

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, March 14, 2007
9:00 a.m.

Room 381B
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 GLADBACH.**
3. **PUBLIC HEARINGS**
 - a. Los Angeles County Waterworks District No. 40 - Annexation 2005-15.
4. **PROTEST HEARINGS**
 - a. Los Angeles County Sanitation District No. 14 – Annexation 361.
 - b. Los Angeles County Sanitation District No. 14 – Annexation 362.
5. **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. 2007-08.

6. **OTHER ITEMS**

- a. Operating Account Register for the month of February 2007
- b. Approve minutes of the meeting held February 28, 2007.
- c. Municipal Service Review and Sphere of Influence Update.
- d. Receive and file update on pending applications.

7. **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.

8. **FUTURE MEETINGS**

March 28, 2007

April 11, 2007

9. **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.

10. **ADJOURNMENT MOTION**

Staff Report

March 14, 2007

Agenda Item No. 3a Los Angeles County Waterworks District No. 40 Annexation No. 2005-15

The proposal before you is a request to annex 40.857± acres of uninhabited territory into the boundary of the Los Angeles County Waterworks District No. 40.

Proposal Area: The project site consists of 40.857± acres of vacant land.

Location: The site is generally located on the southeast corner of Avenue J and 30th Street East in the City of Lancaster.

Factors to be Considered Pursuant to Government Code Section 56668:

1. *Population:* The current population is 0.
2. *Landowner:* Trimark Pacific Homes.
3. *Topography, Natural Boundaries and Drainage Basins:* The terrain is flat.
4. *Zoning, Present and Future Land Use:* The territory is zoned R-7000, the present land use is vacant, and future use will consist of 139 single-family units.
5. *Surrounding Land Use:* Currently, a similar development by KB Homes is under construction to the immediate west and the rest of the surrounding territory is vacant.
6. *Assessed Value:* The total assessed value is \$3,318,000.00.
7. *Governmental Services and Control, Availability and Adequacy:*
If and when the land is developed as proposed, the City of Lancaster will provide services as outlined in the City's General Plan.
8. *Water Availability:*
The District has sufficient water supply to meet the needs of the proposal area. The landowner will build the water system to the District's specifications and interconnect with an existing water main. The system will eventually be dedicated to the District.

9. *Effects on agricultural or open-space lands:* Currently, there is no open space or agricultural lands within the subject or surrounding territory.
10. *Boundaries and Lines of Assessment:* The boundary of the proposed annexation conforms to recorded lines of assessment.
11. *Sphere of Influence:* The subject territory is within the sphere of influence of Los Angeles County Waterworks District No. 40.
12. *Tax Resolution:* All affected agencies have adopted a negotiated tax exchange resolution.
13. *Correspondence:* No correspondence has been received.

Alternate Course of Action:

There are no foreseeable alternate courses of action.

CEQA: The City of Lancaster, as lead agency, certified a Negative Declaration for the project.

Waiver of Notice and Hearing: Pursuant to Government Code Section 56663(a) all owners of land within the affected territory have consented to the change of organization and have requested that the Commission make its determination without notice and hearing. To date, no subject agency has submitted written demand for notice and hearing on this application.

Waiver of Protest Hearing: Pursuant to Government Code Section 56663(c) all owners of land within the affected territory have consented to the change of organization. To date, no subject agency has submitted written opposition to waiver of the protest proceedings.

Conclusion: The subject territory will be developed with 139 single-family homes. Annexation will allow future residents to receive a reliable source of water. The landowner has indicated that CWWD No. 40 offers the most convenient and economic solution for the proposed development.

Recommended Action:

1. Open the public hearing to receive testimony. There being no more testimony, close the public hearing.
2. Waive Notice and Hearing requirements for this application pursuant to Government Code section 56663(a).
3. Waive Protest Proceedings for this application pursuant to Government Code section 56663(c).
4. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2005-15 to Los Angeles County Waterworks District No. 40.

