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, June 2, 2025

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
Joel Anderson	Board of Supervisors	County of San Diego
Kristi Becker	Cities Selection Committee	City of Solana Beach
Jim Desmond	Board of Supervisors	County of San Diego
Jo MacKenzie	Independent Special Districts	Vista Irrigation
Vacant	Commission	General Public
Dane White	Cities Selection Committee	City of Escondido
Alternate Brigette Browning	Commission	General Public
Alternate David A. Drake	Independent Special Districts	Rincon del Diablo MWD
Alternate John McCann	Cities Selection Committee	City of Chula Vista
Alternate Marni von Wilpert	Mayor of the City of San Diego	City of San Diego
Alternate – Vacant	Board of Supervisors	County 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.
- 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.

The Commission may proceed with the meeting, even where there is a disruption that prevents the Commission from broadcasting the meeting to members of the public or from receiving public comment from members of the public using a call-in option or internet-based service option, unless such disruption prevents a member of the Commission is participating under Government Code Section 54953, subdivision (e) or (f).

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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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. Any supplemental communications received will also be addressed. The Chair will also consider requests from Commissioners to rearrange any agenda items.

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 May 5, 2025 (action)**
   The Commission will consider action minutes prepared by the Commission Clerk for the May 5, 2025 meeting. Recommendation to approve as presented. (Pages 7-18)

   b) **Commission Ratification | Recorded Payments for April 2025 (action)**
   The Commission will review a report identifying all payments made and received for April 2025. Recommendation to ratify payments as presented. (Pages 19-24)

   c) **Progress Report on 2024-2025 Workplan (action)**
   The Commission will receive a progress report on the adopted workplan and the activities associated with the 30 special projects set for 2024-2025. Recommendation to formally receive the item. (Pages 25-36)

   d) **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 37-52)

   e) **Notice of Administrative Approval | "Halstead – Olivewood Lane Out-of-Agency Wastewater Services with the San Diego County Sanitation District" (OAS25-11) (information)**
   The Commission will receive notice of an administrative approval by the Executive Officer authorizing San Diego County Sanitation District to provide out-of-agency wastewater services to an unincorporated property at 1545 Olivewood Lane due to a failing septic system. The approval is for an existing single-family residence. Approval is termed on the landowner submitting an annexation proposal within one year. The project is exempt from further environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15269(c). Information only. (Pages 53-68)

CONSENT ITEMS CONTINUED…

f) **Commissioner Request |**
Expenses within the Professional Services Account (information)
The Commission will receive an informational report summarizing professional service expenses over the past five fiscal years. This report is provided in response to a request by Commissioner MacKenzie to detail actual expenses in this category with a focus on outside consultants. Information only. (Pages 69-72)

g) **Update on La Jolla Incorporation Proposal (information)**
The Commission will receive an update on the proposed "City of La Jolla Special Reorganization" and concurrent request by proponents to detach the community of La Jolla from the City of San Diego and incorporate it as an independent municipality. The update addresses two recent developments involving a May 12th action by the City Council to initiate litigation as well as the status of a conflict waiver for Commission Counsel. Information only. (Pages 73-80)

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) **Appointment of a Public Member and Other Possible Actions (action)**
The Commission will consider candidate recommendations from its Executive Committee to fill a vacant Regular Public Member seat with a term extending through April 2029. The Committee – comprised of Chair Stephen Whitburn, Vice Chair Barry Willis, and Immediate Past Chair Jim Desmond – interviewed several finalists selected from a pool of 20 eligible applicants. Following deliberation, the Committee voted unanimously to nominate and advance three candidates for consideration by the full Commission. Additionally, and as a contingency allowed under policy, the item notice allows for the Commission to make an appointment to the Alternate Public Member position if it becomes vacated as a result of the Regular Member appointment. It is recommend the Commission appoint a public member by majority vote along with at least one affirmative vote from each membership category. (Pages 81-108)

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

a) **Proposed Policy Amendments |**
Special Districts Advisory Committee Rules (action)
The Commission will consider approving proposed amendments to the governing rules of the Special Districts Advisory Committee (Committee). This item aligns with a current fiscal year workplan objective to modernize the Committee in advising the Commission on its activities and responsibilities. The proposed amendments, developed by the Committee, provide clarification on the Committee's purpose and core functions, refine membership composition and election procedures, adjust meeting scheduling, and update various administrative provisions. It is recommended the Commission approve the proposed amendments to the Committee's rules with any additional revisions as requested.
(Pages 109-136)

BUSSINESS ITEMS CONTINUED…

b) **Proposed "Moody – Lemon Avenue Out-of-Agency Wastewater Services" | City of La Mesa (OAS26-05) (action)**
The Commission will consider a request from the City of La Mesa to extend out-of-agency wastewater service to an approximately 0.3-acre unincorporated parcel located within the Valle de Oro community. The affected territory consists of one undeveloped legal parcel with no assigned situs address and is immediately adjacent to both the City's incorporated boundary and its sphere of influence. The request is intended to facilitate the provision of public wastewater service to support the planned development of one single-family residence and one accessory dwelling unit as allowed under County of San Diego zoning regulations. Staff believes the required determinative statements can be readily made and recommends approval of the request with conditions. Staff further recommends that the Commission find the project categorically exempt from environmental review under State CEQA Guidelines Section 15319(b). (Pages 137-154)

c) **Legislative Report (action)**
The Commission will receive a report summarizing legislative items of interest related to the Commission's regulatory and planning responsibilities. The report highlights seven specific bills with potential material implications for LAFCOs, including two measures – AB 356 and AB 448 – that directly involve the Palomar Health Care District. This item is presented for discussion and potential action, including the option to approve formal positions on one or more of the proposed bills. (Pages 155-216)

d) **Fee Waiver Request and Related Actions | "Proposed Pauma Valley Community Services District Island Annexation" (action)**
The Commission will consider a request from the Pauma Valley Community Services District (CSD) to waive all fees associated with its anticipated application to annex nine unincorporated parcels, collectively totaling approximately 19 acres. The subject parcels are fully enclosed within Pauma Valley CSD's boundary and adopted sphere of influence. Pauma Valley CSD provides two primary municipal service functions – wastewater and security – and asserts these parcels currently receive such services despite being located outside the District's formal boundary. The estimated value of the requested fee waiver is $6,405 based on the assumption the annexation would proceed without requiring a protest proceeding and qualifies as categorically exempt under the California Environmental Quality Act. It is recommended the Commission consider the waiver request and potential alternatives – including a partial fee reduction and/or an extended payment plan – and take action as deemed appropriate. (Pages 217-222)

e) **Authorization to Serve as Grant Co-Applicant with RCD of Greater San Diego | Proposed Partnership to Fund an Agricultural Liaison Position (action)**
The Commission will consider a resolution to serve as co-applicant with the Resource Conservation District (RCD) of Greater San Diego on a proposed agricultural conservation capacity grant of up to $250,000. The grant would be awarded by the California Department of Conservation through its Sustainable Agricultural Lands Conservation (SALC) Program. This proposal aligns with a key recommendation from the SALC 1.0 planning grant and would fund an agricultural liaison position to enhance the RCD's capacity to hold conservation easements and deliver outreach and technical assistance to local farmers. Other related actions are also recommended. (Pages 223-278)

BUSSINESS ITEMS CONTINUED…

f) **Report on the 2025 CALAFCO Staff Workshop (information)**
The Commission will receive an informational update following staff's participation in the California Association of LAFCOs' (CALAFCO) Annual Staff Workshop, held April 30–May 2 at the Temecula Creek Inn in Temecula. Information only. (Pages 279-290)

8. EXECUTIVE OFFICER REPORT

9. COMMISSIONER ANNOUNCEMENTS & REQUESTS FOR FUTURE ITEMS

10. ADJOURNMENT

Attest to Posting:

Erica Sellen
Commission Clerk

5a

AGENDA REPORT
Consent | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Erica Sellen, Commission Clerk

SUBJECT: **Approval of Meeting Minutes | Regular Meeting of May 5, 2025**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on May 5, 2025. The minutes are in action form and being presented for formal Commission approval.

BACKGROUND

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and – among other items – requires public agencies to maintain written minutes for qualifying meetings.

DISCUSSION

This item is for San Diego LAFCO to consider approving action minutes for the May 5, 2025 regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Joel Anderson (County of San Diego).
- All alternate Commissioners were present except Marni von Wilpert (City of San Diego).

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Dane White, City of Escondido
John McCann Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

ANALYSIS

The attached draft minutes for the May 5, 2025 regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by the Commission Clerk. A video recording of the meeting has also been posted on the Commission's website (www.sdlafco.org).

RECOMMENDATION

It is recommended San Diego LAFCO approve the draft minutes prepared for the May 5, 2025 regular meeting as presented. This recommendation is consistent with Alternative One outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):
Approve the attached draft minutes prepared for the May 5, 2025 regular meeting with any requested corrections or clarifications.

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

PROCEDURES

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

Respectfully,

Erica A. Sellen

Erica Sellen
Commission Clerk

Attachment:

1) Draft Meeting Minutes for May 5, 2025

DRAFT MINUTES
SAN DIEGO LAFCO
May 5, 2025 REGULAR MEETING

1. 8:15 A.M. – CALL TO ORDER BY CHAIR

Item 1a
ROLL CALL OF COMMISSIONERS PRESENT

The regular meeting was called to order at 8:17 a.m. by Chair Whitburn. The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present:	Kristi Becker, City of Solana Beach Jim Desmond, County of San Diego Jo MacKenzie, Vista Irrigation District Stephen Whitburn, City of San Diego (CHAIR) Dane White, City of Escondido Barry Willis, Alpine Fire Protection District (VICE CHAIR)
Alternates Present:	Brigette Browning, Public (voting) David Drake, Rincon Municipal Water District John McCann, City of Chula Vista
Members Absent:	Joel Anderson, County of San Diego (regular) Marni von Wilpert, City of San Diego (alternate)

The Commission Clerk confirmed a quorum with seven voting members present.

Also present at the time of roll call were the following LAFCO staff members: Executive Officer Keene Simonds; Assistant Executive Officer Priscilla Mumpower; Assistant Commission Counsel Aleks Giragosian; Local Government Analyst II Michaela Peters; Local Government Analyst I Joelle Burila; Local Government Analyst I Meghan Traynor; Communications Associate Aiden Velasquez; GIS Analyst Dieu Ngu; and Commission Clerk Erica Sellen. LAFCO Consultants Chris Cate, Mike Stein, and Adam Wilson were also present.

Item 1b
PLEDGE OF ALLEGIANCE

Commissioner Drake led the Pledge of Allegiance.

Chair Whitburn acknowledged and paid respects to the recent passing of former Commissioner Harry Mathis and Vic Alavi, Executive Director of Blue Barn Creative.

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

None.

3. AGENDA REVIEW

Chair Whitburn asked Executive Officer Simonds if there were any requests to remove or rearrange items on the agenda. Executive Officer Simonds stated no changes to the agenda were needed but noted the late distribution of supplemental correspondence involving Agenda Item Nos. 6b and 7b.

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

Chair Whitburn invited 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. Chair Whitburn invited comments from the following registered speaker:

- Jack Bebee, General Manager, Fallbrook Public Utility District

The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

5. CONSENT ITEMS

Item 5a
Approval of Meeting Minutes for March 3, 2025
Item presented to approve draft action minutes prepared for the Commission's March 3, 2025 meeting. Recommendation to approve.

Item 5b
Commission Ratification | Recorded Payments for February and March 2025
Item presented to ratify recorded payments made and received by the Executive Officer for the months of February and March 2025. Recommendation to ratify.

Item 5c
Budget Update for 2024-2025 | Third Quarter Actuals + Year-End Projections
Item presented to review a report comparing budgeted and actual amounts for the third quarter of 2024-2025 and related end-year projections. No amendments are proposed. Recommendation to formally accept and file.

Item 5d
Progress Report on 2024-2025 Workplan
Item presented to receive a progress report on the adopted workplan, and activities associated with the 30 special projects set for 2024-2025. Recommendation to formally receive the item.

CONSENT ITEMS CONTINUED…

Item 5e
Proposed "Biermann-N. Ash Street Reorganization" |
Annexation to the City of Escondido and Related Actions (RO24-17)
Item presented to consider a reorganization proposal initiated by landowner petition with the principal action to annex 0.81 unincorporated acres to the City of Escondido. The affected territory as submitted is presently developed with a 2,100 square-foot single family residence located at 2174 North Ash Street. The reorganization also includes a concurrent detachment from CSA No. 135 as well as exclusion from Rincon del Diablo MWD's Improvement District E. Recommendation to conditionally approve the proposal as submitted, waive protest proceedings, and make exemption findings under CEQA.

Item 5f
Report on Active Proposals and Related Activities
The Commission will receive a status report on active proposals currently on file as well as anticipated filings based on ongoing discussions with proponents. Information only.

Item 5g
Report on Cities and Special Districts Advisory Committee Activities
Item presented to receive an update on activities of the Cities and Special Districts Advisory Committees during Fiscal Year 2024-2025. The report outlines meetings held, committee engagement, and highlights of key discussions. Information only.

**

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn invited comments from the Commissioners. With respect to Item 5g, Commissioner Becker thanked LAFCO staff for providing Cities Advisory Committee members with a recorded PowerPoint presentation, noting its value in light of the Committee's inability to achieve a quorum and hold its regularly scheduled meeting.

**

Commissioner White motioned with a second from Commissioner Becker to approve the consent calendar with staff recommendations (Alternative One) as presented.

Roll call requested:

AYES:	Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES:	None
ABSENT:	Anderson & von Wilpert
ABSTAINING:	None

The Commission Clerk confirmed the motion was approved 7-0.

6. PUBLIC HEARING ITEMS | COMMISSIONER DISCLOSURE OF EX PARTE COMMUNICATIONS

Item 6a
Annual Workforce Vacancy Report in Compliance with Assembly Bill 2561
Item presented to consider an annual workforce vacancy report addressing position vacancies and related topics at LAFCO as of May 2025 consistent with State law. Recommendation to formally receive and file.

**

Chair Whitburn invited disclosures from Commissioners on material ex parte communications. No disclosures were reported.

Executive Officer Simonds provided the staff presentation.

Chair Whitburn proceeded to open the hearing and invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and/or comments from the Commissioners. No discussion.

The Chair proceeded to close the hearing.

**

Commissioner Willis motioned with a second from Commissioner Desmond to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

AYES:	Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES:	None
ABSENT:	Anderson & von Wilpert
ABSTAINING:	None

The Commission Clerk confirmed the motion was approved 7-0.

Item 6b
Proposed Final Workplan and Budget for 2025-2026 and Related Actions
Item presented to consider the Executive Officer's recommendations to adopt the final workplan and budget for 2025–2026. Both documents return substantively intact following their draft adoption in March and subsequent public review. The proposed final workplan continues to outline 30 special projects, with one revision to elevate a special governance study on the Oceanside Small Craft Harbor District to a higher priority. The proposed final budget maintains matching expenses and revenues at $3.164 million, representing an 8.6% increase over the current fiscal year. The sole budget revision reflects a reduction in the local agency contribution rate from 7.6% to 5.0% consistent with Commission direction with the difference offset by an increased use of reserves. Staff recommendation to approve.

PUBLIC HEARING ITEMS CONTINUED…

Item 6b Continued…

**

Chair Whitburn invited disclosures from Commissioners on material ex parte communications. No disclosures were reported.

Assistant Executive Officer Mumpower provided the staff presentation and noted a verbal correction to the agenda report regarding apportionments and the resulting fund balance.

Chair Whitburn opened the hearing and invited public comments from the following online speaker:

- Jonathan Borrego, City Manager, City of Oceanside

Chair Whitburn invited comments from the following registered speakers:

- Les George, Harbor & Beaches Advisory Committee
- George Rhea, Oceanside resident
- Liz Rhea, Oceanside resident

The Commission Clerk confirmed there were no other registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners.

General discussion with overall interest in the proposed budget and proposed amendment to the Oceanside Small Craft Harbor District governance study.

The Chair proceeded to close the hearing.

**

Commissioner Whitburn motioned with a second from Commissioner MacKenzie to approve the staff recommendation (Alternative One) as listed in the agenda report, while directing staff to provide quarterly updates on the progress of the special study of the Oceanside Small Craft Harbor District as well as to consider potential opportunities to move up in priority level.

Roll call requested:

AYES:	Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES:	None
ABSENT:	Anderson & von Wilpert
ABSTAINING:	None

The Commission Clerk confirmed the motion was approved 7-0.

PUBLIC HEARING ITEMS CONTINUED…

Item 6c
Proposed "Cavanaugh – Linda Vista Drive Change of Organization" |
Annexation to Vallecitos Water District & Related Sphere Action (CO24-13)
Item presented to consider a change of organization proposal initiated by landowner petition to annex approximately one acre of incorporated territory in the City of San Marcos to the Vallecitos Water District. The affected territory comprises an undeveloped legal parcel off of Linda Vista Drive and identified by the Assessor as 219-022-33, which lies immediately outside Vallecitos and associated sphere. The proposal's purpose is to establish wastewater services to facilitate the planned development of one single-family residence with a detached garage. Recommendation to approve with related actions.

**

Chair Whitburn invited disclosures from Commissioners on material ex parte communications. No disclosures were reported.

Local Government Analyst I Burila provided the staff presentation.

Chair Whitburn proceeded to open the hearing and invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. No discussion.

The Chair proceeded to close the hearing.

**

Commissioner Desmond motioned with a second from Commissioner White to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

AYES:	Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES:	None
ABSENT:	Anderson & von Wilpert
ABSTAINING:	None

The Commission Clerk confirmed the motion was approved 7-0.

7. BUSINESS ITEMS

Item 7a
Proposed Policy | Financial Accounting and Internal Controls
Item presented to consider approving a policy establishing formal rules and procedures for financial accounting and related reporting. This item ties to the adopted workplan and returns to the Commission largely intact following its initial presentation in March 2025 and marked by addressing reporting responsibilities, capitalization thresholds, and fraud prevention. Revisions are limited to addressing surplus assets. Recommendation to approve.

**

Assistant Executive Officer Mumpower provided the staff presentation.

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. General discussion followed.

**

Commissioner Willis motioned with a second from Commissioner Whitburn to approve the staff recommendation (Alternative One) as listed in the agenda report.

Roll call requested:

AYES:	Becker, Browning (voting), Desmond, MacKenzie, Whitburn, White, & Willis
NOES:	None
ABSENT:	Anderson & von Wilpert
ABSTAINING:	None

The Commission Clerk confirmed the motion was approved 7-0.

Item 7b
La Jolla Incorporation Proposal
Item presented to receive an update on the proposed "City of La Jolla Special Reorganization" and the concurrent requested actions to detach the community from the City of San Diego and incorporate as the City of La Jolla. LAFCO staff has confirmed the proponents have collected enough valid petitions equal to no less than 25% of all registered voters within the proposed municipal boundary. LAFCO staff will now proceed in initiating the administrative review on the proposal and headlined by selecting an outside consultant to prepare a comprehensive fiscal analysis. Information only.

**

BUSINESS ITEMS CONTINUED…

Item 7b Continued…

Executive Officer Simonds provided the staff presentation.

Chair Whitburn invited comments from the following registered speaker:

- Dion Akers, Office of the Mayor

The Commission Clerk confirmed there were no other registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. General discussion followed with questions on next steps.

No action.

Item 7c
Memorandum of Understanding with Los Angeles, Orange, and San Bernardino LAFCOs for Continuing Education and Legislative Support Services
Item presented to receive an update on efforts to establish alternative support services for non-renewing membership with CALAFCO for reasons detailed at the February 2025 meeting. Efforts have resulted in an agreement with Los Angeles, Orange, and San Bernardino LAFCOs to jointly provide continuing education and legislative advocacy services beginning July 1, 2025. Information only.

**

Executive Officer Simonds provided the staff presentation.

Chair Whitburn invited comments from the public. The Commission Clerk confirmed there were no registered speakers (audience or remote) or live e-mail comments.

Chair Whitburn proceeded to invite questions and comments from the Commissioners. General discussion followed.

No action.

8. EXECUTIVE OFFICER REPORT

None.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

Commissioner Willis expressed interest in discussing potential fee waivers or reductions for the Pauma Valley Community Services District in relation to their interest in filing a future proposal for LAFCO consideration.

10. ADJOURNMENT TO NEXT MEETING

With no further business, Chair Whitburn adjourned the meeting at 9:49 a.m.

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its May 5, 2025 meeting.

ATTEST,

Erica Sellen
Commission Clerk

Blank for Photocopying

5b

AGENDA REPORT
Consent | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

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

SUBJECT: **Commission Ratification | Recorded Payments for April 2025**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report identifying payments made and received in April 2025. Payments cover all recorded transactions and include $0.253 million in total distributions made by the Executive Officer. One-half of all payments made go to the County of San Diego for payroll reimbursements as well as charges for general overhead and information technology. Most of the remaining payments made involve professional services. Payments received total $0.007 million and tie to two new applications. It is recommended the Commission ratify the payments.

BACKGROUND

Accounting Policies and Procedures

San Diego LAFCO's policies direct the Executive Officer to maintain appropriate accounting controls for all financial transactions conducted on behalf of the Commission. These policies specify spending allowances and require competitive bid procedures for transactions ranging from $10,000 to $124,999 unless waived due to unique circumstances. Any financial transaction of $125,000 or more requires formal approval by the Commission.

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John McCann Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

DISCUSSION

This item is presented for San Diego LAFCO to consider ratification of all payments made and received by the Executive Officer for April 2025. A detailed listing of these transactions is provided in Attachment One (April). The item also affords the Commission an opportunity to pull it for discussion and provide feedback on potential modifications to purchasing practices and/or accounting procedures moving forward.

ANALYSIS

San Diego LAFCO's recorded payments made by the Executive Officer for April 2025 total $252,732, with 49% - or $125,323 - associated with transactions involving the County of San Diego. These include payroll reimbursements for two pay periods plus charges for general overhead and information technology services. All expenditures are consistent with the adopted budget. Revenues collected total $7,088 and reflect two new applicant filings.

RECOMMENDATION

It is recommended San Diego LAFCO ratify the payments made and received by the Executive Officer for April 2025 as presented. Recommendation is consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):
Ratify the recorded payments received and made by the Executive Officer for April 2025 as shown in Attachments One and Two.

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

Alternative Three
Take no action.[1]

1 Payment ratifications are not required under LAFCO policy but are presented to the Commission per practice.

PROCEDURES

This item has been placed on 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

Attachment:

1) Recorded Transactions in April 2025

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SAN DIEGO LAFCO
Expenses by Vendor Detail
April 2025

Payable | Receivable Party	Date	Account	Amount	Purpose	Type	Funding Account
E | 3MC Strategies						
	4/16/2025	52370.F · Professional Services	8,050.00	Consultant Services | Intergovernmental	electronic	1000 · County Account (44595)
E | Ace Parking						
	4/18/2025	52530 · Office Lease	62.00	Parking Validations	electronic	1000 · County Account (44595)
	4/30/2025	52530 · Office Lease	1,080.00	Monthly Parking Rent	electronic	1000 · County Account (44595)
			1,142.00			
E | ADW Consulting LLC						
	4/30/2025	52370.F · Professional Services	10,950.00	Consultant Services | Intergovernmental	electronic	1000 · County Account (44595)
E | After Effects (Adobe)						
	4/11/2025	52270 · Memberships	22.99	Monthly Video Editing Software Subscription	credit card	3558-60 · SDCCU Visa Credit Card
E | Agricultural Impact Associates LLC						
	4/2/2025	52304 · Miscellaneous	19,236.67	SALC Grant Payment	electronic	1000 · County Account (44595)
E |Aiden Velasquez						
	4/9/2025	52610 · Non-Travel/In-County	34.91	Reimbursement | Documentary Interview - Lunch	check	3558 · SDCCU Checking
	4/30/2025	52330 · Office Expense	40.75	Reimbursement | SDAC Meeting Refreshments	check	3558 · SDCCU Checking
	4/30/2025	52332 · Postage	56.10	Reimbursement | Agenda Packets Postage DD, JM & BW	check	3558 · SDCCU Checking
			131.76			
E | Amazon						
	4/3/2025	52566 · Minor Equipment	-1,264.96	Refund | Camera Equipment Return	credit card	3558-60 · SDCCU Visa Credit Card
	4/9/2025	52566 · Minor Equipment	268.84	Camera Equipment	credit card	3558-60 · SDCCU Visa Credit Card
	4/17/2025	52344 · Stores Unallocated	212.89	General Office Supplies	credit card	3558-60 · SDCCU Visa Credit Card
			481.73			
E | Ambius						
	4/9/2025	52344 · Stores Unallocated	434.23	Monthly Service for Office Plants	check	3558 · SDCCU Checking
E | Assura Software						
	4/18/2025	52074 · Telecommunications	750.00	Website Hosting Support Services	electronic	1000 · County Account (44595)
E | AT&T Mobilty						
	4/30/2025	52074 · Telecommunications	641.01	Monthly Cell Phone | LAFCO Staff	check	3558 · SDCCU Checking
E | BJ's Restaurant						
	4/4/2025	52610 · Non-Travel/In-County	91.00	EO Meeting with Consultants (CC + PB)	debit card	3558 · SDCCU Checking
E | Canva						
	4/8/2025	52270 · Memberships	30.00	Monthly Subscription	credit card	3558-60 · SDCCU Visa Credit Card
E | Colantuono, Highsmith & Whatley						
	4/16/2025	52370.B · Professional Services	6,668.53	Commission Counsel Services	electronic	1000 · County Account (44595)
E | Corodata						
	4/9/2025	52330 · Office Expense	60.45	Monthly Document Storage	check	3558 · SDCCU Checking
	4/30/2025	52330 · Office Expense	60.45	Monthly Document Storage	check	3558 · SDCCU Checking
			120.90			
E | County of San Diego						
	4/1/2025	52354 · Mail/Postage ISF	556.10	Mail/Postage Services	electronic	1000 · County Account (44595)
	4/1/2025	52178 · Vehicle Maintenance	143.20	Vehicle Maintenance Services	electronic	1000 · County Account (44595)
	4/1/2025	52182 · Vehicle Fuel	45.84	Vehicle Fuel	electronic	1000 · County Account (44595)
	4/1/2025	52758 · Vehicle Lease	165.49	Vehicle Lease	electronic	1000 · County Account (44595)
	4/1/2025	52721 et al. · Communications (IT) Services	6,360.64	County IT Services (ITRACK)	electronic	1000 · County Account (44595)
	4/3/2025	52504 · Equipment Rental	1.80	County Surcharge | Xerox	electronic	1000 · County Account (44595)
	4/11/2025	51110 et al. · Employee Payroll	58,625.04	Payroll | Pay Period 2025-21	electronic	1000 · County Account (44595)
	4/25/2025	51110 et al. · Employee Payroll	58,334.99	Payroll | Pay Period 2025-22	electronic	1000 · County Account (44595)
	4/29/2025	52504 · Equipment Rental	1.57	County Surcharge | Xerox	electronic	1000 · County Account (44595)
	4/30/2025	52304 · Miscellaneous	1,088.50	SALC Grant Payment to County DPS	electronic	1000 · County Account (44595)
			125,323.17			
E | CSDA San Diego Chapter						
	4/30/2025	52610 · Non-Travel/In-County	80.00	Quarterly Dinner Meeting Registration (JB)	credit card	3558-60 · SDCCU Visa Credit Card
E | Dieu Ngu						
	4/9/2025	52566 · Minor Equipment	172.88	Reimbursement | Camera Equipment	check	3558 · SDCCU Checking
E | Erica Sellen						
	4/9/2025	52610 · Non-Travel/In-County	61.96	Reimbursement | Office Activity	check	3558 · SDCCU Checking

SAN DIEGO LAFCO
Expenses by Vendor Detail
April 2025

Payable | Receivable Party	Date	Account	Amount	Purpose	Type	Funding Account
E | Fax Plus						
	4/8/2025	52330 · Office Expense	9.26	Monthly Fax Machine Payment	debit card	3558 · SDCCU Checking
E | Instagram						
	4/30/2025	52074 · Telecommunications	219.51	Social Media Posts Boost	credit card	3558-60 · SDCCU Visa Credit Card
E | Joelle Burila						
	4/30/2025	52330 · Office Expense	44.00	Reimbursement | SDAC Meeting Refreshments	check	3558 · SDCCU Checking
E | Kennedy Water Consulting LLC						
	4/2/2025	52370.F · Professional Services	9,487.50	Consultant Services | Utilities	electronic	1000 · County Account (44595)
	4/18/2025	52370.F · Professional Services	9,350.00	Consultant Services | Utilities	electronic	1000 · County Account (44595)
			18,837.50			
E | Lazy Dog						
	4/27/2025	52610 · Non-Travel/In-County	90.21	EO, AEO & BW LAFCO Briefing	credit card	3558-60 · SDCCU Visa Credit Card
E | Manchester Financial 5th Ave LP						
	4/2/2025	52530 · Office Lease	11,816.47	Office & Storage Rent	electronic	1000 · County Account (44595)
E | Michael Stein						
	4/18/2025	52370.F · Professional Services	2,360.00	Consultant Services | Fire	electronic	1000 · County Account (44595)
E | News Library						
	4/8/2025	52270 · Memberships	25.95	SD Tribune Archives Monthly Service	debit card	3558 · SDCCU Checking
E | QuickBooks						
	4/4/2025	52330 · Office Expense	99.00	Monthly Service for Online QuickBooks	debit card	3558 · SDCCU Checking
E | RGS						
	4/4/2025	52370 · Professional Services	107.73	HR Services to AEO	electronic	1000 · County Account (44595)
E | Rick Engineering Co						
	4/2/2025	52304 · Miscellaneous	5,611.32	SALC Grant Payment	electronic	1000 · County Account (44595)
E | Sammy's Woodfire Pizza						
	4/13/2025	52610 · Non-Travel/In-County	114.07	EO, AEO, BB & JM Lunch Meeting: Chula Vista Topics	debit card	3558 · SDCCU Checking
E | San Diego Padres						
	4/11/2025	52610 · Non-Travel/In-County	759.00	Quarterly Bonding Activity (staff and consultants)	credit card	3558-60 · SDCCU Visa Credit Card
E | San Diego Union Tribune						
	4/9/2025	52490 · Publications	6,468.31	PHNs | Public Member & Workplan/Budget (English & Spanish)	check	3558 · SDCCU Checking
	4/15/2025	52330 · Office Expense	1,257.88	Annual Newspaper Subscription	debit card	3558 · SDCCU Checking
			7,726.19			
E | Sloan Sakai Yeung & Wong LLP						
	4/4/2025	52370.B · Professional Services	236.00	Special Counsel Services	electronic	1000 · County Account (44595)
E | W. Michael Hanemann						
	4/21/2025	52370.F · Professional Services	30,000.00	Consultant Services | SDCWA MSR	electronic	1000 · County Account (44595)
E | Xerox						
	4/14/2025	52504 · Equipment Rental	264.31	Xerox Rental	electronic	1000 · County Account (44595)
E | YouTube						
	4/7/2025	52270 · Memberships	22.99	Monthly Streaming Support Services	debit card	3558 · SDCCU Checking
EXPENSE TOTAL			252,732.34			
R | County of San Diego						
	4/30/2025	49200 · Interest & Dividends	44.62	Interest Payment to Account 46725	electronic	1001 · Committed - Stabilization (min. balance of $250k)
	4/30/2025	49200 · Interest & Dividends	68.79	Interest Payment to Account 46726	electronic	1002 · Committed - Opportunity (min. balance of $300k)
	4/30/2025	49200 · Interest & Dividends	90.11	Interest Payment to Account 46727	electronic	1003 · Assigned - Executive Officer (up to $125k)
			203.52			
R | Knite						
	4/29/2025	46234 · Applications	480.40	Processing Fees (OAS25-11)	check	3558 · SDCCU Checking
R | Leucadia WWD						
	4/29/2025	46234 · Applications	6,405.00	Processing Fees (CO25-10)	check	3558 · SDCCU Checking
REVENUE TOTAL			7,088.92			

5c

AGENDA REPORT
Consent | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
Priscilla Mumpower, Assistant Executive Officer

SUBJECT: **Progress Report on 2024-2025 Workplan**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a regular progress update on its adopted fiscal year workplan involving 30 special priority projects aligned with Commission objectives in 2024-2025. More than three-fourths of the projects to date have been initiated, with nine completed and another three nearing completion. Completed items include a municipal service review on the Oceanside region, establishment of an accounting procedures policy, launching an online project management tracker, and the successful convening of scheduled Cities and Special Districts Advisory Committees. It is recommended the Commission formally receive and file this progress report.

BACKGROUND

San Diego LAFCO's current fiscal year workplan was adopted at a noticed public hearing held in May 2024. It includes 30 special projects that are divided into two distinct categories – statutory and administrative – along with priority assignments set by the Commission.

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Joel Anderson, County of San Diego
Jim Desmond, County of San Diego
Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

DISCUSSION

This item provides San Diego LAFCO with a regular progress report on special projects approved as part of the 2024-2025 workplan. It is presented for formal filing with the opportunity to pull the item for discussion. As of this report, three-fourths of all projects have been initiated with 12 complete or nearing completion. These two latter categories involve all of the following:

- **Projects Completed to Date**
  Municipal Service Review of the Oceanside Region
  Filling and Onboarding of all Budgeted Staff Openings
  Transition to Online-Cloud Accounting Software
  Custom Project Management Tracker
  Annual Local Agencies Directory
  Policy Establishment on Public Member Appointments
  Special Districts Advisory Committee Meetings
  Cities Advisory Committee Meetings
  Policy Establishment on Accounting Procedures

- **Projects Nearing Completion**
  Policy Review of Special Districts Advisory Committee Bylaws
  Preparation of Outside Audit for 23-24
  Update to LAFCO Job Descriptions

A full listing of all projects, along with their current statuses — ranging from pending to completion — is provided in Attachment One. A copy of the five-year rolling study schedule is also provided for reference as Attachment Two.

ANALYSIS

None.

RECOMMENDATION

It is recommended San Diego LAFCO receive and file the progress report. This recommendation is consistent with Alternative Action One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):
Receive and file the progress report on the adopted workplan.

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

Alternative Three:
Take no action.

PROCEDURES

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

On behalf of the Executive Officer,



Priscilla Mumpower
Assistant Executive Officer

Attachments:

1) 2024-2025 Workplan Status
2) Five-Year Rolling Study Schedule

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ADOPTED WORKPLAN FOR FY2024-2025
Status as of May 23, 2025

Priority	Level	Type	Project	Description	Status
Ongoing	…	Statutory	Applicant Proposals and Requests	Prioritize resources to address applicant proposals and related requests	
Ongoing	…	Administrative	Targeted LAFCO Presentations	Coordinate timely public outreach; emphasis on informing stakeholders ahead of MSR work	
Ongoing	…	Statutory	Workplan and Budget Management	Actively manage the workplan and budget resources with regular updates to the Commission	
1a	High	Statutory	MSR | Wholesale Water Service Providers	Service-specific MSR on wholesale water suppliers – CWA (comprehensive) + MET (abbreviated)	
1b	High	Statutory	MSR | Healthcare Districts: Part I	Service-specific MSR of the four healthcare districts in San Diego County	
3	High	Statutory	MSR | SANDAG	Agency-specific MSR of SANDAG (housing, transportation, + climate adaption)	
4	High	Administrative	Transition to Online Accounting	Complete transition to QuickBooks accounting from desktop to online platform	
5	High	Statutory	MSR | North Coast Region – Part I	Regional-specific MSR for north coast – cities phase (Carlsbad and Encinitas)	
6	High	Administrative	SALC Planning Grant 2.0	Complete multi-year grant to inform + enhance small farming operations in San Diego County	
7	High	Administrative	RCD Ad Hoc Committee: Part II	Complete second part of RCD true ups; boundaries	
8	High	Statutory	MSR | Central 78 Corridor Region: Part I	Regional-specific MSR for central 78 corridor – cities phase (San Marcos + Vista)	
9	High	Statutory	MSR | Central 78 Corridor Region: Part II	Regional-specific MSR for central 78 corridor – districts phase (San Marcos and Vista FPDs, Vista ID, etc.)	
10	High	Administrative	Policy Review | Audit and Accounting	Prepare update to modernize and expand audit + accounting policies; address auditor recommendations	
11	High	Statutory	MSR | Oceanside Region MSR	Complete regional MSR on Oceanside (City of Oceanside, Oceanside SCHD + Morro Hills CSD)	
12	Medium	Administrative	Staffing and Professional Development	Fill all 8.0 budgeted positions + establish ongoing training	
13	Medium	Administrative	Policy Review | Personnel: Part III	Prepare update to modernize and harmonize all LAFCO job descriptions	
14	Medium	Administrative	Custom Project Management Tracker	Work with outside consultant to develop and implement custom online project tracking platform	
15	Medium	Statutory	Special Districts Advisory Committee	Provide administrative support to the SDAC and hold no less than three formal meetings in FY	
16	Medium	Administrative	White Paper | Homeless Services	Evaluate the scope-scale of governmental homeless services in SD County + potential governance options	
17	Medium	Statutory	Cities Advisory Committee	Provide administrative support to the CAC and hold no less than two formal meetings in FY	
18	Medium	Statutory	MSR | North Coast Region – Part II	Regional-specific MSR for north coast – Part II cover districts (Carlsbad MWD, Leucadia WD, et al.)	
19	Medium	Administrative	Prepare Outside Audit + Enhancements	Complete outside audit of financial statements for FY24 with supplemental information for added value	
20	Medium	Statutory	MSR | Del Mar-Solana Beach Region	Complete regional MSR covering the Cities of Del Mar and Solana Beach + Santa Fe ID et al.	

Priority	Level	Type	Project	Description	Status
21	Low	Administrative	Website Refresh + Content Expansion	Proceed with a website refresh and content expansion with multi-media adds	
22	Low	Administrative	Annual Local Agency Directory	Update and publish annual local agency directory subject to LAFCO oversight	
23	Low	Statutory	Policy | Applicant Procedures	Update and streamline application materials and establish related protocols	
24	Low	Administrative	Establish Credit Card Payments	Establish processes and related rules to accept card payments for applicant proposals	
25	Low	Statutory	Legislative Proposal | G.C. 56133	Sponsor/facilitate amendment to clarify LAFCOs' authority to determine out-of-agency exemptions in (e)	
26	Low	Administrative	Policy Review | SDAC Bylaws	Coordinate with SDAC in updating bylaws to sync with current member interests/priorities	
27	Low	Administrative	White Paper | Public Recreation Opportunities	Evaluate potential governance models involving San Diego-owned reservoirs in unincorporated areas	
28	Low	Administrative	Liaison with Local Tribes	Establish communication protocols with local tribes with respect to shared interests in regional services	
29	Low	Administrative	Service + Fiscal Indicators	Develop online browser feature to depict service + fiscal indicators among local agencies in SD County	
30	Low	Administrative	Policy Review | Public Member Appointments	Establish local policies and procedures to guide recruitment, vetting, and selection of public members	
	Bullpen	Statutory	Legislative Proposal | G.C. 56430	Sponsor and/or facilitate amendment establishing community engagement enhancements in MSR statute	
	Bullpen	Statutory	Policy Review | Island Annexations	Consider options to define "substantially surrounded" and provide related mapping services	
	Bullpen	Administrative	White Paper | Garbage Services	Evaluate the scope and scale of garbage collection services and possible governance alternatives	
	Bullpen	Administrative	LAFCO Workshop	Organize a Commission Workshop to discuss core responsibilities + powers and implementing preferences	
	Bullpen	Administrative	Public Access Television	Broadcast LAFCO meetings on local government channels	
	Bullpen	Statutory	MSR | Pauma Valley Region	Initiate a regional study covering the north county special districts in the Pauma/Rincon communities	
	Bullpen	Administrative	SOI/MSR Annual Report	Update and publish an annual report documenting all recorded municipal service review and sphere of influence actions	
	Bullpen	Statutory	Policy | Fee Schedule	Review and update fee schedule to sync with current costs and related considerations	
	Bullpen	Statutory	Policy | CEQA Guidelines	Review and update existing implementing guidelines relative to current statute and best practices	
	Bullpen	Administrative	County Planning Groups	Monitor regular meetings of the County's 28 Planning and or Sponsor Groups and directly engage as appropriate	
	Bullpen	Statutory	Disadvantaged Unincorporated Communities	Update DUC mapping designations (DUC) in San Diego County based on current census information	
	Bullpen	Administrative	Local Agency Finder Tool	Develop online feature for users to enter address to identify all overlapping local jurisdictions (cities and districts)	
	Bullpen	Administrative	Southern California LAFCOs	Participate in quarterly meetings with other Southern California LAFCOs and related projects and/or trainings	
	Bullpen	Administrative	White Paper | School Districts	Evaluate scope and scale of school districts and their baseline capacities for reference in municipal service reviews	
	Bullpen	Administrative	CALAFCO	Participate in CALAFCO sponsored programs and related trainings (conferences, workshops, committees, etc.)	
	Bullpen	Statutory	Policy | Commission Rule No. 4	Modernize Rule No. 4 and its provisions to regulate special districts' service functions and classes	
	Bullpen	Statutory	Escondido Region Governance Study	Study options to consolidate (functional and political) the City of Escondido and Rincon del Diablo MWD	
	Bullpen	Administrative	White Paper | JPAs	Evaluate the status of JPA filings in San Diego County relative to LAFCO's task in SB 1261	
	Bullpen	Administrative	White Paper | Community Choice	Evaluate the scope and scale of CCAs and their operations in San Diego County and connectivity to LAFCO	
	Bullpen	Statutory	Policy | Cities Advisory Committee	Coordinate with CAD in updating bylaws and related procedures to sync with current member interests/priorities	

Complete | Near Complete | Underway | Pending

Commission Rolling Study Schedule 5-YEAR PLAN

FY2025 Through FY2029

Regional Service Planning
Subdivision of the State of California



Study Directive

State law directs San Diego LAFCO to review spheres of influence for all cities and special districts and update as needed (affirm, expand, reduce, etc.) every five years and by extension mark the agencies' appropriate current and future boundaries and service areas. Pertinently, local agencies cannot annex and/or extend services outside their spheres with limited exceptions. State law also specifies San Diego LAFCO must inform the sphere updates by preparing comprehensive evaluations – titled municipal service reviews – to determine the availability and adequacy of local governmental services as well as governance responsiveness relative to community needs.

Study Schedule

San Diego LAFCO has established a five-year rolling Study Schedule to guide its statutory task to review and update as appropriate the spheres of influence of cities and special districts under the Commission's oversight. The rolling Study Schedule is premised on the Commission's policy interest to proactively calendar municipal service reviews and use these documents to determine the subsequent scope of any related sphere of influence updates for the affected agencies. The Commission also regularly draws on the municipal service reviews to inform its' decision-making on boundary changes.

Rolling Study Schedule Format

The Study Schedule is a living or rolling document that the Commission resets yearly in concert with the annual budget and workplan adoptions. The rolling study schedule spans 5 fiscal years with only the first year being set. The second through fifth years are tentatively calendared, and done so to help guide and telegraph future decision-making. This approach allows the Commission the flexibility to redirect staff resources where needed should calendar studies extend beyond one year while also granting staff the ability to prioritize applicant proposals.

THE COMMISSIONERS »



Otay Lakes in Chula Vista ▶

San Diego LAFCO's Commission

San Diego LAFCO is governed by a 13-member "Commission" comprising county, city, special district, and public members. All Commissioners are appointed elected officials with the exception of the two public members. Commissioners serve four–year terms and divided between "regulars" and "alternates" and must exercise their independent judgment on behalf of the interests of residents, landowners, and the public as a whole. Commissioners are subject to standard disclosure requirements and must file annual statements of economic interests. The Commission has sole authority in administering its legislative responsibilities and decisions therein are not subject to an outside appeal process.



