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

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AGENDA REPORT
Consent | Action

November 4, 2024

TO: Commissioners

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

SUBJECT: **Proposed "Bryant - Felicita Road Reorganization" | Annexation to the City of Escondido and Related Actions (RO24-03)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization proposal initiated by landowner petition with the principal action to annex 0.4 unincorporated acres to the City of Escondido. The affected territory as submitted is presently developed with a 2,240 square-foot single family residence at 2334 Felicita Road and identified by the San Diego Assessor's Office as 238-320-12. The reorganization also includes a concurrent detachment from County Service Area No. 135 and its regional service communications function as well as exclusion from Rincon del Diablo Municipal Water District's Improvement District E. This reorganization proposal fulfills an earlier LAFCO condition in authorizing a temporary out-of-agency wastewater service extension in March 2023. Staff recommends conditional approval of the proposal with a discretionary modification to include a 0.13-acre frontage portion of the adjacent public right-of-way on Monticello Drive. It is also recommended the Commission waive protest proceedings and find the project is exempt under CEQA Guidelines Section 15319.

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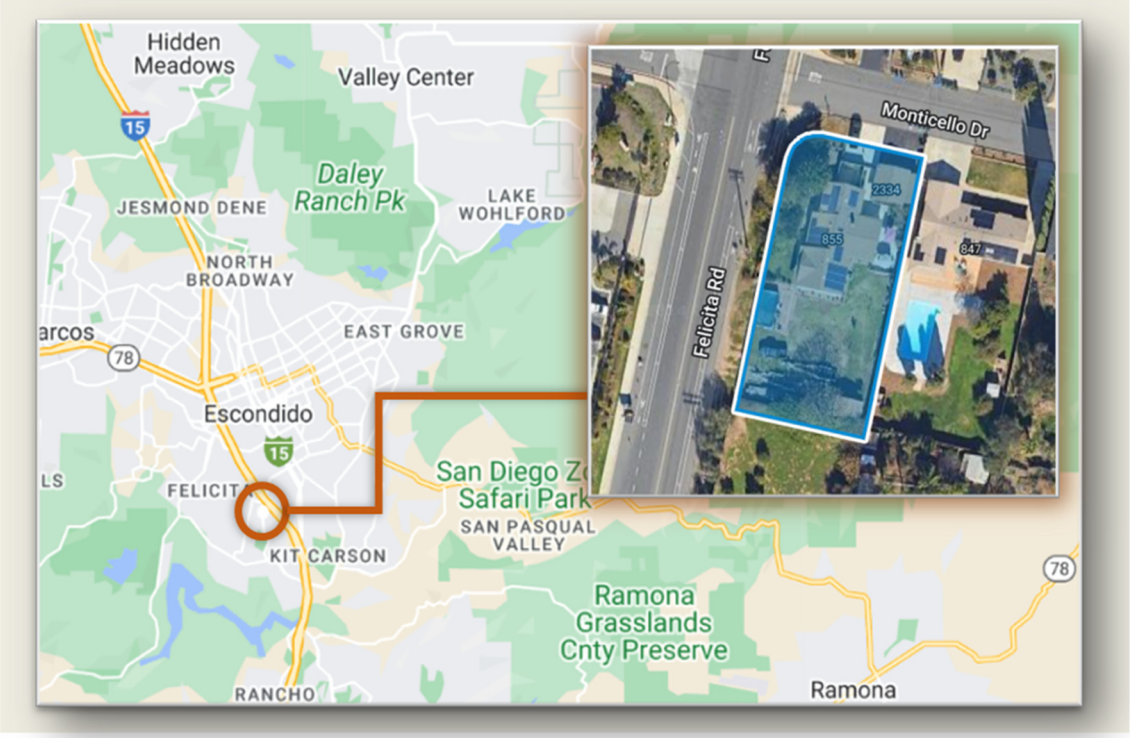
BACKGROUND

Applicant Request

San Diego LAFCO has received a proposal initiated by landowner petition (Donald A. Bryant) requesting approval to reorganize 0.4 acres of unincorporated territory with the principal action to annex to the City of Escondido. The affected territory as submitted comprises one parcel presently developed with a 2,240 square-foot single-family residence with a situs address of 2334 Felicita Road (238-320-12). The residence was built in 1961 and presently connected to Escondido's public wastewater system through a temporary outside wastewater service contract approved by the Commission on March 6, 2023 and done so to mitigate a failing septic system. The reorganization also includes concurrent detachment from the County Service Area No. 135 (CSA 135) and its regional service communications functions as well as exclusion from Rincon del Diablo Municipal water District's (MWD) Improvement District E (ID-E) and its fire service zone.

