

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, June 13, 2012
9:00 a.m.

Room 381B
Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles 90012

A person with a disability may contact the LAFCO office at (626) 204-6500 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.

1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH.**
3. **PUBLIC HEARINGS**
 - a. Quartz Hill Water District – Sphere of Influence Amendment No. 2012-16.
 - b. Quartz Hill Water District – Out-of-Agency Service Agreement No. 2012-17.
4. **PROTEST HEARINGS**
 - a. Los Angeles County Sanitation District No. 14 – Annexation No. 322.
 - b. Los Angeles County Sanitation District No. 14 – Annexation No. 358.
 - c. Los Angeles County Sanitation District No. 14 – Annexation No. 363.
 - d. Los Angeles County Sanitation District No. 14 – Annexation No. 368.
 - e. Los Angeles County Sanitation District No. 14 – Annexation No. 379.
 - f. Los Angeles County Sanitation District No. 20 – Annexation No. 83.
 - g. Santa Clarita Valley Sanitation District of Los Angeles County – Annexation No. 1032.

5. **DELEGATED PROTEST HEARINGS HELD ON MAY 14, 2012**

- a. City of Santa Clarita Annexation No. 2010-10 (Copperstone),
- b. Annexation No. 2011-20 (Vista Canyon/Fair Oaks/Jakes Way),
- c. Annexation No. 2011-03 (Elsmere Canyon).

6. **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 May 9, 2012.
- b. Operating Account and Check Register for the month of May 2012.
- c. Receive and file update on pending applications.

7. **OTHER ITEMS**

- a. Independent Auditor's Report – Fiscal Year 2010-11.
- b. Award of contract for Financial Audit Services for Fiscal Years 2011-2012, 2012-2013, 2013-2014 and 2014-2015.
- c. Request for Statement of Qualifications – As-Needed Alternate Legal Counsel.

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 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**

July 11, 2012
August 8, 2012
September 12, 2012
October 10, 2012

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.

12. **ADJOURNMENT MOTION**

Staff Report

June 13, 2012

Agenda Item No. 3.a.

**Quartz Hill Water District
Sphere of Influence Amendment
No. 2012-16**

The following item is a proposal to amend the sphere of influence boundary of Quartz Hill Water District.

Related Jurisdictional Changes: There are no related jurisdictional changes.

Purpose / Background: On May 10, 2012 Quartz Hill Water District adopted Resolution No. 12-0510a to initiate an application to amend their sphere of influence to meet the immediate and future need for water for a newly constructed religious center. Annexation to the district is pending.

Proposal Area: The amendment consists of 4.89 acres of uninhabited territory.

Location: The subject territory is located north of Avenue M and west of 30th Street West, in the City of Lancaster.

Determinations in accordance with Government Code Sections 56428 and 56425:

- a. **Present and Planned Land Uses in the Area**
The affected territory has been developed into a religious center.
- b. ***Present and Probable Need for Public Facilities and Services in the Area***
The subject territory is part of the City of Lancaster and receives general governmental services, including land use planning and regulation, law enforcement, fire protection, road maintenance and other services from the City and other special districts.
- c. ***Present Capacity of Public Facilities and Services***
Quartz Hill Water District had adequate capacity and infrastructure to meet current demands. The District has planned improvements to upgrade its current system to meet future needs.
- d. ***Existence of Any Social or Economic Communities of Interest***
The subject territory is located within the City of Lancaster.

CEQA: Approval of the proposed sphere of influence amendment is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15332, as the project consists of in-fill development meeting the requirements of that section.

Conclusion: Staff recommends amending the sphere of influence as requested as it promotes the logical and orderly development of areas within the sphere of influence.

Recommended Action:

- 1) Open the public hearing and receive testimony on the proposal.
- 2) Close the public hearing.
- 3) Confirm that the Quartz Hill Water District has been required to file a written statement with the Commission specifying the functions or classes of services provided by that special district and that the Commission establishes that the class and nature of services as specified in that statement are provided by the Quartz Hill Water District.
- 4) Adopt the Resolution Making Determinations Amending the Sphere of Influence of Quartz Hill Water District No. 2012-16.

RESOLUTION NO. 2012-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS AMENDING
"QUARTZ HILL WATER DISTRICT
SPHERE OF INFLUENCE AMENDMENT NO. 2012-16"

WHEREAS, the Quartz Hill Water District adopted a resolution of application to initiate proceedings before the Local Agency Formation Commission for the County of Los Angeles (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 amendment of the sphere of influence of certain territory in the County of Los Angeles; and

WHEREAS, the proposed amendment 4.89± acres of uninhabited territory in the City of Lancaster and is assigned the following distinctive short form designation: "Quartz Hill Water District Sphere of Influence Amendment No. 2012-16"; and

WHEREAS, a map of the updated Sphere of Influence of the Quartz Hill Water District is set forth in Exhibits "A", attached hereto and by this reference incorporated herein; and

WHEREAS on June 13, 2012 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 approval of the proposed out-of-agency service agreement is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15332.
2. The Commission hereby amends the Sphere of Influence of Quartz Hill Water District and makes the following determinations in accordance with Government Code Section 56425:
 - a. Present and planned land uses in the area:

The affected territory has been developed into a religious center.
 - b. Present and probable need for public facilities and services:

The affected territory is part of the City of Lancaster and receives general services, including land use planning and regulation, law enforcement, fire protection, road maintenance and other services from the City and other special districts.
 - c. The present capacity of public facilities:

Quartz Hill Water District had adequate capacity and infrastructure to meet current demands. The District has planned improvements to upgrade its current system to meet future needs.
 - d. The existence of any social or economic communities of interest:

The affected territory is located within the City of Lancaster.

3. A map of the amended Sphere of Influence, as approved by the Commission, are set forth in Exhibits "A" , attached hereto and by this reference incorporated herein.
4. The Commission has complied with Section 56425 (i) of the Government Code to establish functions and classes of service provided by the special district.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District.

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

Noes:

Absent:

Abstain:

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

Paul A. Novak, AICP
Executive Officer

Staff Report

June 13, 2012

Agenda Item No. 3.b.

**Quartz Hill Water District
Out-of-Agency Service Agreement
No. 2012-17**

The following item is a proposal requesting approval of an out-of-agency service agreement for the Quartz Hill Water District, pursuant to Government Code Section 56133(b).

Related Jurisdictional Changes: There are no related jurisdictional changes.

Purpose / Background: The Antelope Valley Sikh Center requested in writing that the Quartz Hill Water District provide a reliable source of water for the religious center. An out-of-agency service agreement is needed for the district to provide services outside its jurisdictional boundaries.

Proposal Area: The agreement consists of 4.89 acres of uninhabited territory.

Location: The affected territory is located north of Avenue M and west of 30th Street West, in the City of Lancaster.

Issues: The agreement will allow the Antelope Valley Sikh Center to receive water services. The total monthly charge for water sold to customers outside the district boundary shall be 150% of that of customers who are within the district boundary.

Annexation is pending for the affected territory. LAFCO received Annexation 2010-09 to Quartz Hill Water District on May 2, 2011. The Chief Executive Office is currently working on the tax transfer resolution and is estimated to be complete within the next 9 to 12 months.

CEQA: Approval of the proposed out-of-agency service agreement is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15332, as the project consists of in-fill development meeting the requirements of that section.

Sphere of Influence: Consistent with the Commission's approval of the SOI amendment under Agenda Item 3.a., the affected territory is within the sphere of influence of the Quartz Hill Water District.

Conclusion: Staff recommends approval of this out-of-agency service agreement request.

Recommended Action:

1. Open the public hearing and receive public testimony.
2. Close the public hearing.
3. Adopt the Resolution Making Determination Approving "Quartz Hill Water District Out-of-Agency Service Agreement No. 2012-17".

**RESOLUTION NO. 2012-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING
"QUARTZ HILL WATER DISTRICT
OUT-OF-AGENCY SERVICE AGREEMENT NO. 2012-17"**

WHEREAS, the Quartz Hill Water District adopted a resolution of application to initiate proceedings before the Local Agency Formation Commission for the County of Los Angeles (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 an out-of-agency service agreement of certain territory in the County of Los Angeles; and

WHEREAS, the proposed agreement consists of the provision of water services to approximately 4.89± acres of uninhabited territory, and is assigned the following distinctive short form designation: "Quartz Hill Water District Out-of-Agency Service Agreement No. 2012-17"; and

WHEREAS, a map of the proposal is set forth in Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the principal reason for this agreement is for the district to provide a reliable source of water outside its jurisdictional boundaries; and

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

WHEREAS on June 13, 2012 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 approval of the proposed out-of-agency service agreement is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines section 15332.
2. Pursuant to Government Code Section 56133(b), the Commission hereby authorizes the Quartz Hill Water District to enter into an out-of-agency service agreement to water services to the Antelope Valley Sikh Center, which is outside its jurisdictional boundaries but within its sphere of influence, in anticipation of a later change of organization.
3. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the Quartz Hill Water District.

Resolution No. 2012-00RMD
Page 3

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

Noes:

Absent:

Abstain:

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

Paul A. Novak, AICP
Executive Officer

Staff Report

June 13, 2012

Agenda Item No. 4.a.

Protest Hearing on Annexation No. 322 to Los Angeles County Sanitation District No. 14

On April 11, 2012 your Commission approved a request initiated by Los Angeles County Sanitation District No. 14 to annex 101.046± acres of inhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of 91 existing single-family homes and 130 proposed single-family homes located within a residential area.

Location: The affected territory has two parcels. Parcel 1 is located at the southwest corner of Avenue M and 70th Street West. Parcel 2 is located on 70th Street West approximately ¼ mile south of Avenue M, all within the City of Palmdale ("City").

Population: The current population is 333. The estimated future population is 809 residents after development per the applicant.

Landowners/Registered Voters: There are numerous owners of record. As of April 6, 2010 there were 169 registered voters.

Topography, Natural Boundaries and Drainage Basins: The topography has a slight slope.

Zoning, Present and Future Land Use: The current zoning is [R-1-13000]; Single-Family Residential. The present and proposed land use is residential.

Surrounding Land Use: The land use in the surrounding territory is vacant residential and residential.

Assessed Value: The total assessed value is \$38,974,364.

Governmental Services and Control, Availability and Adequacy: A portion of the subject territory is already being serviced by the District. The entire 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 will be treated at the LWRP. The District has or will have adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.

Effects on agricultural or open-space lands: The proposal will not have an effect on agricultural or open space lands.

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

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

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

CEQA: The Mitigated Negative Declaration adopted by the City of Palmdale is adequate for consideration of this proposal.

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists, ordering Annexation No. 322 to Los Angeles County Sanitation District No. 14 directly, or ordering the annexation subject to confirmation by the registered voters of the affected territory.

**RESOLUTION NO. 2012-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 322 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14"**

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within the City of Palmdale to the Los Angeles Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 91 existing single-family homes and 130 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 101.046± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 322 to County Sanitation District No. 14"; and

WHEREAS, on April 11, 2012, the Commission approved Annexation No. 322 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 169 and the number of property owners is 217 and the total assessed value of land within the affected territory is \$38,974,364.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 322 to County Sanitation District No. 14 and not withdrawn is ___, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of the land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 14.
 - 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

Noes:

Absent:

Abstain:

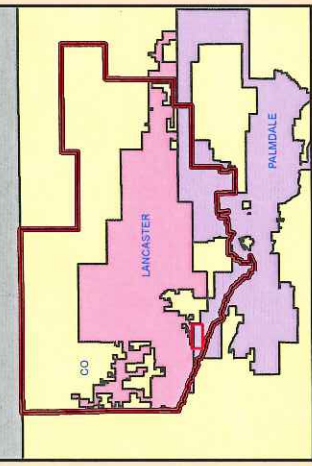
**LOCAL AGENCY FORMATION COMMISSION FOR THE
COUNTY OF LOS ANGELES**

PAUL A. NOVAK, AICP
Executive Officer



- Los Angeles County Sanitation District No. 14
- City of Palmdale
- CSD Annexation 14-322
- Sphere of Influence, CSD 14

Annexation No. 322 County Sanitation District No. 14



Staff Report

June 13, 2012

Agenda Item No. 4.b.

Protest Hearing on Annexation No. 358 to Los Angeles County Sanitation District No. 14

On May 9, 2012 your Commission approved a request initiated by Los Angeles County Sanitation District No. 14 to annex 175.931± acres of uninhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of vacant land and is located within a vacant area. The territory is being developed to include 631 proposed single-family homes.

Location: The affected territory is located south of Avenue H between 90th Street West and 80th Street West, all within the City of Lancaster.

Population: The current population is 0. The estimated future population is 1,578 per the applicant.

Landowners/Registered Voters: Be California One LLC. As of March 9, 2006 there were no registered voters.

Topography, Natural Boundaries and Drainage Basins: The topography is flat.

Zoning, Present and Future Land Use: The current zoning is [R-7000]; Single-Family Residential. The present land use is vacant; the proposed land use residential.

Surrounding Land Use: The land use in the surrounding territory is residential.

Assessed Value: The total assessed value is \$7,432,164.

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.

Effects on agricultural or open-space lands: The proposal will not have an effect on agricultural or open space lands.

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

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

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

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

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists or ordering Annexation No. 358 to Los Angeles County Sanitation District No. 14 directly if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

**RESOLUTION NO. 2012-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 358 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14"**

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within the City of Lancaster to the Los Angeles County Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 631 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 175.931± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 358 to County Sanitation District No. 14"; and

WHEREAS, on May 9, 2012, the Commission approved Annexation No. 358 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly if there is no majority protest.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 0 and the number of property owners is 1 and the total assessed value of land within the affected territory is \$7,432,164.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 358 to County Sanitation District No. 14 and not withdrawn is ___, which, even if valid, represents owners of land who own less than 50 percent of the total assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 14.
 - 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

Noes:

Absent:

Abstain:

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

PAUL A. NOVAK, AICP
Executive Officer

Staff Report

June 13, 2012

Agenda Item No. 4.c.

