



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

5e

AGENDA REPORT
 Consent | Action

May 5, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
 Meghan Traynor, Local Government Analyst I

SUBJECT: **Proposed “Biermann-N. Ash Street Reorganization” |
 Annexation to the City of Escondido and Related Actions (RO24-17)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will consider a reorganization proposal initiated by landowner petition with the principal action to annex 0.81 unincorporated acres to the City of Escondido. The affected territory as submitted is presently developed with a 2,143 square-foot single family residence at 2174 North Ash Street and identified by the County of San Diego Assessor’s Office as 224-141-33. The reorganization also includes a concurrent detachment from County Service Area No. 135 and its regional service communications function as well as exclusion from Rincon del Diablo Municipal Water District’s Improvement District E. Staff recommends conditional approval of the proposal as submitted. It is also recommended the Commission waive protest proceedings and find the project is exempt under CEQA Guidelines Section 15319.

BACKGROUND

Applicant Request

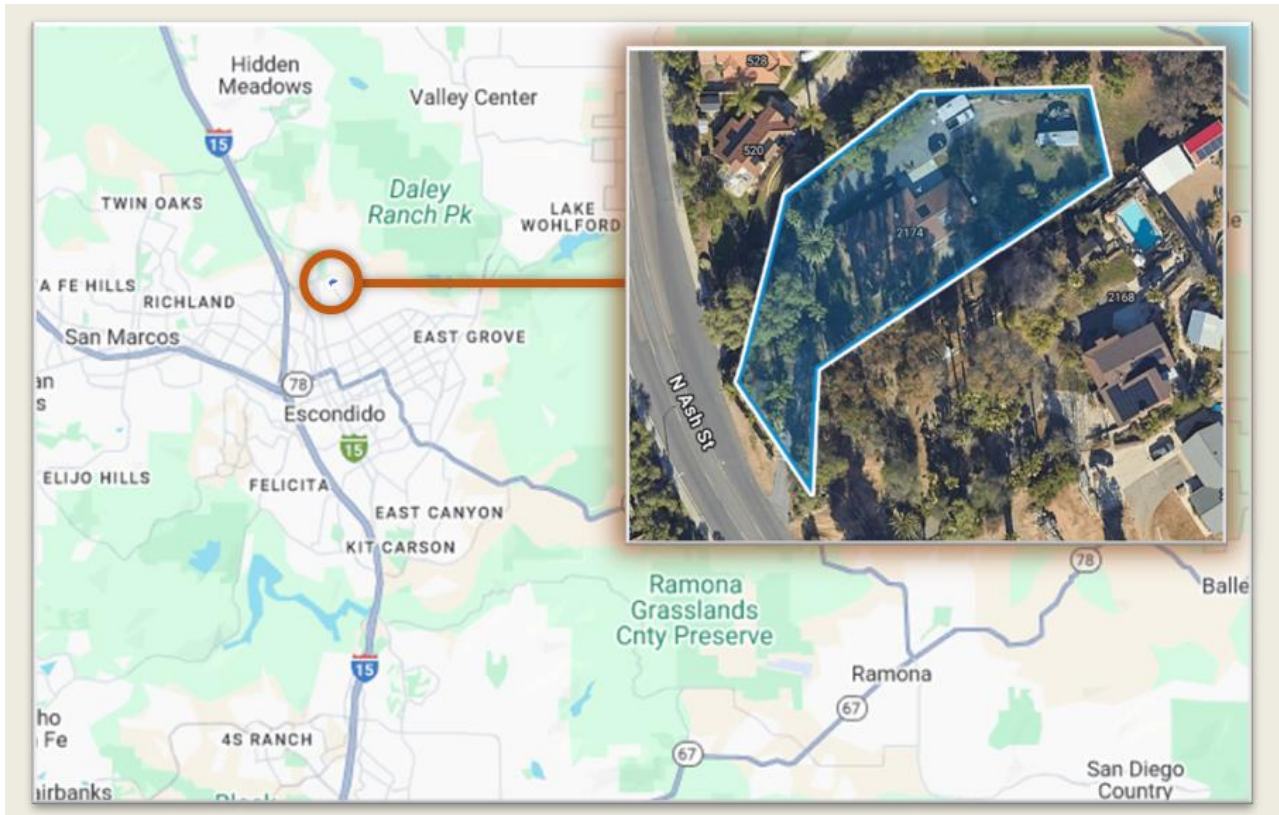
San Diego LAFCO has received a proposal initiated by landowner petition (Mitch Biermann) requesting approval to reorganize 0.81 acres of unincorporated territory with the principal action to annex to the City of Escondido. The affected territory as submitted comprises one parcel presently developed with a 2,143 square-foot single-family residence with a situs address of 2174 North Ash Street (224-141-33). The residence was built in 1968 and is presently

