

**LOCAL AGENCY FORMATION COMMISSION  
SPECIAL MEETING AGENDA**

Wednesday, May 25, 2011  
9:00 a.m.

**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.

The entire agenda package and any meeting related writings or documents provided to a majority of the Commissioners after distribution of the agenda package, unless exempt from disclosure pursuant to California Law, are available at the LAFCO office and at [www.lalafco.org](http://www.lalafco.org).

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1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH.**
3. **GOVERNMENT CODE § 56857 NOTICE**  
(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. 2011-17 (2006-50).
- b. Newhall County Water District – Annexation No. 2011-15.
- c. Castaic Lake Water Agency / Newhall County Water District –  
Reorganization No. 2011-16.

4. **PUBLIC HEARINGS**

- a. Adoption of the Fiscal Year 2011-2012 Final Budget.
- b. Los Angeles County Sanitation District No. 14 – Annexation No. 402.
- c. Los Angeles County Sanitation District No. 22 – Annexation No. 409.
- d. Santa Clarita Valley Sanitation District of Los Angeles County – Annexation No. 1047.

5. **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. Approve Minutes of April 13, 2011.
- b. Operating Account and Check Register for the month of April 2011.
- c. Receive and file update on pending applications.

6. **OTHER ITEMS**

- a. Proposed Fee Waiver Policy.
- b. Selection of Alternate Public Member.
- c. East Los Angeles Incorporation Status Report.

7. **COMMISSIONERS' REPORT**

Commissioners' questions for staff, announcements of upcoming events and opportunity for Commissioners to briefly report on their LAFCO-related activities since last meeting.

8. **EXECUTIVE OFFICER'S REPORT**

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

9. **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.

10. **FUTURE MEETINGS**

June 8, 2011  
June 22, 2011 (Special Meeting)  
July 13, 2011  
August 10, 2011  
September 14, 2011  
September 21, 2011 (Special Meeting)

11. **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.

12. **ADJOURNMENT MOTION**

**Staff Report**

**May 25, 2011**

**Agenda Item No. 3.**

**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 2011-17 (2006-50) to Los Angeles County Waterworks District No.40, Antelope Valley.*  
La Jolla Villa LLC., landowner filed an application to annex 20 acres of vacant land to Los Angeles County Waterworks District No 40. The project includes future construction of 115 single family homes.

*Project Location* - The project site is located south of Avenue H between 42<sup>th</sup> Street West and 45<sup>th</sup> Street West, in the City of Lancaster.

- b. *Project Description – Annexation 2011-15 to Newhall County Water District.*  
Montalvo Properties LLC., landowner filed an application to annex 411.91 acres of vacant land to Newhall County Water District. The project includes future construction of 97 single family homes.

*Project Location* - The project site is located north of the City of Santa Clarita, in the unincorporated area known as Tesoro.

- c. *Project Description – Reorganization No. 2011-16 to Castaic Lake Water Agency / Newhall County Water District.*

Montalvo Properties LLC., landowner filed an application to annex 801.53 acres of vacant land to Castaic Lake Water Agency and Newhall County Water District. The project includes future construction of 140 single family homes.

*Project Location* - The project site is located north of the City of Santa Clarita, in the unincorporated area known as Tesoro.

**Recommended Action**

Receive and file.

## **Staff Report**

**May 25, 2011**

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

#### **Fiscal Year 2011-12 Final Budget**

##### Background

In accordance with Government Code Section 56381, LAFCO must conduct a second noticed public hearing and approve its final budget by June 15 of each year. At a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year, unless the commission finds that reduced staffing or program costs will nevertheless allow the commission to fulfill its statutory purposes and programs. The proposed budget was adopted at the April 13, 2011 meeting, and subsequently transmitted to the County, cities, and special districts for review and consideration.

##### Final Budget

The Fiscal Year 2011-12 Final Budget is unchanged from the budget approved in April. The Final Budget identifies expenditures totaling \$1,284,714. This amount represents an increase of approximately \$76,351 or 6% from the Fiscal Year 2010-11 budget. Anticipated revenues include \$850,666 in allocated apportionments from the County, cities and special districts; \$125,000 from processing and filing fees; a \$150,000 fund balance carryover from FY 2010-11; and a \$159,066 transfer from the pooled investment account.

