



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

**4**

**AGENDA REPORT**  
 Consent | Action

March 4, 2019

**TO:** Commissioners

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

**SUBJECT: Proposed “Menchaca-St. Paul Drive Change of Organization” |  
 Annexation to the Vallecitos Water District (DA18-15)**

**SUMMARY**

The San Diego Local Agency Formation Commission (LAFCO) will consider a change of organization proposal filed by an interested landowner to annex approximately 1.59 acres to the Vallecitos Water District (WD). The affected territory as submitted includes one parcel presently developed with a single-family residence and lies entirely within Vallecitos WD’s sphere of influence. The majority of the affected territory is unincorporated with a small portion consisting of a private road segment within the City of San Marcos. The purpose of the proposal is to facilitate the concurrent removal of an aging septic system and extension of public wastewater services to the affected territory. Staff recommends approval of the proposal with a modification to include 0.02 acres of adjacent public right-of-way on Montiel Drive. Standard terms are also recommended.

**BACKGROUND**

**Applicant Request |  
 Affected Territory as Proposed**

San Diego LAFCO has received a request from landowner Jesse D. Menchaca seeking approval to annex approximately 1.59 acres of largely unincorporated territory to the Vallecitos WD. As submitted, the affected territory comprises one developed parcel with

<b>Administration</b> County Operations Center 9335 Hazard Way, Suite 200 San Diego, California 92123 T 858.614.7755 F 858.614.7766 www.sdlafco.org	<b>Jim Desmond</b> County of San Diego	<b>Catherine Blakespear</b> City of Encinitas	<b>Mark Kersey</b> City of San Diego	<b>Chair Jo MacKenzie</b> Visita Irrigation	<b>Andy Vanderlaan</b> General Public
	<b>Dianne Jacob</b> County of San Diego	<b>Bill Wells</b> City of El Cajon	<b>Chris Cate, Alternate</b> City of San Diego	<b>Vice Chair Ed Sprague</b> Olivenhain Municipal Water	<b>Harry Mathis, Alternate</b> General Public
	<b>Greg Cox, Alternate</b> County of San Diego	<b>Serge Dedina, Alternate</b> City of Imperial Beach		<b>Judy Hanson, Alternate</b> Leucadia Wastewater	

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a single-family residence occupying approximately 1.12 acres. This portion of the affected territory is unincorporated. The remainder of the parcel is 0.47 acres and consists of a private road (St. Paul Drive) and lies within the City of San Marcos. The situs address is 813 St. Paul Drive. The single-family residence was built in 1982 and is 1,472 square feet in size with three bedrooms and two bathrooms. The County of San Diego Assessor’s Office identifies the subject parcel as 228-130-31.

**Affected Territory**

- One incorporated parcel (1.59 acres in size)
- Parcel is currently improved with a single-family residence on septic along with a portion of a private road
- Water service provided by Vista Irrigation District
- There are no associated development plans
- Part of the County of San Diego’s North County Metro Community Planning Area



**Subject Agencies**

The proposed change of organization involves one subject agency: Vallecitos WD.<sup>1</sup> A summary description of Vallecitos WD follows.

- Vallecitos WD is an independent special district formed in 1955 and provides water and wastewater services within an approximate 45 square-mile service area with a LAFCO-estimated resident service population of 102,246.<sup>2</sup> Vallecitos WD also provides wholesale recycled water service within portions of its jurisdictional boundary for retail sale by the Olivenhain and Carlsbad Municipal Water Districts. The majority of the jurisdictional boundary includes the City of San Marcos with the remainder extending into portions of the Cities of Carlsbad, Escondido, and Vista as well as the unincorporated communities of Twin Oaks Valley and Bonsall. Key infrastructure includes 255 miles of wastewater lines that collect and convey wastewater for treatment and discharge to either the Encina Wastewater Pollution

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

<sup>2</sup> Vallecitos was initially named the San Marcos County Water District before its renaming in 1989.

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Control Facility or the Meadowlark Water Reclamation Facility, both of which are located in Carlsbad.<sup>3</sup> LAFCO most recently updated Vallecitos WD’s sphere of influence in 2007 and it includes 2,150 non-jurisdictional acres. The net position is \$262.1 million as of July 30, 2018 with \$48.7 million – or 19% – designated as unrestricted and sufficient to cover 10 months of current operating costs.

### Affected Local Agencies

The affected territory lies within the jurisdictional boundaries of the following local agencies directly subject to San Diego LAFCO.<sup>4</sup>

- City of San Marcos
- Vista Irrigation District
- San Diego County Water Authority
- Metropolitan Water District of Southern California
- San Marcos Fire Protection District
- Resource Conservation District of Greater San Diego
- CSA No. 135 (Regional Communications)

### DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the applicant’s submitted change of organization proposal to annex the affected territory to Vallecitos 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 purpose and focus follows.

### Proposal Purpose

The purpose of the proposal is to facilitate the extension of public wastewater service to the single-family residence occupying 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 General Plan. These uses are memorialized designating the affected territory as Village Residential 4.3 (VR-4.3), which allows up to 4.3 units per acre. Uses are further prescribed with the County zoning the affected territory as Residential Single with a minimum lot size of 0.14 acres.<sup>5</sup> This

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<sup>3</sup> The Encina Wastewater Pollution Control Facility is operated by the Encina Wastewater Authority, a joint-powers authority co-membered by Vallecitos WD.

