



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

5f

AGENDA REPORT
 Consent | Information

October 6, 2025

TO: Chair Whitburn and Commissioners

FROM: Keene Simonds, Executive Officer
 Michaela Peters, Analyst II

SUBJECT: **Notice of Administrative Approval | “Iannacone – La Cruz Drive Out-of-Agency Wastewater Services” with City of La Mesa (OAS24-06)**

SUMMARY

The San Diego County Local Agency Formation Commission (LAFCO) will receive notice of an administrative approval by the Executive Officer authorizing the City of La Mesa to provide out-of-agency wastewater service to an unincorporated property outside its sphere of influence at 4950 La Cruz Drive. The authorization is limited to an existing single-family residence and is based on documentation of a public health threat arising from a failed septic system. Approval waives the standard condition requiring the landowner to submit an annexation proposal to LAFCO for future processing, given local conditions as detailed. The Executive Officer has determined the project is exempt from further review under the California Environmental Quality Act (CEQA) as detailed. This notice is provided for informational purposes in accordance with adopted Commission policy. The Commission may also pull the item for discussion and provide related feedback.

BACKGROUND

Overseeing Out-of-Agency Services

State statute requires all cities and special districts to request and receive written approval from LAFCOs before providing "out-of-agency" services by contract except for certain limited exemptions. The statute also provides cities and special districts may only be

Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 E lafco@sdcounty.ca.gov www.sdlafco.org	Paloma Aguirre County of San Diego Joel Anderson County of San Diego Monica M. Steppe, Alt. County of San Diego	Kristi Becker City of Solana Beach Dane White City of Escondido John McCann, Alt. City of Chula Vista	Chair Stephen Whitburn City of San Diego Marni von Wilpert, Alt. City of San Diego	Vice Chair Barry Willis Alpine Fire Protection Jo MacKenzie Vista Irrigation David Drake, Alt. Rincon del Diablo	Brigette Browning General Public Eileen Delaney, Alt. General Public
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San Diego LAFCO

October 6, 2025 Meeting

Agenda Item No. 5f | Notice of Administrative Approval: “Iannacone – La Cruz Drive Out-of-Agency Wastewater Services”

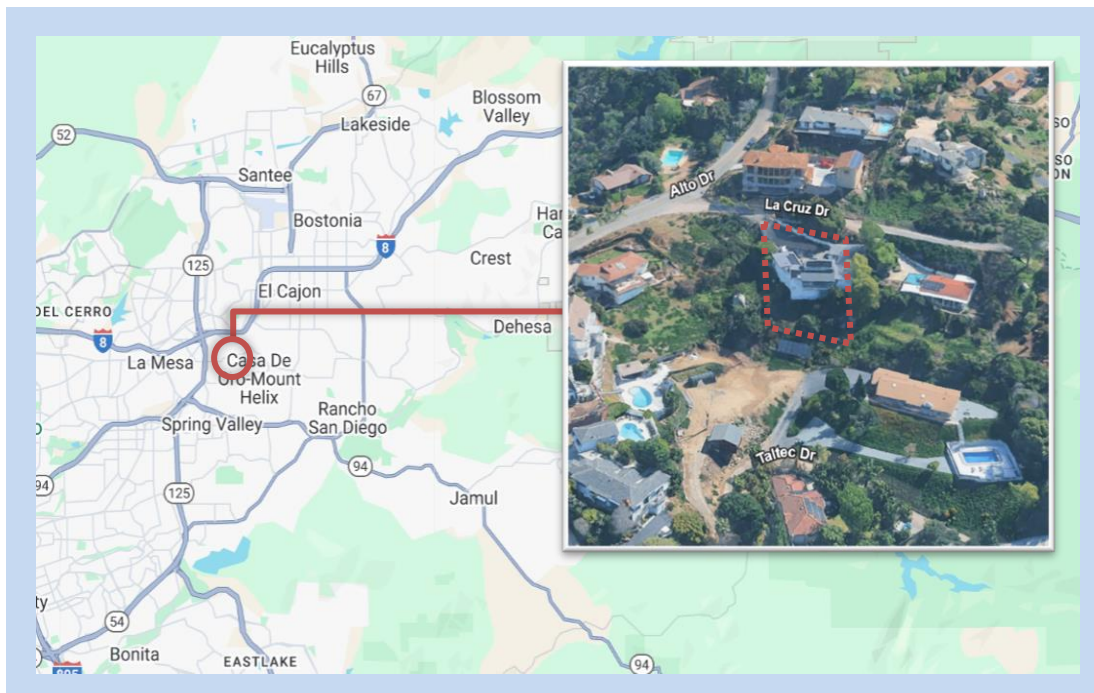
authorized to provide out-of-agency services within their spheres of influence in anticipation of later annexations. If the affected territory lies beyond the spheres, out-of-agency services may only be authorized in response to documented threats to public health and safety.