Regional Setting

The affected territory is located within a large – partially surrounded – unincorporated island towards the southern portion of the City of Escondido's "Felicita Park" neighborhood which generally lies west of Interstate 15, south of State Route 78, and north of State Route 56. The affected territory lies within County Supervisorial District No. 5 (Jim Desmond), Assembly District No. 76 (Brian Maienschein), and Senate District No. 40 (Brian W. Jones). An aerial map of the affected territory and its regional setting follows with a more detailed map – including the existing parcel and jurisdictional boundaries – provided at Attachment One.



Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: the City of Escondido and CSA No. 135.[1] Summaries of the subject agencies in terms of governance, resident population, municipal functions, and financial standing follows.

- **City of Escondido** was incorporated in 1888 as a general-law municipality with an existing estimated resident population of 152,292. Escondido spans 23,971 acres or 37 square miles and bordered by the unincorporated community of Valley Center to the north and east, the Cities of San Diego and Poway to the south, and the City of San Marcos to the west. Escondido is a full-service municipality and headlined by directly providing community planning, fire protection, parks and recreation, police protection, wastewater, and water services with the latter – water – geographically limited and supplemented by other special districts within City limits. LAFCO last reviewed and updated Escondido's sphere in 2023 with a larger-than-agency designation that includes several unincorporated areas – including Hidden Meadows. Escondido's most recent audit shows its net position – i.e., the total accrual accounting value of agencywide assets less liabilities – at $571.0 million as of June 30,2023. The overall amount reflects an increase of 21% over the last three years. The unrestricted portion of the net position totals ($112.5 million) and adjusts to $96.8 less booked pension funds. The adjusted unrestricted portion reflects a decrease of (19%) over the last three years. Escondido's General Fund separately tallies $70.9 million and marks a 46% improvement over the last three years. The spendable portion (committed, assigned, or unassigned monies) equals $33.3 million and sufficient to cover 3.2 months of recent actual General Fund expenses.

- **CSA No. 135** is a dependent special district of the County of San Diego encompassing 3,739.8 square miles and includes all unincorporated lands as well as 10 of the 18 cities in San Diego County. CSA No. 135 was formed in 1994 to provide public safety radio communications through a funding agreement with a third-party (Regional Communication Systems, LLC) and involves operating an 800-megahertz system. Administration of this municipal function is provided by County Sheriff. The current estimated resident population within CSA No. 135 is 1,074,319. LAFCO established a sphere of influence in 1994 coterminous to San Diego County. The sphere was last reviewed and affirmed in 2007. The County's most recent audit shows its net position at $4.41 billion as of June 30, 2023. The overall amount reflects an increase of 30.5% over the last three years. The unrestricted portion of the net position totals ($1.38 billion) and adjusts to $3.32 billion less booked pension funds. The adjusted unrestricted portion reflects a decrease of (25.7%) over the last three years. The County's General Fund separately tallies $2.82 billion and marks a 23.5% improvement over the last three years. The spendable portion (committed, assigned, or unassigned monies) equals $1.83 billion and sufficient to cover 4.2 months of recent actual General Fund expenses.

1 State law defines "subject agency" to mean any district or city for which a change of organization or reorganization is proposed and specific to affecting jurisdictional boundaries.

Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of 10 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]

- CSA No. 135 (Regional Communications)
- Metropolitan Water District of Southern California
- North County Cemetery District
- North County Transit District
- Palomar Healthcare District
- Resource Conservation District of Greater San Diego County
- Rincon del Diablo MWD
- San Diego County Flood Control District
- San Diego County Street Lighting District
- San Diego County Water Authority

The affected territory also lies within the following school and college districts, and accordingly received notice of the proposal: Escondido Union Elementary School District; Escondido Union High School District; and Palomar Community College District.

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications to the physical footprint – the reorganization proposal and its principal action to annex the affected territory to the City of Escondido. The Commission may also consider applying conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion with respect to proposal purpose, development opportunities, and Commission focus follows.

Proposal Purpose + Timing

The proposed reorganization and its principal action to annex the affected territory to the City of Escondido has been filed to fulfill an earlier LAFCO condition in authorizing a temporary out-of-agency wastewater service extension in March 2023. Annexation would succeed this temporary arrangement and serve as the preferred alternative in accommodating permanent wastewater service.

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 change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

Current and Planned Development Opportunities

The affected territory is presently unincorporated and entirely designated by the County of San Diego as Village Residential (VR-2.9). The County also zones the affected territory as Rural Residential (RR) with a 2.0-acre minimum lot size. The existing single-family residence within the subject parcels conforms to these County land use policies. The City of Escondido General Plan separately designates the affected territory as Estate II with a pre-zoning assignment of Residential Estate – 20 (RE-20), which prescribes a 0.5-acre minimum lot size. (State law would prohibit Escondido from making a change to this zoning assignment for the first two years post annexation with limited exceptions.) This pre-zoning assignment prohibits any additional density development with the affected territory post annexation given the subject lot is 0.4 acres in size. Additional intensity would be permitted by both the County and Escondido via one accessory dwelling unit.

