



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

11

AGENDA REPORT
 Public Hearing

May 6, 2019

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Linda Zambito, Analyst I

SUBJECT: Proposed “Bonsignore–Guava Lane Change of Organization” and Associated Sphere Amendment | Annexation to Otay Water District (File No. DA19-03)

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a change of organization proposal filed by an interested landowner to annex approximately 0.98 acres of unincorporated territory into the Otay Water District (WD). The affected territory as submitted is developed with a single-family residence within the Rancho San Diego community. The purpose of the proposal is to extend public wastewater service to the affected territory and in doing so replace an aging septic system. Staff recommends approval of the proposal and with a conforming sphere of influence amendment, which necessitates the noticed public hearing. Standard terms are also recommended.

BACKGROUND

**Applicant Request |
 Affected Territory as Proposed**

San Diego LAFCO has received a proposal from landowner Cynthia Bonsignore requesting approval to annex approximately 0.98 acres of unincorporated territory in Rancho San Diego to Otay WD. As submitted, the affected territory comprises one entire parcel already developed with a single-family residence with a situs of 1655 Guava Lane. The existing single-family residence was built in 1935 and is 1,111 square feet in size with three bedrooms and one bathroom. The County Assessor’s Office identifies the subject parcel as 498-270-12.

Administration Keene Simonds, Executive Officer County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org	Jim Desmond County of San Diego	Mary Casillas Salas City of Chula Vista	Mark Kersey City of San Diego	Chair Jo MacKenzie Vista ID	Andy Vanderlaan General Public
	Dianne Jacob County of San Diego	Bill Wells City of El Cajon	Chris Cate, Alternate City of San Diego	Barry Willis Alpine FPD	Harry Mathis, Alternate General Public
	Greg Cox, Alternate County of San Diego	Serge Dedina, Alternate City of Imperial Beach	Erin Lump, Alternate Rincon Del Diablo MWD		

Affected Territory

- One unincorporated parcel (0.98 acres in size)
- Developed with a single-family residence located at 1655 Guava Ln in Rancho San Diego
- Currently on septic system
- Water service provided by the Helix Water District
- There are no associated development plans



Subject Agencies

The proposed change of organization involves one subject agency: Otay WD.¹ A summary description of Otay WD follows.

- Otay WD is an independent special district formed in 1956 for the central purpose of providing water services within an approximate 125.5 square-mile jurisdictional boundary and projected resident service population of 225,164. Otay WD also provides wastewater and recycled water services within portions of its jurisdictional boundary. The jurisdictional boundary includes the unincorporated communities of Spring Valley, La Presa, Rancho San Diego, and Jamul as well as an eastern portion of the City of Chula Vista. Wastewater services are limited to the northern half of the jurisdictional boundary and consists of 6.7 square miles of sewer lines that collects and conveys wastewater for treatment and reuse to the Ralph W. Chapman Reclamation Facility. (Sludge is subsequently conveyed to the San Diego Metropolitan Wastewater (METRO) for additional treatment and disposal.) LAFCO most recently updated Otay WD’s sphere of influence in 2013 and it presently includes 776 non-jurisdictional acres and equals less than 1% of the jurisdictional boundary. The net position is \$387.5 million as of July 30, 2018 with \$27.7 million – or 7% – designated as unrestricted and sufficient to cover three months of current operating costs based on 2017-2018 actuals.

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

Affected Local Agencies

The affected territory lies within the jurisdictional boundaries of the following local agencies directly subject to San Diego LAFCO.²

- Helix Water District
- San Diego County Water Authority
- Metropolitan Water District of Southern California
- San Miguel Consolidated Fire Protection District
- CSA No. 135 (Regional Communications)
- Resource Conservation District of Greater San Diego County

DISCUSSION

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

Proposal Purpose

The purpose of the proposal is to facilitate the extension of public wastewater service to an existing single-family residence comprising the affected territory in step with removing an aging septic system. Annexation and connection to the wastewater system would serve as an alternative to repairing and/or replacing the septic system.

Development Potential

The affected territory as proposed and detailed in Appendix A is planned for moderate-density single-family residential use by the County of San Diego. These uses are memorialized under the County’s Zoning Ordinance, which assigns the affected territory as Rural Residential and a minimum lot size of 0.5 acres. This assignment precludes additional density within the affected territory given the subject parcel is 0.98 acres in size. Additional intensity, however, is permissible through an accessory unit.

Commission Focus

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

² State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere of influence contains or would contain, any territory for which a change of organization is proposed or ordered.

ANALYSIS

The analysis of the change of organization is organized into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section and specifically the conforming sphere amendment, change of organization timing, and whether modification and/or terms are appropriate. The second subsection considers other germane issues required under LAFCO law or other applicable State statutes and highlighted by the California Environmental Quality Act (CEQA)

Central Policy Items

Item No. 1 |

Sphere of Influence Amendments

The change of organization proposal necessitates San Diego LAFCO approve a conforming sphere of influence amendment to achieve consistency with the requested annexation pursuant to Government Code Section 56375.5. Consideration of the amendment is premised on the Commission's statutory task to designate spheres to demark the affected agencies' appropriate current and future service areas relative to community benefits and needs as determined by LAFCO. Towards this end, staff believes it would be appropriate for the Commission to proceed and approve the amendment for the cumulative effect of recognizing Otay WD as the best current and future wastewater service provider for the affected territory given four related policy factors. First, the affected territory lies in a developing residential community of Rancho San Diego in which Otay WD is the established wastewater provider. Second, the affected territory is immediately adjacent to an existing Otay WD wastewater main. Third, an amendment would appropriately memorialize a Commission preference to promote the planning and connection therein to a public wastewater system in developing residential areas and eliminate private septic systems whenever feasible. Fourth, the sphere of influence amendment to include the affected territory is self-contained and would not require additional lands in maintaining contiguity. Additional analysis is provided under Appendix A.

Conclusion | Merits of the Sphere Amendments

Approval of the sphere of influence amendment to designate Otay WD as the appropriate provider of public wastewater service for the affected territory is warranted. Justification is marked by the preceding analysis and highlighted by proceeding with a relatively minor amendment to synch the Otay WD sphere to include a developed urban use consistent with the County General Plan and Zoning Ordinance. Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 2 | Change of Organization Timing

The timing of the change of organization appears appropriate and highlighted by the analysis of the dozen-plus factors required for consideration under LAFCO law anytime jurisdictional changes are proposed. The majority of the prescribed factors focus on the impacts of the proposed annexation on the service and financial capacities of the receiving agency, Otay WD (emphasis added). No single factor is determinative and the intent is to provide a uniform baseline for LAFCO in considering all jurisdictional changes in context to the Commission's own adopted policies and practices. A summary of key conclusions generated in the review of these factors follows with a complete analysis provided in Appendix A.

- Service Needs

Annexation of the affected territory to Otay WD would represent a logical and orderly expansion of the District's jurisdictional boundary and wastewater services therein and marked by accommodating an existing need. Additional details follow.

