



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

**6a**

**AGENDA REPORT**  
 Public Hearing

May 1, 2023

**TO:** Commissioners

**FROM:** Keene Simonds, Executive Officer  
 Carolanne Ieromnimon, Analyst I  
 Michaela Peters, Analyst I

**SUBJECT: Proposed “Cumming Ranch Change of Organization” |  
 Expansion of Ramona Municipal Water District’s Activated Wastewater Service  
 Area and Related Sphere of Influence Action (CO22-16)**

**SUMMARY**

The San Diego County Local Agency Formation Commission (LAFCO) will consider a change of organization filed by resolution of the Ramona Municipal Water District (MWD) to expand its activated wastewater service area. The affected territory as submitted comprises one contiguous area consisting of multiple undeveloped parcels under common ownership that collectively totals 390 acres. All of the affected territory lies within a special study area recently assigned to Ramona MWD’s secondary sphere involving its wastewater function. The purpose of the proposal is to facilitate the availability of public wastewater service to the affected territory and in doing so, accommodate the planned development of 125 single family residences and ancillary improvements known as the “Cumming Ranch” subdivision. Staff recommends conditional approval of the proposal along with a conforming amendment to Ramona MWD’s secondary sphere. Staff also recommends waiver of protest proceedings and exemption findings under the California Environmental Quality Act.

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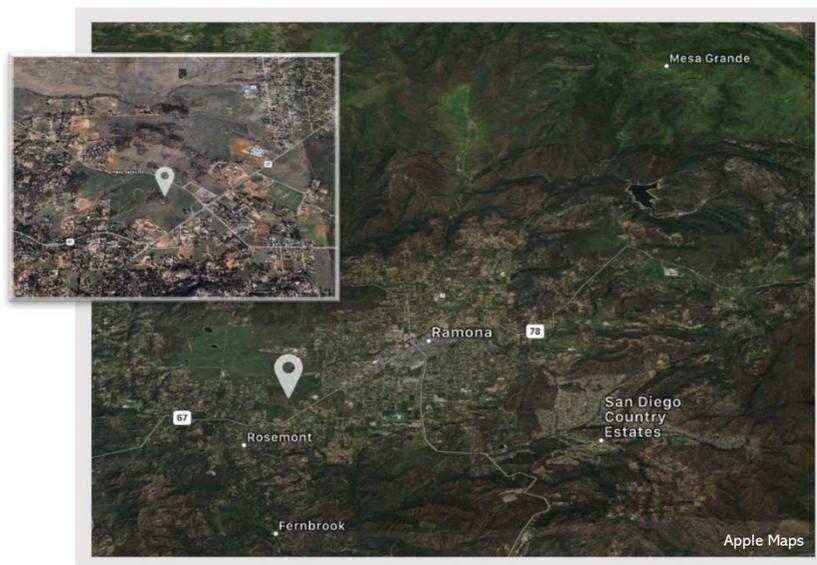
## BACKGROUND

### Applicant Filing & Requested Terms

San Diego LAFCO has received a resolution of application from the Ramona MWD requesting approval to expand its activated wastewater service area that lies within its jurisdictional boundary by an additional unincorporated 390 acres. (The acreage amount reflects a corrected total relative to the application submittal to remove the unnecessary inclusion of 293 acres that are already within the activated service area.) The proposal has been filed in coordination with the landowner – 805 Properties – and involves one contiguous area recently assigned by LAFCO as a special study area to the secondary sphere of influence specific to Ramona MWD’s activated wastewater function. Overall, the affected territory as corrected consists of eight undeveloped parcels with a total assessed land value of \$3.5 million. The County of San Diego Assessor’s Office identifies the subject parcels as 282-010-30, 283-011-06, 283-021-01, 283-02-102, 283-022-02, 283-041-25, 283-041-26, and 283-051-01. Requested terms are limited to Ramona MWD assigning all processing and ancillary costs to the landowner.

### Regional Setting

The affected territory spans approximately 390 unincorporated acres that lies within Ramona MWD’s jurisdictional boundary, which is dedicated to its water and park and recreation functions.<sup>1</sup> The affected territory is at the southern end of the unincorporated community of Ramona and along the northwest intersection of State Route 67 and Highland Valley Road. Poway serves as the closest incorporated community to the affected territory and is 11.3 miles in distance. The elevation range within the region varies between 518 feet to 1,394 feet above sea level with the latter point recorded on Ramona Airport. The predominant land uses are low density residential and – albeit at a decreasing level – commercial agriculture. An aerial map of the affected territory and its regional setting follows.



<sup>1</sup> Ramona MWD’s jurisdictional boundary previously covered its activated fire protection, emergency medical, and ambulance transport functions. These functions were divested by LAFCO at the request of Ramona MWD in June 2022.

Map of Ramona MWD’s jurisdictional boundary is provided as Attachment One.

## Subject Agencies

The proposed change of organization filed with San Diego LAFCO involves one subject agency: Ramona MWD.<sup>2</sup> A summary of the subject agency in terms of governance, population, municipal functions, and financial standings follow.

- **Ramona MWD** is an independent special district governed by a five-member board of directors. An appointed general manager - Erica Wolski - oversees day-to-day activities, and this includes a current full-time budgeted staff of 51. Ramona MWD was formed in 1956 with a present jurisdictional boundary totaling 46,005 acres or 75 square miles. The jurisdictional boundary spans the width of the Santa Maria Valley and includes two distinct local communities: Ramona Village and San Diego Country Estates. Authorized service functions within the entirety of the jurisdictional boundary involve water and parks and recreation. A third activated function – wastewater – is limited to two distinct portions of the jurisdictional boundary totaling 11,61 acres and identified as the “San Vicente” and Santa Maria” systems. LAFCO most recently updated Ramona MWD’s sphere of influence in 2021 with a larger-than-agency designation to include 53.1 of unincorporated acres. LAFCO also – pertinently – established a special study area specific to the secondary sphere (wastewater) to capture the planned Cumming Ranch subdivision. The most recent audit shows Ramona MWD’s net position at \$117.9 million as of June 30, 2022. This accrued amount reflects an overall three-year change of 11.9% and includes an unrestricted portion of \$36.5 million that adjust to \$49.1 million less retiree assignments. This adjusted amount matches the cash balance on hand at the end of the fiscal year and equals 17.3 months of actual 2021-2022 operating costs.<sup>3</sup>

## Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of nine local agencies directly subject to San Diego LAFCO’s planning and regulatory responsibilities. These eight qualify as “affected agencies” and have received written notice of the proposal and opportunity to comment.<sup>4</sup>

- County Service Area No. 135 (Regional Communications)
- County Service Area No. 17 (San Dieguito)
- Metropolitan Water District of Southern California
- Ramona Municipal Water District
- Resource Conservation District of Greater San Diego County
- San Diego County Fire Protection District
- San Diego County Water Authority

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<sup>2</sup> State law defines “subject agency” to mean any district or city for which a change of organization or change of organization is proposed.

<sup>3</sup> Total operating costs in 2021-2022 were \$34.148 million.

<sup>4</sup> State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

- San Diego County Street Lighting District
- San Diego County Flood Control District

The affected territory also lies within the following school and college districts, and accordingly also received notice of the change of organization proposal: Ramona Unified (elementary, middle, and high school) and Palomar Community College.

## DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications to the physical footprint – the change of organization proposal to expand Ramona MWD’s activated wastewater service area to include the entire affected territory. The Commission may also consider applying conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion regarding proposal purpose, related development opportunities, and Commission focus follows.

### Proposal Purpose

The purpose of the proposed change of organization is to expand Ramona MWD’s activated wastewater service area to include the affected territory in order to facilitate the planned development of 125 single-family residences and ancillary improvements as part of the Cumming Ranch subdivision. The timing of the proposal follows the County of San Diego’s condition approval of the subdivision in January 2013 and specific term requiring the developer (805 Properties) to establish wastewater services from Ramona MWD. No other municipal service establishments are proposed given the affected territory is already eligible for water service from Ramona MWD and receives fire protection, emergency medical, and ambulance transport from the San Diego County Fire Protection District.

### Current and Planned Development & Related Policies

All of the affected territory is unincorporated and under the land use authority of the County of San Diego and its adopted policies. Specific development policies for the affected territory are delegated in the County General Plan to the Ramona Community Plan, which is one of 22 designated communities identified by the Board of Supervisors meriting stand-alone land use provisions. The present zoning includes three assignments: Rural Lands (RL-40) which provides minimum lot size of 40 acres; Semi-Rural (SR-2) which provides minimum lot size of 2 acres; and Semi-Rural (SR-10) which provides a minimum lot size of 10 acres. The adopted Cumming Ranch Subarea Plan (June 2000) assigns up to 125 dwelling units to the affected territory. Cumming Ranch’s conditional approval (January 2013) provides approximately 215 acres of the entire affected territory shall be the site for the 125 single family residences whereas the remaining 456 acres of affected territory shall be dedicated as open space and made available for inclusion in the Ramona Grasslands Preserve<sup>5</sup>. This includes preserving the 22.2 acres of vernal pool open space easements and dedicating 244.6 acres of biological open

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<sup>5</sup> Approximately 9.8 acres of the affected territory is located in the right-of-way (ROW) for Highland Valley Road and State Route 67.

space in easements grant to the County of San Diego.

## Commission Focus

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

## ANALYSIS

San Diego County LAFCO’s analysis of the proposed change of organization is divided into two distinct subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section and specifically the merits of amending Ramona MWD’s secondary sphere of influence and expansion of the activated wastewater service area and whether modifications and/or terms are appropriate to further address Commission goals and policies. The second subsection considers other statutory issues, and this includes complying with the California Environmental Quality Act (CEQA).

## Central Policy Items

### Item No. 1 |

#### Conforming Sphere of Influence Amendment

The proposed change of organization necessitates San Diego LAFCO to consider a conforming sphere of influence action involving the lone subject agency to achieve consistency with the requested jurisdictional change as required under statute. Consideration of the amendment is premised on LAFCO’s statutory responsibility to designate spheres to demark the affected agencies’ appropriate jurisdictional boundary and/or service areas now and into the immediate future as determined by the Commission. This includes demarking the Commission’s expectation of exclusive responsibilities for one or more municipal services.

The specific amendment under consideration involves expanding Ramona MWD’s secondary sphere assigned to its activated wastewater function to capture all of the affected territory. Three related factors drawn from statute and local policy guide the amendment’s analysis. The statutory factors relate to an informing municipal service review along with addressing the general relationship between the agencies and affected territory.<sup>6</sup> Local policy requires consideration of L-102 and its provisions to guide sphere actions in San Diego County. Analysis of these three sphere factors follow.

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<sup>6</sup> Reference to Government Codes 56430 and 56425, respectively.

- Sphere Factor No. 1:  
Consideration of a Municipal Service Review

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Statute requires LAFCO to prepare municipal service reviews to inform its related task to regularly review and update all local agencies’ spheres of influence. The statute further directs LAFCO perform sphere updates every five years as needed. The most recent municipal service review prepared by LAFCO germane to the proposal was less than three years ago in October 2021 with a review of the Ramona Region. The information provided in the recent municipal service review remains relevant and timely. Among other germane observations, the municipal service review includes the following conclusionary statement on Ramona MWD’s service capacities:

**“No. 3: Adequate Service Capacities with One Notable Exception**

*As the principal municipal service provider in the region, Ramona MWD has developed adequate infrastructure capacities and related administrative controls to meet current and projected demands in the timeframe of this report with one exception. This exception involves meeting wastewater demands within the Santa Maria service area, which covers central Ramona and now regularly exceeds permitted capacities during high rain periods due to excessive inflow (surface) and/or infiltration (groundwater) intrusion.” (Municipal Service Review on Ramona Region, Oct 2021)*

- Sphere Factor No. 2:  
Consideration of the Agency-Affected Territory Relationship

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The Legislature prescribes consideration of five factors anytime LAFCOs act on spheres of influence. These factors parallel the macro topics in municipal service reviews with a generalized focus on the relationship with the affected territory – including service needs and adequacy of available services. The factors also orient the Commission to broadly consider the relationship between current and planned land uses in the affected territory plus – and as needed – effects on qualifying disadvantaged unincorporated communities. The factors and staff analysis follows.

- With respect to **present and planned land uses**, the affected territory as corrected spans 390 unincorporated acres presently undeveloped and subject to the adopted land use policies of the County of San Diego. The County has approved a residential subdivision for the affected territory – Cumming Ranch – that includes 125 low density residential lots, ranging in size from 1.0 to 3.1 acres.
- With respect to **present and probable need for one or more public services**, the affected territory’s planned development to include 125 single-family residences requires a range of supporting urban services – including the establishment of public wastewater. Other needed urban supporting services are already available and include water (Ramona MWD), fire, emergency medical and ambulance (San Diego County FPD), and police protection (County).

- With respect to **adequacy of the agencies’ public services**, a 2021 municipal service review on Ramona MWD attests to the *overall* sufficiency of resources (infrastructure, finances, etc.) to provide wastewater services with one notable qualifier (*emphasis added*). This qualifier involves the Santa Maria system and its regular tendency during the five-year period of evaluation to exceed permitted capacities during high rain periods due to excessive inflow/infiltration in the collection network. Additional analysis on this latter topic and specifically the ability to accommodate the project is included in the proceeding section.
- With respect to **relevant social or economic communities of interest**, LAFCO initially established informal social and economic ties between the affected territory and Ramona MWD in concert with adding the subject lands into a special study area for Ramona MWD’s secondary sphere (wastewater). Amending Ramona MWD’s secondary sphere to include the affected territory syncs and formalizes these social and economic ties and compliments the existing relationship with MWD and its water and park and recreation functions.
- With respect to **need for water, wastewater, or fire protection services involving any disadvantaged unincorporated communities**, none of the affected territory qualifies for the referenced designation under LAFCO statute.
- Sphere Factor No. 3:  
Consideration of Policy L-102

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San Diego LAFCO’s policies guiding sphere of influence actions are primarily codified under L-102. This policy was adopted in August 1990 and last substantively updated in June 2000. It directs the Commission to utilize spheres to guide deliberations on future changes of organizations and in doing so – and among other growth management objectives – help reflect and preserve community identities. The policy further directs LAFCO to use spheres to discourage duplication of municipal services and similarly encourages local agency consolidations, whether functional or political.