Delegation to the Executive Officer

San Diego LAFCO's policies authorize the Executive Officer to approve out-of-agency service requests involving water and wastewater in response to documented threats to public health, safety, or welfare. In such cases, the Executive Officer is required to inform the Commission of any administrative approvals at the next available meeting for informational purposes only. All other out-of-agency service requests require Commission approval.

Applicant Request and Administrative Approval

LAFCO received a request from City of La Mesa on behalf of an interested landowners (Tom and Rosario Iannacone) on August 12, 2025 for authorization to provide out-of-agency wastewater service to a single-family residence located at 4950 La Cruz Drive. The affected territory comprises one legal parcel of approximately 0.3 acres developed with a 3,200-square-foot residence and located outside the City’s sphere of influence. The subject parcel is identified by the County Assessor as 495-200-07 and shown below.



Google Earth

La Mesa's requested authorization is premised on the failure of the property's existing septic system, which is no longer functional without continuous pumping. Upon receipt of the request, LAFCO staff coordinated with La Mesa and confirmed the agency is readily positioned to extend service utilizing nearby public infrastructure. The estimated average

daily flow is 250 gallons per day and represents 0.7% of the City's existing available capacity. LAFCO staff also consulted with the County's Department of Environmental Health and Quality (DEHQ) and they recommended the out-of-agency service request proceed to mitigate an ongoing threat to public health and safety. DEHQ further advised that replacing the septic system is infeasible due to site constraints and any attempted repairs would likely be costly and non-conforming. Based on these considerations, the Executive Officer issued conditional out-of-agency service approval on September 19, 2025.¹

DISCUSSION

This item is for San Diego LAFCO to receive notice of the Executive Officer's administrative approval authorizing the City of La Mesa to provide wastewater service outside its jurisdictional boundary to 4950 La Cruz Drive on a contract basis as described above. The Executive Officer's approval and conditions are final under policy. However, and as needed, the Commission is invited to pull the item for discussion to inform future actions.

ANALYSIS

San Diego LAFCO's administrative approval authorizing La Mesa to provide out-of-agency wastewater service to the subject parcel at 4950 La Cruz Drive is consistent with applicable statutes and Commission policies. This includes the Executive Officer's authority to act in response to a reasonably documented and imminent threat to public health and safety, following confirmation of the availability and adequacy of the City's wastewater system. This approval has been conditioned to limit service solely to the existing single-family residence with no accommodation for additional structures.

With respect to other Commission policies and practices, consideration has also been given to require the landowner to file an annexation proposal with LAFCO for future processing in conjunction with expediting the anticipated annexation under statute. Annexation remains the preferred method under LAFCO law and local policy for formalizing the relationship between territory and municipal service provision, unless local conditions indicate otherwise. In this case, the Executive Officer has determined that annexation is not appropriate at this time given primary access to the affected territory is via a County road that does not directly connect to La Mesa's boundary. Annexation would result in La Mesa assuming responsibility for a short segment of road frontage while the remainder of the roadway remains under County jurisdiction, creating an illogical and inefficient service arrangement. Based on this consideration, the Executive Officer waived the standard condition requiring annexation. The Executive Officer has also determined that the project qualifies as statutorily exempt from additional environmental review under State CEQA Guidelines Section 15269(c), as the activity is intended to prevent or mitigate a verified threat to public health and safety associated with the failed septic system on the property.