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on septic. The reorganization also includes concurrent detachment from the County Service Area No. 135 (CSA 135) and its regional service communications function as well as exclusion from Rincon del Diablo Municipal water District’s (MWD) Improvement District E (ID-E) and its fire service zone.

Regional Setting

The affected territory is located within an unincorporated island in the northern portion of the City of Escondido’s “North Broadway” neighborhood which generally lies east of Interstate 15 and north of State Route 78. The affected territory lies within County Supervisorial District No. 5 (Jim Desmond), Assembly District No. 76 (Darshana Patel), and Senate District No. 40 (Brian W. Jones). An aerial map of the affected territory and its regional setting follows with a more detailed map – including the existing parcel and jurisdictional boundaries – provided as Attachment One.



Subject Agencies

The proposed reorganization filed with San Diego LAFCO involves two subject agencies: the 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.

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

- **City of Escondido** was incorporated in 1888 as a general-law municipality with an existing estimated resident population of 150,900. Escondido spans 23,989 acres or 37.5 square miles and bordered by the unincorporated community of Valley Center to the north and east, the Cities of San Diego and Poway to the south, and the City of San Marcos to the west. Escondido is a full-service municipality and headlined by directly providing community planning, fire protection, parks and recreation, police protection, wastewater, and water services with the latter – water – geographically limited and supplemented by other special districts within City limits. LAFCO last reviewed and updated Escondido’s sphere in 2022 with a larger-than-agency designation that includes several unincorporated areas. Escondido’s most recent audit shows its net position – i.e., the total accrual accounting value of agencywide assets less liabilities – at \$606.1 million as of June 30, 2024. The overall amount reflects an increase of 15% over the last three years. The unrestricted portion of the net position totals (\$92.9 million) and adjusts to \$131.6 million less booked pension funds. The adjusted unrestricted portion reflects an increase of 33% over the last three years. Escondido’s General Fund separately totals \$73.8 million and marks a 20.8% improvement over the last three years. Of this General Fund balance, \$17.4 million is committed as reserves with another \$12.7 million left as unassigned. The combination of these latter amounts totals \$30.1 million and sufficient to cover 2.17 months of general fund operating expenses.
- **CSA No. 135** is a dependent special district of the County of San Diego encompassing 3,740 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, LLC) 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 1,065,629. LAFCO established a sphere of influence in 1994 coterminous to San Diego County. The sphere was last reviewed and affirmed in 2020. The County’s most recent audit shows its net position at \$4.88 billion as of June 30, 2024. The overall amount reflects an increase of 20.1% over the last three years. The unrestricted portion of the net position totals (\$1.44 billion) and adjusts to \$2.98 billion less booked pension funds. The adjusted unrestricted portion reflects an increase of 30.9% over the last three years. The County’s General Fund separately tallies \$3.00 billion and marks a 27.6% improvement over the last three years. The spendable portion (committed, assigned, or unassigned monies) equals \$1.90 billion and sufficient to cover 3.91 months of recent actual General Fund expenses.

Affected Local Agencies

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

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.