Protest Hearing on Annexation No. 363 to Los Angeles County Sanitation District No. 14

On May 9, 2012 your Commission approved a request initiated by Los Angeles County Sanitation District No. 14 to annex 20.050± acres of inhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of 53 existing single-family homes within a residential area. The territory is being developed to include 24 additional proposed single-family homes.

Location: The affected territory is located on Avenue K at its intersection with 60th Street West, all within the City of Lancaster.

Population: The current population is 239.

Landowners/Registered Voters: There are numerous owners of record. As of December 14, 2009 there were 56 registered voters.

Topography, Natural Boundaries and Drainage Basins: The topography is flat.

Zoning, Present and Future Land Use: The current zoning is [R-7000]; Single-Family Residential. The present and proposed land use residential.

Surrounding Land Use: The land use in the surrounding territory is residential and vacant residential.

Assessed Value: The total assessed value is \$14,866,616.

Governmental Services and Control, Availability and Adequacy: A portion of the subject territory is already being serviced by the District. The entire 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 will be treated at the LWRP. The District has adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.

Effects on agricultural or open-space lands: The proposed annexation will not have an effect on agricultural or open space lands.

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

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

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

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

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists, ordering Annexation No. 363 to Los Angeles County Sanitation District No. 14 directly or ordering the annexation subject to confirmation by the registered voters of the affected territory.

**RESOLUTION NO. 2012-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 363 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14"**

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within the City of Lancaster to the Los Angeles County Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 53 existing single-family homes and 24 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 20.050± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 363 to County Sanitation District No. 14"; and

WHEREAS, on May 9, 2012, the Commission approved Annexation No. 363 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 56 and the number of property owners is 77 and the total assessed value of land within the affected territory is \$14,866,616.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 363 to County Sanitation District No. 14 and not withdrawn is ___, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 14.
 - 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

Noes:





Absent:

Abstain:

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

PAUL A. NOVAK, AICP
Executive Officer

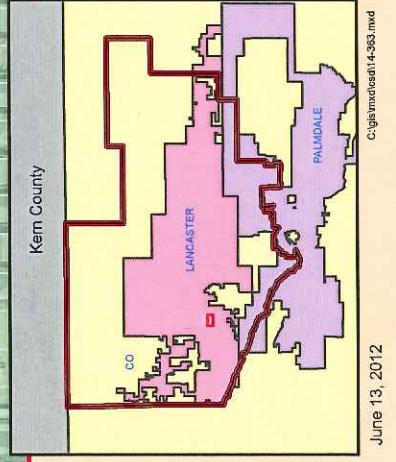


-  Los Angeles County Sanitation District No. 14
-  City of Lancaster
-  CSD Annexation 14-363
-  Sphere of Influence, CSD 14

Annexation No. 363 County Sanitation District No. 14



LAFCO
Local Agency Formation Commission
for the County of Los Angeles



June 13, 2012

C:\gdm\l06\14-363.mxd

Staff Report

June 13, 2012

Agenda Item No. 4.d.

Protest Hearing on Annexation No. 368 to Los Angeles County Sanitation District No. 14

On April 11, 2012 your Commission approved a request initiated by Los Angeles County Sanitation District No. 14 to annex 5.410± acres of uninhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of 4 existing single-family homes located within a residential area.

Location: The affected territory has 3 Parcels. Parcel 1 is located on Avenue M-8 approximately 600 feet east of 55th Street West; Parcel 2 and 3 are located on Avenue M-8 approximately 1,350 feet east of 55th Street West, all within the City of Palmdale ("City").

Population: The current population is 12.

Landowners/Registered Voters: There are numerous owners of record. As of December 22, 2009 there were 10 registered voters.

Topography, Natural Boundaries and Drainage Basins: The topography is flat.

Zoning, Present and Future Land Use: The current zoning is [A-1-10000]; Light Agricultural Zone. The present and proposed land use is residential.

Surrounding Land Use: The land use in the surrounding territory is residential.

Assessed Value: The total assessed value is \$841,265.

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.

Effects on agricultural or open-space lands: The proposal will not have an effect on agricultural or open space lands.

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

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

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

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.

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists or ordering Annexation No. 368 to Los Angeles County Sanitation District No. 14 directly if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

**RESOLUTION NO. 2012-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 368 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14"**

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within the City of Palmdale to the Los Angeles Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 91 existing single-family homes and 130 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 5.410± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 368 to County Sanitation District No. 14"; and

WHEREAS, on April 11, 2012, the Commission approved Annexation No. 368 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly if there is no majority protest.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 10 and the number of property owners is 4 and the total assessed value of land within the affected territory is \$841,265.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 368 to County Sanitation District No. 14 and not withdrawn is ___, which, even if valid, represents owners of land who own less than 50 percent of the total assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 14.
 - 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

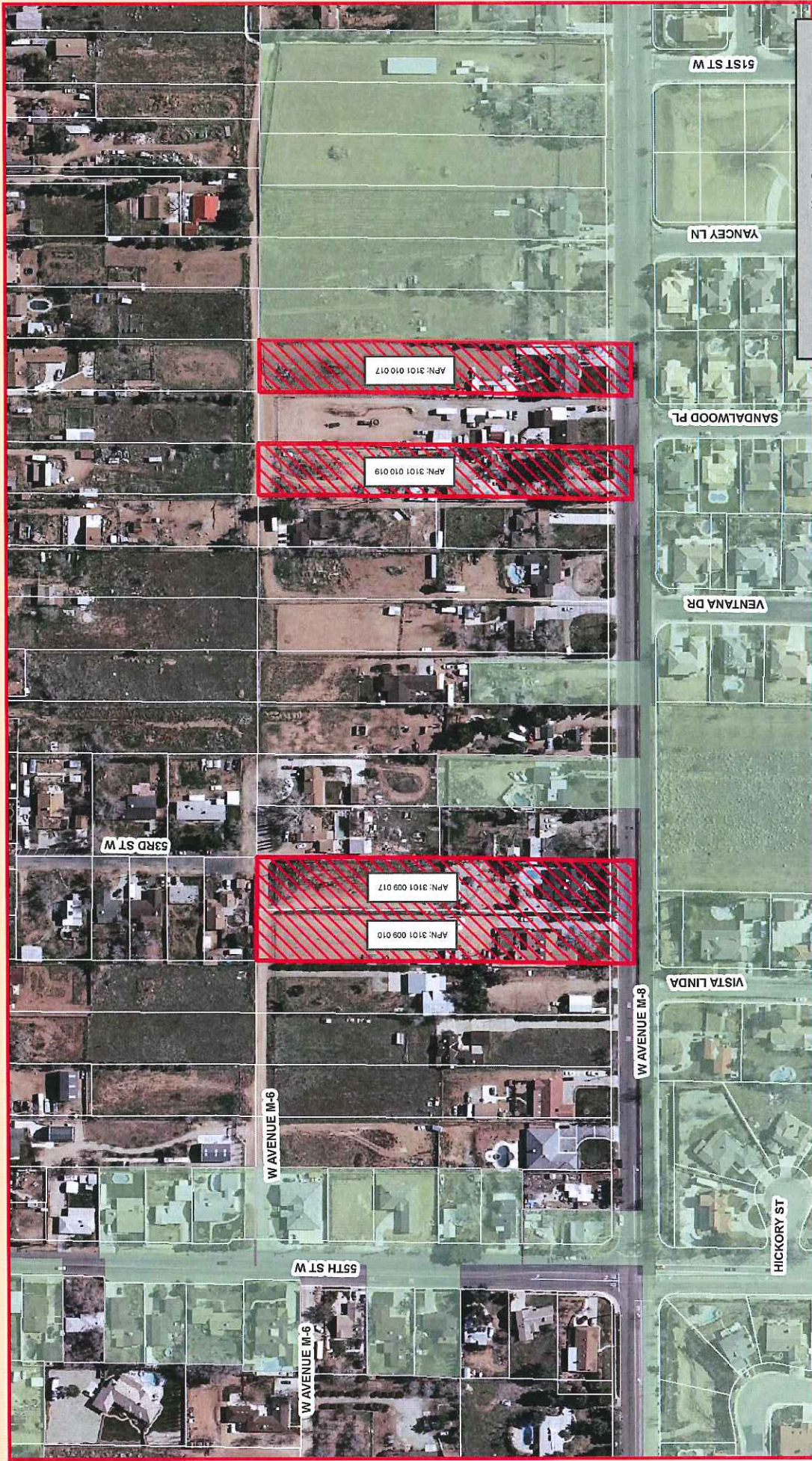
Noes:

Absent:

Abstain:

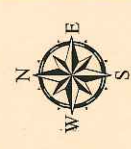
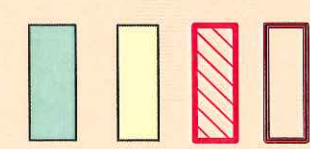
**LOCAL AGENCY FORMATION COMMISSION FOR THE
COUNTY OF LOS ANGELES**

PAUL A. NOVAK, AICP
Executive Officer

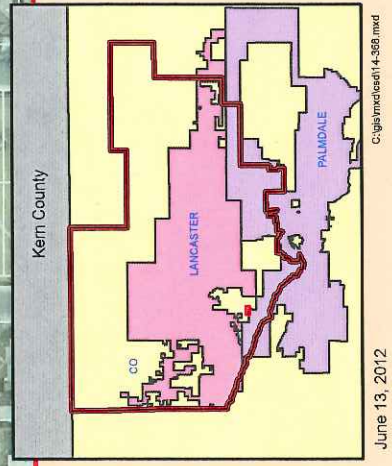


Annexation No. 368 County Sanitation District No. 14

- Los Angeles County Sanitation District No. 14
- Unincorporated County Territory
- CSD Annexation 14-368
- Sphere of Influence, CSD 14



LAFCO
Local Agency Formation Commission
For The County of Los Angeles



Staff Report

June 13, 2012

Agenda Item No. 4.e.

Protest Hearing on Annexation No. 379 to Los Angeles County Sanitation District No. 14

On May 9, 2012 your Commission approved a request initiated by Los Angeles County Sanitation District No. 14 to annex 5.152± acres of uninhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of a commercial building located within an industrial area. The territory has been developed to include a shopping center and a restaurant.

Location: The affected territory is located at the southeast corner of Avenue L and 10th Street West, all within the City of Lancaster.

Population: The current population is 0.

Landowners/Registered Voters: Cft Developments LLC. As of June 2, 2010 there were no registered voters.

Topography, Natural Boundaries and Drainage Basins: The topography is relatively flat.

Zoning, Present and Future Land Use: The current zoning is [LI]; Light Industrial. The present and proposed land use is commercial.

Surrounding Land Use: The land use in the surrounding territory is industrial, commercial and residential.

Assessed Value: The total assessed value is \$5,730,796.

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.

Effects on agricultural or open-space lands: The proposal will not have an effect on agricultural or open space lands.

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

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

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

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 an existing structure developed to the density allowed by the current zoning.

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists or ordering Annexation No. 379 to Los Angeles County Sanitation District No. 14 directly if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

**RESOLUTION NO. 2012-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 379 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14"**

WHEREAS, the Los Angeles County Sanitation District No. 14 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within the City of Lancaster to the Los Angeles County Sanitation District No. 14; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for a shopping center and a restaurant; and

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

WHEREAS, the territory consists of 5.152± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 379 to County Sanitation District No. 14"; and

WHEREAS, on May 9, 2012, the Commission approved Annexation No. 379 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly if there is no majority protest.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 0 and the number of property owners is 1 and the total assessed value of land within the affected territory is \$5,730,796.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 379 to County Sanitation District No. 14 and not withdrawn is ___, which, even if valid, represents owners of land who own less than 50 percent of the total assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 14.
 - 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

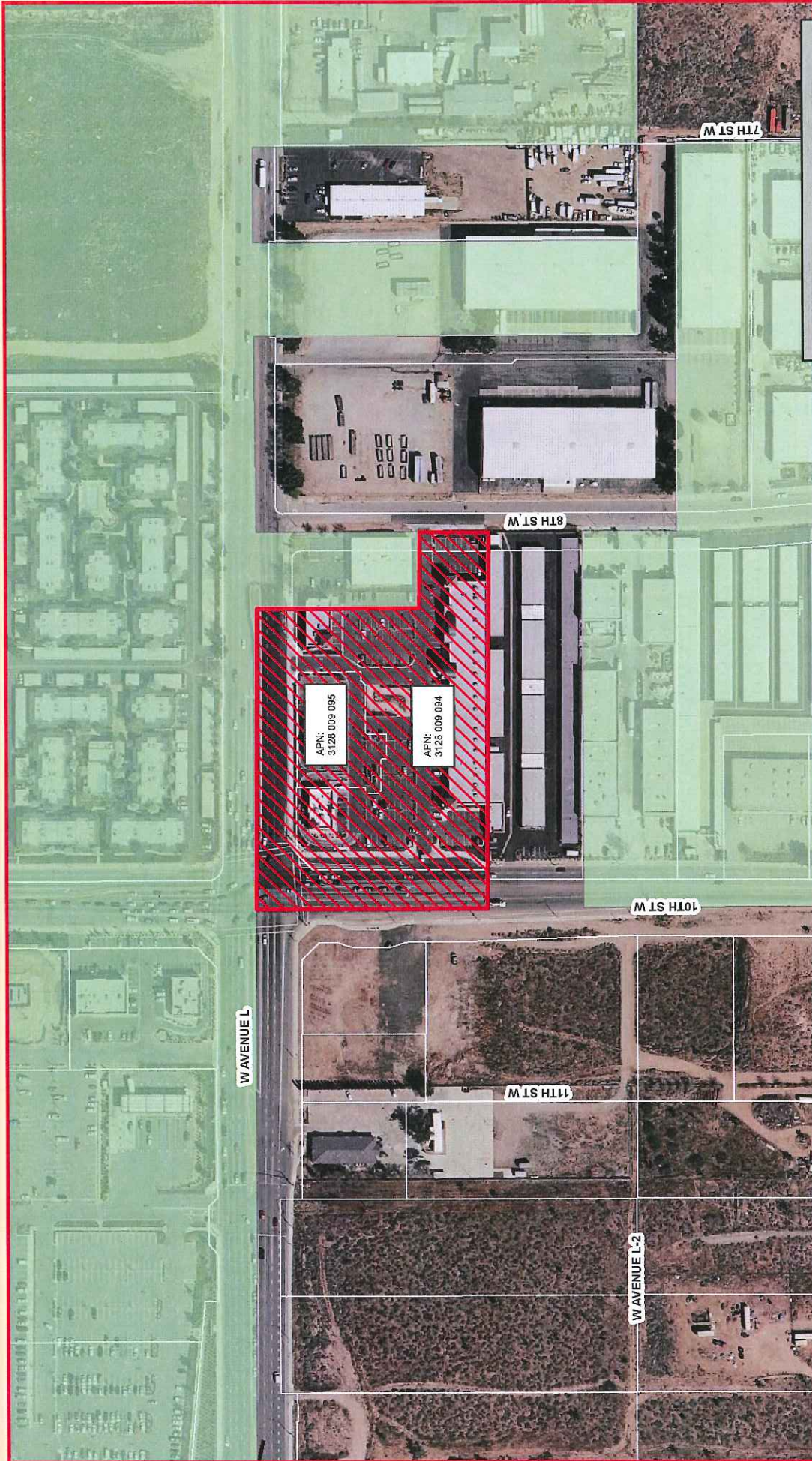
Noes:





Absent:

Abstain:

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

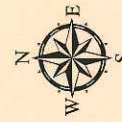
PAUL A. NOVAK, AICP
Executive Officer



-  Los Angeles County Sanitation District No. 14
-  City of Lancaster
-  CSD Annexation 14-379
-  Sphere of Influence, CSD 14

Annexation No. 379

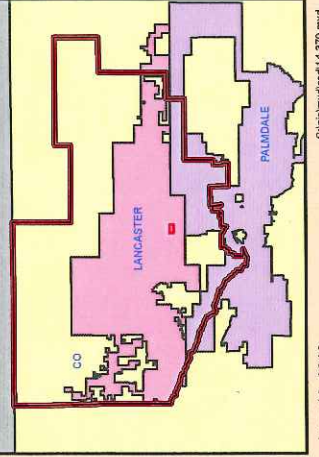
County Sanitation District No. 14



LAFCO
Local Agency Formation Commission
for the County of Los Angeles



Kern County



June 13, 2012

C:\gdm\lscash\4-379.mxd

Staff Report

June 13, 2012

Agenda Item No. 4.f.

Protest Hearing on Annexation No. 83 to Los Angeles County Sanitation District No. 20

On April 11, 2012 your Commission approved a request initiated by Los Angeles County Sanitation District No. 20 to annex 100.490± acres of inhabited territory into the boundaries of District No. 20. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of 204 existing single-family homes and 169 proposed single-family homes located within a residential and vacant area.

Location: The affected territory is located on the south side of Avenue R, between 65th Street East and 70th Street East, all within the City of Palmdale ("City").

Population: The current population is 495.

Landowners/Registered Voters: There are numerous owners of record. As of November 25, 2009 there were 197 registered voters.

Topography, Natural Boundaries and Drainage Basins: The topography is flat.

Zoning, Present and Future Land Use: The current zoning is [R-1-7000]; Single-Family Residential. The present and proposed land use is residential.

Surrounding Land Use: The land use in the surrounding territory is residential and vacant.

Assessed Value: The total assessed value is \$56,649,660.

Governmental Services and Control, Availability and Adequacy: A portion of the subject territory is already being serviced by the District. The entire 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 annexation will be treated at the PWRP. The District has adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.

Effects on agricultural or open-space lands: The proposed annexation will not have an effect on agricultural or open space lands.

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

Sphere of Influence: The affected territory is within the sphere of influence of District No. 20.

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

CEQA: The Mitigated Negative Declaration adopted by the City of Palmdale is adequate for consideration of this proposal.

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists, ordering Annexation No. 83 to Los Angeles County Sanitation District No. 20 directly, or ordering the annexation subject to confirmation by the registered voters of the affected territory.

RESOLUTION NO. 2012-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 83 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 20"

WHEREAS, the Los Angeles County Sanitation District No. 20 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within the City of Palmdale to the Los Angeles County Sanitation District No. 20; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 204 existing single-family homes and 169 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 100.490± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 83 to County Sanitation District No. 20"; and

WHEREAS, on April 11, 2012, the Commission approved Annexation No. 83 to County Sanitation District No. 20; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly, or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 197 and the number of property owners is 378 and the total assessed value of land within the affected territory is \$56,649,660.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 83 to County Sanitation District No. 20 and not withdrawn is ___, which, even if valid, represents less than 25 percent of the number of registered voters residing in the boundaries of the affected territory , and less than 25 percent of the number of the owners of land who also own at least 25 percent of the assessed value of the land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 20.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 20 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 20.
 - c. The affected territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 20.
 - 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

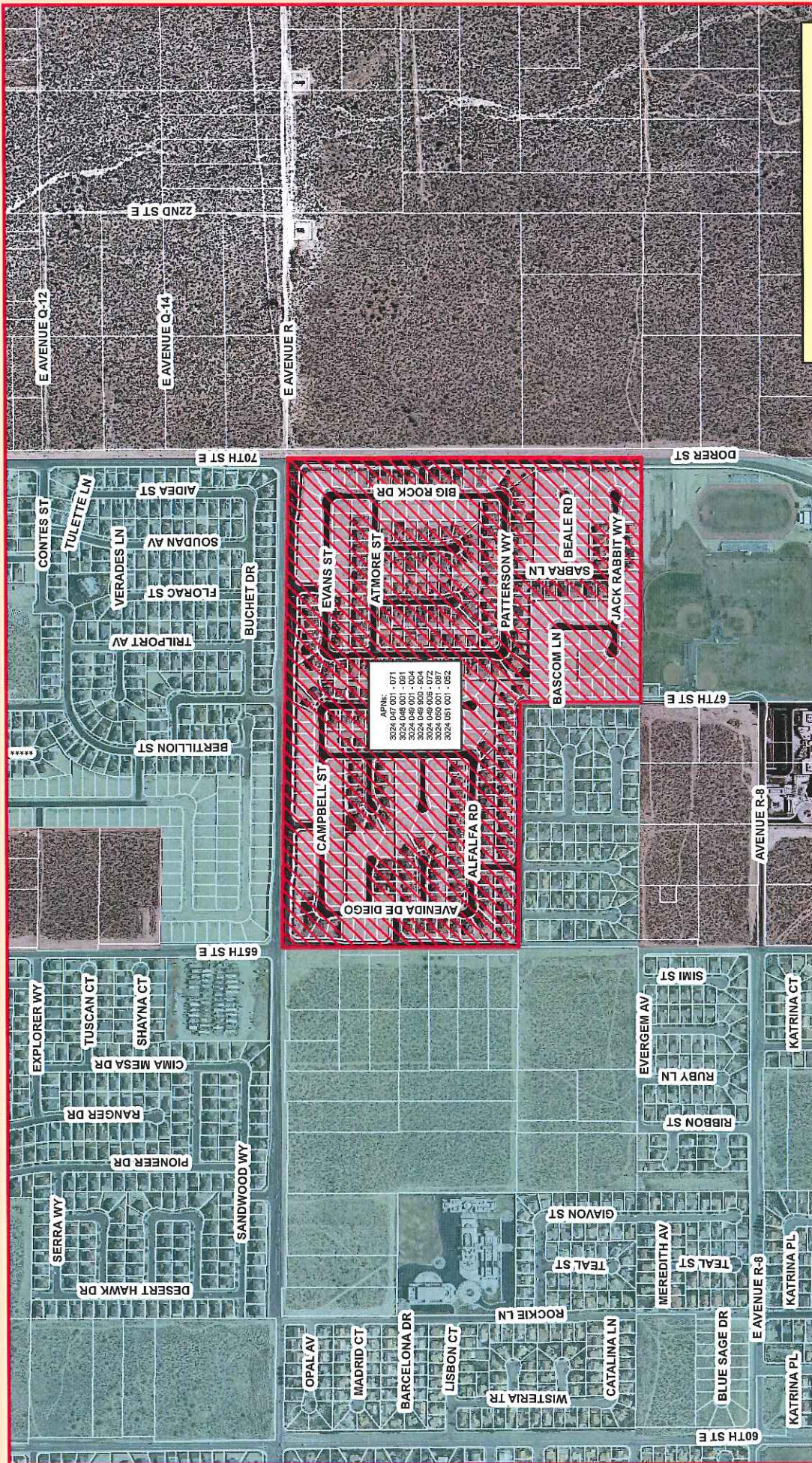
Noes:

Absent:

Abstain:

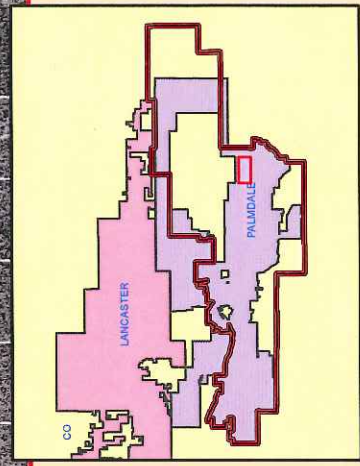
**LOCAL AGENCY FORMATION COMMISSION FOR THE
COUNTY OF LOS ANGELES**

PAUL A. NOVAK, AICP
Executive Officer



Annexation No. 83 County Sanitation District No. 20

- Los Angeles County
Sanitation District No. 20
- City of Palmdale
- CSD Annexation 20-83
- Sphere of Influence, CSD 20



Staff Report

June 13, 2012

Agenda Item No. 4.g.

Protest Hearing on Annexation No. 1032 to The Santa Clarita Valley Sanitation District of Los Angeles County (SCVSD)

On May 9, 2012 your Commission approved a request initiated by the Santa Clarita Valley Sanitation District of Los Angeles County to annex 23.930± acres of inhabited territory into the boundaries of the SCVSD. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

Proposal Area: The annexation consists of seven single-family homes located within a residential area. The territory is being developed to include 4 additional proposed single-family homes.

Location: The affected territory has 7 Parcels. Parcel 1 is located on Oak Bluff Canyon Road at its intersection with Sand Canyon Road; Parcel 2 is located on Sand Canyon Road approximately 600 feet south of Live Oak Springs Canyon Road; Parcel 3 and 4 are located on Sand Canyon Road approximately 1,600 feet and 1,950 south of Live Oak Springs Canyon Road; Parcel 5 and 6 are located on Sand Canyon Road approximately 900 feet and 300 feet north of Condor Ridge Road; and Parcel 7 is located on Sand Canyon Road approximately 400 feet south of Sultus Street, all within the City of Santa Clarita.

Population: The current population is 25.

Registered Voters/Landowners: There are numerous owners of record. As of December 10, 2009 there were 13 registered voters residing within the affected territory.

Topography, Natural Boundaries and Drainage Basins: The topography is flat.

Zoning, Present and Future Land Use: The current zoning is [RE]; Residential Estate. The present land use is residential and vacant residential. The proposed land use is residential.

Surrounding Land Use: The land use in the surrounding territory is residential.

Assessed Value: The total assessed value is \$8,776,626.

Governmental Services and Control, Availability and Adequacy: A portion of the subject 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 subject territory..

Effects on agricultural or open-space lands: The proposal will not have an effect on agricultural or open space lands.

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

Sphere of Influence: The affected territory is within the sphere of influence of SCVSD.

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

CEQA: The proposed 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 annexation of individual small parcels of the minimum size for facilities exempted by CEQA Guidelines Section 15303.

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists, ordering Annexation No. 1032 to the Santa Clarita Valley Sanitation District of Los Angeles County directly or ordering the annexation subject to confirmation by the registered voters of the affected territory.

**RESOLUTION NO. 2011-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 1032 TO THE
SANTA CLARITA VALLEY SANITATION DISTRICT
OF LOS ANGELES COUNTY (SCVSD)"**

WHEREAS, the SCVSD filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory to the SCVSD; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 7 existing single-family homes and 4 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 23.930± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 1032 to the Santa Clarita Valley Sanitation District of Los Angeles County"; and

WHEREAS, on May 9, 2012, the Commission approved Annexation No. 1032 to the SCVSD; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set June 13, 2012 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and

any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly, or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 13. The number of property owners is 11 and the total assessed value of land within the affected territory is \$8,776,626.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 1032 to the SCVSD and not withdrawn is ____, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the SCVSD.