¹ An amended approval was issued on September 29, 2025. The original approval, dated September 19, required the applicant to submit an annexation application for the affected territory to the City of La Mesa. Following further review and consultation with the City, the Executive Officer amended the approval to waive the annexation requirement in light of local conditions, as further detailed in this report.

RECOMMENDATION

This item is presented to San Diego LAFCO for information only.

ALTERNATIVES FOR ACTION

None.

PROCEDURES

This item has been placed on the 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.

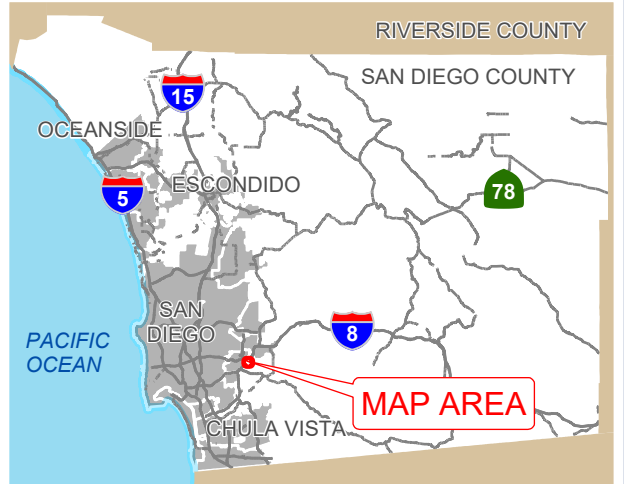
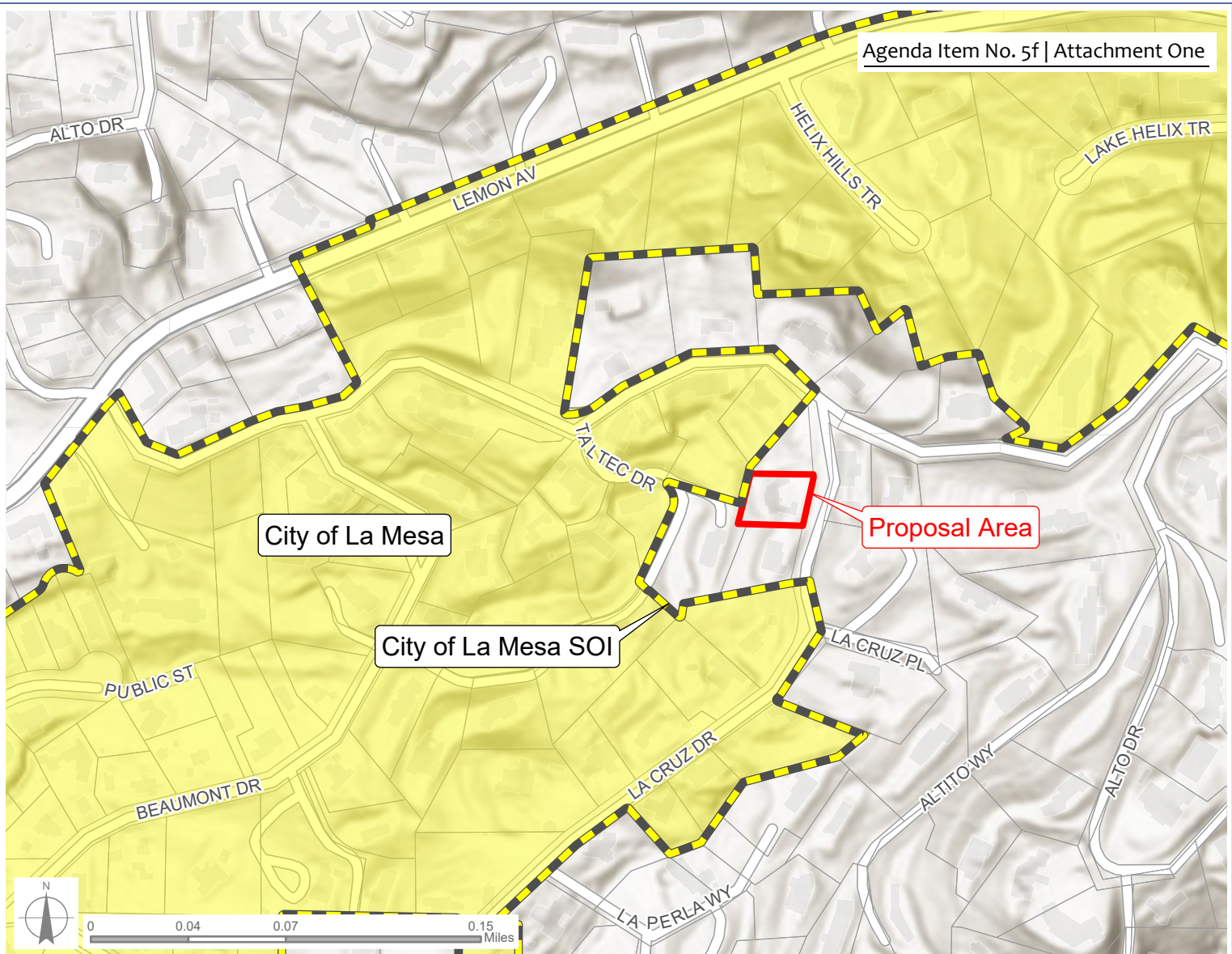
On behalf of the Executive Officer,






