



Local Agency Formation Commission
for the County of Los Angeles

Commission

Jerry Gladbach
Chair

Richard H. Close
Donald L. Dear
Margaret Finlay
Don Knabe
Sheila Kuehl
Gerard McCallum
David Spence

Alternates

Michael D. Antonovich
Lori Brogin
Paul Krekorian
Judith Mitchell
Joseph Ruzicka
Greig Smith

Staff

Paul A. Novak, AICP
Executive Officer

June D. Savala
Deputy
Executive Officer

Amber De La Torre
Doug Dorado
Michael Henderson
Alisha O'Brien
Patricia Wood

80 South Lake Avenue
Suite 870
Pasadena, CA 91101
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www.lalafco.org

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, May 11, 2016
9:00 a.m.

Room 374A

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. **DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)**
4. **SWEARING-IN OF SPEAKER(S)**
5. **INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857 NOTICE**

None.

6. **CONSENT ITEM(S)**

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

- a. Approve Minutes of April 13, 2016.
- b. Operating Account Check Register for the month of April 2016.
- c. Receive and file update on pending proposals.
- d. Annexation No. 30 to the Los Angeles County Sanitation District No. 16, and California Environment Quality Act (CEQA) exemption.
- e. Annexation No. 746 to the Los Angeles County Sanitation District No. 21, and California Environment Quality Act (CEQA) exemption.

7. **PUBLIC HEARING(S)**

- a. **Application Withdrawn – Refer Back to Staff.** Out-of-Agency Service Agreement No. 2016-09 Los Angeles County Waterworks District No. 29 – Malibu (Ravenswood Ranch), Amendments to the Las Virgenes Municipal Water District, the Los Angeles County Waterworks District No. 29 – Malibu, and the West Basin Municipal Water District Spheres of Influence (SOIs), and California Environmental Quality Act (CEQA) exemption.
- b. Reorganization No. 2013-01 to the Newhall County Water District (Castaic High School), Amendments to the Newhall County Water District and the Los Angeles County Waterworks District No. 36 – Val Verde, Spheres of Influence (SOIs); Detachments from the Los Angeles County Waterworks District No. 36 – Val Verde, and Annexation to the Newhall County Water District, and Environmental Impact Report.

8. **PROTEST HEARING(S)**

- a. None

9. **OTHER ITEMS**

- a. Hidden Creeks Estates – Status Report
- b. Appointment of Alternate Public Member
- c. Legislative Update

10. **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.

11. **EXECUTIVE OFFICER'S REPORT**

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

12. **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.

13. **FUTURE MEETINGS**

June 8, 2016 (Room 374A)
July 13, 2016
August 10, 2016
September 14, 2016

14. **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.

15. **ADJOURNMENT MOTION**



Local Agency Formation Commission
for the County of Los Angeles

 **DRAFT**

Commission

Jerry Gladbach
Chair

Richard H. Close
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REGULAR MEETING

MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION

FOR THE COUNTY OF LOS ANGELES

April 13, 2016

Present:

Donald L. Dear, First Vice-Chair

Richard H. Close
Margaret Finlay
Don Knabe
Sheila Kuehl
Gerard McCallum
David Spence

Michael D. Antonovich, Alternate
Lori Brogin-Falley, Alternate
Judith Mitchell, Alternate
Joe Ruzicka, Alternate

Paul A. Novak, AICP; Executive Officer
Helen Parker, Legal Counsel

Absent:

Jerry Gladbach, Chair
Paul Krekorian, Alternate
Greig Smith, Alternate

1 CALL MEETING TO ORDER

The meeting was called to order at 9:02 a.m. in Room 381-B of the County Hall of Administration.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by First Vice-Chair Donald L. Dear.

RE-ELECTION OF COMMISSIONER DONALD L. DEAR

The Executive Officer announced, as of April 11th, Commissioner Dear was re-appointed to another 4-year term on the Commission, representing independent special districts.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (E.O.) read an announcement, asking that persons who made a campaign contribution of more than \$250 to any member of the Commission during the past twelve (12) months to rise and state for the record the Commissioner to whom such campaign contributions were made and the item of their involvement (None).

4 SWEARING-IN OF SPEAKER(S)

The Executive Officer swore in members of the audience who planned to testify (None).

5 INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857 NOTICE

None.

6 CONSENT ITEM(S) – OTHER

The Commission took the following actions under Consent Items:

- a. Approved Minutes of March 9, 2016.
- b. Approved Operating Account Check Register for the month of March 2016.
- c. Received and filed update on pending proposals.
- d. Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 418 to the Los Angeles County Sanitation District No. 14; Resolution No. 2016-11RMD.

- e. Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 419 to the Los Angeles County Sanitation District No. 14; Resolution No. 2016-12RMD.
- f. Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 1078 to the Santa Clarita Valley Sanitation District of Los Angeles County; Resolution No. 2016-13RMD

MOTION: RUZICKA (ALT. FOR GLADBACH)
SECOND: KUEHL
AYES: CLOSE, FINLAY, KUEHL, RUZICKA (ALT. FOR
GLADBACH), SPENCE, DEAR (FIRST VICE-CHAIR)
NOES: NONE
ABSTAIN: NONE
ABSENT: KNABE, KREKORIAN, McCALLUM
MOTION PASSED: 6/0/0

[Supervisor Knabe and Commissioner McCallum arrived at 9:04 a.m.]

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Proposed Budget for Fiscal Year 2016-17.

The E.O. stated that Government Code Section 56381 requires the Commission to adopt a final budget no later than June 15th of each year after conducting two (2) noticed public hearings. Today (April 13th) is the first of two public hearings, the second being the Commission meeting on June 8th. The E.O. noted that compared to last year's budget, many of the line items in the proposed budget, including employee salaries, are relatively constant, or involve minor adjustments involving modest dollar amounts. Notable increases in expenses are primarily due to increased costs in categories beyond staff's control, such as increased medical insurance for employees and retirees, increased worker's compensation insurance, and other insurance costs. The E.O. stated, in conformance of the law, staff is recommending that the budget be circulated to involving public agencies and considered for final adoption at the June meeting.

The public hearing was opened to receive testimony. There being no testimony, the public hearing was closed.

The Commission took the following action:

- Approved the Proposed Budget for Fiscal Year 2016-2017;

- Pursuant to Government Code Section 56381, directed staff to forward the Proposed Budget to the County of Los Angeles, the 88 cities, and the 53 independent special districts in Los Angeles County for their comment; and
- Set June 8, 2016 for hearing on adoption of the Final Budget for Fiscal Year 2016-17.

MOTION: KNABE
SECOND: FINLAY
AYES: CLOSE, FINLAY, KNABE, KUEHL, McCALLUM,
RUZICKA (ALT. FOR GLADBACH), SPENCE,
DEAR (FIRST VICE-CHAIR)
NOES: NONE
ABSTAIN: NONE
ABSENT: KREKORIAN
MOTION PASSED: 8/0/0

[Supervisor Antonovich arrived at 9:09 a.m.]

8 PROTEST HEARING(S)

The following items were called for consideration:

- a. Annexation No. 1073 to the Santa Clarita Valley Sanitation District of Los Angeles County.
- b. Annexation No. 2012-13 to the Los Angeles County Waterworks District No. 37 – Acton.
- c. Reorganization No. 2015-08 to the Greater Los Angeles County Vector Control District (Amendments to the Greater Los Angeles County Vector Control District and the Los Angeles County West Vector Control District Spheres of Influence (SOIs); Detachment from the Los Angeles County West Vector District, and Annexation the Greater Los Angeles County Vector Control District), For a Portion of the City of Gardena.

The E.O. stated that this is the Commission protest hearings pursuant to Government Code Section 57000 *et seq.* and that no written protest(s) have been received in advance of the hearing.

The combined protest hearings were opened to receive testimony and/or written protest(s). There being no testimony or written protest(s) submitted, the combined protest hearings were closed.

The Commission took the following combined actions:

- Adopted the Resolution Making Determinations Ordering Annexation No. 1073 to the Santa Clarita Valley Sanitation District of Los Angeles County;

Resolution No. 2016-01PR.

- Adopted the Resolution Making Determinations Ordering Annexation No. 2012-13 to the Los Angeles County Waterworks District No. 37 – Acton; Resolution No. 2016-02PR.
- Adopted the Resolution Making Determinations Ordering Reorganization No. 2015-08 to the Greater Los Angeles County Vector Control District (Amendments to the Greater Los Angeles County Vector Control District and the Los Angeles County West Vector Control District Spheres of Influence (SOIs); Detachment from the Los Angeles County West Vector District, and Annexation the Greater Los Angeles County Vector Control District), For a Portion of the City of Gardena; Resolution No. 2016-03PR.

MOTION: FINLAY
SECOND: SPENCE
AYES: CLOSE, FINLAY, KNABE, KUEHL, McCALLUM,
RUZICKA (ALT. FOR GLADBACH), SPENCE,
DEAR (FIRST VICE-CHAIR)
NOES: NONE
ABSTAIN: NONE
ABSENT: KREKORIAN
MOTION PASSED: 8/0/0

9 OTHER ITEMS

The following item was called up for consideration:

- a. Legislative Update & Request for Commission Support of AB 2910 (Omnibus Bill).

The E.O. stated staff is asking the Commission to support AB 2910, also known as the CALAFCO Omnibus Bill. This bill was introduced on March 15th by the Assembly Local Government Committee (ALGC), on behalf of CALAFCO. The E.O. noted that the bill is endorsed by the CALAFCO Legislative Committee, and has been reviewed by members for the ALGC, and its staff and consultants.

The E.O. noted that the second bullet item of the staff report, which is the proposed amendment to Government Code Section 56150, relative to e-mailing public hearing notices, has been removed from the Omnibus Bill. The E.O. noted that despite exhaustive efforts by ALGC and CALAFCO representatives, they were unable to overcome objections by the League of California Cities. For these reasons, CALAFCO agreed to remove the proposal.

The E.O. noted that the fourth bullet item of the staff report, would require that the Public Member and Alternate Public Member be a resident of the county in which the LAFCO is

located. The E.O. also noted that this has been an issue with other LAFCOs, and not necessarily with Los Angeles LAFCO.

The Commission took the following action:

- Directed staff to draft a letter in support of AB 2910, authorize the First Vice-Chair to sign the letter, and directed staff to forward the letter to the Legislature and Governor, on behalf of the Commission.

MOTION: KUEHL
SECOND: FINLAY
AYES: CLOSE, FINLAY, KNABE, KUEHL, McCALLUM,
RUZICKA (ALT. FOR GLADBACH), SPENCE,
DEAR (FIRST VICE-CHAIR)
NOES: NONE
ABSTAIN: NONE
ABSENT: KREKORIAN
MOTION PASSED: 8/0/0

10 COMMISSIONERS' REPORT

First Vice-Chair Dear stated he was recently in Sacramento. He noted that water districts are in favor of Assembly Constitutional Amendment (ACA) No. 8, which would change the taxing requirements with the voting percentage to pass bonds from 2/3 of voters to 55% of the voters within a city, county, or special district. The current State Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of property. ACA 8 would create an additional exception to the 1% limit for a rate imposed by a city, county, or special district to service bonded indebtedness incurred to fund construction, reconstruction, rehabilitation, or replacement of wastewater treatment facilities, potable water producing facilities and related infrastructure, and stormwater treatment facilities and related infrastructure, if it is approved by 55% of the voters to levy an ad valorem tax.

11 EXECUTIVE OFFICER'S REPORT

The E.O. noted that a copy of a thank you letter from CALAFCO was distributed to each of the Commissioners, thanking the Commission for hosting the 2016 Staff Workshop. The E.O. thanked First Vice-Chair Dear and Supervisor Shelia Kuehl for speaking at the Workshop's opening session.

The E.O. stated that staff distributed a handout which gives new meeting locations (Room 374A) for the May 11th and June 8th Commission meetings. The handout also outlines options for the November meeting for the Commission to consider. The E.O. noted that the regular meeting

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(November 9th) can remain, but the meeting location would be moved to Room 374A or, move the meeting to a Special Meeting (November 16th), where the meeting would be held in the Board of Supervisors Hearing Room, Room 381B.

Commissioner Ruzicka stated he has prior commitment on November 16th. First Vice-Chair Dear and Commissioner Finlay said that they would prefer to have the regular meeting (November 9th) in the Business License Commission Meeting Room (Room 374A).

The Commission agreed to have the regular meeting (November 9th), in the Business License Commission Meeting Room (Room 374A).

12 PUBLIC COMMENT

None.

13 FUTURE MEETINGS

May 11, 2016 (will be held in room 374A)

June 8, 2016 (will be held in room 374A)

July 13, 2016

August 10, 2016

14 FUTURE AGENDA ITEMS

None.

15 ADJOURNMENT MOTION

On motion of Commissioner Ruzicka, seconded by Commissioner Spence, the meeting was adjourned at 9:16 a.m.

