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

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AGENDA REPORT
Consent | Action

October 3, 2022

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Priscilla Mumpower, Analyst II

SUBJECT: **Proposed "Gaipa-Grandview Drive Change of Organization" | Annexation to San Diego County Sanitation District (CO22-07)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a change of organization initiated by a joint landowner petition to annex 2.3 acres of unincorporated territory to the San Diego County Sanitation District (SD). The affected territory as submitted comprises two contiguous parcels each presently developed with single-family residences as well as a portion of the adjacent public right-of-way on Grandview Drive to the centerline. The residences are located in the community of Valle de Oro and within the District's sphere of influence. The proposal purpose is to replace aging septic systems serving both subject parcels. Staff recommends conditional approval along with waiving protest proceedings.

BACKGROUND

Applicant Request

San Diego LAFCO has received a change of organization proposal initiated by two interested and neighboring landowners – Tony Gaipa & Mark Nicholls – requesting approval to annex 2.3 acres of unincorporated territory in Valle de Oro to San Diego County SD to establish wastewater service. The affected territory as submitted, includes two contiguous parcels presently developed with single-family residences with situses of 10224 and 10216 Grandview

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Drive. (10216 Grandview Drive also includes one accessory dwelling unit.) A portion of the public right-of-way on Grandview to the centerline is also part of the affected territory. The two subject parcels are identified by the County of San Diego Assessor's Office as 496-232-18 and 496-232-19 and lie entirely within the San Diego County SD's sphere of influence.

Regional Setting

The affected territory is located in southeast San Diego County within the unincorporated community of Valle de Oro, east of State Highway 125 and north of State Highway 94. Principal access to the affected territory is provided by Grandview Drive. The affected territory lies within County Supervisorial District No. 2 (Joel Anderson), Assembly District No. 71 (Randy Voepel), and Senate District No. 38 (Brian Jones). An aerial map of the affected territory and its regional setting follows.



Attachment One shows the affected territory relative to the proposed boundary change involving San Diego County SD.

Subject Agency

The proposed change of organization filed with San Diego LAFCO involves one subject agency: San Diego County SD. A summary of the subject agency in terms of governance, resident population, municipal functions, and financial standing follows.

- San Diego County SD is a dependent special district governed by the County of San Diego and serves as successor agency to a multi-agency consolidation completed in 2010. The lone active service function is wastewater (collection, treatment, and disposal classes). The jurisdictional boundary spans 46 square miles or 29,571 acres and is divided between seven distinct service areas with a combined LAFCO estimated resident population of 149,798. The affected territory lies in the Alpine-Lakeside service area. This is the second largest service area with an estimated resident population of 43,389 and an accompanying average annual growth rate of 0.67% since 2010. San Diego County SD convey flows to the City of San Diego's adjacent collection system and thereafter to the Point Loma Treatment Facility; the latter operated by the Metro Wastewater Joint Powers Authority with the District as one of the signatories. LAFCO established a sphere of influence for San Diego County SD in 2011 with a smaller-than-agency designation. The most recently prepared audit shows San Diego County SD's net position at $123.8 million as of June 30, 2021 and reflects an overall increase of 50.2% over the prior three fiscal years.

Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of nine local agencies directly subject to San Diego LAFCO's planning and regulatory responsibilities. These agencies qualify as "affected agencies" relative to the proposed change of organization and listed below.[1]

- County Service Area No. 135 (Communication)
- Grossmont Healthcare District
- Helix Water District
- Metropolitan Water District of Southern California
- San Diego County Flood Control District
- San Diego County Sanitation District
- San Diego County Street Lighting District
- San Diego County Water Authority
- San Miguel Consolidated Fire Protection District

The affected territory also lies within the following school and college districts, and accordingly receive notice of the proposal: Cajon Valley Union School District; Grossmont Union High School District; and Grossmont-Cuyamaca Community College District.

[1] State law defines "affected local agency" as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the change of organization proposal to annex the affected territory to San Diego County SD for purposes of establishing wastewater services. The Commission may also consider applying conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion with respect to proposal purpose, development impacts, and Commission focus follows.

Proposal Purpose

The purpose of the proposed change of organization before San Diego LAFCO is to transition wastewater service for the two subject parcels and their existing single-family residences from private septic systems to public wastewater via San Diego County SD. The timing of the proposal follows the lead landowner at 10216 Grandview Drive (-19) concluding through their contractor that their septic system is beyond its useful life and requires replacement. The second landowner at 10224 Grandview (-18) has been added to the proposal given similar concerns and shared interest in economizing costs.

