

**LOCAL AGENCY FORMATION COMMISSION**  
**SPECIAL MEETING AGENDA**

Wednesday, May 12, 2010  
9:00 a.m.

**Room B28-E**

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. Introduction of newly appointed commissioners:  
**City Regular** (four-year term expiring May 5, 2014)  
David Spence, Councilman, City of La Canada Flintridge.  
  
**Special District Alternate** (four-year term expiring May 5, 2014)  
Lillian Kawasaki, Director, Water Replenishment District of Southern California.
4. **PUBLIC HEARINGS**
  - a. Los Angeles County Waterworks District No. 40 – Annexation No. 2005-02.
  - b. Final Budget for Fiscal Year 2010-2011.

**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. Los Angeles County Sanitation District No. 14 – Annexation No. 397.
- b. Los Angeles County Sanitation District No. 14 – Annexation No. 400.
- c. Los Angeles County Sanitation District No. 20 – Annexation No. 85.
- d. Approve Minutes of April 14, 2010.
- e. Operating Account and Check Register of the month of April 2010.
- f. Receive and file update on pending applications.

**6. OTHER ITEMS**

- a. East Los Angeles Incorporation Report.
- b. Executive Officer Search.
- c. Signatory Authorization – Bank of America.
- d. Reshaping the CALAFCO Board of Directors Election Process.
- e. Commissioner Summit hosted by the Coalition of California LAFCOs at UCLA Lake Arrowhead Conference Center - June 17 and 18, 2010.

**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**

June 9, 2010 (meeting location TBD)  
July 14, 2010  
August 11, 2010  
September 8, 2010

**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**

**May 12, 2010**

**Agenda Item No 4.a.**

**Los Angeles County Waterworks District No. 40  
Annexation No. 2005-02**

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 20.08± acres of vacant land.

**Location:** The site is located at the northwest corner of Avenue H-8 and 75<sup>th</sup> Street West, in the City of Lancaster.

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

1. ***Population:*** The current population is 0.
2. ***Landowner:*** Timber Properties, Ltd.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The terrain is generally flat.
4. ***Zoning, Present and Future Land Use:*** The territory is zoned RR-2.5 Rural Residential, 2.5 dwellings units per acre, the present land use is vacant. Future or proposed land use will remain the same. The subject territory has no proposed development.
5. ***Surrounding Land Use:*** The surrounding territory is vacant land.
6. ***Assessed Value:*** The total assessed value is \$110,406
7. ***Governmental Services and Control, Availability and Adequacy:***  
The City of Lancaster will provide services as provided for 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:** In accordance with the provisions of the California Environmental Quality Act (CEQA), an initial study and Negative Declaration were prepared and circulated for review beginning March 02, 2010. The review period ended on April 1, 2010. Your Commission, acting as lead agency, must consider and adopt the Negative Declaration before it approves this proposal. Comments received, if any, will be provided to your Commission for its consideration along with the Negative Declaration. No comments have been received to date. The Local Agency Formation Commission for Los Angeles County, as lead agency, has filed a Notice of Intent to Adopt a Negative Declaration.

**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 currently has no proposed development. Annexation will ensure that the site will be eligible to receive adequate water service in the future.

**Recommended Action:**

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Consider the Negative Declaration, together with any comments received during the public review process, find that the proposal will not have a significant effect on the environment, find that the Negative Declaration reflects the independent judgment of the Commission, and adopt the Negative Declaration.
4. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2005-02 to Los Angeles County Waterworks District No. 40.

**RESOLUTION NO. 2010-00RMD  
RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR LOS ANGELES COUNTY  
MAKING DETERMINATIONS APPROVING AND ORDERING  
"ANNEXATION NO. 2005-02 TO  
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 Deputy 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 20.08 ± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2005-02 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 Deputy Executive Officer has reviewed the proposal and submitted to the Commission a report, including his recommendations therein; and

WHEREAS on May 12, 2010, 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 Deputy Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, acting in its role as a lead agency with respect to Annexation 2005-02 to Los Angeles County Waterworks District No. 40, pursuant to State CEQA Guidelines Section 15074(b), has considered the Negative Declaration, together with any comments received during the public review process, finds that the proposal will not, have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment of the Commission, and has adopted the Negative Declaration.
2. 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 be taxed for existing bonded indebtedness of the Los Angeles County Waterworks District No. 40.
3. 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.

