



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  
Phone: 626-204-6500  
Fax: 626-204-6507

[www.lalafco.org](http://www.lalafco.org)

REGULAR MEETING

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

January 13, 2016

Present:

Jerry Gladbach, Chair

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

Lori Brogin-Falley, Alternate  
Joe Ruzicka, Alternate  
Greig Smith, Alternate

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

Absent:

Michael D. Antonovich, Alternate  
Paul Krekorian, Alternate  
Judith Mitchell, Alternate

1 CALL MEETING TO ORDER

The meeting was called to order at 9:06 a.m. in Room 381-B of the County Hall of Administration.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Jerry Gladbach.

MICROPHONE SYSTEM

The Executive Officer (E.O.) wished the Commission a happy new year.

The E.O. announced that all microphones will remain off before and during each meeting. Each Commissioner will need to turn on their respective microphone before speaking.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The 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 E.O. swore in three (3) members of the audience who planned to testify.

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 November 18, 2015 (Special Meeting).
- b. Approved Operating Account Check Register for the month of November 2015.
- c. Approved Operating Account Check Register for the month of December 2015.
- d. Received and filed update on pending proposals.

MOTION: FINLAY  
SECOND: DEAR  
AYES: CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM,  
SPENCE, GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: KREKORIAN  
MOTION PASSED: 8/0/0

## 7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Los Angeles County Sanitation District No. 2 – Reconfirmation of the Municipal Service Review (MSR), and Amendment to the Sphere of Influence (SOI) Boundary.

The E.O. summarized the staff report on Los Angeles County Sanitation District No. 2 – Reconfirmation of the Municipal Service Review (MSR) and, Amendment to the Sphere of Influence (SOI) Boundary.

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

The Commission took the following action:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Los Angeles County Sanitation District No. 2 – Reconfirmation of the Municipal Service Review (MSR), and Amendment to the Sphere of Influence (SOI) Boundary; Resolution No. 2016-01RMD.
- Reconfirmed the MSR for the Los Angeles County Sanitation District No. 2 previously approved by the Commission in May of 2005, determining that the information and findings required by Government Code Section 56430, and as contained in Section 5 of the May 2005 MSR as they relate to Sanitation District No. 2, are current and do not raise any significant boundary or service-related issues.
- Approved the Los Angeles County Sanitation District No. 2 Sphere of Influence Amendment to include the eight distinct, non-contiguous areas, which are not currently within the boundaries of the SOI, consistent with the Government Code Section 56425 determination outlined in the staff report.

- Directed the Executive Officer to add the words “SOI Amended January 13, 2016” to the official LAFCO maps for the Los Angeles County Sanitation District No. 2.
- Directed the Executive Officer to mail copies of this resolution as provided in Section 56882 of the Government Code.

MOTION: KNABE  
SECOND: KUEHL  
AYES: CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM,  
SPENCE, GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: KREKORIAN  
MOTION PASSED: 8/0/0

## 7 PUBLIC HEARING(S)

The following item was called up for consideration:

- b. Los Angeles County Sanitation District No. 34 – Reconfirmation of the Municipal Service Review (MSR), and Adoption of a Coterminous Sphere of Influence (SOI) Boundary.

The E.O. summarized the staff report on Los Angeles County Sanitation District No. 34 – Reconfirmation of the Municipal Service Review (MSR) and, Adoption of a Coterminous Sphere of Influence (SOI) Boundary.

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

Commissioner Dear originally made the motion to approve the recommendations, but he withdrew his motion, and allowed Commissioner Spence (who represents the City of La Cañada Flintridge) to make the motion.

The Commission took the following action:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Los Angeles County Sanitation District No. 34 – Reconfirmation of the Municipal Service Review (MSR), and Adoption of a Coterminous Sphere of Influence (SOI) Boundary; Resolution No. 2016-02RMD.