The sphere of influence amendment necessary to accommodate the proposed change of organization conforms with L-102. The amendment would facilitate a known and complimentary jurisdictional change that directly ties to a known development. concurrently recognize and keep whole an existing community.

#### CONCLUSION | MERITS OF CONFORMING SPHERE OF INFLUENCE AMENDMENTS

The conforming sphere of influence amendment to accommodate the proposed change of organization is sufficiently justified under both statute and local policy. Justification is marked by the preceding analysis and largely premised on the following two related assumptions.

- First, it is assumed the Commission determines the 2021 municipal service review completed on Ramona MWD adequately informs the membership in assessing Ramona MWD’s overall abilities and resources to provide wastewater service to the affected territory (*emphasis*).
- Second, it is assumed the Commission agrees the transition of the affected territory into Ramona MWD’s secondary sphere (wastewater) is in the best interest of the community’s economic and social well-being now and going forward *irrespective* of the merits of the actual timing of the proposed change of organization.

Should either of these premising assumptions misalign with Commission preferences, it would be appropriate to disapprove or term the conforming sphere action and remedy as needed.

## Item No. 2 | Change of Organization Timing

San Diego LAFCO’s consideration of the proposed change of organization’s timing draws on analyzing baseline factors required in statute well as applicable policies set by the Commission. Most of the baseline factors in statute focuses on disclosing and otherwise addressing compatibility issues with external goals and policies of other State, regional, and local agencies.<sup>7</sup> Applicable local policies prompted for consideration are headlined by L-107 and its attention to disclosing and addressing any known or perceived jurisdictional disputes.

Analysis of these two related timing factors follows.

- Timing Factor No. 1:

### Baseline Considerations: Regional Policies + Service Relationships

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

<sup>7</sup> Reference to Government Code Section 56668.

- With respect to **service needs**, the present and planned land uses of the affected territory merits public wastewater to facilitate the planned development of 125 single family residences. Approval satisfies a condition by the County of San Diego for the landowner to proceed with the development project and serves as a preferred alternative to installing one or more onsite septic systems.
- With respect to **service availability and capacities**, Ramona MWD would directly assume wastewater service responsibilities for the affected territory upon change of organization. Actual service to the affected territory from Ramona MWD is accessible from an existing private collection pipeline located on Sawday Street via an approximate 6,000-foot lateral connection. Ramona MWD projects the future demand for the affected territory and its planned uses at a daily average of 0.024 million gallons. This projection translates to approximately 200 gallons per day for each of the proposed 125 residential units. The projected demands equal 6.0% of the available average day capacity currently available to Ramona MWD at its Santa Maria WRP with additional details footnoted.<sup>8</sup>

As referenced in the preceding section, the recent municipal service review covering Ramona MWD flagged flows during peak wet periods were regularly exceeding the permitted capacity of the Santa Maria WRP due to excessive inflow and intrusion into the collection system. Staff has revisited this comment in its analysis of the proposal and has received additional information from Ramona MWD to abate the underlying concerns. This includes documentation showing recent improvements to the WRP’s headworks are improving efficiencies in redirecting excessive wet period flows to an existing 1.0 million gallons in equalization basin storage. These improvements are part of a \$10.0 million capital improvement project enacted after the publication of the municipal service review and provide reasonable assurances any additional wet-period flows generated by the Cumming Ranch project will be adequately handled.

- With respect to **related financial considerations**, Ramona MWD has adequate financial resources and administrative controls to provide wastewater services to the affected territory in support of its planned uses without adversely affecting current ratepayers. This comment is reflected in the staff analysis of Ramona MWD’s recent audited statements in the preceding section which shows – among other items – Ramona MWD’s remained profitable over the last three fiscal years with an average total margin of 0.07%.

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<sup>8</sup> Ramona MWD’s existing average day wastewater flow is 0.65 million gallons, which equals 65% of the overall 1.0 million gallons per day capacity at the Santa Maria WRP.

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

San Diego LAFCO adopted L-107 in May 2010 to require all applicants to disclose jurisdictional disputes or related items that are associated with their proposal filings. If applicable, and unless waived by the Executive Officer, the policy requires applicants and/or their representatives to consult with opponents to resolve any known issues – concerns, disputes, etc. – before the item is formally considered by the Commission.<sup>9</sup> If an agreement is reached through the consultation process, the policy states the Commission shall consider the provisions as part of the application. If an agreement is not reached despite exhausting good-faith efforts, the policy states the Commission shall proceed to consider the application as submitted.

No jurisdictional disputes have been disclosed by the Ramona MWD in filing the change of organization proposal with LAFCO. No objections to the proposal have been separately received from any other local agencies.

#### CONCLUSION | MERITS OF CHANGE OF ORGANIZATION TIMING

The timing of the change of organization involving the expansion of Ramona MWD’s wastewater service area is warranted. Justification is marked by the preceding analysis and highlighted by appropriately responding to the existing need for wastewater service for the affected territory through readily accessible public infrastructure and capacities – including recent improvements to abate previously flagged limitations during wet periods – that directly ties to a known project. Additional analysis supporting the conclusion is provided in Appendix A.

#### Item No. 3 | Modifications and Terms

No modifications to the submitted change of organization have been identified by San Diego LAFCO staff meriting Commission consideration at this time. This includes confirmation the expansion of Ramona MWD’s activated wastewater service area to cover the affected territory would not generate any corridors or otherwise illogical jurisdictional features. Approval terms are recommended and include standard LAFCO provisions under Government Code Section 57302 for all jurisdictional changes. A term to incorporate Ramona MWD’s request to specify the landowner be responsible for all processing costs is also included. A listing of all proposed terms is provided in the draft resolution presented as Attachment Two.

<sup>9</sup> The Executive Officer retains discretion to determine the extent of consultation needed.

## CONCLUSION | MODIFICATIONS AND TERMS

No modifications appear warranted. Terms are recommended and include both standard provisions under LAFCO statute as well as incorporating conditions requested by the Ramona MWD in their resolution of application.

### Other Statutory Considerations

#### Exchange of Property Tax Revenues

California Revenue and Taxation Code Section 99(b)(6) requires the County of San Diego and subject agencies to submit an adopted resolution to LAFCO agreeing to accept the exchange of property tax revenues associated with the proposed change of organization. The associated statutes also empower the County of San Diego to make all related property tax exchange determinations on behalf of special districts without consultation unless the affected agencies request otherwise. Staff has confirmed the County has adopted a master enterprise district resolution applicable for the proposed expansion of Ramona MWD’s wastewater service area. The County’s adopted master property tax exchange resolution specifies no transfer of property taxes would occur following the proposed change of organization within Ramona MWD given no tax roll monies presently go to fund wastewater services.

#### Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission’s authority. Accordingly, the Commission is tasked with making two distinct findings under CEQA in consideration of the proposed change of organization. Staff’s analysis follows.

- LAFCO serves as lead agency under CEQA for the confirming sphere of influence amendment associated with accommodating the change of organization. It is recommended the Commission find this action – and specifically expanding Ramona MWD’s secondary sphere specific to its wastewater function to include the affected territory – as a “project” under CEQA but exempt from further review under State Guidelines 15061(b)(3). Staff believes this exemption appropriately applies given it can be seen with certainty spheres are planning policies and associated actions (establishment, update, or amendment) in and of itself does not change the environment or authorize any new uses or services.