Development Potential

The County of San Diego General Plan designates both subject parcels within the affected territory as Semi-Rural Residential (SR-1). A matching zoning assignment also applies and provides a minimum parcel size of 1.0 acre. Both subject parcels, accordingly, are at the maximum density and no additional lots are allowed under zoning. Additional intensity is allowed and specifically in the form of allowing each developed single-family residential parcel to include one accessory dwelling unit. The single-family residence at 10216 Grandview (-19) already includes an ADU. The other single-family residence at 10224 Grandview (-18) does not.

Commission Focus

San Diego LAFCO's current sphere of influence designation for San Diego County SD includes the affected territory and can readily accommodate the proposed annexation without amendment. This existing sphere determination narrows the Commission's consideration of the proposed change of organization to two sequential policy items. These policy items ultimately take the form of determinations and orient the Commission to consider the stand-alone merits of the (a) timing of the change of organization and (b) whether discretionary boundary modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as detailed.

ANALYSIS

San Diego LAFCO's analysis of the proposed change of organization is divided into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section relative to both statutory and local policy considerations. The second subsection considers other germane issues and highlighted by applicability under the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 |
Change of Organization Timing

The timing of the change of organization involving annexation of the affected territory to San Diego County SD for public wastewater service appears appropriate. This conclusion draws from the analysis of the statutory factors required for consideration of proposed jurisdictional changes along with the proposal's conformance with locally adopted Commission policies. Most of the prescribed review factors and applicable policies focus on the effects of the proposed annexation on the service and financial capacities of the *receiving* agency, San Diego County SD (emphasis added). A summary of key conclusions generated in the review of these factors and policies with respect to service needs, capacities, and finances follow.

- Service Needs:
  Annexation of the affected territory to San Diego County SD would represent an orderly expansion of the District and public wastewater services therein and marked by accommodating an existing need associated with two developed and occupied single-family residences. Additional details follow.

  - The Commission has previously designated San Diego County SD as the ultimate wastewater service provider for the affected territory through the standing inclusion within the District's sphere. Annexation to San Diego County SD memorializes this existing Commission expectation and accommodates the expressed interest of the current landowners to establish public wastewater service as evident by their request to initiate LAFCO proceedings.

  - Annexation of the affected territory to San Diego County SD for purpose of establishing public wastewater services going forward is consistent with the adopted land use policies of the County of San Diego. The affected territory lies outside any city spheres of influence and reflects the Commission's standing interest for the County to maintain land use authority within the immediate future.

  - Proceeding with the annexation of the affected territory to San Diego County SD now parallels the expressed interest of the landowners and serves to eliminate two septic systems that have surpassed (10216 Grandview) or are approaching (10224 Grandview) the end of their useful lives. Proceeding as proposed serves as a preferred alternative to maintaining private septic systems in developing areas.

- Service Capacities and Levels
  San Diego County SD has available and sufficient collection and contracted treatment capacities to accommodate projected service demands in the affected territory at its planned maximum uses without expanding any public infrastructure. Additional details follow.

  - An existing San Diego County SD wastewater main is located near the affected territory within the public right-of-way on Grandview Drive and accessible through an approximate 500-foot private lateral connection. No extension of the public wastewater main is required to accommodate service to the affected territory.[2]

  - It is projected the maximum average day wastewater flow generated within the affected territory based on its current development of two single-family residences and one accessory dwelling unit is 720 gallons. This projected amount can be readily accommodated by San Diego County SD and represents 0.0042% of its available treatment capacity remaining within its wastewater system, based on recent demands. Ultimate buildout based on current zoning would involve one additional accessory dwelling unit and increase the average day demand to 960 gallons. This amount represents 0.0055% of the available and remaining daily contracted capacity allocated to San Diego County SD, and as such can be readily accommodated without additional resources or infrastructure planning.

- Service Funding and Costs
  San Diego County SD has adequate financial resources and administrative controls to provide wastewater services to the affected territory in support of its current and planned development without adversely impacting current ratepayers. San Diego County SD's recent audited statements reflects the District's strong liquidity and capital levels and highlighted by a current ratio of 46:1 and debt ratio of less than 1.0%. These measurements provide reasonable assurances of the District's effective financial management and helps lessen concerns regarding recent operating losses that are marked by an average total margin of (3.4%) over the last three fiscal years. Establishment of the two subject parcels is premised on payment of connection fees that for each applicant/landowner totals $300. The landowners would subsequently pay an annual sewer charge of $517 for each dwelling unit.

  This baseline need helps to quantify the timing of the proposal.

[2] Any proposed sewer main extension alignment should be designed by a registered Civil Engineering and reviewed and approved by the San Diego County Sanitation District.

