

Commission  
Jerry Gladbach  
Chair

Donald Dear  
1st Vice-Chair

Gerard McCallum  
2nd Vice-Chair

Kathryn Barger  
Richard Close  
Margaret Finlay  
Janice Hahn  
David Ryu  
David Spence

Alternate Members

Lori Brogin-Falley  
Marqueece  
Harris-Dawson  
Sheila Kuehl  
Judith Mitchell  
Joseph Ruzicka  
Greig Smith

Staff

Paul Novak  
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)

## LOCAL AGENCY FORMATION COMMISSION MEETING AGENDA

Wednesday, January 10, 2018  
9:00 a.m.

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

\*\*\*\*\*

A person with a disability may contact the LAFCO office at (626) 204-6500 at least 72 hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

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

\*\*\*\*\*

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIR GLADBACH**
3. **DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)**
4. **SWEARING-IN OF SPEAKER(S)**
5. **INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857 NOTICE**

- a. Reorganization No. 2017-10 to the Las Virgenes Municipal Water District.

**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 November 15, 2017.
- b. Approve Operating Account Check Register for the month of November 2017.
- c. Receive and file update on pending proposals.

**7. PUBLIC HEARING(S)**

- a. Municipal Service Review and Sphere of Influence (SOI) Update for the Community Services Districts (Bradbury Estates Community Services District and Pasadena Glen Community Services District), and California Environmental Quality Act (CEQA) exemption.

**8. PROTEST HEARING(S)**

- a. Reorganization No. 2016-08 to the City of Bradbury, Detachment from the City of Monrovia and Annexation to the City of Bradbury and the Consolidated Fire Protection District, and California Environmental Quality Act (CEQA) exemption.

**9. OTHER ITEMS**

- a. Proposed Reimbursement Agreement by and between the Castaic Lake Water Agency (“CLWA”), the Newhall County Water District (“NCWD”), and the Local Agency Formation Commission for the County of Los Angeles (“LAFCO”).

**10. LEGISLATION**

- a. Legislative Update

**11. MISCELLANEOUS CORRESPONDENCE RECEIVED**

None.

**12. 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.

**13. EXECUTIVE OFFICER’S REPORT**

Executive Officer’s announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting. Agenda – November 15, 2017.

**14. 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.

**15. FUTURE MEETINGS**

February 14, 2018

March 14, 2018

April 11, 2018

May 9, 2018

**16. 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.

**17. ADJOURNMENT**

## **Staff Report**

**January 10, 2018**

### **Agenda Item No. 5.a.**

#### **GOVERNMENT CODE § 56857 NOTICE (For Informational Purposes Only, Receive and File)**

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, Government Code section 56857(a) requires LAFCO to place the proposal on its agenda for informational purposes only, and to transmit a copy of the annexation proposal to any district to which annexation is requested. Pursuant to Government Code section 56857(b), and within 60 days of the meeting date, the district to which annexation is being proposed may adopt and submit to LAFCO a resolution requesting termination of the annexation proceedings. The law requires that any such resolution requesting termination must be "based upon written findings supported by substantial evidence in the record that the request is justified by a financial or service related concern." Prior to the Commission's termination of proceedings the resolution is subject to judicial review as provided in Government Code sections 56857(b) and (c).

LAFCO may not hear and consider the proposed reorganization until after the 60-day termination period has expired unless the annexing district adopts and submits to LAFCO a resolution supporting the reorganization.

The following is a summary of the reorganization proposal filed with LAFCO:

**a. *Project Description* - Reorganization No. 2017-10 to the Las Virgenes Municipal Water District.**

Robert Douglas (landowner) filed an application to annex 5.27± acres of vacant land to Las Virgenes Municipal Water District and detach said territory from Los Angeles County Waterworks District No. 29 – Malibu and West Basin Municipal Water District. The project includes future construction of one single-family home.

*Project Location* - The affected territory is generally located northeast of the intersection of Schueren Road and Hovenweep Lane, in Los Angeles County unincorporated territory north of the City of Malibu.

The Executive Officer will transmit a copy of the annexation proposal to Las Virgenes Municipal Water District, as required by Government Code section 56857(a).

#### **Recommended Action**

Receive and file.



Local Agency Formation Commission  
for the County of Los Angeles

 **DRAFT**

Commission

Jerry Gladbach  
Chair

Donald Dear  
1st Vice-Chair

Gerard McCallum  
2nd Vice-Chair

Kathryn Barger  
Richard Close  
Margaret Finlay  
Janice Hahn  
David Ryu  
David Spence

Alternate Members

Lori Brogin-Falley  
Marqueece  
Harris-Dawson  
Sheila Kuehl  
Judith Mitchell  
Joseph Ruzicka  
Greig Smith

Staff

Paul Novak  
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)

**SPECIAL MEETING**

**MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION**

**FOR THE COUNTY OF LOS ANGELES**

**November 15, 2017**

**Present:**

Donald Dear, First Vice-Chair

Kathryn Barger  
Richard Close  
Margaret Finlay  
Janice Hahn

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

Paul Novak, Executive Officer  
Erik Conard, Legal Counsel

**Absent:**

Jerry Gladbach, Chair

Gerard McCallum

Marqueece Harris-Dawson, Alternate  
Sheila Kuehl, Alternate

**Vacant:**

Voting City Member (formerly David Spence)  
Voting Los Angeles City Member (formerly David Ryu)

1 CALL MEETING TO ORDER

The meeting was called to order at 9:00 a.m. in Room 381-B of the County Hall of Administration by First Vice-Chair Donald Dear.

2 PLEDGE OF ALLEGIANCE

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

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (EO) 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 rise and state for the record the Commissioner to whom such campaign contributions were made and the item of their involvement (None).

The EO read an announcement, asking if any Commissioner had received a campaign contribution that would require disclosure and recusal from any item on today's agenda (None).

4 SWEARING-IN OF SPEAKER(S)

The Executive Officer swore-in one (1) member 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 action:

a. Approved Minutes of October 11, 2017.

MOTION:	RUZICKA (ALT. FOR GLADBACH)
SECOND:	FINLAY
AYES:	BARGER, CLOSE, FINLAY, RUZICKA (ALT. FOR GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR
NOES:	NONE
ABSTAIN:	HAHN*
ABSENT:	McCALLUM, GLADBACH
MOTION PASSED:	6/0/1

\*Commissioner Hahn indicated that she was not at the October 11<sup>th</sup> meeting, therefore she abstained from voting on Agenda Item No. 6.a. (Approve Minutes of October 11, 2017).

## 6 CONSENT ITEM(S) – OTHER

The Commission took the following actions:

- b. Approved Operating Account Check Register for the month of October 2017.
- c. Received and filed update on pending proposals.

MOTION:	RUZICKA (ALT. FOR GLADBACH)
SECOND:	FINLAY
AYES:	BARGER, CLOSE, FINLAY, HAHN, RUZICKA (ALT. FOR GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	McCALLUM, GLADBACH
MOTION PASSED:	7/0/0

## 7 PUBLIC HEARING(S)

The following item was called for consideration:

- a. Reorganization No. 2016-08 to the City of Bradbury, Amendments to the City of Bradbury, the City of Monrovia, and the Consolidated Fire Protection District of Los Angeles County Spheres of Influence (SOI), Detachment from the City of Monrovia, and Annexation to the City of Bradbury and the Consolidated Fire Protection District of Los Angeles County.

Doug Dorado (LAFCO Government Analyst) summarized the staff report on Reorganization 2016-08 to the City of Bradbury, Amendments to the City of Bradbury, the City of Monrovia, and the Consolidated Fire Protection District of Los Angeles County Spheres of Influence (SOI), Detachment from the City of Monrovia, and Annexation to the City of Bradbury and the Consolidated Fire Protection District of Los Angeles County.

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

The Commission took the following actions:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving Reorganization 2016-08 to the City of Bradbury, Amendments to the City of Bradbury, the City of Monrovia, and the Consolidated Fire Protection District of Los Angeles County Spheres of Influence (SOI), Detachment from the City of Monrovia, and Annexation to the City of Bradbury and the Consolidated Fire Protection District of Los Angeles County; Resolution No. 2017-38RMD.

- Pursuant to Government Code Section 57002, set January 10, 2018, at 9:00 a.m., in Room 381-B of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012, as the date, time, and place for Commission protest proceedings.

MOTION: BARGER  
SECOND: FINLAY  
AYES: BARGER, CLOSE, FINLAY, HAHN, RUZICKA (ALT. FOR GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: McCALLUM, GLADBACH  
MOTION PASSED: 7/0/0

## 8 PROTEST HEARING(S)

The following item was called for consideration:

- a. Annexation No. 2016-34 to the San Gabriel Valley Mosquito and Vector Control District (Entire City of Pasadena).

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

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Ordering Annexation No. 2016-34 to the San Gabriel Valley Mosquito and Vector Control District (Entire City Pasadena); Resolution No. 2017-06PR.

MOTION: RUZICKA (ALT. FOR GLADBACH)  
SECOND: HAHN  
AYES: BARGER, CLOSE, FINLAY, HAHN, RUZICKA (ALT. FOR GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: McCALLUM, GLADBACH  
MOTION PASSED: 7/0/0



## 8 PROTEST HEARING(S)

The following item was called for consideration:

- b. Annexation No. 2017-03 to the Antelope Valley Cemetery District.

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

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Ordering Annexation No. 2017-03 to the Antelope Valley Cemetery District; Resolution No. 2017-07PR.

MOTION:	RUZICKA (ALT. FOR GLADBACH)
SECOND:	HAHN
AYES:	BARGER, CLOSE, FINLAY, HAHN, RUZICKA (ALT. FOR GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	McCALLUM, GLADBACH
MOTION PASSED:	7/0/0

## 8 PROTEST HEARING(S)

The following item was called for consideration:

- c. Annexation No. 1084 to the Santa Clarita Valley Sanitation District of Los Angeles County.