Stephen Whitburn
Chair
City of San Diego



Baron Willis
Vice Chair
Alpine Fire Protection



Joel Anderson
Commissioner
County of San Diego



Kristi Becker
Commissioner
City of Solana Beach



Jim Desmond
Commissioner
County of San Diego



Jo MacKenzie
Commissioner
Vista Irrigation



Harry Mathis
Commissioner
Public Member



Dane White
Commissioner
City of Escondido



Brigette Browning
Alternate
Public Member



David Drake
Alternate
Special District Member



John McCann
Alternate
City of Chula Vista



Nora Vargas
Alternate
County of San Diego



Marni von Wilpert
Alternate
City of San Diego

2024-2025 + 2025-2026: SET

NORTH COUNTY FOCUS

Carlsbad + Encinitas Region

- **Part I: Cities**
  - City of Carlsbad
  - City of Encinitas
- **Part II: Special Districts**
  - Carlsbad MWD
  - Leucadia WWD
  - Olivenhain WD
  - San Dieguito WD

Central 78 Corridor Region

- **Part I: Cities**
  - City of San Marcos
  - City of Vista
- **Part II: Special Districts**
  - Vista ID
  - Buena SD
  - Vallecitos WD
  - San Marcos FPD
  - Vista FPD

San Diego County Healthcare Districts

- **Part I: Macro + Part II: Micro**
  - Palomar HD
  - Tri-City HD
  - Fallbrook HD
  - Grossmont HD

Del Mar + Solana Beach Region

- **Part I: Cities**
  - City of Del Mar
  - City of Solana Beach
- **Part II: Special Districts**
  - Santa Fe ID
  - CSA 17 – Ambulance*

Oceanside Region

- City of Oceanside
- Morro Hills CSD
- Oceanside Harbor District

Wholesale Water Services

- San Diego County Water Authority
- Metropolitan Water District

Council of Governments

- San Diego Association of Governments (SANDAG)

*Denotes a special district included in more than one study.

Oceanside State Beach ▶





Chula Vista is the second largest city in the San Diego metropolitan area.

2026-2027: TENTATIVE

SOUTHWEST COUNTY FOCUS

Macro Fire Service Study

- State: CAL FIRE
- Cities
- Special Districts
- Tribes

Metro San Diego Region

- City of San Diego
- San Diego Unified PD

Rancho Santa Fe Region

- Fairbanks Ranch CSD
- Questhaven MWD
- Rancho Santa Fe CSD
- Rancho Santa Fe FPD
- Whispering Palms CSD
- CSA No. 17 – Ambulance*
- CSA No. 83 – San Dieguito Parks

Silver Strand Region

- City of Coronado
- City of Imperial Beach

South Coast Region

- City of Chula Vista
- City of National City
- Bonita-Sunnyside FPD
- Lower Sweetwater FPD
- Otay WD*
- San Diego County SD*
- South Bay ID
- CSA No. 122 – Planning

Transit Services

- North County TD
- Metropolitan Transit System

*Denotes a special district included in more than one study.



East County Hiking Trails

2027-2028: TENTATIVE

EAST COUNTY FOCUS

Alpine – Lakeside Region

- Alpine FPD
- Lakeside FPD
- Lakeside WD
- Padre Dam MWD*
- San Diego County SD*
- CSA No. 69 – Ambulance
- CSA No. 136 – Sundance Basin

El Cajon – Santee Region

- City of El Cajon
- City of Santee
- Helix WD*
- Padre Dam MWD*

Pauma Valley Region

- Mootamai MWD
- Rincon Ranch CSD
- Pauma CSD
- San Luis Rey MWD
- Yuima MWD

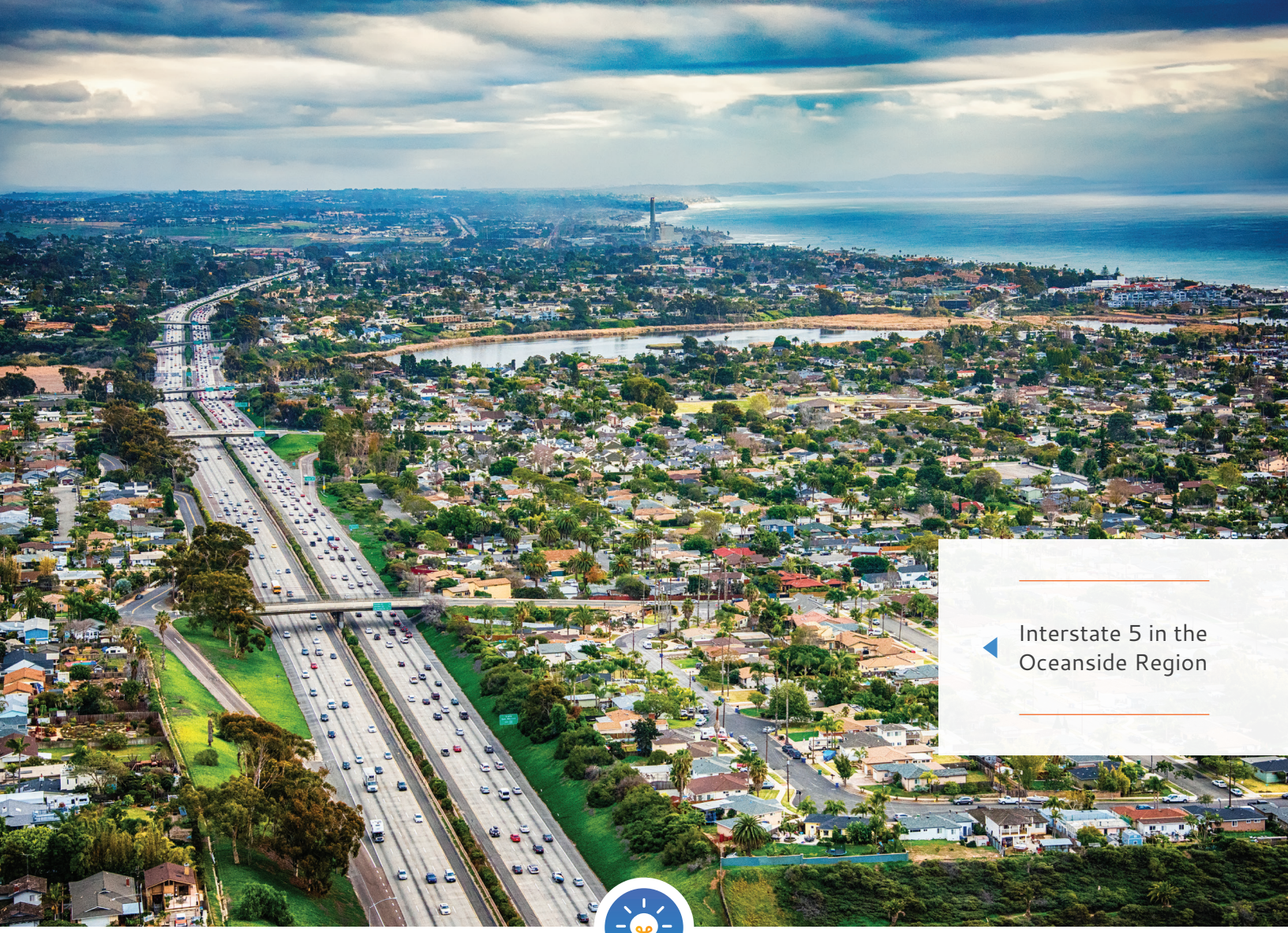
La Mesa – Lemon Grove Region

- City of La Mesa
- City of Lemon Grove
- Helix WD*
- Lemon Grove Roadway LD
- Lemon Grove SD
- San Diego County SD*

Spring Valley Region

- Otay MWD*
- San Miguel FPD
- San Diego County SD*
- CSA No. 69 – Ambulance*
- CSA No. 128 – Parks

*Denotes a special district included in more than one study.



Interstate 5 in the Oceanside Region

2028-2029: TENTATIVE

MISCELLANEOUS

Borrego Region

- Borrego WD
- Coachella Valley WD

Cemetery Services

- North County CD
- Pomerado CD
- Ramona CD
- Valley Center CD

Flood Control Services

- San Diego County FCD
- Cities
- Special Districts

Alpine – Lakeside Region

- Alpine FPD
- Lakeside FPD
- Lakeside WD
- Padre Dam MWD*
- San Diego County SD
- CSA No. 69 – Ambulance
- CSA No. 136 – Sundance Basin

East Laguna Summit Region

- Canebrake WD
- Descanso WD
- Jacumba CSD
- San Diego County SD*
- CSA No. 137 – Live Oak Springs

San Diego County Airports

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AGENDA REPORT
Consent | Information

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Priscilla Mumpower, Assistant Executive Officer
Meghan Traynor, Local Government Analyst I

SUBJECT: **Report on Active Proposals and Related Activities**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a status report on active proposals and requests 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.

BACKGROUND

Processing Procedures and Timelines

LAFCO proceedings for jurisdictional changes are generally initiated by outside applicants through petitions (landowners or voters), and to a lesser extent by resolutions (local agencies). LAFCOs may also initiate jurisdictional changes to form, consolidate, or dissolve special districts if consistent with the recommendations of approved municipal service reviews. Most jurisdictional-change filings take four to six months before they are scheduled for a hearing. Requests for outside-of-agency service approvals – which are subject to separate procedures – generally take two months to process.

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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
Vacant, General Public
Brigette Browning, Alt., General Public

DISCUSSION

This item provides San Diego LAFCO with its regular update on active proposals currently on file. It also serves to preview anticipated future workload by identifying pending proposals that staff expect to be formally submitted in the near term based on ongoing discussions with local agencies. Additionally, the item fulfills the Commission's statutory obligation to provide agenda notice for jurisdictional changes initiated by petition. Commissioners are invited to pull the item for discussion as needed.

As of this reporting period, thirty-five (35) active proposals are on file with LAFCO. Of these, thirty (30) are under administrative review and pending formal Commission hearing, while the remaining five (5) involve conditionally approved proposals awaiting recordation. Staff also identifies six (6) substantive and pending proposals based on communications with prospective applicants. A complete listing of all active and pending proposals is attached.

ANALYSIS

None.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

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 staff,

Meghan Traynor
Local Government Analyst I

Attachment:

1) Active and Pending Proposals as of May 27, 2025

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
ACTIVE PROPOSAL APPLICATIONS | PENDING COMMISSION ACTION				
1	RO06-17	"Tobacco Road Reorganization" - City of Escondido: Annexation	Staff	Application submitted in March 2006 by landowner petition to annex six parcels to the City of Escondido. The affected territory comprises six parcels located along Tobacco Road. The application filing fulfilled an earlier Executive Officer approval in 2006 to authorize the City of Escondido to extend outside wastewater service to two of the six subject parcels due to failing septic systems. (The other four subject parcels are included in the proposal to provide connectivity to the existing City boundary.) The current number of residents within the affected territory is unknown. The application remains incomplete pending the submittal of additional documentation and related information to complete the administrative review. THE PROPOSAL IS SUBJECT TO FORMAL ABANDONMENT PENDING THE ANTICIPATED ACTION BY THE COMMISSION TO APPROVE AUTHORIZING POLICIES.
2	RO08-09	"South Mollison Ave-Snyder Reorganization" - City of El Cajon: Annexation	Staff	Application submitted in May 2008 by landowner petition for a proposed annexation to the City of El Cajon. The affected territory includes approximately 1.25 acres and is subject to a proposed multi-family residential project. It is unknown whether there are any current residents within the affected territory. The application remains incomplete pending the submittal of additional documentation and related information necessary to complete the administrative review. THE PROPOSAL IS SUBJECT TO FORMAL ABANDONMENT PENDING THE ANTICIPATED ACTION BY THE COMMISSION TO APPROVE AUTHORIZING POLICIES.
3	DA08-10	"Avocado Way-Potter Annexation" - Vallecitos WD: Annexation	Staff	Application submitted in May 2008 by landowner petition requesting annexation of to the Vallecitos Water District for purposes of receiving public wastewater services. The affected territory comprises two parcels developed with single-family residences located along Avocado Way. The number of current residents within the affected territory is unknown. The application remains incomplete pending the submittal of additional documentation and related information necessary to complete the administrative review. THE PROPOSAL IS SUBJECT TO FORMAL ABANDONMENT PENDING THE ANTICIPATED ACTION BY THE COMMISSION TO APPROVE AUTHORIZING POLICIES.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
4	RO08-15 SA08-15	"Crestlake Estates Reorganization" - City of Santee: Annexation - San Diego County SD: Annexation - Lakeside FPD: Annexation	Staff	Application submitted in May 2008 by landowner petition requesting a reorganization to accommodate wastewater, fire protection, and ambulance services for an approved Tentative Map allowing the development of 60 single-family residences. It is unknown if there are any current residents. The affected territory lies within all three subject agencies' spheres of influence: San Diego County Sanitation District; Lakeside Fire Protection District; and the City of Santee. The application remains incomplete pending the submittal of additional documentation and related information necessary to complete the administrative review. THE PROPOSAL IS SUBJECT TO FORMAL ABANDONMENT PENDING THE ANTICIPATED ACTION BY THE COMMISSION TO APPROVE AUTHORIZING POLICIES.
5	DA12-02	"Lorch Annexation" - Borrego WD: Annexation	Staff	Application submitted in March 2012 by landowner petition to annex approximately 9.4 acres to the Borrego Water District (WD) to provide water service to one parcel within the District's sphere. It is unknown how many residents are currently within the affected territory. Application deemed incomplete in an April 2012 status letter. A new status letter was sent in January 2018 stating the proposal would be considered abandoned unless notified otherwise. Borrego WD responded to the letter and has reinitiated discussions with the landowner regarding possible service terms. Discussions remain active.
6	DA16-10	"CSA 17 Harmony Grove Annexation" - CSA 17: Annexation	Staff	Application submitted in May 2016 by resolution from the County of San Diego to annex approximately 3,600 acres to County Service Area (CSA) No. 17 for ambulance service and done so as a cross-condition of the Commission dissolving CSA No. 107 in 2015. The affected territory is entirely unincorporated and comprises portions of the Elfin Forest and Harmony Grove communities with an estimated resident population of 29,995. The proposal remains incomplete due to a variety of reasons and is marked by opposition from the CSA No. 17 Advisory Committee. Staff continues to engage the County, Advisory Committee, and other stakeholders to fulfill the Commission's earlier directive. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
7	RO16-11	"Rancho Hills Reorganization" - Rancho Santa Fe CSD: Annexation - Olivenhain MWD: Expansion of Latent Power Area - Olivenhain MWD: Latent Sphere Action (+)	Meghan Traynor	Application submitted in October 2016 to annex a portion of a 37-lot residential subdivision titled "Rancho Hills" to Rancho Santa Fe CSD for wastewater service. A concurrent latent power expansion for Olivenhain MWD is needed to accommodate sewer to the remaining project site. The proposal was deemed incomplete in a November 2016 status letter. With concurrence with the proponent, the application was administratively paused due to the pending receipt of additional documentation. A new application was submitted in May 2025 and is currently under administrative review. Discussions remain active.
8	SA19-26 RO19-26 OAS19-26	"Valiano - Eden Valley Reorganization" - City of Escondido: Extraterritorial Sewer - City of Escondido: Sphere Action (+) - San Marcos FPD: Annexation - Rancho Santa Fe FPD: Detachment - Rancho Santa Fe FPD: Sphere Action (-) - Rancho Santa Fe FPD: Extraterritorial Fire	Michaela Peters	New application jointly submitted January 2025 by landowner petition and the City of Escondido involving a reorganization and out-of-agency service agreement as part of the "Valiano" planned development in Harmony Grove. The reorganization involves the concurrent annexation of approximately 9.2 unincorporated acres to San Marcos FPD with detachment from Rancho Santa Fe FPD and related sphere amendments. The out-of-agency service agreement approval request involves the extension of wastewater from the City of Escondido for approximately 80.7 unincorporated acres with related sphere amendments to add to Escondido and remove from San Marcos. The proposal is currently under administrative review. Discussions remain active.
9	CO21-09	"Otay Lakes Road Change of Organization" - City of Chula Vista: Annexation	Michaela Peters	Application submitted in October 2022 by landowner petition to annex approximately 1,870 acres of unincorporated territory to the City of Chula Vista. (The petitioners originally filed an application in October 2021 seeking approval to annex into the San Diego County Sanitation District. This previous application has since been withdrawn.) The affected territory comprises 6 parcels within the Baldwin and Moller communities and is presently undeveloped. The proposal is intended to facilitate the development of a 1,938 residential subdivision with various ancillary uses as part of the "Otay Ranch Resort Village 13" project. The submitted proposal application is incomplete and pending receipt of additional documentation and information from the applicant – including an agreement with LAFCO to proceed with a targeted/informing municipal service review. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
10	CO22-04	"AJX Homes - Carmichael Change of Organization" - City of La Mesa: Annexation - City of La Mesa: Sphere Action (+) - San Miguel FPD: detachment - San Miguel FPD: Sphere Action (-)	Michaela Peters	Application submitted in February 2022 by landowner petition and involves annexation of approximately 0.3 acres to City of La Mesa for wastewater service. The affected territory is developed with a single-family residence and the landowner intends to update the existing site from a septic system to a public wastewater system. The application is incomplete pending receipt of additional documentation from the proponent. Discussions remain active.
11	OAS22-08 CO22-08	"Martinez - North Avenue Reorganization" - City of Escondido: Annexation - County Service Area No. 135: Detachment - Deer Springs Fire Protection District: Detachment	Joelle Burila	Application submitted in April 2022 by landowner petition and involves an outside-of-agency service agreement for wastewater services to a single-family residence totaling 0.25 acres as a remedy to a failing septic system. The Executive Officer administratively approved the service request on May 3, 2022 with a conditional approval to annex into the City of Escondido. The application is incomplete pending receipt of additional documentation and related information. Discussions remain active.
12	RO22-11	"Tummala - Rincon MWD Reorganization" - Rincon del Diablo MWD: Annexation - Metropolitan Water District: Annexation - San Diego CWA: Annexation	Michaela Peters	Application submitted in October 2022 by landowner petition and involves annexation of approximately 20 acres of unincorporated territory to make available public water services. The affected territory is currently vacant and undeveloped. The proposal's purpose is to position the landowner to proceed in the future with a development plan with the County of San Diego. The submitted proposal application is incomplete pending receipt of additional documentation and related information. Discussions remain active.
13	CO23-11	"Nencini Associates Change of Organization" - San Diego County SD: Annexation	Michaela Peters	Application submitted in July 2023 by landowner petition and involves annexation of approximately 20.6 acres to the San Diego County Sanitation District (SD) for the primary purpose of establishing wastewater service. The affected territory is partially developed with one single-family residence, with plans to develop an additional 7 single-family residences through subdivision. Conditional approval for future annexation to the City of Chula Vista is recommended. The proposal is currently under administrative review and is considered incomplete at this time. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
14	RO23-12	"Twin Oaks Valley Winery Reorganization" - Vallecitos WD: Annexation - Vista ID: Detachment	Michaela Peters	Application submitted in September 2023 by landowner petition and involves annexation of approximately 4.35 acres to the Vallecitos Water District to establish both potable water and wastewater services. The affected territory is developed with one single-family residence, with plans to develop a full-service winery – including a tasting room, wine production space, restroom(s), etc. The proposal is currently under administrative review with the expectation of expanding the scope to include detachment from Vista ID. Discussions remain active.
15	CO23-15	"Maclachlan - Old Highway 80 Change of Organization" - San Diego County SD: Annexation	Michaela Peters	Application submitted in December 2023 by landowner petition and involves annexation of approximately 0.60 acres to the San Diego County Sanitation District for the primary purpose of establishing wastewater service. The affected territory is currently undeveloped with plans to develop a commercial building and parking lot. The application is incomplete pending receipt of CEQA documentation and related information. Discussions remain active.
16	OAS24-06	"Iannacone - La Cruz Drive Contractual Service Agreement" - City of La Mesa: OAS	Michaela Peters	Fee submitted in March 2024 with an intent to file an application involving an outside-of-agency service agreement to establish wastewater services to a single-family residence to remedy to a failing septic system. The application is incomplete pending receipt of additional documentation from the City and related information. Discussions remain active.
17	RO24-07	"Lake Wohlford Resort Reorganization" - Valley Center MWD: Annexation	Meghan Traynor	Fee submitted in March 2024 for an anticipated reorganization application involving annexation of approximately 127 acres to the Valley Center Municipal Water District for the purpose of receiving potable water service. The affected territory is presently developed with 137 mobile homes and one restaurant currently served by an onsite water system. The application is incomplete pending receipt of a complete application and related information. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
18	RO24-08 OAS 24-08	"Shen – Pinecrest Ave Out-of-Agency Service Agreement" - City of Escondido: Annexation - County Service Area No. 135: Detachment	Meghan Traynor	Application submitted in August 2024 by landowner petition involving an out-of-agency service agreement to establish wastewater services to a single-family residence totaling 1.09 acres to remedy to a failing septic system. The Executive Officer administratively approved the service request on September 6, 2024. The proposal was approved as a consent (information only) item as part of the Commission's October 7, 2024. The administrative approval is conditioned on the landowner submitting a complete annexation to the City of Escondido proposal within one calendar year unless a time extension is authorized. The application is incomplete pending receipt of a complete application and related information. Discussions remain active.
19	RO24-12 OAS24-12	"Delgado-Andrade – 24th Street Outside-of-Agency Service Agreement" - City of National City: Annexation - City of National City: Sphere Action (+) - County Service Area No. 135: Detachment - Lower Sweetwater Fire Protection District: Detachment - South Bay Irrigation District: Detachment	Joelle Burila	Application submitted in August 2024 by landowner petition involving an out-of-agency service request for wastewater services to a developed single-family residence on less than an acre as a remedy to a failing septic system. The Executive Officer administratively approved the service request on October 23, 2024 and the proposal was approved as a consent (information only) item as part of the Commission's November 4, 2024 meeting. The administrative approval is conditioned on the landowner submitting a complete annexation to the City of National City proposal within one calendar year unless a time extension is authorized. The application is incomplete pending receipt of a complete application and related information. Discussions remain active.
20	CO24-14	"Quarry Road LLC Change of Organization" - San Diego County SD: Annexation	Meghan Traynor	Application submitted in September 2024 by landowner petition and involves annexation of approximately 10.7 acres to the San Diego County Sanitation District for the primary purpose of establishing wastewater services. The affected territory is currently undeveloped with plans to develop a commercial storage facility. The proposal is currently under administrative review. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
21	SRO24-15	"La Jolla Incorporation" - La Jolla: Incorporation - City of San Diego: Detachment - City of San Diego: Sphere Action (-)	Priscilla Mumpower	Notice of Intent to Circulate Petition was submitted May 2024 in anticipation of a special reorganization application filing. The proposal involves the detachment of approximately 8,371 acres from the City of San Diego and the incorporation of the community of La Jolla, along with conforming sphere of influence amendments. LAFCO staff has confirmed the proponents have collected enough valid petitions equal to no less than 25% of all registered voters within the proposed municipal boundary, which covers the entirety of the 92037 zip code with an estimated population of 47,000. LAFCO staff will now proceed in initiating the administrative review on the proposal and headlined by selecting an outside consultant to prepare a comprehensive fiscal analysis evaluating the ability of La Jolla to fund a sufficient level of municipal services while assessing monetary impacts to the City of San Diego.
22	CO25-04 OAS25-01	"Hallam – Lovely Lane Out-of-Agency Service Agreement" - Buena Sanitation District: Annexation	Meghan Traynor	Application submitted in January 2025 by landowner petition involving an out-of-agency service agreement to establish wastewater services to a single-family residence totaling 0.67 acres to remedy a failing septic system. The Executive Officer administratively approved the service request on January 22, 2025 and the proposal was approved as a consent item as part of the Commission's February 3, 2025 meeting. The administrative approval is conditioned on the landowner submitting a complete application to annex to the Buena Sanitation District within one calendar year unless a time extension is authorized. The application is incomplete pending receipt of a complete application and related information. Discussions remain active.
23	OAS25-02	"Garza – Touchstone Communities Out-of-Agency Wastewater Services" - City of Escondido: OAS	Michaela Peters	Application submitted in January 2025 by the City of Escondido for an out-of-agency service agreement involving a 10.35-acre unincorporated parcel currently developed with one single-family residence. The proposal is intended to facilitate the development of a 42-unit single-family residential subdivision by "Touchstone Communities" and abate an impending public health and safety threat given the size of the proposed development. The application is incomplete pending receipt of CEQA documentation and related information. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
24	RO25-03 OAS25-03	"Lopez – Bear Valley Parkway Out-of-Agency Wastewater Services" - City of Escondido: Annexation - County Service Area No. 135: Detachment	Joelle Burila	Application submitted in January 2025 by the City of Escondido on behalf of the landowner requesting an out-of-agency service agreement to establish wastewater services to remedy a failing septic system. The affected territory spans 1.37 acres and is developed with a single-family residence and ADU. The Executive Officer administratively approved the service request on February 7, 2025 and the proposal was approved as a consent item as part of the Commission's March 3, 2025 meeting. The approval is conditioned on the landowner submitting a complete application for annexation to the City of Escondido within one calendar year unless a time extension is authorized. The application is incomplete pending receipt of a complete application and related information. Discussions remain active.
25	OAS25-06	"Moody – Lemon Avenue Out-of-Agency Wastewater Services" - City of La Mesa: OAS	Michaela Peters	Application submitted in February 2025 by the City of La Mesa for an out-of-agency service agreement involving an unincorporated parcel currently undeveloped with plans to construct a single-family residence and accessory dwelling unit (ADU). The purpose of the OAS agreement is to abate an impending public health and safety threat given the City's engineer has determined sanitary sewer service for the subject property is necessary based on the subject parcel's size and proximity to an existing City sewer main. The proposal is scheduled for consideration as a business item at the Commission's meeting on June 2, 2025.
26	CO25-07	"Balazs – Artesian Breeze Way Change of Organization" - Rancho Santa Fe CSD: Annexation	Meghan Traynor	Application submitted in March 2025 by landowner petition involving annexation of approximately 2.41 acres to the Rancho Santa Fe Community Services District for the primary purpose of establishing wastewater services. The affected territory is currently undeveloped with plans to develop one 10,000 square-foot single-family residence. The proposal is currently under administrative review. Discussions remain active.
27	RO25-08	"Nakano Development Project Reorganization" - City of Chula Vista: Detachment - City of Chula Vista: Sphere Action (-) - Otay Water District: Detachment - Otay Water District: Sphere Action (-) - City of San Diego: Annexation - City of San Diego: Sphere Action (+)	Michaela Peters	Application submitted in March 2025 by resolution of the City of San Diego requesting the detachment of approximately 23.8 acres from the City of Chula Vista and the Otay Water District (WD), with a concurrent annexation to the City of San Diego. The proposal also includes related sphere of influence amendments. The affected territory consists of a single assessor parcel located off Dennery Road, between Regatta Lane and Golden Sky Way. The parcel is currently undeveloped, and the proposed boundary change is intended to facilitate the extension of public services to support the planned development of up to 221 residential units, including condominiums, duplexes, and townhomes. The proposal is currently under administrative review. Discussions remain active.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
28	OAS25-09	"Mayer – Santa Fe Avenue Out-of-Agency Wastewater Services" - Buena Sanitation District: OAS	Joelle Burila	Application submitted in March 2025 by the Buena Sanitation District on behalf of the landowner requesting out-of-agency wastewater services to facilitate the development of a 46-unit townhouse development on approximately 2.91-acres. The affected territory includes three APNs located in the City of San Marcos. The application is incomplete pending receipt of a complete application and related information. Discussions remain active.
29	CO25-10	"Miller-Hall – Vulcan Avenue Change of Organization" - Leucadia Wastewater District: Annexation	Joelle Burila	Application submitted in April 2025 by resolution of the Leucadia Wastewater District. The affected territory comprises one parcel approximately 0.23-acres in size with an existing single-family residence. The proposal requests the establishment of public wastewater services intended to facilitate the development of an ADU. The proposal is currently under administrative review. Discussions remain active.
30	OAS25-11	"Halstead – Olivewood Lane Out-of-Agency Wastewater Services" - San Diego County Sanitation District: OAS	Joelle Burila	Application submitted in April 2025 by the San Diego County Sanitation District on behalf of the landowner requesting out-of-agency wastewater services to accommodate an existing single-family residence to remedy a failing septic system. The Executive Officer administratively approved the service request on April 23, 2025. The administrative approval is conditioned on the landowner submitting a complete application for annexation to the City of Escondido within one calendar year unless a time extension is authorized. The proposal is scheduled for consideration as a consent item at the Commission's meeting on June 2, 2025.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
ACTIVE PROPOSALS | <u>POST COMMISSION ACTION</u>				
31	SA16-20 LP16-20	"CSA 135 Islands Reorganization" - CSA 135 – LP Fire Area: Latent Powers Expansion - Bonita-Sunnyside FPD: Annexation - Lakeside FPD: Annexation - San Miguel FPD: Annexation - Ramona MWD: Annexation	Staff	Proposal submitted November 2016 by resolution of the San Diego County Fire Authority. Involved annexation of remaining unserved Islands 2, 3, and 4 via reorganization of local fire service territory among five local agencies: CSA 135; Bonita-Sunnyside FPD; Lakeside FPD; Ramona MWD; and San Miguel FPD. Reorganization involved annexation to the subject agencies and expansion of CSA No. 135's latent powers to provide fire protection and emergency medical services to three unincorporated and unserved island areas totaling approximately 21,048 acres. Conforming amendments to add the affected territory to the subject agencies' spheres of influence were also required. The reorganization proposal was approved February 4, 2018 and is now pending recordation once all terms are satisfied. A noticed protest hearing was held on March 13, 2019 at the LAFCO office. No protest was received by affected registered voters or landowners. Other terms remain pending.
32	CO22-20	"Camino De La Fuente - Wick Change of Organization" - San Diego County SD: Annexation	Michaela Peters	Application submitted in November 2022 by landowner petition and involves annexation of approximately 35.3 acres of unincorporated and undeveloped territory to the San Diego County Sanitation District to make available public water and wastewater services. The proposal's purpose is to position the landowner to proceed in the future with a development plan to grade the land for future industrial and outdoor storage uses. The proposal was approved by the Commission on October 2nd, 2023. The applicant has requested a formal extension to September 18th, 2025 in order to satisfy the necessary terms and conditions outlined in the adopted resolution.
33	CO24-05	"O'Ryan – Calavo Drive Change of Organization" - Otay WD: Annexation - Otay WD: Sphere Action (+)	Michaela Peters	Application submitted in February 2024 by landowner petition and involves annexation of approximately 0.30 acres to the Otay Water District for the primary purpose of establishing public wastewater service. The affected territory is presently undeveloped with plans to develop a single-family residence and an accompanying accessory dwelling unit (ADU) in addition to a proposed 8.11-acre modification to include the public right-of-way along Avocado Blvd. The proposal was approved by the Commission on October 7, 2024 and now pending completion of terms and conditions as set forth by the Commission.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
34	RO24-17	"Biermann – N Ash Street Change of Organization" - City of Escondido: Annexation - County Service Area No. 135: Detachment	Meghan Traynor	Application submitted in October 2024 by landowner petition and involves annexation of 0.74-acre parcel in unincorporated territory to the City of Escondido for the purpose of receiving wastewater service. The subject parcel is currently developed with one single-family residence. The request for public wastewater is to accommodate a lot split with a proposed development of an additional single-family residence and two ADUs. The proposal was approved by the Commission on May 2, 2025 and now pending completion of terms and conditions as set forth by the Commission.
35	CO24-13	"Cavanaugh – Linda Vista Drive Change of Organization" - Vallecitos WD: Annexation - Vallecitos WD: Sphere Action (+)	Joelle Burila	Application submitted in August 2024 by landowner petition and involves annexation of an approximate one-acre parcel in the City of San Marcos to the Vallecitos Water District for the primary purpose of establishing wastewater service. The affected territory is presently undeveloped with plans to develop a single-family residence and detached garage. The proposal was approved by the Commission on May 2, 2025 and now pending completion of terms and conditions as set forth by the Commission.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
PENDING PROPOSAL APPLICATION SUBMITTALS (No project manager; inquiries should be directed to Keene Simonds)				
	Pending	"Harvest Hills Reorganization" - City of Escondido: Annexation		This anticipated reorganization proposal is currently undergoing development and environmental review by the City of Escondido. Submittal to LAFCO anticipated for late 2020-2021 if approved by Escondido. The anticipated proposal involves annexation of approximately 1,098 acres to the City for the primary purpose of developing a 550-lot residential subdivision. All the affected territory presently lies outside the adopted Escondido sphere. Due to the scope of the proposal area a comprehensive update of the City's sphere is warranted along with preparing the supporting municipal service review document. These and other service-related issues have been communicated to the City and are currently under joint review with other local stakeholders. Project was originally titled as "Safari Highlands".
	Pending	"Rancho Lomas Verde Reorganization" - City of Vista: Annexation		This anticipated reorganization proposal is undergoing development and environmental review by the City of Vista. The proposal involves annexation of approximately 300 acres to the City of Vista and concurrent detachments from CSA 135 and the Vista FPD to facilitate a 153-lot residential development. Close to three-fourths of the project area lies outside the adopted Vista sphere. Due to the scope of the proposal area a comprehensive update of the City's sphere is warranted along with preparing the supporting municipal service review document. These and other service-related issues have been communicated to the City and are currently under joint review with other local stakeholders.
	Pending	"Sager Ranch Reorganization" - City of Escondido: Annexation		This anticipated reorganization involves annexation of approximately 1,800 unincorporated acres to the City of Escondido and concurrent detachments from CSA 135 and the Valley Center FPD. The reorganization would facilitate the proposed development of approximately 200 acres to include 203 residential units and a 225-room resort. Portions of the project area lie outside the current City sphere. Fire protection service remains a key discussion point and the source of ongoing discussions with the proponents.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
	Pending	"Harmony Grove Village South" (TM-626) - Rincon del Diablo MWD: Annexation		This anticipated reorganization involves the unincorporated Harmony Grove Village South project and specific to accommodating sewer services (among a variety of options) for the planned development of approximately 111 acres to include 453 residential units. On January 27, 2020 the San Diego Superior Court overturned the County's development approvals for the project. Appeals are pending with no update as of this report.
	Pending	"Escondido Village – Unison Communities" - City of Escondido: Annexation		This anticipated reorganization involves annexation of approximately 17 unincorporated acres to the City of Escondido. The reorganization would facilitate connectivity to public wastewater service and in doing so accommodate the proposed development of approximately 200 residential units on the affected territory. The entire project lies within the City of Escondido sphere of influence. Complete application is pending.
	Pending	"Pasqual Heights – Touchstone Communities" - City of Escondido: Annexation		This anticipated out-of-agency service agreement involves approximately 10.4 unincorporated acres to the City of Escondido. The OAS would facilitate connectivity to public wastewater service and in doing so accommodate the proposed development of a 42-Single- Family unit subdivision within the affected territory. The entire project lies within the City of Escondido sphere of influence although not contiguous to the established service area boundary. Complete application and letter of request via the City is pending.

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AGENDA REPORT
Consent | Information

June 2, 2025

TO: Chair Whitburn and Commissioners

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

SUBJECT: **Notice of Administrative Approval | "Halstead – Olivewood Lane Out-of-Agency Wastewater Services with the San Diego County Sanitation District" (LAFCO File No. OAS25-11)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive notice of an administrative approval issued by the Executive Officer authorizing the San Diego County Sanitation District (County SD) to provide out-of-agency wastewater service to an unincorporated property. The authorization pertains specifically to an existing single-family residence located at 1545 Olivewood Lane in Alpine within the District's sphere of influence. The approval is based on the need to abate a documented public health and safety threat arising from a failed septic system. Approval is limited to the existing residence and is conditioned on the landowner submitting a complete annexation application within one calendar year, unless a time extension is granted. The Executive Officer has determined the project is exempt from further environmental review under State California Environmental Quality Act (CEQA) Guidelines Section 15269(c), which applies to emergency projects necessary to prevent or mitigate a health and safety threat. This notice is provided for informational purposes in accordance with adopted Commission policy.

Administration
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
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E lafco@sdcounty.ca.gov
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Joel Anderson, County of San Diego
Jim Desmond, County of San Diego
Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

BACKGROUND

Overseeing Out-of-Agency Services

Government Code Section 56133 delegates LAFCOs the responsibility to authorize cities and special districts to provide new or extended services outside their jurisdictional boundaries. The statute specifies cities and special districts must request and receive formal written approval from LAFCOs to provide "out-of-agency" services by contract or agreement less certain and limited exemptions. The statute further specifies cities and special districts may only be authorized to provide out-of-agency services within their spheres of influence in anticipation of later annexations. If the affected territory lies beyond the subject agencies' spheres, out-of-agency services may only be authorized in response to documented threats to public health and/or safety as determined by LAFCO.

Delegation to the Executive Officer

San Diego LAFCO's current policies authorize the Executive Officer to approve out-of-agency service requests for water and/or wastewater in response to documented threats to public health, safety, or welfare. In such cases, the Executive Officer is required to inform the Commission of any administrative approvals at the next available meeting for informational purposes only. All other out-of-agency service requests must be presented for formal Commission consideration and approval.[1]

Applicant Request and Administrative Approval

San Diego LAFCO received a request from the County SD on behalf of an interested landowner (Tobey Halstead) on April 10, 2025 seeking approval to receive out-of-agency wastewater service at an approximate 15.4-acre unincorporated parcel at 1545 Olivewood Lane (APN 403-360-53-00). The subject parcel is presently developed with an approximate 2,426 square foot single-family residence and lies within the District's sphere of influence and as part of its Alpine-Lakeside Sewer Service Area. The request stems from the failure of the property's existing septic system, which is no longer functional without continuous pumping.

Upon receipt of the request and accompanying application materials, LAFCO staff coordinated with the County SD to assess the need and availability of public wastewater service for the affected territory. This review confirmed County SD is well-positioned to extend service utilizing existing on-site public infrastructure with the only improvement required being the construction of a new sewer lateral to connect the residence to the main line. The estimated average daily flow is 240 gallons per day and represents less than 0.0004% of the existing available capacity at the Point Loma Wastewater Treatment Plant.[2]

[1] These policies also delegate discretion to the Executive Officer in determining whether public health, safety, or welfare threats exists on a case-by-case basis. Reference to Policy L-113.

[2] The County SD's current average day wastewater flow is 11.0 million gallons while its overall capacity is 25.0 million gallons. Wastewater collected within Alpine-Lakeside Sewer Service Area flows to the City of San Diego's adjacent collection system and thereafter to the Point Loma Treatment Facility before discharge into the Pacific Ocean; the latter operated by the Metro Wastewater Joint Powers Authority with the District as one of the signatories.

Capacity considerations aside, LAFCO staff coordinated with the County of San Diego's Department of Environmental Health and Quality (DEHQ) to assess public health considerations. DEHQ formally recommended the out-of-agency service request proceed to mitigate an ongoing threat to public health and safety. The property's existing septic system was determined to have failed during site excavation and is no longer operational, necessitating routine off-site pumping of wastewater. DEHQ further advised replacement of the system is infeasible due to parcel size constraints, and any attempted repairs would likely provide only limited-service life due to the system's age and deteriorated condition. Continued reliance on the failed system poses a significant and ongoing risk of exposure to inadequately treated wastewater. In response, the Executive Officer issued a conditional out-of-agency service approval on April 23, 2025 with a copy attached.

DISCUSSION

This item is for San Diego LAFCO to receive notice of the Executive Officer's administrative approval authorizing County SD to provide wastewater service outside its jurisdictional boundary to 1545 Olivewood Lane as described above. The Executive Officer's approval and conditions are final under policy. However, and as needed, the Commission is invited to pull the item for discussion to inform future actions.

ANALYSIS

San Diego LAFCO's administrative approval authorizing County SD to provide out-of-agency wastewater service to the subject parcel at 1545 Olivewood Lane is consistent with applicable statutes and Commission policies. This includes the Executive Officer's authority to act in response to a reasonably documented and imminent threat to public health and safety, following confirmation of the availability and adequacy of the District's wastewater system. Approval is conditioned to limit service solely to the existing single-family residence with no accommodation for additional development at this time. It is further conditioned on the landowner submitting a complete annexation application within one calendar year, unless a time extension is formally granted. The Executive Officer has also determined that the project qualifies as statutorily exempt from additional environmental review under State CEQA Guidelines Section 15269(c), as the activity is intended to prevent or mitigate a verified threat to public health and safety associated with the failed septic system on the property.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

PROCEDURES

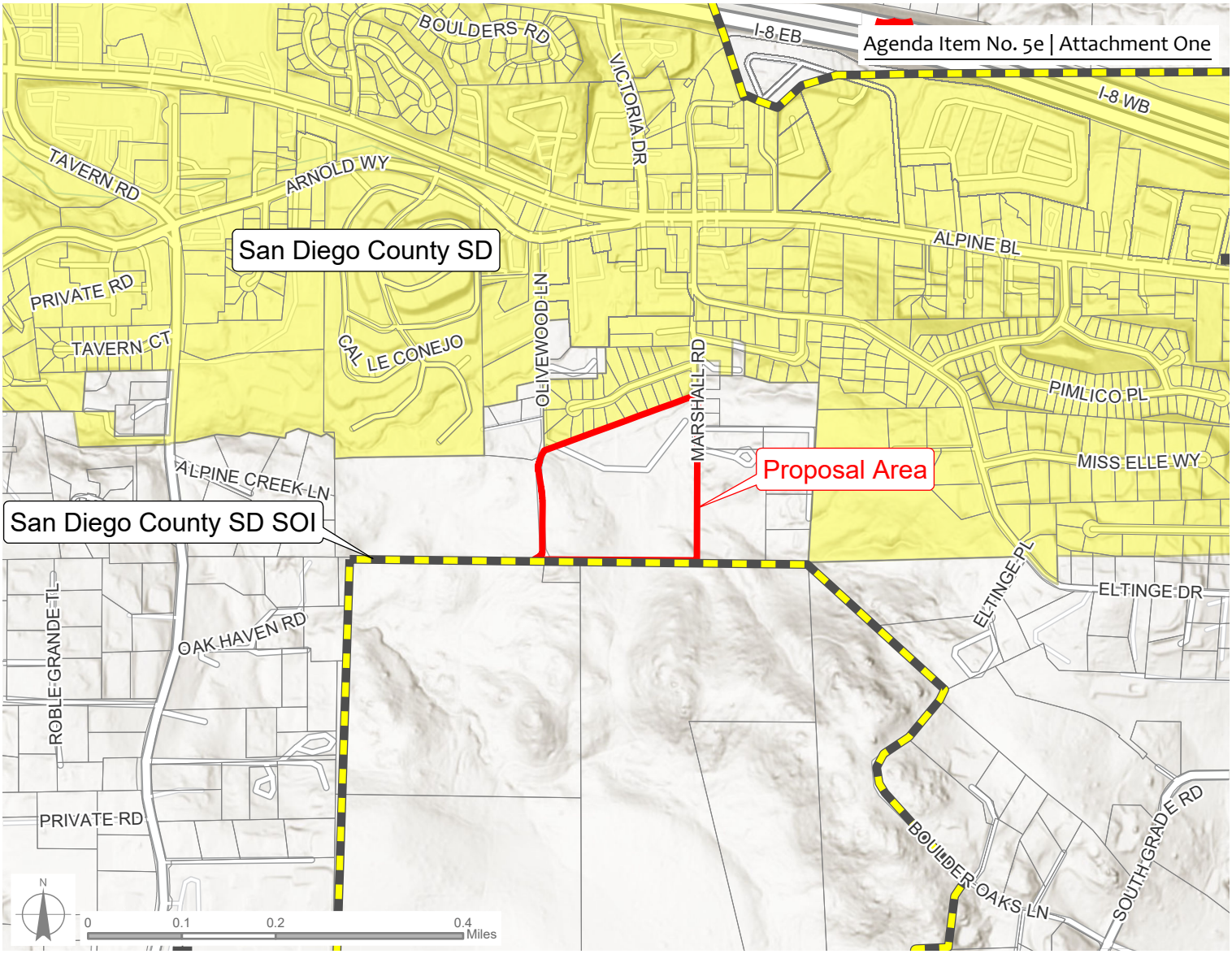
This item has been placed on the San Diego LAFCO's agenda as part of the consent calendar. A successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified.

