

AGENDA
LOCAL AGENCY FORMATION COMMISSION
MONDAY, SEPTEMBER 8, 2003, 9:00 A.M.
ROOMS 302-303, COUNTY ADMINISTRATION CENTER
1600 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA

1. Roll Call
2. Approval of Minutes of Meeting Held August 4, 2003
3. Executive Officer's Recommended Agenda Revisions
4. Commissioner/Executive Officer Announcements
5. Public Comment: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's agenda. Each speaker's presentation may not exceed 3 minutes.

CONSENT ITEM(S)

All items listed under the Consent Item(s) have 100% consent of landowners, are considered routine, and will be enacted in one motion. There will be no separate discussion of these items prior to Commission action on the motion, unless members of the Commission, staff, or the public request specific items to be removed from the Consent Agenda.

<u>District</u>	<u>Recommended Action:</u>
6A. LP01-02 Proposed "Onyx Ridge Sewer Service Latent Powers Expansion" (Olivenhain Municipal Water District) – expansion of latent powers for sewer service to include 21.33 acres	Approve
6B. RO01-02 Proposed "Onyx Ridge Reorganization" (Rancho Santa Fe Fire Protection District/County Service Area No.107-Elfin Forest) – annexation of 21.33 acres to the Rancho Santa Fe Fire Protection District, with concurrent detachment from CSA No. 107-Elfin Forest	Approve
7. DA03-16 Proposed "Gabriel Plamondon Annexation" to the Buena Sanitation District (4.54 acres)	Approve
<u>City</u>	
8. CA03-18 Proposed "Rilington, et al. Annexation" to the City of San Marcos (39.89 acres)	Approve

CONTINUED PUBLIC HEARING ITEM(S)

<u>District</u>		<u>Recommended Action:</u>
9A.	SA02-16 Adoption of an Amendment to the Sphere of Influence for the Lakeside Sanitation District	Approve
9B.	DA02-16 Proposed "Blossom Valley Middle School Annexation" to the Lakeside Sanitation District (24.66 acres)	Approve and/or Direction

PUBLIC HEARING ITEM(S)

Public Hearing Items require expanded public notification per provisions in State Law or directives of the Commission or Executive Officer.

District

10.	DD03-17 Proposed "Summerview Detachment" from the Vista Irrigation District (4 acres)	Approve
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Municipal Service Review/Sphere of Influence Update

11A.	MSR03-14 Proposed North County Inland Municipal Service Review	Approve
11B.	SR03-14 Proposed Recommended Update to the Spheres of Influence for the City of Escondido, Valley Center Municipal Water District, and the Rincon Del Diablo Municipal Water District	Approve

City

12.	RO03-14 Proposed "Rancho Vistamonte Reorganization" (City of Escondido) – annexation of 209.5 acres to the City of Escondido, with detachments from CSA No. 113 (San Pasqual FPD) and CSA No. 135 (San Diego County Regional Communications)	Approve
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JURISDICTIONAL INFORMATION ITEM(S)

Jurisdictional Information Items are placed on the agenda for information purposes only per provisions in State Law or Local Policy/Procedures. Consequently, no Commission action can be taken on these items. Affected agencies should note that certain proposals (annexations to districts initiated by property owners or registered voters, or detachments from cities) trigger a 60-day period in which the subject agency (district or city) may adopt a resolution terminating proceedings.

<u>City</u>	<u>Recommended Action:</u>
13. OAS03-22 and RO03-22 Administrative Approval of a Contractual Service Agreement: City of Escondido/Alan DeJong. This agreement is in association with the Proposed "DeJong/Dolman Reorganization" (City of Escondido) – annexation of 1.13 acres to the City of Escondido, with concurrent detachment from the San Marcos Fire Protection District and County Service Area No. 135 (San Diego Regional Communications)	Information
14. OAS03-24 and RO03-24 Administrative Approval of a Contractual Service Agreement: City of Escondido/Peter and Sharron Trevino. This agreement is in association with the Proposed "Trevino Reorganization" (City of Escondido) – annexation of .34 acre to the City of Escondido, with concurrent detachment from the Rincon Del Diablo Municipal Water District Improvement District "E" and County Service Area No. 135 (San Diego Regional Communications)	Information

OTHER BUSINESS ITEM(S)

Other business items involve administrative, budgetary, legislative, or personnel matters and may or may not be subject to public hearings.

15. Response to 2002-2003 Grand Jury Report: The Tia Juana Valley County Water District	Information/ Approve
16. Santaluz Affordable Housing Project: Direction is sought from the Commission on whether services should be extended to an affordable housing project in advance of a sphere update and service review study.	Approve/ Direction

OTHER BUSINESS ITEM(S) (continued)

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|-----|---|---------------------------|
| 17. | Ratification of Auto Allowance Provision per San Diego LAFCO Benefits/Compensation Plan | Ratification |
| 18. | Legislative Report (this Item will be an Oral Presentation) | Information/
Direction |

Adjournment – Next Meeting Monday, October 6, 2003

POLITICAL REFORM ACT AND LAFCO 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.

In addition to the disclosure requirements discussed above, expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1)

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**SAN DIEGO LAFCO
MINUTES OF THE REGULAR MEETING
AUGUST 4, 2003**

There being a quorum present, the meeting was convened at 9:00 a.m. by Chairwoman Dianne Jacob. Also present were: Regular Commissioners – Councilmember Patty Davis, Supervisor Bill Horn (who entered at 9:05 a.m.), Bud Pocklington, Andrew Vanderlaan and Ron Wootton; Alternate Commissioners – Andrew Menshek, Harry Mathis, and Councilmember Betty Rexford; LAFCO and County Staff – Executive Officer Michael Ott, Chief, Policy Research Shirley Anderson, Chief, Governmental Services Ingrid Hansen and Legal Counsel Mara Elliott, (substituting for LAFCO Counsel Bill Smith, who was absent). Absent were: Commissioners – Councilmember Donna Frye, and Councilmember Jill Greer; and Alternate Commissioner – Supervisor Greg Cox.

Item 1

**Approval of Minutes
of Meeting Held July 7, 2003**

On motion of Commissioner Pocklington, seconded by Commissioner Davis, the commissioners dispensed with reading the minutes of July 7, 2003, and approved said minutes.

Item 2

Executive Officer's Recommended Agenda Revisions

Michael Ott indicated he is recommending that the Commission continue Items 8A and 8B to a future meeting. Mr. Ott said that he would explain the revised recommendation to continue these items when they are heard by the Commission.

Item 3

Commissioner/Executive Officer Announcements

Commissioner Pocklington requested that the Commission meeting be adjourned in memory of James "Ski" Wolniewicz, a member of LAFCO Special Districts Advisory Committee since 1999, and the South Bay Irrigation District's Board of Directors since 1992, who passed away on July 12, 2003.

Mr. Ott indicated that at the September 8, 2003 meeting, the Commission would consider the municipal service review and sphere of influence update involving the North County Inland area.

Mr. Ott provided an update to the Commission regarding a meeting with the Mayor of the City of Vista and LAFCO staff, to discuss the moratorium the City has imposed on City annexations. Mr. Ott said the Vista City Council would hear this issue on

September 23, 2003, and that he would report to the Commission on the status of the moratorium after the hearing.

Mr. Ott explained that three handouts were distributed to the Commission members prior to the meeting, indicating one handout concerned Items 8A and 8B, the other two handouts were related to Item 12.

Item 4
Public Comment

No members of the public requested to speak.

Item 5
Proposed “Samples Reorganization”
(City of Encinitas) (RO03-07)

On motion of Commissioner Pocklington, seconded by Alternate Commissioner Rexford, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Certified that the determination by the City of Encinitas that this reorganization is exempt by Section 15319(b) of the State CEQA Guidelines has been reviewed and considered; and
- (2) Adopted the form of resolution approving this reorganization for the reasons set forth in the Executive Officer’s Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following condition:

Payment of LAFCO and State Board of Equalization fees.

Item 6
Proposed “Cressy Reorganization”
(Vallecitos Water District) (RO03-06)

On motion of Commissioner Pocklington, seconded by Alternate Commissioner Rexford, and carried unanimously by the commissioners present, the Commission took the following actions:

- (1) Found in accordance with the Executive Officer's determination, that pursuant to Section 15320 of the State CEQA Guidelines, the reorganization is not subject to the environmental impact evaluation process because the changes of organization of these local governmental agencies do not change the geographical area in which previously existing powers are exercised; and

- (2) Adopted the form of resolution approving this reorganization for the reasons set forth in the Executive Officer’s Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization subject to the following terms and conditions:

Vallecitos Water District

- a) Payment of the following annexation fees to the Vallecitos Water District for inclusion of property in Improvement Districts 5 & 6 for water and sewer service:

Sewer annexation	=	\$ 8,119.18
Water annexation	=	\$ 2,132.57
State Board of Equalization fee	=	\$ <u>350.00</u>
TOTAL AMOUNT	=	\$10,601.75

- b) Connection to district water or sewer mains will be allowed after completion of the annexation to VWD, detachment from VID, final approval from LAFCO, payment of all annexation fees and payment of all current fees and charges, and Board acceptance of all water and sewer facilities for the project.

Vista Irrigation District

- a) Payment of the following detachment fees to the Vista Irrigation District:

VID Administration Fee	=	\$ 611.00
Detachment Fee	=	\$ 767.36
Execution and Assignment of Water Rights Document	=	\$ <u>62.00</u>
TOTAL AMOUNT	=	\$ 1,440.36

- b) Payment by the property owner of LAFCO processing fees and State Board of Equalization charges.

Item 7A
Adoption of an Amendment to the Sphere of Influence
for the Lakeside Sanitation District (SA02-16)

Item 7B
Proposed “Blossom Valley Middle School Annexation”
to the Lakeside Sanitation District (DA02-16)

Chairwoman Jacob opened the public hearing. Mr. Ott gave a brief explanation of this item and indicated that he was recommending the item be continued for a period not to exceed 60 days. He said the reason for the continuance was that staff needs time to

evaluate the comments that have recently been received and also to evaluate the ramifications of the annexation and sphere amendment on the sphere of influence update and municipal service review process. The Commission waived the staff report on this item.

Janice Cook, Superintendent, Cajon Valley School District, addressed the Commission, and thanked the members and staff of the Lakeside Sanitation District, who have worked with the School District on this project for the past two years. She indicated she was surprised the recommendation was to continue these items. She said that the District circulated a notice of preparation describing the project more than a year ago, and the public, neighbors and jurisdictional agencies were apprised of the notice of preparation. She said the School District presented the proposed project as a courtesy to the Alpine Planning Group and the Lakeside Planning Group in the summer of 2002. She said that extensive outreach was made communicating the project to the public and area residents, and their comments were addressed and included in the Environmental Impact Report (EIR). She indicated that on April 2, 2003, the draft EIR was distributed and available for public review through May 16, 2003. She said the School District's governing board held a public hearing to receive comments on the EIR on May 13, 2003. She said all jurisdictional agencies' draft comments were responded to on July 12, 2003. Ms. Cook said the Cajon Valley School District's governing board certified and approved the final EIR as complete and adequate, in addition to approving the findings of facts; and supported the Blossom Valley Middle School project in a statement of overriding considerations on June 24, 2003. To fully address possible concerns relating to the EIR, Ms. Cook stated the opening date for the proposed middle school project was "pushed back one year." She indicated the school district is experiencing tremendous over-crowding in that portion of the district and further delays will continue the overcrowding. She indicated the specific issues regarding environmental concerns have been fully addressed in the EIR. She said she would encourage the Commission to move forward with the project, and that any delay to the project will mean further delay of the opening of the school and may actually jeopardize the "state-matching funds."

Responding to a question from Chairwoman Jacob, Ms. Cooper indicated that a lawsuit has been filed, which is a challenge to the EIR, and said this "lawsuit" would not have an impact on the Commission's deliberations.

Chairwoman Jacob said the Executive Officer's recommendation is to continue these items in order to give staff a chance to look at the new issues in terms of the municipal service review, which has been in progress since the Alpine Christian Fellowship Church annexation was approved in 2000. Chairwoman Jacob said that a 30-day continuance would not delay the opening of the school.

Wayne Oetken, Assistant Superintendent – Business Services, Cajon Valley School District, addressed the Commission, indicating the opening of the school was delayed for one year to accommodate concerns from the community. Mr. Oetken said the project is the result of a bond that was passed over two years ago. He said the children in the

community are transported out of the region to attend middle school due to an overcrowded situation.

Commissioner Davis asked Mr. Oetken about the deadline regarding the state-matching funds. Mr. Oetken said the issue should go to the State no later than November 2003.

Evelyn Provaznik addressed the Commission, indicating she feels the EIR is inadequate, incomplete and should not have been adopted by the Cajon Valley Union School District. She said she is asking the Commission to deny the request for annexation, or wait to make a decision until after the legal matters have been resolved.

Chairwoman Jacob explained to Ms. Provaznik that the request to continue this item was not because of the legal issues, but rather for staff to have the time to analyze the request in relationship to the municipal service review process.

Tammy Carter addressed the Commission, indicating she read the entire EIR and felt that it was inadequate and incomplete. She said she was amazed at how the District "brushed over or glossed over" so many things, and at how biased the EIR was toward the School District. Ms. Carter said she also had a question regarding the connection at Chocolate Summit, and whether the elevation is high enough to supply the site with sewer connection. She asked if LAFCO would be taking this issue into consideration. Ms. Carter said she is hoping Dunbar Lane will not have to be realigned to meet the elevation connection for the sewer.

In response to a question of Chairwoman Jacob, Mr. Ott said that the provision of sewer service does represent a LAFCO issue, and staff will look into the matter before the next meeting.

Responding to Chairwoman Jacob's request to explain LAFCO's responsibilities regarding the environmental document, Mr. Ott introduced Legal Counsel Mara Elliott, who indicated that pursuant to regulations in the Public Resources Code, the EIR is treated as a certified document, and LAFCO does not reanalyze what is contained in the EIR.

Chairwoman Jacob asked Mr. Ott to explain the focus of LAFCO. Mr. Ott indicated that for this annexation, the focus of LAFCO will be on the service ramifications of extending sewer service to the particular site. He said questions have been raised regarding the capacity and the availability of service that staff needs to thoroughly consider before the next meeting. He said that one determination that LAFCO will need to make for this annexation is whether or not the sphere of influence needs to be amended to accommodate the annexation. He said the sphere of influence is a planning tool that LAFCO establishes to show where jurisdictional boundaries should be expanded. He said that the primary factors LAFCO considers in determining whether or not spheres of influence should be amended are if services are available, and if there is sufficient capacity for the extension of services. Mr. Ott said that LAFCO also considers other required factors such as social and economic issues.

Alternate Commissioner Mathis asked for clarification of the certifying agency and decision-maker for this project. Chairwoman Jacob indicated the Cajon Valley School District was the certifying agency and decision-maker.

Chairwoman Jacob said that anyone who has questions or comments should submit their concerns to Mr. Ott in writing before the proposal returns to the Commission.

Commissioner Wootton asked Mr. Ott to explain the wording of LAFCO's certification of the EIR in Recommendation 2 of the staff report. Mr. Ott said that under the California Environmental Quality Act, LAFCO is a responsible agency for this project, and that the school district, not LAFCO, is the lead agency. He said the school district prepared and certified the EIR. Mr. Ott said that LAFCO's role as responsible agency is to review and consider the environmental determinations of the lead agency. Mr. Ott said that Recommendation 2 on page 3 of the staff report indicates... "*Certify*, pursuant to Section 15091 of the State CEQA Guidelines, that the Commission has reviewed and considered the attached EIR." Mr. Ott said that, in this case, LAFCO is certifying the *decision* that the school district made in adopting their environmental impact report. Mr. Ott said the statement of overriding considerations shows that there are offsetting benefits associated with the project. Mr. Ott said that, as a responsible agency, the Commission will be asked to review, consider and approve the previously adopted determinations by the lead agency.

Chairwoman Jacob indicated that she would move the Executive Officer's recommendation to continue these items be approved. Commissioner Pocklington said he would second the motion, and expressed his concerns about the delay and said he hoped staff could bring the item to the Commission in September rather than October. Commissioner Pocklington indicated he wants to move forward with this project as quickly as possible.

Responding to a question from Commissioner Wootton, Mr. Ott explained the Commission's options regarding this project. Mr. Ott said that the Dunbar Lane Task Force has filed a lawsuit challenging the adequacy of the EIR.

Responding to a question from Chairwoman Jacob, Legal Counsel Mara Elliott said she agreed with everything that Mr. Ott said and that she did not have anything to add.

On motion of Commissioner Jacob, seconded by Commissioner Pocklington, and carried unanimously by the commissioners present, the Commission closed the public hearing, and took the following action:

Continued Items 7A and 7B to the September 8, 2003 meeting.

Item 8A
Adoption of an Amendment to the Sphere of Influence for the Lakeside Sanitation District (SA03-09)

Item 8B
Proposed “Caster Properties Annexation” to the Lakeside Sanitation District (DA03-09)

Chairwoman Jacob opened the public hearing. The Commission waived the staff report on this item.

With no members of the public wishing to speak in support or in opposition of the item, on motion of Commissioner Vanderlaan, seconded by Commissioner Wootton, and carried unanimously by the commissioners present, the Commission closed the public hearing, and took the following actions:

- (1) Found in accordance with the Executive Officer’s determination, that pursuant to Section 15320 of the State CEQA Guidelines, the annexation is not subject to the environmental impact evaluation process because the proposal area involves a change in organization, which does not change the geographical area in which previously existing powers are exercised.
- (2) Amended the sphere of influence of the Lakeside Sanitation District and adopt the written Statement of Determinations as shown in Exhibit A;
- (3) Adopted the form of resolution approving the minor sphere amendment and annexation for the reasons set forth in the Executive Officer’s report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering annexation subject to the following term and condition:

Payment of all District annexation fees and Board of equalization fees.

