San Diego Fire Authority, Support
- Herman Reddick, San Diego County Fire Authority, Support

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Commission discussion followed with the membership acknowledging all of the work expended by Chair Jacob in advancing fire protection levels in the unincorporated areas and highlighted by the formation of the San Diego County FPD.

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, MacKenzie, McNamara (voting), Kersey, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Cate, Cox, and Wells  
ABSTAINING: None

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



**BUSINESS ITEMS CONTINUED...**

**Item 7c**

**Public Member Appointment Options**

Item presented to consider options and related preferences in making a new four-year appointment of a public member ahead of the current term expiring in May 2021. Available options include proceeding with the direct reappointment of the incumbent – Vanderlaan – or soliciting applicants and making an appointment/reappointment at a future meeting.

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Commissioner MacKenzie motioned to reappoint Commissioner Vanderlaan with a second from Commissioner Willis. Roll call requested:

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

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

**Item 7d**

**Chair and Vice Chair Appointments**

Item presented to consider making officer appointments and select a Chair and Vice Chair for 2021 as required under adopted policy.

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Commissioner Jacob motioned to appoint current Vice Chair Andy Vanderlaan to Chair and Commissioner Desmond to Vice Chair for 2021, with a second from Commissioner MacKenzie. Roll call requested:

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

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

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

### **Item 7e**

#### **Legislative Report and Related Direction**

Item presented to receive a report on legislative items of interest to the Commission and its regulatory and planning responsibilities. This includes reviewing items associated with the end of the second year of the 2019-2020 session as well as previewing topics heading into the first year of the 2021-2022 session. The latter category includes an associated recommendation by the Executive Officer to take a lead role and begin work to sponsor a bill proposal to clarify LAFCOs' exclusive authority to determine exception status in statute for out-of-agency service contracts.

The Executive Officer presented the item and detailed his recommendation for the Commission to sponsor a proposal to clarify LAFCOs' sole authority to determine exception eligibility in Government Code 56133 and instances when local agencies do not require approval to provide new or extended services outside their jurisdictional boundaries.

Commission discussion followed. Chair Jacob stated this was an important issue to address and ultimately serves as a cost-savings measure in avoiding staff and legal costs.

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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, MacKenzie, McNamara (voting), Kersey, Salas, Vanderlaan, and Willis

NOES: None

ABSENT: Cate, Cox, and Wells

ABSTAINING: None

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

## **8. COMMENDATIONS**

Individual Commissioners thanked all three departing members – Chair Jacob, Commissioner Kersey, and Commissioner Cox – for their valued service to LAFCO. The Executive Officer also thanked all three Commissioners for their thoughtful service and highlighted Chair Jacob's important and lasting influence on LAFCO decision-making.

## 9. EXECUTIVE OFFICER REPORT

The Executive Officer made the following comments:

- Ad Hoc Fallbrook-Rainbow-Water Authority Meeting at 1pm
- LAFCO Audit hoping to be on the February 2021 meeting

## 10. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

- Commissioner MacKenzie provided an update to the Commission on CALAFCO
- Commissioner Willis discussed COVID-19 and impacts on San Diego County

## 11. CLOSED SESSION

None

## 12. ADJOURNMENT TO NEXT MEETING

With no further business the Chair adjourned the videoconference meeting at 11:05 a.m.

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I hereby attest the minutes above accurately reflect the deliberations of the Commission at its December 7, 2020 videoconference meeting.

ATTEST,

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Tamaron Lockett  
Commission Clerk

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A video recording of the December 7, 2020 regular meeting is also available online at [www.sdlafco.org](http://www.sdlafco.org) or by contacting LAFCO staff at 858-614-7755.

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