Commission Focus

San Diego LAFCO's current sphere of influence designation for the City of Escondido includes the affected territory and can readily accommodate the proposed annexation without amendment. Similarly, the current sphere of influence designation for CSA No. 135 is countywide and amendments have not been made by practice to exclude detached territory. These existing sphere determinations narrows 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 modifications or terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as detailed.

ANALYSIS

San Diego LAFCO's analysis of the proposed reorganization is divided into two subsections. The first subsection pertains to evaluating the central policy issues referenced in the preceding section relative to both statutory and local policy considerations. The second subsection considers other germane issues required for the LAFCO proposal consideration and this include complying with the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 | Reorganization Timing

San Diego LAFCO's consideration of the proposed reorganization's timing draws on analyzing baseline factors required in statute as well as applicable policies set by the Commission. Most of the baseline factors in statute focuses on disclosing and otherwise addressing compatibility issues with external goals and policies of other State, regional, and local agencies as well as assessing the ability of subject agencies providing services going

forward.[3] Applicable local policies prompted for consideration are headlined by L-107 and its attention to disclosing and/or addressing any known or perceived jurisdictional disputes.

Analysis of these two related timing factors follows.

- Timing Factor No. 1:
  Baseline Considerations: Regional Policies + Service Relationships

  State law prescribes the mandatory consideration of certain and multifaceted factors anytime LAFCOs consider jurisdictional changes. These factors range in substance from disclosures – such as the affected territory's current land uses, assessed values, register voter counts, and so on – to discretionary analyses. This latter category is highlighted by evaluating the proposed annexation's relationship to community needs as well as the service capacities and related financial resources of the subject agencies. A summary of key conclusions generated in reviewing these discretionary matters for the proposed reorganization with an emphasis on the receiving entity (City of Escondido) regarding (a) service needs, (b) service availability and capacities, and (c) related financial considerations follow.

  - With respect to **service needs**, the present and relatively dense residential land uses of the affected territory merits organized public services and would be aided by the reorganization and annexation to Escondido and its ability to provide a range of urban-supporting services. The Commission has previously designated Escondido as the appropriate future land use authority and primary service provider for the affected territory through standing inclusion in the City's sphere of influence. This includes – pertinently – wastewater with the Commission previously authorizing Escondido to extend service to the subject parcel through a temporary out-of-agency agreement to abate public health threats due to failing septic system.

  - With respect to **service availability and capacities**, Escondido would directly assume most municipal service responsibilities for the affected territory upon reorganization and highlighted by providing the following core functions: community development; wastewater; integrated fire protection and emergency medical; and police protection. (Other key municipal service functions that would continue to be provided to the affected territory post reorganization include water by Rincon del Diablo MWD and public transportation by North County Transit District.) Additional details on these core Escondido functions and relationship – availability and capacity – with the affected territory follows.

    Escondido would assume <u>community planning</u> responsibilities for the affected territory from the County of San Diego as part of the reorganization. The transition is contemplated in the Escondido General Plan (2012) and further prescribed by the City pre-zoning the subject lot as RE-20.

3 Reference to Government Code Section 56668.

Escondido would permanently assume wastewater service responsibilities for the affected territory upon reorganization. The subject parcel is already connected to Escondido's collection system by way of a private lateral within the public right-of-way along Felicita Road. It is estimated the current average day wastewater flow generated within the affected territory via its one existing residential unit is 250 gallons. It is projected the maximum average day wastewater flow generated within the affected territory post reorganization is 500 gallons with the allowance of an accessory dwelling unit. This projected amount can be readily accommodated by the City of Escondido and represents 0.008% of its available treatment capacity remaining within its sewer system.[4]

Escondido would formally assume integrated fire protection and emergency medical service responsibilities for the affected territory. This change would have no material impact on service levels given Escondido is the existing contract provider for Rincon del Diablo MWD (via its Improvement District E). First-response would continue to be provided from Escondido's Station No. 5, located nearby at 2319 Felicita Road. Response times to the affected territory are estimated to be less than 4 minutes for priority calls and non-priority calls. Total response time would fall within the City's response time standard of 7.5 minutes for urban areas and 8.5 minutes for suburban areas.

Escondido would formally assume police protection responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given Escondido's automatic aid agreement with the County Sherriff already commits the City to serve as first responder for all high proximity calls for the region given its proximity to City resources.

- With respect to **related financial considerations**, staff analysis shows the City of Escondido has financial resources and administrative controls to readily assume a full range of municipal service responsibilities to the affected territory in support of its existing and planned uses without significant adverse impacts. This macro comment considers the relatively limited scale of the proposed annexation to Escondido paired with acknowledging recent City stresses due to escalating resources requiring redirection to cover pension costs. Escondido, nonetheless, finished with positive total margins in each of the last three completed fiscal years with a period average of 9.0% ending in June 2023.

[4] Escondido's existing average day wastewater flow is 12.4 million gallons, which equals 68.8% of overall capacity at its Hale Avenue Resource Recovery Facility.

