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

REGULAR MEETING AGENDA

SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION

MONDAY, DECEMBER 7, 2020 9:00 A.M.
VIDEOCONFERENCE ATTENDANCE ONLY

Chair Dianne Jacob
Vice Chair Andy Vanderlaan

Executive Officer Keene Simonds
Commission Counsel Holly O. Whatley

Consistent with the Governor's Executive Order N-29-20, the December 7, 2020 meeting will occur remotely through videoconferencing. The public may watch the meeting live using the link on our website home page (www.sdlafco.org).

The public may submit comments remotely and/or register to speak by:

1. Submitting an eComment at www.sdlafco.org prior to 2:00 P.M. on Friday, December 4, 2020
   - These comments will be distributed and posted online ahead of the meeting
   - This includes the option to request a call-in to directly comment during the meeting
2. Emailing erica.blom@sdcounty.ca.gov during the meeting on Monday, December 7, 2020
   - These comments will be read by staff into the record and subject to a three-minute limit

1. **9:00 A.M. – WELCOME AND ROLL CALL**

2. **PLEDGE OF ALLEGIANCE**

3. **AGENDA REVIEW**
   The Chair will confirm with the Executive Officer if any changes to the agenda are needed.

4. **PUBLIC COMMENT AND RELATED REQUESTS**
   Opportunity for members of the public to address the Commission on any subject matter within the Commission's jurisdiction but not an item listed on the agenda. Each speaker's presentation may not exceed three minutes. This is also an opportunity for members of the public to request discussion on any items listed under the consent calendar.

5. **CONSENT ITEMS**
   All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. The Chair will also consider Commissioner requests to pull an item for discussion before entertaining a motion.

CONSENT ITEMS CONTINUED…

a) **Approval of Meeting Minutes for November 2, 2020 (action)**
The Commission will consider approving action minutes prepared by the Commission Clerk for the November 2, 2020 regular meeting. Recommendation to approve.

b) **Commission Ratification | Recorded Payment for October 2020 (action)**
The Commission will review payments received and made for the month of October 2020. These payments cover all recorded transactions made by the Executive Officer for the period and include $198,106 in total distributions. Recommendation to ratify.

c) **Proposed "Sunrise – Barham Drive Reorganization" | Concurrent Annexations to the City of San Marcos and the Vallectios Water District (RO20-15) (action)**
The Commission will consider a reorganization proposal with the principal action to annex 10.8 acres of unincorporated territory to the City of San Marcos. A concurrent annexation to Vallecitos Water District is also proposed for wastewater services. The proposal purpose is to facilitate the planned development of the affected territory along with an adjacent parcel into a 192-unit multi-family residential subdivision. Staff recommends conditional approval of the proposal as submitted along with waiving protest hearing. The subject parcel is identified as 228-312-10.

d) **Progress Report on 2020-2021 Workplan (action)**
The Commission will receive a progress report on accomplishing specific projects included in the adopted workplan for 2020-2021. This report notes four-fifths of all scheduled workplan projects have been initiated. Recommendation to accept and file.

e) **Authorize Holiday Office Closures (action)**
The Commission will consider an Executive Officer recommendation to authorize office closures on Thursday, December 24th and Thursday, December 31st. Recommendation to approve.

f) **Approval of Meeting Calendar and Direction on Virtual Attendance (action)**
The Commission will consider approving a meeting schedule for the 2021 calendar year to include each month except for July and September. Staff recommends direction for the Commission to confirm and continue to hold virtual meetings by videoconference for the upcoming calendar year as it complies with social distancing orders. Recommendation to approve.

g) **Current Proposals and Related Activities (information)**
The Commission will receive a report identifying active proposals on file as well as a summary of pending proposal submittals. The item is for information and concurrently serves as notice to local agencies of all landowner/voter petition proposals filed with the Commission.

h) **Noticing Expiring Commissioner Terms (information)**
The Commission will receive a report identifying membership terms set to expire and/or become vacated in 2021. The item is presented for information only.

6. PUBLIC HEARING ITEMS
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.

PUBLIC HEARING ITEMS CONTINUED…

a) **Proposed "Ortiz–Olive Avenue Reorganization" | Annexation to the City of Vista with Concurrent Detachment from the Vista Fire Protection District and Conforming Sphere of Influence Amendment (RO20-12 et al.) (action)**
The Commission will consider a reorganization proposal with the principal action to annex 5.0 acres of unincorporated territory to the City of Vista. A concurrent detachment from the Vista Fire Protection District is also proposed. The proposal purpose is to facilitate the planned development of a 15-lot residential subdivision. Staff recommends conditional approval of the reorganization as submitted as well as a conforming sphere amendment involving Vista FPD and waiver of protest proceedings. The subject parcels are identified as 162-493-30 and 162-493-31.

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

a) **Draft Municipal Service Review | Resource Conservation Districts in San Diego County (discussion)**
The Commission will review a draft municipal service review on resource conservation districts (RCDs). The draft has been prepared as part of the adopted workplan and covers all three RCDs operating in San Diego County – Mission, Greater San Diego, and Upper San Luis Rey. The draft includes recommendations paired with determinative statements addressing all of the factors required in statute as part of the municipal service review process and headlined by population estimates, infrastructure needs, financial standing, and governance. Recommend discussion and feedback ahead of initiating a formal review period and returning in February with final actions.

b) **Protest Hearing Results | "San Diego County Fire Protection District Reorganization" (RO20-14) (information)**
The Commission will receive the results of the protest hearing held for the "San Diego County Fire Protection District Reorganization". This proposal was conditionally approved by the Commission on October 5, 2020 and involves the concurrent divestiture of fire protection and emergency medical service powers for County Service Area No. 135 and formation of the San Diego County Fire Protection District as the designated successor agency. The noticed protest hearing was held by staff on November 9th without generating written opposition from affected landowners or voters. It is recommended the Commission receive the protest results and set the effective date of the reorganization for December 7, 2020.

c) **Public Member Appointment Options (action)**
The Commission will consider options and related preferences in making a new four-year appointment of a public member ahead of the current term expiring in May 2021. Available options include proceeding with the direct reappointment of the incumbent –Andy Vanderlaan – or soliciting applicants and making an appointment/reappointment at a future meeting.

d) **Chair and Vice Chair Appointments (action)**
The Commission will consider making officer appointments and select a Chair and Vice Chair for 2021 as required under adopted policy.

BUSINESS ITEMS CONTINUED…

e) Legislative Report and Related Direction (discussion)
The Commission will receive a report on legislative items of interest to the Commission and its regulatory and planning responsibilities. This includes reviewing items associated with the end of the second year of the 2019-2020 session as well as previewing topics heading into the first year of the 2021-2022 session. The latter category includes an associated recommendation by the Executive Officer to take a lead role and sponsor a bill proposal to clarify LAFCOs' exclusive authority to determine exception status in statute for out-of-agency service contracts.

8. COMMENDATIONS
Commissioners Cox, Jacob, and Kersey

9. EXECUTIVE OFFICER REPORT

10. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

11. CLOSED SESSION
None

12. ADJOURNMENT TO NEXT MEETING
January 4, 2021

Attest to Posting:

Tamaron Luckett
Commission Clerk

All associated agenda reports are available for viewing at www.sdlafco.org.

Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at least three (3) business days prior to the meeting for any requested accommodations.

5a

AGENDA REPORT
Consent | Action

December 7, 2020

TO: Commissioners

FROM: Tamaron Luckett, Commission Clerk

SUBJECT: **Approval of Meeting Minutes for November 2, 2020**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider draft minutes prepared for the regular meeting held on Monday, November 2, 2020. The minutes are in action-form and being presented for formal approval with any desired corrections or clarifications as requested by the Commission.

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 November 2, 2020 regular meeting. The attendance record for the meeting follows.

- All regular Commissioners were present except Bill Wells (City of El Cajon).
- All alternate Commissioners were present except Chris Cate (City of San Diego), Greg Cox (County of San Diego), and Erin Lump (Rincon del Diablo MWD).

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Jim Desmond, County of San Diego
Chair Dianne Jacob, County of San Diego
Greg Cox, Alternate, County of San Diego
Mary Casillas Salas, City of Chula Vista
Bill Wells, City of El Cajon
Paul McNamara, Alternate, City of Escondido
Mark Kersey, City of San Diego
Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

ANALYSIS

The attached draft minutes for the November 2, 2020 regular meeting accurately reflect San Diego LAFCO's deliberations as recorded by staff. 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 November 2, 2020 regular meeting as presented. This 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):
Approve the draft minutes prepared for the November 2, 2020 regular meeting with any desired corrections or clarifications.

Alternative Two:
Continue item to the next regular meeting and provide direction to staff 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,

Tamaron Luckett
Commission Clerk

Attachment:

1) Draft Meeting Minutes for November 2, 2020

DRAFT MINUTES
SAN DIEGO LAFCO
November 2, 2020 REGULAR MEETING

Via Videoconference Only
Per Governor's Executive Order N-29-20

1. CALL TO ORDER | ROLL CALL

The regular meeting was called to order by videoconference at 9:00 a.m. by Chair Jacob. The Commission Clerk performed the roll call with the following attendance recorded.

Regulars Present:	Jim Desmond, County of San Diego Dianne Jacob, County of San Diego (CHAIR) Mark Kersey, City of San Diego Jo MacKenzie, Vista Irrigation District Mary Casillas Salas, City of Chula Vista Andy Vanderlaan, Public (VICE CHAIR) Barry Willis, Alpine Fire Protection District
Alternates Present:	Harry Mathis, Public Paul McNamara, City of Escondido (Voting)
Members Absent:	Bill Wells, City of El Cajon (regular) Chris Cate, City of San Diego (alternate) Greg Cox, County of San Diego (alternate) Erin Lump, Rincon del Diablo Municipal Water District (alternate)

The Commission Clerk confirmed a virtual quorum was present with eight voting members – including Alternate Paul McNamara in the place of the absent Bill Wells. Also present at the virtual dais were Executive Officer Keene Simonds, Commission Counsel Holly Whatley, Local Government Analyst II Linda Heckenkamp, Administrative Assistant Erica Blom, and Commission Clerk Tamaron Luckett.

2. PLEDGE OF ALLEGIANCE

Commissioner Willis led meeting attendees in the Pledge of Allegiance.

3. AGENDA REVIEW AND RELATED REQUESTS

The Executive Officer stated no changes were needed to the agenda as presented. The Executive Officer also noted the meeting was being live streamed and instructions for the public to participate in real-time were provided on the agenda.

4. PUBLIC COMMENT

Chair Jacob invited anyone from the public to address the Commission on a matter not related to an agenda item. The Commission Clerk confirmed no members of the public had registered to address the Commission. The Administrative Assistant also confirmed there were no live e-mail comments received for public comment.

5. CONSENT ITEMS

Item 5a
Approval of Meeting Minutes for November 2, 2020
Item presented to approve draft action minutes prepared for the Commission's November 2, 2020 regular meeting. Recommendation to approve.

Item 5b
Commission Ratification | Recorded Payment for September 2020
Item presented to ratify recorded payments made and received by the Executive Officer for the month of September 2020. Recommendation to ratify.

Item 5c
Budget Update for 2020-2021 | 1st Quarter Actuals with Year-End Projections
Item presented to accept and file a quarterly report comparing budgeted and actual expense and revenue transactions for 2020-2021 through the first quarter with related projections. Recommendation to accept and file.

Item 5d
Proposed "Fuerte Ranch Estates Change of Organization" |
Annexation to the San Diego County Sanitation District (CO20-08)
Item presented to consider a change of organization to annex 27.9 unincorporated acres of territory to the San Diego County Sanitation District. The affected territory includes one undeveloped parcel in Valle de Oro within the San Diego County Sanitation District sphere of influence. The proposal purpose is to extend public wastewater and facilitate the development of a 36-lot single-family residential subdivision. Recommendation to conditionally approve without modifications along with waiving protest proceedings.

Item 5e
Proposed "Lindauer-Olive Street Reorganization" |
Concurrent Annexation to the Vallecitos WD and Detachment from the Vista ID (RO20-11)
Item presented to consider a reorganization to annex 4.0 incorporated acres in the City of San Marcos to the Vallecitos Water District with a concurrent detachment from the Vista Irrigation District. The proposal purpose is to provide permanent public water service to an existing single-family residence and in doing so replace a temporary out-of-agency service agreement. Recommendation to conditionally approve with modifications to include 0.6 acres of adjacent public rights-of-way along with waiving protest proceedings.

CONSENT ITEMS CONTINUED…

Item 5f
Progress Report on 2020-2021 Workplan
Item presented to receive a progress report on accomplishing specific projects as part of the adopted 2020-2021 workplan. Recommendation to accept and file.

Item 5g
Current Proposals and Related Activities
Item presented to update current proposals on file with LAFCO along with identifying anticipated submittals. Item for information only.

**

Chair Jacob asked if Commissioners would like to pull any consent item. Commissioner MacKenzie requested discussion on Item No. 5e. There were no other requests.

Commissioner Desmond motioned with a second from Commissioner Willis to approve the consent calendar consistent with the staff recommendations with the exception of pulling Item 5e for discussion. Roll call requested:

AYES:	Desmond, Jacob, Kersey, MacKenzie, McNamara (voting), Salas, Vanderlaan, and Willis
NOES:	None
ABSENT:	Cate, Cox, Lump, and Wells
ABSTAINING:	None

The Commission Clerk confirms the motion was approved 8-0.

Commissioner MacKenzie proceeded to address Item 5e and asked staff what – if any – outreach was done with adjacent landowners to assess interest in joining the proposal given underlying concerns involving groundwater. Chief Policy Analyst Robert Barry joined the meeting and confirmed staff did not reach out to any adjacent landowners in processing the proposal given timing issues. Commissioner MacKenzie suggested in the future staff consider surveys to economize local resources.

Commissioner MacKenzie motioned with a second from Commissioner Willis to approve Item 5e consistent with the staff recommendation. Roll call requested:

AYES:	Desmond, Jacob, Kersey, MacKenzie, McNamara (voting), Salas, Vanderlaan, and Willis
NOES:	None
ABSENT:	Cate, Cox, Lump, and Wells
ABSTAINING:	None

CONSENT ITEMS CONTINUED…

The Commission Clerk confirms the motion was approved 8-0.

6. PUBLIC HEARING ITEMS

Item 6a
Proposed "Valley Center Community Services District Reorganization" | Concurrent Dissolution of Valley Center Community Services District and Formation of County Service Area No. 138 and Sphere Establishment (RO20-13 et. al.)
Item presented to consider a joint proposal filed by the Valley Center Community Services District and County of San Diego to reorganize park and recreation services in the unincorporated community of Valley Center. The proposal involves concurrent dissolution of the Valley Center CSD and formation of County Service Area No. 138 as the designated successor agency. The proposal is intended to improve services in Valley Center and the estimated 19,133 residents by drawing on the economies of scale of the County and its Parks and Recreation Department. Recommendation to approve specific terms and establishing a sphere of influence for CSA No. 138 – including conditions requested by the Valley Center CSD as well as delegating protest proceedings to the Executive Officer.

The Executive Officer opened the staff presentation with Local Government Analyst II Linda Heckenkamp providing details. This included addressing subsequent revisions to the proposed approval terms developed in collaboration with the subject agencies following the posting of the agenda packet on October 22nd. Staff also noted appreciation to both subject agencies in working together in bringing forward the joint-proposal to the Commission as well as assistance from Ben Mills with Supervisor Jim Desmond's Office.

Chair Jacob invited Commissioner comments or questions. No immediate comments.

Chair Jacob proceeded to open the public hearing and invited e-comments and live comments from the audience.

The Commission Clerk noted there was five registered speakers for the item and proceeded to invite the following persons to address the Commission:

- Brian Albright with County of San Diego Parks and Recreation Department, Support
- Dave Knopp with County of San Diego Parks and Recreation Department, Support
- Jake Enriquez with County of San Diego Parks and Recreation Department, Support
- Bill Trok with Valley Center Community Services District, Support
- LaVonne Norwood, Public, Support

The Administrative Assistant confirmed there were no live e-mail comments from the public.

PUBLIC HEARING ITEM CONTINUED…

Item 6a Continued

Chair Jacob proceeded to close the public hearing and invited Commission discussion.

Commissioner Desmond asked staff to address the substantive changes in the draft resolution with respect to proposed approval terms. The Executive Officer responded and noted – and among other items – the revised resolution specifies the County will employ and/or contract the Valley Center CSD through the end of the current fiscal year and assist in the transition of park and recreation services. It was also noted the terms have been revised in consultation with both subject agencies and a letter of support from the County as successor agency has also been received and part of the record.

Commissioner Desmond thanked staff for the additional details as well as the work of the subject agencies in bringing forward the item and noted his support to go forward.

Additional Commission discussion followed.

**

Commissioner Willis motioned to approve the staff recommendation with amendments to the terms and conditions as provided in the agenda report with a second from Commissioner Desmond. Roll call requested:

AYES:	Desmond, Jacob, MacKenzie, McNamara (voting), Kersey, Salas, Vanderlaan, and Willis
NOES:	None
ABSENT:	Cate, Cox, Lump, and Wells
ABSTAINING:	None

The Commission Clerk confirms the motion was approved 8-0.

7. BUSINESS ITEMS

None

8. EXECUTIVE OFFICER REPORT

The Executive Officer made the following comments:

- Staff anticipates presenting two draft municipal service reviews involving resource conservation district services and the Poway region at the next meeting.
- Staff also noted the next meeting will be the last for three Commissioners – Cox, Jacob, and Kersey – and commendations will be planned.

9. COMMISSIONER ANNOUNCEMENTS | REQUESTS FOR FUTURE ITEMS

- Commissioner MacKenzie provided an update to the Commission on CALAFCO and the recent Board meeting. This included CALAFCO's plans to host a virtual regional roundtable for the Southern Region on December 2nd with details available on the CALAFCO website. Commissioner MacKenzie also noted CALAFCO is once again revisiting membership dues as well planning future webinars.

10. CLOSED SESSION

The Commission Counsel, Holly Whatley adjourned the Commission into closed session for the item presented on the agenda at 9:47 a.m.

a) Conference with Legal Counsel – Initiation of Litigation:
Pursuant to Government Code Section 54956.9(d)(4)): (One potential case.)

Chair Jacob reconvened into open session at 10:14 a.m. with Commission Counsel Holly Whatley announcing approval to initiate litigation subject to confirmation of certain details with specifics to be provided should actual litigation be filed.

11. ADJOURNMENT TO NEXT MEETING

With no further business the Chair adjourned the videoconference meeting at 10:16 a.m.

**

I hereby attest the minutes above accurately reflect the deliberations of the Commission at its November 2, 2020 videoconference meeting.

ATTEST,
//
Tamaron Luckett
Commission Clerk

**

A video recording of the November 2, 2020 regular meeting is also available online at www.sdlafco.org or by contacting LAFCO staff at 858-614-7755.

5b

AGENDA REPORT
Consent | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Erica Blom, Administrative Assistant

SUBJECT: **Commission Ratification | Recorded Payments for October 2020**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will review a report identifying all payments received and made for October 2020. These payments cover all recorded transactions for the month and include $198,106 in total distributions made by the Executive Officer with four-fifths tied to reimbursements to the County of San Diego. Payments received during the month total $135,496 and tied to collecting agency apportionments. The payments are being presented for formal ratification.

BACKGROUND

Accounting Policies and Procedures

San Diego LAFCO's policies provide direction to the Executive Officer to establish and maintain appropriate accounting controls for all financial transactions on behalf of the Commission. These policies specify the Executive Officer shall ensure accounting controls conform to standard procedures commonly enlisted by local governmental. Purchasing allowances are specified and include bid procedures for transactions at or above $10,000 and separate Commission approval for transactions at or above $125,000.

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Mary Casillas Salas, City of Chula Vista
Bill Wells, City of El Cajon
Paul McNamara, Alternate, City of Imperial Beach
Mark Kersey, City of San Diego
Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

DISCUSSION

This item is for San Diego LAFCO to consider ratification of all payments made and received by the Executive Officer in October 2020. A detailing of these transactions prepared by the Administrative Assistant is provided as Attachment One. The item also provides the Commission the opportunity to provide feedback on related matters and inform potential changes in accounting procedures going forward.

ANALYSIS

San Diego LAFCO's recorded payments made by the Executive Officer for October 2020 totaled $198,106 with 82% – or $161,701 – tied to expenditures and/or reimbursements with the County of San Diego. This includes covering payroll obligations, office rent, overhead, and information technology services. Professional service expenses represent most of the remaining expenditures during the period and tallied $14,700 and include consultant and legal activities. Recorded revenues during the period totaled $135,496 and includes fees for five new proposals. All transactions recorded during the period are consistent with the adopted budget except for a $10,576 expense with Alliant Insurance Services. Markedly, and following the adoption of the budget, it was discovered LAFCO was not a covered under the County of San Diego's general liability insurance policy. Staff proceeded to work directly with the County's policy provider – Alliant Insurance – and the referenced expense is the premium cost for general liability coverage through October 2021.

RECOMMENDATION

It is recommended San Diego LAFCO ratify the payments received and made by the Executive Officer for October 2020 as presented. This 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 in October 2020 as shown in Attachment One.

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 Blom
Administrative Assistant

Attachment:

1) Recorded Payments in October 2020

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SAN DIEGO LAFCO
Expenses by Vendor Detail
October 2020

Payable | Receivable Party	Date	Account	Amount	Purpose	Type	Funding Account
E | After Effects						
	10/11/2020	52270 · Memberships	20.99	Monthly Video Editing Software Subscription	credit card	3558-60 · SDCCU Visa Credit Card
E | Alliant Insurance Services						
	10/19/2020	52138 · Public Liabilty Insurance	10,575.86	General Liabilty Insurance FY20-21	check	3558 · SDCCU Checking
E | Amazon						
	10/2/2020	52330 · Office Expense	168.36	Office Supplies for KS	debit card	3558 · SDCCU Checking
	10/2/2020	52330 · Office Expense	12.92	Office Supplies for EB	credit card	3558-60 · SDCCU Visa Credit Card
	10/2/2020	52344 · Stores Unallocated	86.16	Home Office Supplies for RA	credit card	3558-60 · SDCCU Visa Credit Card
	10/2/2020	52330 · Office Expense	163.76	Office Supplies for KS	credit card	3558-60 · SDCCU Visa Credit Card
	10/4/2020	52344 · Stores Unallocated	122.13	Home Office Supplies for LH	credit card	3558-60 · SDCCU Visa Credit Card
	10/7/2020	52330 · Office Expense	49.55	Office Supplies for RA	credit card	3558-60 · SDCCU Visa Credit Card
	10/8/2020	52344 · Stores Unallocated	149.77	Home Office Supplies for DN	credit card	3558-60 · SDCCU Visa Credit Card
	10/13/2020	52344 · Stores Unallocated	93.48	Home Office Supplies for TL	credit card	3558-60 · SDCCU Visa Credit Card
	10/26/2020	52330 · Office Expense	46.32	Office Spplies for KS	debit card	3558 · SDCCU Checking
			892.45			
E | Ambius						
	10/8/2020	52370.J · Professional Services	103.94	Monthly Plants Services	check	3558 · SDCCU Checking
E | APA						
	10/8/2020	52270 · Memberships	99.00	New Membership for PA	check	3558 · SDCCU Checking
E | ARCC (Assessor Recoreder County)						
	10/8/2020	52490 · Publications	50.00	NOD Fee | SVBF Temple Reorg (RO20-16)	check	3558 · SDCCU Checking
	10/8/2020	52490 · Publications	50.00	NOE Fee | SVBF Temple Reorg (RO20-16)	check	3558 · SDCCU Checking
	10/19/2020	52490 · Publications	50.00	NOE Fee | Schirber-Hymettus Ave (CO20-07)	check	3558 · SDCCU Checking
			150.00			
E | AT&T Mobility						
	10/8/2020	52074 · Telecommunications	330.76	Monthly Cell Phone Bill | EO & Analysts	check	3558 · SDCCU Checking
	10/8/2020	52504 · Equipment Rental	557.00	New Cell Phone for PA	check	3558 · SDCCU Checking
			887.76			
E | Billing Hostway						
	10/11/2020	52370.E · Professional Services	21.95	Monthly Website Hosting Services	debit card	3558 · SDCCU Checking
E | Chase Design Inc						
	10/14/2020	52370.K · Professional Services	3,000.00	Consultant Services | Social Media Activity	electronic	1000 · County Account (44595)
E | Colantuono, Highsmith & Whatley						
	10/23/2020	52370.B · Professional Services	6,824.00	Legal Services	electronic	1000 · County Account (44595)
E | County of San Diego						
	10/1/2020	52530 · Office Lease	6,993.64	Rent	electronic	1000 · County Account (44595)
	10/1/2020	52354 · Mail/Postage ISF	505.08	Mail/Postage Services	electronic	1000 · County Account (44595)
	10/1/2020	52178 · Vehicle Maintenance	331.89	Vehicle Maintenance Services	electronic	1000 · County Account (44595)
	10/1/2020	52182 · Vehicle Fuel	0.00	Vehicle Fuel	electronic	1000 · County Account (44595)
	10/1/2020	52758 · Vehicle Lease	165.49	Vehicle Lease	electronic	1000 · County Account (44595)
	10/1/2020	52721 et al. · Communications (IT) Services	10,902.15	County IT Services (ITRACK)	electronic	1000 · County Account (44595)
	10/2/2020	51110 et al. · Employee Payroll	48,779.27	Payroll | Pay Period 2021-07	electronic	1000 · County Account (44595)
	10/16/2020	51110 et al. · Employee Payroll	50,878.38	Payroll | Pay Period 2021-08	electronic	1000 · County Account (44595)
	10/30/2020	51110 et al. · Employee Payroll	43,145.74	Payroll | Pay Period 2021-09	electronic	1000 · County Account (44595)
			161,701.64			
E | Dieu Ngu						
	10/8/2020	52344 · Stores Unallocated	667.19	Home Office Supplies Reimbursement	check	3558 · SDCCU Checking
E | East County Californian						
	10/16/2020	52490 · Publications	350.00	PHN | SDCFPD Reorg (RO20-14)	debit card	3558 · SDCCU Checking
E | Leaf & Cole LLP						
	10/23/2020	52370.H · Professional Services	1,655.00	Consultants Services | Accounting	electronic	1000 · County Account (44595)
E | Minutemen Press						
	10/26/2020	52334 · Printing	480.57	LAFCO Envelopes	check	3558 · SDCCU Checking
E | Overstock.com						
	10/14/2020	52344 · Stores Unallocated	471.30	Home Office Supplies for TL	credit card	3558-60 · SDCCU Visa Credit Card
E | Price Self Storage						
	10/28/2020	52504 · Equipment Rental	75.00	Storage Unit Monthly Payment	debit card	3558 · SDCCU Checking
E | Roadrunner Publication						
	10/19/2020	52490 · Publications	103.95	PHN | VCCSD Dissolution/Formation of No. CSA 138 (RO20-13)	check	3558 · SDCCU Checking

SAN DIEGO LAFCO
Expenses by Vendor Detail
October 2020

Payable | Receivable Party	Date	Account	Amount	Purpose	Type	Funding Account
E | Robert Barry						
	10/8/2020	52344 · Stores Unallocated	517.18	Home Office Supplies Reimbursement	check	3558 · SDCCU Checking
E | San Diego Union Tribune						
	10/19/2020	52490 · Publications	6,251.57	2 PHNs | Sunrise-Barham (RO20-15) & SVBF Temple Reorg (RO20-16)	electronic	3558-60 · SDCCU Visa Credit Card
E | Sprague & Associates						
	10/23/2020	52370.F · Professional Services	2,975.00	Consultants Services | MSR & Fire	electronic	1000 · County Account (44595)
E | Target						
	10/2/2020	52330 · Office Expense	124.69	Office Décor	credit card	3558-60 · SDCCU Visa Credit Card
	10/6/2020	52330 · Office Expense	5.38	Card for Consultant	credit card	3558-60 · SDCCU Visa Credit Card
			130.07			
E | The Toll Roads						
	10/6/2020	52610 · Non-Travel/In-County	2.00	Toll for FastTrak	debit card	3558 · SDCCU Checking
E | Twitter						
	10/23/2020	52370.K · Professional Services	20.00	Consultant Services | Social Media	debit card	3558 · SDCCU Checking
	10/30/2020	52370.K · Professional Services	100.00	Consultant Services | Social Media	debit card	3558 · SDCCU Checking
			120.00			
E | Zoom						
	10/4/2020	52270 · Memberships	14.99	LAFCO Monthly Video Conferencing Subscription	debit card	3558 · SDCCU Checking
	10/13/2020	52270 · Memberships	14.99	EO Monthly Video Conferencing Subscription	debit card	3558 · SDCCU Checking
			29.98			
EXPENSE TOTAL			198,106.40			
R | County of San Diego						
	10/1/2020	45918 · LAFCO Apportionment	467.43	LAFCO Apportionment for FY20-21	electronic	1000 · County Account (44595)
	10/21/2020	46234 · Applications	15,218.15	LAFCO Processing Fees (CO20-06)	check	1000 · County Account (44595)
	10/31/2020	49200 · Interest & Dividends	579.84	Interest Payment to Account 46725	electronic	1001 · General Fund (46725)
	10/31/2020	49200 · Interest & Dividends	679.98	Interest Payment to Account 46726	electronic	1002 · Special Projects Fund (46726)
	10/31/2020	49200 · Interest & Dividends	285.10	Interest Payment to Account 46727	electronic	1003 · Jurisdictional Fund (46727)
			17,230.50			
R | Krishnan Vijayaraghavan						
	10/21/2020	46234 · Applications	3,682.88	LAFCO Processing Fees (RO20-18)	check	1000 · County Account (44595)
R | Lakeside WD						
	10/21/2020	46234 · Applications	10,568.25	LAFCO Processing Fees (RO20-19)	check	1000 · County Account (44595)
R | Leucadia WWD						
	10/15/2020	52490 · Publications	50.00	County Recorder Fees (CO20-03)	check	3558 · SDCCU Checking
R | Miltco Inc						
	10/21/2020	46234 · Applications	6,405.00	LAFCO Processing Fees (RO20-20)	check	1000 · County Account (44595)
R | Murali Pasumarth						
	10/21/2020	46234 · Applications	7,045.50	LAFCO Processing Fees (RO20-16)	check	1000 · County Account (44595)
R | Rainbow MWD						
	10/21/2020	46234 · Applications	62,220.00	LAFCO Processing Fees (RO20-04)	check	1000 · County Account (44595)
R | Richard Lupa						
	10/15/2020	52490 · Publications	50.00	County Recorder Fees (CO20-01)	check	3558 · SDCCU Checking
R | Szilard Papp						
	10/21/2020	46234 · Applications	10,568.25	LAFCO Processing Fees (RO20-17)	check	1000 · County Account (44595)
R | The Sunrise Gardens Project Owner LLC						
	10/21/2020	46234 · Applications	17,676.00	LAFCO Processing Fees (RO20-15)	check	1000 · County Account (44595)
REVENUE TOTAL			135,496.38			

5c

AGENDA REPORT
Consent | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Robert Barry, Chief Policy Analyst

SUBJECT: **Proposed "Sunrise – Barham Drive Reorganization" | Concurrent Annexations to the City of San Marcos and the Vallecitos Water District (RO20-15)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization proposal filed by an interested landowner with the principal action to annex approximately 10.8 unincorporated acres to the City of San Marcos. A concurrent annexation to Vallecitos Water District (WD) is also proposed for the provision of wastewater services. The proposal purpose is to facilitate the planned development of the affected territory along with an adjacent parcel into a 192-unit multi-family residential subdivision. Staff recommends approval of the proposed reorganization without modifications. Standard approval terms along with waiving protest proceedings are also recommended.

BACKGROUND

Applicant Request

San Diego LAFCO has received an application from an interested landowner – Sunrise Gardens LLC – requesting approval to recognize approximately 10.8 acres of territory within an unincorporated corridor located between the Cities of Escondido and San Marcos. The principal action involves annexation to the City of San Marcos with an ancillary action to annex to Vallecitos WD. The affected territory as submitted encompasses an undeveloped assessor

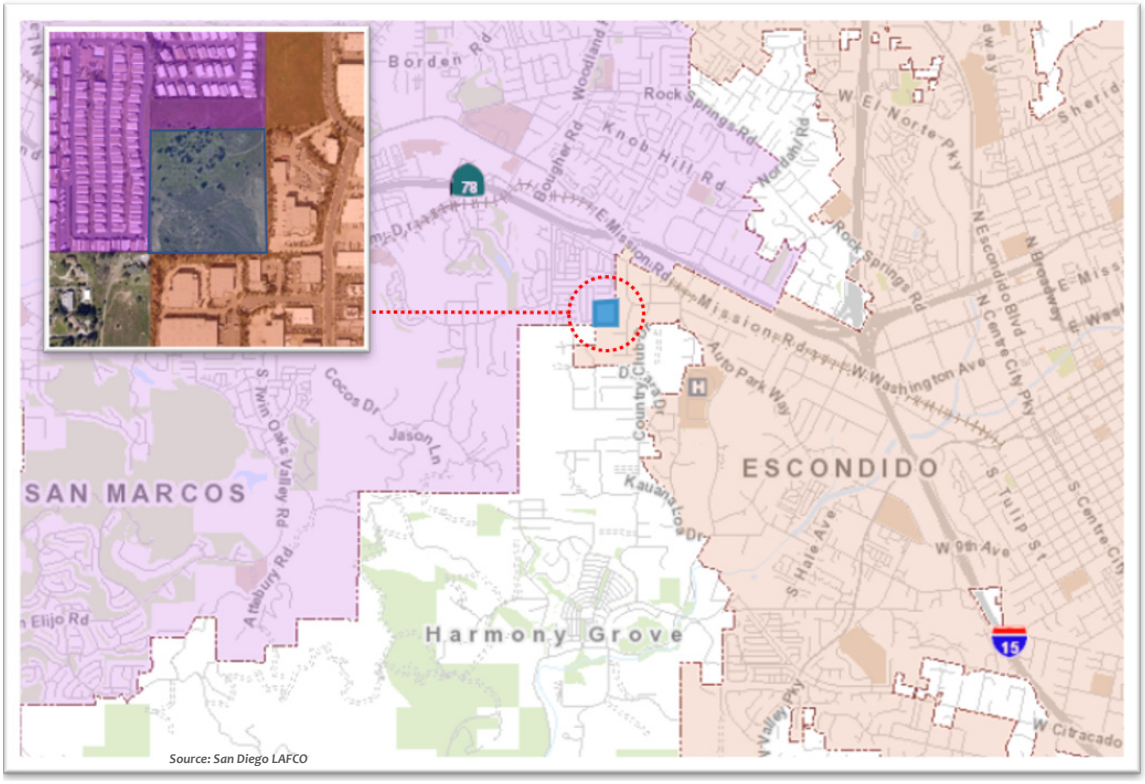
Administration
Keene Simonds, Executive Officer
County Operations Center
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San Diego, California 92123
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Jim Desmond, County of San Diego
Chair Dianne Jacob, County of San Diego
Greg Cox, Alternate, County of San Diego
Mary Casillas Salas, City of Chula Vista
Bill Wells, City of El Cajon
Paul McNamara, Alternate, City of San Marcos
Mark Kersey, City of San Diego
Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

parcel and is one of two parcels comprising a legal flag lot. The County of San Diego Assessor's Office identifies the subject parcel as 228-312-10. The affected territory lies within the San Marcos sphere of influence and is contiguous to the incorporated boundary. The affected territory is outside the Vallecitos WD sphere, but an amendment is not needed given local circumstances as further detailed in the succeeding sections.

Affected Territory

The affected territory lies within an unincorporated corridor with the City of San Marcos to the north and west and the City of Escondido to the east and south. The subject parcel within the affected territory is land-locked but accessible to Barnham Drive through the adjacent northern parcel that comprises the same legal lot. An aerial map of the affected territory relative to the adjacent San Marcos and Escondido boundaries follow. Attachment One shows the affected territory relative to the proposed boundary changes involving the two subject agencies (San Marcos and Vallecitos WD).



Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: City of San Marcos and Vallecitos WD.[1] A summary of the subject agencies in terms of governance, population, municipal functions, and financial standing follows.

[1] State law defines "subject agency" to mean any district or city for which a reorganization or reorganization is proposed.

- The City of San Marcos was incorporated in 1963 as a general-law municipality with an estimated resident population of 96,664. The average annual population growth rate within San Marcos has been 0.9% since the 2010 census. San Marcos spans 24.4 square miles – or 15,616 acres – and boarded by the Cities of Carlsbad, Encinitas, and Vista on the west as well as Escondido on the east. Several unincorporated communities also lie adjacent to San Marcos, including Bonsall, Elfin Forest, Eden Hills, Harmony Grove, Hidden Meadows, Lake San Marcos, Rancho Santa Fe, and Twin Oaks Valley. San Marcos is dependent on multiple special districts to provide supporting municipal services – including water, wastewater, and fire protection – throughout its incorporated boundary. San Marcos also contracts with the County of San Diego for law enforcement, animal control, and library services. LAFCO established a larger-than-agency sphere of influence for San Marcos in 1979, which was last reviewed and affirmed in 2008. The sphere presently includes 5,571 non-jurisdictional acres and equals over one-quarter of the existing jurisdictional boundary. San Marcos' audited net position is $997.1 million as of June 30, 2019 with $141.3 million in unrestricted monies. The total net position has decreased by 0.6% over prior three audited years.

- Vallecitos WD is an independent special district formed in 1955 with an estimated residential population of 102,129. The average annual population growth rate within Vallecitos WD has been 1.9% since the 2010 census. Vallecitos WD spans 45.0 square miles – or 28,800 acres – and covers most of the City of San Marcos as well as portions of the Cities of Carlsbad, Escondido, and Vista. Vallecitos WD also extends into adjacent unincorporated areas, including the communities of Twin Oaks and Deer Springs. A five-member elected Board of Directors oversees Vallecitos WD's three active municipal functions: potable water service (retail class); recycled water service (retail class); and wastewater service (collection, treatment, and disposal classes). LAFCO established a sphere of influence for Vallecitos WD in 1985, which was last updated in 2007 with a larger-than-agency designation to include 2,150 non-jurisdictional acres and equals 7.5% of the jurisdictional boundary. Vallecitos WD's audited net position is $279.179 million as of June 30, 2019 with $89.9 million in unrestricted monies. The total net position has increased by 6.5% over the prior three audited 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 reorganization for noticing purposes and listed below.[2]

- County Service Area No. 135 (Regional Communications)
- Metropolitan Water District of Southern California

[2] 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 reorganization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

- North County Cemetery District
- North County Transit District
- Palomar Health Healthcare District
- Resource Conservation District of Greater San Diego County
- Rincon del Diablo Municipal Water District
- San Diego County Water Authority
- San Marcos Fire Protection District

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the reorganization proposal to concurrently annex the affected territory to the City of San Marcos and to the Vallecitos WD with the latter for the limited purpose of 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 and Commission focus follows.

Proposal Purpose

The stated purpose of the proposed reorganization before San Diego LAFCO is to facilitate a tentatively-approved 192-unit multi-family residential subdivision within the affected territory's subject parcel as well as an adjacent incorporated parcel that together comprise one legal lot.[3] Approval – specifically – would transfer land use authority for the affected territory to the City of San Marcos and allow the project to proceed along with satisfying the City's permit condition for the applicant to secure wastewater service from Vallecitos WD. Vallecitos WD has an existing wastewater main located adjacent to the affected territory within the public right-of-way on Barham Drive and accessible by a 900-foot lateral. The affected territory is presently within the Rincon del Diablo MWD for retail water and recycled water services, and the San Marcos Fire Protection District (FPD) for fire protection and emergency medical services. No changes to these service arrangements are proposed.

Development Potential

The City of San Marcos General Plan designates the affected territory as Specific Plan Area (SPA) with a matching prezoning assignment and prescribes a residential density of up to 13.3 dwelling units per acre. These prescriptions in combination with applicable setback and other ancillary standards underlie the tentatively-approved subdivision of the affected territory's subject parcel and adjacent parcel for 192 condominiums on approximately 14.4 acres (13.3 du/ac), including 100 two-story attached townhomes and 92 three-story attached townhomes. Additional intensity beyond the adopted multi-family SPA would not be allowed.

[3] The adjacent parcel is owned by the applicant and already within the City of San Marcos and Vallecitos WD.

Commission Focus

San Diego LAFCO's adopted sphere of influence designation for the City of San Marcos includes the affected territory. The adopted sphere for Vallecitos WD does not include the affected territory or any of the surrounding lands already in the District and connected to its public wastewater system with the latter reflecting standing Commission practice as detailed in the accompanying footnote.[4] These existing sphere determinations narrow the Commission's consideration of the proposed reorganization to two central and 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 reorganization and (b) whether discretionary boundary modifications or approval terms are appropriate. The Commission must also consider other relevant statutes as detailed.

ANALYSIS

San Diego LAFCO's analysis of the proposed reorganization is divided into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section regarding the timing of the reorganization relative to the factors mandated for review by the Legislature and local policies as well as whether modifications and terms are appropriate in further addressing Commission goals and policies. The second subsection considers other germane issues and highlighted by compliance with the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 | Reorganization Timing

The timing of the reorganization – and specifically the concurrent annexations of the affected territory to the City of San Marcos and Vallecitos WD – 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 policies. Most of the prescribed review factors and applicable policies focus on the effects of the proposed annexations on the service and financial capacities of the *receiving* agencies, City of San Marcos and Vallecitos WD (emphasis added). A summary of key conclusions generated from the review of these factors and applicable local policies follows.

- Service Needs
  The affected territory is located within an urbanizing area and immediately adjacent to the City of San Marcos. San Marcos' tentatively approved development of the affected territory as part of 192-unit residential subdivision is consistent with surrounding land uses and requires a full range of supporting municipal services, including those

[4] Vallecitos WD is a retail member district of the San Diego CWA and MET for wholesale imported water services. Vallecitos WD's primary water service area and adopted sphere of influence is coterminous with the CWA/MET water service areas and spheres. Vallecitos WD's wastewater service areas located outside of the WD's water service area and sphere are located within the sphere and/or water service area of one the following adjacent CWA/MET member agencies: Vista ID, Rincon del Diablo MWD, or the City of Escondido.

provided directly (community development, parks and recreation, etc.) or by contract from the City (law enforcement). The affected territory is similarly adjacent to Vallecitos WD and would be aided by connection to the District's wastewater system to address demands generated within the planned development. Additional details on relevant service needs follow.

- The Commission has formerly designated the City of San Marcos as the ultimate land use authority and primary service provider for the affected territory through the standing inclusion in the City sphere. Annexation to San Marcos memorializes this policy expectation and accommodates the expressed interest of the affected landowner as evident by their initiation of the reorganization proceedings.

- The Commission has informally designated the Vallecitos WD as the public wastewater service provider for the affected territory and reflected in surrounding incorporated lands already within and connected to the District's wastewater system. Annexation to Vallecitos WD is consistent with this practice and syncs the landowner's interest to develop the affected territory with ensuring available public wastewater service.

- The landowner's intention to develop a residential subdivision covering the affected territory helps to quantify the timing of the reorganization and concurrent annexation to the City of San Marcos and Vallecitos WD are appropriate and align the boundary changes with a known development action.

- <u>Service Capacities and Levels</u>
  The City of San Marcos would directly assume central municipal service responsibilities for the affected territory upon reorganization and most notably includes community planning. Vallecitos WD would separately assume wastewater responsibilities upon reorganization. Other pertinent municipal services would not be changed. (This includes water and fire protection responsibilities remaining with Rincon del Diablo MWD and San Marcos FPD, respectively.) A review of existing capacities for the two primary municipal service changes associated with the reorganization – community planning and wastewater – indicates both subject agencies have sufficient capacities and/or controls to readily accommodate demands within the affected territory. Additional details on relevant capacities and/or levels follow.

  - The City of San Marcos would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. San Marcos recently approved a change in prezoning for the affected territory from Residential Manufactured Home Park to Specific Plan Area. The change in prezoning was one of a series of actions conducted over several noticed hearings and culminated in San Marcos' tentative approval of a 192-unit residential subdivision covering all of the subject parcel within the affected territory as well as an adjacent parcel. Should the Commission approve the reorganization, San Marcos would be prohibited from changing the zoning and underlying allowances for the first two years unless special findings are made at a noticed hearing.

- Vallecitos WD would assume wastewater service responsibility for the affected territory as part of the reorganization. An existing Vallecitos WD collection main is located adjacent to the affected territory within the frontage public right-of-way on Barham Drive and accessible through an approximate 900-foot lateral connection. It is projected the maximum average day wastewater demand generated within the affected territory is 46,080 gallons based on the planned development of 192 residential units. This amount represents 0.009% of the existing available capacity of Vallecitos WD, and as such can be readily accommodated without additional resources or infrastructure planning.

- Service Funding and Costs
  Both subject agencies have the financial resources coupled with administrative controls to assume municipal service responsibilities to the affected territory in support of its planned development without adverse impacts. These comments are reflected in the recent financial management actions that show both subject agencies are in relatively good financial standing and – among other measurements – have generated positive total average margins over the last three audited fiscal years.[5]

CONCLUSION |
MERITS OF REORGANIZATION TIMING

The timing of the reorganization and concurrent annexations of the affected territory to the City of San Marcos and Vallecitos WD is warranted. Justification is marked by the preceding analysis and highlighted by syncing a known development project with the Commission's designated long-term land use authority's jurisdiction in San Marcos while also providing for the managed provision of wastewater service through Vallecitos WD. All relevant service capacities are also confirmed. Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 2 |
Modifications and Terms

No modifications to the submitted reorganization proposal are recommended. Applying standard approval terms also appears appropriate. A map of the affected territory as submitted is provided as Attachment One.

CONCLUSION |
MODIFICATIONS AND TERMS

Approval of the proposed reorganization as submitted appears warranted. Standard approval terms are recommended.

[5] The City of San Marcos' average total margin over the last three audited fiscal years (FY17, FY18, and FY19) has been 1.1%. Vallecitos WD's average total margin during the same period has been 13.7%

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 certain jurisdictional changes – including annexations – unless an applicable master agreement applies. LAFCO staff has confirmed two existing master agreements applies to the reorganization. The agreement covering the annexation of the affected territory to the City of San Marcos will transfer 23% of the existing County portion of the 1% to the City. The agreement covering the annexation of the affected territory to the Vallecitos WD specifies no exchange of property tax will be generated.

Environmental Review

The City of San Marcos serves as the lead agency for the reorganization proposal given it has primary responsibility to carry out the underlying activity to develop the affected territory and ancillary actions. This latter category includes annexation to San Marcos and Vallecitos WD and collectively represents the "project." San Marcos determined the project did not qualify for an exemption and proceeded to prepare an environmental impact report (EIR). A final EIR was certified at a noticed hearing held on June 23, 2020 and attests the project will have a significant and adverse impact on the environment in regard to transportation after all feasible mitigation measures are implemented.[6] Staff has independently reviewed the final EIR and recommends San Diego LAFCO adopt San Marcos' findings as a responsible agency.

Protest Proceedings

Protest proceedings for the proposed reorganization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code Section 56662. The recommended waiver appropriately applies under this statute given all of the following criterion applies: the affected territory is uninhabited as defined under LAFCO law; the subject agencies have not filed objections to the waiver; and all landowners have consented.[7]

RECOMMENDATION

Staff recommends San Diego LAFCO proceed with a conditional approval of the reorganization proposal as submitted. This recommendation is consistent with Alternative One in the proceeding section.

[6] The City's EIR approval included a Statement of Overriding Considerations for transportation impacts (State Clearinghouse No. 2019049004).
[7] LAFCO law defines uninhabited as territory in which 11 or less registered voters reside.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):
Adopt the attached draft resolution approving the reorganization proposal as submitted without modifications and with standard terms.

Alternative Two:
Continue consideration to the next regular meeting.

Alternative Three:
Disapprove the reorganization 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,



Robert Barry, AICP
Chief Policy Analyst

Appendices:

A) Analysis of Boundary Change Factors

Attachments:

1) 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; proximity to other populated areas; likelihood of significant growth in the area, and in adjacent areas, during t next 10 years.

The affected territory as submitted includes one unincorporated parcel within the sphere of influence of the City of San Marcos totaling 10.8 acres. The affected territory is unimproved and uninhabited. The City of San Marcos has conditionally approved a tentative subdivision for a 192-unit multi-family residential development on the affected territory and an adjacent incorporated parcel presently located within the City. The estimated population within the affected territory at its planned buildout is 609. Additional growth in adjacent areas is expected over the next 10 years with substantial changes more probable to the immediate south and within the unincorporated community of Harmony Grove. The current assessed value of the subject parcel is $509,796 with the last transaction recorded in February 2018.

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 presently serves as the primary purveyor of general governmental services to the affected territory and marked by community planning and law enforcement. The City of San Marcos would assume these service responsibilities post reorganization. Vallecitos WD would assume wastewater service responsibilities for the affected territory post reorganization. All other pertinent services would remain unchanged and this includes Rincon del Diablo MWD and San Marcos FPD continuing to provide water and fire protection, respectively. A review of existing service capacities for these primary services relative to the anticipated needs in the affected territory shows overall sufficiency. Additional details follow.

- With respect to community planning, San Marcos would assume all entitlement and land use responsibilities for the affected territory upon reorganization approval. San Marcos has previously designated and prezoned the affected territory for a Specific Plan involving multi-family residential uses and ancillary activities. Proposed development involving the affected territory conforms to these planned land uses and are also consistent with surrounding uses.

- With respect to wastewater, an existing Vallecitos WD collection main is located adjacent to the affected territory within the frontage public right-of-way on Barham Drive and accessible through an approximate 900-foot lateral connection. It is projected the maximum average day wastewater demand generated within the affected territory is 46,080 gallons based on the planned development of 192 residential units. This amount represents 0.009% of the existing available capacity of Vallecitos WD, and as such can be readily accommodated without additional resources or infrastructure planning.

- With respect to fire protection and emergency medical, San Marcos FPD would continue to provide these services post reorganization. San Marcos FPD is a subsidiary district of the City of San Marcos and currently operates four stations located throughout its jurisdictional boundary. Station No. 3 is the closest station to the affected territory at 404 Woodland Parkway. This station is 1.6 road miles in distance and houses one paramedic engine company and one paramedic ambulance. San Marcos' General Plan does not prescribe response standards.

- With respect to law enforcement, these services would be formally assumed by the City of San Marcos post reorganization but continue to be provided by contract from the County Sheriff. The Sheriff's substation at 182 Santar Place is the closest substation and is 1.6 road miles in distance to the affected territory. San Marcos' General Plan does not prescribe response standards.

- With respect to water services, this would continue to be the service responsibility of Rincon del Diablo MWD with the affected territory already within the District boundary. An existing Rincon distribution main is located adjacent to the affected territory within the frontage public right-of-way on Barham Drive and accessible through an approximate 900-foot lateral connection. It is projected the maximum average day water demand generated within the affected territory is 76,800 gallons based on the planned development of 192 residential units plus ancillary uses. This amount represents 0.16% of the existing available capacity of Rincon, 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 reorganization and concurrent annexations therein to the City of San Marcos and Vallecitos WD would recognize and strengthen existing economic and social ties between the subject agencies and the affected territory. These ties are most prominent with San Marcos and were initially established in the 1980's when the Commission included the area in the City's sphere of influence and signaled the land would eventually warrant annexation when appropriate. Similar ties exist with Vallecitos WD with the Commission authorizing wastewater services into the surrounding area beginning in the 1960's.

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 reorganization and concurrent annexations therein to the City of San Marcos and the Vallecitos WD would facilitate the development of the affected territory as part of a 192-unit multi-family residential subdivision. Reorganization approval, accordingly, conforms with the Commission's city-centered growth objectives and helps maximize the potential use of the affected territory in accommodating housing needs within San Marcos. Similarly, approval would be consistent with the Commission's adopted policies to sync urbanized uses with urbanized services and further marked by the extension of Vallecitos WD's wastewater services. The affected territory does not contain "open-space" as defined under LAFCO law and no conflicts exists under Government Code Section 56377.

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 or further prescribed in local Commission policy. 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.

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 consistent with the standard of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on submittal of a final map and description conforming to the referenced standards and addressing any modifications enacted by the Commission. Approval would also eliminate an existing unincorporated corridor between the Cities of San Marcos and Escondido.

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

The proposal involves new multi-family infill development with mitigation measures for circulation consistent with San Diego Forward, the regional transportation plan established by the San Diego Association of Governments (SANDAG) for the San Diego Region.

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

The affected unincorporated territory is presently designated for high-density multi-family residential use under the adopted land use policies of the City of San Marcos. The affected territory is prezoned as Specific Plan Area, which prescribes a maximum of 13.3 dwelling units per acre. The planned residential uses are consistent with the proposal's primary purpose to develop 192 multi-family units over 14.4 acres (13.3 du/ac) within San Marcos.

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

See page 10 of the agenda report.

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

Notice of the submitted reorganization proposal was distributed to all affected and interested agencies as required under LAFCO law. No written comments on the proposal were received ahead of preparing this agenda report for distribution on November 20, 2020. Additional analysis concerning conformance with germane 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 San Diego LAFCO 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.

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 both subject agencies have established sufficient financial resources and administrative controls therein relative to annexing the affected territory without adversely impacting existing constituents. This statement is supported by the following factors.

- <u>City of San Marcos</u>

  - San Marcos's last audit covers 2018-2019 and shows the District finished with good liquidity levels with an agency-wide current ratio of 6.58 (i.e., $6.58 in current assets for every $1.00 in current liabilities).

- San Marcos finished the last audit with high capital levels as evident by a low debt ratio of 7.85% (i.e., $7.85 out of every $100.00 in net assets are financed.)

- San Marcos has remained generally profitable over the last three fiscal years with an average total margin over the corresponding 36 months of 1.1%.

- Vallecitos WD[8]

  - Vallecitos WD's last audit covers 2018-2019 and shows the District finished with good liquidity levels with an agency-wide current ratio of 5.5 (i.e., $5.50 in current assets for every $1.00 in current liabilities).

  - Vallecitos WD finished the last audit with high capital levels as evident by a low debt ratio of 3.82% (i.e., only $3.82 out of every $100.00 in net assets are financed.)

  - Vallecitos WD has remained profitable over the last three audited fiscal years with an average total margin of 13.7%. The most recent year – 2018-2019 – the operating margin was 15.6%.