- County Service Area No. 135 (Regional Communications)
- Metropolitan Water District of Southern California
- North County Cemetery District
- Palomar Healthcare District
- Resource Conservation District of Greater San Diego
- 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 have received notice of the proposal as part of the administrative review: Escondido Union Elementary School District; Escondido Union High School District; 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 the City of Escondido. The Commission may also consider applying approval conditions so long as it does not directly regulate land use, property development, or subdivision requirements. Additional discussion on purpose, current and planned land uses, and Commission focus follows.

Proposal Purpose

The purpose of the proposed reorganization to annex the affected territory to the City of Escondido is to establish public wastewater services in the affected territory and in doing so facilitate a lot split and accommodate the planned development of an additional single-family residence and two accessory dwelling units (ADUs).

Current and Planned Land Uses

The affected territory is presently unincorporated and under the land use authority of the County of San Diego and its adopted policies. Specific development policies for the affected territory are delegated in the County’s Hidden Meadows Community Plan under the Semi-Rural General Plan Regional Category. The County also zones the affected territory as Single-Family Residential (RS) with a 1.0-acre minimum lot size. The existing single-family residence within the subject parcel 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 (RE-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 allows for additional density development within the affected territory post annexation

given the subject lot is 0.81 acres in size. Additional intensity would also be permitted by the City of Escondido via a lot split to allow for the construction of an additional single-family residence and two accessory dwelling units within each corresponding lot.

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 ultimately take the form of determinations and orient the Commission to consider the stand-alone merits of the (a) timing of the reorganization and (b) whether discretionary modifications or terms are appropriate. The Commission must also consider other relevant statutes in and outside LAFCO law as 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 is highlighted by applicability under the California Environmental Quality Act (CEQA).

Central Policy Items

Item No. 1 |

Reorganization Timing

San Diego LAFCO’s consideration of the proposed reorganization’s timing draws on analyzing baseline factors required in statute as well as applicable policies set by the Commission.³ Applicable local policies prompted for consideration are headlined by L-107 and its attention to disclosing and/or addressing any known or perceived jurisdictional disputes.

An analysis of these two related timing factors follows.

- Timing Factor No. 1:
Baseline Considerations: Regional Policies + Service Relationships

State law prescribes the mandatory consideration of certain and multifaceted factors anytime LAFCOs consider jurisdictional changes. These factors range in substance from disclosures – such as the affected territory’s current land uses, assessed values,

³ Most of the baseline factors in statute focus on disclosing and otherwise addressing compatibility issues with external goals and policies of other state, regional, and local agencies as well as assessing the ability of subject agencies to provide services going forward. (Reference to Government Code Section 56668).

registered voter counts, and so on – to discretionary analyses. This latter category is highlighted by evaluating the proposed jurisdictional changes’ relationship to community needs as well as service capacities and related financial resources of the subject agencies. A summary of key conclusions generated in reviewing these discretionary matters for the proposed reorganization with an emphasis on the receiving entity (City of Escondido) regarding (a) service needs, (b) service availability and capacities, and (c) related financial considerations follow.

- With respect to **service needs**, the present and relatively dense residential land uses of the affected territory merits organized public services and would be aided by the reorganization and annexation to Escondido and its ability to provide a range of urban-supporting services. The Commission has previously designated Escondido as the appropriate future land use authority and primary service provider for the affected territory through standing inclusion in the City’s sphere.
- With respect to **service availability and capacities**, 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. (Other key municipal service functions that would continue to be provided to the affected territory post reorganization include water by Rincon del Diablo MWD and public transportation by North County Transit District). Additional details on these core Escondido functions and relationship – availability and capacity – with the affected territory follows.

Escondido would assume community planning responsibilities for the affected territory from the County of San Diego as part of the reorganization. The transition is contemplated in the Escondido General Plan (2012) and further prescribed by the City pre-zoning the subject lot as RE-20.