- Timing Factor No. 2:
  Consideration of Policy L-107

  San Diego LAFCO adopted L-107 in May 2010 to require all applicants to disclose jurisdictional disputes or related items that are associated with their proposal filings. If applicable, and unless waived by the Executive Officer, the policy requires applicants and/or their representatives to consult with opponents to resolve any known issues – concerns, disputes, etc. – before the item is formally considered by the Commission.[5] If an agreement is reached through the consultation process, the policy states the Commission shall consider the provisions as part of the application. If an agreement is not reached despite exhausting good-faith efforts, the policy states the Commission shall proceed to consider the application as submitted.

  No jurisdictional disputes have been disclosed by the City of Escondido, CSA No. 135, or County of San Diego through the administrative review with LAFCO. LAFCO staff is similarly unaware of any potential conflicts at this time.

CONCLUSION |
MERITS OF REORGANIZATION TIMING

The timing of the reorganization and principal action to annex the affected territory to the City of Escondido is sufficiently warranted. Justification is marked by the preceding analysis and highlighted by formally satisfying a need for permanent wastewater services and in doing so provide a preferred governance method in replacing an out-of-agency allowance with a formal boundary expansion. Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 2 |
Modifications and Terms

One modification to the submitted reorganization has been identified by San Diego LAFCO staff meriting Commission consideration. The identified modification involves expanding the affected territory by an additional 0.13 acres to include the adjacent frontage portion of the public right-of-way along Monticello Drive. The recommended modification does not have a material effect on the applicant and will better align the adjacent roadway territory with Escondido and is supported by the County of San Diego Assessor's Office.

5 The Executive Officer retains discretion to determine the extent of consultation needed.

**CONCLUSION |
MODIFICATIONS AND TERMS**

Staff recommends a modification to include an 0.13-acre frontage portion of public right-of-way along Monticello Drive and contiguous to the affected territory. The modification will better align the adjacent roadway territory with Escondido's incorporated boundary.

Other Statutory Considerations

Exchange of Property Tax Revenues

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before San Diego LAFCO can consider any jurisdictional change involving an annexation and/or detachment unless an applicable master agreement applies. Staff has confirmed with the City of Escondido and County of San Diego to apply an existing master agreement to govern the tax exchange for the proposed reorganization. This master agreement specifies Escondido shall receive 36% of the County's existing apportionment of the 1% property tax collected within the affected territory going forward. The estimated annual value of the exchange is currently $2,960 based on current assessed values (land and structures). [6] There are no property taxes to be exchanged with respect to the detachment from CSA No. 135.

Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission's authority, either as a lead or responsible agency. Accordingly, the Commission is tasked with making one or more findings under CEQA in consideration of the proposed reorganization. Staff's analysis follows.

- San Diego LAFCO serves as lead agency for assessing potential environmental impacts under CEQA given the reorganization proceedings have been initiated by a landowner. Staff has determined the reorganization proposal qualifies as a project under CEQA but is categorically exempt from further review under State CEQA Guidelines Section 15319(a) and its provisions covering annexations to cities and special districts. Staff believes this exemption appropriately applies given the affected territory contains existing private structures developed to the density allowed by the gaining land use authority (Escondido).

6 The current 1% property tax received by the County from the subject lot is $8224.35.

- LAFCO serves as lead agency under CEQA for considering the secondary action associated with the reorganization to detach the affected territory from CSA No. 135 and its regional communication service function. The Commission concurs the detachment is a project under CEQA but qualifies for exemption under Guidelines Section 15320. This exemption appropriately applies given the subject service – regional communications – will be entirely transferred and assumed by Escondido without any material changes in the scope, scale, or adequacy post reorganization.

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 waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law (i.e., less than 11 voters), the subject agencies have not filed objections to the waiver, and the landowners have consented to the underlying action.[7]

RECOMMENDATION

Staff recommends conditional approval of the reorganization with standard terms as well as a physical modification as described This recommendation is consistent with the action outlined as Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):
Adopt the attached draft resolution conditionally approving the reorganization proposal with a modification to include a portion of the frontage public right-of-way along Monticello Drive. Additionally, waive protest proceedings and make an exemption finding as detailed under CEQA.

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.

7 LAFCO law defines uninhabited as territory in which less than 11 registered voters reside.

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,

Michaela Peters

Michaela Peters
Analyst II

Appendices:

A) Analysis of Proposal Review Factors

Attachments:

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

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APPENDIX A
Government Code Section 56668
Proposal Review Factors

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

The affected territory as submitted comprises a 0.40-acre area adjacent to the City of Escondido. The subject parcel is currently developed with a single-family residence located at 2334 Felicita Road and identified by the County of San Diego Assessor's Office as 238-320-12 with a current assessed land value (land and structures) of $822,435 with the last transaction recorded in March 2021.