- 4. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the Los Angeles County Waterworks District No. 40.
- 5. The Deputy 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 12<sup>th</sup> day of May 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**JUNE D. SAVALA,  
Deputy Executive Officer**

## Staff Report

May 12, 2010

### Final Budget – Fiscal Year 2010-2011

#### Agenda Item 4.b.

##### **Background**

Pursuant to Government Code Section 56381, LAFCO must adopt a proposed budget by May 1st and a final budget by June 15th of each year, after conducting a noticed public hearing. 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 26, 2010 meeting, and subsequently transmitted to the local agencies for consideration.

Upon adoption of the attached Final Budget staff will submit the budget to the County Auditor-Controller who will, pursuant to Government Code Section 56381.6, apportion the annual net operating expenses of the commission among the classes of public agencies that select members on the commission.

##### **Workload and Staffing Projections**

###### *Staffing*

In FY 2009-10 the Commission maintained a budgeted staffing level of 7 full-time positions. Maintaining the current level of staff resources will allow continuity in achieving the Commission's core responsibilities of reviewing and processing jurisdictional proposals in a thorough, accurate and expeditious manner.

###### *Workload*

Proposal activity level has been substantially higher for the past two fiscal years. Through the third quarter of the current fiscal year 87 jurisdictional proposals have been submitted, of this amount 50 were approved by the commission (34-Sanitation; 13 County Waterworks; 2 cities, 1 other). We estimate an additional 10-15 proposals will be submitted during the final quarter of the fiscal year.

Forecasts for FY 2010-11 proposal submittals will be comparable to that of the previous fiscal year. There are two significant city proposals that may evolve during FY 2010-11: City of Santa Clarita - Hasley Hills/Valencia Commerce Center annexation; and City of Long Beach - Rancho Dominguez-Alameda Industrial annexation. Moreover, now that the East Los Angeles proponents have submitted the necessary funding for preparation of a Comprehensive Fiscal Analysis (CFA) the resulting workload for this project will also materialize in FY 2010-11.

Staff has also begun coordinating the second cycle of the five-year mandated Municipal Service Reviews/Sphere of Influence updates. This process is ongoing and will continue through the second quarter of fiscal year 2010-11. A \$20,000 appropriation is included in the Municipal Service Reviews Account - 4050, for outsourcing of work on the more involved MSR/SOI projects, should it become necessary.

### **Salaries & Employee Benefits -1000 Series**

Salaries - Account 1010: \$550,000

This account duplicates the FY 2009-10 budgeted positions for a total allocation of \$550,000. The budgeted amount for employee salaries factors in an estimated 4.5% cost-of-living adjustment, estimated at \$23,655.

COLA is based on the annual change in the CPI for Urban Wage Earners and Clerical Workers for Los Angeles-Riverside-Orange County. A search of the Bureau of Labor Statistics website revealed the index fell 2.1 percent from the third quarter of 2008 to the third quarter of 2009. Thus, for FY 2009-10 staff did not receive a COLA adjustment.

Stipends – Account 1020: \$31,800

In July 2009, the Commission implemented a one meeting per month policy. This action reduced the budgeted appropriation by fifty percent or \$24,750, over the same period FY 2008-09. The FY 2010-11 budget appropriation of \$31,800 assumes there will be 15 commissioners in attendance at an estimated 13 meetings. An additional \$2550 is included for attendance at a LAFCO-related meeting.

Payroll Taxes – Account 1030: \$8,000

LAFCO is responsible for paying the employer's share of payroll taxes and depositing the monies collected with the appropriate taxing entity.

