

**LOCAL AGENCY FORMATION COMMISSION  
REGULAR MEETING AGENDA**

Wednesday, March 23, 2005  
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. **HEARINGS**
  - a. Los Angeles County Sanitation No. 5 - Annexation No. 54.
  - b. Los Angeles County Sanitation No. 14 - Annexation No. 286.
  - c. Los Angeles County Sanitation No. 14 - Annexation No. 287.
  - d. Los Angeles County Sanitation No. 15 - Annexation No. 279.
4. **GOVERNMENT CODE § 56857 NOTICES**  
(For Informational Purposes Only, Receive and File)

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation is proposed, Government Code Section 56857 requires LAFCO to place the proposal on its agenda for informational purposes only.

- a. Los Angeles County Waterworks District No. 40 – Annexation No. 2005-04.
- b. Los Angeles County Waterworks District No. 40 – Annexation No. 2005-06.

5. **OTHER ITEMS**

- a.
  1. Proposed changes to the Rules of the Local Agency Formation Commission.
  2. Elect Chair Pro Tem.
- b.
  1. Approve contract with Stetson Engineering, Inc., to prepare the Water Study for the Santa Clarita Region.
  2. Approve Memorandum of Understanding with Waterworks District #36 regarding Water Study.
- c. Receive and file Municipal Service Reviews and Spheres of Influence Update.
- d. Receive and file Legislative Update.
- e. Approve minutes of the meeting held March 9, 2005.
- f. Receive and file update 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**

April 13, 2005  
April 27, 2005

8. **FUTURE AGENDA ITEMS**

Items not on the posted agenda which, if requested, will be referred to staff or placed on a future agenda for discussion and action by the Commission, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Commission subsequent to the posting of the agenda.

9. **ADJOURNMENT MOTION**

## **Staff Report**

**March 23, 2005**

### **Agenda Item No. 3a**

#### **Annexation No. 54 to County Sanitation District No. 5**

The following is a simultaneous sphere of influence amendment and annexation of uninhabited territory to Los Angeles County Sanitation District No. 5. County Sanitation District has initiated this proposal at the request of the landowner, Jerry Cannon.

Annexation No. 54 consists of 1.185 acres.

Location: The subject territory is located directly west of Friendship Park Drive and approximately 400 feet south of its intersection with 9<sup>th</sup> Street all within the City of Los Angeles.

Surrounding and Present Land Uses: The surrounding land use is residential and the present land use is also residential and contains three existing single family-homes.

Sphere of Influence: The proposed annexation is not consistent with the adopted spheres of influence for all affected agencies. An amendment to the District's sphere of influence will be required in conjunction with this request.

Proposed Development: There are no current plans for development of the subject territory.

Provision of Services: The wastewater generated by the subject territory will be treated at Joint Outfall Water Reclamation Plant (JWRP). The JWRP has a design capacity of 385 mgd and currently processes an average flow of 321.6 mgd.

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.

CEQA: The project is exempt from the provisions of the CEQA pursuant to State CEQA Guidelines Section 1531919(a). The annexation contains existing structures developed to the density allowed by the current zoning.

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. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Find that the project is exempt under State CEQA Guidelines Section 1531919(a).
4. Approve the requested amendment to the sphere of influence for District No. 5.
5. Find that all owners of land have given their written consent to the change of organization, and all affected agencies have consented in writing to the waiver of protest proceedings, and pursuant to Government Code Section 56663, waive the requirement for protest proceedings in its entirety.
6. Adopt Resolution Making Determinations and Ordering Annexation No. 54 to County Sanitation District No. 5 and Amendment of the Sphere of Influence of District No. 5.