Item 9
Proposed “Ruiz Annexation” to the Spring Valley Sanitation District (DA03-20)

This was an information item and no action was required.

Item 10
Proposed “Silva Annexation” to the Vallecitos Water District (DA03-21)

This was an information item and no action was required.

Item 11

Proposed Amendment to the Sphere of Influence for the City of San Marcos: San Elijo Ridge Reorganization – Commission direction is requested on whether to process the San Elijo Ridge Reorganization as a City Sphere Amendment or Sphere Update

Mr. Ott indicated LAFCO staff is requesting direction from the Commission on whether to process the proposed “San Elijo Ridge Reorganization” as a minor sphere amendment, or a comprehensive update of the San Marcos Sphere of Influence. Mr. Ott introduced Shirley Anderson, who gave the staff report, which included a PowerPoint presentation.

Commissioner Wootton said he is concerned about the definition of a minor sphere amendment. He said that he feels this project is “right on the edge or a couple of steps beyond what could reasonably be called a minor sphere amendment.” He said that, because he feels uncomfortable in continuing to approve “minor” sphere amendments without the sphere review process, he would abstain from voting on this item.

Responding to a question from Commissioner Pocklington, Mr. Ott indicated that the City of San Marcos is not part of the North County Inland Municipal Service Review and Sphere of Influence Update, which will be heard by the Commission at the September meeting. Commissioner Pocklington asked if the delay in municipal service reviews and sphere of influence updates is the result of lack of staffing. Mr. Ott indicated that LAFCOs statewide are dealing with this issue, and that none of the LAFCOs have sufficient staff to update municipal service reviews and spheres of influence every five years. Mr. Ott said San Diego LAFCO is hoping to streamline the process to make it more workable, and said it is a resource issue in terms of staffing and costs.

With Commissioner Wootton abstaining, on motion of Commissioner Horn, seconded by Commissioner Pocklington, the Commission took the following action:

Authorized LAFCO staff to process the San Elijo Ridge Reorganization as a minor amendment to the City of San Marcos sphere of influence.

AYES: Commissioners Davis, Horn, Jacob, Pocklington, Vanderlaan, and Alternate Commissioner Rexford

NOES: None

ABSTAIN: Commissioner Wootton

ABSENT: Commissioners Frye and Greer

Item 12
Sphere of Influence Summary Updates

Ingrid Hansen indicated that the San Diego LAFCO's *2003 Sphere of Influence Summary for Cities and Special Districts* were distributed to the Commission in the agenda packet. Ms. Hansen said that during the last fiscal year the Commission approved 14 minor sphere amendments for independent special districts, but there were no city sphere amendments approved during this period. She said an increase in activity is anticipated for the next several years, because sphere reviews and updates are required every five years.

This was an information item and no action was required.

Item 13
Annual CALAFCO Conference – September 24-26, 2003, and Designation of Voting Representative and Nominations(s)

Mr. Ott presented the staff report, indicating the CALAFCO Conference will be held September 24 – 26, 2003, in San Francisco. He said that Commissioner Wootton, who is an executive board member, will be attending, and that two to four Commissioners would be able to attend.

Commissioner Wootton said he would encourage Commissioners to attend the conference this year, and that CALAFCO Board elections will be held at the conference.

Commissioner Vanderlaan indicated that he would like to attend the conference and would be interested in running for public member on the CALAFCO Executive Board.

Commissioner Davis indicated that she would like to attend the conference.

Commissioner Horn indicated that he would like to attend the conference, if his schedule permits.

Chairwoman Jacob indicated the Alternate Commissioner Rexford would be designated as a possible backup

On motion of Commissioner Pocklington, seconded by Commissioner Davis, and carried unanimously by the commissioners present, the Commission took the following action:

- (1) Determined that Commissioners Wootton, Vanderlaan, Davis and Horn attend the Annual CALAFCO Conference from September 24 – 26, 2003, with Alternate Commissioner Rexford designated as a backup.

On motion of Commissioner Davis, seconded by Commissioner Pocklington, and carried unanimously by the commissioners present, the Commission took the following action:

- (2) Determined that Commissioner Vanderlaan should be nominated to be considered for the CALAFCO Executive Board public member.

On motion of Commissioner Pocklington, seconded by Commissioner Davis, and carried unanimously by the commissioners present, the Commission took the following action:

- (3) Designated Commissioner Wootton as the San Diego LAFCO's primary CALAFCO voting representative during the 2003 CALAFCO business session.

Item 14
Fourth Quarter Budget Update FY 2002-03

This was an information item and no action was required.

Item 15
Quarterly Self-Approved Expense Claims Report

This was an information item and no action was required.

Item 16
2003-04 Legislative Report

Mr. Ott discussed Chapter 8 of the Governor's Office of Planning and Research Municipal Service Review Guidelines, indicating CALAFCO opposes the section regarding environmental justice. Mr. Ott said this section was put into the guidelines without the necessary review of task force members.

Commissioner Wootton said that the comments, suggestions and requirements included in Chapter 8 deals with sphere of influence decisions rather than municipal service review decisions. He said the authors wanted to get the environmental justice provisions into the guidelines so that agencies around the state would take them into consideration.

This was an information item and no action was required.

Commissioner Davis indicated she would not be attending the September 8, 2003 LAFCO meeting.

Alternate Commissioner Rexford indicated she would not be attending the September 8, 2003 LAFCO meeting.

There being no further business to come before the Commission, and with Commissioner Pocklington saying a few words in memory of James "Ski" Wolniewicz, the meeting adjourned at 10:05 a.m., to the September 8, 2003 meeting, in Rooms 302-303, County Administration Center.

JAN BRYSON
Executive Assistant

CONSENT ITEM

LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

FOR MEETING OF: September 8, 2003

Proposals

“Onyx Ridge Sewer Service Latent Powers Expansion” (Olivenhain Municipal Water District)
(LP01-02)

“Onyx Ridge Reorganization” (Rancho Santa Fe Fire Protection District/County Service Area No. 107 – Elfin Forest)
(RO01-02)

Proponent

Sewer Service Latent Powers Expansion: Olivenhain Municipal Water District, by resolution

Reorganization: Property owner, by petition

Description/Justification

Proposed by resolution of the Olivenhain Municipal Water District (MWD) is expansion of the District’s sewer service latent powers to include approximately 21.33 acres of vacant territory. The Olivenhain MWD provides water services throughout the district; however, it may provide sewer services only within two specific latent powers areas (Rancho Cielo and 4S Ranch); extension of sewer services beyond the latent power areas requires commission approval. The purpose of the latent powers expansion is to extend sewer services to a proposed nine-parcel development that will require public sewer service. A reorganization involving detachment from County Service Area (CSA) 107 (Elfin Forest) and concurrent annexation to the Rancho Santa Fe Fire Protection District (FPD) is proposed by property owner petition.

The subject territory is located in the unincorporated San Dieguito Community Plan area and is included in the Rancho Cielo Specific Plan Area (SPA). The County of San Diego has conditionally approved a tentative map under the SPA that will create nine residential lots, one road lot, and one open space lot on 80.5 acres; the developable lots—approximately 21.33 acres—are the subject of reorganization and expansion of latent powers. The subject territory is currently within CSA 107 for fire protection services; however, the District indicates that because of access and topography constraints, the Rancho Santa Fe FPD can most practically serve the Onyx Ridge residential lots. CSA 107 has a “zero” sphere of influence, which indicates that the District’s service function will

ultimately be provided by another agency; accordingly, all territory within CSA 107 is within the sphere of influence of the Rancho Santa Fe FPD to facilitate a reorganization between the two fire protection agencies.

The subject area is also within the boundary of the Olivenhain MWD and the District will provide public water service to the proposed project area. The subject area is not within the Olivenhain MWD's sewer service area, and expansion of latent powers for sewer service to include the 21.33 acres is required. Wastewater from the development will flow into the Rancho Cielo sewer system and be pumped via force main to Olivenhain MWD's 4S Ranch Wastewater Treatment Plant. The treatment plant has sufficient capacity to serve the property. The project area is within the sewer service sphere of influence.

The Board of Supervisors has adopted a resolution approving a property tax exchange for this proposal.

General Plan/Zoning

County General Plan designation: San Dieguito Community Plan 21 SPA
County zoning: RR1 Rural Residential

Location

West of State Highway 6 (Del Dios HWY), east of Suerte Del Este, south of Elfin Forest Road, and north of Camino Sin Puente in the unincorporated San Dieguito Community Plan area (Thos. Bros. pg. 1148 H/4).

Executive Officer Recommendation

- (1) Certify pursuant to Section 15091 of the State CEQA Guidelines, that the mitigation measures included in the attached resolution of approval of the County of San Diego for the impacts identified in the attached EIR have been adopted by the County of San Diego, and that the mitigation is within the jurisdiction of the County of San Diego and not LAFCO because the affected resources and services are within the unincorporated area of the County; and
- (2) Adopt the form of resolution approving the expansion of sewer service latent powers for the Olivenhain Municipal Water District, and the reorganization of territory between County Service Area 107 (Elfin Forest) and the Rancho Santa Fe Fire Protection District for the reasons set forth in the Executive Officer's Report, and delegate to the Executive Officer the responsibility for holding conducting authority proceedings for the reorganization subject to the following conditions:
 - (a) A sewer master plan acceptable to the Olivenhain Municipal Water District (MWD) must be completed. Sherman and Sons, LLC will pay a pro-rate share for this sewer master plan.

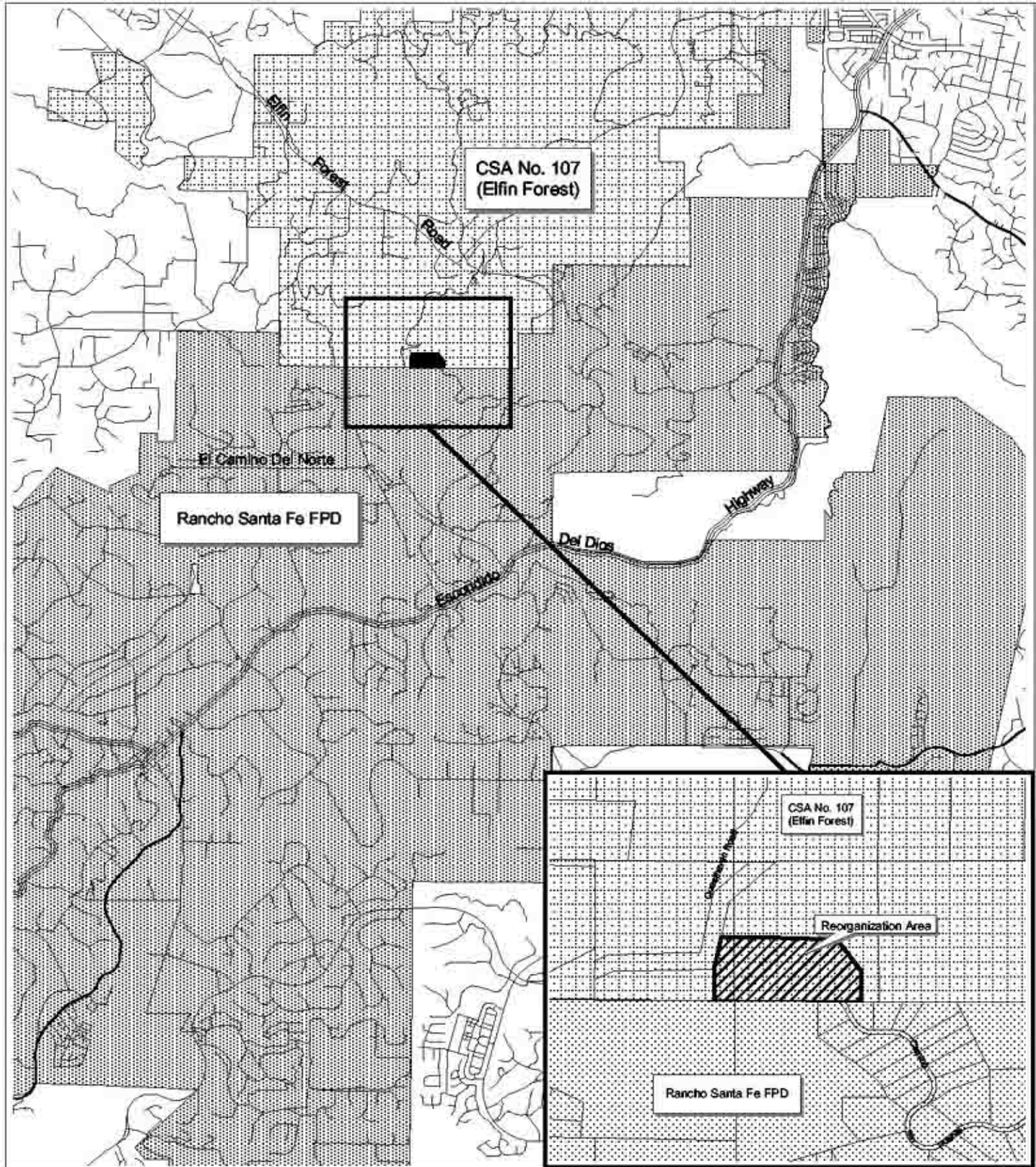
- (b) Sherman and Sons, LLC is required to pay all applicable sewer capacity fees and all other fees and charges of the Olivenhain MWD in accordance with the District's Rules and Regulations.
- (c) Sherman and Sons, LLC is required to provide all fee sites and easements as required for construction of on-site facilities as required by the Olivenhain MWD, in its sole discretion.
- (d) Sherman an Sons, LLC is required to construct all onsite and offsite sewer facilities as required by the Olivenhain MWD, in its sole discretion.
- (e) Sherman and Sons, LLC will be required to comply with all Local Agency Formation Commission terms and conditions, to pay all Local Agency Formation fees and charges, and to pay the Olivenhain MWD for all staff time, engineer time, attorney's fees and consulting fees and costs incurred in an effort to obtain this approval.
- (f) Sherman and Sons, LLC must secure an approved Final Map.
- (g) Olivenhain MWD annexation fees must be paid in accordance with Article 24 (as amended) of the District's Administrative Code.
- (h) Sherman and Sons, LLC will be required to reach a funding agreement with the developers of Rancho Cielo to pay for their proportionate share of the construction of the Rancho Cielo Fire Station.
- (i) Sherman and Sons, LLC will be required to pay annexation fees to the Rancho Santa Fe Fire Protection District (FPD) in accordance with Ordinance 00-01 adopted by the Board of Directors June 14, 2000 as follows:

Each acre or portion there of:	\$500.00
Each dwelling site:	\$160.00
Each commercial/industrial lot	\$200.00

Attachments

Vicinity Map
Environmental Impact Report

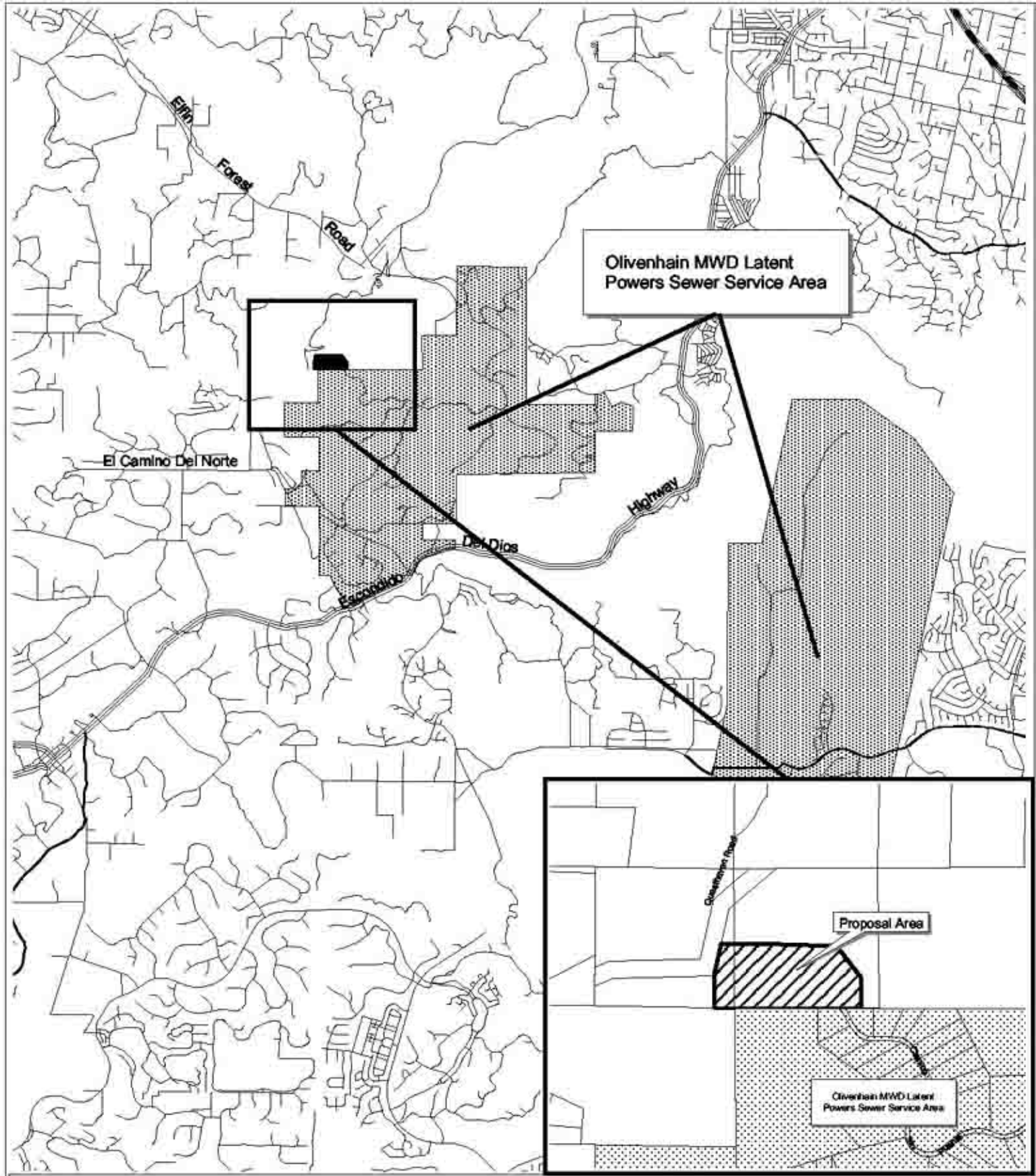
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RO01-02

**PROPOSED "ONYX RIDGE REORGANIZATION"
(RANCHO SANTA FE FIRE PROTECTION DISTRICT
AND CSA No.107: ELFIN FOREST)**





LP01-02

**"ONYX RIDGE SEWER SERVICE LATENT POWERS EXPANSION"
(OLIVENHAIN MWD)**



SAN DIEGO **LAFCO**

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CONSENT ITEM

**LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: SEPTEMBER 8, 2003

Proposal

“Gabriel Plamondon Annexation” to the Buena Sanitation District
(DA03-16)

Proponent

Property owner, by petition

Description/Justification

Requested by the property owner is the annexation of a 4.54-acre parcel that is the subject of a Tentative Parcel Map (TPM), which allows the property to be subdivided into 3 lots ranging in size from 1.43 to 1.57 acres each. One single-family home will be constructed on each lot. Final approval of the TPM is conditioned on annexation to an agency providing sewer service. The City of Vista cannot efficiently provide sewer service since the parcel is located nearly a mile from the city boundary. Buena Sanitation District (SD) has capacity to serve the site from a sewer line located adjacent to the property. In addition, annexation to Buena SD will reduce the size of an existing district island. The Vista Irrigation and Vista Fire Protection Districts will provide water and fire protection services. The Board of Supervisors has adopted a Master Enterprise District Resolution stating that no property tax transfer would be required as a result of this jurisdictional change.