- The County of San Diego serves as lead agency under CEQA for considering the change of organization and the expansion of Ramona MWD’s activated wastewater service area as part of its discretion to approve the underlying development project. In this role as lead agency, on January 30, 2013, the County certified and adopted a Notice of Determination and certified Cumming Ranch Environmental Impact Report (EIR) and made findings that – and among other items – wastewater service by Ramona MWD could be adequately provided. As responsible agency, LAFCO staff has reviewed the EIR and associated documents and believes the County has made adequate findings for the Commission’s use in approving the change of organization and no further analysis is required. Copies of the EIR are available online on the LAFCO website.

### **Protest Proceedings**

Protest proceedings for the proposed change of organization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code 56662. The recommended waiver appropriately applies given the affected territory is uninhabited as defined under LAFCO law, the subject agency is the applicant and has not filed an objection to the waiver, and the landowner has provided consent to the proceedings.

### **RECOMMENDATION**

Staff recommends conditional approval of the change of organization proposal as submitted along with conforming sphere of influence amendment as detailed. This recommendation and ancillary actions are consistent with Alternative One in the proceeding section.

### **ALTERNATIVES FOR ACTION**

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

Adopt the attached draft resolution conditionally approving the change of organization proposal as submitted (without modifications) and conforming sphere of influence amendment as detailed along with making required findings under CEQA.

Alternative Two:

Continue consideration to the next regular meeting.

Alternative Three:

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

## PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO’s agenda for action as part of a noticed public hearing. The following procedures are suggested.

1. Commissioner disclosures, if any.
2. Receive verbal presentation from staff unless waived.
3. Open the public hearing and invite testimony beginning with the applicant(s).
4. Discuss item and consider the staff recommendation.

On behalf of the Executive Officer,



Carolanne Ieromnimon  
Analyst I

Appendices:

- A) Analysis of Jurisdictional Change Factors

Attachments:

- 1) Map of Affected Territory
- 2) Municipal Service Review Summary: Ramona Region
- 3) Draft Resolution of Approval
- 4) Application Materials
- 5) County EIR for Cumming Ranch Project ([online only](#))

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## APPENDIX A

### Government Code Section 56668 Mandatory Proposal Review Factors

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

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The affected territory as corrected spans approximately 390 acres and is located in east San Diego County in the Ramona region. State Route 67 serves as the local connector within the affected territory via Highland Valley Road. State Route 78 connects the area to the City of Escondido to the west while State Route 67 connects the area to the City of Poway to the southwest. The elevation ranges from 518 feet to 1,394 feet above sea level with the latter point recorded on Ramona Airport. The predominant land uses are low density residential and – albeit at a decreasing level – commercial agriculture. Total assessed value (land) within the affected territory is \$3.6 million.

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

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The County of San Diego serves as the primary purveyor of general governmental services to the affected territory. These services include community planning, roads, street lighting, and law enforcement. Other pertinent service providers Ramona MWD (water, wastewater, parks and recreation) and San Diego County FPD (fire protection, emergency medical, and ambulance transport). The proposal affects only Ramona MWD’s wastewater service functions is the focus of the following analysis.

- **Wastewater**

Ramona MWD would directly assume wastewater service responsibilities for the affected territory upon the change of organization. Staff’s review of Ramona MWD shows it has sufficient capacity and related resources to readily accommodate demands in the affected territory at its planned uses without expanding public infrastructure. Ramona MWD projects the future demand for the affected territory and its planned uses at a daily average of 0.024 million gallons. This projection translates to approximately 200 gallons per day for each of the proposed 125 residential units. The projected demands equals approximately 6.0% of the available capacity currently available to Ramona MWD at its Santa Maria Reclamation Plant. Actual service to the affected territory from Ramona MWD is accessible from an existing private collection pipeline located on Sawday Street via an approximate 6,000-foot lateral connection.

**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.**

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The affected territory recommended for a change of organization would formalize social and economic ties existing between Ramona MWD and the affected territory. These existing ties relate to Ramona MWD’s current role in managing wastewater and related services in surrounding lands to the affected territory. The change of organization would formalize and expand these social and economic ties and clarify Ramona MWD’s expanding role in managing wastewater services in the Ramona area as new moderate to high density uses are proposed.

**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.**

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Approval of the recommended change of organization is consistent with the orderly expansion of Ramona MWD’s wastewater service area. Additionally, the proposal would not induce or otherwise facilitate the loss of open-space lands, and as such does not conflict with the provisions of Government Code Section 56377.

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

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Portions of the affected territory recommended for change of organization qualify as agricultural land under LAFCO law, although no actual agricultural uses are in operation. The change of organization proposal is specific to establishing wastewater services for an approved development and would not adversely affect the physical or economic well-being of the agricultural lands.

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

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LAFCO is in receipt of a draft map and geographic description of the affected territory that details metes and bounds that appears consistent with the standards of the State Board of Equalization and conforming with lines of assessment. LAFCO approval would be conditioned on approval of the map and geographic description by the County Assessor’s Office and address any modifications enacted by the Commission.

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

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

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

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The affected territory recommended for change of organization is entirely unincorporated and subject to the land use policies of the County of San Diego. The County’s implementing land use policy document for the affected territory is the Ramona Community Plan. This latter document prescribes limiting residential development in its most dense area (Town Center) to no more than 7.3 dwelling units per acre.

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

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See agenda report analysis.

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

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Notice of the submitted change of organization proposal was distributed to all affected and subject agencies as required under LAFCO law. Notices were also provided to all local college and school districts. No written comments on the proposal were received ahead of preparing this agenda report for distribution on April 24, 2023.

**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.**

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Should the proposed change of organization be approved Ramona MWD will assume legal responsibility to provide wastewater services to the affected territory and the planned development of the Cumming Ranch project. This service is organized as an enterprise and will be financed using user fees. The staff analysis of Ramona MWD’s last three audited statements show – among other items – the District has been effectively managed and reflected in an average total margin of 0.07%.

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

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The affected territory lies within Ramona MWD eligible to receive potable water service with all water supplies currently dependent on groundwater. The change of organization does not change these baseline conditions.

**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.**

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The proposed change of organization would not impact any local agencies in accommodating

their regional housing needs.

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

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No written or formal comments have been submitted to San Diego LAFCO staff as of the date of the posting of the agenda report on April 24, 2023.

**o) Any information relating to existing land use designations.**

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See above analysis for (h).

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

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The change of organization is expected to aid and/or otherwise promote environmental justice by enhancing wastewater services within the affected territory and for any groups that are susceptible to pollution burdens and their effects. This latter category – notably – low-income communities, communities of color, tribal nations, and other disadvantaged groups. Consideration of existing environmental justice factors within the affected territory draw on staff analyzing data available from the California Environmental Protection Agency through its online assessment tool (CalEnviroScreen 4.0). Two composite percentile rankings for the affected territory are generated within this analysis and involves pollution burdens (exposures and environmental effects) and at-risk population characteristics (sensitive populations and socioeconomic factors) relative to all census tracts in California. Key results are summarized below followed by fulling table listings.

