



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

5C

AGENDA REPORT
 Consent | Action

December 5, 2022

TO: Commissioners

FROM: Keene Simonds, Executive Officer
 Carolanne Ieromnimon, Analyst I

**SUBJECT: Proposed “Farkas-Felicita Road Reorganization” |
 Concurrent Annexation to City of Escondido and Detachment from County
 Service Area No. 135 and Related Actions (RO22-06)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization initiated by a landowner with the principal action to annex 0.4 acres of unincorporated territory to the City of Escondido. A concurrent detachment from County Service Area (CSA) No. 135 and its regional communication function is also part of the reorganization. The proposal purpose is to fulfill an earlier LAFCO condition in authorizing a temporary outside wastewater service extension in July 2022. Annexation would succeed this temporary arrangement and serve as the preferred alternative in accommodating permanent wastewater service to an existing single-family residence. Staff recommends conditional approval of the proposal to include removal of the affected territory from Rincon del Diablo Municipal Water District’s authorized fire protection and emergency medical service area (Improvement District E). It is also recommended the Commission waive protest proceedings along with making an exemption finding as a responsible agency under the California Environmental Quality Act.

<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 lafco@sdcountry.ca.gov</p>	<p>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>Vice Chair Paul McNamara City of Escondido</p> <p>Mary Casillas Salas City of Chula Vista</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>Andy Vanderlaan General Public</p> <p>Harry Mathis, Alt. General Public</p>
--	--	--	--	---	--

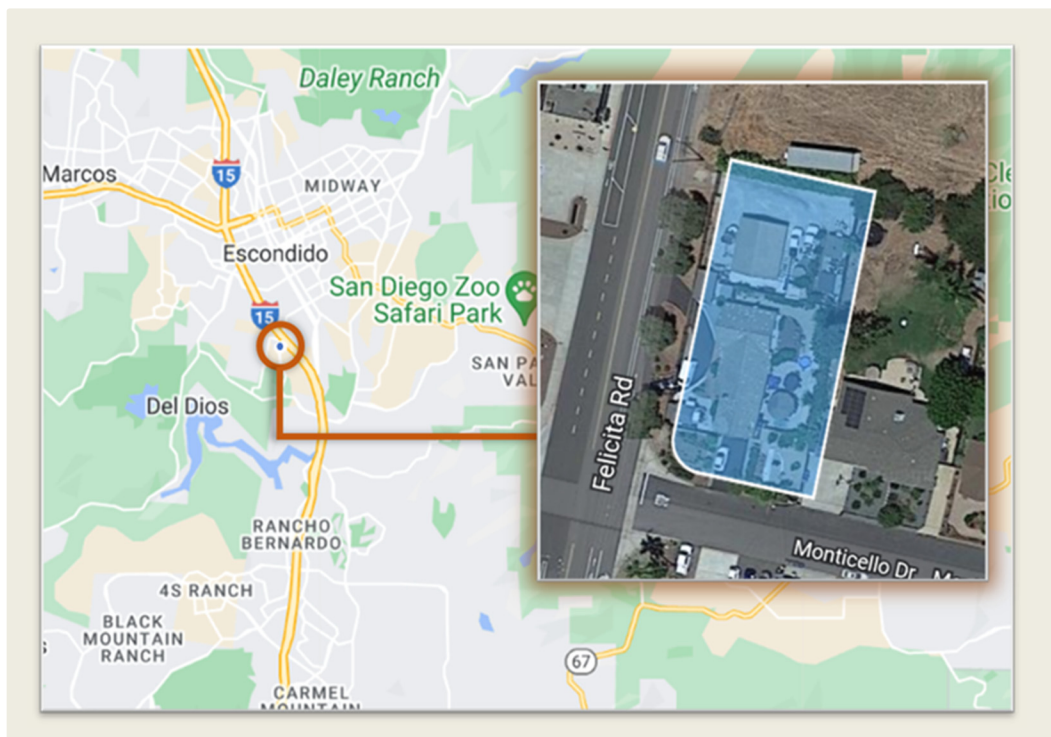
BACKGROUND

Applicant Request

San Diego LAFCO has received a proposal initiated by landowner petition (Farkas) requesting approval to reorganize 0.4 acres of unincorporated territory with the principal action to annex to the City of Escondido. The affected territory as submitted comprises one parcel developed with a 1,450 square foot single-family residence at 2314 Felicita Road with an associated Escondido zip code. The residence was built in 1961 and presently connected to Escondido’s public wastewater system through a temporary outside service agreement approved by LAFCO in July 2022. A secondary action to detach the affected territory from CSA No. 135 and its regional communication function is also part of the proposed reorganization. The County Assessor’s Office identifies the subject parcel as 238-320-01.