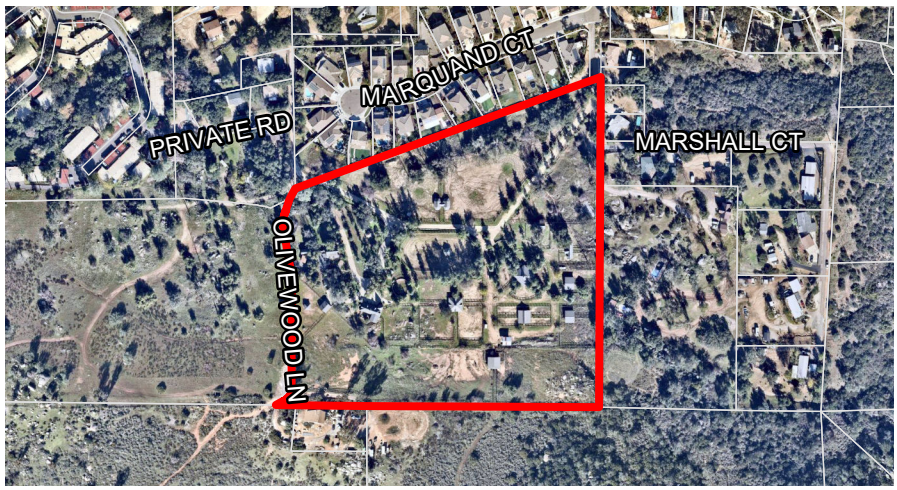
On behalf of the Executive Officer,

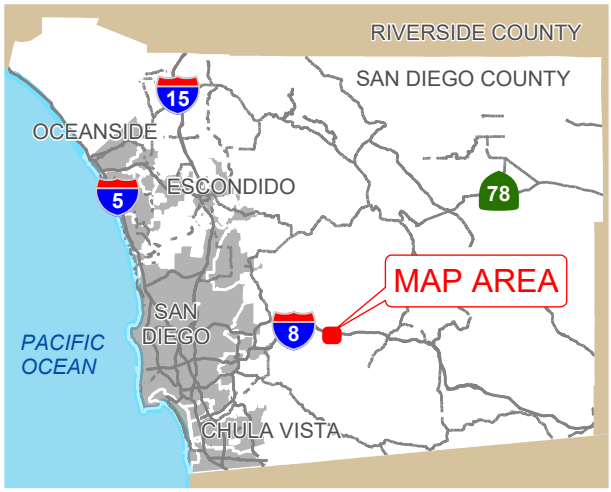
Joelle Burila
Analyst I

Attachments:

1) Map of the Affected Territory
2) Certificate of Administrative Approval
3) Related Request Documents







OAS25-11

"HALSTEAD - OLIVEWOOD LANE OUT-OF-AGENCY WASTEWATER SERVICES" | SAN DIEGO COUNTY SANITATION DISTRICT

- San Diego County SD SOI
- Proposal Area
- San Diego County SD
- SOI = Sphere of Influence

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

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Created by Dieu Ngu -- 5/16/2025

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

CERTIFICATE OF ADMINISTRATIVE APPROVAL OF A CONTRACTUAL WASTEWATER SERVICE AGREEMENT

San Diego County Sanitation District / Tobey Halstead
(LAFCO File No. OAS25-11)

April 23, 2025

In accordance with California Government Code Section 56133, the San Diego County Local Agency Formation Commission (LAFCO) authorizes the San Diego County Sanitation District to immediately provide extraterritorial wastewater service by contract to 1545 Olivewood Lane, Alpine, CA 91901. The subject property is owned by Tobey Halstead and comprises one unincorporated parcel identified by the County of San Diego Assessor's Office as 403-360-53-00. The authorized service is limited to supporting the approximate 2,426 square foot single-family residence currently developed on the subject property.

The contracted wastewater service agreement authorization terms in one year – April 23, 2026 – from the date of its administrative approval by the LAFCO Executive Officer unless an extension is approved. In the interim, the landowner of the subject property shall proceed with filing an annexation with LAFCO as the permanent means for the San Diego County Sanitation District to provide wastewater service.

Confirmation:

KEENE SIMONDS
Executive Officer

April 23, 2025

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Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
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Vice Chair Barry Willis, Alpine Fire Protection
Jo MacKenzie, Vista Irrigation
David Drake, Alt., Rincon del Diablo
Vacant, General Public
Brigette Browning, Alt., General Public

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CONTRACTUAL SERVICE AGREEMENT APPLICATION FORM

In addition to the materials required for any change(s) of organization, submit the following items:

1. One copy of either an approved Resolution of the City Council/District Board of Directors or a letter from the City Manager/District General Manager requesting approval for a contractual service agreement.

2. One copy of the contract or agreement stipulating the terms and conditions of extending service to the property signed by the property owner(s) and the agency that is to provide the service.

3. LAFCO processing fee. Contact the LAFCO office or refer to fee schedule.

Print/Type Name: Tobey Halstead

Property Address: 1545 Olivewood Lane

Phone #: [redacted] Date: 4/16/25

This application is used by LAFCO staff to provide supplemental information for contractual service agreement requests.

1. What type or types of public service(s) will be provided? Sewer Annexation

2. Why is the service needed? If the service agreement is in response to an emergency health and safety situation, such as a failed septic system, provide information documenting the circumstances (e.g., letter from the County Department of Environmental Health).

3. If a jurisdictional change, such as annexation, is not possible at this time, explain the circumstances that prevent annexation and when the jurisdictional change is anticipated. _____

4. Are there any jurisdictional issues associated with the proposed contractual service agreement? ☐ YES ☑ NO
(If yes, please complete the LAFCO Policy L-107 form)

San Diego Local Agency Formation Commission
2550 Fifth Ave., Suite 725
San Diego, CA 92103
(619) 321-3380

Revised November 2022

RECEIVED
APR 17 2025
SAN DIEGO LAFCO

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PUBLIC WORKS
5510 OVERLAND AVENUE, SUITE 410, SAN DIEGO, CALIFORNIA 92123-1237
(858) 694-2212

MARISA K. BARRIE, PE
DIRECTOR

April 21, 2025

To: Keene Simonds, Executive Officer
Local Agency Formation Commission (MS 216)

From: Anthony Hooper, Sanitation District Manager
San Diego County Sanitation District
Department of Public Works (MS O384)

REQUEST FOR ADMINISTRATIVE APPROVAL OF A TEMPORARY CONNECTION AGREEMENT FOR TOBEY HALSTEAD (SINGLE FAMILY DWELLING), SAN DIEGO COUNTY SANITATION DISTRICT (ALPINE SERVICE AREA), APN 403-360-53-00

In accordance with Government Code section 56133(c), the San Diego County Sanitation District (District) seeks approval of the San Diego Local Agency Formation Commission (LAFCO) of a Temporary Connection Agreement (Agreement), to provide sewer service to a single-family residential property located at 1545 Olivewood Lane, Alpine CA 91901 and more particularly identified by APN 403-360-53-00 (Property) with a failed septic system. This letter will serve to provide LAFCO with documentation of a threat to the health and safety of the public or affected residents justifying the approval of the Agreement by LAFCO.

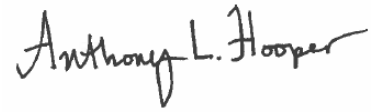
As detailed in the attached letter from the Department of Environmental Health dated April 7, 2025, the existing septic system on the Property was encountered during site excavation and has failed. The system is no longer functional, and wastewater must be pumped and transported from the Property. The system is old and in need of replacement. The District has coordinated with the Property owner and determined that limitations on available land area for a replacement system and the cost of completing this work make it infeasible for the Property owner to replace the system. It is not clear that the system can be repaired, and any repairs would provide only limited-service life as the current system is old and nearing the end of its useful life. The continued reliance on pumping using what remains of the failed septic system presents an ongoing and significant threat to the health and safety of the public and the Property owner from exposure to improperly treated wastewater.

Tobey Halstead, owner of the Property has requested that the District enter into the attached Agreement to allow for the provision of sewer service by the District. The District believes and requests that service be approved without first requiring annexation pursuant to Government Code section 56133(c). Nevertheless, the Property owner is requesting annexation of the Property to the District so that service may also be authorized under Government Code section 56133(b). The Property is within the Sphere of Influence of the San Diego County Sanitation District in Alpine. The public sewer mains (AL0391, AL0392, & AL0393) are inside the Property. The public sewer mains do not have a sewer lateral and will have to be installed by a contractor.

The District has received an annexation application, checks, and legal description from the Property owner to process the annexation. It is the District's intent to proceed with this process so that the Property can at some point be served without relying on an out-of-agency agreement. If this process were for any reason not to be completed, service could continue pursuant to the Agreement.

The District is requesting immediate administrative approval of the Agreement in order to expeditiously connect this Property to the sewer system prior to any formal annexation into the District. If you have any questions, or need further information, please call Adrian Chipres at (619)-570-7104 and he will assist you.

Sincerely,



ANTHONY HOOPER, Sanitation District Manager
San Diego County Sanitation District
County of San Diego, Department of Public Works

Attachments 1. Contractual Service Agreement
2. DEHQ Letter

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY

AMY HARBERT
DIRECTOR

P.O. Box 129261, San Diego, CA 92112-9261
(858) 505-6700 or (800) 253-9933
www.sdcdehq.org

HEATHER BUONOMO
DIRECTOR OF ENVIRONMENTAL HEALTH

April 7, 2025

Tobey Halstead

1545 Olivewood Lane

Alpine, CA 91901

Dear Mr. Halstead,

I am writing this letter in response to your request, on 4/1/25, that our office provide details regarding the onsite wastewater treatment systems at your property, located at 1545 Olivewood Lane (APN: 403-360-53). I met onsite with you on 4/3/25 to observe the situation with your existing onsite wastewater treatment systems(s). The primary residence is served by an onsite wastewater treatment system that was encountered during excavation for a proposed pool (PDS2025-RESACC-000149) that was permitted with Planning and Development Services. The system appears to be quite old and would likely need significant repairs for the pool construction to be completed and for the system to be returned to being fully functional. You had indicated that sewer connection was a possible option and was something that you wanted to explore as an option. The property currently is utilizing the septic tank as a holding tank until repairs or sewer connection can be established.

DEHQ would support/recommend that your parcel be allowed to annex and/or connect to sanitary sewer for the following reasons:

1. Avoids current and future repair expenses, which could be significant.
2. Expedited connection could prevent the significant expenses of routine septic tank pumping.
3. Could provide future sanitary sewer access for one or both additional structures on the property that generate wastewater and are currently served by onsite wastewater treatment systems.
4. Could allow for future development options not currently available to the property, based on the use of an onsite wastewater treatment system(s).

If you or anyone else has questions regarding this letter, please feel free to contact me.

Sincerely,

Scott Rosecrans

EHS III, REHS

619-208-0337

CONTRACTUAL SERVICE AGREEMENT

The San Diego County Sanitation District, an independent sewer agency formed and operating under the County Sanitation District Act, Health & Safety Code § 4700 et seq., hereinafter called the "District", and Tobey Halstead "parcel owner", hereinafter called the "Owner(s)", agree as of April 10th, 2025, as follows:

1. The Owner(s) represent that they hold title to that certain real property located in the County of San Diego, State of California, commonly referred to as 1545 Olivewood Lane and also identified by Assessor's Parcel Number 403-360-53-00.

2. That said real property is located outside of the District, but with the approval of the San Diego Local Agency Formation Commission ("LAFCO") may be connected to the District's facilities pursuant to Government Code § 56133 to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory. There is an existing and impending threat to public health and safety because the septic system serving the property is unable to reliably receive wastewater for treatment. This threat will be eliminated if the property is connected to District sewer facilities

3. That subject to the approval of LAFCO of this Contractual Service Agreement and payment of all applicable District fees and charges the Owner(s) shall have the privilege of connecting a sewer line from the structure located on said real property to the District's sanitary sewer system

4. That the connection to the District's sanitary sewer shall occur under the direction of the Director, Department of Public Works of the County of San Diego ("Director"), acting on behalf of the District, in accordance with the ordinances and regulations of the District, and shall be made at such place on the District's sanitary sewer and in such manner as the Director shall specify. The cost of such connection shall be paid by the Owner(s).

5. Owner(s) shall pay all fees and costs incurred by the District to process this Contractual Services Agreement, including without limitation any LAFCO fees. In addition, Owner(s) shall obtain a Wastewater Discharge Permit from District and pay all fees and charges required by District to connect the real property to the District's facilities and for the District to provide ongoing wastewater service to the real property.

6. The Owner(s), Owners' executors, administrators, heirs, successors and assigns shall pay to the District through the Department of Public Works of the County of San Diego, and prior to the connection of the property defined in this Agreement, an annual sewer service fee at the prevailing rate, prorated at time of permit issuance. Said fee shall be paid pursuant

to this Agreement and applicable District ordinances, on an annual basis thereafter, and shall be collected through the property tax rolls.

7. The District shall have the power to increase the amount of the annual sewer service charge prescribed in Paragraph 6 in proportion to any increased cost or expenses of operating the District.

8. The Owner(s) of said real property consent to the commencement of proceedings by the District to annex said property to the District. The Owner(s) agree that, upon connection of the real property to the District's sewer system, said property shall become subject to any and all ordinances, regulations, fees, taxes and assessments applicable to the property within the District whether or not the property is ever annexed into the District. Notwithstanding the foregoing, Owner(s) agree to work with LAFCO to facilitate the annexation of the property to the District within one (1) year of the Execution Date.

9. The District agrees that upon connection of said property to the District's sanitary sewer, the District shall pursuant to the terms of this Agreement accept the domestic sewage from such building discharged into its sewer lines, which obligation of the District shall continue under the Agreement until such time as the above described real property, upon which such hookup is located, is annexed to the District, or until this Agreement is terminated as hereinafter specified, which ever first occurs. Owner(s) shall be responsible for all costs incurred by District, if any, to disconnect the property from District's facilities upon the termination of this Agreement.

10. This Agreement may be terminated by the Owner(s), Owners' executors, administrators, heirs, successors or assigns by giving to the District ninety (90) days written notice of intention to terminate by serving such notice to the Clerk of the Board of Directors of the District.

11. This Agreement may be terminated by the District by giving ninety (90) days written notice of intention to terminate to the Owner(s), Owners' executors, administrators, heirs, successors or assigns, or to the occupants of the aforesaid property.

12. This Agreement is entered pursuant to the authority granted to the District in the Health and Safety Code § 4742.1 and Government Code § 56133.

13. This Agreement is subject to the LAFCO review and approval.

14. This Agreement shall take effect after execution by the parties and when administratively approved by LAFCO.

Dated this 10th day of April, 2025.

Director, Department of Public Works
San Diego County Sanitation District

Executive Officer, LAFCO Date

for Tobey Halstead
Applicant's Signature

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AGENDA REPORT
Consent | Information

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer

SUBJECT: **Commissioner Request | Expenses within the Professional Services Account**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive an informational report summarizing professional service expenses over the past five fiscal years. This report is provided in response to a request by Commissioner MacKenzie to detail actual expenses in this category, particularly in the context of current and future budget planning. As further outlined, the Professional Services Account transacts a range of consultant-related expenses, including but not limited to bookkeeping, interagency coordination, and other specialized services. Over the five-year period, actual average annual expenses charged to the account total $338,284 and equal to 17% of LAFCO's overall operating costs. This report is presented for informational purposes only. The Commission may choose to pull the item for discussion at its discretion.

BACKGROUND

San Diego LAFCO delegates responsibility to the Executive Officer to secure staffing and related resources necessary to carry out the agency's regulatory and planning duties in alignment with the Commission's adopted workplans and budgets. Under existing LAFCO policies, the Executive Officer is authorized to enter into professional services agreements with outside consultants - including individuals, firms, and other entities - on behalf of the Commission, provided the total contract term amount does not exceed $124,999. Any professional services

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Brigette Browning, Alt., General Public

agreement exceeding this threshold requires Commission approval. One exception applies: all agreements involving outside auditors require Commission approval regardless of cost.

DISCUSSION

This item provides a summary of San Diego LAFCO's professional services expenses with an emphasis on the last five completed fiscal years and related trends. The summary also distinguishes between agreements made directly by the Commission versus the Executive Officer. The item responds to a request made by Commissioner MacKenzie at the March 2025 meeting for staff to return with a future item offering greater detail on actual expenditures and their associated purposes. Although presented as an informational item under the consent calendar, the Commission is welcome to pull the item for further discussion if desired.

Professional Services and Related Costs

San Diego LAFCO contracts with approximately a dozen outside service providers - organized as sole proprietorships, partnerships, limited liability companies, or corporations - to support and expand the Commission's operational capacity and technical expertise. Costs related to these services are billed to the Professional Services Account (No. 52370) and borne from agreements either directly made by the Commission or the Executive Officer. Most of the agreements are made by the Executive Officer to support LAFCO staff, particularly in technical areas such as processing jurisdictional change proposals and advancing the municipal service review program. These agreements are structured for maximum flexibility under Commission policy and typically include a compensatory cap of $124,999 per year. During the reporting period, only two providers - 3MC Strategies and ADW Consulting - approached this threshold. All other contractors were compensated at significantly lower levels, as summarized below.

Professional Services Account
- Includes Only Expenses Billed by EO Agreements
- Excludes Expenses Billed by Commission Agreements

Outside Consultant	Principal/Contact	Purpose	FY 2024 Payments
3MC Strategies	Chris Cate	Intergovernmental	124,925
ADW Consulting	Adam Wilson	Intergovernmental	124,320
Regional Government Services	Cherie Johnson	Human Resources	56,975
William Fulton Group	Bill Fulton	Planning Services	33,000
Leaf and Cole	Mike Zizzi	Bookkeeping	29,781
Sloan Sakai Yeung & Wong	DeeAnne Gillick	Special Legal Services	29,073
Michael Hanneman	Michael Hanneman	Water Economics	9,000
Granicus	John Redfern	Website Maintenance	8,266
Brian Brady and Associates	Brian Brady	Utility Services	7,840
Assura	Hamish Howard	Project Tracker	3,500
Others	n/a	Various	3,109
		TOTAL	***429,789**

* An additional $84,177 was billed to the professional services account via agreement approvals made directly by the Commission and involve legal and outside auditing services.

With respect to overall expenditures charged to the Professional Services Account, the annual average cost over the last five completed fiscal years has been $383,284. During this reporting period, annual expenses ranged from a low of $201,298 (2020-2021) to a high of $513,966 (2023-2024), reflecting an overall increase of 127%. Detailed figures for each of the five fiscal years are provided below, including side-by-side comparisons with salary and benefit costs as well as total agency operating costs.

Professional Services Account
- Includes All Expenses
- Compares to Salaries-Benefits and Total Expenses

Year	Professional Services Account (No. 52370)	Salaries + Benefits Accounts (No. 51110 - 51560	Total Operating Expenses
2020	226,762	1,153,901	1,785,242
2021	201,298	1,370,788	1,930,504
2022	317,359	1,144,609	1,998,668
2023	432,036	1,132,500	1,946,298
2024	513,966	1,176,442	2,150,033
Change	127%	2%	17%

ANALYSIS

As discussed during the recent budget hearing process, the use of outside consultants has become an increasingly important resource for San Diego LAFCO over the past five years, contributing to the upward trend in expenditures within the Professional Services Account. Two interrelated factors help explain this development. First, consultants have been engaged to help manage a substantial workload, particularly in response to significant staff turnover. Since 2020, five of LAFCO's eight budgeted positions have experienced turnover. In several instances, outside consultants have been strategically retained to redirect budgeted funds that would otherwise support salaries and benefits, thereby ensuring operational continuity during staffing transitions. Second, outside consultants have played a critical role in supporting the continued development of LAFCO's municipal service review program by providing subject-matter expertise in specialized areas beyond the agency's internal capacity - such as healthcare and water economics, public transportation, and other complex policy and infrastructure topics. A shared benefit of both factors contributing to the increased use of consultants is the moderating effect on long-term personnel costs. Notably, LAFCO has limited overall growth in salaries and benefits to 1.95% over the five-year reporting period, helping to control future financial agency obligations.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

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.

Respectfully,



Keene Simonds
Executive Officer

Attachments: none

5g

AGENDA REPORT
Consent | Information

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
Michaela Peters, Analyst II

SUBJECT: **Update on La Jolla Incorporation Proposal**

SUMMARY

San Diego LAFCO will receive an update on the proposed "City of La Jolla Special Reorganization" and concurrent request by proponents to detach the community of La Jolla from the City of San Diego and incorporate it as an independent municipality. As previously reported, the Executive Officer issued a Certificate of Sufficiency on April 29, 2025 confirming the proponents' petition satisfies the statutory requirement by exceeding the 25% threshold of registered voters within the proposed incorporation boundary. This update addresses two key developments involving a recent action by the City Council to initiate litigation as well as the status of a conflict waiver for Commission Counsel. Item is for information only.

BACKGROUND

Applicant

The Association for the City of La Jolla is a 501(c)(6) nonprofit and serves as the applicant for the proposed special reorganization. A five-member Board of Directors governs the Association with Trace Wilson and Diane Kane serving as President and Vice President, respectively. The other Board members are Mary Munk, Sharon Wampler, and Ed Witt. Legal services are provided by Paula de Sousa with Best Best and Kreiger.

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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
Vacant, General Public
Brigette Browning, Alt., General Public

Certificate of Sufficiency

San Diego LAFCO's Executive Officer issued a Certificate of Sufficiency to the proponents of the proposed City of La Jolla incorporation on April 29, 2025. This action affirms the submitted petition filed with LAFCO satisfies the statutory requirement for voter support with valid signatures exceeding the minimum threshold necessary to initiate formal processing.

Initiation of Administrative Review

With the petition deemed sufficient, San Diego LAFCO staff has initiated the administrative review of the proposed special reorganization. As part of this phase, staff is developing a Request for Qualifications to retain a qualified consultant to prepare the required Comprehensive Fiscal Analysis. This analysis – both in draft and final form – will evaluate the financial feasibility of the proposed incorporation in accordance with applicable statutory requirements.

DISCUSSION

This agenda item provides a formal update to San Diego LAFCO on the status of the proposed incorporation of the City of La Jolla following the commencement of the administrative review process. The update focuses on two key developments that – and among other things – explain why a closed session item has not been scheduled at this time:

- **Recent Action by the San Diego City Council**
  At its meeting on May 12, 2025, the San Diego City Council announced in open session it had authorized the initiation of litigation against LAFCO regarding the Executive Officer's issuance of the Certificate of Sufficiency. Councilmembers Whitburn and von Wilpert recused themselves from the item. The Mayor's Office concurrently issued a public statement on the decision to initiate litigation, which is attached along with a statement by LAFCO. As of the date of this update, no legal action has been filed.

- **Status of Conflict Waiver for Commission Counsel**
  Commission Counsel has recently confirmed their firm is representing the City of San Diego in two unrelated legal matters. In response, the Executive Officer consulted with Vice Chair Willis and proceeded to issue a waiver permitting dual representation on May 15th.[1] The Attorney's Office has indicated it will present the waiver to the City Council for formal consideration at its next scheduled meeting on June 2, 2025.[2]

ANALYSIS

None.

[1] Chair Whitburn deferred the waiver request by Commission Counsel to Vice Chair Willis out of an abundance of caution given the involvement of the City of San Diego.
[2] City of San Diego policy now requires all legal waivers to be considered by the Mayor or Council.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

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,

Michaela Peters

Michaela Peters
Analyst II

Attachments:

1) Media Release by Mayor Gloria, May 12, 2025
2) LAFCO Statement on Initiation of Litigation by City of San Diego

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Mayor Todd Gloria Issues Statement on Vote to Initiate Litigation Against LAFCO

CITY TO CHALLENGE LAFCO'S DECISION TO OVERRIDE REGISTRAR OF VOTERS ON LA JOLLA SECESSION PETITION

FOR IMMEDIATE RELEASE
Monday, May 12, 2025

CONTACT:
MayorPress@sandiego.gov

SAN DIEGO – Mayor Todd Gloria issued the following statement today announcing the City Council's authorization to initiate litigation against the San Diego County Local Agency Formation Commission (LAFCO) over its objectionable handling of the signature-verification process related to the proposed secession of La Jolla from the City of San Diego:

"This morning, the City Council authorized the City Attorney's Office to file litigation against LAFCO for its handling of the petition for La Jolla's secession from the City of San Diego.

"From the outset, I've made it clear that the City of San Diego has serious concerns about LAFCO's exceptionally broad and questionable interpretations that led them to overturn the County Registrar of Voters' official determination that the La Jolla secession petition was insufficient. The decision by LAFCO to overrule the Registrar undermines public confidence in the integrity of this signature-verification process and sets a troubling precedent. This litigation aims to provide San Diegans with the transparency they deserve, hold LAFCO accountable for its arbitrary and capricious decisions, and affirm the Registrar's original certification of insufficiency."

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

OFFICIAL STATEMENT ON CITY OF SAN DIEGO'S INTENT TO INITIATE LITIGATION REGARDING PROPOSED LA JOLLA INCORPORATION

May 13, 2025

Yesterday we were made aware that the City of San Diego has decided to initiate litigation against San Diego LAFCO. While we have yet to see the lawsuit, we believe we addressed the City's concerns in our May 2nd correspondence, and at our May 5th Commission hearing.

We have, and will continue to remain, open and transparent with the LAFCO Commission, the City, applicants, and the public regarding the process and status of this proposal. We remain committed to fulfilling the obligations and responsibilities outlined to San Diego LAFCO in state law, which grants LAFCO with the authority to be inclusive in enfranchising residents, rather than disenfranchising them.

We look forward to continuing our efforts in reviewing this proposal, and working with all parties on next steps.

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AGENDA REPORT
Public Hearing | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Executive Committee
- Chair Stephen Whitburn
- Vice Chair Barry Willis
- Immediate Past Chair Jim Desmond

Priscilla Mumpower, Assistant Executive Officer

SUBJECT: **Appointment of a Public Member and Other Possible Actions**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider candidate recommendations from its Executive Committee to fill a vacant Regular Public Member seat with a term extending through April 2029. The Committee — comprised of Chair Stephen Whitburn, Vice Chair Barry Willis, and Immediate Past Chair Jim Desmond — interviewed several finalists selected from a pool of 20 eligible applicants. Following deliberation, the Committee voted unanimously to nominate and advance three candidates for consideration by the full Commission. While the Commission retains discretion in determining its approach for considering candidates, staff has advised all three candidates to be prepared to deliver a brief verbal summary of their interests and qualifications as well as to respond to any specific questions. Appointment to the Regular Public Member seat requires a majority vote from the other four membership categories (County of San Diego, City of San Diego, cities, and special districts); it also requires at least one affirmative vote from each category. Additionally, and as a contingency allowed under policy, the item notice allows for the Commission to make an appointment to the Alternate Public Member position if it becomes vacated as a result of the Regular Member appointment.

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BACKGROUND

Membership Composition

San Diego LAFCO's membership structure is prescribed by State law and consists of 13 appointed Commissioners. These Commissioners are divided into five distinct categories: County of San Diego, cities less the City of San Diego, City of San Diego, independent special districts, and the general public. Each category includes both regular and alternate members. Only the public member category - including both the regular and alternate positions - is appointed directly by LAFCO. Appointments to the other four categories are made externally consistent with statutory provisions.

Administrative Policy 109 (A-109) | Public Member Appointments: Objectives and Procedures

San Diego LAFCO adopted a formal policy guiding public member appointments in February 2025. The policy establishes both procedural steps and selection criteria along with articulating broader goals and objectives for public representation. Among policy priorities are demonstrated experience in local government or community advocacy and prioritizing diversity, including geographic representation. To this end, the policy specifies that one public member must reside in an incorporated area and the other in an unincorporated area, unless this requirement is formally waived. Candidate eligibility is defined by State law and requires applicants to be residents of San Diego County who are not officers or employees of the County, any city, or any independent special district.

With respect to the selection process, the policy delegates authority to the Executive Committee to oversee the noticing, recruitment, screening, and interviewing of candidates. However, the policy requires the Committee - by majority vote - to advance no fewer than two candidates for full Commission consideration at a publicly noticed hearing. In addition, the policy provides all Commissioners with the opportunity to review the list of eligible applicants and submit individual nominations for concurrent consideration by the Commission. In accordance with State law, any appointment to the public member position must receive a majority vote from the other four membership categories (County of San Diego, City of San Diego, other cities, and special districts), including at least one affirmative vote from each category. A copy of the policy is provided as Attachment One.

DISCUSSION

This item is for San Diego LAFCO to consider three candidates recommended by the Executive Committee for possible appointment to the Regular Public Member seat involving an active term extending through April 2029. The three candidates are Brigette Browning, Greg Cox, and Eileen Delany.[1] While the Commission retains discretion in considering candidates, staff has advised all three candidates to be prepared to deliver a brief verbal summary of their interests and qualifications as well as to respond to any specific questions. If necessary, this item also allows the Commission to draw from the candidate pool to make an appointment to the Alternate Public Member seat should it become available.

[1] No other candidates have been nominated as allowed under policy by individual Commissioners.

Additional details regarding the recruitment and screening process preceding today's noticed hearing are provided in Appendix A.

ANALYSIS

None.

RECOMMENDATION

It is recommended San Diego LAFCO proceed with the steps outlined as Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

(a) Make an appointment of a public member by majority vote along with at least one affirmative vote from each membership category.

(b) If needed, waive A-109 provision that otherwise requires one public member reside in the unincorporated area and the other resides in the incorporated area.

(c) If needed, make an appointment of an alternate public member by majority vote along with at least one affirmative vote from each membership category.

Alternative Two (recommended):
Continue the item to the next regular meeting.

PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO's agenda for action as part of a noticed hearing. The following procedures are recommended in the consideration of this item:

1) Disclose any material ex-parte communications.
2) Invite each candidate to present.
3) Open the hearing and invite public testimony.
4) Discuss the item and consider the recommendation or alternatives.

On behalf of the Executive Committee,



Priscilla Mumpower
Assistant Executive Officer

Appendices:
A) Executive Committee Procedures + Deliberations

Attachments:
1) Policy A-109 (Public Member Appointments)
2) Public Announcement in UT Inviting Applications
3) Public Notices | Intent to Appoint Regular Public Member
4) Recommended Candidate's Letters of Interest and Resumes
   a. Brigette Browning
   b. Greg Cox
   c. Eileen Delaney

Appendix A
Executive Committee Procedures + Deliberations

Recruitment |
Staff Outreach & Candidate Pool

An open recruitment process was conducted in accordance with the Commission's recently adopted Public Member Appointment Policy (Policy A-109). Recruitment efforts included posting announcements online and publishing a notice of vacancy in the San Diego Union-Tribune on March 12, 2025, inviting interested San Diego County residents to apply. A total of 20 eligible applications were received during the 30-day filing period, including one from current Alternate Public Member Brigette Browning. Two additional applicants were deemed ineligible due to employment or office with a local agency under LAFCO jurisdiction.

Recruitment |
Executive Committee Deliberations

The Executive Committee convened on April 17 to review all eligible applications and, by consensus, invited four candidates to participate in interviews. These individuals were: Brigette Browning (current Alternate Commissioner), Greg Cox (former Commissioner and County Supervisor), Ed Sprague (former Commissioner and retired Fire Chief), and Eileen Delaney (Chair of the Fallbrook Community Planning Group). Interviews were conducted at a noticed meeting held on May 14. Following deliberation, the Committee nominated the following three candidates for consideration by the full Commission (alphabetical order):

1. Brigette Browning
2. Greg Cox
3. Eileen Delaney

A full list of applicants was provided to Commissioners along with the Executive Committee's nominations and notice of the opportunity for individual Commissioners to submit additional nominations. The deadline to submit individual nominations was May 26, 2025. No individual nominations were received by this deadline.

ADMINISTRATIVE POLICY A–109

Subject

PUBLIC MEMBERS APPOINTMENTS

Purpose

Provide rules and procedures to guide the appointment of public members to the Commission in an inclusive, clear, and fair process.

Background

State law specifies the composition of the Commission shall include one member representing the general public with the option to also designate an alternate (Government Code Section 56325).

Policy

It is the policy of the Commission:

A. Goals and Priorities:

1) The Commission shall appoint both regular and alternate public members. One member shall reside in the unincorporated area and the other member shall reside in the incorporated area.

2) The Commission shall prioritize experience in local government and/or community advocacy in considering public member appointments.

3) The Commission shall consider geographic and other lived diversities in appointing public members to help advance balanced decision-making.

4) The Commission tasks the Executive Officer to exercise their best judgement in ensuring robust and inclusive outreach is performed anytime an open recruitment is conducted under this policy.

B. Appointment Eligibility:

1) As required under State law, public member appointees shall be residents of San Diego County. Appointees shall not be current officers

or employees of the County of San Diego or local cities and special districts.

2) Elected officials serving on any of the County of San Diego advisory planning groups retain appointment eligibility to concurrently serve as public members on LAFCO.

3) Appointees may concurrently hold other appointed positions with the County of San Diego or local cities and special districts (e.g., art commissions, measure oversight committees, advisory planning groups).

C. Appointment Terms:

1) All public member terms are four years and begin on the first Monday of May in the year appointed. Any mid-term vacancies shall be filled with appointees assuming the unexpired terms.

2) There are no term limits for public members.

D. Full Term Appointments

1) No less than 90 days in advance, the Executive Officer shall provide notice to the Commission on the agenda advising of any pending term expirations involving the public member positions – regular or alternate.

2) At the time of receiving notice of a pending term expiration involving a public member position, the Commission shall provide direction to LAFCO staff to proceed either with an open recruitment, an expedited reappointment, or when applicable, conduct a limited recruitment wherein the Commission draws from a pool of candidates from a prior recruitment, provided it has occurred within the past six (6) months to expedite the filling of the vacancy.

3) The following appointment procedures are specific to Commission direction to proceed with an open recruitment process.

a) LAFCO staff shall perform outreach on the open recruitment and prepare an advertisement for local publication (print and media) and posting inviting eligible applicants to submit a letter of interest.

b) The application period shall extend to no less than 30 days and may be extended as needed until two or more letters of interests are submitted by eligible applicants.
c) All submitted letters of interests received by the close of the application period shall be immediately transmitted to the full Commission.
d) The Executive Committee (Chair, Vice Chair, and Immediate Past Chair) will screen all applicants, select applicants to interview, and conduct interviews of selected applicants at a noticed special meeting.
e) The Executive Committee will nominate two or more applicants for consideration by the full Commission at a future meeting for which LAFCO staff can provide legally required notice. The list of the nominations from the Executive Committee shall be provided to all Commissioners no less than 10 days prior to the noticed meeting.
f) Any Commissioner may also nominate an applicant for consideration by the full Commission at the noticed meeting no later than five (5) days prior to the noticed meeting. Notice shall be given to the Executive Officer.
g) At a noticed meeting, with the opportunity to continue, the full Commission will consider all nominated applicants, and at the discretion of the Chair this may include inviting presentations and/or conducting interviews.
h) A successful appointment shall achieve no less than four (4) affirmative votes from voting Commissioners and include therein at least one affirmative vote from each of the following four membership categories:
   - County of San Diego
   - Cities Less San Diego
   - Special Districts
   - City of San Diego
i) In the event no candidate receives both a majority vote and an affirmative vote from each of the four membership categories, the Commission shall conduct a run-off vote of two candidates receiving the most votes. In the event that neither candidate receives a majority vote and an affirmative vote from all four membership categories, the Chair shall either continue consideration to a future meeting or provide direction to restart the recruitment process in the manner prescribed under this policy.

4) The following procedures are specific to Commission direction to proceed with an expedited reappointment of the incumbent.

   a) The Commission will take up the expedited reappointment at the next regular meeting for which LAFCO staff can provide legally required notice.

   b) A successful reappointment is subject to the same voting thresholds identified in the preceding subsection.

5) The following procedures are specific to Commission direction to proceed with a limited recruitment wherein the Commission draws from a pool of candidates from a prior recruitment, provided that the recruitment occurred within the past six (6) months.

   a) LAFCO staff shall conduct outreach to candidates who were not selected during the prior recruitment but remain eligible for reconsideration at the discretion of the Commission.

   b) The recruitment shall follow the same procedures as outlined in Section D (Full Term Appointments), subsection 3, paragraphs d through i.

E. Mid Term Vacancy Appointments

1) If the regular public member position becomes vacant prior to the term expiration, the Executive Officer shall provide notice to the Commission on the agenda at the next regular meeting. The Commission may proceed thereafter in providing direction to LAFCO staff of its intentions to either appoint the alternate, proceed with an open recruitment, or when applicable, conduct a limited recruitment wherein the Commission draws from a pool of candidates from a prior recruitment, provided it has occurred within the past six (6) months to expedite the filling of the vacancy.

   a) Any direction to proceed with appointing the alternate to fill a mid-term vacancy shall be considered for action at the next regular meeting in which LAFCO staff can provide legal notice.

b) Any direction to proceed with an open recruitment to fill a mid-term vacancy shall follow the same procedures for full term appointments.

c) Any direction to proceed with a limited recruitment to fill a mid-term vacancy shall follow the same procedures outlined for full term appointments.

Adopted: February 3, 2025

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

SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION

NOTICE ON REGULAR PUBLIC MEMBER VACANCY

The San Diego County Local Agency Formation Commission ("LAFCO") welcomes all interested residents in San Diego County to apply for the regular public member position with a four-year term commencing in May 2025 and running through April 2029. The position – which is one of 13 seats on the LAFCO Commission – is currently vacant with the most recent incumbent retiring in March 2025. The position holder is expected to attend all regular monthly meetings and actively contribute to the Commission's deliberations in meeting the Legislature's prescribed regional growth management tasks. Most commonly, this includes overseeing local cities and special districts' boundaries and municipal service areas as well as preparing periodic studies to assess their performance relative to community needs. All Commissioners receive a per diem for each regular and special meeting attended.

How to Apply: All interested candidates who are residents of San Diego County and not employees or officers of cities or special districts should submit a resume and brief cover letter summarizing their interest and qualifications in serving as the regular public member. These materials should be e-mailed to Assistant Executive Officer Priscilla Mumpower at priscilla.mumpower@sdcounty.ca.gov **no later than April 9, 2025.**

Selection Process: All candidate applications received by this date will be transmitted and screened by the Commission's Executive Committee comprising the Chair, Vice Chair, and Immediate Past Chair at a noticed special meeting. The Executive Committee will interview selected candidates and invite no less than two finalist candidates to be interviewed by the full Commission at a noticed hearing with a formal selection to follow.

Additional information about LAFCO and the role of the Commission is available online at www.sdlafco.org. Interested candidates are also invited to discuss the position with Priscilla Mumpower either by email or telephone at (619) 321-3380.

PUBLISHED: March 12, 2025

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CONDADO DE SAN DIEGO
COMISIÓN DE FORMACIÓN DE AGENCIAS LOCALES

AVISO SOBRE VACANTE DE MIEMBRO PÚBLICO REGULAR

La Comisión de Formación de Agencias Locales del Condado de San Diego ("LAFCO") invita a todos los residentes interesados del Condado de San Diego a postularse para el puesto de miembro público regular con un mandato de cuatro años que comienza en mayo de 2025 y se extenderá hasta abril de 2029. El puesto, que es uno de los 13 puestos de la Comisión LAFCO, está vacante actualmente y el titular más reciente se jubilará en marzo de 2025. Se espera que el titular del puesto asista a todas las reuniones mensuales regulares y contribuya activamente a las deliberaciones de la Comisión para cumplir con las tareas de gestión del crecimiento regional prescritas por la Legislatura. Por lo general, esto incluye supervisar los límites de las ciudades locales y los distritos especiales y las áreas de servicio municipal, así como preparar estudios periódicos para evaluar su desempeño en relación con las necesidades de la comunidad. Todos los comisionados reciben un viático por cada reunión regular y especial a la que asistan.

Cómo postularse: Todos los candidatos interesados que sean residentes del condado de San Diego y no sean empleados o funcionarios de ciudades o distritos especiales deben presentar un currículum y una breve carta de presentación que resuma su interés y sus calificaciones para desempeñarse como miembro público regular. Estos materiales deben enviarse por correo electrónico a la directora ejecutiva adjunta Priscilla Mumpower a priscilla.mumpower@sdcounty.ca.gov a más tardar el **9 de abril de 2025**.

Proceso de selección: Todas las solicitudes de candidatos recibidas hasta esta fecha serán transmitidas y evaluadas por el Comité Ejecutivo de la Comisión, compuesto por el Presidente, el Vicepresidente y el Presidente saliente, en una reunión especial convocada. El Comité Ejecutivo entrevistará a los candidatos seleccionados e invitará a no menos de dos candidatos finalistas a ser entrevistados por la Comisión en pleno en una audiencia convocada, seguida de una selección formal.

Información adicional sobre LAFCO y la Comisión está disponible en línea en www.sdlafco.org. Los candidatos interesados pueden a hablar sobre el puesto con Priscilla Mumpower, ya sea por correo electrónico o por teléfono al (619) 321-3380.

PUBLICADO: 12 de marzo de 2025

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

SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION

Notice is given the San Diego County Local Agency Formation Commission ("LAFCO") will hold a public meeting on **Monday, June 2, 2025 starting at 8:15 a.m.** at the County of San Diego Administration Center at 1600 Pacific Highway, Board Room 302, San Diego, California. At the public meeting, LAFCO will consider the following public hearing matter:

NOTICE ON REGULAR PUBLIC MEMBER APPOINTMENT

LAFCO will interview and consider candidates at its Monday, June 2, 2025 meeting with respect to making a new Regular Public Member appointment to serve a four-year term set to expire in April 2029. The position – which is one of 13 seats on the LAFCO Commission – is currently vacant with the most recent incumbent retiring in March 2025. The position holder is expected to attend all regular monthly meetings and actively contribute to the Commission's deliberations in meeting the Legislature's prescribed regional growth management tasks. Most commonly, this includes overseeing local cities and special districts' boundaries and municipal service areas as well as preparing periodic studies to assess their performance relative to community needs. All Commissioners receive a per diem for each regular and special meeting attended.

An agenda report on this item will be posted online at www.sdlafco.org approximately one week ahead of the noticed meeting. Comments on this item are welcomed and should be submitted no later than Friday, May 30th to Commission Clerk Erica Sellen by email erica.sellen@sdcounty.ca.gov or telephone at (619) 321-3380.

PUBLISHED: May 13, 2025

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EL CONDADO DE SAN DIEGO
COMISIÓN DE FORMACIÓN DE LA AGENCIA LOCAL

La Comisión de Formación de la Agencia Local del Condado de San Diego ("LAFCO") llevará a cabo una reunión pública el lunes 2 de junio de 2025 a partir de las 8:15 a.m. en el Centro de Administración del Condado de San Diego en 1600 Pacific Highway, Sala de Junta 302, San Diego, California. En la reunión pública, LAFCO considerará el siguiente asunto de audiencia pública:

AVISO SOBRE EL NOMBRAMIENTO DE UN MIEMBRO PÚBLICO REGULAR

LAFCO entrevistará y considerará a los candidatos en su reunión del lunes 2 de junio de 2025 con respecto a la designación de un nuevo Miembro Público Regular para servir un período de cuatro años que expirará en abril de 2029. El puesto, que es uno de los 13 puestos de la Comisión LAFCO, está actualmente vacante y el titular más reciente se jubila en marzo de 2025. Se espera que el titular del cargo asista a todas las reuniones mensuales regulares y contribuya activamente a las deliberaciones de la Comisión para cumplir con las tareas prescritas de la Legislatura del regulamiento de crecimento regional. Por lo general, esto incluye la supervisión de los límites de las ciudades locales y los distritos especiales y las áreas de servicio municipal, así como la preparación de estudios periódicos para evaluar su desempeño en relación con las necesidades de la comunidad. Todos los miembros de la comisión reciben un viático por cada reunión ordinaria y especial a la que asisten.

Un informe de agenda sobre este tema se publicará en línea a www.sdlafco.org aproximadamente una semana antes de la reunión anunciada. Comentarios sobre este tema son bienvenidos y se deben enviarse a más tardar el viernes 30 de mayo a la Secretaria de la Comisión Erica Sellen por correo electrónico erica.sellen@sdcounty.ca.gov o por teléfono al (619) 321-3380.

PUBLICADO: El 13 de Mayo 2025

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SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION

NOTICE OF POTENITAL APPOINTMENTS TO PUBLIC MEMBER POSITIONS
- REGULAR AND ALTERNATE -

May 13, 2025

- Members of the General Public
- County of San Diego
- Cities of San Diego County
- Independent Special Districts of San Diego County

The San Diego County Local Agency Formation Commission (LAFCO) hereby announces its intent to consider appointments at its meeting on **Monday, June 2, 2025** in Room 302 at the County of San Diego Administration Building starting at 8:15 a.m. for the following positions:

1. **Regular Public Member Seat**
   - Currently vacant with term to May 2029
   - One of 8 voting seats on the Commission

2. **Alternate Public Member Seat (*Contingent*)**
   - Currently held by Brigette Browning with term to May 2027
   - One of 5 non-voting seats on the Commission
     - Alternates vote in the absence of a regular seat holder

The County Administration Building is located at 1600 Pacific Highway in downtown San Diego. Free visitor parking for up to three hours is available in the building's underground garage, accessible via Ash Street.