- Reconfirmed the MSR for the Los Angeles County Sanitation District No. 34 previously approved by the Commission in May of 2005, determining that the information and findings required by Government Code Section 56430, and as contained in Section 5 of the May 2005 MSR as they relate to Sanitation District No. 34, are current and do not raise any significant boundary or service-related issues.
- Approved and adopted the Los Angeles County Sanitation District No. 34 Coterminous Sphere of Influence, consistent with Government Code Section 56425 determination outlined in the staff report.
- Directed the Executive Officer to add the words "Coterminous SOI Adopted on January 13, 2016" to the official LAFCO maps for the Los Angeles County Sanitation District No. 34.
- Directed the Executive Officer to mail copies of this resolution as provided in Section 56882 of the Government Code.

MOTION:	SPENCE
SECOND:	FINLAY
AYES:	CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM, SPENCE, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	KREKORIAN
MOTION PASSED:	8/0/0

## 8 PROTEST HEARING(S)

None.

## 9 OTHER ITEMS

The following item was called up for consideration:

- a. Legislative Update.

The E.O. stated that the Commission was provided a written staff report on the Legislative Update addressing upcoming issues for the 2017 legislative session.

The E.O. noted that CALAFCO is in the process of meeting with interested parties, such as, the League of Cities, the California State Association of Counties (CSAC), and the California Special Districts Association (CSDA), to address concerns associated with the proposed bill

regarding LAFCO notification when Joint Powers Authorities (JPAs) are formed. The E.O. stated he will report back to Commission at a future date.

The Commission took the following action:

- Received and Filed.

MOTION:	KNABE
SECOND:	SPENCE
AYES:	CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM, SPENCE, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	KREKORIAN
MOTION PASSED:	8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- b. Report on Supervisor Antonovich's December 21, 2015, letter to staff regarding the Hidden Creeks Estates annexation proposal and a proposed moratorium on annexations in areas affected by the gas leak in the Northwest San Fernando Valley around the communities of Porter Ranch and Chatsworth.

The E.O. summarized the staff report on Report on Supervisor Antonovich's December 21, 2015, letter to staff regarding the Hidden Creeks Estates annexation proposal and a proposed moratorium on annexations in areas affected by the gas leak in the Northwest San Fernando Valley around the communities of Porter Ranch and Chatsworth.

Chair Gladbach asked if Commissioners had any questions.

Commissioner Close asked Legal Counsel, Helen Parker, whether the Commission has the authority to deny the annexation if it were to come before the Commission. Helen Parker stated that LAFCO's authority is unique and extremely broad, and that based on a record with substantial evidence, LAFCO has the authority to approve, approve with conditions, or deny annexations, in general, based on the Cortese-Know-Hertzberg Reorganization Act of 2000 (Act 2000), the California Environmental Quality Act (CEQA), or other reasonable grounds in which the Commission could exercise its authority. Commissioner Close thanked Ms. Parker.

Commissioner Smith, to clarify what Commissioner Close asked Ms. Parker, stated that there is a distinction between the land-use planning approval, which is a decision of the City of Los

Angeles, and the annexation, which is a decision of LAFCO. He noted that if one or both of these proposals were denied, the proposed development project could still move forward within the County's jurisdiction, if the County chose to do so. LAFCO's denial of the proposal would prevent annexation into the City of Los Angeles, not the project itself. Ms. Parker stated that Commissioner Smith is correct, that if the Commission denied the annexation, the affected territory would remain within the unincorporated County territory, as it is today.

The public hearing was opened to receive testimony.

Chair Gladbach confirmed that the speakers were already sworn-in, and each did not make a campaign contribution of more than \$250 to the Commission within the past 12 months.