Respectfully submitted,

Paul A. Novak, AICP, Executive Officer

8:53 AM

05/02/16

Accrual Basis

LAFCO 03

Register Report

April 2016

Type	Date	Num	Name	Memo	Amount	Balance
10000 Cash Unrestricted						
10003 Operating Account						
Check	04/01/2016	47131...	ADP	Processing charges for ...	-159.97	-159.97
Bill Pmt -Check	04/06/2016	7937	80 South Lake LLC	NO000758-1	-7,331.22	-7,491.19
Bill Pmt -Check	04/06/2016	7938	Anthem Blue Cross*	April-June 2016, M. He...	-920.01	-8,411.20
Bill Pmt -Check	04/06/2016	7939	CALAFCO*	LAFCOBROCHURES	-110.00	-8,521.20
Bill Pmt -Check	04/06/2016	7940	Certified Records Managment	Storage period 04/01/1...	-325.44	-8,846.64
Bill Pmt -Check	04/06/2016	7941	CoreLogic	Acct#200-694038-RR6...	-165.60	-9,012.24
Bill Pmt -Check	04/06/2016	7942	County Counsel		-11,004.44	-20,016.68
Bill Pmt -Check	04/06/2016	7943	County Sanitation Districts*	Refund: Annexation 14-...	-500.00	-20,516.68
Bill Pmt -Check	04/06/2016	7944	CTS Glendale		-637.50	-21,154.18
Bill Pmt -Check	04/06/2016	7945	Donald Dear*	Reimbursement: CALA...	-36.20	-21,190.38
Bill Pmt -Check	04/06/2016	7946	Gina Duche	Bookkeeping: 4.0 Hrs	-100.00	-21,290.38
Bill Pmt -Check	04/06/2016	7947	June Savala	VOID: Reimbursement:...	0.00	-21,290.38
Bill Pmt -Check	04/06/2016	7948	LA County Chief Administrative Office	Cust#C000766, Jul-De ...	-1,156.27	-22,446.65
Bill Pmt -Check	04/06/2016	7949	LACERA	LAFCO OPEB: March ...	-905.40	-23,352.05
Bill Pmt -Check	04/06/2016	7950	Los Angeles County Assessor*	Annexation No: 2015-14	-20.00	-23,372.05
Bill Pmt -Check	04/06/2016	7951	Neofunds	Acct#7900 0445 2259 ...	-800.00	-24,172.05
Bill Pmt -Check	04/06/2016	7952	Office Depot*		-262.73	-24,434.78
Bill Pmt -Check	04/06/2016	7953	Patricia Knoebel-Wood*	Reimbursement: CALA...	-59.32	-24,494.10
Bill Pmt -Check	04/06/2016	7954	June Savala	Reimbursement: CALA...	-617.09	-25,111.19
Bill Pmt -Check	04/07/2016	7955	Charter Communications	Acct # 8245100171576...	-502.19	-25,613.38
Bill Pmt -Check	04/12/2016	7956	Charter Communications	Acct # 8245100171576 ..	-502.19	-26,115.57
Bill Pmt -Check	04/12/2016	7957	Daily Journal	Cust#1124120362	-23.00	-26,138.57
Bill Pmt -Check	04/12/2016	7958	Erik Conard	Reimbursement: CALA...	-110.70	-26,249.27
Bill Pmt -Check	04/12/2016	7959	Gina Duche	Bookkeeping: 4.0 Hrs	-100.00	-26,349.27
Bill Pmt -Check	04/12/2016	7960	Motor Parks	Cust#025-001, 1 Hr Val...	-405.00	-26,754.27
Bill Pmt -Check	04/12/2016	7961	Platinum Consulting	LA LAFCO-Budget	-1,908.75	-28,663.02
Bill Pmt -Check	04/12/2016	7962	Printing and Copy Store	Letterhead	-206.01	-28,869.03
Bill Pmt -Check	04/12/2016	7963	Ricoh Americas Corp	036-0027688-000	-1,570.57	-30,439.60
Check	04/15/2016	DD	Ambar De La Torre	Salary, April 15, 2016	-1,695.57	-32,135.17
Check	04/15/2016	DD	Douglass Dorado	Salary, April 15, 2016	-2,514.80	-34,649.97
Check	04/15/2016	DD	Michael E. Henderson	Salary, April 15, 2016	-1,896.68	-36,546.65
Check	04/15/2016	DD	Patricia Knoebel-Wood	Salary, April 15, 2016	-1,099.12	-37,645.77
Check	04/15/2016	DD	Paul Novak	Salary, April 15, 2016	-4,262.38	-41,908.15
Check	04/15/2016	DD	Alisha O'Brien	Salary, April 15, 2016	-1,884.60	-43,792.75
Check	04/15/2016	DD	June D. Savala	Salary, April 15, 2016	-3,669.50	-47,462.25
Check	04/15/2016	DM	Federal Tax Deposit	Payroll Taxes, April 15,...	-4,693.20	-52,155.45
Check	04/15/2016	DM	State Income Tax	Payroll Taxes, April 15,...	-1,173.40	-53,328.85
Check	04/15/2016	47181...	ADP	Processing charges for ...	-129.81	-53,458.66
Check	04/15/2016	47214...	ADP	EZLabor Manager: Apri...	-52.50	-53,511.16
Bill Pmt -Check	04/21/2016	7964	Amber DeLaTorre*	Reimbursement: Milea...	-86.96	-53,598.12
Bill Pmt -Check	04/21/2016	7965	ATT	Acct#990566760, 03/1...	-266.80	-53,864.92
Bill Pmt -Check	04/21/2016	7966	Daily Journal	Cust#1124120362	-22.25	-53,887.17
Bill Pmt -Check	04/21/2016	7967	Gina Duche	Bookkeeping: 5.0 Hrs	-125.00	-54,012.17
Bill Pmt -Check	04/21/2016	7968	Mail Finance	Cust#416653, 12-May-...	-126.42	-54,138.59
Bill Pmt -Check	04/21/2016	7969	MetLife*	Policy#211130483, J. S...	-345.33	-54,483.92
Bill Pmt -Check	04/21/2016	7970	Office Depot*		-401.22	-54,885.14
Bill Pmt -Check	04/21/2016	7971	Paul A. Novak	Reimbursement: Parking	-53.75	-54,938.89
Bill Pmt -Check	04/21/2016	7972	Tropical Interior Plants	Service: March 2016	-100.00	-55,038.89
Bill Pmt -Check	04/28/2016	7973	80 South Lake LLC	NO000758-1	-6,234.47	-61,273.36
Bill Pmt -Check	04/28/2016	7974	Bank of America*		-2,223.37	-63,496.73
Bill Pmt -Check	04/28/2016	7975	CTS Glendale	LAFCO - Monthly Servi...	-1,944.50	-65,441.23
Bill Pmt -Check	04/28/2016	7976	Gina Duche	Bookkeeping: 5.0 Hrs	-125.00	-65,566.23
Bill Pmt -Check	04/28/2016	7977	LACERA	Employee/Employer c...	-11,455.47	-77,021.70
Bill Pmt -Check	04/28/2016	7978	Motor Parks	Cust#025-001, Unreser...	-630.00	-77,651.70
Bill Pmt -Check	04/28/2016	7979	Neofunds	Acct#7900 0445 2259 ...	-300.00	-77,951.70
Bill Pmt -Check	04/28/2016	7980	Office Depot*	Acct#32368442	-361.63	-78,313.33
Bill Pmt -Check	04/28/2016	7981	Print Master	Cust#314	-257.70	-78,571.03
Check	04/29/2016	30599...	Michael D. Antonovich	Stipend, April 29, 2016	-210.38	-78,781.41
Check	04/29/2016	30599...	Lori W. Brogin	Stipend, April 29, 2016	-147.83	-78,929.24
Check	04/29/2016	30599...	Richard Close	Stipend, April 29, 2016	-147.83	-79,077.07
Check	04/29/2016	DM	Donald L. Dear	Stipend, April 29, 2016	-284.40	-79,361.47
Check	04/29/2016	30599...	Margaret E. Finlay	Stipend, April 29, 2016	-147.83	-79,509.30
Check	04/29/2016	30599...	Donald Knabe	Stipend, April 29, 2016	-147.83	-79,657.13
Check	04/29/2016	30599...	Sheila A Kuehl	Stipend, April 29, 2016	-272.79	-79,929.92
Check	04/29/2016	DM	Gerard McCallum II	Stipend, April 29, 2016	-147.83	-80,077.75
Check	04/29/2016	30599...	Judith Mitchell	Stipend, April 29, 2016	-147.82	-80,225.57
Check	04/29/2016	DM	David Spence	Stipend, April 29, 2016	-147.83	-80,373.40
Check	04/29/2016	DM	Ambar De La Torre	Salary, April 29, 2016	-1,695.57	-82,068.97
Check	04/29/2016	DM	Douglass Dorado	Salary, April 29, 2016	-2,514.79	-84,583.76
Check	04/29/2016	DM	Michael E. Henderson	Salary, April 29, 2016	-1,896.69	-86,480.45
Check	04/29/2016	DM	Patricia Knoebel-Wood	Salary, April 29, 2016	-1,099.12	-87,579.57
Check	04/29/2016	DM	Paul Novak	Salary, April 29, 2016	-4,262.38	-91,841.95
Check	04/29/2016	DM	Alisha O'Brien	Salary, April 29, 2016	-1,884.60	-93,726.55
Check	04/29/2016	DM	June D. Savala	Salary, April 29, 2016	-3,669.50	-97,396.05

8:53 AM

05/02/16

Accrual Basis

LAFCO 03
Register Report
April 2016

Type	Date	Num	Name	Memo	Amount	Balance
Check	04/29/2016	DM	Federal Tax Deposit	Payroll Taxes, April 29,...	-83.47	-97,479.52
Check	04/29/2016	DM	State Income Tax	Payroll Taxes, April 29,...	-10.00	-97,489.52
Check	04/29/2016	DM	Federal Tax Deposit	Payroll Taxes, April 29,...	-4,693.20	-102,182.72
Check	04/29/2016	DM	State Income Tax	Payroll Taxes, April 29,...	-1,173.40	-103,356.12
Total 10003 Operating Account					-103,356.12	-103,356.12
Total 10000 Cash Unrestricted					-103,356.12	-103,356.12
TOTAL					-103,356.12	-103,356.12

AGENDA ITEM NO. 6c - May 11, 2016

PENDING PROPOSALS AS OF May 4, 2016

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
1	AOB	Annexation 2006-12 to Los Angeles County Waterworks District No. 40	Land Resource Investors	Annex 20 acres of vacant land located at the northeast corner of Avenue J and 37th Street East, City of Lancaster. Will be developed into 80 single family homes.	Incomplete filing: property tax transfer resolution, registered voter and landowner labels.	5/16/2006	Unknown
2	AOB	Annexation No. 2006-46 to Los Angeles County Waterworks District No. 40	New Anaverde, LLC	Annex 1,567 acres of vacant land located near Lake Elizabeth Road and Avenue S in the city of Palmdale. Will be developed into 313 single family home.	Incomplete filing: CEQA, registered voter labels, landowner labels, and approved map and legal.	10/5/2006	Unknown
3	AOB	Annexation No. 2011-17 (2006-50) to Los Angeles County Waterworks District No. 40	Behrooz Haverim/Kamyar Lashgari	Annex 20.62 acres of vacant land located south of Avenue H between 42nd Street West and 45th Street West in the City of Lancaster. To be developed into single family homes	Incomplete filing: property tax transfer resolution, registered voter and landowner labels.	12/1/2006	Unknown
4	DD	Annexation No. 2007-04 City of Industry	City of Industry	Annexation of 14.8 acres to the City of Industry. The subject territory consists principally of a street right-of-way along Valley Blvd., between Morningside Drive and the City of Industry and City of Pomona boundary line.	Notice of Filing sent 6-6-07 Incomplete filing: property tax transfer resolution, registered voter and landowner labels, map of limiting addresses, and list of limiting addresses.	1/4/2007	Unknown
5	AOB	Annexation No. 2007- 29 to Quartz Hill Water District - SOI amendment	Kimberly Juday	Annex 5.08 acres of vacant land located at NEC of Avenue L-12 & 37th Street West, in the City of Lancaster. Future development of 7 single family homes	Notice of Filing sent 05/28/08. Incomplete filing: property tax transfer resolution.	1/4/2008	Unknown
6	AOB	Annexation 2008-13 to Los Angeles County Waterworks District No. 40	Lancaster School Dist.	Annex 20.47 acres of vacant land located 2 miles west of the Antelope Valley fw. And the nearest paved major streets are ave. H. And Ave. I. In the City of Lancaster. For future construction of a school.	Notice of Filing sent 04/22/09. Incomplete filing: property tax transfer resolution, and CEQA.	9/22/2008	Unknown
7	AOB	Annexation No. 2008-09 to Los Angeles County Waterworks District No. 37	Watt Enterprises LTD	Annex 272 Acres vacant land located on Escondido Canyon Road (area B) and Hubbard Road (area A) Angeles Forest Highway and Vincent Road	Notice of Filing sent 02/24/09. Incomplete filing: property tax transfer resolution and CEQA	12/5/2008	Unknown
8	AOB	Reorganization 2010-04 Los Angeles County Waterworks District No. 29	Malitex Partners, LLC	Detach 88 acres of vacant land from the Las Virgenes Municipal Water District and annex same said territory to Los Angeles County Waterworks District No 29 and West Basin Municipal Water District. The project includes future construction of three homes and dedicates open space. The project site is located north of Pacific Coast Highway at the end of Murphy Way, in the unincorporated area adjacent to Malibu.	Notice of Filing sent 07-15-10. Incomplete filing: CEQA. EIR on hold 4-14-15. Applicant requested to keep this file open, pending details how to proceed with the project 04/29/15.	6/9/2010	Unknown
9	DD	City of Palmdale Annexation 2010-05	City of Palmdale	49.6 acres located adjacent to residential properties to the southwest, southeast, and separated by the Amargosa Creek to the north.	Notice of Filing sent 1-3-11 Incomplete filing: property tax transfer resolution, insufficient CEQA, unclear pre-zoning ordinance. approved map and legal	10/25/2010	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
10	AOB	Reorganization 2011-16 (Tesoro del Valle)	NCWD/CLWA	801.53 acres regional access is provided via Interstate 5 (1-5) for north/south travelers from the east, and State Route 126 (SR-126) for travelers from the west. The existing local thoroughfare that provides access to the proposed area is Copper Hill Drive, which can be accessed directly from Tesoro del Valle Drive or Avenida Rancho Tesoro.	Notice of Filing sent 05-31-11. Incomplete filing: property tax transfer resolution.	5/5/2011	Unknown
11	DD	City of Los Angeles Annexation 2011-27	Forestar Group	685 acres of uninhabited territory located east of Browns Canyon Road and northwest of Mason Ave, in the unincorporated area just north of the City of Los Angeles.	Notice of Filing sent 2-15-12. Incomplete filing: property tax transfer resolution, CEQA, pre-zoning ordinance, map of limiting addresses, list of limiting addresses, and approved map and legal.	12/8/2011	Unknown
12	DD	City of Palmdale Annexation 2011-19	City of Palmdale	405 acres of uninhabited territory located between Palmdale Blvd and Ave S and 80th and 85th Street East.	Notice of Filing sent 3-22-12. Incomplete filing: property tax transfer resolution, inadequate CEQA, maps of limiting addresses, list of limiting addresses, and approved map and legal. DUC adjacent	3/8/2012	Unknown
13	AOB	Reorganization No. 2013-01 to Newhall County Water District (Castaic High School)	Newhall County Water District	Detach from Los Angeles County Waterworks District No. 36, Val Verde and annex to Newhall County Water District. Located at the northwest corner of Romero Canyon Road and Canyon Hill Road, in the unincorporated community of Castaic.	May Agenda	4/3/2013	Jun-2016
14	DD	Annexation 2014-04 to the City of Calabasas	City of Calabasas	annex approximately 43.31± acres of uninhabited territory to the City of Calabasas. The affected territory is generally located along Agoura Road between Liberty Canyon Road and Malibu Hills Road, in Los Angeles County unincorporated territory adjacent to the City of Agoura Hills and Calabasas.	Notice of Filing sent 3-20-14. Incomplete filing: property tax transfer resolution, CEQA, pre-zoning ordinance, radius map, landowner and registered voter labels, landowner consent letter, approved map and legal	3/18/2014	Unknown
15	AOB	Reorganization No. 2014-06 to Los Angeles County Waterworks District No. 29, Malibu	NSRS Trust	Detach 2 acres located on Palm Canyon Lane, unincorporated territory, from Las Virgenes Municipal Water District and annex said territory to Los Angeles County Waterworks District No. 29, Malibu.	June Agenda	5/21/2014	Jul-2016
16	AOB	Annexation No. 2014-09 to Los Angeles County Waterworks District No. 36, Val Verde (Los Valles Development)	SFI Los Valles LLC	SOI Amendment and Annexation of 10± acres located north of Halsey Canyon Road and Los Valles Drive, all within unincorporated territory of Castaic	Notice of Filing sent 10-02-14. Incomplete filing: property tax transfer resolution, CEQA, and approved map and legal.	7/15/2014	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
17	AOB	Annexation No. 2014-13 to Los Angeles County Waterworks District No. 40, Antelope Valley	Lebata, Inc	310.96 acres located near Avenue T and 126th Street East, in unincorporated County territory, near the community of Pearblossom. Install and operate a new sand and gravel mining operation.	Notice of Filing sent 09-30-14. Incomplete filing: property tax transfer resolution, CEQA, radius labels, mailing labels of landowners and registered voters, approved map and legal.	9/29/2014	Unknown
18	DD	Reorganization No. 2014-03 to the City of Calabasas	City of Calabasas	176± acres immediately north of and adjacent to the 101 freeway between the City of Calabasas and Hidden Hills.	Notice of Filing sent 1-8-15. Incomplete filing: property tax transfer resolution, CEQA, pre-zoning ordinance, radius map, mailing labels of landowners and registered voters, approved map and legal.	12/10/2014	Unknown
19	DD	Annexation No. 2015-11 to the City of Palmdale (Desert View Highlands)	City of Palmdale	284 acres inhabited territory. Generally located north and south of Elizabeth Lake Road between Amargosa Creek and 10th street west, in Los Angeles County unincorporated territory surrounded by the City of Palmdale	Notice of Filing sent 9-22-15. Incomplete filing: property tax resolution, attachment 'A' plan for municipal services, CEQA (NOD), party disclosure, pre-zoning, map of limiting addresses, registered voter info	9/15/2015	Unknown
20	DD	Annexation No. 2015-09 to the City of Pomona	City of Pomona	5.76 acres uninhabited territory. Located south of Valley Blvd approximately 2500' east of Grand Ave, adjacent to the City of Industry and Pomona.	Notice of Filing sent 9-23-15. Incomplete filing: property tax transfer resolution, attachment "A" plan for municipal services, CEQA, party disclosure, pre-zoning, limiting addresses, map of limiting addresses, radius map, registered voter labels within affected territory, registered voters within 300' radius, landowners within affected territory, landowners within 300' radius, map and legal not approved	9/22/2015	Unknown
21	AOB	Annexation No. 2015-06 to the Newhall County Water District	Newhall County Water District	0.10 acres uninhabited territory. Located south of Newhall Ranch Road, west of Copper Hill Drive, in the City of Santa Clarita. Existing booster station facility.	Notice of Filing sent 10-14-15. Incomplete filing: property tax transfer resolution, map and legal not approved.	9/24/2015	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
22	AOB	Annexation No. 2015-07 to the Newhall County Water District	Newhall County Water District	2.43 acres uninhabited territory. Located south of the Antelope Valley Freeway (SR-14), east of Sand Canyon Road, in the City of Santa Clarita. Construction of a water well.	Notice of Filing sent 10-14-15. Incomplete filing; property tax transfer resolution, map and legal not approved.	9/24/2015	Unknown
23	DD	Annexation No. 2015-10 to the City of Agoura Hills	City of Agoura Hills	117 acres uninhabited territory. Located northeast and southwest of Chesebro Road directly north of the Highway 101	Notice of Filing sent 11-3-15. Incomplete filing; property tax transfer resolution.	11/2/2015	Unknown
24	AD	Annexation 30 to District No. 16	Sanitation Districts	0.69 acres. Located on New York Drive approximately 800 feet southeast of Bradley Street, all within unincorporated Los Angeles County.	May- Agenda	11/9/2015	Jun-2016
25	AD	Annexation 746 to District No. 21	Sanitation Districts	1.32 acres. Located on Mills Avenue approximately 200 feet north of Alamosa Drive, all within the City of Claremont.	May- Agenda	11/9/2015	Jun-2016
26	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1077	Sanitation Districts	1.96 acres. Located on Sierra Highway at American Beauty Drive, all within the City of Santa Clarita.	Notice of Filing sent 12-22-15. Incomplete filing; property tax transfer resolution.	12/21/2015	Unknown
27	AD	Annexation 747 to District No. 21	Sanitation Districts	0.78 acres. Located on Glen Way approximately 400 feet north of Baseline Road, all within unincorporated Los Angeles County.	Notice of Filing sent 01-06-16. Incomplete filing; property tax transfer resolution.	1/4/2016	Unknown
28	AD	Annexation 748 to District No. 21	Sanitation Districts	0.8 acres. Located on the northwest corner of Towne avenue and Richbrook Drive, all within the City of Pomona.	Notice of Filing sent 01-06-16. Incomplete filing; property tax transfer resolution.	1/4/2016	Unknown
29	AD	Annexation 423 to District No. 22	Sanitation Districts	0.91 acres. Located at the terminus of Via Romales, all within the City of San Dimas.	Notice of Filing sent 01-06-16. Incomplete filing; property tax transfer resolution.	1/4/2016	Unknown
30	AD	Annexation 424 to District No. 22	Sanitation Districts	14.96 acres. Located on San Dimas Canyon Road south of Caballo Ranch Road, all within the City of La Verne.	Notice of Filing sent 01-06-16. Incomplete filing; property tax transfer resolution.	1/4/2016	Unknown
31	AOB	Out-of-Agency Service Agreement No. 2016-02 between CV Communities LLC and the Los Angeles County Waterworks District No. 40- Antelope Valley (Joshua Ranch)	CV Communities LLC	The affected territory is generally located north of Elizabeth Lake Road and south of the California Aqueduct, between 30th Street West and 50th Street West, all within the City of Palmdale. The affected territory consists of 793± acres of uninhabited territory. The out-of-agency service agreement would allow the Los Angeles County Waterworks District No. 40 –Antelope Valley, to provide water service to the landowner/applicant (CV Communities, LLC).	March Agenda. Commission continued until date uncertain.	1/21/2016	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
32	DD	Reorganization No. 2015-14 to the City of Pomona	City of Pomona	5.1 acres uninhabited territory. Located south of Valley Blvd approximately 2500' east of Grand Ave, adjacent to the City of Industry and Pomona.	Notice of Filing sent 2-2-15 Incomplete filing: property tax transfer resolution, attachment "A" plan for municipal services, party disclosure, map of limiting addresses, registered voter labels within affected territory, registered voters within 300' radius, landowners within affected territory, landowners within 300' radius, map and legal not approved	1/28/2016	Unknown
33	AOB	Reorganization No. 2016-01 to the Las Virgenes Municipal Water District	Las Virgenes Municipal Water District	Detachment from West Basin Municipal Water District, and annexation to the Las Virgenes Municipal Water District. Both districts require SOI amendments. The territory consists of 26 single-family homes, generally located south of Cairnloch Street, west of Summit Mountain Way, all within the City of Calabasas.	Notice of Filing sent 04-19-16 Incomplete filing: property tax transfer resolution.	2/22/2016	Unknown
34	AD	Annexation 294 to District No. 15	Sanitation Districts	0.4 Acres of uninhabited territory. Located on Turnbull Canyon Road approximately 100 feet south of Jantu Avenue, all within unincorporated Los Angeles County.	Notice of Filing sent 03-08-16 Incomplete filing: property tax transfer resolution.	3/3/2016	Unknown
35	AD	Annexation 295 to District No. 15	Sanitation Districts	1.268 Acres of uninhabited territory. Located on Hacienda Boulevard approximately 200 feet south of West Francisco Avenue, all within the City of La Puente.	Notice of Filing sent 03-08-16 Incomplete filing: property tax transfer resolution.	3/3/2016	Unknown
36	AD	Annexation 749 to District No. 21	Sanitation Districts	0.389 Acres of uninhabited territory. Located on Mountain Avenue approximately 300 feet north of Baseline Road, all within unincorporated Los Angeles County.	Notice of Filing sent 03-08-16 Incomplete filing: property tax transfer resolution.	3/3/2016	Unknown
37	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1080	Sanitation Districts	2.559 Acres of uninhabited territory. Located on Lost Canyon Road approximately 300 feet east of Sand Canyon Road, all within the City of Santa Clarita.	Notice of Filing sent 03-09-16 Incomplete filing: property tax transfer resolution.	3/8/2016	Unknown
38	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1082	Sanitation Districts	3.995 Acres of uninhabited territory. Located on Santa Clara Street at the terminus of Oak Avenue, all within the City of Santa Clarita.	Notice of Filing sent 03-09-16 Incomplete filing: property tax transfer resolution.	3/8/2016	Unknown
39	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1083	Sanitation Districts	82.233 Acres of uninhabited territory. Located at the northerly terminus of Phantom Trail, all within the City of Santa Clarita.	Notice of Filing sent 03-09-16 Incomplete filing: property tax transfer resolution.	3/8/2016	Unknown
40	AD	Annexation 420 to District No. 14	Sanitation Districts	1.76 Acres of uninhabited territory. Located on Avenue M-2 approximately 200 feet west of 50th Street West, all within unincorporated Los Angeles County.	Notice of Filing sent 04-07-16 Incomplete filing: property tax transfer resolution.	4/6/2016	Unknown
41	DD	Annexation No. 2016-07 to the City of Santa Clarita (West Creek)	City of Santa Clarita	1,018.39 acres of inhabited territory. Located north, west, and southwest of the intersection of Copperhill Drive and McBean Parkway in unincorporated Los Angeles County adjacent to the City of Santa Clarita	Notice of Filing sent 4-18-16 Incomplete filing: property tax transfer resolution, party disclosure, map of limiting addresses.	4/14/2016	Unknown