4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
 - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the SCVSD may legally impose.
 - b. The regular County assessment roll shall be utilized by the SCVSD.
 - c. The affected territory will be taxed for existing 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

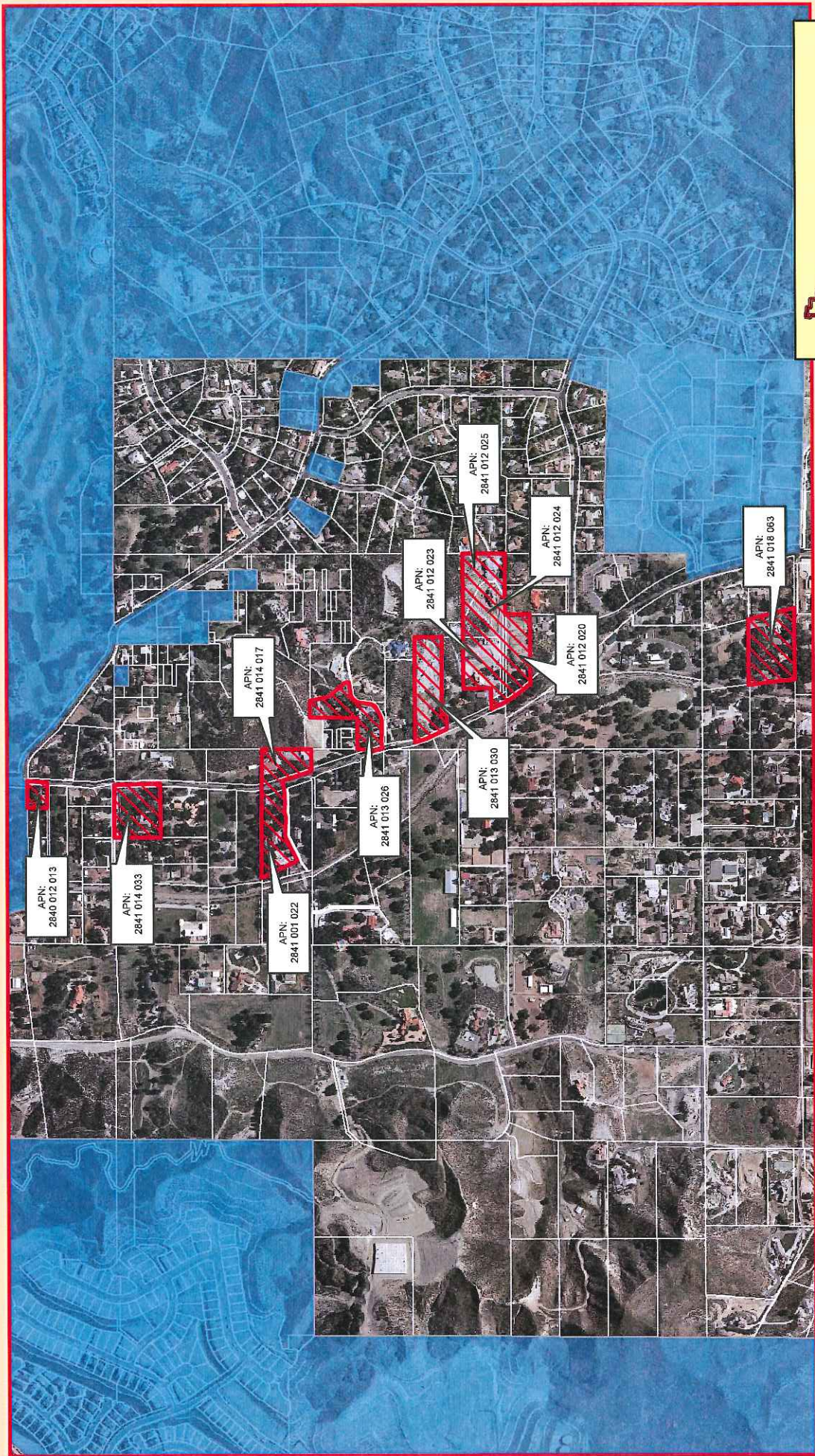
Noes:

Absent:

Abstain:

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

PAUL A. NOVAK, AICP
Executive Officer

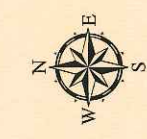


Santa Clarita Valley Sanitation District
of Los Angeles County

City of Santa Clarita

CSD Annexation SCV-1032

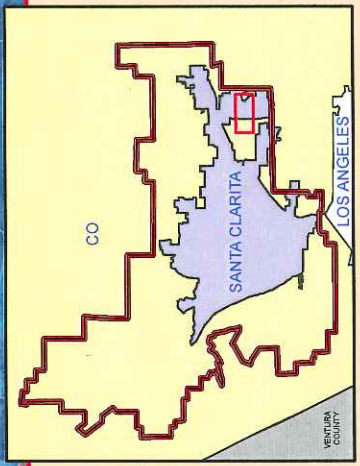
Sphere of Influence, CSD SCV



LAFCO
Local Agency Formation Commission
for the County of Los Angeles

Annexation No. 1032

Santa Clarita Valley Sanitation District of Los Angeles County



Staff Report

June 13, 2012

Agenda Items 5-a, 5-b, and 5-c

City of Santa Clarita Annexation No. 2011-20 (Vista Canyon/Jake's Way/Fair Oaks Ranch)
City of Santa Clarita Annexation No. 2011-03 (Elsmere Canyon)
City of Santa Clarita Annexation No. 2010-10 (Copperstone)

Agenda Items 5-a, 5-b, and 5-c involve a report of the outcome of 3 protest hearings delegated to the Executive Officer on April 11, 2012 pursuant to the Commission's Policy for the Conduct of Protest Hearings and state law for three annexations to the City of Santa Clarita: City of Santa Clarita Annexation No. 2011-20 (Vista Canyon/Jake's Way/Fair Oaks Ranch), City of Santa Clarita Annexation No. 2011-03 (Elsmere Canyon), and City of Santa Clarita Annexation No. 2010-10 (Copperstone).

Executive Officer Report to the Commission

This staff report constitutes the "Report to the Commission" required by adopted Commission policy ("Policy for the Conduct of Protest Hearings") relative to three delegated protest hearings. As directed by the Commission on April 12, 2012, the Executive Officer is required to prepare a report to the Commission setting forth the value of protests filed and not withdrawn. The Executive Officer is also required to recommend to the Commission the adoption of resolutions, in conformity with the outcome of the three protest hearings and state law, at the Commission meeting of June 13, 2012.

Protest Hearing

At the Commission's April 11th meeting, the Commission delegated authority to the Executive Officer to conduct the protest hearings for the above-referenced annexations.

On May 14th, the Executive Officer conducted protest hearings for the above-referenced annexations in the City of Santa Clarita City Council chambers, located on the first floor of City Hall (23920 Valencia Boulevard, Santa Clarita, California, 91355). The Executive Officer conducted these protest hearings consistent with Commission Policy requirements:

- The protest hearing was held "in a location open to the public and suitable for the conduct of a public hearing." The Santa Clarita City Council chambers are ideally suited to public hearings, with a room set up for public testimony, built-in audio-visual capabilities, ample seating room for the public, and free and available parking. City Hall is centrally located within the City of Santa Clarita, convenient to registered voters and landowners in the affected territories.
- Commissioners were provided with "written notice of the date, time and location of all protest hearings" in your staff report at the April 11th Commission meeting.

- As required, the Executive Officer served as the Hearing Officer, and conducted the protest hearing “consistent with the manner in which the Commission conducts public hearings.” The Executive Officer utilized a PowerPoint presentation that identified the nature of the protest process, announced the opening and closing of each protest hearing, and swore in those individuals wishing to testify.
- During each protest hearing, the Executive Officer proceeded to “hear and receive any oral or written protest, objection or evidence which . . . [was] made, presented, or filed.” The Executive Officer specifically solicited public testimony and the submittal of written protests.

In addition to the Executive Officer, LAFCO counsel attended the hearings.

The results of the protest period and protest hearings for the three annexations are summarized below.

City of Santa Clarita Annexation No. 2011-20 (Vista Canyon/Jake's Way/Fair Oaks Ranch)

The protest period began after the Commission’s meeting of April 11th, and concluded on May 14th at 4:30 p.m. at the close of the protest hearing.

LAFCO did not receive any written protests during the protest period via U.S. mail or hand-delivery. LAFCO did not receive any written protests at the Protest Hearing on May 14th. Two speakers provided testimony at the protest hearing. A speaker, Ms. Cam Noltmyer, speaking for Homeowners for Neighborhood Preservation, confirmed that its submittal of opposition for the record had been received by LAFCO. Its written and oral submittal requested a postponement of Commission action in light of pending litigation against the City of Santa Clarita challenging the Vista Canyon project's environmental impact report. Counsel for LAFCO indicated that, as a responsible agency, LAFCO has a statutory mandate to treat the City's environmental document as adequate, pending judicial review, and pointed to earlier documents and correspondence summarizing that position for petitioners and their counsel. An additional speaker, Mr. Max Hobbs of Fair Oaks Ranch, testified in favor of the annexation and the benefits to residents of the affected territory.

Consistent with the requirements of Government Code Section 57052, the Executive Officer has determined that the value of written protests received and not withdrawn is zero.

The total assessed value of land for Assessor roll year 2011 is \$1,290,288,413.

Consistent with the requirements of Government Code Section 57075.5(c), for this inhabited annexation territory, the Executive Officer has determined that the number of valid protests that are received and not withdrawn is less than the 15% of registered voters and less than 15% of landowners who own at least 15% of the assessed value of land. Staff has prepared a protest resolution reflecting this determination and indicating that the annexation is approved.

City of Santa Clarita Annexation No. 2011-03 (Elsmere Canyon), and

The protest period began after the Commission's meeting of April 11th, and concluded on May 14th at 4:10 p.m. at the close of the protest hearing.

LAFCO did not receive any written protests during the protest period via U.S. mail or hand-delivery. LAFCO did not receive any written protests at the Protest Hearing on May 14th.

Consistent with the requirements of Government Code Section 57052, the Executive Officer has determined that the value of written protests received and not withdrawn is zero.

The total assessed value of land for Assessor roll year 2010 is \$7,787,774.

Consistent with the requirements of Government Code Section 57075(b), the Executive Officer has determined that for this uninhabited annexation territory, the number of valid protests that are received and not withdrawn are from landowners owning less than 50% of the assessed value of land. Staff has prepared a protest resolution reflecting this determination and indicating that the annexation is approved.

City of Santa Clarita Annexation No. 2010-10 (Copperstone)

The protest period began after the Commission's meeting of April 11th, and concluded on May 14th at 4:32 p.m. at the close of the protest hearing.

LAFCO received two written protests during the protest period via U.S. mail. LAFCO did not receive any written protests at the Protest Hearing on May 14th.

Consistent with the requirements of Government Code Section 57052, the Executive Officer has determined that the value of written protests from landowners received and not withdrawn is \$648,040. The total assessed value of land for Assessor roll year 2011 is \$14,923,000. The number of landowners who submitted written protests that were not withdrawn is 2.

Consistent with the requirements of Government Code Section 57075.5(c), the Executive Officer has determined that the number of registered voters who submitted written protests that were not withdrawn is 2. As of March 6, 2012, the County Registrar Recorder County Clerk certified that there were 590 registered voters residing within the subject proposal area.

Consistent with the requirements of Government Code Section 57075.5(c), for this inhabited annexation territory, the Executive Officer has determined that the number of valid protests that are received and not withdrawn is less than the 15% of registered voters and less than 15% of landowners who own at least 15% of the assessed value of land. Staff has prepared a protest resolution reflecting this determination and indicating that the annexation is approved.

Recommended Action:

- 1) Accept the Executive Officer's Report for the City of Santa Clarita Annexation No. 2011-20 (Vista Canyon/Jakes Way/ Fair Oaks Ranch), City of Santa Clarita Annexation No. 2011-03 (Elsmere Canyon), and City of Santa Clarita Annexation No. 2010-10 (Copperstone); and
- 2) Adopt the recommended Protest Resolutions ordering City of Santa Clarita Annexation No. 2011-20 (Vista Canyon/Jakes Way/ Fair Oaks Ranch), City of Santa Clarita Annexation No. 2011-03 (Elsmere Canyon), and City of Santa Clarita Annexation No. 2010-10 (Copperstone).

RESOLUTION NO. 2012-00PR

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY ORDERING
"CITY OF SANTA CLARITA ANNEXATION NO. 2011-20"
(Vista Canyon/Fair Oaks/Jakes Way)**

WHEREAS, the City of Santa Clarita (the "City") 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 herein described to the City of Santa Clarita, and detachment of same said territory from County Road District No. 5, withdrawal from County Lighting and Maintenance District 1687 and the County Public Library System, and exclusion from County Lighting District LLA-1, Unincorporated Zone, all within the County of Los Angeles ("County"); 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 proposed annexation consists of 2,437 acres of inhabited territory and is assigned the following distinctive short form designation: "City of Santa Clarita Annexation No. 2011-20 (Vista Canyon/Fair Oaks Ranch/Jake's Way);" and

WHEREAS, on April 11, 2012, the Commission approved Annexation No. 2011-20; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set May 14, 2012, as the date for the protest hearing and has authorized its Executive Officer to conduct the protest hearing pursuant to state law and its applicable policy and the Executive Officer has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral and/or written protests, objections, and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters; and that the Commission has received a report and recommendations on adoption of a conforming resolution from its Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters residing within the boundary of the territory is 5,344 and the number of landowners is 2,468.
2. The Commission finds that the total assessed valuation of land is \$1,290,288,413.
3. The Commission finds that the number of written protests filed in opposition to Annexation No. 2011-20 and not withdrawn is 0 registered voters and 0 landowners. Therefore the annexation will be approved since the valid protests received and not withdrawn , represent less than 15 percent of the registered voters in the affected territory and less than 15 percent of the number of landowners owning at least 15 percent of the total assessed value of land within the affected territory.

4. City of Santa Clarita Annexation No. 2011-20 is hereby approved, subject to the following terms and conditions:
 - a. Annexation of the affected territory described in Exhibits A and B to the City.
 - b. Detachment of the affected territory from County Road District No. 5.
 - c. Withdrawal of affected territory from County Lighting and Maintenance District 1687.
 - d. Withdrawal of affected territory from the County Public Library System.
 - e. Exclusion of the affected territory from County Lighting District LLA-1.
 - f. Payment of Registrar Recorder/County Clerk and State Board of Equalization fees.
 - g. Upon the effective date of the annexation, all right, title, and interest of the County, including but not limited to, the underlying fee title or easement where owned by the County, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City .

