

**LOCAL AGENCY FORMATION COMMISSION  
REGULAR MEETING AGENDA**

Wednesday, September 22, 2004  
9:00 a.m.

Board of Supervisors Hearing Room, Room 381B  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles 90012

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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.

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1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN PELLISSIER.**
3. **PROTEST HEARING**
  - a. Detachment No. 2002-07 from Las Virgenes Municipal Water District.
4. **HEARINGS**
  - a. Municipal Service Review/Sphere of Influence Update for Las Virgenes Municipal Water District.
  - b. Los Angeles County Sanitation District No. 22, Annexation No. 366 – 6.414 acres located on Azusa and San Gabriel Canyon Roads, north of Sierra Madre Avenue, in the City of Azusa. **(To be continued to the meeting of October 27, 2004 to allow for proper notice)**

5. **SPECIAL ITEMS**

- a. Submittal and approval of LAFCO Financial Audit for Fiscal Year 2001/2002
- b. Approve minutes of the meeting held August 25, 2004.
- c. Municipal Service Reviews and Spheres of Influence Update.
- d. Legislative Update.
- e. Approve Operating Account and Money Market Account Registers for month of August 2004.
- f. Report on pending applications.

6. **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.

7. **FUTURE MEETINGS**

October 13, 2004  
October 27, 2004

8. **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).

9. **ADJOURNMENT MOTION**



## **Staff Report**

**September 22, 2004**

### **Protest Hearing on West Hills Detachment No. 2002-07 from Las Virgenes Municipal Water District**

#### **Agenda Item No. 3A**

Agenda Item 3a is a protest hearing on the detachment of inhabited territory located in the City of Los Angeles from the Las Virgenes Municipal Water District (LVMWD). There are an estimated 711 registered voters residing within the boundaries of this territory.

Project location: The subject territory consists of residential lots located in the City of Los Angeles. The territory is bounded by El Escorpion Park on the south, Bell Canyon Park on the west and north and Valley Circle Boulevard on the east and residential lots adjacent to the Ventura County border on the west, the City of Hidden Hills on the south adjacent to Paseo la Vista and County Oak Road.

Project Description: In 1970 and 1981 the commission processed two proposals to expand the City of Los Angeles' boundary to include the residential lots. Due to an oversight, the territory was not detached from the municipal boundary of LVMWD.

The residents of the affected territory have since received sewer and water services from the City of Los Angeles. LVMWD does not currently provide any services or benefits to the properties nor does it plan to provide services in the future.

Detachment of the territory will also involve the simultaneous detachment of the territory from LVMWD Sewer Improvement District U-3 and Improvement District No. 13.

Sphere of Influence: The subject territory is positioned within the spheres of influence of both LVMWD and the City of Los Angeles. Since LVMWD has no future plans to service the area the logical course of action would be to amend LVMWD's sphere of influence to exclude the detaching territory.

CEQA: In February 2002, the Las Virgenes Municipal Water District, as lead agency, certified the negative declaration for the project and made a determination that the project will not have a significant effect on the environment.

Tax Transfer: The affected agencies have adopted the appropriate tax transfer resolution.

#### Conclusion

There are a total of 711 registered voters within the affected territory. Staff has received 10 written

protests to date, which constitutes slightly more than 1 percent of the total registered voters.

Pursuant to Government Code Section 57075, Commission may: (a) terminate proceedings if written protests have been filed and not withdrawn by 50 percent or more of the registered voters within the affected territory; (b) order the territory annexed subject to confirmation by registered voters residing within the affected territory if written protests have been filed and not withdrawn by either (1) at least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory or (2) at least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory; or (c) order the territory annexed if written protests have been filed and not withdrawn by less than 25 percent of the registered voters or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the affected territory.

### **Recommended Action**

1. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
2. Adopt resolution ordering West Hills Detachment No. 2002-07 from the Las Virgenes Municipal Water District if written protests have been filed and not withdrawn by less than 25 percent of the registered voters or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the affected territory.
3. Order the territory detached subject to the confirmation by the voters on the question if written protests have been filed and not withdrawn by at least 25 percent, but less than 50 percent of the registered voters residing in the affected territory or at least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
4. Terminate the detachment proceedings if a majority protest exists.

