



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

6b

AGENDA REPORT
 Public Hearing

February 7, 2022

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Priscilla Allen, Analyst I

SUBJECT: Proposed Sphere of Influence Updates for the Fallbrook Region | Fallbrook Public Utility District, Rainbow Municipal Water District, North County Fire Protection District, and County Service Area No. 81

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider approving sphere of influence updates for the four affected agencies in the unincorporated Fallbrook region directly subject to the Commission’s oversight. The updates are being presented as part of the Commission’s five-year study requirement to review and – as needed – make changes to spheres in step with designating the affected agencies’ appropriate and near-term boundaries and service areas. The updates draw on information included in a recently prepared municipal service review on the region and recommends the Commission proceed to affirm the spheres for all four affected agencies – Fallbrook Public Utility District (PUD), Rainbow Municipal Water District (MWD), North County Fire Protection District (FPD) and County Service Area (CSA) No. 81 – without changes. A special study area is also recommended for North County FPD to facilitate additional consideration of a potential expansion of the sphere within the next five years for reasons detailed. Staff recommends the Commission proceed to approve the recommendations by resolution and in doing so allow for a formal 30-day reconsideration period as provided under statute.

<p>Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103-6624 T 619.321.3380 F 619.404.6508 www.sdlafco.org</p>	<p>Vice Chair Jim Desmond County of San Diego</p> <p>Joel Anderson County of San Diego</p> <p>Nora Vargas, Alt. County of San Diego</p>	<p>Mary Casillas Salas City of Chula Vista</p> <p>Paul McNamara City of Escondido</p> <p>Kristi Becker, Alt. City of Solana Beach</p>	<p>Chris Cate City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Jo MacKenzie Vista Irrigation</p> <p>Barry Willis Alpine Fire Protection</p> <p>David A. Drake, Alt. Rincon del Diablo</p>	<p>Chair Andy Vanderlaan General Public</p> <p>Harry Mathis, Alt. General Public</p>
--	---	---	--	---	--

BACKGROUND

Spheres of Influence

LAFCOs establish and maintain spheres of influence for all cities and most special districts to designate the territory it independently believes represents the appropriate and probable future jurisdictional boundaries and/or service areas of the affected agencies. All jurisdictional changes must be consistent with the spheres of the affected local agencies with limited exceptions. LAFCOs are also directed to update spheres every five years based on information generated in preceding municipal service reviews.

Informing Document to Sphere Update | Municipal Service Review on the Fallbrook Region

San Diego LAFCO staff recently prepared a municipal service review on the Fallbrook region with specific focus on the four affected agencies – Fallbrook PUD, Rainbow MWD, North County FPD and CSA No. 81 – directly subject to Commission oversight. A final report on the municipal service review is expected to be formally acted on ahead of this item and serves as the Commission’s independent evaluation of the availability, need, and sufficiency of services provided by the four local agencies relative to the Commission’s growth management duties. The final report includes recommendations – among others – for the Commission proceed to affirm all four agencies’ spheres without changes.

DISCUSSION

This item is for San Diego LAFCO to perform its scheduled sphere of influence updates in the Fallbrook region and involves Fallbrook PUD, Rainbow MWD, North County FPD and CSA No. 81. The update is informed by the municipal service review recently prepared on the Fallbrook region and draws on the following baseline sphere information.

- **Fallbrook PUD**

The sphere was established by San Diego LAFCO in 1985 and last updated in 2007. The sphere – markedly – was subsequently bifurcated in 1994 into two distinct categories: primary and secondary. The primary sphere dates to its original 1985 adoption and covers Fallbrook PUD’s potable water function. It is 28,193 acres in size and conterminous with the jurisdictional boundary. The estimated population within the primary sphere is 33,986. The secondary sphere dates to 1994 and covers Fallbrook PUD’s wastewater and recycled water functions. The secondary sphere is approximately 4,257 acres in size and limited to an internal zone within the jurisdictional boundary that includes the downtown/village area. The total population within the secondary sphere is estimated at 5,132.