- h. Upon the effective date of the annexation, the City shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the County: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent property.
- i. Upon the effective date of the annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently owned, operated and maintained by the County; (2) accept and adopt the County of Los Angeles Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Los Angeles County Public Works Department (LACPW) should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Chief Engineer of

LACFCD/Director of LACPW for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to LACFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which LACFCD has a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACPW, for review and comment.

- j. The City agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- k. The effective date of the annexation shall be the date of recordation.
- l. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City.
- m. The regular County assessment roll shall be utilized by the City.
- n. The territory will not be taxed for existing bonded indebtedness of the City.
- o. Except to the extent in conflict with a through n, 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.

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

Noes:

Absent:

Abstain:

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

PAUL NOVAK, Executive Officer

RESOLUTION NO. 2012-00PR

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY ORDERING
"CITY OF SANTA CLARITA ANNEXATION NO. 2011-03"
(Elsmere Canyon)**

WHEREAS, the City of Santa Clarita (the "City") 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 herein described to the City of Santa Clarita, and detachment of same said territory from County Road District No. 5, and withdrawal from the County Public Library System; 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 proposed annexation consists of 806.52 acres of uninhabited territory and is assigned the following distinctive short form designation: "City of Santa Clarita Annexation No. 2011-03 (Elsmere Canyon);" and

WHEREAS, on April 11, 2012, the Commission approved Annexation No. 2011-03; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set May 14, 2012, as the date for the protest hearing, and has authorized its Executive Officer to conduct the protest hearing pursuant to state law and its applicable policy and the Executive Officer has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral and/or written protests, objections, and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters; and that the Commission has received a report and recommendations on adoption of a conforming resolution from its Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters residing within the boundary of the territory is 0 and the number of landowners is 8.
2. The Commission finds that the total assessed valuation of land is \$7,787,774.
3. The Commission finds that the number of written protests filed in opposition to Annexation No. 2011-03 and not withdrawn is 0 registered voters and 0 landowners. Therefore, the annexation will be approved since valid protests received and not withdrawn are from landowners owning less than 50% of the assessed value of land within the affected territory.

4. City of Santa Clarita Annexation No. 2011-03 is hereby approved, subject to the following terms and conditions:
 - a. Annexation of the affected territory described in Exhibits A and B to the City.
 - b. Detachment of the affected territory from County Road District No. 5.
 - c. Withdrawal of affected territory from the County Public Library System.
 - d. Payment of Registrar Recorder/County Clerk and State Board of Equalization fees.
 - e. Upon the effective date of the annexation, all right, title, and interest of the County, including but not limited to, the underlying fee title or easement where owned by the County, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City .

- f. Upon the effective date of the annexation, the City shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the County: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent property.
- g. Upon the effective date of the annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently owned, operated and maintained by the County; (2) accept and adopt the County of Los Angeles Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Los Angeles County Public Works Department (LACPW) should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Chief Engineer of

LACFCD/Director of LACPW for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to LACFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which LACFCD has a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACPW, for review and comment.

- h. The City agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- i. The effective date of the annexation shall be the date of recordation.
- j. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City.
- k. The regular County assessment roll shall be utilized by the City.
- l. The territory will not be taxed for existing bonded indebtedness of the City.
- m. Except to the extent in conflict with a through l, 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.

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

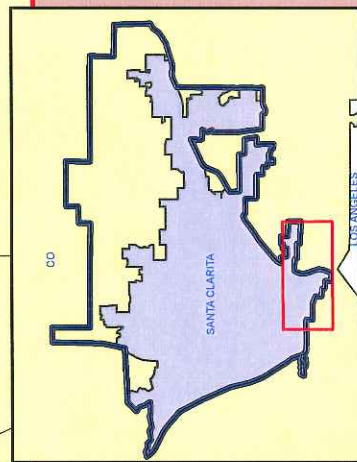
Noes:

Absent:

Abstain:

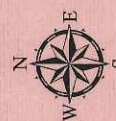
**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

PAUL NOVAK, Executive Officer



c:\cis\mycity\announcements\santa clarita 2011-03.mxd





May 14 2012



LAFCO
Local Agency Formation Commission

SOI Amendment &
Annexation No. 2011-03
to City of Santa Clarita
(Elsmere Canyon)



- | | |
|---------------------------------------------------------------------------------------|---------------------------------|
|  | City of Santa Clarita |
|  | Unincorporated County Territory |
|  | Annexation 2011-03 |
|  | City of Santa Clarita SOI |

RESOLUTION NO. 2012-00PR

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY ORDERING
"CITY OF SANTA CLARITA ANNEXATION NO. 2010-10 (Copperstone)"**

WHEREAS, the City of Santa Clarita (the "City") 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 herein described to the City of Santa Clarita, and detachment of same said territory from County Road District No. 5, withdrawal from County Lighting and Maintenance District 1687 and the County Public Library System, and exclusion from County Lighting District LLA-1, Unincorporated Zone, all within the County of Los Angeles ("County"); 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 proposed annexation consists of 68.86 acres of inhabited territory and is assigned the following distinctive short form designation: "City of Santa Clarita Annexation No. 2010-10 (Copperstone);" and

WHEREAS, on April 11, 2012, the Commission approved Annexation No. 2010-10; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set May 14, 2012, as the date for the protest hearing, and has authorized its Executive Officer to conduct the protest hearing pursuant to state law and its applicable policy and the Executive Officer has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral and/or written protests, objections, and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters; and that the Commission has received a report and recommendations on adoption of a conforming resolution from its Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters residing within the boundary of the territory is 590 and the number of landowners is 468.
2. The Commission finds that the total assessed valuation of land is \$155,952,803.
3. The Commission finds that the number of written protests filed in opposition to Annexation No. 2010-10 and not withdrawn is 2 registered voters and 2 landowners. Therefore the annexation will be approved since the valid protests received and not withdrawn, even if valid, represent less than 15 percent of the registered voters in the affected territory and less than 15 percent of the number of landowners owning at least 15 percent of the total assessed value of land within the affected territory.

4. City of Santa Clarita Annexation No. 2010-10 (Copperstone) is hereby approved, subject to the following terms and conditions:
 - a. Annexation of the affected territory described in Exhibits A and B to the City of Santa Clarita.
 - b. Detachment of the affected territory from County Road District No. 5.
 - c. Withdrawal of affected territory from County Lighting and Maintenance District 1687.
 - d. Withdrawal of affected territory from the County Public Library System.
 - e. Exclusion of the affected territory from County Lighting District LLA-1.
 - f. Payment of Registrar Recorder/County Clerk and State Board of Equalization fees.
 - g. Upon the effective date of the annexation, all right, title, and interest of the County, including but not limited to, the underlying fee title or easement where owned by the County, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City.

- h. Upon the effective date of the annexation, the City shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the County: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent property.
- i. Upon the effective date of the annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently owned, operated and maintained by the County ; (2) accept and adopt the County of Los Angeles

Master Plan of Drainage (MPD), if any, which is in effect for the annexation area.

Los Angeles County Public Works Department (LACPW) should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Chief Engineer of LACFCD/Director of LACPW for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to LACFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which LACFCD has a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACPW, for review and comment.

- j. The City agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.

- k. The effective date of the annexation shall be the date of recordation.
 - l. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City.
 - m. The regular County assessment roll shall be utilized by the City.
 - n. The territory will not be taxed for existing bonded indebtedness of the City.
 - o. Except to the extent in conflict with a through n, 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.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the City Clerk of the City of Santa Clarita, upon the City's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of June 2012.

Ayes:

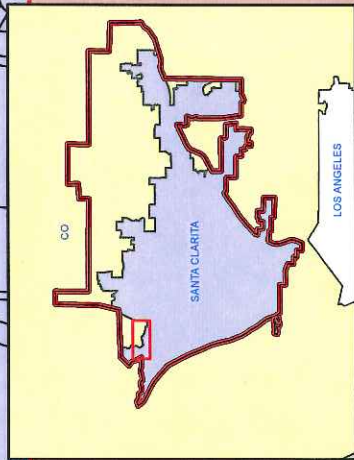
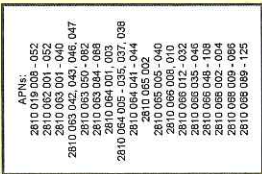
Noes:

Absent:

Abstain:

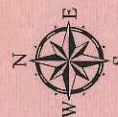
**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

PAUL NOVAK, Executive Officer



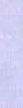



C:\vs\mxdcity annexations\santa clarita 2010-10.mxd

May 14, 2012



LAFCO
Local Agency Formation Commission

A horizontal scale bar with a black background. It has white tick marks and labels for distances in miles: 0, 0.05, 0.1, and 0.2. The word "Miles" is written vertically at the right end of the bar.

- | | |
|---------------------------------------------------------------------------------------|---------------------------------|
|  | City of Santa Clarita |
|  | Unincorporated County Territory |
|  | Annexation 2010-10 |
|  | City of Santa Clarita SOI |

Staff Report

June 13, 2012

Independent Auditor's Report Fiscal Year 2010-11

Agenda Item 7.a.

Background

In March 2011, the firm of Vasquez & Company LLP was awarded a contract to audit the Commission's financial statement for fiscal years ending June 30, 2007, 2008, 2009, 2010 and 2011, pursuant to an RFP issued on December 21, 2010. The final contract year audit report, covering July 1, 2010 through June 30, 2011, is the subject of the report before you today.

Findings and Opinion of Independent Auditors

In conducting their audit of the Commission's financial statements, the auditors randomly selected and tested samples of the Commission's FY 2010-11 statements of net assets, and the related statements of revenues, expenses, and changes in net assets and cash flows. The auditors opined that the Commission's financial statements present fairly, in all material respects, the financial position of the Commission as of June 30, 2011, in conformity with accounting principles generally accepted in the United States of America. The results of the auditor's tests disclosed no instances of noncompliance that are required to be reported under the Government Auditing Standards.

Deficiencies In Internal Control Over Financial Reporting

In performing their audit, the auditors considered the Commission's internal control over financial reporting as a basis for designing their auditing procedures. In that process, the auditors identified areas of deficiency in internal control over financial reporting that were considered a "material weakness." A material weakness is defined as "a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented, or detected and corrected on a timely basis."

The areas of deficiency in internal control are identified in schedule FS 11-0: Development of a year-end closing procedure (Pg 15 of the 2010-11 Financial Statement). Implementation of a closing procedure would involve recording of accrual entries to properly report activity on an accrual basis. Past practice has been to use the “cash basis” of accounting, whereby certain revenues and related assets are recognized when received, and expenses are recognized when paid. This method of accounting has unfortunately resulted in numerous adjustments proposed by the auditors.

Once the closing procedure has been implemented, assurances will be made that:

- All payroll processes are completed.
- All transactions are recorded and posted.
- All general ledger accounts are reconciled and adjusted, as necessary.
- A record of historical transactions is maintained for each audited year.

Additionally, the auditors have recommended that the closing procedures include capitalization and amortizing of prepaid assets, and depreciation of capital assets.

Corrective Measures

To effectuate the procedural changes, recommended by the Auditors, a part-time bookkeeper was hired to reconcile the accounts, scan the books for discrepancies and improve the quality in reporting. The bookkeeper is onsite, twice a week for 4 hours each day. Ultimately, we would like to reduce the services to a quarterly basis, to basically review the general ledger accounts for accuracy.

Recommended Action

Receive and file the Audited Financial Statements for Fiscal Year 2010-2011, as prepared by Vasquez & Company LLP.

Staff Report

June 13, 2012

Agenda Item No. 7.b.

Award of Contract for Financial Audit Services Fiscal Years Ending 2012, 2013, 2014 and 2015

Background

Since 2010 staff has endeavored to bring the financial books into compliance with applicable laws and ensure that audits are performed on a yearly basis after the close of the books. For the past four fiscal years (2008 – 2011) the financial audits have been prepared by Vasquez and Company. The final contract year audit prepared by Vasquez is before your commission today. (Agenda Item No. 7.a.).

RFP Process

On January 30, 2012, the five southern California LAFCOs - Imperial, Los Angeles, Orange, Riverside and San Bernardino released a joint Request for Proposals (RFP), in which each of the LAFCOs individually sought to obtain multi-year financial audit contracts, covering fiscal years ending 2012 through 2015. The RFP was sent to firms that were identified as Certified Public Accountant (CPA) firms with experience in preparing similar audits for local governments. At the close of business on February 20, 2012, proposals were received from five firms.

RFP Review Panel

On March 12, 2012, a panel made up of the Executive Officers and staff from the five Southern California LAFCOs convened to review and evaluate the proposals. Each reviewer evaluated and scored the proposals in accordance with criteria in the RFP; and based on the independent findings of the review panel, White Nelson Diehl Evans LLP was unanimously selected as the highest-ranking proposer. The evaluation criteria that were used to score proposals included, but were not limited to, qualifications, relevant auditing experience, references from local government clients, thoroughness of recommended approach to the audit, demonstrated understanding of the objectives and scope of the audit, commitment to timeliness in conducting the audit, and maximum fees to conduct the audit. The price component of the evaluation criteria constituted 20% of the overall scoring weight.

The following table shows the total aggregate cost submitted by each firm to perform the financial audits for Los Angeles LAFCO. As indicated, White Nelson Diehl Evans LLP was additionally the lowest cost proposer to perform the four years of requested audit work for Los Angeles LAFCO.

FIRM	2011-12	2012-13	2013-14	2014-15	Total
Burke Cox Evans & Bradford	\$9000	\$8200	\$8000	\$8000	\$33,200
Leaf & Cole, LLP	\$21,000	\$21,600	\$22,275	\$22,900	\$87,775
Rogers, Anderson, Malody and Scott, LLP	\$7300	\$7425	\$7425	\$7625	\$29,775
Varinek, Trine, Day & Co., LLP	\$7500	\$7725	\$7957	\$8196	31,378
White Nelson Diehl Evans LLP	\$5250	\$5500	\$5750	\$6250	\$22,750

Audit Firm

In 2011 Diehl Evans and Company LLP merged with White Nelson & Company LLP. Prior to this merger, Diehl Evans and Company had been in business for more than 80 years, and had provided auditing services to government agencies since 1950. Today, a significant part of White Nelson Diehl Evans LLP's practice is devoted to providing professional services to a specialized governmental industry. The firm has issued over 100 audits of governmental agencies including special districts, cities, redevelopment agencies and Single Audits of Federal Grants.