##### Comments from funding agencies

On April 14, 2011, the FY 2011-12 Proposed Budget was circulated to the County, cities and special districts for review. As of the date of this report, we have received inquiries from two cities, Long Beach and Redondo Beach, each requesting clarification of the budgeted 5% COLA increase. The City of Redondo Beach also requested an explanation of Budget Line Item Nos. 1040 (Retirement), 1045 (Health Insurance) and 5025/5030 relating to the proposed office relocation. An acceptable response, to the inquiries, was communicated to the concerned parties.

##### **Recommended Action:**

1. Open Budget Hearing; after receiving public comments, close the hearing.
2. Approve the attached Fiscal Year 2011-12 Final Budget.
3. Direct staff to forward the Final Budget to the County Auditor-Controller who will, pursuant to Government Code Section 56381.6, apportion the net operating expenses of the Commission among the classes of public agencies that select members on the Commission.

**Staff Report**

**May 25, 2011**

**Agenda Item No. 4.b.**

**Annexation No. 402 to  
County Sanitation District No. 14**

The following item is a proposal requesting annexation of approximately 22.566± acres of inhabited territory to Los Angeles County Sanitation District No. 14. The District, as the applicant of record, adopted a resolution initiating proceedings on October 28, 2009.

**Related Jurisdictional Changes:** There are no related jurisdictional changes.

**Purpose/Background:** All of the owners of real property within the territory have requested, in writing, that the District provide off-site sewage disposal service.

**Proposal Area:** The annexation is located within residential and vacant areas. The territory consists of a 182-unit mobile home park.

**Location:** The affected territory is located on Avenue I approximately 250 feet west of 40<sup>th</sup> Street East, all within City of Lancaster.

**Factors of Consideration Pursuant to Government Code Section 56668:**

1. ***Population:*** The current population is 300.
2. ***Registered Voters/Landowners:*** Sherwood MHP LLC.
3. ***Topography:*** The topography slopes to the north at approximately 1%.
4. ***Zoning, Present and Future Land Use:*** The current zoning is [MHP]; Mobile Home Park. The present land use is residential and vacant. The proposed land use is residential.
5. ***Surrounding Land Use:*** The land use in the surrounding territory is residential and vacant.
6. ***Pre-zoning and Conformance with the General Plan:*** Pre-zoning is not a requirement for a special district proposal.
7. ***Assessed Value, Tax Transfer:*** The total assessed value of land for Assessor Roll Year 2011 is \$5,256.288. The affected agencies have adopted a negotiated tax exchange resolution.

8. ***Governmental Services and Control, Availability and Adequacy:*** The affected territory is already being serviced by the District. The area was included in the future service area that might be served by the District and the District's future wastewater management needs were addressed in the Lancaster Water Reclamation Plant (LWRP) 2020 Facilities Plan. The wastewater generated by the annexation is being treated at the LWRP. The District has adequate capacities to collect, treat, and dispose of the wastewater generated by the affected territory.
9. ***Effects on Agricultural and Open-Spaced Lands:*** The area will be maintained as agricultural lands. The annexation territory will not have an effect on open pace lands.
10. ***Boundaries and Lines of Assessment:*** The boundaries of this territory have been clearly defined and correspond to lines of assessment or ownership. This proposal does not create any new islands of unincorporated territory.
11. ***Effects of the Proposal on Adjacent Areas and the County:*** No effects on adjacent areas and the County.
12. ***Sphere of Influence:*** The affected territory is within the sphere of influence of District No. 14.
13. ***Timely Availability of Water Supplies:*** There are no issues regarding water supply or delivery.
14. ***Regional Housing Needs:*** This proposal has no adverse affect on the Regional Housing Needs Allocation for the County or the City since it is a special district proposal.
15. ***Environmental Justice:*** The proposal will have no adverse effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.
16. ***Comments from Affected Agencies:*** There were no comments from affected agencies.
17. ***Correspondence:*** Staff has received no correspondence regarding this proposal.

**CEQA:** The proposed annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a), because it is an annexation containing existing structures developed to the density allowed by the current zoning.



**Conclusion:** Staff recommends approval of this annexation request. The annexation is a logical and reasonable extension of the Los Angeles County Sanitation District No. 14 boundary.

**Recommended Action:**

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Approving Annexation No. 402 to County Sanitation District No. 14.
4. Pursuant to Government Code Section 57002, set July 13, 2011 at 9:00 a.m., as the date for Commission protest proceedings.