**RESOLUTION NO. 2004-**

**RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR LOS ANGELES COUNTY  
ORDERING WEST HILLS DETACHMENT NO. 2002-07  
FROM THE LAS VIRGENES MUNICIPAL WATER DISTRICT**

WHEREAS, the Los Angeles County Board of Supervisors adopted a resolution of application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the detachment of the West Hills area located in the City of Los Angeles, County of Los Angeles; and

WHEREAS, the principal reason for the proposed detachment is to formally relieve the Las Virgenes Municipal Water District of all responsibility/liability for providing water related services to the West Hills area; and

WHEREAS, a description of the boundaries and map of the proposal is set forth in Exhibits "A" and "B," attached hereto and by this reference incorporated herein; and

WHEREAS, the West Hills is inhabited and consists of 109 acres; and

WHEREAS, the short-form designation given this proposal is "West Hills Detachment No. 2002-07 from the Las Virgenes Municipal Water District;"

WHEREAS, on July 28, 2004, the Commission approved the West Hills Detachment No. 2002-07; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set September 22, 2004 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections and evidence which were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the detachment directly or subject to the confirmation of the voters based upon the number of protests filed and not withdrawn.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters residing within the boundary of the territory is 711, and the number of landowners is 348.
2. The Commission finds that the number of written protests filed in opposition to West Hills Detachment No. 2002-07 and not withdrawn is \_\_\_\_.
3. The Commission hereby orders the detachment of that territory described in Exhibit "A" hereto, which description is incorporated herein by reference, as follows:
  - a. Detachment of the subject territory from the Las Virgenes Municipal Water District (simultaneous detachment of the territory from LVMWD Sewer Improvement District U-3 and Improvement District No. 13).
4. The Executive Officer is directed to transmit a certified copy of this resolution to the affected local agencies, upon the Las Virgenes Municipal Water District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

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LARRY J. CALEMINE, Executive Officer

## **STAFF REPORT**

**September 22, 2004**

### **MUNICIPAL SERVICE REVIEW Water Service Provider – Las Virgenes Area Las Virgenes Municipal Water District Sphere Of Influence (SOI) Update**

#### **AGENDA ITEM NO. 4A**

Agenda item 4A is consideration and approval of the sphere of influence (SOI) update for the Las Virgenes Municipal Water District.

#### Background

On August 25, 2004 the Commission approved the Municipal Service Review of the Las Virgenes Area and Dudek's Municipal Service Review of Water Service providers in the Las Virgenes Service region.

#### **MSR Water Service Providers - Las Virgenes and SOI Update**

The Las Virgenes Municipal Water District (LVMWD) SOI process has been held for final action of Detachment 2002-07, which has now been completed. Staff recommends that the Commission now update the sphere of influence the last Las Virgenes Municipal Water District, in accordance with the boundaries reflected in the attached map.

#### **Related Jurisdictional Changes**

There are no related boundary changes proposed as a part of this approval.

#### **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 15262.

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 the SOI Update will have a significant effect on the environment, as no changes to the SOI is recommended at this time.

**Recommendation:**

In consideration of information gathered and evaluated during the MSR of Water Service for the Las Virgenes Region, the following recommendations are provided for consideration by the Commission:

- 1) Open the public hearing and receive testimony on the Sphere of Influence update. .
- 2) There being no further testimony, close the public hearing.
- 3) Adopt the determinations recommended in Dudek's Municipal Service Review of Water Service providers for the Las Virgenes region, with regards to the Las Virgenes Municipal Water District, 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 (CEQA) because, as set forth in the State CEQA Guidelines section 15061, it can be seen with certainty that there is no possibility that the SOI Update will have a significant effect on the environment, as no changes to the SOI are recommended at this time.
- 5) Approve the Las Virgenes Municipal Water District's Sphere of Influence Update, as recommended in the Municipal Service Review report, and make the following determinations, in accordance with Government Code section 56425:
  - a. Present and Planned Land Uses in the Area  
Land use in the area is governed by the respective land use authorities - the Cities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village and the County of Los Angeles. Present and planned land uses in the area are primarily open-space and residential.
  - b. Present and Probable Need for Public Facilities and Services in the Area  
The population in the LVMWD is expected to grow from 66,600 in 2000 to 97,600 by the year 2020, based on Census and SCAG data. The Las Virgenes MWD system was built in 1963 and the District has a comprehensive 20 year master plan that identifies potential improvements for potable and recycled systems. Because future development significantly impacts district planning, the master plan includes triggers for infrastructure improvements.

