

**LOCAL AGENCY FORMATION COMMISSION
SPECIAL MEETING AGENDA**

Wednesday, June 23, 2004
9:00 a.m.

Employee Relations Hearing Room, Room 374A
Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles 90012

A person with a disability may contact the LAFCO office at (818) 254-2454 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN PELLISSIER.**
3. **HEARING**
 - a. Hearing on Miscellaneous Government Services Sphere of Influence (SOI) Update and Municipal Service Review.
4. **SPECIAL ITEMS**
 - a. Request from the Consolidated Fire Protection District of Los Angeles County for exemption under Government Code section 56133(e), for an Agreement for Services between the District and the City of La Habra in Orange County.
 - b. Results of election held on June 8, 2004 for Palmdale Annexation No. 2000-01A and adoption of Certificate of Termination of Proceedings.
 - c. Approve minutes of the meeting held June 9, 2004.
 - d. Municipal Service Reviews and Spheres of Influence Update.
 - e. Report on pending applications.
 - f. CALAFCO Executive Board nomination package.

5. **PUBLIC COMMENT**

This is the opportunity for members of the public to address the Commission on items that are not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

6. **FUTURE MEETINGS**

July 14, 2004

July 28, 2004

7. **NEW BUSINESS**

This is the opportunity for commissioners to discuss matters not on the Posted Agenda (to be discussed and upon Commission approval placed on the Agenda for action at a future meeting).

8. **ADJOURNMENT MOTION**

STAFF REPORT

JUNE 23, 2004

MISCELLANEOUS GOVERNMENT SERVICES SPHERE OF INFLUENCE (SOI) UPDATE AND MUNICIPAL SERVICE REVIEW (MSR)

AGENDA ITEM NO. 3A

Agenda item 3A is consideration and approval of the Miscellaneous Government Services Sphere Of Influence (SOI) Update and Municipal Service Review (MSR) of each Local Agency contained in the report.

Background

Since 1971 LAFCOs have been required to develop and adopt a sphere of influence of each city and special district. A sphere is defined by Government Code section 56076 as “a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.”

Developing spheres is central to the Commission’s purpose. Government Code section 56425 states “In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and adopt a sphere of influence for each local governmental agency within the county”

Enacted in 2001, Assembly Bill 2838 requires LAFCOs, for the first time, “. . .shall review and update the sphere not less than once every five years.”

In addition, AB 2838 creates an entirely new LAFCO obligation, as provided in Government Code section 56430:

In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. . . . The commission . . . shall prepare a written statement of its determinations with respect to each of the following:

1. Infrastructure needs or deficiencies.
2. Growth and population projections for the affected area.
3. Financing constraints and opportunities.
4. Cost avoidance opportunities.
5. Opportunities for rate restructuring.
6. Opportunities for shared facilities.

7. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers.
8. Evaluation of management efficiencies.
9. Local accountability and governance.

The Commission has great latitude in how to gather information and perform these studies, including the ability to decide what portion of the County is appropriate for an analysis of specific types of services. Service reviews must be conducted before, or in conjunction with, an action to update a sphere of influence.

The State Office of Planning and Research has issued advisory guidelines to assist LAFCOs as they endeavor to comply with this requirement.

Although service reviews may not directly change how services are provided, they are intended to furnish affected agencies, the public, and LAFCOs with a tool to understand public services conditions.

Review Parameters

The statute does not specifically prescribe which agencies and what service(s) are subject to municipal services reviews. Likewise, the statute does not dictate whether reviews are to be service based or agency based. Therefore, it is left to each LAFCO to establish review parameters.

In determining the parameters for their reviews, LAFCO staff considered a number of factors; the prevailing definitions of municipal services, the agencies that are subject to sphere of influence determinations, and certain characteristics of local governments and the services they provide, which would support their inclusion or exclusion from the services review matrix.

