

**APPROVED MINUTES  
SAN DIEGO LAFCO  
August 2, 2021 REGULAR MEETING**

**Via Conference Only  
Per Governor’s Executive Order N-29-20**

**1. CALL TO ORDER**

The regular meeting was called to order by videoconference at 9:04 a.m. by Chair Vanderlaan.

**Item 1a**

**Introduction of New Alternate Commissioner**

Chair Vanderlaan welcomed new Alternate Commissioner David A. Drake with Rincon del Diablo Municipal Water District. Commissioner Drake provided a brief self-introduction.

**Item 1b**

**Roll Call**

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

Regulars Present:           Chris Cate, City of San Diego  
                                  Jo MacKenzie, Vista Irrigation District  
                                  Paul McNamara, City of Escondido  
                                  Mary Casillas Salas, City of Chula Vista  
                                  Andy Vanderlaan, Public (CHAIR)  
                                  Barry Willis, Alpine Fire Protection District

Alternates Present:       Joel Anderson, County of San Diego  
                                  Kristi Becker, City of Solana Beach  
                                  David A. Drake, Rincon del Diablo  
                                  Harry Mathis, Public

Members Absent:         Jim Desmond, County of San Diego (VICE CHAIR)  
                                  Nora Vargas, County of San Diego  
                                  Marni von Wilpert, City of San Diego (alternate)

The Commission Secretary confirmed a virtual quorum was present with seven voting members – along with Alternate Commissioner Joel Anderson voting in place of Commissioners Desmond and Vargas who were absent. Also present at the virtual dais were Executive Officer Keene Simonds, Commission Counsel Holly O. Whatley, Local Government Analyst I Priscilla Allen, and Administrative Assistant Erica Blom serving as the Commission Secretary.

**2. PLEDGE OF ALLEGIANCE**

Alternate Commissioner Drake led meeting attendees in the Pledge of Allegiance.

### 3. AGENDA REVIEW AND RELATED REQUESTS

Chair Vanderlaan asked the Executive Officer if there were requests to remove or rearrange items on the agenda as presented. The Executive Officer stated no changes were needed to the agenda. 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 as well as detailed on the LAFCO website.

### 4. PUBLIC COMMENT

Chair Vanderlaan invited anyone from the public to address the Commission on a matter not directly related to an agenda item. The Commission Secretary confirmed one member of the public had pre-registered to address the Commission and proceeded to read the comment into the record:

- Patricia Borchmann shared the New York Times article “California Looks at Curbing Construction in Wild Fire-Prone Areas”

### 5. CONSENT ITEMS

#### Item 5a

#### **Approval of Meeting Minutes for June 7, 2021**

Item presented to approve draft action minutes prepared for the Commission’s June 7, 2021 regular meeting. Recommendation to approve.

#### Item 5b

#### **Commission Ratification | Recorded Payment for May and June 2021**

Item presented to ratify recorded payments made and received by the Executive Officer for the months of May and June 2021. Recommendation to ratify.

#### Item 5c

#### **Budget Report for 2020-2021 |**

#### **Fourth Quarter Actuals and Close of Year Budget Amendments**

Item presented to accept and file a quarterly report comparing budgeted and actual expense and revenue transactions for 2020-2021 through the fourth quarter with related amendments as part of the close of the fiscal year. Recommendation to accept and file.

Item 5c was pulled for discussion.

Commissioner MacKenzie expressed concerns over amending the budget and said she will be voting “no” on this item.

**CONSENT ITEMS CONTINUED...**

**Item 5c continued**

**\*\***

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

AYES: Anderson, Cate, McNamara, Salas, Vanderlaan, and Willis  
NOES: MacKenzie  
ABSENT: Desmond, Vargas, and von Wilpert  
ABSTAINING: None

The Commission Secretary confirms the motion was approved 6-1.

**Item 5d**

**Progress Report on Adopted Workplan & Related Amendments**

Item presented to accept and file a progress report on the adopted workplan for 2021-2022 and its 30 specific projects along with approving amendments to sync with the recent update to the study schedule. Recommendation to accept and file.

Item 5d was pulled for discussion.