**CONCLUSION |
MERITS OF CHANGE OF ORGANIZATION TIMING**

The timing of the change of organization to annex the affected territory to San Diego County SD specific to wastewater is warranted. Justification is marked by the preceding analysis and appropriately syncs the need for public wastewater service in a developing area in a manner responsive to existing infrastructure. Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 2 | Modifications and Terms

No modifications to the submitted change of organization have been identified by San Diego LAFCO staff meriting Commission consideration at this time. This includes confirmation that the annexation of the affected territory – which purposefully includes the adjacent public right-of-way to the centerline – would not generate any corridors and/or otherwise illogical jurisdictional features. Staff is recommending applying standard terms of approval.

**CONCLUSION |
MODIFICATIONS AND TERMS**

No modifications appear warranted. Standard approval terms are recommended and include receipt of all remaining payments associated with the processing of the proposal by the Commission through recordation.

Other Statutory Considerations

Exchange of Property Tax Revenues

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before San Diego LAFCO can consider any jurisdictional change unless an applicable master agreement applies. The associated statutes also empower the County of San Diego to make all related property tax exchange determinations on behalf of special districts. Staff has confirmed the County Board of Supervisors has adopted a master agreement to govern the tax exchange for the proposed change of organization. The master agreement specifies no transfer of property taxes would occur following the annexation of the affected territory to San Diego County SD.

Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission's authority either as a lead or responsible agency. LAFCO serves as lead agency under CEQA for this proposal given it has been initiated by landowner petition. Staff believes it would be appropriate for the Commission to find this action – and specifically the annexation of the affected territory to the San Diego County SD – as a project under CEQA but exempt from further review under State CEQA Guidelines Section 15319(a). This exemption appropriately applies given the affected territory contains existing private structures developed to the density allowed by current zoning and there is no corresponding need to expand public infrastructure.

Protest Proceedings

Protest proceedings for the proposed change of organization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code 56662. The recommended waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law (i.e., less than 11 voters); the subject agency has not filed an objection to the waiver; and the landowner consents to the underlying action.

RECOMMENDATION

Staff recommends approval of the change of organization as submitted along with standard terms. This recommendation is consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):
Adopt the attached draft resolution approving the change of organization proposal as submitted along with standard approval terms and protest hearing waiver.

Alternative Two:
Continue consideration to the next regular meeting.

Alternative Three:
Disapprove the change of organization proposal with direction to staff to return at the next regular meeting with a conforming resolution for adoption.

PROCEDURES FOR CONSIDERATION

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.

On behalf of the Executive Officer,



Priscilla Mumpower
Analyst II

Appendices:

A) Analysis of Proposal Review Factors

Attachments:

1) Vicinity Map of the Affected Territory
2) Draft Resolution of Approval
3) Application Materials

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APPENDIX A

Government Code Section 56668
Proposal Review Factors

a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area in the next 10 years.

The affected territory as submitted comprises two contiguous parcels and spanning 2.3 acres in the unincorporated community of Valle de Oro and presently developed with single-family residences at 10224 and 10216 Grandview Drive with the latter also including an ADU. (These parcels are identified by the County Assessor as 496-232-18 and 496-232-19, respectively. A portion of the adjacent public right-of-way to the centerline is also included. The total assessed value (excludes improvements) of the two subject parcels is $653,479 with the last transaction recorded in August 2020 and involved 10224 Grandview Drive. A moderate amount of new development – including intensity expansions through ADUs – are expected within the surrounding area over the next 10 years.

b) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The County of San Diego serves as the primary purveyor of municipal services to the affected territory. This includes community planning, roads, and law enforcement. Other pertinent service providers for the affected territory include Helix Water District (potable water) and San Miguel Consolidated Fire Protection District (fire and emergency medical). This proposal affects only wastewater and is the focus of the succeeding analysis.

- **Extending Public Wastewater to Affected Territory**
  An existing San Diego County SD wastewater main is located near to the affected territory within the public right-of-way on Grandview Drive and accessible through an approximate 500-foot private lateral connection. No extension of the public wastewater main is required to accommodate service to the affected territory. It is projected the maximum average day wastewater flow generated within the affected territory based on its current development of two single- family residences and one accessory dwelling unit is 720 gallons. This projected amount can be readily accommodated by San Diego County SD and represents 0.0042% of its available treatment capacity remaining within its wastewater system based on recent demands. Ultimate buildout based on current zoning would involve one additional accessory dwelling unit and increase the average day demand to 960 gallons. This amount represents 0.0055% of the available and remaining daily contracted capacity

allocated to San Diego County SD, and as such can be readily accommodated without additional resources or infrastructure planning.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

Approval of the proposed change of organization and annexation to San Diego County SD would recognize and strengthen existing economic and social ties between the District and the affected territory. These ties were initially established in 2011 – at the time of formation – when the Commission included the subregion containing the affected territory within San Diego County SD's sphere of influence and signaled the lands would eventually warrant public wastewater service from the District when appropriate.

d) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies/priorities set forth in G.C. Section 56377.