RESOLUTION NO. 2007-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
“ANNEXATION NO. 2005-15 TO THE
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40”

WHEREAS, an application for the proposed annexation of certain territory in the City of Lancaster to the Los Angeles County Waterworks District No. 40, has been filed with the Executive Officer of the Local Agency Formation Commission for Los Angeles County (the "Commission"), pursuant to Title 5, Division 3, commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposed annexation consists of 40.857± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2005-15 to Los Angeles County Waterworks District No. 40;" 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 principal reason for this annexation is to provide a reliable source of water to future inhabitants of the subject territory; and

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

WHEREAS on March 14, 2007 at its regular meeting this Commission considered the proposal and the report of the Executive Officer, along with public comment on the proposal.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Pursuant to Government Code Section 56663(a), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted written opposition to a waiver of notice and hearing requirements.

Based thereon, notice and hearing requirements are waived.

2. The Commission, acting in its role as a responsible agency with respect to Annexation 2005-15 to Los Angeles County Waterworks District No. 40, pursuant to State CEQA Guidelines Section 15096, certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the proposed project and the negative declaration adopted by the City of Lancaster, as lead agency, and has determined that the document adequately addresses the environmental impacts of the proposed project. The Commission 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 environmental findings, previously adopted by the City of Lancaster, in connection with its approval of the project.

3. The Commission hereby approves the annexation subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Waterworks District No. 40 may legally impose.
 - b. The regular County assessment roll is utilized by the Los Angeles County Waterworks District No. 40.
 - c. The territory will not be taxed for existing bonded indebtedness of the Los Angeles County Waterworks District No. 40.

4. Pursuant to Government Code Section 56663(c), 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. No subject agency has submitted written opposition to a waiver of 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 Los Angeles County Waterworks District No. 40.

6. The Executive Officer is directed to transmit a certified copy of this resolution to the 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 14th day of March 2007.

Ayes:

Noes:

Absent:

Abstain:

Sandor L. Winger, Executive Officer

Staff Report

March 14, 2007

Protest Hearing on Annexation No. 361 to Los Angeles County Sanitation District No. 14

Agenda Item No. 4a

On January 24, 2007 your Commission approved a request initiated by Los Angeles County District No. 14 to annex 255.472 of uninhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Background: The County Sanitation District No. 14 of Los Angeles County filed eminent domain complaints with Los Angeles County Superior Court in August 2005 to acquire the subject territory. On December 15, 2005, the court granted the District possession of the subject territory while the eminent domain actions proceed. The District is acquiring the land to construct reclaimed water storage reservoirs and tertiary treatment facilities in order to implement the Lancaster Water Reclamation Plant (LWRP) 2020 Facilities Plan. The District is in the final stages of litigating the eminent domain actions.

Proposal Area: The annexation consists of vacant high desert land, located in a vacant rural area.

Population: 0

Landowner: The County Sanitation District No. 14 of Los Angeles County and additional owners of record.

Topography, Natural Boundaries and Drainage Basins: The topography is generally flat with a slight slope towards Rosamond Dry Lake.

Zoning, Present and Future Land Use: The current zoning is D-2-2: Desert Mountain. The current land use is N1: Non-Urban. The land use will change to P-Public Service Facilities.

Surrounding Land Use: The land use in the surrounding territory is N1-Non-Urban to the north and TC-Transportation Corridor to the west. The land use east of Parcel 1 and south of Parcel 2 is P-Public Service Facilities.

Governmental Services and Control, Availability and Adequacy: The LWRP 2020 Plan addresses the sewerage needs of the LWRP service area through the year 2020 and the District's planned services to meet the needs.

Effects on agricultural or open-space lands: The proposal will cause reclaimed water storage reservoirs and tertiary treatment facilities to be constructed on land that is currently open-space in support of the existing Lancaster Water Reclamation Plant. There will be no effect on agricultural lands.

Boundaries and Lines of Assessment: The boundary of the proposed annexation conforms to the recorded lines of assessment.

Sphere of Influence: The subject territory is within the sphere of influence of District No.14.

