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AGENDA REPORT
Consent | Action

December 2, 2024

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Erica Sellen, Commission Clerk

SUBJECT: **Approval of 2025 Meeting Calendar**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider approving a regular meeting schedule for the 2025 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. No special meetings are proposed at this time.

BACKGROUND

Policy and Practice

San Diego LAFCO's adopted policy specifies the Commission shall hold regular meetings every month on the first Monday unless provided otherwise due to holidays and/or anticipated lack of business. The policy also provides all regular meetings of the Commission be held starting at 8:00 a.m. in the County of San Diego Administration Center at 1600 Pacific Highway, Room 302 in San Diego. It is also the practice of the Commission to review its upcoming workload each December and formally approve a meeting schedule for the upcoming calendar year. Special meetings are also scheduled by practice either in advance by the Commission as part of the annual calendar or as needed through the Chair.

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Chair Stephen Whitburn, City of San Diego
Marni von Wilpert, Alt., City of San Diego
Vice Chair Barry Willis, Alpine Fire Protection
Jo MacKenzie, Vista Irrigation
David Drake, Alt., Rincon del Diablo
Harry Mathis, General Public
Brigette Browning, Alt., General Public

DISCUSSION

This item is for San Diego LAFCO to consider approving a meeting schedule for the upcoming calendar year. This includes considering anticipated workload and needs therein for scheduling regular and/or special meetings over the next 12-month period. The item also serves as an opportunity for the Commission to review its policies and practices in conducting meetings (place, time, location, frequency, etc.) and provide related direction to staff for possible actions at a future meeting.

ANALYSIS

San Diego LAFCO's adopted workplan coupled with current and expected proposal activities suggests it would be appropriate to schedule regular meetings for each month in 2025 except for January, July, and September. This proposed schedule is consistent with recent practice. No special meetings are proposed at this time.[1]

RECOMMENDATION

It is recommended San Diego LAFCO schedule regular meetings for each month in 2025 except for January, July, and September as well as confirm direction to continue to meet at the place and time provided under policy. This recommendation is consistent with Alternative Action One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO through a single motion:

Alternative One (recommended):

(a) Approve regular meetings on the following dates in 2025:

- Monday, February 3rd
- Monday, March 3rd
- Monday, April 7th
- Monday, May 5th
- Monday, June 2nd
- Monday, August 4th
- Monday, October 6th
- Monday, November 3rd
- Monday, December 1st

(b) Confirm all regular meetings shall be held at the County of San Diego Administration Center at 1600 Pacific Highway in Room 302 starting at 8:00 a.m.

[1] Should the need for a special meeting develop staff will work with the Chair to schedule a time/place.

Alternative Two:
Continue to the next meeting and provide direction to staff as needed.

PROCEDURES

This item has been placed on the 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 unless otherwise specified by the Commission.

On behalf of the Executive Officer:

Erica Sellen
Commission Clerk

Attachments:

1) San Diego LAFCO Commission, Rule 2 (Meetings)
2) County of San Diego CY 2025 Calendar

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RULES
SAN DIEGO
LOCAL AGENCY FORMATION COMMISSION

ARTICLE II
MEETINGS

2.1 Public Meetings
2.2 Regular Meetings
2.3 Adjourned Meetings
2.4 Special Meetings
2.5 Agendas of Regular Meetings
2.6 Quorum; Votes Needed to Carry a Motion; Effect of Failure to Approve a Matter
2.7 Matters Considered
2.8 Attendance at Meetings
2.9 Disqualification
2.10 Per Diems
2.11 Reimbursements
2.12 Electronic Tablet Use

2.1 PUBLIC MEETINGS -

All meetings and activities of the Commission shall be subject to the Ralph M. Brown Act.

2.2 REGULAR MEETINGS -

Regular meetings of the Commission shall be held on the first Monday of each month unless that Monday is a holiday, in which case that meeting will be held the following Monday. Meetings will commence at 8:00 a.m., in Room 302, County Administration Center, 1600 Pacific Highway, San Diego.

2.3 ADJOURNED MEETINGS -

Any meeting may be adjourned to a specific date, time, and place. The chairperson shall announce the date, time, and place of the adjourned regular meeting. A notice shall be posted at the Commission's regular place of posting specifying the date, time, and place of the adjourned regular meeting. Less than a quorum may adjourn a meeting. If all members are absent, the Commission Clerk may adjourn the meeting to a specified date, time, and place, and post the required notice.