**RESOLUTION NO. 2005- RD**

**RESOLUTION MAKING DETERMINATIONS APPROVING AND ORDERING CERTAIN UNINHABITED TERRITORY DESIGNATED AS ANNEXATION NO. 54 ANNEXED TO COUNTY SANITATION DISTRICT NO. 5 AND AMENDMENT TO THE SPHERE OF INFLUENCE OF DISTRICT NO. 5**

WHEREAS, the County Sanitation District No. 5 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 annexation of territory located in the City of Los Angeles; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal services for three existing single-family homes; and

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

WHEREAS, the territory consists of 1.185 acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 54";

WHEREAS, the Executive Officer has reviewed the proposal and submitted to the Commission a report, including his recommendation thereon; and

WHEREAS, on March 23, 2005, after being duly and properly noticed, this proposal 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 proposal and the report of the Executive Officer

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the proposed annexation is exempt pursuant to State CEQA Guidelines Section 15319(a).
2. The Commission hereby amends the sphere of influence of County Sanitation District No. 5, and makes the following determinations in accordance with Government Code section 56425:
  - a. **Present and planned land uses in the area, including agricultural and open-spaced land:**

The present land use is residential and contains three existing single-family homes. There are currently no plans for new development.
  - b. **Present and probable need for public facilities and services:**

The subject territory is not currently serviced by the District. However, this area was included in the Joint Outfall System 2010 Master Facilities Plan.
  - c. **The present capacity of public facilities and the adequacy of public services that the agency provides or is authorized to provide:**

The subject territory is located within an existing residential area with infrastructure in place to support services to be provided by the District.
  - d. **The existence of any social or economic communities of interest:**

There are no existing social or economic communities of interest within the subject territory.
3. Annexation No. 54 to the County Sanitation District No. 5 is hereby approved, subject to the following terms and conditions:
  - a. The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the District may legally impose.
  - b. The regular County assessment roll is utilized by the District.
  - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the District.
4. Pursuant to Government Code Section 56663, the Commission hereby finds and determines that:
  3. The territory to be annexed is uninhabited;
  4. All owners of land within the affected territory have given their written consent

to the change of organization; and

5. All affected local agencies that will gain or lose territory as a result of this change of organization have consented, in writing, to a waiver of commission protest proceedings.

Based thereon, protest proceedings are waived.

5. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the County Sanitation District No. 5.
  
6. Executive Officer is directed to transmit a certified copy of this resolution to General Manager of the District, upon the 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 57200, *et seq.*

PASSED AND ADOPTED this 23<sup>rd</sup> day of March 2005.

Ayes:

Noes:

Absent:

Abstain:

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LARRY J. CALEMINE,  
Executive Officer

## **Staff Report**

**March 23, 2005**

### **Agenda Item No. 3b**

#### **Annexation No. 286 to County Sanitation District No. 14**

The following is an uninhabited annexation to Los Angeles County Sanitation District No. 14. County Sanitation District has initiated this proposal at the request of the landowner, Andrew Eliopoulos.

Annexation No. 286 consists of 2.552 acres.

Location: The subject territory is located on the northwest corner of Avenue L-12 and 10<sup>th</sup> Street West all within the City of Lancaster.

Surrounding and Present Land Uses: The surrounding land use contains office buildings and small commercial entities. The present land use of the subject territory is vacant land.

Sphere of Influence: The proposed annexation is consistent with the adopted spheres of influence for all affected agencies.

Proposed Development: The territory is to be developed as one office building.

Provision of Services: The wastewater generated by the subject territory will be treated at the Lancaster Water Reclamation Plant (LWRP). The LWRP has a design capacity of 16.0 mgd and currently processes an average flow of 13.3 mgd.

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.

CEQA: The project is categorically exempt from CEQA pursuant to Section 15332 Class 32- In-Fill Development Project which is consistent with the general plan, within city limits, five acres or less, and does not result in any significant environmental impacts.

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. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Find that the project is categorically exempt under State CEQA Guidelines Section 15332.
4. Find that all owners of land have given their written consent to the change of organization, and all affected agencies have consented in writing to the waiver of protest proceedings, and pursuant to Government Code Section 56663, waive the requirement for protest proceedings in its entirety.
5. Adopt Resolution Making Determinations and Ordering Annexation No. 286 to County Sanitation District No. 14.

