



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

5a

AGENDA REPORT
 Consent | Action

February 6, 2023

TO: Commissioners
FROM: Tamaron Lockett, Commission Clerk
SUBJECT: **Approval of Meeting Minutes |
 Regular Meeting of December 5, 2022**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on December 5, 2022. The minutes are in action-form and being presented for formal Commission approval.

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 5, 2022, regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Jim Desmond (County of San Diego), Paul McNamara (City of Escondido), and Mary Salas (City of Chula Vista).
- All alternate Commissioners were present except Nora Vargas (County of San Diego) and Marni von Wilpert (City of San Diego).

Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 www.sdlafco.org lafco@sdcounty.ca.gov	Chair Jim Desmond County of San Diego	Vacant City Selection Committee	Stephen Whitburn City of San Diego	Jo MacKenzie Vista Irrigation	Andy Vanderlaan General Public
	Joel Anderson County of San Diego	Vacant City Selection Committee	Marni von Wilpert, Alt. City of San Diego	Barry Willis Alpine Fire Protection	Harry Mathis, Alt. General Public
	Nora Vargas, Alt. County of San Diego	Kristi Becker, Alt. City of Solana Beach		David Drake, Alt. Rincon del Diablo	

ANALYSIS

The attached draft minutes for the December 5, 2022, regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by the Commission Clerk. 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 December 5, 2022, regular meeting as presented. This recommendation is consistent with Alternative One outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):

Approve the attached draft minutes prepared for the December 5, 2022 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 Luckett
Commission Clerk

Attachment:

- 1) Draft Meeting Minutes for December 5, 2022

**DRAFT MINUTES
SAN DIEGO LAFCO
December 5, 2022 REGULAR MEETING**

1. CALL TO ORDER BY CHAIR

Item 1

ROLL CALL

The regular meeting was called to order at 9:00 a.m. by Acting Chair Vanderlaan serving in place of Chair Desmond and Vice Chair McNamara. The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Joel Anderson, County of San Diego
Chris Cate, City of San Diego
Jo MacKenzie, Vista Irrigation District
Andy Vanderlaan, Public
Barry Willis, Alpine Fire Protection District

Alternates Present: Kristi Becker, City of Solana Beach (Voting)
David Drake, Rincon del Diablo Municipal Water District
Harry Mathis, Public

Members Absent: Jim Desmond, County of San Diego (CHAIR)
Paul McNamara, City of Escondido (VICE CHAIR)
Mary Salas, City of Chula Vista
Nora Vargas, County of San Diego (alternate)
Marni von Wilpert, City of San Diego (alternate)

The Commission Clerk confirmed a quorum was present with six voting members present with Alternate Commissioner Becker voting in absence of Commissioner Salas. Also present at the time of roll call were the following LAFCO staff members: Executive Officer Keene Simonds; Commission Counsel Holly Whatley; Local Government Analyst II Priscilla Mumpower; Local Government Analyst I Carolanne Ieromnimon; GIS/IT Analyst Dieu Ngu; Administrative Assistant Michaela Peters; and Commission Clerk Tamaron Lockett.

2. PLEDGE OF ALLEGIANCE

Commissioner Cate led the Pledge of Allegiance.

3. AGENDA REVIEW

Acting Chair Vanderlaan asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer noted one adjustment to the final agenda as circulated the following week and involves opening Item No. 7a for the limited purpose of receiving any public comments and proceeding to continue the item without Commission discussion to the next meeting. The Executive Officer also provided instructions for members of the public attending by phone or video with respect to providing comments.

4. PUBLIC COMMENT AND RELATED REQUESTS

Item 4a

Public Comment

Acting Chair Vanderlaan invited anyone from the public to address the Commission on a matter not directly related to an agenda item. Comments were received from the following persons:

- Diane Hansen, Palomar Health
- Dr. Gene Ma, Tri-City Healthcare District

The Administrative Assistant confirmed there were no live e-mail received.

Item 4b

Public Requests to Discuss Consent Items

Acting Chair Vanderlaan invited the public to request discussion on any agenda item from the consent calendar. The Commission Clerk confirmed there were no registered requests from in-room attendees. The Administrative Assistant also confirmed there were no e-mail requests.

5. CONSENT ITEMS

Item 5a

Approval of Meeting Minutes for November 7, 2022

Item presented to approve draft action minutes prepared for the Commission's November 7, 2022 regular meeting. Recommendation to approve.

Item 5b

Commission Ratification | Recorded Payments for October 2022

Item presented to ratify recorded payments made and received by the Executive Officer for the month of October 2022. Recommendation to ratify.