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 City of Escondido would assume the primary role in providing core municipal service functions for the affected territory if the reorganization is approved. This would include the need and related provision of community planning, wastewater, fire protection and emergency medical, and police protection. (Potable water service to the affected territory would continue to be provided by Rincon del Diablo MWD). A summary of the existing adequacy of these core services follows.

- Escondido would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. This transition is explicitly contemplated in the Escondido General Plan (2012) and further prescribed by the City pre-zoning the subject lot as Residential Estate 20 (RE-20).

- The lone subject parcel comprising the affected territory is already connected to Escondido's wastewater system through an earlier out-of-agency agreement approved by LAFCO in March 2023. The physical connection involves a private lateral extending approximate 50 feet to the collection main located adjacent to the affected territory within the public right-of-way on Felicita Road. It is projected the maximum average day wastewater flow generated within the affected territory post reorganization and planned uses is 500 gallons and tied to accommodating the existing single-family residence and a potential accessory dwelling unit. This projected amount can be readily accommodated by the City of Escondido and represents 0.008% of its available treatment capacity remaining within its wastewater system.

- Escondido would formally assume integrated fire protection and emergency medical service responsibilities for the affected territory. This change would have no material impact on service levels given Escondido is the existing contract provider for Rincon del Diablo Municipal Water District (via its Improvement District E). First-response would continue to be provided from Escondido's Station No. 5, located across the street from the affected territory at 2319 Felicita Road. Response times to the affected territory are estimated to be less than 4 minutes for priority calls and non-priority calls. Total response time would fall within the City's response time standard of 7.5 minutes for urban areas and 8.5 minutes for suburban areas.

- Escondido would formally assume police protection responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given Escondido's automatic aid agreement with the County Sheriff which already commits the City to serve as first-responder for all high priority calls for the region given its proximity to the City boundary.

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.

Approving the reorganization and annexation therein to the City of Escondido would reflect and strengthen existing economic and social ties between the City and the affected territory. These existing social and economic ties are relatedly reflected in the Commission's standing inclusion of the affected territory within Escondido's sphere of influence as well as the current LAFCO authorization for the City to provide wastewater service through a temporary out-of-agency agreement dating to March 2023.

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 City of Escondido would facilitate the orderly expansion of the City's jurisdictional boundary consistent with the sphere of influence. The affected territory does not contain "open space" as defined under LAFCO law and no conflicts exist under Government Code Section 56377.

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 Executive Officer. No jurisdictional disputes or related concerns were identified or disclosed by the applicant, affected agencies, or interested parties in the review of the proposal.

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

The affected territory does not presently contain "prime agricultural land", or "agricultural land" as defined under LAFCO law. Specifically, the affected territory does not contain lands currently used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program. Approval of the proposal and annexation to Escondido would not adversely affect the physical or economic well-being of agricultural lands.

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

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

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

The proposed reorganization would permanently make available public wastewater service to support the existing single-family residence and eliminate the need for an out-of-agency service agreement. The proposal and its anticipated outcomes do not generate any known conflicts with *San Diego Forward*, the regional transportation plan adopted by the San Diego Association of Governments.

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

The affected incorporated territory is presently designated by the City of Escondido for Residential Estate II. The affected territory is pre-zoned as RE-20, which prescribes a minimum parcel size of 0.5 acres. The existing and planned residential uses are consistent with the proposal's purpose annex the affected territory into the City of Escondido and accommodate existing and planned urban uses going forward.

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

The affected territory lies entirely within the existing sphere of influence established for the City of Escondido.

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

Notice of the submitted reorganization proposal was distributed to all affected and subject agencies as required under LAFCO law. Notices were also provided to all local college and school districts. No written comments on the proposal were received ahead of preparing this agenda report for distribution on October 28, 2024.

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 the City of Escondido has overall sufficient and available financial resources and administrative controls therein relative to serving the affected territory without adversely impacting existing constituents. This statement is supported by the following factors.[8]

- Escondido's last outside audit covers 2022-2023 and shows the City finished with sufficient liquidity levels with an agency-wide current ratio of 4.06 to 1 (i.e., $4.06 in current assets for every $1.00 in current liabilities).

- Escondido finished 2022-2023 with low capital levels and marked by a high debt ratio of 96.0% (i.e., $96.00 out of every $100.00 in net assets are financed.)

- Escondido finished 2022-2023 with an overall total margin of 3.4%.

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 Rincon del Diablo MWD's for water service. Approval of the proposed reorganization would not affect these existing relationships and/or commitments.

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.

[8] The City overall has been maintaining positive total margins over the last three years, though it should be noted the City ended with low capital levels for all three years, (i.e., 96% debt-to-net ratio in 2022-2023).

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 as the petitioner.

o) Any information relating to existing land use designations.

See above analysis for (h).

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

The reorganization is expected to aid and/or otherwise promote environmental justice by enhancing wastewater and integrated public safety services within the affected territory and for any groups that are susceptible to pollution burdens and their effects. Consideration of existing environmental justice factors within the affected territory draw on staff analyzing data available from the California Environmental Protection Agency through its online assessment tool (CalEnviroScreen 4.0).