Wayne Avrashow, attorney representing the developer and applicant (Forestar USA Real Estate Group), stated that the applicant (Michael Sanders of Forestar) is available to answer questions if called upon. Mr. Avrashow stated that the Applicant's number one priority is the health and public safety of the future residents of Hidden Creeks Estates. He acknowledged the tragic situation and great hardship to residents of Porter Ranch and surrounding communities due to the Aliso Canyon gas leak. The project has received support from the Neighborhood Councils of Porter Ranch and Chatsworth. The applicant recognizes that circumstances have changed since the proposal was originally filed with LAFCO. He noted that the applicant has requested a continuance on further hearings and appeals with the City of Los Angeles until more is known about the gas leak and its impacts on Hidden Creeks Estates. Mr. Avrashow noted that City entitlements are not yet completed, the tract map will not be recorded until 2017, and the scheduled occupancy of Hidden Creeks Estates is in 2020.

Mr. Avrashow stated that it is logical to conclude that there are only two results possible concerning the Aliso Canyon Storage Facility: one, the facility will be made safe; or two, the facility will be closed. Governor Jerry Brown declared a State of Emergency, and seven state agencies have been mobilized to the area; the City, the County, State, and Federal agencies are reviewing the failed gas leak and its impacts on the environment and the health and safety of nearby residents. Senator Fran Pavley has introduced bills to impose new regulations on the storage facility. Mr. Avrashow stated he believes that if the facility is made safe, it will be safe for the 30,000 existing residents living in the Porter Ranch and surrounding areas, and it would therefore be safe for the future residents of Hidden Creeks Estates. If the facility is closed, it would be safe for Porter Ranch residents and safe for Hidden Creeks Estates residents. He noted that the applicant is committed to cooperating with LAFCO's Commission, staff, and surrounding residents. Mr. Avrashow agrees with the staff report recommendations and also agrees to the concept in the proposed moratorium, essentially to delay Commission consideration of the annexation proposal until more is known about the gas leak.

Commissioner Close asked Mr. Avrashow why the applicant is requesting annexation into the City of Los Angeles. Mr. Avrashow stated that it is more practical to provide municipal

services—such police, fire, and sewer—if the development were to be located within the City of Los Angeles. For example, City of Los Angeles police and fire stations are closer to the proposed development than are County sheriff or fire stations, which can impact response times to the area.

Commissioner Kuehl stated the second recommendation of the staff report directs the Executive Officer to send a letter requesting that the City of Los Angeles provide documentation as it relates to the existing natural gas leak at the So Cal Gas Aliso Canyon Storage Facility. She suggested to Mr. Avrashow that Forestar (USA) Real Estate Group, Inc. also prepare a separate environment analysis of the proposed Hidden Creeks Estates development, regarding the environmental impacts and potential health concerns on the nearby population. Supervisor Kuehl referenced Mr. Avrashow's letter, which indicated that the project is downwind, and three miles away, from the site of the gas leak. She stated that this is not sufficient analysis for the true potential impacts of the gas leak. Supervisor Kuehl stated it would be very difficult to close the facility due to the enormous amount of stored natural gas, and the need for natural gas in this region and beyond. Mr. Avrashow agreed with Supervisor Kuehl's comments, and indicated that he will provide a more in-depth study of the Hidden Creeks Estates and the potential effects of the gas leak.

Sandor Winger, a consultant for Forestar (USA) Real Estate Group Inc., stated that he hadn't planned on making any comments unless it's necessary concerning LAFCO and the annexation itself. He went on to testify that he is both a consultant to Forestar, and a resident of the local community, and therefore shares the same concerns as Porter Ranch residents relative to the impacts of the gas leak upon the local community. Mr. Winger agrees with Supervisor Kuehl that the Applicant provide further environmental analysis of the Hidden Creeks Estates project.

Commissioner Smith stated he is familiar with the Hidden Creeks Estates project, as he was a City Councilmember when the project was filed with the City of Los Angeles. Commissioner Smith stated he gave the applicant a lengthy list of what he wanted to see accomplished before they moved further with the proposed project, and to its credit the applicant has performed as requested. Commissioner Smith stated that he had spoken with the elected official representing this area in the City of Los Angeles, Councilmember Mitchell Englander, and that Councilman Englander indicated he supports Supervisor Antonovich's letter and supports the E.O.'s recommendations.