<sup>4</sup> 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 or organization is proposed or ordered.

<sup>5</sup> Approximately 0.47 of the 1.59 acres comprising the subject parcel lies within the City of San Marcos sphere. This portion – which

zoning standard allows for the affected territory to be further divided up to a maximum of eight lots less any physical restrictions and roadway dedications. (This density allowance accounts for the existing easement for the private road.) Additional density would also be allowed through accessory units.

### Commission Focus

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

### ANALYSIS

The analysis of the reorganization is organized into two subsections. The first subsection pertains to evaluating the central issues referenced above regarding the timing of the change of organization relative to the factors mandated for review by the Legislature and local policies as well as whether modifications or terms are appropriate. The second subsection considers issues required by other applicable State statutes. This includes making findings under the California Environmental Quality Act (CEQA) and the disposition of protest proceedings per Government Code Section 57002(c).

### Central Policy Items

#### Item No. 1 | 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, Vallecitos WD (emphasis added). No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs 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 for the boundary change proposal follows with a complete analysis provided in Appendix A.

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overlays a private road (St. Paul Drive) – is not designated by the City of San Marcos General Plan. The remainder portion of the subject parcel lies within the City of Escondido sphere and is designated by the Escondido General Plan as Estate II which allows up to 2 du/ac. Escondido has not adopted rezoning for the affected territory.

- Service Needs

Annexation of the affected territory to Vallecitos WD would represent a logical and orderly expansion of the District’s jurisdictional boundary and wastewater services therein and would not create service islands or corridors with the addition of a minor modification as described in the succeeding section. Additional details on relevant service needs follow.

- The Commission has previously designated Vallecitos WD as the appropriate long-term wastewater provider for the affected territory through the standing inclusion of the subject land within the District’s sphere of influence. Annexation now implements this standing expectation through a public process and accommodates the expressed interest of the affected landowner as evident in their decision to initiate the proceedings.
- Annexation of the affected territory to Vallecitos WD for purpose of establishing permanent public wastewater services going forward is consistent with the adopted residential land use policies of the County of San Diego. Annexation is also consistent with the residential land use policies contemplated for the affected territory by the City of Escondido; the future land use authority for subject parcel as currently determined by the Commission and marked by the lands standing inclusion in the City’s sphere.
- There is an existing 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 and aging 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

Vallecitos WD has available and sufficient collection and contracted 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 Vallecitos WD wastewater main is located immediately adjacent to the affected territory within the public right-of-way on Montiel Drive and accessible sewer main at the property line. The majority of the adjacent right-of-way is already entirely within Vallecitos WD’s jurisdiction.
- It is projected the maximum average day wastewater demand generated within the affected territory under baseline conditions is approximately 250 gallons. This amount represents 0.0002% of the existing available capacity of Vallecitos WD, and as such can be readily accommodated without additional resources or infrastructure planning. Ultimate buildout of the affected territory under present County land use designations would potentially increase the

average day wastewater flow to 4,000 gallons per day and represent 0.0035% of the existing available capacity.

- **Service Funding and Costs**

Vallecitos 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 Vallecitos WD’s recent audited statements which shows – among other items – the District remained profitable in each of the last three audited fiscal years with an average total margin of 4%.

### **Conclusion | Merits of Change of Organization Timing**

The timing of the change of organization and annexation therein of the affected territory to Vallecitos 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. 2 |**

#### **Merits of Modification and Terms**

Staff believes one modification to the submitted change of organization proposal is appropriate and it involves San Diego LAFCO adding the adjacent public right-of-way of Montiel Drive. This recommended adds 0.02 acres and follows practice to take in all public right-of-ways whenever possible and appropriately captures the existing wastewater main needed to provide service to the affected territory. The recommended modification does not have a material effect on the applicant. A second and more significant modification also merits consideration by the Commission to concurrently detach the affected territory from VID to unite water and wastewater services for the subject parcel under Vallecitos WD, but is not recommended at this time as detailed in the accompanying footnote.<sup>6</sup> Applying standard terms also appears appropriate.

Notwithstanding the preceding analysis, and for the purpose of telegraphing, it would be appropriate for the Commission to revisit long-term service needs and potential sphere of influence amendments therein for the affected territory involving the Cities of San Marcos and Escondido as part of the pending municipal service reviews calendared for the region. This telegraphing comment responds to an existing discrepancy in which the majority of the affected territory – including the single-family residence – currently lies within the sphere of influence for Escondido but is accessed through San Marcos.

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<sup>6</sup> The affected territory is presently located within VID and connected to the water system. The affected territory lies outside VID’s sphere of influence and reflects a standing Commission expectation the subject lands be detached in favor of uniting both water and wastewater services under Vallecitos WD. Uniting services for the affected territory, however, is not readily available given the placement of existing infrastructure, and as such a reorganization to detach from VID is not recommended at this time. Staff will revisit the broader topic of uniting services in the area as part of the upcoming municipal service reviews for the region.