  - Additionally, the landowner of the affected territory is responsible for payment of all required fees and service charges commensurate with Vallecitos WD's adopted fee ordinance in establishing wastewater services. The wastewater service charge is presently $346.68 per year. The wastewater rates are fixed and are not based on flow or water usage. Extending wastewater service to the affected territory would not adversely impact existing ratepayers.

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

The affected territory's existing residential uses are presently within the Rincon del Diablo MWD's jurisdictional boundary and established retail water service area. MWD has provided a service availability letter indicating sufficient water supply and infrastructure exist to serve the proposed multi-family residential development. Approval of the proposed reorganization would not affect the timely availability of water supplies to the affected territory.

[8] The proposed project includes traffic mitigation improvements to the San Marcos and Escondido local circulation systems for the project's anticipated traffic impacts. Affected intersections include Rancheros Drive / SR-78 WB Ramps, Barham Drive / Meyers Avenue, Mission Road / Nordahl Road, and Barham Drive / Mission Road.

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 reorganization involves annexation of approximately 10.8 acres of unincorporated territory and subsequent development of 192 multi-family residential units intended for sale at prevailing market rates. As such, the proposed reorganization would not affect San Marcos in achieving their respective fair shares of the regional housing needs as determined by the San Diego Association of Governments (SANDAG).

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 landowner supports the proposed reorganization and has 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.

As used in this review factor, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed reorganization does not include locating new public facilities and the proposed provision of public services would be limited to the proposed 192-unit multi-family residential development. Approval of the proposed reorganization is not anticipated to affect the promotion of environmental justice.

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.

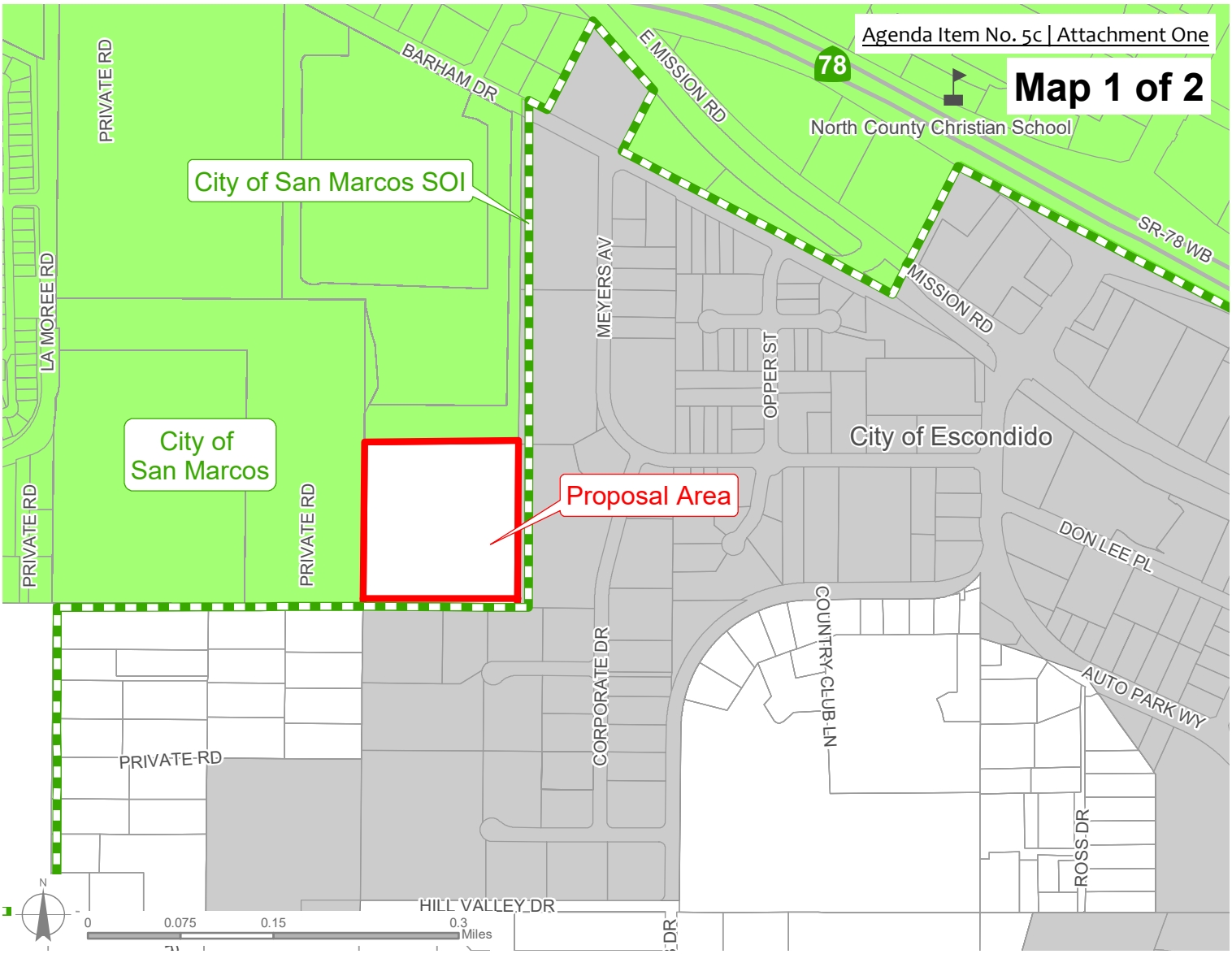
The City of San Marcos is a participating agency with the County of San Diego's adopted multi-jurisdictional hazard mitigation plan for potential fire, flooding and earthquakes. The affected territory lies outside any identified hazard areas.

Government Code 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 (emphasis)

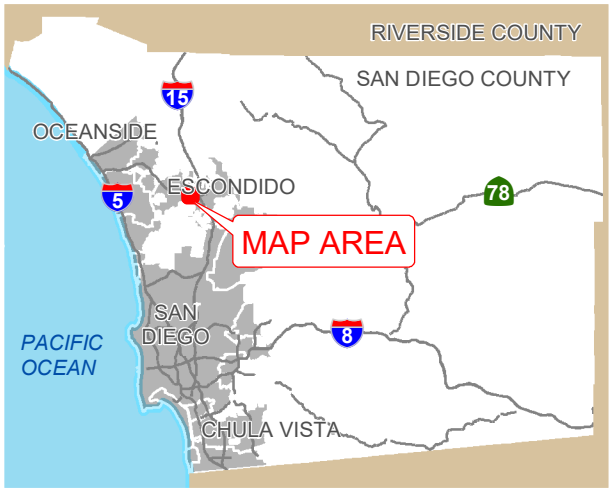
Approval of the reorganization would be in the best interest of the current and future landowners and/or residents of the affected territory by providing access to reliable public wastewater service going forward. Approval would also benefit adjacent landowners and/or residents by eliminating the potential use of private septic systems and the potential therein

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Map 1 of 2







RO20-15 "SUNRISE - BARHAM DRIVE REORGANIZATION" | CONCURRENT ANNEXATIONS TO CITY OF SAN MAROCS AND VALLECITOS WATER DISTRICT

- Proposal Area
- City of San Marcos
- City of San Marcos SOI

SOI = Sphere of Influence

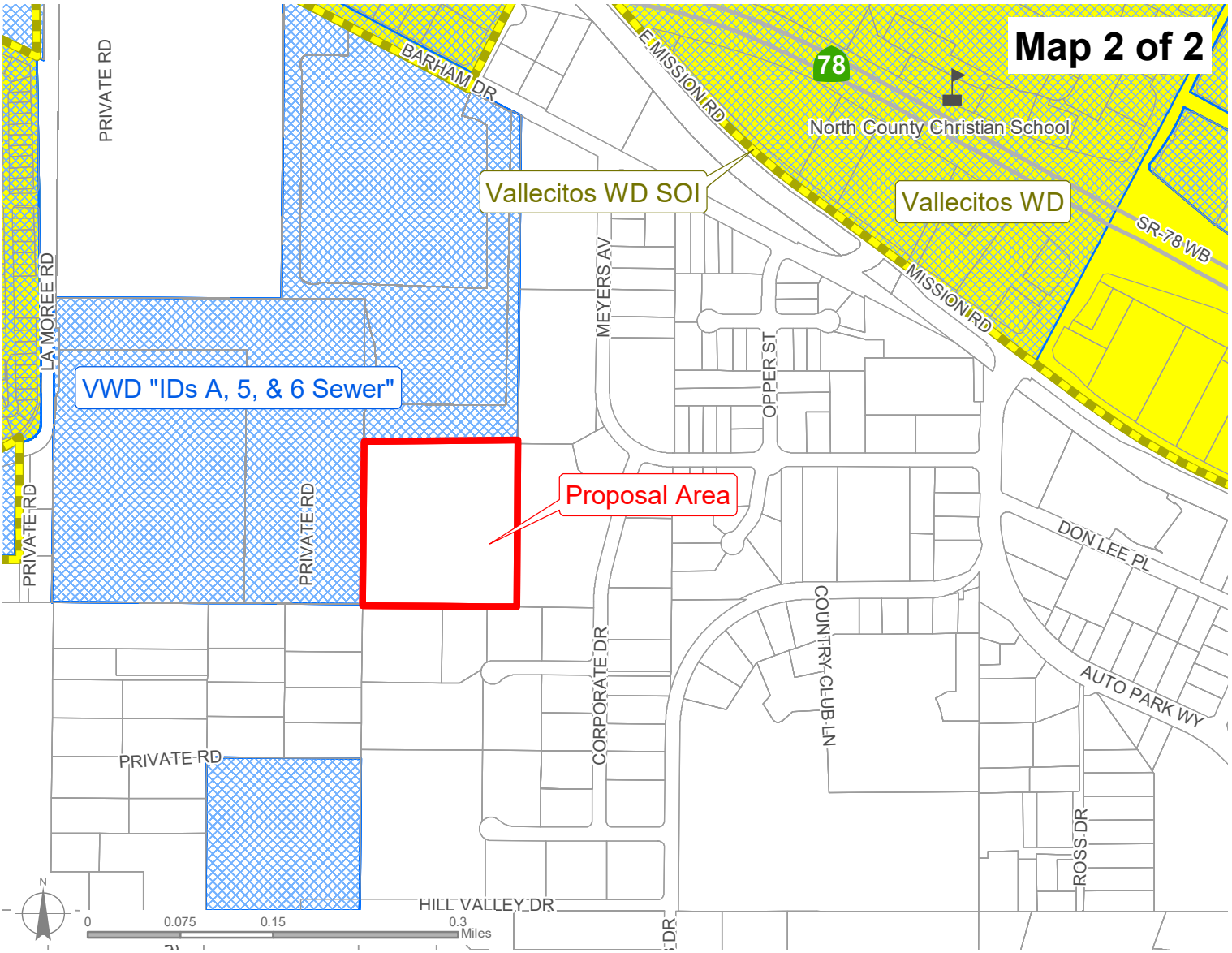
San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

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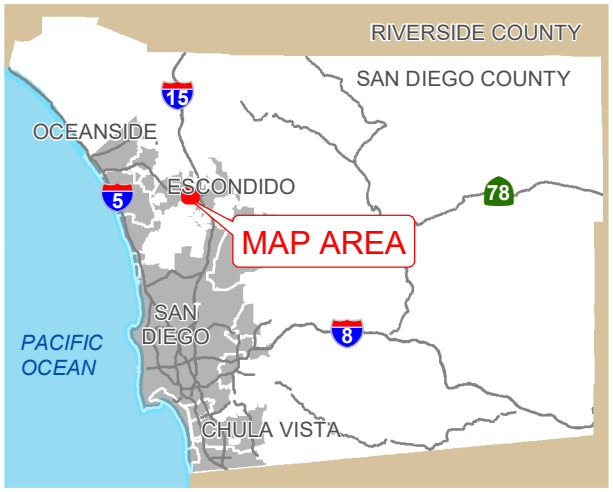
G:\GIS\Vicinity_Maps\agendamaps2020\20-15 San Marcos City Vicinity Map 1.mxd

Created by Dieu Ngu -- 8/31/2020

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RO20-15 "SUNRISE - BARHAM DRIVE REORGANIZATION" | CONCURRENT ANNEXATIONS TO CITY OF SAN MAROCS AND VALLECITOS WATER DISTRICT

SOI = Sphere of Influence

- Proposal Area
- Vallecitos WD
- Vallecitos WD SOI
- VWD "IDs A, 5, & 6 - Sewer"

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

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G:\GIS\Vicinity_Maps\agendamaps2020\20-15 Vallecitos WD Vicinity Map 2.mxd

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RESOLUTION NO._____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A REORGANIZATION

"SUNRISE – BARHAM DRIVE REORGANIZATION"
CONCURRENT ANNEXATIONS TO THE CITY OF SAN MARCOS AND
THE VALLECITOS WATER DISTRICT
LAFCO FILE NO. RO20-15

WHEREAS, on July 21, 2020, landowner Sunrise Gardens, LLC filed a 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 reorganization for the principal action to annex approximately 10.8 unincorporated acres to the City of San Marcos with a concurrent annexation to Vallecitos Water District for the provision of wastewater services; and

WHEREAS, the affected territory as proposed includes one unincorporated assessor parcels undeveloped and identified by the County of San Diego Assessor's Office as 228-312-10; and

WHEREAS, applicable master property tax transfer agreements apply to the proposed reorganization dated March 11, 1988, and December 2, 1982; and

WHEREAS, the Commission's Executive Officer has reviewed the proposed reorganization 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 December 7, 2020; 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 responsible agency for environmental review of the proposed reorganization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission's findings follow.

    a) The City of San Marcos serves as the lead agency for the reorganization proposal given it has primary responsibility to carry out the underlying activity to develop the affected territory and ancillary actions. This latter category includes annexation to San Marcos and Vallecitos WD and collectively represents the "project." San Marcos determined the project did not qualify for an exemption and proceeded to prepare an environmental impact report (EIR). A final EIR was certified at a noticed hearing held on June 23, 2020 and attests the project will have a significant and adverse impact on the environment in regard to transportation after all feasible mitigation measures are implemented. The City's EIR approval included a Statement of Overriding Considerations for transportation impacts (State Clearinghouse No. 2019049004). The Commission has independently reviewed the final EIR and adopts San Marcos' findings as a responsible agency for the reorganization.

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

    a) Annexation of the affected territory to the City of San Marcos as shown in "Exhibit A-1" and described in "Exhibit A-2."

    b) Annexation of the affected territory to the Vallecitos Water District as shown in "Exhibit B-1" and described in "Exhibit B-2."

5. The Commission CONDITIONS all approvals on the following terms being satisfied by December 7, 2021 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 Determination consistent with the findings in the resolution.

- A check made payable to the State Board of Equalization for processing fees in the amount of $500.00.

6. The Commission assigns the proposal the following short-term designation:

   "Sunrise – Barham Drive Reorganization"

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 Vallecitos Water District is a registered-voter district.

10. The Vallecitos Water District 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 City of San Marcos and the Vallecitos Water District as provided under Government Section 57328.

12. The effective date of the approval a 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 December 7, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**

Attest:

_____
Keene Simonds
Executive Officer

EXHIBIT A-1
MAP OF THE AFFECTED TERRITORY

-Placeholder-

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EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-

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EXHIBIT B-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: De-annex a 10.8 acre county of San Diego property located at 1223 E. Barham Dr. APN: 228-312-10-00 and annex it into the city of San Marcos, CA.

2. The reason(s) for the proposal are: The property is within the San Marcos sphere of influence, has no points of access from the county, only touches another county parcel at the southwest corner and is surrounded by San Marcos and Escondido land. The applicant is proposing to construct for-sale condominium homes on this property as part of a larger development that encompasses San Marcos parcel 228-312-09-00.

The Sunrise Gardens Project Owner, LLC, a Delaware limited liability company	
Proponent's Name (print)	Signature of proponent or representative
888 San Clemente Drive Suite 100	Newport Beach, CA 92660
Proponent's Address	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: 1. De-annexation from the county of San Diego
2. Annexing into the city of San Marcos, CA.

(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: _____

(d) The reason(s) for the proposal is/are: _____

(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. Lance M. Waite 888 San Clemente Drive Suite 100, Newport Beach, CA 92660
   Name of chief proponent (print) mailing address

2. _____
   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: N/A

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 _____ Print _____			
Sign _____ Print _____			
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 [signature]	228-312-10-00	7/16/2	
Print The Sunrise Gardens Project Owner, LLC, a Delaware limited liability company [illegible]			
Sign			
Print			
Sign			
Print			
Sign			
Print			
Sign			
Print			
Sign			
Print			

5d

AGENDA REPORT
Consent | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer

SUBJECT: **Progress Report on 2020-2021 Workplan**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a progress report on accomplishing the 26 specific projects in the adopted workplan for 2020-2021. This includes noting through two-fifths of the fiscal year more than four-fifths of all workplan projects have been initiated with four complete and three others nearing completion. The report is being presented to the Commission to receive and file as well as to provide related direction – including identifying possible amendments – for future consideration.

BACKGROUND

2020-2021 Workplan

San Diego LAFCO's current fiscal year workplan was adopted at a noticed public hearing held on May 4, 2020. The workplan includes 26 projects and divided into two distinct categories – statutory and administrative – with one of three priority rankings: high; moderate; or low. The Commission reserves discretion to amend the workplan during the fiscal year to address changes in priorities or resources as well as to continue projects into subsequent fiscal years.

Administration
Keene Simonds, Executive Officer
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San Diego, California 92123
T 858.614.7755 F 858.614.7766
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Jim Desmond
County of San Diego
Chair Dianne Jacob
County of San Diego
Greg Cox, Alternate
County of San Diego
Mary Casillas Salas
City of Chula Vista
Bill Wells
City of El Cajon
Paul McNamara, Alternate
City of Escondido
Mark Kersey
City of San Diego
Chris Cate, Alternate
City of San Diego
Jo MacKenzie
Vista Irrigation
Barry Willis
Alpine Fire Protection
Erin Lump, Alternate
Rincon del Diablo MWD
Vice Chair Andy Vanderlaan
General Public
Harry Mathis, Alternate
General Public

DISCUSSION

This item provides San Diego LAFCO with its regular update on the 26 targeted projects formally established for the fiscal year. This includes staff assigning one of four status categories to projects ranging from pending to complete and detailed in Attachment One. The item is being presented for the Commission to receive and file as well as provide general direction on listed projects. The item also provides the Commission the opportunity to discuss the merits of new projects and/or amendments for future consideration.

ANALYSIS

San Diego LAFCO is generally proceeding as planned with work having been initiated on 21 of the 26 projects through the first four months of the fiscal year. Four projects have already been completed and include an update to the Agricultural and Open Space Lands Policy and establishing social media presence on Facebook and Twitter. Three other projects are nearing their completion and include two municipal services reviews – Resources Conservation Districts and Poway Region – that are being presented to the Commission in draft form over the next two meetings. Other projects expected to be presented to the Commission in the immediate future include a policy update to Rule No. 4 and its provisions involving the categorization of special districts' service functions and classes.

RECOMMENDATION

It is recommended San Diego LAFCO receive and file the item with the invitation to discuss and/or provide related direction as needed. This recommendation would be accommodated by taking the actions outlined in the proceeding section as Alternative One.

ALTERNATIVES FOR ACTION

The following alternatives are available to San Diego LAFCO:

Alternative One (recommended):
Receive and file the item as presented.

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

Alternate Three:
Take no action.

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

Attachment:

1) 2020-2021 Workplan with Status Notations

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San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

2020-2021 Workplan

Introduction:

Local Agency Formation Commissions' (LAFCOs) operate under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2001 ("CKH") and are delegated regulatory and planning responsibilities by the Legislature to oversee the formation and subsequent development of local government agencies and their municipal service areas. Common regulatory functions include approving jurisdictional changes (annexations, detachments, etc.) and outside service requests. Common planning functions include preparing studies to independently evaluate the availability, performance, and need for municipal services and establishing and updating spheres of influence – which are the Legislature's version of urban growth boundaries and gatekeepers to future jurisdictional changes – for all cities and special districts. All regulatory and planning activities undertaken by LAFCOs may be conditioned and must be consistent with policies and procedures.

Objective:

This document represents San Diego LAFCO's ("Commission") formal 2020-2021 Workplan. The Workplan draws on the recommendations of the Executive Officer as vetted and approved by the Commission. The Workplan is divided into two distinct categories – statutory and administrative – with one of three priority rankings: high; moderate; or low. The underlying intent of the Workplan is to serve as a management tool to allocate Commission resources in a transparent manner over the 12-month period. Further, while it is a stand-alone document, the Workplan should be reviewed in relationship to the adopted operating budget given the planned goals and activities are facilitated and or limited accordingly. Additionally, and as needed, the Commission reserves discretion to amend the Workplan during the fiscal year to address changes in resources and or priorities and to carry-forward projects into subsequent years.

Executive Summary:

The 2020-2021 Workplan continues to guide the Commission to prioritize resources in addressing statutory duties and responsibilities. This includes continuing work on existing projects established – but not yet completed – from earlier fiscal years and marked by completing municipal service reviews for the Escondido, Vista, San Marcos, and Fallbrook-Rainbow regions. Several policy updates are also scheduled and include reviewing LAFCO's existing policies regarding the identification and authorization of special district service functions and classes. Other administrative projects filling the Analyst I/II position and securing a long-term office lease.

Priority	Level	Type	Project	Description and Key Issues	Status
Continual	...	Statutory	Applicant Proposals	LAFCO will prioritize resources to address proposals involving boundary changes and outside service requests and includes the following prominent proposals already on file or expected to be filed in 2020-2021: - Fallbrook PUD/Rainbow MWD/County Water Authority - Reorganization of CSA No. 135 into FPD - Fallbrook PUD Latent Powers Activation - Reorganization of Valley Center CSD into CSA - Harvest Hills (Escondido et al)	
Continual	...	Administrative	Targeted LAFCO Presentations	LAFCO will prioritize public outreach; emphasis on informing stakeholders ahead of MSR work	
1	High	Statutory	MSR | Fallbrook-Rainbow Region	Reviews of Fallbrook PUD, Rainbow MWD, San Luis Rey MWD, & North County FPD	In progress
2	High	Statutory	MSR | Escondido Region Part II	Review of the City of Escondido; follows completion of Part I (Rincon del Diablo MWD and Deer Springs FPD) in 2019-2020	In progress
3	High	Statutory	MSR | Resource Conservation Services	Countywide study on RCD services; reviews of Mission RCD, Upper San Luis Rey RCD, & Greater San Diego RCD	Near completion
4	High	Administrative	Policy Review | Ag and Open Space	Update existing policies and procedures involving ag and open space; incorporate stakeholder outreach (Farm Bureau, etc.)	**Completed**
5	High	Administrative	Policy Review | Rule No. 4	Update Rule No. 4 and its provisions guiding LAFCO's duty to identify and establish special districts' service functions and classes	In progress
6	High	Statutory	MSR | Poway Region	Review is specific to the City of Poway	Near completion
7	High	Statutory	MSR | San Marcos Region	Reviews of the City of San Marcos, San Marcos FPD, & Vallecitos WD	In progress
8	High	Statutory	MSR | Vista Region	Reviews of the City of Vista, Vista ID, Vista FPD, & Buena SD	In progress
9	High	Administrative	Analyst I/II Position	Perform recruitment and hire of a new Analyst I/II	**Completed**
10	High	Administrative	Office Space	Current lease for office space with County of San Diego expires in August 2020 with no extension options	In progress
11	Moderate	Statutory	MSR | Ramona Region	Review is specific to the Ramona MWD	Near completion
12	Moderate	Statutory	MSR | Pauma Valley Region	Reviews of Pauma MWD, Pauma CSD, Yuima MWD, Mootamai MWD, and Rincon Ranch CSD	Pending
13	Moderate	Administrative	Cities Advisory Committee	Staff and maintain feedback with Cities Advisory Committee and hold no less than two formal meetings in FY	In progress
14	Moderate	Administrative	Special Districts Advisory Committee	Staff and maintain feedback with Special Districts Advisory Committee and hold no less than three formal meetings in FY	In progress
15	Moderate	Administrative	Live-Streaming and On-Demand Video	Expand LAFCO's real-time accessibility to the public to include live streaming meetings with on demand accessibility	**Completed**
16	Moderate	Administrative	2019-2020 Audit	Coordinate outside consultant's review of financial statements for 2019-2020 and identify opportunities to improve accounting system	In progress
17	Moderate	Administrative	Policy Review | Study Schedule	Update study schedule calendaring municipal service reviews to reflect current progress and related observations	Pending
18	Moderate	Administrative	SANDAG	Re-establish regular participation in SANDAG's Technical Working Group (TWG)	In progress
19	Moderate	Administrative	State Groundwater Management Act	Prepare report on State Groundwater Management Act (SGMA) implementation in San Diego County relative to LAFCO duties/interests	In progress
20	Moderate	Administrative	CALAFCO	Participate in CALAFCO through the Board, Leg Committee, and Annual Workshop and Conference in FY	In progress
21	Low	Administrative	Application Procedures	Streamline existing application packet to be more user-friendly; address new statutory requirements	Pending
22	Low	Statutory	MSR | Oceanside and Carlsbad Region	Reviews of the Cities of Oceanside and Carlsbad as well as Carlsbad MWD and Morro Hills	In progress
23	Low	Statutory	MSR | Encinitas Region	Reviews of the City of Encinitas and Leucadia WWD, Olivenhain MWD, & San Dieguito WD	Pending
24	Low	Administrative	SOI/MSR Annual Report	Prepare annual report to serve as living record of all sphere actions in San Diego County	Pending
25	Low	Administrative	Local Agency Directory	Create user-friendly publication identifying and summarizing local governmental agencies subject to LAFCO oversight	In progress
26	Low	Administrative	Social Media	Establish social media presence as a new communication forum	**Completed**

5e

AGENDA REPORT
Consent | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer

SUBJECT: **Authorize Holiday Office Closures**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider an Executive Officer recommendation to authorize office closures on Thursday, December 24th and Thursday, December 31st. Staff would take compensatory time-off should the closures be approved.

BACKGROUND

San Diego LAFCO's adopted policy specifies the Commission shall maintain regular business hours between 8:00 a.m. to 5:00 p.m. Monday through Friday less any holidays observed by the County of San Diego. All other office closures require Commission approval.

DISCUSSION

This item is for San Diego LAFCO to consider approving the closure of the office for a portion of the upcoming holiday season to include Christmas and New Year's Eve on December 24th and December 31st, respectively.

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Mark Kersey, City of San Diego
Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

ANALYSIS

The requested action is consistent with San Diego LAFCO practice and would extend the Christmas and New Year holiday breaks for all employees and provide two consecutive four-day weekends. Approval would separately produce cost-savings by staff using their compensatory balances during a period when minimal business activity is typically transacted.

RECOMMENDATION

It is recommended San Diego LAFCO approve holiday office closures for December 24th and December 31st. This action is provided as Alternative Action One in the proceeding section.

ALTERNATIVES FOR ACTION

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

Alternative One (recommended):
Authorize the LAFCO office to be closed on the following dates in 2020:

- Thursday, December 24th
- Thursday, December 31st

Alternative Two:
Take no action.

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

Attachment: none

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AGENDA REPORT
Consent | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer

SUBJECT: **Approval of Meeting Calendar and Direction on Virtual Attendance**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider approving a meeting schedule for the 2021 calendar year to include each month except for July and September. Direction is also recommended for the Commission to confirm and continue to hold virtual meetings by videoconference for the upcoming calendar year so long as it complies with social distancing orders by Governor Newsom.

BACKGROUND

Policy and Practice

San Diego LAFCO's adopted policy specifies the Commission shall hold regular meetings every month on the first Monday unless provided otherwise due to holidays and/or anticipated lack of business. The policy also provides all regular meetings of the Commission be held at 9:00 a.m. in the County of San Diego Administration Center at 1600 Pacific Highway, Room 302 in San Diego. It is also the practice of the Commission to review its upcoming workload each December and formally approve a meeting schedule for the upcoming calendar year. Special meetings are also scheduled by practice either in advance by the Commission as part of the annual calendar or as needed through the Chair.

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Harry Mathis, Alternate, General Public

In April 2020, and with the concurrence of the Chair, the Executive Officer transitioned Commission meetings to virtual attendance by videoconferencing due to COVID-19. The transition to virtual meetings complies with Governor Newsom's Order No. 29-20 and suspension therein of in-person meeting requirements due to COVID-19. The transition utilizes a restricted Zoom virtual meeting room and paired with online streaming. This latter feature allows members of the public to view and submit e-mail comments in real time.

DISCUSSION

This item is for San Diego LAFCO to consider approving a meeting schedule for the upcoming calendar year. This includes considering anticipated workload and needs therein for scheduling regular and/or special meetings over the next 12-month period. This item also provides the Commission the opportunity to provide direction to staff with respect to its preferences in either continuing virtual attendance or returning to in-person attendance.

ANALYSIS

San Diego LAFCO's adopted workplan coupled with current and expected proposal activities suggests it would be appropriate to schedule regular meetings for each month in 2021 except for July and September given the first Mondays fall on holidays (Independence and Labor Days, respectively). Pertinently, and as an alternative to rescheduling to other dates due to the holidays, allowing for these two "dark" months provides staff the opportunity to focus on scheduled municipal service reviews and other workplan projects that are time-intensive. No special meetings are proposed at this time. Staff separately believes it would be appropriate to continue to hold virtual meetings going forward into 2021 so long as it remains permissible by the Governor and/or State statute and deemed constructive by the Commission. However, if the Commission prefers otherwise, consideration should be given to what measures should be enacted in returning to in-person meetings for the safety of LAFCO members and the public.

RECOMMENDATION

It is recommended San Diego LAFCO schedule regular meetings for each month in 2021 except for February and July as well as provide formal direction to continue virtual attendance unless otherwise stated. This recommendation is consistent with Alternative Action One in the proceeding section.

ALTERNATIVES FOR ACTION

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

Alternative One (recommended):

(a) Approve regular meetings on the following dates in 2021:

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

(b) Direct staff to continue to schedule all regular meetings in 2021 by virtual attendance so long as it is legally permissible or specify otherwise.

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

PROCEDURES

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

Respectfully,



Keene Simonds
Executive Officer

Attachments: none

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AGENDA REPORT
Consent | Information

December 7, 2020

TO: Commissioners

FROM: Robert Barry, Chief Policy Analyst
Linda Heckenkamp, Analyst II
Priscilla Allen, Analyst I

SUBJECT: **Active Proposals and Related Activities**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report on active proposals on file with the Commission as well as a summary of anticipated submittals based on ongoing discussions with local agencies. The item is for information and concurrently satisfies LAFCO's reporting requirement to affected agencies for notification of proposal filings made by landowner or registered voter petitions.

BACKGROUND

Processing Procedures and Timelines

LAFCO proceedings for consideration of proposed changes of organization or reorganizations – which typically involves annexations, detachments, and service function activations or divestures – are generally initiated by outside applicants (subject landowners or registered voters, and/or local affected agencies). LAFCOs may also initiate proposals specific to forming, consolidating, or dissolving special districts if consistent with the recommendations of approved municipal service reviews. LAFCO staff proceeds with administrative reviews and within 30 days provides status letters to applicants advising what – if any – additional

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information is needed. Once deemed complete, proposals are scheduled for Commission consideration and placed on the agenda as consent, business, or hearing items based on noticing requirements.[1] Overall, most proposals are forwarded to the Commission within six months from the date of submittal.

DISCUSSION

This item is being presented for information only and identifies all active proposals currently on file with San Diego LAFCO. The report also – and for telegraphing purposes of future workload – identifies pending proposals staff anticipates being submitted with LAFCO in the near term based on discussions with local agencies. The information item also serves to concurrently satisfy the Commission's reporting requirement to provide notice on agendas to affected special districts when proposed annexation applications are initiated by landowner or registered voter petitions.[2] A summary of active and pending proposal applications follow and detailed in Attachment One.

Active Proposals

There are 31 proposals currently active and undergoing processing with San Diego LAFCO as of date. Current processing stages range from pre-Commission action (22) to post-Commission action (9) with the latter category representing items already approved but awaiting the completion of conducting authority proceedings (i.e. protest) or terms. The former category – pre-Commission action – also includes one new proposal filing since the last meeting in November and is identified below.

- "Chinese Bible Church Change of Organization"
  - Annexation to the Rancho Santa Fe Community Services District

Pending Agency Proposals

There are four substantive agency proposals staff anticipates being submitted to San Diego LAFCO in the near future.[3] These four pending proposals are currently under local agency consideration with respect to development entitlements and environmental review. Three of these pending proposals would involve city annexations in North County to accommodate relatively large residential subdivision projects and involve Harvest Hills (Escondido), Sager Ranch (Escondido), and Rancho Lomas Verdes (Vista).

[1] The Executive Officer may also place proposals otherwise meriting consent on the business calendar to solicit additional review and discussion if warranted. Separately, applications involving outside-of-agency service extension requests follow separate proceedings and may be administratively approved by the Executive Officer if addressing documented public health or safety threats.

[2] Government Code Section 56857 directs LAFCOs to provide notice on agendas of any proposal involving special districts that have been initiated by landowners or registered voters. The agenda notification starts a 60-day period in which the affected special districts may request termination of the proceedings due to financial or service-related concerns.

[3] Staff uses discretion in listing pending proposals and limits notice to only activities to be initiated by a local governmental agency. Pending proposals to be initiated by landowners and/or registered voters are not disclosed until an actual filing is made.

ANALYSIS

San Diego LAFCO remains active in processing nearly three dozen proposals with the majority awaiting consideration by the Commission. Most active proposals have been initiated by landowners and involve single lots in the unincorporated area subject to tentative development approvals and as such require annexations to water and/or wastewater providers. Notable exceptions include two contested reorganization proposals separately filed by Rainbow Municipal Water District and Fallbrook Public Utility District to detach from the San Diego County Water Authority and annex to Eastern Municipal Water District. An update on these latter proposals is separately scheduled in the agenda.

RECOMMENDATION

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

ALTERNATIVES FOR ACTION

This item is being presented for information only; no action is necessary.

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 staff,



Priscilla Allen
Analyst I

Attachment:

1) Active and Pending Proposal Applications as of November 30, 2020

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	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) San Marcos FPD (Detachment) County Service Area No. 135 (Communications) (Detachment)	Robert Barry	Application submitted in March 2006 proposing a reorganization with the principal action involving an annexation to the City of Escondido. The proposal also involves concurrent detachment from the San Marcos FPD and CSA No. 135 (Communications). The affected territories include two parcels (1) is approximately .56 acres and (2) is approximately .45 acres and both lie within City of Escondido. The primary proposal purpose is to make available permanent public wastewater service to two existing single-family residences and in doing so replace out-of-agency service agreements previously approved by LAFCO to remedy failing septic systems. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicants in April 2008. A more recent status letter was sent to the applicants and subject agencies in January 2018 stating the proposal will be considered abandoned unless otherwise notified. Responses from two of the six landowners were received expressing interest in proceeding forward with the proposal and are working with the City of Escondido in coordinating next steps.
2	RO08-09	"South Mollison Ave-Snyder Reorganization" - City of El Cajon (Annexation) - CSA No, 135 (Communications) (Detachment) - San Miguel Consolidated FPD (Detachment)	Robert Barry	Application submitted in May 2008 proposing a reorganization with the principal action involving an annexation to the City of El Cajon. The proposal also involves concurrent detachments from CSAS No. 135 (Communications) and the San Miguel Consolidated FPD. The affected territory includes approximately 1.25 unincorporated acres in the Valle de Oro community. The proposal purpose is to facilitate multi-family residential project. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in June 2008. A more recent status letter was sent to the applicant and subject agencies in January 2018 stating the proposal will be considered abandoned unless otherwise notified. No response received to date. (Expected abandonment subject to pending policy authorization.)
3	DA08-10	"Avocado Way-Potter Annexation" - Vallecitos WD (Annexation)	Robert Barry	Application submitted in March 2008 for a proposed annexation to Vallecitos WD. The affected territory involves one unincorporated parcel developed with one single-family residence and one accessory dwelling unit totaling approximately 0.93 acre in the unincorporated North County Metro Community Planning Area between the Cities of San Marcos and Escondido. The proposal purpose is to extend wastewater service for the two existing residences along Avocado Way. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in April 2008. A more recent status letter was sent to the applicant and subject agency in January 2018 stating the proposal will be considered abandoned unless otherwise notified. The current property owners responded and conveyed their interest to proceed with the annexation and have restarted discussions with Vallecitos WD.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
4	RO08-15 SA08-15	"Crestlake Estates Reorganization" - San Diego County SD (Annexation) - CSA 69 (Annexation)	Robert Barry	Application submitted in May 2008 proposing a reorganization with the principal action involving an annexation to the San Diego County Sanitation District. The proposal also involves a concurrent annexation to County Service Area No. 69 (Heartland Ambulance). The proposal purpose is to facilitate a 60-lot single-family residential subdivision. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in June 2008. A more recent status letter was sent to the applicant and subject agencies in February 2018 stating the proposal will be considered abandoned unless otherwise notified. No response received to date. (Expected abandonment subject to pending policy authorization.)
5	DA12-02	"Lorch Annexation" - Borrego WD (Annexation)	Robert Barry	Application submitted in March 2012 proposing annexation to the Borrego Water District. The affected territory includes approximately 9.4 acres in the unincorporated community of Borrego Springs. The proposal purpose is to provide domestic water service for development of a new single-family residence. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in April 2012. A more recent status letter was sent to the applicant and subject agency in January 2018 stating the proposal will be considered abandoned unless otherwise notified. The current property owners responded and conveyed their interest to proceed with the annexation and have restarted discussions with Borrego WD.
6	DA16-10	"CSA 17 Harmony Grove Annexation" - CSA 17 (Annexation)	Linda Heckenkamp	Application submitted in May 2016 proposing an annexation to County Service Area (CSA) No. 17 and the provision of ambulance service. The affected territory involves approximately 3,600 acres and lies within the unincorporated communities of Harmony Grove and Eden Hills. The proposal purpose is to satisfy an earlier condition of the Commission and associated dissolution of CSA No. 107 as part of the "Rancho Santa Fe FPD Reorganization." The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicants in June 2016. A more recent status letter was sent to the applicants and subject agency in January 2018 stating the proposal will be considered abandoned unless otherwise notified. The County responded within interest to continue with the proposal pending support from a local advisory committee and completion of a property tax exchange agreement.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
7	RO16-11	"Rancho Hills Reorganization" - Rancho Santa Fe CSD (Annexation) - Olivenhain MWD (Latent Power Expansion)	Robert Barry	Application submitted in October 2016 proposing reorganization with the principal action to annex to the Rancho Santa Fe CSD for wastewater services. A secondary action to expand Olivenhain MWD's latent power involving wastewater is also needed. The affected territory involves approximately 110.0 acres in the unincorporated San Dieguito Community Planning Arera. The proposal purpose is to extend wastewater service to facilitate the development of a 37-lot single-family residential subdivision within most of the site. (The remainder of the site would be served by Olivenhain MWD.) The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in November 2016. The applicant responded and requested the proposal be placed on hold. Staff has remained in contact with the applicant and is awaiting their confirmation to proceed.
8	Ro19-04	"Ortega – Olde Highway 80 Change of Organization" - San Diego County Sanitation District (Annexation)	Linda Heckenkamp	Application submitted in February 2019 proposing annexation to the San Diego County Sanitation District. The affected territory includes approximately 5.1 acres and lies within the unincorporated community of Lakeside. The purpose of the proposal is to extend wastewater service and facilitate the development of an office/warehouse building. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in March 2019 and August 2020. Contact with the applicant continues with no hearing date currently scheduled.
9	SA19-26 RO19-26 OAS19-26	"Valiano - Eden Hills Reorganization" - City of Escondido (Sphere, OSA) - San Marcos FPD (Annexation) - Rancho Santa Fe FPD (Sphere and Detachment)	Robert Barry	Application submitted in November 2019 proposing reorganization with the principal action involving an out-of-agency wastewater service agreement with City of Escondido. Secondary actions are also proposed to annex into San Marcos FPD and detach from Rancho Santa Fe FPD. Sphere amendments are also required to accommodate the reorganization. The affected territory includes approximately 82.9 acres and lies within the unincorporated community of Eden Valley west of Escondido and primarily within the City sphere of influence. The proposal purpose is to extend wastewater service as well as realign fire protection services to facilitate the development of the affected unincorporated territory into a planned 326-lot single-family residential subdivision. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in November 2019. Contact with the applicant continues with no hearing date currently scheduled.
10	LP(E)19-27	"Fallbrook Public Utility District Latent Power Expansion Park & Rec et,al."	Robert Barry	Application submitted in November 2019 seeking approval to activate Fallbrook PUD's latent power to exercise park and recreation, street lighting, and roads and street functions. The affected territory includes 28,160 acres and covers the entire Fallbrook PUD jurisdictional boundary. The proposal purpose is to align Fallbrook PUD's service function powers with community interest, and this includes supporting beautification projects throughout the District. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in December 2019. Contact with the applicant continues with no hearing date currently scheduled.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
11	RO20-04	"Rainbow MWD – Eastern MWD Reorganization" – San Diego County Water Authority (detachment) – Eastern Municipal Water District (annexation)	Robert Barry	Application submitted in April 2020 proposing reorganization with the principal action to detach Rainbow MWD from the San Diego County Water Authority. A concurrent annexation to Eastern MWD is also proposed. Sphere amendments would also be required. The affected territory is approximately 51,200 and includes the entire Rainbow MWD jurisdictional boundary. The purpose of the proposal is to transition wholesale water supplies from San Diego County Water Authority to Eastern MWD. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in April 2020. Contact with the applicant continues and a 10-member Ad Hoc Committee has been established by the Commission to assist in the administrative review, which is being jointly processed with a similar filing made by Fallbrook PUD. No hearing date has been scheduled.
12	RO20-05	"Fallbrook PUD – Eastern MWD Reorganization" – San Diego County Water Authority (detachment) – Eastern Municipal Water District (annexation)	Robert Barry	Application submitted in April 2020 proposing reorganization with the principal action to detach Fallbrook PUD from the San Diego County Water Authority. A concurrent annexation to Eastern MWD is also proposed. Sphere amendments would also be required. The affected territory is approximately 28,000 acres and includes the entire Fallbrook PUD jurisdictional boundary. The purpose of the proposal is to transition wholesale water supplies from San Diego County Water Authority to Eastern MWD. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in May 2020. Contact with the applicant continues and a 10-member Ad Hoc Committee has been established by the Commission to assist in the administrative review, which is being jointly processed with a similar filing made by Rainbow MWD. No hearing date has been scheduled.
13	SA20-09 OAS20-09	"Mercurio – Grossmont Boulevard Out-of-Agency Wastewater Contractual Service Agreement" - City of La Mesa (Annexation)	Robert Barry	Application submitted in June 2020 and involves an out-of-agency contractual wastewater service agreement with the City of La Mesa. A sphere amendment is also required. The affected territory includes approximately 0.9 acres and lies within the unincorporated community of Valle De Oro. The proposal purpose is to extend public wastewater to an existing single-family residence and in doing so facilitate an intensity improvement involving an accessory dwelling unit. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in June 2020. The applicant has subsequently completed the application and the item is scheduled for Commission consideration at the January 2021 meeting.
14	RO20-10	"Meadowood Reorganization" - Rainbow Municipal Water District (Annexation) - Valley Center Municipal Water District (Detachment)	Robert Barry	Application submitted in June 2020 proposing reorganization with the principal action involving annexation to the Rainbow MWD. A concurrent detachment is also proposed involving Valley Center MWD. Sphere amendments are also required. The affected territory includes approximately 374.7 acres and lies within the unincorporated community of Fallbrook. The proposal purpose is to realign water and wastewater services in step with facilitating the planned development of 844-unit mix residential subdivision. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in June 2020. Contact continues with no hearing date currently scheduled.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
15	RO20-12	"Ortiz – Olive Avenue Reorganization" - City of Vista (Annexation) - Vista Fire Protection District (Detachment)	Linda Heckenkamp	Application submitted in June 2020 proposing reorganization with the principal action involving annexation to the City of Vista. A secondary action to detach from the Vista FPD is also proposed. The affected territory includes approximately 4.9 acres and lies within the unincorporated North County Metro Community Planning Area. The proposal purpose is to extend public wastewater service to the affected territory and in doing so facilitate the planned development of a 15-lot residential subdivision. The proposal was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in July 2020. The applicant has subsequently completed the application and the item is scheduled for Commission consideration at the December 2020 meeting.
16	RO20-15	"Sunrise-Barham Drive Reorganization" - City of San Marcos (Annexation) - Vallecitos Water District (Annexation)	Robert Barry	Application submitted in July 2020 proposing reorganization to annex to both the City of San Marcos and Vallecitos Water District. The affected territory includes approximately 14.4 acres and lies within the unincorporated North County Metro Community Planning Area between the Cities of San Marcos and Escondido. The proposal purpose is to extend public wastewater service to the affected territory and in doing so facilitate the planned development of a 192-unit mix residential subdivision. The proposal was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in August 2020. The applicant has subsequently completed the application and the item is scheduled for Commission consideration at the December 2020 meeting.
17	RO20-17	"Papp-Olive Street Reorganization" - Vallecitos Water District (Annexation) - Vista Irrigation District (Detachment)	Robert Barry	Application submitted in August 2020 proposing reorganization with the principal action involving annexation to the Vallecitos Water District. A concurrent detachment is also proposed involving Vista Irrigation District. The affected territory includes two vacant parcels totaling approximately 2.31 acres and lies within the City of San Marcos near the intersection of Olive Street and Sycamore Drive. The proposal purpose is to extend both public water and wastewater service to facilitate development of one single-family residence on each parcel. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in August 2020. Contact continues with no hearing date currently scheduled.
18	RO20-18	"Plumosa Avenue Reorganization" - City of Vista (Annexation) - Vista Fire Protection District (Detachment)	Linda Heckenkamp	Application submitted in September 2020 proposing reorganization with the principal action involving annexation to the City of Vista. A concurrent detachment is also proposed involving Vista FPD. The affected territory includes approximately 0.7 acres and lies within the unincorporated North County Metro Community Planning Area. The proposal purpose is to extend public wastewater service to an existing single-family residence. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in October 2020. Contact continues with no hearing date currently scheduled.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
19	RO20-19	"Lakeside Water District – Riverford Road Reorganization" - Lakeside Water District (Annexation) - Padre Dam Municipal Water District (Detachment)	Robert Barry	Application submitted in September 2020 proposing reorganization with the principal action involving annexation to the Lakeside Water District. A concurrent detachment is also proposed from the Padre Dam MWD. The affected territory is approximately 5.0 acres and located within the unincorporated community of Lakeside. The proposal purpose is to accommodate the construction of a new groundwater treatment facility by Lakeside Water District. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in October 2020. Contact continues with the applicant with no hearing date currently scheduled.
20	CO20-20 OAS20-20	"Estrada – Veijas View Place Change of Organization" - San Diego County Sanitation District (Annexation)	Linda Heckenkamp	Application submitted in September 2020 proposing annexation to the San Diego County Sanitation District. The affected territory is approximately 15.0 acres and located within the unincorporated community of Alpine. The proposal purpose is to extend public wastewater service to an existing single-family residence and in doing so replace an aging septic system. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in October 2020. Contact continues with the applicant with no hearing date currently scheduled.
21	RO20-21	"Rancho Corrido RV Park Reorganization" - Yuima Municipal Water District (Annexation) - San Diego County Water Authority (Annexation) - Metropolitan Water District (Annexation)	Robert Barry	Application submitted in September 2020 proposing reorganization with the principal action involving annexation to the Yuima MWD. Concurrent annexations are also proposed to the San Diego County Water Authority and Metropolitan Water District of Southern California. Sphere amendments are also required. The affected territory is approximately 31.0 acres and located within the unincorporated community of Pauma Valley. The proposal purpose is to extend public water services to the affected territory and support existing development consisting of 20 mobile homes, 80 time-limited recreational vehicle (RV) spaces, and 20 RV spaces with 90-day time limits. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in October 2020. Contact continues with the applicant with no hearing date currently scheduled.
22	CO20-22	"Chinese Bible Church Change of Organization" - Rancho Santa Fe CSD (Annexation)	Robert Barry	Application submitted in November 2020 proposing annexation to the Rancho Santa Fe CSD. The affected territory is approximately 9.1 acres and located within the unincorporated San Dieguito Community Planning Area. The proposal purpose is to extend public wastewater service and facilitate the development of a planned religious facility. The application was deemed incomplete as part of a preliminary review with an accompanying status letter issued to the applicant in December 2020. Contact continues with the applicant with no hearing date currently scheduled.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
ACTIVE PROPOSALS | POST COMMISSION ACTION				
23	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)	Robert Barry	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.
24	SA18-07 OAS18-07	"Carmichael Drive – Wyman Service Agreement" - City of La Mesa (Sphere Amendment, OAS)	Robert Barry	Proposal involves an outside-of-agency contractual wastewater service agreement between the property owner and the City of La Mesa. OAS covers extension of City wastewater sewer service to one existing unincorporated single-family residence located outside of the La Mesa sphere of influence. The purpose of the OAS is to allow the landowner to proceed with an intensity improvement to develop an accessory workshop unit, which exceeds the permitted capacity of the existing onsite septic system. The proposal was approved by the Commission on April 8, 2018 and is now pending recordation once all terms are satisfied.
25	RO19-15 OAS19-15	"Hamilton-Felicita Reorganization" - City of Escondido (Annexation) - CSA No. 135 (Detachment) - Rincon del Diablo MWD (ID"E") (Exclusion)	Linda Heckenkamp	Proposal application submitted in August 2019 by landowner petition requesting reorganization with the City of Escondido of two unincorporated parcels totaling approximately 0.63 acres and each developed with one single-family residence. Both residences provided documentation of failing/failed septic systems. Emergency OAS agreements for wastewater were granted to resolve the health and emergency situation in advance of annexation to Escondido. Reorganization with Escondido also required concurrent detachment from CSA No. 135 (Regional Communications) and exclusion from RDDMWD ID"E." The proposal was approved by the Commission on June 1st, 2020 and is now pending recordation once all terms are satisfied.
26	CO20-06	"County Service Area No. 137 - Live Oak Springs Formation" - Formation of County Service Area No.137 (Live Oak Springs Water)	Linda Heckenkamp	Proposal application submitted April 2020 by resolution of the County of San Diego. Involves formation of County Service Area No. 137 to assume retail water service responsibility for a failing private water company located in the unincorporated community of Live Oak Springs in the southeastern portion of unincorporated San Diego County. The affected territory includes approximately 151.5 acres. The proposal was approved by the Commission on June 1st, 2020 with a protest hearing held on July 2nd and now pending recordation once all terms are satisfied.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
27	CO20-07	"Schirber – Hymettus Avenue Change of Organization" - Leucadia Wastewater District (Annexation)	Linda Heckenkamp	Application submitted in April 2020 by resolution from Leucadia WWD and involves annexation of approximately 1.69 acres for connection to public wastewater service to facilitate intensity improvement. \ The proposal was approved by the Commission on October 5, 2020 and now pending recordation once all terms are satisfied.
28	CO20-08	"Fuerte Ranch Estates Change of Organization" - San Diego County Sanitation District (Annexation)	Robert Barry	Application submitted in May 2020 by landowner petition and involves annexation of approximately 27.3 acres to San Diego County Sanitation District to facilitate the development of 36 single-family homes. The submitted proposal application is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis. The proposal was approved by the Commission on November 2, 2020 and now pending recordation once all terms are satisfied.
29	RO20-11	"Lindauer – Olive Street Reorganization" - Vallecitos Water District (Annexation) - Vista Irrigation District (Detachment)	Robert Barry	Application submitted in June 2020 by landowner petition and involves annexation of approximately 4.0 acres for water and wastewater service. The affected territory is developed with a single-family residence experiencing a failing well for domestic water uses. The submitted proposal application is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis. The proposal was approved by the Commission on November 2, 2020 and now pending recordation once all terms are satisfied.
30	RO20-13	"Valley Center Community Services District -County Service Area No. 138 Reorganization" - Valley Center Community Services District (Dissolution) - County Service Area No. 138 (Formation)	Linda Heckenkamp	Application submitted in June 2020 by resolution and involves the concurrent dissolution of Valley Center Community Services District and formation of County Service Area No. 138 to assume park and recreation services. The submitted proposal application is incomplete and pending receipt of additional documentation and information from the applicant to complete staff's analysis. The proposal was approved by the Commission on November 2, 2020 and now pending recordation once all terms are satisfied.
31	RO20-14	"SD County Fire Protection District Reorganization" - County Service Are No. 135 (Divestiture of Fire Protection and EMS Functions) - San Diego County Fire Protection District (Formation)	Robert Barry	Application submitted June 2020 by resolution of the County Board of Supervisors. Involving the divesture of latent powers for fire protection and emergency medical service functions of County Service Area No. 135 and the concurrent formation of a dependent San Diego County Fire Protection District within the divestiture territory. The proposal was approved by the Commission on October 5, 2020 and now pending recordation once all terms are satisfied.

	File Number	Proposal Name | Affected Agencies	Project Manager	Proposal Summary
	PENDING PROPOSAL APPLICATION SUBMITTALS (No project manager; inquiries should be direct to Robert Barry)			
32	Pending	"Harvest Hills Reorganization" - City of Escondido		This anticipated reorganization proposal is currently undergoing development and environmental review by the City of Escondido. Submittal to LAFCO anticipated for late 2020-2021. 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 of the affected territory 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 issues have been communicated to the City and are currently under joint review with other stakeholders. Project was originally titled as "Safari Highlands."
33	Pending	"Rancho Lomas Verde Reorganization" - City of Vista		This anticipated reorganization proposal is undergoing development and environmental review by the City of Vista. The anticipated 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 issues have been communicated to the City and are currently under joint review with other stakeholders.
34	Pending	"Sager Ranch Reorganization" - City of Escondido		This anticipated reorganization involves annexation of approximate 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 lies outside the current City 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 issues have been communicated to the City and are currently under joint review with other stakeholders.
35	Pending	Harmony Grove Village South (TM-626)		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, the San Diego Superior Court overturned the County development approvals for the project.