 - Establishing public wastewater services to the affected territory is consistent with the adopted residential land use policies of the County of San Diego; the governmental entity tasked now and into the foreseeable future with community planning by LAFCO as evident by the land not being within any city sphere.
 - There is an existing and reasonable need for public wastewater service to accommodate the current and planned residential use within the affected territory given the alternative would be to maintain a private on-site septic system. This alternative – among other items – would counter the Commission's interest and practice in discouraging private septic systems in developing urban areas.
- Service Capacities and Levels

Otay WD has available and sufficient collection and treatment capacities to accommodate projected service demands within the affected territory at its potential maximum uses without expanding any public infrastructure. Additional details on relevant service capacities and levels follow.

 - An existing Otay WD wastewater main is located immediately adjacent to the affected territory within the public right-of-way on Green Top Lane and accessible through an approximate 30-foot lateral connection.
 - It is projected the maximum average day wastewater demand generated within the affected territory is 300 gallons – one single-family residence and one future potential accessory dwelling unit. This amount represents 0.0115% of the existing available capacity of Otay WD, and as such can be readily accommodated without additional resources or infrastructure planning.

- **Service Funding and Costs**

Otay WD has the financial resources coupled with administrative controls to provide wastewater services to the affected territory in support of its current and planned development without adversely impacting current ratepayers. This comment is reflected in the staff analysis of Otay WD’s recent audited statements which shows a positive current ratio of 3.5 and a relatively modest debt ratio of 32%. The District’s average total margin from the last three years is (19.5%) but is improving and most recently finished the last fiscal year at (8.5%).

Conclusion | Merits of Change of Organization Timing

The timing of the change of organization and annexation therein of the affected territory to Otay WD is warranted. Justification is marked by the preceding analysis and highlighted by appropriately responding to the need for wastewater service in a developing urban area and reflects available capacities and infrastructure.

Item No. 3 |

Merits of Modification and Terms

Staff has not identified any potential boundary modifications to the proposal that merit Commission consideration at this time. Applying standard terms appears appropriate.

Conclusion | Merits of Modifications and Terms

No modifications are merited at this time. Standard terms are appropriate.

Other Statutory Considerations

Exchange of Property Tax Revenues

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider any jurisdictional change unless an applicable master agreement applies.³ The associated statutes also empower the County of San Diego to make all related property tax exchange determinations on behalf of special districts. To this end, San Diego LAFCO has confirmed the County has adopted a master tax exchange applicable to the proposed change of organization. The application of this master agreement will result in a “no” exchange.

³ Jurisdictional change is defined under State law to include latent power expansions.

Environmental Review

CEQA requires San Diego LAFCO to assess whether environmental impacts would result from activities approved under the Commission’s statutory authority. Accordingly, San Diego LAFCO is tasked with making two distinct determinations as lead agency under CEQA with respect to this proposal. This involves the (a) accommodating sphere of influence amendment and the (b) change of organization itself. The Executive Officer has determined both actions – sphere of influence amendment and the change of organization – qualify as projects under CEQA, but are exempt from further review based on the following findings.

- The sphere of influence amendment qualifies for exemption under State CEQA Guidelines Section 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres of influence are planning policies and any amendments do not make any changes to the environment or authorize any new uses or services.
- The change of organization qualifies for exemption under State CEQA Guidelines Section 15319(a). This exemption and its cross-reference to Section 15303 appropriately applies given the affected territory involves an annexation of land already developed to its maximum density under existing land use policies.

Protest Proceedings

Protest proceeding for the change of organization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code Section 56662. The waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law and the subject agency and landowner have provided their respective written consents to the underlying proceeding.⁴

RECOMMENDATION

Staff recommends approval of the change of organization proposal with a conforming sphere of influence amendment consistent with Alternative One as outlined in the proceeding section. Proceeding with an approval facilitates a relatively modest expansion of wastewater services consistent with current and planned land uses as well as existing public infrastructure and capacities.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO and can be accomplished through a single-approved motion.

⁴ LAFCO law defines uninhabited as territory in which 11 or less registered voters reside.

Alternative One (recommended):

- a) Accept and incorporate the analysis of the Executive Officer’s written report.
- b) As lead agency, make the following findings under CEQA:
 - The sphere of influence amendment for Otay WD to include the affected territory qualifies as a project under CEQA, but exempt from further review under State Guidelines 15061(b)(3).
 - The change of organization for Otay WD to annex the affected territory qualifies as a project under CEQA, but exempt from further review under State Guidelines Section 15319(b) and its cross-reference to Section 15303.
- c) Determine protest proceedings are waived under Government Code Section 56662.
- d) Approve the proposed change of organization – cited in short-form as “Bonsignore–Guava Lane Change of Organization to Otay Water District” with a conforming sphere amendment and authorize the Executive Officer to execute a conforming resolution.
- e) Approval is termed on the following standard conditions being satisfied within 12 months unless a time extension is requested and approved by the Commission through the Executive Officer:
 - Completion of the 30-day reconsideration period under Government Code 56895.
 - Submittal of a final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
 - Payment of any outstanding fees generated in the processing of the proposal pursuant to the LAFCO Fee Schedule as well as any related third-party charges.
 - Written confirmation from Otay WD all of its own terms associated with establishing wastewater service to the affected territory have been satisfied.

Alternative Two:

Continue consideration to the next regular meeting and provide direction to staff concerning additional information, as needed.

Alternative Three:

Disapprove the proposal. This option would preclude a similar proposal being presented to the Commission for a period of no less than one year unless waived.

PROCEDURES FOR CONSIDERATION

This item has been placed on the agenda for action as part of a noticed public hearing. The following procedures, accordingly, are recommended in the Commission’s consideration.

- 1) Receive verbal report from staff unless waived;
- 2) Invite comments from the applicant;
- 3) Open the hearing and invite audience comments; and
- 4) Close the hearing, discuss item, and consider action on recommendation.

On behalf of staff,

A handwritten signature in black ink, appearing to read 'Linda Zambito', written in a cursive style.

Linda Zambito
Analyst I

Appendices:

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

Attachments:

- 1) Vicinity Map
- 2) Application Materials

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**APPENDIX A
STATEMENT OF DETERMINATIONS
SPHERE OF INFLUENCE FACTORS**

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

The affected territory is entirely unincorporated and presently developed with a single-family residence consistent with the adopted land use policies of the County of San Diego. The zoning for the affected territory precludes additional density, but would allow for more intensity through the addition of one accessory dwelling unit. These land uses are consistent with the proposal’s purpose to establish wastewater services. The affected territory has not been cultivated for agricultural products and is not subject to the Williamson Act. The lands are not considered prime agriculture under LAFCO law.

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

There is an existing and reasonable need for public wastewater service to accommodate the current and planned residential use of the affected territory consistent with the surrounding and developing area of Rancho San Diego. The alternative to public wastewater service would be to replace and maintain a private on-site septic system, which – and among other concerns – would heighten risks associated with future failures to adjacent properties.

(3) The present capacity of public facilities and adequacy of public services the agency provides or is authorized to provide.

Otay WD has sufficient capacities to accommodate estimated demands within the affected territory at its maximum uses without adversely impacting current ratepayers.

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

The affected territory lies immediately outside Otay WD’s sphere of influence and jurisdictional boundary. Amendment to the sphere to include the affected territory would serve to establish social and economic ties between the affected territory and Otay WD and the mutual interests therein to expand the District’s role as wastewater provider in the area.

