



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

5a

AGENDA REPORT
 Consent | Action

October 2, 2023

TO: Commissioners
FROM: Erica Sellen, Executive Assistant
SUBJECT: **Approval of Meeting Minutes |
 Regular Meeting of August 7, 2023**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on August 7, 2023. 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 August 7, 2023, regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Dane White (City of Escondido).
- 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 Joel Anderson County of San Diego Nora Vargas, Alt. County of San Diego	Kristi Becker City of Solana Beach Dane White City of Escondido John McCann Alt. City of Chula Vista	Vice Chair Stephen Whitburn City of San Diego Marni von Wilpert, Alt. City of San Diego	Jo MacKenzie Vista Irrigation Barry Willis Alpine Fire Protection David Drake, Alt. Rincon del Diablo	Andy Vanderlaan General Public Harry Mathis, Alt. General Public
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ANALYSIS

The attached draft minutes for the August 7, 2023, regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by the Acting 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 August 7, 2023, 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 August 7, 2023, regular meeting with any requested 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,



Erica Sellen
Executive Assistant

Attachment:

- 1) Draft Meeting Minutes for August 7, 2023

**DRAFT MINUTES
SAN DIEGO LAFCO
August 7, 2023 REGULAR MEETING**

1. 8:15 A.M. – CALL TO ORDER BY CHAIR

**Item 1a
ROLL CALL**

The regular meeting was called to order at 8:16 a.m. by Chair Desmond. The Acting Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present: Joel Anderson, County of San Diego
Kristi Becker, City of Solana Beach
Jim Desmond, County of San Diego (CHAIR)
Jo MacKenzie, Vista Irrigation District
Andy Vanderlaan, Public
Stephen Whitburn, City of San Diego (VICE CHAIR)
Barry Willis, Alpine Fire Protection

Alternates Present: David Drake, Rincon del Diablo Municipal Water District
Harry Mathis, Public
John McCann, City of Chula Vista (voting)

Members Absent: Nora Vargas, County of San Diego (alternate)
Marni von Wilpert, City of San Diego (alternate)
Dane White, City of Escondido (regular)

The Acting Commission Clerk confirmed a quorum with eight voting members present. Also present were the following LAFCO staff members: Executive Officer Keene Simonds; Commission Counsel Holly Whatley; Assistant Executive Officer Priscilla Mumpower; Local Government Analyst II Carolanne Ieromnimon; Local Government Analyst I Michaela Peters; GIS/IT Analyst Dieu Ngu; and Executive Assistant Erica Sellen serving as the Acting Commission Clerk.

Commissioner McCann arrived at 8:31 a.m.

Commissioner Anderson arrived at 8:35 a.m.

**Item 1b
PLEDGE OF ALLEGIANCE**

Commissioner Becker led the Pledge of Allegiance.

2. STATEMENT (JUST CAUSE) AND/OR CONSIDERATION OF A REQUEST TO PARTICIPATE REMOTELY (EMERGENCY CIRCUMSTANCES) BY A COMMISSIONER, IF APPLICABLE

Commissioner Vanderlaan participated remotely and attested to his just cause statement.

3. AGENDA REVIEW

Chair Desmond asked the Executive Officer if there were any requests to remove or rearrange items on the agenda. Executive Officer Keene Simonds stated Item 7a will be continued to the next regular meeting on October 2, 2023 with the concurrence of the applicant. He also stated that a supplemental document – an updated MOU – for Item 6g was circulated on the dais and should be referenced in the motion for the Consent Calendar.

4. PUBLIC COMMENT AND RELATED ITEMS

Chair Desmond invited anyone from the public to address the Commission on a matter not directly related to an agenda item. The Acting Commission Clerk confirmed there were no registered speakers or live e-mail comments.

5. SCHEDULED PRESENTATIONS

Item 5a

Association to Incorporate La Jolla

Item presented to receive a presentation from representatives with the Association to Incorporate La Jolla to discuss their interests and related activities to date in exploring a future special reorganization filing with San Diego LAFCO. Information only.

LAFCO Consultant Chris Cate provided introductory comments and introduced the guest speakers, Trace Wilson and Janie Emerson. Guests proceeded to provide an overview of the topic and key activities undertaken to date.

Commission discussion followed.

Chair Desmond thanked the guests for their attendance.

6. CONSENT ITEMS

Item 6a

Approval of Meeting Minutes for June 5, 2023

Item presented to approve draft action minutes prepared for the Commission's June 5, 2023 special meeting. Recommendation to approve.

Item 6b

Approval of Meeting Minutes for June 14, 2023

Item presented to approve draft action minutes prepared for the Commission's June 14, 2023 special meeting. Recommendation to approve.

CONSENT ITEMS CONTINUED...

Item 6c

Approval of Meeting Minutes for July 10, 2023

Item presented to approve draft action minutes prepared for the Commission's July 10, 2023 special meeting. Recommendation to approve.