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AGENDA REPORT
Consent | Information

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Tamaron Luckett, Commission Clerk

SUBJECT: **Noticing of Expiring Commissioner Terms**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report identifying membership terms set to expire and/or become vacated in 2021. The report is being presented to the Commission for information only.

BACKGROUND

State law prescribes the composition of San Diego LAFCO shall include 13 Commissioners divided between eight "regular" and five "alternate" members. Members are drawn from five membership categories as detailed below.

- Three "county" members are appointed by the County of San Diego Board of Supervisors and divided by two regulars and one alternate. All three county members must be on the Board and can be selected from any of the supervisorial districts.

- Three "city" members are appointed by the City Selection Committee (mayors) and divided by two regulars and one alternate. All three city members must be on city

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Chair Dianne Jacob, County of San Diego
Greg Cox, Alternate, County of San Diego
Mary Casillas Salas, City of Chula Vista
Bill Wells, City of El Cajon
Paul McNamara, Alternate, City of Escondido
Mark Kersey, City of San Diego
Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

councils of 17 of the 18 incorporated communities. The City of San Diego is excluded from this category and provided separate appointments to the Commission.

- Two "San Diego" members are appointed by the City of San Diego Council through special legislation in LAFCO statute and divided by a regular and alternate. Both members be on the Council and can be selected from any of the council districts.

- Three "district" members are elected by the Independent Special District Committee (board presidents) and divided by two regulars and one alternate. All three district members must be board members on independent special districts.

- Two "public" members are appointed by the other four membership categories on the Commission and divided by a regular and alternate. The two public members must be residents in San Diego County and cannot be officers or employees of local agencies.

All Commission seats are four-year terms that commence on the first Monday of May in the applicable year.[1] Terms go with the seat and not the member. Accordingly, if a Commissioner leaves LAFCO early for any reason, the successor appointee assumes the unexpired term.

DISCUSSION

This item is being presented for information only and identifies the four terms on San Diego LAFCO that are set to end on May 3, 2021, and as such require new appointments and/or reappointments under State law. These four expiring terms are listed below.

Regular Members	Alternate Members
Mark Kersey, City of San Diego	Chris Cate, City of San Diego
Andrew Vanderlaan, Public	
Bill Wells, City	

Relatedly, Commissioner Kersey's expiring term will become vacant at the start of the calendar year due to term limits on the City of San Diego City Council. (This will produce the need in statute for an interim appointment for Commissioner Kersey covering the remaining four months of his current term.) Similarly, two other seats will become vacated at the start of the calendar year and involve a regular and alternate seat assigned to the County of San Diego and Commissioners Jacob and Cox, respectively, with terms extending to 2024.

A complete listing of all Commissioner terms is provided as Attachment One.

[1] Reference to Government Code Section 56334.

ANALYSIS

San Diego LAFCO is poised to continue its recent turnover with the potential of up to six Commissioner seats changing in 2021. This includes three seats that are certain to change in January 2021 due to office leaves involving Commissioners Jacob (County), Kersey (San Diego) and Cox (County Alternate). A fourth seat is also probable to change involving Commissioner Wells (City) given the City Selection Committee's own adopted policies to regularly rotate appointments among the four municipal regions (east, south, north, and coastal). A separate agenda item will address a fifth seat and options therein involving the expiring term of the current public member (Vanderlaan).

RECOMMENDATION

This item is presented to San Diego LAFCO for information only. It is recommended the Commission review the report with the invitation to discuss and ask questions of staff.

ALTERNATIVES FOR ACTION

This item is being presented for information only; no action.

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 staff,

Tamaron Luckett
Commission Clerk

Attachment:

1) Commissioner Terms

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GENERAL DISTRIBUTION
SAN DIEGO LAFCO COMMISSIONER ROSTER

OFFICERS 2020 **CHAIRWOMAN: DIANNE JACOB**
VICE CHAIRMAN: ANDY VANDERLAAN

	REGULAR MEMBERS			ALTERNATE MEMBERS	
	County Representatives			County Alternate	
*	**Supervisor Jim Desmond** 1600 Pacific Hwy., Room 335 San Diego, CA 92101 (619) 531-5555	05/23	*	**Supervisor Greg Cox** 1600 Pacific Hwy., Room 335 San Diego, CA 92101 (619) 531-5511	05/24
*	**Supervisor Dianne Jacob** 1600 Pacific Hwy., Room 335 San Diego, CA 92101 (619) 531-5522	05/24			
	City Representatives			City Alternate	
	Mayor Mary Casillas Salas City of Chula Vista 276 Fourth Avenue Chula Vista, CA 91910 (619) 409-5931	05/23		**Mayor Paul McNamara** City of Escondido 201 North Broadway Escondido, CA 92025-2798 (760) 839-4610	05/23
	Mayor Bill Wells City of El Cajon 200 Civic Center Way El Cajon, CA 92020-3916 (619) 441-1716	05/21			
	City of San Diego Representatives			City of San Diego Alternate	
*	**Councilmember Mark Kersey** 202 C Street, MS 10A San Diego, CA 92101 (619) 236-6655	05/21	*	**Councilmember Chris Cate** 202 C Street, MS 10A San Diego, CA 92101 (619) 236-6616	05/21
	Special Districts Representatives			Special Districts Alternate	
	Jo Mackenzie Vista Irrigation District 1391 Engineer St Vista, CA 92083 (619) 597-3100	05/24		**Erin Lump** Rincon del Diablo Municipal Water District 1920 North Iris Lane Escondido, CA 92026-1399 (760) 745-5522	05/23
	Baron "Barry" T. Willis Alpine Fire Protection District 1364 Tavern Road Alpine, CA 91901 (619) 445-2635	05/23			
	Public-at-Large Representatives			Public-at-Large Alternate	
	Andrew Vanderlaan 9335 Hazard Way, Suite 200 San Diego, CA 92123 (858) 614-7755	05/21		**Harry Mathis** 9335 Hazard Way, Suite 200 San Diego, CA 92123 (858) 614-7755	05/23

***** = Appointment reviewed annually by appointing authority.

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AGENDA REPORT
Public Hearing

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Linda Heckenkamp, Analyst II

SUBJECT: **Proposed "Ortiz – Olive Avenue Reorganization" | Annexation to the City of Vista with Concurrent Detachment from the Vista Fire Protection District and Conforming Sphere of Influence Amendment (RO20-12 et al.)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization proposal filed by an interested landowner with the principal action to annex approximately 5.0 acres of unincorporated territory to the City of Vista. A concurrent detachment from the Vista Fire Protection District (FPD) is also proposed. The proposal purpose is to facilitate the planned development of a 15-lot residential subdivision. Staff recommends approval of the proposed reorganization without modifications as well as a conforming sphere of influence amendment involving Vista FPD. Standard approval terms along with waiving protest proceedings are also recommended.

BACKGROUND

Applicant Request

San Diego LAFCO has received a reorganization proposal from an interested landowner - Steve Ortiz - requesting approval to reorganize approximately 5.0 acres of unincorporated territory with the principal action to annex to the City of Vista. A concurrent detachment from Vista FPD is also proposed. The affected territory as submitted comprises one

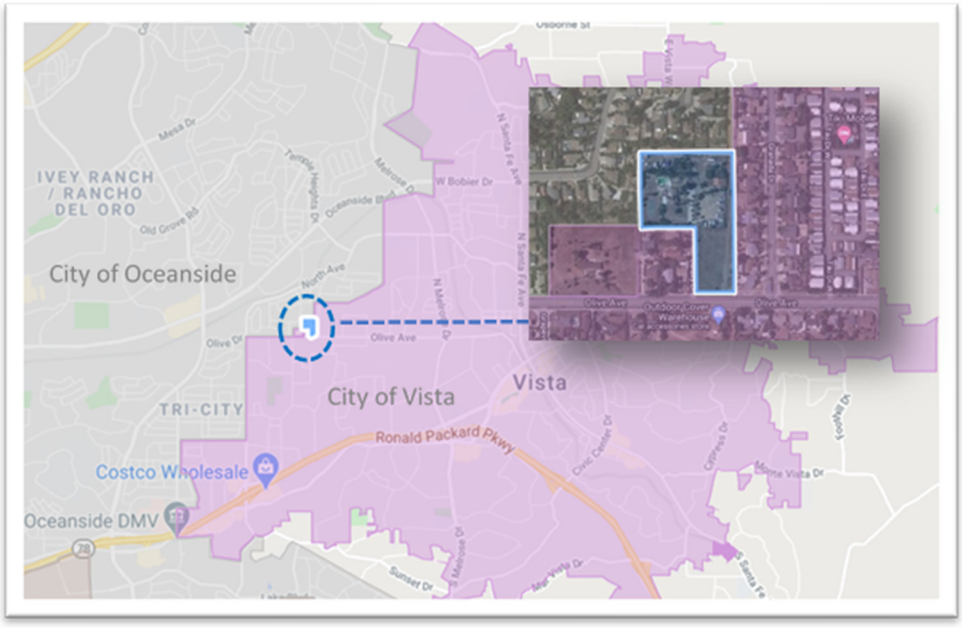
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Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

unincorporated legal flag lot that comprises two assessor parcels presently within the Vista sphere of influence. The County of San Diego Assessor's Office identifies the subject assessor parcels as 162-493-30 and 162-493-31, respectively. The larger parcel (-30) is approximately 3.5 acres and developed with one single-family residence with a situs of 1435 Olive Avenue. The other subject parcel (-31) is vacant and totals approximately 1.5 acres.

Affected Territory

The affected territory lies in an unincorporated corridor immediately between the City of Vista to the east and south and City of Oceanside to the north and west. Both subject parcels comprising the affected territory are accessible off Olive Drive with the larger of the two – (-30) – further connected via a private easement road. An aerial map of the affected territory relative to the adjacent Oceanside and Vista boundaries follow. Attachment One shows the affected territory relative to the proposed boundary change involving the subject agencies.



Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: City of Vista and the Vista FPD.[1] A summary of the subject agencies in terms of governance, resident population, municipal functions, and financial standing follows.

- The City of Vista was incorporated in 1963 as a general-law municipality with an estimated resident population of 101,557. Vista spans approximately 11,500 acres or 18 square miles and bordered by the unincorporated community of Bonsall to the north, City of San Marcos to the east, City of Carlsbad to the south, and City of Oceanside to the west. Vista provides a full range of municipal services with the

[1] State law defines "subject agency" to mean any district or city for which a change of organization or reorganization is proposed.

notable exception of water, which is provided instead by one of two special districts overlapping the incorporated boundary: Vallecitos Water District and Vista Irrigation District. LAFCO established a sphere of influence for Vista in 1978, which was last reviewed and affirmed in 2008 with a larger-than-agency designation to include 547 non-jurisdictional acres. Vista's audited net position is $426.4 million as of June 30, 2019 with an undesignated fund balance of $170.4 million. Overall, Vista' total net position has changed by 6.5% over the prior three audited years.

- Vista FPD is an independent special district formed in 1944 with an estimated residential population of 18,736. Vista FPD spans 19,840 acres or 31 square miles and entirely unincorporated and bordered on the east by the Cities of Vista and Oceanside as well as to the south by the City of San Marcos. A five-member Board oversees Vista FPD and its fire protection and emergency medical service functions, which are provided by contract by Vista.[2] LAFCO established a sphere of influence for Vista FPD in 1984. The sphere was last reviewed and affirmed in 2008 with a larger-than-agency designation to include 441 non-jurisdictional acres. Vista FPD's audited net position is $11.43 million as of June 30, 2019 with an undesignated fund balance of $11.23 million. Overall, Vista FPD's total net position has changed by 7.6% over the prior three audited 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.[3]

- County Service Area No. 135 (Regional Communications)
- Metropolitan Water District of Southern California
- North County Cemetery District
- North County Transit District
- Resource Conservation District of Greater San Diego County
- San Diego County Water Authority
- Tri-City Healthcare District
- Vista FPD [4]
- Vista Irrigation District

[2] Vista FPD was formed in 1944 to formalize volunteer fire fighting services in the then-largely rural and agrarian community. In 1970, Vista FPD and Vista entered into a joint-powers agreement (JPA) to coordinate fire protection services within their respective jurisdictions. This JPA assigned lead agency responsibility to Vista and provided that fire protection assets were to be merged with proportionate City-District ownership. In 2005, Vista purchased Vista FPD's share of assets and the JPA was terminated and replaced with an agreement that – and among other items – ensures a uniformity of service with the City serving both jurisdictions.

[3] 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.

[4] Subject to the reorganization.

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the reorganization proposal to concurrently annex the affected territory to the City of Vista and detach from Vista FPD. 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 and Commission focus follows.

Proposal Purpose

The purpose of the proposal is to facilitate the development of the affected territory into a 15-lot residential subdivision consistent with Vista's General Plan, pre-zoning, and tentative subdivision map approval. The planned development of the affected territory as contemplated necessitates annexation to Vista given the need to establish public wastewater services coupled with the City's prohibition on entering new outside service agreements. The tentative subdivision map and pre-zoning approvals made by Vista are conditioned on LAFCO approval of the reorganization.

Development Potential

The affected territory as proposed is planned for medium low-density single-family residential under both the County of San Diego and Vista General Plans. This compatibility extends to both the County and Vista in their zoning and prezoning, respectively, with identical minimum lot sizes for the affected territory being 4.3 dwelling units per 1.0 acres. These standards provide the maximum density of the affected territory under either the land use authority of the County (baseline) or Vista (proposed) is 15-lots.[5]

Commission Focus

Three central and sequential policy items underlie San Diego LAFCO's consideration of the reorganization. These policy items ultimately take the form of new determinations and orient the Commission to consider the stand-alone merits of a (a) conforming sphere of influence amendment, (b) timing of the reorganization, and (c) whether discretionary boundary modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in and outside of LAFCO law as detailed.

(continued)

[5] Additional intensity is also available under both land use authorities and marked by the allowance of a detached accessory dwelling unit for each lot.

ANALYSIS

San Diego LAFCO's analysis of the proposed reorganization is divided into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section starting with the merits of a conforming sphere of influence amendment and the timing of the reorganization relative to the factors mandated for review by the Legislature and local policies. This also includes whether modifications and terms are appropriate. The second subsection considers other germane issues and highlighted by environmental review under the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 |
Sphere of Influence Amendment

The proposed reorganization proposal necessitates San Diego LAFCO approve a conforming sphere of influence amendment to achieve consistency with the requested boundary changes as required under statute.[6] The scope of the amendment involves removing the affected territory from the Vista FPD's sphere of influence to accommodate the proposed detachment. (No amendment is needed to accommodate the proposed annexation to the City of Vista given the affected already lies within the City sphere.) Consideration of the amendment action is premised on the Commission's statutory task to designate spheres to demark the affected agencies' appropriate current and future service areas relative to community benefits and needs as determined by the membership. Staff believes it would be appropriate for the Commission, accordingly, to proceed and approve the conforming sphere amendment for the cumulative effect of recognizing the City of Vista – and not Vista FPD – as the appropriate provider of fire protection and emergency medical services for the affected territory going forward. Most notably, the amendment would facilitate the orderly synching of local governance and services by directing the affected territory away from Vista FPD as a limited purpose agency and towards Vista as a multi-purpose agency.

CONCLUSION |
MERITS OF A SPHERE OF INFLUENCE AMENDMENT

Approval of the sphere of influence amendment to exclude the affected territory from Vista FPD is sufficiently warranted. Justification is marked by the preceding analysis and includes recognizing the social and economic communities of interests previously established between the affected territory and Vista FPD have evolved and weakened over the years in direct contrast to the strengthening ties with Vista and its expanding role in the region. Additional analysis supporting the conclusion is provided in Appendix A.

[6] Reference to California Government Code 56375.5.

Item No. 2 |
Reorganization Timing

The timing of the proposed reorganization – and specifically the concurrent annexation of the affected territory to the City of Vista and detachment from Vista FPD – appears appropriate. This inclusion draws from the analysis of the statutory factors required for consideration for proposed jurisdictional changes along with the proposal's conformance with locally adopted policies. The majority of the prescribed factors and applicable policies focus on the impacts of the reorganization on the service and financial capacities of the *receiving* agency: City of Vista (emphasis added). No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs in considering all boundary changes in context to the Commission's own adopted policies and practices. A summary of key conclusions generated in the review of these factors follows.

- Service Needs
  The affected territory is located within an urbanizing area and immediately adjacent to the City of Vista. Vista's tentatively approved development of the affected territory to include a 15-lot residential subdivision is consistent with surrounding land uses and needs a full range of supporting municipal services. This includes municipal services directly (community development, wastewater, park and recreation, fire protection and emergency medical, etc.) or by contract from the City (law enforcement). Annexation of the affected territory would represent a logical and orderly expansion of Vista's incorporated boundary and would not create islands or corridors. Additional details on service needs follow.

  - The Commission has previously designated the City of Vista as the appropriate future land use authority and primary service provider for the affected territory through standing inclusion of the subject parcels within the City's sphere of influence. Annexation now to Vista memorializes this standing expectation and accommodates the expressed interest of the affected landowner as evident by their initiation of the reorganization proceedings.

  - The landowner's intention to develop a 15-lot residential subdivision for the affected territory helps to quantify the timing of the reorganization and annexation therein to the City of Vista is appropriate by synching the boundary changes with a known and pending development action.

  - Approval would affirmatively respond to the Commission's policy interest to match known and specific development in urbanizing areas with municipal providers with an emphasis in facilitating connections to public wastewater systems when possible.

- Service Capacities and Levels
  The City of Vista would directly assume most municipal service responsibilities for the affected territory upon reorganization and highlighted by providing these core functions: community planning; wastewater; fire protection and emergency medical; and law enforcement to the subject parcels. A review of existing capacities and levels indicates Vista has sufficient controls and resources to accommodate demands within the affected territory at their planned and maximum uses. Additional details on service capacities and levels follow.

  - The City of Vista would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. Vista has designated and prezoned the affected territory for medium residential development with the latter – Residential-1 – requiring a minimum lot size of 0.23 acres. Vista has also approved a tentative subdivision map consistent with the prezoning to subdivide the affected territory into a 15-lot single-family residential. Should the Commission approve the reorganization, Vista would be prohibited from changing the zoning and underlying allowances for the first two years unless special findings are made at a noticed hearing.

  - The City of Vista would assume wastewater service responsibilities for the affected territory as part of the reorganization. An existing Vista collection main is located adjacent to the southwest corner of the affected territory within the frontage public right-of-way on Olive Avenue and accessible through a private lateral connection. Wastewater from the project would be collected and conveyed for treatment to Encina Water Pollution Control Facility. It is projected the maximum average day wastewater demand generated within the affected territory is 6,150 gallons based on the planned development of 30 residential units (15 planned single-family residences and 15 potential accessory dwelling units). This amount represents 0.15% of the existing available capacity available to Vista at the Encina facility, and as such can be readily accommodated without additional resources or infrastructure planning.

  - The City of Vista would formally assume service responsibilities from the Vista FPD as part of the reorganization. This change would have no material impact on service levels given Vista is the existing contract provider for Vista FPD and the Vista Fire Department presently provides all fire protection and emergency medical field operations within the District's unincorporated service territory. First-response would continue to be provided from Vista Fire Station No. 1, which is located 1.6 miles from the affected territory at 175 N. Melrose Drive. Response times to the affected territory are estimated to be four minutes for priority calls and six minutes for non-priority calls.

- The City of Vista would formally assume law enforcement service responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given Vista contracts with County Sherriff to provide law enforcement – including patrol and a full range of other services – within the City's incorporated boundary. The Sheriff's substation at 340 Townsite Drive is the closest substation and is 2.5 road miles in distance to the affected territory. Analysis performed by Vista in reviewing the underlying development project identified travel time for County Sheriff from the substation to the affected territory would be approximately eight minutes and would meet the minute standard (dispatch to scene) in the City General Plan.

- Service Funding and Costs
  The City of Vista has the financial resources to assume and provide municipal services to the affected territory in support of its planned development without adverse impacts. This comment is reflected in the staff analysis of Vista's recent audited statements which shows – among other items – the City remained profitable in each of the last three audited fiscal years with an average total margin of 11.1%. Separately, the detachment of the affected territory from Vista FPD will not produce a substantive impact on the District and its financial standing going forward.

CONCLUSION |
MERITS OF REORGANIZATION TIMING

The timing of the reorganization and transfer therein of land use authority and other specified services to the City of Vista is sufficiently warranted. Justification is marked by the preceding analysis and highlighted by accommodating the planned and orderly development of the affected territory through Vista's consolidated land use and service powers as envisioned by the Commission and its standing placement of the lands in the City sphere. Additional analysis supporting the conclusion is provided in Appendix B.

Item No. 3 |
Modifications and Terms

Staff has not identified any potential boundary modifications to the proposal that merit consideration by San Diego LAFCO at this time. This includes noting all of the associated public right-of-way on Olive Avenue already lies within the Vista incorporated boundary. Applying standard terms appears appropriate.

CONCLUSION |
MODIFICATIONS AND TERMS

Approval of the proposed reorganization as submitted appears warranted. Standard terms are recommended.

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 prior to San Diego LAFCO can consider certain jurisdictional changes - including annexations and detachments – unless an applicable master agreement applies. Staff has confirmed there is an existing master property tax agreement applies to the reorganization. The application of this master tax exchange agreement specifies a transfer of 41% of the affected property taxes received by the County of San Diego to the City of Vista following annexation, totaling $916.28 under current assessments.

Environmental Review

CEQA requires San Diego LAFCO to assess whether impacts would result from activities approved under the Commission's statutory authority. Accordingly, San Diego LAFCO is tasked with making two distinct determinations as lead and responsible agency under CEQA with respect to considering the reorganization filed by the City of Vista. This involves the (a) accommodating sphere of influence amendment and the (b) reorganization itself. Staff's analysis and recommendations follow.

- San Diego LAFCO serves as lead agency under CEQA for the accommodating amendment to exclude the affected territory from the Vista FPD's sphere of influence. Staff has determined the activity is a project under CEQA but exempt from further review under the "general rule" provision provided under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres are planning policies and any amendments do not make any changes to the environment or authorize any new uses or services.

- Vista serves as the lead agency under the CEQA for the reorganization and underlying action to accommodate the affected territory's development into 15-lot residential subdivision. Vista determined the project did not qualify for an exemption and proceeded to prepare an initial study, which identified potential significant environmental impacts in the categories or biological resources, cultural resources, noise, and mandatory filing of significance.[7] A Mitigated Negative Declaration was subsequently prepared and approved by Vista on February 25th, 2020. Staff has independently reviewed the MND and recommends San Diego LAFCO concur with Vista's determinations and adopt the associated findings as a responsible agency.

[7] Vista also adopted a Mitigation Monitoring and Reporting Program (MMRP) to reduce identified impacts to less-than-significant levels.

Protest Proceedings

Protest proceedings for the proposed reorganization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code Section 56662. The recommended waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law; the subject agencies have not filed objections to the waiver; and all landowners have consented to the underlying actions.[8]

RECOMMENDATION

Staff recommends San Diego LAFCO proceed with a conditional approval of the reorganization proposal as submitted based on the analysis provided in the preceding section. This recommendation also includes a conforming sphere of influence amendment for Vista FPD and is consistent with Alternative One as outlined in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to the Commission and can be accomplished through a single-approved motion.

Alternative One (recommended):
Adopt the attached draft resolution conditionally approving the reorganization proposal without modifications while also amending the Vista FPD to exclude the affected territory.

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.

(continued)

[8] LAFCO law defines uninhabited as territory in which 11 or less registered voters reside.

PROCEDURES FOR CONSIDERATION

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

1. Receive verbal presentation from staff unless waived.
2. Open the public hearing and invite comments from the applicant and general public.
3. Discuss item and consider the staff recommendation.

On behalf of the Executive Officer,

Linda Heckenkamp

Linda Heckenkamp
Analyst II

Appendices:

A) Sphere of Influence Factors
B) Analysis of Boundary Change Factors

Attachments:

1) Map of the Affected Territory
2) Draft Resolution of Approval
3) Landowner Petition
4) Mitigated Negative Declaration – Environmental Review

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APPENDIX A
STATEMENT OF DETERMINATIONS
SPHERE OF INFLUENCE FACTORS

(1) The present and planned land uses, including agricultural and open-space lands.

The affected territory as submitted totals 5.0 acres and anchored by the City of Vista with an estimated resident population of 101,557. The affected territory as proposed is planned for medium low-density single-family residential under both the County of San Diego and Vista General Plans. This compatibility extends to both the County and Vista in their zoning and prezoning, respectively, with identical minimum lot sizes for the affected territory being 4.3 dwelling units per 1.0 acres. These standards provide the maximum density of the affected territory under either the land use authority of the County (baseline) or Vista (proposed) is 15-lots. Detachment from Vista FPD is consistent with these present and planned land uses.

(2) The present and probable need for public facilities and services in the area.

The affected territory includes an annexation to facilitate the planned development of a 15-lot residential subdivision. Approving the annexation to the City of Vista and concurrent detachment from Vista FPD reflects these present and probable needs.

(3) The present capacity of public facilities and adequacy of public.

The proposed reorganization involves an extension of public wastewater service to a planned residential development and potential accessory structures to be developed on the approximate 5.0 acre subject territory. An existing City of Vista water main is located adjacent to the affected territory within the Olive Avenue public-right-of-way. The City has the financial resources coupled with administrative controls to provide retail wastewater services to the affected territory in support of its planned development without adversely impacting current ratepayers. Vista's recent audited statements reflect the city remained profitable in each of the last three audited fiscal years with an average operating margin of 11.1%.

(4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Approval of the proposed reorganization of annexing the affected territory and conforming sphere of influence amendments would strengthen existing economic and social ties between the City of Vista and the affected territory.

(5) The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The affected territory does not lie within a census tract qualifying as a disadvantaged unincorporated community under State statute or LAFCO policy.

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APPENDIX B
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, and in adjacent areas, during the next 10 years.

The affected reorganization territory includes two unincorporated parcels within the City of Vista's sphere of influence totaling approximately 5.0 acres (APN 162-493-30 and -31) and subject to a tentatively approved 15-lot residential subdivision and development. The larger subject parcel (-30) is presently developed with one single-family residence that would be removed for the proposed development; the other subject parcel (-31) is undeveloped. The submitted proposal application materials identify the affected territory as currently unoccupied. The current assessed value of the subject parcels – including land and improvements – is $560,543, with the last transaction recorded in December 2013. The affected territory is contiguous with the existing Vista jurisdictional boundary and is generally surrounded by small to moderate residential lots. No significant growth is anticipated in the surrounding area within the next 10-year period beyond existing residential land use and zoning designations.

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.

Vista would assume the majority of municipal service responsibilities for the affected territory following reorganization and its anticipated development thereafter. This includes assuming service responsibility from the County involving land use and community planning, roads, and police protection with the associated change in service levels and capacities being considered minimal. Also considered minimal would be the change in fire protection and emergency medical services with Vista formally assuming responsibility from Vista FPD. Water service to the affected territory would remain the responsibility of the Vista Irrigation District and is addressed in more detail in the following paragraphs. The most notable change in municipal services should the reorganization proceed involves the establishment of wastewater services and is focus of the succeeding analysis.

- **Extending Public Wastewater to Affected Territory**
  Connection to the system is readily available through a private lateral to an existing Vista sewer main located within the adjacent public right-of-way on Olive Avenue. The projected average day wastewater flow for the affected territory at maximum buildout (30 single-family residential units divided between 15 planned primary and 15

potential accessory) would be approximately 6,150 gallons per day. This amount represents less than 0.15% of the 4.24 million gallons of available and remaining daily capacity allocated to Vista through the Encina Water Pollution Control Facility.

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.

The affected territory presently lies within Vista's sphere of influence, and as such has established relevant economic and social ties with respect to other services provided by the City (i.e., fire, law enforcement, parks, etc.) Approving the reorganization would recognize these existing ties and formally establish Vista as the single governing body responsible for wastewater and other municipal services to the affected territory.

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 reorganization and annexation to Vista would facilitate the extension of public municipal services to the affected territory, and in doing so support Vista's community planning policies. Similarly, 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 Government Code Section 56377.

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 reorganization proposal and annexation to Vista 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 consistent with the standard of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on submittal of a final map and description conforming to the referenced standards and addressing any proposal area modifications enacted by the Commission. Approval – with or without the recommended modification – would not create service islands or corridors.

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

A notice of the proposed reorganization to annex the affected territory to Vista and detachment from Vista FPD was provided to the San Diego Association of Governments or SANDAG. No comments were received from SANDAG and as such no conflicts have been identified with respect to its regional transportation plan, San Diego Forward.

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

The affected unincorporated territory is presently designated under the Vista's adopted General Plan for Medium-Low Density Residential (MLD), allowing up to five dwelling units per acre, with approved prezoning as R-1 with a 10,000 square foot minimum lot size (4.3 du/ac). The proposal's purpose is to provide public wastewater to the planned 15 single-family residences. The planned residential uses and densities are consistent with the Vista General Plan designations and adopted prezoning.

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

The affected territory lies entirely within the spheres of influence designated for the City of Vista and the Vista FPD. Additional details are provided in the analysis provided on page 10.

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

Notice of the submitted reorganization proposal was distributed to all affected and interested agencies as required under LAFCO law. No written comments on the proposal were received ahead of preparing this agenda report for distribution on November 25, 2020. Additional analysis concerning conformance with germane 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 San Diego LAFCO 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.

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 Vista 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.

- Vista's last audit covers 2018-2019 and shows the City finished with good liquidity levels with an agency-wide current ratio of 13.3 (i.e., $13.30 in current assets for every $1.00 in current liabilities).

- Vista finished 2018-2019 with high capital levels as evident by a relatively moderate debt ratio of 32% (i.e., only $32.00 out of every $100.00 in net assets are financed.)

- Vista has remained profitable in each of the last three audited fiscal years with an average operating margin of 11.1%. The most recent year – 2018-2019 – the operating margin was 15.7%.

The landowners of the affected territory are responsible for payment of all required fees and service charges commensurate with Vista's adopted fee ordinance in establishing wastewater services. At present, the wastewater service charge is $680.00 per year or $56.66 per month. The wastewater rates are fixed and are not based on flow or water usage. Extending wastewater service to affected territory following approval of the proposed annexation would not adversely impact existing ratepayers.

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

The affected territory's existing residential uses are presently within and connected to Vista Irrigation District's retail domestic water system with wholesale supplies provided by the San Diego County Water Authority. Approval of the proposed reorganization 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 reorganization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands are already assigned to the City of Vista by the region's council of governments, SANDAG. The boundary change 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 landowner has initiated proceedings for the proposed reorganization and has provided written consent to the subject changes of organization.

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.

As used in this review factor, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed reorganization does not include locating new public facilities and the proposed provision of public services would be limited to the existing single-family residence. Approval of the proposed reorganization is not anticipated to affect the promotion of environmental justice.

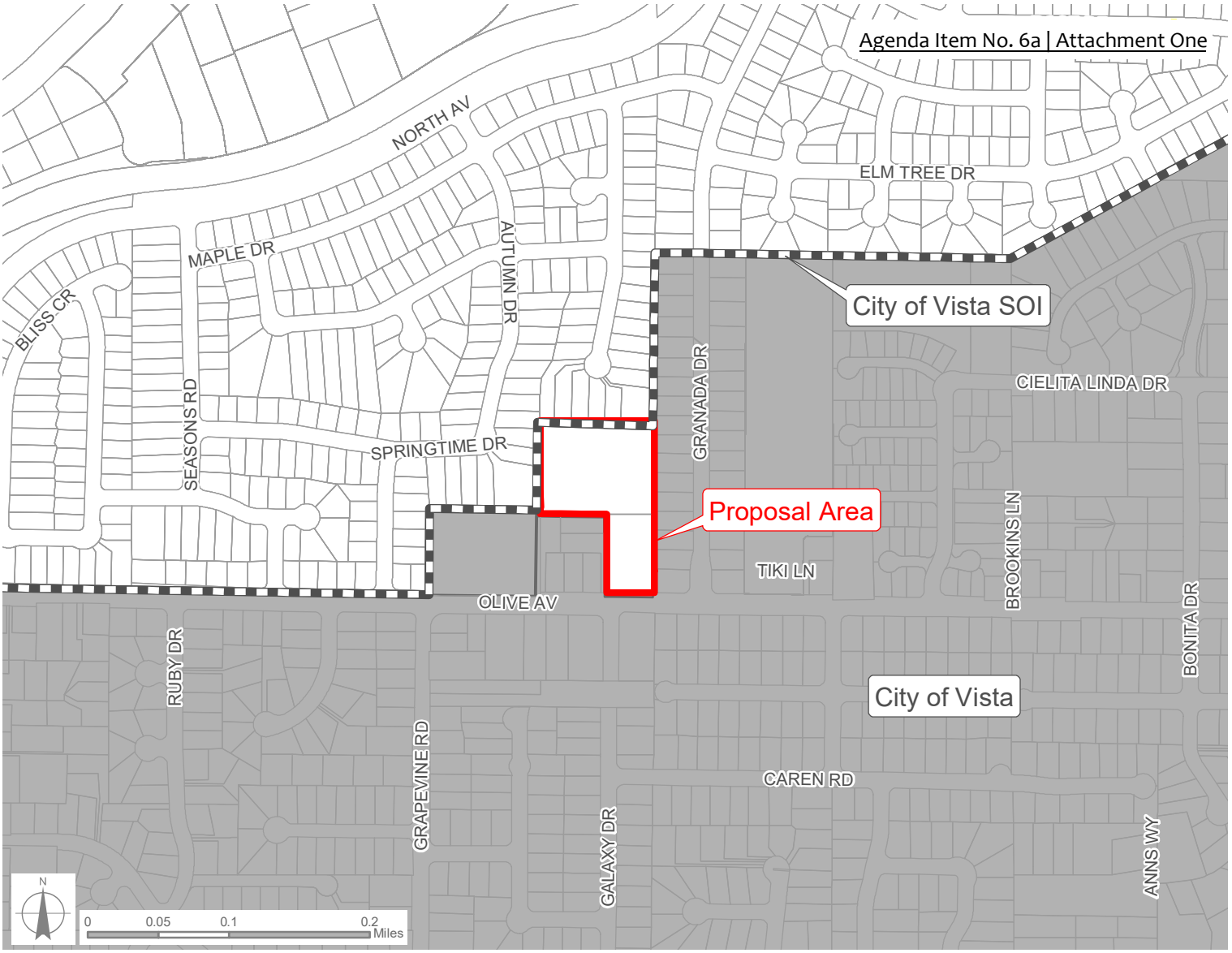
q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information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

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

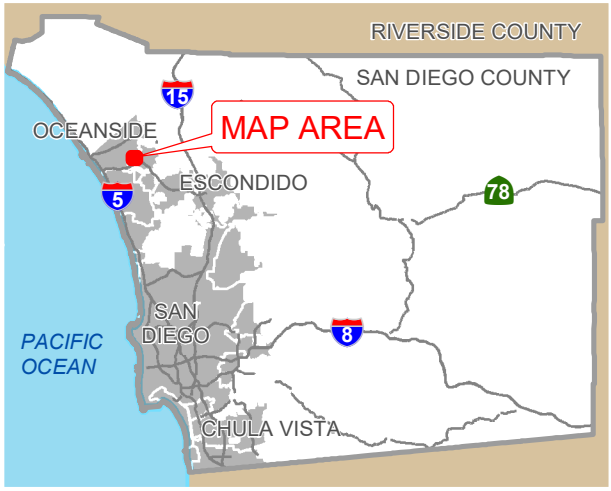
Section 56668.3(a)(1) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annex to the district.

Approval of the reorganization would be in the best interest of the current and 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.

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RO20-12
SA20-12

"ORTIZ - OLIVE AVENUE REORGANIZATION" TO THE CITY OF VISTA AND CONCURRENT DETACHMENT FROM VISTA FIRE PROTECTION DISTRICT

Proposal Area
City of La Mesa
City of Vista 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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Created by Dieu Ngu -- 7/29/2020

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RESOLUTION NO._____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A REORGANIZATION

"ORTIZ – OLIVE AVENUE REORGANIZATION"
CONCURRENT ANNEXATION TO THE CITY OF VISTA AND
DETACHMENT FROM THE VISTA FIRE PROTECTION DISTRICT
LAFCO FILE NO. RO20-12

WHEREAS, on June 18, 2020, landowner Steve Ortiz filed a petition 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 petition seeks approval of a reorganization to annex approximately 4.94 acres of unincorporated territory to the City of Vista with a concurrent detachment of the affected territory from the Vista Fire Protection District; and

WHEREAS, the affected territory as proposed includes two unincorporated assessor parcels one developed with an existing single-family residence as 162-493-30; and one undeveloped parcel as 162-493-31 both identified by the County of San Diego Assessor's Office; and

WHEREAS, an applicable master property tax transfer agreement applies to the proposed reorganization dated March 11, 1988, and December 2, 1982 and

WHEREAS, the Commission's Executive Officer has reviewed the proposed reorganization 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 December 7, 2020; 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 both a lead and responsible agency for different actions underlying the proposed reorganization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission's findings specific to both roles follow.

    a) The Commission serves as the lead agency for the conforming sphere of influence amendment and finds the proposed sphere action qualifies as a project but is exempt under State CEQA Guidelines Section 15061(b)(3) - the "general rule" provision. This exemption appropriately applies given it can be seen with certainty spheres are planning policies and any amendments do not make any changes to the environment or authorize any new uses or services.

    b) The City of Vista serves as the lead agency for the reorganization proposal given it has primary responsibility to carry out the underlying activity to develop the affected territory and ancillary actions. This latter category includes annexation to the City of Vista and represents the "project." Vista determined the project was subject to CEQA and proceeded to prepare an initial study, which identified potential significant environmental impacts in the categories or biological resources, cultural resources, noise, and mandatory filing of significance. A Mitigated Negative Declaration was subsequently prepared and approved by Vista on February 25th, 2020. Staff has independently reviewed the MND and recommends San Diego LAFCO concur with Vista's determinations and adopts the associated findings as a responsible agency.

4. The Commission APPROVES the reorganization as described below and subject to conditions as provided. Approval involves all of the follow:

    a) Annexation of the affected territory to the City of Vista as shown in "Exhibit A-1" and described in "Exhibit A-2."

    b) Detachment of the affected territory from the Vista Fire Protection District as shown in "Exhibit B-1" and described in "Exhibit B-2."

5. The Commission CONDITIONS all approvals on the following terms being satisfied by December 7, 2021 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:

   "Ortiz–Olive Avenue Reorganization"

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 Vista Fire Protection District is a registered-voter district.

10. The Vista Fire Protection District 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 City of Vista as provided under Government Section 57328.

12. The effective date of the approval a 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 December 7, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**

Attest:

_____
Keene Simonds
Executive Officer

EXHIBIT A-1
MAP OF ANNEXATION TO CITY OF VISTA

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EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF ANNEXATION TO CITY OF VISTA

-Placeholder-

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EXHIBIT B-1
MAP OF DETACHMENT FROM VISTA FIRE PROTECTION DISTRICT

-Placeholder-

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EXHIBIT B-2
GEOGRAPHIC DESCRIPTION OF DETACHMENT FROM VISTA FIRE PROTECTION DISTRICT

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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 into the City of Vista and detach from the Vista Fire Protection District

2. The reason(s) for the proposal are: Sewer Service

Steve Ortiz
Proponent's Name (print)

Signature of proponent or representative

235 Market Street, San Diego, CA 92101
Proponent's Address

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 the City of Vista and detach from the Vista Fire Protection 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: _____

(d) The reason(s) for the proposal is/are: Sewer Service

(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. Steve Ortiz 235 Market Street, San Diego, CA 92101
   Name of chief proponent (print) mailing address
2. _____
   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: N/A

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

1. The name of the proposed city is: _____
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: _____

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 Steve Ortiz	162-493-30 &31		
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

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RESOLUTION NO. 2020-33

A RESOLUTION OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION FOR A 15 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION LOCATED IMMEDIATELY NORTH OF OLIVE AVENUE, BETWEEN WINTER ROAD TO THE WEST AND GRANADA DRIVE TO THE EAST (APNS 162-493-30 & 31)

The City Council of the City of Vista does resolve as follows:

1. **Findings.** The City Council hereby makes the following findings:

A. The applicant, Olive Avenue, LLC, has submitted an application for an Annexation/Reorganization, Tentative Subdivision Map, General Plan Amendment (land use designation change from Rural Residential (RR) to Medium Low Density Residential (MLD) and Zoning Change (pre-zoning R-1) to create 15 residential lots located immediately north of Olive Avenue, between Winter Road to the west and Granada Drive to the east (APNs 162-493-30 & 31).

B. A notice describing the proposed project and the intent to adopt a Mitigated Negative Declaration was duly mailed to all property owners within 500 feet of the boundary of project site and published in the "Union Tribune", a newspaper of general circulation, more than 30 days prior to the City Council public hearing in order to provide an opportunity for public comment on the Mitigated Negative Declaration.

C. The Planning Commission is an advisory body to the City Council with respect to annexation requests, and any associated actions related to the project may be addressed at a combined proceeding.

D. The Planning Commission recommended approval of the Mitigated Negative Declaration at a duly noticed public hearing on January 21, 2020, with the approval of Planning Commission Resolution No. 2020-02.

E. The City Council held a duly noticed public hearing to consider the Annexation/Reorganization, Tentative Subdivision Map, General Plan Amendment, and Zone Change applications and proposed Mitigated Negative Declaration on February 25, 2020.

F. At said public hearing, staff reports, both written and oral were received in evidence and all persons desiring to speak on the proposed project were heard. At the conclusion of said hearing, after consideration of all evidence presented, the City Council reached a decision on the matter as set forth.

G. In accordance with the California Environmental Quality Act and the State CEQA Guidelines, the City Council has reviewed and considered said applications and Mitigated Negative Declaration, all written comments received and all comments presented at the public hearing in reaching its decision on the applications.

[Continued on page 2.]

2. Action.

A. The above recitations are true and correct.

B. For the reasons discussed below, the City Council finds that the Mitigated Negative Declaration was prepared in the manner required by law and that there is no substantial evidence in the record of proceedings that the approval of the Project, with the imposition of the proposed mitigation measures, would result in a significant adverse effect upon the environment that would require the preparation of an environmental impact report.

C. Based upon the complete environmental record, the City Council finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis.

D. The City Council, pursuant to Section 15074 of the California Environmental Quality Act Guidelines, hereby adopts the Mitigated Negative Declaration, including any mitigation monitoring and reporting program, a copy of which is attached hereto as Exhibit A.

E. The City Council hereby authorizes and directs the City Planner to prepare and file a Notice of Determination with respect to said Mitigated Negative Declaration in the office of the County Clerk of the County of San Diego, as provided in the California Environmental Quality Act.

3. Adoption. PASSED AND ADOPTED at a meeting of the City Council of the City of Vista held on February 25, 2020, by the following vote:

AYES: Mayor Ritter, Rigby, Franklin, Green, Contreras

NOES: None

ABSTAIN: None

JUDY RITTER, MAYOR

APPROVED AS TO FORM:
DAROLD PIEPER, CITY ATTORNEY

By: _____

ATTEST:
KATHY VALDEZ, CITY CLERK

By: _____

Exhibits:
A. Mitigated Negative Declaration

APPROVED
Darold Pieper
20200211081849

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RESOLUTION NO. 2020-34

A RESOLUTION OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, MAKING APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION FOR ANNEXATION/REORGANIZATION OF ASSESSOR'S PARCEL NUMBERS 162-493-30 & 31

The City Council of the City of Vista does resolve as follows:

1. **Findings.** The City Council hereby makes the following findings:

A. The applicant, Olive Avenue, LLC, has made an application for an 15-lot single-family residential subdivision and has requested that the City of Vista make application to the Local Agency Formation Commission (LAFCO) for the reorganization of Assessor's Parcel Numbers APN 162-493-30 & 31.

B. The properties described above have a General Plan Land Use Designation of RR (Rural Residential).

C. The proposed General Plan Amendment involves a change in land use designation from RR to Medium Low Density (MLD).

D. The proposed pre-zoning designation for the properties of R-1 is consistent with the proposed MLD General Plan Land Use Designation.

E. The proposed reorganization is consistent with City Council Policy 300-10 regarding annexations.

F. The reorganization consists of the following actions:

i. For Assessor's Parcel Number 162-493-22, annex the property into the City of Vista and the Vista Sanitation District, and detach the property from the Vista Fire Protection District, as shown in Exhibit A.

ii. The property shall be incorporated into, and subject to assessment by, the City's Lighting and Landscape Maintenance and Street Maintenance Districts.

G. This proposal is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended commencing with Section 56000 of the Government Code of the State of California.

H. The reorganization will not require that a deficit offset payment be made by Olive 1505, LLC, since a fiscal impact analysis identified a net annual surplus in General Fund revenues.

I. The Planning Commission is an advisory body to the City Council with respect to annexation requests.

J. The Planning Commission recommended that the City Council make an application to LAFCO at a duly noticed public hearing on January 21, 2020, with approval of

Planning Commission Resolution No. 2020-03.

K. The City Council held a duly noticed public hearing to consider the Annexation/Reorganization and Tentative Subdivision Map applications and proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program on February 25, 2020.

L. At said hearing the City Council adopted Resolution No. 2020-33, approving a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

M. At said public hearing, staff reports, both written and oral were received in evidence and all persons desiring to speak on the proposed project were heard. At the conclusion of said hearing, after consideration of all evidence presented, the City Council reached a decision on the matter as set forth.

2. Action.

A. The above recitations are true and correct.

B. The City Manager or his designee is directed to prepare all application materials, with assistance of the property owner, that are necessary for the Local Agency Formation Commission of the County of San Diego to undertake proceedings for the annexation proposed herein.

C. The City Clerk is hereby authorized and directed to file a certified copy of this Resolution with the applicable fees required by Section 54902.5 of the California Government Code, in the form of a check from the property owner, to the executive officer of the Local Agency Formation Commission of the County of San Diego.

3. Adoption. PASSED AND ADOPTED at a meeting of the City Council of the City of Vista held on February 25, 2020, by the following vote:

AYES: Mayor Ritter, Rigby, Franklin, Green, Contreras

NOES: None

ABSTAIN: None

JUDY RITTER, MAYOR

APPROVED AS TO FORM:
DAROLD PIEPER, CITY ATTORNEY

By: _____

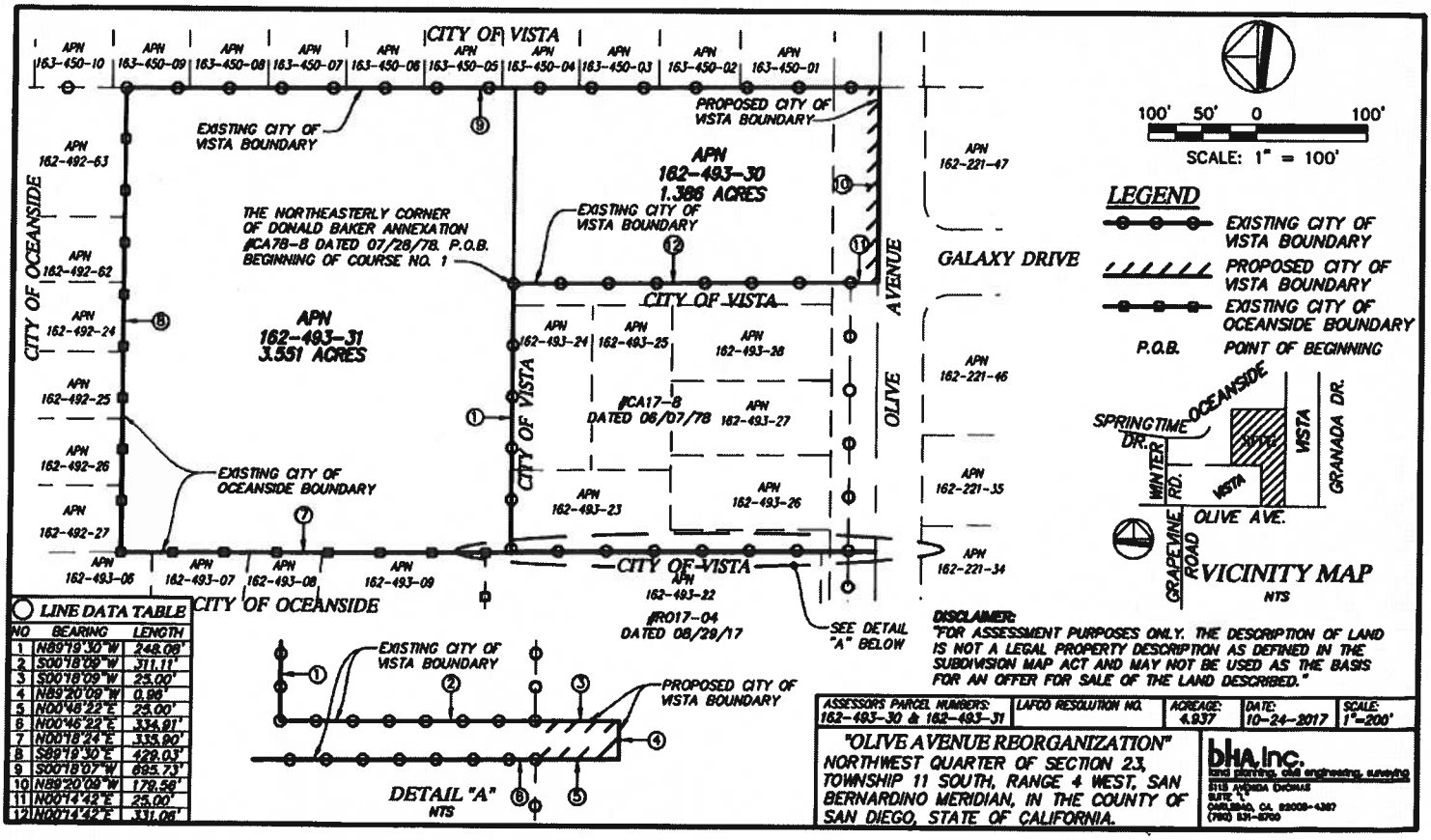
ATTEST:
KATHY VALDEZ, CITY CLERK

By: _____

Exhibits:
A. Area subject to reorganization – APN 162-493-30 & 31

APPROVED
Darold Pieper
20200211082452

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LINE DATA TABLE

NO	BEARING	LENGTH
1	N89°19'30"W	248.08'
2	S00°18'09"W	311.11'
3	S00°18'09"W	25.00'
4	N89°20'09"W	0.99'
5	N00°46'22"E	25.00'
6	N00°46'22"E	334.91'
7	N00°18'24"E	335.90'
8	S89°19'30"E	428.03'
9	S00°18'07"W	695.73'
10	N89°20'09"W	179.56'
11	N00°14'42"E	25.00'
12	N00°14'42"E	331.06'

ASSESSORS PARCEL NUMBERS:	LAFCO RESOLUTION NO.	ACREAGE:	DATE:	SCALE:
162-493-30 & 162-493-31		4.937	10-24-2017	1"=200'

"OLIVE AVENUE REORGANIZATION"
NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

bHA, Inc.
land planning, civil engineering, surveying
815 AHNEDA AVENUE
SUITE "L"
OAKLAND, CA. 92008-4387
(760) 631-6700

RESOLUTION NO. 2020-35

A RESOLUTION OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, APPROVING A TENTATIVE SUBDIVISION MAP, GENERAL PLAN AMENDMENT TO CHANGE LAND USE DESIGNATION FROM RURAL RESIDENTIAL (RR) TO MEDIUM LOW DENSITY (MLD) AND ZONING CHANGE (PRE-ZONING TO R-1) FOR A 15-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION LOCATED IMMEDIATELY NORTH OF OLIVE AVENUE, BETWEEN WINTER ROAD TO THE WEST AND GRANADA DRIVE TO THE EAST (APNS 162-493-30 & 31)

The City Council of the City of Vista does resolve as follows:

1. **Findings.** The City Council hereby makes the following findings:

A. The applicant, Olive Avenue, LLC, has submitted an application for an Annexation/Reorganization, Tentative Subdivision Map, General Plan Amendment (land use designation change from Rural Residential (RR) to Medium Low Density Residential (MLD) and Zoning Change (pre-zoning R-1) to create 15 residential lots located immediately north of Olive Avenue, between Winter Road to the west and Granada Drive to the east (APNs 162-493-30 & 31);

B. Pursuant to Title 17 of the Vista Development Code, the City Council did consider the recommendations of the City Planner, City Engineer, the Vista Irrigation District, and the San Diego Gas and Electric Company, or their authorized representatives, with respect to appropriate fire flow, fire hydrants, public improvements and connections to be installed, and such other agencies as may have been deemed necessary by the Community Development Director, pertaining to P17-0388, a subdivision of property located immediately north of Olive Avenue, between Winter Road to the west and Granada Drive to the east (APNs 162-493-30 & 31);

C. The Planning Commission is an advisory body to the City Council with respect to annexation requests, and any associated actions related to the project may be addressed at a combined proceeding;

D. The Planning Commission recommended approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program at a duly noticed public hearing on January 21, 2020, with the approval of Planning Commission Resolution No. 2020-02.

E. The City Council held a duly noticed public hearing to consider the Annexation/Reorganization, Tentative Subdivision Map and General Plan Amendment applications and proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program on February 25, 2020;

F. At said hearing, the City Council adopted Resolution No. 2020-33, approving a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for an 15-lot single-family residential subdivision located immediately north of Olive Avenue, between Winter Road to the west and Granada Drive to the east (APNs 162-493-30 &31);

G. At said hearing, the City Council adopted Resolution No. 2020-34, making an application to the Local Agency Formation Commission for reorganization of Assessor's Parcel Numbers 162-493-30 & 31;

H. The Zoning designation for the project site is hereby changed to pre-zoning of R1 (Residence Zone), and a corresponding change shall be made to the Zoning Map;

I. With approval of the accompanying Tentative Subdivision Map and General Plan Amendment, the proposed zone change (pre-zoning to R-1) will be consistent with the General Plan as required by Government Code Section 65860; and

J. At said hearing, staff reports, both written and oral were received in evidence and all persons desiring to speak on the proposed project were heard. At the conclusion of said hearing, after consideration of all evidence presented, the City Council reached a decision on the matter as set forth.