The Commission took the following action:

- Directed the Executive Officer to send a letter requesting that the applicant for the proposed Hidden Creeks Estates project and City of Los Angeles Annexation No. 2011-27 provide supplemental written documentation to LAFCO addressing the factors in LAFCO's governing statute on annexations in Government Code Section 56668 as



they relate to the existing natural gas leak at the Sothern California Gas Aliso Canyon Facility.

- Directed the Executive Officer to send a letter to the City of Los Angeles, asking in behalf of LAFCO, as the responsible agency for CEQA, that the City, as lead agency for CEQA, examine and address in the environmental documentation any additional potential environmental impacts of the Hidden Creeks Estates project in light of the natural gas leak at the Sothern California Gas Aliso Canyon Storage Facility, and, further, that the City provide the same information directly to LAFCO staff as well, all as part of completing its application to LAFCO for annexation to the City of Los Angeles.
- Directed the Executive Officer to send a letter in reply to the January 5, 2016 letter from the applicant's counsel to LAFCO.
- Director the Executive Officer to report back to update the Commission on the status of the Hidden Creeks Estates project every two months beginning in March 2016 until the application is complete.

MOTION:	FINLAY
SECOND:	McCALLUM
AYES:	CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM, SPENCE, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	KREKORIAN
MOTION PASSED:	8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- c. 5-Year anniversary for Paul Novak.

Chair Gladbach congratulated Paul Novak and presented him with a 5-year pin. The E.O. thanked Chair Gladbach.

## 10 COMMISSIONERS' REPORT

Commissioner Finlay asked the E.O. to provide a status update of the City of Baldwin Park's (City) potential annexation into the San Gabriel Valley Mosquito and Vector Control District (District). The E.O. stated that he and Kenn Fujioka (General Manager of the San Gabriel Valley Mosquito and Vector Control District) have been working to persuade City officials to

support annexation into the District, and made a presentation to the City Council on November 18, 2015 meeting. The City Council will consider the issue at its February 17<sup>th</sup> meeting, with a staff report recommending an advisory public vote. The E.O. stated he and Mr. Fujioka will attend the February 17<sup>th</sup> City Council meeting, and they are preparing an op-ed in support of the annexation.

Commissioner Finlay asked whether the City of Baldwin Park could be sued, and found liable, if one of the city's residents died from a vector-borne illness, could the City of Baldwin Park be sued and found liable. The E.O. stated he is not sure of that answer.

Commissioner Spence asked the E.O. if he has approached the City of South Pasadena regarding annexation into a vector control district. The E.O. stated that he would like to see the outcome of the City of Baldwin annexation into the San Gabriel Valley Mosquito and Vector Control District before approaching the City of South Pasadena. Commissioner Spence stated he will talk with members of the South Pasadena City Council to encourage them to agree to annex the City South Pasadena into a vector control district.

#### 11 EXECUTIVE OFFICER'S REPORT

None.

#### 12 PUBLIC COMMENT

None.

#### 13 FUTURE MEETINGS

February 10, 2016  
March 9, 2016  
April 13, 2016  
May 11, 2016

#### 14 FUTURE AGENDA ITEMS

None.

#### 15 ADJOURNMENT MOTION

On motion of Chair Gladbach the meeting was adjourned at 9:55 a.m.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Novak", with a stylized, cursive script.

Paul A. Novak, AICP, Executive Officer

L: minutes 2016\01-13-16

**RESOLUTION NO. 2016-01RMD**

**RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR THE COUNTY OF LOS ANGELES –  
LOS ANGELES COUNTY SANITATION DISTRICT NO. 2  
RECONFIRMATION OF THE MUNICIPAL SERVICE REVIEW (MSR), AND  
AMENDMENT TO THE SPHERE OF INFLUENCE (SOI) BOUNDARY**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code Section 56000 et seq) provides that a Local Agency Formation Commission (LAFCO) must adopt the Spheres of Influence (SOIs) of each local governmental agency within its jurisdiction (Section 56425(a) and that it must update, as necessary, each SOI every five years (Section 56425(g));