Michaela Peters
Analyst II

Attachments:

- 1) Map of the Affected Territory
- 2) Amended Certificate of Administrative Approval
- 3) Related Request Documents



OAS24-06 "IANNAcone - LA CRUZ DRIVE OUT-OF-AGENCY WASTEWATER SERVICES" | BUENA SANITATION DISTRICT

-  Proposal Area
 -  City of La Mesa
 -  City of La Mesa SOI
- SOI = Sphere of Influence



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San Diego County Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

September 29, 2025

Delivered Electronically:

Tom & Rosario Iannacone
 4950 La Cruz Drive
 La Mesa, CA 91941
triannacone@cox.net

SUBJECT: -- AMENDED --
Notice of Administrative Approval:
Contractual Wastewater Service Agreement for the City of La Mesa to
serve 4950 La Cruz Drive (Assessor Parcel Number 495-200-07-00) |
(LAFCO File No. OAS24-06)

Mr. Iannacone:

This letter amends the formal notice of conditional approval issued on September 19, 2025, by the San Diego County Local Agency Formation Commission (LAFCO) for the City of La Mesa to establish contract wastewater service for the property located at 4950 La Cruz Drive. This conditional approval was authorized under my powers pursuant to Government Code Section 56133 and adopted LAFCO policy and substantiated based on a review of written documentation showing the existing septic system has failed and poses a threat to public health. Specifically, approval followed a written recommendation from the County of San Diego’s Department of Environmental Health and Quality to immediately transition the property to public wastewater should it be available.

The original approval authorized the service extension for one calendar year and conditioned on the submittal of: (a) a completed contractual service agreement form along with the required documents, including an application filing fee in the amount of \$480.40; and (b) a landowner-petition application to annex the affected territory to the City of La Mesa along with a filing fee in the amount of \$5,284.10.

<p>Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 E lafco@sdcounty.ca.gov www.sdlafo.org</p>	<p>Paloma Aguirre County of San Diego</p> <p>Joel Anderson County of San Diego</p> <p>Monica M. Steppe, Alt. County of San Diego</p>	<p>Kristi Becker City of Solana Beach</p> <p>Dane White City of Escondido</p> <p>John McCann, Alt. City of Chula Vista</p>	<p>Chair Stephen Whitburn City of San Diego</p> <p>Marni von Wilpert, Alt. City of San Diego</p>	<p>Vice Chair Barry Willis Alpine Fire Protection</p> <p>Jo MacKenzie Vista Irrigation</p> <p>David Drake, Alt. Rincon del Diablo</p>	<p>Brigitte Browning General Public</p> <p>Eileen Delaney, Alt. General Public</p>
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Following further review, and consultation with the City of La Mesa, the Executive Officer has issued an amended approval – attached herein – and waives the annexation requirement. This determination reflects local conditions, given the affected territory’s principal access does not directly connect to La Mesa’s boundary. Annexation would result in La Mesa assuming responsibility for a short segment of road frontage while the remainder of the roadway remains under County jurisdiction, creating an illogical and inefficient service arrangement.