- **North County FPD**

The sphere was established by San Diego LAFCO in 1987 and last updated in 2014. The sphere covers all five of North County FPD’s active service functions – (a) fire protection, (b) emergency medical, (c) ambulance, (d) basic hazardous materials response, and (e) weed abatement. It spans 75,833 acres and includes all FPD jurisdictional lands. It also includes 20,475 non-jurisdictional acres in the De Luz and Pala areas. The total population in the sphere is estimated at 53,003.

- **Rainbow MWD**

The sphere was established by San Diego LAFCO in 1983 and last updated in 2014. The sphere covers both of MWD’s active service functions – (a) potable water and (b) wastewater. It spans 51,543 acres and includes all MWD jurisdictional lands. It also extends beyond the MWD to include 987 non-jurisdictional acres. The total population in the sphere is estimated at 22,130.

- **CSA No. 81**

The sphere was established by San Diego LAFCO in 1987 and last updated in 2013. The sphere covers both of the CSA’s two active service functions – (a) parks and (b) recreation. It spans 77,990 acres and coterminous with the CSA boundary. The total population in the sphere is estimated at 49,085.

Maps of all four affected agencies’ spheres are provided as part of Attachment One.

ANALYSIS

Proceeding with updates to affirm all four affected agencies’ spheres in the Fallbrook region without changes appears justified and maintains baseline expectations regarding possible expansions through annexations and/or exterritorial agreements over the next five-year period. One potential exception exists and merits the establishment of a special study area involving North County FPD. The proposed special study area spans approximately 7,194 acres and lies immediately northeast of FPD’s boundary and sphere in Riverside County with mostly rural residential uses. It is also divided by Interstate 15 into two subareas: “A” to the west and “B” to the east. Subarea A is part of the De Luz community and exclusively accessible to FPD given geography and roadways. Subarea B is part of the greater Rainbow Valley and accessible – albeit not exclusively – to FPD. Establishing the special study area formally signals the Commission’s interest under policy to continue discussions with FPD and other stakeholders and potentially proceed with a sphere amendment and annexation ahead of the next five-year review and update process.

RECOMMENDATION

It is recommended San Diego LAFCO approve updates to affirm without changes the spheres of influence for all four affected agencies in the Fallbrook region while also establishing a special study area for North County FPD as specified. This recommendation is consistent with Alternative One as outlined in the succeeding section.

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) Adopt the draft resolution provided as Attachment One approving updates to affirm all four affected special districts' spheres of influence without changes along with establishing a special study area for North County FPD as specified.
- b) Direct the Executive Officer to administratively record the sphere of influence actions following the completion of a standard 30-day reconsideration period.

Alternative Two:

Continue the item and request additional information from staff as needed.

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 recommended in the consideration of this item:

- 1) Receive verbal presentation from staff unless waived.
- 2) Open the hearing and invite comments.
- 3) Close the hearing, discuss item, and consider the staff recommendation.

On behalf of the Executive Officer,



Priscilla Allen

Analyst I

Attachment:

- 1) Draft Resolution Approving Spheres of Influence Updates for the Fallbrook Region
 - "Exhibit A" Written Determinations
 - "Exhibit B" Map of Fallbrook PUD Sphere of Influence
 - "Exhibit C" Map of North County FPD Sphere of Influence
 - "Exhibit D" Map of Rainbow MWD Sphere of Influence
 - "Exhibit E" Map of CSA No. 81 Sphere of Influence
 - "Exhibit F" Map of Special Study Area for North County FPD

RESOLUTION NO.

**RESOLUTION OF THE
SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS**

SPHERE OF INFLUENCE UPDATES FOR THE FALLBROOK REGION

WHEREAS, the San Diego County Local Agency Formation Commission, hereinafter referred to as the “Commission”, is a political subdivision of the State of California with regulatory and planning responsibilities to facilitate orderly growth and development under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the Commission is responsible under Government Code Section 56425 to establish spheres of influence for all local agencies under Commission oversight with the added statutory directive that all jurisdictional changes must be consistent with the affected agencies’ spheres with limited exceptions; and

WHEREAS, the Commission is also responsible under Government Code Section 56425 to review and update all local agencies’ spheres of influence every five years as necessary; and

WHEREAS, the Commission completed a municipal service review on public services within an unincorporated area in North San Diego County known as “Fallbrook” consistent with statute and includes the Fallbrook Public Utility District, North County Fire Protection District, Rainbow Municipal Water District, and County Service Area No. 81, hereafter referred as the “affected agencies”; and