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

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Ordering Annexation No. 1084 to the Santa Clarita Valley Sanitation District of Los Angeles County; Resolution No. 2017-08PR.

MOTION: RUZICKA (ALT. FOR GLADBACH)  
SECOND: HAHN  
AYES: BARGER, CLOSE, FINLAY, HAHN, RUZICKA (ALT. FOR  
GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: McCALLUM, GLADBACH  
MOTION PASSED: 7/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

### a. Vector Control Districts' Presentation.

Commissioner Hahn thanked the five (5) General Managers (Jared Dever, Truc Dever, Cei Kratz, Robert Saviskas, and Mitchel Weinbaum) of their respective vector control district for attending today's meeting.

[Commissioner Mitchell arrived at 9:25 a.m.]

Commissioner Hahn indicated that there were sixty-five (65) cases of West Nile virus reported in Los Angeles County. Two people have since died from the disease. Commissioner Hahn stated that the Board of Supervisors directed Los Angeles County Department of Public Health to launch an awareness campaign, "It's not just a bite", in which educational materials are distributed to more than 20,000 schools, community centers, and churches. The rate of infection from the West Nile virus has increased within the last 5 years. Unfortunately, there are now 235 reported cases of West Nile virus, and 15 people have died from the disease in Los Angeles County. Commissioner Hahn stated this is a public health crisis.

[Commissioner Brogin-Falley left at 9:27 a.m.]

Jared Dever (General Manager, San Gabriel Valley Mosquito and Vector Control District) conducted a slide presentation on behalf of all of the five (5) vector control districts located in Los Angeles County. The presentation was an overview of how vector control districts are funded; what types of services the districts provide (surveillance, abatement, and public education); current and future partnerships with governing agencies; and discussed incidents of the West Nile virus in Los Angeles County. Mr. Dever indicated that vector control service is a shared responsibility between the vector control districts, residents, and elected officials.

Commissioner Barger suggested that the Los Angeles County Board of Supervisors and the vector control districts consider starting a campaign together to distribute public outreach materials to various gardening center to help mitigate the spread of mosquitoes from overwatered plants. Mr. Dever indicated that he was previously the Director of Communications at the Orange County Vector Control District, who had established partnerships with gardening centers

(i.e., Home Depot and Lowe's), where informational posters were included at their nurseries. Mr. Dever stated he is willing to work with the Los Angeles County Board of Supervisors to start a campaign to distribute materials to home improvement and gardening centers.

Commissioner Finlay stated that she believes more funding opportunities should be available for the vector control districts to provide additional public outreach to minimize the breeding of mosquitoes.

Commissioner Hahn asked if the vector control districts have enough funding to provide vector and mosquito abatement services, and are there opportunities for additional resources. Truc Dever (General Manager, Greater Los Angeles County Vector Control District) indicated that the districts have the ability to increase assessments through their respective Boards of Trustees. Mrs. Dever requested that the vector control districts and the Los Angeles County Public Works work cooperatively to address storm drains and flood control channels that have stagnant water issues.

First Vice-Chair Dear thanked all of the General Managers of the five (5) vector control districts for the informative presentation. First Vice-Chair Dear stated that, with the help of the Commissioners Barger and Hahn, there will be substantial progress on vector control issues.

## 9 OTHER ITEMS

The following item was called up for consideration:

- b. 2018 Commission Calendar.

The EO noted that a 2018 Commission Calendar was included in the Agenda Package. This item is for informational purposes only, and no action is required by the Commission.

## 9 OTHER ITEMS

The following item was called up for consideration:

- c. Independent Auditor's Report, Fiscal Year 2016-17.

The Executive Officer swore-in two (2) member of the audience who planned to testify.

Jennifer Farr (Principal, Davis Farr Certified Public Accountants) stated the audit is complete for fiscal year ended on June 30, 2017. Ms. Farr conducted a slide presentation regarding the audit results and financial statement highlights. Ms. Farr noted that Davis Farr issued a letter on October 26, 2017, stating that there are no significant deficiencies, no material errors, nor any incidents (a copy of this letter was included in the Agenda Package). Ms. Farr indicated that the LAFCO staff was well-prepared for the audit and the records were in excellent condition.

Ms. Farr stated she was available to answer questions the Commission may have. Commissioner

Barger asked if LAFCO is following new rules the County of Los Angeles implemented regarding healthcare as it relates to new hires healthcare and Other Post-Employment Benefits (OPEB). The EO stated he will contact Los Angeles County Employees Retirement Association (LACERA) regarding new hires and how it relates to healthcare. Currently, there is about \$300,000 in an undesignated account for OPEB costs. Within the next six months, an item on the Agenda will address OPEB funding options.

The Commission took the following action:

- Received and filed the Independent Auditor's Report, audited financial statements, and associated documents for Fiscal Year 2016-17 ending June 30, 2017.

MOTION: SMITH (ALT. FOR McCALLUM)  
SECOND: FINLAY  
AYES: BARGER, CLOSE, FINLAY, HAHN, MITCHELL (ALT. FOR SPENCE), RUZICKA (ALT. FOR GLADBACH), SMITH (ALT. FOR McCALLUM), DEAR  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: McCALLUM, GLADBACH  
MOTION PASSED: 8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- d. Approval of Proposed Health Care Related Administrative Services Agreement ("Agreement") by and between the Los Angeles County Employees Retirement Association ("LACERA") and the Local Agency Formation Commission for the County of Los Angeles.

The EO summarized the staff report on Approval of Proposed Health Care Related Administrative Services Agreement ("Agreement") by and between the Los Angeles County Employees Retirement Association ("LACERA") and the Local Agency Formation Commission for the County of Los Angeles.

The Commission took the following action:

- Approved and directed the Executive Officer to execute the Proposed Health Care Related Administrative Services Agreement ("Agreement") by and between the Los Angeles County Employees Retirement Association ("LACERA") and the Local Agency Formation Commission for the County of Los Angeles.

MOTION: SMITH (ALT. FOR McCALLUM)  
SECOND: BARGER

AYES: BARGER, CLOSE, FINLAY, HAHN, MITCHELL (ALT. FOR  
SPENCE), RUZICKA (ALT. FOR GLADBACH), SMITH  
(ALT. FOR McCALLUM), DEAR  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: McCALLUM, GLADBACH  
MOTION PASSED: 8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- e. Awarding of Service Pins.

First Vice-Chair Dear presented 15-year LAFCO service pins to Doug Dorado and Amber De La Torre.

[Commissioners Barger and Hahn left at 10:21 a.m.]

## 10 LEGISLATION

The following item was called up for consideration:

- a. Legislative Update.

The EO summarized the staff report on the Legislative Update.

The EO noted that two items were included in the Agenda Package: a list of LAFCO-related bills and a copy of a PowerPoint presentation regarding the 2017 Omnibus Bill, both obtained from the CALAFCO 2017 Annual Conference.

(The Commission did not make a motion on Agenda Item No. 10.a.)

## 11 MISCELLANEOUS CORRESPONDENCE RECEIVED

None.

[Commissioner Finlay left at 10:25 a.m.]

## 12 COMMISSIONERS' REPORT

First Vice-Chair Dear indicated that he attended the CALAFCO 2017 Annual Conference in San Diego, and that he felt it was one of the best conferences he attended.

### 13 EXECUTIVE OFFICER'S REPORT

The EO noted that Los Angeles LAFCO received two awards during the Awards Banquet at the CALAFCO 2017 Annual Conference in San Diego: Most Effective Commission (Los Angeles LAFCO Commission) and Outstanding LAFCO Professional (Executive Officer, Los Angeles LAFCO).

The EO indicated that the City of Los Angeles recently issued a revised Draft Environmental Impact Report (DEIR) for the Hidden Creeks Estates project, a proposed residential community in the unincorporated territory of Chatsworth. The revised DEIR addresses the Aliso Canyon Storage Facility, which is adjacent to the Hidden Creeks Estates project. Staff anticipates Annexation No. 2011-27 to the City of Los Angeles will be agendized in the summer of 2018, at the earliest.

The EO noted that two letters were included in the Agenda Package: one, a letter addressed from the California Association of Local Agency Formation Commissions (CALAFCO) to Los Angeles LAFCO thanking the Commission for allowing Commissioners and staff to attend the CALAFCO 2017 Annual Conference; and, two, a letter from Los Angeles LAFCO to Sachi Hamai (Chief Executive Officer) thanking her and her staff for negotiating a Memorandum of Understanding concerning medical benefits for LAFCO employees.

The EO indicated that a copy of "The Sphere", a CALAFCO publication, was provided to the Commissioners.

The EO, on behalf of staff, wished the Commission Happy Holidays and a Happy New Year.

The EO noted that Commissioners will receive the January 10, 2018 Agenda earlier than usual, as staff anticipates mailing out the Agenda Package by Christmas, due to staff vacation and upcoming holidays.

The EO indicated he will be meeting with Cei Kratz (General Manager, Antelope Valley Mosquito and Vector Control District) next week to address service "gaps" in the Antelope Valley. The EO stated that after he receives input from all five (5) vector control districts, he will report back to the Commission in January 2018 with a plan for the affected vector control districts to process an application to annex those "gaps" in service.

### 14 PUBLIC COMMENT

None.

### 15 FUTURE MEETINGS

December 13, 2017 (Cancelled)

January 10, 2018

February 14, 2018

March 14, 2018

16 FUTURE AGENDA ITEMS

None.

17 ADJOURNMENT MOTION

On motion of Commissioner Smith, seconded by Commissioner Hahn, the meeting was adjourned at 10:28 a.m.