Commissioner MacKenzie discussed CALAFCO legislative priorities, specifically G.C. 56133 as listed as no. 5 in the adopted workplan.

Commission discussion followed with direction to the Executive Officer to consider scheduling a discussion on the workplan at the next meeting so Commissioners could have a better sense of current staff activities.

**\*\***

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

AYES: Anderson, Cate, MacKenzie, McNamara, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Desmond, Vargas, and von Wilpert  
ABSTAINING: None

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

**CONSENT ITEMS CONTINUED...**

**Item 5e**

**Approval of Fund Balance Designations for 2021-2022**

Item presented to review and consider making fund balance designations in 2021-2022. Recommendation to designate \$750,000 for committed purposes, \$125,000 for assigned purposes, and the remaining balance – \$762,178 as of July 1, 2020 – as unassigned. Recommendation to approve.

**Item 5f**

**Service Commendation |**

**Former Commissioner Bill Wells with the City of El Cajon**

Item presented to consider formal action by resolution to recognize the service contributions of former Commissioner Bill Wells. Recommendation to approve.

**Item 5g**

**CALAFCO Annual Conference Items**

Item presented to consider action items relating to the upcoming CALAFCO Annual Conference scheduled for October 6-8 in Newport Beach. Recommendation to nominate Commissioner MacKenzie for re-election to the CALAFCO Board as well as appoint Commissioners Vanderlaan and MacKenzie as delegate and alternate delegate, respectively. Recommendation to approve.

Item 5g was pulled for discussion.

Commissioner Willis asked if any further commitment was needed. Executive Officer Keene Simonds stated no further action was needed other than to proceed to nominate Commissioners MacKenzie and Vanderlaan.

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

AYES:	Anderson, Cate, MacKenzie, McNamara, Salas, Vanderlaan, and Willis
NOES:	None
ABSENT:	Desmond, Vargas, and von Wilpert
ABSTAINING:	None

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

## CONSENT ITEMS CONTINUED...

### Item 5h

#### Current Proposals and Related Activities

Item presented to receive a report identifying active proposals on file as well as a summary of pending proposal submittals. The item is for information and concurrently serves as notice to local agencies of all landowner/voter petition proposal filings. Information only.

Chair Vanderlaan asked if the Commissioners would like to pull any other consent items apart from items 5c, 5d, and 5g. There were no requests from Commissioners.

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Commissioner Cate motioned with a second from Commissioner Willis to approve the consent calendar and staff recommendations with the exception of items 5c, 5d, and 5g. Roll call requested:

AYES: Anderson, Cate, MacKenzie, McNamara, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Desmond, Vargas, and von Wilpert  
ABSTAINING: None

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

## 6. PUBLIC HEARING ITEMS

### Item 6a

#### Proposed “Avion Reorganization” |

#### Annexation to the Olivenhain Municipal Water District with Concurrent Expansion of an Activated Wastewater Service Area and Related Sphere of Influence Action (RO21-03)

Item presented to consider a reorganization proposal filed by the Olivenhain Municipal Water District (OMWD) with the principal action to annex 41.5 acres of incorporated territory in the City of San Diego. A concurrent expansion of OMWD’s activated wastewater service area is also proposed. The proposal purpose is to establish OMWD wastewater services in the affected territory and facilitate the tentative approval of 84 multi-family dwelling units as part of the planned “Avion” subdivision. Staff recommends conditional approval of the reorganization as submitted with a conforming sphere amendment as well as waiving protest proceedings. Recommendation to approve.

Analyst Priscilla Allen provided the staff presentation.

Chair Vanderlaan proceeded to open the public hearing and invited comments by pre-registered attendees and live e-mail.

The Commission Secretary confirmed one member of the public had pre-registered to address the Commission. Comments were received from the following person:

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

### **Item 6a continued**

- Liz Beloso, Lennar Homes, available for questions

The Commission Secretary also confirmed there were no live e-mail comments.

Chair Vanderlaan proceeded to close the public hearing.

Chair Vanderlaan invited Commissioner comments or questions.

Commission discussion followed with additional input from Rich Miller with Lennar Homes.