Staff Report

May 11, 2016

Agenda Item No. 6.d.

Annexation No. 30 to the Los Angeles County Sanitation District No. 16

PROPOSAL SUMMARY:

Size of Affected Territory:	0.69± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	Los Angeles County Sanitation District No. 16
Resolution or Petition:	October 28, 2015
Application Filed with LAFCO:	November 9, 2015
Location:	The affected territory is located on New York Drive approximately 800 feet southeast of Bradley Street, all within unincorporated territory (Altadena).
City/County:	Unincorporated territory (Altadena).
Affected Territory:	The affected territory consists of vacant land and is located within a vacant residential area. The territory is being developed to include one proposed single-family home. The topography is flat.
Surrounding Territory:	Surrounding territory is residential.
Landowner(s):	Christian Acedillo and Nemelyn Mabini
Registered Voters:	2 registered voters as of October 30, 2015
Purpose/Background:	For the District to provide off-site sewage disposal service.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes
Waiver of Notice/Hearing/Protest:	Yes

CEQA Clearance:

The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(b) because it is an annexation of small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. A Categorical Exemption was adopted by Los Angeles County Sanitation District, as lead agency, on October 28, 2015.

Additional Information:

None

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The existing population is 0 residents as of October 30, 2015.

The population density issue does not apply because the affected territory is unpopulated.

The estimated future population is 4 residents.

The affected territory is 0.69+/- acres. The proposed/future land use consists of one proposed single-family home.

The assessed valuation is \$111,474 as of October 30, 2015.

The per capita assessed valuation issue does not apply because the affected territory is unpopulated.

On December 8, 2015, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is flat.

There are no natural boundaries.

There are no drainage basins on or near the affected territory.

The affected territory is surrounded by populated areas to the north and east, a golf course to the south and industrial to the west. The affected territory is likely to experience modest growth in the next ten years. The adjacent areas are likely to experience modest growth in the next ten years.

b. Governmental Services and Controls:

The affected territory will be developed to include one proposed single-family home which requires organized governmental services. The affected territory will require governmental services indefinitely.

The present cost and adequacy of governmental services and controls in the area are acceptable. With respect to sanitary sewage disposal, other than service provided by the District, the only alternative is private septic systems. The cost of sewage disposal by the District versus the cost by septic system is subject to multiple factors and varies widely. Service by the District is considered to be more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact on the local governmental structure of the County.

The only alternate action for sewage disposal is a private septic system. Service by the District is considered to be more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

d. *Conformity with Commission Policies on Urban Development and Open Space Conversion Policies:*

There are no conformance issues because the Commission has not adopted any policies relative to providing planned, orderly, efficient patterns of urban development.

There is no prime agricultural land within or adjacent to the affected territory. The proposal conforms with the objectives in Government Code Sections 56377(a) and 56377(b).

e. *Agricultural Lands:*

There are no effects on agricultural lands, as defined. None of the land within the affected territory is currently used for the purpose of producing an agricultural commodity for commercial purposes. According to the California Department of Conservation, Division of Land Resource Protection, none of the land within the affected territory is subject to a Land Conservation Act (aka "Williamson Act") contract nor in a Farmland Security Zone (California Land Conservation Act 2012 Status Report).

f. *Boundaries:*

The boundaries of the affected territory have been clearly defined by the applicant, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

The boundaries conform to lines of assessment or ownership, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

As a special district annexation, the proposal has no impact on existing city-county boundaries, nor does it create islands or corridors of unincorporated territory.

g. *Consistency with Regional Transportation Plan:*

The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. *Consistency with Plans:*

The proposal is consistent with the existing County General Plan designation of Residential 5 (H-5).

The affected territory is not within the boundaries of any Specific Plan.

Pre-zoning is not a requirement for a special district proposal.

i. *Sphere of Influence:*

The affected territory is within the Sphere of Influence of the Los Angeles County Sanitation District No. 16.

j. *Comments from Public Agencies:*

Staff did not receive any significant comments from public agencies or any resolutions raising objections from any affected agency.

k. *Ability to Provide Services:*

Although the affected territory is not currently serviced by the District, the area was included in the future service area that might be served by the District. The District's future wastewater management needs were addressed in the Joint Outfall System 2010 Master Facilities Plan.

l. *Timely Availability of Water Supplies:*

There are no known issues regarding water supply or delivery.

m. *Regional Housing:*

As a special district annexation, the proposal will not affect any city, nor the county, in achieving their respective fair shares of the regional housing needs as determined by the Southern California Association of Governments (SCAG).

n. *Comments from Landowners, Voters, or Residents:*

Staff did not receive any significant comments from landowners, voters, or residents.

o. *Land Use Designations*

The proposal is consistent with the existing County General Plan designation of Residential 5 (H-5).

The proposal is consistent with the existing County zoning designation of Single-Family Residential.

p. *Environmental Justice:*

All of the owners of real property within the affected territory have requested, in writing, that the District provide off-site sewage disposal service. Property-owners of adjacent areas did not request such service, and/or were contacted by Sanitation District staff and were not interested in securing such service or did not respond. The proposal promotes environmental justice, in that there is fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The proposal is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(b) because it is an annexation of small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. A Categorical Exemption was adopted by Los Angeles County Sanitation District, as lead agency, on October 28, 2015. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

DETERMINATIONS WITHOUT NOTICE AND HEARING, AND WAIVER OF PROTEST PROCEEDINGS:

Pursuant to Government Code Section 56662(a), the Commission may make determinations upon the proposed annexation without notice and hearing and may waive protest hearings for the reasons set forth herein. The territory is uninhabited. To date, no affected local agency has submitted a written demand for notice and hearing during the 10-day period referenced in Government Code Section 56662(c). Furthermore, the proposal was accompanied by satisfactory proof that all the landowners within the affected territory have given their written consent to the proposed annexation. Based thereon, the Commission may make determinations on the proposed annexation without notice and hearing, and the Commission may waive protest proceedings.

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable extension of Los Angeles County Sanitation District No. 16 which will be for the interest of landowners and/or present and/or future inhabitants within the district and within the annexation territory.

Recommended Action:

1. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 30 to Los Angeles County Sanitation District No. 16.

**RESOLUTION NO. 2016-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 30 TO THE LOS ANGELES COUNTY SANITATION DISTRICT NO. 16"**

WHEREAS, the Los Angeles County Sanitation District No. 16 (District) adopted a resolution of application to initiate proceedings, which was submitted to the Local Agency Formation Commission for the County of Los Angeles (Commission), pursuant to, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the District, all within the unincorporated Los Angeles County (Altadena); and

WHEREAS, the proposed annexation consists of approximately 0.69± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 30 to the Los Angeles County Sanitation District No. 16"; and

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

WHEREAS, the principal reason for the proposed annexation is for the District to provide off-site sewage disposal to one proposed single-family home; and

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

WHEREAS, the Commission has determined that the Proposal meets all of the criteria for the Commission to make a determination without notice and hearing and waive protest proceedings entirely, pursuant to Government Code Section 56662; and

WHEREAS, the Executive Officer set the item for consideration for May 11, 2016 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012; and

WHEREAS, on May 11, 2016, this Commission considered the Proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, acting in its role as a responsible agency with respect to Annexation No. 30 to the Los Angeles County Sanitation District No. 16, finds that this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(b), because it is an annexation of small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.
2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the annexation is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed annexation, and no affected

local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and

- c. The annexation was accompanied by satisfactory proof that all owners of land within the affected territory have given their written consent to the proposal.

Based thereon, pursuant to Government Code Section 56662 (a), the Commission may, and hereby does, make determinations on the proposal without notice and hearing, and the Commission may, and hereby does, waive protest proceedings entirely.

- 3. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
- 4. The affected territory consists of 0.69± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 30 to the Los Angeles County Sanitation District No. 16".

- 5. Annexation No. 30 to the Los Angeles County Sanitation District No. 16 is hereby approved, subject to the following terms and conditions:

- a. The District 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.

- b. The effective date of the annexation shall be the date of recordation.
 - c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - h. Except to the extent in conflict with "a" through "g", 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.
6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the Los Angeles County Sanitation District No. 16.
7. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

Resolution No. 2016-00RMD

Page 5

PASSED AND ADOPTED this 11th day of May 2016.

MOTION:

SECOND:

AYES:

NOES:

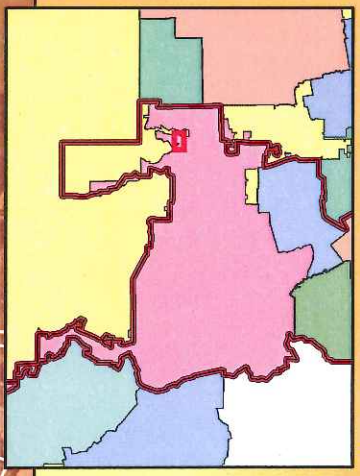
ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0

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

**Paul A. Novak, AICP
Executive Officer**



May 11, 2016 C:\GIS\MXDs\Annexations\CSD\16-30.mxd



LAFCO
Local Agency Formation Commission
for the County of Los Angeles

Annexation No. 30 to County Sanitation District No. 16



Legend

- Los Angeles County Sanitation District No. 16
- County Unincorporated
- City of Pasadena
- CSD Annexation 16-30
- Sphere of Influence, CSD 16

Staff Report

May 11, 2016

Agenda Item No. 6.e.

Annexation No. 746 to the Los Angeles County Sanitation District No. 21

PROPOSAL SUMMARY:

Size of Affected Territory:	1.32± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	Los Angeles County Sanitation District No. 21
Resolution or Petition:	October 28, 2015
Application Filed with LAFCO:	November 9, 2015
Location:	The affected territory is located on Mills Avenue approximately 200 feet north of Alamosa Drive.
City/County:	City of Claremont
Affected Territory:	The affected territory consists of vacant land and is located within a vacant residential area. The territory is being developed to include one proposed single-family home. The topography is flat.
Surrounding Territory:	Surrounding territory is residential.
Landowner(s):	Gabriel & Clara Gonzalez
Registered Voters:	0 registered voters as of October 30, 2015
Purpose/Background:	For the District to provide off-site sewage disposal service.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes
Waiver of Notice/Hearing/Protest:	Yes

CEQA Clearance:

The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(b) because it is an annexation of small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. A Categorical Exemption was adopted by Los Angeles County Sanitation District, as lead agency, on October 28, 2015.

Additional Information:

None

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The existing population is 0 residents as of October 30, 2015.

The population density issue does not apply because the affected territory is unpopulated.

The estimated future population is 5 residents.

The affected territory is 1.32+/- acres. The proposed/future land use is one proposed single-family home.

The assessed valuation is \$716,025 as of October 30, 2015.

The per capita assessed valuation issue does not apply because the affected territory is unpopulated.

On December 8, 2015, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is flat.

There are no natural boundaries.

There are no drainage basins on or near the affected territory.

The affected territory is surrounded by populated areas on all sides.

The affected territory is likely to experience modest growth in the next ten years. The adjacent areas are likely to experience modest growth in the next ten years.

b. Governmental Services and Controls:

The affected territory will be developed to include one proposed single-family home which requires organized governmental services. The affected territory will require governmental services indefinitely.

The present cost and adequacy of governmental services and controls in the area are acceptable. With respect to sanitary sewage disposal, other than service provided by the District, the only alternative is private septic systems. The cost of sewage disposal by the District versus the cost by septic system is subject to multiple factors and varies widely. Service by the District is considered to be more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact on the local governmental structure of the County.