Retirement Contribution – Account 1040: \$55,000

The \$55,000 retirement allocation is calculated at an average rate of 10.47% of salaries paid plus those benefits identified as “earnable compensation by the Los Angeles County Retirement Association determinations.

Group Health Insurance – Account 1045: \$93,220

This account allocates full premium subsidy for 7 full-time employees and eligible family members enrolled in the County-sponsored medical and dental plans.

Vacation/Sick Buy-out – Account 1050: \$7,000

Pursuant to the terms of LAFCO employment contracts, employees can convert up to 3 days sick and up to 50% of the accrued vacation benefits every six months. A review of payroll records indicated that, historically, an average of 1.5 employees have converted time to pay each fiscal year.

Worker’s Compensation – Account 1060: \$6,802

This account is for worker’s compensation insurance. LAFCO purchases this insurance through the Special District Risk Management Authority (SDRMA), a joint powers authority. The FY 2009-10 actual payments totaled \$6,802. SDRMA has provided notification that there will be no rate increases during FY 2010-11.

**Office Expense – 2000 Series**

Rent – Account 2010: \$83,000

The office lease provide for a 3% increase on January 1 of each year. In the first two quarters of the fiscal year the monthly rental rate will be \$6,603.68. The final two quarters will show a 3% rate increase to \$6,801.79 per month. There is also a monthly charge of \$104 for storage space (\$1,248/year). The current lease term expires December 31, 2011.

Communications – Account 2020: \$8,000

This account is utilized for local and long distance telephone services provided by the Polaris Company. It is also used for cellular phone services provided by AT&T.

Supplies – Account 2030: \$6,000

LAFCO utilizes a government contract with Office Depot to procure office supplies. The average monthly procurement activity for FY 2009-10 is approximately \$474 per month.

Information Technology/Programming – Account 2040: \$13,000

LAFCO contracts with Digital West for internet, email and security services. Information technology services for normal operational activities are provided by Computer Troubleshooters. The services provided include computer installation, software updates, and daily monitoring of the local area network.

Equipment Rental/Lease – Account 2050: \$32,500

LAFCO leases a color copier from Ricoh Corp., at a monthly rate of \$2,254, plus copy overages. This account is also utilized to lease a postage metering system from NeoPost.

Equipment Maintenance and Supplies – 2060: \$6,000

This account supports equipment leased/purchased under Accounts 2050 and 5010. It accounts for the purchase of toner supplies, monthly preventative maintenance, and unanticipated service calls.

Employee/Other Parking Fees – Account 2070: \$8,700

This account is utilized to pay for employee parking, at a monthly rate of \$92.70 per space for 7 employees. The account is also utilized to purchase parking validations to offset parking costs for guests visiting the LAFCO office.

Other Insurance – Account 2080: \$37,700

This account is for property liability, general liability, and public officials and employees errors and omissions insurance, purchased through Alliant Insurance Service. Auto insurance coverage is purchased through Farmer's Insurance.

Agency Membership Dues – 2090: \$9,100

This account is for membership in professional associations. Dues for CALAFCO, the California Special District Association and the Association of California Water Agencies are not expected to increase.

Miscellaneous – Account 2100: \$6,500

This account is utilized for fees charged for environmental filing, as well as other services not otherwise categorized within the budget.

**Miscellaneous Expense 3000 Series**

Legal Notices – Account 3010: \$10,000

The increased legal notice costs correspond to the increase in proposal activity. Also, the processing of the sphere of influence updates and services reviews will require an eighth-page ad in a newspaper of general circulation when a sphere amendment is proposed.

Publications – Account 3020: \$3,000

This account covers the costs for subscriptions from the Glendale News Press, the Los Angeles Times; updates to the California Legislative Codes; and other updates and/or publications utilized by either staff or the Commission.

Postage – Account 3030: \$6,000

This account is utilized for US Postal Service, FedEx and United Parcel Service mail/package delivery services. Since January 2010 staff has provided attachments to staff reports on CD (except for commissioners requesting hard copies). This effort continues to reduce overall postage costs.