Respectfully submitted,

Paul Novak, AICP  
Executive Officer

11:41 AM

12/12/17

Accrual Basis

# LAFCO 03 Register Report November 2017

Type	Date	Num	Name	Amount	Balance
<b>10000 Cash Unrestricted</b>					
<b>10003 Operating Account</b>					
Check	11/01/2017	ADP	ADP	-144.21	-144.21
Bill Pmt -Check	11/07/2017	8596	Daily Journal	-2,260.08	-2,404.29
Bill Pmt -Check	11/07/2017	8597	ATT	-231.51	-2,635.80
Bill Pmt -Check	11/07/2017	8608	Bank of America*	-123.95	-2,759.75
Bill Pmt -Check	11/07/2017	8609	Certified Records Managment	-346.47	-3,106.22
Bill Pmt -Check	11/07/2017	8610	Charter Communications	-520.66	-3,626.88
Bill Pmt -Check	11/07/2017	8611	CoreLogic	-28.80	-3,655.68
Bill Pmt -Check	11/07/2017	8612	County Counsel	-8,389.70	-12,045.38
Bill Pmt -Check	11/07/2017	8613	Douglass Dorado*	-767.01	-12,812.39
Bill Pmt -Check	11/07/2017	8614	Edward Gladbach	-616.04	-13,428.43
Bill Pmt -Check	11/07/2017	8615	LACERA	-14,932.07	-28,360.50
Bill Pmt -Check	11/07/2017	8616	Michael Henderson*	-23.74	-28,384.24
Bill Pmt -Check	11/07/2017	8617	Motor Parks	-1,035.00	-29,419.24
Bill Pmt -Check	11/07/2017	8618	Office Depot*	0.00	-29,419.24
Bill Pmt -Check	11/07/2017	8619	Promac Imaging Systems Co	-129.64	-29,548.88
Bill Pmt -Check	11/07/2017	8620	Teachers Insurance	-7,748.17	-37,297.05
Bill Pmt -Check	11/07/2017	8621	The Lincoln National	-268.98	-37,566.03
Bill Pmt -Check	11/07/2017	8622	Wells Fargo	-383.25	-37,949.28
Check	11/13/2017	8623	Transamerica Life Ins. Co.	-180.00	-38,129.28
Check	11/15/2017	5034...	ADP	-128.95	-38,258.23
Check	11/15/2017	DD	Ambar De La Torre	-1,835.21	-40,093.44
Check	11/15/2017	DD	Douglass Dorado	-2,693.81	-42,787.25
Check	11/15/2017	DD	Michael Henderson	-1,979.59	-44,766.84
Check	11/15/2017	DD	Patricia Knoebl-Wood	-1,266.09	-46,032.93
Check	11/15/2017	DD	Paul Novak	-4,598.25	-50,631.18
Check	11/15/2017	DD	Alisha O'Brien	-2,117.20	-52,748.38
Check	11/15/2017	DD	Adriana Romo	-2,972.53	-55,720.91
Check	11/15/2017	DM	Federal Tax Deposit	-4,817.36	-60,538.27
Check	11/15/2017	DM	State Income Tax	-1,227.99	-61,766.26
Bill Pmt -Check	11/21/2017	8624	ATT	-231.39	-61,997.65
Bill Pmt -Check	11/21/2017	8625	Bank of America*	-2,243.39	-64,241.04
Bill Pmt -Check	11/21/2017	8626	CALAFCO"	0.00	-64,241.04
Bill Pmt -Check	11/21/2017	8627	Daily Journal	-465.00	-64,706.04
Bill Pmt -Check	11/21/2017	8628	Donald Dear*	-633.44	-65,339.48
Bill Pmt -Check	11/21/2017	8629	Edward Gladbach	-123.27	-65,462.75
Bill Pmt -Check	11/21/2017	8630	Erik Conard	-558.09	-66,020.84
Bill Pmt -Check	11/21/2017	8631	FedEx	-49.90	-66,070.74
Bill Pmt -Check	11/21/2017	8632	Gerard McCallum II*	-26.34	-66,097.08
Bill Pmt -Check	11/21/2017	8633	Greig Smith	-268.15	-66,365.23
Bill Pmt -Check	11/21/2017	8634	Judith Mitchell*	-56.50	-66,421.73
Bill Pmt -Check	11/21/2017	8635	Lori Brogin*	-30.62	-66,452.35
Bill Pmt -Check	11/21/2017	8636	Margaret Finlay	-119.35	-66,571.70
Bill Pmt -Check	11/21/2017	8637	Office Depot*	-329.89	-66,901.59
Bill Pmt -Check	11/21/2017	8638	Patricia Knoebl-Wood*	-20.00	-66,921.59
Bill Pmt -Check	11/21/2017	8639	Platinum Consulting	-4,225.00	-71,146.59
Bill Pmt -Check	11/21/2017	8640	Richard Close*	-90.95	-71,237.54
Bill Pmt -Check	11/21/2017	8641	Teachers Insurance	0.00	-71,237.54
Bill Pmt -Check	11/21/2017	8642	The Lincoln National	-265.48	-71,503.02
Bill Pmt -Check	11/21/2017	8643	Tropical Interior Plants	-100.00	-71,603.02
Bill Pmt -Check	11/21/2017	8644	Motor Parks	-630.00	-72,233.02
Check	11/24/2017	5036...	ADP	-52.50	-72,285.52
Check	11/30/2017	3176...	Kathryn Barger	-134.08	-72,419.60
Check	11/30/2017	3176...	Lori W. Brogin	-138.53	-72,558.13
Check	11/30/2017	3176...	Richard Close	-138.53	-72,696.66
Check	11/30/2017	3176...	Margaret E. Finlay	-138.52	-72,835.18
Check	11/30/2017	3176...	Judith Mitchell	-138.52	-72,973.70
Check	11/30/2017	3176...	Greig L. Smith	-138.52	-73,112.22
Check	11/30/2017	DD	Janice Hahn	-135.37	-73,247.59
Check	11/30/2017	DD	Ambar De La Torre	-1,835.20	-75,082.79
Check	11/30/2017	DM	Douglass Dorado	-2,693.81	-77,776.60
Check	11/30/2017	DD	Michael Henderson	-1,979.60	-79,756.20
Check	11/30/2017	DD	Patricia Knoebl-Wood	-1,397.17	-81,153.37
Check	11/30/2017	DD	Paul Novak	-4,598.26	-85,751.63
Check	11/30/2017	DD	Alisha O'Brien	-2,117.20	-87,868.83



11:41 AM

12/12/17

Accrual Basis

**LAFCO 03**  
**Register Report**  
**November 2017**

Type	Date	Num	Name	Amount	Balance
Check	11/30/2017	DD	Adriana Romo	-2,972.52	-90,841.35
Check	11/30/2017	DD	Donald L. Dear	-138.53	-90,979.88
Check	11/30/2017	DM	Federal Tax Deposit	-4,846.19	-95,826.07
Check	11/30/2017	DM	State Income Tax	-1,231.54	-97,057.61
Check	11/30/2017	DM	Federal Tax Deposit	-146.44	-97,204.05
Total 10003 Operating Account				-97,204.05	-97,204.05
Total 10000 Cash Unrestricted				-97,204.05	-97,204.05
<b>TOTAL</b>				<b>-97,204.05</b>	<b>-97,204.05</b>

**AGENDA ITEM NO. 6c - January 10, 2018**

**PENDING PROPOSALS AS OF DECEMBER 18, 2018**

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
1	DD	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	DD	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 homes.	Incomplete filing: CEQA, registered voter labels, landowner labels, and approved map and legal.	10/5/2006	Unknown
3	DD	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 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.	Need BOE fees to place on agenda for approval. Emailed district for fees on 4-18-17.	9/22/2008	Unknown
5	DD	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
6	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. Need to include DUC.	10/25/2010	Unknown
7	DD	Reorganization 2011-16 (Tesoro del Valle)	Montalvo Properties LLC	Annexation to NCWD and CLWA SOI Amendments for both districts. 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. Project has changed ownership. Need new application	5/5/2011	Unknown
8	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

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
9	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
10	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
11	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
12	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
13	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