General Plan/Zoning

North County Metro Community Plan: (2) Residential (1 du/acre)
County zoning: Residential 2 (2 du/acre)

Location

North of Emma Road, east of Emma Lane, west of Vista Canyon Circle, and south of Camino De Las Lomas (Thos. Bros. pg. 1088/F7).

Executive Officer Recommendation

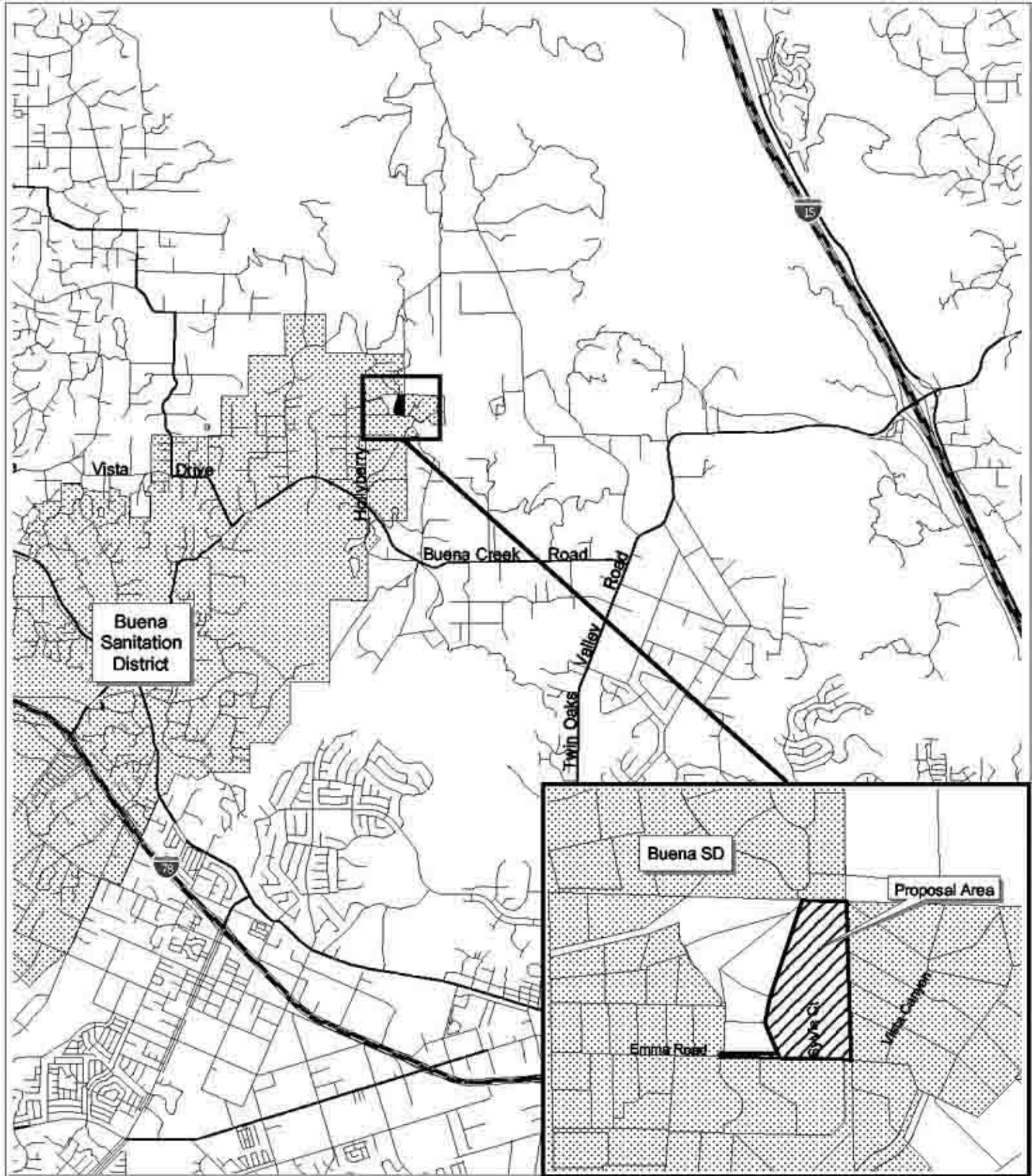
- (1) Certify that the information contained in the Negative Declaration prepared by the County of San Diego has been reviewed and considered; and

- (2) Adopt the form of resolution approving the annexation for the reasons set forth in the Executive Officer's Report, waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the annexation.

Attachments

Vicinity Map
Negative Declaration

MDO:IEH:jb



DA03-16

**PROPOSED "GABRIEL PLAMONDON ANNEXATION"
TO THE BUENA SANITATION DISTRICT**



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CONSENT ITEM

**LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: SEPTEMBER 8, 2003

Proposal

“Rilington, et al. Annexation” to the City of San Marcos
(CA03-18)

Proponent

City of San Marcos, by resolution

Description/Justification

The City of San Marcos is requesting annexation of four parcels totaling approximately 39.89 acres. The proposed annexation area is located in an unincorporated county island surrounded by the Cities of San Marcos and Carlsbad. Two of the four parcels, which cover approximately 33.28 acres, are being developed with 21 single-family residences according to a County of San Diego Tentative Map (TM). Conditions of the County TM required the property owner to enter into an *Irrevocable Offer of Annexation* (IOA) with the City of San Marcos and the San Marcos Fire Protection District (FPD). The IOA requires: (1) annexation to the City of San Marcos; (2) annexation to a San Marcos FPD Community Facilities District (CFD) for fire services; (3) annexation to a City CFD for police and fire services; and (4) annexation to a City CFD for lighting, landscaping and open space maintenance. The parcels are already within the Vallecitos Water District (WD) for water and sewer services and receive fire protection services from the city-dependent San Marcos Fire Protection District (FPD). The City has adopted a general plan amendment and rezoning for the two parcels to mirror density under the TM approved by the County. A third parcel of approximately 2.97 acres is developed with one single-family residence; the fourth parcel of approximately 3.64 acres is developed with a wholesale nursery. The property owners of these two parcels have requested city annexation and the City has adopted a general plan amendment and rezoned the two parcels. The parcels receive water and sewer services from the Vallecitos WD and fire protection services from the San Marcos FPD. Inclusion of these parcels in the annexation proposal will reduce the size of an existing island area.

The four island parcels that comprise the Rilington, et al. Annexation are contiguous to the City of San Marcos and within the City’s adopted sphere of influence. The City of San Marcos Council and the Board of Supervisors have adopted a Master Property Tax Exchange Agreement that pertains to this proposal.

General Plan/Zoning

APN 222-010-31 & 43:

County of San Diego General Plan: Residential (.125-1 du/acre)

County Zoning: RS-3 (2 du/acre)

City of San Marcos General Plan: Single Family Residential

City of San Marcos prezone: E-1-20 (1-2 du/acre)

APN 222-041-10 and APN 222-041-11:

County of San Diego General Plan: Residential: (.125-1 du/acre)

County Zoning: RR-1 (1du/acre)

City of San Marcos General Plan: Single Family Residential

City of San Marcos prezone: A-1 (.125-1 du/acre).

Location

East of Melrose Drive, west of Rancho Santa Fe Road, south of Coast Avenue, and north of Redwing Street in an unincorporated island surrounded by the City of San Marcos to the north and east and the City of Carlsbad to the west (Thos. Bros. pg.1128 A/4).

Executive Officer Recommendation

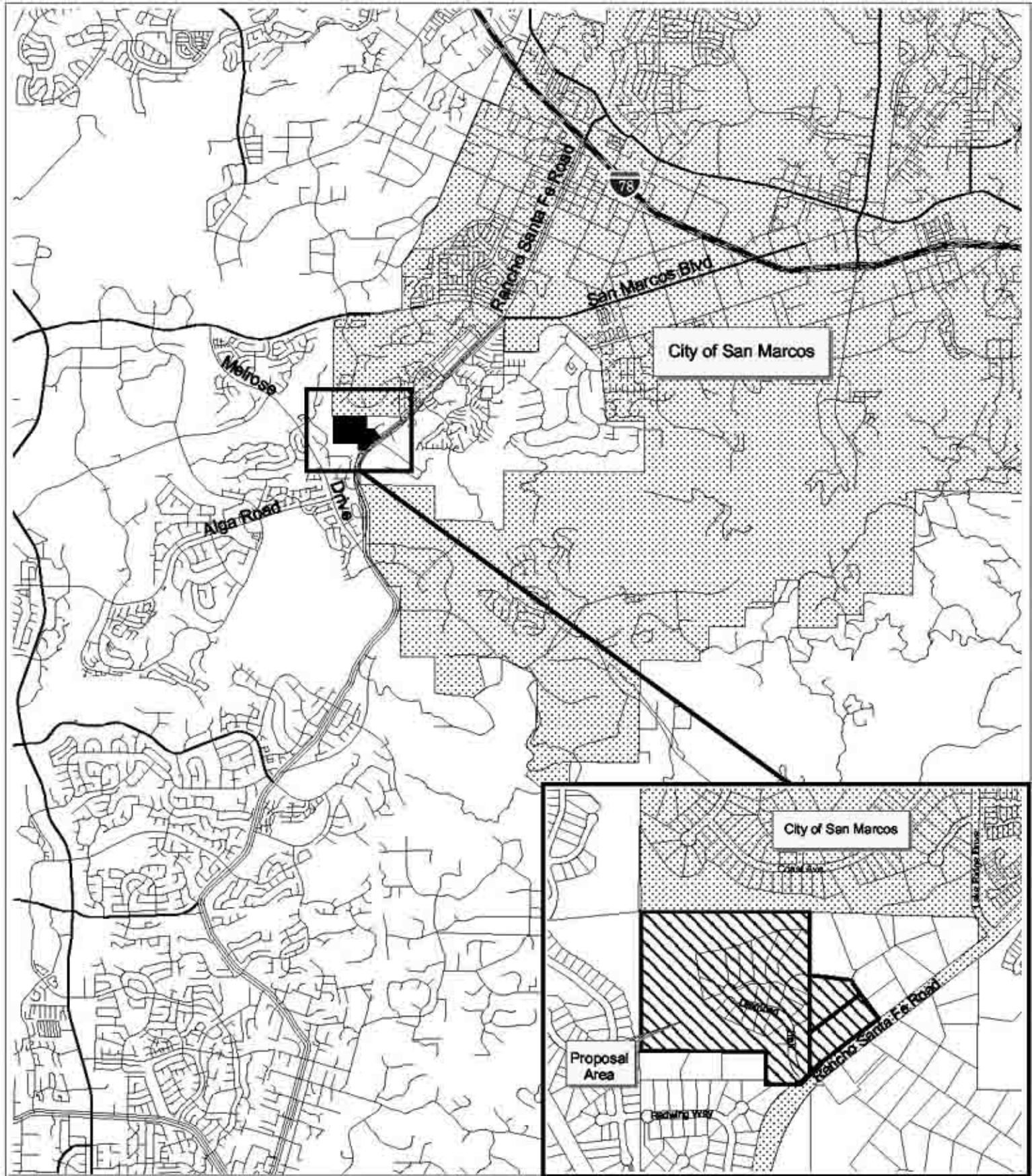
- (1) Certify that the information contained in the Mitigated Negative Declaration prepared by the City of San Marcos has been reviewed and considered; and
- (2) Adopt the form of resolution approving this annexation for the reasons set forth in the Executive Officer's report, consistent with Government Code Section 56375(m), waiving Protest Proceedings according to Government Code § 56663(c) and ordering the annexation.

Attachments

Vicinity Map

Mitigated Negative Declaration

MDO:SA:jb



CA03-18

**PROPOSED "RILINGTON ET AL. ANNEXATION"
TO THE CITY OF SAN MARCOS**



SAN DIEGO LAFCO

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9A
9B

September 8, 2003

TO: Local Agency Formation Commission

FROM: Executive Officer

SUBJECT: Adoption of an Amendment to the Sphere of Influence for
the Lakeside Sanitation District (SA02-16)

Proposed "Blossom Valley Middle School Annexation" to
the Lakeside Sanitation District (DA02-16)

At the August 4, 2003 LAFCO meeting, your staff recommended that the Commission continue the hearing on the Blossom Valley Middle School Annexation (Lakeside Sanitation District) to the September 8 meeting. LAFCO staff felt that additional time was necessary to evaluate the ramifications of the annexation and related sphere of influence amendment. LAFCO staff also needed an opportunity to thoroughly address comments made by commissioners and members of the public. The recommendation to continue the item to the September 8 meeting was unanimously approved by the Commission on August 4.

Attached to the September 8 staff report are the following: (1) August 4, 2003 LAFCO staff report on the Blossom Valley Middle School Annexation to Lakeside SD, (2) August 8, 2003 LAFCO referral letter to the County Department of Public Works, (3) August 6, 2003 memorandum from Supervisor Jacob regarding sewer service issues, (4) August 22, 2003 County Department of Public Works response to LAFCO referral letter, (5) July 22, 2003 Dunbar Lane Task Force Lawsuit against the Cajon Valley Union School District, (6) August 25, 2003 correspondence from the Cajon Valley Union School District, and (7) August 26, 2003 correspondence from the Cajon Valley Union School District Citizens Oversight Committee. The Commission has already received other materials related to this item in August, such as the Environmental Impact Report (EIR) for the Blossom Valley Middle School and a resolution adopted by the Cajon Valley Union School District certifying the EIR and Statement of Overriding Considerations. The Commission should retain the EIR and associated attachments until further notice.

As discussed in the September 8 staff report, the 30-day continuance has been helpful - LAFCO staff researched issues regarding sewage capacity, groundwater and sewer line conditions, school capacity, environmental assessment, spheres of influence, and municipal service review. Based on the additional research, LAFCO staff believes that justification exists for the approval of the proposed non-substantial (minor) sphere amendment and annexation of the Blossom Valley Middle School site to the Lakeside SD. The Commission should review the results of this research and provide direction. Further details follow.

Wastewater Service Issues

Capacity

- *Issue:* Amount of capacity (expressed in million gallons per day and EDUs) currently available in the Lakeside SD.

Response: Based on the agreement between the Lakeside SD and the City of San Diego's Metropolitan Sewage System (Metro), there is a total of 3.91 million gallons per day (mgd) of capacity available, or 16,292 EDUs (based on 240 gpd/EDU). This amount refers to treatment and disposal capacity with Metro only.

- *Issue:* Current total flow and available remaining capacity in the Lakeside SD.

Response: The current average flow is 3.114 mgd (12,975 EDUs per July 2003 wastewater monthly report). The remaining capacity is therefore 0.796 mgd (3,316 EDUs).

- *Issue:* EDUs necessary if vacant parcels within the Lakeside SD were built out.

Response: According to a Facility Plan Study completed in 2002 by RBF Consulting Engineers, 4,344 EDUs would be needed for the ultimate build-out. This accounts for all parcels that could be subdivided and vacant parcels based on the existing General Plan.

- *Issue:* Number of EDUs the proposed middle school is expected to use.