2. Action.

A. The above recitations are true and correct.

B. The City Council hereby makes the following findings with regard to the request for a Tentative Subdivision Map to create 15 residential lots located immediately north of Olive Avenue, between Winter Road to the west and Granada Drive to the east:

1. The proposed use is consistent with the General Plan and any applicable specific plan for the following reasons:

a. The General Plan Land Use Element currently designates the area as Rural Residential, allowing a maximum of one dwelling unit per acre. The proposed General Plan Amendment to Medium Low Density (MLD) designation (maximum of 5 dwelling units per acre) for this site would be consistent with surrounding MLD designated properties to the immediate east, west, and south of subject parcel and the subdivision has a density of 3.04 dwelling units per acre. Therefore, the density of the proposed project would be consistent with the proposed MLD designation per the Vista General Plan Land Use Element.

b. The subdivision as designed is consistent with the Land Use and Community Identity Element. The subject property is surrounded by residential land uses on all sides. Therefore, the proposed residential subdivision is compatible with adjacent land uses. The density of the proposed subdivision is consistent with the density allowed by the proposed General Plan land use designation.

2. The design and improvements of the proposed subdivision are compatible with the Vista General Plan for the following reason:

The design and improvements meet the criteria of Development Code Titles 16, 17 and 18 to implement the General Plan.

3. The site is physically suitable for the type of development for the following reason:

The land area and topography will support the 15 residential lots and related private road proposed by the Tentative Subdivision Map.

4. The site is suitable for the proposed density of development for the following reason:

The density of the subdivision is 3.04 dwelling units per acre which is below the density (maximum five dwelling units per acre) allowed by the proposed General Plan land use designation.

5. The design of the subdivision or the proposed improvement are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or other habitat for the following reason:

The project site is substantially surrounded by existing single-family units and it does not contain any endangered, rare or threatened species. Approval of the project would not result in significant effects related to traffic, noise, air quality, or water quality.

6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems for the following reasons:

a. Adequate public services, including emergency services, and utilities, including sewer service, will be extended to the subdivision to ensure no public health problems occur as a result of the subdivision.

b. The road improvements as proposed and imposed by the Conditions of Approval meet City standards.

7. The design of the subdivision or the type of improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through, or use of property within the proposed subdivision for the following reason:

All such easements shall be relocated or reserved from development.

C. In view of the necessary findings heretofore made, and considering the applicable law, the City Council hereby approves the Tentative Subdivision Map, included as Exhibit B to this Resolution and subject to Conditions of Approval imposed by Exhibit A to this resolution.

D. Failure to abide by and faithfully comply with any and all Conditions of Approval included in Exhibit A shall constitute grounds for revocation of the approval by the City Council.

E. The applicant must execute a written acceptance of these Conditions of Approval no later than thirty (30) days after the permit is approved or the permit shall become null and void.

3. Adoption. PASSED AND ADOPTED at a meeting of the City Council of the City of Vista held on February 25, 2020, by the following vote:

AYES: Mayor Ritter, Rigby, Franklin, Green, Contreras

NOES: None

ABSTAIN: None

JUDY RITTER, MAYOR

APPROVED AS TO FORM:
DAROLD PIEPER, CITY ATTORNEY

By: _____

ATTEST:
KATHY VALDEZ, CITY CLERK

By: _____

Exhibits:
A. Conditions of Approval
B. Tentative Subdivision Map

APPROVED
Darold Pieper
20200211083223

EXHIBIT "A"
CONDITIONS OF APPROVAL
P17-0388
Olive Avenue, LLC
Olive Avenue Annexation

A. SCOPE OF PROJECT

This project consists of an annexation/reorganization, general plan amendment, a tentative subdivision map and zoning change (pre-zoning R-1) for a 15-lot single-family residential subdivision to be located in the R-1 Zone which shall conform to Exhibit "B".

B. APPLICABLE REGULATIONS

1. Where not otherwise specified, this project shall be subject to the regulations of the City of Vista Municipal and Development Codes as well as other applicable local, State and Federal regulations.

2. Prior to any construction on the site, all required permits shall be obtained.

C. FINAL MAP

A Final Map is required for this subdivision as set forth in Condition F-1.

D. EXPIRATION AND PHASING OF TENTATIVE MAP

1. Unless a Final Map is recorded or an extension granted pursuant to Title 17 of the Development Code, this Tentative Subdivision Map shall expire at 11:59 PM on the third anniversary of the adoption of this Resolution.

2. The recordation of the Final Map and construction of all access improvements and public utility improvements may not be phased.

E. BUILDING AND STRUCTURAL INFORMATION AND CONDITIONS

1. All construction and designs are to comply with the model codes adopted by the City of Vista at the time permit applications are filed, and construction documents are submitted for plan check.

F. ENGINEERING INFORMATION AND CONDITIONS

1. General

a. A Final Map shall be prepared by a Registered Civil Engineer or Licensed Land Surveyor, and shall be in accordance with the approved Tentative Map, the Subdivision Map Act and Vista Development Code Title 17, Chapter 17.68, and shall be subject to approval by the Land Development Engineer.

b. Prior to acceptance of any building plans, the grading and public improvement plan sets shall be submitted for the second plan check and deemed substantially complete by the Land Development Engineer. Prior

to issuance of any building permits, the public improvement plans shall be approved by the Land Development Engineer and bonded for.

c. An Owners Association shall be formed for this project to address the maintenance of private facilities. The applicant shall submit two sets of CC&Rs with the Final/Parcel Map for concurrent review and approval. The CC&R's shall be recorded before or concurrent with the Final Map recordation. The CC&R's shall address the maintenance of private street(s), monument signage, common area (and inaccessible non-common area) landscaping, private drainage systems (including detention basins), BMP's, access roads, streetlights, gates, and perimeter fencing. The CC&R submittal shall include a spreadsheet noting each applicable condition of approval and the page within the CC&R's where the item is addressed. Recorded CC&Rs shall include a signature line for the City with a declaration that the recorded CC&Rs satisfy the terms of the land use approval authorizing the map. The signature block for the CC&R's shall be accepted by the City with the following signature block:

   The City of Vista has reviewed these CC&R's and the terms of the land use approval authorizing the map have been complied with, based on language included in the following provisions _____ or the CC&R's. Any amendment to those provisions must be countersigned by the City to confirm that the changes do not materially modify the preceding list of the CC&R's in a manner to deviate from the requirement s of the land use approvals.

   _____
   City of Vista Representative

d. The approval of the Tentative Subdivision Map shall not mean that closure, vacation, or abandonment of any public street, right of way, easement, or facility is granted or guaranteed to the applicant. Section 66434(g) or 66445(j) of the Government Code may be applied at the discretion of the City Engineer. If not applied, the applicant is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) for such actions shall be reviewed and approved or rejected by the City under separate process per codes, ordinances, and policies in effect at the time of the application.

e. Where proposed off-site improvements, including but not limited to slopes, public utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all necessary easements or other interests in real property and shall dedicate the same to the City as required. The applicant shall provide documentary proof satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of the parcel map. Additionally, the City, may at its sole discretion, require that the applicant obtain at his sole expense a

title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Vista or the applicant, as applicable.

f. For this project APN's 162-493-24-00 and 162-493-25-00 shall grant a private sewer easement to this development so the proposed sewer laterals for lots 1, 2 and 3 can be connected to a public sewer main within the adjacent properties. Recorded easements shall be completed before a grading permit is issued. These two parcels shall also grant a construction easement to the developer for all work to be completed on their property.

g. A boundary adjustment shall be recorded between this project and APN 162-493-23-00 for the 1 foot strip that exists along the southerly boundary of APN 162-493-23-00. Recording shall be completed before grading permit is issued.

h. The applicant shall obtain any necessary permits and clearances from all public agencies having jurisdiction over the project due to its type, size, or location, including but not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County Health Department, prior to the issuance of grading permits.

i. The drainage design on the Tentative Subdivision Map is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the Land Development Engineer during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the Land Development Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All storm drain easements shall be dedicated where required. The applicant shall be responsible for obtaining any off-site easements for storm drainage facilities.

j. Prior to grant of occupancy, the Engineer of record must submit "As-Built" drawings to the construction inspector assigned to this project for final approval. The Inspector will review the "As-Built" drawings, sign and return them to the contractor.

k. The development shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and storm water discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or requirements. Further, the applicant shall be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the N.P.D.E.S. General Permit for Storm Water Discharges

Associated with Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. SWPPPs shall include construction pollution prevention and pollution control measures. The applicant shall comply with all the provisions of the Clean Water Program during and after all phases of the development process, including but not limited to: mass grading, rough grading, construction of street and landscaping improvements, and construction of dwelling units.

l. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during construction along the frontage of the project, shall be repaired or replaced as directed by the Inspector.

2. Grading

a. Prior to any grading of any part of the project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations of the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Development Code, is approved by the Land Development Engineer.

b. If the project involves demolition of an existing structure or surface improvements, the grading and erosion control plans shall be approved by the Land Development Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.

c. A precise grading and private improvement plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The grading plan shall be prepared by a California Registered Civil Engineer. The plan shall reflect all pavement, flatwork, drainage devices, utility services, landscaped areas, special surfaces, curbs, gutters, walls, medians, striping, signage, streetlights, and footprints of all structures. Parking lot striping and any on-site median islands shall be shown on all Precise Grading and Private Improvement Plans. An erosion control plan shall be submitted along with the grading plans for the site.

d. The applicant shall monitor, supervise and control all construction and construction-supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

    1. Dirt, debris and other construction material shall not be deposited on any public street or within the City's storm water conveyance system.

2. All grading and related site preparation and construction activities shall be limited to the hours of 7 AM to 5 PM, Monday through Friday, and from 8 AM to 4 PM on Saturdays. No Engineering related construction activities shall be conducted on Sundays or legal holidays unless written permission is granted by the Land Development Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City's Noise Ordinance also prohibits any disturbing, excessive, or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity.

3. The construction site shall accommodate the on-site parking of all motor vehicles used by persons working at or providing deliveries to the site.

e. Grading and drainage facilities shall be designed and installed to adequately accommodate the local storm water runoff and shall be in accordance with the City's Development Code and as directed by the Land Development Engineer. Drainage facilities shall include an onsite detention basin to attenuate the peak flows resulting from a 100-year storm event down to a level equal or less than the pre-development flow.

3. Improvements

a. Prior to approval of the Final Map all improvement requirements shall be covered by a subdivision agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of monuments, and warranty against defective materials and workmanship. Any private streets that are created shall be subject to a Subdivision Maintenance Agreement to be recorded concurrently with the Final Map.

b. All public improvements are required at the time of subdivision and/or development and shall be under construction to the satisfaction of the Land Development Engineer prior to the issuance of the first building permit, excluding retaining wall permits. All public improvements including underground conversion of overhead utilities (if required) shall be completed prior to issuance of any Certificate(s) of Occupancy.

c. Engineered street, and sewer improvement plans for Olive Avenue shall be prepared and submitted by a California Registered Civil Engineer for plan check and approval of the Land Development Engineer.

d. The following streets shall be dedicated on the Final Map and improved as noted:

Olive Avenue:

a) An 84-foot wide right-of-way (ROW) improved with a 64-foot wide curb-to-curb pavement section centered within the ROW.

b) Improvements shall consist of streetlights, 6-inch curb/gutter, 5 foot wide sidewalk, a minimum pavement section of 4" AC over 8" CLIIAB structural pavement section with a TI of 8.0.

c) For this project the ROW has been dedicated and Olive Avenue meets the City of Vista requirements for width and improvements. This project shall complete a pavement investigation in accordance with conditions o and p below and at a minimum construct a 2 inch grind and overlay to centerline of Olive Avenue along the project frontage.

e. Street name signs and traffic control devices shall be built to City standards as required by the Land Development Engineer and the Traffic Engineer.

f. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the Land Development Engineer.

g. Center to curb face radius for private cul-de-sacs shall be 40 feet minimum with an easement radius of 45 feet.

h. Sight distance requirements at all street intersections shall conform to the Cal Trans intersectional sight distance criteria. Landscaping features such as slopes, fencing, retaining walls, trees, shrubs, and signage shall be designed to conform to the Cal Trans sight distance criteria.

i. This project shall provide a standard City of Vista street light at the intersection of the private street and Olive Avenue. The applicant shall pay all applicable fees, energy charges, and/or assessments and privately maintain said street lights on all public or privates streets within the subdivision boundary. Streetlight plans shall be submitted and approved prior to recordation of the Final Map.

j. Design and construction of all improvements shall be in accordance with standard plans and requirements of the City of Vista and subject to approval by the Land Development Engineer.

k. All public streets shall provide a minimum of 10 foot parkway between the face of curb and the right of way line. Public and private sidewalk and hardscape designated as "ADA path of travel" shall comply with ADA requirements.

l. Any public street adjacent to the project shall be improved as required by the Land Development Engineer.

m. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the applicant's soil engineer and must be approved by the Land Development Engineer, prior to paving.

n. All existing overhead utility lines within the property and/or in the public right of way on the same side of a public right-of-way or private street abutting a new project, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be placed underground per City Code requirements and as required by the Land Development Engineer and current City policy.

o. Prior to approval of the grading plans, the applicant shall contract with a geotechnical engineering firm to perform a field investigation of the existing pavement on all streets adjacent to the project boundary. The limits of the study shall be half-street along the project frontage. The field investigation shall include a minimum of one pavement boring per every fifty (50) linear feet of street frontage. Should the existing AC thickness be determined to be less than three (3) inches or without underlying Class II base material, the applicant shall remove and reconstruct the pavement section as determined by the pavement analysis submittal process detailed in following condition.

p. Upon review of the pavement investigation, the Land Development Engineer shall determine whether the applicant shall: 1) Repair all failed pavement sections, 2) header cut and grind per the direction of the Public Works Inspector, and construct a minimum two (2)-inch thick rubberized AC overlay; or 3) Perform R-value testing and submit a study that determines if the existing pavement meets current City standards/traffic indices. Should the study conclude that the pavement does not meet current requirements, rehabilitation/mitigation recommendations shall be provided in a pavement analysis report, and the applicant shall reconstruct the pavement per these recommendations, subject to approval by the Land Development Engineer.

q. The City of Vista does not provide water service for projects within our city limits. A separate submittal and/or permits, fees, bonds, agreements and other conditions may be required to be attained by Vista Irrigation District.

r. Any private water lines shall be designed by a registered Civil Engineer in the State of California. The plan check and inspection for private water lines shall be paid for by the developer as part of the Engineering review and construction process.

4. Stormwater

a. The applicant shall prepare and submit an Operations & Maintenance (O&M) Plan to the Engineering Division with the first submittal of engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm Water Quality Management Plan (SWQMP) previously approved by the Land Development Engineer. The O&M Plan shall be approved by the Land Development Engineer prior to approval of any plans by the Land Development Division. At a minimum the O&M Plan shall include the designated responsible parties to manage the storm water BMP(s), employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, and any other necessary elements

b. The applicant shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the future owner(s) to maintain, repair and replace the storm water Best Management Practices (BMPs) identified in the project's approved Storm Water Quality Management Plan (SWQMP), as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by the City Attorney and shall be recorded at the County Recorder's Office prior to issuance of any precise grading permit.

c. At a minimum, maintenance agreements shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The project proponent shall complete and maintain O&M forms to document all maintenance activities. Parties responsible for the O&M plan shall retain records at the subject property for at least 5 years. These documents shall be made available to the City for inspection upon request at any time.

d. The project shall provide a separate sheet as part of the grading plan showing all construction BMP's required. This construction BMP sheet shall be phased as needed and required by the City of Vista, alterations and or updated plans may be required during construction. Additional BMP's when requested by the City of Vista shall be implemented at least before the next rain event or within 48 hours of request whichever comes first.

e. The BMPs described in the project's approved Storm Water Quality Management Plan (SWQMP) shall not be altered in any way, shape or form without formal approval by the City Engineer.

f. This project will be required to implement post construction BMP's in accordance with the City of Vista BMP Design Manual and the San Diego Regional Water Quality Control Board (SDRWQCB) MS4 permit reissued as order no R9-2013-0001. A separate sheet shall be provided as part of the grading plans that indicates all site design, source control and

treatment control BMP's. This sheet shall be signed by the architect, civil engineer, landscape architect, and geotechnical engineer. It shall show construction level details for all BMP's as required by the City Engineer.

g. The storm water treatement, hydromodification and Q100 detention design on the Tentative Subdivision Map is conceptual only. The final design shall be based upon a final SWQMP submitted that meets all of the most current requirements from the Region 9 Water Resource Control Board and the City of Vista. Any unresolved issues shall be addressed at the final design stage. This Final designed report shall be approved by the Land Development Engineer during final engineering.

h. All post construction BMP's shall be surveyed by a professional land surveyor. A written certification signed and stamped by the Civil Engineer of record shall be submitted prior to final inspection and occupancy release. The certification shall include language that the civil engineer has personally visited the site and confirms the BMP's as constructed are in conformance with the approved SWQMP and H&H reports and that all water quality requirements have been satisfied.

3. Public Sewer and Water Utilities (insert Sanitation conditions here)

a. The Residential development proposed density is in compliance with the current General Plan and zoning requirements. Therefore, the project proposed sewer capacity is within the allowable sewer capacity as *determined by the current '2017-Sewerage Master Plan'.*

b. The proposed residential development project is *outside* the City of Vista Jurisdictional Boundary and the Sewer Service Area (*V03*), but it is within the City of Vista Sphere of Influence. Annexation of the parcel into the City of Vista Jurisdictional Area will be required in order to obtain sewer service.

c. Sewer capacity is available upon recordation of the required '*Annexation into the City Of Vista*' Jurisdictional Boundary.

d. The *peak sewer capacity estimate* for this project, based on the Site Development Plan submittal dated *August-2019*, will be calculated based on the current City of Vista Municipal Codes (*Ref. VMC Sections 14.01.030, 06.110, 120, & 130*).

e. The current sewer capacity charge per EDU is available at City's Development Services Counter, and is due and payable immediately prior to issuance of the building permit. The capacity charge is subject to change based on the charge schedule and plans submitted at the time the building permit is issued. Prorated sewer service charges are initially billed for the current fiscal year and thereafter collected on the property tax roll (*Ref. VMC 14.06.040 & 14.06.090, & 100*). The

capacity charge is subject to change based on the charge schedule at the time the building permit is issued.

f. *Developer shall obtain a 'Sewer Discharge' permit from the City of Vista, and pay all related fees and charges, prior to obtaining a Building permit.* Commitment to provide sewer services is made by the District's Board and/or City Council, and is subject to compliance with Sewer District's conditions, terms, rules, and regulations, posting required securities/bonds, and payment of all pertinent fees and charges.

g. An existing *8-in VCP (Dwg-3539, 1965-Yr)* public sewer main within a *public sewer easement (Doc.1978484309, Rec'd. 11/8/1978)* is available for connection. Refer to the existing record drawings and the existing CCTV inspection logs and videos for location and condition of the existing pipes, respectively.

h. Abandonment of 'Private &/or Public' Sewer Facilities: The existing residential buildings are currently being served by an existing private septic system. Developer shall obtain a County Department of Environmental and Health (DEH) plumbing permit to abandon the septic system. Below is the link to the County of San Diego's website for abandonment of septic systems. Click the link at the bottom of the page "Design Manual for Onsite Wastewater Systems". This will provide you the latest requirements. *Add note on the Grading and Improvement Plans stating that existing private septic system is required to be removed.*
http://www.sdcounty.ca.gov/deh/water/lu_septic_systems.html. Also, the Geotechnical/Soils Report shall address the removal & backfill of the septic system.

i. The existing *8-in VCP (Dwg-3539, 1965-Yr)* public sewer main within the *public sewer easement (Doc.1978484309, Rec'd. 11/8/1978)* shall be remove and realigned and replaced per public standards, and as directed by the Sanitation Engineer.

j. Access shall be provided from Lot-C into the *public sewer easement (Doc.1978484309, Rec'd. 11/8/1978) for the purposes of access and sewer maintenance, and an Access gate shall be install per public standards, and as directed by the Sanitation Engineer.*

k. Developer shall extend an 8-in PVC (SDR35) public sewer main along Lot-C and out of the existing *public sewer easement (Doc.1978484309, Rec'd. 11/8/1978)* to provide sewer service to the proposed residential development.

l. Construction Sewer Improvement plans are to be designed per public standards, and prepared by a California Registered Professional Civil Engineer, and construction and inspection of the 'public' sewer main is

to be done per Public Standards and/or as directed by the City Engineer, including Pre- & Post-CCTV inspection (*Ref. VMC 14.08*).

m. Each proposed detached building shall have an individual, dedicated, gravity flow, private sewer lateral and cleanout fronting and connecting to the private sewer main.

n. The Grading and Improvement Plans shall include an 'AS-BUILT' Sanitation Signature block as noted below.

"AS BUILT"
_____ _____ DATE RCE _____ EXP. _____
REVIEWED BY: INSPECTION:_____ DATE: _____ SANITATION *** _____ DATE: _____

o. This project does not qualify for public sewer reimbursement. All cost incurred for the removal and replacement of the 'off-site' public sewer facilities shall be borne by the developer (*Ref. VMC14.08-050, & 16.56.150*).

p. Lot-C shall be dedicated on the Final Map as a public sewer easement for the benefit of the City of Vista.

q. The Final Map **GENERAL NOTES** shall include the following notes:

r. Grading, drainage, surface & underground improvements, landscape and irrigation, and BMPs requirements per approved planning commission (City Council) Resolution 2020-_____.

s. All public sewer and drainage easements dedicated within the Final Map shall be subject to the *'VSD Restrictions for Sewer & Drainage Easements', Doc#1991-0433396, Recorded August 23, 1991.*

t. All Parcels shall be subject to a recorded 'Private Subdivision Facilities Maintenance Agmt' *Doc#2020-_____, Recorded _____, 2020.*

u. All Parcels shall be subject to a recorded 'Covenants, Conditions and Restrictions' (CC&Rs) *Doc#2019-_____, Recorded _____, 2020.*

v. Developer is to comply with the *SWRCB* requirements to prevent *Sanitary Sewer Overflows (SSOs) and Spills.* Compliance can be met by complying with the conditions and requirements noted above, and by performing the required pre- and post-CCTV inspection, and installing approved sewer manholes and access roads.

w. For questions regarding the above sanitation terms and conditions, please contact Mr. Tony Tirado, P.E, at 1.760.643.5432, or email: ttirado@cityofvista.com,.

4. Miscellaneous

a. Traffic control during the construction of streets which have opened to public travel shall be in accordance with construction signing, marking and other protection as required by the State Department of Transportation (CalTrans) Traffic Manual.

b. Water improvements are separately approved by and bonded with the Vista Irrigation District prior to approval of the grading plan. Please submit with VID concurrently to avoid project delays.

c. A Right-of-Way permit shall be required prior to commencement of any work within the City right-of-way.

G. FIRE DEPARTMENT CONDITIONS AND REQUIREMENTS

1. Fire Department Access

a. Fire apparatus roads shall be designed and maintained to support an imposed load of at least 75,000 pounds and shall provided an approved paved surface

All fire access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. If the roadway becomes undrivable, a Stop Work Order may be issued until access is restored.

b. A paved all-weather driving surface approved by the Fire Chief, capable of supporting fire apparatus must be installed prior to combustible construction materials being brought to the site. *(Exception: forming lumber for foundations permitted prior to all-weather surface.)* Minimum required paving shall consist of at least the first lift. Complete paving is required prior to building final inspection.

c. Any gate or barrier across a fire access roadway whether manual or automatic, must meet Vista Fire Department standards and have specific plans reviewed and approved prior to installation.

d. Roadway design features (speed bumps, speed humps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed or allowed to remain on fire access roadways.

2. Street Address Numbers/Signs

a. Permanent three-dimensional street numbers, minimum 4" in height,

shall be provided at approved locations, visible from either direction of approach.

b. Street name signs meeting the requirements of the City shall be installed at the intersections. Temporary address and street name signs shall be provided during construction.

3. Hydrants & Waterlines

a. Jones model 3700 and Clow model 2050 are the only acceptable hydrants. Required fire flow at hydrant is 1500 GPM.

b. Prior to any building construction at the site all fire hydrants shall be installed and operational. If any existing fire hydrant does not meet minimum fire flow or approved type as indicated above it shall be the responsibility of the applicant to improve the system as needed.

c. Waterlines for fire control must be capable of supplying the required demand of the hydrant(s), plus the largest fire sprinkler demand, plus any domestic use supplied from that line.

d. Fire hydrants shall be painted per Vista Fire Department standards and be maintained free of obstructions. Blue reflective raised pavement marker shall be installed on pavement at approved location marking each hydrant.

e. If any hydrants are taken out of service, the Fire Marshal's office shall be notified in advance and the hydrants clearly marked OUT OF SERVICE per department policies.

4. Fire Sprinklers

a. All residential structures and attached garages built on the subject property are required to have residential fire sprinkler systems meeting NFPA 13-D, current edition, and local VFD sprinkler policy.

b. All Building Plan framing and floor plan pages shall include the following statement in bold type:

"BUILDING SHALL NOT BE ENCLOSED UNTIL FIRE DEPARTMENT APPROVES FIRE SPRINKLER HYDROSTATIC TEST.

5. Emergency Response Map

a. Provide an "as built" site plan for emergency response mapping in a format compatible with current Fire Department mapping contractor needs. Fee for map update is charged. Map update is required prior to building permit issuance

H. VISTA IRRIGATION DISTRICT INFORMATION AND CONDITIONS

1. The site is entirely within the Vista Irrigation District.

2. All Grading and Improvement plans are required to be submitted to the District for review and approval.

3. One or more of the following requirements apply in order for the District to supply water to this project:
   a. A public water line extension
   b. Installation of a reduced pressure detector assembly (RPDA) to serve your private system
   c. Installation of water facilities off existing District water line(s)
   d. All lots being created must be adjacent to a public water main and served through individual water meters(s) and/or RPDA(s)

4. A Specific Easement (ref. Vista Irrigation District Standard Drawing 5-1) is necessary for: public waterline extension.

5. District Blanket Easement No. M105 & M106 encumbers the property. Specific Easement No. P20 encumbers the property.

6. An existing District waterline crosses or is adjacent to the land being developed (see-attached plat) and should be shown on the final map. These waterlines may need to be replaced or relocated due to the grading operations or project configuration.

7. Service is being provided via an existing 2" water meter, Account No. 5467-0190 and ¾" water meter, Account No. 5467-0096. Additional meters or water facilities may be needed.

8. This project is subject to payment of the District's Capacity Fee as well as the San Diego County Water Authority's Capacity Charge at the time application is made for water service.

9. A complete hydraulic analysis and design study will be required to determine available domestic service pressures, fire flow availability, on-site and/or off-site system improvements required to serve the project. The owner is to contact the District's Engineering Department to make arrangements for the study.

10. When the required fire flow amount and fire hydrant locations are known, the developer and his engineer must meet with District staff to discuss water service to the site.

11. The District's water system design criteria requires that a **minimum residual** pressure of 30 psi during peak hour conditions be provided **at each water**

meter required for the project. Additionally, required fire flows for the project must maintain a minimum of 20 psi during maximum day conditions. The District has a 10-inch size waterline in Olive Avenue with a maximum hydraulic gradient of 565 feet. The owner should contact the Fire Agency having jurisdiction over this project to obtain fire flow requirements and fire control facilities needed to serve the project.

12. Owner to coordinate project with District. Contact Jay Vittachi, Engineering Specialist II, at (760) 597-3122 for more information.

13. Meters serving commercial or industrial zoned lands are required to have an approved District backflow device. If fire hydrants are required which are not adjacent to any District waterlines or which are adjacent to undersized waterlines, a waterline extension may be required which may also require specific easements.

I. VISTA UNIFIED SCHOOL DISTRICT INFORMATION AND CONDITIONS

The applicant must mitigate the impact of this development before a building permit is issued. Fees may be paid at the Vista Unified School District Office, 1222 Arcadia Avenue, Vista, California, 92084 between the hours of:
Monday through Thursday 9 a.m. to 1 p.m.
Monday through Thursday 1 p.m. to 4 p.m. by appointment only
Fridays 9 a.m. to 4 p.m. by appointment only
Appointments can be made by telephone at 760-726-2170 ext. 2893 or 2820.

J. PLANNING INFORMATION AND CONDITIONS

1. The project applicant shall be responsible for all fees charged by the Local Agency Formation Commission (LAFCO) associated with the application for annexation/reorganization for subject project.

2. The Final Map shall not be approved until the annexation/reorganization process is completed with LAFCO for the annexation of subject project site into the City of Vista's jurisdictional boundary.

3. A condition of the annexation into the City of Vista shall be imposed to ensure that the project parcels (APN 162-493-30 &31) to be annexed will be subject to certain assessments, such as the Citywide Landscaping and Lighting District and Citywide Street Maintenance District.

4. Any proposed fence or wall details and materials shall be submitted for review and approval by the City Planner. No razor wire, barb wire or chain link fencing is allowed. The use of unfinished CMU as a wall material is not permitted.

5. Building setbacks shall conform to the setback lines delineated on the Tentative Map as well as setback requirements per the zone (R-1). Setbacks shall also be shown on the Final Map.

6. Street Name, Numbers and Warning Signs:
   a. Building addresses shall be assigned by the Planning Division.

   b. The applicant shall cause to be installed in all public and private rights of way, at his/her expense, street signs and City standard warning signs, including stop signs, as required by the Traffic Engineer, to ensure the safety of the public. Street name signs shall be of the type approved by the Traffic Engineer. The placement of all signs shall be shown on the approved street improvement plans. Public street name signs shall be green with white letters and private street name signs shall be blue with white letters.

7. Prior to Final Map approval, the subdivider shall give notice to public utilities as required by the Subdivision Map Act.

8. Prior to the Final Map approval, the subdivider shall have a mail collection system approved by the Postmaster. The mail collection system shall be installed with the onsite street systems.

9. The Final Map shall conform to the Tentative Map as determined by the Land Development Engineer. A Final Map shall be deemed to conform if public infrastructure meets City standards, even if it is not as shown on the Tentative Map. A Final Map shall also be deemed to conform to the Tentative Map if there are fewer residential lots, or if the lots are larger, or if the grading varies slightly from the concept shown but meets the City Ordinance and generally conforms as determined by the City Planner.

10. Prior to Final Map approval, construction drawings showing all slopes, street trees, and any other proposed landscaping shall be submitted to the City Planner. These plans shall be prepared by a licensed landscape architect and shall comply with the applicable City ordinances. The plans must be approved by the City Planner prior to Final Map approval.

<u>Landscape</u>

11. The landscape construction drawings shall be modified from Exhibit "B" to provide a planting design that demonstrates that the estimated total water use (ETWU) will not exceed the maximum allowable water allowance (MAWA). The construction drawings shall contain complete planting and irrigation plans, details & specifications to meet the requirements of the City of Vista's Water Efficient Landscaping Ordinance (Chapter 18.56) and The City of Vista's Landscape Manual.

12. All areas that are graded or disturbed as a result of the project must be re-landscaped to the requirements of the City of Vista's Water Efficient Landscaping Ordinance (Chapter 18.56) and the City of Vista's Landscape Manual.

13. Following grading put prior to the commencement of the irrigation system's installation, a soils management report must be submitted to the City for review and approval. It shall contain the following: An analysis of the soil for the proposed landscape area of the project including soil texture, soil infiltration rate, pH, total soluble salts, plant sodium, percent organic matter, horticultural suitability, and recommendations for soil amendments and mulch that may be necessary to provide for healthy plant survival and growth.

14. The project Landscape Architect shall supervise the installation to insure that the work is installed per the plans approved by the City. This shall include an observation of the irrigation system of all points of connection (prior to backfill), backflow protection devices, mainlines, electrical connections, automatic controllers, control valves, as well as all soil amendments, root barriers, existing and proposed plantings, tree staking and mulch. The completed irrigation system must be tested to verify adequate coverage and that no overspray or runoff is occurring.

15. Prior to the request of the applicant for review and approval by the City of the project's completion, provide an irrigation schedule showing the time period when irrigation will be scheduled and confirm that no overhead irrigation shall be used between the hours of 10:00 a.m. and 8:00 p.m. and also in compliance with current Vista Irrigation District's limitations.

16. Prior to the request of the applicant for review and approval by the City of the project's completion, identify the entity who will be responsible for maintenance and provide a landscape and irrigation maintenance schedule to include the following:
    A. Adjustments and repair of the irrigation system to prevent runoff and erosion and to detect irrigation system failure,
    B. replacement of dead, dying and diseased vegetation,
    C. eradication of invasive species,
    D. addition of soil amendments when necessary to support and maintain healthy plant growth,
    E. fertilizing, pruning and weeding and maintaining turf areas, and
    F. maintenance to avoid obstruction of motorists' view.

17. The submission by the project landscape architect's Certificate of Completion shall serve as a formal request for final observation by the City. The Certificate of Completion shall include:
    A. Conformance with the approved plans and specifications with any deviations noted,
    B. an updated irrigation schedule,
    C. irrigation and maintenance schedule, and
    D. soils management report.

18. The City's inspection shall include, but not be limited to conformance with the approved irrigation and planting plans. Tentative approval shall be granted when the City is satisfied that the installation of the landscaping and irrigation system has been satisfactorily installed per the approved plans.

19. Final approval of landscape installation shall require an additional field observation of the landscaping and irrigation system by the City no sooner than one year from the date of tentative approval. Prior to the request for final approval, the owner is required to obtain an irrigation audit report prepared by a certified landscape irrigation auditor, certifying satisfactory testing for the following: distribution uniformity, over spray and runoff control, and that water use does not exceed the MAWA once landscaping has been established. This report must be submitted prior to the requested final inspection by the City.

20. All plantings shall be maintained in a healthy and thriving condition and relatively weed free. All plants which fail to thrive because of disease, damage, accident or other cause shall be immediately replaced with a plant of the same species and size as originally approved. At the discretion of the City planner, replacement of any plant materials that have been improperly maintained shall be required at a size equal to the size of the plant had it been properly cared for.

21. All trees shall be maintained in a manner that retains the natural form of the species. Topping and aggressive pruning will not be allowed.

22. Maintenance of landscaping within all perimeter slope areas shall be the responsibility of the homeowner's association for the project in perpetuity. The Final Map and CC&Rs shall include easements over perimeter landscaped slope areas and require homeowner's association maintenance of the perimeter slope areas in perpetuity.

23. Prior to Final Map approval, a Notice of Land Use Restriction approved by the City Planner must be recorded acknowledging all Conditions of Approval.

Development Service Fees:

24. The proposed project will require development fees to be paid at the time of building permit issuance. Please check with the Development Services Division for the current City fee schedule.

Indemnification:

25. By accepting the permit or approval, applicant agrees to accept responsibility for defending against any third party challenge to the grant of this permit or approval. Except as otherwise provided by state or federal law, the applicant shall defend, indemnify and hold the City harmless from any costs, claims, penalties, fines, judgments, or liabilities arising from the approval, including without limitation, any award or attorney's fees that might result from the third party challenge.

26. The City shall promptly notify the applicant of any challenge and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any challenge or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. For the purposes of this indemnity, the term "City" shall include the City of Vista, its officers, officials, employees, agents and representatives. For the purposes of this section, the term "challenge" means any legal or administrative action to dispute, contest, attach, set aside, limit, or modify the approval, project conditions, or any act upon which the approval is based, including any action alleging a failure to comply with the California Environmental Quality Act or other laws.

27. For this permit or approval to become effective, the applicant must, within thirty business days of the grant of this permit or approval, execute a form accepting the permit or approval with all conditions. Upon executing the form, the applicant may not challenge the imposition of any condition, except as otherwise provided by law.

Mitigation Measures:

The following Mitigation Measures have been incorporated into the project design or are to be implemented before or during construction in accordance with the Conditions of Approval for the project, thereby reducing all identified impacts to less than significant levels.

BR-1 All vegetation removal or grading will be performed prior to or after the bird breeding season, January 1 through September 15 (i.e., only between September 16 and December 31). If clearing or grading cannot be avoided during the bird-breeding season, a one-time pre-construction nest survey conducted by a Qualified Biologist (i.e., with experience in conducting breeding bird surveys) shall be conducted within the proposed impact area 72 hours prior to construction. This survey is necessary to assure avoidance of impacts to nesting raptors (e.g., Cooper's hawk and red-tailed hawk) and/or birds protected by the federal Migratory Bird Treaty Act. If nesting activities within 300 feet of the proposed work area (within 500 feet for raptors) are not detected, construction activities may proceed. If any active nests are detected, the area shall be flagged and mapped on the construction plans with buffers as determined by the project biologist and avoided until the nesting cycle is complete. Project personnel shall be instructed about the protocol. The results of the survey would be provided in a summary report to the Director of Community Development, and to CDFW (if required). By avoiding clearing during the bird breeding season and/or impacts to nesting birds and raptors, the proposed project would be in compliance with the MBTA and pertinent sections of the CFG Code.

CR-1 Cultural resource mitigation monitoring shall be conducted to provide for the identification, evaluation, treatment, and protection of any cultural resources that

are affected by, or may be discovered during, the construction of the proposed project. In addition, archaeological monitoring will address the identification, evaluation, treatment, and potential mitigation of impacts to historic archaeological resources encountered during construction. The monitoring shall consist of the full-time presence of a Qualified Archaeologist and a TCA (traditionally and culturally affiliated) Native American Monitor for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and related off-site road improvements, including, but limited to, the installation of infrastructure, and the realignments and/or expansions to Olive Ave. Other tasks of the monitoring program shall include the following:

- The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.
- Prior to the issuance of a Grading Permit, the Applicant or Owner, and/or Contractor shall provide a written and signed letter to the City of Vista's (COV) Director of Community Development, stating that a Qualified Archaeologist and a TSA Native American Monitor have been retained at the Applicant or Owner and/or Contractor's expense to implement the monitoring program, as described in the pre-excavation agreement, noted below. A copy of the letter shall be included in the grading plan submittals for the Grading Permit.
- The Qualified Archaeologist and TCA Native American Monitor shall attend all applicable pre-construction meetings with the Contractor and/or associated Subcontractors to present the cultural monitoring program.
- The Qualified Archaeologist shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground-disturbing or ground-altering activities, as identified above. The Applicant and/or Owner, and/or Grading Contractor shall notify the Director of Community Development, preferably through e-mail, of the start and end of all ground-disturbing activities.
- The Qualified Archaeologist and/or TCA Native American monitor may halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground disturbing activities shall be directed away from these deposits for a short time to allow a determination of potential significance, the subject of which shall be determined by the Qualified Archaeologist and the TSA Native American monitor, in consultation with the San Luis Rey Band. Ground disturbing activities shall not resume until the Qualified Archaeologist, in consultation with the TCA Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the Qualified Archaeologist's discretion, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources.
- The avoidance and protection of discovered unknown and significant cultural

resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, a Data Recovery Plan may be authorized by the COV as the Lead Agency under CEQA. If data recovery is required, then the San Luis Rey Band shall be notified and consulted in drafting and finalizing any such recovery plan.

CR-2 Prior to the issuance of a Grading Permit, and subject to approval of terms by the COV, the Applicant or Owner, and/or Contractor shall enter into a Pre-Excavation Agreement with the San Luis Rey Band. A copy of the signed Agreement shall be forwarded to the City Planner. The purpose of this agreement shall be to formalize protocols and procedures between the Applicant or Owner, and/or Contractor, and the San Luis Rey Band for the protection and treatment of, but not limited to, such items as Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items located and/or discovered through the cultural resource mitigation monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, soil surveys, grading, or any other ground disturbing activities.

CR-3 Prior to the release of the Grading Bond, a Monitoring Report and/or Evaluation Report, which describes the results, analysis and conclusions of the cultural resource mitigation monitoring efforts (such as, but not limited to, a Research Design, Data Recovery Program, etc.) shall be submitted by the Qualified Archaeologist, along with the TCA Native American monitor's notes and comments if necessary, to the COV's Director of Community Development for approval. Once reviewed and approved, the City shall submit a copy of the final report to the Rincon Band of Luiseño Indians.

CR-4 All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.

CR-5 Recovered cultural material of historic significance shall be curated with accompanying catalog, photographs, and reports to a San Diego curation facility that meets federal standards per 36 CFR Part 79. Recovered cultural material of tribal cultural significance shall be repatriated as stipulated in the pre-excavation agreement as described in CR-2.

CR-6 As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, a temporary

construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by State law, the Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make determination as to the Most Likely Descendent. If Native American remains are discovered, the remains shall be kept "in situ" ("in place") or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of the TCA Native American monitor.

GS-1 Due to the high potential for uncovering fossils, paleontological resources mitigation monitoring shall be undertaken for on-site mass grading activities. Paleontological monitoring shall be conducted to provide for the identification, evaluation, and recovery of any exposed fossil remains that may be discovered during the construction of the proposed project. The monitoring shall consist of the on-site presence of a Qualified Paleontologist (or a Paleontological Resources Monitor under the supervision of a Qualified Paleontologist) during initial cutting, grading or excavation into the underlying Santiago Formation. Other tasks of the monitoring program shall include the following:

- Prior to the issuance of a Grading Permit, the Applicant or Owner, and/or Contractor shall provide a written and signed letter to the City of Vista's Director of Community Development, stating that a Qualified Paleontologist (or a Paleontological Resources Monitor under the supervision of the Qualified Paleontologist) has been retained at the Applicant or Owner and/or Contractor's expense to implement the monitoring program. A copy of the letter shall be included in the Grading Plan Submittals for the Grading Permit.
- The requirement for paleontological resource mitigation monitoring shall be noted on all grading plans.
- The Qualified Paleontologist shall attend all pre-grading/pre-construction meetings to consult with grading contractors regarding the requirement of monitoring for paleontological resources.

GS-2 If paleontological resources are unearthed, the Qualified Paleontologist (or a Paleontological Monitor under supervision of a Qualified Paleontologist) shall:

- Direct, divert, or halt any grading or excavation activity until such time that the sensitivity of the resource can be determined, and the appropriate recovery implemented.
- Grading activities shall not resume until the Qualified Paleontologist, or Paleontological Monitor, deems the fossil has been appropriately documented and/or protected. At the Paleontologist Archaeologist's discretion, the location of grading activities may be relocated elsewhere on the project site to avoid further disturbance of the paleontological resources.
- Salvage unearthed fossil remains, including simple excavation of exposed

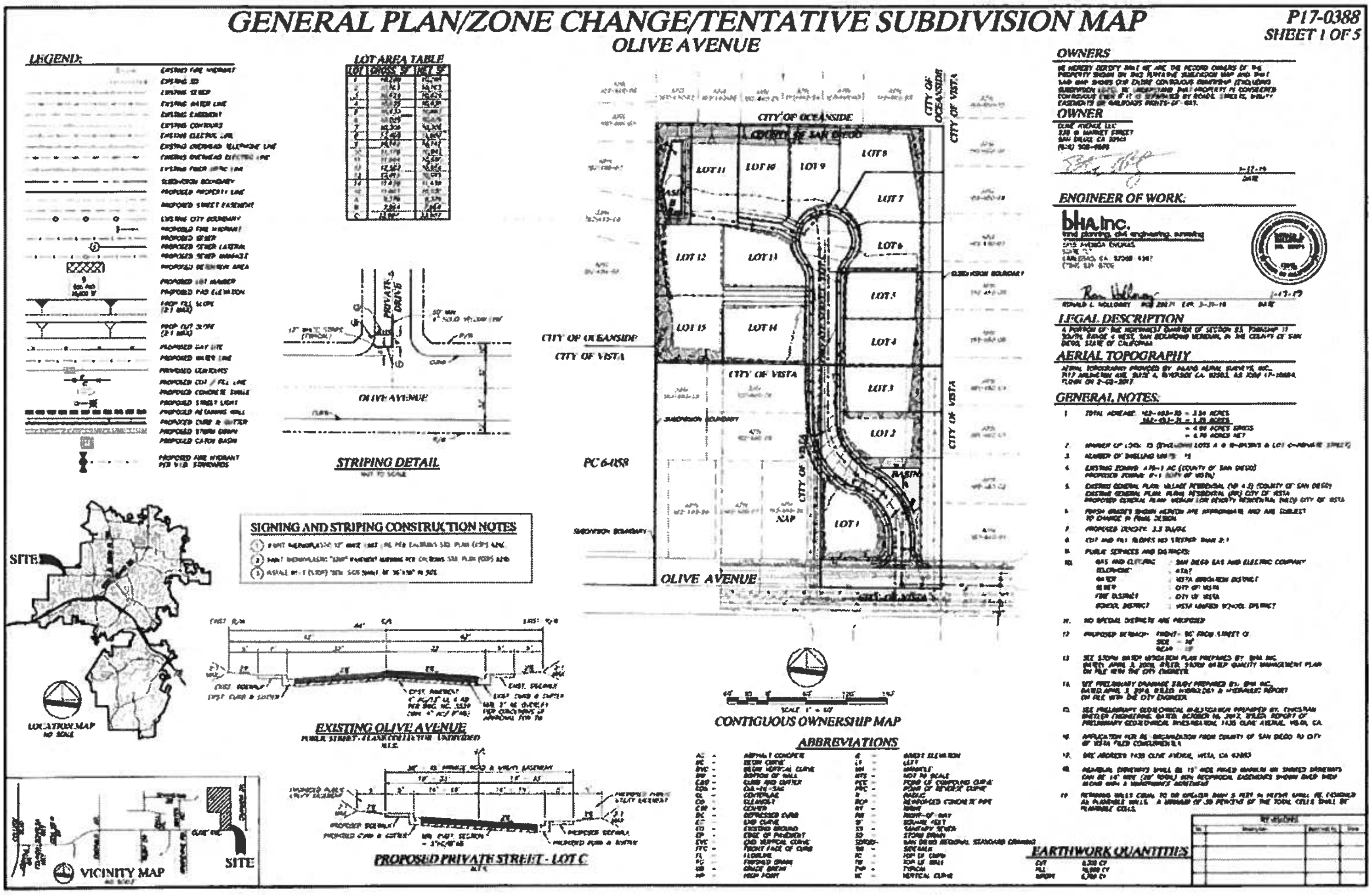
specimens or, if necessary, other required methods (e.g., plaster-jacketing of large and/or fragile specimens).

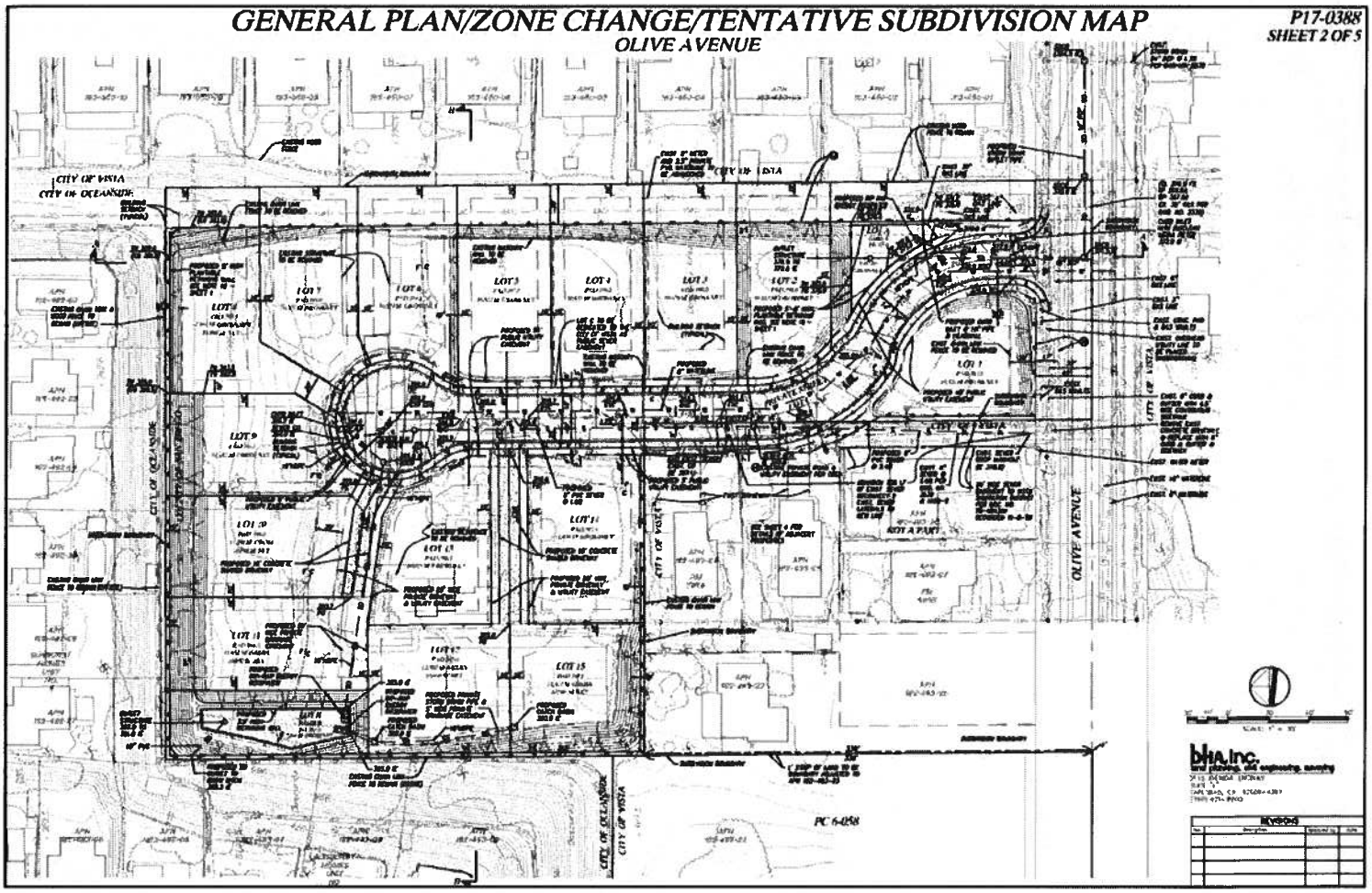
- Record stratigraphic and geologic data to provide a context for the recovered fossil remains, if feasible, and photographic documentation of the geologic setting.
- Curate, catalog and identify all fossil remains, and transfer the cataloged fossil remains to an accredited institution (museum or university) in California that maintains paleontological collections for archival storage and/or display.

N-1 Exterior-to-Interior Noise Level Limit. For residential facades where exterior noise levels exceed 60 CNEL (estimated to be within 145 feet of the Olive Avenue roadway centerline), the project applicant and/or owner shall coordinate with the project architects and other contractors to ensure compliance with the 45 CNEL interior noise standard for residential uses.

This shall be achieved through additional exterior-to-interior noise analysis once specific building plan information is available. This analysis shall be conducted for the proposed residences where exterior noise levels are expected to exceed 60 CNEL, which is within 145 feet of the Olive Avenue roadway centerline, to demonstrate that interior levels do not exceed the applicable City of Vista Noise Element limit. The information in the analysis shall include wall heights and lengths, room volumes, window and door tables typical for a building plan, as well as information on any other openings in the building shell. With this specific building plan information, the analysis shall determine the predicted interior noise levels at the planned on-site residential units. If predicted noise levels are found to be in excess of the applicable limit, the report shall identify architectural materials or techniques that could be included to reduce noise levels to the applicable limit. The report shall be submitted with the application for a building permit from the COV.

TT-1 Prior to obtaining a City of Vista (COV) Building Permit, the applicant and/or owner shall participate in the COV's Impact Fees for Arterials Streets and Traffic Signals program to pay its fair-share of the mitigation for cumulative impacts to the N. Emerald Drive/Olive Avenue intersection.

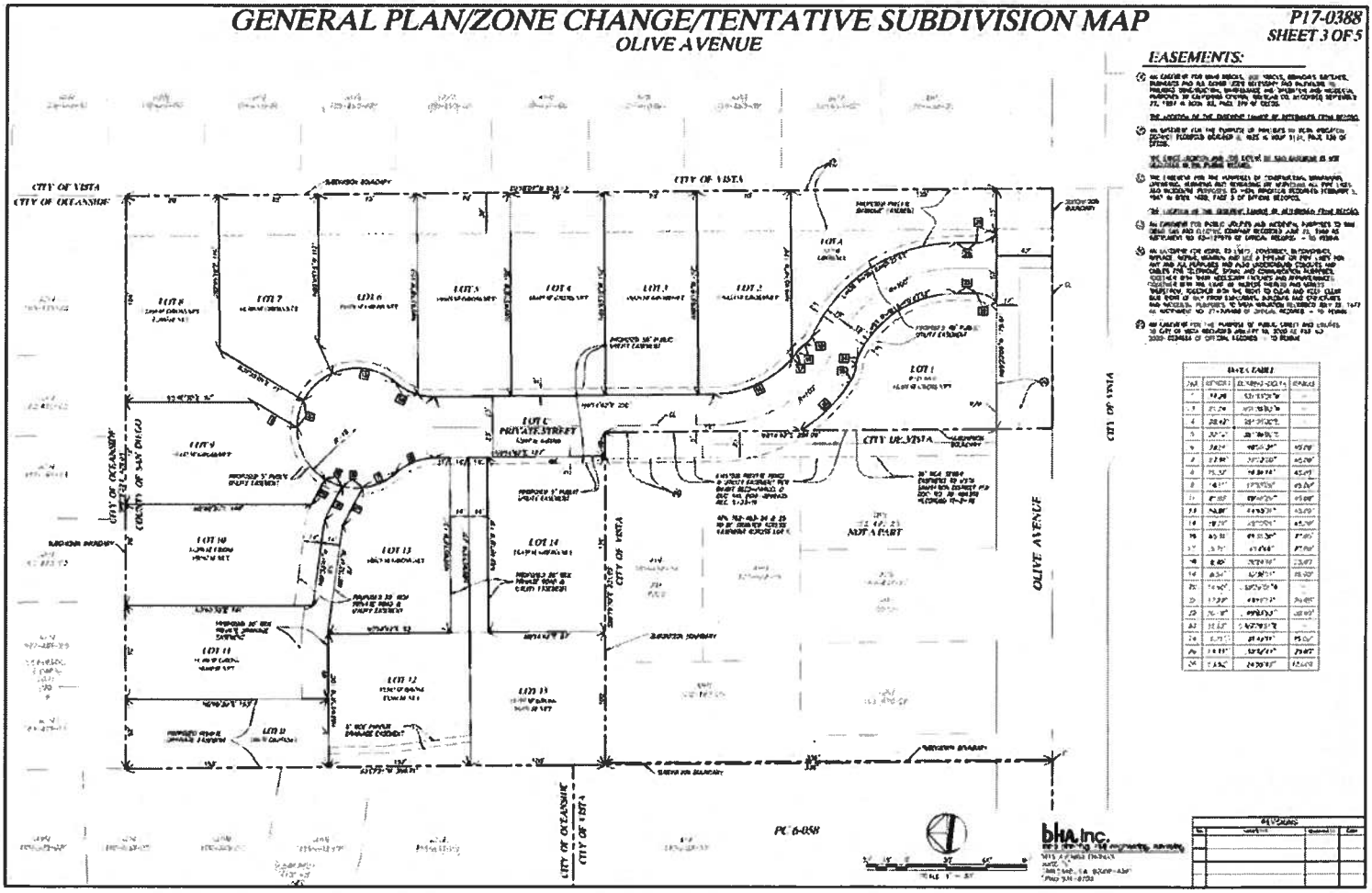

GENERAL PLAN/ZONE CHANGE/TENTATIVE SUBDIVISION MAP
OLIVE AVENUE
P17-0388
SHEET 1 OF 5
LEGEND:
LOT AREA TABLE
OWNERS
OWNER
ENGINEER OF WORK:
bHA Inc.
LEGAL DESCRIPTION
AERIAL TOPOGRAPHY
GENERAL NOTES:
CITY OF OCEANSIDE
COUNTY OF SAN DIEGO
CITY OF VISTA
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 12
LOT 13
LOT 14
LOT 15
BASIN
OLIVE AVENUE
STRIPING DETAIL
SIGNING AND STRIPING CONSTRUCTION NOTES
SITE
LOCATION MAP
EXISTING OLIVE AVENUE
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ABBREVIATIONS
EARTHWORK QUANTITIES


GENERAL PLAN/ZONE CHANGE/TENTATIVE SUBDIVISION MAP
OLIVE AVENUE
P17-0388
SHEET 2 OF 5
CITY OF VISTA
CITY OF OCEANSIDE
OLIVE AVENUE
PC 6-058
BHA, Inc.