Tax Resolution: All affected agencies adopted a negotiated tax exchange resolution.

CEQA: Acting as a responsible agency, the Commission considered and adopted the Lancaster Water Reclamation Plant 2020 Facilities Plan Environmental Impact Report adopted by County Sanitation District No. 14 of Los Angeles County is adequate for consideration of this proposal.

Correspondence: No correspondence has been received.

Recommended Action

1. Open the protest hearing and receive written protests.
2. Close protest hearing.
3. 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.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists or order Annexation 361 to Los Angeles County Sanitation District No. 14 if a majority protest does not exist.

RESOLUTION NO. 2007-P

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY ORDERING
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14**

ANNEXATION NO. 14-361

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an 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 to the Los Angeles County Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to develop reclaimed water storage reservoirs and tertiary treatment facilities for the Lancaster Water Reclamation Plant (LWRP); 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 territory consists of 255.472 acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 361"; and

WHEREAS, on January 24, 2007, the Commission approved Annexation No.14-361; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set March 14, 2007 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 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 annexation directly if a majority protest does not exist.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 38 and the total assessed value of land within the affected territory is \$1,038,750.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 14-361 and not withdrawn is ___, which, even if valid, represents owners of land who own less than 50 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The subject territory will not be taxed for existing bonded indebtedness of the District.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the 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 57000, *et seq.*

PASSED AND ADOPTED this 14th day of March 2007.

Ayes:

Noes:

Absent:

Abstain:

SANDOR L. WINGER, Executive Officer

Staff Report

March 14, 2007

Protest Hearing on Annexation No. 362 to Los Angeles County Sanitation District No. 14

Agenda Item No. 4b

On January 24, 2007 your Commission approved a request initiated by Los Angeles County District No. 14 to annex 518.008 of uninhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Background: The County Sanitation District No. 14 of Los Angeles County filed eminent domain complaints with Los Angeles County Superior Court in August 2005 to acquire the subject territory. On December 15, 2005, the court granted the District possession of the subject territory while the eminent domain actions proceed. The District is acquiring the land to construct reclaimed water storage reservoirs in order to implement the Lancaster Water Reclamation Plant (LWRP) 2020 Facilities Plan. The District is in the final stages of litigating the eminent domain actions.

Proposal Area: The annexation consists of vacant high desert land, located in a vacant rural area.

Population: 0

Landowner: The County Sanitation District No. 14 of Los Angeles County and additional owners of record.

Topography, Natural Boundaries and Drainage Basins: The topography is generally flat with a slight slope towards Rosamond Dry Lake.

Zoning, Present and Future Land Use: The current zoning is D-2-2: Desert Mountain. The current land use is N1: Non-Urban. The land use will change to P-Public Service Facilities.

Surrounding Land Use: The land use in the surrounding territory is N1-Non-Urban to the north, south, east, and west.

Governmental Services and Control, Availability and Adequacy: The LWRP 2020 Plan addresses the sewerage needs of the LWRP service area through the year 2020 and the District's planned services to meet the needs.

Effects on agricultural or open-space lands: The proposal will cause reclaimed water storage reservoirs to be constructed on land that is currently open-space in support of the existing Lancaster Water Reclamation Plant. There will be no effect on agricultural lands.

Boundaries and Lines of Assessment: The boundary of the proposed annexation conforms to the recorded lines of assessment.

Sphere of Influence: The subject territory is within the sphere of influence of District No.14.

Tax Resolution: All affected agencies adopted a negotiated tax exchange resolution.

CEQA: Acting as a responsible agency, the Commission considered and adopted the Lancaster Water Reclamation Plant 2020 Facilities Plan Environmental Impact Report adopted by County Sanitation District No. 14 of Los Angeles County is adequate for consideration of this proposal.

Correspondence: No correspondence has been received.

Recommended Action

1. Open the protest hearing and receive written protests.
2. Close protest hearing.
3. 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.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists or order Annexation 362 to Los Angeles County Sanitation District No. 14 if a majority protest does not exist.