**RESOLUTION NO. 2005- RD**

**RESOLUTION MAKING DETERMINATIONS APPROVING AND  
ORDERING CERTAIN UNINHABITED TERRITORY DESIGNATED AS  
ANNEXATION NO. 286 ANNEXED TO  
COUNTY SANITATION DISTRICT NO. 14**

WHEREAS, the County Sanitation District No. 14 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 annexation of territory located in the City of Santa Clarita; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal services for the proposed development of an office building; and

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

WHEREAS, the territory consists of 2.552 acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 286";

WHEREAS, the Executive Officer has reviewed the proposal and submitted to the Commission a report, including his recommendation thereon; and

WHEREAS, on March 23, 2005, after being duly and properly noticed, this proposal 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 proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Find that the project is categorically exempt from CEQA pursuant to Section 15332.
2. Annexation No. 286 to the County Sanitation District No. 14 is hereby approved, subject to the following terms and conditions:
  - a. The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the District may legally impose.
  - b. The regular County assessment roll is utilized by the District.
  - d. The affected territory will be taxed for existing bonded indebtedness, if any, of the District.
3. Pursuant to Government Code Section 56663, the Commission hereby finds and determines that:
  - a. The territory to be annexed is uninhabited;
  - b. All owners of land within the affected territory have given their written consent to the change of organization; and
  - c. All affected local agencies that will gain or lose territory as a result of this change of organization have consented, in writing, to a waiver of commission protest proceedings.

Based thereon, protest proceedings are waived.
4. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the County Sanitation District No. 14.
5. Executive Officer is directed to transmit a certified copy of this resolution to General Manager of the District, upon the 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 57200, *et seq.*

PASSED AND ADOPTED this 23<sup>th</sup> day of March 2005.

Ayes:

Noes:

Absent:

Abstain:

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LARRY J. CALEMINE  
Executive Officer

## **Staff Report**

**March 23, 2005**

### **Agenda Item No. 3c**

#### **Annexation No. 287 to County Sanitation District No. 14**

The following is an uninhabited annexation to Los Angeles County Sanitation District No. 26. County Sanitation District has initiated this proposal at the request of the landowners, Adrianna Boeka and Sonora Investment Co., LLC.

Annexation No. 287 consists of 5.835 acres.

Location: The subject territory is located on 10<sup>th</sup> Street West approximately ¼ mile south of Avenue L, all within the City of Lancaster.

Surrounding and Present Land Uses: The surrounding land use contains office buildings and small commercial entities. The present land use of the subject territory is vacant land.

Sphere of Influence: The proposed annexation is consistent with the adopted spheres of influence for all affected agencies.

Proposed Development: The subject territory is to be developed as two office buildings.

Provision of Services: The wastewater generated by the subject territory will be treated at the Lancaster Water Reclamation Plant (LWRP). The LWRP has a design capacity of 16.0 mgd and currently processes an average flow of 13.3 mgd.

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.

CEQA: The project is categorically exempt from CEQA pursuant to Section 15332 Class 32- In-Fill Development Project which is consistent with the general plan, within city limits, five acres or less, and does not result in any significant environmental impacts.

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. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Find that the project is categorically exempt under State CEQA Guidelines Section 15332.
4. Find that all owners of land have given their written consent to the change of organization, and all affected agencies have consented in writing to the waiver of protest proceedings, and pursuant to Government Code Section 56663, waive the requirement for protest proceedings in its entirety.
5. Adopt Resolution Making Determinations and Ordering Annexation No. 287 to County Sanitation District No. 14.

**RESOLUTION NO. 2005- RD**

**RESOLUTION MAKING DETERMINATIONS APPROVING AND  
ORDERING CERTAIN UNINHABITED TERRITORY DESIGNATED AS  
ANNEXATION NO. 287 ANNEXED TO  
COUNTY SANITATION DISTRICT NO. 14**

WHEREAS, the County Sanitation District No. 14 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 annexation of territory located in the unincorporated area of Los Angeles County; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal services for two proposed office buildings; and

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

WHEREAS, the territory consists of 5.835 acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 287";

WHEREAS, the Executive Officer has reviewed the proposal and submitted to the Commission a report, including his recommendation thereon; and

WHEREAS, on March 23, 2005, after being duly and properly noticed, this proposal 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 proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Find that the project is categorically exempt from CEQA pursuant to Section 15332.
2. Annexation No. 287 to the County Sanitation District No. 14 is hereby approved, subject to the following terms and conditions:
  - a. The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the District may legally impose.
  - b. The regular County assessment roll is utilized by the District.
  - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the District.
3. Pursuant to Government Code Section 56663, the Commission hereby finds and determines that:
  - a. The territory to be annexed is uninhabited;
  - b. All owners of land within the affected territory have given their written consent to the change of organization; and
  - c. All affected local agencies that will gain or lose territory as a result of this change of organization have consented, in writing, to a waiver of commission protest proceedings.