GENERAL PLAN/ZONE CHANGE/TENTATIVE SUBDIVISION MAP

OLIVE AVENUE

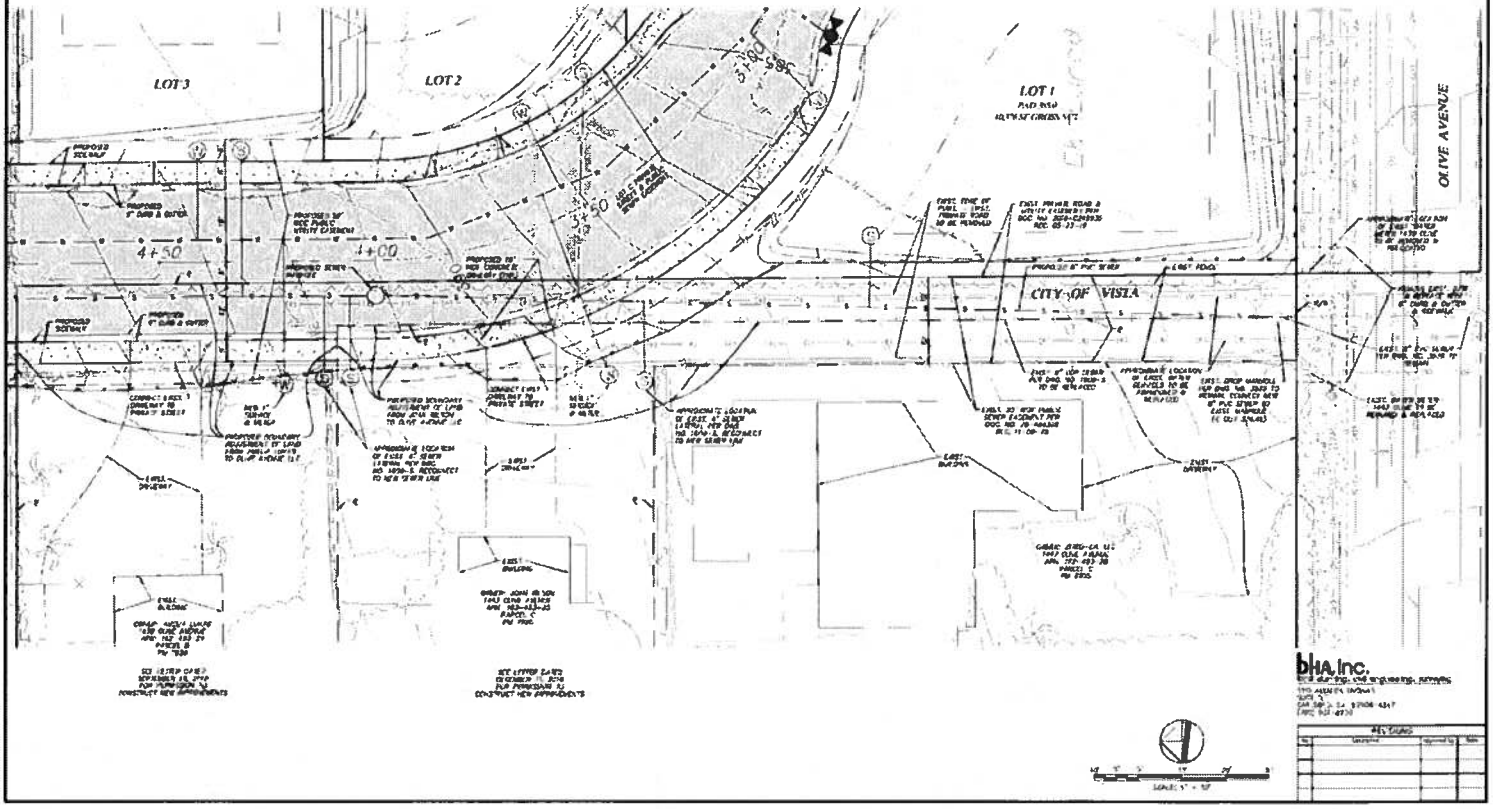
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SHEET 3 OF 5



GENERAL PLAN/ZONE CHANGE/TENTATIVE SUBDIVISION MAP

OLIVE AVENUE

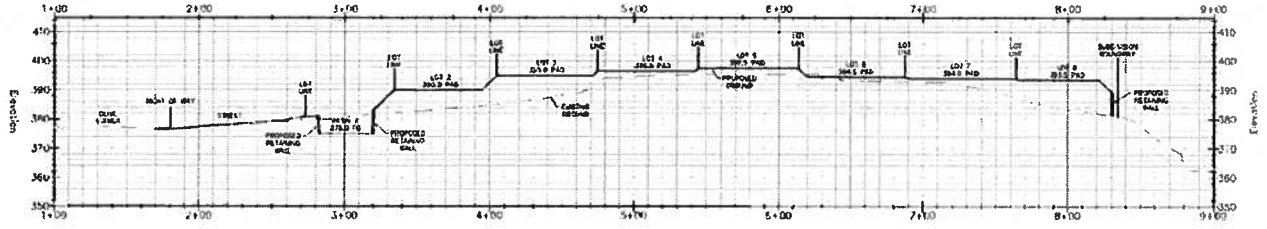
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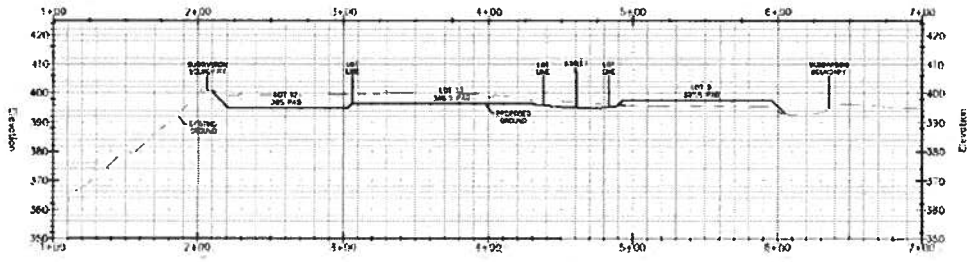
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OLIVE AVENUE

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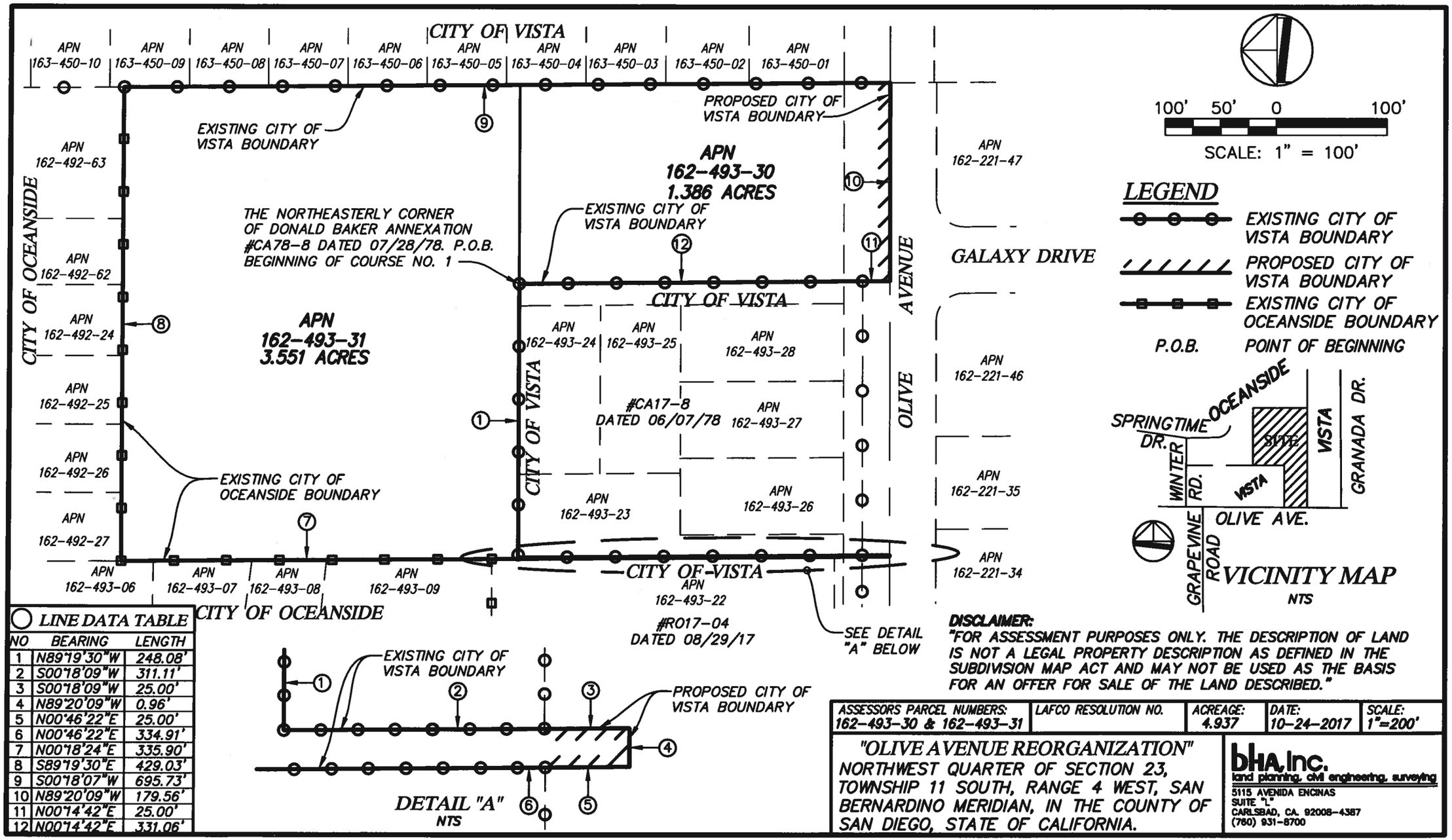
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SECTION B-B



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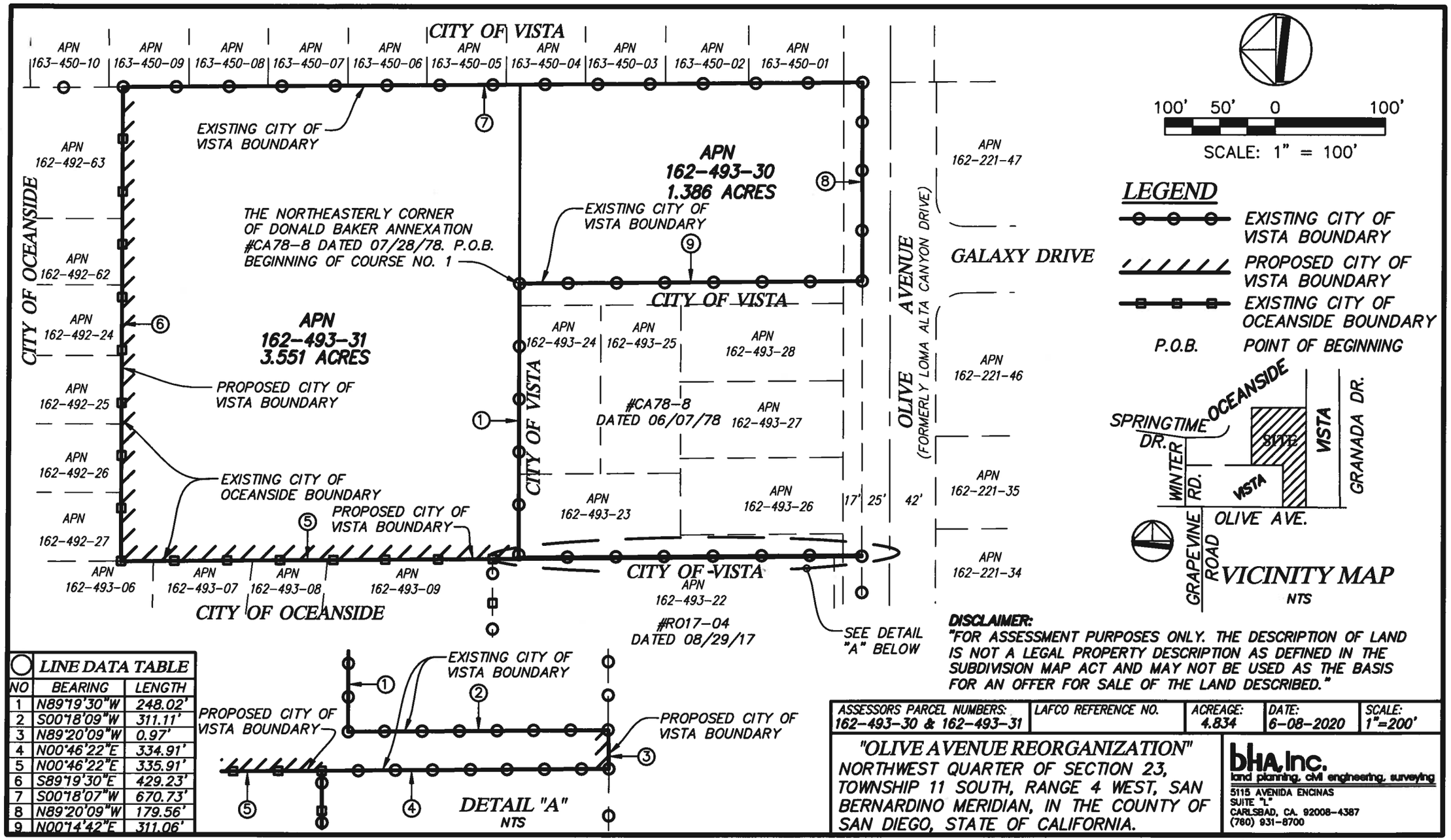
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6	N00°46'22"E	334.91'
7	N00°18'24"E	335.90'
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10	N89°20'09"W	179.56'
11	N00°14'42"E	25.00'
12	N00°14'42"E	331.06'

DISCLAIMER:
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ASSESSORS PARCEL NUMBERS:	LAFCO RESOLUTION NO.	ACREAGE:	DATE:	SCALE:
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"OLIVE AVENUE REORGANIZATION"
NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

bHA, Inc.
land planning, civil engineering, surveying
5115 AVENIDA ENCINAS
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CARLSBAD, CA. 92008-4387
(760) 931-8700



LINE DATA TABLE		
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6	S89°19'30"E	429.23'
7	S00°18'07"W	670.73'
8	N89°20'09"W	179.56'
9	N00°14'42"E	311.06'

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162-493-30 & 162-493-31		4.834	6-08-2020	1"=200'

"OLIVE AVENUE REORGANIZATION"
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7a

AGENDA REPORT
Business | Discussion

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Linda Heckenkamp, Analyst II

SUBJECT: **Draft Municipal Service Review | Resource Conservation Districts in San Diego County**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will review a draft municipal service review on resource conservation districts (RCDs). The draft has been prepared as part of the adopted workplan and represents an independent assessment of the level and range of services provided by all three RCDs operating in San Diego County – Mission, Greater San Diego, and Upper San Luis Rey. This includes preparing determinative statements addressing all of the factors required in statute as part of the municipal service review process and headlined by population estimates, infrastructure needs, and financial standing. The draft is being presented for preliminary discussion and feedback ahead of staff initiating a public review in anticipation of returning in February with final actions.

BACKGROUND

Municipal Service Review Process

State law directs San Diego LAFCO to regularly prepare municipal service reviews in conjunction with updating each local agency's sphere of influence. The legislative intent of the municipal service review and its five-year cycle requirement is to proactively inform the Commission regarding the availability and sufficiency of governmental services relative to

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Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

current and future community needs. Municipal service reviews statutorily inform required sphere of influence updates and may also lead the Commission to take other actions under its authority, such as forming, consolidating, or dissolving one or more special districts.

Current Workplan | Municipal Service Review on RCDs

San Diego LAFCO's current workplan was adopted at a noticed hearing in May 2020 and outlines specific project goals for the fiscal year. This includes a high-priority project for the Commission to conduct a comprehensive municipal service review on RCDs ahead of updating each affected agency's – Mission, Greater San Diego County, and Upper San Luis Rey – spheres of influence. The municipal service review represents the first municipal service review prepared on any of the three affected agencies.

DISCUSSION

This item is for San Diego LAFCO to review the draft municipal service review on RCDs prepared by staff and ahead of staff initiating a 45-day public review and comment period. Preliminary discussion and feedback by the Commission – including interests for additional analysis – will be incorporated into a final municipal service review by staff and presented for formal action at a future meeting. Associated sphere of influence updates for each affected agency will also be presented with the final municipal service review.

An Executive Summary (Chapter Two) anchors the municipal service review and outlines the key conclusions and findings generated to date. This includes addressing the mandatory factors required under statute anytime San Diego LAFCO performs a municipal service review. Examples include making independent statements on infrastructure needs and deficiencies, population estimates, financial resources, and opportunities and merits therein for reorganizations. Specific recommendations for action either by the Commission and/or by one or more of the affected agencies are also enumerated in the Executive Summary.

ANALYSIS

See Executive Summary provided as part of Attachment One.

RECOMMENDATION

It is recommended San Diego LAFCO discuss the draft municipal service review on RCDs and provide related feedback to staff. This includes providing direction on desired revisions and/or additions ahead of staff circulating the draft for public review and comment and returning with a final version for action as early as February 2021.

ALTERNATIVES FOR ACTION

The item is being presented to San Diego LAFCO for discussion and feedback only.

PROCEDURES

This item has been placed on San Diego LAFCO's agenda for discussion 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) Initial questions or clarifications from the Commission.
3) Invite comments from interested audience members.
4) Discuss item and provide feedback as requested.

Respectfully,



Linda Heckenkamp
Analyst II

Attachment:

1) Draft Municipal Service Review | RCDs in San Diego County

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SAN DIEGO COUNTY
LOCAL AGENCY FORMATION COMMISSION



RESOURCE CONSERVATION DISTRICTS

Municipal Service Review | Government Code 56430

Affected Agencies
Mission Resource Conservation District
Resource Conservation District of Greater San Diego County
Upper San Luis Rey Resource Conservation District

Draft Report | December 2020

Project Manager
Linda Heckenkamp
Local Government Analyst II

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ACKNOWLEDGEMENT

San Diego County LAFCO gratefully acknowledges the time and effort of officials with the Mission Resource Conservation District, Resource Conservation District of Greater San Diego County, and Upper San Luis Rey Resource Conservation District in assisting in the preparation of this report. This includes special consideration for Darcey Cook (Mission), Sheryl Landrum (Greater San Diego), and Amy Reeh (Upper San Luis Rey) for serving as direct contacts and generating information responses incorporated into the analysis of resource conservation district services in San Diego County.

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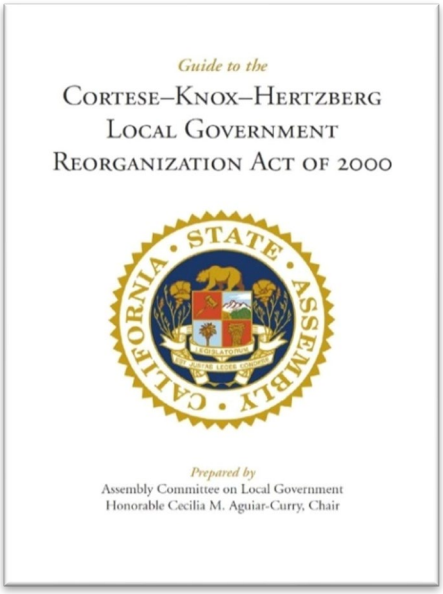
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CHAPTER ONE | INTRODUCTION

1.0 LOCAL AGENCY FORMATION COMMISSIONS

1.1 Authority and Objectives



Local Agency Formation Commissions (LAFCOs) were established in 1963 and are political subdivisions of the State of California responsible for providing regional growth management services in all 58 counties. LAFCOs' authority is currently codified under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH") with principal oversight provided by the Assembly Committee on Local Government.[1] LAFCOs are comprised of locally elected and appointed officials with regulatory and planning powers delegated by the Legislature to coordinate and oversee the establishment, expansion, and organization of cities, towns, and special districts as well as their municipal service areas. LAFCOs' creation were engendered by Governor Edmund "Pat" Brown Sr. (1959-1967) to more effectively address the needs of California's growing and diversifying population with an emphasis on promoting governmental efficiencies. Towards this end, LAFCOs are referred to as the Legislature's "watchdog" for local governance issues.[2]

Guiding LAFCOs' regulatory and planning powers is to fulfill specific purposes and objectives that collectively construct the Legislature's regional growth management priorities outlined under Government Code (G.C.) Section 56301. This statute reads:

> *"Among the purposes of the commission are discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing governmental services, and encouraging the orderly formation and development of local agencies based upon local conditions. One of the objects of the commission is to make studies and furnish information to contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities."*

[1] Reference California Government Code Section 56000 et. seq.
[2] In its ruling on City of Ceres v. City of Modesto, the 5th District Court of Appeals referred to LAFCOs as the "watchdog" of the Legislature to "guard against the wasteful duplication of services." (July 1969)

LAFCO decisions are legislative in nature and therefore are not subject to an outside appeal process. LAFCOs also have broad powers with respect to conditioning regulatory and planning approvals so long as not establishing any terms that directly control land uses.

1.2 Regulatory Responsibilities

LAFCOs have been responsible since 1963 to oversee formation, expansion, reorganization, and dissolution actions involving cities, towns, and special districts in California with limited exceptions.

LAFCOs' principal regulatory responsibility involves approving or disapproving all jurisdictional changes involving the establishment, expansion, and reorganization of cities, towns, and most special districts in California.[3] LAFCOs are also tasked with overseeing the approval process for cities, towns, and special districts to provide new or extended services beyond their jurisdictional boundaries by contracts or agreements. LAFCOs also oversee special district actions to either activate new service functions and service classes or divest existing services. LAFCOs generally exercise their regulatory authority in response to applications submitted by affected agencies, landowners, or registered voters. Recent amendments to CKH also authorize and encourage LAFCOs to initiate jurisdictional changes to form, consolidate, and dissolve special districts consistent with community needs.

1.3 Planning Responsibilities

LAFCOs are tasked with planning the location of future urban uses through two interrelated activities: (a) establish and update spheres of influence as gatekeepers to future jurisdictional changes and (b) prepare municipal service reviews to independently evaluate the availability and performance of governmental services relative to community needs.

LAFCOs inform their regulatory actions through two central planning responsibilities: (a) making sphere of influence ("sphere") determinations and (b) preparing municipal service reviews. Sphere determinations have been a core planning function of LAFCOs since 1971 and serve as the Legislature's version of "urban growth boundaries" with regard to cumulatively delineating the appropriate interface between urban and non-urban uses within each county. Municipal service reviews, in contrast, are a relatively new planning responsibility enacted as part of CKH and intended to inform – among other activities – sphere determinations. The Legislature mandates, notably, all sphere changes as of 2001 be accompanied by preceding municipal service reviews to help ensure LAFCOs are effectively aligning governmental services with current and anticipated community needs. An expanded summary of the function and role of these two planning responsibilities follows.

[3] CKH defines "special district" to mean any agency of the State formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. All special districts in California are subject to LAFCO with the following exceptions: school districts; community college districts; assessment districts; improvement districts; community facilities districts; and air pollution control districts.

Spheres of Influence

LAFCOs establish, amend, and update spheres for all cities, towns, and most special districts in California to designate the territory it independently believes represents the appropriate and probable future service areas and jurisdictional boundaries of the affected agencies. Importantly, all jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies with limited exceptions as footnoted.[4] Further, an increasingly important role involving sphere determinations relate to their use by regional councils of governments as planning areas in allocating housing need assignments for counties, cities, and towns.

Spheres serve as the Legislature's version of urban growth boundaries and – among other items – delineates where cities, towns, or districts may seek future annexations or outside service approvals with LAFCOs. All jurisdictional changes must be consistent with the affected agencies' spheres with limited exceptions.

Starting January 1, 2008, LAFCOs must review and update all local agencies' spheres every five years. In making sphere determinations, LAFCOs are required to prepare written statements addressing five specific planning factors listed under G.C. Section 56425. These mandatory factors range from evaluating current and future land uses to the existence of pertinent communities of interest. The intent in preparing the written statements is to orient LAFCOs in addressing the core principles underlying the sensible development of local agencies consistent with the anticipated needs of the affected communities. The five mandated planning factors are summarized in short-form below.

1. Present and planned land uses in the area, including agricultural and open-space.

2. Present and probable need for public facilities and services in the area.

3. Present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.

4. Existence of any social or economic communities of interest in the area.

5. If the city or special district provides water, sewer, or fire, the need for those services in any disadvantaged unincorporated communities in the existing sphere.

[4] Exceptions in which jurisdictional boundary changes do not require consistency with the affected agencies' spheres include annexations of State correctional facilities or annexations to cities/towns involving city/town owned lands used for municipal purposes with the latter requiring automatic detachment if sold to a private interest.

Municipal Service Reviews

Municipal service reviews serve as a centerpiece to CKH's enactment in 2001 and represent comprehensive studies of the level, range, and performance of governmental services provided within defined geographic areas. LAFCOs generally prepare municipal service reviews to explicitly inform subsequent sphere determinations. LAFCOs also prepare municipal service reviews irrespective of making any specific sphere determinations in order to obtain and furnish information to contribute to the overall orderly development of local communities. Municipal service reviews vary in scope and can focus on a particular agency or governmental service. LAFCOs may use the information generated from municipal service reviews to initiate other actions under their authority, such as forming, consolidating, or dissolving one or more local agencies. Advisory guidelines on the preparation of municipal service reviews were published by the Governor's Office of Planning and Research in 2003 and remain the lone statewide document advising LAFCOs in fulfilling this mandate.

All municipal service reviews – regardless of their intended purpose – culminate with LAFCOs preparing written statements addressing seven specific service factors listed under G.C. Section 56430. This includes, most notably, infrastructure needs or deficiencies, growth and population trends, and financial standing. The seven mandated service factors are summarized below in short-form with additional details footnoted.[5]

Municipal service reviews fulfill the Legislature's interests in LAFCOs regularly assessing the adequacy and performance of local governmental services in order to inform possible future actions ranging from sphere determinations to reorganizations.

1. Growth and population projections for the affected area.

2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to affected spheres of influence.

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies.

4. Financial ability of agencies to provide services.

5. Status and opportunities for shared facilities.

[5] Determination No. 5 was added to the municipal service review process by Senate Bill 244 effective January 1, 2012. The definition of "disadvantaged unincorporated community" is defined under G.C. Section 56330.5 to mean inhabited territory that constitutes all or a portion of an area with an annual median household income that is less than 80 percent of the *statewide* annual median household income; the latter amount currently totaling $53,735 (emphasis added).

6. Accountability for community service needs, including structure and operational efficiencies.

7. Matters relating to effective or efficient service delivery as required by policy.

1.4 LAFCO Decision-Making

State law directs all LAFCO members to independently discharge their responsibilities for the good of the region and irrespective of the interests of their appointing authorities.

LAFCOs are generally governed by 11-member board comprising three county supervisors, three city councilmembers, three independent special district members, and two representatives of the general public. Some larger LAFCOs – including San Diego – also have additional board seats dedicated to specific cities as a result of special legislation. All members 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. LAFCO members are subject to standard disclosure requirements and must file annual statements of economic interests. LAFCOs have sole authority in administering its legislative responsibilities and decisions therein are not subject to an outside appeal process. All LAFCOs are independent of local government with the majority employing their own staff; an increasingly smaller portion of LAFCOs, however, choose to contract with their local county government for staff support services. All LAFCOs, nevertheless, must appoint their own Executive Officers to manage agency activities and provide written recommendations on all regulatory and planning actions before the membership. All LAFCOs must also appoint their own legal counsel.

1.5 Prescriptive Funding

CKH prescribes local agencies fully fund LAFCOs' annual operating costs. Counties are generally responsible for funding one-third of LAFCO's annual operating costs with remainder one-third portions allocated to the cities/towns and independent special districts. The allocations to cities/towns and special districts are calculated based on standard formula using general tax revenues unless an alternative method has been approved by a majority of the local agencies. The funding proportions will also differ should the LAFCO have additional representation as a result of special legislation. LAFCOs are also authorized to collect proposal fees to offset local agency contributions.

2.0 SAN DIEGO LAFCO

2.1 Adopted Policies and Procedures

The majority of San Diego LAFCO's ("Commission") existing policies and procedures were initially established in the 1970s and subsequently updated in the 2000s in step with the enactment of CKH. These policies and procedures collectively guide the Commission in implementing LAFCO law in San Diego County in a manner consistent with regional growth management priorities as determined by the membership with sufficient discretion to address local conditions and circumstances. This includes overarching policies and procedures to align present and planned urban uses with existing cities and special districts and discourage proposals that would convert prime agricultural and open-space lands unless otherwise orderly relative to community needs and or sufficiently mitigated. The Commission has also established pertinent policies and procedures specific to preparing sphere updates and municipal service reviews. This includes direction to the Executive Officer to regularly prepare municipal service reviews in appropriate scope and level to inform the Commission in updating spheres in regular five-year intervals.

2.2 Commission Information

San Diego LAFCO holds regular meetings on the first Monday of each month at the County of San Diego Administration Center located at 1600 Pacific Highway in San Diego, California. Meetings start at 9:00 A.M. Agenda materials are posted online generally no less than one week in advance of a regular meeting. The current Commissioner roster follows.

San Diego LAFCO Membership
Current as of December 1, 2020

Commissioner	Appointing Authority	Affiliation
Chair Dianne Jacob	Board of Supervisors	County of San Diego
Vice Chair Andy Vanderlaan	Commission	Representative of the Public
Jim Desmond	Board of Supervisors	County of San Diego
Mark Kersey	City of San Diego Council	City of San Diego
Jo MacKenzie	Independent Special Districts	Vista Irrigation District
Mary Casillas Salas	Cities Selection Committee	City of Chula Vista
Bill Wells	Cities Selection Committee	City of El Cajon
Baron "Barry" Willis	Independent Special Districts	Alpine Fire Protection District
Chris Cate, Alternate	City of San Diego Council	City of San Diego
Greg Cox, Alternate	Board of Supervisors	County of San Diego
Erin Lump, Alternate	Independent Special Districts	Rincon del Diablo Municipal Water District
Harry Mathis, Alternate	Commission	Representative of the Public
Paul McNamara, Alternate	Cities Selection Committee	City of Escondido

Immediate Past Members in 2019:
Catherine Blakespear, Cities Selection Committee, City of Encinitas
Ed Sprague, Independent Special Districts, Olivenhain Municipal Water District
Serge Dedina, Cities Selection Committee, City of Imperial Beach (alt)
Judy Hanson, Independent Special Districts, Leucadia Wastewater District (alt)

2.3 Contact Information

San Diego LAFCO's administrative office is located within the County of San Diego's Operations Center at 9335 Hazard Way in San Diego (Kearny Mesa). Visitor parking is available. Appointments to discuss proposals or other matters are encouraged and can be scheduled by calling 858.614.7755. Communication by e-mail is also welcome and should be directed to lafco@sdcounty.ca.gov. Additional information regarding San Diego LAFCO's programs and activities is also online by visiting www.sdlafco.org.

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CHAPTER TWO | EXECUTIVE SUMMARY

1.0 OVERVIEW

This report represents San Diego LAFCO's scheduled municipal service review on resource conservation districts (RCDs) in San Diego County. The report has been prepared by staff and consistent with the scope of work approved by the Executive Officer. The underlying aim of the report is to produce an independent assessment of the level and range of services provided by the three authorized public agencies under LAFCO oversight operating in San Diego County – Mission RCD, RCD of Greater San Diego County, and Upper San Luis Rey RCD. Information generated as part of the report will be used by the Commission in (a) guiding subsequent sphere of influence updates, (b) informing future boundary changes, and – if merited – (c) initiating government reorganizations, such as special district formations, consolidations, and/or dissolutions.

> The purpose of the report is to produce an independent "snapshot" of the level and range of services provided by all three RCDs operating in San Diego County – Mission, Greater San Diego County, and Upper San Luis Rey – relative to informing future LAFCO decision-making.

1.1 Key Premises, Assumptions, and Benchmarks

The report has been oriented in scope and content to serve as an ongoing monitoring program on RCDs in San Diego County. It is expected San Diego LAFCO will revisit the report and key assumptions and benchmarks therein approximately every five years consistent with the timetable set by the Legislature and memorialized under adopted policy. This will also allow the Commission – among other tasks – to assess the accuracy of earlier projections and make appropriate changes in approach as needed as part of future reports. Key assumptions and benchmarks affecting scope and content in this report follow.

Looking Back | Determining the Data Collection Range or Report Period

The period for collecting data to inform the Commission's analysis and related projections on population growth, service demands, and finances has been set to cover the five-year fiscal period from 2015 to 2019 with limited exceptions. This data collection period – which covers the 60 months immediately preceding the start of work on the document – purposefully aligns with the five-year timeline for the report with the resulting data trends appearing most relevant in making near-term projections; i.e. data from the last five years is most pertinent in projecting trends over the next five years.

Looking Forward | Setting the Report's Timeframe

The timeframe for the report has been oriented to cover the next five-year period through 2024 with the former (five years) serving as the analysis anchor as contemplated under State law. This timeframe is consistent with the five-year cycle prescribed for municipal service reviews under G.C. Section 56430 and expected therein to inform all related sphere of influence and boundary actions undertaken during this period involving any of the affected agencies unless otherwise merited.

Calculating Population Estimates and Projections

Past and current residential population estimates in the report draw on data generated by Esri and their own mapping analyses of census tracts. This approach differs from past Commission practice to utilize estimates by the San Diego Association of Governments or SANDAG and done so given – and among other factors – the ability of Esri's mapping software to readily sync with special district boundaries. Projections over the succeeding five-year period are made by LAFCO and apply the estimated growth trend in each service area over the last 60 months with limited exceptions; i.e. population growth over the last five years is generally expected to hold over the next five years.

Emphasis on Qualifying Service Levels

The report emphasizes qualifying RCD service levels and marked by describing active functions and central characteristics. This approach deviates from standard municipal service review practice and reflects the unique role of RCDs in providing services that are increasingly focused on education and information as opposed to transactional – such as water, wastewater, and fire protection – where quantification is more readily available.

Benchmarking Fiscal Standing: Focus on Averages and Trends

Several diagnostic tools are used to assess and make related determinations on the RCDs' financial standing based on a review of available audited information during the report period, fiscal years 2015 to 2019. This includes an emphasis on analyzing days' cash, debt-to-net assets, and total margin with deference on overall averages and trends. These specific diagnostics provide the Commission with reasonable benchmarks to evaluate liquidity, capital, and margin while controlling against one-year outliers.

Focusing on Macro-Level Determinations

The report focuses on the RCDs' program-level activities during the five-year report period and broader and cumulative policy considerations. This approach informs macro-level

determinations for all mandatory factors under statute. When applicable, the report notes the need for more micro-level analysis – including transition to more quantitative analysis –as part of addendums or future municipal service reviews.

2.0 STUDY ORGANIZATION

This chapter serves as the Executive Summary and outlines the key conclusions, recommendations, and determinations generated within the report.[6] This includes addressing the mandatory factors required for consideration by the Legislature anytime San Diego LAFCO performs a municipal service review. The Executive Summary is proceeded by individual agency profiles (Chapter Three) of all three active RCDs operating in San Diego County. The profiles transition between general descriptions of the background and development of these agencies' service areas to addressing specific agency service functions.

3.0 GEOGRAPHIC AREA

The geographic area designated for this municipal service review includes all of San Diego County and covers 4,027 square miles or 2.58 million acres. This designation captures all three RCDs' – Mission, Greater San Diego County, and Upper San Luis Rey – jurisdictional boundaries and spheres of influence and illustrated below.

Quick Facts

RCDs Date Back to Late 1930s

Response to "Dust Bowl"

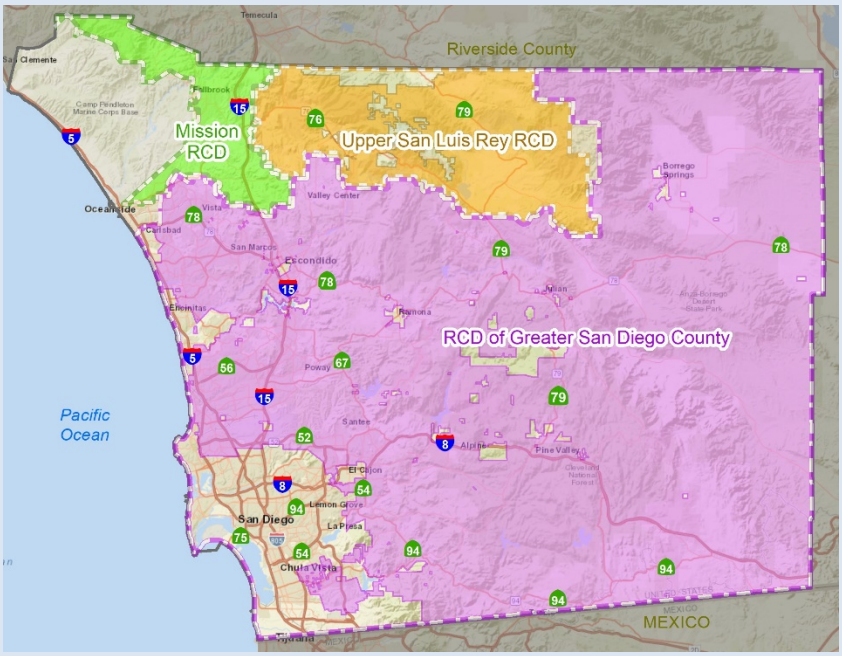
217 RCDs in California

3 RCDs in San Diego County

Non-Regulatory Powers

Focus on Managing Land

- RCD of Greater SDC
- RCD of Greater SDC SOI
- Mission RCD
- Mission RCD SOI
- Upper San Luis Rey RCD
- Upper San Luis Rey RCD SOI



[6] The Executive Summary distinguishes between "conclusions," "determinations," and "recommendations." Conclusions are general policy takeaways. Determinations address specific legislative factors. Recommendations address actions drawn from the determinations.

4.0 REPORT SUMMARY

4.1 General Themes and Conclusions

RCDs – originally known as Soil Conservation Districts – first emerged in California in the late 1930s and memorialized the State Legislature's interest to empower local landowners to proactively remedy soil erosion by water, wind, and other sources. RCDs' enabling legislation followed the Federal government's lead and the Soil Conservation Act of 1935, which responded to the "Dust Bowl" and created the Natural Resources Conservation Services to partner with states and local agencies to protect against soil erosion and loss of farmland. California's legislation, notably, initially focused RCDs in creating a local property tax base to supplement work by the Natural Resources Conservation Services through community engagement and technical expertise.[7] Subsequent legislation through the early 1970s reoriented RCDs as stand-alone agencies with an expanded focus to also include wildlife.

An initial round of RCD formations in San Diego County started in the early 1940s with additional formations continuing through the 1960s. At the height, there were 15 RCDs operating throughout San Diego County. New restrictions in raising tax revenues tied to Proposition 13 coupled with land use changes beginning in the 1970s led to a course reverse and a trend in consolidations through the 1990s as smaller RCDs (Borrego, Julian, Lakeside, Penasquitos, Valley Center, etc.) folded into larger RCDs with greater economies of scale.[8] Changes in land uses, pertinently, involved a significant expansion of urban development in step with San Diego County's population more than doubling between 1970 and 2000 from 1.357 million to 2.815 million; a difference translating to the average net addition of 135 new residents in San Diego County each day over a 30-year period.[9] The substantive result was the methodical drawn-down in RCDs to the remaining three in operation today along with the realignment of service activities to be largely guided by available grant funding.

A review of the three RCDs operating in San Diego County relative to San Diego LAFCO's growth management tasks and interests as prescribed under statute produces eight central themes or conclusions. These conclusions are in linear order and collectively address the availability, demand, and performance of RCD services as well as challenges and opportunities proceeding forward. The conclusions are independently drawn and sourced to information collected and analyzed between 2015 and 2019 and detailed in the agency profiles.

[7] The first field office in San Diego County for the Natural Resource Conservation Services was established in 1941 in Escondido.
[8] Proposition 13 was approved by voters in June 1978 and capped property tax rates at 1% at the time of acquisition. This provision created a property tax ceiling and replaced the prior ability of counties, cities, and special district to set their own tax rate and irrespective of cumulative impacts on property owners. Proposition 13 also requires two-thirds approval from voters for local government to establish special taxes/assessments.
[9] For comparison, San Diego County's overall population increased from 2.815 million in 2000 to 3.345 million in 2020 and translates an average day addition of 73 residents over the 20-year period.

- **No. 1 | Introductory Municipal Service Review**
  This report marks San Diego LAFCO's first municipal service review on RCDs in San Diego County and in doing so serves as a substantive new introduction of the Commission to all three affected agencies. Marking this introduction is addressing relatively new LAFCO statutes and responsibilities to the affected agencies in real-time while proceeding with an otherwise unfamiliar and relatively detailed service review process. Similarly, this introduction for the Commission reorients this municipal service review to focus on establishing baseline information for all three affected agencies with the intention of expanding the analysis – and specifically providing more quantitative measurements – in future municipal service reviews.

- **No. 2 | And Then There Were Three**
  Over the last 40 years the number of RCDs in San Diego County has been gradually decreased from 15 to the three – Mission, Greater San Diego County, and Upper San Luis Rey – that remain today. This draw-down reflects a statewide trend and follows multiple consolidations where smaller RCDs have voluntarily folded into larger RCDs. The underlying attributes to the draw-down involve restrictions in generating new tax revenues paired with changes in land uses and expansion of the urban footprint.

- **No. 3 | Outdated Principal Act**
  RCDs' principal act has remained largely unchanged since the 1970s and has become increasingly antiquated in aligning service powers with current resource conservation practices and needs. The principal act – relatedly and pertinently – has also fallen out of step with LAFCOs' oversight role of RCDs and highlighted by creating ambiguity in the Commission's task in statute to establish and regulate functions and classes of services. The cumulative effect of the principal act's antiquation are higher levels of local discretion needing to be exercised by the affected agencies as well as the Commission that may or may not sync with legislative expectations.

- **No. 4 | Influence of Grant Funding**
  RCDs represent a unique outlier among special districts given their funding status and dependency on outside grants fall outside the traditional criteria of operating either as an enterprise (direct fees for services) or non-enterprise (tax supported) agency. Alternatively, and as illustrated locally, the three RCDs in San Diego County operate more similarly to non-profit organizations with grants more so than other factors guiding decision-making in delivering municipal services. This dynamic also further illuminates the antiquation of the RCD principal act given the nature of grant funding to address current interests and needs and increasingly prompts the affected agencies

– and more specifically Mission RCD and RCD of Greater San Diego County – to take on service programs beyond the clear and/or explicit provision in statute.

- **No. 5 | RCD Services Need to Reflect Boundaries**
  Two of the three affected agencies – Mission RCD and RCD of Greater San Diego County – have invested significant resources in providing services outside their jurisdictional boundaries without having received approval from San Diego LAFCO as required under statute. These irregular service activities – while premised on good intentions – diminish the function and role of jurisdictional boundaries and have contributed to conflict among the agencies. These conditions require correction and may lead to substantive changes in these agency operations and/or fiscal standing.

- **No. 6 | Expanded – and Expanding – Role for RCDs**
  The three affected agencies' formations date to a period where constituency needs were focused on receiving water and soil expertise to protect and enhance farmland with the related assumption these interests were limited to unincorporated lands. Subsequent demographic and societal changes have measurably expanded these roles to be more holistic and now connect to wildlife habit, wildfire prevention, and climate change through technical, education, and advocacy services. These benefits, pertinently, also extend into the incorporated communities and merit expansion of RCD boundaries into adjacent cities lying in shared watersheds where appropriate.

- **No. 7 | Recent Downward Fiscal Trends for Two RCDs**
  Two of the three affected agencies – Mission RCD and RCD of Greater San Diego RCD – finished the five-year report period trending negatively in standard measurements used by San Diego LAFCO in the municipal service review process. Both agencies finished with overall negative total margins over the 60-month period paired with double-digit percentage decreases in liquidity levels. These changes were most impactful Mission RCD as it finished the report period with only one month of unassigned monies in its General Fund to meet average operating costs.

- **No. 8 | Purposeful LAFCO Pause**
  The introductory role of this municipal service review coupled with other noted factors – including the more immediate need to sync services and boundaries – suggest a purposeful pause is merited before proceeding with next level analyses. Most notably, this includes deferring the Commission's evaluation of shared resource opportunities, such as functional and/or political consolidations, to the next municipal service review cycle.

4.2 Recommendations

The following recommendations call for specific action either from San Diego LAFCO and or one or more of the affected agencies based on information generated as part of this report and outlined below in order of their placement in Section 5.0 (Written Determinations). Recommendations LAFCO action are dependent on a subsequent directive from the Commission and through the adopted workplan.

1. San Diego LAFCO affirms resource conservation functions are explicit municipal services under CKH and support – both through direct and indirect means – orderly growth and development in San Diego County. LAFCO should accordingly incorporate regular reviews of RCD functions as part of future municipal service review cycles.

2. San Diego LAFCO should collaborate with the County of San Diego and SANDAG to develop buildout estimates specific to each affected agency and incorporate the information into the next scheduled municipal service review.

3. San Diego LAFCO should coordinate with all three affected agencies in developing performance measurements to help quantify capacity-demand relationships in each jurisdiction to appropriately inform future studies and/or reorganizations.

4. San Diego LAFCO should work with stakeholders and local legislators to propose a comprehensive rewrite of the RCD principal act and – among other virtutes – clarify service function powers relative to current and anticipated community needs.

5. Irrespective of other efforts, San Diego LAFCO should proceed and address RCDs in the scheduled update to Rule No. 4 and the associated statutory directive for the Commission to formalize and regulate special districts' functions and classes.

6. All three affected agencies should voluntarily proceed in taking necessary corrective measures to ensure regulatory compliance with San Diego LAFCO and statutory emphasis therein to align municipal services with jurisdictional boundaries.

7. All three affected agencies are reminded to request and receive written approval or confirmation of exemption before entering contracts or agreements to provide municipal services outside their jurisdictional boundaries per G.C. Section 56133. None of the affected agencies are authorized to self-exempt under this statute.

8. San Diego LAFCO recently issued a cease and desist order to Mission RCD to terminate unauthorized out-of-agency services provided within the boundary and sphere of influence of RCD of Greater San Diego. It is unclear whether Mission RCD has complied with this order and accordingly additional action by LAFCO may be appropriate.

9. Upper San Luis Rey RCD should review the prescriptive requirements recently enacted (Assembly Bill 2257 and Senate Bill 929) and make conforming changes to their website and improve communication with constituents. Most urgently, this includes posting agendas and minutes online and in a timely manner as required under the Brown Act.

10. The County of San Diego should consider expanding their permit process to include erosion and sediment control plan reviews by applicable RCDs to enhance coordination among government agencies for the benefit of shared constituencies.

11. All three affected agencies can enhance their accountability to the public by providing video-recordings of board meetings online in step with their increasingly emphasized roles to educate and disseminate information on resource conservation best practices.

12. San Diego LAFCO should expand on the baseline information collected in this introductory municipal service review and provide a more quantified assessment of the three affected agencies services and related trends. The subsequent review should also – markedly – dutifully explore reorganization options, including functional and/or political consolidation opportunities

13. San Diego LAFCO should proceed and update all three affected agencies' spheres with no changes and in doing so satisfy its planning requirement under G.C. Section 56425.

5.0 WRITTEN DETERMINATIONS

San Diego LAFCO is directed to prepare written determinations to address the multiple governance factors enumerated under G.C. Section 56430 anytime it prepares a municipal service review. These determinations serve as independent statements based on information collected, analyzed, and presented in this report. The underlying intent of the determinations are to provide a succinct detailing of all pertinent issues relating to the funding, administration, and delivery of public services provided by the three affected RCDs specific to the Commission's growth management role and responsibilities. An abbreviated version of these determinations will be separately prepared for Commission consideration and adoption in conjunction with receiving the final report at a noticed hearing.

These determinations detail the pertinent issues relating to the funding, administration, and delivery of the three RCDs' public services based on data collected and analyzed between 2015 and 2019.

5.1 Growth and Population Projections

1. San Diego LAFCO independently estimates there are collectively 1,580,806 total fulltime residents within the three affected agencies' jurisdictional boundaries as of the end of the five-year report period. This amount translates to nearly one out of every two residents in San Diego County reside within an RCD.

2. There is no overlap in residential populations among the three affected agencies with individual agency estimates at the end of the report period as follows:

   (a) 123,611 residents in Mission RCD.

   (b) 1,445,460 residents in RCD of Greater San Diego.

   (c) 11,735 residents in Upper San Luis Rey RCD.

3. San Diego LAFCO estimates the combined annual rate of new fulltime population growth among the three affected agencies region during the five-year report period has been 0.98% and has netted 67,975 new residents. This growth rate is one-fifth higher than the corresponding change for all of San Diego County.

4. The annual population growth rates among the three affected agencies during the five-year report period have varied with individual agency estimates as follows:

(a) 0.9% annual growth rate in Mission RCD.

(b) 1.0% annual growth rate in RCD of Greater San Diego.

(c) 0.8% annual growth rate in Upper San Luis Rey RCD.

5. The affected agencies' jurisdictional boundaries are relatively rural with an overall average of 1.0 resident for every 1.4 acres. This ratio – however – is contracting and decreased by one-tenth over the five-year report period from 1.0 resident for every 1.5 acres and reflects the changing and increasing development of the region.

6. San Diego LAFCO projects the current population growth rate within the three affected agencies will generally hold over the report timeframe. Should the projection hold, there will be a net increase within the affected agencies of 1.58 million to 1.65 million by 2024 and divided between the following individual agency changes:

   a) 4,938 new residents in Mission RCD with the overall total increasing to 128,549 by 2024.

   b) 59,574 new residents in RCD of Greater San Diego County with the overall total increasing to 1,505,034 by 2024.

   c) 469 new residents in Upper San Luis Rey RCD with the overall total increasing to 12,204 by 2024.

7. San Diego LAFCO should coordinate with the County of San Diego and SANDAG to develop buildout estimates specific to each affected agency and incorporate the information into the next scheduled municipal service review.

8. A review of demographics reveals one notable distinction among the three affected agencies during the five-year report period. This distinction involves median household income being substantially higher in Mission RCD at $75,375 compared to RCD of Greater San Diego County and Upper San Luis Rey RCD at $59,041 and $48,882, respectively. All other demographics – i.e. median age, education attainment unemployment, etc. – are more or less consistent within the three agencies.

5.2 Location and Characteristics of Any Disadvantaged Unincorporated Communities.

1. All three affected agencies' jurisdictional boundaries include lands qualifying as disadvantaged unincorporated communities or DUCs under San Diego LAFCO policy. The highest ratio lies within RCD of Greater San Diego County with close to three-fifths of its jurisdictional boundary qualifying as DUCs.

2. Only Mission RCD's sphere of influence is adjacent to lands qualifying as DUCs under San Diego LAFCO policy that is not already in another RCD. The affected DUC adjacent to Mission RCD's sphere comprises Marine Corps Base Camp Pendleton.

5.3 Capacity of Public Facilities and Infrastructure Needs and Deficiencies

1. None of the affected agencies own or maintain substantial capital infrastructure, facilities, or equipment. The agencies instead rely largely on human resources to provide technical assistance and educational services to constituents.

2. All three affected agencies have experienced sizeable increases and/or changes in municipal service demands over the five-year report period and commonly highlighted by each agency expanding activities under their wildlife enhancement function.

3. The increasing focus on activities tied to the affected agencies' wildlife enhancement function parallels societal and political interests to broaden RCD work and expand beyond traditional water conservation and soil erosion/stabilization tasks. It also – pertinently – reflects the related influence of grants on RCD decision-making.

4. The level of information available to San Diego LAFCO at this time is limited to generating a qualified determination the three affected agencies have adequate capacities – and specifically in the form of personnel – to meet existing constituent demands.

5. Additional information and analysis by San Diego LAFCO is needed to further quantify the adequacy of the three affected agencies' capacities – infrastructure, facilities, personnel and the like – to meet current and near-term constituent demands.

6. San Diego LAFCO should proceed and expand on the baseline information collected in this introductory municipal service review and provide a more quantified assessment of the three affected agencies services and related trends.