WHEREAS, the Sphere of Influence is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO;

WHEREAS, proceedings for the amendment to the Sphere of Influence for the Los Angeles County Sanitation District No. 2 (District No. 2) is described at Section 56427 et seq;

WHEREAS, Section 56430 requires that in order to prepare and update Spheres of Influence, the Commission shall conduct a Municipal Service Review prior to or in conjunction with an action to update or adopt a Sphere of Influence;

WHEREAS, as required by Government Code Section 56425, the Local Agency Formation Commission for the County of Los Angeles (Commission) has previously adopted the Los Angeles County Sanitation Districts MSR and SOI Update on May 25, 2005;

WHEREAS, the information and findings contained in the existing MSR and SOI Amendment for District No. 2 identified in this Resolution is current and do not raise any significant service-related issues;

WHEREAS, pursuant to Government Code Section 56425(e)(5), when determining the SOI of a local agency, the Commission is required to consider the present and probable need for public facilities and services related to sewers, municipal and industrial water, and structural fire protection of any Disadvantaged Unincorporated Communities (DUCs) within the agency's existing SOI;

WHEREAS, staff has reviewed the existing SOI for District No. 2, reviewed the DUCs within District No. 2 and adjacent to other Sanitation Districts, and has also reviewed recent history relative to annexations into District No. 2 giving due consideration to the legislative intent of SB 244 (the legislation which created DUCs);

WHEREAS, the Los Angeles County Sanitation District No. 2 identified in this Resolution, staff has determined that the existing MSR and SOI Amendment does not present any issues with respect to the present and probable need of Section 56425(d)(5) services (sewers, municipal and industrial water, and structural fire protection) to Disadvantaged Unincorporated Communities (DUCs) because the SOI Amendment is consistent with the present and probable need for these itemized public services to any DUCs;

WHEREAS, there are various DUCs located within the SOI boundary of Los Angeles County Sanitation District No. 2. Since the adoption of DUCs on January 1, 2012, the Commission approved three annexation to District No. 2, two of which are located within a DUC [Annexation No. 2-55 (Approved on 03-18-14) and Annexation

No. 2-57 (approved on 10-09-13)]; and one annexation not within a DUC [Annexation No. 2-56 (approved on 11-13-13)]. There are numerous DUCs adjacent to the boundaries of District No. 2, and are already within the boundaries of Los Angeles County Sanitation District Nos. 1, 3, 15, 16, 18, 19, and 23;

WHEREAS, based upon staff review and the feasibility of governmental reorganization identified in Section 56425(h), staff has determined that any such reorganizations will not further the goals of orderly development and affordable service delivery, and therefore will not recommend reorganization of District No. 2 identified at this time;

WHEREAS, the Commission is able to establish the nature, location, and extent of any functions or classes of services provided by District No. 2, consistent with Section 56425 which information may be based in part upon written statements obtained by the Commission from District No. 2;

WHEREAS, the reconfirmation of MSR and SOI Amendment for District No. 2 identified in this Resolution contain statements of determination as required by Section 56430 for the municipal services provided by the cities and districts;

WHEREAS, a copy of the existing MSR, SOI map, and statements of determination for District No. 2 identified in this Resolution have been previously reviewed by the Commission and are available for public review in the Commission offices and on the Commission website;

WHEREAS, the Executive Officer, pursuant to Government Code Section 56427, set January 13, 2016, as the hearing date on the reconfirmation of the MSR and SOI Amendment, and gave the required notice of public hearing;

WHEREAS, the Executive Officer notified the General Manager of the Los Angeles County Sanitation District No. 2 identified in this Resolution, in writing, of the Executive Officer's intent to agendize the reconfirmation of the existing MSR and SOI Amendment as a public hearing item on the agenda for the January 13, 2016, Commission meeting;