Approving the proposed change of organization and annexation to San Diego County SD would facilitate the extension of public wastewater services to the two existing single-family residences and one accessory dwelling unit currently comprising the affected territory. Approval would be consistent with the Commission's adopted policies to sync urbanized uses with urbanized services. The affected territory does not contain "open-space" as defined under LAFCO law and no conflicts exists under Section 56377. Additional analysis concerning conformance with Commission policies follows.

- San Diego LAFCO Policy L-107 requires applicants to disclose and address potential jurisdictional issues associated with their proposals and if applicable requires a consultation process with affected agencies, interested parties, or organizations to help discuss and potentially remedy concerns unless waived by the Executive Officer. No jurisdictional disputes or related concerns were identified or disclosed by the applicant or by affected agencies or interested parties in the review of the proposal.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not contain "prime agricultural land" or "agricultural land" as defined under LAFCO law. Specifically, the affected territory does not contain lands currently used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program. Approval of the proposal and annexation to San Diego County SD would have no effect on maintaining the physical and economic integrity of agricultural lands.

f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment, the creation of islands or corridors of unincorporated territory, and other similar matters.

LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds that appears consistent with the standards of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on approval of the map and geographic description by the County Assessor's Office and address any modifications enacted by the Commission. No irregular or otherwise illogical boundary features would be generated from proposal approval.

g) A regional transportation plan adopted pursuant to Section 65080.

The proposed change of organization would extend wastewater service to two existing single-family residences and one accessory dwelling unit. The proposal and its anticipated outcomes do not generate any known conflicts with *San Diego Forward*, the regional transportation plan adopted by the San Diego Association of Governments.

h) Consistency with the city or county general and specific plans.

The affected unincorporated territory is presently designated and zoned for semi-rural residential use under the adopted land use policies of the County of San Diego. These standards prescribe a minimum parcel size of 1.0 acre. The existing and planned residential uses are consistent with the proposal's purpose to provide public wastewater to the two existing single-family residences and one accessory dwelling unit.

i) The sphere of influence of any local agency affected by the proposal.

The affected territory lies entirely within the existing sphere of influence established for the San Diego County SD.

j) The comments of any affected local agency or other public agency.

Notice of the submitted change of organization proposal was distributed to all affected and subject agencies as required under LAFCO law. Notices were also provided to all local college and school districts. No written comments on the proposal were received ahead of preparing this agenda report for distribution on September 26, 2022.

k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and reviewed as part of this proposal indicates San Diego County SD has sufficient and available financial resources and administrative controls therein relative to providing public wastewater to the affected territory without adversely impacting existing ratepayers. This statement is supported by the following factors.

- San Diego County SD's last audit covers 2020-2021 and shows the District finished with ample liquidity levels with an agency-wide current ratio of 46.5 (i.e., $46.46 in current assets for every $1.00 in current liabilities).

- San Diego County SD finished 2020-2021 with high capital levels and marked by a low debt ratio of 0.80% (i.e., only $0.80 out of every $100.00 in net assets are financed.)

- San Diego County SD has experienced a downward trend in each of the last three audited fiscal years with an average total margin of (3.4%). The most recent year – 2020-2021 – the District finished with an overall total margin of (19.8%).

l) Timely availability of adequate water supplies for projected needs as specified in G.C. Section 65352.5.

The affected territory's planned residential uses are presently within and connected to Helix Water District's retail domestic water system with wholesale supplies provided by the San Diego County Water Authority. Approval of the proposed change of organization would not affect the timely availability of water supplies to the affected territory.

m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

The proposed change of organization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands are already assigned to the County of San Diego by the region's council of governments. The annexation to the San Diego County SD would not affect this assignment.

n) Any information or comments from the landowners, voters, or residents.

The affected territory is considered uninhabited as defined by LAFCO law (containing 11 registered voters or less). The landowners support the proposed change of organization and have provided written consent to the proceedings.

o) Any information relating to existing land use designations.

See above analysis for (h).

p) The extent to which the proposal will promote environmental justice.

The change of organization is expected to aid and/or otherwise promote environmental justice by establishing wastewater services within the affected territory and in doing so avoid negative impacts (odors, contaminants, etc.) associated with maintaining private septic systems. Further, and specific to baseline conditions, the affected territory is not in a census tract with a composite statewide percentile ranking above 33% with respect to either (a) overall pollution burdens or (b) overall susceptible populations to pollution burdens based on data collected by the State Environmental Protection Agency.[3] Individual burden measurements under both composite categories – nonetheless – vary with several exceeding the 33% threshold identified as a reasonable benchmark to distinguish significance. A full listing of percentile rankings for both overall pollution burdens and overall susceptible populations to pollutions follow.