- The affected territory’s composite **pollution burdens** ranking falls in the 15 percentile. Four pollution burden measurements exceed the 50 percentile and considered relatively high. These four measurements comprise (a) one exposure involving ozone as well as (b) four environmental effects involving cleanup sites, impaired water, and solid waste sites.
- The affected territory’s composite **at-risk population** ranking falls in the 16 percentile. One at-risk population measurements exceed the 40 percentile and considered moderately high. This one measurement comprises a socioeconomic factor involving educational attainment.

(continued)

<b>Census Tract 6073020801 &amp; 6073020805                      Pollution Burdens and At-Risk Population</b>	
Table 2.6a (Source: California Environmental Protection Agency and SD LAFCO)	
Factor	Census Tract 6073020801 & 6073020805
No. of Census Tracts	2
Estimated Population	8,999
Pollution Burden	Weighted Percentile
<b>... Percentile</b>	<b>14.87</b>
Indicator   Air Quality: Ozone	69.08
Indicator   Air Quality: PM 2.5:	11.00
Indicator   Air Quality: Diesel PM:	9.25
Indicator  Pesticides:	37.81
Indicator   Toxic Releases:	10.71
Indicator  Traffic:	17.35
Indicator   Drinking Water Contaminants:	15.59
Indicator   Lead in Housing:	27.97
Effects   Cleanup Sites:	65.42
Effects   Groundwater Threats:	44.36
Effects   Hazardous Waste:	37.76
Effects   Impaired Water:	56.86
Effects   Solid Waste:	57.83
At Risk Population Characteristics	Weighted Percentile
<b>... Percentile</b>	<b>15.95</b>
Sensitive Population   Asthma:	13.85
Sensitive Population   Low Birth Weight:	13.30
Sensitive Population   Cardiovascular Disease:	36.82
Socioeconomic Factor   Education Attainment:	48.74
Socioeconomic Factor   Linguistic Isolation:	2.11
Socioeconomic Factor   Poverty:	31.70
Socioeconomic Factor   Unemployment:	38.71
Socioeconomic Factor   Housing Burden:	33.19

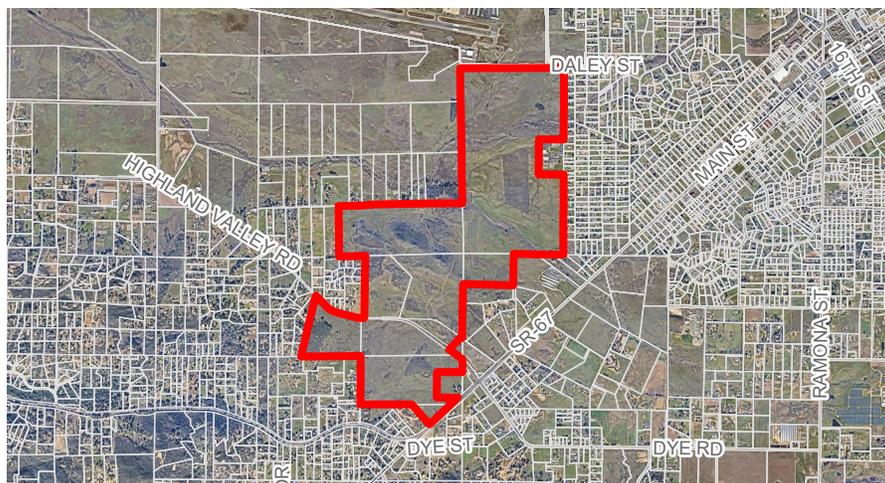
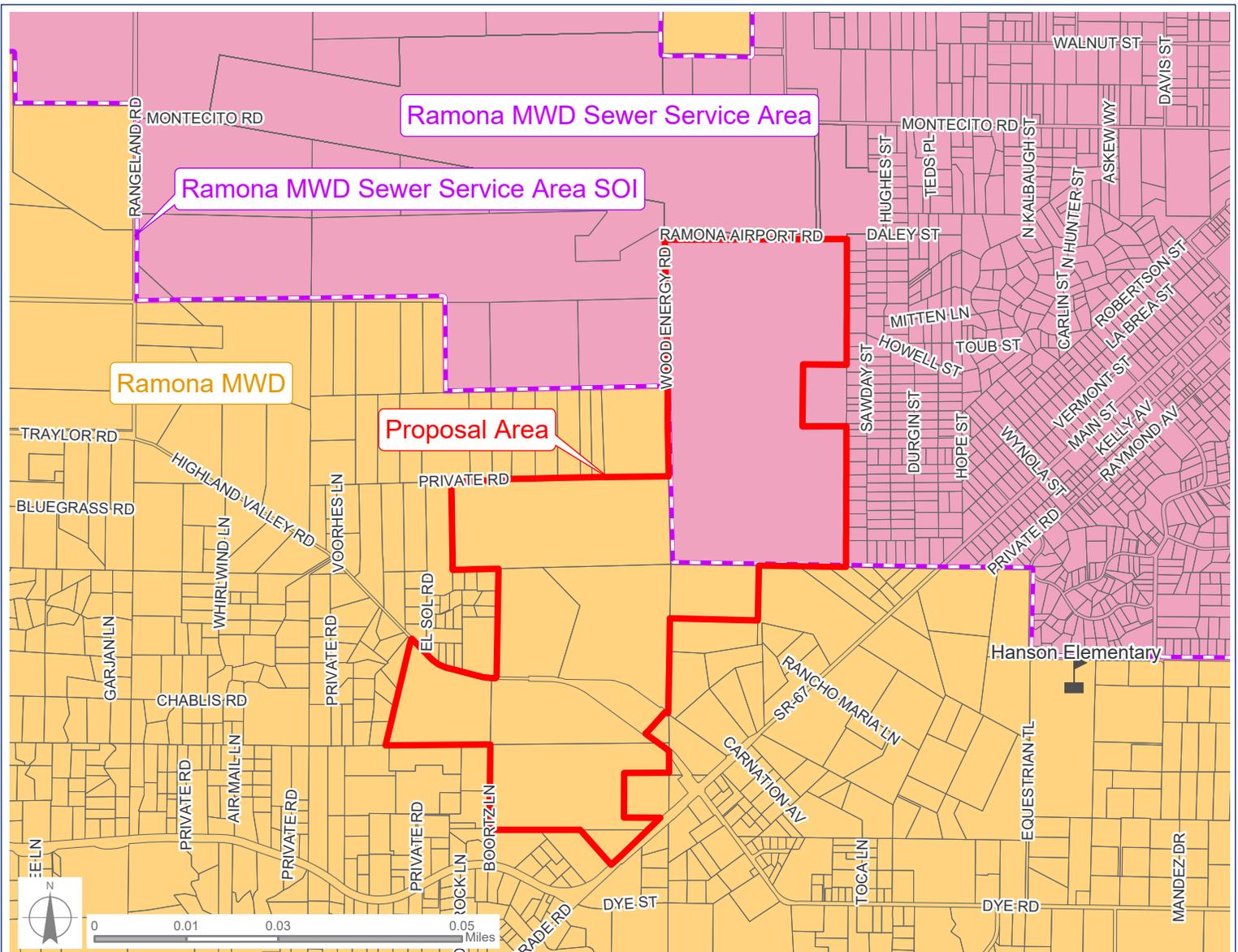
q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone or maps that identify land determined to be in a state responsibility area, if it is determined that such information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

The County of San Diego General Plan contains a hazard mitigation plan for potential fire, flooding, and earthquakes. The affected territory lies in a Very-High Fire Hazard Severity Zone.