Services Subject to Review

LAFCO staff has concluded that the answer to the question of which services are subject to review lies in the origin of the services review requirement. The legislatively-established Commission on Local Governance for the 21st Century (the Hertzberg Commission) recommended that LAFCOs prepare reviews of municipal services provided by local governmental agencies. In their final report, entitled Growth Within Bounds, the Hertzberg Commission and other LAFCO identified the following as the principal “municipal services”:

“miscellaneous” governmental services such as parks and recreational facilities, street lighting, mosquito abatement, library buildings and services, transportation services, ambulances and airport operations may be desired in a community, and may enhance the standard of living and “attractiveness” of an area, these are neither mandated services nor, from the LAFCO staff perspective, would the presence or absence of these “non-essential” services necessarily be the determining factor in a LAFCO future sphere of influence and/or annexation decision.

The Hertzberg Commission identified water, sewer, power, streets, and roads as major “backbone” services and infrastructure necessary to accommodate the growth and development expected to occur in the future.

Agencies Subject to Abbreviated MSR Review

LAFCO staff has concluded that the following local agencies in Los Angeles County provide services which are municipal in nature, and, as such are subject to the services review requirement per Government Code Section 56430:

1. County of Los Angeles
2. Cities
3. Water Districts
4. Fire Protection Districts

Conversely, LAFCO has concluded that while the cemetery districts, community services districts, garbage disposal districts, health care districts, mosquito abatement and vector control districts, library districts, recreation and park districts, and resource conservation districts in Los Angeles County are subject to a sphere of influence determination, these types of districts do not provide services that are classified as essential municipal services. Therefore, it is the position of this LAFCO that these “Non-Essential Districts” and the services that they provide will be subject to an abbreviated municipal review. However, these agencies will be reviewed to determine the compliance level with the four (4) elements of growth required by Code Section 56425, as follows:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The following are the Dependent and Independent Special Districts to be reviewed:

<p><u>Cemetery Districts</u> Artesia Downey Lancaster Little Lake Wilmington</p> <p><u>Community Services District</u> Bradbury Estates Pasadena Glen Point Dume</p> <p><u>Garbage Disposal Districts</u> Athens-Woodcrest-Olivita Belvedere Firestone Lennox Malibu Mesa Heights Walnut Park</p> <p><u>Health / Hospital Districts</u> Antelope Valley Beach Cities</p>	<p><u>Mosquito Abatement and Vector Control Districts</u> Antelope Valley Mosquito & Vector Control Compton Creek Mosquito Abatement Greater Los Angeles County Vector Control Los Angeles County West Vector Control San Gabriel Valley Mosquito and Vector Control</p> <p><u>Library Districts</u> Altadena Palos Verdes</p> <p><u>Recreation and Park Districts</u> Miraleste Ridgecrest Ranchos Westfield</p> <p><u>Resource Conservation Districts</u> Antelope Valley Santa Monica Mountains</p>
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Compliance with CEQA

MSRs are only feasibility and planning studies for possible future actions that have not been approved, adopted or funded, and therefore, conducting an MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15626. Approval of the recommended SOI Update is also not subject to CEQA because, as set forth in State CEQA Guidelines section 15061, it can be seen with certainty that there is no possibility that expansion of the City of Avalon's SOI will have a significant effect on the environment, as it will not alter land use, permit greater development than is already allowed or alter jurisdictional control over the area.

Recommendation:

In consideration of information gathered and evaluated during the MSR for these Miscellaneous Government Services, the following recommendations are provided for consideration by the Commission:

- 1) Open the public hearing and receive testimony on the Municipal Service Review.
- 2) There being no further testimony, close the public hearing.
- 3) Adopt the Municipal Service Review report for each of these Miscellaneous Government Services and the determination contained in the report, as required by Government Code section 56430.
- 4) Find that the approval of this Sphere of Influence Update is not subject to the California Environmental Quality Act because, as set forth in State CEQA Guidelines section 15061 as it can be seen with certainty that there is no possibility of Sphere of Influence having a significant effect on the environment.
- 5) Approve the update of the Miscellaneous Government Services Spheres of Influence, as recommended in the Municipal Service Review reports, and make the determinations as contained in the Miscellaneous Government Services report, in accordance with Government Code section 56425.