Escondido would assume wastewater service responsibilities for the affected territory upon reorganization. Escondido has existing wastewater infrastructure within an existing wastewater easement on North Ash Street and can readily serve the affected territory through the extension of an approximate 30-foot lateral connection. It is estimated the current average day wastewater flow generated within the affected territory via its one existing residential unit is 250 gallons. It is projected the maximum average day wastewater flow generated within the affected territory post reorganization is 1,000 gallons with the allowance of an additional single-family residence and two accessory dwelling units. This projected amount can be readily accommodated by the City of Escondido and represents 0.018% of its available treatment capacity remaining within its sewer system.⁴

⁴ Escondido’s existing average day wastewater flow is 12.5 million gallons, which equals 69.4% 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 MWD (via its Improvement District E). First-response would be provided from Escondido's Station No. 7, located at 1220 N Ash Street. Response times to the affected territory are estimated to be less than 4 minutes for priority calls and non-priority calls. Response times to the affected territory would fall within the City's response time standard of 7.5 minutes for urban 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 City resources.

- With respect to **related financial considerations**, staff analysis shows the City of Escondido has financial resources and administrative controls to readily assume a full range of municipal service responsibilities to the affected territory in support of its existing and planned uses without significant adverse 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 5.1% ending in June 2024.
- Timing Factor No. 2:
Consideration of Policy L-107

San Diego LAFCO adopted L-107 in May 2010 to require all applicants to disclose jurisdictional disputes or related items that are associated with their proposal filings with additional details footnoted.⁵ No jurisdictional disputes have been disclosed by the City of Escondido, CSA No. 135, or the County of San Diego through the administrative review with LAFCO. Similarly, LAFCO staff has not identified any disputes or related concerns in the administrative review.

⁵ The Executive Officer retains discretion to determine the extent of consultation needed.

**CONCLUSION |
MERITS OF REORGANIZATION TIMING**

Timing of the reorganization and principal action to annex the affected territory to the City of Escondido is sufficiently warranted. Justification is marked by the preceding analysis and highlighted by formally satisfying a need for permanent wastewater services to accommodate otherwise planned and orderly housing. 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 the annexation of the affected territory to the City of Escondido would not generate any corridors 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 to the proposal appear warranted. Standard approval terms are recommended and include receipt of all remaining payments associated with the processing of the proposal by the Commission through recordation. This also includes 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 involving an annexation and/or detachment 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. The estimated annual value of the exchange is currently \$2,412 based on current

assessed values (land and structures).⁶ 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. Accordingly, the Commission is tasked with making one or more findings under CEQA in consideration of the proposed reorganization. Staff analysis follows.

- San Diego LAFCO serves as lead agency under CEQA for assessing potential environmental impacts of the proposed reorganization proceedings to annex the affected territory to the City of Escondido given it has been initiated by a landowner. Staff believes the reorganization proposal qualifies as a project under CEQA but is categorically exempt from further review under State CEQA Guidelines Section 15319(b) and its cross-reference to Section 15303. Staff believes this exemption appropriately applies given its accommodation of new construction of up to three new single-family residences in an urbanized residential zone.
- San Diego LAFCO serves as lead agency under CEQA for considering the secondary action associated with the reorganization to detach the affected territory from CSA No. 135 and its regional communications service function. Staff believe the detachment is a project under CEQA but qualifies for exemption under CEQA Guidelines Section 15320. This exemption appropriately applies given the subject service – regional communications – will be entirely transferred and assumed by Escondido without any material changes to the scope, scale, or adequacy of services.

Protest Proceedings

Protest proceedings for the proposed reorganization may be waived by LAFCO should the Commission proceed with approval under Government Code Section 56662. The 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 agency has not filed an objection to the waiver; and the landowners have consented to the underlying action.⁷

RECOMMENDATION

Staff recommends conditional approval of the reorganization proposal as submitted along with standard terms. This recommendation is consistent with the action outlined as Alternative One in the proceeding section.

⁶ The current 1% property tax received by the County from the subject lot is \$6,700.00

⁷ LAFCO law defines uninhabited as territory in which less than 11 registered voters reside.

ALTERNATIVES FOR ACTION

The following alternative actions are available to San Diego LAFCO:

Alternative One (recommended):

Adopt the attached draft resolution conditionally approving the reorganization proposal as submitted. Additionally, waive protest proceedings and make exemption findings as detailed under CEQA.