Item 6d

Commission Ratification | Recorded Payments for May and June 2023

Item presented to ratify recorded payments made and received by the Executive Officer for the months of May and June 2023. Recommendation to ratify.

Item 6e

Budget Report on 2022-2023 |

4th Quarter Actuals and Proposed Close-of-Year Budget Amendments

Item presented to review a report comparing budgeted and actual transactions through the fourth quarter of 2022-2023. Amendments are also proposed as part of the administrative close of the fiscal year. Recommendation to accept and file.

Item 6f

Approval of Fund Balance Designations and Related Amendments to Fiscal Policy 101

Item presented to perform the Commission's annual task under policy to review and make fund balance designations involving a total cash balance as of July 1, 2023 of \$1,637,356. Recommendation to approve.

Item 6g

Proposed Memorandum of Understanding with County of San Diego |

Setting Roles + Responsibilities for New Planning Grant: SALC 2.0

Item presented to consider approving a memorandum of understanding with the County of San Diego's Planning and Development Services in partnering and implementing the recently awarded two-year planning grant – in the amount of \$500,000 – from the Department of Conservation. The grant ties to the Sustainable Agricultural Lands Conservation Program ("SALC") and involves performing market and gap analysis in support of small farming in San Diego County. Recommendation to approve.

Item 6h

Proposed Temporary Appointment to a Higher Class |

Temporary Assignment of Erica Sellen as Commission Clerk

Item presented to consider the temporary appointment of Executive Assistant Erica Sellen as Commission Clerk retroactive to June 28, 2023. The proposed appointment provides a 10% compensation increase under adopted policy and recognizes several duties already undertaken by Ms. Sellen as a result of a leave of absence involving the incumbent. Recommendation to approve.

CONSENT ITEMS CONTINUED...

Item 6i

CALAFCO Annual Conference Items

Item presented to consider action items relating to the upcoming California Association of LAFCOs' (CALAFCO) Annual Conference scheduled for October 18th–20th in Monterey. This includes authorizing the Chair to nominate Commissioner Jo MacKenzie to serve a new two-year term on the CALAFCO Board as special district representative for the southern region. Recommendation to approve.

Item 6j

Report on Active Proposals and Related Activities

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

Item 6k

Dissolution of the Advisory Committee Involving the Reorganization Proposals Filed by Fallbrook Public Utility District and Rainbow Municipal Water District

Item presented to consider approving formal dissolution of the Advisory Committee formed for the Fallbrook PUD and Rainbow MWD reorganization proposals. This item also requests Commission authorization for the Chair to issue commendations to all member in recognition of their service over the three-year period. Recommendation to approve.

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Commissioner Anderson motioned with a second from Commissioner McCann to approve the consent calendar items with staff recommendations (Alternative One) as presented including the supplemental document – an updated MOU – for Item 6g.

Commissioner MacKenzie abstained for Item 6c.

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, McCann (voting), Vanderlaan, Whitburn, and Willis
NOES: None
ABSENT: Vargas, von Wilpert, and White
ABSTAINING: None

The Acting Commission Clerk confirmed the motion was approved 8-0 with Commissioner Mackenzie's abstention from Item 6c (7-0-1).

7. PUBLIC HEARING ITEMS | COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATIONS

Item 7a

Proposed “Camino de la Fuente-Wick Change of Organization” | Annexation to San Diego County Sanitation District and Conforming Sphere of Influence Action (CO22-20)

Item continued at the request of the Executive Officer to the next regular meeting.

Item 7b

Progress Report on the Annual Workplan Activities and Proposed Amendments to Advance Scheduled Municipal Service Reviews

Item presented to receive a progress report on the commencement of the adopted workplan and the 30 special projects for 2023-2024 as well as consider specific amendments. Three projects have advanced during the first month of the fiscal year and are now nearing their completion. This grouping is marked by developing supporting contractual agreements involving LAFCO’s new planning grant to perform market and gap analysis in support of small farming operations. Proposed amendments involve internal adjustments and advance municipal service reviews involving the San Diego County Water Authority and healthcare districts as the highest workplan priorities in 2023-2024. It is recommended the Commission formally receive the progress report consistent with practice as well as approve the proposed amendments.

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

Assistant Executive Officer Priscilla Mumpower provided the staff presentation.

Chair Desmond proceeded to open the public hearing and invited comments from the following registered speakers with stated positions to the staff recommendation noted in parenthesis:

- Oceanside Mayor Esther Sanchez (support)
- Palomar HCD/Foundation President Kristin Gaspar (support)

The Acting Commission Clerk confirmed there were no other registered speakers or live e-mail comments.

Chair Desmond proceeded to close the public hearing.

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

PUBLIC HEARING ITEMS CONTINUED...

Item 7b Continued

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, McCann (voting), Vanderlaan, Whitburn, and Willis
NOES: None
ABSENT: Vargas, von Wilpert, and White
ABSTAINING: None

The Acting Commission Clerk confirmed the motion was approved 8-0.