WHEREAS, the proposed action consists of the reconfirmation of the MSR and Amendment to the SOI for the Los Angeles County Sanitation District No. 2; and

WHEREAS, this Commission called for and held a public hearing on the proposal on January 13, 2016, and at the hearing the Commission heard and received all oral and written protests, objections, and evidence which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, with respect to the reconfirmation of the existing MSR and SOI Amendment, are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061, because it can be seen with certainty that the recommended actions have no possibility of having a significant adverse effect on the environment because they consist of a reconfirmation of the existing MSR and an SOI Amendment (with very modest additions to the existing SOI), and, in the alternative, that these recommendations are not a project for purposes of CEQA, because they are organizational activities of governments with no direct nor indirect effects on the

physical environment pursuant to Section 15378(b)(5) of the State CEQA Guidelines.

2. The Commission has previously prepared a Municipal Service Review (MSR), approved by the Commission on May 25, 2005, during the initial MSR/SOI update cycle, as required by Section 56425, as accompanying report for the Los Angeles County Sanitation Districts MSR and SOI Update, and has furnished a copy of this report to each person entitled to a copy;
3. The information and findings contained in the MSR adopted in 2005 for the Los Angeles County Sanitation District No. 2 identified in this Resolution is current and do not raise any significant service-related issues;
4. Approved the Los Angeles County Sanitation District No. 2 Sphere of Influence Amendment to include the eight distinct, non-contiguous areas, and made the following determinations, in accordance with Government Code Section 56425:
  - a. Present and Planned Land Uses in the Area*

The present land uses are a combination of residential, retail, mixed commercial, public, parks and recreation, and mixed-use. This is a relatively built-out and urbanized area, with little potential for additional growth.
  - b. Present and Probable Need for Public Facilities and Services in the Area*

District No. 2 includes territory within the boundaries of several incorporated cities which include portions of Alhambra, Artesia, Bell, Bellflower, Cerritos, Compton, Downey, Long Beach, Montebello, Monterey Park, Norwalk, Paramount, Pico Rivera, San Gabriel, South Gate, Vernon, and Whittier; the entire cities of Bell Gardens, and Commerce; one small unincorporated community surrounded by Cerritos and Norwalk; a small strip of unincorporated territory along the San Gabriel River, between the cities of Lynwood and South Gate; the Whittier Narrows Natural Area, an unincorporated section north of the City of Pico Rivera; and the entire unincorporated community of East Los Angeles. Landowners within District No. 2 receive general governmental services from a variety of service providers, including cities, the County, and special districts. The need for



public facilities and services in this area is on-going and will continue indefinitely.

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

District No. 2 has adequate capacity and infrastructure to meet current demands and service requirements within its boundaries.

**d. *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.

**e. *Disadvantaged Unincorporated Communities:***

There are various DUCs located within the SOI boundary of District No. 2. Since the adoption of DUCs on January 1, 2012, the Commission approved three annexations to District No. 2, two of which are located within a DUC [Annexation No. 2-55 (approved on 03-18-14), and Annexation No. 2-57 (approved on 10-09-13)]; and one annexation not within a DUC, Annexation No. 2-56 (approved on 11-13-13). Although there are numerous DUCs adjacent to the SOI boundary of District No. 2, all of the DUCs are located within the SOI boundaries of Los Angeles County Sanitation District Nos. 1, 3, 15, 16, 18, 19, and 23. Given these facts, the proposal will have no adverse effect upon DUCs within or adjacent to District No. 2.

5. With respect to DUCs, the Executive Officer's staff report and recommendations reflect consideration of an SOI Amendment for the Los Angeles County Sanitation District No. 2, and that the staff report and recommendations are in furtherance of the legislative intent of SB 244 (the legislation which created DUCs), which is to insure that cities and districts are not deliberately avoiding annexing DUCs when annexing territory.
6. The Executive Officer is hereby directed to add the words "SOI Amended on January 13, 2016" to the official LAFCO maps for the Los Angeles County Sanitation District No. 2.
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Section 56882 of the Government Code.