**RESOLUTION NO. 2011-00RMD  
RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR LOS ANGELES COUNTY  
MAKING DETERMINATIONS APPROVING  
"ANNEXATION NO. 402 TO  
LOS ANGELES 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 within City of Lancaster; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for an existing 182-unit Mobile Home Park; 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 22.566± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 402 to County Sanitation District No. 14"; and

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

WHEREAS, on May 25, 2011, 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 annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a).
2. Annexation No. 402 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 general bonded indebtedness, if any, of the District.
  - d. Except to the extent in conflict with a through c, above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.

3. The Commission hereby sets the protest hearing for July 18, 2011 at 9:00 a.m. and authorizes and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED 25<sup>th</sup> day of May 2011.

Ayes:

Noes:

Absent:

Abstain:

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

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**PAUL A. NOVAK, Executive Officer**

**Staff Report**

**May 25, 2011**

**Agenda Item No. 4.c.**

**Sphere of Influence Amendment and  
Annexation No. 409 to  
County Sanitation District No. 22**

The following item is a proposal requesting annexation of approximately 7.548± acres of uninhabited territory to Los Angeles County Sanitation District No. 22. The District, as the applicant of record, adopted a resolution initiating proceedings on January 27, 2010.

**Related Jurisdictional Changes:** There are no related jurisdictional changes.

**Purpose/Background:** All of the owners of real property within the territory have requested, in writing, that the District provide off-site sewage disposal service.

**Proposal Area:** The annexation consists of vacant land, located within a vacant area. The territory is currently being developed to include one proposed single-family home.

**Location:** The affected territory is located on Brydon Road approximately 200 feet north of Vista Del Sol Road, all within the City of La Verne.

**Factors of Consideration Pursuant to Government Code Section 56668:**

1. ***Population:*** The current population is 0. The applicant estimated a population increase of 4 residents after development.
2. ***Registered Voters/Landowners:*** William & Cara Hipwell, City of Santa Clarita.
3. ***Topography:*** The topography is hillside.
4. ***Zoning, Present and Future Land Use:*** The current zoning is [PR1-5D]; One Unit for five Acres. The present land use is vacant. The proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is residential and vacant.
6. ***Pre-zoning and Conformance with the General Plan:*** Pre-zoning is not a requirement for a special district proposal.
7. ***Assessed Value, Tax Transfer:*** The total assessed value of land for Assessor Roll Year 2011 is \$903,619. The affected agencies have adopted a negotiated tax exchange resolution.

8. ***Governmental Services and Control, Availability and Adequacy:*** The affected territory is not currently being serviced by the District. However, the area was included in the future service area that might be served by the District and the District's future wastewater management needs were addressed in the Joint Outfall System (JOS) 2010 Master Facilities Plan. The wastewater generated by the proposed project will be treated by the JOS, which is comprised of 6 upstream water reclamation plants and the Joint Water Pollution Control Plant. The District will have adequate capacity to collect, treat, and dispose of the wastewater generated by the affected territory.
9. ***Effects on Agricultural and Open-Spaced Lands:*** The proposal will not have an effect on agricultural or open space lands.
10. ***Boundaries and Lines of Assessment:*** The boundaries of this territory have been clearly defined and correspond to lines of assessment or ownership. This proposal does not create any new islands of unincorporated territory.
11. ***Effects of the Proposal on Adjacent Areas and the County:*** No effects on adjacent areas and the County.
12. ***Sphere of Influence:*** The subject territory is not within the sphere of influence (SOI) of District No. 22. The proposed annexation currently lies outside District No. 22's SOI boundary and requires an amendment to the Sphere of Influence.
13. ***Timely Availability of Water Supplies:*** There are no issues regarding water supply or delivery.
14. ***Regional Housing Needs:*** This proposal has no affect on the Regional Housing Needs Allocation for the County or the City since it is a special district proposal.
15. ***Environmental Justice:*** The proposal will have no adverse effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.
16. ***Comments from Affected Agencies:*** There were no comments from affected agencies.
17. ***Correspondence:*** Staff has received no correspondence regarding this proposal.

**CEQA:** The mitigated negative declaration adopted by the City of La Verne is adequate for consideration of this proposal.