RESOLUTION NO.

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS AND APPROVING AN UPDATE TO
THE SPHERES OF INFLUENCE TO EACH DISTRICT CONTAINED IN THE
MISCELLANEOUS GOVERNMENT SERVICES REPORT**

WHEREAS, the Local Agency Formation Commission for Los Angeles County (the “Commission”), is required pursuant to Part 3, Division 3, Title 5, (commencing with Section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), to determine and update, as necessary, the Sphere of Influence (SOI) of each local agency; and

WHEREAS, the Commission has undertaken the Municipal Service Review for the aforementioned Miscellaneous Government Services

WHEREAS, the Executive Officer has submitted to the Commission a Municipal Service Review and Sphere of Influence Update report, including proposed determinations and recommendations; and

WHEREAS, a description of the proposed boundaries and map of the updated Sphere of Influence of the Districts are set forth and displayed in the Miscellaneous Government Services report; and

WHEREAS, on June 23, 2004, after being duly and properly noticed, this matter came on for hearing at which time this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this matter and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the approval of this Sphere of Influence Update is not subject to the California Environmental Quality Act (CEQA), as set forth in State CEQA Guidelines section 15061.
2. The Commission adopts the written determinations and approves the Sphere of Influence for each of the special districts delineated in the report.
3. The Commission hereby approves and adopts the Municipal Service Review determinations for each of the special districts delineated in the report.
4. The Executive Officer is hereby authorized and directed to mail a certified copy of this resolution to each local agency listed in the report.

PASSED AND ADOPTED this 23rd day of June, 2004.

Ayes:

Noes:

Absent:

Abstain:

LARRY J. CALEMINE, Executive Officer

Staff Report

June 23, 2004

Request for Exemption under Government Code section 56133(e), for Agreement for Services between Consolidated Fire Protection District of Los Angeles County and the City of La Habra in Orange County

Agenda Item No. 4A

The item before you is a request by the Consolidation Fire Protection District of Los Angeles County ("District") for the LAFCO Commission to determine whether or not the District's proposed Agreement For Services with the City of La Habra in Orange County, for the provision of fire protection and related services is exempt from Commission review and approval of an out-of-agency service contract pursuant to Government Code section 56133. Pursuant to Government Code section 56133(e), an out-of-agency service contract is exempt from the Commission's review and approval if the Commission finds that the level of service to be provided by the District is consistent with the level of service being currently provided by the existing service provider, the City of La Habra Fire Department.

Background

In 2002 the District, at the request of the City of La Habra, undertook a study to analyze the feasibility of the District providing fire protection, hazardous materials, and emergency medical services for the City. The Board of Supervisors subsequently approved the proposal for fire protection, hazardous materials, and emergency medical services for the City of La Habra.

City Statistics

The City of La Habra is located in northwest Orange County. It is bordered by the City of La Habra Heights to the north, the City of Brea to the east, the City of Fullerton to the south, and the City of Whittier to the west. The city is comprised of 7.5 square miles with an estimated population of 58,974 residents.

The City contains a mix of primarily medium-density, residential neighborhoods with some multiple-family dwellings. Small and medium sized commercial occupancies are present on most major streets and shopping centers and office/commercial complexes line Imperial Highway in the southern portion of the City. The eastern portion of the City represents the largest amount of industrial/manufacturing complexes. The tallest buildings in the City reach a maximum of three stories.

The City of La Habra Fire Department is comprised of three fire stations with the following average daily staffing:

<i>Station 1</i>	3-person paramedic engine Battalion Chief
<i>Station 2</i>	3-person paramedic engine
<i>Station 3</i>	3-person Engine/Squirt

The total average daily emergency operations staffing equates to ten (10).