PASSED AND ADOPTED this 13<sup>th</sup> day of JANUARY 2016

MOTION:	KNABE
SECOND:	KUEHL
AYES:	CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM, SPENCE, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	KREKORIAN
MOTION PASSED:	8/0/0

  
\_\_\_\_\_  
PAUL A. NOVAK, Executive Officer

**RESOLUTION NO. 2016-02RMD**

**RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR THE COUNTY OF LOS ANGELES –  
LOS ANGELES COUNTY SANITATION DISTRICT NO. 34  
RECONFIRMATION OF THE MUNICIPAL SERVICE REVIEW (MSR), AND  
ADOPTION OF A COTERMINOUS  
SPHERE OF INFLUENCE (SOI) BOUNDARY**

WHEREAS, the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (California Government Code Section 56000 et seq) provides that a Local Agency Formation Commission (LAFCO) must adopt the Spheres of Influence (SOIs) of each local governmental agency within its jurisdiction (Section 56425(a) and that it must update, as necessary, each SOI every five years (Section 56425(g));

WHEREAS, the Sphere of Influence is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO;

WHEREAS, proceedings for the adoption of a coterminous Sphere of Influence boundary for the Los Angeles County Sanitation District No. 34 (District No. 34) is described at Section 56427 et seq;

WHEREAS, Section 56430 requires that in order to prepare and update Spheres of Influence, the Commission shall conduct a Municipal Service Review prior to or in conjunction with an action to update or adopt a Sphere of Influence;

WHEREAS, as required by Government Code Section 56425, the Local Agency Formation Commission for the County of Los Angeles (Commission) has previously adopted the Los Angeles County Sanitation Districts MSR and SOI Update on May 25, 2005;

WHEREAS, the information and findings contained in the existing MSR and adoption of a conterminous SOI boundary for District No. 34 identified in this Resolution is current and do not raise any significant service-related issues;

WHEREAS, pursuant to Government Code Section 56425(e)(5), when determining the SOI of a local agency, the Commission is required to consider the present and probable need for public facilities and services related to sewers, municipal and industrial water, and structural fire protection of any Disadvantaged Unincorporated Communities (DUCs) within the agency's existing SOI;

WHEREAS, the Commission had never established an SOI boundary for District No. 34. Staff has confirmed that there are no DUCs within or adjacent to other Sanitation District's SOI boundary, and staff has also confirmed that no annexations have occurred since the time the district was formed, giving due consideration to the legislative intent of SB 244 (the legislation which created DUCs);

WHEREAS, the Los Angeles County Sanitation District No. 34 identified in this Resolution, staff has determined that the existing MSR and adoption of a coterminous SOI boundary does not present any issues with respect to the present and probable need of Section 56425(d)(5) services (sewers, municipal and industrial water, and structural fire protection) to Disadvantaged Unincorporated Communities (DUCs) because the adoption of the SOI is consistent with the present and probable need for these itemized public services to any DUCs;

WHEREAS, there are no DUCs located within or adjacent to District No. 34;

WHEREAS, based upon staff review and the feasibility of governmental reorganization identified in Section 56425(h), staff has determined that any such

reorganizations will not further the goals of orderly development and affordable service delivery, and therefore will not recommend reorganization of District No. 34 identified at this time;

WHEREAS, the Commission is able to establish the nature, location, and extent of any functions or classes of services provided by District No. 34, consistent with Section 56425 which information may be based in part upon written statements obtained by the Commission from District No. 34;

WHEREAS, the reconfirmation of MSR and adoption of a coterminous SOI boundary for District No. 34 identified in this Resolution contain statements of determination as required by Section 56430 for the municipal services provided by the cities and districts;

WHEREAS, a copy of the existing MSR, district map, and statements of determination for District No. 34 identified in this Resolution have been previously reviewed by the Commission and are available for public review in the Commission offices and on the Commission website;