## Conclusion | Merits of Modifications and Terms

Modifying the proposal to include the adjacent 0.02 acre public right-of-way on Montiel Drive is appropriate and provides an orderly and uninterrupted boundary for Vallecitos WD going forward. It is separately recommended the Commission revisit long-term service needs within the affected territory and potential sphere of influence amendments involving the Cities of San Marcos and Escondido as part of the pending municipal service reviews for the region. 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 San Diego LAFCO can consider any jurisdictional change unless an applicable master agreement applies. Towards this end, staff has confirmed the County of San Diego Board of Supervisors has adopted a Master Enterprise District Resolution applicable to the proposed change of organization. The application of this master tax exchange agreement will result in a “no” exchange.

### Environmental Review

LAFCO serves as the lead agency for assessing potential impacts of the proposal under CEQA given the District has not initiated a notice of exemption in the beginning of the change of organization proceedings. LAFCO has determined the action qualifies as a project but is exempt from further review under State CEQA Guidelines 15061(b)(3) because it can be seen with certainty there is no possibility for the project to significantly impact the environment, and the activity is not subject to CEQA. The proposed extension of Vallecitos WD wastewater service to the affected territory is only intended to serve the existing single-family residence. Any further development or intensification of the affected territory would require subsequent environmental review by the County of San Diego.

### 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 proceedings.<sup>7</sup> Further, the addition of the adjacent public right-of-way does not trigger protest proceedings.

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<sup>7</sup> LAFCO law defines uninhabited as territory in which 11 or less registered voters reside.

## RECOMMENDATION

Staff recommends San Diego LAFCO approve the change of organization proposal consistent with Alternative One as outlined in the proceeding section. Approval provides for planned and orderly annexation and expansion of Vallecitos WD’s wastewater services to the affected territory consistent with needs and capacities.

## ALTERNATIVES FOR ACTION

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

### Alternative One (recommended):

- a) Accept and incorporate the analysis of the Executive Officer’s written report.
- b) As the lead agency, make findings the LAFCO Commission finds the project exempt from additional review under the State CEQA Guidelines Section 15061(b)(3).
- c) Determine protest proceedings are waived under Government Code Section 56662.
- d) Approve the proposed change of organization – cited in short-form as “Menchaca-St. Paul Drive Change of Organization to Vallecitos Water District” with one discretionary modification to include 0.02 acres of the public right away located on Montiel Drive 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:
  - 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.

### 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.



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**PROCEDURES FOR CONSIDERATION**

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

On behalf of staff,



Linda Zambito  
Analyst I

Appendices:

- A) Analysis of Proposal Review Factors

Attachments:

- 1) Vicinity Map
- 2) Application Materials

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**APPENDIX A**  
**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.**

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The affected territory includes one unincorporated parcel in the North County Metropolitan Community Plan totaling 1.59 acres.<sup>8</sup> The subject parcel is developed with an approximate 1,472 square foot detached single-family residence with three bedrooms and two bathrooms. The application materials identify the residence is currently occupied with two inhabitants. The current assessed value of the subject parcel – including land and improvements – is \$243,132. The affected territory lies within a developing urban-residential area and in an unincorporated area between the cities of San Marcos and Escondido. All surrounding properties to the south are already within and connected to Vallecitos WD with the majority also being less than 1.0 acres in size, and as such cannot be further divided under the County of San Diego’s zoning standards. It is reasonable to assume existing growth and density levels in the area will continue for the near future.

- 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.**

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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. Other pertinent service providers include San Marcos Fire Protection District (fire rescue and ambulance), Vista Irrigation District (domestic water). 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. The septic system was established in 1982 with the construction of the residence, and as such nearing the end of its useful lifespan. Connection to the system is readily available through an adjacent lateral to an existing Vallecitos WD wastewater main located within the adjacent public right-of-way on Montiel Drive. It is projected the existing average daily wastewater flow for the affected territory under baseline conditions is approximately 250 gallons per

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<sup>8</sup> The subject parcel is located at 813 St. Paul Drive. The County of San Diego Assessor’s Office identifies the subject parcel as 228-130-31.

day. This projected amount represents 0.0002% of the existing available capacity of Vallecitos WD, and as such can be readily accommodated without additional resources or infrastructure planning. Ultimate buildout of the affected territory under the County would potentially increase the average day wastewater flow to 4,000 gallons per day and represent 0.0035% of the existing available capacity.

**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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Approving the change of organization and annexation therein to Vallecitos WD would recognize and strengthen existing economic and social ties between the District and the affected territory. These ties were initially established in 1985 when the Commission included the entire area into Vallecitos WD’s sphere of influence and signaling the lands would eventually warrant public wastewater service from the District when appropriate.

**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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The affected territory is developed as a conforming residential use under the North County Metropolitan Plan. Approving the proposed change of organization would facilitate the establishment of public wastewater services to the existing single-family residence developed to date in the affected territory, and in doing so support the County of San Diego’s community planning policies. Similarly, approval would be consistent with the Commission’s adopted policies to synch urban type uses – which include 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.**

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The affected territory does not qualify as “agricultural lands” under LAFCO law given it is not currently used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program. The proposal, therefore, will not have an effect on maintaining the physical and economic integrity of any agricultural lands.