**Waiver of Protest Proceedings:** Pursuant to Government Code Section 56663(c), all owners of land within the affected territory have consented to the change of organization, and to date, no subject agency has submitted written opposition to waiver of the protest proceedings. Based thereon, the Commission may waive protest proceedings.

**Conclusion:** Staff recommends approval of this annexation request. The annexation is a logical and reasonable extension of the Los Angeles County Sanitation District No. 22 boundary.

**Recommended Action:**

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Amending the Sphere of Influence and Approving and Ordering, Annexation No. 409 to County Sanitation District No. 22.

**RESOLUTION NO. 2011-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS AMENDING THE SPHERE OF INFLUENCE OF**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 22 AND**  
**APPROVING AND ORDERING**  
**"ANNEXATION NO. 409 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 22"**

WHEREAS, the County Sanitation District No. 22 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 La Verne; and WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for one proposed single-family home; 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 7.548± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 409 to County Sanitation District No. 22"; and

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

WHEREAS, on May 25, 2011, 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. Acting in its role as a responsible agency with the respect to the County Sanitation District No. 22 Sphere of Influence Amendment and Annexation No. 409, and under State CEQA Guidelines Section 15096, the Commission certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the project and the mitigated negative declaration adopted by the City of La Verne for approval of the project and has determined that the document adequately addresses the environmental impacts of the project. The Commission also 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 lead agency in connection with its approval of the project.
2. The Commission hereby amends the spheres of influence of County Sanitation District No. 22 to include the territory described in Exhibit “A” and “B”, and makes the following determinations in accordance with Government Code Section 56425:
  - a. Present and Planned Land Use in the Area

The present land use is vacant. The proposed land use is residential. The current zoning is [PR1-5D]; Single-family Residential and vacant.

b. Present and Probable Need for Public Facilities and Services in the Area

The subject territory is not currently being serviced by County Sanitation District No. 22. The area was included in the future service area that might be served by District No. 22 and District No. 22's future wastewater management needs were addressed in the Joint Outfall System 2010 Master Facilities Plan.

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

The wastewater generated by the annexation will be treated by the Joint Outfall System (JOS). The JOS has a design capacity of 592.7 mgd and currently processes an average flow of 417.8 mgd District No. 22 sewerage facilities have or, in accordance with current policy, has adequate capacity to collect, treat, and dispose of wastewater generated by the subject territory.

- d. Existence of Any Social or Economic Communities of Interest  
County Sanitation District No. 22 services an area directly North, East and South of the proposed SOI Amendment territory.
3. Annexation No. 409 to the County Sanitation District No. 22 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 general bonded indebtedness, if any, of the District.
  - d. Except to the extent in conflict with a through c, above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
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 County Sanitation District No. 22.
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 25<sup>th</sup> day of May 2011.

Ayes:

Noes:

Absent:

Abstain:

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

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**PAUL A. NOVAK, Executive Officer**

**Staff Report**

**May 25, 2011**

**Agenda Item No. 4.d.**

**Annexation No. 1047 to Santa Clarita Valley  
Sanitation District of Los Angeles County (SCVSD)**

The following item is a proposal requesting annexation of approximately 7.452± acres of uninhabited territory to the SCVSD. The District, as the applicant of record, adopted a resolution initiating proceedings on October 27, 2009.

**Related Jurisdictional Changes:** There are no related jurisdictional changes.

**Purpose/Background:** All of the owners of real property within the territory have requested, in writing, that the District provide off-site sewage disposal service.

**Proposal Area:** The annexation consists of one existing single-family home located within a residential area. The territory is also currently being developed to include one proposed single-family home.

**Location:** The affected territory is located approximately 450 feet north of Nadal Street and approximately 1,200 feet east of Foxlane Drive, all within City of Santa Clarita.

**Factors of Consideration Pursuant to Government Code Section 56668:**

1. ***Population:*** The current population is 4. The estimated future population after development is 4 residents.
2. ***Registered Voters/Landowners:*** Nok Paljusaj, Pardee Homes.
3. ***Topography:*** The topography is slight slope.
4. ***Zoning, Present and Future Land Use:*** The current zoning is [RL]; Residential Low 2.2 dwelling units per acre. The present and proposed land use is residential.
5. ***Surrounding Land Use:*** The land use in the surrounding territory is residential.
6. ***Pre-zoning and Conformance with the General Plan:*** Pre-zoning is not a requirement for a special district proposal.
7. ***Assessed Value, Tax Transfer:*** The total assessed value of land for Assessor Roll Year 2011 is \$665.798. The affected agencies have adopted a negotiated tax exchange resolution.