Two composite percentile rankings for the affected territory are generated within this analysis and involves (a) pollution burdens and (b) susceptible population to pollution burdens relative to all census tracts in California. These rankings follow.

- The affected territory's **composite pollution burden ranking** falls in the 60 percentile with an internal range between 0 to 93 percentiles. Eight pollution burden measurements exceed the 50 percentile and considered noteworthy. These eight measurements are relative to air quality (ozone), air quality (diesel PM), pesticides, traffic, drinking water contaminants, cleanup sites, groundwater threats, and impaired water. Three of these eight pollution burdens – traffic, cleanup sites, and impaired water – also exceed the 70 percentile and are considered significant in magnitude by LAFCO.

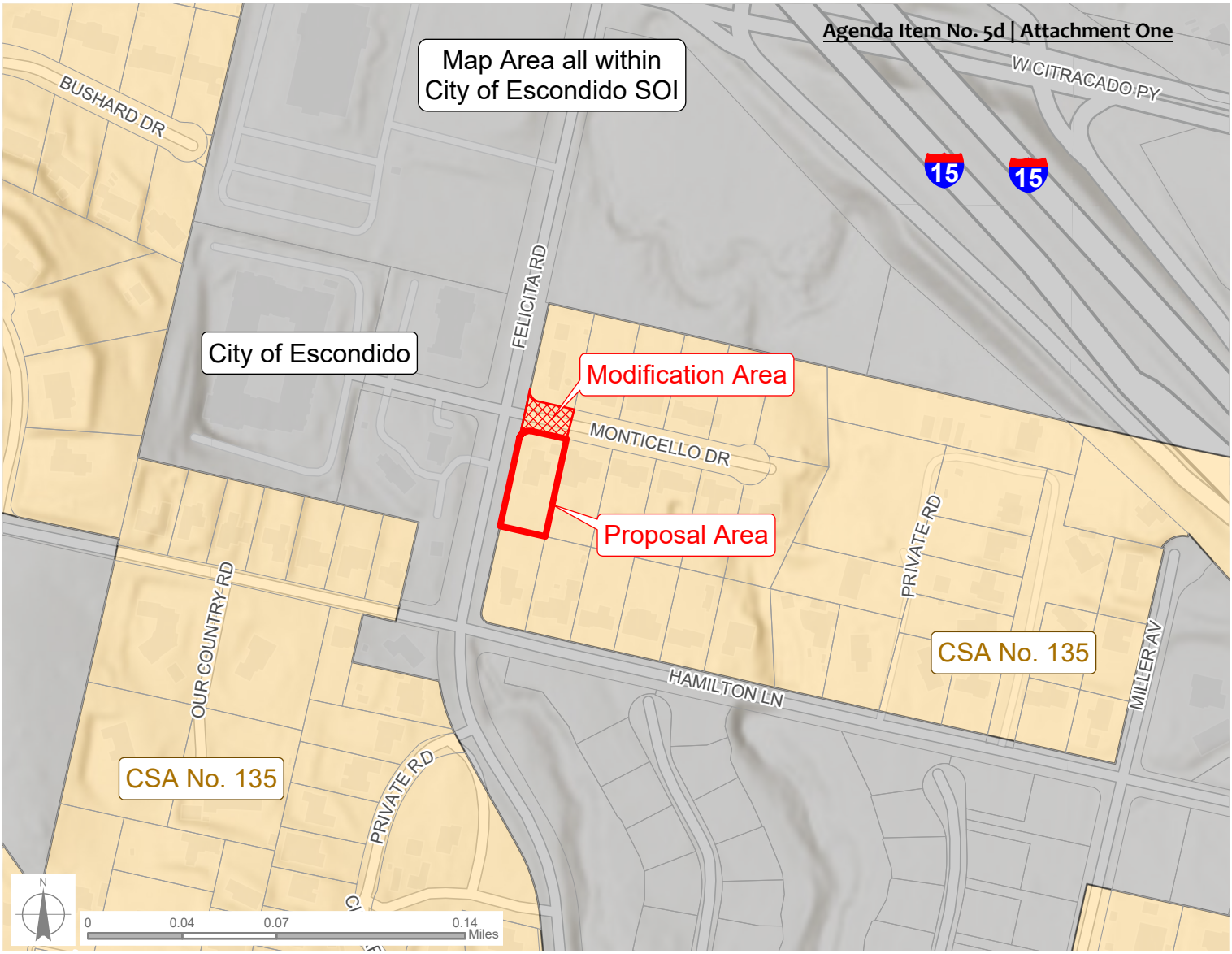
- The affected territory's **composite susceptible population** ranking falls in the 5th percentile with an internal range between 4 to 45 percentiles. One of these at-risk groups exceeds the 33 percentile - cardiovascular disease – and is considered moderate in magnitude.

A summary of all tracked pollution burdens and susceptible population follows.