Cenus Tract No.	**6073015200**
Est Population	**3,773**
Pollution Burden	
... Composite Score	4.40
… Percentile	**31.87**
Indicator | Air Quality: Ozone	50.99
Indicator | Air Quality: PM 2.5:	47.53
Indicator | Air Quality: Diesel PM:	50.85
Indicator |Pesticides:	0.00
Indicator | Toxic Releases:	30.22
Indicator |Traffic:	77.86
Indicator | Drinking Water Contaminants:	45.86
Indicator | Lead in Housing:	42.55
Effects | Cleanup Sites:	43.04
Effects | Groundwater Threats:	0.00
Effects | Hazardous Waste:	52.64
Effects | Impaired Water:	12.45
Effects | Solid Waste:	0.00

[3] Reference to CalEnviroScreen 4.0

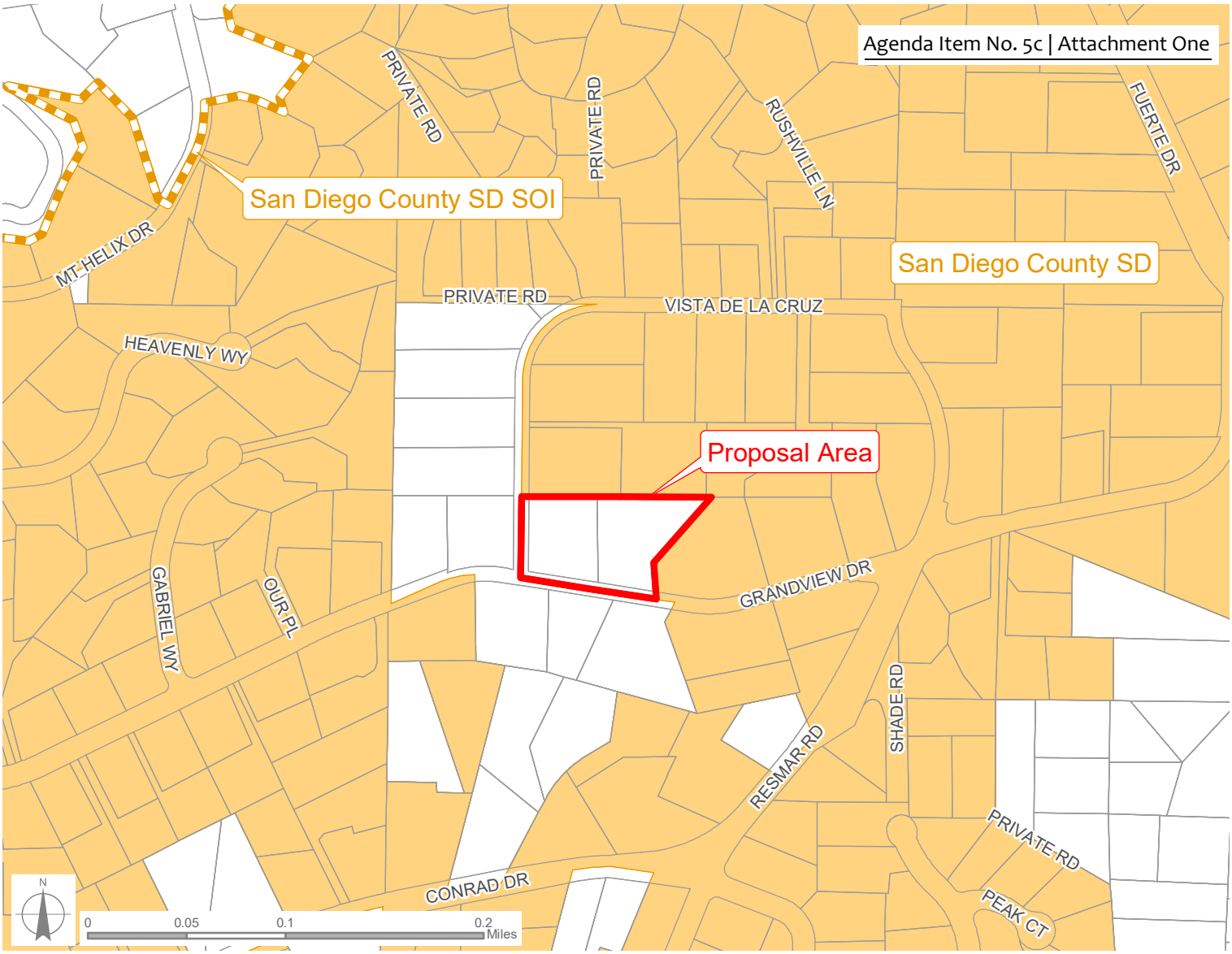
Cenus Tract No.	**6073015200**
Est Population	**3,773**
Sensitive Population	
… Percentile	**32.64**
Population | Asthma:	37.54
Population | Low Birth Weight:	97.88
Population | Cardiovascular Disease:	23.19
Population | Education:	16.21
Population | Linguistic Isolation:	5.64
Population | Poverty:	8.98
Population | Unemployment:	36.44
Population | Housing Burden:	50.72

q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information is relevant to the affected territory.