**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.**

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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. The affected territory does not cross lines of assessment.

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

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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.**

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The affected territory is entirely designated for relatively moderate-density single-family residential use under the adopted land use policies of the North County Metropolitan Plan. This includes designating the affected territory as Village Residential 4.3 (VR-4.3) and zoning as Residential Single. This latter assignment establishes minimum lot density of 4.3 units per acre. These existing and planned uses are consistent with the proposal’s purpose to provide public wastewater to the present single-family residence and accessory unit as allowed under current zoning.

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

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The affected territory lies entirely within the sphere of influence designated for the Vallecitos WD. Additional details are provided in the analysis provided on page 10.

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

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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.**

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Information collected and reviewed as part of this proposal indicates Vallecitos 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.

- Vallecitos WD’s last audit covers 2017-2018 and shows the District finished with good liquidity levels with an agency-wide current ratio of 5.2 (i.e., \$5.20 in current assets for every \$1.00 in current liabilities).
- Vallecitos WD finished 2017-2018 with good capital as evident by a relatively low debt ratio of 26.5% (i.e., only \$26.50 out of every \$100.00 in net assets are financed.)
- Vallecitos WD has remained profitable in each of the last five audited fiscal years with an average operating margin of 13%. The most recent year – 2017-2018 – the operating margin was 13.7%.

The landowner at 813 Saint Paul Drive will pay all required fees and service charges commensurate with Vallecitos WD’s adopted fee ordinance in establishing wastewater services. At present, the residential wastewater service charge for a single-family residence is \$467.88 per year or \$38.99 per month. The wastewater rates are fixed and are not based on flow or water usage. 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.**

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The affected territory’s existing residential uses are already within and connected to VID’s domestic water system. Approval of the change of organization would not substantively affect the timely availability of water supplies to the affected territory.

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

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The proposed change of organization does not involve new development and would not affect any local agencies in achieving their respective fair shares of the regional housing needs. All potential units tied to the lands are assigned to the County of San Diego by the region’s council of governments, SANDAG.

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

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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.**

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See earlier analysis on page 12.

**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.**

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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 that is the subject of the proposal.**

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The County of San Diego has adopted a Multi-Jurisdiction Hazard Mitigation Plan for potential fire, flooding and earthquakes. The affected territory lies outside any threat designations.

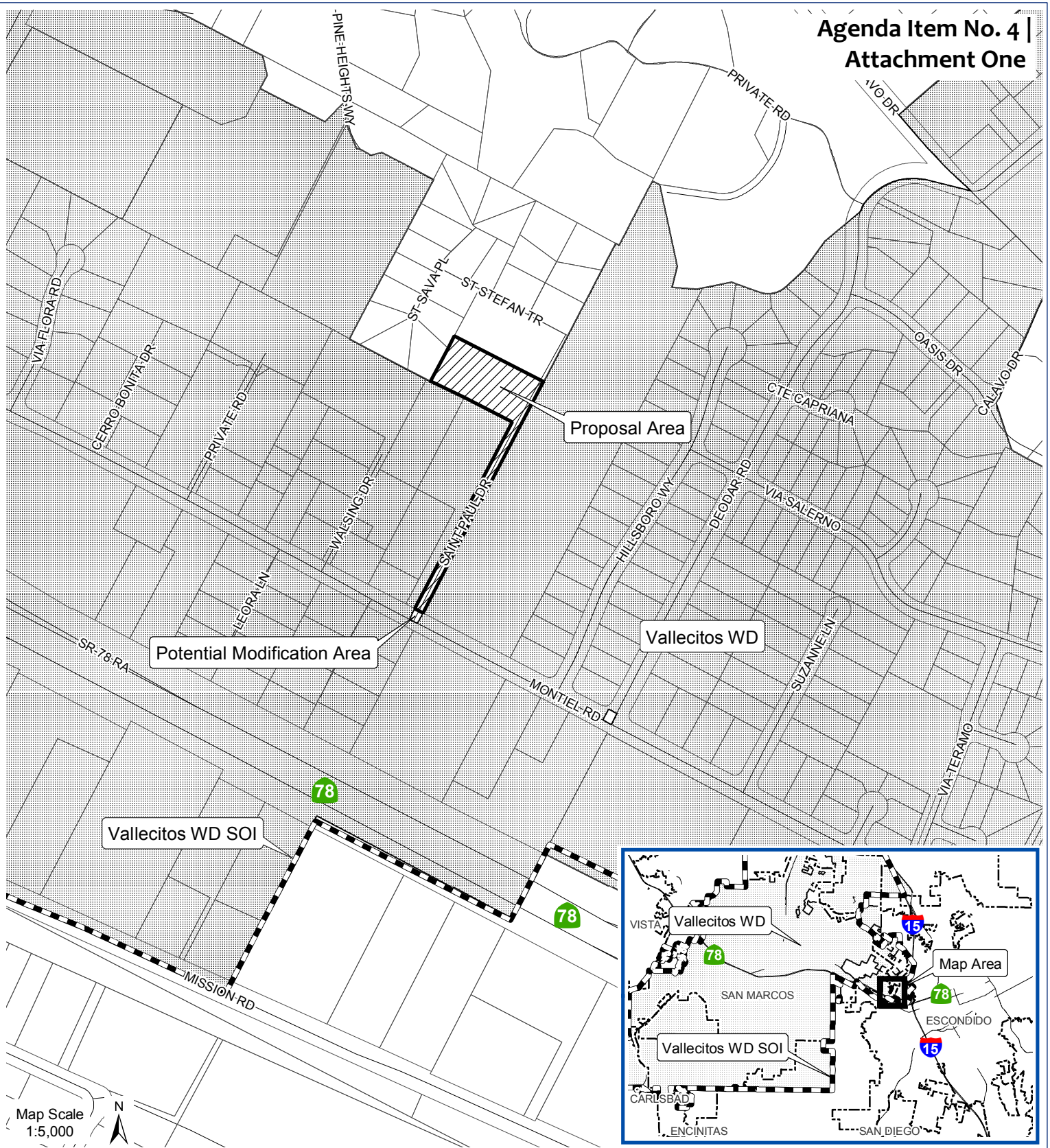
**56668.3(a)(1) Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annex to the district.**

