



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

8c

AGENDA REPORT
 Business | Action

October 7, 2024

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Joelle Burila, Local Government Analyst I

SUBJECT: **FY25 Appointments to the California Association of Southern Region LAFCOs**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report to formally make two appointments to the Association of Southern Region LAFCOs (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego) consisting of one Commissioner and an alternate. The Association of Southern Region LAFCOs meets quarterly and provides legislative support and educational resources to its members.

BACKGROUND

The six Southern California LAFCOs (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego) formally organized the “Southern Region of the California Association of Local Agency Formation Commissions” to foster collaboration among Commissioners and staff in the Southern Region. The Association provides legislative support and educational resources to its members with the purpose of influencing legislation and related activities of LAFCO interest. The Southern Region functions solely to share information and improve collaboration among its member agencies and to communicate common concerns to the CALAFCO Board of Directors.

<p>Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 E lafco@sdcounty.ca.gov www.sdlafco.org</p>	<p>Joel Anderson County of San Diego</p> <p>Jim Desmond County of San Diego</p> <p>Nora Vargas, Alt. County of San Diego</p>	<p>Kristi Becker City of Solana Beach</p> <p>Dane White City of Escondido</p> <p>John McCann Alt. City of Chula Vista</p>	<p>Chair Stephen Whitburn City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Vice Chair Barry Willis Alpine Fire Protection</p> <p>Jo MacKenzie Vista Irrigation</p> <p>David Drake, Alt. Rincon del Diablo</p>	<p>Harry Mathis General Public</p> <p>Brigitte Browning, Alt. General Public</p>
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San Diego LAFCO

October 7, 2024 Meeting

Agenda Item No. 8c | FY25 Appointments to the Association of Southern Region LAFCOs

In 2010, the Commission appointed Commissioner Andy Vanderlaan and Executive Officer Michael Ott as the regular voting member and alternate member. It appears Commissioner Jo MacKenzie was subsequently appointed – whether by the Commission or the Chair – to the Association in step with Mike Ott’s retirement. It is recommended the San Diego LAFCO makes two appointments – one regular and one alternate – to the Association of Southern Region LAFCOs.

DISCUSSION

This item is for the San Diego LAFCO to make two appointments – one regular and one alternate – to the Association of Southern Region LAFCOs.

ANALYSIS

The Association of Southern Region LAFCOs provides value to the region by proactively discussing items of mutual interest. The Association provides legislative support and educational resources to its members with the purpose of influencing legislation and related activities of LAFCO interest. The Southern Region functions solely to share information and improve collaboration among its member agencies. Appointments should reflect and represent the interest of the San Diego region as the Commission sees fit.

RECOMMENDATION

It is recommended San Diego LAFCO consider Commissioner preferences and make two appointments – one regular and one alternate – to the Association of Southern Region LAFCOs for FY 2025.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):

Establish two appointments – one regular and one alternate – to the Association of Southern Region LAFCOs.

Alternative Two:

Continue to the next regular meeting and provide direction to staff as needed.

Alternative Three

Take no action.

PROCEDURES

This item has been placed on the agenda for action as part of San Diego LAFCO's business calendar. The following procedures, accordingly, are recommended.

- 1) Receive verbal report from staff unless waived.
- 2) Commission discussion.
- 3) Consider the staff recommendation.

On behalf of the Executive Officer:



Joelle Burila

Local Government Analyst I

Attachments:

- 1) Bylaws of the Southern Region of California Association of LAFCOs (Southern Region)
- 2) San Diego LAFCO Meeting Minutes for August 2, 2010

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BYLAWS
of the
SOUTHERN REGION OF THE CALIFORNIA ASSOCIATION
OF LOCAL AGENCY FORMATION COMMISSIONS
(SOUTHERN REGION)

CHAPTER I
GENERAL PROVISIONS

SECTION 1. These Bylaws rules shall apply to the **SOUTHERN REGION OF THE CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS (SOUTHERN REGION)** and are adopted pursuant to the authority vested to the Board of Directors (Board) by the membership.

SECTION 2. Any Bylaw, may be amended, repealed, or adopted at any time by a three-quarter (3/4) vote of the Board.

SECTION 3. Unless otherwise provided by these Bylaws, all proceedings before the Board shall be conducted in accordance with, and pursuant to, the parliamentary rules of procedures as prescribed in "Rosenberg's Rules of Order." Provided, further, that the failure to follow the parliamentary rules of procedures as prescribed in "Rosenberg's Rules of Order" shall not invalidate any action taken by the Board.