Item 5c

Proposed "Farkas-Felicita Road Reorganization" | Concurrent Annexation to the City of Escondido and Detachment from County Service Area No. 135 and Related Actions (RO22-06)

Item presented to consider a reorganization initiated by a landowner with the principal action to annex 0.4 acres of unincorporated territory to the City of Escondido. The reorganization involves a concurrent detachment from County Service Area No. 135 and its regional communication service function. Recommendation to conditionally approve removal of affected territory from Rincon del Diablo Municipal Water District's authorized fire protection and emergency medical service area (Improvement District E) along with waiving protest proceedings and making an exemption finding under the California Environmental Quality Act.

CONSENT ITEMS CONTINUED...

Item 5d

Protest Hearing Results | “County Service Area No. 69 Reorganization”

Item presented to formally receive the results of the protest hearing held for the “County Service Area No. 69 Reorganization.” The proposal was conditionally approved by the Commission in October 2022 for the dissolution of CSA No. 69 and its ambulance transport function and proportional designation of the City of Santee and Lakeside Fire Protection District as successor agencies with an ancillary annexation. The protest hearing was held on November 18th without written opposition from affected landowners or registered voters.

Item 5e

Progress Report on Adopted Workplan

Item present to receive a progress report on specific projects included in the adopted workplan for 2022-2023. Recommendation to receive and file.

Item 5f

Conducting Regular Meetings | Approval of 2023 Meeting Calendar and Amendment to Change the Meeting Start Time from 9:00 A.M. to 10:00 A.M. Report on Active Proposals and Related Activities Report on Active Proposals and Related Activities

Item presented to consider approving a regular meeting schedule for the 2023 calendar year. Recommendation to approve regular meetings on the first Monday of each month except for January, July, and September and amend the adopted policy Rule II to change the regular meetings from 9:00 A.M. to 10:00 A.M. to accommodate later start time for public schools.

Item 5g

Commission Terms

Item presented to receive its annual report on individual Commissioner terms. Six terms are set to expire in April 2023 two special districts (regular and alternate) and one public (alternative). Information only.

Item 5h

Report on Active Proposals and Related Activities

Item presented to receive a status report on the active proposals on file with LAFCO. Information only.

Commissioner Anderson motioned with a second from Commissioner Cate to approve the consent calendar items with staff recommendations (Alternative One) as presented.

Roll call requested:

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

The Commission Clerk confirms the motion was approved 6-0.

6. PUBLIC HEARING ITEM | COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATIONS

Item 6a

Proposed Sphere of Influence Updates for the Escondido Region | City of Escondido, Rincon del Diablo Municipal Water District, and the Deer Springs Fire Protection District

Item presented to consider approving sphere of influence updates for the three affected agencies in the Escondido region under the Commission's oversight. The updates are being presented as part of the Commission's five-year study requirement and informed by the recent completion of a regional municipal service review. Recommendation to affirm two of the three agencies' – Deer Springs Fire Protection District and Rincon del Diablo Municipal Water District sphere without changes. Separate recommendation to update the City of Escondido sphere to remove 1,090 unincorporated acres along the northern perimeter to better align with parcel lines and other geographic markers along with establishing two special study areas.

Acting Chair Vanderlaan invited any disclosures from Commissioners on material ex parte communications. No disclosures reported.

Acting Chair Vanderlaan asked for the staff presentation. Analyst II Priscila Mumpower proceeded with the staff presentation and detailed the recommendations.

Acting Chair Vanderlaan proceeded to open the public hearing and invited comments by speakers to address the Commission.

The Commission Clerk proceeded to invite the following registered speakers to address the Commission:

- Haney Hong with San Diego Taxpayer Association (Support)
- Laura Hunter with Sierra Club North County Group (Oppose)*
- Dan Silver with Endangered Habitats League (Oppose)*

* Comments received by video.

The Administrative Assistant confirmed there was one live e-mail comment received from Don Underwood and proceeded to read it into the record.

Acting Chair Vanderlaan invited Commissioner comments.

Commission discussion followed.

Acting Chair Vanderlaan proceeded to close the public hearing.

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PUBLIC HEARING ITEM CONTINUED...

Item 6a Continued

Commissioner Cate motioned to approve the staff recommendation (Alternative One) as listed in the agenda report with a second from Commissioner Willis.

Roll call requested:

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

The Commission Clerk confirms the motion was approved 6-0.