Audio-Visual Service – Account 3040: \$3,000

LAFCO contracts with the County Department of Internal Services to provide audio services at commission meetings. The current rate is \$225 per hour.

Printing Account – Account 3050: \$3,000

This account is for reproduction activity outside of the LAFCO office (Kinko's, Lievano, Inc., and Western Graphix).

Conferences/Travel – Account 3060: \$33,000

This account is for reimbursement for attendance at LAFCO-related conferences/workshops, staff enrichment training, as authorized by the Executive Officer, and other travel. This account is also used for private auto mileage for staff and commissioners, excluding the Executive Officer and Deputy Executive Officer.

Auto-Fuel & Maintenance – Account 3070: \$3,000

This account covers the costs for fuel and maintenance for the LAFCO-owned vehicle.

Auto Reimbursement – Account 3080: \$4,000

This is a budgeted allocation for the Deputy Executive Officer position. It provides \$333 per month as a car allowance.

Various Vendors – Account 3090: \$3,000

LAFCO periodically contracts with companies such as King Data Services (records storage), to provide a specialized service on a monthly basis. The maximum monthly contract amount for any one company is \$150.

**Professional Services – Series 4000**

Legal Services – Account 4010: \$35,000

All legal counsel costs are billable. Billable costs include written advice, document drafting, review of proposals, contracts and service reviews, research and attendance at meetings. This account currently has billable charges of \$21,630 for the period of July 1, 2009 – February 2010. Total year-end charges are estimated to be \$32,000. The recommended budget allocation is \$35,000, which is approximately \$23,180 more than the budgeted amount for FY 2009-10.

Accounting & Bookkeeping - Account 4020: \$35,000

Payroll is processed through Automatic Data Processing (ADP), at an average cost of \$250 per month for regular and stipend payrolls. An additional \$32,000 appropriation is included in this account to cover the costs for the issuance of a Request for Proposals for Audit Services, and subsequent award of contract, subject to commission approval. The last audit performed was for fiscal year ending June 30, 2007.

Special Studies Consultant – Account 4030: \$3,000

This account is for special studies related to jurisdictional proposals. No activity in this account is anticipated.

Contract Services – Account 4040: \$3,000

This account is utilized for outsourcing file scanning services to a licensed LaserFiche service provider. Because of limited staff resources we have been unable to dedicate a staff member to the file scanning process.

Municipal Service Reviews – Account 4050: \$20,000

Staff is in the process of initiating the second round of MSR/SOI studies. This \$20,000 appropriation will be used for outsourcing work on the more involved MSR/SOI projects, should it become necessary.

**Capital Costs – Series 5000**

Computer /Copier/Misc. Equipment – Account 5010: \$5,000

This account is in place should it become necessary to replace equipment that has reached its life expectancy. LAFCO generally upgrades its computers every 3-4 years.

Office Furniture - Account 5020: \$2,000

This account is for replacement office furniture. There is no change in the funding level over FY 2009-10.

Telephone installation - Account 5030: \$1,000

This account is established for replacement of outdated telephone equipment.

Automobile – Account 5040: \$22,000

This account appropriates funding to replace the LAFCO-owned vehicle previously driven by the retired Executive Officer. The vehicle was purchased in June 2006.

Contingency- Account 7000: \$57,816

This account is set at five percent of appropriations, which has been past practice. It was established for unexpected expenditures.

**Revenue – Series 8000**

Filing & Processing Fees – Account 8010: \$150,000

There has been a substantial increase in proposal activity during the current fiscal year. We anticipate a comparable level of activity for FY 2010-11, as the Los Angeles County Sanitation Districts progresses through its backlog of pending annexation proposals.

FY 2009-10 Carryover – Account 8020: \$400,000

A total of \$200,000 is anticipated to carryover from FY 2009-10, with the remaining \$200,000 transferred from Reserves.