Regional Setting

The affected territory lies within a substantially surrounded “island” of the City of Escondido commonly referred to as the “Felicita Park” area. The frontage road – Felicita Road – connects the affected territory to Escondido’s southwest boundary with direct access to Interstate 15. The surrounding area is largely semi-rural residential with more intensive uses located to the northeast in conjunction with entering Escondido’s jurisdictional boundary. The affected territory lies within County Supervisorial District No. 2 (Joel Anderson), Assembly District No. 75 (Marie Waldron), and Senate District No. 38 (Brian Jones). An aerial map of the affected territory and its regional setting follows with a more detailed map – including existing parcel and jurisdictional boundaries – provided as Attachment One.



Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: City of Escondido and CSA No. 135.¹ A summary of the subject agencies in terms of governance, resident population, municipal functions, and financial standing follows.

- **City of Escondido** was incorporated in 1888 and has a current estimated resident population of 150,799. Escondido is a full-service municipality and headlined by directly providing community planning, fire protection and emergency medical, ambulance, parks and recreation, police protection, wastewater, and water services. LAFCO last reviewed and affirmed Escondido’s sphere in 2003 with a larger-than-agency designation that includes nearly two dozen unincorporated areas. Escondido’s audited net position is \$473.4 million as of June 30, 2021 with an undesignated fund balance of (\$108.8) million. The unrestricted amount is adjusted to \$119.8 million less retiree obligations and equals 7.0 months of City operating expenses based on recent actuals. Escondido’s overall total net position has changed by 10.3% over the prior three audited years.
- **CSA No. 135** is a dependent special district of the County of San Diego encompassing 3,739.8 square miles and includes all unincorporated lands as well as 10 of the 18 cities in San Diego County. CSA No. 135 was formed in 1994 to provide public safety radio communications through a funding agreement with a third-party (Regional Communication Systems) and involves operating an 800-megahertz system. Administration of this municipal function is provided by County Sheriff. The current estimated resident population within CSA No. 135 is 1,074,319. LAFCO established a sphere of influence in 1994 coterminous to the county boundary. The sphere was last reviewed and affirmed in 2007. The most recent audit shows the County’s net position at \$3.379 billion as of June 30, 2021. This accrued amount reflects an overall three-year change of 5.4% and includes an unrestricted portion of (\$1.858 billion) that adjusts to \$1.297 billion less retiree obligations.

Affected Local Agencies

The affected territory presently lies within the jurisdictional boundaries and/or spheres of influence of 10 local agencies directly subject to San Diego LAFCO’s planning and regulatory responsibilities. These agencies qualify as “affected agencies” relative to the proposed reorganization and listed below.²

- City of Escondido (sphere of influence only)
- CSA No. 135
- Metropolitan Water District of Southern California

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

² State law defines “affected local agency” as any entity that contains, or would contain, or whose sphere contains or would contain, any territory for which a change of organization is proposed or ordered. Notice of the proposal and hearing were provided to the agencies.

- North County Cemetery District
- Palomar Healthcare District
- Resource Conservation District of Greater San Diego County
- Rincon del Diablo Municipal Water District
- San Diego County Flood Control District
- San Diego County Street Lighting District
- San Diego County Water Authority

The affected territory also lies within the following school and college districts, and accordingly receive notice of the proposal: Escondido Union School District; Escondido Union High School District; and Palomar Community College District.

DISCUSSION

This item is for San Diego LAFCO to consider approving – with or without discretionary modifications – the reorganization proposal and its principal action to annex the affected territory to City of Escondido. 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 proposal purpose, related development opportunities, and Commission focus follows.

Proposal Purpose

The proposed reorganization and its principal action to annex the affected territory to the City of Escondido has been filed to fulfill an earlier LAFCO condition in authorizing a temporary outside wastewater service extension in July 2022. Annexation would succeed this temporary arrangement and serve as the preferred alternative in accommodating permanent wastewater service.

Current and Planned Development

The affected territory is presently unincorporated and entirely designated by the County of San Diego as Village Residential (VR-2.9). The County also zones the affected territory as Rural Residential (RR) with a 2.0-acre minimum lot size. The existing single-family residence within the subject parcels conforms to these County land use policies. The City of Escondido General Plan separately designates the affected territory as Estate II with a pre-zoning assignment of Residential Estate – 20, which prescribes a 0.5-acre minimum lot size. (State law would prohibit Escondido from making a change to this zoning assignment for the first two years post annexation with limited exceptions.) This pre-zoning assignment prohibits any additional density development with the affected territory post annexation given the subject lot is 0.4 acres in size. Additional intensity would be permitted by both the County and Escondido via one accessory dwelling unit.