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,



Meghan Traynor
Analyst I

Appendices:

- A) Analysis Proposal Review Factors

Attachments:

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

APPENDIX A
Government Code Section 56668
Mandatory Proposal Review Factors

- a) **Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to 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 a 0.81-acre area adjacent to the City of Escondido. The subject parcel is currently developed with a single-family residence located at 2174 North Ash Street and identified by the County of San Diego Assessor's Office as 224-141-33 with a current assessed *land* value (land and structures) of \$670,000 with the last transaction recorded in March 2024.

- 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 the reorganization 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 pre-zoning the subject lot as Residential Estate 20 (RE-20).
- Connection to Escondido's wastewater system area can be made readily available through the extension of an approximate 30-foot private lateral connection within an existing wastewater easement on North Ash Street. It is projected the maximum average day wastewater flow generated within the affected territory post reorganization and planned uses is 1,000 gallons and tied to accommodating the existing single-family residence and the potential second single-family residence and two accessory dwelling units. This projected amount can be readily accommodated by the City of Escondido and represents 0.018% of its available treatment capacity remaining within its wastewater system.

- 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. 7, located down the street from the affected territory at 1220 North Ash Street. Response times to the affected territory would fall within the City's response time standard of 7.5 minutes for urban 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 which already commits the City to serve as first-responder for all high priority 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. 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 City of 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 exist 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, 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 not adversely affect the physical or economic well-being 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 appear 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. No irregular or otherwise illogical boundary features would be generated from proposal approval.

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

The proposed reorganization would extend wastewater service to accommodate a planned lot split and construction of an additional single-family residence and two accessory dwelling units consistent with City zoning. 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 unincorporated territory is presently designated by the City of Escondido for Residential Estate II and 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 to 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 April 28, 2025.

k) The ability of the newly formed or receiving entity to provide the services that 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.⁸

- Escondido’s last outside audit covers 2023-2024 and shows the City finished with sufficient liquidity levels with an agency-wide current ratio of 6.14 to 1 (i.e., \$6.14 in current assets for every \$1.00 in current liabilities).
- Escondido finished 2023-2024 with low capital levels and marked by a high debt ratio of 97.0% (i.e., \$97.00 out of every \$100.00 in net assets are financed).
- Escondido finished 2023-2024 with an overall total margin of 6.8%.

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 for water service. 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.

⁸ The City overall has been maintaining positive total margins over the last three years, though it should be noted the City ended with low capital levels for all three years, (i.e., 97% debt-to-net ratio in 2023-2024).

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 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 have a positive impact on environmental justice by enhancing wastewater services and integrated public safety services within the affected territory and for any groups that are susceptible to pollution burdens and their effects. Consideration of existing environmental justice factors within the affected territory draws 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 involve (a) pollution burdens and (b) susceptible population to pollution burdens relative to all census tracts in California.