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

Approval of the change of organization would be in the best interest of the current and future landowners and/or residents of the affected territory by providing reliable wastewater services going forward.

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CO22-16

"CUMMING RANCH CHANGE OF ORGANIZATION" |  
RAMONA MWD LATENT POWERS EXPANSION

SOI = Sphere of Influence

- Ramona MWD Sewer Service Area
- Proposal Area
- Ramona MWD Sewer Service Area
- Ramona MWD



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

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# Municipal Service Review

## RAMONA REGION

### FINAL

REPORT SUMMARY | October 2021



## Central Themes and Conclusions

The Ramona region represents one of the largest and growing unincorporated communities in San Diego County with a current estimated population of 37,708 – an amount that exceeds 5 of the 18 cities. The region’s status as a prominent unincorporated area dates to the 1840s and the arrival of community patriarchs Joaquin Ortega and Adolpho Stokes and the subsequent establishment of a stagecoach stop and adjoining general store to accommodate travelers going to and from the goldmines to the east in Julian. The region began transitioning to a stand-alone destination at the turn of the century and marked by outside investments and ensuing subdivisions recorded by the Santa Maria Land and Water Company. This transition was headlined by the official naming of the community as “Ramona” with the permanent population reaching approximately 1,000 by 1900 – which at the time made Ramona the largest unincorporated area in all of San Diego County.

The County of San Diego remained the lone source of local government for the Ramona region through the start of the new century until the formation of the Ramona Irrigation District (1925) and its construction of the first community water system. Markedly, the formation of the Ramona Irrigation District paralleled initial community discussions on incorporation and subsequently supplemented by additional special district formations to expand the scope of local government in the region to include the Ramona Fire Protection District (1946), Ramona Sanitation District (1946), Ramona MWD (1958), and Mt. Woodson Ranch Sanitation District (1988). Ramona MWD’s proved most consequential, and through a combination of latent power activations and consolidations it has emerged as the singular provider of potable water, wastewater, fire protection and emergency medical, parks and recreation, and recycled water in the region.



Beautiful  
Lake Ramona  
in San Diego

Today the Ramona region serves as a unique community separator in San Diego County with urban uses to the west and non-urban uses to the east. Ramona itself remains largely rural with the notable exception of the central “village” area located along Main Street, which increasingly includes several financial, retail, and restaurant franchises and serves as the region’s social and economic hub.

A review of the Ramona region relative to San Diego LAFCO’s growth management tasks and interests as prescribed under statute produces eight central themes or conclusions. These conclusions focus – albeit not exclusively – on the availability, need, and adequacy of municipal services by Ramona MWD as the central service provider in the region. The conclusions are independently drawn and largely sourced to information collected and analyzed by the Commission between 2015 and 2019 and further detailed in the agency profile (Chapter Three).

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**Ramona MWD has emerged as the central municipal service provider in the region and its core activities – specifically water, wastewater, fire protection – and adequacies therein are essential in supporting current and future growth.**

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## 1 Evolving Community Character

Ramona's community character continues to evolve and most notably towards a more traditional suburb setting with urban-type landscapes. This transition is reflected in the relatively high population growth rate in the region over the report period at 1.1% annually, which is more than one-fifth above the countywide average. The population is also increasingly more affluent than past generations with the average median household income equaling \$92,543 at the end of the five-year report. This median income is more than two-fifths above the corresponding rate for all of San Diego County and – and among other factors – aided by the 17% increase in four-year college graduates over the 60-month period.



## 2 Expanded and Centralized Role of Ramona MWD

Ramona's evolving community character towards more traditional suburban uses has relatedly generated additional demands and expectations on local government in the region. Ramona MWD has affirmatively responded to these changes over its 60-year plus history and through a combination of consolidations and latent power expansions evolved into a multi-purpose agency and now the centralized provider of water, wastewater, fire protection and emergency medical, parks and recreation, and recycled water in the region. Further expansions – however and irrespective of any merit – is limited under the principal act.

## 3 Adequate Service Capacities at MWD with One Notable Exception

As the principal municipal service provider in the region, Ramona MWD has developed adequate infrastructure capacities and related administrative controls to meet current and projected demands in the timeframe of this report with one exception. This exception involves meeting wastewater demands within the Santa Maria service area, which covers central Ramona and now regularly exceeds permitted capacities during high-rain periods due to excessive inflow (surface) and/or infiltration (groundwater) intrusion.

## 4 Need for Capital Improvement Investments within MWD

Notwithstanding the overall adequacy of current municipal service capacities, Ramona MWD would benefit from additional investment into its capital assets with specific focus on remedying the increasing and varying pipeline ages involving both its water and wastewater systems. Capital planning and investment in parks and recreation is also merited to help advise its contract provider (Ramona Parks and Recreation Association) and includes addressing improvements to the Wellfield Park and its Community Center and Rodeo Arena.

## 5 MWD's Positive Financial Standing

Ramona MWD improved its financial standing during the report period as measured by its audited net position with an overall 12% increase from \$86 to \$105 million. This improvement largely ties to Ramona MWD achieving an average annual bottom line – or total margin – and contributes to an ending unrestricted fund balance sufficient to meet 18 months of operating expenses. Ramona MWD also finished the period with a relatively well-funded employee pension program with a composite funded ratio of 80 percent.

## 6 Advancing Regional Fire Protection Services

Existing fire protection and emergency medical service in the Ramona region are equally divided between two special districts: Ramona MWD and San Diego County FPD. Both special districts choose to contract with CALFIRE for day-to-day field operations. This common arrangement – notably – suggest consolidating fire protection responsibilities under the San Diego County FPD’s economies of scale would advantageously sync and enhance service levels while providing local control.

## 8 The Clearer Case for a Community Services District

Irrespective of the preceding topic on incorporation, the Ramona region has already established itself as an economic and socially distinct community in San Diego County. Ramona MWD has evolved accordingly and expanded its service functions to meet the community’s needs and now operating at the authority limits under the MWD principal act. Reorganization into a community services district (CSD) appears meritorious in providing the region with a local governance model that can provide a complete range of municipal services with LAFCO approval with the lone exception of direct land use control. Reorganizing into CSD – markedly – would also serve as the preferred governance step towards a potential transition into an incorporated community.

## 7 The Curious Case of Incorporation

There has been reoccurring interest in the Ramona region to incorporate and transition local governance from the County of San Diego Board of Supervisors to a newly established city council. Most recently, incorporation proponents approached LAFCO with pre-application submittals as required under policy in 1982 and 2005 before choosing not to proceed with official filings. It is nonetheless reasonable to assume future interest in incorporation will reemerge within Ramona given its size and local resources – including a combination of both property and sales taxes. Accordingly, it would be beneficial for LAFCO to prepare an informational report to advise on current statutory thresholds and associated incorporation opportunities in San Diego County to include – but not limited to – Ramona.