Commission Focus

San Diego LAFCO’s current sphere of influence designation for the City of Escondido includes the affected territory and can readily accommodate the proposed annexation without amendment. Similarly, the current sphere of influence designation for CSA No. 135 is countywide and amendments have not been made by practice to exclude detached territory. These existing sphere determinations narrows the Commission’s consideration of the proposed reorganization to two central and sequential policy items. These policy items take the form of determinations and orient the Commission to consider the stand-alone merits of the (a) timing of the reorganization itself and (b) whether modifications or approval terms are appropriate. The Commission must also consider other relevant statutes in, and outside LAFCO law as further detailed.

ANALYSIS

San Diego LAFCO’s analysis of the proposed reorganization is divided into two subsections. The first subsection pertains to evaluating the central issues referenced in the preceding section relative to both statutory and local policy considerations. The second subsection considers other germane issues and highlighted by applicability under the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 |

Change of Organization Timing

The timing of the reorganization and its principal action to annex the affected territory to the City of Escondido appears appropriate. This conclusion draws from the analysis of the statutory factors required for consideration of proposed jurisdictional changes along with the proposal’s conformance with locally adopted Commission policies. Most of the prescribed review factors and applicable policies focus on the effects of the proposed annexation on the service and financial capacities of the *receiving* agency, City of Escondido (emphasis added). A summary of key conclusions generated in the review of these factors and policies with respect to service needs, capacities, and finances follow.

- Service Needs
Annexation of the affected territory to the City of Escondido would represent an orderly expansion of the City’s jurisdictional boundary and its municipal functions with the latter headlined by public wastewater. Additional details follow.
- The affected territory’s existing and planned residential land uses merits organized services and would be aided by the reorganization and annexation to Escondido and its ability to provide a range of urban-supporting services. This includes – pertinently – wastewater given the subject parcel recently connected to Escondido’s collection system through a temporary out-of-agency agreement

to abate public health threats due to failing septic system. There are no other viable public wastewater service alternatives.

- The Commission has previously designated Escondido as the appropriate full municipal service provider for the affected territory through the standing inclusion of land within the City’s sphere of influence. Annexation now implements this standing expectation through a public process and accommodates the expressed interest of the affected landowner to remain connected to Escondido’s wastewater system.
- The recent failing of the subject parcel’s septic system helps to quantify the timing of the reorganization and annexation therein to Escondido as appropriate and responsive to current and future resident needs.
- Service Capacities and Levels

The City of Escondido would directly assume most municipal service responsibilities for the affected territory upon reorganization and highlighted by providing the following core functions: community development; wastewater; integrated fire protection and emergency medical; and police protection. Staff’s analysis shows Escondido has sufficient capacities and related resources to readily accommodate demands in the affected territory at its current and planned uses without expanding any public infrastructure. Additional details on these core municipal functions – community development, wastewater, fire protection and emergency medical, and police protection – follows.

 - Escondido would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. This transition is explicitly contemplated in the Escondido General Plan (2012) and further prescribed by the City rezoning the subject lot as Residential Estate – 20.
 - An existing Escondido wastewater main is located immediately adjacent to the east affected territory within the public right-of-way on Felicita Road and presently accessible through an approximate 20-foot private lateral connection. It is projected the maximum average day wastewater flow generated within the affected territory based on one single family residential unit is 200 gallons. This projected amount can be readily accommodated by the City of Escondido and represents 0.0036% of its available treatment capacity remaining within its wastewater system.³ The addition of a second unit as allowed under Escondido zoning would have a de minimis impact.

³ Escondido’s existing average day wastewater flow is 12.4 million gallons, which equals 68.8% of overall capacity at its Hale Avenue Resource Recovery Facility.