The only alternate action for sewage disposal is a private septic system. Service by the District is considered to be more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

d. *Conformity with Commission Policies on Urban Development and Open Space Conversion Policies:*

There are no conformance issues because the Commission has not adopted any policies relative to providing planned, orderly, efficient patterns of urban development.

There is no prime agricultural land within or adjacent to the affected territory. The proposal conforms with the objectives in Government Code Sections 56377(a) and 56377(b).

e. *Agricultural Lands:*

There are no effects on agricultural lands, as defined. None of the land within the affected territory is currently used for the purpose of producing an agricultural commodity for commercial purposes. According to the California Department of Conservation, Division of Land Resource Protection, none of the land within the affected territory is subject to a Land Conservation Act (aka "Williamson Act") contract nor in a Farmland Security Zone (California Land Conservation Act 2012 Status Report).

f. *Boundaries:*

The boundaries of the affected territory have been clearly defined by the applicant, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

The boundaries conform to lines of assessment or ownership, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

As a special district annexation, the proposal has no impact on existing city-county boundaries, nor does it create islands or corridors of unincorporated territory.

g. *Consistency with Regional Transportation Plan:*

The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. *Consistency with Plans:*

The proposal is consistent with the existing City's General Plan designation of Residential 2.

The affected territory is not within the boundaries of any Specific Plan.

Pre-zoning is not a requirement for a special district proposal.

i. *Sphere of Influence:*

The affected territory is within the Sphere of Influence of the Los Angeles County Sanitation District No. 21.

j. *Comments from Public Agencies:*

Staff did not receive any significant comments from public agencies or any resolutions raising objections from any affected agency.

k. *Ability to Provide Services:*

Although the affected territory is not currently serviced by the District, the area was included in the future service area that might be served by the District. The District's future wastewater management needs were addressed in the Joint Outfall System 2010 Master Facilities Plan.

l. *Timely Availability of Water Supplies:*

There are no known issues regarding water supply or delivery.

m. *Regional Housing:*

As a special district annexation, the proposal will not affect any city, nor the county, in achieving their respective fair shares of the regional housing needs as determined by the Southern California Association of Governments (SCAG).

n. *Comments from Landowners, Voters, or Residents:*

Staff did not receive any significant comments from landowners, voters, or residents.

o. *Land Use Designations*

The proposal is consistent with the existing City's General Plan designation of Residential 2.

The proposal is consistent with the existing City's zoning designation of Rural Residential.

p. *Environmental Justice:*

All of the owners of real property within the affected territory have requested, in writing, that the District provide off-site sewage disposal service. Property-owners of adjacent areas did not request such service, and/or were contacted by Sanitation District staff and were not interested in securing such service or did not respond. The proposal promotes environmental justice, in that there is fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The proposal is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(b) because it is an annexation of small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

DETERMINATIONS WITHOUT NOTICE AND HEARING, AND WAIVER OF PROTEST PROCEEDINGS:

Pursuant to Government Code Section 56662(a), the Commission may make determinations upon the proposed annexation without notice and hearing and may waive protest hearings for the reasons set forth herein. The territory is uninhabited. To date, no affected local agency has submitted a written demand for notice and hearing during the 10-day period referenced in Government Code Section 56662(c). Furthermore, the proposal was accompanied by satisfactory proof that all the landowners within the affected territory have given their written consent to the proposed annexation. Based thereon, the Commission may make determinations on the proposed annexation without notice and hearing, and the Commission may waive protest proceedings.

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable extension of Los Angeles County Sanitation District No. 21 which will be for the interest of landowners and/or present and/or future inhabitants within the district and within the annexation territory.

Recommended Action:

1. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 746 to Los Angeles County Sanitation District No. 21.

**RESOLUTION NO. 2016-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 746 TO THE LOS ANGELES COUNTY SANITATION DISTRICT NO. 21"**

WHEREAS, the Los Angeles County Sanitation District No. 21 (District) adopted a resolution of application to initiate proceedings, which was submitted to the Local Agency Formation Commission for the County of Los Angeles (Commission), pursuant to, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the District, all within the City of Claremont; and

WHEREAS, the proposed annexation consists of approximately 1.32± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 746 to the Los Angeles County Sanitation District No. 21"; and

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

WHEREAS, the principal reason for the proposed annexation is for the District to provide off-site sewage disposal to one proposed single-family home; and

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

WHEREAS, the Commission has determined that the Proposal meets all of the criteria for the Commission to make a determination without notice and hearing and waive protest proceedings entirely, pursuant to Government Code Section 56662; and

WHEREAS, the Executive Officer set the item for consideration for May 11, 2016 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012; and

WHEREAS, on May 11, 2016, this Commission considered the Proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, acting in its role as a responsible agency with respect to Annexation No. 746 to the Los Angeles County Sanitation District No. 21, finds that this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(b), because it is an annexation of small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.
2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the annexation is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed annexation, and no affected

local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and

- c. The annexation was accompanied by satisfactory proof that all owners of land within the affected territory have given their written consent to the proposal.

Based thereon, pursuant to Government Code Section 56662 (a), the Commission may, and hereby does, make determinations on the proposal without notice and hearing, and the Commission may, and hereby does, waive protest proceedings entirely.

- 3. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
- 4. The affected territory consists of 1.32± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 746 to the Los Angeles County Sanitation District No. 21".

- 5. Annexation No. 746 to the Los Angeles County Sanitation District No. 21 is hereby approved, subject to the following terms and conditions:

- a. The District 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.

- b. The effective date of the annexation shall be the date of recordation.
 - c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - h. Except to the extent in conflict with "a" through "g", 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.
6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the Los Angeles County Sanitation District No. 21.
7. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

Resolution No. 2016-00RMD

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PASSED AND ADOPTED this 11th day of May 2016.

MOTION:

SECOND:

AYES:

NOES:

ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0


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

**Paul A. Novak, AICP
Executive Officer**




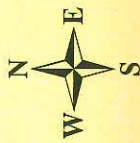
Legend

 CSD Annexation 21-746

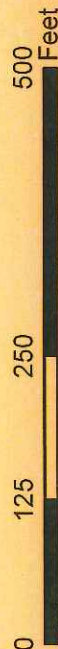
 Sphere of Influence, CSD 21

 County Sanitation District No. 21

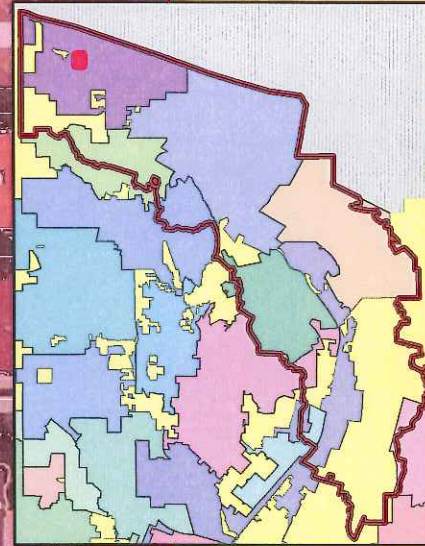
 City of Claremont



Annexation No. 746 to County Sanitation District No. 21



LAFCO
Local Agency Formation Commission
for the County of Los Angeles



Staff Report

May 11, 2016

Agenda Item No. 7.b.

**Reorganization No. 2013-01 to the Newhall County Water District (Castaic High School),
Amendments to the Newhall County Water District and the Los Angeles County
Waterworks District No. 36 – Val Verde, Spheres of Influence (SOIs); Detachment from
the Los Angeles County Waterworks District No. 36 – Val Verde, and
Annexation to the Newhall County Water District**

PROPOSAL SUMMARY:

Size of Affected Territory:	84.14± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	Newhall County Water District
Resolution or Petition:	March 13, 2013
Application Filed with LAFCO:	April 2, 2013
Location:	The affected territory is located at the northwest corner of Romero Canyon Road and Canyon Hill Road.
City/County:	Los Angeles County unincorporated territory (Castaic).
Affected Territory:	The affected territory consists of vacant land. The affected territory is currently being developed to include a proposed high school. The topography consists of steep to moderate slopes and canyons.
Surrounding Territory:	Surrounding land use is residential and vacant land.
Landowner(s):	William S. Hart Union High School District
Registered Voters:	0 registered voters as of March 16, 2016
Purpose/Background:	The purpose of this proposed reorganization is for the District to provide water service to a proposed high school. Given the existing infrastructure of both water agencies, servicing the proposed high school from the Newhall County Water District would be less costly and less

complex than serving the high school from Los Angeles County Waterworks District No. 36 – Val Verde.

- Related Jurisdictional Changes: Annexation to the Newhall County Water District, and detachment from the Los Angeles County Waterworks District No. 36 – Val Verde. Sphere of influence (SOI) amendments are required for the Newhall County Water District and the Los Angeles County Waterworks District No. 36 – Val Verde.
- Within SOI: No
- Waiver of Notice/Hearing/Protest: Yes on the basis of the reorganization. Although the Commission may make a determination without public notice and hearing and waive protest proceedings, relative to the proposed reorganization, as described below, a noticed public hearing is required for the proposed SOI amendments, pursuant to Government Code Section 56427.
- CEQA Clearance: The California Environmental Quality Act (CEQA) clearance is an Environmental Impact Report certified by the William S. Hart Union High School District, as lead agency, on October 17, 2012.
- Additional Information: This proposal is the last of two (2) territories to be reorganized into the Newhall County Water District boundary. Reorganization No. 2012-02 was approved by the Commission on June 12, 2013.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The population density issue does not apply because the affected territory is unpopulated.

The estimated future population is 0 residents (no anticipated change).

The affected territory is 84.14+/- acres. The existing land use is vacant. The proposed/future land use is a proposed high school.

The assessed valuation is \$0 (publicly-owned land) as of March 23, 2016.

The per capita assessed valuation issue does not apply because the affected territory is unpopulated.

On March 15, 2016, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is steep to moderate slopes and canyons.

There are no natural boundaries. There are two drainage channels that converge within the affected territory.

The affected territory is surrounded by residential and vacant land. The affected territory is likely to experience no growth in the next ten years other than the proposed high school. The adjacent areas are likely to experience significant growth in the next ten years.

b. Governmental Services and Controls:

The affected territory will be developed to include a proposed high school which require organized governmental services. The affected territory will require governmental services indefinitely.

The present cost and adequacy of government services and controls in the area are acceptable. The probable effect of the proposed action is for the Newhall County Water District to provide water service to a proposed high school. The alternative course of action is for the high school site to remain within the boundaries of the Los Angeles County Waterworks District No. 36 – Val Verde, where infrastructure is not in place to accommodate the affected territory. Infrastructure is within the immediate vicinity of the Newhall County Water District, and the proposed high school would be better served by Newhall County Water District.

c. Proposed Action and Alternative Actions:

The proposed construction of the Castaic High School would impact adjacent areas. There are currently approximately 6,000 residential units proposed in the Castaic area. There is no

effect of the proposed action on mutual social and economic interests. As a special district reorganization, the proposal has no impact on the local governmental structure of the County.

d. *Conformity with Commission Policies on Urban Development and Open Space Conversion Policies:*

There are no conformance issues because the Commission has not adopted any policies relative to providing planned, orderly, efficient patterns of urban development.

There is no prime agricultural land within or adjacent to the affected territory. The proposal conforms with the objectives in Government Code Sections 56377(a) and 56377(b).

e. *Agricultural Lands:*

There are no effects on agricultural lands, as defined. None of the land within the affected territory is currently used for the purpose of producing an agricultural commodity for commercial purposes. According to the California Department of Conservation, Division of Land Resource Protection, none of the land within the affected territory is subject to a Land Conservation Act (aka "Williamson Act") contract nor in a Farmland Security Zone (California Land Conservation Act 2012 Status Report).

f. *Boundaries:*

The boundaries of the affected territory have been clearly defined by the applicant, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

The boundaries conform to lines of assessment or ownership, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

As a special district reorganization, the proposal has no impact on existing city-county boundaries, nor does it create islands or corridors of unincorporated territory.

g. *Consistency with Regional Transportation Plan:*

The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. *Consistency with Plans:*

The proposal is consistent with the existing County General Plan designation of RL2 (Rural Land with a maximum density of one dwelling unit per two acres).

The affected territory is not within the boundaries of any Specific Plan.

Pre-zoning is not a requirement for a special district proposal.

i. *Sphere of Influence:*

The affected territory is not within the Sphere of Influence of the Newhall County Water District, but a concurrent Sphere of Influence Update is being processed with this application.

j. *Comments from Public Agencies:*

Staff did not receive any significant comments from public agencies or any resolutions raising objections from any affected agency.

k. *Ability to Provide Services:*

The developer, Romero Canyon, LLC, and the Newhall County Water District entered into a contractual agreement on October 10, 2013, whereby the Newhall County Water District agreed to provide water service to Tentative Tract No. 47807, the proposed Castaic High School site. This water service agreement lays out the specific contractual obligations for each party, including any necessary construction of Newhall County Water District facilities to serve the high school.

l. *Timely Availability of Water Supplies:* According to the Draft EIR prepared by the William S. Hart Union High School District for the proposed high school, the proposed high school is estimated to use 56,160 gallons per day, and the Newhall County Water District would be capable of providing water to the site using existing water supplies. No new or expanded entitlements for water would be required. The Draft EIR concluded that water service impacts would be less than significant.

m. *Regional Housing:*

As a special district reorganization, the proposal will not affect any city, nor the county, in achieving their respective fair shares of the regional housing needs as determined by the Southern California Association of Governments (SCAG).

n. *Comments from Landowners, Voters, or Residents:*

Staff did not receive any significant comments from landowners, voters, or residents.

o. *Land Use Designations*

The proposal is consistent with the existing Antelope Valley Areawide General Plan designation of RL2.

The proposal is consistent with the existing County zoning designation of A-2-2 (Heavy Agricultural). The proposed high school is a permitted use in the A-2 Zone, pursuant to Section 22.52.050 of the Los Angeles County Zoning Ordinance.

p. *Environmental Justice:*

The proposal will have no adverse effect with respect to the fair treatment of people of all races and incomes, or the location of public facilities or services.

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The CEQA clearance is an Environmental Impact Report certified by the William S. Hart Union School District, as lead agency, on October 17, 2012. The Commission is a responsible agency pursuant to CEQA and State CEQA Guidelines Section 15096.

DETERMINATIONS WITHOUT NOTICE AND HEARING, AND WAIVER OF PROTEST PROCEEDINGS:

Pursuant to Government Code Section 56662(a), the Commission may make determinations upon the proposed reorganization consisting solely of both annexation and a detachment without notice and hearing and may waive protest hearings for the reasons set forth herein. The territory is uninhabited. To date, no affected local agency has submitted a written demand for notice and hearing during the 10-day period referenced in Government Code Section 56662(c).

Furthermore, the proposal was accompanied by satisfactory proof that all the landowners within the affected territory have given their written consent to the proposed reorganization. Based thereon, the Commission may make determinations on the proposed reorganization without notice and hearing, and the Commission may waive protest proceedings.

PUBLIC HEARING REQUIREMENT FOR SOI AMENDMENT(S):

Although the Commission may waive the public notice, hearing, and protest relative to the proposed reorganization, as described above, a public hearing is still required for the proposed SOI amendments pursuant to Government Code Section 56427.

Therefore, the recommended actions include a public hearing on the SOI amendments and a waiver of the protest proceedings for the reorganization.

SPHERE OF INFLUENCE AMENDMENT DETERMINATIONS PURSUANT TO GOVERNMENT CODE 56425(e):

1. Present and Planned Land Uses in the Area

The present land use is vacant. The future planned land use is a proposed high school.

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

The affected territory is located within the County of Los Angeles unincorporated community of Castaic and receives general government services, including land use planning and regulation, law enforcement, fire protection, road maintenance and other services from the County and other special districts.

The affected territory will be developed to include a proposed high school which requires organized governmental services. The affected territory will require governmental facilities and services indefinitely.

3. *Present Capacity of Public Facilities and Services:*

Newhall County Water District has adequate capacity and infrastructure to meet current demands. The District has planned improvements to upgrade its current system to meet future needs.

4. *Social of Economic communities of interest*

The proposal will have no adverse effect with respect to the fair treatment of people of all races and incomes, or the location of public facilities or services.

5. *Disadvantaged Unincorporated Communities:*

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

SPHERE OF INFLUENCE AMENDMENT DETERMINATIONS PURSUANT TO GOVERNMENT CODE 56425(i):

The Commission has on file written statement of the functions and classes of service of the Newhall County Water District and can establish the nature, location and extent of its classes of service and that it provides water services within its boundary.

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable extension of the Newhall County Water District which will be for the interest of landowners and/or present and/or future inhabitants within the Newhall County Water District and within the annexation territory.

Recommended Action:

1. Open the public hearing and receive testimony on the SOI amendments;
2. There being no further testimony, close the public hearing; and
3. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Reorganization No. 2013-01 to the Newhall County Water District (Castaic High School), Amendments to the Newhall County Water District and the Los Angeles County Waterworks District No. 36 – Val Verde Spheres of Influence (SOIs); Detachment from the Los Angeles County Waterworks District No. 36 – Val Verde, and Annexation to the Newhall County Water District.