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The Ramona region is one of the largest unincorporated areas in San Diego County with an estimated resident population of 37,708.

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A dirt trail leading up to a hilltop lined with boulders at Ramona Grasslands Preserve in San Diego

Hiker standing on  
Potato Chip Rock,  
San Diego



## Recommendations

The following recommendations call for specific actions either from San Diego LAFCO and/or other local government agencies based on information generated in this report and outlined below in order of their placement in Section 5.0 (Written Determinations). Recommendations for Commission action are dependent on a subsequent directive through the adopted work plan.

- 1.** The Commission should coordinate with SANDAG to identify current buildout estimates relative to existing zoning standards by the County of San Diego for the Ramona region and incorporate the information into the next municipal service review. This should include assessing potential impacts tied to the recent passage of Senate Bill 9 (Weiner) and the allowance for additional lot splitting to accommodate more housing throughout California.
- 2.** The Commission should perform additional analysis with respect to water, wastewater, and fire protection needs for adjacent lands to the Ramona region that qualify as disadvantaged unincorporated communities and incorporate accordingly into future service reviews.
- 3.** Ramona MWD should address excessive inflow and infiltration issues within its Santa Maria wastewater collection system in order to reduce system peaking factor and the elevated threat of raw sewage spills and/or related impacts to the environment.
- 4.** Ramona MWD should develop a facility improvement plan to guide its parks and recreation function and engage constituents in doing so in setting long-term service goals and amenities.
- 5.** The Commission should defer its statutory task to address service levels and related needs of the lone mutual water company in the Ramona region – Rancho Santa Teresa – to a scheduled information report as part of the 2021–2022 workplan.



Main Street  
in Ramona,  
California

6. Ramona MWD should revisit and realign its water service operating costs and user rates to remedy a sizeable structural deficit of nearly nine-fold during the five-year report period.
7. Ramona MWD should expand its existing community outreach efforts by establishing social media uses and live-streaming meetings to affirmatively add to existing efforts in spotlighting its activities and further facilitate opportunities for community input.
8. Ramona MWD should consider the following actions with respect to improving current fire protection and emergency medical services:
  - Ramona MWD should consider adopting response time standards with desired time dependent benchmarks and making these parts of the contract language with CAL FIRE.
  - Ramona MWD should develop a vegetation management plan to mitigate the wildfire risk to the community. Similarly, a comprehensive review of community disaster risk should be completed and submitted to the County Office of Emergency Services for review and inclusion in the County's Multi-Jurisdictional Hazard Mitigation Plan.
9. Ramona MWD and San Diego County FPD should consider a voluntary consolidation under the FPD's greater economies of scale to sync and enhance service levels for the common benefit of the Ramona region and need to vigilantly protect against wildfires.
10. The Commission should address and reconcile Ramona MWD's recycled water service activity as part of a future update to Rule No. 4 with respect to formally identifying the function, class, and authorized location under statute.
11. The Commission should prepare a future informational report to advise on current statutory thresholds and associated incorporation opportunities in San Diego County to include—but not limited to—the Ramona region as the one of the largest unincorporated communities.
12. Reorganization of Ramona MWD into a community services district merits exploration in providing the Ramona region a local governance model that can continue to evolve with the community needs and—pertinently—serves as the preferred transitional vehicle to a potential future incorporation should circumstances warrant.
13. There appears to be sufficient merit to immediately proceed with a limited update and expansion to Ramona MWD's sphere of influence and add approximately 30 unincorporated acres lying immediately outside the current designation along Dos Picos Park Road.
14. Additional amendments to the Ramona MWD sphere of influence may also be warranted subject to a more comprehensive update as part of the next scheduled study.

**RESOLUTION NO. \_\_\_\_\_**

**SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION**

**MAKING DETERMINATIONS, APPROVING, AND ORDERING A CHANGE OF ORGANIZATION**

**“CUMMING RANCH CHANGE OF ORGANIZATION”  
EXPANSION OF RAMONG MUNICIPAL WATER DISTRICT’S  
ACTIVATED WASTEWATER SERVICE AREA & RELATED SPHERE OF INFLUENCE ACTION  
LAFCO FILE NO. CO22-16**

**WHEREAS**, on December 8, 2022, the Ramona Municipal Water District (MWD) filed a resolution of application to initiate proceedings with the San Diego County Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the application seeks approval of a change of organization to expand Ramona MWD’s activated wastewater service area by approximately 683 acres of unincorporated territory within the County of San Diego; and

**WHEREAS**, the affected territory as proposed comprises one contiguous area consisting of eight parcels identified by the County of San Diego Assessor’s Office as 282-010-30; 282-010-43; 283-011-06; 283-021-01; 283-021-02; 283-041-25; 283-041-26; and 283-051-01.

**WHEREAS**, the Commission has confirmed an applicable master property tax transfer agreement applies to the proposed change of organization dated December 14, 1982; and

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

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on May 1, 2023; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56425 and 56668 and adopted local policies and procedures.

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

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

2. At the public meeting, the Commission considered the Executive Officer's report.
3. The Commission is responsible under the California Environmental Quality Act (CEQA) in considering the two distinct "projects" associated with the proposed change of organization and as detailed in the Executive Officer's report: (a) the change of organization and (b) the related conforming sphere of influence action. The Commission's findings follow.
  - San Diego LAFCO serves as lead agency under CEQA for the conforming amendment to Ramona MWD's secondary sphere of influence specific to wastewater services to accommodate the proposed change of organization. It is recommended the Commission find this action is a project under CEQA but exempt from further review under State Guidelines 15061(b)(3). This exemption appropriately applies given it can be seen with certainty that spheres are planning policies and any associated actions (establishment, update, or amendment) in and of itself does not change the environment or authorize any new uses or services.
  - The County of San Diego serves as lead agency under CEQA for considering the change of organization and the expansion of Ramona MWD's activated wastewater service area as part of its discretion to approve the underlying development project. In this role as lead agency, on January 30, 2013, the County certified and adopted a Notice of Determination and certified Cumming Ranch Environmental Impact Report (EIR) and made findings that – and among other items – wastewater service by Ramona MWD could be adequately provided. LAFCO has independently reviewed the EIR and concurs and incorporates herein the County's findings as a responsible agency.
4. The Commission CONDITIONALLY APPROVES an amendment to Ramona MWD's secondary sphere of influence specific to its wastewater service area to accommodate and otherwise match the change of organization as shown in Exhibit A.
  - a) Approval of the above-stated sphere of influence amendment is contingent upon the approval and related issuance of a Certificate of Completion.
5. The Commission's written statement of determinations addressing the mandatory factors required for consideration any time spheres of influence are adopted, amended, or updated under Government Code Section 56425 are addressed in the Executive Officer's written report and incorporated herein.
6. The Commission APPROVES the change of organization without modifications and subject to conditions as provided. Approval involves all of the follow:
  - a) Expansion of the Ramona MWD's activated wastewater service area to the affected territory is shown in "Exhibit A" and described in "Exhibit B."