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
14	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
15	DD	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, and map and legal not approved.	2/22/2016	Unknown
16	DD	Reorganization No. 2016-08 to the City of Bradbury	City of Bradbury	2.96 acres of uninhabited territory located east of the intersection of Wild Rose Ave and Deodar Lan, in the City of Monrovia	agenda November 15, 2017	10/25/2016	Jan-2018
17	DD	Reorganization No. 2017-04 to the Las Virgenes Municipal Water District	Las Virgenes Municipal Water District	uninhabited territory, located east of the intersection of Las Flores Canyon Road and Live Oak Meadow Road north of the City of Malibu	Notice of Filing sent 4-12-17 Incomplete filing; property tax transfer resolution, CEQA, approved map and legal.	4/6/2017	Unknown
18	AD	Annexation No. 2017-02 to the Newhall County Water District	Newhall County Water District	uninhabited territory, located west of the 5 freeway and north of the intersection of The Old Road and Calgrove Blvd.	Notice of Filing sent 06-21-17 Incomplete filing; property tax transfer resolution, CEQA, approved map and legal.	6/15/2017	Unknown
19	DD	Annexation No. 2017-09 to the Wilmington Cemetery District	Wilmington Cemetery District	inhabited territory around Wilmington	Notice of Filing sent 6-10-17 Incomplete filing; property tax transfer resolution	7/10/2017	Unknown
20	AD	Annexation 427 to District No. 22	Sanitation Districts	1.6 acres of uninhabited territory. Located on Mesarica Road approximately 400 feet northeast of Puente Street, all within unincorporated Los Angeles County.	Notice of Filing Sent 8-16-17 Incomplete filing; property tax transfer resolution.	08/10/17	Unknown
21	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1086	Sanitation Districts	1.3 acres of uninhabited territory. Located on Sierra Highway approximately 500 feet south of Fitch Avenue, all within unincorporated Los Angeles County	Notice of Filing Sent 09-20-17 Incomplete filing; property tax transfer resolution.	9/14/2017	Unknown
22	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1079	Sanitation Districts	180.2 acres of uninhabited territory. Located on Lost Canyon Road approximately 1,000 feet west of Sand Canyon Road, all within the City of Santa Clarita.	Notice of Filing sent 10/12/17 Incomplete filing; property tax transfer resolution.	10/11/2017	Unknown
23	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1085	Sanitation Districts	0.22 acres of uninhabited territory. Located on Old Wiley Canyon Road approximately 200 feet south of Wabuska Street, all within the City of Santa Clarita.	Notice of Filing sent 10/12/17 Incomplete filing; property tax transfer resolution.	10/11/2017	Unknown
24	AD	Annexation 426 to District No. 14	Sanitation Districts	237.25 acres of uninhabited territory. Located on the northwest corner of 70th Street West and Avenue K, all within the City of Lancaster.	Notice of Filing Sent 11-8-17 Incomplete filing; property tax transfer resolution.	11/6/2017	Unknown
25	AD	Annexation 427 to District No. 14	Sanitation Districts	1.189 acres of uninhabited territory. The affected territory has 2 parcels. Parcel 1 is located on the southwest corner of 50th Street West and Avenue M-2. Parcel 2 is located on 50th Street West approximately 300 feet south of Avenue M-4, all within the unincorporated Los Angeles County.	Notice of Filing Sent 11-8-17 Incomplete filing; property tax transfer resolution.	11/6/2017	Unknown

## **Staff Report**

**January 10, 2018**

### **Agenda Item No. 7.a.**

#### **Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Community Services Districts (Bradbury Estates Community Services District and Pasadena Glen Community Services District)**

##### **Executive Summary**

Municipal Service Reviews and Sphere of Influence updates have been conducted for two (2) of the three (3) community services districts located in the County. **Staff recommends reconfirming existing SOI boundaries for the Bradbury Estates Community Services District (BECSD), and the Pasadena Glen Community Services District (PGCSD).**

Bradbury Estates Community Services District and Pasadena Glen Community Services District have limited staff, the district boards do not intend to make changes to the district boundaries and future changes to the SOI boundaries are unlikely.

The MSR and SOI Update for the Point Dume Community Services District will be conducted at a later date.

##### **Background**

###### **Bradbury Estates Community Services District**

The Bradbury Estates Community Services District was formed by LAFCO on December 28, 1995. The population within the boundaries of the BECSD in 2010 (the most recent year for which data is available) was 370. The BECSD is 858 acres (or 1.34 square miles) in size with a population density of 276 persons per square mile.

The Bradbury Estates Community Services District is an independent special district. The governing body of BECSD consists of a five-member Board of Directors. The Board meets twelve (12) times a year.

The BECSD's boundaries include a gated community located in the City of Bradbury (City), the Bradbury Estates. Of the total 858 acres within the BECSD, 833 acres is the gated community of Bradbury Estates and the remaining twenty-five (25) acres are vacant lots, open-space, and flood control and debris basins, located within the northern and western portions of the City.

The purpose of the BECSD is to provide a higher level of special patrol services, landscape maintenance, and road maintenance to the Bradbury Estates. This includes 24-hour security

patrol, maintenance of all streets within the gated community, and landscape maintenance at the entryway and guard post.

The Commission established a Coterminous Sphere of Influence (SOI) for the BECSD on December 28, 1995. The Commission reconfirmed the Coterminous SOI on June 23, 2004.

### **Pasadena Glen Community Services District**

The Pasadena Glen Community Services District was formed by LAFCO on June 27, 1994. The population within the boundaries of the PGCSO in 2010 (the most recent year for which data is available) was 126. The PGCSO is 26.20 acres (or 0.04 square miles) in size.

The Pasadena Glen Community Services District is an independent special district. The governing body of the PGCSO consists of a five-member Board of Directors. The Board meets at least twelve (12) times a year.

The purpose of the PGCSO is to construct, fund, and maintain the roadway (Pasadena Glen Road), including street turnouts for fire engine access and; to construct, fund, and maintain the storm water culverts to divert the flow of water and mud away from residential homes and Pasadena Glen Road (Pasadena Glen Road is the primary access point to the community).

The Commission established a Coterminous Sphere of Influence (SOI) for the PGCSO on June 27, 1994. The Commission reconfirmed the Coterminous SOI on June 23, 2004.

### **SOI Background**

Since 1971, LAFCOs have been required to develop and adopt a Sphere of Influence (SOI) for each city and special district. Government Code Section 56076 defines an SOI as “a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission.”

Developing SOIs is central to the Commission’s purpose. As stated in Government Code Section 56425:

“In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the Sphere of Influence of each city and each special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere.”

Section 56425(g) further requires that the Commission review and update SOIs “every five years, as necessary.”

### **Community Services Districts Draft SOI Statement of Determinations**

Pursuant to Section 56425(e), the Commission is required to “consider and prepare a written statement of its determinations” prior to adopting or updating an SOI. Staff has prepared the following recommended SOI determinations for the Bradbury Estates Community Services District and the Pasadena Glen Community Services.

#### **Bradbury Estates Community Services District**

- A. Present and planned land uses in the area: The present and planned land uses within the SOI consist of a combination of low density residential, vacant land (mostly inaccessible due to steep terrain), open-space; and flood control and debris basins. The BECSD is a suburban area that is largely built-out, and the population is unlikely to grow significantly over the next twenty (20) years.
- B. Present and probable need for public facilities and services in the area: The BECSD provides municipal services to a population of approximately 370. These services include private security, road maintenance, and landscape maintenance. Bradbury Estates Community Services District is fulfilling the services needs for which it was created. The BECSD can continue to meet the needs of the community for at least the next ten (10) years as long as expenses do not increase beyond the 2% “re-capture” assessment.
- C. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide: At this time, the Bradbury Estates Community Services District has the ability to serve the needs of the BECSD.
- D. Existence of any social or economic communities of interest: There are no significant social or economic communities of interest.
- E. Present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI: There is no impact upon the characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Bradbury Estates Community Services District and its SOI. The Bradbury Estates Community Services District does not provide three core government services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

These recommended SOI determinations for the Bradbury Estates Community Services District are addressed in Section 3 (Pages 3-4) of the attached Resolution Making Determinations No. 2018-00RMD.

**Pasadena Glen Community Services District**

- A. Present and planned land uses in the area: The present and planned land uses within the SOI consist of a combination of large estate single-family homes; and flood control and debris basins. The PGCSO is a suburban area that is largely built-out, and the population is unlikely to grow significantly over the next twenty (20) years.
- B. Present and probable need for public facilities and services in the area: The PGCSO provides municipal services to a population of approximately 126. These services include road maintenance. Pasadena Glen Community Services District is fulfilling the services needed for which it was created, and is expected to meet the needs of the community for at least the next ten (10) years at current budget levels.
- C. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide: At this time, the Pasadena Glen Community Services District has the ability to serve the needs of the PGCSO.
- D. Existence of any social or economic communities of interest: There are no significant social or economic communities of interest.
- E. Present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI: There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Pasadena Glen Community Services District and its SOI. The Pasadena Glen Community Services District does not provide three core government services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

These recommended SOI determinations for the Pasadena Glen Community Services District are addressed in Section 3 (Pages 3-4) of the attached Resolution Making Determinations No. 2018-00RMD.



### **Community Services Districts Draft MSR Determinations**

In order to prepare and to update a district SOI, the Commission is required, pursuant to Section 56430, to conduct a review of the municipal services in that particular district, and, further, to “consider and prepare a written statement of its determinations.” Staff has prepared the attached MSR and the following recommended MSR determinations for the Bradbury Estates Community Services District and the Pasadena Glen Community Services District.

#### **Bradbury Estates Community Services District**

##### **Population Projections:**

- Bradbury Estates Community Services District is in a suburban area that is largely built-out.
- The population is unlikely to grow significantly over the next twenty (20) years.

##### **Disadvantaged Unincorporated Communities:**

- There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Bradbury Estates Community Services District and its SOI.
- The Bradbury Estates Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

##### **Present and Planned Capacity of Public Facilities:**

- At this time, the Bradbury Estates Community Services District has the ability to serve the needs of the BECSD.

##### **Financial Ability of Agencies to Provide Services:**

- The Bradbury Estates Community Services District has the financial ability to continue providing services at the current year budget levels.

##### **Status of, and Opportunities for, Shared Facilities:**

- The Bradbury Estates Community Services District works directly with the City of Bradbury and the Bradbury Estates Association to review and approve proposed new development or construction activities within the BECSD.

- There are no additional opportunities for shared facilities or services.

Accountability for Community Service Needs:

- The Bradbury Estates Community Services District provides effective communication by posting Board agendas at the entryway guard post and at Bradbury City Hall, and notices of meetings are mailed to the residents within the BECSD. Given the limited number of assessed parcels (108 assessed parcels), and the fact that mailed notice is provided in advance of each meeting, creation of a website is not necessary at this time.

Other Matters:

None.

(No additional determinations)

Conclusion

These recommended MSR determinations for the Bradbury Estates Community Services District are addressed in Chapter Three (Pages 17-21) of the attached Draft Community Services Districts Municipal Service Review.

The Bradbury Estates Community Services District's Existing Coterminous SOI was established on December 28, 1995. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Exhibit "A"). The Bradbury Estates Community Services District has no paid staff (all services are contracted out), and the BECSD's Board does not intend to make changes to its boundary. Future changes to the SOI boundaries are unlikely; LAFCO staff therefore recommends that the Commission reconfirm the existing Coterminous SOI for the Bradbury Estates Community Services District (see Exhibit "B").