**RESOLUTION NO. 2016-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"REORGANIZATION NO. 2013-01 TO THE NEWHALL COUNTY WATER DISTRICT
(CASTAIC HIGH SCHOOL),
AMENDMENTS TO THE NEWHALL COUNTY WATER DISTRICT AND THE LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 36 – VAL VERDE SPHERES OF INFLUENCE (SOIs); DETACHMENT
FROM THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 36 – VAL VERDE, AND
ANNEXATION TO THE NEWHALL COUNTY WATER DISTRICT"**

WHEREAS, the Newhall County Water District (District) adopted a resolution of application to initiate proceedings, which was submitted to the Local Agency Formation Commission for the County of Los Angeles (Commission), pursuant to, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for reorganization of territory herein described to the District, all within the unincorporated territory of Castaic; and

WHEREAS, the proposed reorganization consists of approximately 84.14± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Reorganization No. 2013-01 to the Newhall County Water District"; and

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

WHEREAS, the principal reason for the proposed reorganization is for the Newhall County Water District to provide water service to a proposed high school. Given the existing infrastructure of both water agencies, servicing the proposed high school from the Newhall County Water District would be less costly and less complex than serving the high school from Los Angeles County Waterworks District No. 36 – Val Verde; and

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

WHEREAS, the Commission has determined that the Proposal meets all of the criteria for the Commission to make a determination without notice and hearing and waive protest proceedings entirely, pursuant to Government Code Section 56662; and

WHEREAS, even though a public hearing is not required for the Proposal, a public hearing is nevertheless required for the proposed SOI amendments, pursuant to Government Code Section 56427; and

WHEREAS, the Executive Officer has given notice of the public hearing for the proposed Sphere of Influence Amendments pursuant to Government Code Sections 56150-56160, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on April 8, 2016, which is at least 21 days prior to the public hearing, and said hearing notice was also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on May 11, 2016, this Commission considered the Proposal and the report of Executive Officer, and 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 the Sphere of Influence Amendments.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Acting in its role as a responsible agency with respect to Reorganization No. 2013-01 to the Newhall County Water District, pursuant to California Environmental Quality Act

(CEQA) Guideline Section 15096, the Commission considered the Final Environmental Impact Report prepared and certified by the William S. Hart Union High School District, as lead agency, on October 17, 2012 for the project; certifies that the Commission has independently reviewed and considered and reached its own conclusions regarding the environmental effects of the project as shown in the Final Environmental Impact Report; adopts the Mitigation Monitoring Program finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation as applicable to the responsible agency; finds that there are no further feasible alternatives or feasible mitigation measures within the Commission's power that would substantially lessen or avoid any significant effect the project would have on the environment; and determines that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific considerations of the project, as outlined in the environmental findings and Statement of Overriding Considerations, which findings and statement are adopted and incorporated as applicable herein by reference.

2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the reorganization is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed reorganization, and no

- c. affected local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and
- d. The reorganization was accompanied by satisfactory proof that all owners of land within the affected territory have given their written consent to the proposal.

Based thereon, pursuant to Government Code Section 56662(a), the Commission may make determinations upon the proposed reorganization proposal without notice and hearing and may waive protest proceedings relative to the proposed reorganization.

However, with respect to the proposed SOI amendments, a public hearing is still required pursuant to Government Code Section 56427.

3. The Commission hereby amends the Spheres of Influence of the Los Angeles County Waterworks District No. 36 – Val Verde, and the Newhall County Water District so as to exclude the subject territory described in Exhibit "A" and "B" from Los Angeles County Waterworks District No. 36 – Val Verde, and include the subject territory described in Exhibit "A" and "B" within Newhall County Water District and makes the following determinations in accordance with Government Code Section 56425:

- a. Present and Planned Land Uses in the Area

The present land use is vacant. The future planned land use is a proposed high school.

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

The affected territory is located within the unincorporated community of Castaic and receives general government services, including land use planning and regulation, law enforcement, fire protection, road maintenance and other services from the County and other special districts. The affected territory will require these services indefinitely.

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

Newhall County Water District has adequate capacity and infrastructure to meet current demands. Newhall County Water District has planned improvements to upgrade its current system to meet future needs.

d. Existence of Any Social or Economic Communities of Interest

There are no significant social or economic communities of interest within the subject territory.

e. Disadvantaged Unincorporated Communities

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

f. Determination of the Services of the Existing District

The Commission has on file written statement of the functions and classes of service of the Newhall County Water District and can establish the nature, location and extent of its classes of service and that it provides water service within its boundary.

4. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
5. The affected territory consists of 84.14± acres, is uninhabited, and is assigned the following short form designation:

"Reorganization No. 2013-01 to the Newhall County Water District".

6. Reorganization No. 2013-01 to the Newhall County Water District is hereby approved, subject to the following terms and conditions:
 - a. The Newhall County Water District 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.
 - b. The effective date of the reorganization shall be the date of recordation.

- c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the Newhall County Water District.
 - e. The regular County assessment roll shall be utilized by the Newhall County Water District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the Newhall County Water District.
 - g. Reorganization of the affected territory described in Exhibits "A" and "B" to the Newhall County Water District.
 - h. Except to the extent in conflict with "a" through "g", 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 reorganization.
7. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" detached from the Los Angeles County Waterworks District No. 36 – Val Verde, and annexed to the Newhall County Water District.
8. The Executive Officer is directed to transmit a copy of this resolution to the Newhall County Water District, upon the Newhall County Water District's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and

file a certificate of completion with the appropriate public agencies, pursuant to
Government Code Section 57200, *et seq.*

PASSED AND ADOPTED this 11th day of May 2016.

MOTION:

SECOND:

AYES:

NOES:

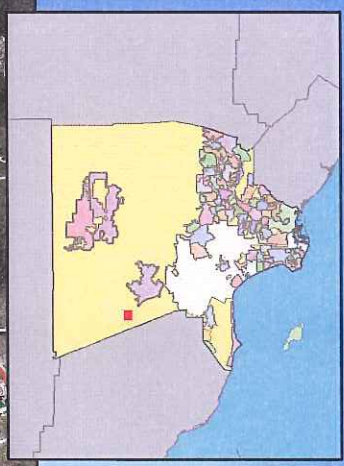
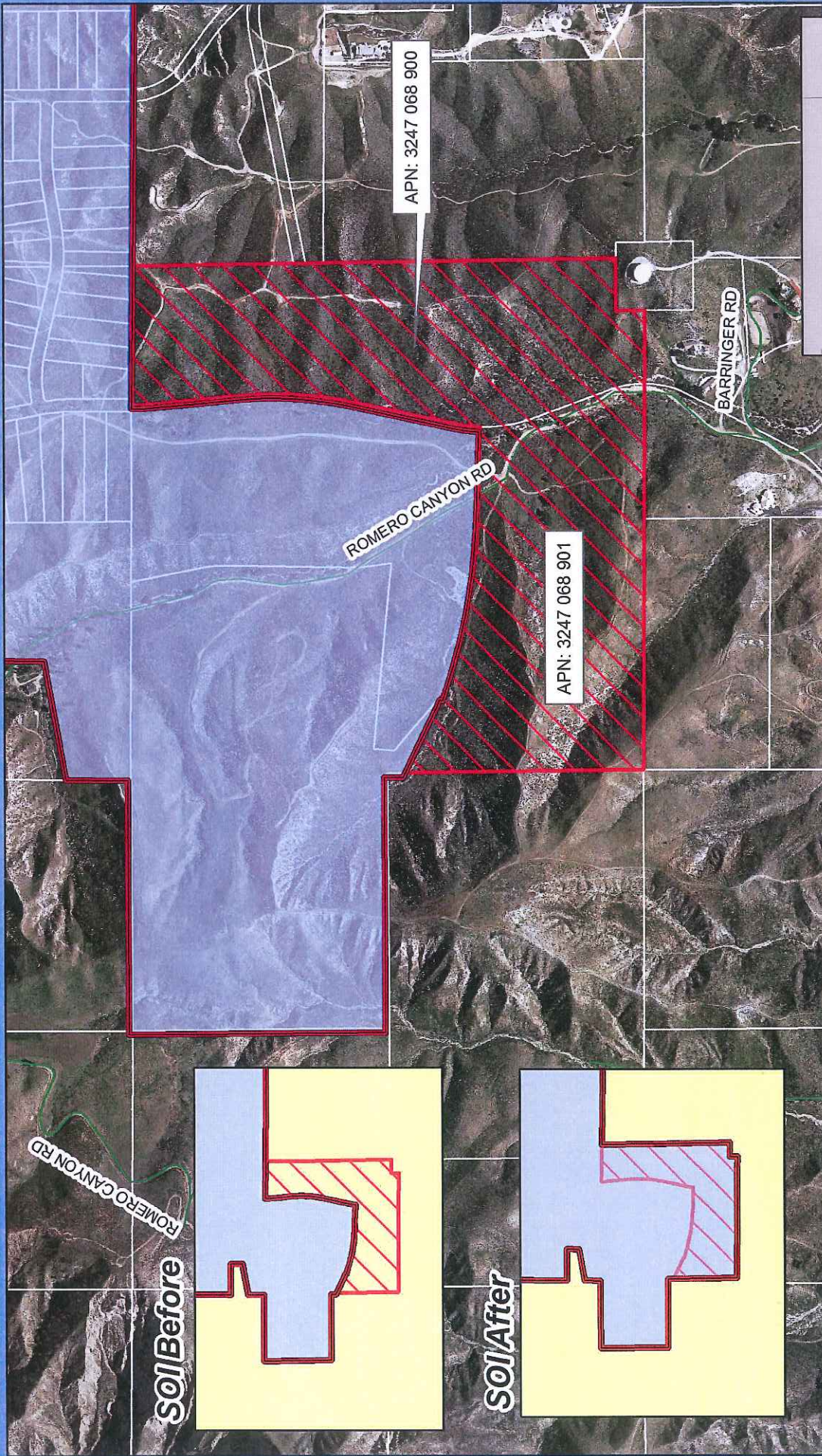
ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0

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

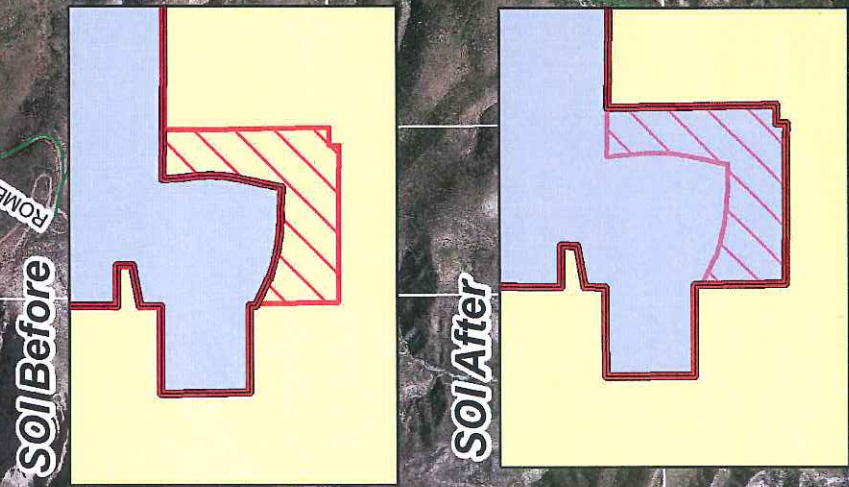
**Paul A. Novak, AICP
Executive Officer**



Reorganization 2013-01 **Newhall County Water District** Castaic High School (Detachment from Los Angeles County Waterworks District No. 36 - Val Verde, and Annexation to Newhall County Water District)



- Legend**
- Reorganization 2013-01
 - County Unincorporated
 - Newhall County Water District
 - Newhall CWD Sphere of Influence



Staff Report

March 9, 2016

Agenda Item No. 9.a.

Hidden Creeks Estates Project – Status Report

At the January 13th meeting, the Commission directed staff to provide bi-monthly updates on the status of the proposed Hidden Creeks Estates Project and associated proposed Annexation No. 2011-27 to the City of Los Angeles in light of its proximity to Porter Ranch and the Southern California Gas Company Aliso Canyon Storage Facility. As noted in your last status report in April, the applicant has agreed not to request a vote of the Commission on proposed Annexation No. 2011-27 to the City of Los Angeles for eight months (until September, 2016).

As directed, staff sent a March 2, 2016 letter to the City of Los Angeles to the attention of Vince Bertoni, Director of Planning. We requested that the City provide additional environmental analysis in the EIR the City is preparing for proposed Hidden Creeks Estates Project, specifically as it relates to potential environmental impacts associated with the proposed project in light of the natural gas leak at the Southern California Gas Company Aliso Canyon Storage Facility.

The enclosed April 26, 2016 letter from applicant's legal counsel (Wayne Avrashow) addresses the status from the applicant's perspective.

Efforts continue at the local, state, and federal level concerning the natural gas leak and the potential for on-going impacts of the Southern California Aliso Canyon Storage Facility upon existing and future residents living near the Facility. Legislators in Sacramento and Washington have introduced proposals concerning the underground natural gas storage facilities in general and the Aliso Canyon Storage Facility in particular.

Recommended Action:

Staff recommends that the Commission:

1. Receive and file.

REC-111
2016 APR 27 AM 9:20

THE LAW OFFICE OF
WAYNE AVRASHOW
ATTORNEY AT LAW
MEDIATOR

16133 VENTURA BOULEVARD
PENTHOUSE SUITE A
ENCINO, CALIFORNIA 91436-2447
TEL: (818) 995-1100 • FAX: (818) 789-0947
E-MAIL: wlaw@sbcglobal.net

April 26, 2016

VIA OVERNIGHT MAIL

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

Re: Hidden Creeks Estates/LAFCO Filing Annexation No. 2011-27

Dear Mr. Novak:

This office represents Forestar (USA) Real Estate Group Inc., the applicant on the above filing and owner of the property commonly referred to as Hidden Creeks Estates.

As requested by the LAFCO Board, herein is a status update of Hidden Creeks Estates as it relates to LAFCO. This update is for the Board's May 11 meeting.

1. We re-affirm that my client would not request a vote of the Commission until, at the earliest date, the LAFCO meeting of September, 2016.
2. As previously stated, Forestar's foremost priority is the public health and safety for all affected current and future residents. On January 8, 2016 this office notified the City of Los Angeles to schedule its Planning Commission hearing, "to a date to be determined." That date has not been determined and a hearing has not been requested at this time.
3. In compliance with the LAFCO Board's request, my client has instructed its environmental consultant to include additional information to the Environmental Impact Report to be submitted to the City of Los Angeles. This information will specifically include the environmental impacts of the gas leak's affects on Hidden Creeks Estates.
4. LAFCO previously requested supplemental written documentation as to how the provisions of Government Code §56668 relates to the Aliso Canyon Facility. We are monitoring and reviewing the various bills introduced in both the California legislature and in Congress that affect Aliso Canyon and possibly Hidden Creeks. Legislation has been introduced, bills have been heard in committees of these respective bodies but none

adopted. We will complete the documentation pertaining to Government Code §56668 when the legislative actions have greater certainty but before any LAFCO action is requested.

5. LAFCO Board Member Sheila Kuehl made a request for a separate report on the potential impacts related to the gas leak. Before we complete this report we need to complete the additional information in the EIR (paragraph 3 of this letter); and obtain greater certainty of the legislative actions (paragraph 4). This separate report will be provided at a future date, but again before any LAFCO action is requested.

Thank you for your attention to this matter. Please let us know if additional information is requested.

Sincerely,



Wayne Avrashow, Esq.

cc: Client

Staff Report

May 11, 2016

Agenda Item No. 9.b.

Appointment of the Public Member

Government Code Section 56326(f) of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides that LAFCO shall have a public member and may have an alternate public member. These members are to be appointed by the other members of the Commission, their duties are described in the statute, and they may not be an officer or employee of the County or any city or district in the County (Government Code Section 56331). Commissioner Greig Smith serves as the Alternate Public Member, a position to which the Commission appointed him in October of 2014.

Although Commissioner Smith's four-year term expired on May 2, 2016, he remains in the position until he is re-appointed or the Commission appoints a successor, consistent with Government Code Section 56334.

It would be appropriate for the Chair to entertain a motion (or motions) from the Commission to:

- Re-appoint Greig Smith to the position of Alternate Public Member for the term which expires on May 4, 2020; or
- Provide alternate direction to staff.

Staff Report

May 11, 2016

Agenda Item No. 9.c.

Legislative Update Request for Commission Opposition to SB 1318

CALAFCO has asked LAFCOs to send in correspondence opposing SB 1318 (Wolk) in an effort to support CALAFCO's opposition to the proposal.