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

The affected territory is not in a census tract qualifying as a disadvantaged unincorporated community under LAFCO policy.

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APPENDIX B
ANALYSIS OF MANDATORY PROPOSAL REVIEW FACTORS
GOVERNMENT CODE SECTION 56668

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

The affected territory includes one unincorporated parcel in the County of San Diego totaling 0.98 acres.⁵ The subject parcel is developed with an approximate 1,111 square foot detached single-family residence with three bedrooms and one bathroom. The application materials identify the affected territory is currently occupied. The current assessed value of the subject parcel – including land and improvements – is \$49,495 with the last transaction recorded in January 2018. The affected territory lies within a developing urban-residential area and in the unincorporated area outside of the City of El Cajon. Additional moderate-density residential development in the area is expected to continue during the next 10 years consistent with County’s zoning standards.

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

The County of San Diego acts as the primary purveyor of general governmental services to the affected territory. This includes community planning, roads, and public safety with the latter including fire protection and law enforcement via a contract with the County Sheriff. Other pertinent service providers include Helix Water District (domestic water) and San Miguel Consolidated Fire Protection District (fire rescue and ambulance). This proposal affects only wastewater and is the focus of the succeeding analysis.

- **Extending Public Wastewater to Affected Territory**

The affected territory and its existing residential uses is currently dependent on an on-site septic system that is believed to have been installed in the 1950s with no major repairs preformed in the last several decades. Connection to the system is readily available through an approximate 30-foot lateral to an existing Otay WD wastewater main located within the adjacent public right-of-way Green Top Lane. It is projected the average daily wastewater flow for the affected territory at its maximum development use – which includes two units divided between one single-family residences and an accessory dwelling unit – is 300 gallons. This projected amount

⁵ The subject parcel is located at 1165 Guava Lane. The County Assessor’s Office identifies the subject parcel as 498-270-12.

represents less than 0.012% of the current 2.59 million gallons of available and remaining daily contracted capacity allocated to Otay WD.

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

Approving the change of organization and annexation therein to Otay WD would establish economic and social ties between the District and the affected territory based on mutual interest therein in expanding the role of the District as the wastewater provider for the area.

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

The affected territory is developed as a conforming residential use under the County of San Diego General Plan. Approving the proposed change of organization would facilitate the establishment of public wastewater services to the existing single-family residence currently comprising the affected territory, and in doing so support County’s community planning policies. Similarly, approval would be consistent with the Commission’s adopted policies to synch urban type uses – which includes moderate density residential uses – with urban type services, such as public wastewater. None of the lands qualify as “open-space” under LAFCO law and therefore does not conflict with the provisions outlined under G.C. Section 56377.

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

The affected territory does not qualify as “prime agricultural land” under LAFCO law. Specifically, the lands are not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

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

LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds consistent with the standard of the State Board of Equalization. Approval would be conditioned on a final map and description confirming to the referenced standards if approved by the Commission. The affected territory does not cross lines of assessment.

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

The proposal would not conflict with San Diego Forward, the regional transportation plan established by the San Diego Association of Governments (SANDAG).

h) The proposal’s consistency with city or county general and specific plans.

The affected territory is entirely designated for relatively moderate-density single-family residential use under the adopted land use policies of the County of San Diego. This includes designating and zoning the lands with a minimum parcel size of 0.5 acres. These existing and planned uses are consistent with the proposal’s purpose to provide public wastewater to the present single-family residence as allowed under current zoning.

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

See Appendix A.

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

Staff provided notice of the proposal to all subject and affected agencies as required under LAFCO law. No written comments were received ahead of preparing this agenda report.

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

Information collected and reviewed as part of this proposal indicates Otay WD appears to have established sufficient financial resources and administrative controls therein relative to providing public wastewater to the affected territory without adversely impacting existing ratepayers. This statement is supported by the following factors.

- Otay WD’s last audit covers 2017-2018 and shows the District finished with adequate liquidity levels with an agency-wide current ratio of 3.5 (i.e., \$3.50 in current assets for every \$1.00 in current liabilities).
- Otay WD finished 2017-2018 with moderate capital as evident by a relatively low debt ratio of 32% (i.e., \$68.00 out of every \$100.00 in net assets are free from financing.)
- Otay WD has three audited fiscal years with an average total margin of (10.45%). The most recent year – 2017-2018 – the total margin was (8.5%).

The affected territory’s landowner will pay all required fees and service charges commensurate with Otay WD’s adopted fee ordinance in establishing wastewater services. At present, the residential wastewater service charge for a single-family residence is \$210.96

per year or \$17.58 per month. Serving one additional home as a result of approval of the proposed annexation will not adversely impact existing ratepayers.

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

The affected territory's existing residential uses are already within and connected to Helix Water District's domestic water system. Approval of the change of organization would not affect the timely availability of water supplies to the affected territory. Further, no comments on the proposal were received from Helix Water District.

m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

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

n) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The affected territory is uninhabited as defined LAFCO law (11 registered voters or less). The landowner supports the annexation underlying the change of organization and has provided their written consent to the proceedings.

o) Any information relating to existing land use designations.

See earlier analysis on page 11.

p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There is no documentation or evidence suggesting the proposal will have a measurable effect – positive or negative – with respect to promoting environmental justice.