**Pasadena Glen Community Services District**

Population Projections:

- Pasadena Glen Community Services District is in a suburban area that is largely built-out.
- The population is unlikely to grow significantly over the next twenty (20) years.

*Disadvantaged Unincorporated Communities:*

- There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Pasadena Glen Community Services District and its SOI.
- The Pasadena Glen Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

*Present and Planned Capacity of Public Facilities:*

- The Pasadena Glen Community Services District's public facilities are adequate to meet the needs of the Pasadena Glen community.
- The Pasadena Glen Community Services District Board of Directors should continue its consideration of adopting an encroachment permit/fee to offset impacts upon Pasadena Glen Road from outside parties.

*Financial Ability of Agencies to Provide Services:*

- The Pasadena Glen Community Services District has the financial ability to continue to provide services to the residents within the Pasadena Glen area at current budget levels.

*Status of, and Opportunities for, Shared Facilities:*

- There are no apparent opportunities to share facilities with other agencies.

*Accountability for Community Service Needs:*

- The Pasadena Glen Community Services District provides effective communication by posting Board agendas at the community bulletin board at the entry point into Pasadena Glen. Given the limited number of assessed parcels (65 assessed parcels), and existing noticing practices, a website is not necessary at this time.

*Other Matters:*

None.

(No additional determinations)

### **Conclusion**

These recommended MSR determinations for the Pasadena Glen Community Services District are addressed in Chapter Four (Pages 27-30) of the attached Draft Community Services Districts Municipal Service Review.

The Pasadena Glen Community Services District's Existing Coterminous SOI was established on June 27, 1994. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Exhibit "C"). The Pasadena Glen Community Services District has no paid staff (all services are contracted out), and the PGCSO's Board does not intend to make changes to its boundary. Future changes to the SOI boundaries are unlikely; LAFCO staff therefore recommends that the Commission reconfirm the existing Coterminous SOI for the Pasadena Glen Community Services District (see Exhibit "D").

### **California Environmental Quality Act (CEQA)**

MSRs are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded. The preparation and adoption of an MSR is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15262.

The recommended Community Services Districts MSR and SOI Update are further exempt from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the recommended studies, periodic update, and recommended confirmation of the current Coterminous Spheres of Influence for the Bradbury Estates Community Services District and Pasadena Glen Community Services District will have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). In the alternative, this recommendation is not a project for purposes of CEQA because it is an organizational activity of government with no direct nor indirect effects on the physical environment and therefore is excluded from the definition of a project, pursuant to Section 15378(b) of the State CEQA Guidelines.

### **Staff Recommendation:**

In consideration of information gathered and evaluated for the proposed actions relative to the Community Services Districts Draft MSR and SOI, staff recommends that the Commission:

- 1) Open the public hearing and receive testimony on the proposed Municipal Service Review and Sphere of Influence Update for the Community Services Districts;
- 2) There being no further testimony, close the public hearing;

- 3) Adopt a finding that adoption of the Municipal Service Review and Sphere of Influence Update for the Community Services Districts are exempt the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the recommended studies, periodic update, and recommended confirmation of the current Coterminous Spheres of Influence for the Bradbury Estates Community Services District and the Pasadena Glen Community Services District will have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). In the alternative, this recommendation is not a project for purposes of CEQA because it is an organizational activity of government with no direct nor indirect effects on the physical environment and therefore is excluded from the definition of a project, pursuant to Section 15378(b) of the State CEQA Guidelines;
- 4) Adopt the January 10, 2018 Community Services Districts Municipal Service Review;
- 5) Adopt the recommended determinations required for a Municipal Service Review as contained in both the staff report and the MSR pursuant to Government Code Sections 56430;
- 6) Adopt the recommended determinations required for the Update of the Spheres of Influence as contained in both the staff report and the MSR pursuant to Government Code Sections 56425:
  - a) Adopt the Resolution Making Determinations, Adopting the MSR and SOI Update for the Bradbury Estates Community Services District; as shown on the enclosed map (Exhibit "B");
  - b) Adopt the Resolution Making Determinations, Adopting the MSR and SOI Update for the Pasadena Glen Community Services District; as shown on the enclosed map (Exhibit "D");
- 7) Direct the Executive Officer to add the words "Reconfirmed January 10, 2018" to the official LAFCO SOI map for the Bradbury Estates Community Services District and the Pasadena Glen Community Services District.

Attachments:

- Draft Resolutions

- Draft Community Services Districts Municipal Service Review and Sphere of Influence Update
- Maps (Exhibit “A”, “B”, “C”, and “D”)

**RESOLUTION NO. 2018-00RMD  
RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR THE COUNTY OF LOS ANGELES ADOPTING THE  
MUNICIPAL SERVICE REVIEW (MSR) AND THE SPHERE OF INFLUENCE  
(SOI) UPDATE FOR THE BRADBURY ESTATES  
COMMUNITY SERVICES DISTRICT**

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

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

WHEREAS, the Commission has undertaken the MSR and SOI Update for the Bradbury Estates Community Services District (BECSD);

WHEREAS, the Executive Officer has submitted to the Commission an MSR and SOI Update, including recommendations relative to any potential changes to the existing SOI for the Bradbury Estates Community Services District;

WHEREAS staff shared a copy of Draft MSR with representatives of the Bradbury Estates Community Services District on October 3, 2017;

WHEREAS, the MSR and SOI Update for the Community Services Districts contain the determinations required by Section 56430 for the municipal services provided

by the Bradbury Estates Community Services District;

WHEREAS, a map of the existing SOI of the Bradbury Estates Community Services District is attached as Exhibit “1” of the Community Services Districts Draft MSR, attached hereto and incorporated by reference herein;

WHEREAS, a map of the proposed SOI of the Bradbury Estates Community Services District is attached as Exhibit “2” of the Community Services Districts Draft MSR, attached hereto and incorporated by reference herein;

WHEREAS, the Executive Officer, pursuant to Government Code Section 56427, set January 10, 2018, as the hearing date on this MSR and SOI study proposal, and gave the required notice of public hearing pursuant to Section 56427;

WHEREAS, after being duly and proper noticed, the Commission held a public hearing on January 10, 2018, and at the hearing the Commission heard and received all oral and written objections, and/or evidence which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard;

WHEREAS, for the Bradbury Estates Community Services District, and pursuant to Section 56430(a)(2), the Commission has considered the impacts of the proposed MSR and SOI Update relative to Disadvantaged Unincorporated Communities (DUCs), noting that there are no DUCs within or contiguous to the Bradbury Estates Community Services District and its SOI;

WHEREAS, based upon staff review and the feasibility of governmental reorganization identified in Section 56425(h), staff has determined that any such reorganization of the agency will not further the goals of orderly development and



affordable service delivery, and therefore will not recommend reorganization of the Bradbury Estates Community Services District;

WHEREAS, the proposed action consists of the adoption of the MSR and adoption of an SOI for the Bradbury Estates Community Services District; and

WHEREAS, the recommended MSR and SOI Update is exempt from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the recommended periodic update and recommended confirmation of the current Coterminous Sphere of Influence for the Bradbury Estates Community Services District will have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3); and, in the alternative, this recommendation is not a project for purposes of CEQA because it is an organizational activity of government with no direct nor indirect effects on the physical environment and therefore is excluded from the definition of a project, pursuant to Section 15378(b) of the State CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The recommended actions are exempt from CEQA as set out herein.
2. The Commission adopts the Municipal Service Review for the Bradbury Estates Community Services District, as prepared and described in the staff report.
3. The Commission adopts the following written determinations and approves the Sphere of Influence Update for the Bradbury Estates Community Services District:

A. Present and planned land uses in the area: The present and planned land uses within the SOI consist of a combination of low density residential,

vacant land (mostly inaccessible due to steep terrain), open-space; and flood control and debris basins. The BECSD is a suburban area that is largely built-out, and the population is unlikely to grow significantly over the next twenty (20) years.

- B. Present and probable need for public facilities and services in the area: The BECSD provides municipal services to a population of approximately 370. These services include private security, road maintenance, and landscape maintenance. Bradbury Estates Community Services District is fulfilling the services needs for which it was created. The BECSD can continue to meet the needs of the community for at least the next ten (10) years as long as expenses do not increase beyond the 2% “re-capture” assessment.
- C. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide: At this time, the Bradbury Estates Community Services District has the ability to serve the needs of the BECSD.
- D. Existence of any social or economic communities of interest: There are no significant social or economic communities of interest.
- E. Present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI: There is no impact upon the characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Bradbury Estates Community Services District and its SOI. The Bradbury Estates Community Services District does not provide three core government services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

4. The Bradbury Estates Community Services District is authorized the following functions and services as “active powers”, authorized to be provided within its boundaries:

- Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements (Government Code Section 61100(g)). BECSD maintains a landscaped public easement at a gated entryway and a guard post into the Bradbury Estates.

- Provide security services, including, but not limited to, burglar and fire alarm services, to protect life and property (Government Code Section 61100(j)). Securitas uniformed security guards are stationed 24 hours a day, 7 days a week, at a guard post at the gated entryway of the Bradbury Estates. The security guards monitor the entrance with closed circuit cameras, monitor incoming vehicles and delivery services, conduct perimeter checks, and provide overnight parking passes to guests who are visiting residents within the Bradbury Estates.
- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and incidental work (Government Code Section 61100(l)). BECSD provides road construction, maintenance, repair, and street sweeping of all rights-of-way.