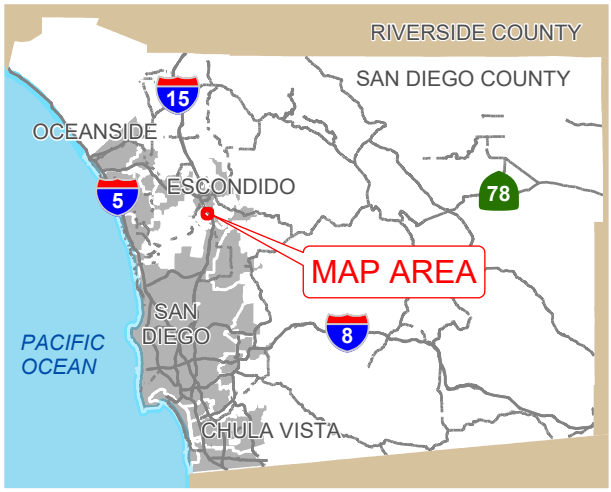
Census Tract 6073020405 + County Wide Census Tracts Pollution Burdens and Susceptible Population Source: (California Environmental Protection Agency + SD LAFCO)		
Factor	**Census Tract 607302405**	**San Diego County**
# of Census Tracts	1	627
Estimated Population within Tract(s)	3,505	3,298,634
Pollution Burden	**Weighted Percentile**	**Avg. Percentile**
... Percentile	**60.0**	37.8
Indicator | Air Quality: Ozone	**50.5**	42.2
Indicator | Air Quality: PM 2.5	15.4	43.1
Indicator | Air Quality: Diesel PM	**58.2**	49.5
Indicator | Pesticides	57.7	11.8
Indicator | Toxic Releases	10.6	32.1
Indicator | Traffic	**80.1**	48.4
Indicator |Drinking Water Contaminants	**60.0**	33.2
Indicator | Lead in Housing	6.8	38.7
Effects | Cleanup Sites	**78.7**	24.2
Effects | Groundwater Threats	**60.4**	36.8
Effects | Hazardous Waste	0.0	44.9
Effects | Impaired Water	**93.4**	**55.5**
Effects | Solid Waste	35.7	27.4
Sensitive Population	**Weighted Percentile**	
... Percentile	**5.0**	**36.8**
Population | Asthma	7.1	**34.6**
Population | Low Birth Weight	4.5	**44.5**
Population | Cardiovascular Disease	**45.0**	28.8
Population | Education	15.2	**41.3**
Population | Linguistic Isolation	22.9	**37.8**
Population | Poverty	4.0	**45.0**
Population | Unemployment	8.7	5.0
Population | Housing Burden	21.6	**49.0**

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 Escondido's General Plan contains a hazard mitigation plan for potential fire, flooding, and earthquakes. The affected territory lies within a "High" fire hazard zone and a "Low-Level" earthquake hazard zone.







RO24-03 "BRYANT - FELICITA ROAD REORGANIZATION" | ANNEXATION TO THE CITY OF ESCONDIDO AND CONCURRENT DETACHMENT FROM CSA NO. 135

SOI = Sphere of Influence

- Proposal Area
- Modification Area
- City of Escondido
- CSA No. 135

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

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Created by Dieu Ngu -- 10/23/2024

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RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A REORGANIZATION

"BRYANT – FELICITIA ROAD REORGANIZATION"
ANNEXATION TO THE CITY OF ESCONDIDO AND RELATED ACTIONS
LAFCO FILE NO: RO24-03

WHEREAS, on February 26, 2024, interested landowner – Donald A. Bryant – 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 before the Commission seeks approval of a reorganization of approximately 0.4 acres of unincorporated territory in the County of San Diego involving annexation to the City of Escondido with concurrent detachment from the County Service Area 135; and

WHEREAS, the affected territory as proposed includes one legal parcel containing an existing single-family residence presently connected to Escondido's public wastewater system through a temporary outside wastewater service contract approved by the Commission on March 6, 2023 and identified by the County of San Diego's Assessor's Office as 238-320-12 with an assigned situs of 2334 Felicita Road; and

WHEREAS, on December 5, 1984, the County of San Diego and the City of Escondido approved a Master Property Tax Transfer Agreement that will govern the property tax exchange associated with the reorganization of the affected territory to the City of Escondido; 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 November 4, 2024;

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 as well as 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. With respect to considering the effects of the proposed reorganization under the California Environmental Quality Act (CEQA), the Commission's makes the following findings:

    a) The City of Escondido serves as lead agency under CEQA for considering the reorganization and specifically the principal action to annex the affected territory to the City following its own approval to extend out-of-agency wastewater services in March 2023. In this role as lead agency, on March 22, 2023, Escondido made findings that the proposal qualifies as a project but is exempt from further review under State CEQA Guidelines Section 15319(a). Staff independently concurs this exemption appropriately applies given the affected territory contains an existing private structure developed to the density allowed by current zoning and there is no corresponding need for an expansion of public infrastructure.

    b) LAFCO serves as lead agency under CEQA for considering the secondary action associated with the reorganization to detach the affected territory from CSA No. 135 and its regional communication service function. The Commission concurs the detachment is a project under CEQA but qualifies for exemption under Guidelines Section 15320. This exemption appropriately applies given the subject service – regional communications – will be entirely transferred and assumed by Escondido without any material changes in the scope, scale, or adequacy post reorganization.