2.4 SPECIAL MEETINGS -

A special meeting may be called at any time by the chairperson, or by a majority of the members of the Commission, by delivering personally or by any other means, notice to each member of the Commission and to each local newspaper of general circulation, radio, or television station requesting notice in writing. The notice must be received at least

24 hours before the time of the meeting as specified in the notice. The call and notice shall specify the date, time, and place of the special meeting and business to be transacted.
No other business shall be considered at such meetings by the Commission. The written notice may be dispensed with as to any member who at or prior to the time the meeting convenes, files with the clerk of the Commission a written waiver of notice. Such waiver may be given by telegram. The written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The call and notice shall be posted at least 24 hours prior to the special meeting at the Commission's regular place of posting.

2.5 AGENDAS OF REGULAR MEETINGS -

At least 72 hours before a regular meeting, an agenda shall be posted at the Commission's regular place of posting that will contain a brief description of each item of business to be transacted or discussed at the meeting. The agenda shall also be posted on the Commission's website: sdlafco.org. However, failure to post on the Commission's website will not invalidate any action of the Commission. Any person may speak to any item on the agenda. In addition, the agenda will include an item entitled "Public Comment" during which members of public may speak to any matter within the Commission's jurisdiction, but not on the agenda. The Commission will not make a final determination on any issue raised during the Public Comment period that is not included on the agenda. The Commission will have the option of referring the matter to staff or scheduling action for a future agenda. Each speaker shall be limited to no more than three minutes on any item unless extended by permission of the Chairperson.

2.6 QUORUM; VOTES NEEDED TO CARRY A MOTION; EFFECT OF FAILURE TO APPROVE A MATTER -

1. Five members of the Commission constitute a quorum for the transaction of business.
2. An affirmative vote of the majority of the quorum present – and no less than four affirmative votes – is required to adopt any motion.
3. If a proposal for a change of organization or reorganization is wholly disapproved by the Commission, no further proceedings shall be taken on the proposal and no similar proposal involving the same or substantially the same territory, shall be initiated for one year after the date of adoption of the resolution terminating proceedings. The Commission may waive these requirements if it finds it to be in the public interest to do so.
4. If a proposal for a change of organization, reorganization or amendment of a sphere of influence is neither denied, continued nor approved at the meeting at which it is considered, it is deemed denied without prejudice to refiling a petition or resolution of application for the proposal at any time.
5. If a recommendation to adopt an original sphere of influence is neither approved nor continued at the meeting at which it is considered it is deemed automatically continued to the next meeting of the Commission.
6. If an application pursuant to Government Code Section 56895 to amend, modify or revise a resolution of the Commission is not approved or continued at the meeting at

which it is considered, it is deemed denied and no further action shall be taken thereon and no further application for the same or a substantially similar amendment, recodification or revision shall be accepted.

7. Any other recommendation before the Commission is deemed denied if it does not receive affirmative votes of the majority of the quorum present – with no less than four affirmative votes – or is not continued to another meeting.

2.7 MATTERS CONSIDERED -

No matter requiring a determination by the Commission pursuant to the Cortese/ Knox/Hertzberg Local Government Reorganization Act of 2000 shall be brought before the Commission unless it is first filed by the Executive Officer.

Adoption History: Article II, Sections 2.1 to 2.7
Adopted June 30, 1975
Amended February 2, 1987
Amended March 2, 1987
Re-affirmed and adopted December 4, 2000
Administratively Revised and Updated May 24, 2005
Comprehensively Updated and re-adopted March 3, 2008
Amended March 6, 2023 (Section 2:2)
Amended May 1, 2023 (Section 2:10)

2.8 ATTENDANCE AT MEETINGS -

1. Regular members of the Commission shall attend all meetings of the Commission. Alternate members are urged to attend all Commission meetings;
2. If a regular Commissioner cannot attend, s/he shall notify the Executive Officer one working day prior to the Commission meeting;
3. Each Commissioner is expected to remain for each entire meeting. Early departure is considered an absence for the purposes of these policies;
4. The Chairperson may excuse the absence of a Commissioner if s/he determines that the absence is due to sickness, personal emergency or attendance at another governmental function. All excused absences and the reasons for them shall be announced by the Chairperson at a regular meeting of the Commission; and
5. Inadequate attendance by a regular member of the Commission shall be considered non-performance of duties and shall result in the Chairperson notifying the appointing authority of the member's attendance record. Inadequate attendance shall consist of two unexcused absences, or three consecutive absences, for any reason, in any fiscal year.