7. The Commission CONDITIONS all approvals on the following terms being satisfied by May 1, 2024 unless an extension is requested and approved by the Executive Officer:
  - a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - b) Submittal to the Commission of final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
  - c) Submittal to the Commission of the following payments:
    - A check made payable to LAFCO in the amount of \$100.00 for the County of San Diego-Clerk Recorder to reimburse for filing two CEQA notices consistent with the findings in the resolution.
    - A check made payable to the State Board of Equalization for processing fees in the amount of \$2,500.00.
    - A check made payable to San Diego to reimburse the public hearing notice published in the San Diego Union Tribune.
  - d) Submittal of confirmation to the Executive Officer from Ramona MWD that all respective annexation terms and conditions have been satisfied by the landowner.
8. The Commission assigns the proposal the following short-term designation:

“Cumming Ranch Change of Organization”
9. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
10. The Commission waives conducting authority proceedings under Government Code Section 56662.
11. The Ramona MWD is a registered-voter district.
12. The Ramona MWD utilizes the County of San Diego assessment roll.
13. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the Ramona MWD as provided under Section 57328.

14. The effective date of the approval shall be the date of recordation but not before the completion of a 30-day reconsideration period and only after all terms have been completed as attested by the Executive Officer.
15. As allowed under Government Code Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.
16. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Sections 56880-56882 of the Government Code.
17. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

\*\*

PASSED AND ADOPTED by the Commission on May 1, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\*\*

Attest:

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KEENE SIMONDS  
Executive Officer

**EXHIBIT A**  
**MAP OF THE AFFECTED TERRITORY**

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**EXHIBIT B**  
**GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY**

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## RAMONA MUNICIPAL WATER DISTRICT

105 Earlham Street  
Ramona, CA 92065-1599

Telephone: 760-789-1330  
Facsimile: 760-788-2202

### Certified Copy of Resolution

I, Kellie C. Barclay, Board Secretary of the Board of Directors of the Ramona Municipal Water District, do hereby certify that the attached document is an accurate copy of Resolution 22-1584, as passed and adopted by the Board of Directors at a meeting on November 8, 2022.

Signed this 8<sup>th</sup> day of December, 2022:

Kellie C. Barclay  
Board Secretary  
Ramona Municipal Water District

A handwritten signature in blue ink that reads "Kellie C. Barclay". The signature is fluid and cursive, with a long, sweeping tail on the letter "y".

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Signature

**RESOLUTION NO. 22-1584**

**RESOLUTION APPROVING APPLICATION TO LAFCO  
BY THE RAMONA MUNICIPAL WATER DISTRICT BOARD OF DIRECTORS  
FOR EXPANSION OF ITS LATENT SEWER POWERS AREA  
FOR THE CUMMING RANCH DEVELOPMENT**

**WHEREAS**, 805 Properties, a California General Partnership, a property owner, has requested that the land described in the legal description and plat, which is attached hereto as **Exhibit “A”** (“Subject Property”) and by this reference made a part hereof, be annexed to the Santa Maria Sewer Service Area (SMSSA);

**WHEREAS**, the property owner understands and agrees that the annexation requested shall be subject to the terms and conditions set forth in Ramona Municipal Water District’s (“RMWD”) Legislative Code Section 7.60, Sewer Annexation and Inclusion Fees and must comply with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code Sec 56000, et seq.);

**WHEREAS**, the latent powers of the RMWD to provide sewer services, have been exercised as authorized by LAFCO, for a geographically limited area within the boundaries of the SMSSA, the RMWD’s Activated Sewer Powers Area;

**WHEREAS**, the Subject Property is located within the Ramona Municipal Water District’s boundaries and is located outside the SMSSA, the RMWD’s Activated Sewer Powers Area;

**WHEREAS**, the SMSSA Latent Sewer Powers Area must be expanded to include the Subject Property before the Subject Property can be annexed into the SMSSA as requested by property owner;

**WHEREAS**, the Board of Directors of the RMWD desires to consider the annexation of said property to the SMSSA;

**WHEREAS**, the Board of Directors of the RMWD desires that the Latent Sewer Powers Area of the SMSSA be expanded to include the Subject Property such that sewer services provided by the RMWD may be provided for the proposed development on the Subject Property;

**WHEREAS**, the plan for service for the expanded area is set forth in the Sewer System Improvements Agreement, included hereto as **Exhibit “B”**;

**WHEREAS**, a map of the boundary of the Santa Maria Sewer Service Area to be expanded to include the Subject Property is attached as **Exhibit “C”**;

**WHEREAS**, 805 Properties has executed a Petition for Annexation and a Pre-Annexation

and Pre-Latent Powers Expansion Agreement, committing to pay for all applicable fees and other expenses incurred by the RMWD, and the Board of Directors of RMWD will subsequently consider a resolution approving the annexation, and further finding the annexation exempt from the California Environmental Quality Act pursuant to CEQA Guideline 15319;

**WHEREAS**, Government Code Sections 56650 and 56654 require that the RMWD approve a Resolution of Application and submit the Resolution to the Local Agency Formation Commission (“LAFCO”) for approval of the request to expand its SMSSA Latent Sewer Powers Area; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have been met.

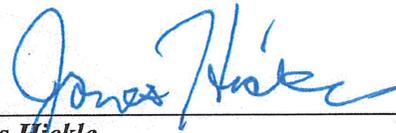
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the RAMONA MUNICIPAL WATER DISTRICT as follows:

- 1) All of the Recitals set forth above are true.
- 2) The proposed annexation is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15319(b), which includes annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. The Owner proposes to construct a Project on the Property consisting of 125 single-family residential homes or equivalent dwelling units (EDU’s). Single family residences and sewer services to those residences are exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines. Other aspects of the project will be reviewed for CEQA compliance upon submission of the applicable permit applications.
- 3) The proposal to expand the Latent Sewer Powers Area of the SMSSA to include the Subject Property is consistent with the RMWD’s Sphere of Influence.
- 4) An application is hereby made to LAFCO to amend the Latent Sewer Powers Area of the Santa Maria Sewer Service Area to include the territory of the Subject Property.
- 5) The RMWD requests that proceedings be taken for this proposal pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- 6) The property owner of the Subject Property must execute and abide by the terms and conditions of the Pre-Annexation and Pre-Latent Powers Expansion Agreement for Sewer Service Between Ramona Municipal Water District and 805 Properties (**Exhibit "D"**), including but not limited to:
  - i) Petitioner shall pay for all expenses incurred by the Ramona Municipal Water District in processing the application, petition and in making the filings required by law, including, but not limited to, all filing fees, attorneys’ fees, staff time, and any

changes in processing/filing fee schedules of the involved agencies that may occur during the time the actions are being processed.

- 7) The General Manager, or her designee, is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of the LAFCO.
- 8) The General Manager, or her designee, is hereby authorized and directed to prepare the necessary LAFCO Application documents, conduct investigations, and take any action necessary to process the application.

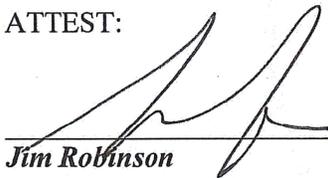
**PASSED, APPROVED AND ADOPTED** at a regular Board meeting of the Board of Directors of the Ramona Municipal Water District held on the 8th day of November 2022.



---

*James Hickle*  
President, Board of Directors  
Ramona Municipal Water District

ATTEST:



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*Jim Robinson*  
Secretary, Board of Directors  
Ramona Municipal Water District