

**LOCAL AGENCY FORMATION COMMISSION  
MEETING AGENDA**

Wednesday, April 9, 2008  
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. Continuation of City of Azusa Annexation No. 2005-44
4. **CONSENT ITEMS**

*All matters are approved by one motion unless held by a Commissioner or member(s) of the public for discussion or separate action.*

- a. Los Angeles County Waterworks District 40 – Annexation 2004-10
- b. Approve Operating Account Check Register for the month of March.
- c. Approve Minutes of March 26, 2008
- d. Receive and file update on pending applications

5. **OTHER**

- a. Conference Report
- b. Report on East Los Angeles, Rowland Heights and West Ranch Proposed Incorporations.

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 23, 2008  
May 14, 2008  
May 28, 2008  
June 11, 2008

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**

**April 9, 2008**

**Agenda Item No. 3a**

**City Of Azusa Annexation No. 2005-44**

Agenda Item No. 3a is a continuation of the January 9, 2007 public hearing on the proposal requesting annexation of approximately 5.7 acres of uninhabited, unincorporated county territory to the City of Azusa. The applicant of record is the City of Azusa, the proposal having been initiated by City of Azusa Resolution No. 05-C71. The application was received on December 20, 2005.

**History:** At the January 9, 2008 Commission hearing Mr. John Fowler, a developer representing two of the landowners within the subject territory, presented letters of opposition to the Commission. The annexation territory encompasses three parcels 8621-024-001, 8621-024-002, and 8621-024-017. The two property owners in opposition represent the majority of land ownership, respectively 93% of the subject territory.

According to Mr. Fowler, the owners have a development plan for the property that differs from the City of Azusa's redevelopment plan. Furthermore, the owners do not wish to be annexed because the properties are within a City of Azusa redevelopment project area and they do not want to be subject to condemnation through exercise of its power of eminent domain.

The subject territory is a gateway into the City of Azusa. The City would like to enhance the area with the development of a full service upscale restaurant at the site.

Mr. Fowler stated that the landowners might sell their properties to the City if it is willing to pay their asking price.

The Commission adopted a motion to continue the matter for ninety days to give the City and the majority property owners an opportunity to work out their differences.

**Status:** The City of Azusa is seeking to purchase the largest of the three parcels. Funding has been identified and City Council has approved expenditure on the project.

**Conclusion:** It appears that the City of Azusa is working diligently to pursue purchase of the property. Therefore, staff recommends that the City of Azusa's request for annexation Azusa Annexation No. 2005-44 of the subject territory be continued for ninety days. However, staff does not recommend that the Commission grant any further continuances if the City is unable to complete its purchase within the next ninety days.

**Recommended Action:**

Continue the public hearing on this matter to July 9, 2008 at 9:00 a.m.

## **Staff Report**

**April 9, 2008**

### **Agenda Item No. 4a**

#### **Los Angeles County Waterworks District No. 40 Annexation No. 2004-10**

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

**Proposal Area:** The project site consists of 120± acres of land.

**Location:** The site is generally located between 20<sup>th</sup> Street West and 25<sup>th</sup> Street West and south of Avenue P-8 all within the City of Palmdale.

#### **Factors to be Considered Pursuant to Government Code Section 56668:**

1. *Population:* The current population is 0.
2. *Landowner:* LCTH Investments, LP
3. *Topography, Natural Boundaries and Drainage Basins:* The terrain slopes 4% to the northeast with the Amargos Creek flowing through the southeast corner of the property.
4. *Zoning, Present and Future Land Use:* The territory is zoned R-1 – 7000 and presently the land is vacant. There are no indications that a change in land use planned for the future, however the subject territory is proposed to be developed as 492 single-family residences.
5. *Surrounding Land Use:* The surrounding territory is a combination of vacant and residential to the south, vacant and residential to the north and existing single-family residential and Highland High School across 25<sup>th</sup> Street West.
6. *Assessed Value:* The total assessed value is \$1.2 million.
7. *Governmental Services and Control, Availability and Adequacy:*  
The subject territory is all within the City of Palmdale; municipal services to the subject territory and will be provided 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.

9. *Effects on agricultural or open-space lands:* The proposal will have no effect on agricultural or open space lands.
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 alternate courses of action at this time.

**CEQA:** The City of Palmdale, as lead agency, adopted a Mitigated Negative Declaration.

**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, the subject agencies have not submitted written opposition to waiver of the protest proceedings.

**Conclusion:** The subject territory will be developed with 492 single-family homes. Annexation will allow future residents to receive a reliable source of water.

**Recommended Action:**

1. Waive Notice and Hearing requirements for this application pursuant to Government Code section 56663(a).
2. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2004-10 to Los Angeles County Waterworks District No. 40.

**RESOLUTION NO. 2008-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND ORDERING**  
**“ANNEXATION NO. 2004-10 TO THE**  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40**

WHEREAS, an application for the proposed annexation of certain territory in the City of Palmdale 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 120± acres of uninhabited territory in the City of Palmdale, and is assigned the following distinctive short form designation: "Annexation No. 2004-10 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 April 9, 2008 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 2004-10 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 Mitigated Negative Declaration and Monitoring Program adopted by the City of Palmdale, 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 Palmdale, 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 9<sup>th</sup> day of April 2008.

Ayes:

Noes:

Absent:

Abstain:

---

Sandor L. Winger  
Executive Officer