



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

SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION

REGULAR MEETING AGENDA
Monday, August 5, 2024

Doors Open: 8:00 A.M.
Meeting Starts: 8:15 A.M.

In-Person Participation

County Administration Center
 1600 Pacific Highway, Room 302
 San Diego, California

Video-Teleconference Participation

<https://www.zoom.us/join>

Meeting ID 895 6767 7168 | Passcode 508649
 (669) 900-9128

Video Viewing Only

@sandiegolafco9909

San Diego LAFCO		
Commissioner	Appointing Authority	Affiliation
Chair Stephen Whitburn	Mayor of the City of San Diego	City of San Diego
Vice Chair Barry Willis	Independent Special Districts	Alpine Fire Protection
Jim Desmond	Board of Supervisors	County of San Diego
Joel Anderson	Board of Supervisors	County of San Diego
Kristi Becker	Cities Selection Committee	City of Solana Beach
Jo MacKenzie	Independent Special Districts	Vista Irrigation
Dane White	Cities Selection Committee	City of Escondido
Harry Mathis	Commission	General Public
Alternate David A. Drake	Independent Special Districts	Rincon del Diablo MWD
Alternate Vacant	Commission	General Public
Alternate John McCann	Cities Selection Committee	City of Chula Vista
Alternative Nora Vargas	Board of Supervisors	County of San Diego
Alternate Marni von Wilpert	Mayor of the City of San Diego	City of San Diego

Participation Instructions:

In person attendance by the public is welcomed. LAFCO meets in Room 302 in the County Administration Center (1600 Pacific Highway). Three-hour visitor parking is available using the Ash Street entrance. To provide comments on any item, please turn in a speakers slip to LAFCO staff before the item commences.

Remote participation by video or telephone is welcomed through Zoom by following these instructions.

Comments by Video	Comments by Telephone
1. Click or type the link found at the top of the agenda	1. Dial + 1-669-900-9128
2. Type the Meeting ID identified on the top of this agenda followed by the Passcode	2. Dial the Meeting ID identified at the top of the agenda followed by the Passcode
3. Click the raise hand icon	3. Dial *9 to raise your hand
4. LAFCO will announce your name as it appears when it is your turn to speak	4. LAFCO will call out the last 4 digits of your phone number when it is your turn to speak
5. Click the speaker icon to unmute to speak	5. Dial *6 to unmute yourself

All comments – whether provided in person or remotely (video and telephone) – are limited to three minutes for individuals and five minutes for agencies and community organizations. The Chair may adjust the time allowance as they deem appropriate in managing the Commission’s business.

Remote participation by e-mail is also welcomed by sending comments to Commission Clerk Erica Sellen at erica.sellen@sdcounty.ca.gov.

- All e-mails received before 3:00 P.M. one business day before the meeting will be forwarded to the Commission and posted online prior to the start of the meeting. These comments will also be referenced at the meeting.
- All e-mails received after 3:00 P.M. one business day before the meeting and up until the conclusion of the item by the Commission will be noted for the record by LAFCO staff with a good-faith summary and subsequently posted online.

Public Accommodations:

Assistance for the disabled is available by contacting LAFCO staff prior to the meeting. To the extent possible, accommodation requests should be submitted at least 72 hours in advance.

Spanish language translation services are readily available at LAFCO meetings. Translation services covering other languages may be made available upon request at least 72 hours prior to the meeting.

Contact Information:

Erica Sellen
Commission Clerk
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San Diego, California 92103
T: 619-321-3380
F: 619-404-6508
E: erica.sellen@sdcounty.ca.gov

1. 8:15 A.M. – CALL TO ORDER BY CHAIR

a) Roll Call of Commissioners Present

b) Pledge of Allegiance

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

3. AGENDA REVIEW

The Executive Officer will summarize the agenda as well as to advise of any requested changes. The Chair will also consider requests from Commissioners.

4. PUBLIC COMMENT AND OPPORTUNITY FOR PUBLIC TO REQUEST DISCUSSION ON CONSENT ITEMS

Opportunity for members of the public to speak to the Commission on any subject matter within the Commission’s growth management duties/interests but not on the agenda. Three-minute limit. This is also an opportunity for the public to request discussion on a consent calendar item.

5. CONSENT ITEMS

All items calendared as consent are considered ministerial and subject to a single motion approval. The Chair will entertain requests by Commissioners to pull any items for discussion.

a) Approval of Meeting Minutes for June 3, 2024 (action)

The Commission will consider action minutes prepared by the Interim Commission Clerk for the June 3, 2024 meeting. Recommendation to approve as presented. (Pages 7-16)

b) Commission Ratification | Recorded Payments for May and June 2024 (action)

The Commission will review a report identifying all payments made and received for May and June 2024. Recommendation to ratify payments as presented. (Pages 17-26)

c) 4th Quarter Budget Report for 2023-2024 | Administrative Close of the Fiscal Year and Corrective Amendments (action)

The Commission will review a report comparing budgeted and actual transactions through the fourth quarter as part of the administrative close of the fiscal year. The report details the Commission finished June 30th in positive standing with an overall net balance of \$0.032 million or 1.3%. The report is being presented to the Commission to accept and file as well as approve the close-of-year budget amendments to ensure all expense units finish with authorized balances. Recommendation to approve. (Pages 27-34)

d) Results of Protest Hearing | Conditionally Approved “Sky Ranch Change of Organization” Detachment from Helix Water District and Conforming Sphere Amendment (action)

The Commission will receive the results of the protest hearing held for the “Sky Ranch Change of Organization.” This change of organization was conditionally approved in May 2024 and involves the detachment of approximately 26.5 acres of inhabited incorporated territory within the City of Santee from the Helix Water District. The noticed protest hearing was held on July 1, 2024. No protest was filed at the close of the hearing. The protest hearing results are being presented for the Commission to formally receive and file. (Pages 35-42)

CONSENT ITEMS CONTINUED...