Based thereon, protest proceedings are waived.

4. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the County Sanitation District No. 14.
5. Executive Officer is directed to transmit a certified copy of this resolution to General Manager of the District, upon the 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 57200, *et seq.*



PASSED AND ADOPTED this 23<sup>rd</sup> day of March 2005.

Ayes:

Noes:

Absent:

Abstain:

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LARRY J. CALEMINE  
Executive Officer

## **Staff Report**

**March 23, 2005**

### **Agenda Item No. 3d**

#### **Annexation No. 279 to County Sanitation District No. 15**

The following is an uninhabited annexation to Los Angeles County Sanitation District No. 15. County Sanitation District has initiated this proposal at the request of the landowners, Augusto Brown and Andrew Chen.

Annexation No. 279 consists of 2.294 acres.

Location: Parcel 1 of the subject territory is located on 7<sup>th</sup> Avenue approximately 450 feet south from its intersection with Orange Grove Avenue. Parcel 2 is located on Orange Grove Avenue approximately 400 feet east of 7<sup>th</sup> Avenue all within unincorporated territory of Los Angeles County.

Surrounding and Present Land Uses: The surrounding land use is residential and the present land use contains two existing single-family homes.

Sphere of Influence: The proposed annexation is consistent with the adopted spheres of influence for all affected agencies.

Proposed Development: Currently, there are no plans for development.

Provision of Services: The area is not currently serviced by the District, however, the area was included in the future service area of the District and the wastewater management needs were addressed in the 2010 Joint Outfall Master Facilities Plan.

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.

CEQA: The project is exempt from CEQA pursuant to Section 15319(a) – the annexation consists of existing structures developed to the density allowed by the current zoning.

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. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Find that the project is exempt from CEQA pursuant to Section 15319(a)
4. Find that all owners of land have given their written consent to the change of organization, and all affected agencies have consented in writing to the waiver of protest proceedings, and pursuant to Government Code Section 56663, waive the requirement for protest proceedings in its entirety.
5. Adopt Resolution Making Determinations and Ordering Annexation No. 279 to County Sanitation District No. 15.

**RESOLUTION NO. 2005- RD**

**RESOLUTION MAKING DETERMINATIONS APPROVING AND  
ORDERING CERTAIN UNINHABITED TERRITORY DESIGNATED AS  
ANNEXATION NO. 279 ANNEXED TO  
COUNTY SANITATION DISTRICT NO. 15**

WHEREAS, the County Sanitation District No. 15 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 annexation of territory located in the unincorporated area of Los Angeles County; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal services for two existing single-family homes; and

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

WHEREAS, the territory consists of 2.294 acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 279";

WHEREAS, the Executive Officer has reviewed the proposal and submitted to the Commission a report, including his recommendation thereon; and

WHEREAS, on March 23, 2005, after being duly and properly noticed, this proposal 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 proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Find that the project is exempt from CEQA pursuant to Section 15319(a).
2. Annexation No. 279 to the County Sanitation District No. 15 is hereby approved, subject to the following terms and conditions:
  - a. The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the District may legally impose.
  - b. The regular County assessment roll is utilized by the District.
  - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the District.
3. Pursuant to Government Code Section 56663, the Commission hereby finds and determines that:
  - a. The territory to be annexed is uninhabited;
  - b. All owners of land within the affected territory have given their written consent to the change of organization; and
  - c. All affected local agencies that will gain or lose territory as a result of this change of organization have consented, in writing, to a waiver of commission protest proceedings.

Based thereon, protest proceedings are waived.

4. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the County Sanitation District No. 15.
5. Executive Officer is directed to transmit a certified copy of this resolution to General Manager of the District, upon the 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 57200, *et seq.*

PASSED AND ADOPTED this 23<sup>rd</sup> day of March 2005.