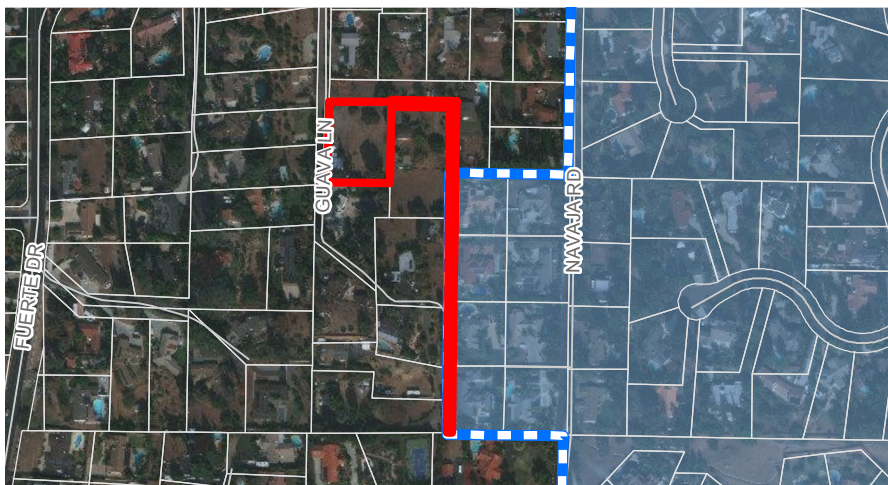
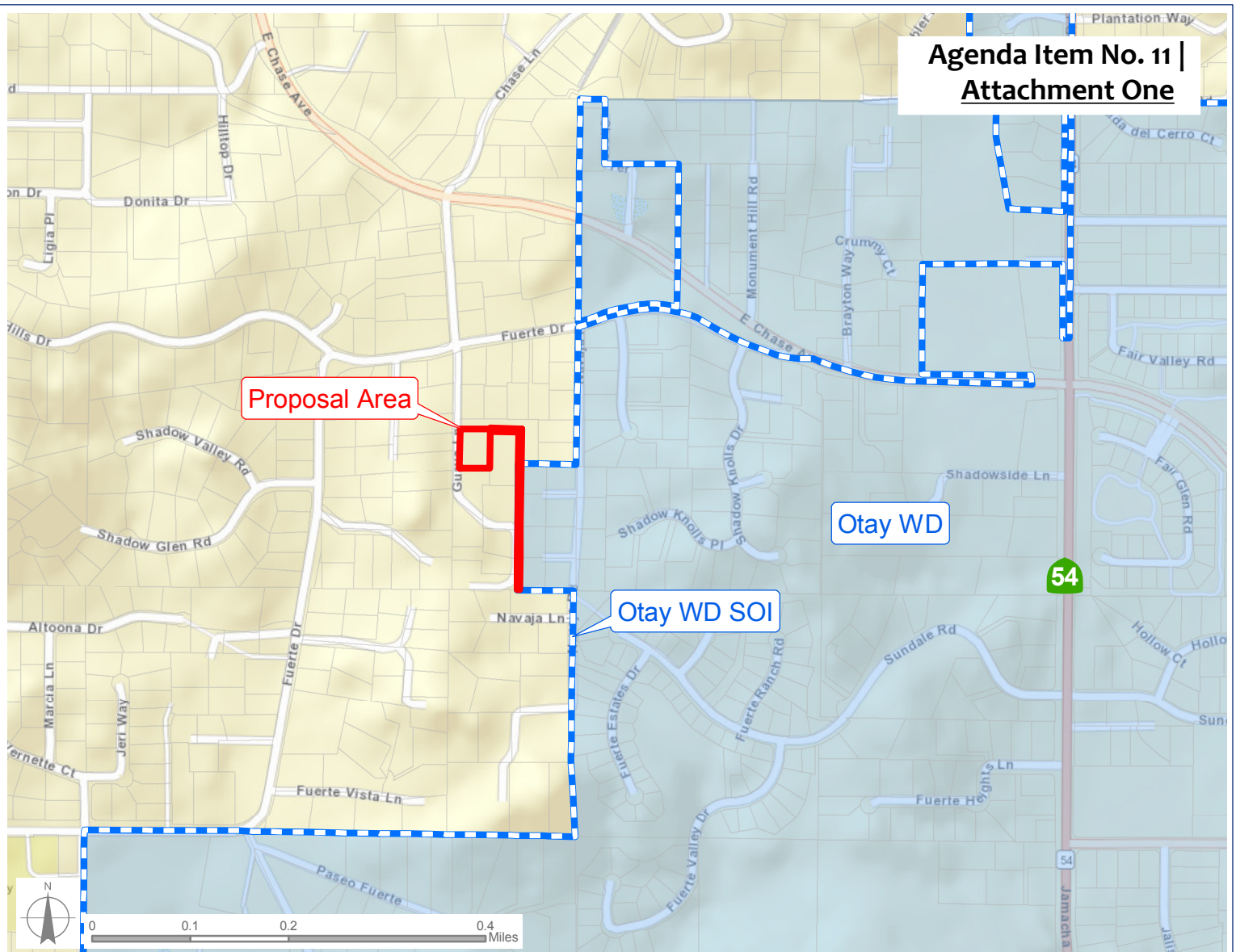
- q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area.**
-

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




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

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

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DA19-03 PROPOSED "BONSIGNORE-GUAVA LANE CHANGE OF ORGANIZATION" TO OTAY WATER DISTRICT

-  Proposal Area
 -  Otay WD
 -  Otay WD SOI
- SOI = Sphere of Influence



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SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION

The following information must be submitted when filing a change of organization or reorganization proposal with the San Diego Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

1. **Completed CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION.**
2. (a) A certified resolution of application from an affected city or district; or
(b) A landowner or registered voter petition making application to San Diego LAFCO (available from LAFCO or <http://www.sdlafco.org/forms/petition.pdf>).
3. A metes-and-bounds legal description of the proposal territory perimeter for the proposed boundary change(s), a reproducible parcel/plat map, and a vicinity map. For information about mapping requirements, refer to: http://www.sdlafco.org/forms/legal_description.pdf, and contact the County Assessor's Mapping Division at 619/531-5588. The Thomas Brother's Guide may be used for the vicinity map.
4. **Environmental documentation** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only:
- (a) INITIAL STUDY: Submit completed form (available from LAFCO) if no environmental review has been conducted;
- (b) CATEGORICAL EXEMPTION: Submit document if an agency has certified that the project qualifies for a categorical exemption from CEQA;
- (c) NEGATIVE DECLARATION (ND): Submit document with certifying resolution and Initial Study*;
- (d) ENVIRONMENTAL IMPACT REPORT (EIR): Submit 15 copies of the Final EIR and certifying resolution, plus one copy of the EIR Appendix*.
- * For an ND or EIR, a copy of the receipt for the fee paid to the California Department of Fish and Game must be submitted.
5. If annexation to a city is proposed, submit one copy of the city resolution approving rezoning and general plan land-use designations for the proposal territory.
6. **JURISDICTIONAL CONFLICTS:** If the response to question number 6 on page 3 is "Yes", complete and sign the Policy L-107 form at http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf.
7. **Completed CAMPAIGN CONTRIBUTION DISCLOSURE FORM AND EVALUATION CHECKLIST for DISCLOSURE OF POLITICAL EXPENDITURES** (pages 7 and 8 of application).
8. **PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY** (page 9 of application).
9. **Completed SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM** (pages 10-12 of application) from each subject agency.
10. **LAFCO processing fees.** The San Diego LAFCO FEE SCHEDULE is available at <http://www.sdlafco.org/document/feeschedule.pdf>, or contact LAFCO staff.

SAN DIEGO LOCAL AGENCY FORMATION COMMISSION
9335 Hazard Way · Suite 200 · San Diego, CA 92123
(858) 614-7755 · www.sdlafco.org

CHANGE OF ORGANIZATION OR REORGANIZATION APPLICATION

The information in this application is used by LAFCO staff to evaluate proposals for changes of government organization. Please respond to **all** items in this form, indicating "NA" when an item does *not* apply.

SUBJECT AGENCY(IES) (City or Special District)	PROPOSED CHANGE OF ORGANIZATION/ACTION (Annexation, detachment, sphere amendment, etc.)
1. <u>OTAY WATER DISTRICT</u>	1. <u>ANNEXATION</u>
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____

As part of this application, the city of _____ or the _____ district, _____ (the applicant), and/or the _____ (real party in interest: subject landowner and/or registered voter) agree to defend, indemnify, hold harmless, and release the San Diego LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any or all of them, the purpose of which is to attack, set aside, void, or annul the approval or denial of this application or adoption of or refusal to adopt the environmental document which accompanies it or any other action San Diego LAFCO takes with respect to this application. This defense and indemnification obligation shall include, but not be limited to, attorneys' fees and other costs of defense, damages, costs, and expenses, including attorney fees payable to another party. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. San Diego LAFCO's acceptance of this application is sufficient to make this agreement a binding, bilateral contract between us.