- Escondido would formally assume integrated fire protection and emergency medical service responsibilities for the affected territory. This change would have no material impact on service levels given Escondido is the existing contract provider for Rincon del Diablo Municipal Water District (via its Improvement District E). First-response would continue to be provided from Escondido’s Station No. 5, located nearby at 2319 Felicita Road. Response times to the affected territory are estimated to be 1 minute for priority calls and non-priority calls. Total response time would fall within the City's response time standard of 7.5 minutes for urban areas and 8.5 minutes for suburban areas.
- Escondido would formally assume police protection responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given Escondido’s automatic aid agreement with the County Sherriff already commits the City to serve as first-responder for all high proximity calls for the region given its proximity to City resources.
- Service Funding and Costs

The staff analysis shows the City of Escondido has financial resources and administrative controls to readily assume municipal service responsibilities to the affected territory in support of its existing and planned uses without significant impacts. This macro comment considers the relatively limited scale of the proposed annexation to Escondido paired with acknowledging recent City stresses due to escalating resources requiring redirection to cover pension costs. Escondido, nonetheless, finished with positive total margins in each of the last three completed fiscal years with a period average of 6.4%

**CONCLUSION |
MERITS OF CHANGE OF ORGANIZATION TIMING**

The timing of the reorganization and its principal action to annex the affected territory to the City of Escondido is warranted. Justification is marked by the preceding analysis and appropriately syncs the transition of an unincorporated parcel to an adjacent city in conjunction with establishing needed and permanent public wastewater services. Annexation to Escondido will similarly accommodate the subject parcel’s other municipal service needs in alignment with the City’s standing position as the best positioned provider of community planning and public safety (fire and police). Additional analysis supporting the conclusion is provided in Appendix A.

Item No. 2 | Modifications and Terms

No modifications to the submitted reorganization have been identified by San Diego LAFCO staff meriting Commission consideration at this time. This includes confirmation that the annexation of the affected territory would not generate any corridors and/or otherwise illogical jurisdictional features. Standard terms are appropriate along with the condition the landowner consent to the formal removal of the subject parcel from Rincon del Diablo MWD’s Improvement District E with related authorization for LAFCO staff to process the change with the County Auditor and State Board of Equalization.

CONCLUSION | MODIFICATIONS AND TERMS

No modifications – expansions or reductions – to the physical footprint of the proposal appears warranted. Standard approval terms are recommended as well as requiring the landowner/applicant to consent to the removal of the subject parcel from Rincon del Diablo MWD’s Improvement District E along with any related authorizations.

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. Staff has confirmed with the City of Escondido and County of San Diego to apply an existing master agreement to govern the tax exchange for the proposed reorganization. This master agreement specifies Escondido shall receive 36% of the County’s existing apportionment of the 1% property tax collected within the affected territory going forward. There are no property taxes to be exchanged with respect to the detachment from CSA No. 135.

Environmental Review

San Diego LAFCO is obligated under CEQA to assess whether environmental impacts would result from activities approved under the Commission’s authority, either as a lead or responsible agency. LAFCO serves as lead agency under CEQA for this proposal given it has been initiated by landowner petition. Staff believes it would be appropriate for the Commission to find this action – and specifically the annexation of the affected territory to the City of Escondido and detachment from CSA No. 135 – as a project under CEQA but exempt from further review under State CEQA Guidelines Section 15319(a) and its cross-reference to Section 15303 (Class 3). This exemption appropriately applies given the proposed reorganization would not accommodate potential development beyond the

statute's threshold of no more than three single-family residences in an urban area based on current zoning.

Protest Proceedings

Protest proceedings for the reorganization may be waived by San Diego LAFCO should the Commission proceed with an approval under Government Code 56662. The recommended waiver appropriately applies under this statute given the affected territory is uninhabited as defined under LAFCO law (i.e., less than 11 voters); the subject agencies have not filed objections to the waiver; and the landowner consents to the underlying action.

RECOMMENDATION

Staff recommends conditional approval of the reorganization as submitted. This recommendation is consistent with Alternative One in the proceeding section.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

Adopt the attached draft resolution approving the reorganization proposal as submitted with terms along with waiving protest proceedings.

Alternative Two:

Continue consideration to the next regular meeting.

Alternative Three:

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

PROCEDURES FOR CONSIDERATION

This item has been placed on San Diego LAFCO's agenda 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 the Executive Officer,



Carolanne Ieromnimon
Analyst I

Appendices:

- A) Analysis of Proposal Review Factors

Attachments:

- 1) Vicinity Map of the Affected Territory
- 2) Draft Resolution of Approval
- 3) Application Materials

Blank for Photocopying

APPENDIX A

Government Code Section 56668 Proposal Review Factors

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

The affected territory as submitted comprises one 0.4-acre unincorporated parcel adjacent to the City of Escondido. The subject parcel is developed with a single-family residence at 2314 Felicita Road (APN 238-320-01) and presently occupied with seven residents. The affected territory lies within an urban-residential area with moderate growth anticipated in the surrounding area within the next 10-year period. Total assessed value (land and structures) of the subject parcel is \$492,635 with the last transaction recorded in January 2014.