Ayes:

Noes:

Absent:

Abstain:

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LARRY J. CALEMINE  
Executive Officer

**Staff Report**

**Agenda Item No. 4**

**March 23, 2005**

**GOVERNMENT CODE § 56857 NOTICES  
(For Informational Purposes Only, Receive and File)**

**Los Angeles County Waterworks District No. 40 – Annexation Nos. 2005-04 and 2005-06**

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, Government Code section 56857 requires LAFCO to place the proposal on its agenda for informational purpose only. Within 60 days of the meeting date, the annexing district may adopt and submit to LAFCO a resolution requesting termination of the annexation proceedings. The law requires that the annexing district "present written findings supported by substantial evidence in the record that the termination request is justified by a financial or service related concern." Prior to the commission's determination of termination of proceedings the resolution is subject to judicial review.

Waiver of 60-Day Termination Period

Under section 56857, LAFCO may not hear and consider the proposed annexation until the 60-day termination period has expired. The Code provides, however, that the commission may waive the 60-day termination period if the annexing district adopts and submits to LAFCO a resolution supporting the change of organization or reorganization.

The following is a summary of the annexation proposal filed with LAFCO:

a) **Los Angeles County Waterworks District No. 40 – Annexation No. 2005-04**

Project Description

On March 9, 2005 the Antelope Valley Union High School District, filed an application for annexation of 67 acres of vacant land, zoned for school, into Los Angeles County Waterworks District No. 40. APN No. 3150-014-900.

Project Location

The project site is located south of Avenue J-8 between 30<sup>th</sup> and 35<sup>th</sup> Streets East, in the City of Lancaster.

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Informational Items

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a) **Los Angeles County Waterworks District No. 40 – Annexation No. 2005-06**

*Project Description*

On March 15, 2005 the Central Christian Church, filed an application for annexation of 5 acres of vacant land into Los Angeles County Waterworks District No. 40. APN Nos. 3153-012-006, -029.

*Project Location*

The project site is located in the vicinity of 32<sup>nd</sup> Street West and Avenue J., in the City of Lancaster.



## **Staff Report**

### **Agenda Item No. 5b 1.**

**March 23, 20005**

### **Contract Award Water Service Providers Study - Santa Clarita Region**

This agenda item provides the background and recommendation regarding the award of a contract to Stetson Engineers, Inc. for the Water Service Provider Study in the Santa Clarita Municipal Service Review (MSR) Area.

#### **Background**

The Local Agency Formation Commission (LAFCO) for Los Angeles County issued two (2) draft Municipal Service Reviews (MSR) concerning the Santa Clara Regional Area.

The Water Service MSR prepared and published on October 20, 2004 by Dudek and Associates, Inc., addressed each of the nine MSR determinations required by Government Code Section 56430 both by individual water district and by their combined effect on the entire region.

The Regional MSR prepared by LAFCO and published on October 29, 2004, covered the entire region by city and special district.

After a complete detailed review of the Dudek report and other significant data it was found that, in some specific areas of the region, the water districts have:

1. varying water rates
2. duplication of services
3. redundancy of infrastructure or overlapping district boundaries
4. out of area/unauthorized servicing beyond boundaries and
5. in the case of one district, reluctance, in some cases, to provide services.

However, this may have been due in part to lack of information, as, there was hesitancy on the part of some of the local agencies to provide LAFCO with necessary information to reach an appropriate conclusion.

Based upon the above, the Regional draft included a recommendation for a zero sphere of influence boundary for one district along with a recommendation to consider its dissolution.

Both the Regional and Water draft MSR were distributed to the agencies and general public on October 29, 2004 for critique and/or commentary. Immediately following the issuance of the reports LAFCO began to receive many telephone calls, e-mails and letters expressing both support and concern regarding the recommendations contained in the draft MSRs.

Through a series of meetings, discussions, exchange of letters and others offers of possible cooperation by all parties concerned, staff determined that there might be room to revise the recommendations contained in the draft report if the water agencies agreed to go forward in a cooperative manner towards resolving the issues at hand.

The agencies listed below, who are most affected by the issues discussed above, agreed to support a comprehensive water agency study, to be conducted by an independent consultant that would be selected by LAFCO. They are:

1. Castaic Lake Water Agency's (CLWA) retail outlet, the Santa Clarita Water Company
2. Newhall County Water District (NCWD)
3. Waterworks District #36 – Val Verde

Furthermore, while not a LAFCO special district, the Valencia Water Company also agreed to participate in this study.