8. ***Governmental Services and Control, Availability and Adequacy:*** A portion of the affected territory is already being serviced by the SCVSD. The entire subject territory was included in the future service area that might be served by the SCVSD and the SCVSD's future wastewater management needs were addressed in the 2015 Santa Clarita Valley Joint Sewerage Facilities Plan and EIR. The wastewater generated by the annexation will be treated by the Santa Clarita Valley Joint Sewerage System, which is comprised of the Saugus and Valencia Water reclamation plants. The SCVSD has adequate capacity to collect, treat and dispose of the wastewater generated by the affected territory.
9. ***Effects on Agricultural and Open-Spaced Lands:*** The area will be maintained as agricultural lands. The annexation territory will not have an effect on open pace lands.
10. ***Boundaries and Lines of Assessment:*** The boundaries of this territory have been clearly defined and correspond to lines of assessment or ownership.
11. ***Effects of the Proposal on Adjacent Areas and the County:*** No effects on adjacent areas and the County.
12. ***Sphere of Influence:*** The affected territory is within the sphere of influence of the SCVSD.
13. ***Timely Availability of Water Supplies:*** There are no issues regarding water supply or delivery.
14. ***Regional Housing Needs:*** This proposal has no adverse affect on the Regional Housing Needs Allocation for the County or the City since it is a special district proposal.
15. ***Environmental Justice:*** The proposal will have no adverse effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.
16. ***Comments from Affected Agencies:*** There were no comments from affected agencies.
17. ***Correspondence:*** Staff has received no correspondence regarding this proposal.

**CEQA:** The existing annexation is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a), because it is an annexation containing existing structures developed to the density allowed by the current zoning. The proposed annexation is also categorically exempt from the provisions of the CEQA pursuant to CEQA Guidelines Section 15319(b) because it consists of construction within a residential zone exempted by CEQA Guidelines Section 15303(a).

**Conclusion:** Should the affected territory not be annexed into the SCVSD, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater anticipated to be generated by the affected territory.

**Recommended Action:**

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Approving Annexation No. 1047 to the SCVSD.
4. Pursuant to Government Code Section 57002, set July 13, 2011 at 9:00 a.m., as the date for Commission protest proceedings.

**RESOLUTION NO. 2011-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING**  
**"ANNEXATION NO. 1047 TO**  
**SANTA CLARITA VALLEY SANITATION DISTRICT**  
**OF LOS ANGELES COUNTY (SCVSD)"**

WHEREAS, the SCVSD 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 within City of Santa Clarita; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for one existing single-family home and one proposed single-family home; 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 7.452± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 1047 to the SCVSD"; and

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

WHEREAS, on May 25, 2011, 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 this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a) and (b).
2. Annexation No. 1047 to the SCVSD 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 SCVSD may legally impose.
  - b. The regular County assessment roll is utilized by the SCVSD.
  - c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the SCVSD.
  - d. Except to the extent in conflict with a through c, above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.

3. The Commission hereby sets the protest hearing for July 18, 2011 at 9:00 a.m. and authorizes and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED 25<sup>th</sup> day of May 2011.

Ayes:

Noes:

Absent:

Abstain:

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

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**PAUL A. NOVAK, Executive Officer**

## **Staff Report**

**May 25, 2011**

### **Agenda Item No. 6.a.**

#### **Fee Waiver Policy**

At your meeting of March 9, 2011, your Honorable Commission voted to grant a waiver of LAFCO application fees for changes of organization associated with the proposed adjustment of boundaries between the County of Los Angeles and the County of Orange. At that meeting, the Executive Officer indicated that LAFCO does not have an adopted fee waiver policy and committed to returning at a future meeting with a recommendation (for simplicity, the word “fees” includes fees, deposits, or service charges collected by LAFCO).

This item requests that the Commission approve the enclosed draft Fee Waiver Policy

In developing a recommendation, staff considered Section 56383(d) of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the relevant section of the law governing fee waivers; processing of previous fee waiver requests; and fee waiver policies adopted by other LAFCO’s throughout the State.