7. As part of a future municipal service review, San Diego LAFCO should coordinate and solicit input with all three affected agencies in developing performance measurements to help quantify capacity-demand relationships in each jurisdiction.

8. With respect to Mission RCD, it currently provides four service functions under the principal act: soil erosion; water conservation; wildlife enhancement; and agricultural enhancement. These functions are primarily supported by District staff and totaled 5.0 fulltime equivalent personnel at the end of the report period.

9. With respect to RCD of Greater San Diego County, it currently provides four service functions under the principal act: soil erosion; water conservation; wildlife enhancement; and agricultural enhancement. These functions are primarily supported by District staff and totaled 18.0 equivalent personnel at the end of the report period.

10. With respect to Upper San Luis Rey RCD, it currently provides two service functions under the principal act: water conservation and wildlife enhancement. These functions are provided by contract through a part-time equivalent staffing of 0.25.

5.4 Agencies' Financial Ability to Provide Services

1. The three affected agencies operate with significantly different financial resources in providing municipal services to their constituents and as such ended the report period in dissimilar financial standings.

2. All three affected agencies are primarily reliant on external revenues sources in the form of grants and other subventions that are increasingly competitive within the region among like-minded agencies and non-profit organizations.

3. The ability of the three affected agencies to fund their municipal service functions through new assessments and taxes appears constrained given current constituent reluctance as evident by the recent trend of failed measures by local special districts.

4. The combined net position of the three affected agencies decreased by (9.4%) from $3.39 million to $3.10 million during the five-year report period.

5. With respect to Mission RCD, its net position has decreased during the five-year report period with an overall change of (22.8%) from $0.513 million to $0.396 million and produces a net loss of $0.117 million. Additional details follow.

(a) The unrestricted portion of Mission RCD's net position decreased by (47.9%) over the five-year report period finishing with a balance of $0.128 million and equal to cover one month of typical operating expenses.

(b) Mission RCD's liquidity levels are very low and decreasing. The amount of immediate cash available to the District decreased by (25%) during the five-year report period and equivalent to cover 26 days.

(c) Mission RCD's capital levels are low and decreasing. The debt-to-net assets ratio increased by close to one-half during the five-year report to 54.1% with the ending tally reflecting the portion of the net position tied to long-term debt.

(d) Mission RCD's recent margin levels are very low and decreasing. The average total margin during the five-year report period tallied (1.1%).

6. With respect to RCD of Greater San Diego County, its net position has decreased during the five-year report period with an overall change of (8.5%) from $2.6 million to $2.4 million and produces a net loss of $0.218 million. Additional details follow.

(a) The unrestricted portion of RCD of Greater San Diego County's net position decreased by (69.6%) over the five-year report period ending with a balance of $0.474 million and equal to cover nine months of typical operating expenses.

(b) RCD of Greater San Diego County's liquidity levels are moderately low and decreasing. The amount of immediate cash available to the District decreased by (61%) during the five-year report period and equivalent to cover 330 days.

(c) RCD of Greater San Diego County's capital levels are high despite recent decreases. The debt-to-net asset ratio finished the five-year report period at 1.6% and reflects the bulk of the net position is free from long-term debt.

(d) RCD of Greater San Diego County's recent margin levels are very low and decreasing. The District experienced losses in four of the five years of the report period with an average total margin of (3.1%).

7. With respect to Upper San Luis Rey RCD, its net position has increased during the five-year report period with an overall change of 17.2% from $0.295 million to $0.346 million and produces a net gain of $0.051 million. Additional details follow.

(a) The unrestricted portion of Upper San Luis Rey RCD's net position increased by 38.5% over the five-year report period ending with a balance of $0.179 million and equal to cover 124 months of typical operating expenses.

(b) Upper San Luis Rey's liquidity levels are exceedingly high and increasing. The amount of immediate cash available to the District increased by 47% during the five-year report period and equivalent to cover 7,475 days – or 20 years.

(c) Upper San Luis Rey's capital levels remain unblemished with a debt-to-net asset ratio at 0% and shows the District's net position is free of long-term financing.

(d) Upper San Luis Rey's recent margin levels are high and increasing. The District experienced gains in all five years of the report period with an average total margin of 35.8%.

5.5 Status and Opportunities for Shared Facilities and Resources

1. All three affected agencies have established responsive shared resources with other public agencies as well as non-profit organizations in fulfilling their responsibilities to provide specified municipal functions to their respective constituents.

2. All three affected agencies' activities are primarily funded by grants and leverage the agencies' respective expertise in achieving broader policy objectives set by the grantor, typically the State or other regional agency.

3. Mission RCD and RCD of Greater San Diego County dedicate considerable resources in community outreach and education to empower and inspire best practices among constituents with respect to managing natural resources.

4. The technical expertise of all three affected agencies could be further utilized by the County of San Diego and integrated into the permit process involving erosion and sediment control plans for the benefit of shared constituents.

5. Opportunities to share and/or consolidate resources all three affected agencies merit continued attention. Exploring these opportunities is consistent with San Diego LAFCO's standing policy objective to facilitate the logical order and its role to promote efficient services.

5.6 Local Accountability and Government Restructure Options

1. All three affected agencies provide value in providing natural resource conservation functions and advantageously contribute to their communities' distinct character.

2. Mission RCD and RCD of Greater San Diego County regularly hold noticed regular meetings and actively maintain websites and in doing so provide meaningful opportunities for timely public engagement with both board and staff.

3. Opportunities for the public to meaningful engage the Upper San Luis Rey RCD and specifically the Board is deficit given the lack of holding regular meetings and limited agenda postings coupled with operating an otherwise barren website.

4. All three affected agencies can enhance their accountability to the public by providing video-recordings of board meetings online in step with their increasingly emphasized roles to educate and disseminate information on resource conservation best practices.

5. All three affected agencies operate under a principal act that has become increasingly antiquated in aligning service powers with current resource conservation practices and interests San Diego LAFCO should work with local legislators to propose a comprehensive rewrite of the RCD principal act and – among other virtutes – clarify service function powers relative to current and anticipated community needs.

6. Both Mission RCD and RCD of Greater San Diego County have invested considerable resources in providing services outside their jurisdictional boundaries without receiving approval or exemption from San Diego LAFCO under G.C. Section 56133. It appears most of these non-complaint service activities can be attributed to oversight and unfamiliarity with the statute requirements but nonetheless require correction.

7. All three affected agencies should voluntarily proceed in taking necessary corrective measures to ensure regulatory compliance with San Diego LAFCO and statutory emphasis therein to align municipal services with jurisdictional boundaries.

8. San Diego LAFCO recently issued a cease and desist order to Mission RCD to terminate unauthorized out-of-agency services provided within the boundary and sphere of influence of RCD of Greater San Diego. It is unclear whether Mission RCD has complied with this order and accordingly additional action by LAFCO may be appropriate.

9. The introductory role of this municipal service review coupled with the immediate need to sync services and boundaries suggest a purposeful pause is merited for proceeding with next level analyses. This includes deferring San Diego LAFCO's evaluation of shared resource opportunities, such as functional and/or political considerations, to the next municipal service review cycle.

10. Proceeding with sphere of influence updates with no changes for all three affected agencies is merited at this time.

CHAPTER THREE | AGENCY PROFILE

A. MISSION RESOURCE CONSERVATION DISTRICT

1.0 OVERVIEW

Greater Fallbrook Region
Northbound State Route 76 | East to Woods Valley



Courtesy: Google

The Mission Resource Conservation District (RCD) is an independent special district formed in 1944 originally as the Middle San Luis Rey Soil Conservation District. Formation proceedings were initiated by area farmers and ranchers for the broad purposes of creating a local government unit to assist landowners in implementing soil, water, and other natural resource conservation practices. Mission RCD encompasses a 185-square mile jurisdictional boundary and includes all and/or portions of several unincorporated communities in northern San Diego County and marked by Bonsall, Fallbrook, and Rainbow. The jurisdictional boundary also extends into a portion of the City of Oceanside along State Route 76. Governance is provided by a five-person board with members directly elected by geographic divisions and serve staggered four-year terms. The average tenure on the Board among the current members is six years with their longest tenured member – Scott Murray – completing his 19th year.

Mission RCD is presently organized as a multi-purpose agency with municipal functions presently tied to four active categories under its principal act: (a) soil erosion; (b) water conservation; (c) wildlife enhancement; and (d) agricultural enhancement. Mission RCD is also authorized – subject to LAFCO approving latent power expansions – to provide agricultural enhancement and erosion stabilization. The operating budget at the term of the report period (2018-2019) was $1.75 million with 5.0 fulltime equivalent employees. The last audited financial statements cover 2018-2019 and show Mission RCD's net position totaling $0.396 million with the unrestricted portion tallying $0.128 million. This latter amount translates to covering less than one month of operating expenses based on recent actuals.

LAFCO independently estimates the fulltime resident population within Mission RCD is 123,611 as of the term of this report period and accommodated through the overall construction of 43,605 housing units within the District. It is also projected the estimate of fulltime residents represents an overall increase of 8.0% since 2010 – or 888 annually – with a resulting annual growth rate of 0.9%, which is slightly above the corresponding countywide rate of 0.8%. The

median household income within Mission RCD is $75,375 based on the current five-year period average and exceeds the countywide average of $66,529 by more than one-eighth.

2.0 BACKGROUND

2.1 Community Development

Fallbrook Schoolhouse
Circa 1880s



Courtesy: Fallbrook Chamber of Commerce

Mission RCD's service area is anchored by the unincorporated community of Fallbrook as the commercial and social center for the surrounding region, which includes – and among others – Bonsall and Rainbow. Fallbrook began its present-day development during the mid-1800s in parallel with the creation and awards of land grants or ranchos throughout California by the Mexican government. Most of Fallbrook was borne out of the Rancho Monserate grant that was issued to Ysidro Alvarado in the 1870s and led to subsequent homesteading in the area with an early focus on ranching. One of these homesteaders was Canadian immigrant Vital Reche who settled with his family just north of Alvarado's original ranch at the site now known as Live Oak Park and later credited with naming the community "Fallbrook" after their former home in Pennsylvania.

Fallbrook – Main Street
Circa 1916



Courtesy: San Diego History Center (pending)

The first official census performed for Fallbrook estimated the area's population at 415 in 1890. The population increased by over one-half during the next 10 years to an estimated 656 in the 1900 census and aided by the completion of railroad line (California Pacific Railroad) connecting National City to San Bernardino with a station in Fallbrook. The railroad allowed area ranchers and farmers to begin expanding operations and cumulatively contributed to the approval of the area's first planned subdivision (West Fallbrook) along with several local serving uses in the forms of schools, churches, and basic service and supply stores. Also aiding the development of the area at the turn of the century was the formation of one of the first special districts in San Diego County – Fallbrook Irrigation District (1891) and its successor Fallbrook Public Utility District (1922) – and establishment of a community water system drawing initially from underflow from the Santa Margarita River.

The Fallbrook region's growth continued into the new century and premised on the expansion of agricultural activities with an early focus on olives, nuts, and citrus orchards before transitioning towards avocados and floral nurseries. Residential growth also continued in response to supporting the region's agricultural industries and Fallbrook's population reached an estimated 2,308 by 1940. It was also at this time surrounding areas in the region began to take form led by expanding agricultural interests in the nearby communities of Bonsall, Rainbow, and Valley Center.

Fallbrook – Main Street
Circa 1949



Courtesy: San Diego History Center (pending)

2.2 Formation Proceedings

The Middle San Luis Rey Soil Conservation District's (later renamed Mission RCD) formation was petitioned by landowners in early 1944 and actively supported by the Fallbrook Chamber of Commerce as well as other local business associations. The petition paralleled a statewide movement to establish local agencies to further advance soil conservation services administered by the United States Department of Agriculture and through its own Natural Resources Conservation Service offices. Formation proceedings were overseen by the County of San Diego's Boundary Commission – a precursor to the creation of LAFCOs – and approved subject to voter confirmation. An election was subsequently held in September 1944 with landowners approving the formation along with electing an initial board.

2.3 Post Formation Activities

A summary of notable activities undertaken by Mission RCD and/or affecting the District's service area following formation in 1944 is provided below.

- The Middle San Luis Rey Soil Conservation District is renamed Mission RCD in 1971 and done so according to the District to reflect a broader emphasis on the conservation of soil, water, and other natural resources.

- LAFCO establishes Mission RCD's sphere of influence in June 1986. The sphere is set conterminously with the jurisdictional boundary.

- LAFCO updates and affirms Mission RCD's sphere of influence in November 2005 with no changes.

3.0 BOUNDARIES

3.1 Jurisdictional Boundary

Mission RCD's existing boundary spans approximately 185.2 square miles and covers 118,528 acres (parcels and public rights-of-ways). The County of San Diego is the predominant land use authority for Mission RCD and overlaps 90% of the jurisdictional boundary with most of the lands included in the Fallbrook, Rainbow, Bonsall, and Pendleton-Deluz Community Plans. These unincorporated lands, notably, generally encompass commercial agricultural and low-to-moderate single-family residential uses with local supporting retail uses focused in the Fallbrook community. The remaining portion of the jurisdictional boundary is incorporated and lies in the City of Oceanside. Overall, there are currently 69,139 registered voters within Mission RCD within nearly one-half in Oceanside.

Mission RCD's jurisdictional boundary spans 185.2 square miles and covers 4.3% of all of San Diego County. Almost all of the jurisdictional boundary is unincorporated and overlaps the land use authority of the County of San Diego with the exception of 18.0 square miles within the City of Oceanside. Nonetheless, close to one-half of all District registered voters reside in Oceanside.

Mission RCD
Boundary Breakdown by Land Use Authority
Table 3.1a (Source: Esri and San Diego LAFCO)

Land Use Authority	Total Assessor Parcel Acres	% of Total Accessor Parcel Acres	Total Assessor Parcels	Number of Registered Voters
County of San Diego	107,056	90%	52,436	36,049
City of Oceanside	11,505	10%	19,627	33,049
TOTAL	118,561	100%	72,063	69,139

Total assessed value (land and structure) within Mission RCD is set at $17.3 billion as of January 2019 and translates to a per acre value ratio of $1.46 million. The former amount – $17.3 billion – further represents a per capita value of $0.014 million based on the estimated fulltime population in Mission RCD of 123,611. Mission RCD receives 0.0000061% of the annual 1.0% of property tax collected in the District.

Mission RCD receives $0.00000610 cents for every $1.00 dollar in property tax collected within its jurisdictional boundary. The amount received from Mission RCD at the end of the fiscal year was $0.034 million.

The jurisdictional boundary is currently divided into 72,063 parcels spanning 113,685 acres. (The remaining jurisdictional acreage consists of public right-of-ways or waterways.) Over nine-tenths of the parcel acreage in Mission RCD is under private ownership with the majority of this amount (i.e. private property) having already been developed and/or improved to date, albeit not necessarily at the highest density as allowed under zoning. The remainder of private acreage in Mission RCD's

There are 6,912 privately owned parcels within Mission RCD that remain undeveloped and span 37,119 acres; an amount that represents close to one-tenth of the entire District.

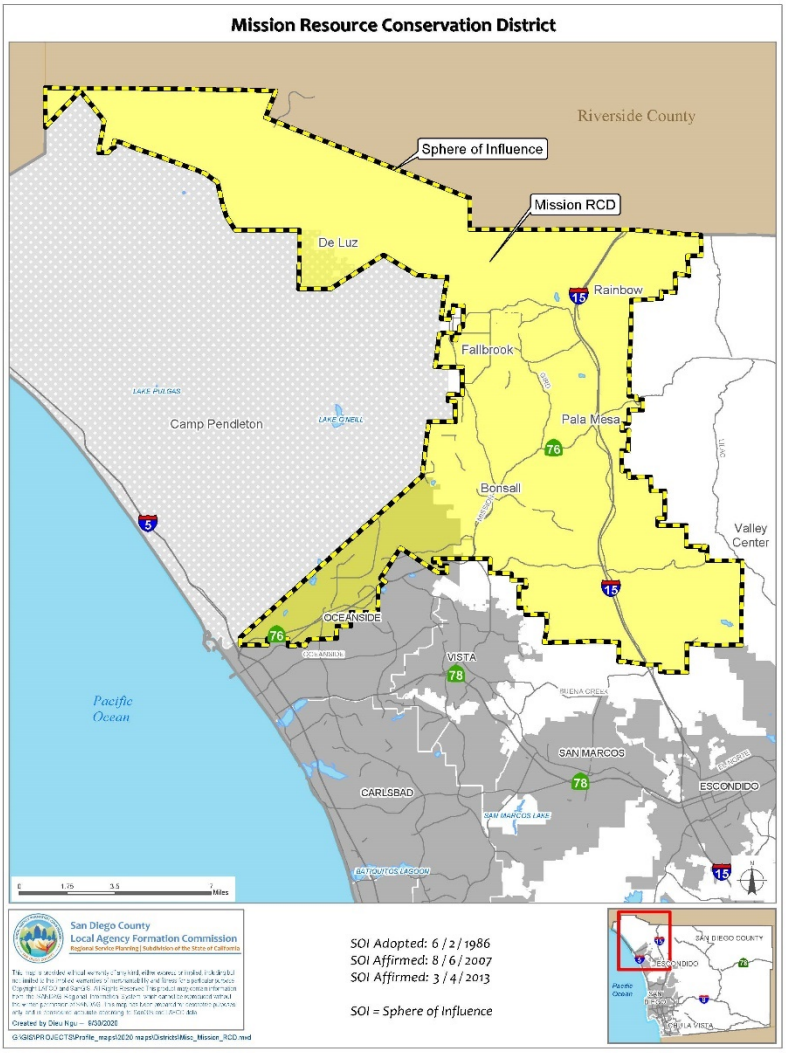
boundary is undeveloped and consists of 6,912 vacant parcels that collectively total 37,119 acres. Approximately one-tenth – or 8,609 acres – of lands within the jurisdictional boundary qualify as a disadvantaged unincorporated community under LAFCO policy.

3.2 Sphere of Influence

Mission RCD's sphere of influence was established by LAFCO in June 1986 and last reviewed and affirmed in March 2013. The sphere does not include any non-jurisdictional lands and is entirely coterminous with the District boundary. There are also no special study areas assigned to Mission RCD's sphere.

Mission RCD's sphere of influence is entirely coterminous with its jurisdictional boundary and reflects a standing Commission policy expectation that no changes are anticipated in the near future.

3.3 Current Boundary and Sphere Map



Quick Facts

Boundary

18.4 square miles

72,063 assessor parcels

6,912 privately owned parcels remain undeveloped

90% in unincorporated area

10% within City of Oceanside

$17.3 billion in assessed value

10% qualifies as DUC

Sphere

Established in 1986

Last updated in 2013

Coterminous with boundary

4.0 DEMOGRAPHICS

4.1 Population and Housing

Mission RCD's total fulltime resident population within its jurisdictional boundary is independently estimated by LAFCO at 123,611 as of the term of the five-year report period. This amount represents 3.7% of the countywide total. It is also estimated the fulltime population has risen overall by 8.0% from 113,844 in 2010 and the last census reset in 2010. This translates to an annual change of 0.89% and above the corresponding countywide growth rate of 0.81%. It is projected the current growth rate will continue intact into the near-term and result in the fulltime population reaching 128,549 by 2024. The jurisdiction has a current population density of 1 resident for every 0.88 acres and underlies the overall rural – albeit slowly changing and intensifying – character of the service area.

It is estimated there are 123,611 fulltime residents within Mission RCD at the end of the report period. It is also projected the fulltime population will increase consistent with recent trends – or 0.89% annually – and reach 128,549 by 2024.

Mission RCD
Resident Population
Table 4.1a (Source: Esri and San Diego LAFCO)

Factor	2010	2019	2024 (projected)	Annual Change %
Mission RCD	113,844	123,611	128,549	0.89%
San Diego County	3,095,264	3,344,136	3,499,829	0.81%

There are 43,605 residential housing units within Mission RCD as of the report period term. The majority of these units are in the Fallbrook and Rainbow communities with the overall amount increasing by 2,371 – or 263 annually – since 2010. With respect to current housing characteristics, 66.7% are owner-occupied, 28.4% are renter-occupied, and the remaining 4.9% are vacant with a sizeable portion suspected to serve as second homes. The average household size is 2.84 and has increased by 1.7% from 2.79% over the preceding five-year period. The mean monthly housing cost in Mission RCD has decreased by (7.39%) from $1,964.79 to $ 1,819.55 based on the most recent five-year period averages. The mean monthly housing cost, however, remains well above the countywide average of $1,578.00.

Housing production in Mission RCD totals 43,605 dwelling units as of the term of the report period. This includes the addition of 2,371 units – or 263 a year – since 2010. The average monthly housing cost in Mission RCD is $1,819, which is close to 15.3% higher than the countywide average.

Mission RCD
Housing Breakdown
Table 4.1b (Source: American Community Survey and San Diego LAFCO)

Jurisdiction	2010 Housing Units	2019 Housing Units	Change	2010 Monthly Housing Cost	2019 Monthly Housing Cost	Change
Mission RCD	41,234	43,605	5.7%	1,964.79	1,819.55	(7.4%)
San Diego County	1,164,766	1,236,184	6.1%	$1,540	$1,578	2.5%

4.2 Age Distribution

The median age of residents in Mission RCD is 47.6 based on the current five-year period average. This amount shows the population is generally holding with the median age experiencing an overall and modest change of 3.1% from 46.2 over the preceding five-year period average. The current median age in Mission RCD remains significantly higher than the countywide average of 35.3. Residents in the prime working age group defined as ages 25 to 64 make up slightly more than one-half of the estimated total population at 50.6%.

Residents within Mission RCD tend to be significantly older with a medium age of 47.6; an amount that is more than one-fourth higher than the countywide average of 35.3. The majority – 50.7% – of the residents are also aged within the prime working group of 25-64.

Mission RCD
Resident Age Breakdown
Table 4.2a (Source: American Community Survey and San Diego LAFCO)

Service Area	2010 Median Age	2019 Median Age	Change	2010 Prime Working Age	2019 Prime Working Age	Change
Mission RCD	46.2	47.6	3.1%	51.58	50.7%	(1.7)%
San Diego County	34.6	35.3	2.0%	53.4%	47.0%	(12.0)%

4.3 Income Characteristics

The median household income in Mission RCD is $75,375 based on the current five-year period average. This amount shows fulltime residents are receiving slightly less pay with the median income experiencing an overall decrease of (0.32%) from the preceding five-year period average of $75,614. The current median household income in Mission RCD – nonetheless – is more than one-eighth higher than the current countywide median of $66,529. Separately, the current average rate of persons living below the poverty level in Mission RCD is 11.6% and has substantively increased by over three-fifths – or 61.2% – over the earlier five-year period and approaching the countywide rate of 14.0%.

Mission RCD residents' average median household income has experienced a slight decrease in recent years and is currently $75,375. This amount remains higher than the countywide median income $66,529. The rate of persons living below the poverty rate – however – has increased by nearly three-fifths to 11.6% and is now approaching the countywide rate of 14.0%.

Mission RCD
Resident Income Breakdown
Table 4.3a (Source: American Community Survey and San Diego LAFCO)

Service Area	2007-2011 Median HH Income	2012-2016 Median HH Income	Change	2007-2011 Poverty Rate	2012-2016 Poverty Rate	Change
Mission RCD	$75,614	$75,375	(0.32%)	7.2%	11.6%	61.2%
San Diego County	$63,857	$66,529	4.2%	13.0%	14.0%	7.7%

4.4 Socioeconomic Indicators

Close to one-third of Mission RCD residents have undergraduate degrees. The unemployment rate within Mission RCD is nearly one-half below the countywide amount.

Unemployment within Mission RCD is relatively low at 2.5% based on the current five-year period average. This amount also represents an overall and decrease of (39.6%) compared to the previous five-year average and finishes substantially below the corresponding countywide tally of 4.9%. Educational levels as measured by adults 25 or older with bachelor's degrees has slightly increased by 2.6% over the previous five-year period from 33.4% to 34.3%, but still continues to fall below the countywide rate of 36.5%. Over one-fourth – or 26.2% – of the population currently collects retirement income. The non-English speaking percentage of the population has decreased during this period from 12.5% to 10.6%; an overall difference of (15.2%).

Mission RCD
Socioeconomic Indicators Breakdown
Table 4.4a (Source: American Community Survey and San Diego LAFCO)

Service Area	2007-2011 Unemployment Rate	2012-2016 Unemployment Rate	Change	2007-2011 Non English	2012-2016 Non English	Change
Mission RCD	4.1%	2.5%	(39.6%)	12.5%	10.6%	(15.2%)
San Diego County	5.6%	4.9%	(12.5%)	16.1%	15%	(6.8%)

5.0 ORGANIZATION

5.1 Governance

Mission RCD's governance authority is established under the Resource Conservation District Law and codified under Public Resources Code Section 9151 - 9491. This principal act empowers Mission RCD to provide a moderate range of municipal functions involving natural resource protections and improvements upon approval by LAFCO. Mission RCD is currently authorized to provide three active municipal service functions under the principal act: (a) soil erosion; (b) water conservation; (c) wildlife enhancement; and (d) agricultural enhancement. All other service functions (i.e. powers) enumerated under the principal act are deemed latent and would need to be formally activated by LAFCO at a noticed hearing before Mission RCD would be allowed to initiate. Similarly, should Mission RCD seek to divest itself of directly

providing an active service function, it would need to receive LAFCO approval at a noticed public hearing. A list of active and latent Mission RCD service functions follows.

Active Service Functions	Latent Service Functions
Soil Erosion	Water Distribution
Water Conservation	Erosion Stabilization
Wildlife Enhancement	
Agricultural Enhancement	

Governance of Mission RCD is independently provided by a five-member Board of Directors. Each member of the Board is directly elected by registered voters or – and as needed – appointed by the County of San Diego Board of Supervisors. All Board members serve staggered four-year terms with a rotating president system. The Board's bylaws provide that they meet every third Monday at 6:30pm. Meetings are held at the Mission RCD office at 130 East Alvarado Street in Fallbrook. Directors do not receive per diems. Summary minutes are prepared for all meetings; audio and video recordings are not provided. A current listing of the Board along with respective backgrounds and years served with the District follows.

Mission RCD meetings of its Board of Directors are scheduled for the third Monday each month. Directors do not receive per diems.

Mission RCD
Current Governing Board Roster
Table 5.1a (Source: Mission RCD)

Member	Board Position	Years on the Board	Background
Scott Murray	President	19	Farmer
Julia Escamilla	Secretary	5	Conservationist
George Archibald	Director	4	Businessman
Vacant	Director	-	-
Heather Conklin	Director	1	Government

5.2 Administration

Mission RCD appoints an at-will General Manager to oversee all District activities. Principal duties include preparing an annual budget, liasoning with other State and local agencies, and supervising staff and contractors. The current District Manager – Darcy Cook – was appointed in May 2020 and oversees a budgeted staff of 5.0 fulltime and 1.0 part-time employees. Mission RCD contracts for legal services with Best, Best and Kreiger (San Diego) LLP and Attorney Scott Brown (Grass Valley).

Mission RCD's Office
28246 Lilac Road



Photo Credit: Mission RCD

6.0 MUNICIPAL SERVICES

Mission RCD (Mission) is currently authorized to provide four distinct municpal service functions under its principal act: (a) soil erosion; (b) water conservation; (c) wildlife enhancement; and (d) agricultural enhancement.[10] These service functions are provided through 5.0 fulltime equivalent employees at the end of the report period. Overall staffing levels have not changed over the corresponding 60-months and further detailed in the accompanying footnote.[11] A summary analysis of these active functions follows with respect to applicable capacities, demands, and performance during the five-year report period.

Mission RCD provides four active service functions under its principal act: soil erosion; water conservation; wildlife enhancement; and agricultural enhancement. These categories are identified by LAFCO consistent with its responsibilities under statute to classify the type and location of active functions and related classes.

6.1 Soil Erosion

Mission RCD's soil erosion service function involves maintaining chemical makeup of healthy soils. Current activities focus on conducting soil surveys and developing carbon farming projects as further described below.

Soil Health Surveys

This service activity involves taking soil samples to identify type, texture, and nutrient levels. This information is subsequently analyzed by Mission RCD to determine carbon uptake and ability to reduce greenhouse gas emissions. The service activity is typically performed year-round and – among other outcomes – informs conservation activities.

Carbon Farming

This service activity involves providing technical assistance to landowners to increase organic matter contents into the soil by sequestering carbon dioxide from the atmosphere for placement into soil and vegetation. Common examples include composting applications, mulching, and other cover crops. The sequestration process supports plant photosynthesis and retention of water and nutrients in the soil and in doing so helps reduce soil erosion while also combats climate change by reducing greenhouse gas emissions. Related services include assisting landowners to apply for grants to fund individual carbon farming projects. The District also performs related educational services by operating demonstration plots at their community gardens.

[10] Mission RCD is also authorized – subject to LAFCO approval – to provide water distribution and erosion stabilization.
[11] Full time equivalent staffing levels at the start of the five-year report period was five.

Mission RCD currently has two active soil erosion related contracts:

- California Department of Food and Agriculture: Climate Smart Program
  This contract relationship began in 2018 to provide demonstration of healthy soils with testing to measure improvements in soil health. It includes demonstration of healthy soil management practices to growers in the region to reduce GHG by sequestering carbon, reduce soil salinity and water infiltration rates. Mission RCD received a $0.044 grant from the CA Department of Food and Agriculture and extends to 2020.

- California Department of Food and Agriculture: Healthy Soils Demonstration Program
  This contract relationship began in 2019 to provide demonstration of healthy soils with testing to measure improvements in soil health. It includes demonstration of healthy soil management practices to growers in the region to reduce GHG by sequestering carbon, reduce soil salinity and water infiltration rates. The current grant is for $0.073 million and extends through 2022.

6.2 Water Conservation

Mission RCD's water conservation service function involves economizing water resources for maximum beneficial uses. Current activities focus on preforming irrigation audits, providing watershed education, and promoting residential and agricultural water conservation practices and further described below.

Irrigation Audits

This service activity involves capturing water consumption and potential losses to evaluate water use for landowners. This information is subsequently analyzed and corrective measures are identified to increase water efficiency and improve crop usage (vineyards, orchards, nurseries, etc.). Related technical services are also provided to landowners as requested and detailed below under "Water Conservation."

Watershed Education

This service activity involves a variety of programs and demonstrations aimed at informing opportunities to improve conditions within San Luis Rey, Santa Margarita, and Rainbow Creek Watersheds. Central examples include working with landowners, community groups, and other stakeholders to inform and facilitate stewardship activities throughout the watersheds with the collective aim of improving water quality and riparian habitats. Recent watershed education programs involved grant work with the California

Department of Conservation's Proposition 68 supporting avian monitoring (Least Bell's vireo and coastal California gnatcatcher) and fire-abatement projects.

Water Conservation

This service activity draws on information developed in water audits and involves implementation of water-saving practices. Current activities include participating in San Diego County Water Authority's Landscape Water Management Program and involves promotion and education of water efficiency practices to reduce residential and commercial water usage. This service supports residential and landscape water use surveys, evaluations and checkups, turf removal and installation of water conservation devices to reduce urban runoff and water consumption rates.

Mission RCD has current five active water conservation related contracts:

- Municipal Water District of Orange County: Irrigation Incentive Rebate Programs
  This contract relationship was established in 2017 and involves a rebate program for residential and commercial sites for turf removal and installation of water conservation devices to reduce urban runoff and water consumption rates. The current grant is for $1.2 million grant and extends through 2022.

- San Diego County Water Authority: WaterSmart Field Services Program
  This contract relationship was established in 2010 and involves residential and landscape water use surveys, evaluation, and checkup. The current grant is for $0.530 million with work extending through 2021.

- San Diego County Water Authority: Agriculture Water Management Plan
  This contract relationship was established in 1992 and involves on-farm evaluations via the Mobile Irrigation Lab to retrofit agriculture irrigation systems to increase water efficiency and crop yields. The current grant is for $0.290 million and extends to 2023.

- State Water Efficiency and Enhancement Program
  This contract relationship was established in 2015 and involves grants to implement irrigation systems to reduce greenhouse gases and conserve water on agricultural uses. Additional details on grant value is pending.

- Rancho California Water District: Crop Sustainable Water for Agriculture Production
  This contract relationship was established in YEAR and involves technical assistance

for crop conversion projects to replace existing crops with those with lower irrigation water demands. The current grant is for $0.022 million and extends to 2020.

6.3 Wildlife Enhancement

Mission RCD's wildlife enhancement service function involves improving the natural landscape for ecological purposes. Current activities include invasive species removal, habitat restoration, and best management practices for equestrian properties. A summary description of these service function activities follows.

Invasive Species Removal

This service activity involves mitigating against invasive (non-native) species and their negative impact on biodiversity and natural ecosystems. Removal may be performed manually by hand or heavy machinery and sometimes herbicide. Current activities include remove Arundo donax in the San Luis Rey and Santa Margarita Watersheds. The establishment of the Santa Margarita – San Luis Rey Weed Management Area (WMA) was formed in the later 1990s to provide support, coordination and funding for management of invasive non-native plants and restoration of native riparian habitat within the Santa Margarita and San Luis Rey watersheds in San Diego County.

Habitat Restoration

This service activity involves repairing ecosystems that have been degraded or destroyed especially along riparian habitats. Current activities include restoration and conservation of natural resources in the Santa Margarita and San Luis Rey watersheds as well as establishing an avian monitoring of Least Bell's vireo and coastal California gnatcatcher.

Equestrian Properties Best Management Practices (BMPs)

This service activity involves how to properly set up and manage horse properties in ways that maximize sustainability and promote healthy and thriving lands by limiting soil degradation and sedimentation. Notably, this includes properly storing and disposing of horse manure for multiple reuse purposes.

Mission RCD currently has two active wildlife enhancement focused contracts:

- Vista United School District: Endowment Agreement for Arundo Management
  This contract relationship was established in 2006 and involves long-term eradication

and retreatment of the invasive Arundo donax (Giant Reed) and maintenance of native plants on the Vista High School property. The current grant is for $0.024 million and extends to 2022.

- California Wildlife Conservation Board: Riparian Restoration Field Services
  This contract relationship was established in 2017 and involves riparian restoration field services for invasive Arundo detection and control in the San Luis Rey Watershed and San Juan Creek. The current grant is for $1.8 million and extends to 2021.

6.4 Agricultural Enhancement

Mission RCD's agricultural enhancement service function involves supporting healthy and sustainable crop and livestock production. Current activities focus on agricultural sustainability as described below.

Agricultural Sustainability

This service activity involves an integrated system of plant and animal production practices having a site-specific application that will over the long-term satisfy human food and fiber needs. Additional details on related activities is pending.

Mission RCD has one active agriculture enhancement focused contract:

- Natural Resources Conservation Service: Regional Conservation Partnership Program
  The 2018 Farm Bill created a stand-alone in coordination with the to provide financial and technical assistance to growers for implementation of agricultural sustainability and conservation practices on working lands. The current grant is for $0.002 million grant and extends to 2021.

7.0 FINANCES

7.1 Financial Statements

Mission RCD contracts with an outside accounting consultant to prepare an annual report reviewing the District's financial statements in accordance with established governmental accounting standards. This includes auditing Mission RCD's statements in verifying overall assets, liabilities, and net position. These audited statements provide quantitative measurements in assessing Mission RCD's short and long-term fiscal health with specific focus on delivering its active municipal service functions: soil control and improvement; water

conservation; wildlife enhancement; and agricultural enhancement. The current outside consultant retained by Mission RCD is Nigro & Nigro, PC (Murrieta).

Mission RCD's most recent audited financial statements for the five-year report period were issued for 2018-2019.[12] These statements show Mission RCD experienced a moderate and positive change over the prior fiscal year as the District's overall net position (accrual basis) increased by 6.5% from $0.370 million to $0.396 million. Underlying this change in net position is an increase in capital assets during the fiscal year. A detailing of year-end totals and trends during the report period follows with respect to assets, liabilities, and net position.

Most Recent Year-Ending Financial Statements (2018-2019)	
Assets	$1,031,358
Liabilities	$635,377
Outflow/Inflow	$0
Net Position	$395,981

Agency Assets

Mission RCD's audited assets at the end of 2018-2019 totaled $1.031 million and is 2.2% higher than the average year-end amount of $1.008 million documented during the five-year report period. Assets classified as current with the expectation they could be liquidated within a year represented more than one-half of the total amount – or $0.596 million – and primarily tied to contracts receivable (e.g. grants). Assets classified as non-current make up the remaining total – or $0.436 million and entirely categorized as capital assets with more than one-half labeled as "improvements."[13] Overall assets for Mission RCD have increased by 11.7% over the corresponding 60-month period.

Mission RCD's assets have increased by one-tenth – or 11.7% – during the report period. The overall increase is directly attributed to increases in capital assets from $0.079 to $0.435 million over the 60-month period and marked by the purchase of a new administrative office in Fallbrook.

Mission RCD
Audited Assets
Table 7.1a | Source: Mission RCD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Current	844,299	754,557	574,187	934,892	595,854	(29.4%)	740,758
Non-Current	79,266	220,284	223,386	379,763	435,504	449.4%	267,641
Total	$923,565	$974,841	$797,573	$1314655	$1,031,358	11.7%	$1,008,398

[12] The audit for 2018-2019 was issued by Nigro & Nigro, PC on June 30, 2019.
[13] The District provided "improvements" is defined as the purchase of the office building.

Agency Liabilities

Mission RCD's audited liabilities at the end of 2018-2019 totaled $0.635 million and finished 17.6% higher than the average year-end amount of $0.540 million documented during the five-year report period. One-third of all liabilities finished the report period categorized as current and represent obligations owed within the year with most involving contract obligations. Overall liabilities for Mission RCD increased by 54.7% over the corresponding 60-month period.

Mission RCD's liabilities increased by more than one-half – or 54.7% – during the report period from $0.411 to $0.635 million. The increase is largely attributed to debt payments associated with purchase of its administrative office in Fallbrook.

Mission RCD
Audited Liabilities
Table 7.1b | Source: Valley Center CSD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Current	221,004	229,896	100,498	718,039	421,212	90.6	338,130
Non-Current	189,749	189,749	189,749	226,517	214,165	12.9%	201,986
Total	$410,753	$419,645	$290,247	$944,556	$635,377	54.7%	$ 540,116

Net Position

Mission RCD's audited net position or equity at the end of 2018-2019 totaled $0.396 million and represents the difference between the District's total assets and total liabilities. This most recent year-end amount is (15.4%) lower than the average year-end sum of $0.468 million documented during the five-year report period. More than one-half of the ending net position – or $0.209 million – is tied to capital assets with most of the remainder categorized as unrestricted. Overall the net position for Mission RCD has decreased by (22.8%) over the corresponding 60-month period.

Mission RCD's net position is trending negatively during the report period with overall losses. The net position has decreased overall from $0.513 to $0.396 million; a difference of (22.8%).

Mission RCD
Audited Net Position
Table 7.1c | Source: Mission RCD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Invested in Capital	79,266	220,284	223,386	143,867	208,987	163.7%	175,158
Restricted	187,991	187,633	187,104	-	59,009	-68.6%	124,347
Unrestricted	245,555	147,279	96,836	226,232	127,985	(47.9)	168,777
Total	$512,812	$555,196	$507,326	$370,099	$395,981	(22.8%)	$468,283

Mission RCD maintains one active governmental fund account – General – in support of its net position. The unassigned portion of the General Fund totaled $0.128 million (modified accrual basis) as of the last audited fiscal year and represents the available and spendable portion of Mission RCD's fund balance. The unassigned amount represents less than one month of operating expenses based on actuals in 2018-2019.[14]

Mission RCD's unassigned balance within its General Fund at the end of the report period totaled $0.128 million and has decreased overall by (47.9%). The end balance is sufficient to cover no more than one month of operating expenses.

7.2 Measurements | Liquidity, Capital, and Margin

LAFCO's review of the audited financial statement issuances by Mission RCD covering the five-year report period shows the District experienced significant diminishment in all standard measurement categories – liquidity, capital, margin, and structure – utilized in this document as summarized below and reflected in the proceeding table.

Standard measurements used to assess Mission RCD's financial standing shows the District finished the report period with trending negatively in all categories. Most notably, this includes an average total margin of (1.1%) during the corresponding 60-month period.

- Mission RCD's liquidity levels are low and decreasing. The current ratio decreased by nearly two-thirds – or (63.0%) – during the report period from 3.8 to 1.4 with the ending amount reflecting sixty cents out of every $1.00 available to the District is needed to cover an existing/immediate expense. The District's days' cash levels, similarly, decreased by (24.7%) and finished the report period at 26 days.

- Mission RCD's capital levels are low and decreasing. The debt-to-net assets ratio increased by almost one-half during the report period from 37.0% to 54.1% with the ending amount reflects more than one-half of the net position is tied to long-term financing and reduces the District's ability to secure outside capital. Moreover, the District's debt ratio increased during the period from 44.5% to 61.6%.

- Mission RCD's margin levels are very low and decreasing. The average total margin – the bottom line with respect to comparing revenues to expenses – during the period tallied (1.1%).

[14] Actual operating expenses in 2018-2019 totaled $1.722 million and produces a monthly average cost of $0.143 million.

Mission RCD
Financial Measurements
Table 7.2a | Source: San Diego LAFCO

Fiscal Year	Current Ratio	Days' Cash	Debt Ratio	Debt to Net Position	Total Margin	Operating Margin	Operating Reserves Ratio	Equipment Replacement
2014-2015	3.8 to 1	99.2	44.5%	37.0%	4.2%	6.2%	19.6%	15.6
2015-2016	3.3 to 1	73.4	43.1%	34.2%	3.3%	3.3%	11.7%	29.5
2016-2017	5.7 to 1	92.4	36.4%	37.4%	(6.0%)	(6.0%)	11.5%	35.4
2017-2018	1.3 to 1	257.1	71.9%	61.2%	(13.7%)	(13.7%)	19.4%	42.5
2018-2019	1.4	74.7	61.6%	54.1%	1.48%	1.48%	7.4%	26.4
Average	3.1 to 1	119.3	51.5%	66.3%	(1.1%)	(1.1%)	13.9%	29.9
Trend	(63.0%)	(24.7%)	38.5%	179.1%	(64.4%)	(64.4%)	(62.0%)	69.1%

Current Ratio (Liquidity)
Compares available assets against near-term obligations; the minimum desirable ratio is 1.0 and means for every dollar in liability the agency has one dollar available to pay.

Days' Cash (Liquidity)
Measures the number of days the agency can fund normal operations without any new cash income; an appropriate minimum threshold is 180 days. This measurement focuses on immediate cash available to the agency in comparison to the current ratio.

Debt Ratio (Capital)
Measures the relationship between the agency's total assets and liabilities; the higher the ratio the more susceptible the agency is to long-term cash flow stresses.

Debt to Net Position (Capital)
Measures the amount of long-term debt or borrowing of the agency against its accumulated net worth; an appropriate maximum standard threshold is 50%.

Total Margin (Margin)
Measures the bottom line of the agency with respect to comparing all revenues to all expenses; a positive percentage is desirable within the caveat capital improvement expenditures may appropriately result in a negative percentage in individual years.

Operating Margin (Margin)
Measures the relationship between core operational revenues and expenses and excludes one-time transactions, like grants and loans; a consistent positive percentage shows the agency has established a structured budget.

Operating Reserves Ratio (Structure)
Measures the percent of available monies of an agency to cover unforeseen shortfalls; an appropriate maximum standard threshold is 50%.

Equipment Replacement Ratio (Structure)
Measures the average age of depreciable equipment and facilities; the lower the number the younger the infrastructure with the assumption therein better efficiencies/effectiveness.

7.3 Pension Obligations

Mission RCD does not have recorded pension obligations.

B. RESOURCE CONSERVATION DISTRICT OF GREATER SAN DIEGO COUNTY

1.0 OVERVIEW

Mt. Helix Towards Jamul
Northbound State Route 6 | East to Woods Valley



Courtesy: Google

The Resource Conservation District (RCD) of Greater San Diego County is an independent special district formed in 1995. Formation followed the voluntary consolidation of the Greater Mountain Empire and Central San Diego County RCDs, which were separately biproducts of earlier consolidations involving eight RCDs with initial formations dating back to 1941 in the El Cajon and Valley Center regions. RCD of Greater SD County encompasses a 2,889-square mile jurisdictional boundary and includes two-thirds of all San Diego County. Most of the jurisdictional boundary – approximately 87% – comprises the unincorporated area and marked by the communities of Borrego Springs, Lakeside, Julian, Otay, Ramona, and Valley Center. The remainder of the jurisdictional boundary includes all or portions of the Cities of Carlsbad, Del Mar, El Cajon, Encinitas, Escondido, National City, Poway, San Marcos, Solana Beach, San Diego, Santee, and Vista. These latter lands, notably, are in the jurisdictional boundary as a result of having been added to one of the eight original RCDs prior to being annexed or incorporated into cities. Governance is provided by a seven-person board with members directly elected by geographic divisions or appointed by the Board of Supervisors in lieu of candidate filings. All members serve staggered four-year terms. The average tenure on the Board among the current members is five years with the longest tenured member – Marilyn Huntamer – completing her ninth year.

RCD of Greater San Diego County is presently organized as a multi-purpose agency with municipal services currently tied to three active categories under its principal act: (a) soil erosion; (b) water conservation; and (c) wildlife enhancement. RCD of Greater San Diego County is also authorized – subject to LAFCO approving latent power expansions – to provide water distribution, agricultural enhancement and erosion stabilization. The operating budget at the term of the report period (2018-2019) was $1.016 million and accommodated 18.0 fulltime equivalent employees. The last audited financial statements cover 2018-2019 and show RCD of Greater San Diego County's net position totaling $2.362 million with the unrestricted portion tallying $0.474 million. This latter amount translates to covering eight plus months of operating expenses based on recent actuals.

LAFCO independently estimates the fulltime resident population within RCD of Greater San Diego County is 1,445,460 as of the term of this report period and accommodated through the overall construction of 517,652 housing units in the District. Close to two-thirds of all District residents now reside in incorporated areas. It is also projected the estimate of fulltime residents represents an overall increase of 15.4% since 2010 – or 13,930 annually – with a resulting annual growth rate of 0.99%, which is moderately above the corresponding countywide rate of 0.81%. The median household income in the District is $59,041 based on the current five-year period average and one-tenth below the countywide average of $66,529.

2.0 BACKGROUND

2.1 Community Development

RCD of Greater San Diego County's service area covers seven-eighths of San Diego County and began its present-day development as a Spanish settlement with the founding of the San Diego Presidio and Mission San Diego de Alcalá by Spanish soldiers and clerics in 1769. Jurisdiction over the service area transitioned from Spain to Mexico in 1821 and later to the United States in 1848 as a result of the Treaty of Guadalupe Hidalgo, which ended the Mexican–American War. Statehood in 1850 paralleled San Diego County's establishment as one of California's original 27 counties and initially included most of present-day Riverside County and all present-day Imperial County before their detachments by the Legislature in 1893 and 1907, respectively.

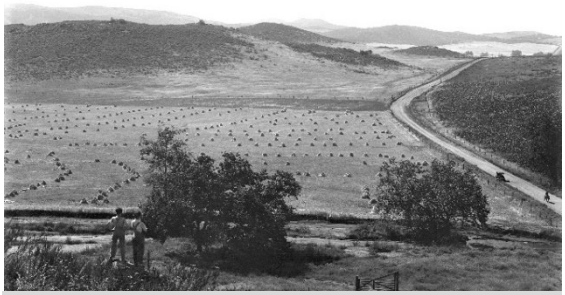
View of Presidio Hill
Circa 1887



Courtesy: San Diego County History Center (Pending)

The first census performed estimated the overall population of San Diego County at 798 in 1850. The population increased to 35,090 in 1900 with nearly two thirds – or 22,479 – lying within the five incorporated communities at the time (Coronado, Escondido, National City, Oceanside, and San Diego). The remaining one-third of the centurion population – or 12,611 – was spread out among two dozen plus unincorporated communities. This included close to 7,500 living in the present-day RCD of Greater San Diego County with notable unincorporated communities beginning to

Jamul Ranch
Circa 1910s



Courtesy: San Diego County History Center

develop in Alpine, Campo, Capitan Grande (Lakeside), Jamul, Otay, and Valley Center and predominantly consisting of agrarian and ranching uses.

The development of local water supplies coupled with improvements in transportation and the ability of farmers to bring products more directly to market led to intensification in commercial agricultural activities in unincorporated San Diego County by the 1930s. Prominent crops at the time were lemons, eggs, milk/cream, oranges, and beef cattle.[15] The intensification in agricultural activities in San Diego County relatedly led to the opening of the first local field office of the Natural Resources Conservation Services (NRCS) in Escondido in 1940 to assist farmers with developing effective soil management practices consistent with the newly created federal agency's tasks following the Dust Bowl experience a decade earlier.

Establishment of NRCS in San Diego County preceded the coordinated formation of several RCDs to partner in organizing soil management activities while providing funding through a modest portion of local property taxes. This included formation of several within the present-day service area of RCD of Greater San Diego County beginning in 1941 with the Valley Center and El Cajon-Lakeside RCDs (then Soil Conservation Service Districts). A listing of all RCDs subsequently formed in the service area and associated consolidations follows.[16]

- Valley Center RCD in 1941
  - Later consolidated into Palomar RCD in 1975

- El Cajon-Lakeside RCD in 1941
  - Later consolidated into Palomar RCD in 1968

- Mountain Empire RCD in 1942
  - Later consolidated into the Greater Mountain Empire RCD in 1961

- Ramona-Julian RCD in 1942
  - Later consolidated into RCD on Central San Diego County in 1980
  - Escondido-San Marcos RCD (date unknown)

- Penasquitos RCD (date unknown)
  - Later consolidated into Palomar RCD in 1976

[15] Reference to San Diego County's Annual Agriculture Report, 1938.
[16] Soil Conservation Services changes its name to Resource Conservation District in 1971 and expands is resource conservation to included habitat loss, invasive species removal, water and air quality.

- Borrego Valley RCD (date unknown)
  - Later consolidated into Ramona-Julian RCD in 1976

- Agua Buena RCD (date unknown)

- Greater Mountain Empire RCD in 1961
  - Consolidation of El Cajon-Lakeside and Mountain Empire RCDs
  - Later consolidated into RCD of Greater San Diego County in 1995

- Palomar RCD in 1968
  - Consolidation of Escondido-San Marcos and Agua Buena RCDs
  - Later consolidated into RCD of Central San Diego County in 1980

- RCD of Central San Diego County in 1980
  - Consolidation of Palomar and Ramona-Julian RCDs
  - Later consolidated into RCD of Greater San Diego in 1995

2.2 Formation Proceedings

RCD of Greater San Diego County's formation was proposed in 1994 as successor agency to the concurrent consolidation of Central San Diego County RCD and Greater Mountain Empire RCD. The proposal was jointly filed by the two RCDs and done so to establish long-term economies of scale for RCDs in the affected territory while immediately remedying Greater Mountain Empire's precarious financial condition. LAFCO approved the concurrent consolidation and formation in February 1995. Protest proceedings did not generate sufficient objections and the formation was finalized in May 1995 with the appointment of seven directors with all five from Central San Diego along with two from Greater Mountain Empire with appointments made by the Board of Supervisors.

2.3 Post Formation Activities

A summary of notable activities undertaken by RCD of Greater San Diego County and/or affecting the District's service area following formation in 1944 is provided below.

- LAFCO establishes RCD of Greater San Diego County's sphere of influence in May 1995. The sphere is purposely set as a larger-than-agency designation and matches the prior designations of the two predecessor agencies – Greater Mountain Empire and Central San Diego County RCDs.

- LAFCO updates and affirms RCD of Greater San Diego County's sphere of influence in March 2013 with no changes.

- LAFCO updates and affirms RCD of Greater San Diego County's sphere of influence in March 2013 with no changes.

3.0 BOUNDARIES

3.1 Jurisdictional Boundary

RCD of Greater San Diego County's jurisdictional boundary spans 2,989 square miles and covers 66% of all of San Diego County. Almost all the jurisdiction is unincorporated with exception of ** square miles lying within all or portions of 13 cities.

RCD of Greater San Diego County's existing boundary spans approximately 2,989 square miles and covers 1,913,312 acres (parcels and public rights-of-ways). The County of San Diego is the predominant land use authority and overlaps 87% of the jurisdictional boundary and planned accordingly in 31 separate community plans. The remaining portion of the jurisdictional boundary is incorporated and includes all or portions of lands lying in the Cities of Carlsbad, Del Mar, El Cajon, Encinitas, Escondido, National City, Poway, San Marcos, Solana Beach, San Diego, Santee, and Vista. This latter portion of the jurisdictional boundary, notably, represents lands previously within the predecessor agencies of RCD of Greater San Diego County and were subsequently and separately annexed or incorporated into cities. Overall, there are currently 748,225 registered voters within the District.

RCD of Greater San Diego County
Boundary Breakdown By Land Use Authority
Table 3.1a (Source: Esri and San Diego LAFCO)

Land Use Authority	Total Assessor Parcel Acres	% of Total Accessor Parcel Acres	Total Assessor Parcels	Number of Registered Voters
County of San Diego	1,665,419	87%	118,728	238,036
City of Carlsbad	20,346	1.06%	51,380	59,008
City of Chula Vista	14,379	0.75%	26,290	51,324
City of El Cajon	5,407	0.28%	10,400	19,807
City of Encinitas	5,537	0.29%	7,878	14,413
City of Escondido	22,570	1.18%	33,726	63,640
City of La Mesa	196	0.01%	395	1,261
City of Oceanside	9,174	0.48%	23,701	40,081
City of Poway	25,039	1.31%	16,190	30,997
City of San Diego	106,850	5.58%	270,211	62,287
City of San Marcos	15,556	0.81%	26,401	47,445
City of Santee	10,686	0.56%	19,366	35,336
City of Solana Beach	200	0.01%	355	584
City of Vista	11,952	0.62%	23,896	46,402
TOTAL	1,913,312	100%	628,917	748,225

Total assessed value (land and structure) within RCD of Greater San Diego County is set at $321.1 billion as of January 2020 and translates to a per acre value ratio of $0.168 million. The former amount – $321.1 billion – further represents a per capita value of $0.221 million based on the estimated fulltime population of 1.45 million. RCD of Greater San Diego County receives 0.00006417% of the annual 1.00% of property tax collected in the District.