Recommended Action

1. Award contract for auditing services to White Nelson Diehl Evans LLP, at a total not-to-exceed cost of \$22,750, to perform an audit of the Commission's financial statements for fiscal years ending June 30, 2012, June 30, 2013, June 30, 2014 and June 30, 2015, with an option to extend for one additional year, upon approval by the Commission.
2. Authorize the Executive Officer to finalize negotiations with White Nelson Diehl Evans LLP and execute the contract, in substantially similar form to the attached, subject to approval as to form by County Counsel

AGREEMENT FOR CONSULTING SERVICES

THIS AGREEMENT is made and entered into this ____ day of June 2012.

BY AND BETWEEN LOCAL AGENCY FORMATION COMMISSION FOR THE LOS
ANGELES COUNTY ("LAFCO")

AND

WHITE NELSON DIEHL EVANS LLP

RECITALS

WHEREAS, LAFCO requires specialized technical assistance related to the preparation of financial audits of LAFCO as more fully set forth in the Statement of Work attached hereto as Exhibit "A"; and

WHEREAS, Consultant has the ability to render these specialized services; and

WHEREAS, in rendering these specialized services, Consultant shall devote its time and effort to providing such assistance to LAFCO and, at a minimum, shall exercise the ordinary care and skill expected of the average practitioner in Consultant's capacity acting under similar circumstances; and

WHEREAS, LAFCO in accordance with Government Code section 56375(k) may enter into contracts for professional or consulting services to carry out and effect its functions.

AGREEMENT

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. Specialized Services. The Consultant shall provide specialized services described in Exhibit "A" related to preparation of the financial audits of LAFCO. By this reference, Exhibit "A" is incorporated into this Agreement as though fully set forth herein.

2. Compensation. The total amount payable to the Consultant hereunder for the work set forth in Exhibit "A" shall not exceed the sum of \$22,750.00.

- A. Consultant's Fees. In consideration of the performance by the Consultant in a manner satisfactory to LAFCO of the work set forth in Exhibit "A", LAFCO agrees to pay the Consultant in accordance with the fee schedule set forth in Exhibit "C", up to the not to exceed fee of \$22,750.00 during the term of this Agreement.
- B. Expenses. Except as specified in this Section, Consultant shall, at its own expense, provide all labor, equipment, maintenance, material, supplies, postage, licenses, registration, data systems, transportation, meals, lodging, telephone expenses, cellular phone expenses, photocopying services, facsimile transmission services and other items required for performance of the Agreement. Subject to the total not-to-exceed amount specified above, LAFCO shall reimburse the Consultant for actual cost when incurred in the performance of the Agreement for special and extraordinary goods and services approved in advance by the Executive Officer.
- C. Sub-Consultants. The Consultant shall not contract with any sub-consultant without the prior written approval of the Executive Officer.
- D. Invoices. Consultant shall submit Task invoices accompanied by a report of work performed within ten (10) days after the end of each calendar month in which services are performed or expenses incurred under this Agreement. The invoice submitted pursuant to this paragraph shall reference this Agreement and show the hours worked by each person who performed services during the billing period, the hourly rate of pay for each person who performed services, the dates on which the services were performed, a description of the services performed, actual out-of-pocket expenses incurred in the performance of the services, and such other information as the LAFCO Executive Officer may reasonably require. Consultant shall submit invoices in the manner provided for in Section 16, below. The Executive Officer

shall approve or disapprove invoices within fifteen (15) days of receipt. Consultant shall be paid within fifteen (15) days of the Executive Officer's approval of each invoice or any approved portion thereof.

3. LAFCO's Representative. The Executive Officer or his designee shall represent LAFCO in all matters pertaining to establishing the priority of the services to be rendered by Consultant pursuant to this Agreement.

4. Quality Assurance. Consultant will observe, at a minimum, the standards set forth in Section 5, below, and acknowledges that the adequacy of its compliance with the Agreement shall be measured by these standards as well as all other terms and conditions of the Agreement. The Executive Officer will evaluate Consultant's performance under this Agreement on a not less than monthly basis. Such evaluation will include assessing Consultant's compliance with all contract terms and performance standards. The Executive Officer will report deficiencies in Consultant's performance to LAFCO. The report will include improvement/corrective action measures to be taken by Consultant and a reasonable time period for compliance. If improvement does not occur consistent with the corrective action measures and within the time period approved by LAFCO, LAFCO may terminate this Agreement. Upon such termination, LAFCO shall be entitled to pursue the same remedies against Consultant as it could pursue in the event of a default by Consultant. Nothing herein shall prevent LAFCO from utilizing any or all of the provisions of Section 9, below, at any time during the term of this Agreement with or without compliance with this Section.

5. Standards.

A. Professional Standards. Consultant shall exercise independent judgment and complete each assignment in accordance with the professional standards of ethics and competence that apply to the profession of which Consultant is a member.

B. Conflicts of Interest. Consultant shall accept no employment that conflicts with its

obligations to LAFCO under this Agreement. Consultant shall have a continuing obligation to disclose any potential conflicts of interest prior to accepting other assignments, and may not accept any other assignments where a potential conflict exists without first obtaining LAFCO's approval.

6. Work Product.

- A. Ownership. All materials, data and other information of any kind obtained from LAFCO personnel and all materials, data, work product, reports, draft and final audits, and other information of any kind developed by Consultant under this Agreement are the property of LAFCO, and Consultant agrees to take all necessary measures to protect the security and confidentiality of all such materials, data, work product, reports, draft and final audits, and other information. Consultant shall not distribute any such materials, data, work product, reports, draft or final audits, or other information, in whole or in part, during or after the Agreement term, to anyone, without the prior written approval of the Executive Officer. The provisions of this Section shall survive the expiration or other termination of this Agreement.
- B. Consultant to Maintain Files. Consultant shall maintain copies of files and documents relating its work performed under this Agreement, including supporting and backup data, and shall promptly make the files and documents available for LAFCO's inspection or shall deliver copies to LAFCO, upon request of the Executive Officer or his designee. LAFCO may require that some or all of the Consultant's work product be provided in electronic format. Consultant shall turn over to LAFCO all original data at the completion of this Agreement.

7. Record Retention and Inspection. LAFCO or any duly authorized representative of LAFCO shall have the right to examine, audit, excerpt, copy or transcribe any transaction, activity, time card, cost accounting record, financial record, data or other record pertaining to this Agreement or the work preformed hereunder. Unless otherwise directed by LAFCO, Consultant shall keep all such material for four (4) years after the completion or termination of this Agreement or until all audits are complete, whichever is later.

8. Audit Settlement. If, at any time during the term of the Agreement or at any time within four (4) years after the expiration or termination of the Agreement, authorized representatives of LAFCO conduct an audit of Consultant regarding performance of this Agreement, and if such audit finds that LAFCO's obligation for the payment of compensation is less than the payments made by LAFCO to Consultant, then Consultant agrees that the difference shall be either repaid forthwith by Consultant, or at LAFCO's option, credited to LAFCO against any future compensation payments. If such audit finds that LAFCO's obligation for the payment of compensation is more than the payments made by LAFCO to Consultant, then the difference shall be paid to Consultant by LAFCO, provided that in no event shall LAFCO's maximum obligation under this Agreement be exceeded.

9. Term and Termination. Except as otherwise provided for in this Agreement, this Agreement shall commence upon approval of this Agreement by the parties and continue for a period of four years. Subject to negotiation by the Consultant and the Executive Officer, and subject to prior approval by the Commission, the parties may extend the Agreement for an additional one year term to allow the Consultant to prepare a financial audit of LAFCO for Fiscal Year 2015-16 in accordance with the provisions of Section 22, below.

A. Termination for Convenience.

- (1) LAFCO may at its sole option and discretion cancel or terminate this Agreement, without cause, upon three (3) days written notice, without any liability other than the payment for work already performed. In the event of any such termination by LAFCO, LAFCO shall pay Consultant the hourly rate set forth in this Agreement for services rendered up to the date of termination of the Agreement. Within five (5) business days of such termination, Consultant shall transmit to LAFCO all finished or unfinished documents, records, data, information and/or work product created pursuant to this Agreement, accumulated to the date of such termination, in a form capable of assimilation for use by LAFCO.

B. Termination for Improper Consideration.

- (1) LAFCO may, by written notice to Consultant, immediately terminate the right of Consultant to proceed under this Agreement if LAFCO finds that consideration, in any form, was offered or given by Consultant, either directly or through an intermediary, to any LAFCO commissioner, officer, employee, or agent with the intent of securing the Agreement or securing favorable treatment with respect to the award, amendment, or extension of the Agreement or the making of any determinations with respect to the Consultant's performance pursuant to the Agreement. In the event of such termination, LAFCO shall be entitled to pursue the same remedies against Consultant as it could pursue in the event of default by the Consultant.
- (2) Among other items, improper consideration may take the form of cash,

discounts, services, the provision of travel or entertainment, or tangible gifts.

- (3) Consultant shall immediately report any attempt by a LAFCO commissioner, officer, or employee to solicit improper consideration from Consultant. The report shall be made to the County of Los Angeles Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 or (800) 544-6861.

C. Termination for Default.

- (1) If Consultant fails to perform the work under this Agreement in accordance with the covenants, terms and conditions herein or fails to comply with any other covenant, term or condition of the Agreement, LAFCO may, by written notice of default to Consultant, terminate the whole or any part of the Agreement. Nothing in this Section shall prevent LAFCO from recovering any and all damages arising from the default. Alternatively, LAFCO may elect not to terminate the Agreement without waiving its right to such recovery.
- (2) LAFCO, in its sole discretion, may permit Consultant ten (10) calendar days from notification of default to cure the default. LAFCO, in its sole discretion, may also, by written notice, extend the cure period.
- (3) If Consultant does not cure the default to the reasonable satisfaction of LAFCO within the time specified by the notice of default or written extension of time, the Agreement or portion thereof, as determined by LAFCO in its sole discretion, may be terminated. Within five (5) business days of any such termination, Consultant shall transmit to LAFCO all finished or unfinished documents, records, data, information and/or work product created pursuant to this Agreement, accumulated to the date of such termination, in a form

capable of assimilation for use by LAFCO.

D. LAFCO's Remedies for Default.

- (1) In the event LAFCO terminates the Agreement in whole or in part for Consultant's default, LAFCO may procure replacement services from a third party or by LAFCO's employees upon such terms and in such manner as LAFCO deems appropriate. Consultant shall be liable to LAFCO for any excess costs arising from the use of replacement services. Excess costs shall consist of those reasonable costs incurred by LAFCO in procuring comparable replacement services that exceed the costs LAFCO would have been obligated to pay to Consultant for the services in question.
- (2) Consultant shall not be responsible for the failure to perform if it arises out of causes beyond the control and without the fault or negligence of Consultant. Such causes may include, but are not restricted to, acts of LAFCO in either its sovereign or contractual capacity, acts of the federal and state governments in their sovereign capacities, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather. If the failure to perform is caused by the default of a sub-consultant arising from causes beyond the control of both Consultant and sub-consultant, and without the negligence of either of them, Consultant shall not be liable for any excess costs for failure to perform unless Consultant had sufficient time to obtain performance from another party.
- (3) The rights and remedies of LAFCO provided in this Section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

E. Default for Insolvency. LAFCO may terminate this Agreement for default without giving Consultant written notice of default and time to cure upon the occurrence of any of the following events:

- (1) Consultant becomes insolvent. Consultant shall be deemed to be insolvent if Consultant has ceased to pay its debts in the ordinary course of business or cannot pay its debts as they become due, whether Consultant has committed an act of bankruptcy or not, whether Consultant has filed for federal bankruptcy protection and whether it is insolvent within the meaning of the federal bankruptcy law.
- (2) The filing of a voluntary petition to have Consultant declared bankrupt.
- (3) The appointment of a receiver or trustee for Consultant.
- (4) The execution by Consultant of an assignment of this Agreement for the benefit of creditors.

The rights and remedies of LAFCO provided in this Section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this Agreement.

10. Indemnification. Consultant agrees to indemnify, defend and hold harmless LAFCO, its commissioners, alternates, officers, employees and agents from and against any and all liability and expense, including defense costs and legal fees, arising from or connected with claims and lawsuits of third parties for damages or workers' compensation benefits relating to Consultant's operations or its services, including but not limited to, bodily injury, death, personal injury, property damage (including damage to Consultant's property) or economic injury. Notwithstanding the foregoing, Consultant shall not be obligated to indemnify for liability and expense

arising from the active negligence of LAFCO, its commissioners, alternates, officers, employees or agents.

11. Insurance. Without limiting Consultant's indemnification of LAFCO and during the term of this Agreement, Consultant shall provide and maintain at its own expense the following programs of insurance. Such programs and evidence of insurance shall be satisfactory to LAFCO and not contributing with any other insurance maintained by LAFCO. Certificates or other evidence of coverage and certified copies of additional insured endorsements shall be delivered to the Executive Officer, Local Agency Formation Commission for Los Angeles County (700 N. Central Avenue, Suite 445, Glendale, CA 91203), prior to commencing services under this Agreement, shall specifically identify this Agreement, and shall contain the express condition that LAFCO is to be given written notice by registered mail at least thirty (30) days in advance of any modification or termination of insurance. Prior to the expiration of such insurance or any renewal or replacement policy, Consultant shall provide satisfactory proof of a renewal or replacement policy complying with this Agreement.
 - A. Liability Insurance. Such insurance shall be endorsed naming LAFCO and any and all sub-consultants as additional insureds and shall include:
 - (1) General liability insurance written on a commercial general liability form or on a comprehensive general liability form covering the hazards of premises/operations, contractual, independent contractors, advertising, products/completed operations, broad form property damage and personal injury with a combined single limit of not less than \$1,000,000 per occurrence. If written with an annual aggregate limit, the aggregate limit shall be not less than two (2) times the required occurrence limit. If written on a

claims-made form, Consultant shall be required to provide an extended two-year reporting period commencing upon termination or cancellation of the Agreement.