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

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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**RO18-15 PROPOSED "MENCHACA - ST. PAUL DRIVE CHANGE OF ORGANIZATION" TO VALLECITOS WATER DISTRICT**

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

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Vallecitos Water District  
 201 Vallecitos De Oro  
 San Marcos, CA 92069  
 (760) 744-0460

Agenda Item No. 4 |  
Attachment Two

RECEIVED

SEP 20 2018

SAN DIEGO LAFCO  
 Transmittal Letter

Attention: San Diego Local Agency Formation  
 Commission  
 9335 Hazard Way, Suite 200  
 San Diego, CA 92123

Date:	9/17/18	VWD WO #	196525
Menchaca Annexation			

WE ARE SENDING YOU:  Attached  Under separate cover VIA:  Mail  Picked up  Fax

Letter  Bond copies  Original Mylars  Specifications  Construction Agreement

Documents  Shop drawings  Change order  Samples

SETS	DATED	SHTS	DESCRIPTION
1	9/17/18		Change of Organization or Reorganization Application
1	9/17/18		Petition for Proceedings Pursuant to the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000
1	9/17/18		Vallecitos Water District Availability Letter
1	9/17/18		Plat & Geographic Description with disk
1	9/17/18		\$4,050.00 Application Fee - Check #114590

THESE ARE TRANSMITTED as checked below:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> For Approval | <input type="checkbox"/> Approved as corrected    | <input type="checkbox"/> Re-submit ___ copies for approval |
| <input type="checkbox"/> For your use            | <input type="checkbox"/> Approved as noted        | <input type="checkbox"/> Submit _ copies for distribution  |
| <input type="checkbox"/> As requested            | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints     |
| <input type="checkbox"/> For review and comment  | <input type="checkbox"/>                          | <input type="checkbox"/>                                   |

REMARKS:

Application is being submitted by WVD on behalf of property owner (Jess Menchaca). Please copy all correspondence to Eileen Koonce at Vallecitos Water District. Thanks.

Sincerely,  
 Eileen Koonce  
 Development Services Coordinator

cc: file

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

*If enclosures are not as noted, please notify us at once.*

# 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>Vallecitos Water District</u>	1. <u>Water &amp; sewer 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 Vallecitos Water 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: Jesse D. Menchaca Date: 8/31/18

Print/Type Name: Jesse D. Menchaca, Trustee of The Menchaca Revocable Living Trust

Address: P.O. Box 2070  
Carlsbad, CA 92018 Telephone: (619) 316-7517

Property Address: 813 St. Paul Drive, San Marcos, CA

Cross Street(s): Montiel Road & St. Paul Drive

Assessor Parcel Number(s): 228-130-31 Acres: 1.59

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

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_

## 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.). The property has a failing septic system. Owner needs to connect to public sewer. Requests annexation into VWD sewer service area and, as required by VWD, annexation into VWD water district boundary.
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. There is one existing single-family home. An existing VID water meter serves the property and the owner wishes to continue to receive VID water service
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. property is located north of Montiel Rd and west of I-15. There is a gentle slope from the northwest to southeast
4. How many residents live within the proposal territory? 2
5. How many of these residents are registered voters? 2
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](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 North County Metro community plan.
- (b) The County General Plan or community plan designation and allowed density: Village Residential - 4.3 (Vr-4.3) 4.3 du/ac
- (c) Current County zoning and allowed density: Rs

2. CITY:

(a) The territory is within the general plan area for the City of \_\_\_\_\_

(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 checked="" type="checkbox"/> NO
Tentative Parcel Map			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Major Use Permit			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
City/County General Plan Amendment			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
City Rezoning			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
County Rezone			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(Other)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

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

North: residential East: vacant  
 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? Vallecitos 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? Vista Irrigation District
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? Vista Irrigation District  
(c) Will the agency that will be providing service be prepared to furnish water service upon annexation? existing service to continue  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.)

