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, December 4, 2023

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
YouTube Channel
@sandiegolafco9909

San Diego LAFCO		
Commissioner	**Appointing Authority**	**Affiliation**
Chair Jim Desmond	Board of Supervisors	County of San Diego
Vice Chair Stephen Whitburn	Mayor of the City of San Diego	City 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 ID
Andy Vanderlaan	Commission	General Public
Dane White	Cities Selection Committee	City of Escondido
Barry Willis	Independent Special Districts	Alpine FPD
Alternate David A. Drake	Independent Special Districts	Rincon del Diablo MWD
Alternate Harry Mathis	Commission	General Public
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
Alternate John McCann	Mayor of the City of Chula Vista	City of Chula Vista

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 Executive Assistant 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
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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 RELATED REQUESTS**
   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 an item listed on the agenda. Three-minute limit. This is also an opportunity for the public to request the Commission pull an item listed on the consent calendar for discussion.

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 November 6, 2023 (action)**
   The Commission will consider action minutes prepared by the Acting Commission Clerk for the November 6, 2023 meeting. Recommendation to approve as presented.

   b) **Commission Ratification | Recorded Payments for October 2023 (action)**
   The Commission will review a report identifying all payments made and received for October 2023. Recommendation to ratify payments as presented.

   c) **Proposed "North Iris Lane - Hallmark Development Reorganization" | Annexation to the City of Escondido with Concurrent Detachment from County Service Area No. 135 and Related Actions (RO23-06) (action)**
   The Commission will consider a reorganization proposal initiated by landowner petition with the principal action to annex 7.7 unincorporated acres near the intersection of North Iris Lane and Robin Hill Lane to the City of Escondido. A concurrent detachment from CSA No. 135 and its regional communication service function is also part of the reorganization. The affected territory includes five contiguous legal parcels. The purpose of the proposal is to facilitate Escondido's tentative approval to develop the affected territory into 102 airspace residential condominiums with ancillary amenities. Staff recommends conditional approval of the proposal as submitted to include removal of the affected territory from Rincon del Diablo Municipal Water District's authorized fire protection and emergency medical service area (Improvement District E). Other standard terms would apply. It is also recommended the Commission waive protest proceedings along with making parallel findings to the Environmental Impact Report (EIR) adopted by Escondido. The affected parcels are identified by the County Assessor's Office as 224-310-05, -06, -07, -08, & -20.

CONSENT ITEMS CONTINUED…

d) Progress Report on the Adopted Workplan (action)
The Commission will receive a progress report on accomplishing the 30 projects included in the adopted workplan for 2023-2024. The report is being presented to the Commission to receive and file with the opportunity to identify potential amendments for future consideration.

e) Authorize Holiday Office Closures (action)
The Commission will consider an Executive Officer recommendation to authorize the closing of the office for the four workdays following Christmas – Tuesday, December 26th through Friday, December 29th. Participating staff would take compensatory time-off should the closures be approved. Staff choosing not to take compensatory time off would work their regular schedules, but the office would remain closed to the public.

f) Approval of 2024 Meeting Calendar (action)
The Commission will consider approving a regular meeting schedule for the 2024 calendar year. It is recommended the Commission follow recent practice and approve regular meetings on the first Monday of each month except for January, July, and September with the former (New Years) and latter (Labor Day) both falling on State holidays. No special meetings are proposed at this time.

g) Commissioner Terms (information)
The Commission will receive its annual report on individual Commissioner terms. One term is set to expire in April 2024 and involves one of the two voting special district seats currently held by Commissioner MacKenzie, which necessitates an election administered by LAFCO as detailed. The report is being presented for information.

h) Report on Active Proposals and Related Activities (information)
The Commission will receive a status report on the 32 active proposals currently on file as well as anticipated filings based on ongoing discussions with proponents. The item is for information and concurrently satisfies LAFCO's reporting requirement involving petition-initiated proposals.

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.

PUBLIC HEARING ITEMS CONTINUED…

a) **Proposed "Colina Fuerte – Via Ascenso Reorganization" | Annexation to the Santa Fe Irrigation District with Concurrent Detachment from Olivenhain Municipal Water District and Conforming Sphere of Influence Actions (RO23-08) (action)**
The Commission will consider a reorganization proposal filed by landowner petition with the principal action to annex approximately 5.14 unincorporated acres in the Rancho Santa Fe community to the Santa Fe Irrigation District. A concurrent detachment from Olivenhain Municipal Water District is also proposed. The proposal purpose is to facilitate the development of a single-family residence within the lone subject parcel by redirecting potable water service from Olivenhain to Santa Fe and in doing so avoid disturbing an existing open space easement. Staff recommends conditional approval of the proposal as submitted, conforming sphere of influence amendments for both subject agencies, and a municipal service review waiver under L-106. It is also recommended the Commission waive protest proceedings and make exemption findings under the California Environmental Quality Act. The subject parcel is identified by the County Assessor's Office as 265-441-01.

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

a) **Preliminary Assessment | Commission Oversight Duties and Port of San Diego (discussion)**
The Commission will receive a preliminary assessment on LAFCO's oversight duties as they relate to the Port of San Diego – formally the San Diego Unified Port District – for discussion and feedback. Based on available information, the assessment concludes the Port is a district subject to LAFCO oversight. It similarly concludes the Port qualifies as an "independent" district, and accordingly eligible to seat members on the Commission and responsible for proportionally paying part of the districts' share of the LAFCO budget. The assessment is qualified given the potential for additional information to be provided by the Port. Staff will draw on the discussion and related public comments in finalizing the assessment for future Commission consideration.

b) **Draft Comprehensive Update to Personnel Policies (discussion)**
The Commission will review a draft update to the personnel policies as part of the adopted workplan. The draft update has been prepared by LAFCO's contract human resources consultant – Regional Government Services Authority – with input from senior staff. The draft follows a Commission approved scope of work and transitions personnel policies away from relying on the County of San Diego and towards a stand-alone document scaled to LAFCO's unique setting as a public agency with less than 10 employees. The draft is being presented for discussion and feedback and ahead of its finalization for future action.

c) **LAFCO Fee Waivers (discussion)**
The Commission will receive a review of existing policies relating to available applicant fee waivers. The review is being presented in response to a request by Commissioner Willis and provides preliminary analysis on potential revisions to accommodate additional waivers for funding agencies going forward. Discussion only.

8. EXECUTIVE OFFICER REPORT

9. COMMISSIONER ANNOUNCEMENTS & REQUESTS FOR FUTURE ITEMS

10. CLOSED SESSION

a) **Conference with Legal Counsel; Existing Litigation**
Government Code Section 54956.9(d)(1)
The Commission finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the Commission in the litigation
San Diego County Water Authority v. San Diego County Local Agency Formation Commission et al. (San Diego County Superior Court Case No. 37-2023-000036018-CU-TT-CTL)

11. ADJOURNMENT

Attest to Posting:



Erica Sellen
Executive Assistant
Acting Commission Clerk