- (2) Comprehensive auto liability insurance endorsed for all owned, non-owned and hired vehicles with a combined single limit of not less than \$1,000,000 per occurrence.

- B. Errors and Omissions Liability Insurance. Insurance in an amount not less than \$1,000,000 per claim, covering liability arising from any error, omission, commission or negligent act by Consultant, its officers, agents, employees or sub-consultants, in the performance of services under the Agreement. Such insurance shall apply to liability assumed by the insured that results from an error, omission, commission or negligent act of the insured, its officers, employees, agents or sub-consultants. The policy or endorsement shall specifically identify this Agreement.
- C. Workers' Compensation Insurance. Workers' compensation insurance in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability, with a \$1,000,000 limit covering all persons Consultant is required to cover.
- D. Failure to Procure Insurance. Failure on the part of Consultant to procure or maintain the required insurance shall constitute a material breach of the Agreement for which LAFCO may immediately terminate the Agreement.

12. Independent Contractor. Consultant shall at all times be acting as an independent contractor. This Agreement is not intended, and shall not be construed, to create the relationship of agent, servant, employee, partnership, joint venture or association as between LAFCO and Consultant. Consultant understands and agrees that all of Consultant's personnel who furnish

services to LAFCO under this Agreement are employees solely of Consultant and not of LAFCO for purposes of workers' compensation liability. Consultant shall bear the sole responsibility and liability for furnishing workers' compensation benefits to Consultant's personnel for injuries arising from or connected with the performance of this Agreement. Consultant shall comply with all federal, state, and local statutes, laws, and ordinances related to the payment of employer, income, disability, or other tax which may be due by virtue of any compensation received by Consultant under this Agreement.

13. Compliance with Anti-Discrimination Laws.

- A. Consultant certifies and agrees that all employees and/or sub-consultants of Consultant are and will be treated equally during the term of this Agreement, without regard to their race, color, religion, sex, ancestry, age, physical disability, marital status, political affiliation, or national origin, and in compliance with all anti-discrimination laws of the United States of America and the State of California.
- B. Consultant shall allow LAFCO access to the employment records of Consultant's staff during regular business hours to verify compliance with these provisions when requested by LAFCO.
- C. If LAFCO finds that any of the above provisions have been violated, the same shall constitute a material breach of this Agreement upon which LAFCO may determine to terminate the Agreement. While LAFCO reserves the right to determine independently that the anti-discrimination provisions of this Agreement have been violated, a final determination by the California Fair Employment Practices Commission or the Federal Equal Employment Opportunity Commission that Consultant has violated state or federal anti-discrimination laws shall constitute a finding on which LAFCO may conclusively rely that Consultant has violated the anti-

discrimination provisions of this Agreement.

- D. The parties agree that in the event Consultant violates the anti-discrimination provisions of the Agreement, LAFCO, at its option, shall be entitled to a sum of five hundred dollars (\$500) per violation, pursuant to Section 1671 of the California Civil Code, as damages in lieu of terminating the Agreement.

14. Compliance with Civil Rights Laws. Consultant hereby assures that it will comply with all applicable federal and state statutes to the end that no person shall, on the grounds of race, religion, color, sex, age, physical disability, marital status, political affiliation or national origin, be excluded from participation in, be denied the benefits of, nor be otherwise subjected to discrimination under this Agreement or under any project, program, or activity supported by this Agreement.

15. Compliance with Federal, State and Local Laws. Consultant agrees to comply with all applicable federal, state and local laws, rules, regulations, ordinances, or codes and all provisions required by these laws to be included in this Agreement are incorporated herein by reference. Consultant agrees to defend, indemnify and hold LAFCO harmless from any loss, damage, liability or expense resulting from a violation on the part of Consultant of such laws, rules, regulations or ordinances.

16. Notice. Notice pursuant to this Agreement shall be given in writing and deposited with postage prepaid in the United States Mail, addressed as follows:

LAFCO

Local Agency Formation Commission for
Los Angeles County
80 South Lake Avenue Suite 870
Pasadena, CA 91101
Attention: Paul Novak, Executive Officer

CONSULTANT

White Nelson Diehl Evans LLP
2875 Michelle Drive, Suite 300
Irvine, CA 92606-5165

The address for notice may be changed by giving notice of such change pursuant to this Section.

17. Entire Agreement. This Agreement constitutes the entire agreement between LAFCO and the Consultant and may be modified only by further written agreement between the parties hereto. The unenforceability, invalidity or illegality of any provision of this Agreement shall not render the other provisions thereof unenforceable, invalid, or illegal.

18. Waiver. No waiver of a breach of any provision of this Agreement by either party shall constitute a waiver of any other breach of the provision or any other provision of the Agreement. Failure of either party to enforce a provision of the Agreement at any time, or from time to time, shall not be construed as a waiver of that provision or of any other provision of the Agreement. The remedies contained in this Agreement shall be cumulative and additional to any other remedies in law or equity.

19. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of California.

20. Disclosure of Information. Consultant shall not disclose any details in connection with this Agreement or any of Consultant's work products to any third party, except as may be specifically provided for in this Agreement, as required by law or as directed by the Executive Officer. Recognizing Consultant's need to identify its services and clients, however, Consultant may publicize this Agreement, subject to the following limitations:

- A. All publicity shall be presented in a professional manner.
- B. The name of LAFCO shall not be used in commercial advertisements, press releases, opinions or feature articles, without the prior written consent of LAFCO. LAFCO shall not unreasonably withhold written consent.
- C. Consultant may list the Agreement in any other proposal submitted in response to a

request for proposals or bids from a third party without prior written permission of LAFCO.

21. Delegation and Assignment. Consultant may not delegate its duties or assign its rights under this Agreement, either in whole or in part, without the prior written consent of LAFCO. Any delegation of duties or assignment of rights under the Agreement without the express written consent of LAFCO shall be null and void and shall constitute a breach for which the Agreement may be terminated. Any delegation or assignment shall be in the form of a subcontract or formal assignment, as applicable.

22. Changes and Amendments. Except as provided in this Section, renewals and other modifications of this Agreement shall be in writing and shall be executed by the parties and approved by LAFCO in the same manner as the Agreement. A change which does not materially affect the Scope of Work, period of performance, compensation, method of payment, insurance, indemnity, or other material term or condition of the Agreement shall be effective upon the Executive Officer and Consultant signing a change notice or other writing reflecting a modification of the Agreement. The Executive Officer may, in his sole discretion, grant Consultant extensions of time for performance of the work where such extensions do not materially affect the work. Such extensions shall not be deemed to extend the term of this Agreement.

23. Time. Except as specifically otherwise provided in this Agreement, Consultant shall perform its services hereunder with due and reasonable diligence consistent with sound professional practices, and all terms and conditions of the Agreement with respect to such performance shall be so construed.

IN WITNESS WHEREOF, the parties executed this Agreement as of the date first above written.

LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES
COUNTY

WHITE NELSON DIEHL EVANS LLP

By _____
PAUL A. NOVAK
Executive Officer

By _____

APPROVED AS TO FORM:

JOHN KRATTLI
Acting County Counsel

By _____
Deputy

Statement of Work

Project Title:

Financial Audits of the Local Agency Formation Commission for the County Los Angeles:

Fiscal Year 2011-2012

Fiscal Year 2012-2013

Fiscal Year 2013-2014

Fiscal Year 2014-2015

I. Scope/Objectives

The Consultant will perform an examination of the financial statements of LAFCO for the Fiscal Years ending June 30, 2012, June 30, 2013, June 30, 2014 and June 30, 2015 in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. In addition, the Consultant shall adhere to the requirements of GASB 34. The Consultant shall issue a report expressing an opinion on the financial statements.

If applicable, in conjunction with the financial/compliance audit, the Consultant shall prepare a separate management letter for LAFCO disclosing any findings and recommendations for improved operations.

In addition, the Consultant may be asked to perform other financial and/or compliance audits of LAFCO. If this need arises, such additional audits will be negotiated as separate amendment(s) to the Contract for Professional Services (Contract) at the hourly billing rates set forth in the Proposal.

II. Fieldwork Deliverables

- A. A practical work schedule identifying anticipated accomplishments for the first week of the project will be due at the entrance conference.
- B. A detailed work schedule, including identifiable milestones, for the remainder of the project will be due one week after the entrance conference.
- C. Monthly written progress reports shall be submitted to the LAFCO Executive Officer or his designee for the duration of the project. Each report shall be submitted on the eighth workday of the following month. The LAFCO Executive Officer or his designee shall monitor the progress reports to ensure successful completion of the Contract within the schedule. The reports shall contain the following information:
 - 1. Overview of the reporting period.
 - 2. Summary of Project status as of reporting date.
 - 3. Tasks, deliverables, services and other work scheduled for the reporting period that were completed.
 - 4. Tasks, deliverables, services and other work scheduled for the reporting period that were not completed.
 - 5. Tasks, deliverables, services and other work completed in the reporting period that were not scheduled.
 - 6. Tasks, deliverables, services and other work to be completed in the next reporting period.
 - 7. Issues to be resolved.
 - 8. Any difficulties encountered by the Consultant that could jeopardize the completion of the Contract or milestones or deliverables within the schedule.
 - 9. Updated milestone chart.
 - 10. Statement when 75% of the Contract Not-to-Exceed Fee has been incurred.
 - 11. Any other information which LAFCO may from time-to-time require.
- D. The Consultant shall properly document their audit test work in work papers. Work papers shall be made available to LAFCO representatives upon request.

III. REPORT DELIVERABLES

- A. Five (3) copies of the draft reports for each audited year itemized below shall be submitted to the LAFCO Executive Officer. An exit conference will be scheduled within two weeks of the date of the draft reports.
- B. Final reports of each audited year will be submitted to the LAFCO Executive Officer one week following LAFCO staff's response to the draft reports. The report will be subsequently transmitted to the Commission.
Five (4) copies of each final report and one reproducible master of all materials and a disk copy of each report in a Microsoft Office Suite compatible file format shall be supplied to the LAFCO Executive Officer at the completion of the project.

Each final report shall include:

- 1. Report on Examination of Financial Statements.

The reports shall:

- a. Set forth the scope of the examination, together with an opinion in compliance with Rules of the State Board of Accountancy.
- b. Include the financial statements customarily associated with such reports.
- c. Include such explanatory footnotes as considered necessary to disclose all material items.

- 2. Report on Internal Controls

The Consultant must report on the understanding of LAFCO's internal control structure and the assessment of control risk made as part of the financial/compliance audit. The report shall include:

- a. The scope of Consultant's work in obtaining an understanding of the internal control structure and in assessing the control risk.
- b. LAFCO's significant internal controls or control structure including the controls established to ensure compliance with laws and regulations that have a material impact on the financial statements and results of the financial/compliance audit.
- c. The reportable conditions, including the identification of material weaknesses, identified as a result of the auditors' work in understanding and assessing the control risk.
- d. Any conditions noted which are contrary to LAFCO's governing statutes.
- e. Any finding and recommendations for correcting any deficiencies and/or weakness disclosed in the report on internal controls.

C. Management Letter

1. The Consultant shall submit five (5) copies of a draft Management Letter with the draft reports specified in Section III.A.
2. In the Management Letter, the Consultant shall identify any material problems and include specific recommendation for improvements in these problem areas. A copy of LAFCO's responses to the recommendations shall be included. In addition, the Consultant should note in the Letter any procedures, controls, etc., which result in superior performance by LAFCO. The Management Letter will be reviewed at the exit conference as specified in Section III.A.
3. Five (5) copies of the final Management Letter and one reproducible master of all materials, and a disk copy of the Management Letter in a Microsoft Office Suite compatible file format will be delivered with the final report as specified in Section IV.B. Subsequently, the Management Letter will be transmitted to the Commission.

IV. SUBMISSION OF DELIVERABLES

All progress reports, invoices, draft reports, final reports, and any other deliverables should be mailed or delivered to:

Paul A. Novak, Executive Officer
Local Agency Formation Commission
80 South Lake Avenue, Suite 870
Pasadena, CA 91101

Staff Report

June 13, 2012

Agenda Item No. 7.c. Request for Statements of Qualifications for As-Needed Alternate Legal Counsel

On two recent occasions (November 9, 2011; and April 14, 2012) the Commission has discussed the concept of retaining as-needed alternate legal counsel to provide legal advice, particularly in a situation where regularly-appointed legal counsel is subject to a conflict of interest on a matter before the Commission. At your April 14th Commission meeting, staff was directed to bring to the Commission a Request for Statement of Qualifications (“RFSQ”) for the Commission’s consideration.

Attachment “A” is the draft RFSQ for As-Needed Alternate Legal Counsel. The RFSQ has been reviewed by LAFCO’s appointed legal counsel.

The RFSQ requires that proposers identify their qualifications, availability, fees, and the potential for conflicts of interest. The document also specifies that LAFCO, by issuing the RFSQ, is neither making an offer to award a formal contract nor guaranteeing any future work to any attorney or law firm that may respond to the RFSQ.

Attachment “B” is a list of 14 law firms to which staff recommends that the RFSQ be sent. In compiling the list, staff identified attorneys known to provide legal counsel to other LAFCOs; attorneys who have performed work involving LAFCOs, including representation of counties, cities, special districts, and other public agencies; and attorneys recommended by Commissioners, County Counsel, and the staff of other LAFCOs.