Chapter II

MEMBERSHIP

SECTION 4. Membership in the Southern Region shall consist of each of the LAFCOs within the Southern Region, as designated by the CALAFCO Board of Directors.

SECTION 5. Membership of the Southern Region shall change as the CALAFCO Board of Directors adds or removes LAFCOs from the Southern Region.

SECTION 6. The membership year shall be on a fiscal year basis from July 1 to June 30.

CHAPTER III

MEETINGS

SECTION 7. The regular meetings of the Southern Region shall be held twice annually at a time and location selected by the Chair. The meetings of the Board shall be open to members of the Southern Region and/or invited guests. Meetings of the Southern Region Board, records of reports and actions are to be considered private information.

SECTION 7.5 The first regular meeting of the calendar year shall be referred to as the Annual Summit. In addition to Board members, attendance of other Commissioners and staff shall be encouraged. The agenda for the Annual Summit may include special content, such as outside speakers, as determined appropriate by the Chair or the Board.

SECTION 8. Special meetings of the Southern Region may be called by the Chair. The order calling the Special meeting shall be provided at least three business days in advance and shall specify the time and place of the meeting and the business to be transacted at such meeting, and no other business shall be considered at that Special meeting. Special meetings may be conducted via conference call.

SECTION 9. Board members shall receive no compensation for their participation in attending Southern Region meetings, except as authorized and paid by that member's LAFCO. Member agencies shall be responsible for their own expenses.

CHAPTER IV
ELECTION, POWERS, AND DUTIES OF THE CHAIR
AND VICE-CHAIRS, CONDUCT OF MEETINGS

SECTION 10. The Southern Region Board shall consist of one Commissioner and an alternate from each County. The alternate, as designated by the Commission, can be a staff member or other Commissioner who shall vote in the absence of the regular Commissioner. The Board of Directors shall be presided over by a Chair, a Vice-Chair, a Secretary, and Treasurer to be elected by the general membership.

SECTION 11. The voting membership shall elect the officers at the Annual Summit to serve until the election of their successors. In the event of a vacancy on the Board or in the office of the Chair/ Vice-Chair/Secretary/Treasurer, the next succeeding officer shall serve as his or her replacement for the remainder of the term. If no next succeeding officer is available to serve, the members of the Board shall elect another member of the Board to serve in that office until the end of the term.

SECTION 11.5 When possible, upon election or succession to the position of Chair, the Chair shall designate a staff member of his/her commission to serve as the Executive Officer of the Southern Region. When possible, the Vice-Chair shall similarly designate a staff member from his/her LAFCO to serve as Deputy Executive Officer for the purpose of providing assistance to the Executive Officer. Alternatively, the Chair may designate a staff member of another Southern Region commission to serve as Executive Officer or Deputy Executive Officer.

SECTION 12. The Chair, when present, shall preside over all meetings of the Board and shall conduct the business of the Board in the manner prescribed by these Bylaws. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Board.

SECTION 13. A quorum shall constitute a majority of the voting Board members. In the absence of a quorum, the members present shall adjourn the meeting until the same hours on the next succeeding day or to the next regularly scheduled Board meeting date. For purposes of establishing a quorum, Board Members may access the meeting by telephone.

SECTION 14. In the absence of, or inability of, the Chair to act, the Vice-Chair or in the absence of the Vice-Chair, the next highest ranking officer, shall preside over the meeting. When presiding over the meeting as provided for herein, the Vice-Chair, or in his or her absence, the next highest ranking officer shall have all of the powers and duties of the Chair.

SECTION 15. Each motion made by any member of the Board shall require a second. Motions and seconds may be made by any member of the Board.

SECTION 16. The roll need not be called in voting upon a motion except when requested by a member. If the roll is not called, in the absence of an objection, the Chair may order the motion unanimously approved. When the roll is called on any motion, any member present who does not vote in an audible voice shall be recorded as "aye."

SECTION 17. Each roll call of the Board shall be in random order, except that the Chair shall be called last.

SECTION 18. A majority of the members of the Board constitute a quorum for the transaction of business, no act of the Board shall be valid or binding unless a majority of all the members concur therein.

SECTION 19. The Board may postpone or continue any pending matter at any time by action of a majority of the Board.

SECTION 20. The Chair, Executive Officer, or other designee shall prepare an agenda for each meeting and distribute it to the Board at least three business days in advance of the meeting. The meeting agenda may be updated or amended by the

Chair due to more recent information as needed prior to the meeting, subject to concurrence of the Board at the start of the scheduled meeting.