Any and all other powers not identified above, which the BECSD may propose to exercise, are considered to be new or different functions or classes of services (also known as “inactive powers” or “latent powers”). The BECSD is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

5. The Executive Officer’s staff report and recommendations for adoption of the MSR and adoption of an SOI Update for the Bradbury Estates Community Services District are hereby incorporated by reference and adopted.
6. The Executive Officer is hereby directed to add the words “Reconfirmed January 10, 2018” to the official LAFCO SOI map for the Bradbury Estates Community Services District.
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 10<sup>th</sup> day of January 2018.

MOTION:

SECOND:

AYES:

ABSTAIN:

NOES:

ABSENT:

MOTION PASSES:

---

PAUL A. NOVAK, Executive Officer

**RESOLUTION NO. 2018-00RMD  
RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR THE COUNTY OF LOS ANGELES ADOPTING THE  
MUNICIPAL SERVICE REVIEW (MSR) AND THE SPHERE OF INFLUENCE  
(SOI) UPDATE FOR THE PASADENA GLEN  
COMMUNITY SERVICES DISTRICT**

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

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

WHEREAS, the Commission has undertaken the MSR and SOI Update for the Pasadena Glen Community Services District (PGCSD);

WHEREAS, the Executive Officer has submitted to the Commission an MSR and SOI Update, including recommendations relative to any potential changes to the existing SOI for the Pasadena Glen Community Services District;

WHEREAS staff shared a copy of Draft MSR with representatives of the Pasadena Glen Community Services District on October 3, 2017;

WHEREAS, the MSR and SOI Update for the Community Services Districts contain the determinations required by Section 56430 for the municipal services provided

by the Pasadena Glen Community Services District;

WHEREAS, a map of the existing SOI of the Pasadena Glen Community Services District is attached as Exhibit “3” of the Community Services Districts Draft MSR, attached hereto and incorporated by reference herein;

WHEREAS, a map of the proposed SOI of the Pasadena Glen Community Services District is attached as Exhibit “4” of the Community Services Districts Draft MSR, attached hereto and incorporated by reference herein;

WHEREAS, the Executive Officer, pursuant to Government Code Section 56427, set January 10, 2018, as the hearing date on this MSR and SOI study proposal, and gave the required notice of public hearing pursuant to Section 56427;

WHEREAS, after being duly and proper noticed, the Commission held a public hearing on January 10, 2018, and at the hearing the Commission heard and received all oral and written objections, and/or evidence which were made, presented, or filed, and all persons present were given an opportunity to hear and be heard;

WHEREAS, for the Pasadena Glen Community Services District, and pursuant to Section 56430(a)(2), the Commission has considered the impacts of the proposed MSR and SOI Update relative to Disadvantaged Unincorporated Communities (DUCs), noting that there are no DUCs within or contiguous to the Pasadena Glen Community Services District and its SOI;

WHEREAS, based upon staff review and the feasibility of governmental reorganization identified in Section 56425(h), staff has determined that any such reorganization of the agency will not further the goals of orderly development and

affordable service delivery, and therefore will not recommend reorganization of the Pasadena Glen Community Services District;

WHEREAS, the proposed action consists of the adoption of the MSR and adoption of an SOI for the Pasadena Glen Community Services District; and

WHEREAS, the recommended MSR and SOI Update is exempt from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the recommended periodic update and recommended confirmation of the current Coterminous Sphere of Influence for the Pasadena Glen Community Services District will have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3); and, in the alternative, this recommendation is not a project for purposes of CEQA because it is an organizational activity of government with no direct nor indirect effects on the physical environment and therefore is excluded from the definition of a project, pursuant to Section 15378(b) of the State CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The recommended actions are exempt from CEQA as set out herein.
2. The Commission adopts the Municipal Service Review for the Pasadena Glen Community Services District, as prepared and described in the staff report.
3. The Commission adopts the following written determinations and approves the Sphere of Influence Update for the Pasadena Glen Community Services District:
  - A. Present and planned land uses in the area: The present and planned land uses within the SOI consist of a combination of large estate single-family homes; and flood control and debris basins. The PGCSO is a suburban

area that is largely built-out, and the population is unlikely to grow significantly over the next twenty (20) years.

- B. Present and probable need for public facilities and services in the area: The PGCSO provides municipal services to a population of approximately 126. These services include road maintenance. Pasadena Glen Community Services District is fulfilling the services needed for which it was created, and is expected to meet the needs of the community for at least the next ten (10) years at current budget levels.
- C. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide: At this time, the Pasadena Glen Community Services District has the ability to serve the needs of the PGCSO.
- D. Existence of any social or economic communities of interest: There are no significant social or economic communities of interest.
- E. Present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI: There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Pasadena Glen Community Services District and its SOI. The Pasadena Glen Community Services District does not provide three core government services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

4. The Pasadena Glen Community Services District is authorized the following functions and services as “active powers”, authorized to be provided within its boundaries:

- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and incidental work (Government Code Section 61100(l)). PGCSO maintains Pasadena Glen Road, Old Grove Road, and Shaw Ranch Road, including street turnouts for fire engine access and; to construct, fund, and maintain the storm water culverts (under Pasadena Glen Road and at the Winifred Canyon runoff) to divert the flow of water and mud away from residential homes and road within the PGCSO.



Any and all other powers not identified above, which the PGCSO may propose to exercise, are considered to be new or different functions or classes of services (also known as “inactive powers” or “latent powers”). The PGCSO is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

5. The Executive Officer’s staff report and recommendations for adoption of the MSR and adoption of an SOI Update for the Pasadena Glen Community Services District are hereby incorporated by reference and adopted.
6. The Executive Officer is hereby directed to add the words “Reconfirmed January 10, 2018” to the official LAFCO SOI map for the Pasadena Glen Community Services District.
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 10<sup>th</sup> day of January 2018.

MOTION:  
SECOND:  
AYES:  
ABSTAIN:  
NOES:  
ABSENT:  
MOTION PASSES:

---

PAUL A. NOVAK, Executive Officer

**DRAFT**  
**Municipal Service Review**  
**Community Services Districts**

**January 10, 2018**

This Municipal Service Review was conducted for two (2) of the three (3) community services districts located in the County of Los Angeles:

- Bradbury Estates Community Services District;
- Pasadena Glen Community Services District; and
- Point Dume Community Services District (MSR will be completed at a later date.)

**Chapter One: LAFCO Background**

*Municipal Boundaries*

The State of California possesses the exclusive power to regulate boundary changes. Cities and special districts do not have the right to change their own boundaries without State approval.

The California Constitution (Article XI, Section 2.a) requires the Legislature to “prescribe [a] uniform procedure for city formation and provide for city powers.” The Legislature also has the authority to create, dissolve, or change the governing jurisdiction of special districts because they receive their powers only through State statutes.

The Legislature has created a “uniform process” for boundary changes for cities and special districts in the Cortese Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 *et seq.*, or “Act”). The Act delegates the Legislature’s boundary powers over cities and special districts to Local Agency Formation Commissions (LAFCOs) established in each county in the State. The Act is the primary law that governs LAFCOs and sets forth the powers and duties of LAFCOs.

In addition to the Act, LAFCOs must comply with the following State laws:

- California Revenue and Taxation Code Sections 93 and 99. LAFCO considers the revenue and taxation implications of proposals and initiates the property tax negotiation process amongst agencies affected by the proposal.
- California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq.*) and the related CEQA Guidelines (Title 14, California Code of Regulations Section 15000 *et seq.*). Applications before LAFCO are considered to be “projects” under CEQA, which requires that potential environmental impacts be analyzed prior to Commission action.

- Ralph M. Brown Act (California Government Code Section 54950 *et seq*). Commonly known as the State's "open meeting law," the Brown Act insures that the public has adequate opportunity to participate in the LAFCO process.
- Political Reform Act (California Government Code Section 81000 *et seq*). Commissioners, some LAFCO staff, and legal counsel are subject to the Political Reform Act, which requires the filing of annual reports of economic interests.

#### What are LAFCO's?

LAFCOs are public agencies with county-wide jurisdiction for the county in which they are located. LAFCOs oversee changes to local government boundaries involving the formation and expansion of cities and special districts.

In creating LAFCOs, the Legislature established four priorities: encourage orderly growth and development, promote the logical formation and determination of local agency boundaries, discourage urban sprawl, and preserve open-space and prime agricultural lands.

Created by the State but with local (not State) appointees, each of the 58 counties in the State of California has a LAFCO. Each LAFCO operates independently of other LAFCOs, and each LAFCO has authority only within its corresponding county.

While a LAFCO may purchase services from a county (i.e. legal counsel, employee benefits, payroll processing), LAFCO's are not County agencies.

#### Local Agency Formation Commission for the County of Los Angeles ("LA LAFCO")

LA LAFCO regulates the boundaries of all 88 incorporated cities within the County of Los Angeles. LAFCO regulates most special district boundaries, including, but not limited to:

- California water districts
- Cemetery districts
- Community service districts ("CSDs")
- County service areas ("CSAs")
- County waterworks districts
- Fire protection districts
- Hospital and health care districts
- Irrigation districts
- Library districts
- Municipal utility districts
- Municipal water districts
- Reclamation districts
- Recreation and parks districts
- Resource conservation districts
- Sanitation districts
- Water replenishment districts

LAFCO does not regulate boundaries for the following public agencies:

- Air pollution control districts
- Bridge, highway, and thoroughfare districts
- Community college districts
- Community facility districts (aka "Mello-Roos" districts)
- Improvement districts
- Mutual water companies
- Private water companies
- Redevelopment agencies
- School districts
- Special assessment districts
- Transit and transportation districts

LAFCO does not regulate the boundaries of counties. County boundary adjustments are within the purview of the boards of supervisors for the involved counties.

State law specifically prohibits LAFCOs from imposing terms and conditions which "directly regulate land use, property development, or subdivision requirements." In considering applications, however, State law requires that LAFCO take into account existing and proposed land uses, as well as General Plan and zoning designations, when rendering its decisions.