c. Present Capacity of Public Facilities and Adequacy of Public Service that the Agency Provides or is Authorized to Provide

The system has historically received its supply from the Metropolitan Water District on the eastern boundary through West Valley Feeder Number 2; however, with expected growth and demand in the western portions, the District's transmission system was determined to need improvements. To avoid costs for some east/west water transmission, the District's Integrated Master Plan analyzed a possible connection to the Calleguas MWD in Ventura County. Construction is planned and budgeted for 2005 – 2007.

d. Existence of Any Social or Economic Communities of Interest

Specific communities within the District's boundaries include the Cities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village and the County of Los Angeles. The District has an active outreach program and participates in local community events; furthermore the District conducts water forums for local civic leaders.

6) Adopt the attached Resolution Making Determinations and Approving an Update to the Sphere of Influence for the Las Virgenes Municipal Water District.

**AGENDA ITEM NO. 4A**

**RESOLUTION NO.**

**RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR LOS ANGELES COUNTY**

**MAKING DETERMINATIONS AND APPROVING AN UPDATE TO  
THE SPHERE OF INFLUENCE OF THE LAS VIRGENES WATER DISTRICT**

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 of each local agency; and

WHEREAS, the Commission has undertaken the Municipal Service Review for Water Service - Las Virgenes region and Sphere of Influence Update for the Las Virgenes Water District; and

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, pursuant to Government Code section 56430, the Commission adopted the nine required determinations of the Municipal Service Review of Water Service Providers and the Municipal Service Review of the Las Virgenes region on August 25, 2004; and

WHEREAS, said report recommends no changes to the current Sphere of Influence of the Las Virgenes Water District; and

WHEREAS, a map of the updated Sphere of Influence of the Las Virgenes Water District is set forth in Exhibit "A" and, attached hereto and incorporated by reference herein; and

WHEREAS, on September 22, 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) because, as set forth in State CEQA Guidelines section 15061, it can be seen with certainty that there is no possibility that the Sphere of Influence Update will have a significant effect on the environment, as no changes to the Sphere of Influence are approved at this time.
2. The Commission adopts the following written determinations and approves the Sphere of Influence Update for the Las Virgenes Water District:
  - a. Present and Planned Land Uses in the Area  
Land use in the area is governed by the respective land use authorities - the Cities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village and the County of Los Angeles City of Malibu and the County of Los Angeles. Present and planned land uses in the area are primarily open-space and residential.
  - b. Present and Probable Need for Public Facilities and Services in the Area  
The population in the LVMWD is expected to grow from 66,600 in 2000 to 97,600 by the year 2020, based on Census and SCAG data. The Las Virgenes MWD system was built in 1963 and the District has a comprehensive 20 year master plan that identifies potential improvements for potable and recycled systems. Because future development significantly impacts district planning, the master plan includes triggers for infrastructure improvements.
  - c. Present Capacity of Public Facilities and Adequacy of Public Service that the Agency Provides or is Authorized to Provide

The system has historically received its supply from the Metropolitan Water District on the eastern boundary through West Valley Feeder Number 2; however, with expected growth and demand in the western portions, the District's transmission system was determined to need improvements. To avoid costs for some east/west water transmission, the District's Integrated Master Plan analyzed a possible connection to the Calleguas MWD in Ventura County. Construction is planned and budgeted for 2005 – 2007.

d. Existence of Any Social or Economic Communities of Interest

Specific communities within the District's boundaries include the Cities of Agoura Hills, Calabasas, Hidden Hills, Westlake Village and the County of Los Angeles. The District has an active outreach program and participates in local community events, furthermore, the District conducts water forums for local civic leaders.

PASSED AND ADOPTED this 22<sup>nd</sup> day of September 2004.

Ayes:

Noes:

Absent:

Abstain:

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LARRY J. CALEMINE, Executive Officer

## **Staff Report**

**September 22, 2004**

### **Annexation No. 366 to County Sanitation District No. 22**

#### **Agenda Item No. 4B**

The following is an inhabited annexation (37 registered voters) to County Sanitation District No. 22 of Los Angeles County. County Sanitation Districts has initiated this proposal at the request of the developer Guy C. Alexander, III.