I acknowledge that annexation to the city of _____ or the OTAY WATER DISTRICT District may result in the imposition of taxes, fees and assessments **existing within the (city or district)** on the effective date of annexation. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot proceeding or an election on those **existing taxes, fees and assessments.**

Agreed:

Signature: C. Bonsignore Date: February 19, 2019

Print/Type Name: CYNTHIA BONSIGNORE

Address: 1655 GUAVA LANE
EL CAJON CA 92020 Telephone: (619) 957-0400

Property Address: 1655 GUAVA LANE

Cross Street(s): FUERTE DRIVE

Assessor Parcel Number(s): 498 270 12 00 Acres: .98

Indicate below if anyone, in addition to the person signing this application, is to receive notices of these proceedings.

Name: Norbert Leibel

Address: 1655 GUAVA LANE
EL CAJON CA. 92020 Telephone: (619) 957-1181

A. PROPOSAL DESCRIPTION/JUSTIFICATION

1. Explain in detail why the proposal is necessary *at this time* (e.g., condition of an approved tentative map, an existing structure requires new services, etc.). Need access to sewer because my septic system is approximately 20 years old

2. Describe the use of *developed* property within the proposal territory, including details about existing structures. Describe anticipated development of *vacant* property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur. already developed with single family residence. 1111 Sq. No alternative dwelling unit.

3. Describe the topography and physical features of the proposal territory, as well as its general location in relation to communities, major freeways/highways, roads, etc. flat

4. How many residents live within the proposal territory? three

5. How many of these residents are registered voters? three

6. Are there any jurisdictional issues associated with the LAFCO proposal or pending LAFCO action?
 NO YES (If yes, please complete the Policy L-107 form at http://www.sdlafco.org/forms/Legislative_Policy_L_107.pdf)

B. LAND USE INFORMATION

GENERAL PLAN AND ZONING:

If the proposal territory is *not* within an incorporated city, San Diego County General Plan and zoning information may be obtained by calling (858) 565-5981 or toll-free (888) 267-8770 with the Assessor Parcel Number(s) of the subject property. If the proposal territory is within a city, please call the appropriate city's planning department for General Plan and zoning information.

1. COUNTY:

- (a) The territory is within the Valle de Oro community plan.
- (b) The County General Plan or community plan designation and allowed density: semi Rural residential (SR 0.5)
- (c) Current County zoning and allowed density: Rr .5 AC

2. CITY:

(a) The territory is within the general plan area for the City of County of San Diego

(b) The City General Plan land use designation and allowed density: _____

(c) Current City zoning and allowed density: _____

(d) Current City rezoning and allowed density: _____

3. Indicate below *all* permits or approvals that will be needed by the County or any city to complete the project. If already granted, please note the date of approval and attach a copy of each resolution of approval. If approval is pending, please note the anticipated approval date.

Type of Approval or Permit	File No.	Approval Date	Is Resolution Attached?
Tentative Subdivision Map			<input type="checkbox"/> YES <input type="checkbox"/> NO
Tentative Parcel Map			<input type="checkbox"/> YES <input type="checkbox"/> NO
Major Use Permit			<input type="checkbox"/> YES <input type="checkbox"/> NO
City/County General Plan Amendment			<input type="checkbox"/> YES <input type="checkbox"/> NO
City Rezoning			<input type="checkbox"/> YES <input type="checkbox"/> NO
County Rezone			<input type="checkbox"/> YES <input type="checkbox"/> NO
(Other)			<input type="checkbox"/> YES <input type="checkbox"/> NO

4. Describe the land uses surrounding the proposal territory (e.g., residential, commercial, agricultural, industrial, open space, etc.).

North: Residential East: Residential
 South: Residential West: Residential

5. Indicate with a if any portion of the proposal territory contains the following:

- Agricultural land uses Agricultural Preserve
- Open Space Easement Slopes greater than 25%
- Sewer moratorium area Coastal Permit Zone
- Unusual features such as: _____

6. For city annexation proposals: Is any part of the proposal territory under a Williamson Act contract? If yes, please contact the LAFCO office for special instructions regarding petition/resolution of application requirements. YES NO

C. PUBLIC SERVICES INFORMATION

SEWER SERVICE:

1. (a) Is the proposal territory within a district or city that provides public sewer service? YES NO
- (b) *If yes*, which agency? _____
2. (a) Is a developed parcel in need of annexation due to failed septic system? YES NO
- (b) *If yes*, include a copy of any letters from the San Diego County Department of Environmental Health or private septic-system company.
- (c) *If no*, is annexation for sewer service part of this application? YES NO
3. If annexation for sewer service is proposed, which district or city would serve the territory if this jurisdictional change is approved? OTAY WATER DISTRICT
4. (a) Has the agency that will be providing service issued a letter of sewer availability? YES NO
- (b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)
5. (a) Will the agency be prepared to furnish sewer service upon annexation? YES NO
- (b) *If no*, please explain: _____
- _____

WATER SERVICE:

1. (a) Is the proposal territory within a district or city that provides public water service? YES NO
- (b) *If yes*, which agency? _____
2. Is a well or other on-site water system currently used on the property? YES NO
3. Is an on-site system proposed to be used when the property is developed? YES NO
4. (a) Is annexation for water service part of this application? YES NO
- (b) *If yes*, which district or city would serve the territory if this jurisdictional change is approved? _____
- (c) Will the agency that will be providing service be prepared to furnish water service upon annexation? YES NO
5. (a) Has the agency that will be providing service issued a letter of water availability? YES NO
- (b) *If yes*, please provide a copy of the letter with this application. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)

FIRE PROTECTION SERVICES: NOTE: Complete the following section **only** if annexation to a fire protection service provider is proposed—or if the current fire protection service provider is proposed to change.

1. (a) Is the proposal territory **currently** within an agency that provides fire protection? YES NO

(b) **If yes**, provide name and address/location of current fire service provider

San Miguel Consolidated Fire protection District

(c) Provide estimated response times to the proposal territory:

priority _____ minutes; non-priority _____ minutes

2. Is annexation for fire protection service part of this application? YES NO

3. Which city or district would serve the proposal territory if this jurisdictional change is approved?

(a) Location/address of the proposed fire service provider: _____

(b) Estimated response times to the proposal territory:

Priority _____ minutes; non-priority _____ minutes

POLICE PROTECTION SERVICES: NOTE: Complete the following section **only** if the police protection provider is proposed to change.

1. Which police agency **currently** serves the proposal territory?

S.D. County Sheriff

(a) Location/address of nearest police station: _____

(b) Estimated response times to the proposal territory: priority _____ minutes; non-priority _____ minutes

2. Which police agency would serve the proposal territory if this jurisdictional change is approved?

(a) Location/address of nearest police station: _____

(b) Estimated response times to the proposal territory:

Priority _____ minutes; non-priority _____ minutes

CAMPAIGN CONTRIBUTION DISCLOSURE PROVISIONS

LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308, and the Regulations of the Fair Political Practices Commission (FPPC), Section 18438.

Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Disclosure Form must be completed and returned to San Diego LAFCO with your application.

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party¹ or agent² while a change of organization proceeding is pending, and for three months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.

2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for three months following the date a final decision is rendered by LAFCO.

3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

¹ "Party" is defined as any person who files an application for, or is the subject of, a proceeding.