**Recommended action:**

1. Open budget hearing and close hearing after receiving public comments.
2. Approve the Final Budget for Fiscal Year 2010-2011.
3. Pursuant to Government Code Section 56381, direct staff to forward the Final Budget to the County Auditor-Controller, who will apportion the net operating expenses among the classes of public agencies that select members on the commission.

## Staff Report

May 12, 2010

### Agenda Item No. 5.a.

#### Annexation No. 397 to County Sanitation District No. 14

The following is a request to annex 13.260± acres of uninhabited territory to Los Angeles County Sanitation District No. 14.

**Proposal Area:** The annexation consists of vacant land, located within a vacant area. The territory is currently being developed to include eight office buildings and a self storage facility.

**Location:** The subject territory is located on Division Street at its intersection with Avenue K, all within the City of Lancaster.

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

1. ***Population:*** The current population is 0.
2. ***Landowner(s):*** Metropolitan Investments LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is [C]; General Commercial. The present land use is vacant. The proposed land use is commercial.
5. ***Surrounding Land Use:*** The surrounding land use is commercial, industrial, and vacant.
6. ***Assessed Value:*** The total assessed value is \$1,560,600.
7. ***Governmental Services and Control, Availability and Adequacy:*** The subject territory is not currently 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 Lancaster Water Reclamation Plant (LWRP) 2020 Facilities Plan. The wastewater generated by the proposed project will be treated at the LWRP. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or open space lands.

9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.
10. ***Sphere of Influence:*** The subject territory is within the sphere of influence of District No. 14.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

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

**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. To date, no subject agency has submitted written demand for notice and hearing on this application pursuant to Government Code Section 56663(b). Based thereon, the Commission may conduct proceedings for the change of organization or reorganization without notice and hearing.

**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:** Should the subject territory not be annexed into the District it would prevent said territory from obtaining off-site sewage disposal services from the Sanitation District.

**Recommended Action:**

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 397 to County Sanitation District No. 14.

**RESOLUTION NO. 2010-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND ORDERING**  
**"ANNEXATION NO. 397 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 in the City of Lancaster; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for eight office buildings and a self storage facility; 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 13.260± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 397 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 12, 2010, 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) and (b), 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 a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with the respect to Annexation No. 397, 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 Lancaster for approval, 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.

3. Annexation No. 397 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.

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. 14.
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 12<sup>th</sup> day of May 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**JUNE D. SAVALA,  
Deputy Executive Officer**

**Staff Report**

**May 12, 2010**

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

**Annexation No. 400 to  
County Sanitation District No. 14**

The following is a request to annex 10.268± acres of uninhabited territory to Los Angeles County Sanitation District No. 14.

**Proposal Area:** The annexation consists of an existing driving range, club house, and a maintenance building located within a commercial area.

**Location:** The subject territory is located on 10<sup>th</sup> Street West approximately 300 feet south of its intersection with Avenue M-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(s):*** 41520 10<sup>th</sup> Street LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is [M-4]; Planned Industrial. The present and proposed land use is Commercial.
5. ***Surrounding Land Use:*** The surrounding land use is vacant.
6. ***Assessed Value:*** The total assessed value is \$2,144,264.
7. ***Governmental Services and Control, Availability and Adequacy:*** The subject 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 capacity to collect, treat, and dispose of the wastewater generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or open space lands.

9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.
10. ***Sphere of Influence:*** The subject territory is within the sphere of influence of District No. 14.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

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

**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. To date, no subject agency has submitted written demand for notice and hearing on this application pursuant to Government Code Section 56663(b). Based thereon, the Commission may conduct proceedings for the change of organization or reorganization without notice and hearing.

**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:** Should the subject territory not be annexed into the District it would prevent said territory from obtaining off-site sewage disposal services from the Sanitation District.

**Recommended Action:**

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 400 to County Sanitation District No. 14.