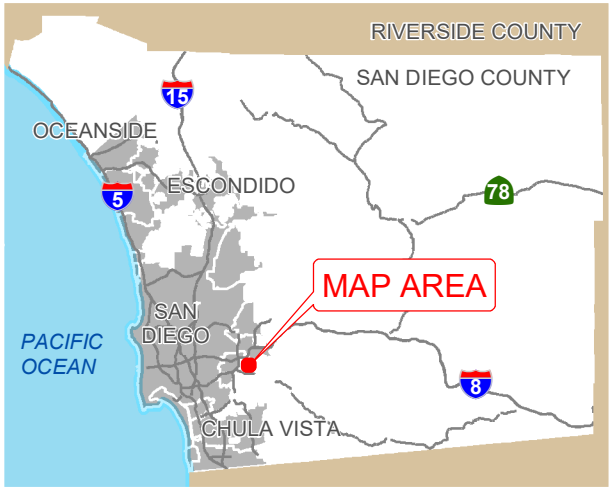
The County of San Diego General Plan contains a hazard mitigation plan for potential fire, flooding, and earthquakes. The affected territory lies outside any identified threat designations.

r) Section 56668.3(a)(1) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annex to the district.

Approval of the change of organization would be in the best interest of the future landowners and/or residents of the affected territory by providing access to reliable public wastewater service going forward. Approval would also benefit adjacent landowners and/or residents by eliminating the operation of a private septic system and the potential therein for failures.







CO22-07

"GAIPA - GRANDVIEW DRIVE CHANGE OF ORGANIZATION" | ANNEXATION TO SAN DIEGO COUNTY SANITATION DISTRICT

- Proposal Area
- San Diego County SD
- San Diego County SD SOI

SOI = Sphere of Influence

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

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RESOLUTION NO._____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A REORGANIZATION

"GAIPA-GRANDVIEW DRIVE CHANGE OF ORGANIZATION"
ANNEXATION TO SAN DIEGO COUNTY SANITATION DISTRICT
LAFCO FILE NO. CO22-07

WHEREAS, on March 10, 2022, interested landowners – Tony Gaipa & Mark Nicholls – filed a joint landowner petition to initiate proceedings and an application with the San Diego County Local Agency Formation Commission, hereinafter referred to as "Commission," pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the application seeks approval of a change of organization to annex 2.3 acres of unincorporated territory within the community of Valle de Oro to the San Diego County Sanitation District (SD); and

WHEREAS, the affected territory as proposed includes two legal parcels developed each with single-family residences and identified by the County of San Diego Assessor's Office as 496-232-18 & 496-232-19 along with an adjacent section of the public right-of-way on Grandview Drive to the centerline; and

WHEREAS, an applicable master property tax transfer agreement applies to the proposed change of organization dated September 16, 2009; and

WHEREAS, the Commission's Executive Officer has reviewed the proposed change of organization and prepared a report with recommendations; and

WHEREAS, the Executive Officer's report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on October 3, 2022; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and procedures.

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

1. The public meeting was held on the date set therefore, and due notice of said meeting was given in the manner required by law.

2. At the public meeting, the Commission considered the Executive Officer's report.

3. The Commission serves as lead agency for environmental review of the proposed change of organization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission's findings follow.

    a) San Diego LAFCO finds the proposal – and specifically the annexation of the affected territory to San Diego County SD – qualifies as a project but is exempt from further review under State CEQA Guidelines Section 15319(a). This exemption appropriately applies given the affected territory contains existing private structures developed to the density allowed by current zoning and there is no corresponding need for an expansion of public infrastructure.

4. The Commission APPROVES the change of organization without modification as described below and subject to conditions as provided. Approval involves all of the following:

    b) Annexation of the affected territory to the San Diego County SD is shown in "Exhibit A-1" and described in "Exhibit A-2."

5. The Commission CONDITIONS all approvals on the following terms being satisfied by October 3, 2023 unless an extension is requested in writing and approved by the Executive Officer:

    a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.

    b) Submittal to the Commission of final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.

    c) Submittal to the Commission of the following payments:

        - A check made payable to LAFCO in the amount of $50.00 for the County of San Diego-Clerk Recorder to reimburse for filing a CEQA Notice of Exemption consistent with the findings in the resolution.

        - A check made payable to the State Board of Equalization for processing fees in the amount of $350.00.

