



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

AMENDED REGULAR MEETING AGENDA

SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION

MONDAY, NOVEMBER 1, 2021
 COUNTY ADMINISTRATION CENTER
 1600 PACIFIC HIGHWAY, ROOM 302
 SAN DIEGO, CALIFORNIA

Chair Andy Vanderlaan
 Vice Chair Jim Desmond

Executive Officer Keene Simonds
 Commission Counsel Holly O. Whatley

County of San Diego	Cities	City of San Diego	Special Districts	General Public
Jim Desmond Nora Vargas Joel Anderson, Alt.	Paul McNamara Mary Casillas Salas Kristi Becker, Alt.	Chris Cate Marni von Wilpert, Alt.	Jo MacKenzie Barry Willis David A. Drake, Alt.	Andy Vanderlaan Harry Mathis, Alt.

The November 1, 2021 meeting will be held in a hybrid format to accommodate both in-person and remote participation by the Commission and its staff members. The public is similarly welcome to participate in person or remotely (video or telephone). The following standards apply.

1. With respect to in-person participation in Room 302 in the County Administration Building:
 - a) Face coverings must be worn by any unvaccinated persons.
 - b) Face coverings are not required to be worn by any vaccinated persons.
 - c) LAFCO requests all attendees appropriately self-attest to their vaccination status.
2. With respect to remote participation:
 - a) The public may watch the meeting live using the link on our website home page: www.sdlafco.org.
 - b) The public may attend remotely using either the Zoom app, Zoom website (<https://zoom.us/>) or call in by telephone at (669) 900-9128. Use Meeting/Webinar ID: 895 6767 7168 and Passcode: 508649.
 - c) The public may provide comments in real-time by emailing erica.blom@sdcounty.ca.gov. E-mailed comments will be read into the record by LAFCO staff.
 - d) The public may also provide comments in real-time by telephone or video by pre-registering no later than 4:00pm on October 29, 2021. Pre-register by calling 619-321-3380 or emailing lafco@sdcounty.ca.gov.
 - e) All comments are subject to a three-minute limit.

1. 9:00 A.M. – CALL TO ORDER BY CHAIR | ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. AGENDA REVIEW & COMMISSION DISCLOSURES

The Chair will consider requests to remove or rearrange items on the agenda. The Chair will also request Commissioners disclose any ex parte communications with any individuals associated with proposals, requests, or other material action on the agenda.

4. PUBLIC COMMENT AND RELATED REQUESTS

Opportunity for members of the public to speak to 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. (Please note for items listed on the agenda, speakers should fill out a speaker slip and address the Commission when the item is discussed, and their name is called.)

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.

a) Approval of Meeting Minutes for October 4, 2021 (action)

The Commission will consider action minutes prepared by the Commission Clerk for the October 4, 2021 regular meeting. Recommendation to approve as presented. (Pages 5-14)

b) Commission Ratification | Recorded Payments for September 2021 (action)

The Commission will review a report identifying all payments made and received for the month of September 2021. Recommendation to ratify payments as presented. (Pages 15-20)

**c) Budget Update for 2021-2022 |
1st Quarter Actuals with Year-End Projections (action)**

The Commission will review a report comparing budgeted and actual transactions through the first quarter of 2021-2022 and related analysis. The report projects the Commission will finish with an operating surplus of \$0.054 million or 1.9%. Savings in salaries and benefits underlie the projected surplus as detailed. Recommendation to accept and file. (Pages 21-26)

**d) Proposed Ratification of an Administrative Approval |
"Felicita Road Outside-of-Agency Service Agreement" - City of Escondido (OAS21-08) (action)**

The Commission will consider ratification of an administrative approval by the Executive Officer for an outside-of-agency wastewater service agreement involving the City of Escondido. The agreement authorizes Escondido to provide wastewater service to an unincorporated single-family residence at 2509 Felicita Road and was approved by the Executive Officer to abate a public safety threat due to a failing septic system. The affected territory lies entirely within the sphere of influence. The subject parcel is identified by the County Assessor's Office as 238-360-21. Recommendation for the Commission to ratify consistent with statute and policy. (Pages 27-36)

e) Authorizing Continued Hybrid or Fully Teleconferenced Meetings of the Commission and all Committees For a 30-Day Period (action)