4. The Commission CONDITIONALLY APPROVES the reorganization with a single modification to include 0.13-acre frontage portion of public right-of-way along Monticello Drive subject to conditions as provided. Approval involves all the following:

    a) The affected territory is modified to include an 0.13-acre frontage portion of the adjacent public right- of-way along Monticello Drive.

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

    c) Detachment of the affected territory from County Service Area No. 135 as shown in "Exhibit A-1" as described in Exhibit A-2".

5. The Commission CONDITIONS all approvals on the following terms being satisfied by November 4, 2025 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 Divisions.

   c) Written consent and related authorizations from the applicant – Donald A. Bryant – to remove the subject parcel from Rincon del Diablo Municipal Water District's Improvement District "E" involving fire protection and emergency medical.

   d) Submittal to the Commission of the following payments:

      - A check made payable to LAFCO in the amount of $100.00 for the County of San Diego-Clerk Recorder to reimburse for filing two CEQA Notice of Exemptions consistent with the findings in the resolution.

      - A check made payable to the State Board of Equalization for processing fees in the amount of $300.00.

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

   "Bryant – Felicita Road 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 County Service Area 135 is a registered-voter district.

10. The City of Escondido and County Service Area 135 all utilize 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 Escondido as provided under Government Section 57328, and will be subject to any previously authorized taxes, benefit assessments, fees or charges of the City of Escondido as provided under Government Code Section 57330.

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

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

14. The Executive Officer is hereby authorized and directed to transmit 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 November 4, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

**

ATTEST:

_____
Keene Simonds
Executive Officer

EXHIBIT A-1
MAP OF AFFECTED TERRITORY

-Placeholder-

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EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-

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RECEIVED

APR 18 2024

SAN DIEGO LAFCO

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 DONALD A BRYANT	238-320-12-00	2/23/23	
Sign Donald A Bryant Print Donald A Bryant			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

County of San Diego

AMY HARBERT
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
LAND AND WATER QUALITY DIVISION
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
Phone: (858) 565-5173 or (800) 253-9933 Fax: (858) 514-6583
www.sdcdehq.org

HEATHER BUONOMO, REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

February 13, 2023

Ivan Flores, Associate Planner
City of Escondido, Planning Division
iflores@escondido.org

RE: Public Sewer Connection Urgency

Site Address: 2334 Felicita Rd. Escondido; APN: 238-320-12

Dear Mr. Flores,

The Department of Environmental Health and Quality (DEHQ) received a request for a site consultation from the owners of the above-referenced property, due to the fact that the onsite wastewater treatment system (OWTS) serving their residence has failed and is in urgent need of replacement. The owners are routinely pumping the septic tank to prevent backup into the house.

This area has a history of high groundwater conditions that have caused OWTS failures, especially during the rainy season. Due to groundwater periodically rising to a suspected depth of 2 feet from ground surface, this property is not suitable for a replacement OWTS repair with supplemental treatment. The parcel borders the City of Escondido sewer district, and if public sewer connection is available, DEHQ requests that connection to the public sewer be completed as soon as possible to remove the potential risk to public health due to a failing system.

Should you have any questions in this matter, please feel free to contact me at (619) 607-8354, or feel free to email me at desiree.hogervorst@sdcounty.ca.gov.

Sincerely,

Desiree Hogervorst

DESIREE HOGERVORST, Environmental Health Specialist II
Land and Water Quality Division

C: Craig Caes, Supervising Environmental Health Specialist
Cc: Donald Bryant, property owner

ESCONDIDO
City of Choice

Plan Approval Letter
Field Engineering
City of Escondido
201 North Broadway
Escondido, CA 92025

Monday, June 12, 2023
Project ID: FE23-0264
Project Name: Sewer annexation

Project Approval

Please allow at least 48-72 hour notice to your field inspector, contact information located on the permit, when scheduling your pre-con meeting. If the field inspector cannot be reached, please contact Field Engineering at (760) 839-4644. Permit must be activated by your field inspector prior to beginning work. Any Sub-Contractors must submit a certificate of liability insurance prior to work. All General Notes and Provision from the Encroachment Permit package apply to each job.

General Project Comments:

All project comments have been addressed by the Submitter and approval has been awarded.

Plan Sheet Comments:

All Plan Sheet comments have been addressed by the Submitter and approval has been awarded.

Thank you,

Field Engineering
City of Escondido
Direct: 760-839-4644
www.escondido.org

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