² "Agent" is defined as a person who represents a party in connection with a proceeding. If an individual acting as an agent also is acting as an employee or member of a law, architectural, engineering, or consulting firm, or a similar entity or corporation, both the individual and the entity or corporation are agents. When a closed corporation is a party to a proceeding, the majority shareholder is subject to these provisions.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated.

Names of current LAFCO commissioners are available at <http://www.sdlafco.org/document/CommRoster.pdf>. If you have questions about Government Code Section 84308, FPPC regulations, or the Campaign Disclosure Form, please contact San Diego LAFCO at 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755.

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

(a) Proposed change(s) of organization: N/A

(b) Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

1. N/A

2. _____

(c) Date and amount of contribution:

Date N/A Amount \$ _____

Date _____ Amount \$ _____

(d) Name of commissioner to whom contribution was made:

1. _____

2. _____

(e) I certify that the above information is provided to the best of my knowledge.

Printed Name Cynthia BONSIGNORE

Signature C. Bonsignore

Date 2/19/19 Phone 619 957-0400

To be completed by LAFCO:

Proposal:

Ref. No.

DISCLOSURE OF POLITICAL EXPENDITURES

Effective January 1, 2008, expenditures for political purposes, which are related to a change of organization or reorganization proposal that will be or has been submitted to LAFCO, are subject to the reporting and disclosure requirements of the Political Reform Act of 1974 and the Cortese-Knox-Hertzberg Act of 2000.

Please carefully read the following information to determine if reporting and disclosure provisions apply to you.

- Any person or combination of persons who, for political purposes, directly or indirectly contributes \$1,000 or more, or expend \$1,000 or more in support of, or in opposition to a proposal for a change of organization or reorganization that will be submitted to the Commission, shall disclose and report to the Commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 (Government Code Section 81000 et seq.) as provided for local initiative measures, and Section 56700.1 of the Cortese-Knox-Hertzberg Act of 2000.
- Pursuant to Government Code Section 57009, any person or combination of persons who directly or indirectly contributes \$1,000 or more, or expends \$1,000 or in support of, or in opposition to, the conducting authority proceedings for a change of organization or reorganization, must comply with the disclosure requirements of the Political Reform Act of 1974, (Government Code section 81000 et seq.). Applicable reports must be filed with the Secretary of State and the appropriate city or county clerk. Copies of the report must also be filed with the Executive Officer of San Diego LAFCO.
- A roster of current San Diego LAFCO commissioners is available from the LAFCO office: 9335 Hazard Way, Suite 200, San Diego, CA 92123, (858) 614-7755, or from <http://www.sdlafco.org/document/CommRoster.pdf>

EVALUATION CHECKLIST FOR DISCLOSURE OF POLITICAL EXPENDITURES

The following checklist is provided to assist you in determining if the requirements of Government Code Sections 81000 et seq. apply to you. For further assistance contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

1. Have you directly or indirectly made a contribution or expenditure of \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes

No

Date of contribution _____ Amount \$ _____

Name/Ref. No. of LAFCO proposal _____

Date proposal submitted to LAFCO _____

2. Have you, in combination with other person(s), directly or indirectly contributed or expended \$1,000 or more related to the support or opposition of a proposal that has been or will be submitted to LAFCO?

Yes

No

Date of contribution _____ Amount \$ _____

Name/Ref. No. of LAFCO proposal _____

Date proposal submitted to LAFCO _____

3. If you have filed a report in accordance with FPPC requirements, has a copy of the report been filed with San Diego LAFCO?

Yes

No

PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY

Note: Processing of jurisdictional boundary change proposals, which involve *uninhabited*¹ territory, can be expedited by approximately 60 days if all affected landowners consent to the proposal. If you wish to take advantage of this option, please return the completed PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY to San Diego LAFCO with your application for a jurisdictional boundary change. If consenting signatures of 100% of the affected property owners are affixed and LAFCO does not receive any opposition from subject agencies, the Commission may consider the proposal without public notice, public hearing and/or an election.

¹ Territory included within a proposed boundary change that includes less-than 12 registered voters is considered *uninhabited* (Government Code 56045).

The undersigned owners(s) of property hereby consent(s) to inclusion of that property within a proposed change of organization or reorganization consisting of:

(Please list all proposed actions)

Annexation to: 1. OTAY Water District
2. _____
3. _____


Detachment from: 1. _____
2. _____
3. _____

<u>Date</u>	<u>Signature</u>	<u>Assessor's Parcel Number(s)</u>
1. <u>2/19/19</u>	<u>C. Bonaparte</u>	<u>498-270-12-00</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____

Attach additional sheets if necessary

SUBJECT AGENCY SUPPLEMENTAL INFORMATION FORM

NOTE: A copy of this form must be completed and signed by each local agency that will gain or lose territory as a result of the proposed jurisdictional boundary change. Attach additional sheets if necessary.

 Signature of agency representative Tanya Ayala-Mason	Print name Digitally signed by Tanya Ayala-Mason Date: 2019.02.06 12:06:19 -08'00'
Title Permit Technician 619) 670-2241	Date 2/6/19
Telephone	Date

A. JURISDICTIONAL INFORMATION:

Name of agency:
Otay Water District 2554 Sweetwater Springs Blvd. Spring Valley, CA 91978

1. Is the proposal territory within the agency's sphere of influence? Yes No
2. Upon annexation, will the proposal territory be included within an assessment district and be subject to assessment for new or extended services? Yes No
3. Does the agency have plans to establish any new assessment district that would include the proposal territory? Yes No
4. Will the proposal territory assume any existing bonded indebtedness? Yes No
 If yes, indicate any taxpayer cost: \$ _____
5. Will the proposal territory be subject to any special taxes, benefit charges, or fees? Yes No
 If yes, please provide details of all costs: Attached thru 3/29/19.
6. Is the agency requesting an exchange of property tax revenues as a result of this proposal? Yes No
7. Is this proposed jurisdictional change subject to a master property tax agreement or master enterprise district resolution? Yes No
8. FOR CITY ANNEXATIONS: Does the proposal territory contain existing commercial development that generates retail sales of ten million dollars or more per year? Yes No
9. FOR CITY ANNEXATIONS: If any part of the proposal territory is under a Williamson Act contract, please contact the LAFCO office for special instructions regarding petition or resolution of application requirements.

EXPEDITED PROPOSAL PROCESSING: Processing of jurisdictional boundary change proposals can be expedited by approximately 60 days if all affected landowners consent to the waiver of protest and termination (conducting authority) proceedings and subject agencies do not oppose the waiver. If you do NOT want to waive these proceedings, then attach a written statement to the subject agency information form containing a signature, date, and declaration of opposition to a waiver of such proceedings.