The Commission will consider authorizing the ongoing use of hybrid and fully teleconferenced meetings for a 30-day period. The item addresses the Commission's requirement under Assembly Bill 361 and its allowances to allow public agencies, under specified circumstances, to continue to utilize remote meetings under modified Brown Act provisions given the pandemic. Approval would extend the Commission's previous authorization for hybrid and/or fully remote meetings at its October 4th meeting through December 4, 2021. Recommendation to approve. (Pages 37-42)

f) Progress Report on Adopted Workplan (action)

The Commission will receive a progress report on the adopted workplan for 2021-2022. The report notes work on one-half of all workplan projects have already commenced with two completed and one nearing completion. Recommendation to receive and file. (Pages 43-46)

CONSENT ITEMS CONTINUED...

g) **Current Proposals and Related Activities (information)**

The Commission will receive a report identifying active proposals on file with LAFCO 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. (Pages 47-58)

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 Sphere of Influence Update for Ramona Municipal Water District (action)**

The Commission will consider approving a sphere of influence update for the Ramona Municipal Water District (MWD) as part of a regular review requirement under statute. Staff recommends two distinct changes to Ramona MWD's sphere and its two categories. The first change involves expanding the primary sphere by 36 acres along its southern perimeter to create a clear demarcation of future service expectations between Ramona MWD and the City of Poway. The second change involves establishing a new study area to the secondary sphere for wastewater services to include the 389-acre "Cumming Ranch" project to facilitate and spotlight discussions with the developer on an anticipated proposal filing. Staff recommends the Commission proceed to approve the recommendations by resolution and in doing so allow for a formal 30-day reconsideration period as provided under statute. (Pages 59-78)

b) **Proposed "Sunset Drive Change of Organization" | Detachment from the Vista Irrigation District and Related Sphere of Influence Amendment (CO21-01) (action)**

The Commission will consider a change of organization proposal filed by an interested landowner to detach approximately 7.6 acres of incorporated territory within the City of Oceanside from Vista Irrigation District. The affected territory as submitted includes two undeveloped and unimproved assessor parcels along Sunset Drive that have been tentatively approved for a 48-unit townhome project. The proposal purpose is to eliminate an existing overlap between two public water service providers and designate Oceanside as the provider of record going forward. Staff recommends conditional approval with modification to include 0.46 acres of adjacent public right-of-way along Sunset Drive as well as a conforming sphere amendment. Standard approval terms are also recommended along with waiving protest proceedings. The subject parcels are identified by the County of San Diego Assessor's Office as 168-020-64 and 168-030-45. (Pages 79-128)

7. BUSINESS CALENDAR

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

a) **Proposed Amendment to Employment Agreement for Executive Officer (action)**

The Commission will consider a recommendation by the Executive Officer Compensation Committee (Desmond, MacKenzie and Vanderlaan) to approve a fourth 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. (Pages 129-152)

b) **Designation of Labor Negotiators | Pursuant to Government Code Section 54957.6 (action)**

The Commission will designate its representatives for purposes of negotiating the salary and benefits for the Executive Officer. Historically, the Commission has designated the Executive Officer Compensation Committee (currently, Desmond, MacKenzie and Vanderlaan) as the Labor Negotiators. Verbal report only.

BUSINESS CALENDAR CONTINUED...

c) Legislative Update and Related Items (discussion and possible action)

The Commission will receive a report on legislative items of interest to its regulatory and planning responsibilities as part of the 2021-2022 session. This includes an update on the Commission's activities in sponsoring an amendment to clarify LAFCOs' sole authority to determine when outside service contracts require formal approval or qualify for an exemption. The Commission will also consider a new recommendation to sponsor a separate amendment to the municipal service review statute as detailed.

* Item No. 7c was added to the agenda after its initial positing

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

b) Conference with Labor Negotiators

Pursuant to California Government Code Section 54957.6
Agency designated representatives: Individuals Designated Per Agenda Item No. 7b above
Unrepresented Employee: Executive Officer

11. ADJOURNMENT TO NEXT MEETING

December 6, 2021

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 business days prior to the meeting for any accommodations.