Response: According to the Cajon Valley District's LAFCO application, ultimate enrollment is projected to be 1,250 students. In accordance with the County's Uniform Sewer Ordinance, 1 EDU equates to 40 students, which computes to 31 EDUs ($1,250/40 = 31$). Staffing is included as part of the enrollment calculation.

- *Issue:* Remaining EDUs available for the middle school if the Lakeside SD were built-out.

Response: According to the Facility Plan Study, build-out of the District (to the sphere of influence boundary) would generate 4.25 mgd of flow (17,733 EDUs). This is 0.34 mgd (1,416 EDUs) more than the District's Metro System entitlement, so additional Metro capacity would have to be purchased at some point in the future (assuming there is capacity to purchase).

The Study also points out that by 2010 (in about 7 years), the District could reach its full Metro entitlement flow of 3.91 mgd. This means that within the District's sphere of influence boundary there may be no additional Metro capacity available after that time. However, according to research conducted by LAFCO staff regarding historical usage and actual wastewater discharge permits activity, there may be sufficient capacity for approximately 30 years (27.6 years). According to a five-year summary of monthly wastewater flow reports, the equivalent of an annual average of approximately 120 EDUs of wastewater discharge permits have been issued since 1998. Accordingly, if the remaining capacity within the Lakeside SD (0.796 mgd (3,316 EDUs)) were allocated according to actual average permit activity levels, then Metro capacity will be reached in approximately 30 years, rather than 7 years. The Facility Plan Study further stipulates that the actual time frame that will be required before capacity needs to be increased will vary based on the actual growth within the District. It will also depend on the results of any density increases that may occur within the District as a result of the County General Plan Update program (GP 2020).

Groundwater

- *Issue:* Contamination of wells caused by a sewer line break.

Response: There is always the possibility of contamination of surface or groundwater due to sewer line breaks or spills. Past experience suggests that any break or sewage spill would be quickly contained with little or no impact to area wells. If a break or spill were to occur upstream, the Galloway Pump Station would be shut down and the on-site "wet well" would be used to store effluent until the downstream problem was repaired. There is 6 hours of storage capacity at the Galloway site. Should the problem persist beyond that time, effluent would be temporarily transported out of the area by tanker truck.

Odors

- *Issue:* Neighbors in the area surrounding the proposed school are concerned about sewer line breaks, seepage, and an odor that they have indicated is present during the evening.

Response: There is no known record of any sewer line breaks or spills in the area of Dunbar Lane and Old Highway 80 with the exception of the following: On October 3, 2002, a soil boring operation ruptured the sewer force main located on Arnold Way in the vicinity of Puetz Valley Road. The Galloway Pump Station was shut down and the overflow was stopped within 50 minutes. This site is located approximately one mile east of Dunbar Lane.

The issue of odors has been addressed previously in a letter sent to LAFCO staff dated September 18, 2002, and in a letter addressed to the Chief Administrative Office dated January 30, 2003.

A follow up review was performed on August 13, 2003 by a Department of Public Works Wastewater Management field supervisor. The report noted that manhole No. 402-352-460A (Alpine Blvd) was monitored at 8:15 am on August 13, 2003. This location is at the end of the force main. No odors were observed and the sensor did not monitor any odors or gases. The field supervisor continued downstream to Dunbar Lane to location 402-201-294D. The monitor again registered no odors or gases. The field supervisor also proceeded downstream to Hawley Road (No. 396-042-405E), and the sensor observed no gases or odors. Monitoring downstream at Oak Glen Mobile Park was also conducted. A force main is located in this area at manhole No. 396-111-600A. No gases or odors were observed. Every manhole from the force main to Oak Glen was examined to ensure that they were completely sealed. All manholes were still sealed.

- *Issue:* Number of odor complaints over the past 5-10 years in the affected area.

Response: According to district records, there has been one odor complaint within the past five years (8/19/02). Within the past ten years there have been three odor complaints (1/4/96, 10/27/95, 11/28/94). On-going field review has failed to detect any odors from the public sewer system. As a precautionary measure all manholes in the area were sealed to ensure the public sewer was not a potential source of odor. It is suspected the source of these odors may be from private sewage system(s).

- *Issue:* Confirmation / identification of odor complaints.

Response: It has been confirmed to the County Department of Public Works (DPW) that any odors in the area are not caused by sanitation district operations. DPW Wastewater Management continues to routinely monitor all manholes in the area with gas detection equipment and physical inspection of each individual manhole to ensure any odors in the area are not caused by the public sewer system.

Adequacy of Existing Sewer Lines

- *Issue:* Replacement schedule and funding for the 25-30 year old Flynn Springs Force Main/Interceptor.

Response: The replacement of Flynn Springs (Galloway) Force Main is scheduled for construction in fiscal year (FY 2003-04). The replacement of the Flynn Springs Interceptor is included in the District's 10-year capital improvement program. Alpine Sanitation District will pay the cost for the Flynn Springs Force Main; Lakeside Sanitation District will pay the cost for the Flynn Springs Interceptor.

School Capacity

- *Issue:* Discrepancy between the average daily flows as reported by the school district (1.2%) and the environmental impact report (1.4%).

Response: The average daily flow in the Flynn Springs Interceptor at Dunbar Lane (location of School connection) is 420,000 gallons per day (0.420 mgd) based on actual flow records. The school would add an additional 31 EDUs that is equivalent to 5,270 gallons per day based on a flow rate of 170 gallons per EDU. The 170-gallon figure represents the average EDU flow rate. Dividing 5,270 gallons per day by 420,000 gallons per day equals a 1.2% increase in flow.

- *Issue:* Basis of the 1.2% flow increase and the sizing of the associated sewer line.

Response: The estimated 1.2% flow increase is based on total impact of 1,250 students plus staff. The sewer lateral is planned for an eight-inch diameter pipe that will connect to the District's ten-inch public sewer main located in Dunbar Lane. DPW staff analysis concludes an eight-inch lateral sewer would be more than adequate to support ultimate student enrollment/staff. After school activities would not be a factor in the sewer design due to the fact that there would always be sufficient capacity in the sewer when school is not in session.

- *Issue:* Elevation for the proposed sewer connection at Chocolate Summit and impact on whether Dunbar Lane needs to be realigned or re-graded.

Response: The proposed 8-inch diameter sewer will be connected to the existing manhole at Dunbar Lane. This 8-inch sewer (slope of 1.05%) will not require that Dunbar Lane or Chocolate Summit be realigned. However, the realignment proposed is to accommodate traffic requirements.

Environmental Impact Report

An Environmental Impact Report (EIR) was prepared by the Cajon Valley Union School District in 2002 and certified in 2003. LAFCO staff commented on various referrals from the Cajon Valley Union School District regarding the proposed EIR in 2002 and 2003. LAFCO staff raised concerns about agricultural land preservation and capacity information related to public service providers. In 2003, LAFCO staff's concerns were addressed and a Draft EIR was released for public review. Other affected agencies submitted written comments to the school district regarding the EIR. The County of San Diego (Department of Planning and Land Use) was among the agencies that submitted extensive comments. On June 24, 2003, the Cajon Valley Union School District adopted a resolution certifying the EIR and approved a Statement of Overriding Consideration.

The EIR found that significant, unavoidable impacts would occur despite implementation of mitigation measures. The school district's Statement of Overriding Considerations acknowledged that social, economic, legal, technological benefits of building the school would exceed the resulting environmental impacts. For example, the school district determined that having a middle school in the area would decrease local traffic, since students could walk or ride bikes to a nearby location rather than having to be driven farther to attend classes. As more fully discussed in the materials provided to the Commission on August 4, 2003 (LAFCO staff report, EIR, and Statement of Overriding Considerations), other unavoidable impacts were identified, but the school district concluded that the value of the school project would be greater than the environmental impacts that may result from its implementation.

The statute of limitations on filing environmental lawsuits against Lead Agencies is usually 30 days from the date that a Notice of Determination has been filed on the certification of an EIR. On July 17, 2003, the Dunbar Lane Task Force, an unincorporated association of residents within the vicinity of the proposed school, filed an environmental lawsuit against the Cajon Valley Union School District. No other lawsuits were filed. As of this writing, the Dunbar Lane lawsuit contains no injunction to stop the process. The lawsuit contains two causes of action. The first cause of action alleges that the project alternatives analysis was inadequate and that different standards of significance were applied to the preferred project. The lawsuit also alleges that environmental problem solving was deferred after project approval without performance standards. In addition, it is alleged that the mitigation measures were inadequate related to biological, water, riparian, and wetlands resources, and wildfire

and brush management. The second cause of action alleges that the Cajon Valley Union School District committed prejudicial abuse of discretion in that it failed to adequately analyze impacts to visual quality, public safety, traffic, biological resources, and impacts caused by proposed mitigation measures. It is alleged that findings of significance are not supported by substantial evidence in the record.

According to the Public Resources Code (Section 21167.3(b)), responsible agencies, such as LAFCO, are required to assume that the EIR for a project complies with the California Environmental Quality Act, if an action (lawsuit) is commenced, but no injunction is sought and granted. State Law also directs responsible agencies to approve (or disapprove) a project according to the timetable of the agency. If approval is granted, then the approval constitutes permission to proceed with the project at the applicant's risk (Cajon Valley Union School District and real party in interest) pending final determination of the lawsuit.

Sphere of Influence

Passage of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCOs to develop and determine the sphere of influence of each local governmental agency within the County in order to plan for and shape the logical and orderly development of areas. This requirement is intended to facilitate coordination of local governmental agencies in providing for the present and future needs of the County and its communities. A sphere of influence is a plan for the probable physical boundaries and service area of a local agency. Upon determination of a sphere, the Commission is required to review and update, as necessary, the adopted sphere not less than once every five years.

The primary service providers for the Blossom Valley Middle School site are the Lakeside Sanitation District, Padre Dam Municipal Water District, Lakeside Fire Protection District, and County Service Area No. 69. The sphere of influence for the Lakeside SD was originally adopted in 1985 and included about 1,600 acres beyond the district's boundaries. Since 1985, the Lakeside SD sphere has been amended 17 times, including about 158.86 acres. The Padre Dam MWD sphere of influence was originally adopted in 1983 and included an additional 340 acres. The Padre Dam MWD sphere has been amended 5 times, resulting in the addition of 113.88 acres and the removal of 57.19 acres. The sphere for the Lakeside FPD was originally adopted in 1983 and has been amended three times, resulting in the addition of 1,520 acres and the removal of 440 acres. The sphere for CSA No. 69 was adopted in 1989 and includes an additional 6,600 acres. The sphere has not been amended since the original adopted date.

The spheres for the Padre Dam MWD, Lakeside FPD and CSA No. 69 are all undergoing update. It is anticipated that the Commission will consider the updated

spheres and associated municipal service reviews within 1-2 years. The sphere for the Lakeside SD and other county dependent sanitation districts is targeted for update by 2006. Because infrastructure plans and service studies are dependent on the land use plans adopted by the County of San Diego, the spheres for county sanitation districts probably should not be updated until the County has updated its General Plan. It is anticipated that the County will adopt an updated general plan by 2006; however, there is a great amount of uncertainty about that date. LAFCO staff believes that a sphere update and municipal service review involving the Lakeside SD should not be conducted in advance of the update of the County General Plan. In fact, conducting the related LAFCO studies at this time could produce community and jurisdictional confusion, because the LAFCO studies would be based on assumptions contained in a county general plan that is clearly out of date and subject to revision. It also would be highly speculative and ineffective to conduct the LAFCO studies on a preliminary version of the new county general plan, because the County has not adopted specific land use designations and policies.

Municipal Service Review

The Governor's Office of Planning and Research (OPR) has prepared an advisory set of Municipal Service Review Guidelines (August, 2003). While the guidelines are not a regulatory document, they do contain some valuable suggestions. OPR's advisory guidelines define a substantial sphere of influence amendment as one that causes the sphere to be internally inconsistent, is inconsistent with provisions of the Cortese-Knox-Hertzberg Act, has the potential to cause significant adverse, social, economic, environmental or other consequences, or has substantial adverse regional planning implications. The statewide guidelines indicate that a substantial amendment to a sphere prior to a municipal service review would be inconsistent with service review requirements.

In addition to OPR's Municipal Service Review Guidelines, the San Diego LAFCO adopted local sphere update and service review guidelines in 2002. According to the Commission's adopted procedures, a minor sphere amendment may include anticipated boundary changes that are agreed upon by the affected jurisdictions, property owners, LAFCO staff and members of the public. In addition, territory that will need to be annexed to a public agency to resolve health, safety, and welfare issues and other similar circumstances are also considered minor sphere amendments (San Diego LAFCO Procedures Guide, 2002 Edition).

The significant environmental impacts identified by the Cajon Union School District are related to the development of the school project itself and not the provision of sewer services or the proposed sphere of influence amendment. Although OPR's Municipal Service Review Guidelines are of an advisory nature, the proposed sphere amendment for the Lakeside SD appears to substantially meet OPR's definitions of non-substantial

(minor) sphere amendments. In addition, the County Department of Public Works has confirmed that there are no significant public service issues associated with the delivery of sewer services to the Blossom Valley Middle School site. The proposed sphere amendment and annexation also are consistent with the Commission's local procedures regarding the definition of a minor sphere amendment. As discussed in the EIR prepared by the Cajon Union School District, the proposed middle school will help relieve school overcrowding, and provide recreational and learning opportunities for children. These are important components of the health, safety, and welfare criteria that the Commission has adopted for defining a minor (non-substantial) sphere amendment. Lastly, amendment of the Lakeside SD to include the proposed school site will not invalidate or negatively affect the integrity of the District's sphere. There is sufficient capacity for the extension of sewer services to the proposed school site and annexation is consistent with all applicable county policies and provisions of the Cortese-Knox-Hertzberg Act regarding logical and orderly development.

Conclusion and Recommendation

LAFCO staff researched issues regarding sewage capacity, groundwater and sewer line conditions, school capacity, environmental assessment, spheres of influence, and municipal service review. Based on the additional research, LAFCO staff believes that justification exists for the approval of the proposed non-substantial (minor) sphere amendment and annexation of the Blossom Valley Middle School site to the Lakeside SD. Therefore, it is

RECOMMENDED:

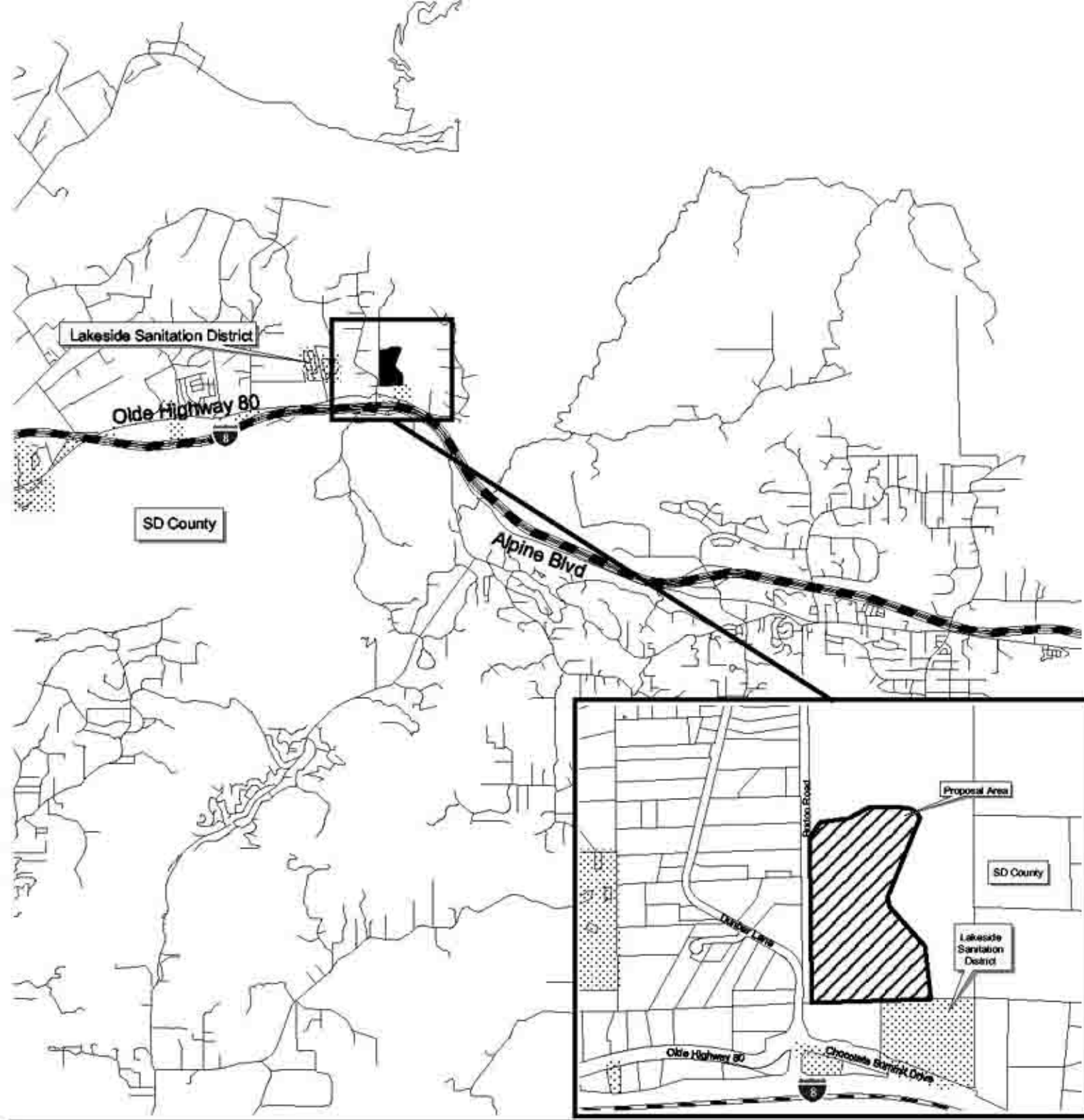
- (1) If the Commission concurs with the conclusions in the September 8, 2003 LAFCO staff report regarding the provision of sewer services, environmental review, and sphere of influence and municipal service review requirements, then approve the staff recommendations contained in the August 4, 2003 LAFCO staff report (agenda item 8a & 8b), or
- (2) If the Commission does not concur with the conclusions in the September 8, 2003 LAFCO staff report regarding the provision of sewer services, environmental review, and sphere of influence and municipal service review requirements, then specify the areas of disagreement and deny the sphere amendment and annexation of the Blossom Valley Middle School to the Lakeside Sanitation District.