Any questions should be directed to Assistant Executive Officer Priscilla Mumpower by e-mail at priscilla.mumpower@sdcounty.ca.gov or telephone at 619-321-3380.

Administration
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
San Diego, California 92103
T 619.321.3380
www.sdlafco.org
lafco@sdcounty.ca.gov

Joel Anderson, County of San Diego
Jim Desmond, County of San Diego
Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

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March 20, 2025

Dear Commissioners,

I respectfully submit my candidacy for your consideration as the next regular public member. My current role as the alternate public member uniquely positions me with immediate familiarity with present and planned Commission activities and the crucial function of the position as the lone voting member specifically tasked with representing the general public. I also can draw on my two decades of professional labor experience to help identify and address community needs for a large portion of the general public – the middle class- that is often underrepresented when it comes to LAFCO's role in facilitating orderly growth in the form of jobs, housing and municipal services. I am a native San Diegan and currently reside in Chula Vista with my father, husband and two children. I welcome the opportunity to continue to serve my community in this new role with the Commission.

Sincerely,

Brigette Browning

BRIGETTE BROWNING

BBROWNING@UNIONYES.ORG

6199813009

OBJECTIVE

To help raise the voice of working people into decisions made by LAFCO

SKILLS

I am an astute listener who thrives in environments where I need to resolve conflicts. I have worked for 25 years with workers predominately in the Southern part of our County and I feel like their voice is so important in regional decisions.

EXPERIENCE

SAN DIEGO & IMPERIAL COUNTIES LABOR COUNCIL, CEO

5/21- Present

In charge of the federation of labor unions. We have more than 100,000 members and I am responsible for representing their diverse interests and promoting a more robust middle class.

UNITE HERE LOCAL 30 - PRESIDENT

2005-present

The top elected leader of a diverse union of more than 6000 workers. In charge of staff development, negotiating contracts, managing health and welfare funds.

EDUCATION

BA 6/1996 UCSD

Environmental Chemistry and Spanish Literature

GREG COX
647 WINDSOR CIRCLE, CHULA VISTA, CA 91910
GREGCOX.CA@GMAIL.COM

April 4,2025

Mr. Keene Simonds, Executive Officer
LAFCO
2550 Fifth Ave., Suite 725
San Diego, CA 92103

Dear Mr. Simonds,

I would like to submit my name for consideration for the Local Agency Formation Commission's Public Member vacancy. I served on LAFCO over the years as both a voting member and as an alternate. As an elected official, I worked with LAFCO on several LAFCO-related issues and problems.

Serving for 5 ½ years as a Chula Vista City Councilmember, nine years as Chula Vista Mayor and 26 years as a San Diego County Board of Supervisors member gave me strong insight into the needs of our communities. Serving for 1 ½ years as Deputy Director of the Governor's Office of Planning and Research, Director of Local Government in Sacramento, and as President of the League of California Cities, California State Association of Counties and National Association of Counties provided valuable experience in the relationships among local, regional, state, and national government.

Over the years, I have built upon my interest in and respect for local government. I have always strived to reach consensus as difficult issues arose. I believe I could serve a positive role on LAFCO as a Public Member.

My biography highlighting some accomplishments over the years is attached. I look forward to meeting with you and appreciation your consideration of my interest in this position.

Respectfully,

Greg Cox

Greg Cox

GREG COX

PROFILE

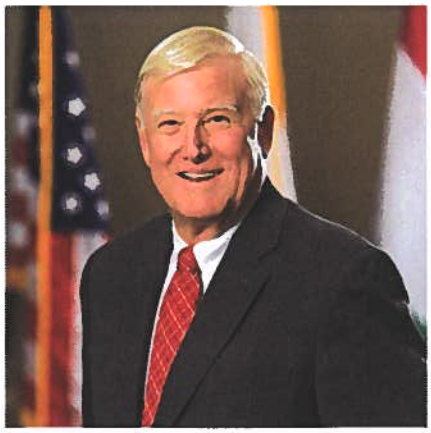
After more than 45 years in public service, Greg Cox's last day as an elected official was January 4, 2021.

During his time in office, Greg worked on projects, programs, and community services that brought him great joy and deep satisfaction. His career in public service began as an educator in the Sweetwater Union High School District. He was elected to the Chula Vista City Council in 1976, and then served two terms as Mayor. He was President of the League of California Cities and when he left the city of Chula Vista, the Governor appointed him Director of Local Government for the Office of Planning and Research.

Greg joined the San Diego County Board of Supervisors in 1995. He served 26 years as County Supervisor, during which he was elected President of the California State Association of Counties and President of the National Association of Counties. Along the way, Greg also served on the California Coastal Commission, San Diego Regional Airport Authority, and several other boards and commissions, including the Policy Board of San Diego Workforce Partnership, San Diego Association of Governments' Public Safety and Borders Committees, and the U.S./Mexico Border Counties Coalition.

As a member of the Board of Supervisors until his retirement in January 2021, Supervisor Cox oversaw a regional government with an over $5 billion budget, providing services for more than 3 million people. The County of San Diego received numerous awards during his tenure, including national recognition as one of the best-run county governments in the United States.

Greg treasured people and sought commonality as they worked together to improve quality of life in our local communities. In retirement, he has assisted the Boy Scouts of America in building a campsite in the County Park near Otay Lakes. As a founding member of the Bonita Optimist Club, he has worked to renovate the Provence House in Rohr Park as a meeting place for members and for members of the public seeking a hospitality venue.



GREG COX RESUME

EDUCATION

San Diego State University, M.A., 1977; B.A. 1970

EXPERIENCE

Supervisor, First District, San Diego County Board of Supervisors, 1995-2021
President, Cox & Associates, 1992-1995
Deputy Director for Local Government, Governor's Office of Planning and Research, 1991-1992
Executive Director, South County Economic Development Council, 1990-1991
Councilmember and Mayor, City of Chula Vista, 1976-1990

COUNTY GOVERNMENT

Member and President, California State Association of Counties (CSAC) , 1998-2021. CSAC Finance Corp.
Member, California Coastal Commission, 2013-2016
Member and President, National Association of Counties (NaCO), 2006-2021
Member, San Diego County Regional Airport Authority, 2010-2021
San Diego Association of Governments (SANDAG), Bayshore Bikeway, Borders, Public Safety and Transportation Committees, 1995-2021
Member, Otay Valley Regional Park Policy Committee, 1988-1990, 1995-2021

PREVIOUS GOVERNMENT SERVICE

Boardmember, Committee Chair and President, League of California Cities (LCC), 1981-1990
Boardmember, Committee Chair, San Diego Association of Governments (SANDAG), 1981-1990
Member, National Ocean Council Governance Coordinating Committee, 2015-2017
Chair, San Diego Unified Disaster Council, 1998, 2013, 2020

COMMUNITY ACTIVITIES

Member, Maritime Museum San Diego, 2021-present
Member, Bonita Optimist Club, 1975-present
Boardmember, Chula Vista Chamber of Commerce, 1992-1995
Member, Chula Vista Elks Lodge, 1981-present
Committee Chair and President, Chula Vista Jaycees 1971-1988
Founder and Member, Chula Vista Nature Center/Living Coast Discovery Center, 1987-present
Member, Sustaining Membership Campaign, South Bay Family YMCA, 1983-present
Member, Sweetwater Valley Civic Association, 2018-present
Member, Board of Directors, Veterans Home of Chula Vista Support Foundation, 1999-2021

CIVIC RECOGNITION

Lifetime Achievement Award, California State Association of Counties, 2021
Lifetime Achievement award, Mabuhay Foundation, 2018
Golden Footprint Lifetime Achievement Award, Circulate San Diego, 2016
Marilyn Lassman Lifetime Achievement Award, South County Economic Development Council, 2016
National Planning Advocate Award, American Planning Association, 2015
Lead the Way Award, Outdoor Outreach, 2015
Appreciation Award for Restoring and Preserving Chollas Creek Watershed, Groundwork San Diego, 2015
California Coastal Trail Champion Award, Coastwalk California/Coastal Conservancy, 2015
Clean San Diego Honoree, I Love a Clean San Diego, 2014
Thanks for Support recognition, MANA de San Diego, 2013
Outstanding Public Official recognition, National Association of County Parks and Recreation Officials, 2012
Spirit of the Border Award, Otay Mesa Chamber of Commerce

March 13, 2025

Ms. Priscilla Mumpower
Assistant Executive Officer
San Diego Local Area Formation Commission
2550 Fifth Avenue, Suite 725
San Diego, CA 92103-6624

Dear Ms. Mumpower:

I am writing to request consideration as a candidate for the position of Public Member.

I believe that I would be an excellent fit for LAFCO. I have 30 years of extensive experience in planning and land use. I have served on numerous County Boards, Commissions and Committees dealing with many aspects of land development, redevelopment, planning, special districts and other land use and governmental changes.

For 27 years I have been re-elected by the residents of Fallbrook to represent them on the Fallbrook Planning Group and Design Review Board of which I serve as Chair.

I am also the co-Founder and vice Chair of the Association of Planning Groups- San Diego County, which represents the nearly 600,000 residents of the County's unincorporated areas. This gives me an advantage of having a pulse on the needs and concerns of the second largest population in the County.

I am research and detail oriented. I pride myself on considering all perspectives and making fact based decisions.

Attached please find a short resume of my background, experience and accomplishments.

I appreciate your time and thank you for your consideration.

Sincerely,

Eileen Delaney

Eileen Delaney
P.O. Box 1419
Fallbrook, CA 92028
Eileen.fallbrook@gmail.com
760.518.8888

Business
Retired as President of DAC1 Companies.

Government Planning and Land Use Experience
Nearly 30 years of extensive knowledge in governmental planning and land use. This includes special service districts, agriculture, parks, boundary adjustments, long range planning, housing, zoning, and other regulations. Examples include:

- Chair of the Fallbrook Planning Group. First elected in 1999.
- Chair of the Fallbrook Design Review Board. Appointed 2000
- Vice Chair, County of San Diego Planning & Development Services Oversight Committee. BOS Appointment 2015
- Chair, District 5 Revitalization Committee for Fallbrook. Appointed
- Co-founder and Vice Chair, Association of Planning Groups- San Diego County. Elected vice Chair
- San Diego County Committees for Fire, Water, Right of Way Ordinances and Regulations. Appointed
- SANDAG, Alternate Advisory Board Member, Elected
- Director, Morro Hills Community Service District. Elected
- County of San Diego, Park Land Dedication Ordinance update. Appointed
- County of San Diego Ordinance, Signs & Banners in the ROW- Appointed
- Committee member: County General Plan update
- Committee member: Fallbrook Community Plan.
- Chair, Fallbrook Design Guideline/Standards Update and Checklist
- Fallbrook Public Facilities Committee
- Fallbrook Parks & Recreation Committee
- Fallbrook Circulation Committee

Other Public Service, Elected and/or Appointed:
- Chair, San Diego County Citizen's Law Enforcement Review Board- Appointed by BOS and elected Chair by members of the Board
- Board of Directors, Boys & Girls Club of North County
- Board of Directors, Boy & Girls Club Foundation
- President, Foundation for Senior Care, Elected
- Director, Bonsall Woman's Club- Elected
- Director, Fallbrook Chamber of Commerce - Elected

- San Diego County District Attorney and Sheriff's Department Citizens Academy- Appointed
- Founder, Operation United Families- Assistance for enlisted Marines and their Families.

Honors and Awards:
California State Senate Woman of the Year
Olympic Torch Bearer
74th Assembly District Woman of Distinction/Woman of the Year
San Diego County Volunteer of the Year
Fallbrook Citizen of the Year.
Boys & Girls Club Champion of Youth,
Fallbrook Chamber of Commerce Community Champion
Bonsall Woman's Club- Volunteer of the Year

Education
Alum of California State University, Fullerton.

Attributes
Team player, good listener to all viewpoints, research oriented and decision maker based on information and fact.

Dedicated to helping improve the lives of others and to make San Diego County a better and safer place to live and visit.

"By helping others, you help yourself"

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0074
(916) 319-2074
FAX (916) 319-2174

Assembly
California Legislature

LAURIE DAVIES
ASSEMBLYMEMBER, SEVENTY-FOURTH DISTRICT

April 14, 2025

To Whom It May Concern:

I am writing to express my strong support for Eileen Delaney's application to serve as a Public Member on the San Diego Local Agency Formation Commission (LAFCO).

Eileen has been a dedicated leader and community advocate in North County for decades. With over 30 years of experience in land use and planning, she brings a wealth of institutional knowledge and practical insight to the table. She currently serves as Chair of both the Fallbrook Planning Group and the Fallbrook Design Review Board, where she has been instrumental in shaping responsible development and preserving the unique character of the region.

In addition to her local leadership, Eileen is Vice Chair of the Association of Planning Groups, representing more than 600,000 residents across unincorporated San Diego County. Her collaborative, solutions-oriented approach has earned the respect of colleagues and constituents alike. I was proud to recognize Eileen as the 74th Assembly District Woman of the Year in 2024, a small acknowledgment of her many years of public service.

Eileen understands the complex balance between growth and preservation, and I am confident she will bring thoughtful and steady leadership to LAFCO. Her record speaks for itself; she is exactly the kind of voice we need on this Commission.

For these reasons, I am pleased to offer my full support of her appointment.

Sincerely,

Laurie Davies

Laurie Davies
Assemblymember, 74th District

To Whom It May Concern:

It is a distinct honor to provide this letter of recommendation for Eileen Delaney to vacancy of the Public Member position on LAFCO San Diego. With nearly three decades of experience in governmental planning, land use policy, and public service, Ms. Delaney is an exceptionally qualified and highly respected leader whose record of service speaks for itself.

Throughout her career, Ms. Delaney has demonstrated expertise in a wide range of planning and development areas, including special service districts, agriculture, parks and recreation, housing, zoning, long-range planning, and boundary adjustment processes. Since 1999, she has served as Chair of the Fallbrook Planning Group, where her thoughtful leadership and comprehensive understanding of policy have significantly contributed to the well-being of the community.

Her contributions extend far beyond her local role. Ms. Delaney has served on numerous county-level boards and committees, including as Vice Chair of the San Diego County Planning & Development Services Oversight Committee, Chair of the District 5 Revitalization Committee, and co-founder and Vice Chair of the Association of Planning Groups for San Diego County. Her appointed service on SANDAG, fire and water regulatory committees, and park land dedication ordinances highlights her broad influence and deep policy knowledge.

Ms. Delaney's commitment to community is also evident in her extensive civic engagement. She has held leadership positions with the Citizen's Law Enforcement Review Board, Boys & Girls Club of North County, Foundation for Senior Care, Fallbrook Chamber of Commerce, and numerous other nonprofit and advisory organizations. She is also the founder of Operation United Families, a program dedicated to supporting active-duty Marines and their loved ones.

Ms. Delaney's work has earned widespread recognition, including honors such as California State Senate Woman of the Year, Fallbrook Citizen of the Year, and San Diego County Volunteer of the Year. These accolades reflect not only her dedication, but also the lasting positive impact she has made throughout San Diego County.

Eileen Delaney is a highly principled, research-oriented professional who brings exceptional insight, collaboration, and leadership to every role she undertakes. I am confident she will continue to contribute meaningfully and effectively in any professional or advisory capacity.

Please do not hesitate to contact me should you require any additional information.

Sincerely,

Nick Brust
District Director
Office of Senate Minority Leader Brian W. Jones
brust.nicholas@gmail.com
760-277-4220

MaryAnne Pintar
4350 Executive Drive, Suite 105
San Diego, CA 92121

Appointment Committee
San Diego County Local Agency Formation Committee
2550 Fifth Ave., #725
San Diego, CA 92103

April 19, 2025

Dear Appointment Committee:

I write in support of Eileen Delaney who seeks to be appointed as Public Member on the San Diego County Local Agency Formation Committee. She is an outstanding and committed community volunteer.

In my professional capacity, I serve as Chief of Staff to Congressman Scott Peters. However, I met Eileen in one of my personal volunteer roles: I currently serve as Chair of the San Diego County Citizens Law Enforcement Review Board (CLERB). Eileen was the chair immediately before me. CLERB provides independent civilian oversight of the San Diego County Sheriff's Office and Probation Department. Review, deliberation and decisions regarding law enforcement officer behavior, policy and professionalism requires a serious commitment of time and objectivity by CLERB's volunteer board members, and our board had enough confidence in Eileen's commitment to elect her Board Chair.

I served as Eileen's co-chair for two years and worked with her closely. She was dedicated and a hard worker, and always took the opinions and strong feelings of others into account, even when they differed from hers. She also did an excellent job of learning from the concerns of the public who came before us during our open, public meetings and gave people a fair chance to be heard. She also managed well our fellow board members and always did her best to address their concernce make corrections when problems between board members, or board members and staff surfaced. She demonstrated an ability to work with everyone in this role.

She would be an excellent community representative at LAFCO.

Sincerely,

MaryAnne Pintar

MaryAnne Pintar

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AGENDA REPORT
Business | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Kim Thorner, Special Districts Advisory Committee Chair
Priscilla Mumpower, Assistant Executive Officer
Joelle Burila, Analyst I

SUBJECT: **Proposed Policy Amendments |**
Special Districts Advisory Committee Rules

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider approving proposed amendments to the governing rules of the Special Districts Advisory Committee (Committee). This item aligns with a current fiscal year workplan objective to modernize the Committee in advising the Commission on its activities and responsibilities. The proposed amendments, developed by the Committee, provide clarification on the Committee's purpose and core functions, refine membership composition and election procedures, adjust meeting scheduling, and update various administrative provisions. The Committee recommends adoption of the proposed amendments with an immediate effective date.

BACKGROUND

Special Districts Advisory Committee

San Diego LAFCO established the Committee in 1971 as a resource to support the Commission in its expanding responsibilities related to overseeing local agency jurisdictional boundaries. The Committee's formation - notably - preceded the 1975 legislation that authorized formal

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Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
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 A. Drake, Alt., Rincon del Diablo
Vacant, General Public
Brigette Browning, Alt., General Public

special district representation on LAFCOs. Following a brief hiatus associated with the establishment of special district seats on the Commission, the Committee was reconvened by the late 1970s and resumed regular meetings to deliberate on matters of particular relevance to special districts. Under its current governing rules, the Committee is composed of 16 elected representatives from independent special districts with eligibility extended to both board members and general managers. Amendments to the Committee's rules require approval by a majority vote of both the Committee and the Commission.

Adopted Workplan & Review of the Committee Rules

San Diego LAFCO's current fiscal year workplan includes 30 projects, organized into two categories - statutory and administrative - with priority levels assigned by the Commission. Among the administrative projects is a partnership with the Committee to review and identify appropriate amendments to its governing rules. This effort is intended to strengthen alignment between the Committee and the Commission and to support their shared interest in promoting effective and coordinated growth management.

Formation of an Ad Hoc Subcommittee

At its September 2024 meeting, the Committee approved the formation of an Ad Hoc Subcommittee to lead the review of its governing rules and identify proposed amendments with support from LAFCO staff. A listing of the Ad Hoc's six members is provided below.

- Chair Kimberly Thorner (Olivenhain Municipal Water District)
- Paul Bushee (Leucadia Wastewater District)
- Al Lau (Sante Fe Irrigation District)
- Dave McQuead (Rancho Sante Fe Fire Protection District)
- Mark Robak (Otay Water District)
- Oliver Smith (Valley Center Municipal Water District)

The Ad Hoc subsequently held meetings on December 12, 2024 and January 14, 2025. The Ad Hoc presented its proposed amendments to the full Committee on April 18, 2025.

DISCUSSION

This item is presented for San Diego LAFCO's consideration to approve amendments to the Committee's governing rules consistent with the Committee's recommendations approved at its April 18, 2025 meeting. A summary of the key proposed amendments follows:

Committee Role and Purpose

- Clarify the Committee's advisory role to the Commission. This includes amending the rules provide the Committee serves the Commission and any recommendations are directed to the Commission – not LAFCO staff.

- Expand the Committee's stated purpose to include advising and making recommendations on LAFCO's municipal service reviews and in doing so reflecting its role in supporting core Commission responsibilities.

Membership Composition

- Reduce the Committee's membership from sixteen (16) to fifteen (15) members.[1]

- Expand eligibility criteria to encourage broader representation across special district service sectors and geographic areas within San Diego County.

Election Procedures

- Establish biennial elections for Committee membership.
  - Conducting an initial election in January 2026 to fill eight (8) seats.
  - Conduct a subsequent election in January 2028 to fill the remaining seven (7) member seats.

Meeting Schedule and Location

- Adjust the regular meeting schedule from the last month of each quarter (March, June, September, December) to the first month (January, April, July, October).

- Update the Committee Rules to reflect LAFCO's current office address as the official meeting location for all regular meetings.

Quorum Requirements

- Amend the quorum requirement from five (5) members to eight (8) members, constituting a simple majority for affirmative votes.

Rule Review Clause

- Introduce a standing provision requiring a comprehensive review of the Committee's Rules at least once every five years, or as deemed necessary, to ensure continued relevance and alignment with LAFCO's policies and priorities.

[1] There is currently one vacant seat on the Committee previously held by Tom Kennedy of the Rainbow Municipal Water District. Should the proposed amendment to reduce the Committee's membership be approved, this vacancy would be effectively eliminated and would not require appointment or election.

The proposed amendments with tracked change-edits are provided as Attachment One.

ANALYSIS

The proposed amendments before San Diego LAFCO represent the culmination of a collaborative review process led by the Committee and its designated Ad Hoc Subcommittee. The updates are intended to modernize the Committee's purpose and governance structure while enhancing alignment with current operational needs. As the final step in this process, Commission adoption is required to formally implement the proposed changes. This item also provides an opportunity for the Commission to propose any additional modifications.

RECOMMENDATION

It is recommended San Diego LAFCO approve the proposed amendments to the Committee's rules with any additional revisions as requested. This recommendation is consistent with Alternative One outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):
Approve the proposed amendments to the Committee's rules as provided in Attachment One with any desired changes and set an immediate effective date. Also authorize the Executive Officer to make any technical and non-substantive edits.

Alternative Two:
Continue consideration of the item to a future meeting and provide direction to staff for additional information as needed.

Alternative Three:
Take no action.

(continued)

PROCEDURES

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

1) Receive verbal presentation from staff, unless waived.
2) Invite comments from interested audience members, if any.
3) Discuss the item and provide feedback.

On behalf of the Committee,

Joelle Burila

Joelle Burila
Analyst I

Attachments:

1) Proposed Update to Special District Advisory Committee Rules (track-changes)
2) Special Districts Advisory Committee Meeting Minutes (context only):
    a. September 2024 (approved)
    b. December 2024 (approved)
    c. April 2025 (draft form – pending Committee approval)

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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

The LAFCO Special Districts Advisory Committee serves at the discretion of the Commission for all purposes set forth in these Rules. 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, municipal service reviews, spheres of influence ~~adoption or amendment~~actions, 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 fifteen (1615) 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. The committee's goal is to ensure diverse representation by including a wide variety of special districts and covering as many geographic areas in San Diego County as possible. This approach aims to reflect the unique needs, regional perspectives and types of special districts within the County. Members may be either an special district elected board member or a staff person. Members of the Committee may not also be members Commissioners 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 of the Cortese-Knox-Hertzberg Act (CKH). An annual biennial 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.

Following the approved amendments to these Rules in 2025, and pursuant to the established election schedule, the Committee election shall occur in 2026 for the initial cohort of eight (8) members, who shall be selected based on the longest-expired terms. The subsequent election, to be held in 2028 in accordance with the biennial cycle, shall include the remaining seven (7) members, selected based on the most recently expired terms.

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. As outlined in CKH Government Code Section 56334, Committee members may continue to serve beyond their expired term until a successor is appointed.

D. Termination of Membership

Any member may be removed at any time and without cause by a simple affirmative 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.

~~Special Districts Advisory Committee Rules~~
~~Page Three~~

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 first regular ~~December~~ January meeting, or the ~~first~~ next 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~~ designate one or more staff members to act as the Secretary for the Committee. ~~The Secretary~~ Staff member(s) 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~~ first 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~~ eight (~~8~~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~~ occur at the ~~University of California cooperative Extension located at 9335 Hazard Way, Suite 201, San Diego, California.~~San Diego County Administration Center located at 1600 Pacific Highway, San Diego, California 92101. Any meeting may, however, be held at a site at the discretion of the ~~Chairman~~ Chairperson and/or Executive Officer. The meeting dates and locations for the following calendar year shall be determined at the prior last regular October meeting. 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

LAFCO staff shall serve as the designated facilitators of Committee 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~~ Chairperson 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.

~~Special Districts Advisory Committee Rules~~
~~Page Five~~

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~~ eight (~~8~~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 simple 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 special district that is a subject district of a proposal (as defined by Government 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.

~~Special Districts Advisory Committee Rules~~
~~Page Six~~

SECTION VII
PLACE OF BUSINESS

The principal business office of the Special Districts Advisory Committee is in the San Diego LAFCO office, 2550 Fifth Avenue, Suite 725 San Diego, California 92103-6624. ~~Suite 200, 9335 Hazard Way, San Diego, California 92123.~~

SECTION VIII
AMENDMENT

~~These~ The Special Districts Advisory Committee Rules may be amended by simple majority affirmative vote ~~a majority vote of~~ by the Committee at any regular or special meeting followed by final approval by the Commission at the next available 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.

These Rules shall be reviewed every five years or as needed to ensure their continued relevance and effectiveness. Amendments may be made in accordance with the

procedures set forth herein.

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
June 2, 2025

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SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
SPECIAL MEETING
September 20, 2024

Olivenhain Municipal Water District
Boardroom
1966 Olivenhain Road
Encinitas, CA 92024

1. 10:00 A.M. – CALL TO ORDER BY CHAIR

Chair Kim Thorner called the meeting to order at 10:05 a.m.

Item 1a
ROLL CALL

Chair Kim Thorner requested a roll call from the Committee Secretary.

Committee Members Present:
Chair Kim Thorner (Olivenhain MWD)
Paul Bushee (Leucadia WWD)
Albert Lau (Santa Fe ID)
Hector Martinez (South Bay ID)
Dave McQuead (Rancho Santa Fe FPD)
Mark Robak (Otay WD)
Mike Sims (Bonita-Sunnyside FPD)
Oliver Smith (Valley Center MWD)

Committee Members Absent:
Vice Chair Jack Bebee (Fallbrook PUD)
Ann Baldridge (RCD Greater San Diego County)
Jeff Egkan (North County FPD)
James Gordon (Deer Springs FPD)
Diane Hansen (Palomar Health HCD)
Marty Miller (Vista ID)
Joel Scalzitti (Helix WD)

The Committee Secretary confirmed a quorum with eight members present. The following members of San Diego LAFCO staff were present at roll call: Executive Officer Keene Simonds; Assistant Executive Officer Priscilla Mumpower; Legal Counsel Aleks Giragosian (virtually); Local Government Analyst I Joelle Burila; GIS Analyst Dieu Ngu; Consultant Chris Cate; and Commission Clerk Erica Sellen serving as Committee Secretary.

Item 1b
PLEDGE OF ALLEGIANCE

Hector Martinez (South Bay ID) led the Pledge of Allegiance.

2. AGENDA REVIEW

Chair Kim Thorner asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer stated no changes were needed to the agenda.

3. OPEN EXPRESSION

Chair Kim Thorner asked if there were any members of the public who wished to address the Committee on a germane topic that is not directly part of the agenda.

The Committee Secretary confirmed there were no pre-registered speakers and no live email comments.

4. CONSENT ITEMS

a) Approval of Meeting Minutes for June 21, 2024 (action)
The Committee considered draft summary minutes prepared for the last meeting held on June 21, 2024. Staff recommends approval as presented.

**

On motion by Hector Martinez and seconded by Paul Bushee, the Committee unanimously approved the minutes for the June 21, 2024 meeting.

5. BUSINESS ITEMS

a) Current Workplan Update on High-Priority Projects | Municipal Service Reviews on Wholesale Water Agencies, Healthcare Districts in San Diego County, and San Diego Association of Governments (information)
The Committee received an update on the current adopted workplan focusing on San Diego LAFCO's highest placed priorities. This included separate municipal service reviews on wholesale water service providers, healthcare districts in San Diego County, and the San Diego Association of Governments (SANDAG). The MSR on wholesale water agencies will include a comprehensive review of the San Diego County Water Authority and a proportional review of the Metropolitan Water District of Southern California. The MSR on healthcare districts will cover the four districts in San Diego County – Fallbrook, Palomar, Grossmont, and Tri-City. The final MSR will study SANDAG and its regional housing, transportation, and climate adaptation service functions. This item was presented for information with an opportunity for Committee members to provide feedback to staff on interests and/or priorities on behalf of special districts in San Diego County.

Staff presentation for wholesale water agencies provided by LAFCO Consultant Chris Cate.

Committee Discussion followed.

Staff presentation for the healthcare district and SANDAG provided by Local Government Analyst I Joelle Burila.

Committee Discussion followed.

The Committee Secretary confirmed there were no pre-registered speakers and no live email comments.

BUSINESS ITEMS CONTINUED…

b) **Policy Review |**
Special Districts Advisory Committee Rules (discussion + action)
The Committee considered modernizing its formal rules as part of the Commission's adopted workplan. This included reviewing the Committee's purpose and core focuses, composition and elections, and place and time of meetings. This item was presented for discussion with the opportunity for the Committee to provide feedback and direction on returning with a future item for action if requested.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Committee discussion followed with a consensus to form an ad hoc committee to further discuss the Committee rules. The following members volunteered to be on the committee: Al Lau, Oliver Smith, Paul Bushee, Kim Thorner, Dave McQuead, and Mark Robak.

The Committee Secretary confirmed there were no pre-registered speakers and no live email comments.

c) **Updated Rolling Five-Year Study Schedule (information)**
The Committee received an update on the Commission's rolling five-year study schedule. This update follows the Commission's action in August 2024 to adjust the coverage period from FY2024-2028 to FY2025-2029, aligning the study schedule with the Commission's adopted workplan. The first two years of the rolling five-year schedule remain largely intact, continuing to cover municipal service reviews as outlined in the workplan while accommodating the fact that some studies may require more than one year to complete. A new study has been added to the first two-year period, focusing on a previously unscheduled municipal service review on SANDAG and its regional housing, transportation, and climate adaptation functions. Additionally, certain regional studies have been reorganized to better address multi-city special districts, and a new study on airports has been included in the fifth year. This item was presented for information only.

Staff presentation provided by Assistant Executive Officer Priscilla Mumpower.

Committee discussion followed.

The Committee Secretary confirmed there were no pre-registered speakers and no live email comments.

d) **Proposal for "Special District Spotlight" at Quarterly Meetings (discussion + action)**
The Committee considered a proposal by staff to introduce a "Special District Spotlight" at quarterly meetings, where each district would have the opportunity to host a meeting on a rotating basis. This proposal aims to allow districts to showcase their recent achievements, innovative projects, and future plans. The hosting district could provide a presentation on their activities and, if desired, offer a tour of their facilities to give Committee members and staff insight into their operations. The proposal seeks to enhance collaboration, share best practices, and strengthen connections among districts. Staff presented this item as a verbal report.

BUSINESS ITEMS CONTINUED…

Continued Item 5d |
Proposal for "Special District Spotlight" at Quarterly Meetings (discussion + action)

Assistant Executive Officer Priscilla Mumpower provided the verbal staff report.

Committee discussion followed with the following districts offering to host the next Special Districts Advisory Committee meetings: Hector Martinez (South Bay ID), Dave McQuead (Rancho Santa Fe FPD), Mike Sims (Bonita-Sunnyside FPD), and Paul Bushee (Leucadia WWD).

The Committee Secretary confirmed there were no pre-registered speakers and no live email comments.

6. COMMITTEE MEMBER REPORTS

- Paul Bushee noted Leucadia WWD is participating in a Student Career Day on October 10th.
- Mark Robak stated Otay WD's board member Tim Smith retired, and Frank Rivera was appointed. Mr. Robak also thanked LAFCO staff on their social media outreach.
- Mike Sims (Bonita-Sunnyside FPD) will retire in 2025. Chair Thorner congratulated Mr. Sims on his upcoming retirement and thanked him for his service on the Committee.

7. LAFCO EXECUTIVE OFFICER REPORT

Executive Officer Keene Simonds noted the following items:

- Harry Mathis was appointed as the Regular Public Member on the Commission and from formerly serving as the Alternate. Brigette Browning was appointed to the Commission as the Alternate Public Member.
- New LAFCO staff members: Local Government Analyst I Joelle Burila, Local Government Analyst I Meghan Traynor, and Communications Associate Aiden Velasquez.
- LAFCO Consultant Stephen Abbott has retired.
- Update on the Port of San Diego. An agreement is anticipated by the end of the year.

8. ADJOURNMENT

With no further business, the Special Districts Advisory Committee meeting was adjourned at 11:29 a.m.

Attest:

Erica Sellen
Committee Secretary

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
SPECIAL MEETING
December 20, 2024

County of San Diego Administration Center
1600 Pacific Highway, Room 402
San Diego, California 92101

1. 10:00 A.M. – CALL TO ORDER BY CHAIR

Chair Kimberly Thorner called the meeting to order at 10:04 a.m.

Item 1a
ROLL CALL

Chair Kimberly Thorner requested a roll call from the Committee Secretary.

Committee Members Present:
Chair Kimberly Thorner (Olivenhain MWD)
Vice Chair Jack Bebee (Fallbrook PUD)
Ann Baldridge (RCD Greater San Diego County)
Paul Bushee (Leucadia WWD)
Jeff Egkan (North County FPD)
James Gordon (Deer Springs FPD)
Albert Lau (Santa Fe ID)
Dave McQuead (Rancho Santa Fe FPD)
Marty Miller (Vista ID)
Mark Robak (Otay WD)
Joel Scalzitti (Helix WD)
Mike Sims (Bonita-Sunnyside FPD)
Oliver Smith (Valley Center MWD)

Committee Members Absent:
Hector Martinez (South Bay ID)

The Committee Secretary confirmed a quorum with thirteen members present. The following members of San Diego LAFCO staff were present at roll call: Executive Officer Keene Simonds; Assistant Executive Officer Priscilla Mumpower; Commission Counsel Aleks Giragosian; Local Government Analyst II Michaela Peters; Local Government Analyst I Joelle Burila; Local Government Analyst I Meghan Traynor; Communications Associate Aiden Velasquez; GIS Analyst Dieu Ngu; and Commission Clerk Erica Sellen serving as Committee Secretary. LAFCO Consultants Chris Cate and Adam Wilson were also present.

Item 1b
PLEDGE OF ALLEGIANCE

Oliver Smith (Valley Center MWD) led the Pledge of Allegiance.

2. AGENDA REVIEW BY CHAIR

Chair Kimberly Thorner asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer stated no changes were needed to the agenda.

3. OPEN EXPRESSION

Chair Kimberly Thorner asked if there were any members of the public who wished to address the Committee on a germane topic that is not directly part of the agenda.

The Committee Secretary confirmed there were no pre-registered speakers and no live email comments.

4. CONSENT ITEMS

a) Approval of Meeting Minutes for September 20, 2024 (action)
The Committee considered draft summary minutes prepared for the last meeting held on September 20, 2024. Staff recommends approval as presented.

b) Update on 2024-2025 Workplan (information)
The Committee received an update on the adopted workplan and activities associated with the 30 special projects set for 2024-2025. Information only.

c) Approved Policy on Conducting Municipal Service Reviews (L-106) (information)
The Committee received an update on the recently approved Legislative Policy 106 and its governing provisions related to conducting municipal service reviews. The policy – approved by the Commission in November 2024 – formalizes existing practice to provide all subject agencies an opportunity to review complete draft reports on municipal service reviews prior to their public presentation. Information only.

**

On motion by Oliver Smith, seconded by Mike Sims, with Marty Miller, Joel Scalzitti, and James Gordon abstaining for Item 4a, the Committee approved the Consent Calendar.

5. BUSINESS ITEMS

a) Draft Policy on Public Member Appointments (discussion)
The Committee reviewed a draft policy to establish rules and procedures in making regular and alternate public member appointments. The item ties to the adopted workplan and presented in advance of the current regular public member's four-year term expiring in May 2025. The draft builds on recent practice and feedback provided by the Commission at its December 2, 2024 meeting and collectively aims to create a clear and known process. Staff anticipates drawing on the Committee feedback in presenting a final draft version to the Commission for action in February 2025.

Staff presentation provided by Assistant Executive Officer Priscilla Mumpower.

Committee discussion followed with a recommendation to clarify appointment eligibility. No action.

BUSINESS ITEMS CONTINUED…

b) **Current Workplan Update on High Priority Project | MSR on Wholesale Water Agencies: San Diego County Water Authority and Metropolitan Water District of Southern California (information)**
The Committee received an update on the status of the scheduled municipal service review on wholesale water agencies covering a comprehensive evaluation of the San Diego County Water Authority and a limited evaluation of the Metropolitan Water District of Southern California. The update is provided for information with an opportunity for Committee members to provide feedback on work to date as well as pending steps. Information only.

Staff presentation provided by LAFCO Consultants Chris Cate.

Committee discussion followed. No action.

c) **Current Workplan Update on High Priority Project | MSR Update on San Diego Association of Governments (information)**
The Committee received an update on the status of the scheduled municipal service review on San Diego Association of Governments (SANDAG) and its transportation, housing, and climate adaptation functions. The update is provided for information with an opportunity for Committee members to provide feedback on work to date as well as pending steps. Information only.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Committee discussion followed. No action.

d) **Current Workplan Update on High Priority Project | MSR Update on Healthcare Districts in San Diego County (information)**
The Committee received an update on the status of the scheduled municipal service review on healthcare districts in San Diego County and core functions provided by Fallbrook, Palomar, Grossmont, and Tri-City. The update is provided for information with an opportunity for Committee members to provide feedback on work to date as well as pending steps. Information only.

Staff presentation provided by Local Government Analyst II Michaela Peters.

Committee discussion followed. No action.

e) **Update on Policy Review | SDAC Rules (discussion + feedback)**
The Committee received an update regarding its ongoing review of the Committee's rules and efforts to modernize them. This item ties to the Commission's adopted workplan and involves a comprehensive review of the Committee's rules, focusing on its purpose and core focuses, composition and elections, and place and time of meetings. The update is provided for information with an opportunity for Committee members to provide feedback and direction, in advance of staff presenting a future item for action.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Committee discussion followed. No action.

6. COMMITTEE MEMBER REPORTS

- Ann Baldridge shared that her board president, Fire Chief Don Butz, was recognized as fire chief of the year with the San Diego County Fire Chiefs Association.
- Mike Sims (Bonita-Sunnyside FPD) will retire in 2025. Chair Thorner congratulated Mr. Sims on his upcoming retirement.

There was discussion from the Committee to start the new terms in 2026/2028. The chair asked for a motion. On motion of Paul Bushee and seconded by Mark Robak, the Committee approved the terms starting on January 2026 and January 2028.

7. EXECUTIVE OFFICER REPORT

Executive Officer Keene Simonds noted the following item:

- Update on the Port of San Diego.

8. ADJOURNMENT

With no further business, the Special Districts Advisory Committee meeting was adjourned at 11:24 a.m.

Attest:

Erica Sellen
Committee Secretary

DRAFT
SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION
SPECIAL DISTRICTS ADVISORY COMMITTEE
SPECIAL MEETING
April 18, 2025

Bonita-Sunnyside Fire Protection District
4900 Bonita Road, Boardroom
Bonita, California 91902

1. 9:30 A.M. – CALL TO ORDER BY CHAIR

Chair Kimberly Thorner called the meeting to order at 9:31 a.m.

Item 1a
ROLL CALL

Chair Kimberly Thorner requested a roll call from the Committee Secretary.

Members Present:
Chair Kimberly Thorner (Olivenhain MWD)
Vice Chair Jack Bebee (Fallbrook PUD)
Paul Bushee (Leucadia WWD)
Jeff Egkan (North County FPD)
Albert Lau (Santa Fe ID)
Rachel Mason (Fallbrook Regional HD)
Dave McQuead (Rancho Santa Fe FPD)
Marty Miller (Vista ID)
Mark Robak (Otay WD) (arrived at 10:21 a.m.)
Mike Sims (Bonita-Sunnyside FPD)

Members Absent:
Ann Baldridge (RCD Greater San Diego County)
James Gordon (Deer Springs FPD)
Hector Martinez (South Bay ID)
Joel Scalzitti (Helix WD)
Oliver Smith (Valley Center MWD)

The Committee Secretary confirmed a quorum with ten members present. The following members of San Diego LAFCO staff were present at roll call: Executive Officer Keene Simonds; Assistant Executive Officer Priscilla Mumpower; Commission Counsel Holly Whatley; Local Government Analyst II Michaela Peters; Local Government Analyst I Joelle Burila; Local Government Analyst I Meghan Traynor; Communications Associate Aiden Velasquez; GIS Analyst Dieu Ngu; and Commission Clerk Erica Sellen serving as Committee Secretary. LAFCO Consultants Chris Cate and Tom Kennedy were also present.

Item 1b
PLEDGE OF ALLEGIANCE

Mike Sims (Bonita-Sunnyside FPD) led the Pledge of Allegiance.

2. AGENDA REVIEW BY CHAIR

Chair Kimberly Thorner asked the Executive Officer if there were requests to remove or rearrange items on the agenda. The Executive Officer stated no changes were needed to the agenda.

Chair Thorner introduced new Committee member Rachel Mason (Fallbrook Regional HD). Executive Officer Keene Simonds had LAFCO staff proceed with self-introductions.

3. OPEN EXPRESSION

Chair Kimberly Thorner asked if there were any members of the public who wished to address the Committee on a germane topic that is not directly part of the agenda. The Chair invited comments from the following registered speaker:

- Alisha Morrison

The Committee Secretary confirmed there were no other registered speakers and no live email comments.

4. CONSENT ITEMS

a) Approval of Meeting Minutes for December 20, 2024 (action)
The Committee considered draft summary minutes prepared for the last meeting held on December 20, 2024. Recommendation to approve as presented.

b) Progress Report on 2024-2025 Workplan (information)
The Committee received an update on the adopted workplan and activities related to the 30 special projects scheduled for 2024-2025. Information only.

c) Approved Policy on Public Member Appointments (information)
The Committee received an update on a new policy that establishes rules and procedures for appointing regular and alternate public members to the Commission. The policy ties to the adopted workplan and aims to create a standardized process for public member appointments as well as setting related consideration priorities. Notable provisions in the policy includes requiring one member—whether regular or alternate—be selected from the unincorporated community and another from an incorporated community. Another late revision added to the approved policy allows the Commission to draw from a pool of candidates from a previous recruitment under certain conditions. The Commission also considered a recommendation by the Committee to establish term limits but deferred any action for future consideration. Information only.

Chair Thorner asked if requiring one member from an unincorporated community and another from an incorporated community affects the current policy. In response, Assistant Executive Officer Mumpower stated the policy goes into effect in May 2025.

**

On motion by Paul Bushee (Leucadia WWD) and seconded by Dave McQuead (Rancho Santa Fe FPD), the Committee unanimously approved the Consent Calendar.

[…]

5. BUSINESS ITEMS

a) Adopted Draft Workplan and Budget for 2025-2026 (discussion + possible action)

The Committee reviewed a draft workplan and budget for 2025-2026, which were adopted by the Commission at its March 3, 2025 meeting. Both drafts largely represent the status quo with respect to continuing existing project activities and funding levels with targeted enhancements. The workplan identifies 30 special projects in priority order and headlined by forwarding active municipal service reviews on wholesale water service providers, healthcare districts, and local agencies within the Carlsbad-Encinitas region. New additions include commencing a municipal service review on the San Diego Unified Port District and establishing a pilot grant program to help fund special LAFCO projects. The budget draws on the workplan and totals $3.164 million in matching expenses and revenues and reflects an overall increase of 8.6% or $0.251 million. The budgeted increase in revenues to match expenses mostly involves raising local agency apportionments by 7.6% or $0.156 million with the balance covered by drawing from additional reserves. Recommendation to review and provide feedback to staff as well as any formal recommendations and/or requests to the Commission.