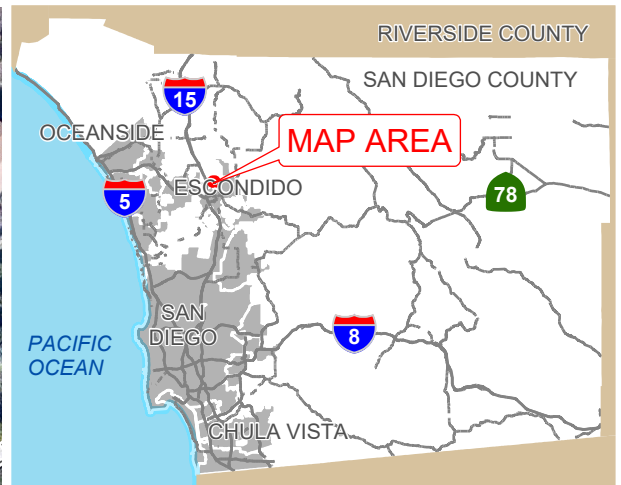
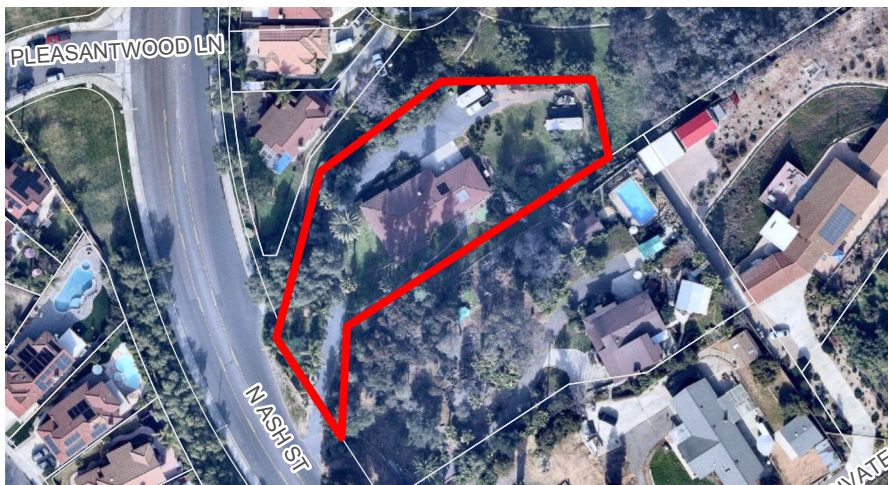
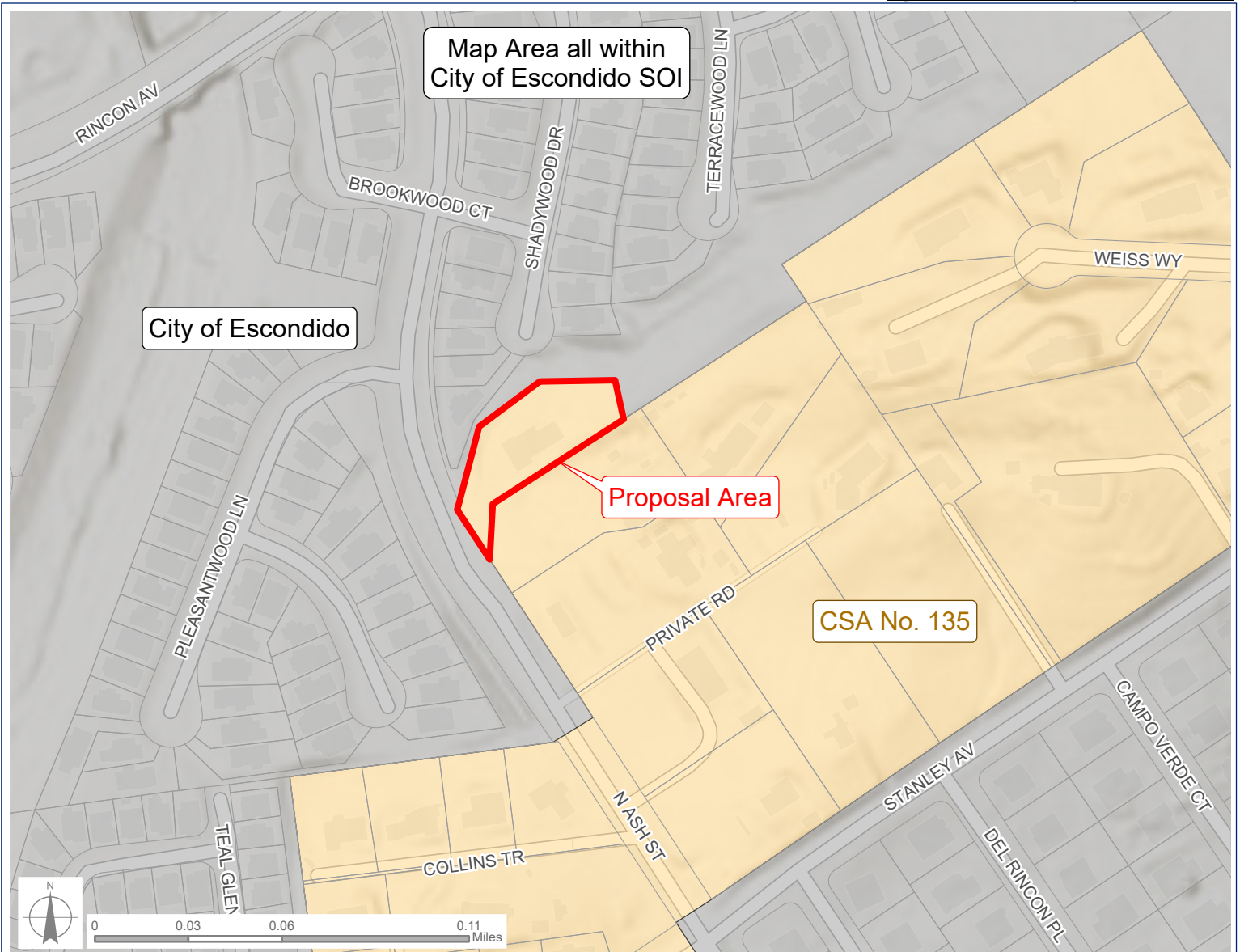
- The affected territory’s **composite pollution burden ranking** falls in the 4th percentile with an internal range between 0 and 56 percentiles. Two pollution burden measurements exceed the 50th percentile and are considered noteworthy. These measurements are relative to Air Quality and include Ozone and Diesel PM.
- The affected territory’s **composite susceptible population** ranking falls in the 20th percentile with an internal range between 0 and 58 percentiles. Two of these at-risk groups exceed the 50th percentile and include Low Birth Rate and Education.