Recommended Action:

- 1) Approve the attached Request for Statements of Qualifications for As-Needed Alternate Legal Counsel (Attachment “A”);
- 2) Authorize the Executive Officer to transmit the Request for Statements of Qualifications for As-Needed Alternate Legal Counsel to the 14 law firms identified in Attachment “B,” and to implement a process to evaluate the law firms that respond, including, but not limited to, requesting further information and/or conducting interviews; and
- 3) Direct staff to report back to the Commission with findings and recommendations at a concerning the potential retention of as-needed alternate legal counsel at a future Commission meeting.

Attachment “A”

**Request for Statements of Qualifications (RFSQ)
or As-Needed Alternate Legal Counsel to the
Local Agency Commission for the
County of Los Angeles (“LAFCO”)**

Letter of Invitation

DATE: June 14, 2012

TO: Interested Parties

FROM: Paul A. Novak, AICP
Executive Officer, LAFCO

RE: Request for Statements of Qualifications for As-Needed Alternate Legal Counsel
to LAFCO

Introduction:

In accordance with Government Code Section 56384, the Local Agency Formation for the County of Los Angeles (LAFCO or the Commission) is seeking alternate legal counsel to provide legal advice to LAFCO on an as-needed basis. In particular, LAFCO may require the use of as-needed alternate legal counsel in a situation where LAFCO’s regularly-appointed legal counsel, the Office of County Counsel for the County of Los Angeles (County Counsel), is subject to a conflict of interest on a matter before the Commission.

Background:

LAFCO is a public agency with county-wide jurisdiction established by a State Law known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act). The intent of the Act is to discourage urban sprawl and to encourage orderly and efficient provision of services, such as water, sewer, and fire protection. LAFCOs oversee changes to local government boundaries involving the formation and expansion of cities and special districts.

LAFCOs are independent public agencies which administer the Act. Created by the State but with local (not State) appointees, each of the 58 counties in the State of California has a LAFCO. Each LAFCO operates independently of other LAFCOs. Although each LAFCO has authority only within its corresponding county, LAFCOs are State agencies.

The Local Agency Formation Commission for the County of Los Angeles is also known as “Los Angeles LAFCO,” “L.A. LAFCO,” or “LAFCO.”

LAFCO is governed by a Commission that is composed of nine members:

- Two members of the Los Angeles County Board of Supervisors;
- One member of the Los Angeles City Council;
- Two members of city councils who represent the other 88 cities (other than the City of Los Angeles) in the County;
- Two members who represent independent special districts;
- One member who represents the San Fernando Valley; and
- One member who represents the general public.

There are also six alternate members on the Commission (one for each of the six categories, above).

The Commission conducts business at its Regular Meetings on the second Wednesday of the month, and periodically at Special Meetings that are scheduled on an as-needed basis. Commission meetings are held at the Los Angeles County Board of Supervisors Hearing Room in downtown Los Angeles.

LAFCO has a professional staff of 7 employees at its office in Pasadena. The staff is managed by an Executive Officer and Deputy Executive Officer appointed by the Commission.

Request for Statements of Qualifications (RFSQ)

LAFCO invites Statements of Qualifications from attorneys and law firms interested in providing as-needed alternate legal advice to the Commission and staff. LAFCO utilizes attorneys from the Office of the County Counsel for the County of Los Angeles County (County Counsel) as its regularly-appointed legal counsel. The Commission recognizes, however, that instances may arise in which the Commission may be required, or may otherwise elect, to utilize alternate legal counsel, including, but not limited to, a situation where County Counsel is subject to a conflict of interest on a matter before the Commission. Additionally, periodically the Commission may seek to obtain alternate legal counsel on a particular issue. The Commission has, therefore, directed staff to solicit Statements of Qualifications from attorneys and law firms to serve as an

as-needed alternate legal counsel. Utilizing alternate legal counsel is authorized under Government Code Section 56384(b) and is a practice utilized by other LAFCOs in California.

This RFSQ is neither an offer to enter into a contract, nor is the RFSQ a guarantee of any future work. As this process proceeds, it is likely that LAFCO will solicit additional information from, and/or conduct interviews with, one or more interested attorneys or law firms. LAFCO retains the right to hire other consultants and special counsel at its discretion.

Statements of Qualifications shall be submitted in writing, sealed and identified as to content. Interested parties should submit one single-sided reproducible original and six (6) copies of your Statement of Qualifications.

Statements of Qualifications shall be in writing and submitted to:

Mr. Paul A. Novak, AICP
Executive Officer
80 South Lake Avenue
Suite 870
Pasadena, CA 91101

All Statements of Qualifications must be received by LAFCO no later than 5:00 P.M. on Monday, July 16th, 2012.

It is the proposer's responsibility to ensure that its Statement of Qualification is received by LAFCO no later than the date and time stipulated. A Statement of Qualification received later than the above date and the time may be rejected without consideration.

The proposer shall be solely responsible for examining the enclosed RFSQ documents, including any addenda issued during the proposal period, and for informing themselves with respect to any and all conditions that may in any way affect the amount or nature of the proposal, or the performance of the work in the event of selection.

A proposer may request, in writing, that LAFCO provide clarification or interpretation of the RFSQ documents prior to submission of its Statement of Qualification. Where such interpretation or clarification requires a change in the RFSQ documents, LAFCO will issue an addendum. A proposer shall acknowledge receipt of any and all addenda in its proposal. LAFCO shall not be bound by, and no proposer shall rely on, any oral interpretation or clarification of the RFSQ documents.

LAFCO may investigate the qualifications of any proposer under consideration, require confirmation of information furnished by the proposer, and require additional evidence of qualifications to perform the services described in the RFQ.

LAFCO reserves the right to:

- a. Reject any or all of the Statements of Qualification;

- b. Issue subsequent Requests for Statements of Qualification;
- c. Cancel this entire Request for Statements of Qualification;
- d. Remedy technical or other errors or omissions in the Request for Statements of Qualification process;
- e. Appoint committees to evaluate Statements of Qualification;
- f. Seek the assistance of outside technical experts in evaluating Statements of Qualification;
- g. Establish a short list of proposers eligible for further consideration after review of Statements of Qualification;
- h. Conduct interviews with any attorneys or law firms that submit Statements of Qualifications;
- i. Eliminate proposers from the process of discussion, interviewing, and contract negotiation; and/or
- j. Negotiate with any, all, or none of the proposers.

LAFCO reserves the right to investigate the qualifications of all firms and persons under consideration, to include reference checks, and to confirm any part of the information furnished by a proposer, or to require other evidence of professional, financial, or other capabilities which are considered necessary for the successful performance of the services.

Services Required:

The Commission conducts business at its Regular Meetings on the second Wednesday of the month and periodically at Special Meetings that are scheduled on an as-needed basis. Commission meetings are held at the Los Angeles County Board of Supervisors Hearing Room in downtown Los Angeles.

LAFCO has a professional staff of 7 employees at its office in Pasadena. The staff is managed by an Executive Officer and Deputy Executive Officer appointed by the Commission.

LAFCO's as-needed alternate legal counsel may be asked, at the sole discretion of LAFCO, to provide any and all of the following services:

- a. Review and approve Commission agendas and accompanying reports, contracts, resolutions, and other official documents necessary to support the activities of the Commission and Commission-established committees;

- b. Attend Commission meetings, as requested, and act as parliamentarian and legal counsel to the Commission, its committees, and staff about required notices, actions, and procedures to ensure that LAFCO conforms to State laws, regulations, and established LAFCO policies and procedures;
- c. Provide legal advice to LAFCO's Executive Office, Deputy Executive Officer, and staff about required documentation, paperwork, and administrative acts necessary to comply with applicable State Law;
- d. Provide written legal opinions to the Commission and staff on issues before LAFCO;
- e. Review, and approve as to form and legality, contracts with third parties;
- f. Assist in the negotiation of contracts and/or agreements as directed by the Commission; and
- g. Review Commission staff reports and recommendations to the Commission for consistency with applicable State Law.

STATEMENTS OF QUALIFICATIONS REQUIREMENTS

All Statements of Qualification shall provide the information described below in Parts I through IV, inclusive.

PART I Qualifications

I.A Qualifications of As-Needed Alternate Legal Counsel

Provide a detailed resume for the individual who would serve as primary as-needed alternate legal counsel (Primary Alternate Counsel) to LAFCO. Information on this resume shall include at a minimum:

- Education;
- Dates of admission to practice law in the State of California (it is a mandatory requirement that such individual be an active member in good standing of the California State Bar);
- Previous employers, clients, and significant work done. Include names addresses and phone number of specific persons who have knowledge of the individual's work;
- Current assignments and clients;
- Major accomplishments;
- Knowledge of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and
- Knowledge of related laws (California Environmental Quality Act, Ralph M. Brown Act, Subdivision Map Act, Planning and Zoning law), the Fair Political Practices Act and other Government Code provisions relating to conflicts of interests, and relevant provisions of the Revenue & Taxation Code (Revenue & Taxation Section 99) that impact LAFCO's decision-making and practices.

I.B Qualifications of Firm and Other Staff

Include a brief history of the firm, or other proposed staff support, state the names of major partners or principals, and discuss types of law practiced by the firm. State the resources available to support the proposed Primary Alternate Counsel, including a list of all partners or principals and other staff members (collectively, "Other Staff") by name and position.

List clients (including contact persons and their telephone numbers) that are particularly relevant to LAFCO, including cities, special districts, and other public agencies.

I.C LAFCO-Related Work

Describe any work performed by the Primary Alternate Counsel and Other Staff for any LAFCO in California and the nature and extent of that work.

Describe any work performed by the Primary Alternate Counsel and Other Staff for other public agencies, and/or private developers or property-owners, in matters that have come before any LAFCO in California.

I.D Availability

Identify Primary Alternate Counsel and Other Staff's availability in terms of attendance at Commission meetings and communications with LAFCO staff.

**PART II
Fees for Services**

II.A Fees for Professional Staff

Identify the hourly rate(s) and the hourly increment the rate(s) that are proposed to be invoiced for the Primary Alternate Counsel and Other Staff assigned to LAFCO.

II.B Travel Time

Define how it is proposed that LAFCO would be invoiced for travel time for attendance at Commission meetings and any other meetings involving LAFCO staff, public agencies, and property-owners and applicants.

II.C Reimbursable Expenses

Identify any and all expenses that are proposed to be charged to LAFCO above and beyond the fees for professional staff.

**PART II
Potential for Conflicts of Interest**

III.A Clients That May Present a Potential Conflict of Interest

Identify any existing or former clients whereby serving as as-needed alternate legal counsel for LAFCO may present a conflict of interest or the potential for a conflict of interest. This may include any representation for the County of Los Angeles, cities in the

County, special districts, real estate developers, large property-owners, and consultants, all of which may be involved in applications that come before LAFCO.

III.B Work for LAFCO or LAFCO's Commissioners

Describe any work previously performed under contract to LAFCO.

List any work currently or previously performed for any of the current or former LAFCO Commissioners.

III.C Addressing Potential Conflicts of Interest

Describe how the proposed intends to identify, avoid, and manage the potential for conflicts of interest.

PART IV Other

IV.A Additional Considerations

Provide any and all information which may bear on how the individual(s) are particularly well-qualified and positioned to represent LAFCO as its as-needed alternate legal counsel.

Attachment "B"**LA LAFCO As-Needed Alternate Legal Counsel
Request For Statement of Qualifications (RFSQ)**

<u>Law Firm</u>	<u>Attorney(s)</u>	<u>Comments</u>
Baker Manock & Jensen PC	Kenneth J. Price (Fresno)	Counsel to Fresno LAFCO
Best, Best & Krieger	Clark H. Alsop (Ontario) Paula DeSousa (San Diego) Andrew J. Morris (Sacramento)	Counsel to CALAFCO Counsel to Orange, El Dorado, & San Bernardino LAFCOs Back-up counsel to Monterey LAFCO
Law Offices of P. Scott Browne	P. Scott Browne (Grass Valley)	Counsel to Fresno LAFCO & Nevada LAFCO Provided legal opinion Proposition 172 to LA LAFCO
Burke, Williams & Sorensen LLP	Alexandra M. Barnhill (Oakland)	Referred by Napa LAFCO
Colantuono & Levin	Michael Colantuono (Grass Valley) Holly Whatley (Los Angeles)	Counsel to Yuba LAFCO Back-up counsel to Nevada, Orange, and San Diego LAFCOs City Attorney of Calabasas
Klein, Denatale, Goldner	Joseph D. Hughes (Bakersfield)	Back-up legal counsel for Kern LAFCO Represents special districts in Kern County
Kronick Moskovitz Tiedemann & Girard	Jonathan P. Hobbs (Sacramento)	Referred by Yolo LAFCO
Lagerlof, Senecal, Gosney & Kruse	Bill Kruse (Pasadena)	Pro bono to LA LAFCO (conducts special district elections) Counsel to California Special Districts Association Represents several special districts in LA County
Meyers Nave	Ruben Duran (Los Angeles) Deborah J. Fox (Los Angeles)	Counsel to special districts in Inland Empire (Duran) Outside counsel to County of Los Angeles (Fox)
Miller & Owen	Nancy C. Miller (Sacramento)	Counsel to San Francisco LAFCO Interim Executive Officer San Francisco LAFCO
Nossaman LLP	Lloyd W. ("Bill") Pellman (Los Angeles)	Former County Counsel Los Angeles County Former Counsel to LA LAFCO
Rutan & Tucker	Jeffrey A. Goldfarb (Orange County)	Back-up counsel to San Bernardino LAFCO
The Sohagi Law Group	Margaret Moore Sohagi (Los Angeles)	Outside counsel to County of Los Angeles
Woodruff, Spradlin & Smart	Benjamin P. de Mayo (Costa Mesa)	Former County Counsel Orange County Counsel to cities and special districts in Orange County