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

5e

AGENDA REPORT
Consent | Information

November 6, 2024

TO: Commissioners

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

SUBJECT: **Notice of Administrative Approval of "Delgado–Andrade 24th Street Out-of-Agency Wastewater Services" | City of National City (OAS24-12)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive notice of an administrative approval by the Executive Officer for the City of National City to provide out-of-agency services to an unincorporated property located within the City's sphere of influence. The authorization is specific to wastewater service to an existing single-family residence at 2616 East 24th Street and premised on abating a public health and safety threat given documentation of a failing septic system. The Executive Officer's approval is limited to the existing primary residential dwelling unit developed on the affected territory as of October 23, 2024. The Executive Officer's approval is termed on the landowner submitting a complete annexation proposal; it also expires in one calendar year unless a time extension is authorized. This notice is being provided for information consistent with adopted policy.

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 beyond 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

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
Nora Vargas, 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
Harry Mathis, General Public
Brigette Browning, Alt., General Public

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 outside-of-agency services – involving water and/or wastewater services only – in response to documented health, safety, or welfare impacts. The Executive Officer is required to inform the Commission of all administrative approvals at the next available meeting for information only. Otherwise, all out-of-agency approvals require formal Commission action.[1]

Applicant Request and Administrative Approval

San Diego LAFCO received a request from the City of National City on behalf of interested landowners (Jeanette Delgado, Juan Delgado, Alfredo Navarro) on September 16, 2024 for approval to receive out-of-agency wastewater service from the City of National City involving a 0.14-acre unincorporated parcel. The subject parcel is developed with an approximate 970 square foot single-family residence built in 1958 with a situs of 2616 East 24th Street (564-010-12). The subject parcel lies entirely within the City of National City sphere of influence. The request ties to the residence's existing septic system – which is reportedly pumped routinely to prevent backflow into residence – no longer functioning without continual attention and costs by the landowner.

Upon receipt of the landowner's request and related application materials, LAFCO staff coordinated with the City of National City to assess the need and availability of public wastewater service for the affected territory. Staff also confirmed with the County of San Diego's Department of Environmental Health and Quality attesting their recommendation the out-of-agency service proceed to protect against the potential of a public health and safety threat. This recommendation ties to space limitations on the parcel and the unlikely case a new septic system would be able to support the residence based on current standards. The Executive Officer proceeded to issue a conditioned approval on October 23, 2024, and is attached for Commission review.

DISCUSSION

This item is for San Diego LAFCO to receive notice of the Executive Officer's administrative approval authorizing the City of National City to provide wastewater service outside its jurisdictional boundary as described above. The Executive Officer's approval and conditions are final under policy, but the Commission is encouraged to discuss the item and provide feedback to staff on any related matters as it collectively deems appropriate.

[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.

ANALYSIS

San Diego LAFCO's administrative approval allowing the City of National City to provide out-of-agency wastewater services to the subject parcel at 2616 East 24th Street conforms to statute and Commission policies. This includes the Executive Officer taking action to proceed with an immediate solution to abate a reasonably documented threat to public health and safety. The administrative approval has been conditioned on limiting wastewater service to only the existing residence with no additional development being accommodated at this time. The approval has also been conditioned on the landowner submitting a complete annexation proposal within one calendar year unless a time extension is authorized.

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,

Joelle Burila

Joelle Burila
Analyst I

Attachments:

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

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Agenda Item No. 5e | Attachment One

Map Area all within City of National City SOI

Lincoln Acres

City of National City

Proposal Area

E 22ND ST

EUCLID AV

LANOITAN AV

LA SIESTA WY

E 24TH ST

LEONARD ST

FENTON PL

GRANGER AV

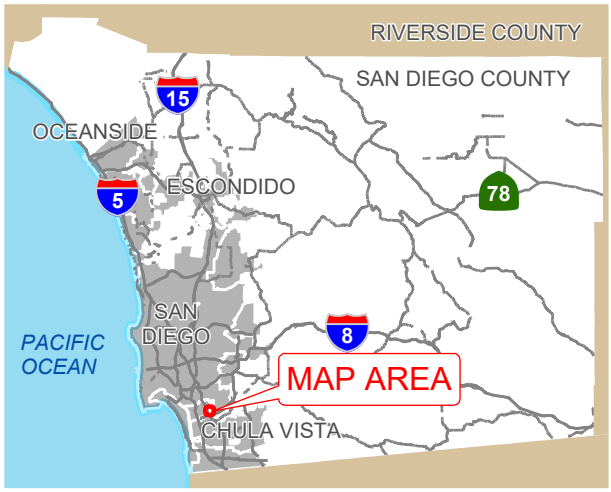
RIDGEWAY DR

GWY

N

0 0.03 0.06 0.12 Miles





OAS24-12

"ANDRADE-NAVARRO - 24TH STREET OUT-OF-AGENCY WASTEWATER SERVICES" | CITY OF NATIONAL CITY

Proposal Area

National City

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 -- 10/23/2024

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CERTIFICATE OF ADMINISTRATIVE APPROVAL OF A CONTRACTUAL WASTEWATER SERVICE AGREEMENT