RCD of Greater San Diego County receives $0.00006417 cents for every $1.00 dollar in property tax collected within its jurisdictional boundary. The amount received from RCD of Greater San Diego County at the end of the fiscal year was $0.357 million.

The jurisdictional boundary is currently divided into 628,917 assessor parcels spanning 1,865,577 acres. (The remaining jurisdictional acreage – 47,735 – consists of dedicated public right-of-ways and local water bodies.) More than nine-tenths – 98.6% – of the assessor parcel acreage is under private ownership with four-fifths of this amount having already been developed and/or improved to date, albeit not necessarily at the highest density as allowed under zoning. The remainder of private parcel assessor acreage is undeveloped and consists of 57,537 vacant parcels that collectively total 353,766 acres. More than four-sevenths – or 1,117,575 acres – of lands within the jurisdictional boundary qualify as a disadvantaged unincorporated community under LAFCO policy.

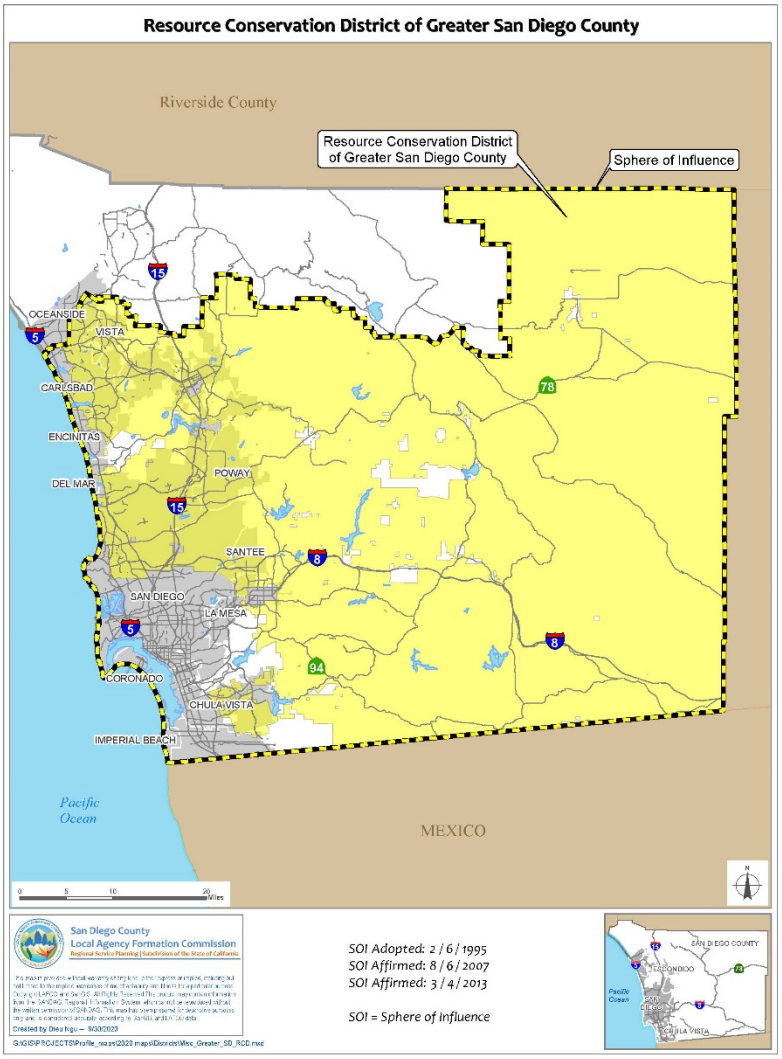
There are 619,514 privately owned assessor parcels within RCD of Greater San Diego County that remain undeveloped and total 353,766 acres; an amount that represents close to one-fifth of the entire District.

3.2 Sphere of Influence

RCD of Greater San Diego County's sphere of influence was established by LAFCO in May 1995 and last reviewed and affirmed without change in March 2013. The sphere is larger than the District boundary with the inclusion of 257,247 non-jurisdictional acres with and largely concentered in the Cities of San Diego, Chula Vista, and National City. The sphere does not exclude any existing jurisdictional lands. No special study areas have been assigned to the RCD of Greater San Diego County sphere.

RCD of Greater San Diego County's sphere of influence is 13% larger than the District that totals 257,247 acres lying outside the jurisdictional boundary.

3.3 Current Boundary and Sphere Map



Quick Facts

Boundary

2,989 square miles

628,917 assessor parcels

57,537 privately owned parcels remain undeveloped and equals 19% of total parcel acreage in District

87% in unincorporated area

13% within 13 cities

$321.1 billion in assessed value

58% qualifies as DUC

Sphere

Established in 1995

Last updated in 2013

13% larger than boundary

4.0 DEMOGRAPHICS

4.1 Population and Housing

RCD of Greater San Diego County's total fulltime resident population within its jurisdictional boundary is independently estimated by LAFCO at 1,445,460 as of the term of the five-year report period. This amount represents 43.4% of the countywide total. It is also estimated the fulltime population has risen overall by 8.90% from 1,320,088 in 2010 and the last census reset. This translates to an annual change of

It is estimated there are 1,445,460 fulltime residents within RCD of Greater San Diego County at the end of the report period and captures two-fifths of the county total. It is also projected the fulltime population will increase consistent with recent trends – or 0.81% annually – and reach 1,505,034 by 2024.

0.99% and above the corresponding countywide growth rate of 0.81%. It is projected the current growth rate will continue intact into the near-term and result in the fulltime population reaching 1,505,034 by 2024. The jurisdiction has a current population density of 1 resident for every 1.3 acres and underlies the overall rural character of the jurisdiction.

RCD of Greater San Diego County
Resident Population
Table 4.1a (Source: Esri and San Diego LAFCO)

Factor	2010	2019	2024 (projected)	Annual Change %
RCD of Greater San Diego County	1,320,088	1,445,460	1,505,034	0.99%
San Diego County	3,095,264	3,333,975	3,460,447	0.81%

Housing production in RCD of Greater San Diego County totals 517,652 dwelling units as of the term of the report period. This includes the addition of 33,512 units – or 3,724 a year – since 2010. The average monthly housing cost in the District is $1,252.88, which is close to one-fourth lower than the countywide average.

There are 517,652 residential housing units within RCD of Greater San Diego County as of the report period term. This amount has increased by 484,140 – or 3,724 annually – since 2010. With respect to current housing characteristics within the District, 62.2% are owner-occupied, 33.8% are renter-occupied, and the remaining 4.0% are vacant. The average household size is 2.60 and has decreased by (1.2%) from 2.63 over the preceding five-year period. The mean monthly housing cost in RCD of Greater San Diego County has decreased by (4.1%) from $1,305.79 to $1,252.88 based on the most recent five-year period averages. The mean monthly housing cost also continues to remain well below the countywide average of $1,578.00.

RCD of Greater San Diego County
Housing Breakdown
Table 4.1b (Source: American Community Survey and San Diego LAFCO)

Jurisdiction	2010 Housing Units	2019 Housing Units	Change	2010 Monthly Housing Cost	2019 Monthly Housing Cost	Change
RCD of Greater San Diego County	484,140	517,652		1,305.79	1,252.88	(4.9%)
San Diego County	1,164,766	1,236,184	6.1%	$1,540	$1,578	2.5%

4.2 Age Distribution

Residents within RCD of Greater San Diego County tend to be significantly older with a medium age of 47.71; an amount that is more than one-fourth higher than the countywide average of 35.3. The majority – 50.4% – of the residents also are aged within the prime working group of 25-64.

The median age of residents in RCD of Greater San Diego County is 47.7 based on the current five-year period average. This amount shows the population is rising with the median age experiencing an overall change of 5.9% from 45.1 over the preceding five-year period average. The current median age in RCD of Greater San Diego County also remains significantly higher than the countywide average of 35.3. Residents in the prime working age group defined as ages 25 to 64 make up slightly more than one-half of the

estimated total population at 50.4%.

RCD of Greater San Diego County
Resident Age Breakdown
Table 4.2a (Source: American Community Survey and San Diego LAFCO)

Service Area	2010 Median Age	2019 Median Age	Change	2010 Prime Working Age	2019 Prime Working Age	Change
RCD of Greater San Diego County	45.07	47.71	5.87%	50.63	50.4%	(0.5)%
San Diego County	34.6	35.3	2.0%	53.4%	47.0%	(12.0)%

4.3 Income Characteristics

The median household income in RCD of Greater San Diego County is $59,041 based on the current five-year period average. This amount shows fulltime residents are receiving less pay with the median income experiencing an overall decrease of (5.4%) from the preceding five-year period average of $62,427. The current median household income in RCD of Greater San Diego County is also lower by one-eighth than the current countywide median of $66,529. Separately, the current average rate of persons living below the poverty level in RCD of Greater San Diego County is 14.4% and has increased by or 5.3% over the earlier five-year period and surpassing the countywide rate of 14.0%.

RCD of Greater San Diego County residents' average median household income has experienced a decrease in recent years and is currently $59,041. This amount is more than one-eighth lower than the countywide median income $66,529. The rate of persons living below the poverty rate has separately increased by to 14.4% and is now slightly above the countywide rate of 14.0%.

RCD of Greater San Diego County
Resident Income Breakdown
Table 4.3a (Source: American Community Survey and San Diego LAFCO)

Service Area	2007-2011 Median HH Income	2012-2016 Median HH Income	Change	2007-2011 Poverty Rate	2012-2016 Poverty Rate	Change
RCD of Greater San Diego County	$62,427	$59,041	(5.4%)	13.7%	14.4%	5.3%
San Diego County	$63,857	$66,529	4.2%	13.0%	14.0%	7.7%

4.4 Socioeconomic Indicators

Unemployment within RCD of Greater San Diego County is relatively high at 8.6% based on the current five-year period average. This amount represents an overall and negative change of 100.3% compared to the previous five-year average and if far excess of the corresponding countywide change of (12.5%) from 5.6% to 4.9%. Educational levels as measured by adults 25 or older with bachelor degrees has slightly increased with the overall rate rising by 5.5% over the previous five-year period from 25.3% to 26.7% - although still substantially below the countywide rate of 36.5%. Over one-fourth – or 27.0% – of the population currently collects

Slightly more than one-fourth of RCD of Greater San Diego County residents have undergraduate degrees. The unemployment rate within the District is nearly double the countywide amount.

retirement income. The non-English speaking percentage of the population has decreased during this period from 14.3% to 9.6%; an overall difference of (32.5%).

RCD of Greater San Diego County
Socioeconomic Indicators Breakdown
Table 4.4a (Source: American Community Survey and San Diego LAFCO)

Service Area	2007-2011 Unemployment Rate	2012-2016 Unemployment Rate	Change	2007-2011 Non English	2012-2016 Non English	Change
RCD of Greater San Diego	4.30	8.62	100.3%	14.3%	9.6%	(32.5%)
San Diego County	5.6%	4.9%	(12.5%)	16.1%	15%	(6.8%)

5.0 ORGANIZATION

5.1 Governance

RCD of Greater San Diego County's governance authority is established under the Resource Conservation Districts Law and codified under Public Resources Code Section 9151 - 9491. This principal act empowers RCD of Greater San Diego County to provide a moderate range of municipal service functions involving natural resource protections and improvements upon approval by LAFCO. RCD of Greater San Diego County is currently authorized to provide four active municipal service functions: (a) soil erosion; (b) water conservation; (c) wildlife enhancement; and (d) agricultural enhancement. All other service functions (i.e. powers) enumerated under the principal act are deemed latent and would need to be formally activated by LAFCO at a noticed hearing before RCD of Greater San Diego County would be allowed to initiate. Similarly, should RCD of Greater San Diego County seek to divest itself of directly providing an active service function, it would need to receive LAFCO approval. A list of active and latent RCD of Greater San Diego County service functions follows.

Active Service Functions	Latent Service Functions
Soil Erosion	Water Distribution
Water Conservation	Erosion Stabilization
Wildlife Enhancement	
Agricultural Enhancement	

Governance of RCD of Greater San Diego County is independently provided by a seven-member Board of Directors.[17] Each member of the Board is either elected by registered voters or appointed by the County of San Diego Board of Supervisors in the event no candidates file for election. All Board members serve

RCD of Greater San Diego County's regular meetings are scheduled on the first Tuesday of each month. Directors do not receive per diems.

[17] LAFCO established a seven-member Board as part of the formation proceedings in 1995 and initially comprised all five Board members from RCD of Central San Diego County and two members from Empire Mountain RCD.

staggered four-year terms with a rotating president system. The Board has also established to two "Associate" positions on the Board to help inform decision-making. The Board regularly meets every first Tuesday at 1:00pm at RCD of Greater San Diego County's administrative office at 11769 Waterhill Road in Lakeside (92040). Directors do not receive per diems for meetings attended. Summary minutes are prepared for all meetings; audio and video recordings are not provided. A current listing of the Board along with respective backgrounds and years served with the District follows.

RCD of Greater San Diego County
Current Governing Board Roster
Table 5.1a (Source: RCD of Greater San Diego)

Member	Board Position	Years on the Board	Background
Donald Butz	President	5	Fire Service
Marilyn Huntamer	Vice President	9	Small Business Owner
James Thompson	Secretary	4	Registered Arborist
Jordan Gascon	Director	2	Executive Director
Cody Petterson	Director	1	Non-profit Director
Vacant			
Vacant			
D.K. Nasland	Associate Director	Less than 1	Engineering Director
Jo MacKenzie	Associate Director	Less than 1	Land Use Planner

5.2 Administration

RCD of Greater San Diego County appoints an at-will General Manager to oversee all District activities. Principal duties include preparing an annual budget, liasoning with other State and local agencies, and managing staff and contracted consultants/vendors. The current General Manager – Sheryl Landrum – was appointed in January 2013 and oversees a budgeted staff of 18.0 fulltime employees along with seasonal staff. RCD of Greater San Diego County contracts with McDougal Love Boehmer Foley Lyon and Canlas (La Mesa) with principal legal representation provided by Steven E. Boehmer.

RCD of Greater San Diego County's Office
11769 Waterhill Road, Lakeside, CA 92040



Photo Credit: Google

6.0 MUNICIPAL SERVICES

RCD of Greater San Diego County is currently authorized to provide four distinct municpal service functions consistent with its principal act: (a) soil erosion; (b) water conservation; (c) wildlife enhancement; and (d) agricultural enhancement.[18] These service functions are provided through 18.0 equivalent staff at the end of the report period. Overall staffing levels has changed by 260% over the corresponding 60-months and detailed in the accompanying footnote.[19] A summary analysis of the active functions follows with respect to applicable capacities, demands, and performance during the five-year report period.

RCD of Greater San Diego County provides four active service functions under its principal act: soil erosion; water conservation; wildlife enhancement; and agricultural enhancement. These categories are identified by LAFCO consistent with its responsibilities under statute to classify the type and location of active functions and related classes.

6.1 Soil Erosion

RCD of Greater San Diego County's soil erosion service function involves maintaining chemical makeup of healthy soils. Current activities focus on developing carbon farming projects and proivding fuel reduction. A description of these current activities follow.

Carbon Farming

This service activity involves providing technical assistance to landowners to increase organic matter contents into the soil by sequestering carbon dioxide from the atmosphere for placement into soil and vegetation. Common examples include composting applications, mulching, and other cover crops. The sequestration process supports plant photosynthesis and retention of water and nutrients in the soil and in doing so helps reduce soil erosion while also combats climate change by overtime reducing greenhouse gas emissions. Related District services include assisting landowners to apply for grants to fund individual carbon farming projects. The District also performs related educational services by operating demonstration plots at the Sweetwater and Tijuana Valley Community Gardens.

Fuel Reduction

This service activity involves providing educational and related technical advice to landowners and community organizations to help reduce excess surface fuels that have fallen to the ground. Common examples of surface fuels are leaves, twigs, and pieces of bark, which are

[18] RCD of Greater San Diego County is also authorized – subject to LAFCO approving latent power expansions – to provide water distribution and erosion stabilization.
[19] Fulltime equivalent staffing levels at the start of the five-year report period was 8.

collectively referred to as "leaf litter." Reducing fuels through prescribed burning or other methods can minimize soil erosion caused by severe wildfires.

RCD of Greater San Diego County currently has five active contracts relating to its soil erosion service function and are summarized below.

- United States Forest Service: Cleveland National Forest
  This contract relationship was established in 2009 and involves grant funding for the District to provide fuel reduction and fire prevention education services specific to the Palomar Observatory and Bergman Ranch areas within the Cleveland National Forest. The current grant provides $2.0 million and extends through 2021.

- United States Forest Service: Grants Clearinghouse
  This contract relationship was established in 2008 and involves grant funding for the District to provide fuel reduction and fire prevention education services specific to rural San Diego County. The current grant provides $200k and extends through 2020.

- San Diego Gas and Electric (SDG&E)
  This contract relationship was established in 2012 and involves grant funding for the District to provide fuel reduction and fire prevention education services specific to the SD County area. The current grant provides $0.120 million and extends through 2021.

- California Department of Food and Agriculture (CDFA)
  This contract relationship was established in August 2019 and involves grant funding for the District to assist carbon farming practices at the Daley Ranch in Jamul. The current grant provides $0.099 million and extends through 2022.

6.2 Water Conservation

RCD of Greater San Diego County's water conservation service function involves economizing water resources for maximum beneficial uses. Current activities focus on watershed education and related technical assistance. Additional details follow.

Watershed Education

This service activity has been a central focus of the District since formation and involves an education program delivered to schools and at community events to educate and inform students and residents to improve conditions within the San Diego Bay Watershed and its three sub-areas: Otay; Pueblo; and Sweetwater. Examples include working with

landowners, schools, and community groups to inform and facilitate stewardship activities throughout the San Diego Bay Watershed to improve water quality. The program includes a classroom presentation to educate students about what a watershed is, how watersheds become polluted, and how individuals can make a difference. The District also annually awards $1,000 scholarships to graduating high-school students demonstrating achievement in promoting watershed stewardship.

RCD of Greater San Diego County currently has two active contracts relating to its water conservation function and are summarized below.

- San Diego County Port Authority
  This contract relationship was established in 2017 and involves grant funding for the District to provide free watershed education programs made available to all second through sixth grade students located within the San Diego Bay Watershed. The grant program typically involves registered schools receiving in-class presentations aimed at providing students hands-on opportunities to learn about their environment and the connection between land, water, and human actions. The current grant provides the District $0.101 million grant and extends through 2022.

- Student & Landowner Education & Watershed Stewardship (SLEWS)
  This contract relationship was established in 2014 and involves grant funding to for the District to engage high school students on real-world conservation projects. The grant program focuses on watershed education at the elementary school level within AREA. The current grant provides the District $0.016 million through 2021.

6.3 Wildlife Enhancement

RCD of Greater San Diego County's wildlife enhancement service function involves improving the natural landscape for ecological purposes. Current activities focus on habitat restoration, pollinator health, and wildfire prevention. Additional details follow.

Habitat Restoration (Invasive Species Removal)

This service activity involves addressing the negative effects on the natural environment from invasive species – such as Arundo donax and Tamarisk. This includes removing and/or otherwise curbing invasive species that are prone to spread massively on natural ecosystems and cause adverse impacts and marked by the loss of biodiversity. Removal is typically performed manually by hand or heavy machinery and supplemented as needed by herbicide. Current activities include eliminating invasive plants, weeds, and wildlife species

along the El Capitan Reservoir to limit their deleterious effects on water supply and quality while reducing fuel loads.

Pollinator Health

This service activity involves restoring and enhancing natural habitat for native pollinators, including bees, birds, and butterflies. The aim of the program is support pollinators and the essential role in supporting food production and plant diversity and currently include creating demonstration pollinator gardens in public spaces and as part of an annual exhibit at the San Diego County Fair. Related work also includes creating a local source of native milkweed for use in habitat creation in both home gardens and restoration projects. The District serves as the administrator for the San Diego Pollinator Alliance, which is a network of agencies and organizations partnering to support pollinator health in San Diego County.

Wildland Fire Prevention

This service activity involves managing local programs to help facilitate defensible space initiatives and protect landowners and communities from wildland fires. These activities are done in partnership with the Fire Safety Council of San Diego County and its local chapters. Management activities includes organizing and administering grants to provide local fire safe council chapters with free chipping, brush thinning and clearing, and community workshops. The service activity is performed across the District and the work is conducted year round.

RCD of Greater San Diego County currently has six active contracts relating to its wildlife enhancement function and are summarized below.

- California Association of Resource Conservation Districts
  This contract relationship was established in 2016 and involves grant funding to raise awareness of the benefits of planting native milkweed and includes providing local, native milkweed seed sources to landowners. The current grant is for $0.002 million grant and extends to 2022.

- San Diego Integrated Regional Water Management
  This contract relationship was established in 2017 and involves grant funding to improve water quality in the El Capitan Reservoir in eastern San Diego County. The grant program is tied to Proposition 84 and funds the elimination of invasive plants, weeds, and wildlife species along the El Capitan Reservoir. The current grant is for $2.1 million extends through 2022.

- U.S. Fish and Wildlife Service
  This contract relationship was established in 2014 and involves grant funding to build and support local pollinator habitats and the work of the San Diego Pollinator Alliance. Existing focus is on the creation of the first local source of native milkweed seed to support and revitalize pollinator habitats in San Diego. The current grant is for $0.044 million grant and extends through 2023.

- California Department of Forestry and Fire Protection (CAL FIRE)
  This contract relationship was established in 2019 and involves grant funding to conserve working forests and minimize loss of forest carbon as well as protect upper watersheds. Current focus is on the Palomar Mountain area and includes a multi-agency partnership with Fire Safe Council of San Diego County, United States Forest Service, La Jolla Band of Luiseño Indians, Pauma Band of Mission Indians, and Palomar Land & Cattle Company. The current grant is for $5.0 million grant and extends to 2024.

- County of San Diego
  This contract relationship was established in 2016 and involves grant funding to improve the Tijuana River Valley. Specific activities focus on expanding and improving the Tijuana River Valley Community Garden with recent accomplishments including new irrigation and security for 98 garden plots as well as creating six quarter-acre plots for more intestine gardening. The current grant is for $0.030 million and extends to October 2020.

- California Department of Conservation: Regional Fire and Forest
  This contract relationship was established in 2019 and involves assistance to develop local chapters for the Fire Safe Council of San Diego County. Specific activities funded by the grant program include planning and demonstration project such as wood chipping, defensible space assistance, and conducting fire-safety workshops. The current grant is for $1.43 million and extends to 2023.

6.4 Agricultural Enhancement

RCD of Greater San Diego County's agricultural enhancement service function involves supporting healthy and sustainable crop and livestock production. Current activities focus on regenerative farming, community supported agriculture, and integrated pest management. Additional details follow.

Regenerative Farming

This service activity involves working with landowners and other stakeholders to develop alternative farming methods to conventional practices that rely on tilling and non-organic fertilizers. The purpose of the service is to improve biodiversity through natural land restorative practices. Additional details on related activities is pending.

Community Supported Agriculture

This service activity involves connecting local farmers with consumers and provide a direct farm-to-table relationship through the District's operations at Wild Willow Farm and Education Center. Key mechanics involve managing an exchange system in which customers pre-purchase a "share" of produce with regular deliveries throughout the year (weekly or biweekly) from the farm based on the true costs of production. Additional details on related activities is pending.

Integrated Pest Management (IPM)

This service activity involves providing instruction to landowners and other stakeholders on garden-friendly pest control methods. The purpose of the service is to reduce non-native pests and maintain healthy gardens. Additional activity details are pending.

7.0 FINANCES

7.1 Financial Statements

RCD of Greater San Diego County contracts with an outside accounting consultant to prepare an annual report reviewing the District's financial statements in accordance with established governmental accounting standards. This includes auditing RCD of Greater San Diego County's statements in verifying overall assets, liabilities, and net position. These audited statements provide quantitative measurements in assessing RCD of Greater San Diego County's short and long-term fiscal health with specific focus on delivering its active municipal service functions: soil erosion; water conservation; wildlife enhancement; and agricultural enhancement. The current outside consultant is Wilkinson, Hadley, King and Co (El Cajon).

RCD of Greater San Diego County's most recent audited financial statements for the five-year report period were issued for 2018-2019.[20] These statements show RCD of Greater San Diego County experienced a slightly negative change over the prior fiscal year as the District's overall net position (regular accrual basis) decreased by (4.8%) from $2.483 million to $2.362 million. Underlying this change in net position is an increase in accounts payable coupled with a total margin loss of (6.9%) during the fiscal year due to the purchase of Wild Willow Farm. A detailing of year-end totals and trends during the report period follows with respect to assets, liabilities, and net position.

Most Recent Year-Ending Financial Statements (2018-2019)	
Assets	$2,595,328
Liabilities	$233,250
Outflow/Inflow	$0
Net Position	$2,362,078

Agency Assets

RCD of Greater San Diego County's audited assets at the end of 2018-2019 totaled 2.595 million and is (0.8%) lower than the average year-end amount of $2.610 million documented during the five-year report period. Assets classified as current with the expectation they could be liquidated within a year represented close to two-thirds of the total amount – or $1.669 million – and primarily tied to cash and investments. Assets classified as non-current make up the remaining total – or $0.926 million and entirely categorized as capital facilities. Overall assets for RCD of Greater San Diego County have decreased by (1.5%) over the corresponding 60-month period.

RCD of Greater San Diego County's assets have modestly decreased by (0.8%) during the report period due to the purchase of Wild Willow Farms. The overall decrease is primarily attributed to a decrease in cash equivalents from $1.478 to $1.183 million over the 60-month period.

[20] The audit for 2018-2019 was issued by Wilkinson, Hadley and King Company, LLP on June 30, 2019.

RCD of Greater San Diego County
Audited Assets
Table 7.1a | Source: RCD of Greater San Diego County

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Current	1,616,411	1,578,735	1,677,866	1,591,911	1,669,656	3.3%	1,626,916
Non-Current	1,019,173	1,017,442	995,724	959,209	925,672	(9.2%)	983,444
Total	$ 2,635,584	$2,596,177	$2,673,590	$2,551,120	$2,595,328	(1.5%)	$2,610,360

Agency Liabilities

RCD of Greater San Diego County's liabilities remain modest overall but nonetheless have increased by three-fold – or 321.5% – during the report period from $0.055 to $0.233 million. The increase is largely attributed to a period-ending spike in accounts payable.

RCD of Greater San Diego County audited liabilities at the end of 2018-2019 totaled $0.233 million and finished 125.1 higher than the average year-end amount of $0.102 million documented during the five-year report period. More than four-fifths of all liabilities finished the report period categorized as current and represent obligations owed within the year and largely tied to accounts payable. The remaining amount of liabilities are categorized as non-current and exclusively involve unearned revenues. Overall liabilities for RCD of Greater San Diego County have increased by 321.5% over the corresponding 60-month period.

RCD of Greater San Diego County
Audited Liabilities
Table 7.1b | Source: RCD of Greater San Diego County

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Current	26,719	37,664	26,681	33,627	195,376	631.2%	64,646
Non-Current	28,621	21,681	69,084	40,861	37,874	32.3%	39,624
Total	$55,340	$59,345	$95,765	$74,488	$233,250	321.5%	102,270

Net Position

RCD of Greater San Diego County's net position is trending slightly negative with loses in four of the five years during the report period. The net position has decreased overall from $2.580 to $2.362 million; a difference of (8.5%).

RCD of Greater San Diego County's audited net position or equity at the end of 2018-2019 totaled $2.362 million and represents the difference between the District's total assets and total liabilities. This most recent year-end amount is (5.8%) lower than the average year-end sum of $2.508 million documented during the five-year report period. Close to two-fifths of the ending net position – or $0.926 million – is tied to capital assets. The remainder is divided between restricted and unrestricted. Overall, the net position for RCD of Greater San Diego County has decreased by (8.5%) over the corresponding 60-month period with the volume attributed to the preceding reference to a period-ending spike in liabilities.

RCD of Greater San Diego County
Audited Net Position
Table 7.1c | Source: Mission RCD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Invested in Capital	1,019,173	1,017,442	995,724	959,248	925,671	(9.2%)	983,452
Restricted	-	-	942,118	962,519	961,915	n/a	573,310
Unrestricted	1,561,071	1,519,390	639,983	561,701	474,492	(69.6%)	951,327
Total	$2,580,244	$2,536,832	$2,577,825	$ 2,483,468	$2,362,078	(8.5%)	$2,508,089

RCD of Greater San Diego County's unassigned balance within its General Fund at the end of the report period totaled $0.474 million and has changed overall by (69.6%). The end balance is equal to covering close to nine months of operating costs.

RCD of Greater San Diego County maintains one active governmental fund – general – underlying the net position. The unassigned portion of the General Fund totaled $0.474 million (modified accrual basis) as of the last audited fiscal year and represents the available and spendable portion of Mission RCD's fund balance. The unassigned amount represents less 8.8 months of operating expenses based on actuals in 2018-2019.[21]

7.2 Measurements | Liquidity, Capital, and Margin

Standard measurements used to assess RCD of Greater San Diego County's financial standing shows the District finished the report period trending negatively in all standard measurement categories. This includes a negative total margin in four of the five years with an overall average of (2.8%).

LAFCO's review of the audited financial statement issuances by RCD of Greater San Diego County covering the five-year report period shows the District generally experienced declines in all standard measurement categories – liquidity, capital, margin, and structure – utilized in this document. A summary of these standard measurements follow.

- RCD of Greater San Diego County's liquidity levels are low and decreasing. The current ratio – which compares available assets against near-term obligations – decreased in four of the five years during the report period with an overall change of more than four-fifths – or (84.7%) – from 60.5 to 8.6. This ending amount reflects the District finished the report period with $8.60 in available cash for every $1.00 in immediate bills. The District's days' cash levels, similarly, decreased during the report period with an overall change of (60.7%) from 831 days to 330 days.

- RCD of Greater San Diego County's capital levels have decreased over the report period but remain high overall and available to help cover large and/or otherwise

[21] Actual operating expenses in 2018-2019 totaled $1.357 million.

unplanned expenses. The debt-to-net assets – which measures the portion of the net position tied to outside financing – finished low at 1.6% while absorbing an approximate one-half increase during the report period. Similarly, the District's debt ratio and its measurement of total liabilities against total assets finished at 8.9% despite a three-fold increase.

- RCD of San Diego County's margin levels are very low have been decreasing with losses in four of the five years during the report period. The average total margin – the bottom line with respect to comparing overall revenues to expenses – generated during the period tallied (3.1%) with an ending amount of (6.9%).

RCD of Greater San Diego County
Financial Measurements
Table 7.2a | Source: San Diego LAFCO

Fiscal Year	Current Ratio	Days' Cash	Debt Ratio	Debt to Net Position	Total Margin	Operating Margin	Operating Reserves Ratio	Equipment Replacement
2014-2015	60.5to 1	830.7	2.1%	1.5%	(3.5%)	(3.5%)	227.9%	6.5
2015-2016	41.9 to 1	728.0	2.3%	0.9%	(6.2%)	(6.3%)	204.0%	7.3
2016-2017	62.9 to 1	445.1	3.6%	2.7%	5.4%	5.4%	58.6%	8.2
2017-2018	59.4 to 1	532.6	2.7%	1.6%	(4.1%)	(4.1%)	53.1%	9.4
2018-2019	8.6 to 1	326.6	8.9%	1.6%	(6.9%)	(6.9%)	35.0%	10.7
Average	44.4 to 1	572.6	3.9%	1.6%	(3.1%)	(3.1%)	140.5%	8.4
Trend	(85.8%)	(60.7%)	328.0%	43.7%	97.9%	97.9%	(84.7%)	64.3%

Current Ratio (Liquidity)
Compares available assets against near-term obligations; the minimum desirable ratio is 1.0 and means for every dollar in liability the agency has one dollar available to pay.

Days' Cash (Liquidity)
Measures the number of days the agency can fund normal operations without any new cash income; an appropriate minimum threshold is 180 days. This measurement focuses on immediate cash available to the agency in comparison to the current ratio.

Debt Ratio (Capital)
Measures the relationship between the agency's total assets and liabilities; the higher the ratio the more susceptible the agency is to long-term cash flow stresses.

Debt to Net Position (Capital)
Measures the amount of long-term debt or borrowing of the agency against its accumulated net worth; an appropriate maximum standard threshold is 50%.

Total Margin (Margin)
Measures the bottom line of the agency with respect to comparing all revenues to all expenses; a positive percentage is desirable within the caveat capital improvement expenditures may appropriately result in a negative percentage in individual years.

Operating Margin (Margin)
Measures the relationship between core operational revenues and expenses and excludes one-time transactions, like grants and loans; a consistent positive percentage shows the agency has established a structured budget.

Operating Reserves Ratio (Structure)
Measures the percent of available monies of an agency to cover unforeseen shortfalls; an appropriate maximum standard threshold is 50%.

Equipment Replacement Ratio (Structure)
Measures the average age of depreciable equipment and facilities; the lower the number the younger the infrastructure with the assumption therein better efficiencies/effectiveness.

7.3 Pension Obligations

RCD of Greater San Diego County does not have recorded pension obligations.

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C. UPPER SAN LUIS REY RESOURCE CONSERVATION DISTRICT

1.0 OVERVIEW

San Luis Rey River Near Rainbow
Northbound State Route 6 | East to Woods Valley



Courtesy: Google

The Upper San Luis Rey Resource Conservation District (RCD) is an independent special district formed in 1942 and the longest operating RCD in San Diego County. Formation proceedings were initiated by area farmers and ranchers in consultation with the Natural Resources Conservation Services to create a locally funded agency to assist landowners in implementing soil, water, and other land management practices in support of agrarian activities. Upper San Luis Rey RCD encompasses a 402-square mile jurisdictional boundary and generally overlaps with the northern San Luis Rey Watershed.[22] All lands in the jurisdictional boundary are unincorporated and anchored by the communities of Pala, Pauma Valley, Rainbow (portion) Warner Springs, and Yuima. Close to one-fifth of the jurisdictional boundary also includes five American Indian reservations (La Jolla, Pala, Pauma-Yuima, Rincon, and Santa Ysabel). Governance is provided by a five-person board with members directly elected by geographic divisions or appointed by the County of San Diego Board of Supervisors in lieu of candidate filings. All members serve four-year terms. The average tenure on the Board among current members is 10 years with the longest tenured member – Oggie Watson – completing his 35th year.

Upper San Luis Rey RCD is presently organized as a limited-purpose agency with municipal service functions tied to two active categories under its principal act: (a) water conservation and (b) wildlife enhancement. Upper San Luis Rey RCD is also authorized – subject to LAFCO approving latent power expansions – to provide water distribution, agricultural enhancement, and soil erosion functions. The primary focus of Upper San Luis Rey RCD has involved maintaining conservation easements and performing related work to protect and restore native wildlife. Upper San Luis Rey RCD more recently has partnered with other local and State agencies to create the San Luis Rey Sustainable Groundwater Agency to plan and manage basin supplies. The operating budget at the term of the report period (2018-2019) was $0.031 million. The last audited financial statements cover 2018-2019 and show Upper San

[22] The San Luis Rey Watershed lies in the northern portion of the County and encompasses a land area of about 560 square miles and encompasses parts of the City of Oceanside, City of Vista, Fallbrook, Pala, Valley Center, and Palomar Mountain. Over half of the watershed remains undeveloped and is largely agricultural with green groves, slopes and canyons. The watershed neighbors Santa Margarita Watershed to the north and Carlsbad and San Dieguito Watersheds to the south. San Luis Rey Watershed supplies area residents with potable water sourced from Turner Reservoir and Lake Henshaw, as well as a number of underground aquifers.

Luis Rey RCD's net position totaling $0.346 million with the unrestricted portion tallying $0.179 million. This latter amount reflects the unassigned monies in the General Fund and translates to covering more than 124 months of operating expenses based on recent actuals.

LAFCO independently estimates the fulltime resident population within Upper San Luis Rey RCD is 11,735 as of the term of this report period and accommodated through the construction of 4,615 current housing units in the District. Most of the estimated population – notably – lies within the unincorporated community of Pauma Valley. It is also projected the estimate of fulltime residents represents an overall increase of 811 since 2010 – or 90.1 annually – with a resulting annual growth rate of 0.78%, which is slightly below the corresponding countywide rate of 0.81%. The median household income in the District is $48,822 based on the current five-year period average and nearly two-fifths below the countywide average of $66,529.

2.0 BACKGROUND

2.1 Community Development

Warner Ranch on the Way to Pala | Overland Mail Stagecoach Line
Circa 1903



Courtesy: San Diego History Center

Upper San Luis Rey RCD's service area began its present-day development in the mid-1800s in parallel with the creation and awards of land grants – or ranchos – throughout California by the Mexican government. Rancho Pauma covers a sizeable portion of the region and was granted to Jose Antonio Serrano in 1844 and preceded a series of subsequent land divisions and arrival of permanent settlers.[23] The region also was introduced to emigrants beginning in the 1850s as a result of the Overland Mail Stagecoach Line with a stop at Warner Ranch. Initial development of the region primarily involved ranching with some local-serving agriculture with the former highlighted by cattle and sheep. The region's Native American population also remained prominently present during this period with several Luiseno Indian bands located along the San Luis Rey River and anchored by the earlier establishment of the Mission San Antonio del Pala in 1816.

[23] The word "pauma" is a Native American phrase and translates to "I bring water" or "a place where there is water."

Warner Springs
Circa 1941



Courtesy: San Diego History Center (pending)

The first official census performed for the Upper San Luis Rey region estimated the population at 603 in 1890 and generally divided between the communities of Warner Springs and Yuima. The population increased by nearly triple during the next 10 years to an estimated 1,736 in the 1900 census and primarily attributed to an influx of Native American band members (Pala and Pauma) moving into the region as a result of having to abandon villages to the west along the San Luis Rey River due to the incorporation and development of Oceanside. It was also during this period agricultural activities in the region began to intensify. This intensification was aided by water diversions from the San Luis Rey River along with transportation improvements allowing famers to bring products more directly to market. The result was a substantive expansion in family farming in the region heading towards the century midpoint and headlined by lemon groves and other citrus crops.

2.2 Formation Proceedings

Upper San Luis Rey Soil Conservation District's (later renamed Upper San Luis Rey RCD) formation was petitioned by area landowners in early 1942. The petition paralleled an emerging statewide movement to establish create local agencies with a dedicated property tax base to advance soil conservation services in partnership with the Natural Resource Conservation Services' regional offices. Formation proceedings were overseen by the County of San Diego's Boundary Commission – a precursor to the creation of LAFCOs – and approved subject to voter confirmation of landowners. An election was subsequently held in May 1942 with landowners approving the formation on a vote of 71 to 0 along with electing an initial board of directors.[24] The effective date of the formation was June 1, 1942.

2.3 Post Formation Activities

A summary of notable activities undertaken by Upper San Luis Rey RCD and/or affecting the District's service area following formation in 1945 is provided below.

[24] The inaugural Board consisted of Jack Adams, Howard Baily, Orlando Bergman, H.D. Curtis, and W.F. Wright.

- LAFCO adopts Upper San Luis Rey RCD's sphere of influence in June 1986. The sphere was established with a "larger-than-agency" designation to include several non-jurisdictional islands as well as adjacent northern land to Riverside County.

- The Sustainable Groundwater Management Act (SGMA) becomes law on January 1, 2015 and requires public agencies to manage all high and medium priority basins as identified by the State Water Resources Control Board. The subsequent identification process identifies the San Luis Rey Valley Groundwater Basin as a medium priority basin.

- Upper San Luis Rey RCD enters into an agreement with the County of San Diego, Pauma Valley Community Services District, and Yuima Municipal Water District to establish the San Luis Rey Groundwater Sustainability Agency (GSA) in June 2017.

- LAFCO updates and affirms Upper San Luis Rey RCD's sphere of influence in March 2013 with no changes.

- The State Water Resources Control Board awards a $1.3 million grant to fund the initial operation of the San Luis Rey GSA and development of a management plan over the basin in April 2018. Yuima MWD agrees to be lead agency in the GSA.

- The County of San Diego withdraws from the San Luis Rey GSA in January 2019 and the remaining agencies – Upper San Luis Rey RCD, Pauma Valley Community Services District, and Yuima Municipal Water District – enter into a new agreement regarding the governance and operation of the San Luis Rey GSA.

3.0 BOUNDARIES

3.1 Jurisdictional Boundary

Upper San Luis Rey RCD's jurisdictional boundary spans 402 square miles and covers 9.4% of all of San Diego County. All of the jurisdictional boundary is unincorporated and overlaps the land use authority of the County of San Diego.

Upper San Luis Rey RCD's existing jurisdictional boundary spans approximately 402 square miles and covers 257,280 unincorporated acres (parcels and public rights-of-ways). The County of San Diego is the sole land use authority within the jurisdictional boundary with associated planning provided in the County General Plan last updated in 2011 and further prescribed in several community plans as detailed in the accompanying footnote.[25] The primary land use within the jurisdictional boundary is commercial agriculture

[25] The following County Community Plans collectively encompass the Upper San Luis Rey RCD jurisdictional boundary: Rainbow; Fallbrook;

and low to moderate residential estate uses focused in the Pala, Pauma Valley, Warner Springs, and Yuima communities along with a small amount of local-serving retail. There are also regional-serving commercial uses in the area and include Pauma Country Club, and Palomar Observatory. Five American Indian reservations are also within the jurisdictional boundary (La Jolla, Pala, Pauma-Yuima, Rincon, and Santa Ysabel). Overall, there are currently 5,597 registered voters in the District.

Upper San Luis Rey RCD
Boundary Breakdown By Land Use Authority
Table 3.1a (Source: Esri and San Diego LAFCO)

Land Use Authority	Total Assessor Parcel Acres	% of Total Accessor Parcel Acres	Total Assessor Parcels	Number of Registered Voters
County of San Diego	256,350	100%	6,210	5,597

Total assessed value (land and structure) within Upper San Luis Rey RCD is set at $1.47 billion as of January 2020 and translates to a per acre value ratio of $0.006 million. The former amount – $1.47 billion – further represents a per capita value of $0.125 million based on the estimated fulltime population in Upper San Luis Rey RCD of 11,735. Upper San Luis Rey RCD receives approximately one hundred thousandths (1/100,000) of the annual 1.0% of property tax collected in the District.

Upper San Luis Rey RCD receives $0.00000145 cents for every $1.00 dollar in property tax collected within its jurisdictional boundary. The amount received from Upper San Luis Rey RCD at the end of the fiscal year was $0.008 million.

The jurisdictional boundary is currently divided into 6,210 assessor parcels spanning 256,350 acres. (The remaining jurisdictional acreage consists of public right-of-ways or waterways.) More than six-sevenths – 86.8% – of the assessor parcel acreage is under private ownership with five-eighths of this amount having already been developed and/or improved to date, albeit not necessarily at the highest density as allowed under zoning. The remainder of private accessor acreage in Upper San Luis Rey RCD is undeveloped and consists of 2,041 vacant parcels that collectively total 34,766 acres, which equals 13.5% of the entire District.

There are 2,041 privately owned parcels within Upper San Luis Rey RCD that remain vacant and span 34,766 acres; an amount that represents more than 13.5% of the entire District.

Close to seven-tenths – or 117,575 acres – of lands within the jurisdictional boundary qualify as a disadvantaged unincorporated community under LAFCO policy.

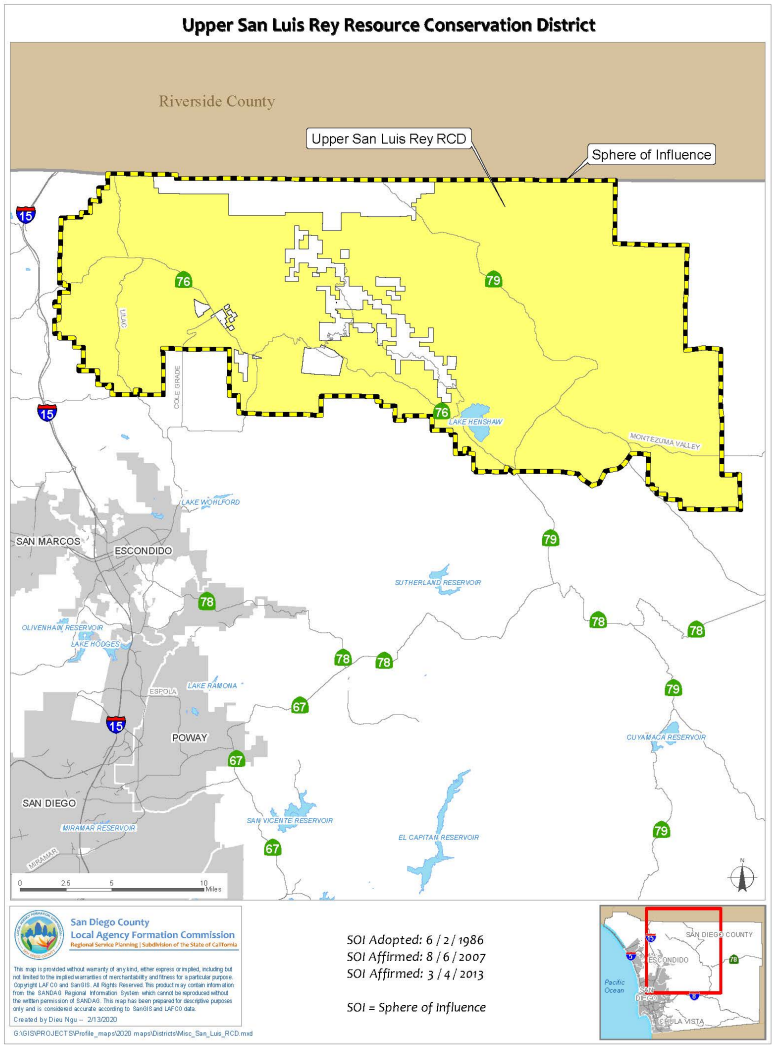
Bonsall; Valley Center; Pala-Pauma; Palomar; North Mountain; Desert; and Borrego Springs.

3.2 Sphere of Influence

Upper San Luis Rey RCD's sphere of influence was established by LAFCO in June 1986 and last reviewed and affirmed in March 2013. The sphere is categorized under LAFCO policy as "larger-than-agency" and includes approximately 31,000 acres of non-jurisdictional lands; an amount that would expand the District by one-tenth if annexed. These non-jurisdictional lands within the sphere constitute 30,715 acres and mostly consists of non-jurisdictional corridors or islands. No jurisdictional lands lie outside the District sphere.

Upper San Luis Rey RCD's sphere of influence is 11.9% larger than the District with the inclusion of 30,715 non-jurisdictional acres.

3.3 Current Boundary and Sphere of Influence Map



Quick Facts

Boundary

402 square miles

6,210 assessor parcels

2,041 privately owned parcels remain undeveloped and equals 13.5% of total parcel acreage in District

100% in unincorporated area

$1.47 billion in assessed value

47% qualifies as DUC

Sphere

Established in 1986

Last updated in 2013

12% larger than boundary

4.0 DEMOGRAPHICS

4.1 Population and Housing

Upper San Luis Rey RCD's total fulltime resident population within its jurisdictional boundary is independently estimated by LAFCO at 11,735 as of the term of the five-year report period. This amount represents 0.35% of the countywide total. It is also estimated the fulltime population has risen overall by 7.4% from 10,924 in 2010 and the last census reset and produces an average increase of 90 new residents each year. The annual average change of 0.78% mirrors the corresponding countywide growth rate of 0.81%. It is projected the current growth rate will continue into the near-term and result in the fulltime population reaching 12,204 by 2024. The jurisdiction has a current population density of 1 resident for every 21 acres and underlies the substantively rural character of the jurisdictional boundary.

It is estimated there are 11,735 fulltime residents within Upper San Luis Rey RCD at the end of the report period and equals less than 0.5% of the entire county amount. It is also projected the fulltime population will increase consistent with recent trends – or 0.78% annually – and reach 12,204 by 2024.

Upper San Luis Rey RCD
Resident Population
Table 4.1a (Source: Esri and San Diego LAFCO)

Factor	2010	2019	2024 (projected)	Annual Change %
Upper San Luis Rey RCD	10,924	11,735	12,204	0.78%
San Diego County	3,095,264	3,333,975	3,460,447	0.81%

There are 4,615 residential housing units within Upper San Luis Rey RCD as of the report period term. This amount has increased by 221 – or 24.6 annually – since 2010. With respect to current housing characteristics within the District, 64.8% are owner-occupied, 22.2% are renter-occupied, and the remaining 13.0% are vacant with a sizeable portion suspected to serve as second homes. The average household size is 2.6 and has increased by 3.0% from 2.5 over the preceding five-year period. The mean monthly housing cost in Upper San Luis Rey RCD has decreased by (10.6%) from $1,048.67 to $937.89 based on the most recent five-year period averages. The mean monthly housing costs also remains significantly below the countywide average of $1,578.

Housing production in Upper San Luis Rey RCD totals 4,615 dwelling units as of the term of the report period. This includes the addition of 221 units since 2010. The average monthly housing cost in Upper San Luis Rey RCD is $937.89, which is two-fifths – or (41%) – lower than the countywide average.

Upper San Luis Rey RCD
Housing Breakdown
Table 4.1b (Source: American Community Survey and San Diego LAFCO)

Jurisdiction	2010 Housing Units	2019 Housing Units	Change	2010 Monthly Housing Cost	2019 Monthly Housing Cost	Change
Upper San Luis Rey RCD	4,394	4,615	5.0%	1,048.67	937.89	(10.6%)
San Diego County	1,164,766	1,236,184	6.1%	$1,540.00	$1,578.00	2.5%

4.2 Age Distribution

Residents within Upper San Luis Rey RCD tend to be older with a medium age of 46.9; an amount that is more than one-third higher than the countywide average of 35.3. Also close to one-half – 48.2% – of the residents are aged within the prime working group of 25-64.

The median age of residents in Upper San Luis Rey RCD is 46.9 based on the current five-year period average. This amount shows the population is experiencing a turnover and getting slightly younger with the median age experiencing an overall change of (3.1%) from 48.3 during the preceding five-year period average. The current median age in Upper San Luis Rey RCD, however, remains significantly higher than the countywide average of 35.3. Residents in the prime working age group defined as ages 25 to 64 make up nearly one-half of the estimated total population at 48.2%.

Upper San Luis Rey RCD
Resident Age Breakdown
Table 4.2a (Source: American Community Survey and San Diego LAFCO)

Service Area	2010 Median Age	2018 Median Age	Change	2010 Prime Working Age	2018 Prime Working Age	Change
Upper San Luis Rey RCD	48.3	46.9	(3.1%)	54.76	48.22	(12.0%)
San Diego County	34.6	35.3	2.0%	53.4%	47.0%	(12.0)%

4.3 Income Characteristics

Upper San Luis Rey RCD residents' average median household income has experienced a moderate decrease in recent years and is currently $48,822. This amount is more than one-fifth lower than the countywide median income $66,529. The rate of persons living below the poverty rate has also increased by nearly two-thirds to 19.2% and well above the countywide rate of 14.0%.

The median household income in Upper San Luis Rey RCD is $48,822 based on the current five-year period average. This amount shows fulltime residents are receiving less pay with the median income experiencing an overall decrease of (6.3%) from the preceding five-year period average of $52,129. The current median household income in Upper San Luis Rey RCD is also more than one-fifth lower than the current countywide median of $66,529. Separately, the current average rate of persons living below the poverty level in Upper San Luis Rey RCD is 19.2% and has increased by nearly two-thirds – or 65.0% – over the earlier five-year period and substantively above the countywide rate of 14%.

Upper San Luis Rey RCD
Resident Income Breakdown
Table 4.3a (Source: American Community Survey and San Diego LAFCO)

Service Area	2007-2011 Median HH Income	2012-2016 Median HH Income	Change	2007-2011 Poverty Rate	2012-2016 Poverty Rate	Change
Upper San Luis Rey RCD	$52,129	$48,822	(6.3%)	11.6%	19.2%	65.0%
San Diego County	$63,857	$66,529	4.2%	13.0%	14.0%	7.7%

4.4 Socioeconomic Indicators

Slightly more than one-fourth of RCD of Greater San Diego County residents have undergraduate degrees. The unemployment rate within the District is nearly double the countywide amount.

Unemployment within Upper San Luis Rey RCD is at 6.2% based on the current five-year period average. This amount represents an overall decrease of (13.0%) compared to the previous five-year average though still above the corresponding countywide tally of 4.9%. Educational levels as measured by adults 25 or older with bachelor degrees has slightly regressed with the overall rate decreasing by (5.3%) over the previous five-year period from 21.2% to 20.1% and continues to fall below the countywide rate of 36.5%. Slightly over one-fourth– or 25.2% – of the population currently collects retirement income. The non-English speaking percentage of the population has decreased during this period from 7.7% to 6.2%; an overall difference of (19.5%).

Upper San Luis Rey RCD
Socioeconomic Indicators Breakdown
Table 4.4a (Source: American Community Survey and San Diego LAFCO)

Service Area	2007-2011 Unemployment Rate	2012-2016 Unemployment Rate	Change	2007-2011 Non English	2012-2016 Non English	Change
Upper San Luis Rey RCD	7.1	6.2	(13.0%)	7.7%	6.2%	(19.5%)
San Diego County	5.6%	4.9%	(12.5%)	16.1%	15%	(6.8%)

5.0 ORGANIZATION

5.1 Governance

Upper San Luis Rey RCD's governance authority is established under the Resource Conservation Districts Law and codified under Public Resources Code Section 9151 - 9491. This principal act empowers Upper San Luis Rey RCD to provide a moderate range of municipal service functions involving natural resource protections and improvements upon approval by LAFCO. Upper San Luis Rey RCD is currently authorized to provide two active categories under its principal act: (a) water conservation and (b) wildlife enhancement. All other service functions (i.e. powers) enumerated under the principal act are deemed latent and would need to be formally activated by LAFCO at a noticed hearing before Upper San Luis Rey RCD would be allowed to initiate. Similarly, should Upper San Luis Rey RCD seek to divest itself of directly

providing an active service function, it would need to receive LAFCO approval at a noticed public hearing. A list of active and latent Upper San Luis Rey RCD service functions follows.