The relevant portion of Section 56383(d) allows LAFCO to waive a fee, service charge, or deposit “if it finds that payment would be detrimental to the public interest.” The recommended policy would require applicants to submit a request in writing, stating how payment of the fee would be detrimental to the public interest.

Staff contacted all LAFCO’s in the State, garnering responses from fifteen Executive Officers. Most LAFCO’s approved a fee waiver policy at a public hearing of the Commission, and the policy is available on each respective LAFCO’s web-site, on their fee schedule, and/or in their Policies or Guidelines. Your staff identified only one LAFCO without a formal policy. There is a broad range of fee waiver policies amongst the LAFCO’s that responded.

All of the LAFCO policies make some reference to Section 56383(d), either directly by citation, or by re-stating the “detrimental to the public interest” language in their policy. Because LAFCO is required to make this finding pursuant to State law, this language is included in the draft Fee Waiver Policy.

In addition to the finding, which LAFCO must make, staff feels that there are other factors which LAFCO may wish to consider when considering a fee waiver request:

- Some LAFCO fee waiver policies included language to the effect that the applicant’s ability to pay, or potential adverse economic impact, should be a factor in considering whether to grant a fee waiver request. Staff concurs, and this is included in the attached draft Fee Waiver Policy.
- Given your discussion at the March 9<sup>th</sup> meeting, as well as recent discussions of individual cases filed relative to recommendations in MSR’s, staff feels that LAFCO may wish to

consider whether an application is consistent with recommendations contained in a Municipal Service Review (“MSR”) adopted by LAFCO.

- Because the provisions of Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 are central to every LAFCO decision, staff recommends that consideration be given to whether an application advances the principles of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 relative to logical boundaries.

Some LAFCO fee waiver policies included language discouraging the filing of fee waiver requests. Your staff is not recommending such language.

In terms of other LAFCO’s, there was no consensus in policies in terms of who can grant fee waiver requests. In some counties, all such requests are placed on a LAFCO Commission agenda, while in other counties (i.e., San Diego); the Executive Officer considers all requests.

Staff feels that a “hybrid” approach, utilized in some counties (i.e., San Bernardino) is the most appropriate for LA LAFCO. Staff is therefore recommending a policy which:

- Delegates authority to the Executive Officer to waive or reduce fees in an amount of \$2,500 or less, provided the applicant is not a public agency, and that the Executive Officer informs the Commission of each waiver granted, by placing an informational item on the next available Commission agenda; and
- Requires Commission approval of all fee waiver requests in excess of \$2,500.

In both instances, the required findings and factors would be the same. The fee waiver request and determination would be in writing

Staff’s recommendation would enable the Executive Officer to grant individual fee waiver requests in two particular instances: one, an individual property-owner who is on a septic system and chooses to connect to a public sewer system (in most cases, the LAFCO application fee is \$2,500); and two, when LAFCO’s fee schedule is adjusted, the Executive Officer would have the ability to waive the difference between the amount paid upon application and the then current fee, rather than having to schedule the matter at a Commission hearing.

Staff’s recommendation incorporates appropriate safeguards. For example, the Executive Officer could not waive fees paid by public agencies (only the Commission could). The Executive Officer would not have unlimited fee waiver authority, only within the specified dollar limitation (\$2,500). Lastly, the Commission would be notified of all fee waivers granted by the Executive Officer on a regular basis.

Separate from the fee waiver issue, the Executive Officer is drafting a comprehensive set of Commission By-Laws, Policies, and Procedures for LAFCO, to be presented at a future LAFCO

Commission meeting (or meetings). This draft Fee Waiver Policy, if adopted by your Honorable Commission, would be incorporated therein.

**Recommended Action:**

1. Adopt the enclosed draft Fee Waiver Policy, including delegation of authority to the Executive Officer to waive or reduce fees, service charges, or deposits of \$2,500 or less, within the parameters specified in the attached Policy.
2. Direct the Executive Officer to incorporate the Fee Waiver Policy within LAFCO's fee schedule and publicize the policy on the Commission web-site.

Fee Waiver Policy  
(Adopted May 25, 2011)

The Commission or the Executive Officer may reduce or waive a fee, service charge, or deposit (hereafter, “fee” or “fees”).