City of National City / Jeanette Delgado, Juan Delgado, Alfredo Navarro (LAFCO File No. OAS24-12)

October 23, 2024

In accordance with California Government Code Section 56133, the San Diego County Local Agency Formation Commission (LAFCO) authorizes the City of National City to immediately provide extraterritorial wastewater service by contract to 2616 East 24th Street. The subject property is owned by Jeanette Delgado, Juan Delgado, Alfredo Navarro and comprises one unincorporated parcel identified by the County of San Diego Assessor's Office as 564-010-12-00. The authorized service is limited to supporting the approximate 970 square foot single-family residence currently developed on the subject property.

The contracted wastewater service agreement authorization terms in one year – October 23, 2025 – 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 City of National City to provide wastewater service.

Confirmation:

KEENE SIMONDS
Executive Officer

October 23, 2024

Administration
Keene Simonds, Executive Officer
2550 Fifth Avenue, Suite 725
San Diego, California 92103
T 619.321.3380
www.sdlafco.org
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Harry Mathis
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: Jeanette Delgado Andrade

Property Address: 2616 E 24th St National City, CA 91950

Phone #: 619-806-1039 Date: 08/20/2024

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? Connection to city 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. Emergency connection

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

CALIFORNIA
NATIONAL CITY
1887
INCORPORATED

September 16, 2024

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

Re: Out of Area Service Agreement Request – 2616 East 24th Street

Dear Mr. Simonds,

The City of National City is requesting approval from San Diego LAFCO to provide wastewater services to an existing single-family residence at 2616 East 24th Street (APN 564-010-12-00) which is outside of the City of National City municipal boundary. The property is located within the City's Sphere of Influence and is contiguous to the City boundary. The property is accessed from a City-owned and maintained street. Therefore, annexation into the City of National City is supported at this time, should the property owner wish to do so.

The City of National City public sewer infrastructure is readily available and has adequate capacity to provide service to the property. Due to health and safety concerns associated with the existing failing septic system, the City is amenable to offering out-of-agency sewer service to the property.

I appreciate your consideration in this manner. Please feel free to reach out to me at 619-336-4240 or bmartinez@nationalcityca.gov, or to Director of Public Works/City Engineer Stephen Manganiello at 619-336-4380 or smanganiello@nationalcityca.gov with any questions you may have.

Sincerely,

BENJAMIN A. MARTINEZ
City Manager, City of National City

County of San Diego

AMY HARBERT
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
Phone: (858) 505-6700 or (800) 253-9933 Fax: (858) 505-6786
www.sdcdeh.org

HEATHER BUONOMO, REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

July 10, 2024

TO: Jeanette Andrade, Juan Andrade, Alfredo Navarro
2616 East 24th Street, National City, CA 91950

FROM: Scott Rosecrans, Environmental Health Specialist III

SUBJECT: Sewer connection/annexation for 2616 East 24th (APN: 564-010-12-00)

Dear Property Owners,

Per your request, I am writing this letter in support of immediate connection to the sanitary sewer located in East 24th Street and annexation of your property into National City. The property has a failing onsite wastewater treatment system (identified on 3-28-24) and has few, if any, options to repair this system due to the lot size and configuration.

Given these conditions it would be of benefit to connect the home to the sanitary sewer that exists in East 24th Street. Expediting the connection/annexation process would help to address any current hazards and would prevent costly pumping of the existing onsite wastewater treatment system to prevent sewage from discharging to the ground. Upon connection to the sanitary sewer the existing septic tank and vertical seepage pit(s) must be pumped, collapsed, and backfilled with sand, gravel, native soil, or cement slurry. No permit is required for this activity. A permit will be required by the City of National City for the sewer connection. Please feel free to contact me at your convenience.

Sincerely,

Scott Rosecrans, REHS
Environmental Health Specialist III
(619) 208-0337

CC: Darin Duncan, BDP Services

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