Respectfully Submitted,

MICHAEL D. OTT
Executive Officer

Attachments:

- (1) August 4, 2003 LAFCO staff report on the Blossom Valley Middle School Annexation to Lakeside Sanitation District
- (2) August 8, 2003 LAFCO referral letter to County Department of Public Works
- (3) August 6, 2003 memorandum from Supervisor Jacob regarding sewer service issues
- (4) August 22, 2003 County Department of Public Works response to LAFCO referral letter
- (5) July 22, 2003 Dunbar Lane Task Force Lawsuit against the Cajon Valley Union School District
- (6) August 25, 2003 correspondence from the Cajon Valley Union School District
- (7) August 26, 2003 correspondence from the Cajon Valley Union School District Citizens Oversight Committee



DA02-16

**PROPOSED "BLOSSOM VALLEY MIDDLE SCHOOL ANNEXATION"
TO THE LAKESIDE SANITATION DISTRICT**

SA02-16

**AMENDMENT TO THE SPHERE OF INFLUENCE
FOR THE LAKESIDE SANITATION DISTRICT**



NOT TO SCALE

PUBLIC HEARING ITEM

**LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: SEPTEMBER 8, 2003

Proposal

“Summerview Detachment” from the Vista Irrigation District
(DD03-17)

Proponent

Property owner, by petition

Description/Justification

Proposed is a detachment from the Vista Irrigation District (VID) of property that is also located in the City of Oceanside. Detachment will prevent an overlap of service responsibility between the City and the District. The Summerview ownership consists of two parcels totaling 4 acres. The property owner is processing development plans with the City of Oceanside that involve construction of 21 single-family homes. Although the territory is in VID, the District does not have infrastructure to provide water service at this time. In addition, it is preferable that municipal services be provided by a single agency. Since the entire project area already is in Oceanside, it is appropriate that the City provide water service to the site, and can do so from a water line located 100 feet away. The area is surrounded on three sides by existing single-family, residential development, with vacant property located to the east.

Adjacent property located west of the Summerview ownership includes four parcels that are split by the VID boundary; each parcel already is developed with a single-family home. The County Assessor’s mapping department has recommended that the proposed detachment be modified to include the VID portion of these parcels. Although approximately 25% of each parcel is in VID, the homes receive water service from Oceanside. Addition of this territory would add .2 acre to the detachment making it total 4.2 acres. Because written consent has not been obtained from these property owners, the modified proposal lacks consent of all property owners, and thus a noticed public hearing is required. Although written consent has not been provided, LAFCO staff is unaware of any property owner opposition to this detachment proposal. Notification of the hearing has been forwarded to all affected property owners and registered voters within the modified boundary. The Board of Supervisors has adopted a Negotiated Property Tax Exchange Resolution that covers this jurisdictional change.

General Plan/Zoning

Oceanside General Plan: Single-Family Detached Residential (3.6 - 5.9 du/acre)
City zoning: R3

Location

North of Galbar Street, east of Norma Street, west of Emerald Drive, and south of Borra Court in the City of Oceanside (Thos. Bros. pg. 1087/D7).

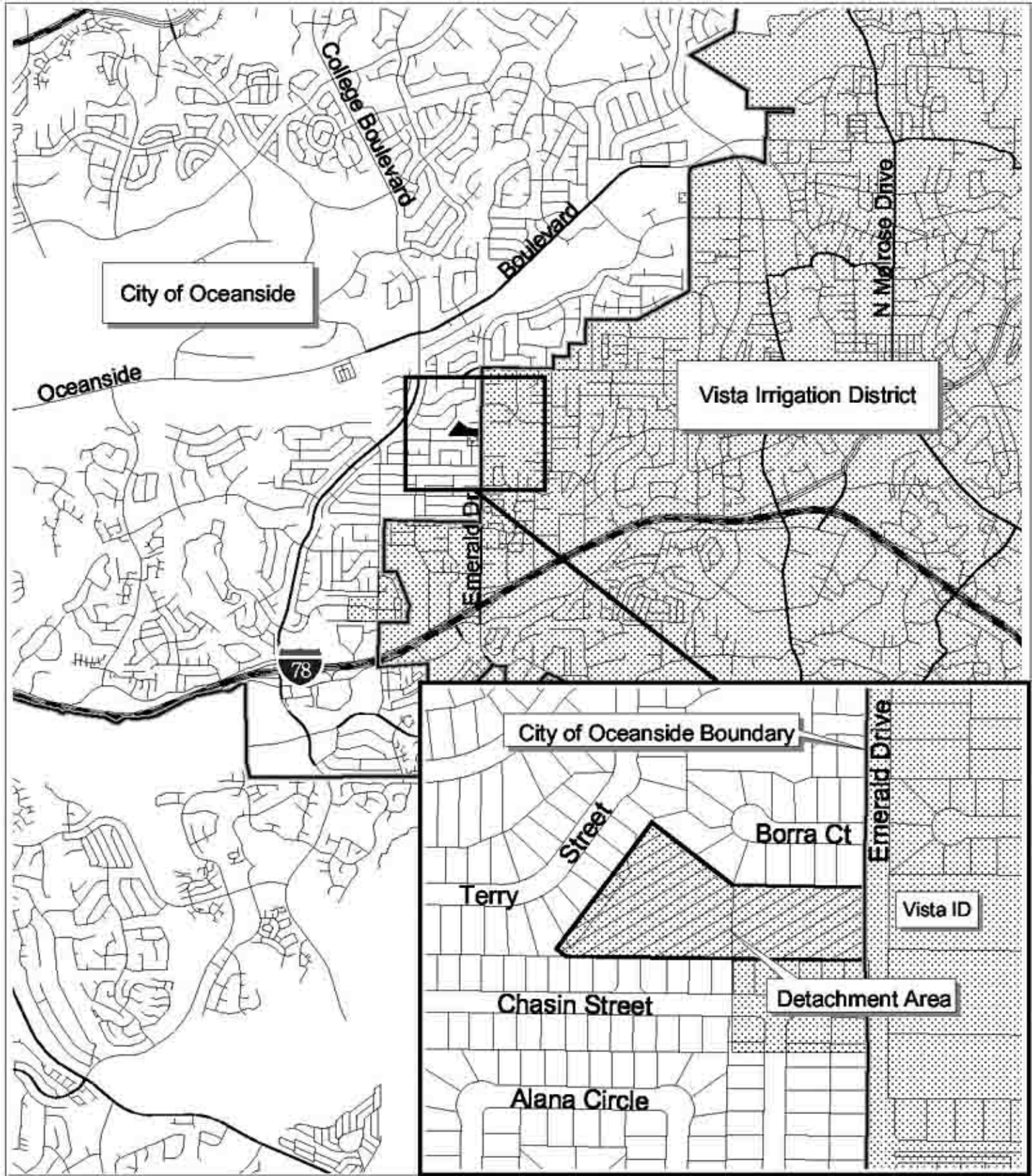
Executive Officer Recommendation

- (1) Find in accordance with the Executive Officer's determination, that pursuant to Section 15320 of the State CEQA Guidelines, the detachment is not subject to the environmental impact evaluation process because the change of organization of the local governmental agency does not change the geographical area in which previously existing powers are exercised;
- (2) Modify the detachment as originally submitted to include the VID portion of APNs 162-342-15, 162-342-16, 162-342-17, and 162-342-20; and
- (3) Adopt the form of resolution approving this dissolution for the reasons set forth in the Executive Officer's Report, delegating to the Executive Officer the responsibility for holding conducting authority proceedings subject to the following terms and conditions:
 - (a) Payment of the VID detachment fee of \$913.42;
 - (b) Payment of the VID administration fee of \$611;
 - (c) Payment of the VID document preparation fee of \$62 for the Assignment of Water Right document; and
 - (d) Execution of Assignment of Water Rights document.

Attachment

Vicinity Map

MDO:IEH:jb



DD 03-17

**PROPOSED "SUMMERVIEW DETACHMENT"
FROM VISTA IRRIGATION DISTRICT**



SAN DIEGO **LAFCO**

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Notice of Availability

NORTH COUNTY INLAND MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE STUDY

The San Diego Local Agency Formation Commission (LAFCO) has released a hearing draft of the **North County Inland Municipal Service Review and Sphere of Influence Update Study**. A Municipal Service Review (MSR) is an informational report that provides LAFCO with a tool to comprehensively study existing and future public service conditions, and to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are efficiently and cost-effectively provided. A Sphere of Influence is a plan for the probable physical boundaries and service area of a local government agency. A sphere is primarily a planning tool that provides guidance for the review of jurisdictional proposals, promotes efficient provision of organized community services, and prevents duplication of services. Inclusion within an agency's sphere does not indicate that an affected area automatically will be annexed; an adopted sphere of influence is only one of several factors the San Diego LAFCO will consider.

Subject agencies located within the North County Inland study area include the City of Escondido, Valley Center Municipal Water District (MWD), Rincon del Diablo Municipal Water District (MWD), Vallecitos Water District (WD), and Vista Irrigation District (ID). The MSR component of the study contains a comprehensive service evaluation of the City of Escondido, Valley Center MWD, Rincon del Diablo MWD, Vallecitos WD, and Vista ID. The sphere update component of the study contains an evaluation of the City of Escondido, Valley Center MWD, and Rincon del Diablo MWD. An evaluation and update of the spheres for the Vallecitos WD and Vista ID will be deferred to a subsequent study that covers the northwest sub-region of San Diego County.

As part of the update of the City of Escondido's sphere, the possible addition of territory along the City's southeastern sphere and jurisdictional border was evaluated. Also evaluated as part of the Escondido sphere update was the possible exclusion of territory from the City's existing sphere in the Harmony Grove and Deer Springs region.

The evaluation of the Valley Center MWD's sphere involved the review of the district's existing sphere and the possible addition of territory within the San Pasqual Indian Reservation and Paradise Mountain region. In addition, a special study area designation was considered for territory along the I-15 and Old 395 Highway corridor to facilitate an examination of the Valley Center MWD's boundaries in relation to the jurisdictional boundaries of other nearby agencies (Vallecitos WD and Rainbow MWD). Lastly, the Rincon del Diablo MWD's sphere

was reviewed for possible reaffirmation. The Rincon del Diablo MWD is not requesting any changes to its existing sphere.

A public hearing has been scheduled on September 8, 2003 for LAFCO to consider the municipal service review and sphere update study. The hearing will be held at 9:00 a.m. in Rooms 302-03 of the County Administration Center (1600 Pacific Highway, San Diego, CA 92101).

The Notice of Availability, Draft North County Inland Municipal Service Review and Sphere of Influence Update Study, and Responses to the San Diego LAFCO's Request for Information (RFI) – North County Inland Municipal Service Review are located on the home page of the San Diego LAFCO website (sdlafco.org). Copies of the documents are also available at libraries within your community or from the San Diego LAFCO office.

Please contact the LAFCO office if you have any questions regarding this notification.

Michael D. Ott, Executive Officer
San Diego LAFCO
1600 Pacific Highway, Room 452
San Diego, CA 92101
(619) 531-5400

September 8, 2003

TO: Local Agency Formation Commission

FROM: Executive Officer
Local Governmental Analyst

SUBJECT: Proposed "Rancho Vistamonte Reorganization"
(City of Escondido) (RO03-14)

EXECUTIVE SUMMARY

The Rancho Vistamonte Reorganization involves annexation of 208 acres to the City of Escondido, and detachments from CSA No. 113 (San Pasqual FPD), and CSA No. 135 (San Diego County Regional Communications). Approximately 133 acres of the reorganization site is subject to a city-approved General Plan Amendment, Specific Plan, rezoning, development agreement, and Tentative Subdivision Map. The adjacent 75 acres are not covered by development plans, but have been included within the reorganization to avoid the creation of an unincorporated island between the Cities of Escondido and San Diego. This adjacent territory consists of 3 single-family residences on eight parcels, ranging in size from 7.7 to 16.8 acres. Development of these adjacent lots may occur in the future. San Diego LAFCO has received consent forms from 100% of the landowners to be included in the annexation.

The approved subdivision on the 133-acre portion of the reorganization site allows for 80 single-family, detached units in a gated development, retention of natural open space, and dedicated public trails. Lot sizes will range from 10,000 to 36,970 square feet. As a condition of project approval, the developer will be required to construct a nature trail, interpretive signage, horse watering facilities and parking on adjacent city-owned property. In addition, the developer will be required to install an improved access trail connecting the area with the local K-8 school.

The City of Escondido is an existing member of the San Diego County Water Authority (CWA) and the Metropolitan Water District of Southern California (MWD) and can provide water service from an existing water line located approximately 1,000 feet away from the reorganization area. The property owner will be responsible for the costs of the improvements. The City of Escondido can provide a full range of additional municipal services including fire protection and paramedic services, sewer service, and water service.

Rancho Vistamonte is adjacent to the current City of Escondido corporate boundaries and to existing services and facilities. Annexation to the City of Escondido would represent a logical and orderly extension of both the City's boundaries and of services. The City of Escondido has adopted a resolution initiating the Rancho Vistamonte reorganization, and the annexation of the adjacent 75 acres. The Escondido City Council and the Board of Supervisors have approved a Master Property Tax Transfer Agreement that will govern the property tax transfer associated with the reorganization.

San Diego LAFCO staff concurs with the City of Escondido resolution and recommends that the reorganization be approved.

Land Use

The City of Escondido has approved rezoning of the Rancho Vistamonte property to the category of Specific Plan (S-P) Zone, compatible with the City's General Plan SPA designation. The overall density that is proposed is 0.6 dwelling units per acre. The proposed community is intended to offer a rural oriented atmosphere and a variety of traditional architectural styles. Two gated entries are proposed for access from Rockwood Road. Approximately 60% of the site will be preserved as open space.

The County of San Diego considers Rancho Vistamonte a Rural Development Area (RDA). RDAs include all privately owned land outside the service boundaries of the San Diego County Water Authority. In addition, the reorganization area is located within the County's Multiple Species Conservation Program (MSCP) area. The County, Escondido, and the state and federal conservation agencies will negotiate an agreement prior to recordation of the reorganization that will assure continuity of the habitat protection designation. The County's existing North County Metropolitan Planning Area designation for the sub-area is Multiple Rural Use 18 (1 dwelling unit per 4, 8, 20 acres). A majority of the site is zoned A72 (General Agriculture), A70 (Limited Agriculture) and S92 (General Rural). All three zoning classifications have an 8-acre minimum parcel size. It is estimated that build-out consistent with county land use designations would yield a maximum of approximately 15 dwelling units. The County's General Plan 2020 Land Use Distribution Map (May 2002), designates the sub-area as Rural Lands 40 (1 dwelling unit per 40 acres). Development in the County would be based on the use of private septic systems and wells, rather than public water and sewer services. Emergency services would be from a volunteer fire department and the County Sheriff.

Public Services

Water

Existing City of Escondido facilities are readily available to serve the Rancho Vistamonte reorganization area. Currently, the City has a water treatment plant that treats a capacity of 90 million gallons per day (mgd) of water. The City requires adequate water supply and storage capacity to meet normal and emergency situations and has the capacity to provide a minimum of 600 gallons per day per household or as established in the City's Water

Master Plan. No significant water impacts will result because the existing reservoir storage capacity is adequate to provide the water demand. The City can serve the reorganization area from existing lines directly adjacent to the area. The property owner will finance the approximate 1000-foot extension to the City's water lines. No additional entitlements will be required for the City to service the site and the City's existing underground piping infrastructure will not require any improvements.

Sewer Service

Sewage generated by the proposed project can be accommodated by the City of Escondido without upgrading the existing Eagle Crest gravity system or the Eagle Crest Lift Station. A 12-inch sewer line is already located along Rockwood Road and extends under San Pasqual Valley Road (Highway 78) to Old Pasqual Road. The Escondido Utilities Division/Wastewater handles disposal through the Hale Avenue Resource Recovery Facility that has a capacity of 17.5 mgd and has existing daily flows of 15.6 mgd. The Rancho Vistamonte development will generate approximately 20,000 gpd of sewage. No significant sewer service impacts will result because flows from the proposed Rancho Vistamonte development will not exceed the existing pipeline capacity and will not require any expansion of existing sewer facilities.

Fire and Police Services

The primary fire station for the sub-area would be Escondido Fire Station No. 4, located at 3301 Bear Valley Parkway, approximately 6.5 miles from the property. Estimated response time is 8-10 minutes for priority calls and 11 minutes for non-priority calls. The reorganization site is beyond the City's five-minute response time and three-mile distance; therefore, all structures would need to be protected by fire sprinkler systems. The site is currently within CSA No. 113 (San Pasqual FPD). Response time from CSA 113's facilities, located at 17701 San Pasqual Road, is 11 minutes for priority calls and 13 minutes for non-priority calls. CSA No. 113 is a volunteer fire company and detachment from the CSA is automatic per provisions in State Law.