B. SEWER SERVICE:

1. What is the agency's current wastewater treatment capacity (expressed in million gallons per day and equivalent dwelling units)? 2.587 MGD total capacity
(1.287 MGD Metro and 1.3 MGD RWCWRF) / 17,132 EDUs at 2018 usage
2. What is the average volume of influent currently being treated by the agency (expressed in million gallons per day and equivalent dwelling units)? _____
1.018 MGD (2018) / 6,739 EDUs
3. (a) What is the agency's peak flow volume (expressed in million gallons per day)?
1.21 MGD
- (b) What is the agency's peak flow capacity (expressed in million gallons per day)?
4.34 MGD
- (c) Has the agency exceeded the flow (peak) capacity within the past two years?
 YES NO
- (d) *If yes*, please describe the frequency and volume of incidents that exceeded the agency's peak capacity: _____

4. (a) Has the agency issued a letter of sewer availability for the proposal territory? YES NO
- (b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.)
5. (a) How many future equivalent dwelling units have been reserved or committed for proposed projects? 1,700 EDUs
- (b) Can all projects that have received commitments of sewer availability (e.g., "will serve letters") be accommodated with planned capacity? YES NO
6. (a) Does the agency have the necessary contractual and/or operational treatment capacity to provide sewer service to the proposal territory? YES NO
- (b) *If yes*, please specify the proposal territory's estimated sewer demand and the agency's available sewer capacity (expressed in million gallons per day and equivalent dwelling units):
Property will add 1 EDU (0.00015 MGD)
Sewer line at connection has capacity of 0.48 MGD
- (c) *If no*, please describe the agency's plans to upgrade capacity to resolve any capacity related issues: _____

7. Will the proposal territory be annexed to a sewer improvement district? YES NO
8. (a) The distance for connection of the proposal territory to the agency's existing sewer system is 30 feet.
- (b) Describe the location of the connection to the agency's existing sewer system:
Sewer gravity main located southeast of property at GreenTop Ln El Cajon, CA 92020

C. WATER SERVICE:

1. (a) Does the subject agency have adequate water supply and sufficient contractual and/or operational capacity available to serve the proposal territory? YES NO

(b) *If yes*, describe the proposal territory's estimated water demand and the agency's available water supply and capacity (expressed in acre-feet or million gallons per day):

Customer currently has a 3/4" Water Service with a 3/4" Water Meter

(c) *If no*, what plans does the agency have to increase its water capacity?

2. Specify any improvements (on and off-site) that will be necessary to connect and serve the anticipated development. Indicate the total cost of these improvements and method of financing (e.g., general property tax, assessment district, landowner or developer fees): YES NO

3. (a) Has the agency issued a letter of water availability for the proposal territory? YES NO

(b) *If yes*, please provide a copy of the letter. (This documentation should be completed by the agency no longer than 6 months prior to submittal to LAFCO.) WE DON'T KNOW IF THE OWNER HAS BROUGHT US THE FORM TO BE FILLED BY HWD

4. (a) The distance for connection of the proposal territory to the agency's existing water system is _____ feet.

(b) Describe the location of the connection to the agency's existing water system: The existing water service is located approximately 60' north of the SW property corner

5. (a) Is the agency currently under any drought-related conditions and/or restrictions? YES NO

(b) *If yes*, describe the conditions and specify any related restrictions:

6. (a) Will the proposal territory utilize reclaimed water? YES NO

(b) *If yes*, describe the proposal territory's reclaimed water use and the agency's available reclaimed water supply and capacity (expressed in acre-feet or million gallons per day):

(c) The distance for connection of the proposal territory to the agency's existing reclaimed water system is _____ feet.

(d) Describe the location of the connection to the agency's existing reclaimed water system:

(e) *If no*, has the agency considered availability of reclaimed water to the proposal territory? YES NO

(f) What restrictions prevent use of reclaimed water? _____

7. Will the proposal territory be annexed to an improvement district? YES NO

ALREADY IN HWD DISTRICT

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

Part I: NOTICE OF INTENT TO CIRCULATE PETITION

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

1. Notice is hereby given to circulate a petition proposing to: Annexation into Otay Water District

2. The reason(s) for the proposal are: my septic system is approximately 70 years old

Cynthia Bonsignore
Proponent's Name (print)

C. Bonsignore
Signature of proponent or representative

1655 Guava Lane
Proponent's Address

El Cajon Ca. 92020
City, State, Zip

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

Date

Executive Officer (Print and Sign)

PART II: DISCLOSURE REQUIREMENTS

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

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

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

Part III: PETITION FOR CHANGE OF ORGANIZATION OR REORGANIZATION

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

(a) The specific change(s) of organization proposed is/are: Annexation into Obispo Water District

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

(c) The proposed action(s) will be subject to the following terms and conditions: _____

(d) The reason(s) for the proposal is/are: ageing septic system

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

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

1. Cynthia Bonsignore 1655 Guava Lane El Cajon 92020
Name of chief proponent (print) mailing address

2. _____
Name of chief proponent (print) mailing address

3. _____
Name of chief proponent (print) mailing address

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

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

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

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

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

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

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

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

1. The name of the proposed city is: _____

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

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

Part IVa: REGISTERED VOTER PETITION

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

Each of the undersigned states:

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

Name of Signer	Residence Address	Date Signed	Official Use
Sign <u>C. Bonstgnore</u> Print <u>CYNTHIA BONSTGNORE</u>	1655 Guava Lane El Cajon 92020	2/19/19	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Part IVb: LANDOWNER PETITION

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

Each of the undersigned states:

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

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign <u>C. Bonsignore</u> Print <u>CYNTHIA BONSIGNORE</u>	498-276-12-00	2/19/19	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

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

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

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

Dissolution of a District—For registered voter district: signatures by (a) not less than 10% of the registered voters within the district; or (b) not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.

—For landowner-voter districts: signatures by not less than 10% of the number of landowners within the district who also own not less than 10% of the assessed value of land within the district.

—If dissolution is for inactivity, the petition must be signed by three or more registered voters or landowners within the subject district and include statement and recitations as required by Govt. Code 56871 (Govt. Code § 56870).

Consolidation of Districts—For registered voter districts: signatures by not less than 5% of the registered voters within each of the districts.

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

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

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

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

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

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

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

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

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

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

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ANNEXATION NO.
ANNEXATION TO OTAY WATER/SANITATION DISTRICT
GEOGRAPHIC DESCRIPTON
OF THE PROPERTY AT
1655 GUAVA LN. EL CAJON CA.
APN: 498-270-12-00

All that certain property, situate in that portion of the Southeast quarter of the Northwest quarter of Section 24, Township 16 South, Range 1 West, San Bernardino Meridian, in the County of San Diego, state of California, according to the official plat thereof, described as follows.