WHEREAS, the municipal service review on the Fallbrook region serves as the informing document for the Commission to proceed with sphere of influence updates for the affected agencies; and

WHEREAS, the Executive Officer’s written report and recommendations on sphere of influence updates for the affected agencies in the Fallbrook region was presented to the Commission in a manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting concerning the sphere of influence updates in the Fallbrook region on February 7, 2022;

WHEREAS, as part of the sphere of influence update process, the Commission is required pursuant to Government Code Section 56425(e) to make a statement of written determinations with regards to certain factors.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby finds, determines, and orders the following:

1. The Commission determines the sphere of influence updates for the affected agencies in the Fallbrook region represent a project under the California Environmental Quality Act but exempt from further review under the “general rule” provided under State Guidelines 15061(b)(3). This exemption appropriately applies given it can be seen with certainty spheres of influence are

planning policies and any amendments or updates do not make any changes to the environment or authorize any new uses or services.

2. The Commission has considered the Executive Officer’s written report on the sphere of influence updates and recommendations therein for the affected agencies.
3. The Commission makes the statements set forth in Exhibit “A” in determining the spheres of influence for the affected agencies.
4. The Commission APPROVES updates for the affected agencies to affirm with no changes the existing sphere of influence designations and one Special Study Area designation change for North County Fire Protection.
 - a) The updated sphere of influence for Fallbrook Public Utility District is affirmed as shown as Exhibit “B”.
 - b) The updated sphere of influence for North County Fire Protection District is affirmed as shown as Exhibit “C”.
 - c) The updated sphere of influence for Rainbow Municipal Water District is affirmed as shown as Exhibit “D”.
 - d) The updated sphere of influence for County Service Area No. 81 is affirmed as shown as Exhibit “E”.
 - e) The Special Study Area designation is established for the North County Fire Protection District as shown as Exhibit “F”.

PASSED AND ADOPTED by the Commission on February 7, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

ATTEST:

Keene Simonds
Executive Officer

EXHIBIT A

SPHERE OF INFLUENCE UPDATES FOR THE FALLBROOK REGION

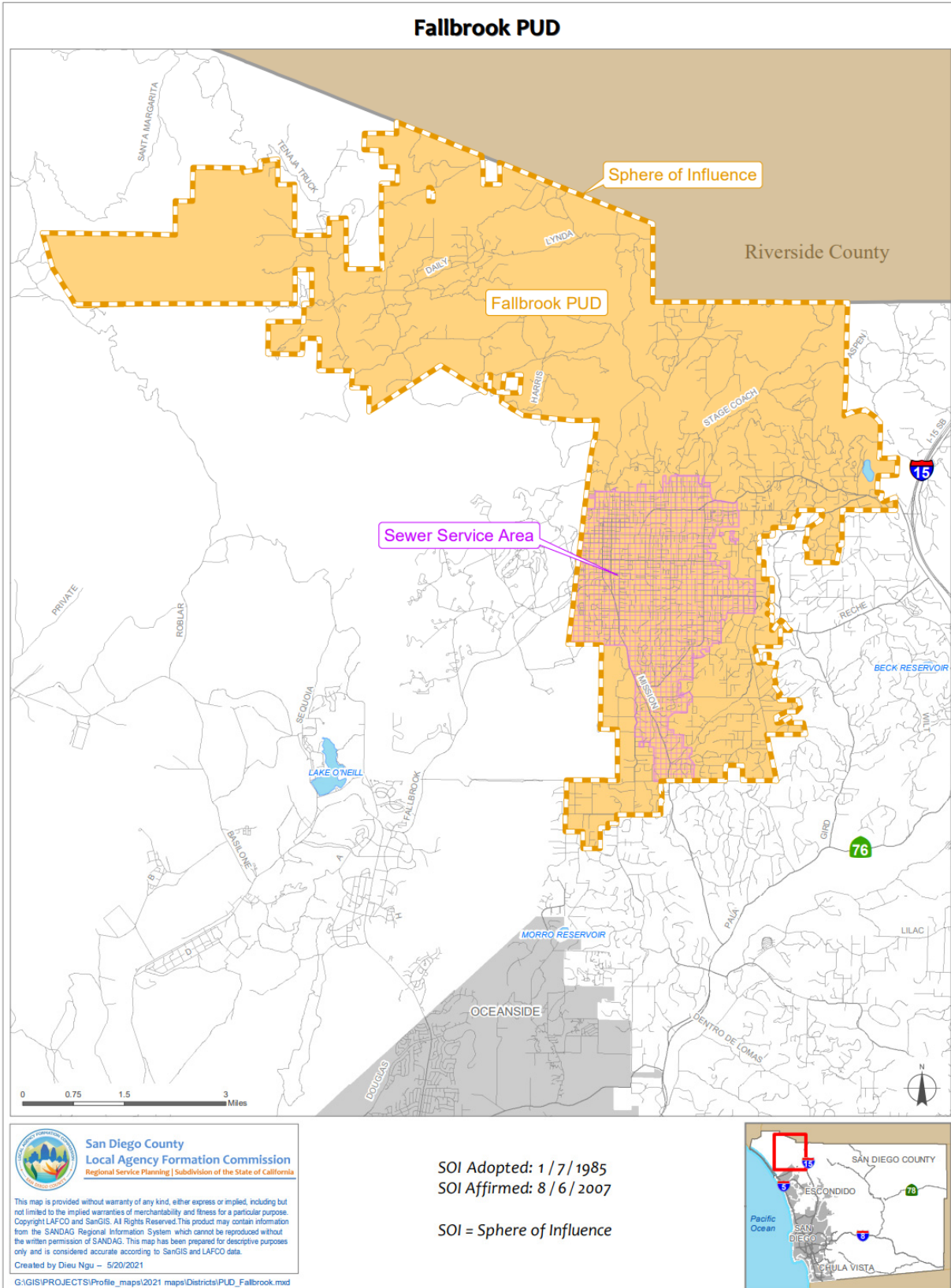
STATEMENT OF DETERMINATIONS GOVERNMENT CODE SECTION 56425

1. With respect to present and planned land uses in the area as required under Section 56425(e)(1), the Commission independently determines the following.
 - a) The areas within the proposed sphere of influence updates are entirely unincorporated and under the land use authority of the County of San Diego. Most of the subject lands have been developed consistent with County land use policy for low-density single-family residential. Remaining land uses in the area are range from commercial agricultural uses marked by avocado groves and flower nurseries. Overall there are an estimated 56,482 fulltime residents.
2. With respect to present and probable need for public facilities and services in the area as required under Section 56425(e)(2), the Commission independently determines the following.
 - a) The areas within the proposed sphere of influence updates reflect the appropriate current and near-term jurisdictional boundaries as well as service areas of the affected agencies as determined by the Commission.
 - b) A Special Study Area designation for the Riverside County area serviced by the North County Fire Protection District should be established to allow Commission consideration of a sphere amendment and annexation ahead of the next five-year review and update process.
3. With respect to present capacity of public facilities and adequacy of public services the agencies' provide or are authorized to provide as required under Section 56425(e)(3), the Commission independently determines the following.
 - a) A comprehensive evaluation of public services and adequacy therein for the areas has been separately prepared by the Commission as part of a municipal service review. The Commission relies on the municipal service review in making all related sphere of influence determinations for the affected agencies.
4. With respect to the existence of any relevant social or economic community of interest in the area as required under Section 56425(e)(4), the Commission independently determines the following.
 - a) The areas with the proposed sphere of influence updates have established social and economic interdependencies with the affected agencies through existing or – in limited instances – expected provision of municipal services. These existing interdependencies have been memorialized by the Commission in past actions to include the lands in the spheres of influence of the affected agencies.

5. With respect to the present and probable need for public water, sewer, and fire protection services of any disadvantaged unincorporated communities within or adjacent to the sphere as required under Section 56425(e)(5), the Commission independently determines the following.
 - a) There are no areas within the proposed sphere of influence updates that qualify as disadvantaged unincorporated communities under State and local policy.