8. BUSINESS ITEMS

Item 8a

Final Report on Ag Trends and Related Policy Opportunities | Sustainable Agricultural Lands Conservation Grant Update

Item presented to receive a final report tied to its two-year planning grant from the State of California and its Sustainable Agricultural Lands Conservation (SALC) program. The final report marks the completion of the Commission and its partner Resource Conservation District (RCD) of Greater San Diego County's evaluation of agricultural trends in San Diego County and related preservation and enhancement considerations going forward, and as detailed cited as "SALC 1.0". The report includes several recommendations for formal consideration by the Commission.

Assistant Executive Officer Priscilla Mumpower provided opening comments followed by a formal presentation from Ann Baldrige, Executive Director, Resource Conservation District of Greater San Diego County.

Commission discussion followed.

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

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, McCann (voting), Vanderlaan, Whitburn, and Willis
NOES: None
ABSENT: Vargas, von Wilpert, and White
ABSTAINING: None

The Acting Commission Clerk confirmed the motion was approved 8-0.

BUSINESS ITEMS CONTINUED...

Item 8b

Resource Conservation Districts Ad Hoc Committee | Report on Year One Tasks and proposed Year Two Tasks and Related Actions

Item presented to receive a report on the first-year activities of the Resource Conservation Districts Ad Hoc Committee in addressing assigned tasks generated as part of a recent municipal service review. The first year concluded successfully with the Ad Hoc developing a master memorandum of understanding subsequently signed by all three RCDs to coordinate their service programs going forward as well as establish protocols to guide interagency projects whenever applicable. Staff recommends the Commission receive the report on the first year as well as authorize a scope of work for a second year to develop contemporary RCD service function and class designations as well facilitate coordinated boundary changes among all three local RCDs. It is also recommended the Commission revise the composition of the Ad Hoc from nine to six members through the reduction of the three at-large members.

Local Government Analyst I Michaela Peters provided opening comments with LAFCO Consultant Adam Wilson providing the staff presentation.

Chair Desmond invited comments from the following registered speakers with stated positions to the staff recommendation noted in parenthesis:

- Mission RCD General Manager Darcy Cooke (support)
- RCD of Greater San Diego County General Manager Ann Baldrige (support)

The Acting Commission Clerk confirmed there were no other registered speakers or live e-mail comments.

Commission discussion followed.

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

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, McCann (voting), Vanderlaan, Whitburn, and Willis
NOES: None
ABSENT: Vargas, von Wilpert, and White
ABSTAINING: None

The Acting Commission Clerk confirmed the motion was approved 8-0.

BUSINESS ITEMS CONTINUED...

Item 8c

Comprehensive Personnel Policy Update | Proposed Scope of Work

Item presented to receive a proposed scope of work involving a scheduled comprehensive personnel policy update. The scope of work has been developed by the Commission's contract human resources consultant – Regional Government Services Authority or "RGS" – and reflects their assessment of LAFCO needs with input from the Executive Officer and Assistant Executive Officer. The scope of work is being presented for discussion and input before RGS' proceeds with the drafting the update for future presentation.

Assistant Executive Officer Priscilla Mumpower provided the staff presentation.

Commission discussion followed.

Item 8d

Outside Audit Report on Fiscal Year 2021-2022

Item presented receive an outside audit for the financial statements issued for 2021-2022. The outside audit concludes all tested transactions were accompanied by sufficient documentation and no material weaknesses were identified. The outside audit and accompanying management letter are being presented to the Commission to accept and file as well as to provide direction to staff on related matters going forward.

Executive Officer Keene Simonds provided the staff presentation and highlighted the two recommendations outlined in the management letter. These involve establishing a capitalization policy for right-to-use lease liabilities over \$40,000 and limiting the length of future office leases.

Commission discussion followed.

The Acting Commission Clerk confirmed there were no speakers or live e-mail comments.

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

Roll call requested:

AYES: Anderson, Becker, Desmond, MacKenzie, McCann (voting), Vanderlaan, Whitburn, and Willis
NOES: None
ABSENT: Vargas, von Wilpert, and White
ABSTAINING: None

The Acting Commission Clerk confirmed the motion was approved 8-0.

9. EXECUTIVE OFFICER REPORT

Executive Officer Keene Simonds highlighted the work of Local Government Analyst I Michaela Peters Diamond in producing a new informational brochure on San Diego LAFCO that incorporates the agency's 60-year anniversary.

10. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

Commissioner Willis requested LAFCO staff explore opportunities to reduce and/or waive application fees for special districts given their current contribution to the LAFCO budget. Commissioner Willis also commented on his recent attendance at a Board of Supervisors meeting to request the County provide a share of its property tax to Valley Center FPD.

Commissioner MacKenzie provided an overview of CALAFCO activities.

11. CLOSED SESSION

None

12. ADJOURNMENT TO NEXT MEETING

With no further business the Chair adjourned the meeting at 10:05 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its August 7, 2023 meeting.

ATTEST,

Erica Sellen
Acting Commission Clerk

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