2.9 DISQUALIFICATION -

By law, the Commission must hold hearings on certain actions, including certain changes of organization and reorganization proposals, adoption of spheres of influence, city protests under the Williamson Act, and other matters. Because of the Commission's concern for the fair and orderly conduct of its hearings, the Commission adopts the following rules, pursuant to Government Code Section 56300:

1. From time to time, any commission member may determine to disqualify him or herself from participating in consideration of a proposal. The member should make every effort to announce his or her disqualification for any reason at the beginning of the Commission's consideration of the item. In those instances where the commission member does not become aware of the reason for disqualification until after the item is before the Commission, the Commission member should disqualify him or herself as soon as s/he becomes aware of the reason for disqualification.

2. A Commission member who is absent from a hearing or a material portion of a hearing on a particular matter is disqualified from participation in the discussion and from voting on that matter unless the member:

   (a) Listens to the tape recording made of the hearing or the portion of the hearing from which the member was absent;
   (b) Examines the documentary material received by the Commission during the hearing or portion of the hearing from which the member was absent; and
   (c) States in public session for the record that s/he has done both of the above.

3. When a member of the Commission is disqualified or determines to disqualify him or herself, the designated alternate member shall serve and vote in his or her place (Government Code Sections 56325, 56325(a), 56331, 56331.3, 56332, 56332(d), 56335 and 56336).

Adoption History: Article II, Sections 2.8 to 2.9
Adopted June 5, 1978
Amended July 13, 1981
Amended January 10, 1983
Amended June 4, 1990
Re-affirmed and adopted December 4, 2000
Administratively Revised and Updated May 24, 2005
Comprehensively Updated and re-adopted March 3, 2008

2.10 PER DIEMS –

Pursuant to Government Code Section 56334, which permits LAFCOs to authorize payment of per diems to commissioners for attending meetings and in performing the duties of their office, the Commission has established a per diem rate of $275 effective July 1, 2023. Per diems shall be provided to Commissioners (regulars and alternates) for each day in attendance at regular and special meetings. Per diems shall also be provided for each day in attendance at standing or ad hoc committee meetings as well as official meetings, conferences, and trainings organized by the California Association of LAFCOs or the Southern Region of LAFCOs. No Commissioner shall receive more than five per diems per month. All requested per diems shall be listed on the LAFCO reimbursement form no later than 30 days after the event.

Adoption History: Article II, Section 2.10

Adopted March 4, 1991
Updated February 7, 2000
Re-affirmed and adopted December 4, 2000
Reaffirmed February 4, 2002
Administratively Revised and Updated May 24, 2005
Comprehensively Updated and re-adopted March 3, 2008
Amended May 7, 2018
Amended May 6, 2019
Updated August 5, 2019
Amended February 7, 2022
Amended May 1, 2023 (Section 2:10)

2.11 REIMBURSEMENTS –

Pursuant to Government Code Section 56380, the Commission shall make its own provisions for the usual and necessary operating expenses incurred by LAFCO. This includes – and as needed – providing reimbursements for Commissioners and staff.

1. The following general provisions apply to reimbursement of Commission expenses:

   (a) Commission members (regulars and alternates) may claim reimbursements for reasonable and necessary expenses incurred in performing the duties of their office.
   (b) The Executive Officer is responsible for reviewing and approving requests for Commission reimbursements.
2. The following general provisions apply to reimbursement of staff expenses:

   (a) Staff shall be reimbursed for all reasonable and necessary expenses in connection with conducting LAFCO business.
   (b) The Executive Officer is responsible for reviewing and approving requests for staff reimbursements other than for himself or herself.
   (c) The Chair or Vice Chair are responsible for reviewing and approving requests for Executive Officer reimbursements.
   (d) For purposes of this section, Commission Counsel shall be considered staff and subject to the reimbursement provisions.
3. The following procedures apply to reimbursements involving Commissioners and staff:
   (a) Expense reimbursement requests should be submitted as soon as possible, although flexibility is permitted for purposes of consolidating multiple expenses, but no later than 45 days after incurring the expense.
   (b) Expense claims for costs incurred in one fiscal year should be – whenever practical – submitted for reimbursement during the same fiscal year.
   (c) Expense claims shall be submitted using the standard LAFCO reimbursement form.
   (d) Applicable receipts shall be provided and attached to the reimbursement form. If receipts are not available, the requester shall succinctly summarize in writing the amount and purpose of the expense and attach to the reimbursement form.
   (e) The following provisions specific to transportation reimbursements apply:
      (i) Transportation requiring outside carrier services – including airlines, rails, shuttles, buses, vehicle rentals, and rideshares – shall be reimbursed equal to actual costs.
      (ii) Transportation requiring private vehicle usage shall be reimbursed using the current mileage rate of the Internal Revenue Service (IRS) plus actuals for tolls and parking. Staff reimbursement for private vehicle usage shall not apply to

normal workday travel to and from the LAFCO office. The Executive Officer shall only be eligible for private vehicle mileage reimbursement for travel outside San Diego County if he or she is receiving an automobile allowance.