All other conditions remain unchanged. The approval is limited to authorizing the City of La Mesa to enter into an outside of agency service agreement for wastewater service to the existing single-family dwelling unit on the property. Any future development or request for expanded service would require separate LAFCO approval.

Should you have any questions, please contact me by telephone at (858) 833-5322 or email at michaela.peters@sdcountry.ca.gov.

On behalf of the Executive Officer,



Michaela Peters
Local Government Analyst II

- cc: Greg Humora, City of La Mesa, City Manager
Allyson Kinnard, City of La Mesa
Joel Waymire, Polaris Development Consultants, Inc.
Catherine Dean, County of San Diego - DEHQ
Keene Simonds, San Diego LAFCO
Priscilla Mumpower, San Diego LAFCO
Erica Sellen, San Diego LAFCO



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-- AMENDED --

**CERTIFICATE OF ADMINISTRATIVE APPROVAL OF A
 CONTRACTUAL WASTEWATER SERVICE AGREEMENT**

**City of La Mesa / Thomas Daniel Iannacone, Jr. and Rosario Martinez Iannacone
 (LAFCO File No. OAS24-06)**

September 29, 2025

In accordance with California Government Code Section 56133, the San Diego County Local Agency Formation Commission (LAFCO) authorizes the City of La Mesa to immediately provide extraterritorial wastewater service by contract to 4950 La Cruz Drive, La Mesa, CA 91941. The subject property is owned by Thomas and Rosario Iannacone and comprises one unincorporated parcel identified by the County of San Diego Assessor’s Office as 495-200-07-00. The authorized service is limited to supporting the approximate 3,236 square foot single-family residence currently developed on the subject property.

A map of the subject property is attached.

Confirmation:

KEENE SIMONDS
 Executive Officer

September 29, 2025

Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 www.sdlafco.org lafco@sdcountry.ca.gov	Paloma Aguirre County of San Diego	Kristi Becker City of Solana Beach	Chair Stephen Whitburn City of San Diego	Vice Chair Barry Willis Alpine Fire Protection	Brigitte Browning General Public
	Joel Anderson County of San Diego	Dane White City of Escondido	Marni von Wilpert, Alt. City of San Diego	Jo MacKenzie Vista Irrigation	Eileen Delaney, Alt. General Public
	Monica M. Steppe, Alt. County of San Diego	John McCann, Alt. City of Chula Vista		David Drake, Alt. Rincon del Diablo	

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August 12, 2025

San Diego County LAFCO
Attn: Keene Simonds
2550 Fifth Avenue, Suite 725
San Diego, CA 92103

Re: Project 2025-0888
Out of Area Service Agreement Request
4950 La Cruz Drive (APN 495-200-07-00)

Dear Mr. Simonds:

The City of La Mesa, at the behest of property owners Tom and Rosario Iannacone, is requesting approval from San Diego LAFCO to extend sanitary sewer service to a parcel developed with a single-family residence addressed as 4950 La Cruz Drive (APN 495-200-07-00). The property is located outside of the City of La Mesa municipal boundary and outside of the City's Sphere of Influence.

As described in a letter dated February 18, 2021 from the County of San Diego Department of Environmental Health and Quality, the onsite wastewater treatment system is failing, and it would be beneficial to connect to public sewer to address potential public health issues. City of La Mesa public sewer infrastructure is available and has adequate capacity to provide service to the property. Upon LAFCO's approval, an Out-of-Area Agreement for Sanitary Sewer Service will be recorded in the Office of the County Recorder.

I appreciate your consideration in this manner. Please reach out to the Director of Community Development, Lynnette Santos, at 619-667-1187 or lsantos@cityoflamesa.us with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "GH", is positioned above the typed name of the signatory.