6. The Commission assigns the proposal the following short-term designation:
   "Gaipa-Grandview Drive Change of Organization"

7. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.

8. The Commission waives conducting authority proceedings under Government Code Section 56662.

9. The San Diego County SD is a registered-voter district.

10. The San Diego County SD utilizes the County of San Diego assessment roll.

11. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the San Diego County SD as provided under Government Section 57328.

12. The effective date of the approval shall be the date of recordation but not before the completion of a 30-day reconsideration period and only after all terms have been completed as attested by the Executive Officer.

13. As allowed under Government Code Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.

14. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Sections 56880-56882 of the Government Code.

15. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

**

PASSED AND ADOPTED by the Commission on October 3, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**

Attest:

_____
Keene Simonds
Executive Officer

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EXHIBIT A-1
MAP OF THE AFFECTED TERRITORY

-Placeholder-

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EXHIBIT B-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-

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PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

Part I: NOTICE OF INTENT TO CIRCULATE PETITION

Proponents are required to file a **NOTICE OF INTENT TO CIRCULATE PETITION** with the Executive Officer of the San Diego Local Agency Formation Commission before a petition to initiate a change of organization or reorganization can be circulated (Govt. Code § 56700.4).

1. Notice is hereby given to circulate a petition proposing to: Annex to the Spring Valley Sanitation District.

2. The reason(s) for the proposal are: Existing on-site sewer treatment at 10216 Grandview Drive has failed. Existing residence requests a new sewer lateral from the adjacent Spring Valley Sanitation District system.

Gaetano A. Gaipa
Proponent's Name (print)

Signature of proponent or representative

10216 Grandview Drive
Proponent's Address

La Mesa, CA 91941
City, State, Zip

Pursuant to Section 56700.4 of the California Government Code, this **NOTICE OF INTENT TO CIRCULATE PETITION** was filed with me on _____

Date

_____
Executive Officer (Print and Sign)

PART II: DISCLOSURE REQUIREMENTS

The Political Reform Act prohibits a person appointed to the Local Agency Formation Commission from soliciting or accepting campaign contributions of more than $250 within the preceding 12 months from parties, participants, or their agents while a proceeding is pending before LAFCO and for three months following the decision. LAFCO commissioners who receive such contributions are required to disqualify themselves from participating in the proceedings. Both commissioners and contributors who are parties to the proceeding are required to disclose the contributions received or made. Names of current LAFCO commissioners and LAFCO disclosure forms are available at HTTP://WWW.SDLAFCO.ORG or by calling 858/614-7755.

Pursuant to Government Code Section 56700.1, any person or combination of persons who, for political purposes, directly or indirectly contributes $1,000 or more, or expend $1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act (Title 9 [commencing with Section 81000]) as provided for local initiative measures.

Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes $1,000 or more, or expends $1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be submitted to the Secretary of State and the appropriate city or county clerk. Copies of the reports must also be filed with the Executive Officer of San Diego LAFCO.

Part III: PETITION FOR CHANGE OF ORGANIZATION OR REORGANIZATION

This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code, Section 56000 et seq. of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

(a) The specific change(s) of organization proposed is/are: Annex to Spring Valley Sanitation District

(b) The boundary of the territory included in the proposal is as described in the attached legal description and map and is by this reference incorporated herein.

(c) The proposed action(s) will be subject to the following terms and conditions: Install new sewer lateral to replace the existing failed septic system.

(d) The reason(s) for the proposal is/are: Existing on-site septic system failed.

(e) Signers of this petition have signed as (select one): ☑ landowner; ☐ registered voter.

(f) The name(s) and mailing address(s) of the chief petitioner(s) (not to exceed three) is/are:

1. Gaetano A. Gaipa — 10216 Grandview Drive, La Mesa, CA 91941
   Name of chief proponent (print) — mailing address
2. Mark Nicholls — 10224 Grandview Drive, La Mesa, CA 91941
   Name of chief proponent (print) — mailing address
3. _____
   Name of chief proponent (print) — mailing address

(g) It is requested that proceedings for this proposal be taken in accordance with Section 56000 et seq. of the Government Code.

(h) This proposed change of organization (select one) ☑ is ☐ is not consistent with the sphere-of-influence of any affected city or district.

(i) The territory included in the proposal is (select one) ☐ inhabited (12 or more registered voters) ☑ uninhabited (11 or less registered voters).

(j) If the formation of a new district(s) is included in the proposal:

1. The principal act under which said district(s) is/are proposed to be formed is/are: N/A

2. The proposed name(s) of the new district(s) is/are: _____

3. The boundary(ies) of the proposed new district(s) is/are described in the attached legal description and map and are by this reference incorporated herein.