**RESOLUTION NO. 2010-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND ORDERING**  
**"ANNEXATION NO. 400 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 in the City of Palmdale; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for an existing driving range, club house, and a maintenance building; 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 10.268± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 400 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 12, 2010, 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) and (b), 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 a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with the respect to Annexation No. 400, 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 Palmdale for approval, 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.

3. Annexation No. 400 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.
  
  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. 14.
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 12<sup>th</sup> day of May 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**JUNE D. SAVALA,  
Deputy Executive Officer**

**Staff Report**

**May 12, 2010**

**Agenda Item No. 5.c.**

**Annexation No. 85 to  
County Sanitation District No. 20**

The following is a request to annex 550.095± acres of uninhabited territory to Los Angeles County Sanitation District No. 20.

**Proposal Area:** The annexation consists of vacant land, located within a vacant area. The territory is currently being developed to include 380 proposed single-family homes.

**Location:** The subject territory is located on Barrel Spring Road between 37<sup>th</sup> Street East and 47<sup>th</sup> Street East, all within the City of Palmdale.

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

1. ***Population:*** The current population is 0. The estimated future population after development is 1,391 residents.
2. ***Landowner(s):*** Bushnell Enterprises LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is relatively flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is [SP-17]; Foothill Ranch Specific Plan. The present land use is vacant. The proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is vacant residential.
6. ***Assessed Value:*** The total assessed value is \$512,148.
7. ***Governmental Services and Control, Availability and Adequacy:*** The subject territory is not currently 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 Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan. The wastewater generated by the proposed project will be treated at the PWRP. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or open space lands.

9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.
10. ***Sphere of Influence:*** The subject territory is within the sphere of influence of District No. 20.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

**CEQA** The Supplemental Final Environmental Impact Report certified by the City of Palmdale is adequate for consideration of this proposal.

**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. To date, no subject agency has submitted written demand for notice and hearing on this application pursuant to Government Code Section 56663(b). Based thereon, the Commission may conduct proceedings for the change of organization or reorganization without notice and hearing.

**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:** Should the subject territory not be annexed into the District it would prevent said territory from obtaining off-site sewage disposal services from the Sanitation District.

**Recommended Action:**

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 85 to County Sanitation District No. 20.

**RESOLUTION NO. 2010-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND ORDERING**  
**"ANNEXATION NO. 85 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 20"**

WHEREAS, the County Sanitation District No. 20 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 Palmdale; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 380 proposed 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 550.095± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 85 to County Sanitation District No. 20"; and

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

WHEREAS, on May 12, 2010, 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) and (b), 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 a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with the respect to Annexation No. 85, 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 Supplemental Final Environmental Impact Report certified by the City of Palmdale, 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.

3. Annexation No. 85 to the County Sanitation District No. 20 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.
  
  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. 20.
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 12<sup>th</sup> day of May 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**JUNE D. SAVALA,  
Deputy Executive Officer**

## Staff Report

May 12, 2010

### Agenda Item No. 6.a.

#### East Los Angeles Proposed Incorporation Report

**Background:** On April 29, 2009, after meeting the requirements for a valid signature petition, the East Los Angeles Residents Association (ELARA) proponents submitted an application and fees to LAFCO proposing incorporation of the East Los Angeles community.

Under Government Code 56800, LAFCO is required to prepare a comprehensive fiscal analysis (CFA) on any proposal that includes incorporation; however, the proponents must fund the costs of the analysis. The former Executive Officer informed ELARA that the estimated cost for the CFA would be approximately \$100,000 to \$150,000.

On October 30, 2008, LAFCO issued a request for proposals (RFP) for execution of three CFAs for the probable incorporations of the unincorporated communities of East Los Angeles, Rowland Heights and West Ranch. The East Los Angeles incorporation effort seemed to be gaining the most momentum, and as a result on January 7, 2009 the original RFP was amended to request the performance of the CFA for East Los Angeles only.