RESOLUTION NO. 2007-P

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY ORDERING
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14**

ANNEXATION NO. 14-362

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an 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 to the Los Angeles County Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to develop reclaimed water storage reservoirs for the Lancaster Water Reclamation Plant (LWRP); 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 territory consists of 518.008 acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 362"; and

WHEREAS, on January 24, 2007, the Commission approved Annexation No.14-362; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set March 14, 2007 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 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 annexation if a majority protest does not exist.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 20 and the total assessed value of the affected territory \$1,704,000.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 14-362 and not withdrawn is ___, which, even if valid, represents owners of land own less than 50 percent of the assessed value of land within affected territory
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The subject territory will not be taxed for existing bonded indebtedness of the District.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the 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 57000, *et seq.*

PASSED AND ADOPTED this 14th day of March 2007.

Ayes:

Noes:

Absent:

Abstain:

SANDOR L. WINGER, Executive Officer

STAFF REPORT

March 14, 2007

AGENDA ITEM NO. 5

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 of territory is proposed, Government Code section 56857 requires LAFCO to place the proposal on its agenda for informational purposes 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 proposals filed with LAFCO:

- a. *Project Description – Annexation No. 2007-08*
Lucinda Bretches, landowner filed an application to annex 10.36 acres of vacant land into the boundary of Los Angeles County Waterworks District No. 40 for the future construction of one single-family home.

Project Location - The project site is generally located in the unincorporated area known as Juniper Hills generally located west of Fort Tejon Road.

STAFF REPORT

March 14, 2007

Agenda Item No. 6c MUNICIPAL SERVICE REVIEWS AND SPHERES OF INFLUENCE UPDATE

| <u>Regional Area</u> Cities / Water Districts | MSR Draft Completion Status | Workshop Meeting Status | SOI Draft Completion Status | Commission Hearing Schedule Projection | Comments |
|---|-----------------------------------|-------------------------------|-----------------------------------|--|--|
| <u>Los Angeles Area</u> Cities (8) Water Districts (2) | Complete | Complete | Complete | December 13, 2006 | Approved 8 cities and 1 district on 12/13/06 – Crescenta Valley open |
| <u>Catalina</u> Cities (1) | Complete | Complete | Complete | Feb. 27, 2004 | No Special Districts |
| <u>Misc. Gov't. Services</u> Total Districts (29) | Complete | Complete | Complete | Jun. 23, 2004 | |
| <u>Las Virgenes</u> Cities (5) Water Districts (2) | Complete Complete | Complete Complete | Complete Complete | Aug. 25, 2004 | |
| <u>High Desert</u> Cities (2) Water Districts (8) | Complete Complete | Complete Complete | Complete Complete | Aug. 25, 2004 | |
| <u>Santa Clara</u> Cities (1) Water Districts (5) | Complete Complete | Complete Complete | Complete Complete | Jan. 19, 2005 | Approved 3 districts at LAFCO Hearing on Dec 14, 2005 |
| <u>San Gabriel-West</u> Cities (18) Water Districts (8) | Complete Complete | Complete Complete | Complete Complete | Dec. 8, 2004 | |
| <u>San Gabriel – East</u> Cities (13) Water Districts (5) | Complete Complete | Complete Complete | Complete Complete | July 13, 2005 | |
| <u>San Districts</u> (25) | Complete | Complete | Complete | May 25, 2005 | |
| <u>South Bay</u> Cities (14) Water Districts (1) | Complete Complete | Complete Complete | Complete Complete | Sept. 28, 2005 | |
| <u>Gateway</u> Cities (26) Water Districts (6) | Complete Complete | Complete Complete | Complete Complete | Dec. 14, 2005 | Approved 3 cities and 1 Water District on Feb. 22, 2006 |

Crescenta Valley Water District is still open

179 Total SOI's / MSR's Completed to date -

88 Cities 29 Misc. Districts 36 Water Districts 25 San Districts