Staff presentation provided by Assistant Executive Officer Priscilla Mumpower.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. No action.

b) Update on Implementing Policy on Out-of-Agency Services (discussion)

The Committee received an update on the implementation of a new LAFCO policy governing out-of-agency services in San Diego County. The policy was established in May 2024 and provides rules for administering Government Code Section 56133 and its provisions requiring cities and special districts to obtain LAFCOs approval before providing out-of-agency services. LAFCO has processed several requests under the new policy and implemented related provisions including delegating authority to the Executive Officer for no-cost determinations on exemption eligibility. Discussion only.

Staff presentation provided by Local Government Analyst II Michaela Peters.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. No action.

c) Implementing Report Recommendations from University of California Berkeley to Expand LAFCOs' Effectiveness (information)

The Committee received a presentation on recent staff activities to advance critical recommendations involving LAFCOs' effectiveness in meeting statutory objectives from a report published by the University of California, Berkeley. The report outlines strategies to strengthen the relationship between State regulators, LAFCOs, and local communities in addressing the delivery of safe drinking water, with a focus on elevating municipal service reviews (MSRs) and facilitating water system consolidations. Consistent with feedback from the Commission, staff has been collaborating with the U.C. Berkeley author and other stakeholders in developing legislative amendments addressing the report's

BUSINESS ITEMS CONTINUED…

Item 5d Continued

recommendations. This includes exploring legislation to expand LAFCOs authority to initiate annexations under certain circumstances to address public health considerations involving water and wastewater services. Information only.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. No action.

d) Policy Review | Draft Special Districts Advisory Committee Rules Update (discussion)
The Committee received an update from staff regarding the review and update to modernize its formal Committee rules as part of the Commission's FY 24-25 adopted workplan. This item involves a comprehensive review of the Committee's rules, focusing on its purpose and core focuses, composition and elections, and place and time of meetings. The Ad Hoc Committee, which was formed during the September 2024 Committee meeting, has convened twice to review the Committee's rules to ensure their continued relevance and effectiveness. Recommendation to review and provide feedback to staff as well as any formal recommendations and/or requests to the Commission.

Staff presentation provided by Local Government Analyst I Joelle Burila.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed.

**

On motion by Mike Sims (Bonita-Sunnyside FPD) and seconded by Albert Lau (Santa Fe ID), the Committee unanimously approved the amendments to the Special Districts Advisory Committee Rules.

e) Development of Weighted Water Rate Comparison Formula (discussion)
The Committee received a verbal report on LAFCO staff's intent to develop a weighted water rate comparison formula with consultant Tom Kennedy. This formula will be used in Municipal Service Reviews (MSRs). LAFCO staff seeks the Committee's input on best practices for evaluating agencies' water rates, considering the unique characteristics of each agency, such as topography and infrastructure. This item is presented for discussion and feedback.

Staff presentation provided by LAFCO Consultant Tom Kennedy.

Chair Thorner proceeded to invite questions and/or comments from the Committee.

General discussion followed. Chair Thorner invited members to form a subcommittee for further analysis and assist Tom Kennedy in the development. The following members volunteered: Kimberly Thorner, Paul Bushee, Albert Lau, and Jack Bebee.

6. COMMITTEE MEMBER REPORTS

- Chair Thorner presented at a Senate hearing in Sacramento for SB496.
- Mark Robak took a tour of Olivenhain MWD's facilities and was impressed with the efficiency.
- Paul Bushee noted Leucadia WWD was recognized by the California Water Environment Association for the Statewide Budget System of the Year.

7. EXECUTIVE OFFICER REPORT

Executive Officer Keene Simonds noted the following items:

- The passing of Public Member, Commissioner Harry Mathis.
- Recruitment of the Public Member seat on the Commission.
- Update on the status of the petitions filed to incorporate La Jolla.
- No Commission meeting in September 2025, but invited Chair Thorner to give a Committee update to the Commission before the end of the calendar year.

8. ADJOURNMENT

With no further business, the Special Districts Advisory Committee meeting was adjourned at 11:08 a.m.

Attest:

Erica Sellen
Committee Secretary

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7b

AGENDA REPORT
Business | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
Michaela Peters, Analyst II

SUBJECT: **Proposed "Moody – Lemon Avenue Out-of-Agency Wastewater Services" | City of La Mesa (OAS26-05)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a request from the City of La Mesa to extend out-of-agency wastewater service to an approximately 0.3-acre unincorporated parcel located within the Valle de Oro community. The affected territory consists of one undeveloped legal parcel with no assigned situs address and is immediately adjacent to both the City's incorporated boundary and its sphere of influence. The request is intended to facilitate the provision of public wastewater service to support the planned development of one single-family residence and one accessory dwelling unit as allowed under County of San Diego zoning regulations. Approval of the request requires the Commission to make two separate policy determinations: the proposed out-of-agency service extension is preferable to annexation given local conditions, and the extension reasonably addresses an impending threat to public health and safety. Staff believes both findings are substantiated and recommends approval of the request. Staff further recommends that the Commission find the project categorically exempt from environmental review under State CEQA Guidelines Section 15319(b).

Administration
Keene Simonds, Executive Officer
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San Diego, California 92103
T 619.321.3380
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Joel Anderson, County of San Diego
Jim Desmond, County of San Diego
Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

BACKGROUND

Out-of-Agency Services Statute and Local Implementing Policies

Government Code Section 56133 prohibits cities or special districts from providing new or extended services by contracts outside of their jurisdictional boundaries without prior LAFCO review and approval less certain and limited exemptions. In addition, cities or districts may only provide services by contract outside of their boundaries and within their spheres of influence in anticipation of later annexations. If the affected territory lies outside the subject agencies' spheres, outside-of-agency services may only be extended in response to documented threats to public health and/or safety as determined by LAFCO.

In May 2024, San Diego LAFCO approved a policy to formalize rules and related procedures in receiving, evaluating, and acting on local agencies' requests to provide new or extended out-of-agency services other than fire protection. Materially, the policy specifies LAFCO will consider out-of-agency service requests whenever otherwise merited new or extended services cannot be reasonably accommodated through annexations or other jurisdictional changes. The policy also authorizes the Executive Officer to proceed on their own to approve out-of-agency services in response to documented health, safety, or welfare impacts. Otherwise, all out-of-agency approvals require formal Commission action.

Applicant Request

San Diego LAFCO received a request from the City of La Mesa in February 2025 – on behalf of interested landowners (Dennis and Sarah Moody) – for approval to provide new wastewater services by contract to a 0.3-acre undeveloped parcel located outside its jurisdictional boundary. The affected territory lies along Lemon Avenue within the unincorporated community of Valle de Oro. The parcel is identified by the County of San Diego Assessor's Office as 495-151-55 with no assigned situs address. The request is premised on supporting the planned construction of one single-family residence and an accompanying accessory dwelling unit.

A map showing the affected territory is provided as Attachment One.

DISCUSSION

This item is presented for San Diego LAFCO to consider approving the City of La Mesa's request under Government Code Section 56133 to provide new out-of-agency wastewater services (collection, treatment, and disposal classes) to the affected territory. The Commission retains discretion to approve the request with or without conditions, provided such conditions do not directly regulate land use, property development, or subdivision standards. Although the request could be administratively approved by the Executive Officer, staff believes the first two of the four required policy determinations - outlined in the following section - are most appropriately considered and acted upon by the full Commission.

Additional discussion on proposal purpose, land use policies, and Commission focus follows.

Proposal Purpose

The purpose of the request is to establish out-of-agency wastewater service from the City of La Mesa to the affected territory in support of the landowner's planned construction of one single-family residence and one accessory dwelling unit.

Current and Planned Land Uses

The affected territory consists of a single undeveloped parcel located in unincorporated Valle de Oro. The County of San Diego designates the parcel as Semi-Rural Residential (SR-0.5), with a corresponding zoning designation that establishes a minimum lot size of 0.5 acres. While this zoning precludes further subdivision of the parcel, it permits the development of one single-family residence and one accessory dwelling unit. The City of La Mesa has not pre-zoned this parcel given it lies outside of their sphere of influence.

Commission Focus

Staff has identified four central and sequential policy considerations for San Diego LAFCO in evaluating the merits of the City of La Mesa's request to provide new out-of-agency wastewater services to the affected territory:

1. Comparative Merits of Out-of-Agency Service vs. Annexation
   Whether extending service outside City of La Mesa's boundary is preferable to annexation under the current circumstances.

2. Public Health and Safety Considerations
   Whether the proposed extension reasonably addresses an existing or impending threat to public health and safety under statute and local policy.

3. Availability and Adequacy of Service
   Whether the City of La Mesa has the capacity and infrastructure to provide adequate and reliable wastewater service.

4. Appropriateness of Discretionary Terms
   Whether any discretionary conditions should be included as part of the Commission's approval.

ANALYSIS

The following analysis addresses the four policy considerations outlined in the preceding section that are most relevant to San Diego LAFCO's evaluation of the City of La Mesa's request to provide out-of-agency wastewater services to the affected territory.

Comparative Merits of Out-of-Agency Service vs. Annexation

Annexation remains the preferred method under LAFCO law and local policy for formalizing the relationship between territory and municipal service provision, unless local conditions indicate otherwise. In this case, staff believes local conditions support an out-of-agency service extension as the most effective and appropriate means of providing wastewater service to the affected territory. Annexation - along with the necessary sphere of influence amendment - would result in the creation of an island or otherwise irregular boundary, which would not constitute an orderly or logical expansion of La Mesa's jurisdiction. These potential outcomes are among the specific factors the Commission is directed to consider under LAFCO statute when evaluating proposals for jurisdictional change.[1]

Public Health and Safety Considerations

The approval is premised on abating an impending threat to public health and safety, with the City of La Mesa attesting the wastewater extension serves the best interests of the public health, safety, and welfare of the subject property and surrounding private properties. This determination is supported by the impracticality of constructing an on-site wastewater treatment system due to the parcel's limited size, the proximity of an existing City-owned sewer main in Lemon Avenue, and alignment with applicable City policies.[2] Further, this approval is in alignment with Commission practice to proactively address potential welfare impacts on communities in step with facilitating otherwise planned and responsive housing.

Availability and Adequacy of Service

The affected territory consists of a single undeveloped legal parcel totaling approximately 0.3 acres located within the unincorporated community of Valle de Oro. The City of La Mesa is requesting approval to extend new wastewater service to the parcel by contract in support of the planned construction of two dwelling units - a single-family residence and an accessory dwelling unit. Staff has verified that wastewater service is readily available to the affected territory via an existing sewer main located along Lemon Avenue, which can be accessed through the construction of a private lateral connection. The projected average daily wastewater demand following development is approximately 480 gallons per day. This demand can be readily accommodated by City of La Mesa's wastewater system by representing only 0.145% of the system's existing available capacity and posing no adverse impact to service levels or infrastructure performance.[3]

---

[1] Reference to Government Code Section 56668.(f)The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

[2] As a condition of La Mesa's approval, the property owner must obtain an encroachment permit for the construction of a private sewer lateral within Lemon Avenue, a public street owned by the City of La Mesa. Issuance of the permit is contingent upon proof of a valid County of San Diego building permit for the residence and approvals for the ADU.

[3] One single-family residence and one accessory dwelling unit generate an approximate 480 gallons per day (gpd) and divided by 240 gpd per unit. The City of La Mesa's capacity is 5.03 million gallons per day (MGD) and its average daily flow is 4.7 MGD.

Appropriateness of Discretionary Terms

The application of standard approval terms appears sufficient in this case. This includes requiring the applicant to pay any outstanding fees necessary to complete the approval as provided under the San Diego LAFCO fee schedule. Conversely, consistent with established practice, consideration has been given to include a condition requiring the landowner to file an annexation proposal with LAFCO for future processing. However, staff believes it is appropriate to proceed without this otherwise common term given local conditions and the impracticality of timing a future annexation in light of the preceding factors.[4]

RECOMMENDATION

It is recommended San Diego LAFCO conditionally approve the requested out-of-agency wastewater service authorization allowing the City of La Mesa to provide new service to the affected territory to accommodate the construction of a single-family residence and accessory dwelling unit. This recommendation is consistent with Alternative One below.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished through a single-approved motion.

Alternative One (recommended):

(a) Approve the requested out-of-agency wastewater service authorization between the City of La Mesa and landowner of the affected territory as detailed and subject to the scope and terms provided in the preceding sections.

(b) Authorize the Executive Officer to file a Notice of Exemption consistent with finding the request qualifies as a "project" under the California Environmental Quality Act (CEQA) but exempt from further review under State CEQA Guidelines Section 15319(b) given the approval will not accommodate no more than two dwelling units.

Alternative Two:
Continue item to a future meeting.

Alternative Three:
Disapprove the request.

[4] La Mesa has conditioned approval of the outside-of-agency service agreement on the execution of an Irrevocable Offer of Annexation, which precludes the landowner from objecting to annexation in the future.

PROCEDURES

This item has been placed on the agenda for action as part of San Diego LAFCO's business calendar. The following procedures are suggested in the consideration of this item:

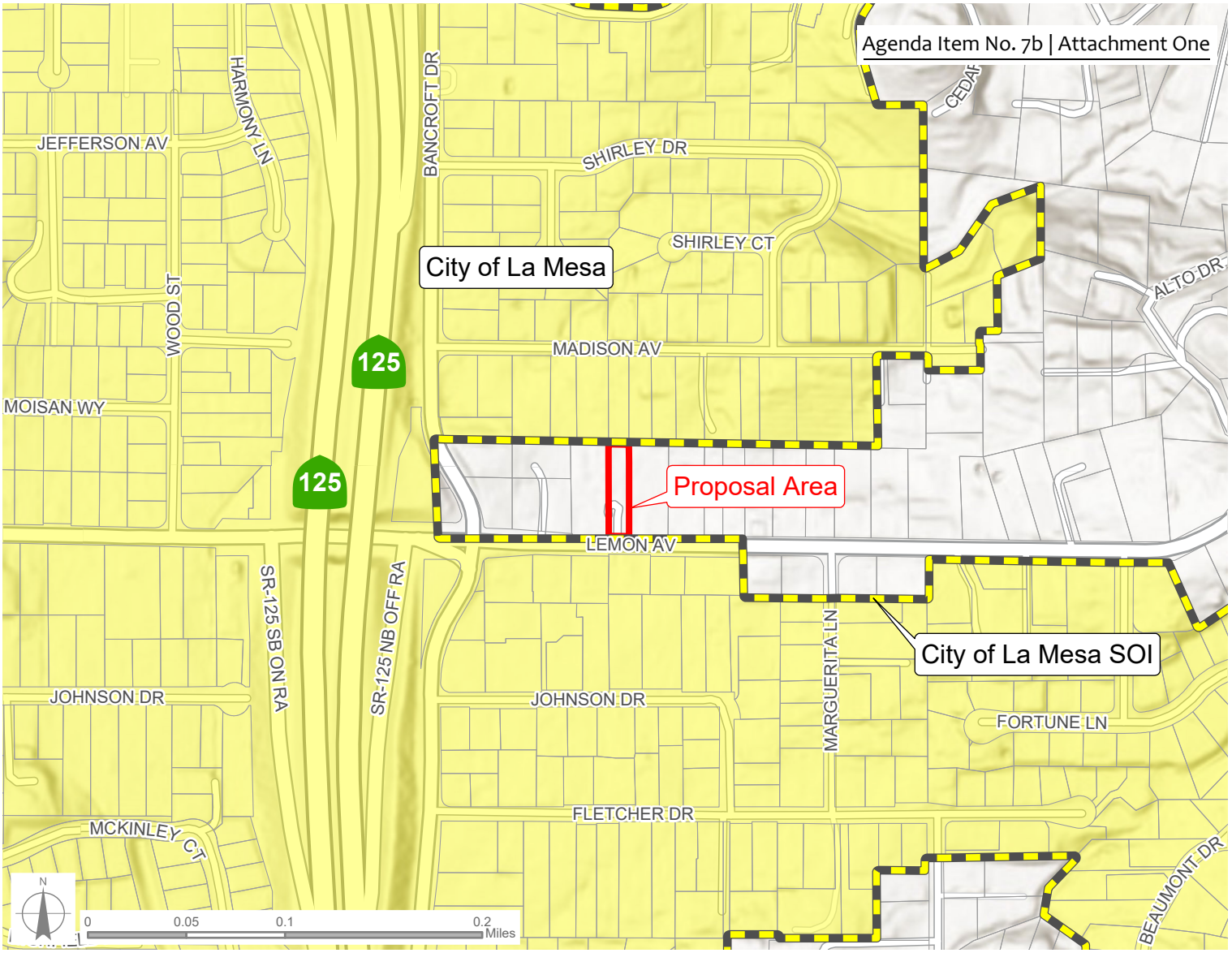
1) Receive verbal report from staff unless waived.
2) Invite any interested parties to testify.
2) Discuss item and consider recommendation.

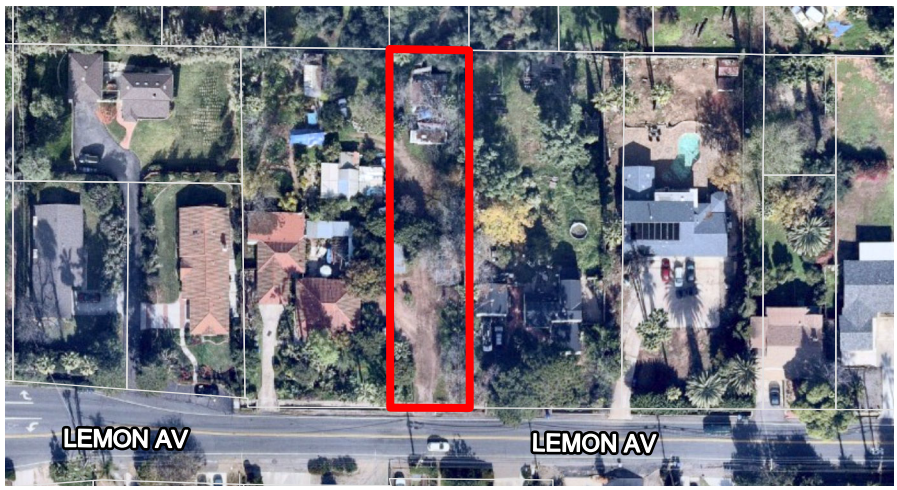
On behalf of the Executive Officer,

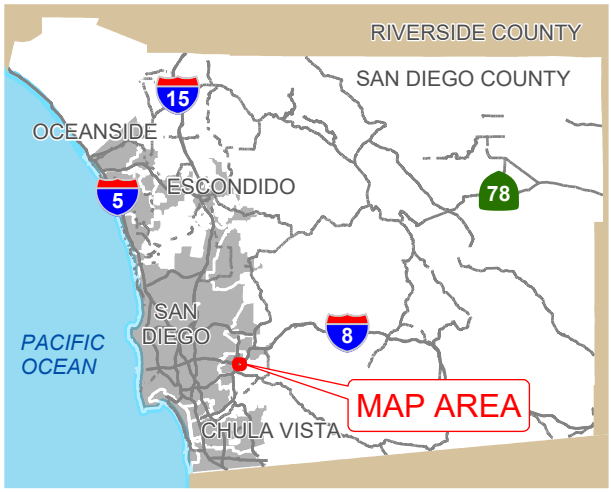
Michaela Peters
Analyst II

Attachments:

1) Map of the Affected Territory
2) Related Requested Documents







OAS25-06 "MOODY - LEMON AVENUE OUT-OF-AGENCY WASTEWATER SERVICES" | CITY OF LA MESA

City of La Mesa SOI
Proposal Area
City of La Mesa
SOI = Sphere of Influence

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

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Created by Dieu Ngu -- 4/23/2025

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CONTRACTUAL SERVICE AGREEMENT APPLICATION FORM

In addition to the materials required for any change(s) of organization, submit the following items:

1. One copy of either an approved Resolution of the City Council/District Board of Directors or a letter from the City Manager/District General Manager requesting approval for a contractual service agreement.

2. One copy of the contract or agreement stipulating the terms and conditions of extending service to the property signed by the property owner(s) and the agency that is to provide the service.

3. LAFCO processing fee. Contact the LAFCO office or refer to fee schedule.

Print/Type Name: Dennis and Sarah Moody

Property Address: APN 495-151-55-00

Phone #: 619-550-9381 / 714-273-7662 Date: 2/6/2025

This application is used by LAFCO staff to provide supplemental information for contractual service agreement requests.

1. What type or types of public service(s) will be provided? Sewer

2. Why is the service needed? If the service agreement is in response to an emergency health and safety situation, such as a failed septic system, provide information documenting the circumstances (e.g., letter from the County Department of Environmental Health).

3. If a jurisdictional change, such as annexation, is not possible at this time, explain the circumstances that prevent annexation and when the jurisdictional change is anticipated. Annexation not possible because it would create an illogical boundary.

4. Are there any jurisdictional issues associated with the proposed contractual service agreement? ☐ YES ☑ NO
(If yes, please complete the LAFCO Policy L-107 form)

San Diego Local Agency Formation Commission
2550 Fifth Ave., Suite 725
San Diego, CA 92103
(619) 321-3380

Revised November 2022

CITY OF
LA MESA
JEWEL of the HILLS

February 4, 2025

San Diego County LAFCO
Attn: Keene Simonds
2550 Fifth Avenue, Suite 725
San Diego, CA 92103

Re: Out of Area Service Agreement Request
Parcel between 9160 and 9210 Lemon Avenue
APN 495-151-55-00

Dear Mr. Simonds:

The City of La Mesa, at the behest of property owners Dennis and Sarah Moody, is requesting approval from San Diego LAFCO to provide wastewater services to a vacant parcel between 9160 and 9210 Lemon Avenue (APN 495-151-55-00), which is outside of the City of La Mesa municipal boundary. The property is not located within the City's Sphere of Influence.

City of La Mesa public sewer infrastructure is available in the adjacent public right-of-way and has adequate capacity to provide service to the property. Extension of sanitary sewer service outside of the City limits to allow for the construction of a residence with an accessory dwelling unit (ADU) has been determined by the City Engineer to be consistent with City Council Resolutions No. 15521 and No. 2024-131. An Out-of-Area Agreement for Sanitary Sewer Service will be recorded in the Office of the County Recorder.

I appreciate your consideration in this manner. Please reach out to the Director of Community Development, Lynnette Santos, at 619-667-1187 or lsantos@cityoflamesa.us with any questions.

Sincerely,

Greg Humora
City Manager

cc: File

8130 ALLISON AVENUE • LA MESA, CA 91942 • TEL: 619.463.6611 FAX: 619.667.1131

RECORDING REQUESTED BY:
La Mesa City Clerk
FEE EXEMPT PER
GOVERNMENT CODE SECTION 27383

WHEN RECORDED, RETURN TO:

Megan Wiegelman, City Clerk
City of La Mesa
P. O. Box 937
La Mesa, CA 91944-0937

(Space Above for Recorder's Use Only)

AGREEMENT FOR SANITARY SEWER SERVICE
(Unaddressed lot on Lemon Ave, APN: 495-151-55-00)

THIS AGREEMENT, made and entered into this_____day of _____, 2025 by and between the **City of La Mesa, a Municipal Corporation**, hereinafter referred to as the "City", and **Dennis Moody and Sarah Moody** hereinafter referred to as the "Owners",

WITNESSETH:

WHEREAS, the City Council adopted Resolution No. 15521 on June 23, 1987, adopting a policy for extension of sanitary sewer to serve residents outside the City limits;

WHEREAS, the City Council adopted Resolution No. 2024-131 on October 22, 2024, updating the policy for extension of sanitary sewer to serve residents outside the City limits;

WHEREAS, the 2012 General Plan Policy LU-7.1.3 is to work with the Local Agency Formation Commission (LAFCO) when residents outside the City request annexation or connection to City sanitary facilities;

WHEREAS, the owners desires to utilize the wastewater transportation and treatment facilities of the City for property located outside the City limits;

WHEREAS, the City Engineer has determined that sanitary sewer service for the subject property is necessary to protect the health and safety of the areas residents; and

WHEREAS, the City has and is operating a sanitary sewer system so situated and of sufficient capacity to transport and treat the wastewater from the owner's property.

NOW, THEREFORE, for and in consideration of the promises herein and for further good and valuable consideration hereinafter set forth, IT IS MUTUALLY AGREED BETWEEN THE PARTIES AS FOLLOWS:

SECTION 1. The property of the owners proposed to be connected to the City's sanitary sewer system, at a point approved by the City Engineer, shall be that area in a territory located within the City limits and shown in **Attachment A**.

SECTION 2. The owners may discharge wastewater into the City's sanitary sewer system, from the property described in Section 1 hereof, upon condition, however, that no waste oil, acid and other matter that may be detrimental to the treatment process employed in the City sanitary sewer system, nor any storm or ground waters, shall be permitted to be discharged into said connecting line, or lines, If any permitted discharge through said sewer system is contrary to limitations provided in this paragraph, the City may make such repair, mitigation or maintenance work at the expense of the owners and the owners agrees to pay the expense of such repair, mitigation or maintenance work. Further, the Owner shall comply with all codes, ordinance or policies relating to sanitary sewer service within the City of La Mesa.

SECTION 3. The owners shall prepare plans and specifications for the development of the lot and/or lots for which the sewer system extension is required, specifically the construction of a new single family residence with an accessory dwelling unit. These plans and specifications shall be reviewed and approved by the City Engineer prior to the review of plans and specifications for the extension of the sewer. Plan review by the City Engineer shall be in accordance with current fee schedules and established procedures. This agreement is predicated on the development of the property.

SECTION 4. If a public sanitary sewer main is required to be installed, then the owners shall prepare plans and specifications for installation of a public sanitary sewer collection system, which shall meet the City's Design Criteria and shall be approved by the City Engineer. The owners shall install public sanitary sewer main lines in the public streets or in an approved easement granted to the City, from the owner's property to the existing public sanitary sewer system. Private sanitary sewer main and/or service laterals when installed shall be by the property owners. The applicant/owners shall be responsible to acquire private sewer easements if required. In addition, charges shall be paid by owner as follows: (***per current fee schedule established by the City Council**).

*A. A review fee payable to City at Planning Department.

*B. A plan check fee based on approved Engineer's estimate for reviewing plans for sanitary sewer collection system.

*C. An inspection fee based on approved Engineer's estimate of construction cost for inspecting construction of the public sanitary sewer collection system.

*D. A lump sum payment to the City, representing a sewer capacity charge to connect the City's existing facilities, and a lump sum payment representing the City's current connection fee based on equivalent dwelling units shall be paid.

*E. A yearly or monthly service charge to reimburse the City for treatment cost and maintenance of the sewer main collector system serving the property. Said service charge shall be as established by ordinance or resolution.

*F. Any sewer connection fees or reimbursement fees established by City to recover the cost of extending the public sanitary sewer system.

SECTION 5. The owners shall dedicate the newly constructed public sanitary sewer facilities determined by the City Engineer to be public facilities to the City in exchange for valuable consideration and the permission to connect to the City's sanitary sewer system.

SECTION 6. The City shall not be responsible or liable in any way for acts of God or any other act, or acts, beyond the control of the City which may in any way cause interruption or discontinuance of the sanitary sewer service provided for hereunder.

SECTION 7. The owners specifically agrees that all maintenance on the private sewer lateral and private sewer mains from owner's premises to the public sewer main shall be Owner's responsibility.

SECTION 8. This agreement shall be terminated and the City shall disconnect service, upon the owner's breach of or failure to perform in terms of this agreement.

SECTION 9. The owners further agrees that in the event that an annexation proceeding be initiated, which includes the property described in Section 1 of this agreement, the owners will not object to inclusion in an annexation, and will be considered to be in favor of said annexation.

SECTION 10. The owners further agrees that no new construction, development, or subdivision of property affected by this agreement aside from what is described in Section 3 shall be served by sanitary sewer extended under terms of this agreement. Per Resolution 2024-131, an ADU as authorized pursuant to local and state law shall not be considered new development.

SECTION 11. This agreement shall be binding upon any successors, heirs, or assigns of the owners.

SECTION 12. The parties agree that this Agreement for Sanitary Sewer Service shall be recorded in the office of the County Recorder of San Diego County and that the provisions contained herein relative to the real property described in **Section 1** shall operate as covenants and restrictions thereof.

SECTION 13. This agreement shall be null and void and any lien or cloud on title shall be released upon annexation of subject property to the City of La Mesa, notice of which shall be recorded.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this agreement the day and year first above written.

Dennis Moody Date

Sarah Moody Date

CITY OF LA MESA, a Municipal Corporation

BY _____
Mark Arapostathis, Mayor Date

BY _____
Megan Wiegelman, City Clerk Date

Attachments:
Attachment A – Parcel Map
Attachment B – City Engineer Special Permit

E:\0400 AgrmtsCntrts\90 Sewer Service Agreements\SWR Svc. - Lemon Ave - Moody.doc

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On _____, 2025, before me, Megan Wiegelman, City Clerk, personally appeared Mark Arapostathis, Mayor, City of La Mesa, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

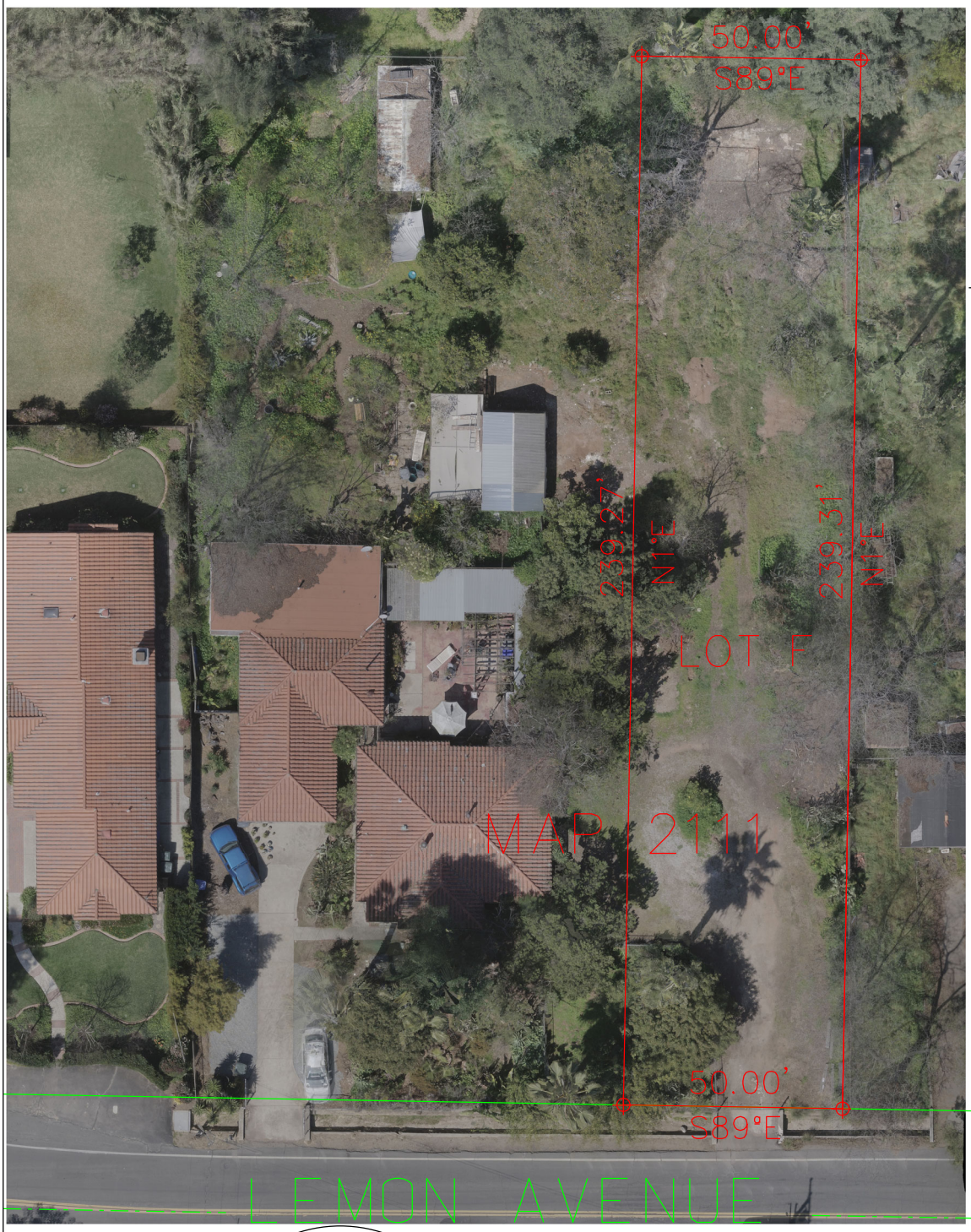
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____ (SEAL)
Megan Wiegelman, CMC
City Clerk of the City of La Mesa

COUNTY OF SAN DIEGO

APN: 495-151-55-00



SURVEYOR'S NOTES:

ALL DISTANCES BASED ON RECORD DIMENSIONS PER MAP 2111

BASED ON SURVEY OF SITE ON 3/21/2024

SITE FREE OF ANY BUILDINGS OR STRUCTURES

THE PARCEL BOUNDED BY THE COLOR RED IS THE APN NOTED ABOVE

PROFESSIONAL LAND SURVEYOR
JOHN J. YOUNG
L.S. 8284
Exp. 12/31/2025
STATE OF CALIFORNIA

This map has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature _____

Date 03/25/2024

152 SCALE NONE

SHEET 1 OF 1

January 14, 2025

Special Permit Issued by City Engineer for Extension of Sanitary Sewer Service Outside of City Limits

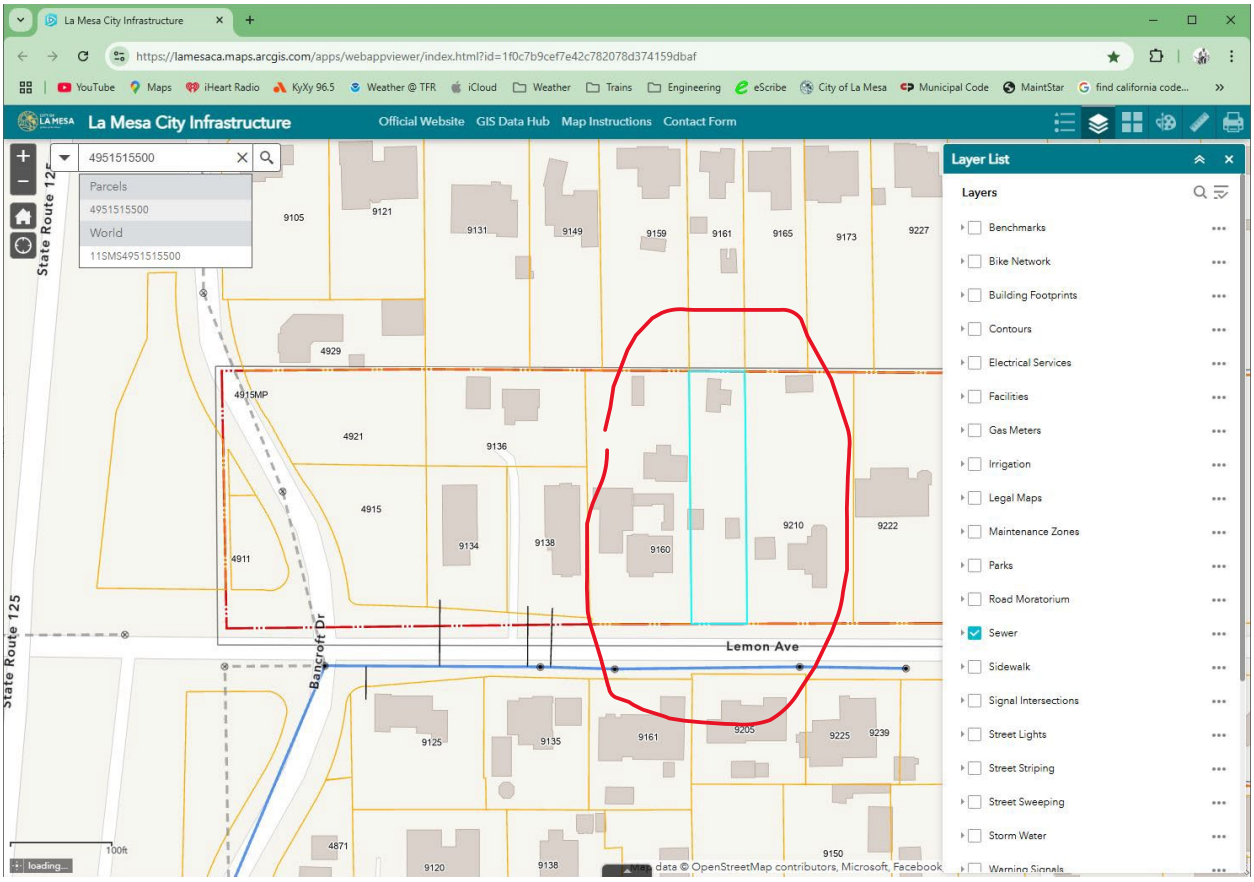
APN 4951515500
Parcel between 9160 and 9210 Lemon Avenue
Unincorporated County of San Diego
La Mesa, CA 91941

At the request of the Community Development Department, I have, as City Engineer, performed a review of relevant information pertaining to the subject parcel on the north side of Lemon Avenue, a residential property outside the La Mesa City limits. This information includes the current site conditions, plans to construct a new single family residence with an accessory dwelling unit (ADU), a request to connect to the City of La Mesa sewer main to allow for the construction dated January 1, 2025 from the property owner describing relative impracticability of constructing an on-site wastewater treatment system due to parcel size, the proximity of an existing sewer main owned and operated by the City of La Mesa in Lemon Avenue, and consultation with appropriate City staff.

Consequently, I have determined that, as the City Engineer of the City of La Mesa, the requested extension of sanitary sewer service to allow for the construction of the residence and ADU complies with City Council Resolutions 15521 and 2024-131 and serves the best interests of the health, safety and welfare of the adjacent private properties.

It is further determined that the property owner shall secure an encroachment permit for the private lateral to be constructed in Lemon Avenue, a public street owned by the City of La Mesa, said private lateral being designed and constructed in accordance with City of La Mesa sewer lateral policy and engineering standards issued by the City of La Mesa Public Works Department. The encroachment permit shall be secured prior to connection of the private sewer lateral to the City of La Mesa sewer main. Proof of a building permit for the dwelling units and all necessary approvals from the County of San Diego for the accessory dwelling unit are required prior to the issuance of the City of La Mesa encroachment permit.

Michael Throne, PE
Director of Public Works/City Engineer


La Mesa City Infrastructure
https://lamesaca.maps.arcgis.com/apps/webappviewer/index.html?id=1f0c7b9cef7e42c782078d374159dbaf
La Mesa City Infrastructure
Official Website
GIS Data Hub
Map Instructions
Contact Form
4951515500
Parcels
4951515500
World
11SMS4951515500
Layer List
Layers
Benchmarks
Bike Network
Building Footprints
Contours
Electrical Services
Facilities
Gas Meters
Irrigation
Legal Maps
Maintenance Zones
Parks
Road Moratorium
Sewer
Sidewalk
Signal Intersections
Street Lights
Street Striping
Street Sweeping
Storm Water
Warning Signals
State Route 125
Lemon Ave
Bancroft Dr
4915MP
4911
4915
4921
4929
9105
9121
9131
9149
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7c

AGENDA REPORT
Business | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

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

SUBJECT: **Legislative Report**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report summarizing legislative items of interest related to the Commission's regulatory and planning responsibilities. The report specifically highlights seven bills with potential material implications for LAFCOs, including two measures - AB 356 and AB 448 - that directly involve the Palomar Healthcare District. This item is presented for discussion and potential action, including the option to approve formal positions on one or more of the proposed bills.

BACKGROUND

Legislative Resources and Current Legislative Deadlines

San Diego LAFCO actively engages with CALAFCO, the Southern Region Association of LAFCOs, and the California Special Districts Association in monitoring and responding to legislative developments that may impact the Commission's ability to fulfill its regulatory and planning responsibilities. The current two-year legislative session reconvened on January 6, 2025 with February 21, 2025 serving as the deadline to introduce new bills. All measures must pass their house of origin by June 6, 2025 and receive approval from the second house by September 12, 2025.

Administration
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
San Diego, California 92103
T 619.321.3380
www.sdlafco.org
lafco@sdcounty.ca.gov

Joel Anderson, County of San Diego
Jim Desmond, County of San Diego
Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann, Alt., City of Chula Vista
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 A. Drake, Alt., Rincon del Diablo
Vacant, General Public
Brigette Browning, Alt., General Public

DISCUSSION

This item is presented for San Diego LAFCO to receive a report summarizing legislative proposals under consideration during the current session that may affect - directly or indirectly - the Commission's regulatory and planning responsibilities. The highlighted bills below pertain to local governance and transparency, healthcare service delivery, and regional coordination efforts, both statewide and within San Diego County. The report is provided for discussion with potential action on associated staff recommendations.

Highlighted Bills

- **AB 259 (Rubio, Blanca)**
  Open Meetings and Continued Access to Teleconferences
  This bill would extend the authorization for legislative bodies of local agencies – including LAFCOs – to use modified teleconferencing procedures during declared emergencies through January 1, 2030. It preserves existing requirements related to public notice and agenda posting while allowing remote participation under defined emergency conditions. San Diego LAFCO adopted a support position on March 2, 2025. The bill passed the Assembly on May 5, 2025.

- **AB 351 (McKinnor, Tina)**
  Campaign Contributions Involving Agency Officers
  This bill proposes to raise the contribution limit for agency officers involved in permit or license proceedings under the Political Reform Act from $500 to $1,500. It also provides for future adjustments tied to inflation, based on changes in the Consumer Price Index. Although not the target of the bill, it is possible certain LAFCO actions - such as out-of-agency service approvals - could apply. The bill failed to pass out of committee on April 30, 2025; however, a motion for reconsideration was granted.

- **SB 489 (Arreguín, Jesse Gabriel)**
  LAFCO Public Records and Online Access
  This bill would require all LAFCOs to post specified documents online, including boundary change application materials, hearing notices, and associated supporting documentation. The bill seeks to improve public access to government records at LAFCO in digital formats and expands procedural obligations by mandating the adoption and online posting of written policies and procedures. San Diego LAFCO is already compliant with most of the proposed requirements and anticipates minimal operational impact. However, it is known CALAFCO is actively monitoring the bill for amendments that could affect implementation timelines or create additional fiscal burdens - particularly for smaller or rural LAFCOs. On May 12, 2025 the committee read the bill for the second time and ordered a third reading at the next scheduled committee meeting.

- **SB 740 (Rubio, Susan)**
  Municipal Wastewater Filings with LAFCOs
  This bill proposes extending the deadline for municipal wastewater agencies to notify LAFCOs of new or amended agreements related to stormwater management services from 30 days to 40 days. The intent is to provide agencies with additional administrative flexibility in meeting statutory reporting requirements. The bill was approved by the Senate Local Government Committee on April 3, 2025, and is currently awaiting review by the Senate Environmental Quality Committee.

- **SB 777 (Richardson, Laura)**
  Expanding LAFCOs Role to Include Endowment-Funded Cemeteries
  This bill proposes to require LAFCOs to identify a local agency to assume ownership and ongoing maintenance for abandoned endowment-funded cemeteries in step with proposed noticing requirements of the Cemetery and Funeral Bureau. The designated local agency would acquire title to the cemetery as well as assume control of any existing endowment care funds. The bill raises concerns for LAFCOs due to the lack of jurisdiction over privately owned cemeteries and the absence of procedural guidance. CALAFCO and several LAFCOs have raised objections including Los Angeles LAFCO recently adopting an oppose position. On May 23, 2025 the committee read the bill for the second time and ordered a third reading at the next scheduled committee meeting.

- **AB 356 (Patel, Darshana)**
  Health Care Districts in Northern San Diego County
  This bill would establish a state-directed working group to evaluate healthcare access in northern San Diego County with a focus on the service area of the Palomar Healthcare District. The working group would include representatives from select healthcare districts and other stakeholders but notably excludes San Diego LAFCO. The working group is required to report its findings to the Legislature by June 1, 2026. The bill's provisions are set to sunset in 2030. Palomar has submitted formal opposition, citing concerns that the bill duplicates LAFCO's ongoing municipal service review and could impose unnecessary administrative burdens. LAFCO staff has expressed similar observations in discussions with the author's office and indicated interest in participating in the working group should the bill advance. The bill is currently on hold in the Assembly Appropriations Committee. The Commission may wish to consider adopting a formal position or directing the Executive Officer to submit a comment letter expressing the Commission's interests and presumptive support should the bill be amended to include LAFCO in the working group.