EXHIBIT B

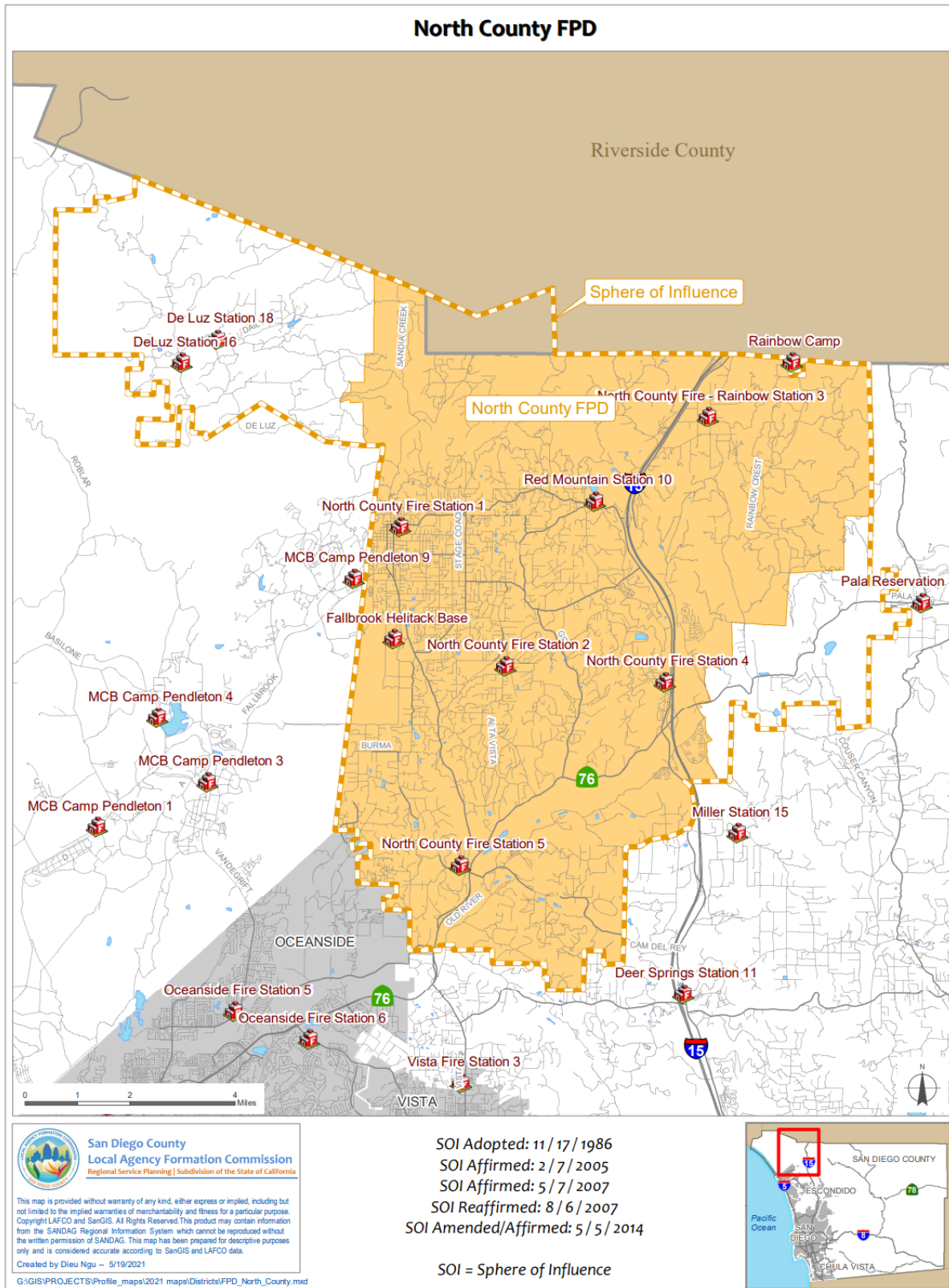
SPHERE OF INFLUENCE UPDATES FOR THE FALLBROOK REGION FALLBROOK PUBLIC UTILITY DISTRICT