#### Timeline

- May 27, 2009: Commission approves the award of a contract to Economic & Planning Systems, Inc. (EPS), in the amount of \$134,710, for preparation of the CFA, with a contract startup date of June 22, 2009, and authorizes the Executive Officer to enter into an agreement with EPS when the funds are deposited with LAFCO.
- June 2, 2009: ELARA notifies LAFCO they have been unable raise sufficient funds to cover the contract pricing, and request LAFCO to pursue a loan from the State Controller, pursuant to provisions of Government Code Section 56383(g).
- June 11, 2009: LAFCO submits a request for a loan to the State Controller.
- June 17, 2009: State Controller notifies LAFCO that the State is unable to identify any appropriation from which a loan could be made, and therefore, the loan request is denied.
- June 19, 2009: EPS extends the contract pricing terms 30 days to July 22, 2009.
- July 16, 2009: EPS grants an additional 60-day extension to September 22, 2009.
- September 8, 2009: ELARA requests a third extension to deposit the funding, stating legislation was pending to fill the funding gap.

- September 9, 2009: EPS extends the contract pricing terms to November 20, 2009.
- December 9, 2009: The Commission approves a final extension to April 29, 2010 (the date corresponding to the one year anniversary of application submittal) for ELARA to submit payment for the CFA; EPS agreed to the final extension of the contract pricing terms.
- December 9, 2009: ELARA is notified that no further extensions will be granted beyond April 29, 2010.

ELARA has sought assistance with funding through the State Legislature. On February 19, 2010 Senator Romero introduced SB1232, legislation which would have required ELARA to deposit, by October 29, 2010, any funds required by LAFCO to complete the CFA process as a condition to continuation of the current incorporation petition. The bill also declared that petition signatures would remain valid through October 29, 2010, and after, if the petition proceeds and is accepted for filing. On April 19, 2010 Senator Romero withdrew this legislation.

Assemblyman Calderon also introduced urgency legislation (AB 711) on February 26, 2010. This bill would transfer \$45,000 from the Environmental Enhancement and Mitigation Program Fund to the General Fund, and appropriate that amount from the General Fund to the Controller for allocation to LAFCO for a loan to ELARA. The bill went to the Assembly for concurrence on April 29, 2010; at that time the legislation was re-referred to the Committee on Local Government. The next meeting of the Assembly Local Government Committee is May 5, 2010.

Although AB 711 is still pending before the Legislature, ELARA has fulfilled their financial obligation for the CFA. A check was delivered to LAFCO on April 29, 2010, for the full contract price of \$134,710. It should be noted that in addition to being responsible for financing the CFA, ELARA is also responsible for funding preparation of the environmental documentation in compliance with the California Environmental Quality Act, filing fees, legal costs, and other incidental costs associated with filing the application. The Commission is not required to continue the incorporation process, once started, if the proponents do not meet their funding obligations.

#### Recommended Action

Authorize the Deputy Executive Officer to execute a contract with Economic & Planning Systems, Inc., after approval as to form by Legal Counsel, for preparation of a Comprehensive Fiscal Analysis for the proposed incorporation of the East Los Angeles community.

**Staff Report**

**May 12, 2010**

**Agenda Item No. 6b**

**Executive Officer Search**

As of April 26, 2010, notice of the attached LAFCO Executive Officer Recruitment Announcement has been published in the following websites and publications:

- LAFCO for Los Angeles County
- CALAFCO
- CSAC (California State Association of Counties)
- League of Cities (online Western City Magazine)
- LA Times
- Daily News
- Daily Breeze
- San Gabriel Valley Tribune
- Newhall Signal

The Recruitment Announcement has also been sent to:

- Gateway Cities Council of Governments
- San Gabriel Valley Council of Governments
- South Bay Cities Council of Governments
- Westside Cities Council of Governments
- California Contract Cities Association
- Independent Cities Association
- All LAFCO Executive Officers
- Los Angeles Economic Development Corporation
- Southern California Association of Governments

As indicated in the attached Recruitment Announcement, the application filing period closes on June 30, 2010.

**Recommendation:**

Receive and file.