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

The City of Escondido would assume the primary role in providing core municipal service functions for the affected territory if annexation is approved. This would include the need and related provision of community planning, wastewater, fire protection and emergency medical, and police protection. (Potable water service to the affected territory would continue to be provided by Rincon del Diablo MWD). A summary of the existing adequacy of these core services follows.

- Escondido would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. This transition is explicitly contemplated in the Escondido General Plan (2012) and further prescribed by the City rezoning the subject lot as Residential Estate – 20.
- An existing Escondido wastewater main is located immediately adjacent to the east affected territory within the public right-of-way on Felicita Road and presently accessible through an approximate 20-foot private lateral connection. It is projected the maximum average day wastewater flow generated within the affected territory based on one single family residential unit is 200 gallons. This projected amount can be readily accommodated by the City of Escondido and represents 0.0036% of its available treatment capacity remaining within its wastewater system. The addition of a second unit as allowed under Escondido zoning would have a de minimis impact.

- Escondido would formally assume integrated fire protection and emergency medical service responsibilities for the affected territory. This change would have no material impact on service levels given Escondido is the existing contract provider for Rincon del Diablo Municipal Water District (via its Improvement District E). First-response would continue to be provided from Escondido’s Station No. 5, located across the street from the affected territory at 2314 Felicita Road. Response times to the affected territory are estimated to be 1 minute for priority calls and non-priority calls. Total response time would fall within the City’s response time standard of 7.5 minutes for urban areas and 8.5 minutes for suburban areas.
- Escondido would formally assume police protection responsibilities from the County of San Diego as part of the reorganization. This change would have no material impact on service levels given Escondido’s automatic aid agreement with the County Sheriff already commits the City to serve as first-responder for all high proximity calls for the region given its proximity to the City boundary.

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

Approving the reorganization and annexation therein to the City of Escondido would reflect and strengthen existing economic and social ties between the City and the affected territory based on proximity and current service provisions involving wastewater and public safety. These existing social and economic ties are relatedly reflected in the Commission’s standing inclusion of the affected territory within Escondido’s sphere of influence.

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.

Approving the proposed reorganization and annexation to Escondido would facilitate the orderly expansion of the City’s jurisdictional boundary consistent with the sphere of influence. The affected territory does not contain “open-space” as defined under LAFCO law and no conflicts exists under Government Code Section 56377. Additional analysis concerning conformance with germane Commission policies follows.

- San Diego LAFCO Policy L-107 requires applicants to disclose and address potential jurisdictional issues associated with their proposals and if applicable requires a consultation process with affected agencies, interested parties, or organizations to help discuss and potentially remedy concerns unless waived by the Executive Officer. No jurisdictional disputes or related concerns were identified or disclosed by the applicant or by affected agencies or interested parties in the review of the proposal.

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

The affected territory does not contain “prime agricultural land” or “agricultural land” as defined under LAFCO law. Specifically, the affected territory does not contain lands 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. Approval of the proposal and annexation to Escondido would have no effect on maintaining the physical and economic integrity of agricultural lands.

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

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

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

The proposed reorganization involves the principal action to annex an existing development single-family residential parcel to the City of Escondido. The proposal and its anticipated outcomes do not generate any known conflicts with *San Diego Forward*, the regional transportation plan adopted by the San Diego Association of Governments.

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

The affected incorporated territory is presently designated by the City of Escondido for Residential Estate II. The affected territory is pre-zoned as RE-20, which prescribes a minimum parcel size of 0.5 acres. The existing and planned residential uses are consistent with the proposal’s purpose annex the affected territory into the City of Escondido and accommodate existing and planned urban uses going forward.

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

The affected territory lies entirely within the existing sphere of influence established for the City of Escondido.

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

Notice of the submitted reorganization proposal was distributed to all affected and subject agencies as required under LAFCO law. Notices were also provided to all local college and school districts. No written comments on the proposal were received ahead of preparing this agenda report for distribution on November 28, 2022.

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

Information collected and reviewed as part of this proposal indicates the City of Escondido has overall sufficient and available financial resources and administrative controls therein relative to serving the affected territory without adversely impacting existing constituents. This statement is supported by the following factors.