- e) **Proposed “Keys Project LLC – Montemar Drive Change of Organization” | Annexation to the San Diego County Sanitation District (LAFCO File No. CO24-01) (action)**
The Commission will consider a change of organization proposal initiated by a landowner petition (Keys Project LLC). The proposal seeks approval to annex approximately 1.8 acres of unincorporated territory within Spring Valley to the San Diego County Sanitation District. The affected territory as submitted is presently developed with one uninhabited single-family residence at 9421 Montemar Drive and adjacent public right-of-way (APN 504-242-01). The purpose of the proposal is to make public wastewater available to the affected territory and in doing so accommodate the construction of two single-family residences via an urban lot-split as allowed under Senate Bill 9 (SB9). Staff recommends conditional approval of the proposal as submitted along with waiving protest proceedings. It is also recommended the Commission find the project is exempt under CEQA Guidelines Section 15319(b). (Pages 43-68)
- f) **Progress Report on the Annual Workplan and Proposed Amendments (action)**
The Commission will receive a progress report on the commencement of the adopted workplan and the 30 projects set for 2024-2025 as well as consider specific amendments. One-third of all projects are underway through the first month with the majority involving high-priority activities that have been forwarded over from the prior fiscal year. Amendments are proposed to account for changes in circumstances following the workplan adoption and headlined by adding a still-active municipal service review on the Oceanside region from the prior fiscal year while removing participation in the CALAFCO Legislative Committee. It is recommended the Commission formally receive the progress report and approve the proposed amendments as presented. (Pages 69-74)
- g) **Proposed Fund Balance Designations for 2024-2025 (action)**
The Commission will perform its annual task under policy to review and make fund balance designations for the new fiscal year. The total spendable cash fund balance as of July 1, 2024 was \$1,732,010. It is proposed the Commission reset the designations to largely match the preceding fiscal year and marked by continuing to set \$750,000 aside as committed monies for opportunity or stabilization uses. A change is proposed to lower the assigned monies set aside to the Executive Officer to cover specific expenses under policy from \$125,000 to \$100,000. The remaining monies –\$882,010– would be left unassigned. (Pages 75-82)
- h) **Report on Active Proposals and Related Activities (information)**
The Commission will receive a status report on active proposals currently on file as well as anticipated filings based on ongoing discussions with proponents. The item is for information and satisfies LAFCO’s reporting requirement. (Pages 83-94)
- i) **Designation of Labor Negotiators (action)**
The Commission will consider designating its labor negotiators for purposes of reviewing – and negotiating if warranted - the salary and benefits of the Executive Officer as part of the annual performance review. Consistent with policy and practice, it is recommended the Commission formally designate Chair Whitburn, Vice Chair Willis, and Past Chair Desmond as its negotiators in step with their role as the Executive Officer Compensation Committee. (Pages 95-96)

6. PUBLIC HEARING ITEMS |

COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATIONS

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. All public hearing items require verbal disclosures by Commissions regarding any material communications.

a) CONTINUED PUBLIC HEARING

Revised Draft Report |

Municipal Service Review on the Oceanside Region (action)

The Commission will continue a hearing and receive a revised draft municipal service review on the Oceanside region. The revised draft follows an initial presentation to the Commission in June and subsequent direction to provide the City of Oceanside additional time to review before proceeding with a formal public review and comment period. The other two affected agencies – Oceanside Small Craft Harbor District and Morro Hills Community Services District – were similarly provided additional time to review the document with staff also making a formal presentation with the latter’s governing board. Revisions are shown in track-change format and are comparatively limited. The revised draft is being presented to the Commission for discussion and authorization to proceed as planned with initiating formal public review and comment in line with preparing a final document for future action. (Pages 97-308)

b) Appointment of an Alternate Public Member and Related Actions (action)

The Commission will consider a recommendation from its Alternate Public Member Recruitment Committee (Whitburn, Willis, and White) to fill an unexpired term through April 2027. The recommendation follows the Commission’s action in March to create and task the Committee to conduct an open recruitment to fill the alternate seat following the promotion of Commissioner Mathis to the regular seat. Drawing from its delegated process, the Committee unanimously recommends the appointment of Bridgette Browning. It is also recommended the Commission formally dissolve the Committee. (Pages 309-320)

7. BUSINESS CALENDAR

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

a) Proposed Update to the Rolling Five-Year Study Schedule (action)

The Commission will consider approving a proposed update to its rolling five-year study schedule marked by resetting the coverage period from FY2024-2028 to FY2025-2029. The proposed update is part of an annual process to sync the study schedule to actual authorizations by the Commission in adopting the annual workplan specific to preparing municipal service reviews. The first two years of the proposed update remain largely intact and continue existing practice to capture all municipal service reviews covered in the adopted workplan paired with accommodating the expectation some studies require more than one year to complete. One new study has been added to the first two-year period and involves the previously unscheduled municipal service review on SANDAG and its regional housing, transportation, and climate adaptation service functions. Other changes in the proposed update involve reorganizing certain regional studies to better address multi-city serving special districts and adding a new study on airports in the fifth year. Staff recommends the Commission approve the proposed update with any desired changes. (Pages 321-334)

8. EXECUTIVE OFFICER REPORT

9. COMMISSIONER ANNOUNCEMENTS & REQUESTS FOR FUTURE ITEMS

10. CLOSED SESSION

a) Conference with Legal Counsel--Anticipated Litigation:

Pursuant to Government Code Section 54956.9(d)(3)): Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9 related to San Diego Unified Port District. (One case.)

11. ADJOURNMENT

Attest to Posting:

Erica Sellen
Commission Clerk