The Local Agency Formation Commission for the County of Los Angeles (LA LAFCO, the Commission, or LAFCO) is composed of nine (9) voting members:

- Two (2) members of the Los Angeles County Board of Supervisors (appointed by the Los Angeles County Board of Supervisors);
- One (1) member of the Los Angeles City Council (appointed by the Los Angeles City Council President);
- Two (2) members of city councils who represent the other 87 cities in the county other than the City of Los Angeles (elected by the City Selection Committee);
- Two (2) members who represent independent special districts (elected by the Independent Special Districts Selection Committee);
- One (1) member who represents the San Fernando Valley (appointed by the Los Angeles County Board of Supervisors); and
- One (1) member who represents the general public (elected by the other eight members).

LAFCO also has six (6) alternate members, one (1) for each of the six (6) categories above.

The Commission holds its "regular meetings" at 9:00 a.m. on the second Wednesday of each month. The Commission periodically schedules "special meetings" on a date other than the

second Wednesday of the month. Commission meetings are held in Room 381B of the Kenneth Hahn Hall of Administration, located at 500 West Temple Street in downtown Los Angeles. Public notice, including the Commission agenda, is posted at the Commission meeting room and on LAFCO's web-site ([www.lalafco.org](http://www.lalafco.org)).

The Commission appoints an Executive Officer. A small staff of less than ten (10), reports to the Executive Officer and Deputy Executive Officer.

LAFCO's office is located at 80 South Lake (Suite 870) in the City of Pasadena. The office is open Monday through Thursday from 7:00 a.m. to 5:00 p.m. The office is closed on Fridays.

#### What are LAFCO's responsibilities?

LAFCO oversees changes to local government boundaries involving the formation and expansion of cities and special districts. This includes annexations and detachments of territory to and/or from cities and special districts; incorporations of new cities; formations of new special districts; consolidations of cities or special districts; mergers of special districts with cities; and dissolutions of existing special districts. LAFCO also approves or disapproves proposals from cities and special districts to provide municipal services outside their jurisdictional boundaries (these public agencies can provide services outside of their boundaries under very limited circumstances).

An important tool used in implementing the Act is the adoption of a Sphere of Influence (SOI) for a jurisdiction. An SOI is defined by Government Code Section 56425 as "...a plan for the probable physical boundary and service area of a local agency." An SOI represents an area adjacent to a city or special district where a jurisdiction might be reasonably expected to provide services over the next twenty (20) years. The SOI is generally the territory within which a city or special district is expected to annex.

LAFCO determines an initial SOI for each city and special district in the County. The Commission is also empowered to amend and update SOIs.

All jurisdictional changes, such as incorporations, annexations, and detachments, must be consistent with the affected agency's Sphere of Influence, with limited exceptions.

#### Municipal Service Reviews

State law also mandates that LAFCO prepares Municipal Service Reviews (MSRs). An MSR is a comprehensive analysis of the municipal services, including an evaluation of existing and future service conditions, provided in a particular region, city, or special district. Related to the preparation of MSRs, and pursuant to State Law, LAFCOs must review and update SOIs "every five years, as necessary." The Commission adopted MSRs for all cities and special districts in the County prior to the January 1, 2008 deadline (Round One).

Some LAFCOs prepare MSRs for each city and special district in their region every five years. Other LAFCOs do not prepare MSRs proactively; rather, when a city, special district, or petitioner wants to expand the boundaries of an SOI, the LAFCO requires that the applicant pay for the preparation of an MSR in advance of the SOI determination. Most LAFCOs take an

intermediate approach, above, preparing MSRs for a select group of cities and special districts every five years. This is the approach taken by the Commission (LA LAFCO) at its meeting of March 9, 2011.

In the current round (Round Two), LAFCO is preparing MSRs for a total of nine (9) cities and fourteen (14) special districts. To date, the Commission has adopted MSRs for five (5) cities (Commerce, Compton, Cudahy, Gardena, and Santa Clarita), five (5) cemetery districts (Antelope Valley Cemetery District, Artesia Cemetery District, Downey Cemetery District, Little Lake Cemetery District, and Wilmington Cemetery District), three (3) recreation and park districts (Miraleste Recreation and Park District, Ridgecrest Ranchos Recreation and Park District, and Westfield Recreation and Park District), and three (3) water districts (Huntington Municipal Water District, Palmdale Water District, and Sativa County Water District). Staff is working on MSRs for four (4) cities (Bell, Maywood, South El Monte, and Vernon) and three (3) community services districts (Bradbury Estates Community Services District, Pasadena Glen Community Services District, and Point Dume Community Services District), which are expected to be completed by the end of 2018.

In preparing MSRs, LAFCOs are required to make seven determinations:

- Growth and population projections for the affected area;
- The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to a city or district's SOI;
- Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies;
- Financial ability of agencies to provide services;
- Status of, and opportunities for, shared facilities;
- Accountability for community service needs, including governmental structure and operational efficiencies; and
- Any other matter related to effective or efficient service delivery.

Although State law requires the preparation of MSRs, the State does not provide funding to LAFCOs to perform this work. Some MSRs are prepared utilizing existing LAFCO staff; in other instances, LAFCO retains a consultant. This MSR was prepared in-house by LAFCO staff.

(Report continues on Page 6)

**Chapter Two: Community Services District Enabling Act**  
(Government Code Sections 61000 – 61226.5)

**Community Services District Law**

Responding to various communities' desires of public facilities and services that promote the public peace, health, safety, and welfare, the Legislature enacted the Community Services District (CSD) Law in 1951, and reenacted the Community Services District Law in 1955 (pursuant to Government Code Section 61001(a)(2)(3)).

**Community Services District Law: 2006 Revisions**

In 2006, Senator Christine Kehoe, in partnership with representatives of individual CSDs and the California Special Districts Association, sponsored legislation (SB 135) to overhaul the Community Services District Law. SB 135 was approved by the Legislature and signed by the Governor, and it took effect on January 1, 2006. The reforms involved several substantive and significant changes to the original Community Services District Law.<sup>1</sup>

In enacting the new CSD Law in 2006, State Legislature (pursuant to Government Code Sections 61001(c)) expressed its intent, as follows:

- (1) To continue a broad statutory authority for a class of limited-purpose special districts to provide a wide variety of public facilities and services.
- (2) To encourage LAFCOs to use their municipal service reviews, spheres of influence, and boundary powers, where feasible and appropriate, to combine special districts that serve overlapping or adjacent territory into multifunction community services districts.
- (3) That residents, property owners, and public officials use the powers and procedures provided by the Community Services District Law to meet the diversity of the local conditions, circumstances, and resources.

Under the CSD Law (SB 135), community services districts may be any of the following (pursuant to Government Code Sections 61001(b)):

- (1) A permanent form of governance that can provide locally adequate levels of public services.
- (2) An effective form of governance for combining two or more special districts that serve overlapping or adjacent territory into a multifunction special district.
- (3) A form of governance that can serve as an alternative to the incorporation of a new city.
- (4) A transitional form of governance as the community approaches cityhood.

## **Governing Body**

The governing body, which is established by law to administer the operation of a community services district, is composed of five (5) board of directors (pursuant to Government Code Section 61040).

Community services districts can be either independent or dependent: independent board of directors are elected by the district's voters or appointed to a fixed term of office by either the city council or board of supervisors. Dependent districts are governed by other existing legislative bodies such as a city council or board of supervisors. Larger independent districts have a professional manager, similar to a city manager or county administrator to assist the governing officials. The governing boards adopt policies that the general managers implement.<sup>2</sup>

SB 135 strengthened the community services districts' governance, as follows:

- Voters can elect directors at-large, by divisions, or from divisions (§ 61021 & 61025).
- Voters can convert dependent CSDs into independent districts (§ 61022 & 61027).
- All CSDs boards of directors must have five directors (§ 61040).
- Directors set policy; general managers implement policy (§ 61040 & 61051).
- Directors serve staggered, four-year terms (§ 61042).
- Directors must follow formal procedures (§ 61043, 61044 & 61045).
- General managers have defined roles (§61002(f) & 61051)<sup>3</sup>.

## **Functions**

The California Government Code provides for a broad array of powers and authority for a community services district. With the notable exception of land use authority, a community services district can provide almost the same range of services as a city. A community services district can provide up to thirty-two (32) services. Each of the below mentioned specific powers must be approved by the Commission prior to service(s) being provided.

Within its boundaries, the specific powers (pursuant to Government Code Section 61100) a CSD board of directors may exercise, are as follows:

- (a) Supply water for any beneficial uses in the same manner as a municipal water district.
- (b) Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water in the same manner as a sanitation district.
- (c) Collect, transfer, dispose of solid waste, and provide solid waste handling services, including, but not limited to, source reduction, recycling, and composting activities.
- (d) Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district.
- (e) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open-space in the same manner as a recreation and park district.



- (f) Organize, promote, conduct, advertise programs of community recreation, in the same manner as a recreation and park district.
- (g) Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.
- (h) Provide for the surveillance, prevention, abatement, and control of vectors and vectorborne diseases in the same manner as a mosquito abatement and vector control district.
- (i) Provide police protection and law enforcement services by establishing and operating a police department that employs peace officers.
- (j) Provide security services, including, but not limited to, burglar and fire alarm services, to protect lives and property.
- (k) Provide library services in the same manner as a library district.
- (l) Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental work.
- (m) Covert existing overhead electric and communications facilities, with the consent of the public agency or public utility that owns the facilities, to underground locations.
- (n) Provide emergency medical services.
- (o) Provide and maintain public airports and landing places for aerial traffic in the same manner as an airport district.
- (p) Provide transportation services.
- (q) Abate graffiti.
- (r) Plan, design, construct, improve, maintain, and operate flood protection facilities.
- (s) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.
- (t) Abate weeds and rubbish.
- (u) Acquire, construct, improve, maintain, and operate hydroelectric power generating facilities and transmission lines, consistent with the district's water supply and wastewater operations. The power generated shall be used for district purposes, or sold to a public utility or another public agency that generates, uses, or sells electrical power. A district shall not acquire hydroelectric power generating facilities unless the facilities' owner agrees.