Greg Humora
City Manager

cc: File



County of San Diego

AMY HARBERT
ACTING DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH AND QUALITY
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
Phone: (858) 505-6700 or (800) 253-9933 Fax: (858) 505-6786
www.sdcdeh.org

REBECCA LAFRENIERE, REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

February 18, 2021
Tom Iannacone
4950 La Cruz Dr,
La Mesa,
CA 91941

Site: 4950 La Cruz Drive, La Mesa
Assessor Parcel Number: 495-200-07-00

This letter is in response to a failing septic complaint (DEH2021-ACOM-072410) an inspection was completed 2/17/202. The Department of Environmental Health and Quality (DEHQ) provides this letter in support of emergency sewer access for your property at 4950 La Cruz Drive, La Mesa, CA (APN: 495-200-07-00).

DEHQ initial investigation determined that the existing system is currently failing with sewage flowing onto the ground surface. DEH instructed you to immediately pump your septic tank to keep sewage off the ground.

You are attempting to connect to the nearby sanitary sewer, due in part to the condition of the onsite wastewater treatment system. You indicated that the system has been failing intermittently for over six months. DEHQ has limited documentation as to the location and extent of the existing onsite wastewater treatment system on the property. There is limited room for a repair on this site and any attempt at a repair would require a pump system design and percolation testing in the paved driveway. It is likely that any repair would be costly and non-conforming.

Connection to sewer would alleviate the failing onsite wastewater treatment system. This would prevent you, and subsequent property owners, from having to obtain a variance to install costly non-conforming repairs to this system. Due to the failure that is currently ongoing, an expedited connection to sewer/annexation would be beneficial to you and the property. It would also address any public health issue that exists because of the failing onsite wastewater treatment system.

Should you have any questions in this matter, please call me at (619) 204-0702 or email me at Catherine.dean@sdcounty.ca.gov.

Sincerely,


Catherine Dean,
Environmental Health Specialist III
Land and Water Quality Division

RECORDING REQUESTED BY:
La Mesa City Clerk
FEE EXEMPT PER
GOVERNMENT CODE SECTION 27383

WHEN RECORDED, RETURN TO:

Megan Wiegelman, City Clerk
City of La Mesa
P. O. Box 937
La Mesa, CA 91944-0937

(Space Above for Recorder's Use Only)

AGREEMENT FOR SANITARY SEWER SERVICE
(4950 La Cruz Drive, APN: 495-200-07-00)

THIS AGREEMENT, made and entered into this _____ day of _____, 2025 by and between the **City of La Mesa, a Municipal Corporation**, hereinafter referred to as the "City", and **Thomas Daniel Iannacone, Jr.** and **Rosario Martinez Iannacone** hereinafter referred to as the "Owners",

WITNESSETH:

WHEREAS, the City Council adopted Resolution No. 15521 on June 23, 1987, adopting a policy for extension of sanitary sewer to serve residents outside the City limits;

WHEREAS, the City Council adopted Resolution No. 2024-131 on October 22, 2024, updating the policy for extension of sanitary sewer to serve residents outside the City limits;

WHEREAS, the 2012 General Plan Policy LU-7.1.3 is to work with the Local Agency Formation Commission (LAFCO) when residents outside the City request annexation or connection to City sanitary facilities;

WHEREAS, the owners desires to utilize the wastewater transportation and treatment facilities of the City for property located outside the City limits;

WHEREAS, the City Engineer has determined that sanitary sewer service for the subject property is necessary to protect the health and safety of the areas residents; and

WHEREAS, the City has and is operating a sanitary sewer system so situated and of sufficient capacity to transport and treat the wastewater from the owner's property.

NOW, THEREFORE, for and in consideration of the promises herein and for further good and valuable consideration hereinafter set forth, IT IS MUTUALLY AGREED BETWEEN THE PARTIES AS FOLLOWS:

SECTION 1. The property of the owners proposed to be connected to the City's sanitary sewer system, at a point approved by the City Engineer, shall be that area in a territory located within the City limits and shown in **Attachment A**.

SECTION 2. The owners may discharge wastewater into the City's sanitary sewer system, from the property described in Section 1 hereof, upon condition, however, that no waste oil, acid and other matter that may be detrimental to the treatment process employed in the City sanitary sewer system, nor any storm or ground waters, shall be permitted to be discharged into said connecting line, or lines, If any permitted discharge through said sewer system is contrary to limitations provided in this paragraph, the City may make such repair, mitigation or maintenance work at the expense of the owners and the owners agrees to pay the expense of such repair, mitigation or maintenance work. Further, the Owners shall comply with all codes, ordinance or policies relating to sanitary sewer service within the City of La Mesa.