Beginning at the edge of Guava Lane, 30 feet wide, also being the existing Helix Water District Boundary;

Thence, (1) North 89°50'00" East 330.00 feet along existing boundary;

Thence, (2) North 00°19'10" South 850.00 feet along existing boundary;

Thence, (3) North 89°23'19" West 7.39 feet along existing boundary;

Thence, (4) North 00°19'10" North 830 feet along existing boundary;

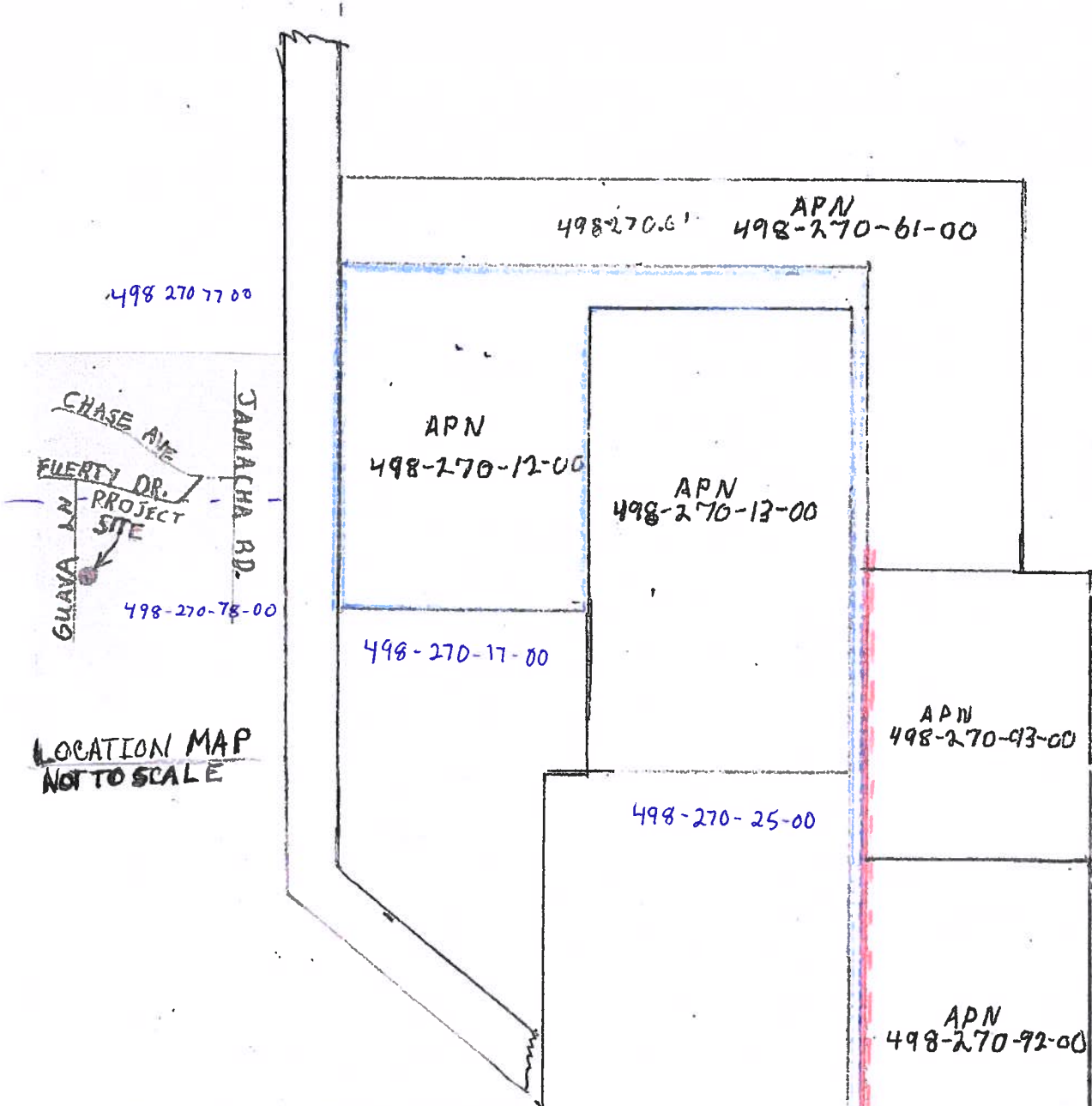
Thence, (5) North 89°50'00" West 152.61 feet along existing boundary;

Thence, (6) North 00°19'11" South 196 feet along existing boundary;

Thence, (7) North 89°50'01" West 160 feet along existing boundary;

Thence, (8) North 00°24'56" \ North 213 feet along existing boundary to the **Point of beginning** and containing .98 acres more or less.

For assessment purpose only. This description of land is not a legal property description as defined in the subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



EXISTING OTAY SANATION DISTRICT BOUNDARY
 PROPOSED OTAY SANATION DISTRICT BOUNDARY

DISCLAIMER
For assessment purpose only. This description of land is not a legal property description as defined in the subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

SCALE 1" = 100'

ASSESSORS PARCEL NUMBER 498-270-12-00	LAFCO RESOLUTION NO.	ACREAGE: .98	DATE: 02/19/2019
OTAY WATER ANNEXATION NO. BEING A PORTION OF SECTION 24, T. 16S, R. 1, R, 1W, S.B.M. SAN DIEGO COUNTY		CYNTHIA BONSIGNORE TRUST 1655 GUAVA LN. EL CAJON, CA. 92020 1(619)957-0400	

- COUESES**
1. N89°50'00" 330'
 2. N00°19'10" 850'
 3. N89°23'19" 7.39'
 4. N00°19'10" 830'
 5. N89°50'00" 152.61'
 6. N00°19'11" 196'
 7. N89°50'01" 160'
 8. N00°24'56" 213'
- 0.98 ACRES**



...Dedicated to Community Service

2554 SWEETWATER SPRINGS BOULEVARD, SPRING VALLEY, CALIFORNIA 91978-2004
TELEPHONE: 670-2222, AREA CODE 619

www.otaywater.gov

February 6, 2019

Project: P1438-010000
Activity: 3307

Cynthia Bonsignore Trust
c/o Cynthia Bonsignore
1655 Guava Lane
El Cajon, CA 92020

Subject: Sewer Annexation Proposed – 1655 Guava Lane, El Cajon, CA 92020
(APN: 498-270-12-00);
Will Serve Letter

Dear Ms. Bonsignore:

District staff has no objection to your request for sewer annexation into the District's service boundary and Sewer Improvement District 18 for sewer service and sewer main extension. As provided to the Otay Water District (District), you intend to annex your property located at 1655 Guava Ln, El Cajon, CA 92020, APN: 498-270-12-00 (Project). As provided to the District, the Project consists of an annexation request outside of the District boundary into the District service boundary and Sewer Improvement District 18 and will require an extension of the sewer main to your property in order to be served sewer. The nearest District sewer gravity main is located southeast of your property on Green Top Lane in El Cajon, CA.

The property is located outside of the District's service boundary and, therefore, any jurisdictional changes to the service boundary will need to be reviewed and approved by the San Diego Local Agency Formation Commission (LAFCO) before the District can proceed with your intention of a sewer annexation request for approval by our Board of Directors.

You should contact all necessary agencies including the Fire Department for any requirements. The District should then be contacted at (619) 670-2241 regarding any other conditions that may have arisen since this letter was written for this Project.

Should you have any questions, please contact Public Services at (619) 670-2241 or via e-mail at pscounter@otaywater.gov.

Cynthia Bonsignore Trust
Sewer Annexation Proposed – 1655 Guava Lane, El Cajon, CA 92020
February 6, 2019
Page 2 of 2.

Also, enclosed are District Code of Ordinances Sections 9, 51, 53 and Code of Ordinances Appendix A Section 9 & 53 Fees, which can also be found on the District's website at <http://otaywater.gov/about-otay/news-and-documents/code-of-ordinances/>.

Sincerely,
OTAY WATER DISTRICT

A handwritten signature in blue ink, appearing to read 'Dan Martin', with a stylized flourish at the end.

Dan Martin, P.E.
Assistant Chief of Engineering

DM:jf

Enclosures: Code of Ordinances Sections 9, 51, 53
Code of Ordinances Appendix A Section 9 & 53 Fees