\* Owner is not requesting water service from VWD. VWD's requirements for sewer annexation also require annexation into Water District boundary. Water service will continue to be provided by VID. No detachment from VID is requested.

**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

---

---

(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?

---

(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 party<sup>1</sup> or agent<sup>2</sup> 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.

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

<sup>2</sup> "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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Date and amount of contribution:

Date \_\_\_\_\_ 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 \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_ Phone \_\_\_\_\_

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*<sup>1</sup> 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.

<sup>1</sup> 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. Vallecitos Water District  
2. Sewer Improvement District 586 of Vallecitos Water District  
3. \_\_\_\_\_

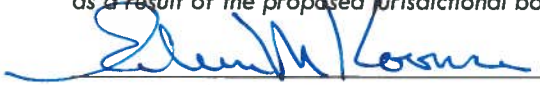
Detachment from: 1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_

<u>Date</u>	<u>Signature</u>	<u>Assessor's Parcel Number(s)</u>
1. <u>3/31/18</u>	<u>[Signature]</u>	<u>228-130-31</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.


Eileen Koonce  
 Signature of agency representative Print name  
Development Services Coordinator - Vallecitos Water District  
 Title  
760-752-7177 Date  
 Telephone

**A. JURISDICTIONAL INFORMATION:**

Name of agency: Vallecitos Water District

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: \_\_\_\_\_
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)? 5 mgd at Meadowlark Reclamation Facility plus 10.47 mgd (solids) & 7.67 mgd (liquids) & 7.67 mgd (ocean disposal) at Encina (EWPCF)
2. What is the average volume of influent currently being treated by the agency (expressed in million gallons per day and equivalent dwelling units)? 6.5 mgd = 26,000 EDUs
3. (a) What is the agency's peak flow volume (expressed in million gallons per day)? 15.4 mgd - (outfall)
- (b) What is the agency's peak flow capacity (expressed in million gallons per day)? 12.1 mgd - (outfall)
- (c) Has the agency exceeded the flow (peak) capacity within the past two years?
- (d) *If yes*, please describe the frequency and volume of incidents that exceeded the agency's peak capacity: once a year during major rain event  YES  NO
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? \_\_\_\_\_
- (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):  
\_\_\_\_\_  
\_\_\_\_\_
- (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 0 feet. (sewer main at property line)
- (b) Describe the location of the connection to the agency's existing sewer system:  
adjacent to the property boundary

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):

Ø demand - they will continue to receive VID water

(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

customer will not connect to VWD facilities they will continue to receive water service from VID

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.)

4. (a) The distance for connection of the proposal territory to the agency's existing water system is ~730 feet.

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

none - customer will continue to receive water from VID

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? no transmission mains for reclaimed water

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

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

Part I: NOTICE OF INTENT TO CIRCULATE PETITION

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

1. Notice is hereby given to circulate a petition proposing to: annex APN 228-130-31  
into the water & sewer district boundary of  
the Vallejos Water District
2. The reason(s) for the proposal are: \_\_\_\_\_

to obtain sewer service from Vallejos  
Water District due to a failing septic system

Jesse D. Menchaca  
Proponent's Name (print) \_\_\_\_\_  
Signature of proponent or representative \_\_\_\_\_

813 St. Paul Drive  
Proponent's Address \_\_\_\_\_  
San Marcos, CA 92069  
City, State, Zip \_\_\_\_\_

mail: P.O. Box 2070 Carlsbad, CA 92018

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 of APN 228-130-31 into Vallejos Water District water & sewer boundary

(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: failing septic system requires connection to public sewer

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

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

1. Jesse D. Menchaca P.O. Box 2070 Carlsbad, CA 92018  
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.

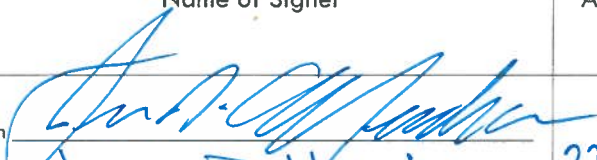
Name of Signer	Residence Address	Date Signed	Official Use
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

## Part IVb: LANDOWNER PETITION

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

**Each of the undersigned states:**

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

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign  Print <u>Jesse D. Menchaca</u>	228-130-31		
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).



## VALLECITOS WATER DISTRICT

A PUBLIC AGENCY

201 Vallecitos de Oro • San Marcos, California • 92069-1453 Telephone (760) 744-0460

February 1, 2018

Jess Menchaca  
P.O. Box 2070  
Carlsbad, CA 92018

**RE: Menchaca Residence – 813 St. Paul Drive, San Marcos, CA  
APN 228-130-31**

### General

The above referenced project is not within the water or sewer boundaries of the Vallecitos Water District and would require annexation to be eligible for service. Service will be provided under the rules and regulations of the District, under normal operating conditions after all required fees have been paid and all conditions of the District have been satisfied.

Any existing District pipelines located within the boundaries of the project that are in conflict with the proposed development will require relocation within the public right-of-way or District easements. District policy requires that all newly created parcels have frontage on the District main and extensions of facilities to serve each newly created parcel will be required. The exact location of the main line extensions and relocation will be determined during the design phase of the project.