Chapter V

EXPENSES OF THE SOUTHERN REGION

SECTION 21. Direct costs associated with hosting meetings of the Southern Region may be recovered by the host LAFCO. The host LAFCO shall transmit invoices to member LAFCOs in attendance for payment.

Chapter VI

POLICIES AND PROCEDURES

SECTION 22. Policies and Procedures shall be adopted by the Southern Region Board and may be amended by a majority vote of the Board.

SECTION 23. Legislative Policy and Procedures

I. PURPOSE

The members of the Southern Region have vested interests in legislative issues and proposals that may impact the authority of Local Agency Formation Commissions (LAFCOs) and the policies and the processes outlined in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”). Each member of Southern Region is at liberty to adopt their own local policies and procedures related to legislation and to monitor, track, propose and influence legislation at the local and state level. The purpose of this policy is to provide a mechanism for the coordination of efforts to the benefit of all member agencies that will increase cooperation and effectiveness of legislative advocacy in Southern California and ensure effective representation of legislative concerns in CALAFCO forums.

II. POLICY

It is the policy of the Southern Region to coordinate whenever possible on legislation and legislative activities of LAFCO interest. The Southern Region is not established as a lobbying organization, but functions solely to share information and improve collaboration among its member agencies and to communicate common concerns to the CALAFCO Legislative Committee and Board of Directors.

III. PROCEDURES

- A. Maintain communication concerning and knowledge of legislative activities primarily at the State of California level in the Legislature, local legislators’ staff, the Governor’s Office and with local government offices. Establish and support interaction with legislators and their staff, as appropriate for pending legislation and ongoing legislative efforts.
- B. Monitor activities, identify proposed legislation, and track the progress of those bills or regulations that may have a positive or negative impact upon

Southern Region member agencies relating to the CKH Act or other codes and regulations affecting LAFCO activities.

- C. Prepare written updates to the Southern Region Board at the regular or special meetings or as requested by the Board on proposed bills and their impacts to member agencies. Provide these reports in summary form utilizing electronic tracking programs, if available.
- D. Establish and maintain communication as needed with other organizations that are directly or indirectly affected by CKH. These organizations include, but are not limited to the California Special District Association (“CSDA”), League of California Cities, California State Association of Counties (“CSAC”) and California Association of Sanitation Agencies (“CASA”). Coordinate with the identified agencies to include liaison and interaction with the Southern Region on legislative issues in their regular activities to improve collaboration on legislation of mutual interest. Such communication, whenever possible, should reinforce CALAFCO efforts and, under no circumstances shall such activities undermine activities of, or positions taken by, CALAFCO.
- E. Members of the Southern Region will regularly communicate concerns or information on legislation to the other members in a collaborative manner.
- F. In the event that specific legislation is of great concern to one or more of the member agencies, the Board will meet and determine if more active efforts are required on the bill and the appropriate action to be taken. Such a meeting may be held by telephone conference and scheduled at the request of the Southern Region Chair or Executive Officer.
- G. The preferred forum of communication with CALAFCO shall be through participation of members in the CALAFCO Legislative Committee and through our Southern Region representatives on the CALAFCO Board of Directors.

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**DRAFT
SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
AUGUST 2, 2010**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairman Bud Pocklington. Also present were: Regular Commissioners – Supervisor Dianne Jacob, Councilmember Carl Hilliard, Supervisor Bill Horn, Mayor Mark Lewis, Special District Member John Ingalls and Public Member Andy Vanderlaan. Alternate Commissioners – Special District Member Jo MacKenzie, Mayor Jim Janney and Public Member Harry Mathis. LAFCO Staff – Executive Officer Michael Ott, Local Governmental Analyst, Claire Riley, Legislative Director Harry Ehrlich and LAFCO Legal Counsel Karen Landers. Absent were: Regular Commissioner - Councilmember Donna Frye. Alternate Commissioners – Supervisor Greg Cox, and Councilmember Sherri Lightner.

Item 1
Roll Call

The Commission Secretary performed the roll call for the August 2, 2010 LAFCO meeting. All regular commissioners were present with the exception of Council member Donna Frye.

Item 2
Approval of Minutes of Meeting Held May 3, 2010

Carried unanimously by the Commissioners present, the Commission dispensed with the reading the minutes of May 3, 2010 and approved said minutes.

Item 3
Executive Officer's Recommended Agenda Revisions

Michael Ott indicated that there were no revisions to the agenda.