7. BUSINESS ITEMS

Item 7a

Proposed “Pastrana-Artesian Road Change of Organization” | Annexation to Rancho Santa Fe Community Services District and Related Negative Declaration under California Environmental Quality Act (CO22-02)

Item presented to consider a change of organization initiated by a landowner to annex approximately 10.0 acres of unincorporated territory to the Rancho Santa Fe Community Service District. The annexation is specific to extending public wastewater services; other District services – security, underground utilities, and landscape maintenance – are not part of the proposal. The affected territory as submitted comprises one entire parcel currently undeveloped in the unincorporated community of Rancho Santa Fe. Staff recommends conditional approval of the proposal as submitted along with waiving protest proceedings. A negative declaration is also presented for adoption finding the project will not have a significant effect on the environment consistent with recommendations of an initial study.

The Executive Officer requested the Commission check for any public comments and proceed to continue the item without discussion to the next meeting. The Executive Officer noted the continuance would accommodate a request received prior to the meeting from the Rincon Tribe requesting consultation on the environmental document as allowed under statute.

Acting Chair Vanderlaan invited anyone from the public to address the Commission. The Commission Clerk confirmed there were no registered speakers. The Administrative Assistant also confirmed there were no live e-mail comments received on the item.

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BUSINESS CALENDAR CONTINUED...

Item 7a Continued

Commissioner Willis motioned to continue the item to the next meeting with a second from Alternate Commissioner Becker.

Roll call requested:

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

Item 7b Legislative Report

Item presented to receive a report on items of interest to the Commission and its regulatory and planning responsibilities under State law with the close of the most recent legislative session. This includes summarizing Senate Bill 938 and its successful passage to streamline and otherwise improve LAFCO protest hearings. The report also previews topics of interest heading into the next legislative session, including continued work on advancing an amendment to clarify exemption allowances involving out-of-agency services.

Acting Chair Vanderlaan asked for the staff presentation. Analyst Priscilla Mumpower summarized the report and key developments.

Acting Chair Vanderlaan invited anyone from the public to address the Commission. The Commission Clerk confirmed there were no registered speakers. The Administrative Assistant also confirmed there were no live e-mail comments received on the item.

Acting Chair Vanderlaan invited Commissioner comments.

Commission discussion followed.

Item 7c Fee Waiver Request | Proposed “Borrego Springs Fire Protection District Reorganization”

Item presented to consider a request from Borrego Springs Fire Protection District to waive all fees associated with its recent proposal filing to dissolve and transfer responsibilities via annexation to the San Diego County Fire Protection District. The fee waiver is \$24,563 assuming any potential Commission approval is not subject to voter approval. Recommendation approval of the fee waiver along with authorizing a corresponding transfer of assigned monies from the fund balance.

Acting Chair Vanderlaan asked for the staff presentation. Analyst Carolanne Ieromnimon proceeded with the presentation and recommendations.

Acting Chair Vanderlaan invited anyone from the public to address the Commission.

BUSINESS ITEMS CONTINUED...

Item 7c Continued

The Commission Clerk confirmed there were two registered speakers. Comments were received from the following persons:

- Haney Hong with San Diego Taxpayer Association (support)
- Jeff Collins with San Diego County Fire Protection District (support)

The Administrative Assistant confirmed there were no live e-mail comments received on the item.

Acting Chair Vanderlaan invited Commissioner comments.

No discussion followed.

Commissioner Willis motioned to approve staff recommendations (Alternative One) with a second from Commissioner Anderson.

Roll call requested:

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

The Commission Clerk confirms the motion was approved 6-0.

8. COMMENDATIONS

Executive Officer Keene Simonds acknowledged and thanked Commissioners Cate, McNamara, and Salas for their services with LAFCO. Commissioner Cate thanked the Commission for the opportunity to serve and wished the agency well going forward.

9. EXECUTIVE OFFICER REPORT

- Executive Officer noted that LAFCO will be hosting their Holiday event on December 19th.

10. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

- Anderson noted a correspondence will be sent to LAFCO to consider evaluating governance options to increase public recreational opportunities involving local water reservoirs in the unincorporated areas.
- MacKenzie noted her interest in receiving an update on the Palomar item.

11. CLOSED SESSION

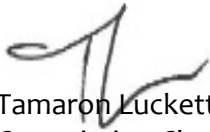
None

12. ADJOURNMENT TO NEXT MEETING

With no further business the Acting Chair adjourned the meeting at 10:28 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its December 5, 2022 hybrid/videoconference meeting.

ATTEST,



Tamaron Lockett
Commission Clerk