Location: 6.414 acres located on Azusa and San Gabriel Canyon Road approximately 2,300 feet north of Sierra Madre Avenue all within the City of Azusa.

Present and Surrounding Land Uses: The subject territory consists of 26 single-family homes. The land use in the surrounding area consists of single-family homes to the north and south, multi-family to the west and hillside to the east.

Sphere of Influence: The proposed annexation is consistent with the adopted sphere of influence for CSD 22.

Provision of Services: The subject territory will be served by District No. 22's 12-inch diameter Base Line Trunk Sewer in Base Line Road at Dalton Avenue approximately 3 miles south of the subject territory. It is estimated that the subject territory will discharge an average flow of 0.0068 mgd (0.04 cfs peak flow) into a sewer with available capacity of 1.0 cfs (peak flow).

Present Capacity: Based on the information provided by the property owner, the District's sewerage facilities have or, in accordance with current policy, will have adequate capacity to collect, treat and dispose of the wastewater anticipated to be generated on the subject property. Actual sewer hook-up will not be allowed until payment of the connection fee and shall be subject to all circumstances then existent including the availability of capacity.

Financing: Services are financed through a connection fee and an annual user-charge system.

CEQA: The City of Azusa, as lead agency, adopted a negative declaration for the development of 26 single-family homes and made a determination that the project will not have a significant impact on the environment.

Tax Transfer: All affected agencies have adopted the appropriate tax transfer resolution.

Correspondence: Staff has not received any correspondence in opposition to or in support of this annexation.

## **RECOMMENDATION**

1. Acting in its role as a responsible agency with respect to Annexation No. 366, and under State CEQA Guidelines Section 15096, LAFCO certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the project and the negative declaration adopted by the City of Azusa, as lead agency, and has determined that the document adequately addresses the environmental impacts of the project. LAFCO finds that it has complied with the requirements of CEQA with respect to the process for a responsible agency and hereby adopts, by reference, the negative declaration, previously prepared by the lead agency, in connection with its approval of the project.
2. Adopt Resolution Making Determinations Approving Annexation No. 366 to County Sanitation District No. 22.
3. Provide that the annexation shall be subject to the following term and condition:

The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the County Sanitation District may legally impose.
4. Pursuant to Government Code Section 57002 set December 8, 2004 as the date for commission protest proceedings.

## **Staff Report**

**September 22, 2004**

**MSR / SOI Update**

**Agenda Item No. 5C**

1. Preparation of the SOI & MSR reports for the 88 cities & 92 special districts continue on an amended schedule. We are currently about 30 days behind schedule. To date the commission has adopted SOI Updates and MSR reports on 49 local agencies.
2. **Santa Clarita & West San Gabriel**  
The preliminary drafts of the SOI Updates & MSR reports for the Santa Clarita and West San Gabriel Valley areas are scheduled to be completed by early October & should come before the commission by mid-November. The Santa Clarita area regional area will address 1 city and 6 water districts. The West San Gabriel regional area will address 19 cities and 12 water districts.
3. **MSR – Waste Water**  
In regard to the 25 County Sanitation districts, Staff has received two proposals from qualified consultants in this field of expertise. Staff will meet with County Sanitation District management within the next week for the purpose of reviewing said proposals and consultant selection.
4. **SOI & MSR – Request(s) For Information**  
We continue to experience a few non-responses to our request(s) for information. Of the 88 cities in the county, only 2 cities have not responded to any of our 5 separate requests, and 5 cities have only responded in part. Members of this commission have recently contacted these cities on LAFCO's behalf with good result. Staff will continue to follow up with these cities. In the event we do not receive the requested information in time to prepare the Regional MSR for the area the non-responding city is located in, then in that event staff will complete the MSR using staff's best estimate and judgment regarding the items that are missing. The MSR will of course make note of the City's non-response to LAFCO's repeated requests for information.

## SOI & MSR Request(s) for Information Non-Responses

	City	RFI Part I	RFI Part II	RFI Part III (Police)	RFI Part III (Fire)	
1	El Monte	NR	NR	✓	N/A	
2	La Canada/ Flintridge	✓	✓	N/A	N/A	
3	Long Beach	✓	✓	✓	✓	
4	Los Angeles	✓	✓	NR	✓	
5	Montebello	NR	NR	NR	NR	
6	San Dimas	✓	NR	N/A	N/A	
7	South Gate	NR	NR	NR	N/A	

✓

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