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

AYES:	Anderson, Cate, MacKenzie, McNamara, Salas, Vanderlaan, and Willis
NOES:	None
ABSENT:	Desmond, Vargas, and von Wilpert
ABSTAINING:	None

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

## **7. BUSINESS ITEMS**

### **Item 7a**

#### **Draft Municipal Service Review on the Ramona Region**

Item presented to review a draft municipal service review on the Ramona region. The draft has been prepared as part of the adopted workplan and independently assesses the availability, need, and adequacy of key public services provided in the region and specifically by the principal local government subject to Commission oversight – Ramona Municipal Water District (MWD). This includes preparing determinations addressing the factors required in statute as part of the municipal service review process as well as to inform other LAFCO decision-making – including future boundary changes and sphere of influence updates in the region. Presented for discussion and feedback only.

Executive Officer Keene Simonds provided opening comments with Analyst Priscilla Allen providing the formal staff presentation.

Chair Vanderlaan invited comments from the public. The Commission Secretary confirmed one member of the public had pre-registered to address the Commission. Comments were received from the following person:

- Geoff Pemberton, CAL FIRE

**BUSINESS ITEMS CONTINUED...**

**Item 7a continued**

The Commission Secretary also confirmed there was one live e-mail comment and proceeded to read the comment into the record:

- Herman Reddick, San Diego County Fire Protection District

Chair Vanderlaan invited initial Commission comments or questions.

Commission discussion followed with agreement for staff to proceed with a formal 45-day public comment period and return with a final document at a future meeting.

**Item 7b**

**Proposed Policy on Translation Protocols and Accommodations**

Item presented to consider a proposed policy on translation protocols and accommodations for communicating service information to non-English speaking residents to mitigate against language barriers. The proposed policy has been prepared consistent with the adopted workplan and marked by establishing standards to translate key service information into non-English based on current household language demographics. This includes translating notices and other written materials that are otherwise distributed only in English into other languages that are spoken within 20 percent or more of affected households. Interpreter services are also addressed. Recommendation to approve.

Executive Officer Keene Simonds provided the staff presentation.

Chair Vanderlaan invited initial Commission comments or questions.

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: Anderson, Cate, MacKenzie, McNamara, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Desmond, Vargas, and von Wilpert  
ABSTAINING: None

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

## BUSINESS ITEMS CONTINUED...

### Item 7c

#### Approval to Reinstate Cost-of-Living Wage Adjustments in 2021-2022

Item presented to consider reinstating a previously planned 2.0% wage cost-of-living adjustment for non-management employees in 2021-2022. The otherwise planned wage adjustment was suspended by the Commission in April 2021 at the recommendation of the Executive Officer to curb new costs in 2021-2022 given economic uncertainties associated with COVID. The parallel action to implement a voluntary employee separation incentive program has subsequently proven successful in generating cost-savings and positions the Commission to reinstate the full cost-of-living adjustment retroactive to July 1st without budget impact. Recommendation to approve.

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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: Anderson, Cate, MacKenzie, McNamara, Salas, Vanderlaan, and Willis  
NOES: None  
ABSENT: Desmond, Vargas, and von Wilpert  
ABSTAINING: None

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

## 8. EXECUTIVE OFFICER REPORT

- LAFCO is in process of relocating to the new office space at 2550 Fifth Avenue.
- Analyst II Linda Heckenkamp will be on full maternity leave through the end of the year.
- Consultant Ed Sprague is leaving LAFCO at the end of the month.
- Regarding COVID, LAFCO employees will follow the County's lead and it is expected proof of vaccination or regular negative testing will be required.
- Commission Counsel Holly Whatley provided a Julian-Cuyamaca FPD update.

## 9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

- Commissioner Willis will be visiting the special districts in San Diego County. Commissioner Willis also expressed concerns about the drought.
- Commissioner MacKenzie provided information regarding the recent CALAFCO Board of Directors meeting.
- Chair Vanderlaan asked staff to return to the Commission to follow up on the public comment and suggestion made earlier in the meeting by Patricia Borchmann.



**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 August 2, 2021 videoconference meeting.

ATTEST,



Erica Blom  
Administrative Assistant

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