Active Service Functions	Latent Service Functions
Wildlife Enhancement	Soil Erosion
Water Conservation	Water Distribution
	Agricultural Enhancement
	Erosion Stabilization

Governance of Upper San Luis Rey RCD is independently provided by a five-member Board of Directors. Each member of the Board is either elected by registered voters or appointed by the County of San Diego Board of Supervisors in the event no candidates file for election. All Board members serve staggered four-year terms with a rotating president system. The Board sets its regular meetings for every second Thursday at 12:00pm at Yuima Municipal Water District located at 34928 Valley Center Road in Pauma Valley (92061). Directors do not receive per diems and serve without compensation. Summary minutes are prepared for all meetings; audio and video recordings are not provided. A current listing of the Board along with respective backgrounds and years served with the District follows.

Upper San Luis Rey RCD
Current Governing Board Roster
Table 5.1a (Source: Mission RCD)

Member	Board Position	Years on the Board	Background
Andrew Lyall	President	9	Farmer
Shasta Gaughen	Vice President	9	Environmental Director
Oggie Watson	Treasurer	35	Retired General Manager
Michael Perrricone	Director	1	Farmer
Greg Kamin	Director	1	Farmer

5.2 Administration

Upper San Luis Rey RCD operates without dedicated and/or separate adminstration. The five-member Board itself directly oversees the day-to-day activies of the District and does not have a appointed or delegated General Manager. The District utilizes two contractors to assist the Board in adminstration and operation services. Yuima Municipal Water District is contracted to provide bookkeeping and general administrative support – including serving as the contact point for public inquiries. Shay O'Keefe – a conservation biologist – is contracted to maintain the District's field operations.

Upper San Luis Rey RCD's Contract Office
34928 Valley Center Road, Pauma Valley California 92061



Courtesy: Google Maps

The District also contracts as needed for other services – including for legal services.

6.0 MUNICIPAL SERVICES

Upper San Luis Rey RCD is currently authorized to provide two distinct municpal service functions consistent with its principal act: (a) water conservation and (b) wildlife enhancement.[26] These service functions are provided through a part-time equivalent staffing of 0.25 at the end of the report period. Overall staffing levels have not changed over the corresponding 60-months and further detailed in the accompanying footnote.[27] A summary analysis of the two active functions follows with respect to applicable capacities, demands, and performance during the five-year report period.

Upper San Luis Rey RCD provides two active service functions under its principal act: water conservation and wildlife enhancement. These categories are identified by LAFCO consistent with its responsibilities under statute to classify the type and location of active special district functions and related classes.

6.1 Water Conservation

Upper San Luis Rey RCD's water conservation service function involves economizing water resources for maximum beneficial uses. Current activities focus on managing local groundwater resources through the District's participation in the San Luis Rey GSA. Additional details follow.

San Luis Rey GSA

Upper San Luis Rey RCD is a member of the relatively new San Luis Rey GSA and its statutory task to develop and implement a plan to achieve long-term groundwater sustainability in the Pauma Valley Subbasin upstream from Frey Creek. The San Luis Rey GSA was established in June 2017 and initially included Upper San Luis Rey RCD, Pauma Valley Community Services District, Yuima Municipal Water District, and the County of San Diego as lead manager. The County subsequently withdrew from the San Luis Rey GSA in January 2019 with Yuima Municipal Water District assuming the lead manager. The San Luis Rey GSA recently circulated a request for qualifications for preparing a groundwater sustainability plan and proceeded to contract with Geosciences, Inc (Claremont) in September 2020. The associated scope of work outlines 11 distinct phases from data collection to project management and expected to be completed by the January 1, 2022 deadline prescribed under statute. Funding for the San Luis Rey GSA to date is drawn from two grants totaling $1.3 million and detailed in the associated footnote.

[26] Upper San Luis Rey RCD is also authorized – subject to LAFCO approving latent power expansions – to provide water distribution and erosion stabilization.
[27] Fulltime equivalent staffing levels at the start of the five-year report period was .25.

6.2 Wildlife Enhancement

Upper San Luis Rey RCD's wildlife enhancement service function involves improving the natural landscape for ecological purposes. Current activities focus on habitat restoration through the management of conservation agreements. Additional details follow.

Habitat Restoration (Invasive Species Removal)

This service activity involves mitigating the negative effects on the natural environment and loss of biodiversity due to invasive species. Common invasive species in the San Luis Rey RCD jurisdictional boundary include castor bean, standing tree tobacco, and tamarisk. activities are performed year-round by the District and done so currently as part of two conservation easements with the service of a contract biologist with an emphasis to protect the Arroyo Toad. Details on each conservation easement follows.

- San Luis Rey Arroyo Toad Preserve Conservation Easement
  This contract relationship was established in September 2007 with the United States Fish and Wildlife Service to manage and preserve an approximate 20-acre area located within the San Luis Rey River basin and natural habitat for the Arroyo Toad. The conservation area is part of the Fish and Wildlife Service's 10,000-acre area within the San Luis Rey River basin. The current contract provides the District a $150,000 endowment that extends in perpetude. The investment returns of this endowment provided the necessary funding for the required agreement activities.

- Pauma Valley Country Club Easement:
  This contract relationship was established in December 2012 with the United States Army Corp of Engineers to restore, enhance, and protect an approximate 24-acre area within in the Pauma Valley Country Club held by the federal government. Additional details on related activities is pending.

A third conservation agreement is scheduled to begin in 2021 and intended to mirror the San Luis Rey Arroyo Toad Preserve Conservation Easement with the Fish and located in the Pauma Estates development. The pending contract will provide the District a $0.265 million endowment that extends in perpetuity.

7.0 FINANCES

7.1 Financial Statements

Upper San Luis Rey RCD contracts with an outside accounting consultant to prepare an annual report reviewing the District's financial statements in accordance with established governmental accounting standards. This includes auditing Upper San Luis Rey RCD's statements in verifying overall assets, liabilities, and net position. These audited statements provide quantitative measurements in assessing the District's short and long-term fiscal health in delivering its active service functions: water conservation and wildlife enhancement. The current outside consultant is Sonnenberg and Company (San Diego).

Upper San Luis Rey RCD's most recent audited financial statements for the five-year report period were issued for 2018-2019.[28] These statements show Upper San Luis Rey RCD experienced a moderate improvement over the prior fiscal year as the District's overall net position (regular accrual basis) increased by 3.9% from $0.333 million to $0.346 million. Underlying this change in net position is a net surplus and marked by a total margin gain of 44.2% during the fiscal year. A detailing of year-end totals and trends during the report period follows with respect to assets, liabilities, and net position.

Most Recent Year-Ending Financial Statements (2018-2019)	
Assets	$346,061
Liabilities	$0
Outflow/Inflow	$0
Net Position	$346,061

Agency Assets

Upper San Luis Rey RCD's audited assets at the end of 2018-2019 totaled $0.346 million and is 13.4% higher than the average year-end amount of $0.321 million documented during the five-year report period. Assets classified as current with the expectation they could be liquidated within a year represented nearly all of the total amount – or $0.340 million – and largely tied to cash and investments. Assets classified as non-current make up the remaining total – or $0.006 million and entirely categorized as depreciable capital facilities that include land, buildings, road signs, and improvements. Overall assets have increased by 16.0% over the corresponding 60-month period.

Upper San Luis Rey RCD's assets have increased by nearly one-fifth – or 16.0% – during the report period. The overall increase is primarily attributed to increasing cash and investments from $0.287 to $0.336 million over the 60-month period.

[28] The audit for 2018-2019 was issued by Sonnenberg & Company on June 30, 2019.

Upper San Luis Rey RCD
Audited Assets
Table 7.1a | Source: Upper San Luis Rey RCD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Current	289,416	301,277	310,950	326,372	340,349	17.6%	313,673
Non-Current	8,837	8,056	7,275	6,493	5,712	(35.4%)	7,275
Total	$298,253	$309,333	$318,225	$332,865	$346,061	16.0%	$320,947

Agency Liabilities

Upper San Luis Rey RCD ended 2018-2019 without any reported liabilities. Overall, the average amount of liabilities during the five-year report period was $400 and attributed to having accounts payable debts at the close of 2014-2015 and 2017-2018.

Upper San Luis Rey RCD's liabilities remained minimal during the report period with a one-year high amount of $1,600. The District finished the report period without any short or long-term debts.

Upper San Luis Rey RCD
Audited Liabilities
Table 7.1b | Source: Upper San Luis Rey RCD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Current	1,600	-	-	400	-	(100%)	400
Non-Current	-	-	-	-	-	n/a	-
Total	$1,600	-	$	$400	-	(100%)	400

Net Position

Upper San Luis Rey RCD's audited net position or equity at the end of 2018-2019 totaled $0.346 million and represents the difference between the District's total assets and total liabilities. This most recent year-end amount is 8.1% higher than the average year-end sum of $0.320 million documented during the five-year report period. Less than one-tenth of the ending net position – or $0.006 million – is tied to capital assets. The remainder is divided between restricted and unrestricted. Overall, the net position Upper San Luis Rey RCD has increased by 17.2% over the corresponding 60-month period and attributed to consistent annual surpluses.

Upper San Luis Rey RCD's net position is trending positively during the report period with gains each year. The net position has improved overall from $0.295 to $0.346 million; a difference of 17.2%.

Upper San Luis Rey RCD
Audited Net Position
Table 7.1c | Source: Upper San Luis Rey RCD

Category	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	5-Year Trend	5-Year Average
Invested in Capital	8,837	8,056	7,275	6,493	5,712	(35.4%)	7,275
Restricted	157,451	160,090	158,833	160,373	161,692	2.7%	159,688
Unrestricted	128,985	141,187	152,117	152,117	178,657	38.5%	150,613
Total	$295,273	$309,333	$318,225	$318,983	$346,061	17.2%	$317,575

Upper San Luis Rey RCD maintains two active funds – General and Rancho Corrido Endowment – underlying the net position. The General Fund covers general governmental activities and ended the report period with unassigned balance of $0.179 million and represents the available and spendable portion of the District's fund balance. The unassigned amount represents 124 months of operating expenses based on actuals in 2018-2019. [29]

The unassigned balances within the General Fund at the end of the report period totaled $0.179 million and reflects an overall change during the 60-months of 38.5%. The end balance is equal to covering 124 months of operating costs.

7.2 Measurements | Liquidity, Capital, and Margin

LAFCO's review of the audited financial statement issuances by Upper San Luis Rey RCD covering the five-year report period shows the District experienced positive improvements in most of the standard measurement categories – liquidity, capital, margin, and structure – utilized in this document. A summary of these standard measurements follow.

Standard measurements used to assess Upper San Luis Rey RCD's financial standing shows the District finished the report period with positive capital and margin levels. However, liquidity levels have either declined and/or remain low and create stresses on cash-flow and generate added importance on finishing with net surpluses.

- Upper San Luis Rey RCD's liquidity levels are exceedingly high and have been increasing. The District's days' cash ratio finished the report period at 122,677 and reflects available cash to cover current expenses over the next 336 years or 4,089 months. This ratio has also increased by 46.5% during the report period.

- Upper San Luis Rey RCD's capital levels remain exceedingly high and have improved during the report period with the District finishing without any obligations and memorialized in a 0.0% debt ratio. This advantageously positions the District to secure outside financing to help cover large and/or otherwise unplanned expenses.

[29] Actual operating expenses in 2018-2019 totaled $0.017 million.

- Upper San Luis Rey RCD's margin levels are high and been increasing with surpluses in each year during the report period. The average total margin – the bottom line with respect to comparing overall revenues to expenses – generated during the period tallied 35.8% with an ending amount of 44.2%.

Upper San Luis Rey RCD
Financial Measurements
Table 7.2a | Source: San Diego LAFCO

Fiscal Year	Current Ratio	Days' Cash	Debt Ratio	Debt to Net Position	Total Margin	Operating Margin	Operating Reserves Ratio	Equipment Replacement
2014-2015	180.9 to 1	5101.2	1.0%	0.5%	32.7%	32.7%	60.3.7%	11.4
2015-2016	37.4 to 1	4925.9	0.0%	0.0%	38.0	38.0	615.0%	10.3
2016-2017	n/a	4118.3	0.0%	0.0%	24.2%	24.2%	544.6%	13.4
2017-2018	815.9 to 1	6053.2	0.12%	0.0%	41.3%	41.3%	819.1%	14.4
2018-2019	n/a	7474.9	0.0%	0.0%	44.2%	44.2%	1039.1%	15.4
Average	n/a	5534.7	0.2%	0.1%	35.8	35.8	724.3%	13.0
Trend	n/a	46.5%	(100%)	(100%)	35.2%	35.2%	72.1%	35.1%

Current Ratio (Liquidity)
Compares available assets against near-term obligations; the minimum desirable ratio is 1.0 and means for every dollar in liability the agency has one dollar available to pay.

Days' Cash (Liquidity)
Measures the number of days the agency can fund normal operations without any new cash income; an appropriate minimum threshold is 180 days. This measurement focuses on immediate cash available to the agency in comparison to the current ratio.

Debt Ratio (Capital)
Measures the relationship between the agency's total assets and liabilities; the higher the ratio the more susceptible the agency is to long-term cash flow stresses.

Debt to Net Position (Capital)
Measures the amount of long-term debt or borrowing of the agency against its accumulated net worth; an appropriate maximum standard threshold is 50%.

Total Margin (Margin)
Measures the bottom line of the agency with respect to comparing all revenues to all expenses; a positive percentage is desirable within the caveat capital improvement expenditures may appropriately result in a negative percentage in individual years.

Operating Margin (Margin)
Measures the relationship between core operational revenues and expenses and excludes one-time transactions, like grants and loans; a consistent positive percentage shows the agency has established a structured budget.

Operating Reserves Ratio (Structure)
Measures the percent of available monies of an agency to cover unforeseen shortfalls; an appropriate maximum standard threshold is 50%.

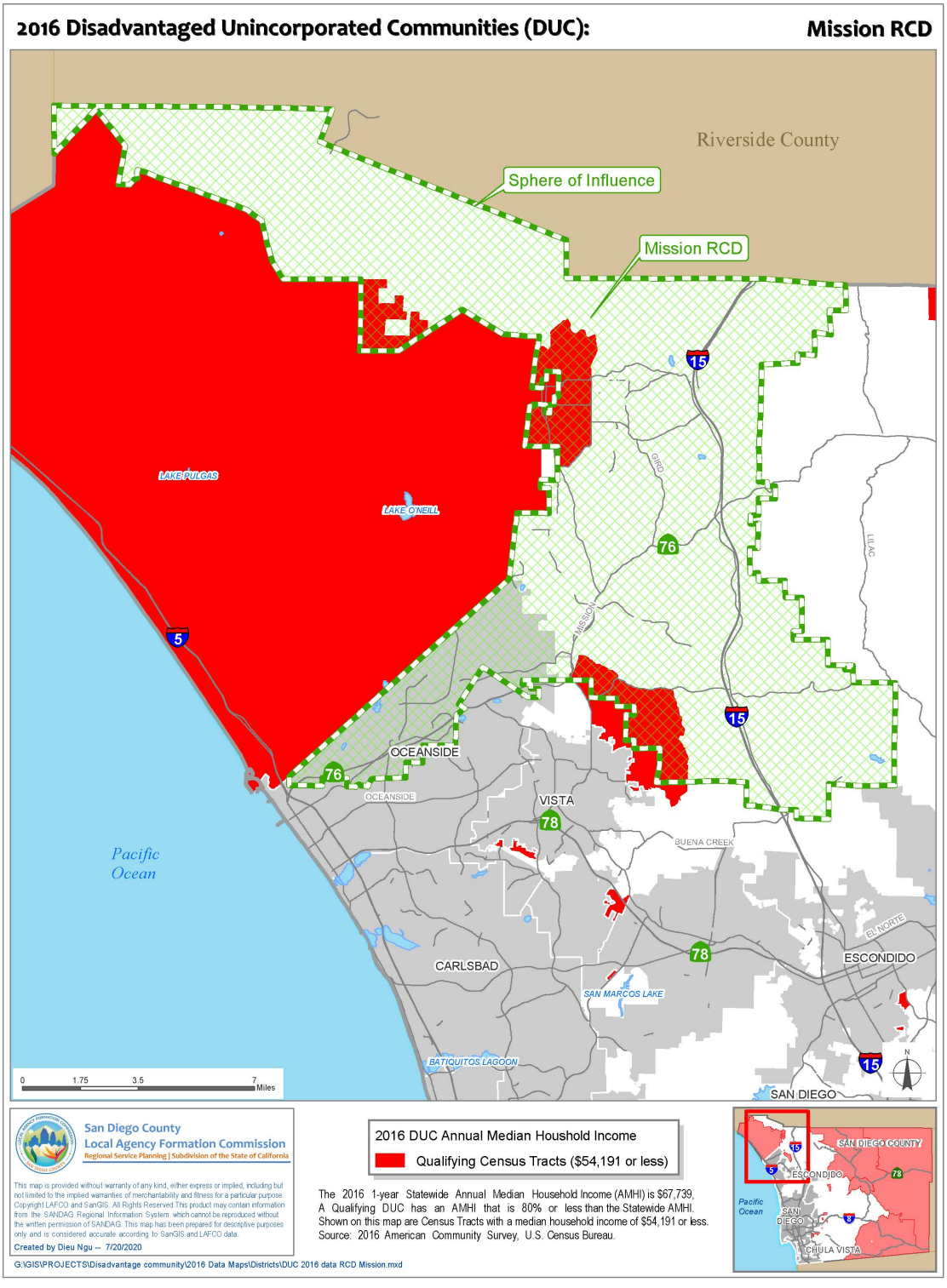
Equipment Replacement Ratio (Structure)
Measures the average age of depreciable equipment and facilities; the lower the number the younger the infrastructure with the assumption therein better efficiencies/effectiveness.

7.3 Pension Obligations

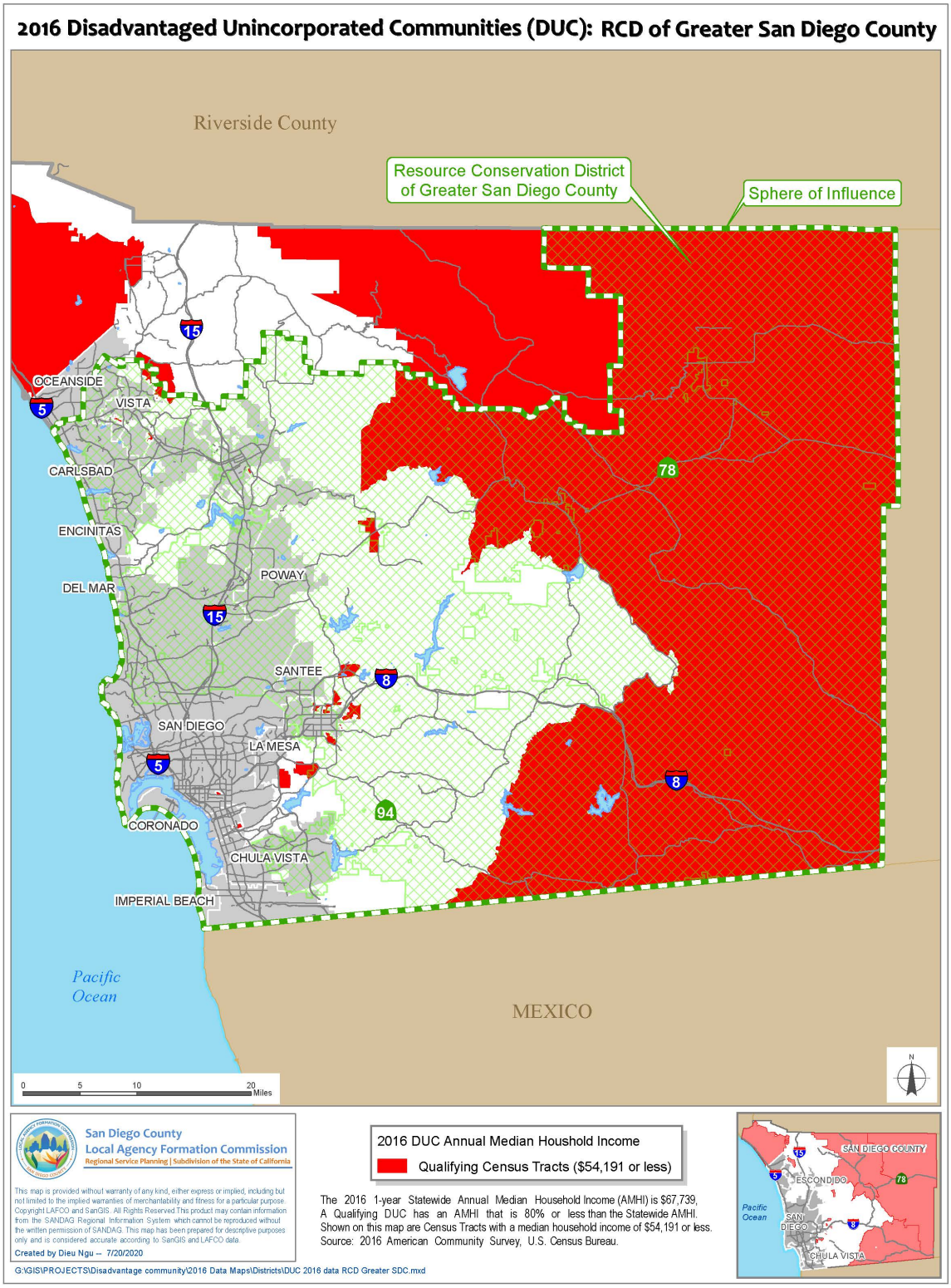
Upper San Luis Rey RCD does not have recorded pension obligations.

Appendix A
Disadvantaged Unincorporated Communities

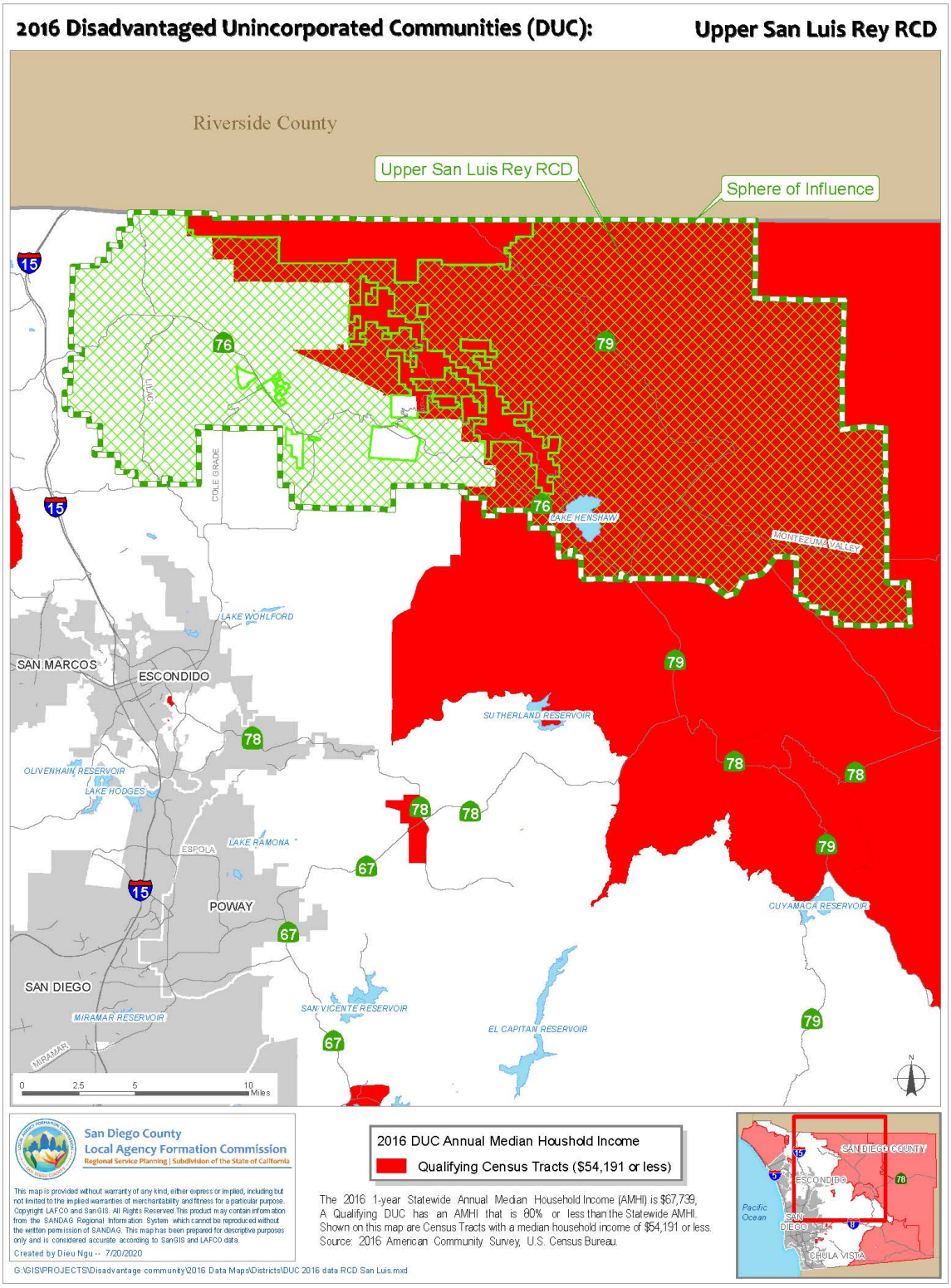
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2016 Disadvantaged Unincorporated Communities (DUC): Mission RCD
Riverside County
Sphere of Influence
Mission RCD
LAKE PULGAS
LAKE O'NEILL
OCEANSIDE
VISTA
CARLSBAD
ESCONDIDO
SAN MARCOS LAKE
BATIQUITOS LAGOON
BUENA CREEK
EL NORTE
SAN DIEGO
Pacific Ocean
0 1.75 3.5 7 Miles
San Diego County Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California
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G:\GIS\PROJECTS\Disadvantage community\2016 Data Maps\Districts\DUC 2016 data RCD Mission.mxd
2016 DUC Annual Median Houshold Income
Qualifying Census Tracts ($54,191 or less)
The 2016 1-year Statewide Annual Median Household Income (AMHI) is $67,739. A Qualifying DUC has an AMHI that is 80% or less than the Statewide AMHI. Shown on this map are Census Tracts with a median household income of $54,191 or less.
Source: 2016 American Community Survey, U.S. Census Bureau.
SAN DIEGO COUNTY
ESCONDIDO
SAN DIEGO
CHULA VISTA
Pacific Ocean

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2016 Disadvantaged Unincorporated Communities (DUC): RCD of Greater San Diego County
Riverside County
Resource Conservation District of Greater San Diego County
Sphere of Influence
OCEANSIDE
VISTA
CARLSBAD
ENCINITAS
DEL MAR
POWAY
SANTEE
SAN DIEGO
LA MESA
CORONADO
CHULA VISTA
IMPERIAL BEACH
Pacific Ocean
MEXICO
0 5 10 20 Miles
N
San Diego County Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California
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2016 DUC Annual Median Houshold Income
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SAN DIEGO COUNTY
ESCONDIDO
Pacific Ocean
SAN DIEGO
CHULA VISTA

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2016 Disadvantaged Unincorporated Communities (DUC): Upper San Luis Rey RCD
Riverside County
Upper San Luis Rey RCD
Sphere of Influence
SAN MARCOS
ESCONDIDO
POWAY
SAN DIEGO
LAKE WOHLFORD
LAKE HENSHAW
MONTEZUMA VALLEY
SUTHERLAND RESERVOIR
OLIVENHAIN RESERVOIR
LAKE HODGES
LAKE RAMONA
ESPOLA
CUYAMACA RESERVOIR
SAN VICENTE RESERVOIR
EL CAPITAN RESERVOIR
MIRAMAR RESERVOIR
MIRAMAR
COLE GRADE
LILAC
0 2.5 5 10 Miles
N
San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California
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2016 DUC Annual Median Houshold Income
Qualifying Census Tracts ($54,191 or less)
The 2016 1-year Statewide Annual Median Household Income (AMHI) is $67,739. A Qualifying DUC has an AMHI that is 80% or less than the Statewide AMHI. Shown on this map are Census Tracts with a median household income of $54,191 or less.
Source: 2016 American Community Survey, U.S. Census Bureau.
SAN DIEGO COUNTY
ESCONDIDO
Pacific Ocean
SAN DIEGO
CHULA VISTA

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Appendix B
Primary Sources

Agency Contacts

Mission Resource Conservation District
Darcy LaHaye, General Manager
Courtney Provo, General Manager (Former)

Resource Conservation District of Greater San Diego County
Sheryl Landrum, General Manager

Upper San Luis Resource Conservation District
Amy Reeh, Interim General Manager of Yuima Municipal Water District

Websites

American Community Survey / Demographic Information
www.census.gov

California Association of Resource Conservation Districts
www.carcd.org

California Department of Conservation
www.conservation.ca.gov/DLRP/rcd

Publications / Documents

County of San Diego General Plan and Adopted Community Plans
San Diego LAFCO Background Files and Agency Questionnaires
Mission Resource Conservation District Annual Financial Reports
Resource Conservation District of Greater San Diego County Annual Financial Reports
Upper San Luis Rey Resource Annual Financial Reports

A complete source list is available by contacting San Diego LAFCO.

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7b

AGENDA REPORT
Business | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Robert Barry, Chief Policy Analyst

SUBJECT: **Protest Hearing Results and Related Actions | "San Diego County Fire Protection District Reorganization" (RO20-14)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive the results of the protest hearing held for the "San Diego County Fire Protection District Reorganization". This proposal was conditionally approved by the Commission in October 2020 and involves the concurrent divestiture of fire protection and emergency medical service powers for County Service Area (CSA) No. 135 and formation of the San Diego County Fire Protection District (FPD) as the designated successor agency. The noticed protest hearing was held by staff on November 9th without generating written opposition from affected landowners or voters. It is recommended the Commission receive the protest results and order the effective date for December 7, 2020.

BACKGROUND

Proposal Request

In July 2020, the County of San Diego filed a reorganization proposal with San Diego LAFCO to concurrently divest CSA No. 135's activated fire protection and emergency medical service functions and form the San Diego County FPD as successor agency. The affected territory totals 1.6 million acres and includes all of CSA No. 135's existing fire protection and emergency

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Paul McNamara, Alternate, City of Escondido
Mark Kersey, City of San Diego
Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

medical service area. The affected territory is entirely unincorporated with an estimated population of 50,746 and includes – but not limited to – the communities of Descanso, Jamul, Julian, Ocotillo Wells, Pine Valley, Pauma Valley, Ranchita, Shelter Valley, and Warner Springs.

Commission Action

On October 2, 2020, San Diego LAFCO held a noticed public hearing to consider the reorganization proposal filed by the County of San Diego. The Commission proceeded to conditionally approve the reorganization without modifications. The Commission also delegated protest hearings to the Executive Officer as allowed under policy.

DISCUSSION

This information item is for San Diego LAFCO to receive the results of the protest hearing delegated to the Executive Officer involving the Commission's earlier approval of the reorganization proposal as required under policy. The item is also for the Commission to provide related direction on next steps with respect to setting the effective date of the reorganization. Additional discussion follows.

Protest Hearing Results

The Executive Officer held the protest hearing on the reorganization on November 9, 2020 at the LAFCO office. Notice of the hearing was provided in manner allowed under statute and included publishing advertisements in the Union Tribune as well as several local newspapers. No written protest was received through the end of the hearing from affected landowners or voters as further detailed in the accompanying footnote.[1] A confirming resolution ordering the reorganization has been executed by the Executive Officer and staff attests all approval terms have been satisfied.

Next Steps

San Diego LAFCO retains full discretion in statute in the setting the effective date of the reorganization so long as it is within nine months of the completion of protest proceedings. The effective date would be memorialized in the Certificate of Completion recorded with the County-Clerk Recorder's Office and filed with the State Board of Equalization – Tax Division for purposes of adjusting the master tax roll.

(continued)

[1] The total number of landowners within the affected territory are 27,166. The total number of registered voters within the affected territory are 24,474.

ANALYSIS

The reorganization to form the San Diego County FPD has cleared its last substantive threshold with the completion of protest proceedings. This marks a significant accomplishment years in the making for both the County of San Diego and San Diego LAFCO in the shared interest to formalize fire protection services in previously unserved or underserved unincorporated areas. Current Supervisor and Commission Chair Dianne Jacob and former Supervisor and Commissioner Bill Horn merit specific commendation in their sustained efforts leading to this accomplishment.[2] Unless the Commission prefers otherwise, staff believes it would be appropriate to immediately proceed with issuing the Certificate of Completion and setting the effective date to December 7th and in doing so parallel Chair Jacobs final LAFCO meeting. County Fire Authority is agreeable to this date.

RECOMMENDATION

It is recommended San Diego LAFCO formally receive the results of the protest hearing held on the reorganization and set the effective date to December 7, 2020. This recommendation is consistent with Alternative One as provided in the proceeding section.

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) Receive and file the protest results for the "San Diego County Fire Protection District Reorganization."

b) Direct the Executive Officer to execute a Certificate of Completion for the reorganization and set the effective date to December 7, 2020.

Alternative Two:
Continue the item to a future meeting and provide direction to staff with respect to any additional analysis or information requested.

[2] Staff also acknowledges the County Fire Authority and its current leadership, Director Herman Reddick and Chief Tony Mecham. Staff also acknowledges past contributions of former LAFCO staff, Mike Ott, Shirley Anderson, and John Traylor.

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) Receive public comments, if any.
3) Discuss item and consider recommendation.

On behalf of the Executive Officer,

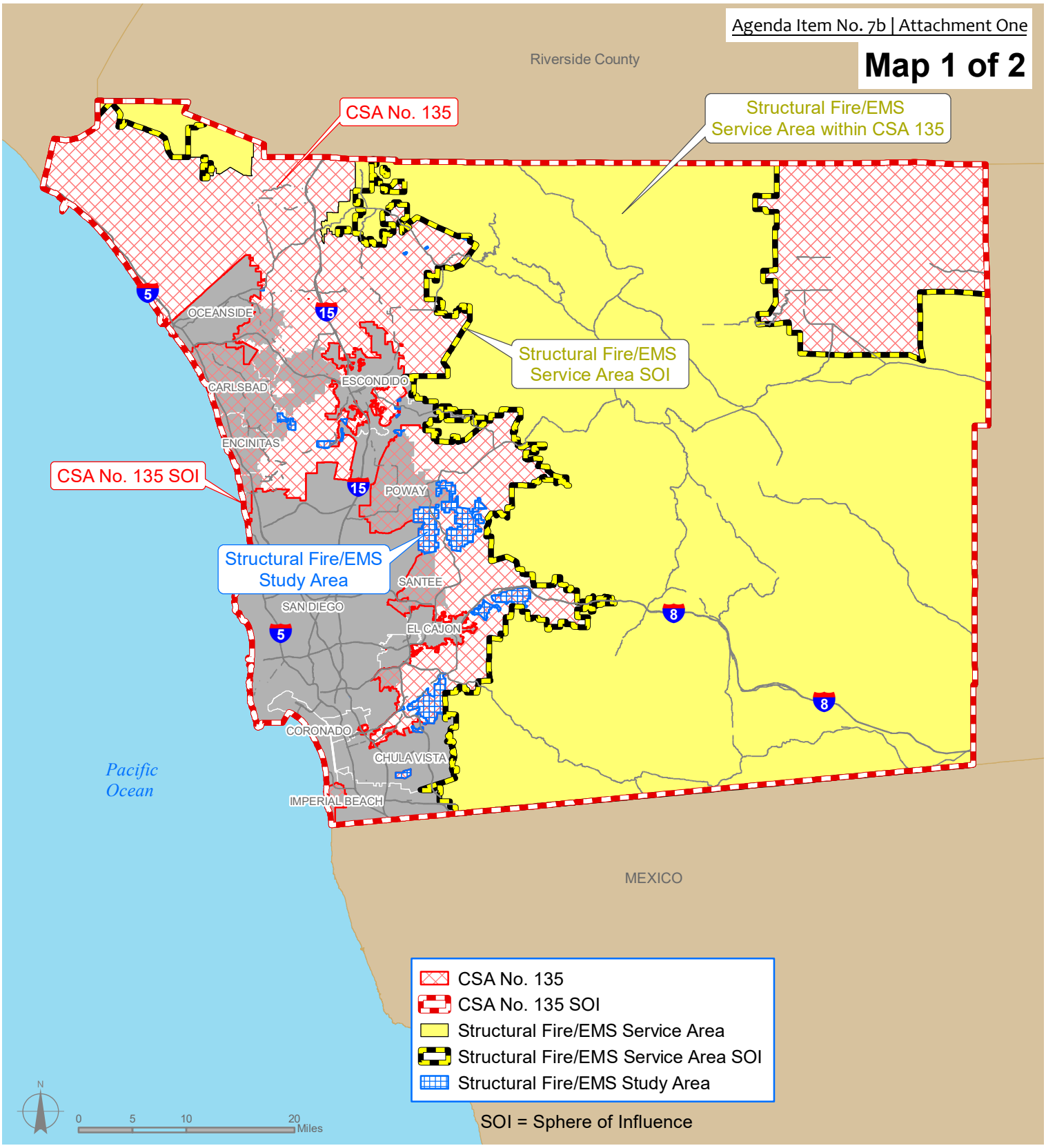


Robert Barry, AICP
Chief Policy Analyst

Attachment:

1) Map of the Affected Territory
   - Regional Communications
   - Fire Protection

Map 1 of 2



RO20-14 San Diego County Fire Protection District Reorganization" | Proposed Formation of the San Diego County Fire Protection District with Concurrent Divestiture of Fire Protection and Emergency Medical Services from County Service Area No. 135

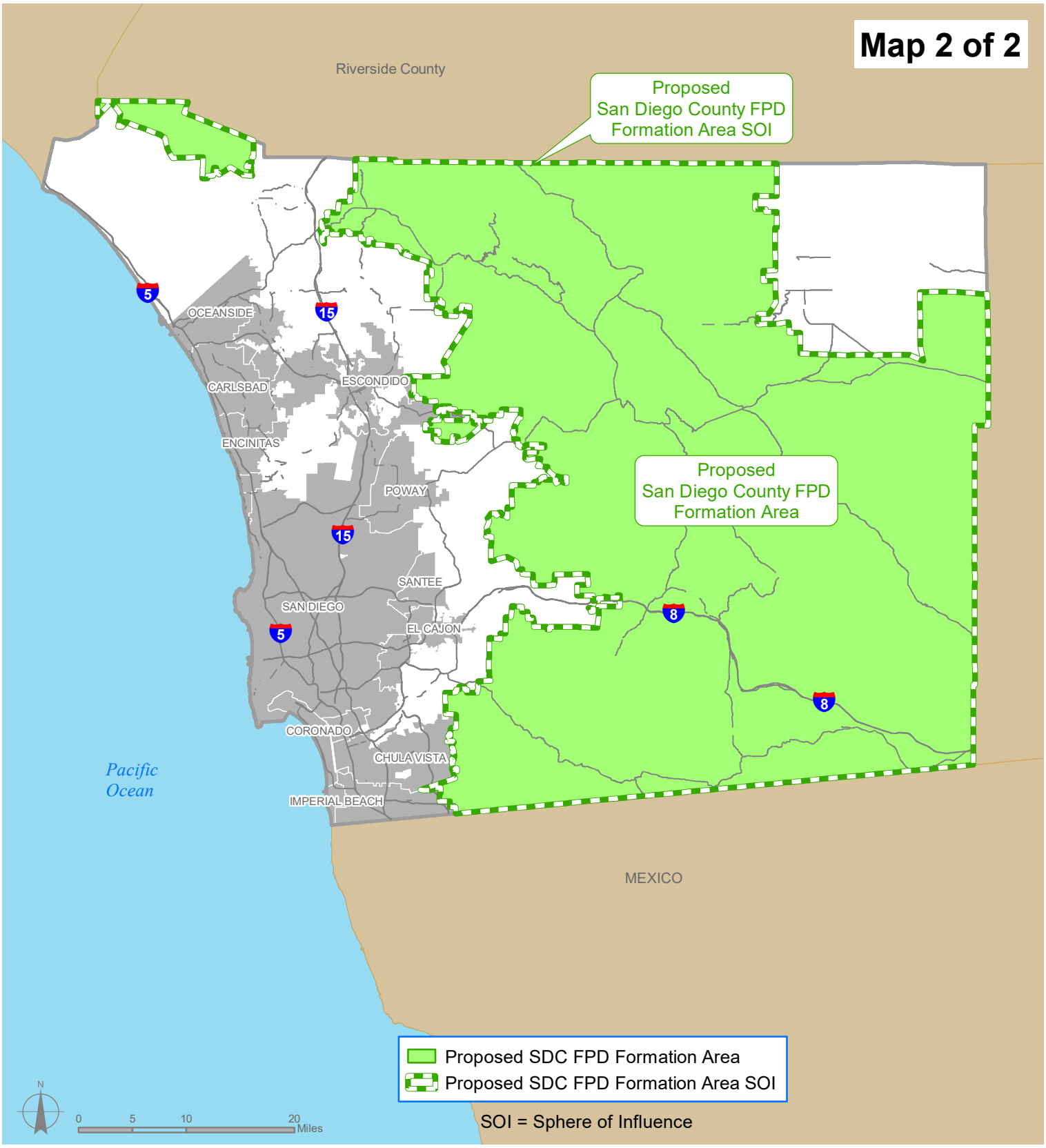
San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

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RO20-14 San Diego County Fire Protection District Reorganization" | Proposed Formation of the San Diego County Fire Protection District with Concurrent Divestiture of Fire Protection and Emergency Medical Services from County Service Area No. 135

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AGENDA REPORT
Business | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer

SUBJECT: **Public Member Appointment Options**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider options and preferences therein in making a new four-year appointment of a regular public member ahead of the current term expiring on May 3, 2021. Available options range from proceeding with the direct reappointment of the incumbent – Andy Vanderlaan – to soliciting applicants and making an appointment/reappointment at a future meeting. The item has been noticed to allow the Commission to proceed with a reappointment of Commissioner Vanderlaan should it be the membership's collective preference.

BACKGROUND

Membership Composition

San Diego LAFCO's membership is prescribed under State law to include 13 appointed Commissioners. The Commissioners are divided between five distinct categories – County of San Diego, cities less City of San Diego, City of San Diego, special districts, and general public – and further distinguished between regular and alternate members. Only the public member category and its regular and alternate appointees are made by LAFCO; the appointments for the other four categories are externally determined under statute. All terms are four-years and commence on the first Monday in May in the affected year. There

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Chris Cate, Alternate, City of San Diego
Jo MacKenzie, Vista Irrigation
Barry Willis, Alpine Fire Protection
Erin Lump, Alternate, Rincon del Diablo MWD
Vice Chair Andy Vanderlaan, General Public
Harry Mathis, Alternate, General Public

are no term limits involving LAFCO appointments in statute or under local policy.

Current Public Member

San Diego LAFCO's current regular public member is Andrew (Andy) Vanderlaan. Commissioner Vanderlaan was initially appointed as the regular public member in 1996 and reappointed to his current four-year term in 2017.

DISCUSSION

This item is for San Diego LAFCO to consider options in appointing and/or reappointing a regular public member ahead of the current term expiring on May 3, 2021. The item is being presented now to provide sufficient time to conduct an open application process should it be the preference of the Commission to proceed accordingly. Alternatively, and if preferred, the item has also been noticed to provide the Commission the option to immediately proceed with a reappointment Commissioner Vanderlaan to a new four-year term effective May 3, 2021 through May 5, 2025. Any appointment of a public member requires at least one affirmative vote from all other membership categories under statute.

ANALYSIS

Commissioner Vanderlaan's extensive experience – including active participation in deliberations and stellar attendance record – with San Diego LAFCO provides substantive justification for the Commission to proceed with an immediate reappointment. It is also noted – and in contrast to past appointments/reappointments – there has been recent and considerable turnover on the Commission and staff. Reappointing Commissioner Vanderlaan, accordingly, would provide added value in helping to contextualize past and current decision-making. Commissioner Vanderlaan has confirmed his interest with the Executive Officer to continue to serve on LAFCO.

RECOMMENDATION

It is recommended San Diego LAFCO consider its options with respect to the regular public member position ahead of the current term expiring on May 3, 2021. This recommendation includes two considerations of two distinct alternatives as outlined in the proceeding section as Alternative One.

(continued)

ALTERNATIVES FOR ACTION

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

Alternative One (recommended):

(a) Reappoint Andy Vanderlaan as the regular public member to a new four-year term commencing on May 3, 2021 and extending to through May 5, 2025; or

(b) Provide direction to staff to initiate an open application process for the regular public member position with added prescription regarding the level and type of recruitment as well as the interview and appointment processes.

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

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 in the consideration of this item:

1) Receive verbal report from staff unless waived.
2) Invite comments from interested audience members (voluntarily).
3) Consider recommendation.

Respectfully,



Keene Simonds
Executive Officer

Attachments: none

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AGENDA REPORT
Business | Action

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer

SUBJECT: **Chair and Vice Chair Appointments**

SUMMARY

The San Diego Local Agency Formation Commission (LAFCO) will consider making officer appointments and select a Chair and Vice Chair for 2020 as required under adopted policy.

BACKGROUND

Policies and Practices

San Diego LAFCO's policies direct the Commission to annually appoint a chair and vice chair ahead of the first meeting of the new calendar year. Terms are one year unless otherwise specified. The Commission has also established practice to rotate the appointments between county, city, special district, and public members whenever possible. Recent chair and vice chair appointments follow.

Chair and Vice Appointments

Year	Chair	Category	Vice Chair	Category
2016	Bill Horn	County	Sam Abed	City
2017	Sam Abed	City	Jo MacKenzie	District
2018	Jo MacKenzie	District	Ed Sprague	District
2019	Jo MacKenzie	District	Dianne Jacob	County
2020	Dianne Jacob	County	Andy Vanderlaan	Public

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Barry Willis
Alpine Fire Protection
Erin Lump, Alternate
Rincon del Diablo MWD
Vice Chair Andy Vanderlaan
General Public
Harry Mathis, Alternate
General Public

DISCUSSION

This item is for San Diego LAFCO to appoint a Chair and Vice Chair for 2021. The Chair and Vice Chair actively work with the Executive Officer throughout the calendar year and provide feedback on various administrative items and this includes setting meeting agendas. The Chair and Vice Chair also serve on the Executive Officer Compensation Committee and responsible for conducting an annual performance review of the Executive Officer.

ANALYSIS

San Diego LAFCO's policies provide the membership broad discretion in selecting a Chair and Vice Chair each calendar year. The Commission's practices, however, suggest proceeding with the promotion of the Vice Chair to Chair and selection of a city member as Vice Chair.

RECOMMENDATION

It is recommended San Diego LAFCO consider the merits of proceeding with past practice in selecting a Chair and Vice Chair as described in the preceding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished with a single-motion:

Alternative One (recommended):
Make appointments to the Chair and Vice Chair positions as appropriate.

Alternative Two:
Continue the item to a future meeting and provide direction to staff with respect to any additional analysis or information requested.

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) Discuss item and consider recommendation.

Respectfully,

Keene Simonds
Executive Officer

Attachments: none

7e

AGENDA REPORT
Business | Discussion

December 7, 2020

TO: Commissioners

FROM: Keene Simonds, Executive Officer
Priscilla Allen, Analyst I

SUBJECT: **Legislative Report and Related Direction**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive a report on legislative items of interest to the Commission and its regulatory and planning responsibilities. This includes reviewing items associated with the end of the second year of the 2019-2020 session as well as previewing topics heading into the first year of the 2021-2022 session. The latter category includes an associated recommendation by the Executive Officer to take a lead role and sponsor a bill proposal to clarify LAFCOs' exclusive authority to determine exception status in statute for out-of-agency service contracts. The report is being presented to the Commission for discussion and related direction.

BACKGROUND

Legislative Resources

San Diego LAFCO draws on its active participation with its lone member association – CALAFCO – in considering legislative matters impacting the Commission's ability to effectively administer its regulatory and planning responsibilities. CALAFCO's Legislative Committee comprises nearly two dozen appointed members across the state, including Commissioner MacKenzie, and is tasked with engaging the entire membership with respect

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Harry Mathis, Alternate, General Public

to drafting and/or reviewing proposed legislation. San Diego LAFCO relies on the information and analysis generated from the CALAFCO Legislative Committee in making its own position recommendations and taking other associated actions as appropriate.

DISCUSSION

This item is for San Diego LAFCO to review and discuss items of interest generated in the second year of the 2019-2020 legislative session as well as to preview topics going into the first year of 2021-2022. This includes discussing an associated recommendation from the Executive Officer to take a lead role to sponsor a bill proposal to clarify LAFCOs' exclusive authority to determine exemption status under statute involving out-of-agency service contracts. The report is being presented to the Commission for discussion as well as to provide related direction.

Review | Second Year of 2019-2020 Session

All proposed legislation introduced during the second year of the 2019-2020 session directly impacting LAFCOs subsequently died in committees due to the Legislature prioritizing its resources due to the COVID-19 pandemic. Most notably, this included two water-themed bills – Assembly Bill 1751 (Chiu) and Senate Bill 414 (Caballero) – proposing streamlined provisions to remedy non-compliant community water systems with the latter circumventing LAFCOs in forming successor agencies, which earned an "oppose" position from CALAFCO. Separately, a moderate number of legislative proposals with indirect impacts on LAFCOs did make it out of committee and chaptered. Most of these bills with indirect impacts involved housing and marked by Assembly Bill 2345 (Gonzalez) and its provisions to increase the maximum density bonus in California from 35% to 50% when developers dedicate at least 16% of the total units for lower income households.[1]

Preview | First Year of 2021-2022 Session

CALAFCO's Board met on November 13, 2020 to consider legislative priorities for 2021 and was preceded by soliciting proposal requests by individual LAFCOs. The Board proceeded to prioritize two legislative projects in 2021 and headlined by continuing work to update and streamline LAFCO protest proceedings. This item has been a priority project for CALAFCO for several years and includes ongoing discussions with stakeholders to revise the current protest threshold in statute for LAFCO initiated proposals from 10% to 25%. Protest revisions are currently under development by a CALAFCO work group that includes Commissioner Mackenzie and Counsel Whatley with the goal of introducing a bill as early as 2021. The second legislative priority approved by CALAFCO involves participating in an omnibus bill through the Assembly Committee on Local Government and address technical or non-controversial proposals submitted by individual LAFCOs.[2]

[1] Existing law provides a maximum affordable housing bonus of 35% so long as 20% of units are dedicated for lower income households.
[2] One of the items accepted into the omnibus bill has been proposed by San Diego LAFCO to require cities provide LAFCOs written notice before rezoning territory that has been annexed within the last two years. The intent of this proposed revision is to apprise LAFCOs of any subsequent changes in land use policies immediately post annexation and the opportunity therein to provide comments as deemed appropriate.

Pertinently, the CALAFCO Board voted not to proceed in 2021 with a standing legislative proposal by San Diego LAFCO to clarify LAFCOs' exclusive authority to determine exception status in statute for out-of-agency service contracts. This proposal was initially submitted in 2018 and ties to legislation added in 2001 by former Commissioner and Assemblymember Mike Gotch to direct local agencies to receive approval from LAFCOs before providing services by contract outside their boundaries (Government Code 56133). Limited exceptions are provided in statute, such as contracts between public agencies when the subject services are equal substitutes for services already provided. In most instances, local agencies defer to LAFCOs in determining exception eligibility on a case-by-case basis and in doing so comply with statute intent. However, and as experienced recently in San Diego County, some local agencies will proceed to self-exempt out-of-agency service arrangements that otherwise merit LAFCO review and lead to subsequent conflicts – including with other cities and special districts. Amending the statute to make explicit exceptions are determined by LAFCOs will help abate future conflicts and associated costs.

ANALYSIS

The second year of the 2019-2020 legislative session proved quiet with respect to making direct changes to LAFCO statutes. The lack of revisions to LAFCO statues mirrored the Legislature's overall focus on COVID-19 responses and other public health and safety issues (housing, wildfire, etc.) and will presumably continue at some level going forward. Nonetheless, other work of the Legislature continues and as detailed above this will presumably include consideration of a CALAFCO proposal to rewrite protest proceedings. While staff agrees revising protest proceedings are a priority, so should be the revisions repeatedly proposed by San Diego LAFCO to make explicit LAFCOs determine exceptions with respect to local agencies providing out-of-agency contract services under Government Code Section 56133. With this in mind, and given local circumstances, staff believes it would be appropriate to take lead on this item and sponsor a legislative proposal going into the 2021-2022 session. This would involve dedication of existing staff resources in securing an author, performing stakeholder outreach, and responding to items arising as a bill hopefully proceeds through the Legislature. Staff also anticipates several other LAFCOs would support and participate in these efforts and this includes all of the southern region. No hard costs (i.e. consultants, travel, etc.) would be expected.

A copy of Government Code Section 56133 along with proposed amendments in track-change format is provided as Attachment One.

RECOMMENDATION

This item is presented to San Diego LAFCO for discussion and related direction – including feedback on the Executive Officer proceeding with a legislative proposal to make explicit LAFCOs determine exception eligibility under Government Code Section 56133. Should the Commission affirm this direction, staff will return an amendment to the adopted workplan for consideration at the next regular meeting.

ALTERNATIVES FOR ACTION

No action; discussion and feedback only.

PROCEDURES

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

1) Receive verbal presentation from staff unless waived.
2) Invite comments from interested audience members (voluntary).
3) Discuss item and provide any feedback as appropriate.

Respectfully,



Keene Simonds
Executive Officer

Attachment:

1) Government Code Section 56133 with proposed amendment (track-change)

Government Code Section 56133
Proposed Amendment Regarding Exception Determination

56133.
(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission.
(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.
(c) If consistent with adopted policy, the commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:
(1) The entity applying for approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.
(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.
(d) The executive officer, within 30 days of receipt of a request for approval by a city or district to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of requests made pursuant to this section to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the extended services. If the new or extended services are disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.
(e) This section does not apply to any of the following **as determined by the commission**:
(1) Two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider.
(2) The transfer of nonpotable or nontreated water.
(3) The provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district

shall first request and receive written approval from the commission in the affected county.
(4) An extended service that a city or district was providing on or before January 1, 2001.
(5) A local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundary.
(6) A fire protection contract, as defined in subdivision (a) of Section 56134.
(f) This section applies only to the commission of the county in which the extension of service is proposed.