- **AB 448 (Patel, Darshana)**
  Extend Loan Repayments for Palomar Healthcare District
  This bill would authorize the State Treasurer's Office to extend - and if necessary, restructure - a previously issued bridge loan to the Palomar Healthcare District for cashflow purposes. The proposed extension is intended to provide Palomar with additional administrative flexibility to fulfill its repayment obligations to the State of

California while continuing to provide essential healthcare services to the surrounding community. In consultation with the Executive Officer and at the request of the author, Chair Whitburn submitted a letter of support in his capacity as Commission Chair ahead of the Assembly Committee on Health hearing on April 29, 2025. The bill subsequently passed out of the Health Committee and is currently on hold in the Assembly Appropriations Committee. The Commission may wish to consider adopting a formal position in support of the bill and directing the Executive Officer to submit a corresponding letter of support.

ANALYSIS

All seven bills outlined in the preceding section warrant monitoring by San Diego LAFCO. Staff believes two bills - AB 356 and AB 448, both authored by local Assemblymember Patel - stand out in terms of significance and merit formal positions. Notably, both bills address operational matters related to the Palomar Healthcare District, albeit through different approaches. AB 356 seeks to provide added flexibility to Palomar by authorizing the State Treasurer's Office to extend and, if needed, restructure an existing bridge loan. This provision is intended to support Palomar's financial stability and ongoing ability to deliver essential healthcare services. Staff recommends a formal support position for AB 356 given its consistency with the Commission's interest in ensuring Palomar's long-term viability and service continuity. AB 448, by contrast, proposes the creation of a state-convened working group to evaluate healthcare access within Palomar's jurisdiction. While the bill aligns with regional planning priorities, the proposed structure notably excludes LAFCO despite the Commission's statutory role in overseeing healthcare districts' service areas and performance. Staff recommends a position of support if amended for AB 448 to encourage inclusion of San Diego LAFCO in the working group. This amendment would promote alignment with the Commission's ongoing municipal service review and ensure the effort complements, rather than duplicates, existing statutory planning responsibilities.

RECOMMENDATION

It is recommended the San Diego LAFCO approve positions on AB 356 and AB 448 consistent with Alternative One as outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

(a) Approve a support position for AB 356 as currently drafted.

(b) Approve a support if amended position for AB 448 as currently drafted to expand the proposed working group tasked with reviewing healthcare needs in North County to include San Diego LAFCO.

Alternative Two:
Make one or more positions on current legislation and provide related direction to staff as specified by the Commission.

Alternative Three:
Take no action.

PROCEDURES

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

1) Receive verbal presentation from staff unless waived.
2) Invite comments from interested audience members, if any.
3) Discuss the item and consider the recommendation and/or other alternatives.

On behalf of staff,



Joelle Burila
Analyst I

Attachments:

1) Highlighted Assembly and Senate Bill Texts (California Legislature 2025-2026 Regular Session)

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AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL No. 259

Introduced by Assembly Member Blanca Rubio

January 16, 2025

An act to amend and repeal Sections 54953 and 54954.2 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 259, as amended, Blanca Rubio. Open meetings: local agencies: teleconferences.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act authorizes the legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with specified requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public.

Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law requires a member to satisfy specified

requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Existing law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less.

This bill would ~~remove the January 1, 2026, date from those provisions, thereby extending~~ *extend* the alternative teleconferencing procedures ~~indefinitely.~~ *until January 1, 2030.*

Existing law authorizes a member to participate remotely pursuant to the alternative teleconferencing provisions described above under specified circumstances, including participating due to emergency circumstances. Under existing law, the emergency circumstances basis for remote participation is contingent on a request to, and action by, the legislative body, as prescribed.

Existing law generally requires the legislative body of the local agency or its designee, at least 72 hours before a regular meeting, to post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, as specified. Existing law, until January 1, 2026, authorizes a legislative body, notwithstanding that provision, to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made, as specified.

This bill would ~~remove the January 1, 2026, date from that provision, thereby extending~~ *extend* the authorization for a legislative body of a local agency to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances as described above ~~indefinitely.~~ *until January 1, 2030.*

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory

enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 54953 of the Government Code, as amended by Section 1 of Chapter 389 of the Statutes of 2024, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity

for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at

a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the

call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality

of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) (A) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for more than the following number of meetings, as applicable:

(i) Two meetings per year, if the legislative body regularly meets once per month or less.

(ii) Five meetings per year, if the legislative body regularly meets twice per month.

(iii) Seven meetings per year, if the legislative body regularly meets three or more times per month.

(B) For the purpose of counting meetings attended by teleconference under this paragraph, a "meeting" shall be defined as any number of meetings of the legislative body of a local agency that begin on the same calendar day.

(g) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C.

Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(j) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or

listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(6) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(7) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(k) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 2. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is repealed.~~

SEC. 2. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise

applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division

10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in either of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority

vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(B) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (A), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.

(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.

(D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment

period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A) or (B) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(i) For the purposes of this section, the following definitions shall apply:

(1) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

(j) This section shall become operative January 1, ~~2026.~~ *2030.*

SEC. 3. Section 54954.2 of the Government Code, as amended by Section 91 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district,

school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any

item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 4. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is repealed.~~

SEC. 4. Section 54954.2 of the Government Code, as amended by Section 92 of Chapter 131 of the Statutes of 2023, is amended to read:

54954.2. (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's internet website, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda, including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an internet website and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary internet website home page of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an internet website with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an internet website of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district,

school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at

the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's internet website, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall become operative January 1, ~~2026.~~ *2030.*

SEC. 5. The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54953 of the Government Code, and Sections 3 and 4 of this act, which amend and repeal Section 54954.2 of the Government Code, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

By extending the alternative teleconferencing procedure provisions and provisions relating to requests from members to participate in those meetings remotely due to emergency ~~circumstances indefinitely,~~ *circumstances*, this act allows for greater accessibility to, and public participation in, teleconference meetings while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 6. The Legislature finds and declares that Sections 1 and 2 of this act, which amend and repeal Section 54953 of the Government Code, and Sections 3 and 4 of this act, which amend and repeal Section 54954.2 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that

constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure greater accessibility to, and public participation in, teleconference meetings.

O

ASSEMBLY BILL No. 351

Introduced by Assembly Member McKinnor

January 30, 2025

An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 351, as introduced, McKinnor. Campaign contributions: agency officers.

The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than $500 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. The act also prohibits an officer of an agency from making, participating in making, or in any way attempting to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution of more than $500 within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent, if the officer knows or has reason to know that the participant has a financial interest in the decision, as defined.

This bill would increase the contribution thresholds described above from $500 to $1500. The bill would require the commission to adjust these contribution thresholds to reflect any increase or decrease in the

Consumer Price Index beginning January, 2027, and in January of each odd-numbered year thereafter, as specified.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a ⅔ vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: ⅔. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 84308 of the Government Code is amended to read:

84308. (a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency. A person is not a "participant" under this paragraph if their financial interest in the decision results solely from an increase or decrease in membership dues.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency, other than a city attorney or county counsel providing legal advice to

the agency who does not have the authority to make a final decision in the proceeding.

(5) (A) Except as provided in subparagraph (B), "license, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts, and all franchises.

(B) "License, permit, or other entitlement for use" does not include any of the following:

(i) Competitively bid contracts that are required by law, agency policy, or agency rule to be awarded pursuant to a competitive process.

(ii) Labor contracts.

(iii) Personal employment contracts.

(iv) Contracts valued under fifty thousand dollars ($50,000).

(v) Contracts where no party receives financial compensation.

(vi) Contracts between two or more agencies.

(vii) The periodic review or renewal of development agreements unless there is a material modification or amendment proposed to the agreement. Non-material modifications or amendments may be approved by agency staff.

(viii) The periodic review or renewal of competitively bid contracts unless there are material modifications or amendments proposed to the agreement that are valued at more than 10 percent of the value of the contract or fifty thousand dollars ($50,000), whichever is less. Non-material modifications or amendments may be approved by agency staff.

(ix) Modification of or amendments to contracts that are exempt under this subparagraph, other than competitively bid contracts.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(7) "Pending" in a proceeding involving a license, permit, or other entitlement for use means either of the following:

(A) For an officer, when either of the following occurs:

(i) An item involving the license, permit, or other entitlement for use is placed on the agenda for discussion or decision at a public meeting of the body of which the officer is a member.

(ii) The officer knows a proceeding involving a license, permit, or other entitlement for use is within the jurisdiction of the officer's agency for its decision or other action, and it is reasonably

foreseeable that the decision will come before the officer in the officer's decisionmaking capacity.

(B) For a party or party's agent, or a participant or participant's agent, when an application is filed with an agency, or, if the proceeding process does not require an application, when the proceeding is before the agency for its decision or other action.

(b) (1) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition applies regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(2) With respect to elected officers, paragraph (1) applies only if the elected officer or the body of which they are a member has the authority to make any decision or recommendation in the proceeding.

(c) (1) Before rendering any decision in a proceeding involving a license, permit, or other entitlement for use, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use if the officer has willfully or knowingly received a contribution in an amount of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

(2) With respect to elected officers, paragraph (1) applies only if the elected officer or the body of which they are a member has the authority to make any decision or recommendation in the proceeding.

(d) (1) If an officer receives a contribution that would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer makes any decision, or knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, whichever comes last, the officer shall be permitted to participate in the proceeding.

(2) (A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* during the 12 months after the date the final decision is rendered in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of the contribution in excess of ~~five hundred dollars ($500),~~ *one thousand five hundred dollars ($1,500),* within 30 days of accepting, soliciting, or directing the contribution, whichever comes latest.

(B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.

(C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.

(e) (1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* made within the preceding 12 months before the date that any decision is rendered by the agency by the party or the party's agent.

(2) A party to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant in the proceeding shall not make a contribution of more than ~~five hundred dollars ($500)~~ *one thousand five hundred dollars ($1,500)* to any officer of that agency during the proceeding and for 12 months following the date the final decision is rendered by the agency in the proceeding.

(3) An agent to a party or participant shall not make a contribution in any amount to an officer during the time periods described in paragraph (2).

(4) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.

(f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

(g) For the purposes of this section, in determining whether a contribution has exceeded ~~five hundred dollars ($500),~~ *one thousand five hundred dollars ($1,500),* the contributions of an agent shall not be aggregated with contributions from a party or participant.

(h) Beginning on January, 2027, and in January of every odd-numbered year thereafter, the commission shall adjust the contribution limitations in this section to reflect any increase or decrease in the Consumer Price Index, rounded to the nearest ten dollars ($10).

~~(h)~~

(i) (1) A person is the "agent" of a party to, or a participant in, a pending proceeding involving a license, permit, or other entitlement for use only if the person represents that party or participant for compensation and appears before or otherwise communicates with an agency for the purpose of influencing the proceeding on behalf of a party or participant.

(2) If an individual acting as an agent is also acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the entity or corporation and the individual are "agents."

(3) "Agent" includes a lobbyist registered to lobby the agency and who otherwise meets the requirements of paragraph (1).

(4) "Communicate with the agency for the purpose of influencing the proceeding" does not include either of the following:

(A) Preparing drawings or submissions of an architectural, engineering, or similar nature for a client to submit in a proceeding before the agency if both of the following conditions are met:

(i) The work is performed pursuant to the person's profession.

(ii) The person does not make any contact with the agency other than contact with agency staff concerning the process or evaluation of the documents prepared by the person.

(B) Providing technical data or analysis to an agency if the person does not otherwise engage in direct communication for the purpose of influencing the proceeding.

~~(i)~~

(j) (1) Except as provided in paragraph (2), the provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

(2) Subdivision (g) is not severable from paragraph (3) of subdivision (e) if paragraph (3) of subdivision (e) is held invalid in a final decision of a court of competent jurisdiction. If that occurs, subdivision (g) shall become inoperative on the date of that final decision.

SEC. 2. The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

O

AMENDED IN SENATE APRIL 21, 2025

AMENDED IN SENATE MARCH 25, 2025

SENATE BILL No. 489

Introduced by Senator Arreguín

February 19, 2025

An act to amend Sections ~~65940, 65950, and 65953~~ *56300, 65928, and 65940* of the Government Code, relating to ~~housing.~~ *local government.*

LEGISLATIVE COUNSEL'S DIGEST

SB 489, as amended, Arreguín. *Local agency formation commissions: written policies and procedures:* Permit Streamlining Act: housing development projects.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts and establishes a local agency formation commission in each county consisting of members appointed as provided. The act expresses the intent of the Legislature that each local agency formation commission, by January 1, 2002, establish written policies and procedures and exercise its powers in a way that encourages and provides planned, well-ordered, efficient urban development patterns, as specified. The act requires these written policies and procedures to include forms to be used for various submittals to the commission, as provided. The act requires each commission to provide access to notices and other information to the public on an internet website, as specified, including notice of all public hearings and commission meetings.

This bill would require that each local agency formation commission establish the written policies and procedures described above. The bill

would require that the written policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. The bill would require each commission to provide access to its written policies and procedures to the public, including any forms necessary for a complete application for a change of organization or reorganization, through its internet website.

~~The~~

(2) The Permit Streamlining Act requires a public agency to compile a list of the information required from an applicant for a development project, as provided, and, until January 1, 2030, specifies that a development project for purposes of this requirement includes a housing development project, as defined. The act defines various terms for its purposes, including, among others, a "development project," which is generally defined as any project undertaken for the purpose of ~~development.~~ *development, excluding ministerial projects proposed to be carried out or approved by public agencies.*

This *bill would revise the definition of "development project" for purposes of the act to include a housing development project, as defined by specified other law that includes in that definition, notwithstanding the above-described exclusion for ministerial projects, projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals. The bill would make a conforming change in the above-described requirement to compile the above-described list by deleting the specification that a development project includes a housing development project. The* bill, until January 1, 2030, would *also* require a public agency, for each approval issued in connection with a housing development project, to publish online the above-described list, including the criteria that the public agency will apply in order to determine the completeness of the development application and the name of the approval, as provided. ~~The bill would revise the definition of "housing development project" for these purposes to include (1) an approval in connection with a housing development project, other than a postentitlement phase permit, as defined, or specified applications from a housing development project described in certain provisions governing applications made to a special district and (2) a change of organization or reorganization, as those terms are defined for purposes of specified law governing the initiation, conduct, and completion of changes of organization and reorganization for cities and districts.~~

~~The Permit Streamlining Act requires a public agency that is a lead agency to approve or disapprove a project within specified time periods. Among these time periods, until January 1, 2030, the act requires a public agency to approve a development project, defined for these purposes as a housing development project, defined by cross-reference to specified law, within 90 days from the date of certification by the lead agency of the environmental impact report, or 60 days from the date of certification by the lead agency of the environmental impact report if certain conditions are met, as provided.~~

~~This bill, until January 1, 2030, would revise the definition of "housing development project" for purposes of these time periods to include an approval in connection with a housing development project, other than a postentitlement phase permit, as defined, or specified applications from a housing development project described in certain provisions governing applications made to a special district.~~

~~The Permit Streamlining Act specifies that the time limits specified under its provisions are maximum time limits for approving or disapproving development projects, and requires all public agencies, if possible, to approve or disapprove development projects in shorter periods of time.~~

~~This bill would define "development project" for purposes of these provisions to include a housing development project. The bill would define a "housing development project" for these purposes to mean a use consisting of residential units only; mixed-use developments consisting of residential and nonresidential uses that meet specified conditions; transitional housing or supportive housing; or farmworker housing, as defined.~~

~~By~~

(3) By increasing the duties of *local agency formation commissions in establishing and publishing written policies and procedures and of* local planning officials in reviewing permit applications for housing development projects, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 56300 of the Government Code is amended to read:

56300. (a) ~~It is the intent of the Legislature that each commission, not later than January 1, 2002,~~ *Each commission* shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.

(b) Each commission with a proposal pending on January 1, 2001, shall, by March 31, 2001, hold a public hearing to discuss the adoption of policies and procedures to require the disclosure of contributions, expenditures, and independent expenditures authorized by Section 56100.1. Reporting requirements adopted pursuant to this section shall be effective upon the date of adoption or a later date specified in the resolution. Any commission that does not have a proposal pending on January 1, 2001, shall hold a public hearing to discuss the adoption of those policies and procedures within 90 days of submission of a proposal or at any time prior to submission of a proposal. Once a hearing has taken place under this subdivision, no subsequent hearing shall be required except by petition of 100 or more registered voters residing in the county in which the commission is located.

(c) A commission may require, through the adoption of written policies and procedures, lobbying disclosure and reporting requirements for persons who attempt to influence pending decisions by commission members, staff, or consultants. Disclosure shall be made either to the commission's executive officer, in which case it shall be posted on the ~~commission Web site,~~ *commission's internet website*, if applicable, or to the recorder, registrar of voters, or clerk of the board of supervisors of the county in which the commission is located. Each commission that on January 1, 2001, has a pending proposal, as defined in Section 56069 shall, by March 31, 2001, hold a public hearing to discuss the adoption of policies and procedures governing lobbying disclosure authorized by this subdivision. Reporting requirements adopted pursuant to this section shall be effective upon the date

of adoption or on a later date specified in the resolution. Any commission that does not have a proposal pending on January 1, 2001, shall hold a public hearing to discuss the adoption of those policies and procedures within 90 days of submission of a proposal, or at any time prior to submission of a proposal.

(d) Any public hearings required by this section may be held concurrently.

(e) The written policies and procedures adopted by the commission shall include forms to be used for various submittals to the commission including at a minimum a form for any protests to be filed with the commission *and any forms necessary for a complete application to the commission* concerning any proposed ~~organization change.~~ *change of organization or reorganization.*

(f) (1) ~~On or before January 1, 2002, the~~ *Each* commission shall establish and maintain, or otherwise provide access to ~~notices~~ *notices, written policies and procedures,* and other commission information for the public through an ~~Internet Web site.~~ *internet website.*

(2) The written policies and procedures adopted by the commission shall require ~~that, to the extent that the commission maintains an Internet Web site,~~ *that* notice of all ~~public hearings and commission meetings~~ *public hearings, commission meetings, and any forms necessary for a complete application for a change of organization or reorganization* shall be made available in electronic format on ~~that site.~~ *the commission's internet website.*

SEC. 2. Section 65928 of the Government Code is amended to read:

65928. *(a)* "Development project" means any project undertaken for the purpose of development. ~~"Development~~

(b) "*Development* project" includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. ~~"Development~~

(c) Except as provided in subdivision (d), "*development* project" does not include any ministerial projects proposed to be carried out or approved by public agencies.

(d) "Development project" includes a housing development project, as that term is defined in paragraph (3) of subdivision (b) of Section 65905.5.

~~SECTION 1.~~

SEC. 3. Section 65940 of the Government Code, as amended by Section 3 of Chapter 754 of the Statutes of 2023, is amended to read:

65940. (a) (1) Each public agency shall compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project. Each public agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

(2) An affected city or affected county, as defined in Section 66300, shall include the information necessary to determine compliance with the requirements of Article 2 (commencing with Section 66300.5) of Chapter 12 in the list compiled pursuant to paragraph (1).

(b) The list of information required from any applicant shall include, where applicable, identification of whether the proposed project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined in Section 65944.

(c) (1) A public agency that is not beneath a low-level flight path or not within special use airspace and does not contain a military installation is not required to change its list of information required from applicants to comply with subdivision (b).

(2) A public agency that is entirely urbanized, as defined in subdivision (e) of Section 65944, with the exception of a jurisdiction that contains a military installation, is not required to change its list of information required from applicants to comply with subdivision (b).

(d) For each approval issued by a public agency in connection with a housing development project, the list required to be compiled by this section, including the criteria which the public agency will apply in order to determine the completeness of an application described in Section 65941, and the name of the approval, shall be published online.

~~(e) For purposes of this section:~~

~~(1) "Development project" includes a housing development project as defined in paragraph (3) of subdivision (b) of Section 65905.5.~~

~~(2) "Housing development project" includes, but is not limited to, both of the following:~~

~~(A) An approval issued in connection with a housing development project, including any necessary permit, review, statement, action, authorization, determination, inspection, report, clearance, agreement that is required as a condition of approval, or similar provision, except an approval that is a postentitlement phase permit, as defined in Section 65913.3, or an application from a housing development project as described in subdivision (a) of Section 65913.3.1.~~

~~(B) A "change of organization," as defined in Section 56021, or a "reorganization," as defined in Section 56073.~~

~~(f)~~

(e) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 2. Section 65950 of the Government Code, as amended by Section 9 of Chapter 161 of the Statutes of 2021, is amended to read:~~

~~65950. (a) A public agency that is the lead agency for a development project shall approve or disapprove the project within whichever of the following periods is applicable:~~

~~(1) One hundred eighty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for the development project.~~

~~(2) Ninety days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c).~~

~~(3) Sixty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c) and all of the following conditions are met:~~

~~(A) At least 49 percent of the units in the development project are affordable to very low or low-income households, as defined by Sections 50105 and 50079.5 of the Health and Safety Code, respectively. Rents for the lower income units shall be set at an affordable rent, as that term is defined in Section 50053 of the Health and Safety Code, for at least 30 years. Owner-occupied units shall be available at an affordable housing cost, as that term is defined in Section 50052.5 of the Health and Safety Code.~~

~~(B) Prior to the application being deemed complete for the development project pursuant to Article 3 (commencing with Section 65940), the lead agency received written notice from the project applicant that an application has been made or will be made for an allocation or commitment of financing, tax credits, bond authority, or other financial assistance from a public agency or federal agency, and the notice specifies the financial assistance that has been applied for or will be applied for and the deadline for application for that assistance, the requirement that one of the approvals of the development project by the lead agency is a prerequisite to the application for or approval of the application for financial assistance, and that the financial assistance is necessary for the project to be affordable as required pursuant to subparagraph (A).~~

~~(C) There is confirmation that the application has been made to the public agency or federal agency prior to certification of the environmental impact report.~~

~~(4) Sixty days from the date of adoption by the lead agency of the negative declaration, if a negative declaration is completed and adopted for the development project.~~

~~(5) Sixty days from the determination by the lead agency that the project is exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), if the project is exempt from that act.~~

~~(b) This section does not preclude a project applicant and a public agency from mutually agreeing in writing to an extension of any time limit provided by this section pursuant to Section 65957.~~

~~(c) For purposes of paragraphs (2) and (3) of subdivision (a) and Section 65952, "development project" means a housing development project, as defined in paragraph (3) of subdivision (b) of Section 65905.5.~~

~~(d) For purposes of this section:~~

~~(1) "Housing development project" includes, but is not limited to, an approval issued in connection with a housing development project, including any necessary permit, review, statement, action, authorization, determination, inspection, report, clearance, agreement that is required as a condition of approval, or similar provision, except an approval that is a postentitlement phase permit, as defined in Section 65913.3, or an application from a housing development project as described in subdivision (a) of Section 65913.3.1.~~

~~(2) "Lead agency" and "negative declaration" have the same meaning as defined in Sections 21067 and 21064 of the Public Resources Code, respectively.~~

~~(e) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.~~

~~SEC. 3. Section 65953 of the Government Code is amended to read:~~

~~65953. (a) All time limits specified in this article are maximum time limits for approving or disapproving development projects. All public agencies shall, if possible, approve or disapprove development projects in shorter periods of time.~~

~~(b) For the purposes of this section:~~

~~(1) "Development project" includes, but is not limited to, a housing development project.~~

~~(2) "Housing development project" means a use consisting of any of the following:~~

~~(A) Residential units only.~~

~~(B) Mixed-use developments consisting of residential and nonresidential uses that meet any of the following conditions:~~

~~(i) At least two-thirds of the new or converted square footage is designated for residential use.~~

~~(ii) At least 50 percent of the new or converted square footage is designated for residential use and the project meets both of the following:~~

~~(I) The project includes at least 500 net new residential units.~~

~~(II) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.~~

~~(iii) At least 50 percent of the net new or converted square footage is designated for residential use and the project meets all of the following:~~

~~(I) The project includes at least 500 net new residential units.~~

~~(II) The project involves the demolition or conversion of at least 100,000 square feet of nonresidential use.~~

~~(III) The project demolishes at least 50 percent of the existing nonresidential uses on the site.~~

~~(IV) No portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging, except a portion of the project may be designated for use as a residential hotel, as defined in Section 50519 of the Health and Safety Code.~~

~~(C) Transitional housing or supportive housing.~~

~~(D) Farmworker housing, as defined in subdivision (h) of Section 50199.7 of the Health and Safety Code.~~

~~(3) "Housing development project" includes, but is not limited to, all of the following:~~

~~(A) An approval issued in connection with a housing development project, including any necessary permit, review, statement, action, authorization, determination, inspection, report, clearance, agreement that is required as a condition of approval, or similar provision, except an approval that is a "postentitlement phase permit," as defined in Section 65913.3, or an application from a housing development project, as described in subdivision (a) of Section 65913.3.1.~~

~~(B) Projects that involve no discretionary approvals and projects that involve both discretionary and nondiscretionary approvals.~~

~~(C) A proposal to construct a single dwelling unit. This clause shall not affect the interpretation of the scope of paragraph (2) of subdivision (h) of Section 65589.5.~~

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

SENATE BILL No. 740

Introduced by Senator Rubio

February 21, 2025

An act to amend Section 13912 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 740, as introduced, Rubio. Municipal wastewater agency: new agreement or amendment.

Existing law authorizes a municipal wastewater agency to enter into agreements with entities responsible for stormwater management, including, but not limited to, municipal, industrial, and commercial stormwater dischargers, for the purpose of managing stormwater and dry weather runoff. Existing law requires a municipal wastewater agency, if the agency enters into a new agreement or amends an agreement pursuant to those provisions, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located within 30 days after the effective date of the new agreement or amendment.

This bill would extend that filing requirement timeline to 40 days.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13912 of the Water Code is amended to read:

13912. (a) A municipal wastewater agency may do any of the following:

(1) To the extent permitted by federal law, authorize the discharge of stormwater or dry weather runoff captured at industrial and commercial sites to the wastewater collection or treatment system subject to any requirements that may be imposed by the municipal wastewater agency or public agency that owns and operates the tributary collection system.

(2) In order to carry out the powers granted, and the purposes established, under this chapter, exercise any of the powers otherwise granted to it by law, including, but not limited to, enforcing compliance with local, state, and federal water quality requirements through the implementation of the municipal wastewater agency's industrial pretreatment programs and ensuring that the project or program is consistent with local watershed priorities, obligations, and circumstances.

(3) Levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to this chapter.

(b) The exercise of any new authority granted under this chapter is subject to and shall comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code).

(c) (1) ~~If, after January 1, 2022,~~ *If* a municipal wastewater agency enters into a new agreement or amends an agreement pursuant to this chapter, the agency shall, within ~~30~~ *40* days after the effective date of the new agreement or amendment, file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located.

(2) The local agency formation commission's approval of an agreement or an amendment to an agreement as described in paragraph (1) shall not be required, except as required by subdivision (b).

O

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL No. 777

Introduced by Senator Richardson

February 21, 2025

An act to amend the heading of Chapter 7 (commencing with Section 8825) of *Part 3 of* Division 8 of, ~~to add Section 8749 to,~~ and to add Chapter 6 (commencing with Section 8800) to Part 3 of Division 8 of, the Health and Safety Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

SB 777, as amended, Richardson. Abandoned endowment care cemeteries: ~~county~~ *local agency* possession and responsibility.

Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of, among others, cemeteries and cemetery authorities, which includes cemetery associations, corporations sole, limited liability companies, and other persons owning or controlling cemetery lands or property. Existing law authorizes a cemetery authority that maintains a cemetery to place its cemetery under endowment care and to establish, maintain, and operate an endowment care fund. Ninety days following the cancellation, surrender, or revocation of a certificate of authority, existing law gives the bureau title to any endowment care funds of a cemetery authority and possession of all necessary books, records, property, real and personal, and assets, and requires the bureau to act as conservator over the management of the endowment care funds.

This bill would ~~make the~~ *require a local agency formation commission for the* county in which an abandoned endowment care cemetery is located *to identify a local agency to be* responsible for the care,

maintenance, and embellishment of the ~~cemetery.~~ *cemetery, as specified.* The bill would vest fee title of the cemetery in the ~~county,~~ *local agency and* would restrict the ~~county's~~ *local agency's* use of the property to *uses consistent with* cemetery ~~purposes, and would exempt the county from various provisions related to the care of active cemeteries.~~ *purposes.* The bill would give the ~~county~~ *local agency* title to any endowment care funds of the prior cemetery authority held by the bureau, and would require the ~~county~~ *local agency* to take possession of all necessary books, records, real property, personal property, and assets of the fund. The bill would require the assets to be liquidated, and the proceeds placed in a special fund ~~within the county treasury~~ to be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. The bill would define an abandoned endowment care cemetery and would make conforming changes. *By imposing additional duties on local agencies, this bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

~~SECTION 1. Section 8749 is added to the Health and Safety Code, to read:~~

~~8749. This article shall not apply to a county that takes title to an abandoned endowment care cemetery pursuant to Chapter 6 (commencing with Section 8800).~~

~~SEC. 2.~~

SECTION 1. Chapter 6 (commencing with Section 8800) is added to Part 3 of Division 8 of the Health and Safety Code, to read:

CHAPTER 6. ABANDONMENT OF ENDOWMENT CARE CEMETERIES

8800. For purposes of this chapter, "abandoned endowment care cemetery" means a cemetery for which an endowment care fund was maintained, that was formerly licensed by the bureau, and for which the certificate of authority has been canceled, surrendered, or revoked and ownership has not been transferred pursuant to Section 8585 within one year of the cancellation, surrender, or revocation.

8801. (a) Upon the expiration of the one-year period described in Section 8800, ~~fee title of an abandoned care cemetery shall vest in the county in which the cemetery is located and shall be recorded with the county.~~ *the bureau shall notify the local agency formation commission for the county in which the abandoned endowment care cemetery is located that there is an abandoned endowment care cemetery in that county.*

(b) No later than 30 days following the notification from the bureau described in subdivision (a), the local agency formation commission shall commence proceedings to identify a local agency take over the care, maintenance, and embellishment of the abandoned endowment care cemetery. The local agency formation commission shall complete its proceedings and identify the receiving local agency within six months of receiving the notification from the bureau.

(c) Upon completion of the proceeding described in subdivision (b), fee title of an abandoned endowment care cemetery shall vest in, and be recorded with, the local agency identified by the local agency formation commission.

~~(b)~~

(d) Any ~~county~~ *local agency* acquiring fee title to a cemetery pursuant to this section shall be responsible for the care, maintenance, and embellishment of the abandoned endowment care cemetery, and shall only use the property for *uses consistent with* cemetery purposes.

8802. (a) Upon the transfer of title described in Section 8801, the ~~county~~ *local agency* shall also take title of any endowment care funds of the prior cemetery authority held by the bureau pursuant to Section 7613.11 of the Business and Professions Code, and shall take possession of all necessary books, records, real property, personal property, and assets of the fund.

(b) The assets of the fund described in subdivision (a) shall be liquidated, and the proceeds shall be placed in a special ~~fund within the county treasury.~~ *fund.* The moneys within the special fund shall only be expended on care, maintenance, or embellishment of the abandoned endowment care ~~cemetery.~~ *cemetery acquired by the local agency pursuant to this chapter and for which the endowment care funds were maintained.*

8803. A ~~county~~ *local agency* that acquires title to an abandoned endowment care cemetery shall keep a record of, and honor, all remaining contracts for burial executed by the prior cemetery authority.

~~SEC. 3.~~

SEC. 2. The heading of Chapter 7 (commencing with Section 8825) of Part 3 of Division 8 of the Health and Safety Code is amended to read:

CHAPTER 7. ABANDONED NONENDOWMENT CARE CEMETERIES

~~SEC. 4.~~

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

AMENDED IN ASSEMBLY APRIL 9, 2025

AMENDED IN ASSEMBLY MARCH 17, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL No. 356

Introduced by Assembly Member Patel

January 30, 2025

An act to add ~~Section 1272.2 to the Health and Safety Code, relating to health facilities.~~ *and repeal Chapter 3 (commencing with Section 127575) to Part 2 of Division 107 of the Health and Safety Code, relating to health care.*

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as amended, Patel. ~~Facility fees.~~ *Health care districts: County of San Diego.*

Existing law, The Local Health Care District Law, authorizes the organization, incorporation, and management of local health care districts. Existing law establishes the Department of Health Care Access and Information to oversee and administer various health programs related to health care infrastructure, such as health policy and planning, health professions development, and facilities design review and construction, among others.

This bill would require the department to convene a working group to study and make recommendations regarding the provision of health care services in the northern San Diego region. The bill would require that the working group include representatives of certain health care districts and that it issue a report to the Legislature, on or before June 1, 2026, with its findings and recommendations. The bill would repeal these provisions on June 1, 2030.

This bill would make legislative findings and declarations as to the necessity of a special statute for the northern region of the County of San Diego.

~~Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, by the State Department of Public Health. Under existing law, a violation of those provisions is a misdemeanor.~~

~~This bill would require the department to conduct a study on the practice of general acute care hospitals, health systems, and licensed health care providers that are billing or seeking payment from patients for a facility fee that is not covered by the patient's health insurance carrier. The bill would require the department to prepare a report with the findings of the study and to submit that report to the Legislature.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3 (commencing with Section 127575) is added to Part 2 of Division 107 of the Health and Safety Code, to read:

CHAPTER 3. HEALTH CARE DISTRICTS: COUNTY OF SAN DIEGO

127575. This act shall be known, and may be cited, as the Health Care Districts: County of San Diego Act.

127576. (a) The Department of Health Care Access and Information shall convene a working group to study and make recommendations regarding the provision of health care services in health care districts in the northern region of the County of San Diego.

(b) The working group shall include representatives of each of the following areas:

(1) The Palomar Health Care District.

(2) The Fallbrook Health Care District.

(3) The Tri-City Health Care District.

(4) The San Diego Delegation of the California Legislature.

(5) The University of California hospitals.

(6) Trade associations representing health care districts.

(7) Trade associations representing hospitals.

(8) Trade associations representing special districts.

(9) Any other relevant stakeholder interests, as determined by the department.

(c) This chapter does not affect or limit any other statutory, regulatory, or contractual obligations of public health care providers or health care districts operating in the San Diego region.

127577. The working group established pursuant to Section 127576 shall do both of the following:

(a) Review and discuss the statutory or other responsibilities of each health care district to provide health care services to the communities they serve and evaluate their capacity to meet those responsibilities.

(b) Examine whether current resources, funding, and organizational structures in the northern region of the County of San Diego can fulfill the goal of providing adequate health care access to all residents, including underserved and vulnerable communities.

127578. (a) The working group shall convene as soon as practicable following the operative date of this chapter.

(b) On or before June 1, 2026, the working group shall submit its findings and recommendations to the California Legislature, and shall make these findings available to any relevant county or state agencies upon request.

(c) (1) A report to be submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this chapter is repealed on June 1, 2030.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the uniquely integrated services provided by the local health districts of the northern region of the County of San Diego.

~~SECTION 1. Section 1272.2 is added to the Health and Safety Code, to read:~~

~~1272.2. (a) The department shall conduct a study on the practice of general acute care hospitals, health systems, and licensed health care providers that are billing or seeking payment~~

~~from patients for a facility fee that is not covered by the patient's health insurance carrier.~~

~~(b) The department shall prepare a report with the findings of the study conducted pursuant to subdivision (a), and shall submit that report to the Legislature, in accordance with Section 9795 of the Government Code.~~

O

AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL No. 448

Introduced by Assembly Member Patel
(Coauthor: Assembly Member Jeff Gonzalez)
(Coauthors: Senators Jones, Padilla, and Weber Pierson)

February 6, 2025

~~An act to add Section 1562.015 to the Health and Safety Code, relating to public social services.~~ *An act to add Chapter 5 (commencing with Section 129400) to Part 6 of Division 107 of the Health and Safety Code, relating to health facilities financing, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 448, as amended, Patel. ~~Short-term residential therapeutic program: requirements.~~ *California Health Facilities Financing Authority Act: nondesignated hospitals: loan repayment.*

Under existing law, the California Health Facilities Financing Authority Act (act) authorizes the California Health Facilities Financing Authority to, among other things, make loans from the continuously appropriated California Health Facilities Financing Authority Fund to participating health institutions, as defined, for financing or refinancing the acquisition, construction, or remodeling of health facilities. Under the act, the authority is authorized to issue revenue bonds to provide the funds for achieving these purposes. Existing law appropriates $40,000,000 to provide cashflow loans to nondesignated public hospitals, as needed, due to the financial impacts of the COVID-19 public health emergency. Existing law requires the

nondesignated public hospitals participating in this loan program to repay and discharge the loan within 24 months of the date of the loan.

This bill would extend the repayment requirements for nondesignated public hospitals participating in the loan program that had received a loan approval from, and entered into a loan and security agreement with, the authority by requiring those hospitals to begin monthly repayments on the loan 32 months after the date of the loan, and discharge the loan within 60 months of the date of the loan, as prescribed. The bill would require the monthly payments to be amortized over the term of the loan, at 0% interest. By removing restrictions limiting the expenditure of moneys appropriated for purposes of these loans, the bill would make an appropriation.

~~Existing law, the California Community Care Facilities Act, provides for the licensure and regulation of community care and residential facilities, including short-term residential therapeutic programs, by the State Department of Social Services. A violation of the act is a misdemeanor. Existing law defines "short-term residential therapeutic program" as a residential facility licensed by the department and operated by any public agency or private organization that provides an integrated program of specialized and intensive care and supervision, services and supports, treatment, and short-term, 24-hour care and supervision to children, including foster children. Existing law requires a short-term residential therapeutic program to follow the requirements applicable to group homes, and to have national accreditation from an entity identified by the department pursuant to a specified process. Existing law requires a short-term residential therapeutic program to prepare and maintain a current, written plan of operation including, among other things, a statement of purposes and goals and a detailed program statement.~~

~~This bill additionally would require a short-term residential therapeutic program to ensure that at least one parent, or a legal guardian, will be residing at single, physical address within the state for the duration of the child's or youth's treatment. The bill also would require the short-term residential therapeutic program to ensure that a child or youth residing in the program facility is at all times able to make confidential telephone calls to their parent or legal guardian, as specified, and has access at all times to appropriate footwear that is suitable to be worn outdoors. The bill would require the short-term residential therapeutic program to post these requirements on its internet website. The bill would subject the short-term residential therapeutic program to civil~~

~~penalties for violating those requirements, or license suspension or revocation if the violation causes harm to a child's or youth's health or safety. The bill would require the department to adopt regulations to implement, interpret, or make specific the bill's requirements. Because a violation of the bill's requirements by a short-term residential therapeutic program would be a crime, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~ *2/3*. Appropriation: ~~no~~ *yes*. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5 (commencing with Section 129400) is added to Part 6 of Division 107 of the Health and Safety Code, to read:

CHAPTER 5. HEALTH FACILITY GRANTS AND LOANS

129400. The following definitions apply for purposes of this section:

(a) "Authority" means the California Health Facilities Financing Authority.

(b) "Nondesignated public hospital" means a public hospital as that term is defined in subdivision (l) of Section 14165.55 of the Welfare and Institutions Code, excluding those affiliated with county health systems.

129401. (a) The authority shall extend the repayment period as described in subdivision (b) for nondesignated public hospitals participating in the loan program authorized under Provision (1) of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes of 2022) that had received a loan approval from, and entered into a loan and security agreement with, the authority, and that the authority has determined were unable to repay their loan by the time required under the loan and security agreement.

(b) Notwithstanding Provision (1)(e) of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes of 2022) and any other law to the contrary, a nondesignated public hospital participating in the loan program described in subdivision (a) that had received a loan approval from, and entered into a loan and security agreement with, the authority shall be required to begin monthly repayments on the loan 36 months after the date of that loan, and shall discharge the loan within 60 months of the date of that loan. The monthly payments shall be amortized over the term of the loan, at 0 percent interest. There shall be no prepayment penalty.

(c) Except as provided in subdivision (b), this section shall not be construed to amend or otherwise affect the requirements of, or the authorities conferred to implement, the loan program pursuant to Provision (1) of Item 0977-101-0001 of Section 2.00 of the Budget Act of 2022 (Chapter 45 of the Statutes of 2022).

~~SECTION 1. Section 1562.015 is added to the Health and Safety Code, to read:~~

~~1562.015. (a) In addition to the requirements of Section 1562.01, a short-term residential therapeutic program shall do all of the following:~~

~~(1) Prior to accepting a child or youth for treatment, ensure that at least one parent, or a legal guardian, will be residing at single, physical address within the state for the duration of the child's or youth's treatment.~~

~~(2) Ensure that a child or youth residing in the program facility is at all times able to make confidential telephone calls to their parent or legal guardian. This requirement is subject to waiver by the department, the short-term residential therapeutic program, or the parent or guardian.~~

~~(3) Ensure that a child or youth residing in the program facility has access at all times to appropriate footwear that is suitable to be worn outdoors.~~

~~(b) The short-term residential therapeutic program shall prominently post the requirements described in subdivision (a) on its internet website.~~

~~(c) A short-term residential therapeutic program that violates the requirements described in subdivision (a) shall be subject to civil penalties in an amount not to exceed ____ dollars ($____) per violation per day. The total civil penalty shall not exceed ____~~

~~dollars ($____). If a violation causes harm to a child's or youth's health or safety, the department may also suspend or revoke the short-term residential therapeutic program's license.~~

~~(d) The department shall adopt regulations necessary to implement, interpret, or make specific the requirements of this section.~~

~~SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~

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AGENDA REPORT
Business | Action

June 2, 2025

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Meghan Traynor, Analyst I

SUBJECT: **Fee Waiver Request and Related Actions |**
"Proposed Pauma Valley Community Services District Island Annexation"

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a request from the Pauma Valley Community Services District (CSD) to waive all fees associated with its anticipated application to annex nine unincorporated parcels, collectively totaling approximately 19 acres. The subject parcels are fully enclosed within Pauma Valley CSD's boundary and adopted sphere of influence. Pauma Valley CSD provides two primary municipal service functions – wastewater and security – and asserts these parcels currently receive such services despite being located outside the District's formal boundary. The estimated value of the requested fee waiver is $6,405 based on the assumption the annexation would proceed without requiring a protest proceeding and qualifies as categorically exempt under the California Environmental Quality Act. LAFCO policy authorizes discretionary fee waivers or reductions under certain circumstances, including alignment with a prior Commission recommendation or – as is applicable to this request – a demonstrated financial hardship as determined by the Commission. Staff recommends the Commission consider the waiver request and potential alternatives – including a partial fee reduction and/or an extended payment plan – and take action as deemed appropriate.

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E lafco@sdcounty.ca.gov
www.sdlafco.org

Joel Anderson, County of San Diego
Jim Desmond, County of San Diego
Vacant, Alt., County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

BACKGROUND

Adopted Fee Schedule + Waivers

San Diego LAFCO's adopted fee schedule outlines applicant costs for processing jurisdictional changes and related requests, such as out-of-agency service approvals. Most fees are fixed and non-refundable, reflecting a predetermined allocation of staff resources based on a full cost-recovery model. The schedule provides for two distinct types of fee waivers and reductions: pre-approved and discretionary.

- Pre-approved fee waivers may be granted by the Executive Officer and are limited to proposals that advance specific legislative objectives, including addressing public health threats, eliminating unincorporated islands, and annexing disadvantaged unincorporated communities into cities.

- Discretionary fee waivers or reductions must be formally approved by the Commission in response to a written request submitted by the applicant. These requests are limited to one of two qualifying circumstances: (1) the action aligns with a prior recommendation of the Commission, or (2) the applicant demonstrates a financial hardship as determined by the Commission.

Recent Discussion on Fee Waivers

At its December 4, 2023 meeting, San Diego LAFCO reviewed its existing policies and practices related to applicant fee waivers and reductions. The item was presented at the request of Commissioner Willis and included a discussion of potential options to provide fee relief for applicants that also serve as LAFCO funding agencies. Following discussion, the Commission affirmed its preference to evaluate waiver and reduction requests on a case-by-case basis. The Commission also expressed interest in revisiting the broader topic – including the possibility of sliding-scale reductions for smaller special districts – as part of a future comprehensive update to the fee schedule.