The project does not propose any change in land use or density.

Water or Sewer facilities not within the public right-of-way will require a minimum 20-foot easement granted to the District. The District may require additional easements through the project or private properties for future extensions. The owner of the project is responsible for obtaining any easements including expenses incurred. Joint use of these easements is not allowed by the District and easements for storm drain and other facilities should be analyzed early so that adequate sizing of easements for all facilities and various agencies is provided.

No structures will be allowed over District facilities. This includes but is not limited to, walls, entrance medians, landscaping, gates, guard house structures, curbs and gutters, or driveways that will be constructed over District facilities.

### Water Service

The property is not located within the District's water service boundary. The owner is not requesting water service from VWD. They wish to continue to receive water service from Vista Irrigation District (VID). However, they will be required to annex into the VWD's water district boundary in order to annex into the sewer service area.

The following information is provided, if the owner wishes to connect to VWD's water system in the future. Upon annexation into the District, the property would be located within a pressure zone (source of water for fire protection and domestic use) which maintains a hydraulic gradeline (HGL) of 920 feet above sea level (msl). For protection of District facilities, any areas with water pressures near or higher than 175 psi will require water pressure regulators before the meter.

There are existing water facilities located in Montiel Road (south of the project). Any water lines in conflict with the development will require relocation into public right-of-ways and may require District easements across a portion of the lots. Drivable access to, and along, the facilities must be maintained at all times.

The project will not require a Water Supply Assessment (WSA) for this project.

### Fire Flow Requirements

The Fire Department should be contacted to verify fire flow requirements and location of fire flow facilities required for the proposed project. A hydraulic analysis, prepared by the District will be required to determine the available fire flow for the project. The owner/developer is responsible for all costs incurred in obtaining the hydraulic analysis.

### Sewer Service

The property is not within the boundaries of the Vallecitos Water District for sewer service. Annexation into the sewer service area will be required. Sewer service will only be provided under the rules and regulations of the District, under normal operating conditions and after all required fees have been paid and all conditions of the District have been satisfied.

There are existing sewer facilities located in a District easement along the western and southern property line of the subject property. Any sewer facilities in conflict with the development will require relocation into public right-of-ways and may require easements across a portion of the lots. Access to, and along, the facilities must be maintained at all times.

This letter is issued for planning purposes only, and is not a representation, expressed or

APN 228-130-31 Menchaca Residence

March 1, 2018

Page 3

implied that the District will provide service at a future date. The Vallecitos Water District relies one hundred percent on imported water supplies. Water may not be available at the time the project is built. Commitments to provide service are made by the District Board of Directors and are subject to compliance with District fees, charges, rules and regulations.

Sincerely,

VALLECITOS WATER DISTRICT

A handwritten signature in black ink, appearing to read "Eileen Koonce", written in a cursive style.

Eileen Koonce

Development Services Coordinator

ANNEXATION NO. \_\_\_\_\_  
ANNEXATION TO VALLECITOS WATER DISTRICT  
WATER AND SEWER SERVICE AREAS  
GEOGRAPHIC DESCRIPTION

All that certain real property, situated in a portion of Section 17, Township 12 South, Range 2 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows:

**Beginning** at the intersection of the northerly boundary of Montiel Road and the westerly boundary of Saint Paul Drive, also being the existing Vallecitos Water District Sewer Service boundary;

Thence, (1) North 29°15'00" East 813.11 feet along the existing District boundary;

Thence, leaving the existing District boundary (2) North 60°51'50" West 319.95 feet;

Thence, (3) South 29°15'00" West 155.00 feet;