The Water Districts have agreed to pay for the entire study under a separate agreement negotiated between each other. Upon approval by the Commission, staff will invoice the districts for full funding. As addressed in the next agenda item, Waterworks District #36 has requested that LAFCO enter into an MOU with it as well regarding the funding of the study.

**Source Selection Process**

Based on the foregoing, LAFCO sent out a Request For Proposal (RFP) to the following consultants:

Bookman-Edmonston Cotton/Bridges Dudek and Associates Donald R. Howard	LSA Associates Reiter-Lowry Stetson Engineers Bookman-Edmonston
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Three responses were received:

Consultant	Bookman/ Edmonston*	Cotton/Bridges	Stetson Engineers
Price	\$ 195,720	\$ 109,705	\$ 66,470
Schedule	14 Months	21 Weeks +	15 Weeks
Task Understanding	Fair	Good +	Excellent

\* Bookman/Edmonston was eliminated because of excessive price and schedule proposal.

#### Proposal Commentary

1. **Price** – Stetson Engineers was the low bidder by some \$43,235 to the second lowest bid.
2. **Type Contract** - Cotton Bridges proposed a time and material contract, whereas, Stetson proposed a not-to-exceed contract.
3. **Terms and Conditions** – Stetson Engineers accepted all LAFCO contractual terms and conditions. Cotton Bridge took exception to various terms.
4. **Schedule** - Stetson Engineers proposed the best schedule by some 6 weeks.
5. **Qualification** - All three bidders are deemed qualified to perform the task.

#### Recommendation

Upon conclusion of a thorough review of the proposals submitted, staff recommends that the Commission approve awarding the contract to Stetson Engineers, Inc. and authorize the Executive Officer to execute said contract.

## **Staff Report**

**March 23, 20005**

**Agenda Item No. 5b 2.**

### **Los Angeles County Waterworks District #36 Memorandum of Understanding (MOU) Water Service Providers Study - Santa Clarita Region**

In order for the Los Angeles County Waterworks District #36 to enter into an agreement with the other agencies and to participate in the Water Service Providers Study - Santa Clarita Regional Area they have requested that LAFCO enter into an MOU with the District to provide that the District funding provided to LAFCO will be used to pay for the Study, and ensure that the District will receive copies of the draft Study for review and comment.

The MOU requires that the District deposit with LAFCO \$7000, which represents the District's proportionate share of the agreed upon not to exceed cost of \$100,000 for the Study, and provides for reimbursement of any unexpended funds. Since the contract value with the prospective consultant will be \$66,470, the real commitment from the District will more likely approximate \$4,700. Staff considers the MOU to be a good faith agreement between LAFCO and the District.

#### **Recommendation**

It is recommended that the Commission authorize the Executive Officer to enter into an agreement with Los Angeles County Waterworks District #36 in substantially similar form to the attached draft MOU, and execute said MOU when finalized by the parties.

**MEMORANDUM OF UNDERSTANDING REGARDING SANTA CLARA REGIONAL  
COMPREHENSIVE WATER STUDY BY THE LOCAL AGENCY FORMATION  
COMMISSION FOR LOS ANGELES COUNTY**

This MEMORANDUM OF UNDERSTANDING REGARDING SANTA CLARA REGIONAL COMPREHENSIVE WATER STUDY BY THE LOCAL AGENCY FORMATION COMMISSION FOR LOS ANGELES COUNTY (this "MOU") is made and entered into this \_\_\_\_\_ day of March, 2005 by and between the Los Angeles County Waterworks District No. 36, Valverde (the "District") and the Local Agency Formation Commission for Los Angeles County ("LAFCO").

**RECITALS**

WHEREAS, on October 29, 2004, LAFCO distributed for public review, that certain draft "Municipal Service Review: Water Service – Santa Clara Region", prepared by Dudek and Associates, Inc. (the "Draft Review"); and

WHEREAS, the Draft Review recommends completion of a comprehensive study (the "Study") of the spheres of influence of the water agencies in the Santa Clara service review region, to be funded by said agencies; and

WHEREAS, the water agencies in the Santa Clara service review region are the Newhall County Water District (NCWD), Valencia Water Company (Valencia), Castaic Lake Water Agency (Castaic), Castaic Lake Water Agency, Santa Clarita Water Division (Santa Clarita), and the District (collectively, the "Water Agencies"); and