- Escondido's last audit covers 2020-2021 and shows the City finished with sufficient liquidity levels with an agency-wide current ratio of 6.3 (i.e., \$6.30 in current assets for every \$1.00 in current liabilities).
- Escondido finished 2020-2021 with good capital levels and marked by a debt ratio of 55.2% (i.e., only \$52.00 out of every \$100.00 in net assets are financed.)
- Escondido finished 2020-2021 with an overall total margin of 12.5%.

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

The affected territory's existing residential uses are presently within and connected to Rincon del Diablo MWD's retail potable water system with wholesale supplies provided by the San Diego County Water Authority and Metropolitan Water District of Southern California. Approval of the proposed reorganization would not affect these existing relationships and/or commitments.

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.

The proposed reorganization would not impact any local agencies in accommodating their regional housing needs. All potential units tied to the lands are already assigned to the City of Escondido by the region's council of governments through the standing inclusion of the land within the City sphere of influence.

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

The affected territory is considered uninhabited as defined by LAFCO law (containing 11 registered voters or less). The landowners (Farkas') support the proposed reorganization and have provided written consent to the proceedings as the petitioners.

o) Any information relating to existing land use designations.

See above analysis for (h).

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

The reorganization is expected to aid and/or otherwise promote environmental justice by enhancing wastewater and integrated public safety services within the affected territory and for any groups that are susceptible to pollution burdens and their effects. This latter category – notably – includes low-income communities, communities of color, tribal nations, and other disadvantaged groups. Consideration of existing environmental justice factors within the affected territory draw on staff analyzing data available from the California Environmental Protection Agency through its online assessment tool (CalEnviroScreen 4.0).

Two composite percentile rankings for the affected territory are generated within this analysis and involves (a) pollution burdens and (b) susceptible population to pollution burdens relative to all census tracts in California. These rankings follow.

- The affected territory's composite pollution burden ranking falls in the 12.3 percentile in California with an internal range between 0 to 93 percentiles. Ten pollution burdens exceed the 33 percentile and involve air quality (ozone and diesel), pesticides, drinking water contaminants, cleanup sites, groundwater threats, impaired water, traffic, solid waste, and cardiovascular disease, and considered moderate in magnitude. Three of these ten pollution burdens – traffic, cleanup sites and impaired water – also exceed the 70 percentile and are considered significant in magnitude.
- The affected territory's composite susceptible population ranking falls in the 4.9 percentile in California with an internal range between 4.02 to 45.03 percentiles. One of these at-risk groups exceeds the 33 percentile and involves cardiovascular disease.

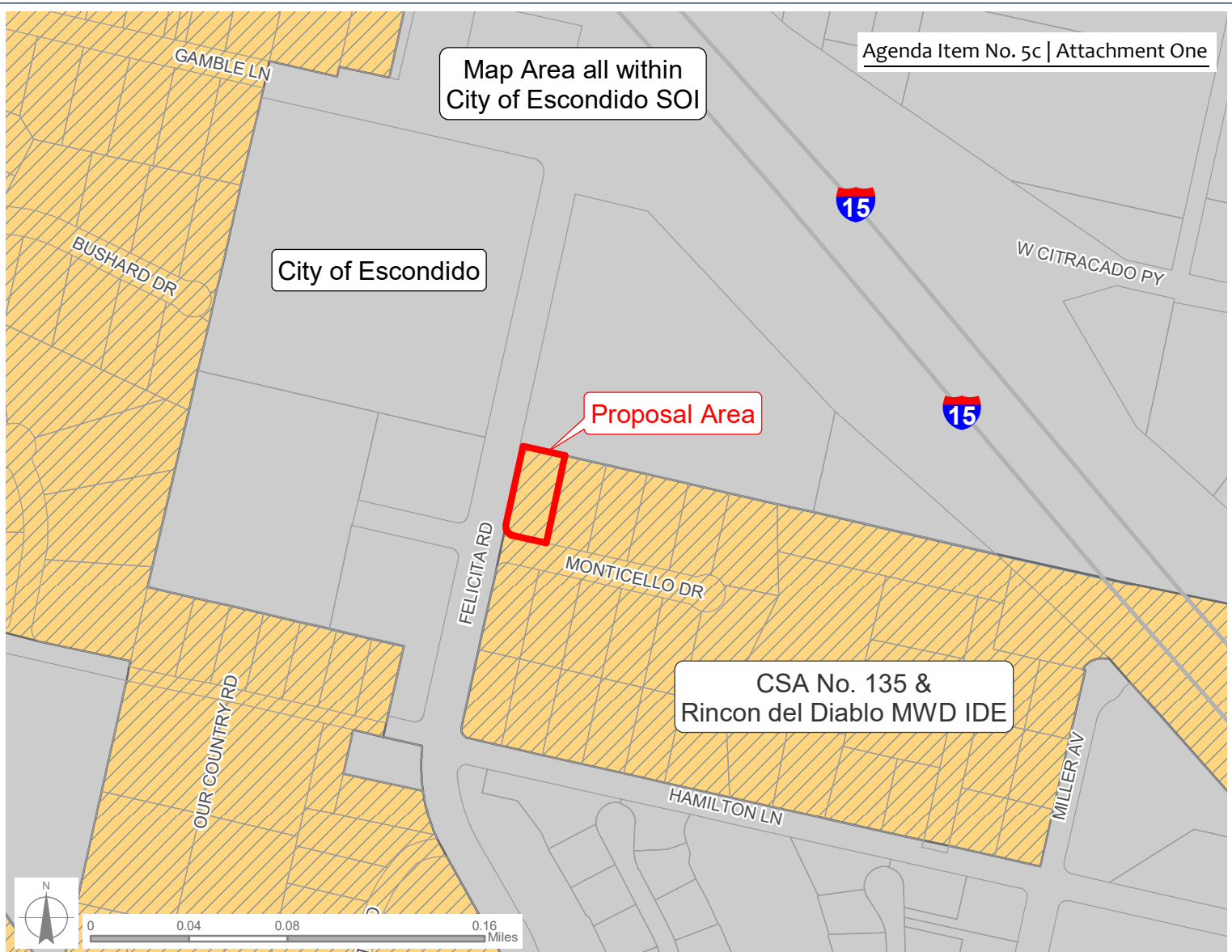
A summary of all tracked pollution burdens and susceptible population follows.