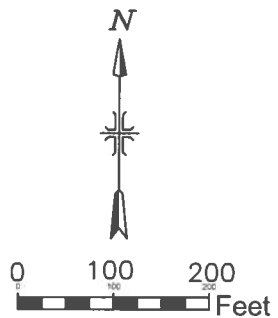
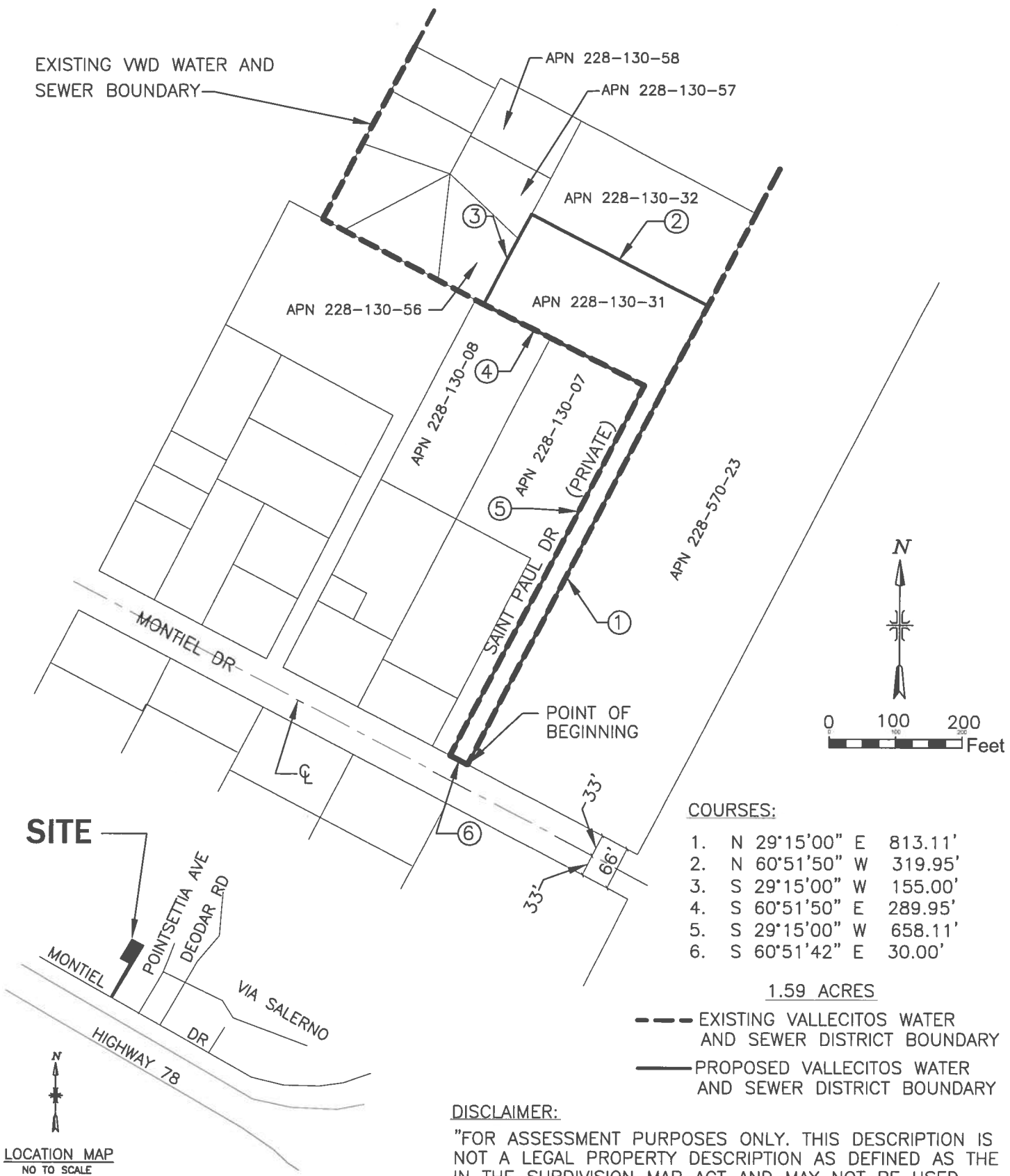
Thence, joining the existing District boundary, (4) South 60°51'50" East 289.95 feet along the existing District boundary;

Thence, (5) South 29°15'00" West 658.11 feet to a point on the northerly boundary of said Montiel Road;

Thence, (6) South 60°51'42" East 30.00 feet to the **Point of beginning** and containing 1.59 acres more or less.

*For assessment purposes 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 VWD WATER AND SEWER BOUNDARY



**COURSES:**

1. N 29°15'00" E 813.11'
2. N 60°51'50" W 319.95'
3. S 29°15'00" W 155.00'
4. S 60°51'50" E 289.95'
5. S 29°15'00" W 658.11'
6. S 60°51'42" E 30.00'

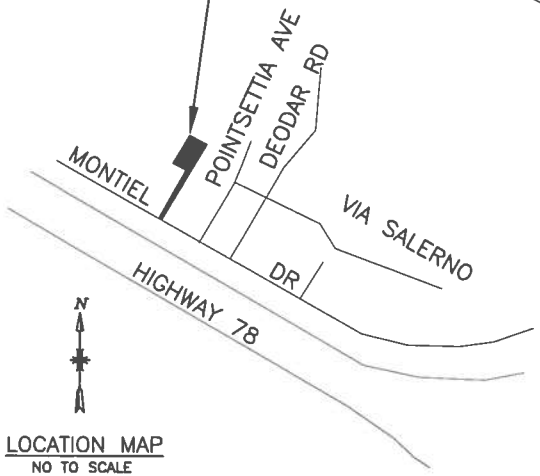
1.59 ACRES

- EXISTING VALLECITOS WATER AND SEWER DISTRICT BOUNDARY
- PROPOSED VALLECITOS WATER AND SEWER DISTRICT BOUNDARY

**DISCLAIMER:**

"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED AS THE IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED."

**SITE**



LOCATION MAP  
NO TO SCALE

# VALLECITOS WATER DISTRICT

Date: 04-30-18	<b>VWD WATER AND SEWER ANNEXATION</b> BEING A PORTION OF SECTION 17, TOWNSHIP 12 SOUTH RANGE 2 WEST SAN BERNARDINO BASE AND MERIDIAN, SAN DIEGO COUNTY	Drawn By: P.J.C.
Scale: 1" = 200'		Doc. No.
A.P.N.: 228-130-31		V.W.D. Chk. E.K.