The Commission has delegated authority to the Executive Officer to waive or reduce fees in an amount of \$2,500 or less and only for requests from a private party (not from a public agency).

Waiver requests of more than \$2,500 require approval by the Commission.

Consistent with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and in order to grant a fee waiver, the Commission or Executive Officer must make a finding that the payment would be detrimental to the public interest. The reduction or waiver of any fee must be limited to the costs incurred by LAFCO in the processing of an application.

Upon receipt of a written request, the Commission or Executive Officer may consider any of the following factors:

- Whether payment would cause a substantial economic hardship upon the applicant;
- The application is consistent with recommendations in a Municipal Service Review (“MSR”) adopted by LAFCO; and/or
- The application advances the principles of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 relative to logical boundaries.

Applicants interested in securing a fee waiver shall submit a letter to the Executive Officer requesting the waiver. The letter shall indicate how payment of the fee would be detrimental to the public interest, and further identify any of the above-referenced factors.

The Executive Officer will respond in writing within 2 weeks for fee waiver requests of \$2,500 or less. The Commission shall be notified of all fee waivers granted by the Executive Officer as an information item at the next regular meeting of the Commission.

Fee waiver requests of more than \$2,500 will be placed as an action item on the agenda of the next available regular meeting of the Commission. Applicants will be notified in writing within 2 weeks of the Commission action.

**Staff Report**

**May 25, 2011**

**Agenda Item No. 6.b.**

**Alternate Public Member**

**No action is being requested of the Commission. This report is presented for informational purposes only.**

The deadline for applications for the Alternate Public Member is Tuesday May 31, 2011. Chairman Gladbach will appoint an ad hoc committee to review the applications and make recommendations to the Commission.

Pursuant to direction from your Honorable Commission at the April 13<sup>th</sup> meeting, and in order to publicize the vacancy, LAFCO staff has:

- Posted the Notice of Vacancy of Alternate Public Member and Application for Appointment on the Commission's web-site;
- Prepared a press release which the County of Los Angeles transmitted via e-mail to more than 400 media outlets (see sample media coverage, enclosed);
- Mailed copies of the notice and application to County staff, the city managers of all cities in the County, and the general managers of all special districts in the County, asking that they forward the information on to the public;
- Mailed copies of the notice and application to 378 individuals on the County of Los Angeles Department of Regional Planning's public hearing notification list;
- Sent a cover e-mail, notice, and application to the City of Los Angeles Department of Neighborhood Empowerment ("DONE"), which was forwarded via e-mail to 3,000+ contacts on DONE's Neighborhood Council database;
- Sent a cover e-mail, notice, and application to the General Manager of the Southern California Association of Governments ("SCAG");
- Sent a cover e-mail, notice, and application to the General Manager of the Los Angeles County Economic Development Commission ("LAEDC"), asking that they forward the information on to the public;
- Sent a cover e-mail and notice of the vacancy to the Los Angeles County Librarian, who agreed to post the notice on billboards in the 86 County public libraries; and

- Sent a cover e-mail, notice, and application to 101 contacts at chambers of commerce throughout the County, utilizing a list maintained by the County’s Chief Executive Officer (“CEO”).

Staff has received a total of 7 applications as of May 17<sup>th</sup>, 2011. Staff is in the process of notifying 4 of the applicants that they are ineligible due to disqualification for service as members of city or county commissions.

More than 25 parties have contacted LAFCO staff inquiring about the vacancy.



**Staff Report**

**May 25, 2011**

**Agenda Item No. 6c**

**East Los Angeles Incorporation Status Report**

Staff anticipates that Economic & Planning Systems, Inc. (EPS) will finalize the Public Review Comprehensive Fiscal Analysis (CFA) within the next few weeks. The Public Review CFA will be distributed to the Commissioners, the Proponents, and the County on June 17, 2011. Richard Berkson of EPS will be making a presentation of the fiscal analysis findings on June 22, 2011, at a special meeting of the Commission.

The Notice of Availability will be issued on June 23, 2011, thereby initiating the public comment period. The public comment period for the Public Review CFA is scheduled for thirty-nine days and ends on August 1, 2011. During the comment period staff will be conducting two community outreach meetings in East Los Angeles on July 29th and July 30<sup>th</sup>. The Executive Officer's report with recommendations and the Public Hearing CFA will be presented to the Commission at the August 10, 2011 meeting.