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

Census Tract No. 6073013605 Pollution Burdens and Susceptible Population (Source: California Environmental Protection Agency and SD LAFCO)	
Affected Territory + Surrounding Lands	
Census Tract No.	6073020107
Estimated Population	3,923
Pollution Burden	Weighted Percentile
... Percentile	4.84
Indicator Air Quality: Ozone	55.38
Indicator Air Quality: PM 2.5:	13.79
Indicator Air Quality: Diesel PM:	55.92
Indicator Pesticides:	20.14
Indicator Toxic Releases:	11.62
Indicator Traffic:	12.41
Indicator Drinking Water Contaminants:	35.31
Indicator Lead in Housing:	41.21
Effects Cleanup Sites:	0.00
Effects Groundwater Threats:	0.00
Effects Hazardous Waste:	0.00
Effects Impaired Water:	23.88
Effects Solid Waste:	0.00
Sensitive Population	Weighted Percentile
... Percentile	20.22
Population Asthma:	19.29
Population Low Birth Weight:	58.20
Population Cardiovascular Disease:	28.45
Population Education:	50.73
Population Linguistic Isolation:	0.00
Population Poverty:	30.29
Population Unemployment:	29.41
Population Housing Burden:	14.69

- 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 an undesignated fire hazard level zone – however notably near a “high” fire hazard zone” – and a “Low-Level” earthquake hazard zone.



RO24-17

**"BIERMANN - N ASH STREET REORGANIZATION" |
ANNEXATION TO THE CITY OF ESCONDIDO AND
CONCURRENT DETACHMENT FROM CSA NO. 135**

- Proposal Area
 - City of Escondido
 - CSA No. 135
- SOI = Sphere of Influence



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

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RESOLUTION NO. _____

SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION

MAKING DETERMINATIONS, APPROVING, AND ORDERING A REORGANIZATION

**“BIERMANN-N. ASH STREET REORGANIZATION”
ANNEXATION TO THE CITY OF ESCONDIDO AND RELATED ACTIONS
LAFCO FILE NO: RO24-17**

WHEREAS, on September 23, 2024, interested landowner – Mitch Biermann – 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 before the Commission seeks approval of a reorganization of approximately 0.8 acres of unincorporated territory in the County of San Diego involving annexation to the City of Escondido with concurrent detachment from County Service Area 135 and its regional communication service function;