APN 238-320-01	
Pollution Burdens and Susceptible Population	
Table 2.6a (Source: California Environmental Protection Agency and SD LAFCO)	
Factor	Affected Territory + Surrounding Lands
Census Tract No.	60730204-05
Estimated Population	3,505
Pollution Burden	Weighted Percentile
... Composite Score	59.96
... Percentile	12.34
Indicator Air Quality: Ozone	50.54
Indicator Air Quality: PM 2.5:	15.42
Indicator Air Quality: Diesel PM:	58.17
Indicator Pesticides:	57.66
Indicator Toxic Releases:	10.60
Indicator Traffic:	80.06
Indicator Drinking Water Contaminants:	59.99
Indicator Lead in Housing:	6.84
Effects Cleanup Sites:	78.72
Effects Groundwater Threats:	60.43
Effects Hazardous Waste:	0.00
Effects Impaired Water:	93.36
Effects Solid Waste:	35.72
Sensitive Population	Weighted Percentile
... Percentile	4.93
Population Asthma:	7.05
Population Low Birth Weight:	4.54
Population Cardiovascular Disease:	45.03
Population Education:	15.24
Population Linguistic Isolation:	22.90
Population Poverty:	4.02
Population Unemployment:	8.69
Population Housing Burden:	21.57

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

The City of Escondido’s General Plan contains a hazard mitigation plan for potential fire, flooding and earthquakes. The affected territory lies within the moderate fire hazard zone.

Map Area all within City of Escondido SOI



**"FARKAS - FELICITA ROAD REORGANIZATION" |
 RO22-06 ANNEXATION TO CITY OF ESCONDIDO WITH CONCURRENT
 DETACHMENT FROM CSA NO. 135**

SOI = Sphere of Influence

- Proposal Area
- City of Escondido
- CSA No. 135
- Rincon del Diablo MWD IDE



Blank for Photocopying

RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A CHANGE OF ORGANIZATION

**“FARKAS-FELICITA ROAD REORGANIZATION”
ANNEXATION TO THE CITY OF ESCONDIDO AND DETACHMENT FROM
COUNTY SERVICE AREA 135 AND RELATED ACTIONS (RO22-06)
LAFCO FILE NO. RO22-06**

WHEREAS, on August 5, 2022, interested landowner – Hajnalka Farkas – filed a petition to initiate proceedings and an application with the San Diego County Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the application seeks approval of a reorganization of approximately 0.4 acres of unincorporated territory in the County of San Diego involving annexation to the City of Escondido with concurrent detachment from the County Service Area 135; and

WHEREAS, the affected territory as proposed includes one legal parcel that is developed with a single-family residence and identified by the County of San Diego Assessor’s Office as 238-320-01; and

WHEREAS, on November 20, 1984, the County of San Diego and the City of Escondido approved a Master Property Tax Transfer Agreement that will govern the property tax exchange associated with the reorganization of the affected territory to the City of Escondido; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposed reorganization and prepared a report with recommendations; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a noticed public meeting on the proposal on December 5, 2022; and