While the intent of SB 1318 is laudable—incentivizing cities, special districts, and LAFCOs to implement measures which will provide water and wastewater service to Disadvantaged Unincorporated Communities, or DUCs—there are several aspects of the bill which are of concern. Specifically, SB 1318 would:

- Deny the right of written protest to landowners and registered voters living within a larger annexation area, while maintaining that right for landowners and registered voters living within the boundaries of DUCs.
- Require LAFCOs to establish Spheres of Influence (SOIs) for water and wastewater providers over which LAFCO has no statutory authority;
- Create an unfunded mandate for LAFCOs in terms of requiring the preparation of studies for all water and wastewater providers—including, significantly, those providers over which LAFCO has no regulatory authority, such as mutual water and private water companies—every five years and on a countywide basis; and
- Direct LAFCO to create plans which identify how service providers would expand service to DUCs, plans for which LAFCO staff does not have the expertise to prepare.

Although CALAFCO has filed written opposition to SB 1318, a CALAFCO Legislative Committee subcommittee composed of staff from several LAFCOs (including your Executive Officer) are working with Senator Wolk's office to see if there are feasible alternatives to the current version of SB 1318.

Recommended Action:

1. Direct staff to draft a letter opposing SB 1318, authorize the Chair to sign the letter, and direct staff to forward the letter to the Legislature and Governor, on behalf of the Commission.

Attachments: SB 1318
CALAFCO Letter of Opposition to SB 1318



April 14, 2016

Honorable Bob Wieckowski, Chair
Senate Committee on Environmental Quality
California State Senate
State Capitol, Room 3086
Sacramento, CA 95814

RE: OPPOSITION to SB 1318 (Wolk) as amended April 12, 2016

Dear Chair Wieckowski:

The California Association of Local Agency Formation Commissions (CALAFCO) has been tracking SB 1318 (Wolk), and based on the amendments of April 12, 2016, we remain opposed to the bill. CALAFCO and our member Local Agency Formation Commissions (LAFcos) are aware of and concerned about the disparity of local public services, especially for residents and properties located within disadvantaged unincorporated communities (DUCs). All Californians deserve adequate and safe drinking water and wastewater facilities. While CALAFCO supports the author's intent, we strongly believe this bill does not address the source of the problem, and in fact creates a host of additional problems and unintended consequences.

One of our primary concerns is that the outcome of this legislation does not address the root causes of the lack of acceptable drinking water and wastewater facilities to the DUCs, which are infrastructure deficiencies and a lack of operational and maintenance funding. Instead, the bill and its subsequent amendments, all of which were hastily drafted and without the collective input of all stakeholders affected, propose unworkable solutions. The bill has a highly misplaced focus on the overall role of LAFcos rather than on solving the root issues of the problem.

In addition to the reasons noted above, other reasons for our opposition of the April 12, 2016 version of the bill include:

1. The new requirements found in Government Code Section (GCS) 56430(e)(2), requiring LAFCo to, every five years, conduct service reviews sufficient to have reviewed the entire county, extends LAFCo authority far beyond our current level. This precedent setting requirement means LAFcos will be reviewing entities who do not have a sphere of influence (SOI) adopted by LAFCo and whose boundaries and service areas are established by the California Public Utilities Commission. While legislative statute allows LAFCo to request information from certain private entities providing drinking water and private utilities, there is no statutory requirement for the entities to respond. Further, there is no statutory authority for LAFCo to recommend or make adjustments to these entities' SOI.
2. The requirement for the Commission to adopt a plan regarding all identified DUCs in the County that lack safe drinking water or adequate wastewater services under proposed GCS 56340(g), places expectations on LAFCo that exceed our legislative and legal authority. Specifically, the requirement in section 56340(g)(1) that within two years of the plan's adoption, LAFCo is to "take any actions necessary to implement the plan, including sphere of

influence updates, extensions of service, or changes of organization", could only currently apply to public agencies subject to LAFCo's legislative authority. Yet in many cases, inadequate services are provided by private companies or mutual water companies whom are not overseen by LAFCo. Further, LAFCo lacks the authority to direct cities, counties and special districts to implement a plan created by LAFCo. In addition, this requirement presumes LAFCos have the expertise to create plans for infrastructure design, buildout and cost.

3. The distinct lack of funding to fulfill these legislative mandates is a significant hurdle. First, the cost to LAFCo to conduct county-wide studies every five years is significant. Additionally, these studies require significant resources to complete. Next, the resources for LAFCo to complete the required "plan" go unmentioned. Finally, the resources needed for entities to implement the plan are also unidentified.

LAFCos are funded by their member agencies who are cities, counties and in 30 of the 58 LAFCos, independent special districts. These unfunded mandates will need to be paid for in some way, and since the bill does not identify funding sources, all 58 LAFCos will be forced to pass along these additional costs to their member agencies. The requirements under section 56340(e)(2) for LAFCos to conduct service reviews sufficient to have reviewed the entire territory of the county goes well beyond the city and independent special district focus of the existing service review requirements, and would constitute an expensive unfunded mandate upon the Commission with little added benefit to the citizens of the respective county.

To the degree LAFCo has adopted the plan required in section 56340(g), LAFCo is not in a position to seek infrastructure grants or sell bonds to install infrastructure improvements which actually lead to the provision of water and wastewater services. The bill fails to identify funding sources available to cities, independent special districts and private companies that construct and operate these critical public utilities.

4. The bill fails to identify the contents of the required plan referenced in GCS 56430(g)(1).
5. Proposed GCS 56430(g)(2) creates an inconsistent exception for protest proceedings which takes away property rights that have been long-established in governmental reorganizations in California. The residents of the DUC are afforded the right to file protests for Commission initiated boundary changes, but other residents living within a larger annexation boundary that are not part of the DUC would lose their right to protest being included in the annexation or reorganization.

Clearly, this legislation is attempting to address serious problems for DUCs, similar to the measures adopted through SB 244. However, there are obviously a substantial number of unintended consequences to the proposed bill. Again – the bill is not addressing the root cause of the lack of drinking water and waste water services - but instead applies a misguided and misinformed focus on LAFCos, who are only one cog in a very large wheel.

The passage of Budget Trailer Bill SB 88 last year granted the State Water Resources Control Board (SWRCB) the authority to mandate consolidation of water systems. They have been hard at work the past nine months focusing on those areas that lack safe drinking water due to poor water quality. CALAFCO encourages the author and sponsor of SB 1318 to allow time for the process created less than a year ago to work before layering additional and highly unworkable requirements on top of that process.

We want to continue to encourage the author and sponsor to establish a collective dialogue with all affected stakeholders to discuss more reasonable and workable solutions. Further, we encourage them to establish dialogue between the SWRCB, existing service providers, DUCs and the local LAFCOs in those areas in which specific problems have been identified, to discuss the unique circumstances and conditions that exist for that DUC and to determine if annexation or service extensions are a viable alternative.

CALAFCO remains committed to help find solutions to the disparities in service delivery to disadvantaged communities. To that end we continue to offer ourselves as a conversation partner to Senator Wolk, her staff, and the sponsor.

For all of the reasons noted above, CALAFCO remains opposed to SB 1318, and we thank you and your committee for considering our concerns. I am happy to answer any questions you may have.

Yours sincerely,



Pamela Miller
Executive Director

cc: Members, Senate Environmental Quality Committee
Honorable Senator Lois Wolk
Rachel Machi Wagoner, Chief Consultant, Senate Environmental Quality Committee
Morgan Branch, Senate Republican Caucus Consultant

AMENDED IN SENATE APRIL 12, 2016

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1318

Introduced by Senator Wolk

February 19, 2016

An act to amend Sections ~~56133~~, ~~56133.5~~, 56375, 56425, and 56430 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1318, as amended, Wolk. Local government: drinking water infrastructure or services; wastewater infrastructure or services.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts.

~~Existing law authorizes a city or district to provide new or extended services by contract or agreement outside its jurisdictional boundaries only if the city or district requests and receives permission to do so from the local agency formation commission in the affected county. Under existing law, the commission may authorize a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances.~~

~~This bill would prohibit the commission from authorizing a city or a district to extend drinking water infrastructure or services or wastewater infrastructure or services until it has entered into an enforceable agreement to extend the same services to all disadvantaged communities within its sphere of influence or adjacent to its jurisdictional boundaries, unless specified conditions are met. The bill would prohibit the commission from approving a sphere of influence update where there exists a disadvantaged unincorporated community within the city's or~~

~~special district's sphere of influence or contiguous with a city's or qualifying special district's jurisdictional boundaries that lacks safe drinking water infrastructure or services or adequate wastewater infrastructure or services unless specified conditions are met.~~

~~Existing law establishes a pilot program for the Napa and San Bernardino local agency formation commissions that permits those commissions to authorize a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances.~~

~~This bill would prohibit those commissions from authorizing a city or a district to extend drinking water infrastructure or services or wastewater infrastructure or services until it has entered into an enforceable agreement to extend those services to all disadvantaged communities within its sphere of influence or contiguous with a city's or district's jurisdictional boundaries that lack safe drinking water or adequate wastewater infrastructure or services unless specified conditions are met.~~

Existing law, except as otherwise provided, prohibits a local agency formation commission from approving an annexation to a city of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community, as specified, unless an application to annex the disadvantaged unincorporated community to the subject city has been filed with the executive officer.

This bill would extend that prohibition to an annexation to a qualified special district. ~~The bill would additionally prohibit a commission from approving an annexation to a city or qualified special district of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community within the sphere of influence of a city or qualified special district or contiguous to the city's or qualified special district's jurisdictional boundaries that lacks safe drinking water infrastructure or services or adequate wastewater infrastructure or services, unless, among other things, the city or qualified special district has entered into an enforceable agreement to extend those services into the disadvantaged community or communities. The bill would define "qualified special district" to mean a special district with more than 500 service connections that provides drinking water or wastewater services.~~

Existing law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special

district within the county and to enact policies designed to promote the logical and orderly development of areas within the sphere. ~~Existing law authorizes the commission, in determining a sphere of influence, to assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies, as provided:~~

~~This bill would instead require the commission to assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies.~~ The bill would prohibit a commission from approving a sphere of influence update that removes a disadvantaged community from a city's or special district's sphere of influence unless the commission makes a finding that removal of the community will result in improved service delivery to the community.

Existing law requires a commission, in preparing and updating spheres of influence, to conduct a service review of the municipal services provided in the county or other area designated by the commission. Existing law authorizes the commission, in conducting the review, to assess various alternatives for improving efficiency and affordability of infrastructure and service delivery, as specified, and to include a review of whether the agencies under review are in compliance with the California Safe Drinking Water Act.

Where there exists a disadvantaged unincorporated community that lacks adequate drinking water and wastewater services and infrastructure within or contiguous with the subject sphere, this bill would instead require the commission to make the assessment of alternatives and to include the safe drinking water review described above if the information is ~~readily~~ *available from the State Water Resources Control Board or other sources. This bill would, on or before January 1, 2022, and every 5 years thereafter, require the commission to conduct service reviews sufficient to have reviewed the entire territory of the county. The bill would require the commission to file a map of the county that identifies disadvantaged unincorporated communities that lack safe drinking water or adequate wastewater with the Office of Planning and Research, and would require the Office of Planning and Research to post the map on its Internet Web site. The bill would additionally require the commission, within 2 years of identifying a disadvantaged unincorporated community that lacks safe drinking water or adequate wastewater services, to recommend a plan based on the alternatives analyzed and adopt any actions necessary to implement the plan, as specified.*

By imposing new duties on local government officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 56133 of the Government Code is~~
2 ~~amended to read:~~
3 ~~56133. (a) A city or district may provide new or extended~~
4 ~~services by contract or agreement outside its jurisdictional~~
5 ~~boundary only if it first requests and receives written approval~~
6 ~~from the commission.~~
7 ~~(b) The commission may authorize a city or district to provide~~
8 ~~new or extended services outside its jurisdictional boundary but~~
9 ~~within its sphere of influence in anticipation of a later change of~~
10 ~~organization.~~
11 ~~(c) If consistent with adopted policy, the commission may~~
12 ~~authorize a city or district to provide new or extended services~~
13 ~~outside its jurisdictional boundary and outside its sphere of~~
14 ~~influence to respond to an existing or impending threat to the health~~
15 ~~or safety of the public or the residents of the affected territory, if~~
16 ~~both of the following requirements are met:~~
17 ~~(1) The entity applying for approval has provided the~~
18 ~~commission with documentation of a threat to the health and safety~~
19 ~~of the public or the affected residents.~~
20 ~~(2) The commission has notified any alternate service provider;~~
21 ~~including any water corporation as defined in Section 241 of the~~
22 ~~Public Utilities Code, that has filed a map and a statement of its~~
23 ~~service capabilities with the commission.~~
24 ~~(d) The commission shall not authorize a city or a district to~~
25 ~~extend drinking water infrastructure or services or wastewater~~
26 ~~infrastructure or services pursuant to this section until it has entered~~

1 ~~into an enforceable agreement to extend the same services to all~~
2 ~~disadvantaged communities within its sphere of influence or~~
3 ~~adjacent to its jurisdictional boundaries that lack safe drinking~~
4 ~~water or adequate wastewater services or infrastructure as soon as~~
5 ~~feasible to do so but within a period no longer than five years,~~
6 ~~unless either of the following conditions are met:~~

7 ~~(1) The commission finds, based upon written evidence, that a~~
8 ~~majority of the residents of the affected disadvantaged community~~
9 ~~or communities are opposed to receiving the identified service or~~
10 ~~services. These findings shall not interfere with or inform other~~
11 ~~programs or policies designed to expand basic services to~~
12 ~~disadvantaged unincorporated communities, including, but not~~
13 ~~limited to, Sections 116680 to 116684, inclusive, of the Health~~
14 ~~and Safety Code:~~

15 ~~(2) The extension of services is authorized pursuant to~~
16 ~~subdivision (c) or the extension of services is to a disadvantaged~~
17 ~~community:~~

18 ~~(c)~~

19 ~~The executive officer, within 30 days of receipt of a request~~
20 ~~for approval by a city or district to extend services outside its~~
21 ~~jurisdictional boundary, shall determine whether the request is~~
22 ~~complete and acceptable for filing or whether the request is~~
23 ~~incomplete. If a request is determined not to be complete, the~~
24 ~~executive officer shall immediately transmit that determination to~~
25 ~~the requester, specifying those parts of the request that are~~
26 ~~incomplete and the manner in which they can be made complete.~~
27 ~~When the request is deemed complete, the executive officer shall~~
28 ~~place the request on the agenda of the next commission meeting~~
29 ~~for which adequate notice can be given but not more than 90 days~~
30 ~~from the date that the request is deemed complete, unless the~~
31 ~~commission has delegated approval of requests made pursuant to~~
32 ~~this section to the executive officer. The commission or executive~~
33 ~~officer shall approve, disapprove, or approve with conditions the~~
34 ~~extended services. If the new or extended services are disapproved~~
35 ~~or approved with conditions, the applicant may request~~
36 ~~reconsideration, citing the reasons for reconsideration:~~

37 ~~(f)~~

38 ~~This section does not apply to any of the following:~~

39 ~~(1) Two or more public agencies where the public service to be~~
40 ~~provided is an alternative to, or substitute for, public services~~

1 already being provided by an existing public service provider and
2 where the level of service to be provided is consistent with the
3 level of service contemplated by the existing service provider.

