



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

**5b**

**AGENDA REPORT**  
 Business | Discussion

September 20, 2024

**TO:** Special Districts Advisory Committee

**FROM:** Priscilla Mumpower, Assistant Executive Officer  
 Joelle Burila, Local Government Analyst I

**SUBJECT:** Policy Review | Special Districts Advisory Committee Rules

**SUMMARY**

The Committee will review and consider modernizing its formal rules as part of the Commission’s adopted workplan. This includes reviewing the Committee’s purpose and core focuses, composition and elections, and place and time of meetings. The item is being presented for discussion with the opportunity for the Committee to provide feedback and direction on returning with a future item for action if requested.

**BACKGROUND**

**Special District’s Advisory Committee**

The Committee was established in 1971 to assist and inform LAFCO processes which led to the inaugural appointments of special district members to the San Diego Local Agency Formation Commission (LAFCO). Following these inaugural appointments, the Committee’s role evolved to serve as a resource, advising LAFCO on its growth management responsibilities, with a particular focus on issues affecting special districts. The Committee’s specific duties and tasks are detailed in the Committee’s Rules, and any changes to these rules require a majority affirmative vote.

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## Adopted Workplan & Review of the Special District's Advisory Committee Rules

San Diego LAFCO's current fiscal year workplan includes 30 projects and is divided into two distinct categories – statutory and administrative – along with priority assignments set by the Commission. The policy review of the SDAC Rules is prioritized as the 26<sup>th</sup> project on the Commission's workplan. This task involves coordinating with the Committee to modernize the rules and related procedures, ensuring alignment with the current interests and priorities of the membership.

### DISCUSSION

This item is for the Committee to review and consider modernizing its rules as part of the Commission's adopted workplan. Staff has identified several elements that may benefit from Committee review and potential revisions going forward - including purpose and core focuses, composition and elections, and place and time of meetings. Recommendations for amendments are as follows:

#### 1. Section I | Formation and Purpose

The Committee may consider adding clarifying language to Section I.B.1 regarding how it will advise and make recommendations to the Commission based on current preferences.

#### 2. Section II | Membership

- **Section II.A (Composition):** The rules currently specify a 16-member Committee, including at least one water, sewer, and fire district from within San Diego County. The Committee may consider alternative compositions based on current preferences.
- **Section II.B (Selection Procedure):** The rules currently call for annual elections for membership through the Special Districts Selection Committee. The Committee may consider alternatives in holding elections as well as related items – such as recruitment and eligibility topics – based on current preferences.
- **Section II. C (Term of Membership):** The current rules specify a four-year term for members with no term limits. The Committee may consider alternatives to terms and related topics based on current preferences.

### 3. Section IV | Meetings

- **Section IV.B (Schedule of Meetings):** Regular meetings are currently scheduled for the third Friday of each quarter, or the fourth Friday if it conflicts with a LAFCO holiday. Special meetings can be called by the Executive Officer, Chairperson, or nine members, with 24-hour notice. The Committee may consider biannual meetings and adjusting the number of members required to call special meetings if the Committee size changes. The Committee may consider alternatives to the timing of regular and/or special meetings based on current preferences.
- **Section IV.C (Time and Place of Meeting/Agendas):** Rules currently outline meetings are generally be held at the University of California Cooperative Extension, 9335 Hazard Way, Suite 201, San Diego, California, with the location specified on the agenda. It also outlines a meeting start time of 9:30 a.m. The Committee may consider alternatives to the place and time of regular meetings based on current preferences or elect to update the rules based on current practice as well as current preferences.
- **Section IV.D (Conduct of Meeting):** The Committee currently relies on LAFCO staff to organize and present information at regular and special meetings. The Committee may consider formalizing this practice and/or consider other alternatives based on current preferences.

### 4. Section VII | Place of Business

The rules list the SDAC's office as Suite 200, 9335 Hazard Way, San Diego. This should be updated to reflect San Diego LAFCO's current address: 2550 Fifth Avenue, Suite 725, San Diego, CA 92103.

The Special Districts Rules are provided as Attachment One.

### ANALYSIS

None. This item is for the Committee to discuss and provide related feedback to LAFCO staff as collectively warranted.

### RECOMMENDATION

See above.

### ALTERNATIVES FOR ACTION

See above.