DISCUSSION

This item is presented for San Diego LAFCO to consider a request from the Pauma Valley CSD to waive all processing fees associated with its anticipated annexation proposal involving nine unincorporated parcels. The subject parcels collectively total approximately 19 acres and are developed with single-family residences. All parcels are fully enclosed within Pauma Valley CSD's jurisdictional boundary and sphere of influence. Importantly, the parcels currently receive – and are billed for – services as a result of a longstanding oversight, creating a discrepancy between Pauma Valley CSD's formal boundary and actual service area. Pauma Valley CSD is requesting the fee on the basis of financial hardship, citing the burden the costs would impose as it works to formally reconcile this boundary inconsistency with its ongoing service responsibilities. Specifically, the request cites Pauma Valley CSD's limited financial resources reflected in having a modest operating budget of $1,892,335 and its recent

decision to make a lump-sum payment to California Public Employees' Retirement System to reduce long-term interest tied to its unfunded liability.

A copy of the fee waiver request is provided as Attachment One.

ANALYSIS

The fee waiver request before San Diego LAFCO appears reasonable in and of itself, based on the circumstances described. This includes a fair nexus between the requested waiver and the public benefit of formalizing local agency boundaries and service responsibilities. However, the extent to which this nexus may arise in other areas beyond Pauma Valley CSD is presently unknown and could have potential precedent-setting implications. Additional factors meriting consideration in the analysis of the request include the following:

- LAFCO Funding Relationship
  Pauma Valley CSD's most recent apportionment payment to LAFCO totaled $1,482 for 2024–2025. The next scheduled payment for 2025–2026 will be $617. This reduction reflects a cross-category effect resulting from the addition of the Port of San Diego to the LAFCO funding pool.

- Commission Precedent
  The Commission has not considered a fee waiver request based on financial hardship since the current fee schedule was adopted in February 2019.

- Waiver Value
  The immediate value of the requested fee waiver is estimated at $6,405.

- Fiscal Impact
  Should the Commission approve the waiver, LAFCO would need to absorb the costs by drawing from its unrestricted fund balance. This balance is projected to total $1.615 million at the close of the current fiscal year and – accounting for existing commitments – is anticipated to decline to $1.309 million by the end of 2025–2026.

RECOMMENDATION

It is recommended San Diego LAFCO consider the request by Pauma Valley CSD and take one of the alternative actions listed in the proceeding section as deemed appropriate.

(continued)

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One:
Approve the full requested fee waiver and authorize the Executive Officer to draw $6,405 from its unrestricted fund balance.

Alternative Two:
Approve a fee reduction in an amount determined by the Commission.

Alternative Three:
Continue consideration of the item to a future meeting and provide direction to staff for additional information and/or outreach, including potential referral to the Special Districts Advisory Committee.

Alternative Four
Deny the request.

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) Invite testimony from the public.
3) Discuss the item and take one of the alternative actions listed.

Respectfully on behalf of the Executive Officer,

Meghan Traynor
Analyst I

Attachment:

1) Fee Waiver Request from Pauma Valley Community Services District

PAUMA VALLEY COMMUNITY SERVICES DISTRICT

33129 Cole Grade Road ◆ Pauma Valley, California 92061
Telephone (760) 742-1909 ◆ Fax (760) 742-1588
www.paumavalleycsd.com

Fred Nelson
President

Rich Collins
Vice President

Lolo Levy
Treasurer

Mike Esparza
Secretary

Zan Villanueva
Director

Eric Steinlicht
General Manager

Date: May 5th, 2025

TO: Mr. Barry Willis and the Honorable Board of Directors of the San Diego County Local Agency Formation Commission (LAFCO)
Sent via email to: Btwillis9@gmail.com and Keene.Simonds@sdcounty.ca.gov

RE: Formal Request for Annexation Fee Waiver

Dear Mr. Willis and Honorable Board of Directors,

I am writing to formally request a waiver of the fees associated with the annexation of several parcels within our District—commonly referred to as "Islands." These parcels are currently receiving services from our District and, in accordance with applicable laws and regulations, must be annexed into the District's Sphere of Influence to ensure the continued provision of services. This initiative is part of an ongoing effort by District staff and our Board of Directors to streamline administrative processes and maintain full compliance with local regulatory requirements.

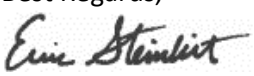
Based on correspondence with LAFCO staff, the estimated annexation fee for these parcels is $6,405.00. This amount does not include the additional County Filing Fee of $50.00 and the State Board of Equalization Fee of $800.00, bringing the total projected cost to $7,255.00. In light of this, I respectfully request that the honorable Board consider granting a waiver of these fees. Should a full waiver not be feasible, I kindly ask that a partial reduction be considered.

Our organization is a small Community Services District located in the rural hills of Pauma Valley, operating with an annual budget of $1,892,335. Our financial reserves remain modest due to a prior administrative decision to make a significant lump-sum payment to the California Public Employees' Retirement System (CalPERS), aimed at mitigating long-term interest obligations tied to the system's unfunded liability.

We sincerely appreciate your time, attention, and any consideration you may give to this request for financial relief.

Thank you again for your time, and I look forward to your response at your earliest convenience.

Best Regards,



Eric Steinlicht
General Manager
Eric.Steinlicht@PaumaValleyCSD.ca.gov

CC: Mr. Fred Nelson, President of the Board of Directors
Fred.Nelson@PaumaValleyCSD.ca.gov

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AGENDA REPORT
Business | Action

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
Meghan Traynor, Analyst I

SUBJECT: **Authorization to Serve as Grant Co-Applicant with RCD of Greater San Diego | Proposed Partnership to Fund an Agricultural Liaison Position**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a resolution to serve as co-applicant with the Resource Conservation District (RCD) of Greater San Diego on a proposed agricultural conservation capacity grant of up to $250,000. The grant would be awarded by the California Department of Conservation through its Sustainable Agricultural Lands Conservation (SALC) Program. This proposal aligns with a key recommendation from the SALC 1.0 planning grant and incorporates feedback previously provided by Commissioners. Specifically, the grant would fund an agricultural liaison position to enhance the RCD's capacity to hold conservation easements and deliver outreach and technical assistance to local farmers. Staff recommends the Commission approve the attached resolution to apply for the proposed capacity grant and, if awarded, authorize the Executive Officer to enter into a memorandum of understanding (MOU) with the RCD of Greater San Diego to define roles, responsibilities, and deliverables.

BACKGROUND

Sustainable Agricultural Lands Conservation Program

The Sustainable Agricultural Lands Conservation (SALC) program was created in 2014 as a component of the California Strategic Growth Council and administered by the Department

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Jim Desmond, County of San Diego
Vacant, County of San Diego
Kristi Becker, City of Solana Beach
Dane White, City of Escondido
John McCann Alt., City of Chula Vista
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
Vacant, General Public
Brigette Browning, Alt., General Public

of Conservation. The SALC program is primarily funded through the California Climate Investments, a statewide program that provides cap-and-trade funds through agricultural conservation acquisition and planning grants for programs intended to reduce greenhouse gas emissions. The principal goals of SALC are to:

- Protect at-risk agricultural lands from sprawl development to promote growth within existing jurisdictions, ensure open space remains available, and support a healthy agricultural economy; and

- Further the purpose of Assembly Bill No. 32 by avoiding increases in greenhouse gas emissions associated with the conversion of agricultural land to more greenhouse gas-intensive non-agricultural uses.

Previous SALC Grants Awarded to LAFCO

San Diego LAFCO has been previously awarded two SALC grants.

- SALC 1.0 – Agricultural Trends and Policy Recommendations
  In August 2020, San Diego LAFCO partnered with the RCD of Greater San Diego to submit a SALC planning grant application focused on identifying and tracking agricultural trends in San Diego County. The Commission authorized LAFCO to serve as the lead applicant, and a two-year grant in the full amount of $250,000 was awarded. Work commenced in June 2021 and concluded with a final report containing 10 recommendations in May 2023, including the creation of one or more agricultural liaison positions.

- SALC 2.0 – Market Analysis and Economic Bridging for Small Farms
  In September 2022, LAFCO partnered with the County of San Diego Planning and Development Services (PDS) to submit a second SALC planning grant application. This initiative aims to conduct a market analysis of existing and emerging crops - particularly among small farms - and to identify opportunities for government to help bridge related economic gaps. The Commission again authorized LAFCO as the lead applicant, and the full grant amount of $500,000 was awarded. Work began in June 2023 and is scheduled to continue through September 2025.

DISCUSSION

This item is for San Diego LAFCO to consider authorizing the Commission to serve as co-applicant with the RCD on a new SALC capacity grant. The grant is intended to fund an agricultural liaison position to expand the RCD's capacity to hold conservation easements and providing technical assistance and in doing so advance a key recommendation from SALC 1.0 and responding to Vice Chair Willis's request to support farmers through this role. Additional details regarding the proposed grant follows.

Proposed Application

San Diego LAFCO and RCD of Greater San Diego propose a two-tier application approach.

- Tier One involves LAFCO and RCD jointly applying for up to $100,000 to build RCD's foundational capacity to hold agricultural conservation easements - an essential function of the SALC capacity grant. Initial activities will include hiring an agricultural liaison tasked with developing conservation easement agreement templates, draft policies, and internal protocols. This phase is expected to be completed within the first 12 to 18 months of the three-year grant term and is designed to establish a strong operational framework for advancing to Tier Two.

- Tier Two involves LAFCO and RCD applying to expand the total grant award to $250,000. This would involve continued development of the agricultural liaison role, including outreach to farmers, cross-jurisdictional resource coordination, and identification of potential applicants for future SALC acquisition grants focused on conservation easements. Continuation of the position would be contingent upon securing this additional funding. Tier Two would require an additional grant application and subsequent approval by the Commission.

LAFCO and RCD agree to serve as joint project managers in grant implementation. RCD will consider approving their lead-applicant role at its June 11th meeting. The deadline to submit a complete proposal to the Department of Conservation is July 3, 2025.

ANALYSIS

The proposed capacity grant before San Diego LAFCO has been jointly developed with the RCD and underscores a shared commitment to supporting agriculture and the farming community in the region. Central to the grant is funding an agricultural liaison who will play a pivotal role in expanding the RCD's capacity to hold and manage conservation easements – an increasingly vital strategy for preserving agricultural lands. Beyond conservation work, the liaison will serve as a key point of contact for farmers, offering technical assistance and helping them access resources across jurisdictions. This effort directly advances a core recommendation from SALC 1.0 and the need for dedicated agricultural liaisons within local government—and responds to Vice Chair Willis's expressed interest in providing farmers with support and technical assistance. Further, investing in this position represents a forward-looking step toward establishing long-term agricultural land stewardship and farmer engagement, while also positioning the RCD to take on a more prominent leadership role in regional conservation efforts.

As part of this collaboration, and following grant approval, LAFCO is expected to take a lead role in developing the job description and leading recruitment efforts in partnership with the RCD. Once the liaison is in place, LAFCO will continue in a supportive capacity, assisting with:

- Developing conservation easement agreement templates, drafting policies, and internal protocols for the RCD.
- Facilitating discussions with jurisdictions to promote collaboration.
- Identifying potential applicants for conservation easements, in coordination with the County's PACE Program and California Farmlink.
- Supporting social media and public engagement efforts.
- Assisting with billing and administrative tasks, as needed.

RECOMMENDATION

It is recommended San Diego LAFCO authorize the Commission to serve as co-applicant with the RCD of Greater San Diego in submitting a new capacity grant with the Department of Conservation. This recommendation is consistent with Alternative One outlined below.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished with a single-motion:

Alternative One (recommended):

(a) Adopt the attached draft resolution approving the Commission to serve as co-applicant with the RCD of Greater San Diego on a Department of Conservation SALC capacity grant in the amount of up to $100,000 and authorizing the RCD of Greater San Diego to sign the grant award should it be approved. Authorize the Executive Officer to make any technical or non-substantive edits as needed.

(b) Authorize the execution of a memorandum of understanding with the RCD of Greater San Diego subject to the review and approval of Commission Counsel.

Alternative Two:
Continue consideration to a special meeting ahead of the July 3, 2025 deadline to file a capacity grant application with the Department of Conservation.

Alternative Three:
Take no action.

(continued…)

PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO's agenda for 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 any public testimony.
3) Proceed with Commission discussion and consider the staff recommendation.

On behalf of the Executive Officer,



Meghan Traynor
Analyst I

Attachments:

1) Draft Resolution to Apply for SALC Capacity Grant
2) SALC Capacity Grant Application Guidelines
3) SALC Capacity Grant Application Form

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RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

(1) AUTHORIZATION TO SERVE AS CO-APPLICANT WITH THE RESOURCE CONSERVATION DISTRICT OF GREATER SAN DIEGO FOR A PROPOSED AGRICULTURAL CONSERVATION CAPACITY GRANT AWARDED BY THE CALIFORNIA DEPARTMENT OF CONSERVATION; (2) CERTIFY ITS UNDERSTANDING OF THE ASSURANCES AND CERTIFICATION; (3) AUTHORIZE THE TEMPLATE GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF CONSERVATION; AND (4) AUTHORIZATIONTO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE RESOURCE CONSERVATION DISTRICT OF GREATER SAN DIEGO IF THE GRANT IS AWARDED

WHEREAS, The Sustainable Agricultural Lands Conservation (SALC) program was created in 2014 as a component of the California Strategic Growth Council and administered by the Department of Conservation;

WHEREAS, The SALC program is primarily funded through the California Climate Investments, a statewide program that provides cap-and-trade funds through agricultural conservation acquisition and planning grants for programs intended to reduce greenhouse gas emissions;

WHEREAS, SALC seeks to protect at-risk agricultural lands from sprawl development to promote growth within existing jurisdictions, ensure open space remains available, and support a healthy agricultural economy;

WHEREAS, SALC furthers the purposes of Assembly Bill 32 by avoiding increases in the greenhouse gas emissions associated with the conversion of agricultural land to more greenhouse gas-intensive nonagricultural uses;

WHEREAS, the California Department of Conservation requires the applicant to (1) authorize the application, (2) certify its understanding of the assurances and certification it provides in the application, (3) authorize the template grant agreement with the California Department of Conservation, and (4) authorize a memorandum of understanding with the Resource Conservation District (RCD) of Greater San Diego if the grant is awarded.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. The Commission understands the assurances and certification in the Sustainable Agricultural Lands Conservation Program agricultural conservation capacity grant application outlined in Exhibit A-1.

2. The Commission authorizes San Diego LAFCO to submit an application for the Sustainable Agricultural Lands Conservation Program agricultural conservation capacity grant.

3. If awarded the grant, the Commission authorizes San Diego LAFCO to enter into a grant agreement with the Department of Conservation for the project and agrees to the

template included in Exhibit A-1, to accept the grant funding award and to, execute and submit all documents including, but not limited to, applications, payment requests, and so on which may be necessary for the development of the planned grant, and to enter into a memorandum of understanding with the RCD of Greater San Diego.

4. The Commission authorizes a memorandum of understanding with the RCD of Greater San Diego if the grant is awarded and the designation of the RCD of Greater San Diego as agent to accept the award of grant funding and to execute tasks, such as signing documents, related to the application, grant agreement, payment requests, and so on if the project is awarded funding.

5. The Commission authorized the Executive Officer to make non-substantive corrections to the grant agreement with the Department of Conservation to address any technical defects, errors, irregulates, or omissions.

6. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in Sections 56880-56882 of the Government Code.

**

PASSED AND ADOPTED by the Commission on June 2, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

**

ATTEST:

_____
Keene Simonds
Executive Officer

EXHIBIT A-1
TEMPLATE GRANT AGREEMENT

State of California - Department of Conservation GRANT AGREEMENT NUMBER:
GRANT AGREEMENT DOC6
(Revised 05/23) FI$Cal NUMBER:

1. This Grant Agreement is entered into by and between the Department of Conservation ("Department") and ("Grantee").

2. The Grant Agreement Term is: From through
(Or upon execution of this Grant Agreement by both parties, whichever is later)

3. The maximum amount of this Grant Agreement is: $

4. Signing this Grant Agreement means that Grantee agrees to comply with the terms and conditions of the following exhibits which are part of the Grant Agreement:

Exhibit A, Scope of Work	3 Pages
Attachment 1: Authorized Signatory Form	1 Page
Attachment 2: Work Plan	Page
Attachment 3: Final Report Template	1 Pages
Exhibit B, Budget Detail and Payment Provisions	3 Pages
Attachment 4: Budget Detail Worksheet	Page
Attachment 5: Invoice Template	2 Pages
Exhibit C, General Terms and Conditions	3 Pages
Exhibit D, Special Terms and Conditions	6 Pages
Exhibit E, Award Letter	Pages
Exhibit F, Guidelines	120 Pages

IN WITNESS WHEREOF, this Grant Agreement has been executed by the Parties hereto.

GRANTEE

GRANTEE'S NAME:

BY (Authorized Signature) DATE SIGNED

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

STATE OF CALIFORNIA

Agency Name: Department of Conservation

BY (Authorized Signature) DATE SIGNED

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

Exhibit A, Scope of Work

1. Agricultural Conservation Capacity and Project Development Grants

CARB encourages programs that utilize California Climate Investments dollars to provide program-specific technical assistance to potential applicants in order to assist them in developing projects and preparing and submitting applications. Additional investments are needed to help stakeholders develop and complete projects at the pace and scale required to meet the State's goal of conserving thirty percent of California's land by 2030.

2. The Project is Defined by the Application and Award Letter

The Department released the final Sustainable Agricultural Lands Conservation Program Grant Guidelines & Applications on [Date] (Exhibit F) (Guidelines). In accordance with the Guidelines, Grantee applied and the Department awarded a grant to fund the project described in the application, subject to any conditions contained within the Award Letter (Exhibit E). This will be referred to as the "Project" throughout this Grant Agreement.

3. Authorized Signers

The Department Director or designee is authorized to sign this Grant Agreement and grant-related documents on behalf of the Department.

Grantee's Authorized Signatory or designee is authorized to sign this Grant Agreement and grant-related documents as shown in the Authorized Signatory Form (Attachment 1).

Grantee must keep Authorized Signatory Forms up to date. Within seven (7) working days of any change to the authorized signatory or to the delegated authorized signatory, Grantee shall notify the Department in writing of the change. The written notice shall be sent as an electronic mail (email) attachment to be filed with the Grant Agreement.

4. Project Representatives

The project representatives are the contact people for the Department and Grantee. The project representatives during the term of this Grant Agreement are:

<u>Department</u>

Name:
Title: Grant Manager*

Phone Number:
Email:

* Unless otherwise stated within this Grant Agreement, all correspondence and documents to the Department of Conservation will be sent to the Grant Manager as described in Document Submission (Exhibit A, Section 6).

Grantee

Name:
Title:
Phone Number:
Email:

Name:
Title:
Phone Number:
Email:

Department and Grantee must keep the Project Representative(s) up to date. Any changes to the Project Representatives by either Grantee or Department shall be made by providing seven (7) working days advance written notice to the other party. The written notice shall be sent as an electronic mail (email) attachment to be filed with the Grant Agreement.

5. Grantee Responsibilities

Grantee is responsible for:

A. Using grant funds only as intended for the Project.
B. Completing work on time and within budget. This includes meeting all milestones and deliverables, as described in the Work Plan (Attachment 2) and in accordance with the Budget Detail Worksheet (Attachment 4), unless otherwise agreed to by all parties through the amendment process described in Exhibit B, Section 8.
C. Submitting invoices for reimbursement using the Invoice Template (Attachment 5), including any supporting documents.
D. Submitting a final report with the last invoice, using the Final Report Template (Attachment 3).
E. Complying with all terms and conditions of this Grant Agreement, including all incorporated documents.
F. Complying with statutes, rules, and regulations applicable to this Grant Agreement.
G. Maintaining an accounting system that accurately reflects all fiscal transactions and provides accounting information, retaining all records

and required documents as specified in Exhibit C, Section 4, and providing all required documents during an audit, as specified in Exhibit C, Section 5.

6. Document Submission

A. Electronic Mail

When this Grant Agreement requires Grantee to give invoices, reports, or other documents to the Department, Grantee must use email unless this Grant Agreement specifically requires that the document be sent by mail. All email must contain the Grant Agreement number and Grantee's name in the subject line.

B. Mail Service/Courier Service

Correspondence and documents submitted through mail, certified mail, or courier service must use the following address:

Department of Conservation
Division of Land Resource Protection
Attn: [Grant Manager]
715 P Street, MS 1904, Sacramento
Sacramento, CA 95814

7. Reporting Requirements

When the Project is completed, Grantee must submit a Final Report with the last invoice. To complete and submit the Final Report:

A. Submit the Final Report with the last invoice. If Grantee does not submit the Final Report with the last invoice, then the last invoice will be considered incomplete and returned following process specified in Exhibit D, Section 5.
B. Use the Final Report Template, which is attached as Attachment 3.
C. Make sure the Final Report is signed by the person authorized to sign on the most current Authorized Signatory Form (Attachment 1).
D. Put enough detail in the Final Report to show that Grantee fulfilled the terms of the Grant Agreement and should be paid for completing the project.

Attachment 1: Authorized Signatory Form

I hereby verify that I am an authorized Grantee representative and signatory and, as such, can sign and/or delegate authorization to sign and bind Grantee as it relates to the above-referenced Grant Agreement and grant related documents.

Grantee Authorized Signatory:

Name: **Title:**

Signature: **Date:**

Email:

Delegated Authorized Signatories:

1. **Name:** **Title:**

   Signature: **Date:**

   Email:

   Document(s) Authorized to sign: ☐ All Grant Related Documents ***or*** ☐ Grant Agreement ☐ Grant Amendments ☐ Budget Amendments ☐ Reports ☐Invoices ☐ Other _____

2. **Name:** **Title:**

   Signature: **Date:**

   Email:

   Document(s) Authorized to sign: ☐ All Grant Related Documents ***or*** ☐ Grant Agreement ☐ Grant Amendments ☐ Budget Amendments ☐ Reports ☐ Invoices ☐ Other ____

Attachment 2: Work Plan

[Work plan submitted with the application, subject to any changes based on the award letter, will be inserted in the final grant agreement].

Attachment 3: Final Report Template

Grantee Name:
Date Submitted:
Grant Number:
Project Name:

1. Based on your experiences with this grant program, please provide feedback about how the Department can improve future grant programs.

2. Briefly summarize the Project's results and outcomes, including how the goals and objectives were accomplished, findings or conclusions, and planned or potential future projects that may result from the Project. Include a list of other sources of funding that were secured, directly or indirectly, through this Project.

3. Describe and explain any differences between the planned results, as listed in the Work Plan, and the actual results. Include a discussion of any problems, barriers, or issues that occurred during the Project, corrective actions taken, and the outcomes.

4. Explain any plans to continue funding for the Project, and/or to expand, modify, or replicate the Project.

5. Attach any relevant documents to this report. If the documents cannot be sent electronically, notify the Grant Manager.

I certify that this Final Report is accurate and that this project complies with the Grant Agreement. I further certify that any expenditure discussed in this report is allowed under the Grant Agreement and that all funds were expended for the purposes of this Project.

Name: **Title:**

Signature: **Date:**

Exhibit B, Budget Detail and Payment Provisions

1. Payment

A. To receive payments of grant funds, Grantee must submit an invoice. Advance payments are not permitted under this Grant Agreement.
B. Upon receipt and approval of an itemized invoice and required supporting documentation, the Department agrees to reimburse Grantee for actual expenditures for work completed, in accordance with the rates specified in the Budget Detail Worksheet (Attachment 4).
C. The Department may withhold final payment until all terms of the Grant Agreement have been satisfied.
D. Payment shall be made within forty-five (45) days upon receipt and approval of an invoice. Failure to comply with requirements may result in non-payment or delayed payment.
E. For cost principles, see Exhibit B, Section 5.

2. How to Submit Invoices

A. Send the invoices to the Grant Manager by email. Include the Grant Agreement number and Grantee's name in the subject line.
B. Send invoices regularly, to keep getting paid. Grantee shall submit invoices no more frequently than monthly, in arrears, to the Grant Manager for work performed.
C. A request for payment shall consist of:
    i. The Invoice (Attachment 5) on official letterhead and signed by the Authorized Signatory, or authorized designee on file with the Department (Exhibit A, Section 3), certifying the expenditures are for actual expenses for the tasks performed under this Grant Agreement.
    ii. Each cost category and task must correspond to a cost category and task identified in the Budget Detail Worksheet (Attachment 4).
    iii. Supporting documentation for reimbursement of funds.
D. Supporting documentation (e.g., timesheets, activity logs, cancelled checks) for matching funds does not need to be submitted to the Department but should be retained by Grantee in the event of an audit (Exhibit C, Section 5).
E. At any time, the Department may request hard copies of invoices, reports, supporting documentation, and evidence of progress.

3. Invoice Dispute

In the event of an invoice dispute, see Exhibit D, Section 5.

4. Budget Contingency Clause

A. If the Budget Act of the current year and/or any subsequent years covered under this Grant Agreement does not appropriate sufficient funds for the program, this Grant Agreement shall have no further force nor effect. In this event, the Department shall have no liability to pay any funds whatsoever to Grantee or to furnish any other considerations under this Grant Agreement, and Grantee shall not be obligated to perform any provisions of this Grant Agreement.

B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the Department shall have the option to either cancel this Grant Agreement with no liability occurring to the Department or offer an amendment to reflect the reduced amount.

5. Cost Principles

A. All costs to be reimbursed must be consistent with the Guidelines (Exhibit F).
B. All costs to be reimbursed must be reasonable, as defined in the Guidelines (Exhibit F).

6. Travel Reimbursement

Travel expenses directly related to the performance of this Grant Agreement will be subject to the State of California travel reimbursement rates in effect during the term of this Grant Agreement.

A. The Department will only reimburse for actual expenditures incurred for in-state travel as specified in the Guidelines (Exhibit F).
B. Grantee shall maintain, and submit upon request, detailed travel records and supporting documents (e.g., travel request and approval forms, expense claims, invoices, receipts for lodging and transportation) showing the date and purpose of the grant-related travel, destination, and, in the case of travel by automobile, the number of miles driven.
C. Grantee shall ensure travel costs are included in the Budget Detail Worksheet (Attachment 4) and are tied to tasks and deliverables in the Work Plan (Attachment 2).
D. Grantee and any person traveling pursuant to this Grant Agreement shall indemnify and hold harmless the Department and State of California for any liabilities resulting from such travel.

7. Budget Modifications

A. Grantee must keep the Budget Detail Worksheet up to date.
B. Changes up to twenty percent (20%) of the total grant award between tasks and budget line items shall be made by providing written notice with or before submission of an invoice. If submitted before the invoice, the

written notice shall be sent as an electronic mail (email) attachment to be filed with the Grant Agreement.

C. Changes of more than twenty percent (20%) of the total grant award between tasks shall follow the amendment process, specified in Exhibit B, Section 8.

8. Amendments

A. This section applies to any changes to this Grant Agreement, excluding the following:
    a. Changes to the Authorized Signatory Form (Attachment 1). For changes to the Authorized Signatory Form see Exhibit A, Section 3.
    b. Changes to project representatives, see Exhibit A, Section 4.
    c. Changes to the Budget Detail Worksheet of up to twenty percent (20%) of the total grant award between tasks, see Exhibit B, Section 7.
B. Except as otherwise specified, Grantee must request and obtain prior written approval before any change (amendment) to this Grant Agreement is valid.
C. Request for amendments must:
    i. Be prepared, in writing, on official letterhead and signed by the Authorized Signatory or designee on file with the Department.
    ii. Be submitted to the Grant Manager at least two (2) months prior to when the amendment is needed.
    iii. Include the Grant Agreement number, a detailed explanation of the proposed amendment, reason for the amendment, and the effect of not approving the request.
    iv. Include a copy of the document(s) requested for amendment that shows the requested changes.
D. The Grant Manager will respond in writing within fifteen (15) working days from receipt of request to approve or deny the request for amendment, including the reason for the decision.
E. The Grant Manager will process amendments within thirty (30) days of the approval date. The amendment will not be in effect until both parties have signed the Grant Agreement amendment.

Attachment 4: Budget Detail Worksheet

[Budget detail worksheet submitted with the application, subject to any changes based on the award letter, will be inserted in the final grant agreement]

Attachment 5: Invoice Template

Date:

California Department of Conservation
Division of Land Resource Protection
Attn: [grant manager]
[Grant Manager Email Address]
Cc: DLRPInvoices@conservation.ca.gov

Grant Number: Invoice #
Invoice Period:
Total Invoice Amount:

Remit to: [Grantee name]
[Grantee mailing address]

Cost Category	Task #1	Task #2	Task #3	Task #4	Other Expenses	Total
Consultant						
Staff						
Other Expenses						
Indirect Costs						
Current Total						
Cumulative Total						
Allocated Total						

Work Plan Task #	**Description of Work Completed**
1	*Please refer to specific deliverables in the Budget and Work Plan.*
2	
3	
4	

Status Update			
Work Plan Task #	**On Schedule (Y/N)**	**Within Budget (Y/N)**	**Corrective Plan or Action, if needed**
1			
2			
3			
4			

CERTIFICATION: By my signature below, I certify that I have full authority to execute this payment request on behalf of the Grantee. I declare under penalty of perjury, under the laws of the State of California, that this invoice for reimbursement, and any accompanying supporting documents, are true and correct to the best of my knowledge, and all disbursements have been made for the purposes and conditions as outlined in the Grant Agreement.

Print Name: Print Title:

Signature: Date:

Exhibit C, General Terms and Conditions

1. Approval

This Grant Agreement is of no force or effect until signed by both parties. Grantee may not commence performance until all signatures have been obtained.

2. Amendment

No change to this Grant Agreement shall be valid unless made in accordance with Exhibit A, Section 3 or 4, or Exhibit B, Section 7 or 8. No oral understanding or change not incorporated in this Grant Agreement is binding on any of the parties.

3. Assignment

This Grant Agreement is not assignable by Grantee, either in whole or in part, without the consent of the Department in the form of an amendment.

4. Records Retention

A. Grantee shall establish an official file containing adequate documentation of all actions taken with respect to the Project, including copies of the Grant Agreement, changes, amendments, letters, email correspondence, financial records, and required reports for a minimum of four (4) years following the final payment of funds or until completion of any action and resolution of all issues which may arise as a result of an audit, whichever is later.
B. Grantee shall adequately protect all records, physical and electronic, from loss, damage, or destruction during the four (4) year retention period.

5. Audit

A. Grant funded projects are subject to audit by the State of California during the grant term and for up to four years following the termination of the grant agreement. Grantee agrees that the Department, Department of Finance, Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Grant Agreement. The audit may consist of examining and auditing pertinent books, documents, papers, and records including financial transactions and supporting documents, general accounting systems, internal controls, management practices, policies, and procedures pertaining to the performance of this Grant Agreement.

B. At any time, the Department, Department of Finance, Bureau of State Audits, or their designated representative may request to review Grantee's records to ensure proper grant management. Grantee shall be given advance notice when the grant-funded Project is selected for an audit or review by the Department, Department of Finance, Bureau of State Audits, or their designated representative. Grantee agrees to allow the auditor(s) access to such records during normal business hours, excluding State of California holidays, and to allow interviews of any employees who might reasonably have information related to such records. Further, Grantee agrees to include a similar right of the Department to audit records and interview staff in any subcontract related to performance of this Grant Agreement in accordance with Government Code section 8546.7. Grantee shall comply with the above and be aware of the penalties for violations of fraud and for obstruction of investigation as set forth in Public Contract Code section 10115.10.

6. Indemnification

Grantee agrees to indemnify, defend, and hold harmless the State of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all Grantees, partners, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Grant Agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Grantee in the performance of this Grant Agreement.

7. Disputes

Grantee shall continue with the responsibilities under this Grant Agreement during any dispute.

8. Independent Grantee

Grantee, and the agents and employees of Grantee, in the performance of this Grant Agreement, shall act in an independent capacity and not as officers, employees, or agents of the Department.

9. Non-Discrimination Clause

During the performance of this Grant Agreement, Grantee and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of race, color, ancestry, national origin, religion, creed, age (over 40), mental disability, physical disability, sex, gender (including pregnancy, childbirth, breastfeeding, or related medical conditions), sexual orientation, gender identity, gender

expression, medical condition, genetic information, marital status, and military and veteran status. Grantee and subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Grant Agreement by reference and made a part hereof as if set forth in full. Grantee and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Grant Agreement.

Grantee shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this Grant Agreement.

10. Timeliness

Time is of the essence in this Grant Agreement. The Department and Grantee will work collaboratively to ensure this Grant Agreement is administered in a timely fashion.

11. Governing Law

This Grant Agreement is governed by and shall be interpreted in accordance with the laws of the State of California.

12. Unenforceable Provision

If any provision of this Grant Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Grant Agreement have force and effect and shall not be affected thereby.

Exhibit D, Special Terms and Conditions

1. Compliance with Laws and Regulations

By signing this Grant Agreement, Grantee certifies that it shall comply fully with all applicable federal, state, and local laws, ordinances, regulations, and permits and shall secure any new permits required by authorities having jurisdiction over the Project(s) and maintain all presently required permits. Grantee shall ensure that any applicable requirements of the California Environmental Quality Act are met in order to carry out the terms of this Grant Agreement.

2. Subcontractors

The Department's contractual relationship is with Grantee, and not any of its subcontractors. Grantee is entitled to make use of its own staff and subcontractors, as identified in the Budget Detail Worksheet (Attachment 4), and will comply with its own competitive bidding and sole sourcing requirements for subcontracts that arise out of or in connection with this Grant Agreement. Grantee shall manage, monitor, and accept responsibility for the performance of its own staff and subcontractors, and will conduct Project activities and services consistent with professional standards for the industry and type of work being performed under this Grant Agreement.

Nothing contained in this Grant Agreement or otherwise, shall create any contractual relation between the Department and any subcontractors, and no subcontract shall relieve Grantee of its responsibilities and obligations hereunder. Grantee agrees to be as fully responsible to the Department for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by Grantee. Grantee's obligation to pay its subcontractors is an independent obligation from the Department's obligation to make payments to Grantee. As a result, the Department shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

3. No Third-Party Beneficiaries

This Grant Agreement is not intended for the benefit of any person or entity other than the parties, and no one other than the parties themselves may enforce any of the rights or obligations created by this Grant Agreement.

4. Project Monitoring and Oversight

Project monitoring and oversight is essential to ensure the Project stays within scope and is completed on schedule and within budget in accordance with this Grant Agreement.

5. Dispute Resolution

A. Invoice Disputes

i. In the event of an invoice dispute, the Grant Manager will notify Grantee by email within fifteen (15) days of receipt of the disputed invoice. Grant Manager will indicate why the invoice is disputed and outline the steps necessary to remedy the issues identified in their email.
ii. During the dispute, both parties shall deal in good faith to resolve the dispute. Grantee shall continue to meet its responsibilities and obligations under the terms of this Grant Agreement.
iii. If Grantee contests the decision made by the Grant Manager, Grantee shall submit a written "Notice of Dispute" on official letterhead, according to Subsection C below.

B. General Disputes

i. In the event of a dispute unrelated to the dispute of an invoice, Grantee shall first attempt to resolve the dispute with the Grant Manager.
ii. Both parties shall deal in good faith and attempt to resolve the dispute informally.
iii. Grantee shall continue to meet its responsibilities and obligations under the terms of this Grant Agreement during a dispute.
iv. If Grantee contests the decision made by the Grant Manager, Grantee shall submit a written "Notice of Dispute" on official letterhead, according to Subsection C below.

C. Contesting a Dispute Decision

i. If Grantee contests a decision made by the Grant Manager, Grantee may submit a written "Notice of Dispute" on official letterhead. The "Notice of Dispute" shall include:
   a. The Grant Agreement Number
   b. A complete description of the basis for the dispute
   c. Legal authority or pertinent facts, supporting arguments and documentation
   d. Action requested for resolution

   The "Notice of Dispute" shall be sent to:

Keali'i Bright, Division Director
Kealii.Bright@conservation.ca.gov
CC: DLRPinvoices@conservation.ca.gov

ii. Within 30 days after receipt of the "Notice of Dispute," the Division Director shall review the dispute and submit a written decision to Grantee, which shall include:
    a. The decision made
    b. An explanation for the decision
    c. Whether the decision shall be conclusive and binding or can be appealed and the steps to take to appeal the decision

6. Termination

A. Completion of Project. This Grant Agreement shall terminate upon completion of the project and payment of the last invoice.
B. Early Termination. Either Party may terminate this Grant Agreement upon thirty (30) days advance written notice by certified mail to the other Party. The notice shall specify the reason for early termination and may permit Grantee or Department to rectify any deficiency(ies) prior to the early termination date.

7. Waiver of Rights

A. Grantee waives any and all rights to any type of express or implied indemnity or right of contribution from the Department, its officers, agents, or employees for any liability arising from, growing out of, or in any way connected with this Grant Agreement.
B. Grantee waives all claims and recourses against the Department, including the right to contribution for loss or damage to persons or property arising from, growing out of, or in any way connected with or incident to this Grant Agreement, except claims arising from the gross negligence of the Department, its officers, agents, and employees.
C. None of the provisions of this Grant Agreement shall be deemed waived unless expressly waived in writing.

8. Insurance Requirements

A. Grantee that is a governmental organization may provide evidence of self-insurance to satisfy this requirement.
B. If Grantee is not a governmental organization or is a governmental organization that is unable to provide evidence of self-insurance, then it shall obtain and keep in force for the term of this Agreement the following insurance policies that cover any acts or omissions of Grantee, its subcontractors, or its employees engaged in the provision of service specified in this Agreement:
    i. Workers' Compensation Insurance in an amount of not less than $1,000,000 in accordance with the statutory requirement of the State of California (California Labor Code § 3700 et seq.).

ii. Commercial general liability insurance in an amount of not less than $1,000,000 per occurrence for bodily injury and property damage combined.
iii. Motor vehicle liability insurance in an amount not less than $500,000 per accident for bodily injury and property damage combined. Such insurance shall cover liability arising out of any motor vehicle including owned or hired, and non-owned motor vehicles.

C. The State of California, its officers, agents, and employees are included as additional insured, but only with respect to work performed for the State of California under this Grant Agreement. The additional insured endorsement must accompany the certificate of insurance.
D. Grantee shall submit proof of insurance documents referencing this Grant Agreement number to the Department electronically within thirty (30) days of signing this Grant Agreement.
E. Grantee shall notify Department in writing within five (5) working days of any cancellation, non-renewal, or material change that affects required insurance coverage.
F. Grantee shall submit proof of new or updated policy based on insurance requirements within thirty (30) days of policy cancellation or substantial policy change. Failure to provide proof of insurance may result in termination of this Grant Agreement.
G. Insurance requirements may be modified, reduced, or waived at the discretion of the Department based on an evaluation of the Grantee's organizational structure and/or the activities proposed under the Scope of Work. Reasons for modifications, reductions, or waivers include but are not limited to:
    i. Commercial general liability Insurance requirements may be reduced or waived for activities that do not involve field work, site visits, surveying, or travel.
    ii. Workers' Compensation insurance may be reduced or waived for Grantees with fewer than two employees, or Grantees who primarily operate through use of independent contractors.
    iii. Motor Vehicle Liability insurance may be reduced or waived for Grants that do not require field work, site visits, surveying, travel, or similar activities.
    iv. The insurance requirements may be waived where the Grant Award will be used to purchase insurance. After acquiring insurance using the Grant Award, Grantees must comply with Sections E and F above and submit proof insurance within thirty (30) days of the acquisition.

9. Stop Work

If it is determined, at the sole discretion of the Department, that Grantee is not meeting the terms and conditions of this Grant Agreement, immediately upon receiving a written notice through certified mail from the Department to stop work, Grantee shall cease all work under this Grant Agreement. The Department has the sole discretion to determine that Grantee meets the terms and conditions after a stop work order, and to send through certified mail a written notice to Grantee to resume work under this Grant Agreement.

10. Publicity

Attribution

Grantee agrees that it will use Strategic Growth Council (SGC), California Climate Investments (CCI), and Department of Conservation (Department) names and/or logos for all publications, websites, signage, invitations, and other media-related and public-outreach products related to the grant. Sustainable Agricultural Lands Conservation Program (SALC) staff will provide SGC, CCI, and Department logo files and guidance on their usage directly to grant recipients.

Any informational materials that include at least a paragraph of text should include the boilerplate language below.

"In collaboration with the Department of Conservation, the California Strategic Growth Council supported [Project name or type] with a grant through the Sustainable Agricultural Lands Conservation Program. The Program is part of California Climate Investments, a statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment – particularly in disadvantaged communities."

Promotional materials that are primarily visual in nature, such as banners, signs, certain flyers, and graphics for social media may not have room for the boilerplate language above. In such cases, grantees should instead include the official logos of SGC, CCI, and Department.

News Media

After the Strategic Growth Council votes at their public meeting to approve the recommended awardees, awardees may distribute press releases announcing their grants.

Grantees are encouraged to notify the news media of major milestones throughout the lifecycle of the grant, ensuring Grantee obtains Department and SGC's approval of press releases before publishing them. Please submit all such press releases to the assigned SALC grant manager at least two weeks before

publishing them. This way, the Department and SGC communications staff can not only approve the press release but also insert quotes from State leadership.

SGC and the Department must be invited to participate in any press conferences related to the grant by emailing the assigned SALC grant manager.

Grantees must identify a contact for all press inquiries and communications needs related to the project and provide their name, phone number, and email address to the SALC grant manager.

Social Media

Grantee is encouraged to use social media to inform and share with the public activities under this Grant Agreement. Furthermore, the California Strategic Growth Council, California Climate Investments, and Department of Conservation should be tagged in all posts related to activities under this Grant Agreement.

All publicity must comply with the Publicity and Confidentiality requirements set forth in the Guidelines (Exhibit F).

11. Drug-Free Workplace Certification

In signing this Grant Agreement, Grantee certifies that it will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:

A. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
B. Establish a Drug-Free Awareness Program to inform employees about:
    i. The dangers of drug abuse in the workplace.
    ii. The person's or organization's policy of maintaining a drug-free workplace.
    iii. Any available counseling, rehabilitation, and employee assistance programs.
    iv. Penalties that may be imposed upon employees for drug abuse violations.
C. Every employee who works on this Grant Agreement will:
    i. Receive a copy of the organization's drug-free workplace policy statement.
    ii. Agree to abide by the terms of the organization's statement as a condition of employment on this Grant Agreement.

Failure to comply with these requirements may result in suspension of payments under this Grant Agreement or termination of this Grant Agreement or both, and Grantee may be ineligible for award of any future State of California agreements if the Department determines that any of the following has occurred: Grantee has made false certification, or violated the certification by failing to carry out the requirements as noted above (Gov. Code §8350 et seq.).

12. Americans with Disabilities Act

Grantee assures the Department that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA (42 U.S.C. 12101 et seq.).

13. Air/Water Pollution Violation Certification

Under State of California laws, Grantee shall not be: (1) in violation of any order or resolution not subject to review promulgated by the California Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.

14. Payee Data Record Form - STD 204

This form must be completed by all Grantees that are not another state agency or other governmental entity.

Exhibit E, Award Letter

[Insert award letter here.]

Exhibit F, Guidelines

[Insert Guidelines here.]

Section 2: Agricultural Conservation Capacity and Project Development Grants

CARB encourages programs that utilize California Climate Investments dollars to provide program-specific technical assistance to potential applicants in order to assist them in developing projects and preparing and submitting applications. Additional investments are needed to help stakeholders build capacity to be able to develop and complete projects at the pace and scale required to meet the State's goal of conserving thirty percent of California's land by 2030.

Funding

The Strategic Growth Council may award approximately 5% of available funds for agricultural conservation acquisition capacity and project development grants ("capacity grants").

Capacity grants will be awarded as follows:

- Tier 1: Grants of up to $100,000 are available to applicants to build organizational and financial capacity to develop agricultural conservation acquisition projects.
- Tier 2: Grants of up to $250,000 are available to applicants to expand existing organizational capacity to develop agricultural conservation acquisition projects and develop agricultural acquisition projects. These grants are available to applicants who can demonstrate the organizational and fiscal capacity to complete the work outlined in their work plan.

Tier 1 applicants may request an increase in funding up to a total grant award of $250,000 during their grant term if they can demonstrate the organizational and fiscal capacity to administer additional funds within their remaining grant term. Award increases shall be prorated based on the remaining grant term, shall be at the discretion of the Executive Director of SGC, and may only be made if funding is available.