The City Police Department would be responsible for law enforcement after annexation of the area to Escondido. It is anticipated that the city police response times for both priority one and two calls would be faster than the response times of the County Sheriff. The County Sheriff's response is 10 minutes for priority calls and 20 minutes for non-priority calls. The Sheriff currently utilizes the Vista Substation located at 325 South Melrose Drive, Vista, for dispatching calls to the area. Response times for the Escondido Police Department would be 6 minutes for priority calls and 8 minutes for non-priority calls. The location of Escondido's police station is 700 West Grand Avenue, Escondido.

Roads and Circulation

Cloverdale Road is the primary circulation street closest to the project, one mile west of the site. Access to the property is from Rockwood Road, which begins at its intersection with Cloverdale Road. Old Battlefield Road via Zoo Road, a private easement used as access

to the Wild Animal Park facilities, provides access from the south of the site to State Route 78. The area is approximately 4 miles east of Interstate 15 and .75 miles north of San Pasqual Valley Road (State Route 78).

Environmental Review

The City of Escondido has prepared an EIR (ER97-25 and ER 2001-30) for the Rancho Vistamonte reorganization area and an Executive Summary is attached for the Commission's review.

The EIR provided an analysis of the potential environmental impacts from the development of the Rancho Vistamonte reorganization area. During the initial environmental assessment, the City of Escondido determined that the EIR would address the following environmental issues:

- Aesthetics;
- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Open Space;
- Public Services and Utilities; and
- Transportation/Traffic.

Based on the findings of the analysis provided in Chapter 3.3 of the Final Environmental Impact Report prepared for the Specific Planning Area (SPA) No. 4, Deer Springs and Harmony Grove, the development of the Rancho Vistamonte reorganization area will not result in significant unmitigable environmental impacts.

Agricultural Resources

It is the policy of the San Diego LAFCO to discourage proposals that would convert prime agricultural or open space lands to other uses unless such an action would not promote the planned, orderly, efficient development of an area. The Rancho Vistamonte reorganization area is mapped as Grazing Land and Other Land on the map of Important Farmlands of San Diego County. These categories do not meet the 10 criteria needed to qualify as a State Important Farmland. Therefore, no significant impacts to Prime Farmland, Farmland of Statewide Importance or Unique Farmland will occur with the development of the Rancho Vistamonte reorganization area. No significant agricultural resources will be impacted as a result of the development of the Rancho Vistamonte reorganization area and no impacts to the City's Agricultural Policies are identified.

Open Space

Open space within the Rancho Vistamonte project will encompass approximately 60 percent of the site, or 81 acres, and will be in compliance with the General Plan open space objectives. The open space will maintain the rural residential and open space environment around the perimeter of Escondido to serve as a buffer from urbanizing surrounding areas. Additionally, 6.6 acres of existing avocado and orange groves are to be preserved as agricultural open space. The Rancho Vistamonte development will also provide trail linkages and a trailhead for public use.

Conclusion and Recommendation

The Rancho Vistamonte Reorganization involves annexation of 208 acres to the City of Escondido, and detachments from CSA No. 113 (San Pasqual FPD) and CSA No. 135 (San Diego County Regional Communications). Approximately 133 acres of the reorganization site is subject to a city-approved General Plan Amendment, Specific Plan, rezoning, development agreement, and Tentative Subdivision Map. The adjacent 75 acres are not covered by development plans, but have been included within the reorganization to avoid the creation of an unincorporated island between the Cities of Escondido and San Diego. The Rancho Vistamonte reorganization area is adjacent to the current City of Escondido corporate boundaries and to existing services and facilities. Annexation to the City of Escondido would represent a logical and orderly extension of both the City's boundaries and of services. San Diego LAFCO staff concurs with the City of Escondido resolution of application and recommends that the Rancho Vistamonte project site and the adjacent 75 acres be annexed into the City of Escondido. It is, therefore,

RECOMMENDED: That your Commission

- (1) Certify that the information contained in the EIR prepared by the City of Escondido has been reviewed and considered for the Rancho Vistamonte Reorganization; Adopt the Environmental Summary attached to this staff report as required by Section 15091 of the State CEQA EIR Guidelines; and
- (2) Adopt the form of resolution approving this reorganization for the reasons set forth in the Executive Officer's staff report waiving the Conducting Authority proceedings according to Government Code Section 56663(c), and ordering the reorganization, subject to the following condition:
 - (a) Prior to the issuance of a certificate of completion, The City of Escondido will provide to San Diego LAFCO, an original copy of an agreement between the County, Escondido, United States Fish & Wildlife Service (USFWS), and California Department of Fish & Game (CDFG) regulating the development of the annexed land to proceed in accordance with the conservation goals of the Multiple Species Conservation Program (MSCP). The agreement will be subject to San Diego LAFCO recordation along with the Rancho Vistamonte

Reorganization and will set forth the resulting responsibilities pursuant to the MSCP for ongoing maintenance and enforcement of the terms of the County's Implementing Agreement by and between the USFWS and CDFG and the MSCP as it relates to the annexed land.

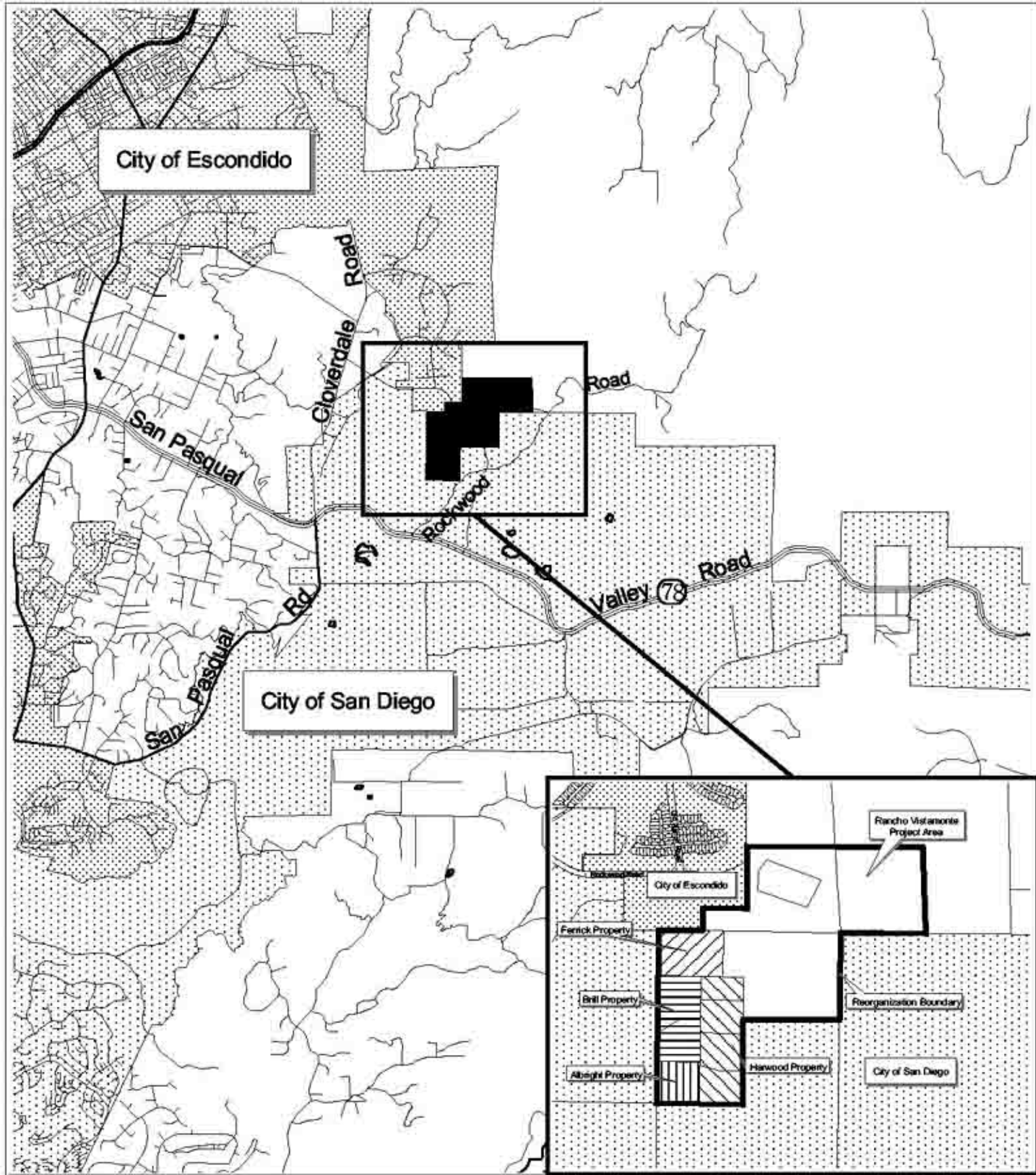
Respectfully submitted,

MICHAEL D. OTT
Executive Officer

ROBERT BARRY
Local Governmental Analyst

MDO:RB:jb

Attachments
Vicinity Map
Environmental Summary



RO03-14
SR03-14A

**PROPOSED "RANCHO VISTAMONTE REORGANIZATION"
(CITY OF ESCONDIDO)**



INFORMATION ITEM

**LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: SEPTEMBER 8, 2003

Proposal

Administrative Approval of a Contractual Service Agreement: City of Escondido/Alan DeJong, in association with the proposed "DeJong Reorganization" (City of Escondido) (OAS03-22; RO03-22)

Proponent

City of Escondido, by resolution

Description/Justification

The City of Escondido has requested approval to enter into a contractual service agreement to allow the City to extend sewer service beyond its boundary to a parcel of approximately 1.13 acres that is developed with a single-family home. There is a demonstrated need for the proposed contractual service agreement, and a future change of organization to annex the subject property is pending.

In a letter dated December 2, 2002, the County Department of Environmental Health confirmed that the on-site subsurface sewage system has failed and recommended that the property be connected to a public sewer system. In consideration of the health and safety issue, on August 4, 2003, the Executive Officer administratively approved a contractual service agreement between the City of Escondido and the subject property owner.

The property is surrounded by single-family residential development, with an elementary school to the north. The City of Escondido has capacity to provide sewer service from an existing line located approximately 20 feet from the parcel, but not water service. Therefore, the parcel will continue to receive water from the existing service provider (Vista Irrigation District). The property owner has submitted an application to San Diego LAFCO requesting annexation to the City of Escondido with concurrent detachments from CSA No. 135 and San Marcos Fire Protection District. The annexation territory is within the City of Escondido's adopted sphere of influence.

General Plan/Zoning

City of Escondido General Plan: Estate II (2 du/acre)
County zoning: RS-4 (4 du/acre).

Location

North of Highway 78, east of Nordahl Road, south of El Norte Parkway, and west of

Interstate 15 (Thos. Bros. pg. 1109/E7).

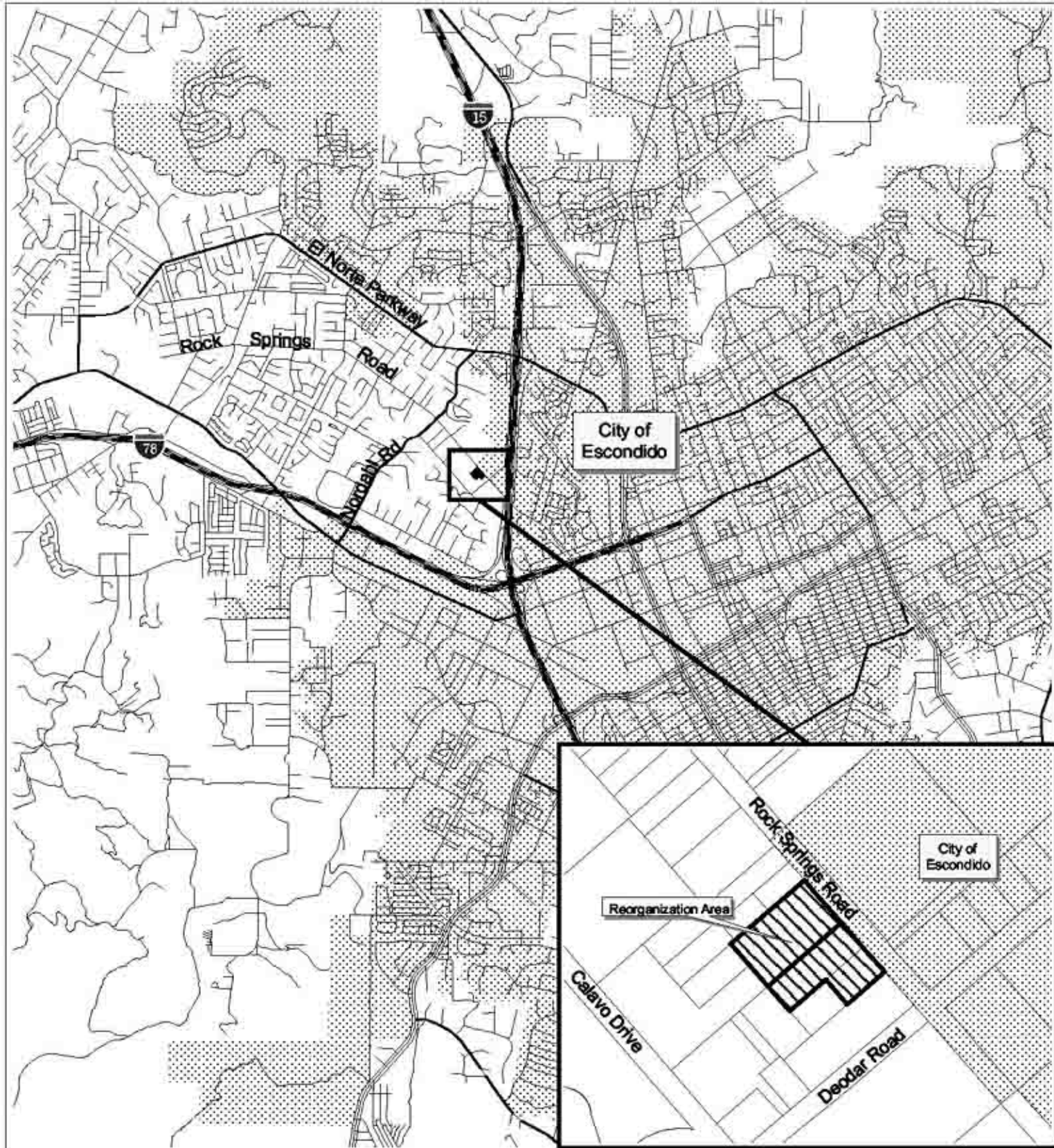
Executive Officer Recommendation

No Commission action is recommended. This item has been placed on the agenda for informational purposes.

Attachment

Vicinity Map

MDO:RB:jb



OAS03-22

**PROPOSED DE JONG/DOLMAN
CONTRACTUAL SERVICE AGREEMENT
(CITY OF ESCONDIDO)**

RO03-22

**PROPOSED "DE JONG/DOLMAN REORGANIZATION"
(CITY OF ESCONDIDO)**



INFORMATION ITEM

**LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

FOR MEETING OF: SEPTEMBER 8, 2003

Proposal

Administrative Approval of a Contractual Service Agreement: City of Escondido / Peter and Sharron Trevino, in association with the proposed "Trevino Reorganization" (City of Escondido)
(OAS03-24; RO03-24)

Proponent

City of Escondido, by resolution

Description/Justification

The City of Escondido has requested approval to enter into a contractual service agreement that will allow the City to extend sewer service beyond its boundary to a parcel of approximately .34 acre. Currently, the land is developed with a single-family home. There is a demonstrated need for the proposed contractual service agreement, and a future change of organization to annex the subject property is pending. The annexation territory is within the City of Escondido's adopted sphere of influence and the property is surrounded by single-family residential development.

In a letter dated June 5, 2002, the County Department of Environmental Health confirmed that the on-site subsurface sewage system has failed and recommended that the property be connected to a public sewer system. In consideration of the health and safety issue, on August 14, 2003, the Executive Officer administratively approved a contractual service agreement between the City of Escondido and the subject property owner.

The City has the capacity to extend public sewer service to the site and has a main sewer line located approximately 220 ft. from the property. The property owner has submitted an application to San Diego LAFCO requesting annexation to the City of Escondido with concurrent detachments from CSA No. 135 and Rincon Del Diablo MWD Improvement District "E."

General Plan/Zoning

County of San Diego General Plan: North County Metropolitan Subregional Community Plan: Residential 6 (7.3 du/acre; 6,000 sq. ft. minimum lot size)
County zoning: RS-4 (4.35 du/acre; 1 acre minimum)

City of Escondido General Plan: Estate II
City of Escondido Prezoning: PZ-RE-20 (Lot size: 20,000 square ft. minimum).

Location

North of Sunset Drive, east of Centre City Parkway, south of Felicita/17th Avenue, and west of Bear Valley Parkway (Thomas Bros. pg 1130/B5).