CFPD Level of Consistency

The Consolidated Fire Protection District of Los Angeles County operates a regional service delivery system in its provision of fire protection, emergency medical services, and hazardous materials services to 57 District cities and the unincorporated areas of Los Angeles County.

The level of service to be provided by the District to the city consists of four fire stations and the following daily on-duty staffing:

<i>Station 1</i>	3-person paramedic assessment engine 2-person paramedic assessment engine
<i>Station 2</i>	3-person paramedic assessment engine
<i>Station 3</i>	3-person paramedic assessment engine
<i>Station 4</i>	4-person paramedic assessment engine

Total daily on-duty emergency operations equates to fifteen (15). In addition, one 40-hour fire fighter specialist position will be assigned to the City on a full time basis to perform Fire Prevention plan check and related duties. A Battalion Chief will be responded on all appropriate incidents in accordance with the District response matrix.

The provision of service to the City will also place five additional emergency operations personnel on duty within the City each day. In addition, there are six engine companies, two paramedic squads, one ladder truck company, an emergency support team, and two battalion chiefs located within five miles from the City's boundaries, all of which will respond into the City on a regular basis.

Conclusion

In order for the District to proceed with the proposed Agreement For Services, your commission must make a determination whether the level of service to be provided by the District is consistent with the level of service provided by the City of La Habra Fire Department.

Recommended Action

1. Find that the Consolidation Fire Protection District's (CFPD) Request for Exemption under Government Code section 561233(e) is not subject to the California Environmental Quality Act because, as set forth in State CEQA Guidelines section 15061 (b)(3), it can be seen with certainty that there is no possibility that the provision of fire protection and related services to the City of La Habra will have a significant effect on the environment.
2. Find that:
 - A. The proposed contract between the District and the City of La Habra is a contract solely between two public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by the City of La Habra; and
 - B. The level of fire protection and related services to be provided by the District to the City of La Habra is, at a minimum, consistent with the level of service currently provided by the City of La Habra Fire Department; and
3. Find that the Agreement for Services between the Consolidated Fire Protection District and the City of La Habra is exempt from Commission review and approval, pursuant to Government Code section 56133(e).

Agenda Item No. 4B

June 23, 2004

**LOCAL AGENCY FORMATION COMMISSION
FOR LOS ANGELES COUNTY**

**CERTIFICATE OF TERMINATION OF PROCEEDINGS
FOR PALMDALE ANNEXATION NO. 2000-01A**

WHEREAS, on August 27, 2003, the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) approved City of Palmdale Annexation No. 2000-01A by adopting a resolution making determinations (the "Commission's Resolution");and

WHEREAS, on October 8, 2003, the Commission held a protest hearing on the proposal and determined that a sufficient number of protests were filed and not withdrawn to require an election; and

WHEREAS, on January 14, 2004, the Commission adopted a resolution ordering the annexation subject to confirmation of the voters, subject to all of the terms and conditions contained in the Commission's Resolution (the order of the Commission is hereinafter referred to as the "Order of Annexation"); and

WHEREAS, the Commission requested that the Board of Supervisors of the County of Los Angeles call the election required to be called pursuant to the Order of Annexation; and

WHEREAS, a special election, conducted by mailed ballot, was held on June 8, 2004 for the purpose of placing before the voters the question of whether or not the Order of Annexation should be confirmed; and

WHEREAS, the Registrar-Recorder of the County of Los Angeles has informed the Executive Officer of the Commission that the results of the election are 6 votes in favor and 75 votes opposed;

NOW, THEREFORE, based on the results of the election, this Commission hereby terminates all proceedings for City of Palmdale Annexation No. 2000-01A.

PASSED AND ADOPTED this 23rd day of June 2004.

Ayes:

Noes:

Absent:

Abstain:

LARRY J. CALEMINE, Executive Officer