(k) If an incorporation is included in the proposal:

1. The name of the proposed city is: N/A

2. Provisions are requested for appointment of: ☐ city manager ☐ city clerk ☐ city treasurer

(l) If the proposal includes a consolidation of special districts, the proposed name of the consolidated district is: N/A

Part IVa: REGISTERED VOTER PETITION

Petitions must meet minimum signature requirements (see Part V). Signatures must be secured within six months of the date on which the first signature was affixed. Petitions must be submitted to the LAFCO Executive Officer within 60 days after the last signature is affixed (Govt. Code § 56705).

Each of the undersigned states:

- I personally signed this petition.
- I am a registered voter within the County of San Diego.
- I personally affixed hereto the date of my signing this petition and my place of residence, or if no street or number exists, then a designation of my place of residence that will enable the location to be readily ascertained.

Name of Signer	Residence Address	Date Signed	Official Use
Sign [signature] Print Gaetano A. Gaipa	10216 Grandview Drive, La Mesa, California	3/30/2022	
Sign [signature] Print Mark Nicholls	10224 Grandview Drive, La Mesa, California	3/30/2022	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Part IVb: LANDOWNER PETITION

Petitions must meet minimum signature requirements (see Part V). Signatures must be secured within six months of the date on which the first signature was affixed. Petitions must be submitted to the LAFCO Executive Officer within 60 days after the last signature is affixed (Govt. Code § 56705).

Each of the undersigned states:

- I personally signed this petition.
- I am a landowner of the affected territory.
- I personally affixed hereto the date of my signing this petition and the Assessor's Parcel Number(s), or a description sufficient to identify the location of my land.

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign _____ Print Gaetano A. Gaipa	496-232-19-00	3/30/2022	
Sign _____ Print Mark Nicholls	496-232-18-00	3/30/2022	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Part V: MINIMUM SIGNATURE REQUIREMENT FOR A SUFFICIENT PETITION UNDER THE PROVISIONS OF THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

Reorganization—Signatures must comply with the applicable signature requirements for each of the changes proposed (Govt. Code § 56864.1).

District Formation—Signatures as required by the principal act under which the new district is proposed to be formed (Govt. Code § 56860).

Dissolution of a District—For registered voter district: signatures by (a) not less than 10% of the registered voters within the district; or (b) not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.
—For landowner-voter districts: signatures by not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.
—If dissolution is for inactivity, the petition must be signed by three or more registered voters or landowners within the subject district and include statement and recitations as required by Govt. Code 56871 (Govt. Code § 56870).

Consolidation of Districts—For registered voter districts: signatures by not less than 5% of the registered voters within each of the districts.
—For landowner-voter districts: signatures by landowners-voters constituting not less than 5% of the number of landowner-voters owning land within each of the several districts who also own not less than 5% of the assessed value of land within each of the districts (Govt. Code § 56865).

Merger of District with City or Establishment of a Subsidiary District—For a registered voter district: signatures by (a) 5% of the registered voters of the district; or (b) 5% of the registered voters residing within the territory of the city outside the boundaries of the district.
—For a landowner-voter district: signatures by (a) 5% of the number of landowner-voters within the district; or (b) 5% of the registered voters residing within the territory of the city outside the boundaries of the district (Govt. Code § 56866).

District Annexation or Detachment—For a registered voter district: signatures by (a) not less than 25% of the number of registered voters within the territory proposed to be annexed or detached; or (b) not less than 25% of the number of landowners within the territory proposed to be annexed or detached who also own not less than 25% of the assessed value of land within the territory.
—For a landowner-voter district: signatures by not less than 25% of the number of landowners owning land within the territory proposed to be annexed or detached who also own not less than 25% of the assessed value of land within the territory (Govt. Code § 56864).

Incorporation of a City—Signatures by: (a) not less than 25% of the registered voters residing in the area to be incorporated; or (b) not less than 25% of the number of owners of land within the territory proposed to be incorporated who also own not less than 25% of the assessed value of land within the territory proposed to be incorporated (Govt. Code § 56764).

Disincorporation of a City—Signatures by not less than 25% of the registered voters residing in the city proposed to be disincorporated (Govt. Code § 56766).

Consolidation of Cities—Signatures by not less than 5% of the registered voters of each affected city (Govt. Code § 56766).

Annexation to a City—Signatures by: (a) not less than 5% of the number of registered voters residing within the territory proposed to be annexed; or (b) not less than 5% of the number of owners of land within the territory proposed to be annexed who also own 5% of the assessed value of land within the territory (Govt. Code § 56767).

Detachment from a City—Signatures by: (a) not less than 25% of the number of registered voters residing within the territory proposed to be detached; or (b) not less than 25% of the number of owners of land within the territory proposed to be detached who also own 25% of the assessed value of land within the territory (Govt. Code § 56768).

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