WHEREAS, based on the Draft Review, on November 24, 2004, LAFCO sent a written request to the Water Agencies to fund completion of the Study; and

WHEREAS, the District is informed that the other Water Agencies have agreed to participate in that certain Memorandum of Understanding, a copy of which is attached hereto as Exhibit "A" (the "Water Agencies MOU") to each fund a portion of the Study; and

WHEREAS, LAFCO will be responsible for completion of the Study, which will cost up to a maximum of One Hundred Thousand Dollars (\$100,000), including LAFCO's costs for administering a contract with a third-party consultant to complete the Study; and

WHEREAS, LAFCO has requested and the District has agreed, based on the other Water Agencies' execution of the Water Agencies MOU, that the District also execute the Water Agencies MOU, which, together with this MOU, commits the District to reimburse LAFCO the lesser of either: (i) seven percent of the cost of the Study or (ii) \$7,000 toward the cost of the Study; and

WHEREAS, the District is simultaneously entering into the Water Agencies MOU together with this MOU.

## **TERMS AND CONDITIONS**

NOW, THEREFORE:

- (1) LAFCO agrees to:
  - A. Complete the Study as described in the Draft Review;
  - B. Submit three copies of a draft Study to District for review and comment;
  - C. Following submittal of a draft Study and prior to submittal of the final Study, provide a presentation to District staff on the Study methodology and recommendations identified in the Study;
  - D. Consider District's comments on draft Study prior to completion of the final Study;
  - E. Provide District with three (3) copies of the final Study, including one copy in electronic format, at no cost to the District;
  - F. Provide to the District an invoice (Invoice) in the amount of the lesser of: i) seven percent of the cost of the Study or ii.) Seven Thousand and 00/100 Dollars (\$7,000), including a written description of work and reimburse any difference between the Invoice amount and the amount deposited by the District with LAFCO pursuant to Section (2)A., below; and
  - G. Hire and supervise the third-party consultant(s) employed to perform the Study and release, indemnify, defend and hold the District harmless in connection with any claims arising from any disputes relating to the agreement(s) with said consultant(s).
  
- (2) District agrees to:
  - A. Deposit Seven Thousand and 00/100 Dollars (\$7,000) with LAFCO prior to commencement of the Study (Deposit), any unspent balance to be reimbursed to the District pursuant to Section (1)F. above; and
  - B. Review draft Study submitted by LAFCO and provide comments in a timely manner.

(3) It is mutually understood and agreed as follows:

- A. Other than the obligation to contribute the Deposit as set forth in the immediately preceding Section (2)A., above, the District shall bear no responsibility or obligation to LAFCO or any third party under this MOU. LAFCO will be entirely responsible for obtaining the funding for the remainder of the cost of the Study.
- B. This MOU constitutes the entire agreement between the District and LAFCO regarding the subject matter herein, supersedes any oral or contemporaneous agreements or communications relating thereto, and may be modified only by a mutual agreement in writing signed by both parties.
- C. This MOU is made solely for the benefit of the District and LAFCO and is not intended to benefit any third party.
- D. If LAFCO fails to complete its obligations as defined in this MOU, this MOU will be terminated, no further District funds will be expended, and LAFCO will immediately return any of the unexpended funds of the District to LAFCO. LAFCO will provide the District with any and all work product prepared prior to the date of termination in furtherance of the Study.
- E. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

LOCAL AGENCY FORMATION COMMISSION  
FOR LOS ANGELES COUNTY:

Mr. Larry Calamine  
Executive Officer  
700 N. Central Ave. Ste. 350  
Glendale, CA 91203

DISTRICT:

Mr. Donald Wolfe  
Acting Director of Public Works  
Attn: Waterworks & Sewer  
Maintenance Division  
County of Los Angeles  
Department of Public Works  
P.O. Box 1460  
Alhambra, CA 91802-1460

IN WITNESS WHEREOF, each party hereto has caused this MOU to be executed by its duly authorized officer or official.

ATTEST:

Los Angeles County Waterworks District  
No. 36, Val Verde

Local Agency Formation Commission  
for Los Angeles County

By \_\_\_\_\_

By \_\_\_\_\_

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By \_\_\_\_\_  
Deputy