WHEREAS, the City of Escondido has provided its written support for the reorganization as submitted;

WHEREAS, the affected territory as proposed includes one legal parcel containing an existing single-family residence and identified by the County of San Diego’s Assessor’s Office as 224-141-33 with an assigned situs of 2174 North Ash Street; and

WHEREAS, on December 5, 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 May 5, 2025;

WHEREAS, the Commission considered all the factors required by law under Government Code Section 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. With respect to considering the effects of the proposed reorganization under the California Environmental Quality Act (CEQA), the Commission's makes the following findings:
 - a) San Diego LAFCO serves as lead agency under CEQA for assessing potential environmental impacts of the proposed reorganization proceedings to annex the affected territory to the City of Escondido given it has been initiated by a landowner. LAFCO determines the reorganization proposal qualifies as a project under CEQA but is categorically exempt from further review under State CEQA Guidelines Section 15319(b) and its cross-reference to Section 15303. This exemption appropriately applies given its accommodation of new construction of up to three single-family residences in an urbanized residential zone.
 - b) San Diego LAFCO serves as lead agency under CEQA for considering the secondary action associated with the reorganization to detach the affected territory from CSA No. 135 and its regional communication service function. LAFCO determines the detachment is a project under CEQA but qualifies for exemption under Guidelines Section 15320. This exemption appropriately applies given the subject service – regional communications – will be entirely transferred and assumed by Escondido without any material changes in the scope, scale, or adequacy post reorganization.
4. The Commission CONDITIONALLY APPROVES the reorganization without modifications subject to conditions as provided. Approval involves all 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" as described in Exhibit A-2".
5. The Commission CONDITIONS all approvals on the following terms being satisfied by May 5, 2026 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 Divisions.
 - c) Written consent and related authorizations from the applicant – Mitch Biermann – 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:
 - o A check made payable to LAFCO in the amount of \$100.00 for the County of San Diego-Clerk Recorder to reimburse for filing two CEQA Notice of Exemptions consistent with the findings in the resolution.
 - o A check made payable to the State Board of Equalization for processing fees in the amount of \$300.00.
6. The Commission assigns the proposal the following short-term designation:
- “Biermann–N. Ash Street Reorganization”.
- 7. The affected territory shall not be re-zoned by the City of Escondido for a period of no less than two years following the recordation of a Certificate of Completion unless exempting procedures are satisfied under Government Code § 56375(e).
 - 8. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
 - 9. The Commission waives conducting authority proceedings under Government Code Section 56662.
 - 10. The County Service Area 135 is a registered-voter district.
 - 11. The City of Escondido and County Service Area 135 all utilize the County of San Diego assessment roll.
 - 12. 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.
 - 13. The effective date of 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.

14. As allowed under Government Code Section 56107, the Commission authorized the Executive Officer to make non-substantive corrections to the resolution to address any technical defects, errors, irregularities, or omissions.
15. The Executive Officer is hereby authorized and directed to transmit copies of this resolution as provided in Sections 56880-56882 of the Government Code.
16. The Executive Officer is further authorized and directed to prepare, execute, and record a Certificate of Completion, make the required filings with the County Assessor, County Auditor, and the State Board of Equalization as required by Section 57200, et seq., of the Government Code.

**

PASSED AND ADOPTED by the Commission on May 5, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

**

ATTEST:

Keene Simonds
Executive Officer

EXHIBIT A-1
MAP OF AFFECTED TERRITORY

-Placeholder-

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EXHIBIT A-2
GEOGRAPHIC DESCRIPTION OF THE AFFECTED TERRITORY

-Placeholder-

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RECEIVED

APR 22 2025

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>Mitch Bierman</u> Print <u>Mitch Bierman</u>	224-141-33	4/9/25	
Sign <u>Donglim Park</u> Print <u>Donglim Park</u>	224-141-33	4/9/25	
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			
Sign _____ Print _____			

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