(f) The following provisions specific to lodging reimbursements apply:

(i) Lodging reimbursements apply to overnight travel outside San Diego, Imperial, Orange, and Riverside Counties that requires attendance and/or travel before 7:00 a.m. for night-before accommodations and after 6:00 p.m. for night-of accommodations unless waived by the Executive Officer.

(ii) Pre-authorized lodging shall be reimbursed equal to actual costs so long as it does not exceed the maximum group rate published by the activity sponsor (i.e., conference organizer) and available at the time of booking. If a group rate is not available and/or applicable, reimbursement shall be booked at the governmental rate as far in advance as feasible.

(g)The following provisions specific to meals and incidental reimbursements apply:

(i) Meal expenses should be reasonable and moderate, taking into account community standards and the prevailing restaurant costs of the area.

(ii) Where the cost of a meal or meals is included as part of a registration charge or fee, there shall be no per diem meal reimbursement for the applicable meal period covered by such registration.

(iii) Commission and staff may request reimbursement for expenses paid in covering meals and incidentals of those in their company during an authorized function and/or duty that is a person in the service of LAFCO or a person donating service to LAFCO.

(iv) No reimbursements shall be made for alcoholic beverages of any kind.

(h) No prepayments shall be provided to Commission or staff for expected expenses incurred in performing work duties; all related costs shall be provided in the form of approved reimbursements unless otherwise provided under contract.

Adoption History: Article II, Section 2.11

Adopted March 4, 1991
Updated February 7, 2000
Re-affirmed and adopted December 4, 2000
Reaffirmed February 4, 2002
Administratively Revised and Updated May 24, 2005
Comprehensively Updated and re-adopted March 3, 2008
Amended May 7, 2018
Amended May 6, 2019
Administratively Revised and Updated August 5, 2019

2.12 ELECTRONIC TABLET USE -

Use of an electronic tablet (i.e.,iPads, etc.) will assist the Commission in the efficient performance of their duties and reduce material resources. Each Commissioner (regular and alternate) will be provided a tablet and supporting equipment for the principal purpose of reviewing agenda packets at all regular and special meetings. Commissioners shall not use the tablet in any way as to violate the public meeting requirements of the Brown Act. implementing rules follow.

1. Unless otherwise arranged, tablets will be provided to Commissioners on the dais and preloaded with the full agenda packet. The same tablet will be provided to each Commissioner and allow past packets and notes taken therein to be saved

and accessible for future reference. Commissioners shall leave the tablets on the dais for collection by staff at the conclusion of each meeting.

2. Commissioners have the elective to sign-out for a tablet. Under the elective, Commissioners shall be responsible for the security and care of the tablet and downloading all agenda packets and saving all related materials as needed. Upon return and following the preparation any appropriate backup files, the tablet will be wiped clean of any and all information.
3. All tablets will have WI-FI function. No data plans will be provided.
4. Commissioners may use the tablets for incidental personal uses so long as such uses do not conflict with policy or otherwise interfere with LAFCO business.
5. LAFCO will maintain appropriate warranty and service coverage on all tablets. Commissioners shall notify staff immediately should a tablet require service.
6. All other existing LAFCO policies apply to the Commissioners' use of the tablet and conduct on the internet and includes – but not limited to – Administrative Policy A-103 and provided as an appendix.
7. LAFCO reserves the right to inspect any and all files stored on the tablet to ensure compliance with this rule.
8. All Commissioners are encouraged to use tablets and specifically as a substitute for receiving paper agenda packets. Paper agenda packets, nonetheless, will be provided to any Commissioner at their request.

Adoption History: Article II, Section 2.12
Adopted May 6, 2019

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2025

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Legend: County Holiday | Payday | Pay Period Divider

County of San Diego
Department of Human Resources
(619) 531-5100
Calendar available on DHR Intranet

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