Item 4
Commissioner / Executive Officer Announcements

Executive Officer, Michael Ott announced that there will be a September 13, 2010 meeting. He informed the Commission that a major Item scheduled for the Agenda will involve the consolidation of all County Sanitation Districts.

Chairman Pocklington commented about the desalination project in the City of Carlsbad which is being developed by Poseidon Resources Corp. He also commented on LAFCO's responsibility with future water issues. Mr. Pocklington stressed the importance of implementing desalination projects in the future even though statistics indicate consumers have been reducing water usage over the past year.

Item 5
Public Comments

Chairman Pocklington indicated there are no public comments.

Item 6
**Proposed “Talwar Annexation” to the
Spring Valley Sanitation District / Somit Talwar (DA09-12)**

At the request of Michael Ott, the Commission waived the staff presentation.

On motion of Commissioner Horn, seconded by Commissioner Jacob, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer’s determination, that pursuant to Section 15319 (b) of the State CEQA Guidelines, this annexation is not subject to the environmental impact evaluation process because the annexation area consists of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small structures; and
- (2) Adopt the form of resolution approving this annexation for the reasons set forth in the Executive Officer’s Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the annexation, subject to the following terms and conditions:
 - (a) Payment of all District annexation fees to the Spring Valley Sanitation District.

Item 7
**Proposed “Farhat Annexation” to the
Otay Water District / Samir Farhat (DA10-03)**

At the request of Michael Ott, the Commission waived the staff presentation.

On motion of Commissioner Horn, seconded by Commissioner Jacob, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer’s determination, that pursuant to Section 15319 (a) of the State CEQA Guidelines, this annexation is not subject to the environmental impact evaluation process because the proposal area contains existing public or private structures and is developed to the density allowed by current zoning or prezoning of either the gaining or losing governmental agency whichever is more restrictive, provided however that the extension of utility services to the

existing facilities would have a capacity to serve only the existing facilities;
and

- (2) Adopt the form of resolution approving this annexation for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the annexation, subject to the following terms and conditions:
 - (a) Payment of all State Board of Equalization fees.

Item 8

Proposed "Meadows 3 Detachment" from the Leucadia Wastewater District (DD10-01)

Chairman Pocklington indicated there was one speaker slip submitted for this item in support of Item 8. He informed the Commission that the speaker requested to speak only if the Commission has any questions.

Michael Ott indicated Claire Riley will provide a brief presentation.

Claire Riley gave a brief presentation to the Commission. Ms. Riley indicated that the Leucadia Wastewater District (WD) is requesting the detachment of 70 parcels totaling 32.52 acres. These properties also known as the La Costa Meadows Unit 3 subdivision include residential properties. She explained the sewer service issues and cost efficiency related to the proposed project. She indicated the City of Carlsbad and Leucadia WD have approved an agreement containing terms and conditions regarding the detachment of the La Costa Meadows Unit 3 area from Leucadia WD. Upon detachment, the City of Carlsbad will take over sewer service and ownership of the collection facilities.

Chairman Pocklington opened the public hearing.

There was no public comment.

Commissioner Pocklington closed the public hearing.

On motion of Commissioner Horn, seconded by Commissioner Jacob, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Find in accordance with the Executive Officer's determination, with the Commission acting as a responsible agency, has considered the environmental effects of the project as shown in the attached mitigated negative declaration prepared by the City of Carlsbad. The mitigation is under the jurisdiction of the City and not LAFCO because the affected resources and the extension of public services will be within the city limits upon detachment; and

- (2) Adopt the form of resolution approving this detachment for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(d), and ordering the detachment, subject to the payment of State Board of Equalization Fees and terms and conditions listed in Attachment 1.

Item 9

Administrative Approval of a Contractual Service Agreement: City of Escondido / "Wisehart Reorganization" (OAS10-05; RO10-05)

At the request of Michael Ott, the Commission waived the staff presentation.

This was an information item and no action was required by the Commission.

Item 10

Fourth Quarter Budget Update FY2009-10

Michael Ott gave a brief Fourth Quarter budget update. He indicated a Fiscal Year net savings of \$15,000 would be realized. He indicated that LAFCO's fund balance from Fiscal Year 2009-10 would be encumbered to pay for an office rehabilitation project. This project will involve lead abatement and potentially asbestos abatement. Mr. Ott requested acceptance of this budget report and authority from the Commission to extend the transfer of funds from the Contingency Reserve Fund for this project in Fiscal Year 2010 and 2011.

On Motion of Commissioner Vanderlaan, seconded by Commissioner Ingalls, and carried unanimously by the commissioners present, the Commission accepted the Fourth Quarter Budget update and extended the authorization of funds for the office rehabilitation project in Fiscal Year 2010-11 and 2011-12.