## PROCEDURES FOR CONSIDERATION

This item has been placed on the Committee's agenda for discussion and possible action as part of the business calendar. The following procedures are recommended in the consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Invite comments from interested audience members.
- 3) Discuss and provided feedback as requested.

Respectfully,

A handwritten signature in black ink that reads "Priscilla Mumpower". The signature is written in a cursive, flowing style.

Priscilla Mumpower  
Assistant Executive Officer

Attachments:  
Special District Advisory Committee Rules

**SAN DIEGO  
LOCAL AGENCY FORMATION COMMISSION  
SPECIAL DISTRICTS ADVISORY COMMITTEE  
RULES**

**SECTION I  
FORMATION AND PURPOSE**

A. Authorization for Formation

The Special Districts Advisory Committee was formed on August 2, 1971 to review the "Rules and Regulations Affecting the Functions of Special Districts and for Representation of Independent Special Districts" on San Diego LAFCO. Instead of disbanding the Committee after district representatives were seated, the Commission retained the Committee to serve as both a forum for discussion and a method of channeling information to LAFCO on pending projects/issues.

B. Statement of Purpose

Recognizing the diversity of special districts and the need for technical advice on pending LAFCO projects/issues, the Commission hereby continues the San Diego LAFCO Special Districts Advisory Committee. The purposes of the Committee are to:

1. Assist LAFCO in the performance of its duties by (1) reviewing, before consideration by the Commission, those proposed boundary changes, spheres of influence adoption or amendment, or other special studies that affect special districts and require technical insight and expertise, and (2) making recommendations to the Commission.
2. Identify areas of potential conflict between cities, county service areas, and special districts and facilitate voluntary resolution of those conflicts rather than by formal action of LAFCO.
3. Identify districts that are no longer functioning efficiently and/or cost-effectively and make appropriate recommendations.
4. Assist districts that desire reorganization as a means of providing better service.
5. Assist LAFCO in coordinating its decisions with other agencies.
6. Review, study, and recommend changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

## **SECTION II MEMBERSHIP**

### A. Composition

The San Diego LAFCO Special Districts Advisory Committee shall consist of sixteen (16) members. They shall represent as many different types of special districts as possible. There shall be representation from at least one water, one sewer, and one fire district. Members may be either an elected board member or a staff person. Members of the Committee may not also be members of LAFCO. The number of candidates and members of the Advisory Committee representing the same agency shall be limited to one. In addition, candidates for the advisory committee shall not also be candidates for LAFCO.

Membership is restricted to those independent special districts located entirely within the county of San Diego, or for which the county of San Diego is its principal county. The County of San Diego shall be permitted a nonvoting representative, who shall be appointed by the County Chief Administrative Officer.

### B. Selection Procedure

Members of the Special Districts Advisory Committee shall be selected by the Independent Special District Selection Committee of San Diego county, as constituted in Government Code Section 56332. An annual election shall be conducted, in accordance with the adopted "San Diego County Independent Special District Selection Committee Rules," to fill all existing vacancies in the committee membership. If a vacancy occurs subsequent to a regular election, and more than sixty (60) days prior to the next regular election, a list of candidates for consideration to an interim appointment shall be presented for committee discussion at the next available committee meeting after the vacancy occurs. The Committee chairperson may make an interim appointment, with recommendations from the full advisory committee, until the next regular election.

### C. Term of Membership

Members shall serve four-year terms that will expire on October 31 or until certification of the election results. Members may serve more than one term.

### D. Termination of Membership

Any member may be removed at any time and without cause by a majority vote of the Independent Special District Selection Committee.

A member may be removed if he or she is absent from four (4) consecutive regular meetings.

A member shall be ineligible to continue as a member if he or she ceases to be a board member or staff person of his or her special district, or is appointed to either a regular or alternate position on LAFCO.

### **SECTION III OFFICERS**

#### A. Number and Selection

The officers of the Committee shall be Chairperson and Vice Chairperson. The Committee may create and appoint such additional officers as may be necessary to carry out the work of the Committee.

The officers shall be chosen annually at the regular December meeting, or the first regular meeting held thereafter. Each officer shall hold office until resignation, removal, other disqualification to serve, or until a successor has been chosen.

#### B. Duties of the Chairperson

The Chairperson shall preside at all meetings of the Committee, and appoint members and provide instructions to all subcommittees. The Chairperson, the Vice Chairperson, or other designated committee member may attend and represent the Committee at any meeting of LAFCO.