Blank for Photocopying

EXHIBIT C

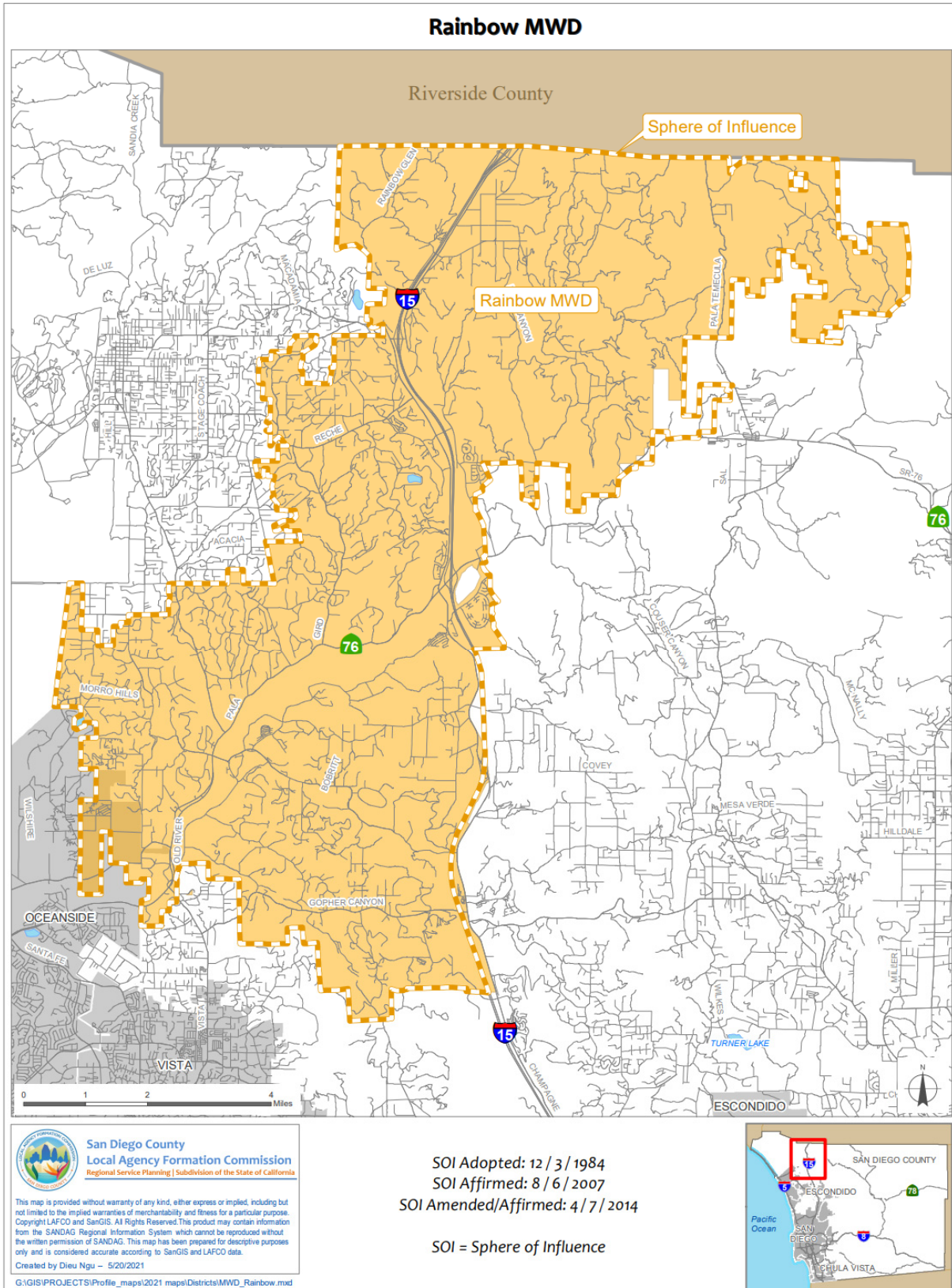
SPHERE OF INFLUENCE UPDATES FOR THE FALLBROOK REGION NORTH COUNTY FIRE PROTECTION DISTRICT



Blank for Photocopying

EXHIBIT D

SPHERE OF INFLUENCE UPDATES FOR THE FALLBROOK REGION RAINBOW MUNICIPAL WATER DISTRICT



Blank for Photocopying

Blank for Photocopying