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

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

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

2. At the public meeting, the Commission considered the Executive Officer's report.
3. The Commission serves as lead agency for environmental review of the proposed reorganization under the California Environmental Quality Act (CEQA) as detailed in the Executive Officer's report. The Commission's findings follow.
 - a) The Commission serves as lead agency under CEQA for assessing potential impacts of the proposal and specifically the concurrent annexation of the affected territory to the City of Escondido and detachment from County Service Area 135 and its regional communications function. The proposal qualifies as a project but is exempt from further review under State CEQA Guidelines Section 15319(a) and its cross-reference to Section 15303 (Class 3). This exemption appropriately applies given the reorganization would not accommodate potential development beyond the statute's threshold of no more than three single-family residences in an urban area based on current zoning.
4. The Commission APPROVES the reorganization without modifications as described below and subject to conditions as provided. Approval involves all of the following:
 - a) Annexation of the affected territory to the City of Escondido as shown in "Exhibit A-1" and described in "Exhibit A-2".
 - b) Detachment of the affected territory from County Service Area No. 135 as shown in "Exhibit A-1" and described in "Exhibit A-2".
5. The Commission CONDITIONS all approvals on the following terms being satisfied by December 5, 2023 unless an extension is requested in writing and approved by the Executive Officer:
 - a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
 - b) Submittal to the Commission of final map and geographic description of the affected territory as approved by the Commission conforming to the requirements of the State Board of Equalization – Tax Services Division.
 - c) Written consent and related authorizations from the applicant – Hajnalka Farkas – to remove the subject parcel from Rincon del Diablo Municipal Water District's Improvement District "E" involving fire protection and emergency medical.
 - d) Submittal to the Commission of the following payments:
 - A check made payable to LAFCO in the amount of \$50.00 for the County of San Diego-Clerk Recorder to reimburse for filing a CEQA Notice of Exemptions consistent with the findings in the resolution.
 - A check made payable to the State Board of Equalization for processing fees in the amount of \$350.00.

6. The Commission assigns the proposal the following short-term designation:
“Farkas-Felicita Road Reorganization”
7. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
8. The Commission waives conducting authority proceedings under Government Code Section 56662.
9. The County Service Area 135 and Rincon del Diablo Municipal Water District are registered-voter districts.
10. The City of Escondido, County Service Area 135, and Rincon del Diablo Municipal Water all utilize the County of San Diego assessment roll.
11. The affected territory will be liable for any existing bonds, contracts, and/or obligations of the City of Escondido as provided under Government Section 57328, and will be subject to any previously authorized taxes, benefit assessments, fees or charges of the City of Escondido as provided under Government Code Section 57330.
12. The effective date of the approval shall be the date of recordation but not before the completion of a 30-day reconsideration period and only after all terms have been completed as attested by the Executive Officer.
13. As allowed under Government Code Section 56107, the Commission authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defects, errors, irregularities, or omissions.
14. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in Sections 56880-56882 of the Government Code.
15. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

**

PASSED AND ADOPTED by the Commission on December 5, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**

Attest:

Keene Simonds
Executive Officer

EXHIBIT A-1
MAP OF THE AFFECTED TERRITORY

-Placeholder-

Blank for Photocopying

EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-

Blank for Photocopying

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

(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 tank system

(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. Ferenc Farkas 2314 Felicita Rd Escondido CA. 92029
Name of chief proponent (print) mailing address

2. Hajnalka Farkas 2314 Felicita Rd. Escondido CA. 92029
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: N/A

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: _____

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: Anex to City of Escondido

2. The reason(s) for the proposal are: failing septic tank system need waste water connection

Hajnalka Farkas

Proponent's Name (print)

Signature of proponent or representative

2314 Felicita Rd. Escondido. CA 92029

Proponent's Address

City, State, Zip

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

Date

Executive Officer (Print and Sign)

PART II: DISCLOSURE REQUIREMENTS

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

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

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

Part IVb: LANDOWNER PETITION

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

Each of the undersigned states:

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

Name of Signer	Assessor's Parcel Number(s)	Date Signed	Official Use
Sign <u><i>Ferenc Farkas</i></u> Print <u>FERENC FARKAS</u>	238 320 01 00	3-29-22	
Sign <u><i>Hajnalika Farkas</i></u> Print <u>Hajnalika Farkas</u>	238 320 01 00	3-29-22	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

Blank for Photocopying