WHEREAS, the Executive Officer, pursuant to Government Code Section 56427, set January 13, 2016, as the hearing date on the reconfirmation of the MSR and adoption of a coterminous SOI boundary, and gave the required notice of public hearing;

WHEREAS, the Executive Officer notified the General Manager of the Los Angeles County Sanitation District No. 34 identified in this Resolution, in writing, of the Executive Officer's intent to agendize the reconfirmation of the existing MSR and adoption of a coterminous SOI boundary as a public hearing item on the agenda for the January 13, 2016, Commission meeting;

WHEREAS, the proposed action consists of the reconfirmation of the MSR and Adoption of a Coterminous SOI for the Los Angeles County Sanitation District No. 34; and

WHEREAS, this Commission called for and held a public hearing on the proposal on January 13, 2016, and at the hearing the Commission heard and received all oral and written protests, objections, and evidence which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, with respect to the reconfirmation of the existing MSR and adoption of a coterminous SOI boundary, are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061, because it can be seen with certainty that the recommended actions have no possibility of having a significant adverse effect on the environment because they consist of a reconfirmation of the existing MSR and an adoption of a coterminous SOI, and, in the alternative, that these recommendations are not a project for purposes of CEQA, because they are organizational activities of governments with no direct or indirect effects on the physical environment pursuant to Section 15378(b)(5) of the State CEQA Guidelines.
2. The Commission has previously prepared a Municipal Service Review (MSR), approved by the Commission on May 25, 2005, during the initial MSR/SOI

update cycle, as required by Section 56425, as accompanying report for the Los Angeles County Sanitation Districts MSR and SOI Update, and has furnished a copy of this report to each person entitled to a copy;

3. The information and findings contained in the MSR adopted in 2005 for the Los Angeles County Sanitation District No. 34 identified in this Resolution is current and do not raise any significant service-related issues;

4. Approved and adopted the Los Angeles County Sanitation District No. 34 Coterminous Sphere of Influence boundary, and made the following determinations, in accordance with Government Code Section 56425:

***a. Present and Planned Land Uses in the Area***

The present land uses are a combination of residential, retail, mixed commercial, public, parks and recreation, and mixed-use. This is a relatively built-out and urbanized area, with little potential for additional growth.

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

District No. 34 includes territory within two large portions located within the City of La Cañada Flintridge, and a small residential area located within the unincorporated community of La Crescenta-Montrose. Landowners within District No. 34 receive general governmental services from a variety of service providers, including cities, the County, and special districts. The need for public facilities and services in this area is on-going and will continue indefinitely.

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

District No. 34 is inactive and no services are provided to the affected territory. If landowners decide to connect at a future date, District No. 34 has adequate capacity and infrastructure to meet the demands and service requirements within its boundaries.

***d. 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.

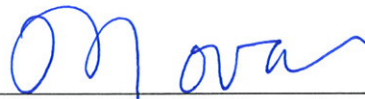
***e. Disadvantaged Unincorporated Communities:***

There are no DUCs located within the district boundary of District No. 34.

5. With respect to DUCs, the Executive Officer's staff report and recommendations reflect consideration of the adoption of a coterminous SOI for the Los Angeles County Sanitation District No. 34, and that the staff report and recommendations are in furtherance of the legislative intent of SB 244 (the legislation which created DUCs), which is to insure that cities and districts are not deliberately avoiding annexing DUCs when annexing territory.
6. The Executive Officer is hereby directed to add the words "Coterminous SOI Adopted on January 13, 2016" to the official LAFCO maps for the Los Angeles County Sanitation District No. 34.
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Section 56882 of the Government Code.

PASSED AND ADOPTED this 13<sup>th</sup> day of JANUARY 2016

MOTION:	SPENCE
SECOND:	FINLAY
AYES:	CLOSE, DEAR, FINLAY, KNABE, KUEHL, McCALLUM, SPENCE, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	KREKORIAN
MOTION PASSED:	8/0/0



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PAUL A. NOVAK, Executive Officer