#### C. Duties of the Vice Chairperson

In the absence of the Chairperson, the Vice Chairperson shall perform all of the duties of the Chairperson. The Vice Chairperson shall also preside as the chairperson of all subcommittees and shall report to the Chairperson on the progress of a subcommittee's activities.

#### D. Duties of the Secretary

LAFCO shall provide a staff person to act as the Secretary for the Committee. The Secretary shall (1) prepare and mail agendas and other notices to the Committee, (2) take, transcribe, and distribute minutes of committee meetings, and (3) perform such other tasks as are necessary to conduct the business of the Committee.

## **SECTION IV MEETINGS**

### A. Compliance with Ralph M. Brown Act

All meetings of the Special Districts Advisory Committee shall be posted, noticed, and conducted in compliance with the Ralph M. Brown Act.

### B. Schedule of Meetings

Regular meetings of the Special Districts Advisory Committee shall be scheduled on the third (3rd) Friday of the last month of each quarter. If the regular meeting date of the Local Agency Formation Commission (LAFCO) on the first (1st) Monday of the following month is a holiday, the regular meeting of the Special Districts Advisory Committee shall be on the fourth (4th) Friday.

Special meetings may be called at any time by the Executive Officer or Chairperson, or by nine (9) committee members. Notice of such special meetings shall be mailed or delivered to each member, and must be received at least twenty-four (24) hours before the time set for said meeting.

### C. Time and Place of Meeting/Agendas

Meetings of the Committee shall be scheduled to be held at the University of California cooperative Extension located at 9335 Hazard Way, Suite 201, San Diego, California. Any meeting may, however, be held at a site at the discretion of the Chairman and/or Executive Officer. The meeting location of all meetings shall be indicated on the agenda distributed and posted for that meeting. Meetings shall be scheduled to commence at 9:30 a.m., and when a quorum is present. The specific meeting room and time will be determined monthly, prior to preparation, distribution, and posting of that month's agenda, and will depend on availability of meeting rooms. All committee members will be sent either an agenda or cancellation notice at least one week prior to each scheduled meeting.

### D. Conduct of Meetings

A member unable to attend a meeting shall notify the LAFCO office at least twenty-four (24) hours prior to the meeting.

The Chairman may alter the sequence in which agenda items will be considered.

Except as permitted by Section 54954.2 of the Ralph M. Brown Act, the Committee shall not discuss, or take action on, any item not included on the agenda for that meeting.



A member may briefly respond to statements or questions from members of the public during the Public Comment period.

A member may ask a question for clarification, make a **brief** announcement, or make a **brief** report on his or her own activities.

A member, or the Committee itself, may request LAFCO staff to provide information at a future meeting or to place an item on a future agenda.

## SECTION V VOTING

### A. Vote Entitlement

Each committee member shall be entitled to one vote, even though that member may be a board member or staff person of more than one special district.

### B. Quorum

The presence of five (5) or more members shall constitute a quorum for the transaction of business at any regular or special meeting of the Committee.

### C. Number of Votes Required to Carry Action

Adoption of any recommendation or other action shall require a majority affirmative vote. When seven (7) or fewer votes are cast, a minimum of four (4) affirmative votes shall be required to carry an action.

### D. Disqualification

When a committee member is a board member or staff person of a district that is a subject district of a proposal (as defined by Gov't Code Section 56077), that member may participate in the discussion of, but may not vote on the Committee's action regarding that proposal.

## SECTION VI SUBCOMMITTEES

The Advisory Committee may create such subcommittees as the business of the Committee may require, each of which shall exist for such period and have such authority and perform such duties as the Committee from time to time determines.

**SECTION VII  
PLACE OF BUSINESS**

The principal business office of the Special Districts Advisory Committee is in the San Diego LAFCO office, Suite 200, 9335 Hazard Way, San Diego, California 92123.

**SECTION VIII  
AMENDMENT**

These Rules may be amended by a majority vote of the Committee at any regular or special meeting. The Executive Officer may make technical changes as necessary, after consulting with all committee members, to ensure compliance of these Rules with current law and committee policy.

Adopted: September 23, 1971

Amended: December 1972  
December 18, 1973  
December 21, 1976  
July 26, 1994  
June 19, 1992  
December 20, 1996  
December 19, 1997  
March 20, 1998  
December 17, 2004  
July 31, 2014  
March 9, 2018