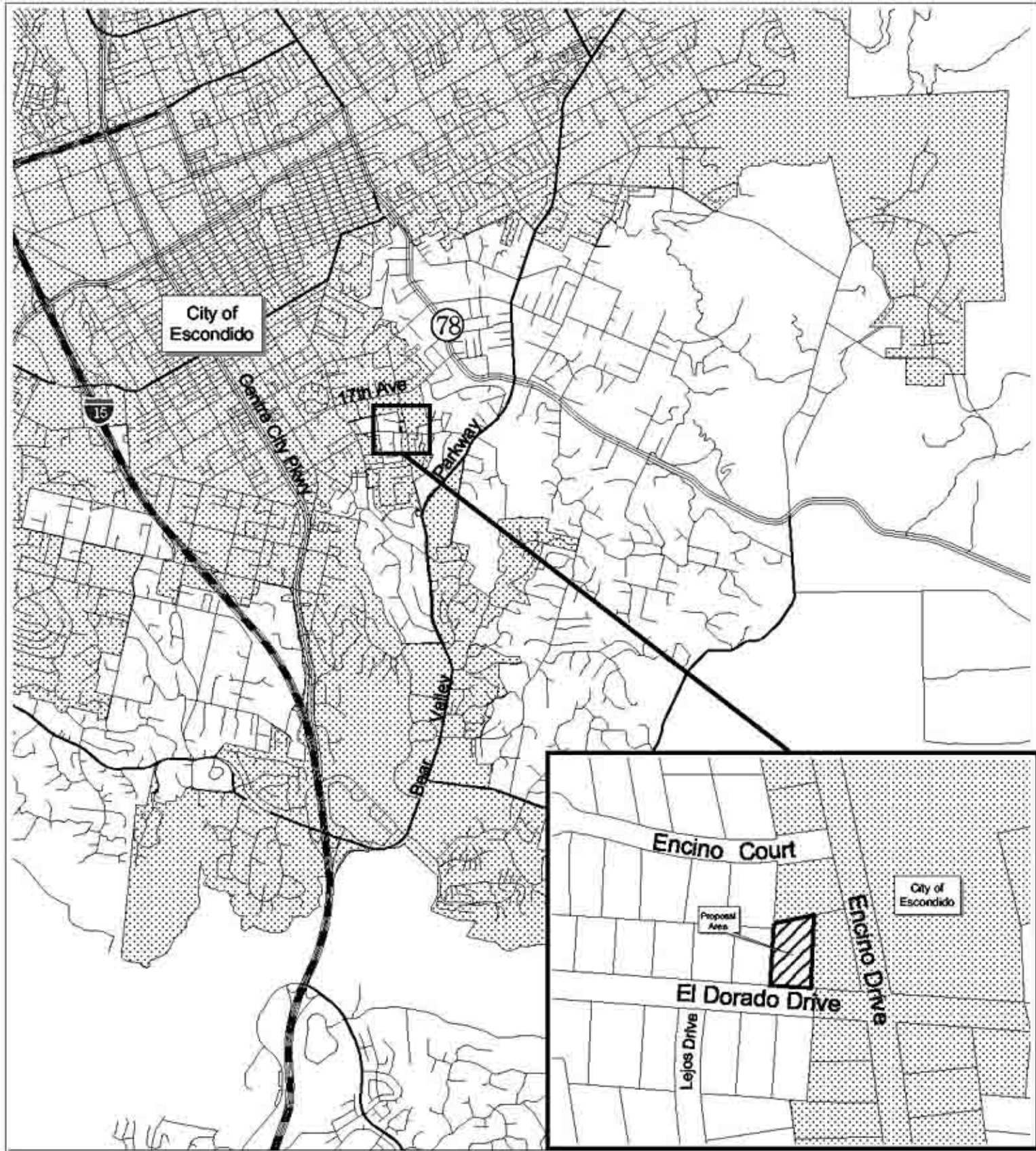
Executive Officer Recommendation

No Commission action is recommended. This item has been placed on the agenda for informational purposes.

Attachment

Vicinity Map

MDO:RB:jb



OAS03-24

RO03-24

**TREVINO CONTRACTUAL SERVICE
 AGREEMENT WITH CITY OF ESCONDIDO
 PROPOSED "TREVINO REORGANIZATION"
 (CITY OF ESCONDIDO)**



September 8, 2003

TO: Local Agency Formation Commission

FROM: Executive Officer
Chief, Governmental Services

SUBJECT: Response to 2002-2003 Grand Jury Report: The Tia Juana Valley County Water District

Background

The Tia Juana Valley County Water District (CWD) has been the subject of two Grand Jury investigations over the past five years. As you know, the San Diego LAFCO is required by State Law to conduct comprehensive studies, known as Municipal Service Reviews (MSR), to evaluate the provision of services within designated geographic areas. In response to the Grand Jury investigations, the Commission placed the Tia Juana Valley CWD among the first group of agencies to be involved in the MSR program. A copy of the most recent Grand Jury Report is attached.

According to the Grand Jury, both investigations were carried out for multiple purposes. One purpose was to determine whether the Tia Juana Valley CWD was meeting its responsibilities and was, in fact, solvent. Another purpose was to make property owners aware that a portion of their property taxes was being transferred to finance district expenses. Currently, each parcel in the District is assessed an annual \$50 fee associated with the funding of the services the District claims to provide.

In accordance with California Penal Code §933(a), LAFCO has been requested to respond to the Grand Jury 2002-2003 report by September 25, 2003. Furthermore, California Penal Code §933.05(a), (b), and (c) details the manner in which the comments are to be made. LAFCO's draft responses to the Grand Jury's two recommendations follow.

Grand Jury Recommendations and LAFCO's Draft Responses

Recommendation 03-83: Educate other public agencies and the public about the non-effective and costly efforts of the Tia Juana Valley County Water District to provide water to District home and property owners.

Response: The Grand Jury report states that the District was formed to "... provide water services for home and property owners in the river valley." However, according to the original formation petition from 1946, the District was established to protect the aquifer from intrusion of saltwater from the ocean, represent farmers and residents, and defend water rights of the entire Tia Juana River Valley. One function that the District has never provided is water service. In responding to a LAFCO survey, a district representative indicated that the District provides "... groundwater supply research and development, and flood management services." This matter has been a source of ongoing confusion for the Grand Jury, because the Grand Jury has assumed that the sole purpose of the Tia Juana Valley CWD is to provide water service. State Law (Water Code Sections 30000-33900) permits county water districts to provide services other than the delivery of water (e.g., electric power, wastewater and storm water management, fire protection, etc.). Accordingly, the services purportedly provided by the Tia Juana Valley CWD do represent legitimate services authorized under the California Water Code, even though the District does not actually provide water service.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that comprehensive studies, known as Municipal Service Reviews (MSR), be conducted for all cities and special districts that provide municipal services to county residents. The term "municipal services" generally refers to the full range of services that a public agency provides or is authorized to provide. MSRs are studies that evaluate certain functional and operational aspects of service delivery. While LAFCO's statutory responsibilities now include reviewing how public agencies function, the focus is to be on service provision. The goal of this review process is to assess the adequacy of public services within a specific geographic region or area. The MSR has educational value and will be made available to the public and governmental agencies for informational purposes. At this time, LAFCO is finalizing the MSR that includes the services provided by the Tia Juana Valley CWD. The MSR will be considered by the San Diego LAFCO in the Fall of 2003. When the MSR report is completed, the results will be published and made available by request to all public agencies as well as interested citizens. Therefore, the MSR process will effectively address Grand Jury Recommendation 03-83 regarding public outreach/education.

Recommendation 03-84: Review the activities of the Tia Juana Valley County Water District and initiate proceedings for the dissolution of the District, so that District taxpayers are freed from an unnecessary, open-ended tax assessment.

Response: With commencement of the MSR that includes the Tia Juana Valley CWD, an evaluation of agency operations and functions will be conducted. When completed, the MSR will contain a review and analysis of the agency's service delivery, fiscal, and governance activities. In addition, based upon the information gathered and analyzed in conjunction with the MSR, the Commission is required to approve nine specific determinations, covering: infrastructure needs or deficiencies; growth and population projections for the affected area; financing constraints and opportunities; cost avoidance opportunities; opportunities for rate restructuring; opportunities for shared facilities; government structure options; evaluation of management efficiencies; and local accountability and governance. One of the specific determinations that the Commission

must make addresses government structure options. This determination involves an evaluation of the advantages and disadvantages of consolidation or reorganization (including dissolution) of service providers. Initiating dissolution proceedings could be a recommended option once the MSR has been completed. However, initiating District dissolution would be at the Commission's discretion and based upon compelling justification. It also will be necessary to determine if a successor agency exists for the Tia Juana Valley CWD's assets and liabilities. As of this writing, no successor agency has been identified. The Cities of San Diego and Imperial Beach both overlay the Tia Juana Valley CWD and would be the potential successor agencies. Per Government Code Section 57451(c), the successor would be the city having the greater assessed value of all taxable property within the territory of the dissolved district.

Furthermore, if citizens wish to be relieved of the tax assessment, alternatives to dissolution should be explored. Imposition of the assessment results from the annual adoption of a District resolution authorizing the County Assessor to collect this fee. Dissatisfied residents can utilize the election process to remove seated members of the Board and install Directors who would not support the continuation of the tax assessment.

The MSR has not yet been finalized because further analysis is required. While the Grand Jury concerns may be valid, dissolving a district needs to be based on compelling reasons that are supported by evidence. The option of dissolving the District, per Grand Jury Recommendation 03-84, will be clarified and addressed once the MSR is completed and the final required LAFCO determinations are approved in the Fall of 2003. It is

RECOMMENDED: That your Commission

Authorize the LAFCO Chair and Executive Officer to incorporate the proposed draft responses to the Grand Jury Recommendations in a letter and forward it to the Grand Jury.

Respectfully submitted,

MICHAEL D. OTT
Executive Officer

INGRID E. HANSEN
Chief, Governmental Services

MDO:IEH:jb

Attachments
2002-03 Grand Jury Report
Requirements and Instructions for Responses

September 8, 2003

TO: Local Agency Formation Commission
FROM: Executive Officer
SUBJECT: Santaluz Affordable Housing Project

EXECUTIVE SUMMARY

LAFCO staff is seeking direction from the commission on public service issues associated with the provision of water and sewer service within the Black Mountain Ranch community of the City of San Diego. While the City of San Diego is considered a full service city and is responsible for the provision municipal services within its corporate boundaries, it cannot efficiently provide water and wastewater services to territory within the northern portion of the City (Black Mountain Ranch). Therefore, the City wishes to obtain water and sewer services from a nearby local agency – Olivenhain Municipal Water District (MWD). In December 2002, the San Diego LAFCO staff brought to the attention of the Commission the potential for overlapping service boundaries between the Olivenhain MWD and City of San Diego in this geographic area. A map of some of the proposed projects within San Diego that may require water and/or sewer services from the Olivenhain MWD is attached to this staff report. The Commission was concerned about the potential for overlapping service responsibilities and the emergence of an uncoordinated pattern of service delivery. Accordingly, the Commission authorized the preparation of a sphere update and municipal service review study. The agencies that were identified for inclusion in the study were the Olivenhain MWD, Rancho Santa Fe CSD, and City of San Diego. With the Commission's authorization, the Olivenhain MWD and Rancho Santa Fe CSD have assumed a lead role for the preparation of the study. In consultation with LAFCO staff, the Olivenhain MWD and Rancho Santa Fe CSD have prepared a scope of work and are in the process of retaining local governmental consultants.

The City of San Diego has recently informed LAFCO staff that an emergency situation has developed concerning one of the areas within the Black Mountain Ranch community. The affected territory is proposed for development with an affordable housing project. The site is a part of

the Santaluz development and a considerable sum of money may be at risk (\$9,825,000 in affordable housing bonds) if a service commitment is not obtained by September 24, 2003. Therefore, the City wishes to enter into an agreement with the Olivenhain MWD for the provision of water and sewer services on a contractual basis. While the provision of water service via a contractual arrangement between Olivenhain MWD and the City of San Diego does not appear to be subject to LAFCO purview, the provision of sewer service would involve LAFCO.

The provision of water service through a contractual arrangement would be exempt from LAFCO oversight, because Government Code Section 56133 exempts service contracts between two or more public agencies from LAFCO review 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. However, the provision of sewer service would arguably involve LAFCO, because the Commission has restricted the Olivenhain MWD's sewer service area to a geographically specific area. This geographic area is limited to unincorporated territory located within the former boundaries of the 4S Ranch and Rancho Cielo Sanitation Districts (refer to attached map). The San Diego LAFCO approved the dissolution of these two county sanitation districts in 1998 and named the Olivenhain MWD as the successor agency. A condition of LAFCO approval was that the Olivenhain MWD would be restricted to providing sewer service within the boundaries of the dissolved districts. The Commission determined that a sphere update and service review study would need to be completed before the Olivenhain MWD could provide sewer service to an expanded area.

While Government Code Section 56133 would permit Olivenhain MWD and the City of San Diego to enter into a contractual sewer service agreement, the San Diego LAFCO's sewer service restriction on the Olivenhain MWD would negate the contract. In light of the emergency situation that has developed, commission direction is sought on whether an exception should be made for the provision of sewer service outside of Olivenhain MWD's sewer service area. Based on recent amendments to State Law regarding affordable housing, it appears that justification exists for an exception. State Law (Government Code Section 56001) establishes a new statewide policy for LAFCO to encourage the provision of necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible. Accordingly, the Commission could determine that the provision of sewer service by the Olivenhain MWD to the City of San Diego would be in the best interests of the public and is consistent with the State's affordable housing policy. If this determination were made, then the Commission could authorize the Olivenhain MWD to provide sewer service outside of its current sewer service area. If the Commission wishes to make this determination, then the authorization should be limited to the affordable housing site only. Any future sewer service arrangements should be addressed in the context of a sphere update and municipal service review study. Additional background information follows.

Activation of Olivenhain MWD's Sewer Service Powers

On February 2, 1998, the San Diego LAFCO became the first commission in California to exercise its initiatory authority by dissolving the 4S Ranch and Rancho Cielo Sanitation Districts. The two sanitation districts were located entirely within the boundaries of the Olivenhain MWD and were administered by the County of San Diego. The San Diego LAFCO determined that services could be provided more efficiently and greater accountability could be obtained through a governmental reorganization. The Commission's approval of the reorganization was conditioned on the restriction of Olivenhain MWD's sewer service area to the unincorporated area encompassed by the former 4S Ranch Sanitation District, 4S Rancho Wastewater Treatment Facility, and the Rancho Cielo Sanitation District. While a geographic restriction was placed on the sewer service area, no restriction is applicable for the provision of water service. A water service restriction is not applicable to the Olivenhain MWD because the water district had authority to provide service throughout district boundaries prior to the governmental reorganization discussed above. The location of the sewer service area within the Olivenhain MWD includes the unincorporated territory within the 4S Ranch and Rancho Cielo communities north of the City of San Diego (Black Mountain Ranch).

In 1998, the Commission adopted a sewer service sphere of influence for the Olivenhain MWD that mirrored the spheres of influence of the dissolved county sanitation districts. The sphere of the former 4S Ranch SD was coterminous with the sanitation district boundaries. The sphere for the former Rancho Cielo SD included territory in addition to that currently within the sanitation district. The additional territory included the Rancho Cielo Specific Plan (1,151 acres), a 364-acre parcel owned by the Bureau of Land Management, the Elfin Forest Mobile Home Park, and several residential lots surrounded by the specific plan. The Commission transferred the former sphere territory of the dissolved districts to the Olivenhain MWD as an interim measure to provide the Olivenhain MWD a transitional period for the assumption of a new service responsibility. Following the transitional period, the Commission felt that the Olivenhain MWD should be given an opportunity to apply for a sphere update and service review.

Comprehensive Sphere Update and Municipal Service Review

In December 2002, the Commission authorized the preparation of a sphere update and service review study involving Olivenhain MWD and other local agencies within the North Central subregion of San Diego County (Olivenhain MWD, Rancho Santa Fe CSD, and City of San Diego). A priority was assigned to the preparation of the study, because a number of development proposals in the region required resolution of water and sewer service issues. The Olivenhain MWD and Rancho Santa Fe CSD were designated the lead agencies for this study. LAFCO staff has been coordinating with the two lead agencies regarding preparation of the study. The lead agencies have prepared a scope of work and are in the process of retaining consultants.

Development of Emergency Situation

In July 2003, LAFCO staff was informed by the City of San Diego that an emergency situation had developed regarding an affordable housing project within the City. Funding

for the affordable housing project would be jeopardized if the availability of water and sewer services could not be demonstrated. The affordable housing project is located within the Black Mountain Ranch Specific Plan and is a part of the master planned Santaluz community. The attached map shows the project site. The project consists of 119 affordable apartments, to be built by Chelsea Investments, and 46 single-family condominium units, to be built by Taylor Woodrow Homes. The affordable housing units are part of the mitigation requirement for the Santaluz project.

LAFCO staff has been told that if the affordable housing units are not built in a timely manner, the City will stop issuing occupancies for the Santaluz project when a threshold of 650 units are built – the Santaluz project is currently at a build out of over 300 units. This uncertainty with respect to the timing of constructing the units, due largely to the sewer issue, has begun to negatively affect land sales as builders and their investors/lenders are hesitant to close on property if they think there is a realistic chance that their occupancies will be held up.

The developers of the Santaluz project have already made an allocation of \$5,298,000 in loan proceeds for the affordable units from the California Multi-family Housing Program. The remainder of the financing comes from the sale of bonds by the California Debt Limit Allocation Committee. Santaluz and Chelsea have applied for \$9,825,000 in bond proceeds and the allocation date is September 24th. If bond financing is allocated, then 90 days will be necessary for the bonds to be sold. In addition, Chelsea will close escrow on the property and building permits will be obtained. If any deadlines are missed, then not only is the funding lost, but Chelsea cannot reapply for bonds for two years. This is why a service (water and sewer) commitment is necessary by September 24, 2003. The reason for the harsh penalty is that more projects are requesting funds than there are funds available – the State of California will not allocate funds for a project that does not have the necessary entitlements.