SECTION 3. The owners shall prepare plans and specifications for the development of the lot and/or lots for which the sewer system extension is required. These plans and specifications shall be reviewed and approved by the City Engineer prior to the review of plans and specifications for the extension of the sewer. Plan review by the City Engineer shall be in accordance with current fee schedules and established procedures. This agreement is predicated on the development of the property.

SECTION 4. If a public sanitary sewer main is required to be installed, then the owners shall prepare plans and specifications for installation of a public sanitary sewer collection system, which shall meet the City's Design Criteria and shall be approved by the City Engineer. The owners shall install public sanitary sewer main lines in the public streets or in an approved easement granted to the City, from the owner's property to the existing public sanitary sewer system. Private sanitary sewer main and/or service laterals when installed shall be by the property owners. The applicant/owners shall be responsible to acquire private sewer easements if required. In addition, charges shall be paid by owners as follows: (***per current fee schedule established by the City Council**).

*A. A review fee payable to City at Planning Department.

*B. A plan check fee based on approved Engineer's estimate for reviewing plans for sanitary sewer collection system.

*C. An inspection fee based on approved Engineer's estimate of construction cost for inspecting construction of the public sanitary sewer collection system.

*D. A lump sum payment to the City, representing a sewer capacity charge to connect the City's existing facilities, and a lump sum payment representing the City's current connection fee based on equivalent dwelling units shall be paid.

*E. A yearly or monthly service charge to reimburse the City for treatment cost and maintenance of the sewer main collector system serving the property. Said service charge shall be as established by ordinance or resolution.

*F. Any sewer connection fees or reimbursement fees established by City to recover the cost of extending the public sanitary sewer system.

SECTION 5. The owners shall dedicate the newly constructed public sanitary sewer facilities determined by the City Engineer to be public facilities to the City in exchange for valuable consideration and the permission to connect to the City's sanitary sewer system.

SECTION 6. The City shall not be responsible or liable in any way for acts of God or any other act, or acts, beyond the control of the City which may in any way cause interruption or discontinuance of the sanitary sewer service provided for hereunder.

SECTION 7. The owners specifically agrees that all maintenance on the private sewer lateral and private sewer mains from owner's premises to the public sewer main shall be Owner's responsibility.

SECTION 8. This agreement shall be terminated and the City shall disconnect service, upon the owner's breach of or failure to perform in terms of this agreement.

SECTION 9. The owners further agrees that in the event that an annexation proceeding be initiated, which includes the property described in Section 1 of this agreement, the owners will not object to inclusion in an annexation, and will be considered to be in favor of said annexation.

SECTION 10. The owners further agrees that no new construction, development, or subdivision of property affected by this agreement aside from what is described in Section 3 shall be served by sanitary sewer extended under terms of this agreement. Per Resolution 2024-131, an ADU as authorized pursuant to local and state law shall not be considered new development.

SECTION 11. This agreement shall be binding upon any successors, heirs, or assigns of the owners.

SECTION 12. The parties agree that this Agreement for Sanitary Sewer Service shall be recorded in the office of the County Recorder of San Diego County and that the provisions contained herein relative to the real property described in **Section 1** shall operate as covenants and restrictions thereof.

SECTION 13. This agreement shall be null and void and any lien or cloud on title shall be released upon annexation of subject property to the City of La Mesa, notice of which shall be recorded.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this agreement the day and year first above written.

Thomas Daniel Iannacone Jr., Trustee Date

Rosario Martinez Iannacone, Trustee Date

CITY OF LA MESA, a Municipal Corporation

BY _____
Mark Arapostathis, Mayor Date

BY _____
Megan Wiegelman, City Clerk Date

Attachments:

Attachment A – Private Sewer Easement

Attachment B – City Engineer Special Permit

E:\0400 AgrmtsCntrts\90 Sewer Service Agreements\SWR Svc. - 4950 La Cruz Dr.doc

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