4 ~~(2) The transfer of nonpotable or nontreated water.~~

5 ~~(3) The provision of surplus water to agricultural lands and~~
6 ~~facilities, including, but not limited to, incidental residential~~
7 ~~structures, for projects that serve conservation purposes or that~~
8 ~~directly support agricultural industries. However, prior to extending~~
9 ~~surplus water service to any project that will support or induce~~
10 ~~development, the city or district shall first request and receive~~
11 ~~written approval from the commission in the affected county.~~

12 ~~(4) An extended service that a city or district was providing on~~
13 ~~or before January 1, 2001.~~

14 ~~(5) A local publicly owned electric utility, as defined by Section~~
15 ~~9604 of the Public Utilities Code, providing electric services that~~
16 ~~do not involve the acquisition, construction, or installation of~~
17 ~~electric distribution facilities by the local publicly owned electric~~
18 ~~utility, outside of the utility's jurisdictional boundary.~~

19 ~~(6) A fire protection contract, as defined in subdivision (a) of~~
20 ~~Section 56134.~~

21 ~~(g) This section applies only to the commission of the county~~
22 ~~in which the extension of service is proposed.~~

23 ~~(h) The commission shall not approve a sphere of influence~~
24 ~~update where there exists a disadvantaged unincorporated~~
25 ~~community within the city's or special district's sphere of influence~~
26 ~~or contiguous with a city's or qualifying special district's~~
27 ~~jurisdictional boundaries that lacks safe drinking water~~
28 ~~infrastructure or services or adequate wastewater infrastructure or~~
29 ~~services unless the city or special district or qualified special district~~
30 ~~has entered into an enforceable agreement to extend those services~~
31 ~~into the disadvantaged community or communities as soon as~~
32 ~~feasible to do so but within a period no longer than five years of~~
33 ~~the approval of the sphere of influence change or the commission~~
34 ~~finds, based upon written evidence, that a majority of the residents~~
35 ~~of the affected disadvantaged community or communities are~~
36 ~~opposed to receiving the identified service or services.~~

37 ~~(i) These findings shall not interfere with or inform other~~
38 ~~programs or policies designed to expand basic services to~~
39 ~~disadvantaged unincorporated communities, including, but not~~

1 ~~limited to, Sections 116680 to 116684, inclusive, of the Health~~
2 ~~and Safety Code.~~

3 ~~(2) A qualifying special district is a special district with more~~
4 ~~than 500 service connections that provides drinking water or~~
5 ~~wastewater services.~~

6 SEC. 2. ~~Section 56133.5 of the Government Code is amended~~
7 ~~to read:~~

8 ~~56133.5. (a) A pilot program is hereby established for the~~
9 ~~Napa and San Bernardino commissions. If consistent with adopted~~
10 ~~policy, the Napa and San Bernardino commissions may authorize~~
11 ~~a city or district to provide new or extended services outside its~~
12 ~~jurisdictional boundary and outside its sphere of influence to~~
13 ~~support existing or planned uses involving public or private~~
14 ~~properties, subject to approval at a noticed public hearing in which~~
15 ~~the commission makes all of the following determinations:~~

16 ~~(1) The extension of service or services deficiency was identified~~
17 ~~and evaluated in a review of municipal services prepared pursuant~~
18 ~~to Section 56430.~~

19 ~~(2) The extension of service will not result in either (1) adverse~~
20 ~~impacts on open space or agricultural lands or (2) growth inducing~~
21 ~~impacts.~~

22 ~~(3) A sphere of influence change involving the subject territory~~
23 ~~and its affected agency is not feasible under this division or~~
24 ~~desirable based on the adopted policies of the commission.~~

25 ~~(b) Subdivision (d) of Section 56133 shall apply to any request~~
26 ~~for new or extended services pursuant to this section.~~

27 ~~(c) The commissions shall not authorize a city or a district to~~
28 ~~extend drinking water infrastructure or services or wastewater~~
29 ~~infrastructure or services pursuant to this section until it has entered~~
30 ~~into an enforceable agreement to extend those services to all~~
31 ~~disadvantaged communities within its sphere of influence or~~
32 ~~contiguous with a city's or district's jurisdictional boundaries that~~
33 ~~lack safe drinking water or adequate wastewater infrastructure or~~
34 ~~services as soon as feasible to do so but within a period no longer~~
35 ~~than five years of the approval of the underlying extension, unless~~
36 ~~either of the following conditions are met:~~

37 ~~(1) The commission finds, based upon written evidence, that a~~
38 ~~majority of the residents of the affected disadvantaged community~~
39 ~~or communities are opposed to receiving the identified service or~~
40 ~~services. These findings shall not interfere with or inform other~~

~~1 programs or policies designed to expand basic services to~~
~~2 disadvantaged unincorporated communities, including, but not~~
~~3 limited to, Sections 116680 to 116684, inclusive, of the Health~~
~~4 and Safety Code.~~

~~5 (2) The extension of services is to a disadvantaged community.~~

~~6 (d) For purposes of this section, "planned use" means any project~~
~~7 that is included in an approved specific plan as of July 1, 2015.~~

~~8 (e) The Napa and San Bernardino commissions shall submit a~~
~~9 report before January 1, 2020, to the Legislature on their~~
~~10 participation in the pilot program, including how many requests~~
~~11 for extension of services were received pursuant to this section~~
~~12 and the action by the commission to approve, disapprove, or~~
~~13 approve with conditions. The report required to be submitted~~
~~14 pursuant to this subdivision shall be submitted in compliance with~~
~~15 Section 9795 of the Government Code.~~

~~16 (f) The pilot program established pursuant to this section shall~~
~~17 be consistent with Chapter 8.5 (commencing with Section 1501)~~
~~18 of the Public Utilities Code.~~

~~19 (g) This section shall remain in effect only until January 1, 2021,~~
~~20 and as of that date is repealed.~~

~~21 SEC. 3. Section 56375 of the Government Code is amended~~
~~22 to read:~~

~~23 56375. The commission shall have all of the following powers~~
~~24 and duties subject to any limitations upon its jurisdiction set forth~~
~~25 in this part:~~

~~26 (a) (1) To review and approve with or without amendment,~~
~~27 wholly, partially, or conditionally, or disapprove proposals for~~
~~28 changes of organization or reorganization, consistent with written~~
~~29 policies, procedures, and guidelines adopted by the commission.~~

~~30 (2) The commission may initiate proposals by resolution of~~
~~31 application for any of the following:~~

~~32 (A) The consolidation of a district, as defined in Section 56036.~~

~~33 (B) The dissolution of a district.~~

~~34 (C) A merger.~~

~~35 (D) The establishment of a subsidiary district.~~

~~36 (E) The formation of a new district or districts.~~

~~37 (F) A reorganization that includes any of the changes specified~~
~~38 in subparagraph (A), (B), (C), (D), or (E).~~

~~39 (3) A commission may initiate a proposal described in paragraph~~
~~40 (2) only if that change of organization or reorganization is~~

1 ~~consistent with a recommendation or conclusion of a study~~
2 ~~prepared pursuant to Section 56378, 56425, or 56430, and the~~
3 ~~commission makes the determinations specified in subdivision (b)~~
4 ~~of Section 56881.~~

5 (4) ~~A commission shall not disapprove an annexation to a city,~~
6 ~~initiated by resolution, of contiguous territory that the commission~~
7 ~~finds is any of the following:~~

8 (A) ~~Surrounded or substantially surrounded by the city to which~~
9 ~~the annexation is proposed or by that city and a county boundary~~
10 ~~or the Pacific Ocean if the territory to be annexed is substantially~~
11 ~~developed or developing, is not prime agricultural land as defined~~
12 ~~in Section 56064, is designated for urban growth by the general~~
13 ~~plan of the annexing city, and is not within the sphere of influence~~
14 ~~of another city.~~

15 (B) ~~Located within an urban service area that has been delineated~~
16 ~~and adopted by a commission, which is not prime agricultural land,~~
17 ~~as defined by Section 56064, and is designated for urban growth~~
18 ~~by the general plan of the annexing city.~~

19 (C) ~~An annexation or reorganization of unincorporated islands~~
20 ~~meeting the requirements of Section 56375.3.~~

21 (5) ~~As a condition to the annexation of an area that is~~
22 ~~surrounded, or substantially surrounded, by the city to which the~~
23 ~~annexation is proposed, the commission may require, where~~
24 ~~consistent with the purposes of this division, that the annexation~~
25 ~~include the entire island of surrounded, or substantially surrounded,~~
26 ~~territory.~~

27 (6) ~~A commission shall not impose any conditions that would~~
28 ~~directly regulate land use density or intensity, property~~
29 ~~development, or subdivision requirements.~~

30 (7) ~~The decision of the commission with regard to a proposal~~
31 ~~to annex territory to a city shall be based upon the general plan~~
32 ~~and rezoning of the city. When the development purposes are not~~
33 ~~made known to the annexing city, the annexation shall be reviewed~~
34 ~~on the basis of the adopted plans and policies of the annexing city~~
35 ~~or county. A commission shall require, as a condition to~~
36 ~~annexation, that a city prezone the territory to be annexed or present~~
37 ~~evidence satisfactory to the commission that the existing~~
38 ~~development entitlements on the territory are vested or are already~~
39 ~~at build-out, and are consistent with the city's general plan.~~

1 However, the commission shall not specify how, or in what
2 manner, the territory shall be rezoned.

3 (8) (A) Except for those changes of organization or
4 reorganization authorized under Section 56375.3, and except as
5 provided by subparagraph (B), a commission shall not approve an
6 annexation to a city or to a qualified special district of any territory
7 greater than 10 acres, or as determined by commission policy,
8 where either of the following exists:

9 (i) (I) A disadvantaged unincorporated community that is
10 contiguous to the area of proposed annexation, unless an
11 application to annex the disadvantaged unincorporated community
12 to the subject city has been filed with the executive officer.

13 (H) An application to annex a contiguous disadvantaged
14 community shall not be required if either of the following apply:

15 (ia) A prior application for annexation of the same disadvantaged
16 community has been made in the preceding five years.

17 (ib) The commission finds, based upon written evidence, that
18 a majority of the registered voters within the affected disadvantaged
19 community are opposed to annexation.

20 (ii) A disadvantaged unincorporated community within the
21 sphere of influence of a city or qualified special district or
22 contiguous to the city's or qualified special district's jurisdictional
23 boundaries that lacks safe drinking water infrastructure or services
24 or adequate wastewater infrastructure or services unless any of the
25 following conditions are met:

26 (I) The city or qualified special district has entered into an
27 enforceable agreement to extend those services into the
28 disadvantaged community or communities as soon as feasible to
29 do so but within a period no longer than five years of the approval
30 of the annexation.

31 (II) The commission finds, based upon written evidence, that a
32 majority of the residents of the affected disadvantaged community
33 or communities are opposed to receiving the identified service or
34 services. These findings shall not interfere with or inform other
35 programs or policies designed to expand basic services to
36 disadvantaged unincorporated communities, including, but not
37 limited to, Sections 116680 to 116684, inclusive, of the Health
38 and Safety Code.

39 (III) The annexation is an annexation of a disadvantaged
40 community.

1 ~~(B) For purposes of this paragraph, "a qualified special district"~~
2 ~~means a special district with more than 500 service connections~~
3 ~~that provides drinking water or wastewater services.~~

4 ~~(b) With regard to a proposal for annexation or detachment of~~
5 ~~territory to, or from, a city or district or with regard to a proposal~~
6 ~~for reorganization that includes annexation or detachment, to~~
7 ~~determine whether territory proposed for annexation or detachment,~~
8 ~~as described in its resolution approving the annexation, detachment,~~
9 ~~or reorganization, is inhabited or uninhabited.~~

10 ~~(c) With regard to a proposal for consolidation of two or more~~
11 ~~cities or districts, to determine which city or district shall be the~~
12 ~~consolidated successor city or district.~~

13 ~~(d) To approve the annexation of unincorporated, nonecontiguous~~
14 ~~territory, subject to the limitations of Section 56742, located in the~~
15 ~~same county as that in which the city is located, and that is owned~~
16 ~~by a city and used for municipal purposes and to authorize the~~
17 ~~annexation of the territory without notice and hearing.~~

18 ~~(e) To approve the annexation of unincorporated territory~~
19 ~~consistent with the planned and probable use of the property based~~
20 ~~upon the review of general plan and pre-zoning designations. No~~
21 ~~subsequent change may be made to the general plan for the annexed~~
22 ~~territory or zoning that is not in conformance to the pre-zoning~~
23 ~~designations for a period of two years after the completion of the~~
24 ~~annexation, unless the legislative body for the city makes a finding~~
25 ~~at a public hearing that a substantial change has occurred in~~
26 ~~circumstances that necessitate a departure from the pre-zoning in~~
27 ~~the application to the commission.~~

28 ~~(f) With respect to the incorporation of a new city or the~~
29 ~~formation of a new special district, to determine the number of~~
30 ~~registered voters residing within the proposed city or special district~~
31 ~~or, for a landowner-voter special district, the number of owners~~
32 ~~of land and the assessed value of their land within the territory~~
33 ~~proposed to be included in the new special district. The number~~
34 ~~of registered voters shall be calculated as of the time of the last~~
35 ~~report of voter registration by the county elections official to the~~
36 ~~Secretary of State prior to the date the first signature was affixed~~
37 ~~to the petition. The executive officer shall notify the petitioners of~~
38 ~~the number of registered voters resulting from this calculation.~~
39 ~~The assessed value of the land within the territory proposed to be~~

1 ~~included in a new landowner-voter special district shall be~~
2 ~~calculated as shown on the last equalized assessment roll.~~

3 ~~(g) To adopt written procedures for the evaluation of proposals,~~
4 ~~including written definitions consistent with existing state law.~~
5 ~~The commission may adopt standards for any of the factors~~
6 ~~enumerated in Section 56668. Any standards adopted by the~~
7 ~~commission shall be written.~~

8 ~~(h) To adopt standards and procedures for the evaluation of~~
9 ~~service plans submitted pursuant to Section 56653 and the initiation~~
10 ~~of a change of organization or reorganization pursuant to~~
11 ~~subdivision (a).~~

12 ~~(i) To make and enforce regulations for the orderly and fair~~
13 ~~conduct of hearings by the commission.~~

14 ~~(j) To incur usual and necessary expenses for the~~
15 ~~accomplishment of its functions.~~

16 ~~(k) To appoint and assign staff personnel and to employ or~~
17 ~~contract for professional or consulting services to carry out and~~
18 ~~effect the functions of the commission.~~

19 ~~(l) To review the boundaries of the territory involved in any~~
20 ~~proposal with respect to the definiteness and certainty of those~~
21 ~~boundaries, the nonconformance of proposed boundaries with lines~~
22 ~~of assessment or ownership, and other similar matters affecting~~
23 ~~the proposed boundaries.~~

24 ~~(m) To waive the restrictions of Section 56744 if it finds that~~
25 ~~the application of the restrictions would be detrimental to the~~
26 ~~orderly development of the community and that the area that would~~
27 ~~be enclosed by the annexation or incorporation is so located that~~
28 ~~it cannot reasonably be annexed to another city or incorporated as~~
29 ~~a new city.~~

30 ~~(n) To waive the application of Section 22613 of the Streets and~~
31 ~~Highways Code if it finds the application would deprive an area~~
32 ~~of a service needed to ensure the health, safety, or welfare of the~~
33 ~~residents of the area and if it finds that the waiver would not affect~~
34 ~~the ability of a city to provide any service. However, within 60~~
35 ~~days of the inclusion of the territory within the city, the legislative~~
36 ~~body may adopt a resolution nullifying the waiver.~~

37 ~~(o) If the proposal includes the incorporation of a city, as defined~~
38 ~~in Section 56043, or the formation of a district, as defined in~~
39 ~~Section 2215 of the Revenue and Taxation Code, the commission~~

1 shall determine the property tax revenue to be exchanged by the
2 affected local agencies pursuant to Section 56810.

3 (p) To authorize a city or district to provide new or extended
4 services outside its jurisdictional boundaries pursuant to Section
5 56133.

6 (q) To enter into an agreement with the commission for an
7 adjoining county for the purpose of determining procedures for
8 the consideration of proposals that may affect the adjoining county
9 or where the jurisdiction of an affected agency crosses the boundary
10 of the adjoining county.

11 (r) To approve with or without amendment, wholly, partially,
12 or conditionally, or disapprove pursuant to this section the
13 annexation of territory served by a mutual water company formed
14 pursuant to Part 7 (commencing with Section 14300) of Division
15 3 of Title 1 of the Corporations Code that operates a public water
16 system to a city or special district. Any annexation approved in
17 accordance with this subdivision shall be subject to the state and
18 federal constitutional prohibitions against the taking of private
19 property without the payment of just compensation. This
20 subdivision shall not impair the authority of a public agency or
21 public utility to exercise eminent domain authority.

22 *SECTION 1. Section 56375 of the Government Code is*
23 *amended to read:*

24 56375. The commission shall have all of the following powers
25 and duties subject to any limitations upon its jurisdiction set forth
26 in this part:

27 (a) (1) To review and approve with or without amendment,
28 wholly, partially, or conditionally, or disapprove proposals for
29 changes of organization or reorganization, consistent with written
30 policies, procedures, and guidelines adopted by the commission.

31 (2) The commission may initiate proposals by resolution of
32 application for any of the following:

33 (A) The consolidation of a district, as defined in Section 56036.

34 (B) The dissolution of a district.

35 (C) A merger.

36 (D) The establishment of a subsidiary district.

37 (E) The formation of a new district or districts.

38 (F) A reorganization that includes any of the changes specified
39 in subparagraph (A), (B), (C), (D), or (E).

1 (3) A commission may initiate a proposal described in paragraph
2 (2) only if that change of organization or reorganization is
3 consistent with a recommendation or conclusion of a study
4 prepared pursuant to Section 56378, 56425, or 56430, and the
5 commission makes the determinations specified in subdivision (b)
6 of Section 56881.

7 (4) A commission shall not disapprove an annexation to a city,
8 initiated by resolution, of contiguous territory that the commission
9 finds is any of the following:

10 (A) Surrounded or substantially surrounded by the city to which
11 the annexation is proposed or by that city and a county boundary
12 or the Pacific Ocean if the territory to be annexed is substantially
13 developed or developing, is not prime agricultural land as defined
14 in Section 56064, is designated for urban growth by the general
15 plan of the annexing city, and is not within the sphere of influence
16 of another city.