To demonstrate organizational capacity, Tier 2 applicants and Tier 1 grantees requesting an increase in their award must:

- Have a board, council, and/or management structure that provides oversight over staff work
- Have access to and utilize relevant tools and resources to track projects and the expenditure of grant funds, such as grant management software or spreadsheets, financial tracking systems, geographic information systems, etc.

- Have professional staff within the applicant's employ who have the knowledge and expertise to successfully develop conservation acquisition projects
- Where non-profit applicants intend to be the easement or fee title holder of the acquired property, be accredited by the Land Trust Accreditation Commission, or have adopted equivalent or greater policies regarding conflict of interest, amendments, monitoring, stewardship endowments, and enforcement, as relevant
- Have or adopt a staff time-keeping system with the capacity to generate reports that break time down by grant task and by person
- Have staff or a contractor sufficiently skilled to track project financials in a way that allows for efficient and accurate invoice submission
- Have acquired adequate general liability, automotive, and workman's compensation insurance.

Tier 2 applicants must provide the following to demonstrate fiscal capacity to administer a grant:

- A copy of the most recent financial audit (if an audit is not available, a copy of the organization's recent financial statements).

Tribal Applicants (Tier 1 and Tier 2)

The prior requirements to demonstrate organizational and fiscal capacity to be eligible for a Tier 2 award or increase to a Tier 1 award may not apply to Tribal applicants. The Department will confer with tribal applicants to identify the most appropriate means for the individual Federally recognized or non-Federally recognized California Native American tribe to demonstrate eligibility.

Grant Term
Capacity grants will be awarded for an initial term of three years.

Eligible Applicants
Cities, counties, non-profit organizations, resource conservation districts, regional park or open-space districts, regional park or open-space authorities, and Federally recognized California Native American tribes or non-Federally recognized California Native American tribes on the contact list maintained by the Native American Heritage Commission, are eligible to apply for capacity funding.

Where a California Native American tribe applies for grant funds under a tribal non-profit (where the board is majority tribal-led and the application includes a signed authorization from the tribal chairperson), such applicants will not be subject to the requirements of non-profit applicants. The tribal non-profit must, however, hold 501(c)3 status and have the preservation, protection, or

enhancement of land for its agricultural use or for its natural, scenic, historical, forested, or open-space condition or use for cultural purposes among their stated purposes.

In cases where tribal-serving non-profits, as defined within the Glossary (Appendix L), are working in partnership with a California Native American Tribe or tribal non-profit, they must have the preservation, protection, or enhancement of land for its natural, scenic, historical, forested, or open-space condition or use for cultural purposes among their stated purposes. Tribal-serving non-profits that are not partnered with a California Native American Tribe must have the preservation, protection, or enhancement of land for its agricultural use among their stated purposes.

All other non-profit applicants for Tier 2 funding must have the conservation of agriculture, rangeland, or farmland among their stated purposes, as is prescribed by statute, or as expressed in the entity's adopted policies.

Non-profit applicants that do not have the necessary language among their stated purposes or adopted policies are eligible for Tier 1 funding on the condition that they use a portion of their funding, if awarded, to incorporate the relevant purposes into their stated purposes or adopted policies. Non-profit applicants must hold a tax exemption as defined under Section 501(c)3 of the Internal Revenue Code and be qualified to do business in the state.

Applicants with active SALC Capacity grants are not eligible for funding unless the current grant is closed out before the application due date.

Eligible Activities

SALC capacity grants will be provided to: 1) build organizational and financial capacity to develop agricultural conservation acquisition projects, 2) assist eligible applicants in developing agricultural conservation easement and fee acquisition projects in preparation for submitting such projects for acquisition funding in future rounds, and 3) provide funds to cover associated costs to help close agricultural conservation acquisition projects where the cost of the acquisition is covered by an alternate source of funding.

SALC capacity grants may be provided to Federally recognized or non-Federally recognized California Native American tribes to develop a new 501(c)3 organization, like a tribal land trust, that will partner with them to meet the goals of SALC.

Agricultural conservation acquisition project(s) developed, or projects for which associated costs are funded using capacity dollars, should substantially meet the Eligibility Criteria listed in Section 3 (Agricultural Conservation Acquisition Grants) of these Guidelines, based on a preliminary review by the SALC staff, to

be considered for funding. Grantees will be required to complete a Capacity Project Development Eligibility Checklist for DOC review and approval prior to incurring hard costs such as title reports, market analysis, and costs related to application development.

Eligible and Ineligible Costs

Direct Costs

Direct costs incurred to develop agricultural conservation acquisition projects are eligible for reimbursement.

Eligible direct costs are:

- Fully burdened applicant staff/subcontractor time for:
    - landowner outreach
    - engagement with stakeholders and partners in activities directly related to the proposed project
    - title work
    - project mapping
    - acquisition negotiations
- SALC acquisition grant application preparation
- Baseline documentation
- Technical and legal consulting
- One market analysis or restricted use appraisal per project
- Preliminary title reports
- Escrow closing costs
- One appraisal per project where the cost of the acquisition is paid for by a funding source other than SALC. This must be the appraisal that establishes the acquisition value used to complete the transaction.
- Translation and interpretation services
- Technical or virtual meeting software, subscriptions, or applications other than basic word processing programs
- Staff/subcontractor time to develop, prepare, or update organizational documents, processes, and/or tools for the efficient tracking and development of agricultural conservation acquisitions, if those documents, processes, and/or systems do not exist at the time the project is funded
- Consultant costs, subject to grant manager approval

Costs subject to Department review and approval are:

- Mineral remoteness evaluations
- Environmental site assessments
- Property boundary surveys

- Building envelope surveys

To the extent that such activities are directly related to developing and completing agricultural conservation acquisition projects, applicants are encouraged to utilize funding to:

- Collaborate and participate in knowledge sharing with partners
- Engage diverse populations, particularly members of severely disadvantaged communities, socially disadvantaged farmers, and ranchers, and tribal communities, to increase awareness within those communities about specific programs and opportunities
- Implement or expand the use of multilingual and culturally appropriate materials in communications and educational strategies related to the proposal.

Indirect costs should not be included in the budgeted staff rate or salary. Indirect costs should be budgeted separately and must comply with the requirements outlined below.

Travel costs

In-state travel for grantee's staff and subcontractors is eligible as necessary to complete project work. Costs must meet the requirements outlined below and in the Grant Agreement:

- Accommodation-related travel costs: Maximum reimbursement rates based on county as shown here: https://hrmanual.calhr.ca.gov/Home/ManualItem/1/2203 in the section titled "Short-Term Lodging Reimbursement Rates, with no option for approval of an "excess lodging rate."
- Rental car costs or personal vehicle mileage for travel directly related to the grant will be reimbursed at the relevant rental car or Reimbursement Rate Per Mile for Personal Vehicle as shown here: https://hrmanual.calhr.ca.gov/Home/ManualItem/1/2202.
- Rental car, personal vehicle, ride share, train, or airfare costs will only be reimbursed for travel directly related to execution of the work plan, and then only if it is the typical method used to get from one location to the other. Grantees should choose the least expensive mode of transportation feasible given their travel needs.
- No other travel-related costs will be reimbursed through this grant program.

Education and training costs

Up to ten (10%) of the grant award may be used to cover direct costs to attend trainings or meetings to improve the applicant's skill, efficiency, or expertise in agricultural land conservation in order to complete the proposed project. All education and training costs are subject to review and approval by the Department.

Indirect costs

Indirect costs are limited to the applicant's federally negotiated indirect cost rate. If no federally negotiated indirect cost rate is available, indirect costs may account for no more than twenty percent (20%) of the total grant award and may include those costs incurred by the grantee to administer the grant, such as:

- Office space and utilities
- Office supplies
- Legal or management oversight (not already accounted for in direct costs)
- Prorated general liability, Workers' Compensation (may be included in payroll), and automotive insurance

If the expense benefits two or more grants, the costs must be allocated based on proportional benefit or reasonable basis.

Grantees must provide one or a combination of the following forms of acceptable supporting documentation for indirect costs claimed:

- Cost allocation plan
- Cost justification
- Current federally approved NICRA
- Other supporting documentation as requested by SALC staff

SALC will require justification for indirect costs billed with each invoice.

Ineligible associated costs are:

- Food or beverages (whether or not incurred as part of meetings, workshops, training, ceremonies, or other events)
- Costs associated with community or publicity events which are unrelated to specific project work products as outlined in the Work Plan (see Attachment 2 of the Grant Agreement)
- Per Diems
- Expenses for publicity

- Bonus payments of any kind
- Interest expenses
- Damage judgments arising from the acquisition, construction, or equipping of a facility, whether determined by judicial process, arbitration, negotiation, or otherwise
- Services, materials, or equipment obtained under any other State program
- Real estate brokerage fees and/or expenses
- Legal defense funds
- Associated costs for acquisitions awarded funding under the Acquisitions component of SALC
- Costs associated with fundraising, stewardship, or legal defense funds

Eligibility and Selection Criteria for Capacity Grants
The information submitted in the application (Appendix A) will be evaluated by reviewers and should demonstrate how effectively the proposal will meet the SALC Program Goals and objectives.

Applications must meet all Eligibility Criteria to be considered for funding. Applications that meet all of the Eligibility Criteria are then evaluated based on how well the proposal meets the SALC Program Goals and objectives, as evidenced through their Selection Criteria scores.

In determining which applications to fund, the State may also consider factors including, but not limited to, geographic distribution of funds, the urgency of the project, and the Administration's priorities. All proposals that meet the Eligibility Criteria are evaluated relative to the pool of applications received this Round.

All proposals will be reviewed using the following Eligibility Criteria and Selection Criteria:

Eligibility Criteria

- The applicant is an Eligible Applicant as defined on Page 15.
- The proposal is for an eligible activity.
- The proposal demonstrates that the requested funding will increase the applicant's capacity to initiate and conduct agricultural land conservation activities.

Selection Criteria

Total selection criteria points available out of 100.

- **Program Goals** (35 points): The extent to which the proposal meets the Program Goals.

- **Equity** (30 points): The extent to which the proposal will advance equity and opportunity by providing meaningful benefits to a priority population or increasing new, Veteran, or Native American farmer or rancher access or Tribal access to State funding for agricultural conservation acquisitions.
- **Sustainability** (20 points): The extent to which the application demonstrates that increased organization capacity to develop projects will be sustained after the life of the grant.
- **Budget** (15 points): The costs described in the Budget are eligible and are reasonable costs likely to be incurred to implement the proposal.

Capacity Grant Application Review Process

SALC Program staff are available prior to the application deadline to provide technical assistance to eligible applicants interested in submitting an application.

Application Review

All applications received by the Department will be evaluated based on the materials provided as of the application deadline, as well as a review of publicly available information as reasonable to verify the provided information. Applicants interested in receiving technical assistance prior to submission of an application may contact the Department with questions. Applications will be reviewed for completeness, whether they meet all the Eligibility Criteria, and the extent to which they meet the Selection Criteria. Incomplete applications may not be evaluated or considered for funding at the sole discretion of the State.

Capacity applicants may be asked to participate in an interview during the application review process to discuss proposal materials with Department staff.

Following the Department's initial review of the projects in relation to the Eligibility Criteria, Selection Criteria, and Readiness Rankings, SALC staff will review applications and recommendations with DOC management and an advisory group that includes Strategic Growth Council staff. Final award recommendations will be approved by the Strategic Growth Council at a public meeting.

A summary of each application, the California Climate Investments funding request, and priority population benefits status will be posted at least ten days before the Council makes project awards. The Council determines the final awards and will announce these awards at a public meeting. Applicants will be formally notified of the Council's decision via a decision letter following the meeting at which the awards are announced. If an application is deemed ineligible, the applicant will be notified by formal letter from the Program Manager prior to the Council meeting. Applicants that intend to seek SALC

Program Acquisition funding for projects developed under a SALC Capacity Grant are encouraged to read the General Information Regarding Agricultural Conservation Acquisition Requirements found in Section 3 of these Guidelines prior to preparing their Application. All SALC funded Acquisitions are subject to these Requirements. Please see the Program's webpage for forms and supporting material.

Capacity Application Components

All items are required unless otherwise noted:

- Grant Application Checklist
- Grant Application Cover Sheet
- Executive Summary (1/2-page maximum)
- Narrative Questions
- Applicant Resolution of Support
- Work Plan
- Budget
- Documentation of Organizational Eligibility
- Maps of proposed project boundary(ies), if applicable
- Priority Population Benefits Assessment Tool (if applying for priority population status)
- Documentation of Organizational Capacity (Tier 2 funding applications only)

Documentation of organization eligibility is the same as for agricultural conservation acquisition grants (see Section 3). Applicants may certify that the most current versions of their eligibility documents are on file with the Department in lieu of submitting the documents themselves.

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Agricultural Conservation Capacity and Project Development Grant Application

Applying

This is the application form for Agricultural Conservation Capacity and Project Development (Capacity) Grants under the Sustainable Agricultural Lands Conservation Program Guidelines (Guidelines). The Guidelines detail the background and eligibility requirements for funding. Applicants should familiarize themselves with the Guidelines prior to completing this grant application and refer to them for questions regarding this form. SALC staff are available prior to the application deadline to provide technical assistance to eligible applicants interested in applying.

Grant Application Submission

Please use the Grant Application Checklist to ensure that all necessary materials are submitted. Incomplete applications may not be evaluated or considered for funding at the sole discretion of the State. Early consultation with SALC staff regarding proposed projects is strongly encouraged to achieve the most efficient review process possible. The application process and requirements for Capacity grants is detailed in Section 2 of the Guidelines. Refer to the Notice of Funding Availability (NOFA) for critical dates and instructions on how to apply.

Capacity and Project Development Grant Application Checklist

REQUIRED COMPONENTS

ALL GRANT APPLICATIONS MUST INCLUDE THE FOLLOWING:

- ☐ Application Cover Sheet
- ☐ Executive Summary (1/2-page maximum)
- ☐ Narrative Questions
- ☐ Applicant Resolution of Support
- ☐ Work Plan
- ☐ Budget
- ☐ Documentation of Organizational Eligibility
- ☐ Project Boundary Maps, if applicable
- ☐ Priority Population Benefits Assessment Tool *(if applying for priority population status)*
- ☐ Documentation of Organizational Capacity *(Tier 2 funding applications only)*
- ☐ Documentation of Fiscal Capacity *(Tier 2 funding applications only)*

Capacity Grant Application Cover Sheet

Note to applicant: Text within brackets are examples and guiding text only. Please delete prior to submitting the full application. You can click directly in the grey text box. The font will automatically change to Calibri and the text will be a royal blue color.

Basic Information

Project Title:
Location (County):
State Assembly District:
State Senate District:
Project Activities:
Priority Population Status: ☐ **Y** ☐ **N** *[If yes, attach Priority Population Benefits Assessment Tool]*

Project Funding

Requested Funding Tier: ☐ **Tier 1** ☐ **Tier 2**
A: SALC Request Amount: *[Maximum is $100,000 for Tier 1 and $250,000 for Tier 2]*
B: Match Amount:
Total Estimated Project Cost (A+B):
Matching Funds Source: *[i.e., NRCS-ACEP, WCB-CAPP, etc.]*
Does all or a portion of the match come from another California Climate Investments Program?: ☐ **Y** ☐ **N**
If yes, List:

Applicant Information

Applicant:
Federal Employer ID Number:
Mailing Address:
Contact Person:
Title:
Phone Number:
Email Address:

Has the applicant received capacity funding from the Department of Conservation previously?: ☐ **Y** ☐ **N**
If yes, when?:

Executive Summary

This section (**1/2-page** maximum), will provide a brief overview of:

- A brief description of the proposed work
- How funding will meet an organizational need
- If applicable, any participating collaborators or partners and what role they will play
- Any critical deadlines.

Narrative Questions

Note to applicant: Do not delete any questions, even if they are not relevant to your application.

The questions below are designed to solicit specific facts about the proposal. Please respond to all questions in the order listed and clearly label each question and answer. Points will be attributed to each section and not to individual questions. If a question does not apply to your proposed work, indicate that it is not applicable ("N/A").

1. Describe the proposed project. How will the funding be used to do one or more of the following:
    a. build organizational and financial capacity to develop agricultural conservation acquisition projects?
    b. develop agricultural conservation easement and fee acquisition projects in preparation for submitting such projects for acquisition funding in future rounds?
    c. cover associated costs to help close agricultural conservation acquisition projects where the cost of the acquisition is covered by an alternate source of funding?
2. How will the funding increase the applicant's capacity to initiate and conduct agricultural land conservation activities?
3. Describe how the project meets one or more of the following program goals:
    a. contributes to carbon neutrality
    b. supports sustainable land management
    c. supports coordinated land use planning
    d. builds climate resilience
    e. reduces risk from extreme climate events
    f. contributes to the State's effort to combat climate change
    g. safeguards the State's economic sustainability and food security

h. protects biodiversity

4. Describe how the project will advance equity and opportunity by either providing meaningful benefits to a priority population, increasing new or Veteran farmer or rancher access, and/or Tribal access to State funding for agricultural conservation acquisitions. For applicants that provide meaningful benefits to a priority population, submit a completed copy of the Priority Population Benefits Assessment Tool for Technical Assistance and Capacity Building and relevant supplemental documentation to support your claim.
5. How will the project's outcomes be implemented and made durable beyond the life of the grant? Over what period will outcomes remain effective?

Tier 1 Applicants only

6. Describe your organization's experience developing and implementing similar projects. Describe any internal resources and capacity available to complete the proposed work, including any professional staff qualified to develop and successfully implement the proposed project. If your organization lacks the resources or capacity to complete the proposed project, describe your plan to acquire the expertise necessary to complete the proposed work.

Tier 2 Applicants only

7. Describe your organization's board, council, and/or management structure and explain how this structure provides oversight over staff work.
8. Describe your organization's ability to track the following:
    a. projects and the expenditure of grant funds (e.g., grant management software, spreadsheets, financial tracking systems, geographic information systems, etc.)?
    b. staff time, including the ability to generate reports that break time down by grant and person?
    c. project financials in a way that allows for efficient and accurate invoice submission?
9. Does your organization have professional staff within its employ who have the knowledge and expertise to successfully develop conservation acquisition projects? If so, provide a brief overview of relevant staff's knowledge and expertise.
10. Describe your organization's experience developing and implementing similar projects.

Applicant Resolution of Support

Applicants must submit a signed Resolution of Support adopted by the entity's governing body that evidences authority to submit the application and, if awarded funding, to enter into and perform under the terms of the template Grant Agreement (Appendix B).

The resolution must:

- Authorize the submittal of the grant application for a Sustainable Agricultural Lands Conservation Program agricultural conservation capacity grant.
- Certify that the Applicant understands the assurances and certification in the application,
- Authorize entrance into a grant agreement with the Department for the project and accept the template terms and conditions if the project is awarded funding.
- Authorize a designated individual to, as agent, accept the award of grant funding and to execute tasks, such as signing documents, related to the application, grant agreement, payment requests, and so on if the project is awarded funding.

Work Plan

Applicants must provide a detailed work plan that specifies the tasks, subtasks, and performance measures that will be performed during the grant term. The schedule should be of sufficient detail to allow assessment of the progress through the work plan at regular intervals. The work plan template can be found on the SALC website. If awarded funding, this work plan will be incorporated into the Grant Agreement. Add or delete Tasks as necessary following the format below.

Work Plan		
Grantee Name		
Task	**Timeline [Start and End Date]**	**Deliverable**
Task 1 [TASK NAME]		
Subtask A:		
Subtask B:		
Subtask C:		
Task 2 [TASK NAME]		
Subtask A:		
Subtask B:		
Subtask C:		
Task 3 [TASK NAME]		
Subtask A:		
Subtask B:		
Subtask C:		
Task 4 [TASK NAME]		
Subtask A:		
Subtask B:		
Subtask C:		
Other Expenses		
Education / Training		
Travel		
Indirect Costs		

Budget

Applicants must provide a budget broken down by cost type and by task. Cost estimates should be consistent with the work plan. All costs must be eligible. If awarded funding, this budget will be incorporated into the Grant Agreement. The budget template can be found on the SALC website. When submitting the budget with your application, submit as an excel document so staff can verify numbers and cost allocations. Do not convert the budget to a PDF.

Budget Detail Worksheet					
Grantee Name:	**Grant #: TBD**				
Budget Item	**Units** *(if applicable)*	**Rate** *(if applicable)*	**Program Reimbursement Request**	**Grantee Match**	**Grand Total**
Task 1 [Task Name]					
Consultant *(not to exceed)*	**Per RFP*		$0	$0	$0
Staff *(See rate information below in Table 2)*	***Varies. See rates below.*		$0	$0	$0
Subtotal			$0	$0	$0
Task 2 [Task Name]					
Consultant *(not to exceed)*	**Per RFP*		$0	$0	$0
Staff *(See rate information below in Table 2)*	***Varies. See rates below.*		$0	$0	$0
Subtotal			$0	$0	$0
Task 3 [Task Name]					
Consultant *(not to exceed)*	**Per RFP*		$0	$0	$0
Staff *(See rate information below in Table 2)*	***Varies. See rates below.*		$0	$0	$0
Subtotal			$0	$0	$0
Task 4 [Task Name]					
Consultant *(not to exceed)*	**Per RFP*		$0	$0	$0
Staff *(See rate information below in Table 2)*	***Varies. See rates below.*		$0	$0	$0
Subtotal			$0	$0	$0
Other Expenses					
Education / Training	*not to exceed*		$0	$0	$0
Travel	*not to exceed*		$0	$0	$0
Indirect Costs (not to exceed 20% of grant)	*not to exceed*		$0	$0	$0
Subtotal			$0	$0	$0
Grand Total			**$0**	**$0**	**$0**
TABLE 2: RATES DETAIL					
Title	**Rate ($/hour)**	**Notes**			
Staff Rates		***Hours will vary by position. Amount for reimbursement not to exceed amount stipulated and allocated by budget line items.*			
[Position Title]	$0.00				
[Position Title]	$0.00				
[Position Title]	$0.00				
Consultant	**Total amount not to exceed that which is listed in this budget component of the grant agreement.*				

Documentation of Organizational Eligibility

Non-profit applicants and proposed interest holders must submit the following documentation:

- Internal Revenue Service 501(c)3 status as a charitable non-profit;
- Articles of Incorporation and by-laws documenting the principal charitable or public purposes of the non-profit organization; and,
- Adopted policy that details the organization's goals and purposes, including the organization's commitment to conservation of agriculture, rangeland, farmland, or tribal preservation, protection, or enhancement of land for its agricultural use or for its natural, scenic, historical, forested, or open-space condition or use.

Governmental applicants and proposed interest holders should submit a copy of the relevant statute or other policy outlining their purpose and authority regarding the conservation of agricultural land.

Applicants and proposed interest holders that have submitted documentation of organizational eligibility through a previous application may certify that the most current versions of these documents are on file with the Department in lieu of submitting the documents themselves.

Documentation of Organizational Eligibility

I certify here that the most current versions of the documents below are on record at the Department or attached:

Signature:
[Print Name, Title] Date

- ☐ IRS 501(c)3 status
- ☐ Articles of Incorporation
- ☐ Bylaws
- ☐ Adopted Policy or Statement of Purpose for conservation of agriculture, rangeland, farmland or tribal preservation, protection, or enhancement of land for its agricultural use or for its natural, scenic, historical, forested, or open-space condition or use among their stated purposes *(if different from above)*
- ☐ Copy of relevant statute *(governmental applicants only)*

Project Boundary Maps *(if applicable)*

Applicants must submit legible PDF maps of project boundaries, or general areas for projects they intend to develop using this funding, if applicable.

Priority Population (AB 1550) Benefits Assessment Tool

Applicants interested in being considered for priority population status must complete the Priority Population Benefits Assessment Tool for Technical Assistance and Capacity Building. This information will be used to help the grantee determine whether the project meets an important community or household need and provides direct, meaningful, and assured benefits to a priority population, should the project be funded.

Documentation of Organizational Capacity *(Tier 2 applicants only)*

Tier 2 applicants and proposed interest holders must provide proof of organizational capacity to acquire and steward conservation acquisitions for their agricultural conservation values as part of their application. Applicants may meet this requirement by:

- Providing proof of LTAC accreditation; or,
- Providing copies of the following documents, as relevant:
  - Conflict of Interest Policy
  - Easement Amendment Policy
  - Monitoring Policy
  - Stewardship Endowment Policy
  - Easement Enforcement Policy

Applicants and proposed interest holders that have submitted documentation of organizational capacity through a previous application may certify that the most current versions of these documents are on file with the Department in lieu of submitting the documents themselves.

<u>Documentation of Organizational Capacity</u>

I certify here that the most current versions of the documents below are on record at the Department or attached:

Signature:
[Print Name, Title] Date

☐ Proof of Land Trust Accreditation Commission Accreditation **<u>OR</u>**

Copies of all policies listed below:

☐ Easement Amendment Policy

- ☐ Monitoring Policy
- ☐ Conflict of Interest Policy
- ☐ Easement Enforcement Policy
- ☐ Stewardship Endowment Policy

Documentation of Fiscal Capacity *(Tier 2 applicants only)*

Tier 2 applicants must attach the following to demonstrate fiscal capacity to administer a grant:

- A copy of the most recent financial audit (if an audit is not available, a copy of the organization's recent financial statements).

The Department will confer with Tribal applicants to identify the most appropriate means for the individual Federally recognized or non-Federally recognized California Native American tribe to demonstrate eligibility.

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AGENDA REPORT
Business | Information

June 2, 2025

TO: Chair Whitburn and Commissioners

FROM: Michaela Peters, Analyst II
Meghan Traynor, Analyst I

SUBJECT: **Report on the 2025 CALAFCO Staff Workshop**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive an informational update following staff's participation in the California Association of LAFCOs' (CALAFCO) Annual Staff Workshop, held April 30–May 2 at the Temecula Creek Inn in Temecula. This annual workshop - hosted by Riverside LAFCO and organized by CALAFCO's Southern Region - provided professional development and networking opportunities for LAFCO staff across the state. The program featured presentations led by LAFCO practitioners, subject matter experts, and consultants. San Diego LAFCO staff attended one day of the three-day event and participated in seven sessions. Staff also contributed to two sessions: a general session titled "*Tips to Improve the MSR Process*" and a breakout session, "*Balancing Growth and Green: LAFCO's Role in the Future of Agriculture.*" This report is provided consistent with past practice and for informational purposes only.

BACKGROUND

CALAFCO is a 501(c)(3) non-profit membership organization established in 1971. All LAFCOs are eligible for membership, with annual dues - structed on a progressive scale based on county population tiers - accounting for nearly four-fifths of the organization's annual revenue. CALAFCO's core mission is to promote statewide coordination and serve as a resource to the Legislature and other public entities. The organization is structured into four regions and governed by a 16-member Board of Directors.

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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
Vacant, General Public
Brigette Browning, Alt., General Public

DISCUSSION

This item is presented for San Diego LAFCO to receive a report on staff's participation at the recent CALAFCO Annual Staff Workshop, held April 30–May 2 at the Temecula Creek Inn in Temecula. San Diego LAFCO was represented by four staff members – Analyst II Michaela Peters, Analysts I Jolle Burila and Meghan Traynor, and Communications Associate Aiden Velasquez. Staff contributed to the workshop program by presenting in two separate sessions, highlighting San Diego LAFCO's innovative approaches to municipal service reviews and agricultural sustainability. Key highlights from the workshop follow.

Spotlight on San Diego LAFCO's Approach to MSRs

Analyst II Michaela Peters participated in the General Session, *"Tips to Improve the MSR Process,"* and shared San Diego LAFCO's "Hybrid Approach" to municipal service reviews. This model combines consultant-prepared technical analyses - covering services such as water, wastewater, fire protection and emergency medical, and/or regional transportation and housing - while maintaining internal responsibility for overall project management and preparation of remaining MSR components.

Spotlight on Agricultural Land Conservation and San Diego LAFCO's SALC Grant

Analyst II Michaela Peters and Analyst I Meghan Traynor co-led a breakout session titled *"Balancing Growth and Green: LAFCO's Role in the Future of Agriculture."* The session explored LAFCOs' statutory role in preserving agricultural and open-space lands, integrating environmental justice considerations, and planning tools to manage growth. The session also featured Chief Planning Manager Jesse Davis (City of Ukiah), who presented a case study on the preservation of 750 acres of agriculture and open space in collaboration with Mendocino LAFCO. San Diego LAFCO's ongoing efforts under the SALC program were also featured and highlighted by the successes of SALC 1.0 and 2.0 with a preview of the anticipated SALC 3.0.

The Staff Workshop program is provided as Attachment One.

ANALYSIS

None.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

PROCEDURES

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

1) Receive verbal presentation from staff, unless waived.
2) Invite comments from interested audience members, if any.
3) Discuss item and provide feedback as appropriate.

On behalf of staff,

Michaela Peters

Michaela Peters
Analyst II

Attachment:

1) CALAFCO 2025 Staff Workshop Program

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2025 STAFF WORKSHOP

welcome

California Association of
Local Agency Formation Commissions

CALAFCO

SUPPORTING SUSTAINABLE
COMMUNITY GROWTH



April 30 - May 2, 2025

Temecula Creek Inn
44501 Rainbow Canyon Rd
Temecula, CA 92592

Hosted by Riverside LAFCO
CALAFCO.ORG

Schedule At-a-Glance

WEDNESDAY, APRIL 30

7:30 a.m. **MOBILE WORKSHOP**
Tour of Wilson Creek Winery & Vineyards – Bus loads at 7:30 a.m. and departs promptly at 7:45 a.m.

1:30 p.m. **WORKSHOP OPENING**

2:00 p.m. **GENERAL SESSION**
Ballots & Boundaries: Navigating the Ins and Outs of LAFCO Protest Hearing and Elections

3:15 p.m. **REFRESHMENT BREAK**

3:30 p.m. **GENERAL SESSION**
Back to Basics: How Well Do We Know Ourselves and the Law?

5:30 p.m. **WELCOME RECEPTION**

7:00 p.m. **DINNER ON YOUR OWN**

THURSDAY, MAY 1

7:00 a.m. **BREAKFAST BUFFET**

9:00 a.m. **GENERAL SESSION**
Tips to Improve the MSR Process

10:30 a.m. **SNACK BREAK**

10:45 a.m. **BREAKOUT SESSIONS**
- CEQA: Everything you need to know under 90 minutes
- Making Sense of SB 938: The Adventure of Del Paso Manor Water District

12:30 p.m. **LUNCHEON**

1:45 p.m. **BREAKOUT SESSIONS**
- Cracking the Code for Island Annexations: Insights, Challenges, and What's Next
- Navigating ADA PDF Compliance

3:15 p.m. **SNACK BREAK**

3:30 p.m. **BREAKOUT SESSIONS**
- Funding the Gap: Enhancing Services and Infrastructure in Disadvantaged Communities
- Balancing Growth and Green: LAFCO's Role in the Future of Agriculture

5:30 p.m. **CALAFCO DINNER**

FRIDAY, MAY 2

7:00 a.m. **BREAKFAST BUFFET**

9:00 a.m. **GENERAL SESSION**
- Navigating stormy waters & turning the ship around. A special focus group/visioning session

12:00 p.m. **WORKSHOP ADJOURNS**

CALAFCO GOLD ASSOCIATE MEMBERS

BBK BEST BEST & KRIEGER LLP

COLANTUONO HIGHSMITH WHATLEY, PC

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TEMECULA CREEK INN



AGENDA

WEDNESDAY, APRIL 30

7:30 a.m. – 12:30 p.m. **MOBILE WORKSHOP : Tour of Wilson Creek Winery & Vineyards**
Bus loads at 7:30 a.m. and departs promptly at 7:45 a.m.
LOCATION: Hotel Front (board bus)

Learn about the wine making process which defines the reason why the Temecula Valley Wine Country is considered in the top tier of wine producing regions nationally and internationally, and how sewer infrastructure plays a role in its viability. Enjoy lunch with presentations from representatives from Wilson Creek & Vineyard and Eastern Municipal Water District.

1:30 p.m. – 2:00 p.m. **Workshop Opening**
LOCATION: Olive Ballroom

SPEAKERS: *Gary Thompson, Executive Officer, Riverside LAFCO; Yxstian Gutierrez, Riverside LAFCO Commissioner; County of Riverside Supervisor*

2:00 p.m. – 3:15 p.m. **GENERAL SESSION: Ballots & Boundaries: Navigating the Ins and Outs of LAFCO Protest Hearings and Elections**
LOCATION: Olive Ballroom

This session will provide an in-depth look at the protest hearing process and election procedures in the context of LAFCO decisions on boundary changes, annexations, consolidations, and other related actions. Participants will learn about the legal requirements, practical steps, and common challenges involved in organizing and managing protest hearings and conducting elections. The session will offer best practices for ensuring compliance with statutory requirements while facilitating transparent and effective public engagement.

1.25 AICP CM Credits

MODERATOR/SPEAKER: *Francisco Estrada, Analyst, Santa Cruz LAFCO*

PANELISTS: *Joe Serrano, Executive Officer, Santa Cruz LAFCO; Shannon Costa, Deputy Executive Officer, Butte LAFCO*

3:15 p.m. – 3:30 p.m. **Refreshment Break**
LOCATION: Olive Patio

3:30 p.m. – 5:00 p.m. **GENERAL SESSION: Back to Basics: How Well Do We Know Ourselves and the Law?**
LOCATION: Olive Ballroom

This interactive session will focus on the fundamental principles of LAFCO such as who we are and what we do; legal exposures of LAFCO and how to reduce risk; our mission and role in managing boundary changes, service provision, and promoting orderly growth; Staying in our lane or tinkering with stuff while under the agency's hood; and assessing whether your staff reports and presentations are complicated.

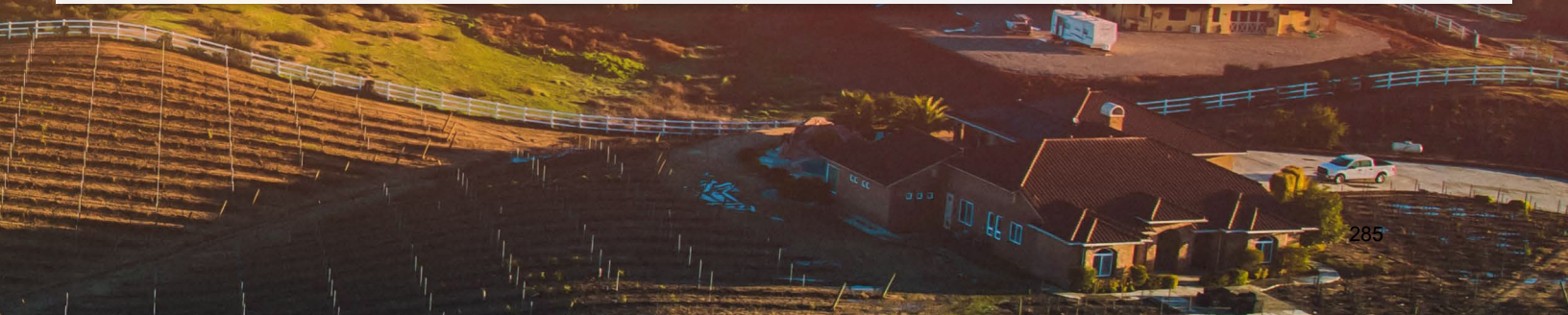
1.5 AICP CM Credits

MODERATOR/SPEAKER: *Michael Tuerpe, Assistant Executive Officer, San Bernardino LAFCO*

PANELISTS: *Samuel Martinez, Executive Officer, San Bernardino LAFCO; Brian Spaunhurst, Executive Officer, Fresno LAFCO; Arturo Pastor, GIS Analyst, San Bernardino LAFCO; Colette Santsche, Partner, Planwest Partners, Inc.; Holly Whatley, Legal Counsel, Colantuono, Highsmith & Whatley, PC*

5:30 p.m. – 7:30 p.m. **Welcome Reception**
LOCATION: Olive Patio

7:00 p.m. **Dinner on Your Own**



AGENDA

THURSDAY, MAY 1

7:00 a.m. – 9:00 a.m. Breakfast Buffet — *LOCATION: Olive Patio*

9:00 a.m. – 10:30 a.m. GENERAL SESSION: Tips to Improve the MSR Process — *LOCATION: Olive Ballroom*

This session will provide practical tips and strategies to improve the Municipal Service Review (MSR) process for LAFCOs. Attendees will explore innovative approaches and will also delve into best practices for conducting MSRs, including optimizing task order, streamlining data collection, and leveraging tools and resources. By the end of this session, participants will gain actionable insights to enhance the effectiveness and efficiency of their MSR processes, ensuring thorough and timely reviews that support informed decision-making.

1.5 AICP CM Credits

MODERATOR: *Krystle Heaney, AICP, Senior Planner, Planwest Partners, Inc.*

PANELISTS: *Carol Ieromnimon, Associate, RSG; Joe Serrano, Executive Officer, Santa Cruz LAFCO; Michaela Peters, Local Government Analyst II, San Diego LAFCO, Amanda Ross, CEO, South Fork Consulting, LLC*

10:30 a.m.–10:45 a.m. Snack Break — *LOCATION: Olive Patio*

BREAKOUT SESSIONS (2 Choices)

10:45 a.m. – 12:15 p.m. CEQA: Everything You Need to Know Under 90 Minutes — *LOCATION: Olive Ballroom*

The California Environmental Quality Act (CEQA) requires local government agencies to inform decision makers about the potential environmental impacts of proposed projects. This session will go over what CEQA is, documents required to process LAFCO actions, how to file a Notice of Determination or Notice of Exemption with your local County Clerk Office, and how to upload those documents to the State Clearinghouse.

1.5 AICP CM Credits

MODERATOR: *Doug Dorado, Senior Government Analyst, Los Angeles LAFCO*

PANELISTS: *Krystle Heaney, AICP, Senior Planner, Planwest Partners, Inc.; Thomas Hubbard, CEQA Analyst, Governor's Office of Land Use and Climate Innovation; Jaime T. Pailma, Division Manager, Document Recording Division, Los Angeles County Registrar-Recorder/County Clerk*

10:45 a.m. – 12:15 p.m. Making Sense of SB 938: The Adventure of Del Paso Manor Water District — *LOCATION: Sage 3 & 4*

Identify and discuss the process of utilizing 2022's SB 938 with the steps that Sacramento LAFCO implemented to successfully build community support and help assist in dissolving a problematic water district. This session will include the recent history of the Del Paso Manor Water District (DPMWD) and the 2021 Sacramento County Grand Jury report that started the discussions.

1.5 AICP CM Credits

MODERATOR/PRESENTER: *José Henriquez, Executive Officer, Sacramento LAFCO*

12:30 p.m. – 1:30 p.m. Luncheon — *LOCATION: Olive Patio*

AGENDA

THURSDAY, MAY 1 *CONTINUED*

BREAKOUT SESSIONS (2 Choices)

1:45 p.m. – 3:15 p.m. **Cracking the Code for Island Annexations: Insights, Challenges, and What's Next** *LOCATION: Olive Ballroom*

Island annexations remain a crucial part of LAFCO's efforts to fulfill its mandate. While the Legislature has provided LAFCOs with additional tools to facilitate island annexation (e.g., a streamlined annexation process), each LAFCO is responsible for charting its own course. The panel will discuss their successful strategies and best practices for island annexations, highlighting innovative approaches, policies, definitions, and valuable lessons learned. They will also address the challenges and limitations they've encountered when navigating LAFCO law, along with their vision for the future of island annexations.

1.5 AICP CM Credits

MODERATOR: *Jennifer Stephenson, Executive Officer, Lassen, Modoc, Plumas, and San Benito LAFCOs*

PANELISTS: *Paula de Sousa, Partner, BBK Counsel; Stephen Lucas, Executive Officer, Butte LAFCO; Samuel Martinez, Executive Officer, San Bernardino LAFCO; Dunia Noel, Assistant Executive Officer, Santa Clara LAFCO*

1:45 p.m. – 3:15 p.m. **Navigating ADA PDF Compliance** *LOCATION: Sage 3 & 4*

How familiar are you with what it means to have an ADA compliant website? We will be doing a dive into what it means to have your online presence be compliant by showing you a how to on PDF compliance. You will learn the basic needs for your website itself, including things like color contrast, along with getting into the details of what needs to be done with documents you upload to your website. You will also learn what it takes in both time and resources to make this all happen.

1.5 AICP CM Credits

MODERATOR/PRESENTER: *Claire Devereux, Clerk/Jr. Policy Analyst, Marin LAFCO*

3:15 p.m. – 3:30 p.m. **Snack Break** *LOCATION: Olive Patio*

BREAKOUT SESSIONS (2 Choices)

3:30 p.m. – 5:00 p.m. **Funding the Gap: Enhancing Services and Infrastructure in Disadvantaged Communities** *LOCATION: Sage 3 & 4*

It has been over 13 years since the Legislature dissolved redevelopment agencies, but it would be a mistake to presume that tax increment financing ("TIF") tools no longer exist in California. In fact, nearly three dozen TIF districts have been created in the past decade – more than in the first 20 years of the "old" redevelopment era.

We will explore nearly a dozen different types of TIF districts that enable agencies to pool funds together for investment in climate resiliency, fire apparatus, infrastructure, and more. You will gain an understanding of how the formation process works, the challenges involved, and how this knowledge can empower you, as a LAFCO, to champion greater investment in these communities.

1.5 AICP CM Credits

MODERATOR: *Adriana Romo, Deputy Executive Officer, Los Angeles LAFCO*

PANELISTS: *Jim Simon, Principal, RSG; Suzanne Holland, Director, Riverside County, Office of Economic Development*

AGENDA

THURSDAY, MAY 1 *CONTINUED*

3:30 p.m. – 5:00 p.m.	**Balancing Growth and Green: LAFCO's Role in the Future of Agriculture**	*LOCATION: Olive Ballroom*

This breakout session will be an opportunity for LAFCO staff to think critically about our role in preserving agriculture and promoting environmental justice; specifically, how LAFCOs can collaborate with other public agencies and carry out grants to do so. Two case studies will be presented: one, involving the City of Ukiah and their collaboration with Mendocino LAFCO to preserve agricultural and open space land, as well as San Diego LAFCO's experience leading two Sustainable Agricultural Land Conservation (SALC) grants that began in 2021 and 2023.

1.5 AICP CM Credits

MODERATOR/SPEAKER: *Michaela Peters, Local Government Analyst II, San Diego LAFCO*

PANELISTS: *Meghan Traynor, Local Government Analyst, San Diego LAFCO; Jesse Davis, AICP, Chief Planning Manager, City of Ukiah*

5:30 p.m. – 7:30 p.m.	**CALAFCO Dinner**	*LOCATION: Olive Patio*

FRIDAY, MAY 2

7:00 a.m. – 9:00 a.m.	**Breakfast Buffet**	*LOCATION: Olive Patio*
9:00 a.m. – 12:00 p.m.	**GENERAL SESSION: Navigating Stormy Waters & Turning the Ship Around – A special Focus Group/Visioning Session**	*LOCATION: Olive Ballroom*

This unique session provides LAFCO staff the opportunity to participate in a focus-group type session and provide input on the future of CALAFCO. We start with a brief Association update from your regional officers, followed by a facilitated visioning and feedback session. This is a chance for you to engage in the cultural and organizational structural review being conducted and contribute ideas for the CALAFCO of the future.

PRESENTER: *Pamela Miller, Owner & Chief Engagement Officer, Miller Management & Consulting Group*

12:00 p.m.	**Workshop Adjourns**



Staff Workshop: April 30 – May 2, 2025

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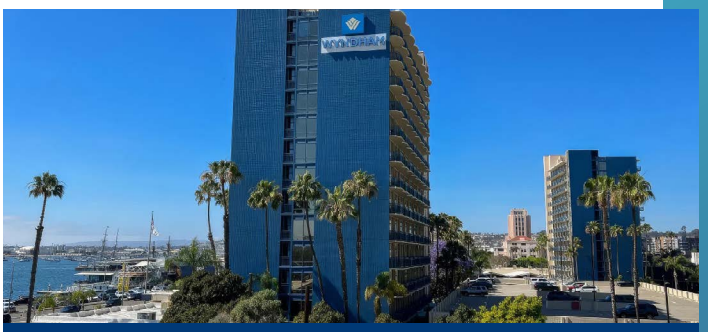
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