If a service commitment is not obtained, then developers of the affordable housing site will experience a delay of nearly a year. Projects that fail to get funding in 2003 will receive priority for the first round of 2004, and would be relegated to the later round(s) of 2004. The delay caused by not being ready for the bond allocation in 2003 will put future occupancies at risk and potentially delay \$14.5 million worth of land sale closings for the Santaluz project.

Water and Sewer Service Facilities: City of San Diego and Olivenhain MWD

The nearest existing water and sewer service facilities in the City of San Diego are located about 3 miles south of the affordable project site, at the existing northern end of Camino Ruiz. A 24-inch water pipeline is available for water. A 16-inch sewer force main is available for sewer, awaiting a future pump station. For the City of San Diego to serve the site with water, approximately 17,000 feet of pipeline and a pressure reducing station would need to be constructed. Pipeline sizes would vary from 24-inch to 10-inch. In order to construct these facilities, it would be necessary to construct the underlying land development

grading and public improvements along this alignment. For the City of San Diego to serve the site for sewer, a similar amount of gravity sewer main would need to be constructed. Based on the current land development plan for the second phase of Black Mountain Ranch, this alignment would not be coincident with the water mains described above. In addition, a major, regional sewer pump station would need to be constructed to convey the wastewater southward into the existing City sewer system.

For Olivenhain MWD to serve the site with water, no offsite improvements would be needed. Olivenhain MWD maintains pipelines in the three streets that abut the project site, and any of these pipelines would be sufficient to provide water service. These include a 16-inch pipeline on the west side of the site, a 24-inch line along the northern frontage, and a 10-inch line to the east side of the site. Because the project site is in a low elevation area, all options for sewer service involve construction of a small sewer lift station to convey wastewater offsite. For the City of San Diego to provide service, the 4-inch force main from this small station would extend southward to connect to the sewer pipelines described above. For Olivenhain MWD service, the force main would be extended eastward a comparatively short distance within an existing Olivenhain MWD easement to connect to existing and planned sewer facilities in 4S Ranch. The length of the offsite force main for both alternatives is roughly equal.

The cost to extend water from the City of San Diego is approximately \$2.2 million. However, this does not include the construction costs for other public improvements that would be needed to construct these facilities, such as the Camino del Sur Bridge over Lusardi Creek that is estimated at \$8 million. Grading/improving Camino del Sur for the water line would cost approximately \$18 million. The cost to extend sewer from the City, with the same provisions as for water, is approximately \$21 million, \$5 million of which would be for construction of the Black Mountain Ranch lift station. The timeframe for these improvements is dependent on the development schedule of the Black Mountain Ranch, LLC. There is engineering activity underway for some of these projects but, in general, the facilities will not fully be available until at least 2007, or beyond. The Santaluz affordable housing project requires the extension of service by the end of 2003 or beginning of 2004 in order to satisfy State-funding requirements for Affordable Housing. The cost to extend water from Olivenhain would be minimal since their water lines are immediately adjacent to the site. The cost to extend sewer is estimated to be approximately \$200,000, because the lift station must be constructed regardless of whether the City or Olivenhain MWD provides the service. The timeframe for Olivenhain MWD to provide water and sewer service is immediate, pending completion of various agreements between the City and water district.

CONCLUSION AND RECOMMENDATION

Direction is sought from the Commission on three items. First, commission concurrence is requested on whether the provision of water and sewer service outside of the boundaries of the Olivenhain MWD to the City of San Diego is exempt from LAFCO purview. Government Code Section 56133(e) contains the exemptions allowed under

State Law. One of the exemptions specifies that LAFCO purview is not necessary if the contractual agreement is between 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. This provision is somewhat ambiguous; however, it appears that LAFCO does not have purview over the contractual provision of services in question.

Second, the Commission needs to determine whether the provision of sewer service by the Olivenhain MWD to the affordable housing site is consistent with the restriction LAFCO placed on the water district's sewer service area in 1998. It could be argued that the LAFCO restriction on the Olivenhain MWD's sewer service area prohibits the water district from providing sewer service to a new geographic area without LAFCO review. LAFCO staff believes that LAFCO review is necessary and that the necessary justification exists to make a consistency determination with the Commission's 1998 decision establishing the sewer service area. The consistency determination would be based on recent amendments to State Law (Government Code Section 56001) that have resulted in new legislative declarations for LAFCO. One of these declarations is that LAFCOs are encouraged to exercise purview in a manner that provides necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible. Accordingly, LAFCO staff believes the Commission could consider the Olivenhain MWD's provision of sewer service (by contract) outside of its approved sewer service area and sphere of influence in conformance with the Commission's 1998 sewer service restriction. If the Commission agrees with this reasoning, then concurrence should be provided on September 8.

Third, the Commission needs to determine whether the provision of sewer service should be exempt from the sphere update and municipal service review study underway in the North County Central Subregion. One of the purposes of the study is to ascertain in a comprehensive manner the most efficient method of providing water and sewer services within the North County Central subregion. It could be argued that authorization of the Olivenhain MWD to extend sewer service to the affordable housing site in advance of the sphere update and service review study is reactionary and should be discouraged. However, based on the information that has been provided to LAFCO staff, it appears that the Olivenhain MWD would be the most efficient provider of water and sewer service to the affordable housing project site. Preparation of a sphere update and municipal service review will not change that conclusion. If the development of the affordable housing project is delayed pending the completion of the necessary LAFCO studies, then an impact will occur to affordable housing opportunities within San Diego County. There may also be impacts to the local economy and several companies that do business in the San Diego region. For these reasons, it appears that there is compelling justification to permit the Olivenhain MWD to extend sewer service to the City of San Diego for the Santaluz affordable housing project in advance of the sphere update and municipal service review for the North County Central area. It is, therefore,

Recommended: That your Commission

- (1) For the reasons stated in the Executive Officer's report, determine that the provision of water service outside of the boundaries of the Olivenhain MWD to the City of San Diego is exempt from LAFCO purview and is consistent with the exemptions contained in Government Code Section 56133(e).
- (2) For the reasons stated in the Executive Officer's report, determine that the provision of sewer service outside of the boundaries of the Olivenhain MWD to the Santaluz affordable housing project within the City of San Diego is subject to LAFCO purview because of the geographic restriction LAFCO imposed on the sewer service area of the Olivenhain MWD.
- (3) For the reasons stated in the Executive Officer's report, determine that the provision of sewer service by the Olivenhain MWD to the affordable housing project within the City of San Diego will result in the extension of necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible, and is therefore exempt from the geographic restriction LAFCO imposed on the sewer service area of the Olivenhain MWD.
- (4) For the reasons stated in the Executive Officer's report, determine that there is compelling justification to permit the Olivenhain MWD to extend sewer service to the City of San Diego for the Santaluz affordable housing project in advance of the sphere update and municipal service review for the North County Central Region.

Respectfully submitted,

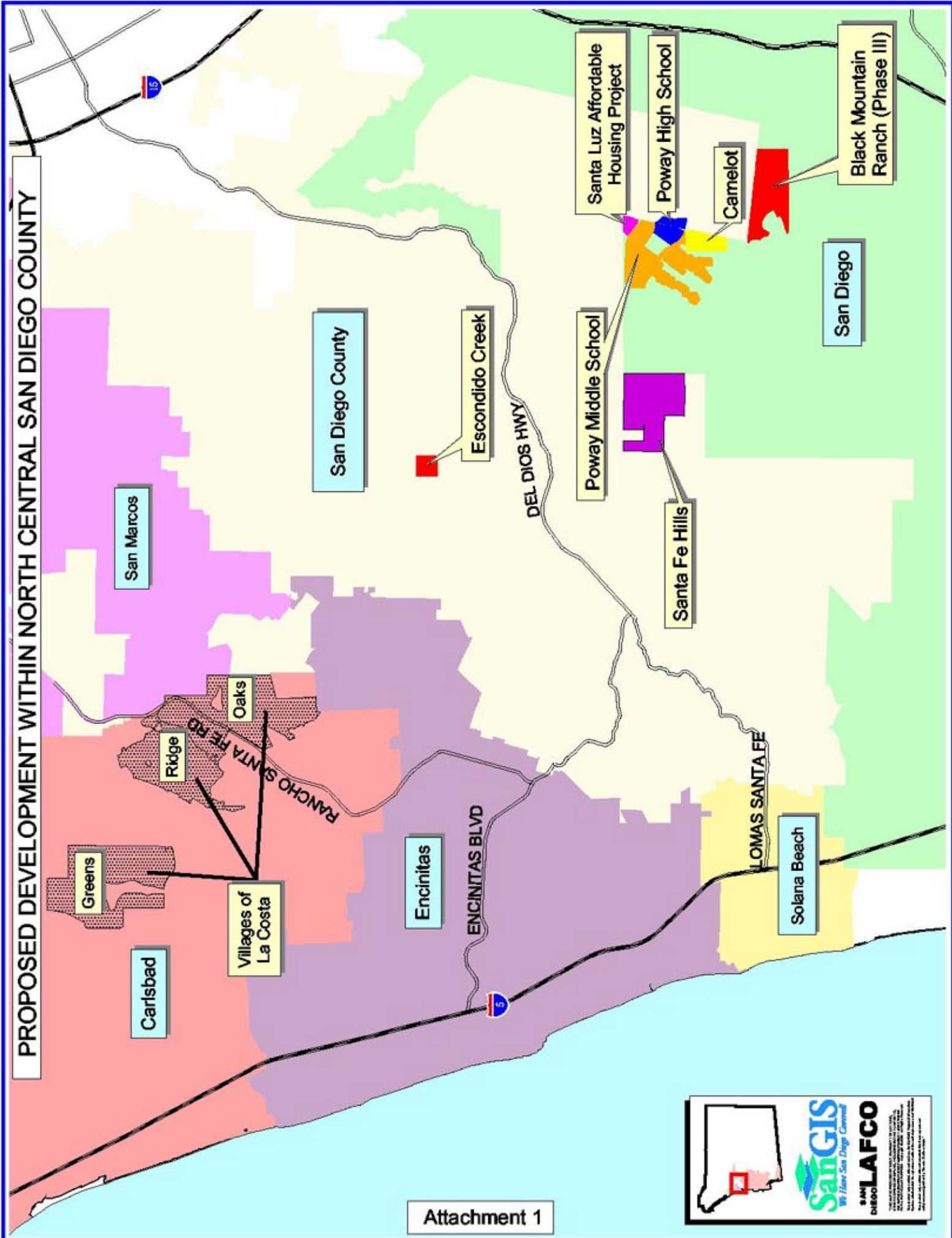
MICHAEL D. OTT
Executive Officer

MDO:jb

Attachments: Project Vicinity Map
Jurisdictional Vicinity Map

Distribution: Councilman Scott Peters, City of San Diego
Harry Ehrlich, Olivenhain Municipal Water District
David Stearn, Santaluz, LLC
Ted Bromfield, City of San Diego
Scott Tulloch, City of San Diego
Bobbi Salvini, City of San Diego
John Pastore, Rancho Santa Fe CSD

PROPOSED DEVELOPMENT WITHIN NORTH CENTRAL SAN DIEGO COUNTY



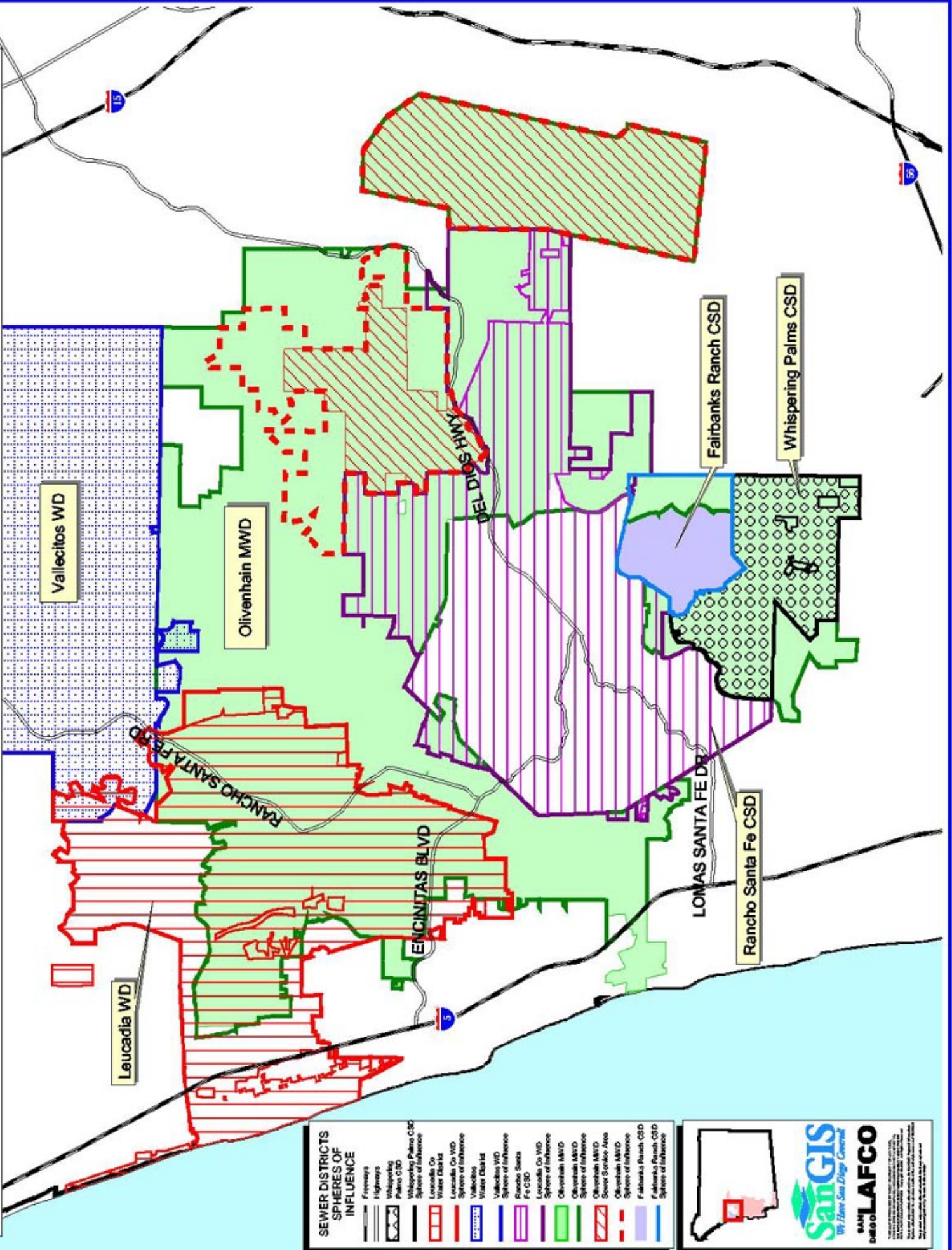
Attachment 1

SanGIS
We Have San Diego Covered

LAFCO
SAN DIEGO

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NORTH CENTRAL SAN DIEGO COUNTY SPHERE UPDATE AND MUNICIPAL SERVICE REVIEW



SEWER DISTRICTS SPHERES OF INFLUENCE

- Freeways
- Highways
- Whispering Palms CSD
- Whispering Palms CSD Sphere of Influence
- Leucadia WD
- Leucadia WD Water District
- Leucadia WD Sphere of Influence
- Vallecitos
- Vallecitos Water District
- Vallecitos WD
- Vallecitos WD Sphere of Influence
- Fairbanks Ranch CSD
- Fairbanks Ranch CSD Sphere of Influence
- Leucadia Oa WD
- Leucadia Oa WD Sphere of Influence
- Olivenhain MWD
- Olivenhain MWD Sphere of Influence
- Olivenhain MWD
- Olivenhain MWD Sphere of Influence
- Olivenhain MWD
- Olivenhain MWD Sphere of Influence
- Fairbanks Ranch CSD
- Fairbanks Ranch CSD Sphere of Influence

SanGIS
The Heart of San Diego County

SAN DIEGO LAFCO

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September 8, 2003

TO: Local Agency Formation Commission

FROM: Executive Officer

SUBJECT: Ratification of Auto Allowance Provision per San Diego LAFCO Benefits/Compensation Plan

This is a request to ratify the activation of the automobile allowance provision for the Executive Officer position. The benefits plan for the Executive Officer position is aligned with executive management positions in the County. County executives may elect to receive an automobile allowance for the use of a non-county vehicle in the performance of their duties. This provision also applies to the LAFCO Executive Officer position per the Commission's adopted Benefits and Compensation Plan. The comparable allowance rate for the LAFCO Executive Officer position is county rate "G" or approximately \$400 per month. The allowance covers all costs of operating a vehicle for LAFCO use (e.g., acquisition, maintenance, insurance, etc.). Currently, the LAFCO office is assigned one county vehicle; however, the vehicle is available for the use of all employees and not the exclusive use of the Executive Officer. The LAFCO workload is such that the automobile allowance provision needs to be activated so that transportation is available for LAFCO staff at all times. Therefore, it is

RECOMMENDED: That your Commission

- (1) Ratify the activation of the automobile allowance provision for the Executive Officer position and place the position in a comparable rate allowance category in the County. The comparable rate allowance category in 2003 is category is "G".
- (2) Direct the Executive Officer to follow the same provisions as required in the County regarding insurance and operation of said vehicle for LAFCO use.

Respectfully submitted,

MICHAEL D. OTT
Executive Officer

MDO:jb

**THIS ITEM WILL BE AN
ORAL PRESENTATION**