Item 11

2010 Legislative Update

LAFCO Legislative Director, Harry Ehrlich provided a 2010 Legislative update to the Commission. He mentioned the Legislature was out of session during the month of July and is now in session as of August 2, 2010.

Mr. Ehrlich indicated that there are many bills currently being considered by the Legislature. Two of them are supported by LAFCO and CALAFCO: AB 2795 (Assembly Omnibus Bill) and AB 419 (Caballero) were passed and signed by the Governor on July 7, 2010. He added, the other bills in this report have been moving forward.

Harry Ehrlich explained the current status of AB 853 (Arambula) which is opposed by CALAFCO, League of Cities and CSAC. He said, it is on hold due to the language that is being defined by the author. CALAFCO recently took a "watch" position on this bill because of significant changes made. Mr. Ehrlich mentioned one of the concerns about this bill is an unfunded mandated issue.

He said that CSAC, the League of Cities, and the author are currently working on this matter. Mr. Ehrlich informed the Commission that a major component of the bill that was dropped pertained to the comprehensive infrastructure plans for every agency. Mr. Ehrlich advised the Commission to continue to remain in an “opposed” position for this bill.

Mr. Pocklington asked Mr. Ehrlich if he recommends that the Commission should send another letter in opposition to AB 853 or any of the other bills. Mr. Ehrlich responded that would not be necessary at this time.

Item 12

Appointments/Nominations to CALAFCO and Coalition of California LAFCOs

Michael Ott gave a brief update to the Commission regarding representation on CALAFCO. He indicated that this representation issue resulted in the formation of the Coalition of California LAFCOs (CCL) from the southern counties in California. He explained how in the past, the Southern California counties have had limited representation on CALAFCO; however, for the past several years there has been no representation on CALAFCO from Southern California. He indicated that the CALAFCO Executive Board developed a new governance plan that divides the state into four regions and allocates four board representatives to each region. On July 9, 2010, the CALAFCO membership voted on and approved the regional plan. While it addresses most of the concerns of the Southern California region, some LAFCOs are still concerned about a continued lack of representation given the fact that the southern region of the state contains the majority of the state’s population, but will only have four representatives on CALAFCO.

Mr. Ott also informed the Commission that he, Commissioner Vanderlaan, and Legislative Director Harry Ehrlich have attended all of the CCL meetings and have been contributing members of the organization. He conveyed that at a recent summit held at Lake Arrowhead, Commissioner Vanderlaan and Commissioner Hilliard both contributed valuable comments to the group. At the end of the summit, Bylaws, and Policies and Procedures for CCL were unanimously adopted.

Mr. Ott requested the Commission to accept and approve authorization for Commissioner Vanderlaan and Executive Officer Michael Ott to continue their roles as CCL voting member and alternate, respectively. He informed the Commission that a LAFCO staff member could be an alternate voting member on CCL.

Mr. Ott also recommended that the Commission nominate Commissioner Vanderlaan as a candidate for one of the Public Member seats on the CALAFCO Executive Board. Michael Ott indicated the election will be held in October at the CALAFCO Conference in Palm Springs, CA. He informed the Commission

that he (Michael Ott) and Commissioner Vanderlaan should also be designated as voting members at the annual conference.

Commissioner Vanderlaan thanked the Commission for considering him for these nominations. He commented on the concerns and issues within the structure and representation of CALAFCO. He thanked the Commission for considering him as a nominated public member representative of the southern region for both CALAFCO and CCL.

Commissioner Hilliard commented on the dynamics of group discussions held at the summit. He supports the nomination of Commissioner Vanderlaan as Public Member representative nominee for both organizations.

On Motion by Commission Hilliard and seconded by Commissioner Ingalls and carried unanimously by the commissioners present, the Commission accepted and approved the following recommendations:

- (1) Receive the CALAFCO and CCL report and authorize Commissioner Vanderlaan and the Executive Officer to continue in their roles as CCL voting member and alternate, respectively.
- (2) Nominate Commissioner Vanderlaan to seek one of the four seats (public member) on the reconstituted CALAFCO Executive Board and designate Commissioner Vanderlaan as primary voting member, and Michael Ott as alternate voting member at the CALAFCO Annual Conference.

There being no further business to come before the Commission, the meeting adjourned at 9:23 a.m. to the September 13, 2010 meeting, in Room 302, County Administration Center.

**Ruth Arellano
Administrative Assistant
San Diego Local Agency Formation Commission**