17 (B) Located within an urban service area that has been delineated
18 and adopted by a commission, which is not prime agricultural land,
19 as defined by Section 56064, and is designated for urban growth
20 by the general plan of the annexing city.

21 (C) An annexation or reorganization of unincorporated islands
22 meeting the requirements of Section 56375.3.

23 (5) As a condition to the annexation of an area that is
24 surrounded, or substantially surrounded, by the city to which the
25 annexation is proposed, the commission may require, where
26 consistent with the purposes of this division, that the annexation
27 include the entire island of surrounded, or substantially surrounded,
28 territory.

29 (6) A commission shall not impose any conditions that would
30 directly regulate land use density or intensity, property
31 development, or subdivision requirements.

32 (7) The decision of the commission with regard to a proposal
33 to annex territory to a city shall be based upon the general plan
34 and rezoning of the city. When the development purposes are not
35 made known to the annexing city, the annexation shall be reviewed
36 on the basis of the adopted plans and policies of the annexing city
37 or county. A commission shall require, as a condition to
38 annexation, that a city prezone the territory to be annexed or present
39 evidence satisfactory to the commission that the existing
40 development entitlements on the territory are vested or are already

1 at build-out, and are consistent with the city's general plan.
2 However, the commission shall not specify how, or in what
3 manner, the territory shall be rezoned.

4 (8) (A) Except for those changes of organization or
5 reorganization authorized under Section 56375.3, and except as
6 provided by subparagraph (B), a commission shall not approve an
7 annexation to a city or to a *qualified special district* of any territory
8 greater than 10 acres, or as determined by commission policy,
9 where there exists a disadvantaged unincorporated community that
10 is contiguous to the area of proposed annexation, unless an
11 application to annex the disadvantaged unincorporated community
12 to the subject city has been filed with the executive officer.

13 (B) An application to annex a contiguous disadvantaged
14 community shall not be required if either of the following apply:

15 (i) A prior application for annexation of the same disadvantaged
16 community has been made in the preceding five years.

17 (ii) The commission finds, based upon written evidence, that a
18 majority of the registered voters within the affected ~~territory~~
19 *disadvantaged unincorporated community* are opposed to
20 annexation.

21 (C) For purposes of this paragraph, "*a qualified special*
22 *district*" means a special district with more than 500 service
23 connections that provides drinking water or wastewater services.

24 (b) With regard to a proposal for annexation or detachment of
25 territory to, or from, a city or district or with regard to a proposal
26 for reorganization that includes annexation or detachment, to
27 determine whether territory proposed for annexation or detachment,
28 as described in its resolution approving the annexation, detachment,
29 or reorganization, is inhabited or uninhabited.

30 (c) With regard to a proposal for consolidation of two or more
31 cities or districts, to determine which city or district shall be the
32 consolidated successor city or district.

33 (d) To approve the annexation of unincorporated, noncontiguous
34 territory, subject to the limitations of Section 56742, located in the
35 same county as that in which the city is located, and that is owned
36 by a city and used for municipal purposes and to authorize the
37 annexation of the territory without notice and hearing.

38 (e) To approve the annexation of unincorporated territory
39 consistent with the planned and probable use of the property based
40 upon the review of general plan and rezoning designations. No

1 subsequent change may be made to the general plan for the annexed
2 territory or zoning that is not in conformance to the prezoning
3 designations for a period of two years after the completion of the
4 annexation, unless the legislative body for the city makes a finding
5 at a public hearing that a substantial change has occurred in
6 circumstances that necessitate a departure from the prezoning in
7 the application to the commission.

8 (f) With respect to the incorporation of a new city or the
9 formation of a new special district, to determine the number of
10 registered voters residing within the proposed city or special district
11 or, for a landowner-voter special district, the number of owners
12 of land and the assessed value of their land within the territory
13 proposed to be included in the new special district. The number
14 of registered voters shall be calculated as of the time of the last
15 report of voter registration by the county elections official to the
16 Secretary of State prior to the date the first signature was affixed
17 to the petition. The executive officer shall notify the petitioners of
18 the number of registered voters resulting from this calculation.
19 The assessed value of the land within the territory proposed to be
20 included in a new landowner-voter special district shall be
21 calculated as shown on the last equalized assessment roll.

22 (g) To adopt written procedures for the evaluation of proposals,
23 including written definitions consistent with existing state law.
24 The commission may adopt standards for any of the factors
25 enumerated in Section 56668. Any standards adopted by the
26 commission shall be written.

27 (h) To adopt standards and procedures for the evaluation of
28 service plans submitted pursuant to Section 56653 and the initiation
29 of a change of organization or reorganization pursuant to
30 subdivision (a).

31 (i) To make and enforce regulations for the orderly and fair
32 conduct of hearings by the commission.

33 (j) To incur usual and necessary expenses for the
34 accomplishment of its functions.

35 (k) To appoint and assign staff personnel and to employ or
36 contract for professional or consulting services to carry out and
37 effect the functions of the commission.

38 (l) To review the boundaries of the territory involved in any
39 proposal with respect to the definiteness and certainty of those
40 boundaries, the nonconformance of proposed boundaries with lines

1 of assessment or ownership, and other similar matters affecting
2 the proposed boundaries.

3 (m) To waive the restrictions of Section 56744 if it finds that
4 the application of the restrictions would be detrimental to the
5 orderly development of the community and that the area that would
6 be enclosed by the annexation or incorporation is so located that
7 it cannot reasonably be annexed to another city or incorporated as
8 a new city.

9 (n) To waive the application of Section 22613 of the Streets and
10 Highways Code if it finds the application would deprive an area
11 of a service needed to ensure the health, safety, or welfare of the
12 residents of the area and if it finds that the waiver would not affect
13 the ability of a city to provide any service. However, within 60
14 days of the inclusion of the territory within the city, the legislative
15 body may adopt a resolution nullifying the waiver.

16 (o) If the proposal includes the incorporation of a city, as defined
17 in Section 56043, or the formation of a district, as defined in
18 Section 2215 of the Revenue and Taxation Code, the commission
19 shall determine the property tax revenue to be exchanged by the
20 affected local agencies pursuant to Section 56810.

21 (p) To authorize a city or district to provide new or extended
22 services outside its jurisdictional boundaries pursuant to Section
23 56133.

24 (q) To enter into an agreement with the commission for an
25 adjoining county for the purpose of determining procedures for
26 the consideration of proposals that may affect the adjoining county
27 or where the jurisdiction of an affected agency crosses the boundary
28 of the adjoining county.

29 (r) To approve with or without amendment, wholly, partially,
30 or conditionally, or disapprove pursuant to this section the
31 annexation of territory served by a mutual water company formed
32 pursuant to Part 7 (commencing with Section 14300) of Division
33 3 of Title 1 of the Corporations Code that operates a public water
34 system to a city or special district. Any annexation approved in
35 accordance with this subdivision shall be subject to the state and
36 federal constitutional prohibitions against the taking of private
37 property without the payment of just compensation. This
38 subdivision shall not impair the authority of a public agency or
39 public utility to exercise eminent domain authority.

1 ~~SEC. 4.~~

2 ~~SEC. 2.~~ Section 56425 of the Government Code is amended
3 to read:

4 56425. (a) In order to carry out its purposes and responsibilities
5 for planning and shaping the logical and orderly development and
6 coordination of local governmental agencies subject to the
7 jurisdiction of the commission to advantageously provide for the
8 present and future needs of the county and its communities, the
9 commission shall develop and determine the sphere of influence
10 of each city and each special district, as defined by Section 56036,
11 within the county and enact policies designed to promote the logical
12 and orderly development of areas within or adjacent to the sphere.

13 (b) Prior to a city submitting an application to the commission
14 to update its sphere of influence, representatives from the city and
15 representatives from the county shall meet to discuss the proposed
16 new boundaries of the sphere and explore methods to reach
17 agreement on development standards and planning and zoning
18 requirements within the sphere to ensure that development within
19 the sphere occurs in a manner that reflects the concerns of the
20 affected city and is accomplished in a manner that promotes the
21 logical and orderly development of areas within the sphere. If an
22 agreement is reached between the city and county, the city shall
23 forward the agreement in writing to the commission, along with
24 the application to update the sphere of influence. The commission
25 shall consider and adopt a sphere of influence for the city consistent
26 with the policies adopted by the commission pursuant to this
27 section, and the commission shall give great weight to the
28 agreement to the extent that it is consistent with commission
29 policies in its final determination of the city sphere.

30 (c) If the commission's final determination is consistent with
31 the agreement reached between the city and county pursuant to
32 subdivision (b), the agreement shall be adopted by both the city
33 and county after a noticed public hearing. Once the agreement has
34 been adopted by the affected local agencies and their respective
35 general plans reflect that agreement, then any development
36 approved by the county within the sphere shall be consistent with
37 the terms of that agreement.

38 (d) If no agreement is reached pursuant to subdivision (b), the
39 application may be submitted to the commission and the
40 commission shall consider a sphere of influence for the city

1 consistent with the policies adopted by the commission pursuant
2 to this section.

3 (e) In determining the sphere of influence of each local agency,
4 the commission shall consider and prepare a written statement of
5 its determinations with respect to each of the following:

6 (1) The present and planned land uses in the area, including
7 agricultural and open-space lands.

8 (2) The present and probable need for public facilities and
9 services in the area.

10 (3) The present capacity of public facilities and adequacy of
11 public services that the agency provides or is authorized to provide.

12 (4) The existence of any social or economic communities of
13 interest in the area if the commission determines that they are
14 relevant to the agency.

15 (5) For an update of a sphere of influence of a city or special
16 district that provides public facilities or services related to sewers,
17 municipal and industrial water, or structural fire protection, that
18 occurs pursuant to subdivision (g) on or after July 1, 2012, the
19 present and probable need for those public facilities and services
20 of any disadvantaged unincorporated communities within or
21 adjacent to the existing sphere of influence.

22 (f) Upon determination of a sphere of influence, the commission
23 shall adopt that sphere.

24 (g) On or before January 1, 2008, and every five years thereafter,
25 the commission shall, as necessary, review and update each sphere
26 of influence.

27 (h) In determining a sphere of influence, the commission shall
28 *may* assess the feasibility of governmental reorganization of
29 particular agencies and recommend reorganization of those
30 agencies when reorganization is found to be feasible and if
31 reorganization will further the goals of orderly development and
32 efficient and affordable service delivery. The commission shall
33 make all reasonable efforts to ensure wide public dissemination
34 of the recommendations.

35 (i) When adopting, amending, or updating a sphere of influence
36 for a special district, the commission shall establish the nature,
37 location, and extent of any functions or classes of services provided
38 by existing districts.

39 (j) When adopting, amending, or updating a sphere of influence
40 for a special district, the commission may require existing districts

1 to file written statements with the commission specifying the
2 functions or classes of services provided by those districts.

3 (k) The commission shall not approve a sphere of influence
4 update that removes a disadvantaged community from a city or a
5 special district unless the commission makes a finding, based on
6 written evidence, that the removal of the disadvantaged community
7 will result in improved service delivery to the community.

8 ~~SEC. 5:~~

9 *SEC. 3.* Section 56430 of the Government Code is amended
10 to read:

11 56430. (a) In order to prepare and to update spheres of
12 influence in accordance with Section 56425, the commission shall
13 conduct a service review of the municipal services provided in the
14 county or other appropriate area designated by the commission.
15 The commission shall include in the area designated for service
16 review the county, the region, the subregion, or any other
17 geographic area as is appropriate for an analysis of the service or
18 services to be reviewed, and shall prepare a written statement of
19 its determinations with respect to each of the following:

20 (1) Growth and population projections for the affected area.

21 (2) The location and characteristics of any disadvantaged
22 unincorporated communities within or contiguous to the sphere
23 of influence.

24 (3) Present and planned capacity of public facilities, adequacy
25 of public services, and infrastructure needs or deficiencies including
26 needs or deficiencies related to sewers, municipal and industrial
27 water, and structural fire protection in any disadvantaged,
28 unincorporated communities within or contiguous to the sphere
29 of influence.

30 (4) Financial ability of agencies to provide services.

31 (5) Status of, and opportunities for, shared facilities.

32 (6) Accountability for community service needs, including
33 governmental structure and operational efficiencies.

34 (7) Any other matter related to effective or efficient service
35 delivery, as required by commission policy.

36 (b) In conducting a service review, the commission shall
37 comprehensively review all of the agencies that provide the
38 identified service or services within the designated geographic
39 area. Where there exists a disadvantaged unincorporated
40 community that lacks adequate drinking water and wastewater

1 services and infrastructure within or contiguous with the subject
2 sphere, the commission shall assess various alternatives for
3 improving efficiency and affordability of *drinking water or*
4 *wastewater* infrastructure and service delivery within and
5 contiguous to the sphere of influence, including, but not limited
6 to, the consolidation of governmental agencies or the extension of
7 services, or both.

8 (c) In conducting a service review, the commission shall include
9 a review of whether the agencies under review, including any
10 public water system as defined in Section 116275 of the Health
11 and Safety Code, are in compliance with the California Safe
12 Drinking Water Act (Chapter 4 (commencing with Section 116270)
13 of Part 12 of Division 104 of the Health and Safety Code) if the
14 information is ~~readily~~ *available from the State Water Resources*
15 *Control Board or other sources*. A public water system may satisfy
16 any request for information as to compliance with that act by
17 submission of the consumer confidence or water quality report
18 prepared by the public water system as provided by Section 116470
19 of the Health and Safety Code.

20 (d) The commission may request information, as part of a service
21 review under this section, from identified public or private entities
22 that provide wholesale or retail supply of drinking water, including
23 mutual water companies formed pursuant to Part 7 (commencing
24 with Section 14300) of Division 3 of Title 1 of the Corporations
25 Code, and private utilities, as defined in Section 1502 of the Public
26 Utilities Code.

27 (e) (1) The commission shall conduct a service review before,
28 or in conjunction with, but no later than the time it is considering
29 an action to establish a sphere of influence in accordance with
30 Section 56425 or 56426.5 or to update a sphere of influence
31 pursuant to Section 56425.

32 (2) *On or before January 1, 2022, and every five years*
33 *thereafter, the commission shall conduct service reviews sufficient*
34 *to have reviewed the entire territory of the county.*

35 (f) *The commission shall file a map of the county that identifies*
36 *disadvantaged unincorporated communities that lack safe drinking*
37 *water or adequate wastewater in electronic format with the Office*
38 *of Planning and Research. The Office of Planning and Research*
39 *shall make the map available on its Internet Web site.*

1 (g) (1) Within two years of identification of a disadvantaged
2 unincorporated community that lacks safe drinking water or
3 adequate wastewater services pursuant to this section, the
4 commission shall recommend a plan based on the alternatives
5 analyzed and shall adopt any actions necessary to implement the
6 plan, including sphere of influence updates, extensions of service,
7 or changes of organization.

8 (2) Actions taken to adopt a plan under this subdivision shall
9 not be subject to an election or any protest proceedings, as defined
10 in Section 56069.5, except that the commission shall conduct
11 protest proceedings for residents of the disadvantaged community.

12 (3) The commission shall not be required to adopt or implement
13 a plan if the commission finds, based on substantial evidence, that
14 there is no technical or economically feasible way of connecting
15 the disadvantaged unincorporated community to an existing system,
16 considering any financial assistance available from the State Water
17 Resources Control Board or any other applicable source of
18 financial assistance. These findings shall not interfere with or
19 inform other programs or policies designed to expand basic
20 services to disadvantaged unincorporated communities, including,
21 but not limited to, Sections 116680 to 116684, inclusive, of the
22 Health and Safety Code.

23 (h) (1) Notwithstanding Section 56133, 56133.5, or 56375, on
24 and after January 1, 2022, a commission shall not change the
25 sphere of influence of, or authorize extension of services by, a
26 qualifying city or special district if the commission has not done
27 one of the following:

28 (A) Conducted the analysis required by this section.

29 (B) Adopted a plan or taken the actions required by subdivision
30 (g).

31 (2) Notwithstanding Section 56133, 56133.5, or 56375, a
32 commission shall not change the sphere of influence of, or
33 authorize an extension of services by, a qualifying city or special
34 district if the city or special district has been designated in a plan
35 developed pursuant to subdivision (g) to provide water or
36 wastewater services and the city or special district has not begun
37 providing water or wastewater service, as identified by the
38 commission's plan, within three years of being designated in the
39 plan.

1 (3) *The prohibition against a change to a sphere of influence*
2 *or extension of service pursuant to paragraphs (1) and (2) shall*
3 *not apply to either of the following:*

4 (A) *An application to extend services to, or include in their*
5 *sphere of influence, a disadvantaged unincorporated community.*

6 (B) *An extension of service authorized pursuant to subdivision*
7 *(c) of Section 56133.*

8 (i) *As used in this section, "a qualifying city or special district"*
9 *means a city or special district that provides water service or*
10 *wastewater services and serves 500 or more connections.*

11 ~~SEC. 6.~~

12 SEC. 4. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.