- (v) Acquire, construct, improve, maintain, and operate television translator facilities.
- (w) Remove snow from public streets, roads, easements, and rights-of-way.
- (x) Provide animal control services.
- (y) Control, abate, and eradicate pests, in the same manner as a pest abatement district.
- (z) Construct, maintain, and operate mailboxes on a district's property or rights-of-way.
- (aa) Provide mail delivery service under contract to the United States Postal Service.
- (ab) Own, operate, improve, and maintain cemeteries and provide interment services in the same manner as a public cemetery district.
- (ac) Finance the operations of area planning commissions formed pursuant to Section 65101.
- (ad) Finance the operations of municipal advisory councils formed pursuant to Section 31010.
- (ae) Acquire, own, improve, maintain, and operate land within or without the district for habitat mitigation or other environment protection purposes to mitigate the effects of projects undertaken by the district.
- (af) If a private person or entity is unable or unwilling to deploy broadband service, construct, own, improve, maintain, and operate broadband facilities and to provide broadband service. The district shall first make a reasonable effort to identify a private person or entity willing to deploy service. The authority granted by this subdivision shall expire when a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service as provided by the district. At that time, the district shall do one of the following: (1) Diligently transfer its title, ownership, maintenance, control, and operation of those broadband facilities and services at a fair market value to that private person or entity, or (2) lease the operation of those broadband facilities at a fair market value to that private person or entity.

(Report continues on Page 10)

The new CSD Law in 2006 (SB 135) clarified three (3) existing specific powers.

Within its boundaries, the specific powers that a board of directors may exercise, as follows:

- A district may provide electricity if LAFCO designated the district as the successor to another special district that was extinguished as the result of any change or organization or reorganization, that other special district had provided electricity pursuant to the principal act under which that other special district had operated (Government Code Section 61102).
- A district that acquires, constructs, improves, and maintains streets, road rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works pursuant to subdivision (I) of Section 61100 shall have the powers, duties, and authority of a county for those works (Government Code Section 61103).
- A district that acquires, constructs, improves, and maintains streets, road rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works pursuant to subdivision (I) of Section 61100 may grant franchises (Government Code Section 61104).

A district may provide the facilities and services authorized by Section 61100 outside its boundaries, subject to approval by LAFCO for an Out-of-Agency Service Agreement (pursuant to Government Code Section 56133 and 61101). A district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the Commission.

**Exercise of New or Different Functions or Classes of Services (formerly known as “activation of latent powers”)**

Prior to SB 135, “latent powers” meant those services and facilities authorized by Part 3 (commencing with Section 61100) that LAFCO has determined, pursuant to subdivision (h) of Section 56425, that a district did not provide prior to January 1, 2006.

New or different functions or classes of services are those powers authorized by the principal act under which the district was formed, but not currently exercised by a special district.

Commission proceedings for the exercise of new or different functions or classes of services or divestiture of power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, may be initiated by a resolution of application (pursuant to Government Code Section 56824.10).

(Report continues on Page 11)

***Plan for Services***

A special district shall submit a plan for services with an application. The plan for services must include this information (pursuant to Government Code Section 56653(b)):

- (1) An enumeration and description of the services to be extended in the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

The plan for services shall also include all of this information (pursuant to Government Code Section 56824.12(a)):

- (1) The total estimated cost to provide the new or different function or class of services within the special district's jurisdictional boundaries.
- (2) The estimated cost of the new or different function or class of services to customers within the special district's jurisdictional boundaries. The estimated costs may be identified by customer class.
- (3) An identification of existing providers, if any, of the new or different functions or class of services proposed to be provided and the potential fiscal impact to the customers of those existing providers.
- (4) A written summary of whether the new or different function or class of services or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, pursuant to subdivision (b) of Section 56654, will involve the activation or divestiture of the power to provide a particular service or services, service function or functions, or class of services or services.
- (5) A plan for financing the establishment of the new or different function or class of services within the special district's jurisdictional boundaries.
- (6) Alternatives for the establishment of the new or different functions or class of services within the special district's jurisdictional boundaries.

The Commission shall not approve a proposal for the establishment of new or different functions or class of service unless the special district will have sufficient revenues to carry out the proposed new or different functions of class of services (Government Code Section 56824.14(a)) except as specified in Code Section 56824.14(1).

## Formation

A proposal to form a new district may be made by petition or by the adoption of a resolution of application by a legislative body of a county, city, or special district that contains any of the proposed territory to be included in the proposed district. The petition shall do all of the things required by Section 56700. Except for the provisions regarding the signers, the signatures, and the proponents, a resolution of application shall contain all of the matters specified for a petition in Section 61011. In addition, the petition shall include, (pursuant to Government Code Section 61011(a)), the following information:

- State which of the services listed in Section 61100 it is proposed that the district be authorized to provide upon formation.
- Set forth the proposed methods, including, but not limited to, special taxes, benefit assessments, and fee, by which the district will finance those services.
- Specify the method of selecting the initial board of directors, as provided in Chapter 1 (commencing with Section 61020) of Part 2.
- The petition shall be signed by not less than twenty-five percent (25%) of the registered voters residing in the area to be included in the district.

Prior to circulating petitions, the proponent shall file with the LAFCO Executive Officer a Notice of Intention that includes the name and mailing address of the proponent(s) and a written statement, not to exceed 500 words in length, setting forth the reasons for the proposal. After filing the Notice of Intention, the petition may be circulated for signatures (Government Code Section 61012).

The proposal to form a new district may also be made by the adoption of a resolution of application by the legislative body of any county, city, or special district that contains any of the territory proposed to be included in the district (Government Code Section 56859 & 61013).

After the formation proceedings have been initiated, LAFCO must conduct a noticed public hearing. After hearing public testimony, the Commission may either approve, modify, or deny the proposed formation. If it is approved, the Commission must also adopt terms and conditions for the formation, and establish a sphere of influence for the new district. The proposed formation is then scheduled for a protest hearing. At the protest hearing, the proceedings may be terminated if protested by fifty percent (50%) or more of the registered voters residing within the district. If no majority protest exists, the Commission shall either:

1. Order the formation subject to approval by the voters; or
2. Order the formation subject to approval by the voters of a special tax or by the property owners of a special benefit assessment.

(Report continues on Page 13)

With respect to the proposed boundaries of a community services district, the following territory may be included upon formation pursuant to Government Code Section 61007.

1. Incorporated and/or unincorporated territory;
2. Contiguous or non-contiguous territory; and
3. Within one or more counties.

Territory within another community services district or another type of special district that provides the same proposed level of services shall not be included in a community services district.

### **Annexation**

After a district has been formed, the boundaries of the district may be altered and outlying incorporated or unincorporated territory in one or more counties may be annexed into the district. Proceedings are to be initiated pursuant to Section 56000, et seq. of the Government Code.

### **CSDs in Los Angeles County**

There are three (3) community services districts located in the County of Los Angeles:

- Bradbury Estates Community Services District;
- Pasadena Glen Community Services District; and
- Point Dume Community Services District (MSR will be completed at a later date.)

(Report continues on Page 14)

### **Chapter Three: Bradbury Estates Community Services District**

The Bradbury Estates Community Services District (BECSD) was formed by LAFCO on December 28, 1995.

The population within the boundaries of the BECSD in 2010 (the most recent year for which data is available) was 370.<sup>4</sup> The BECSD is 858 acres (or 1.34 square miles) in size with a population density of 276 persons per square mile.

The BECSD consists of 146 parcels. Of the 146 parcels, 108 are assessed parcels (single-family homes). The remaining 38 parcels are vacant lots (mostly inaccessible due to steep terrain), open-space; and flood control and debris basins (located in the northeastern portion of the BECSD boundaries, south of the Angeles National Forest).

The BECSD's boundaries include one of two distinct gated communities located in the City of Bradbury (City), the Bradbury Estates. The second gated community, Woodlyn Lane, is not within the BECSD's boundaries. Of the total 858 acres within the BECSD, 833 acres is the gated community of Bradbury Estates and the remaining twenty-five (25) acres are vacant lots, open-space, and flood control and debris basins, located within the northern and western portions of the City.

The Bradbury Estates Community Services District and its Coterminous SOI boundaries includes sixty-eight percent (68%) of the City of Bradbury, and a small area within the City of Monrovia consisting of four (4) parcels and a portion of one (1) parcel (Reorganization No. 2016-08 to the City of Bradbury). The BECSD's boundaries are generally located south and east of the City of Monrovia, south of the Angeles National Forest, west of the City of Duarte; and south and southeast of the City of Bradbury (see Existing Bradbury Estates Community Services District Sphere of Influence, Exhibit 1, on Page 16). The topography of the BECSD includes flat areas, as well as steep hillside and mountainous terrain in various locations.

In 1994, a proposal was submitted to LAFCO by registered voter petition to form a community services district within a portion of the City of Bradbury, a small residential equestrian community located at the base of the San Gabriel Mountains. A portion of the BECSD boundary includes a former City of Bradbury special municipal tax district boundary which existed from 1973 to 1992. From 1993 to 1995, patrol services to the Bradbury Estates area were financed through a voluntary homeowner's association. The former City municipal tax district boundary plus additional territory formed the BECSD boundaries.<sup>5</sup>

The purpose of the BECSD is to provide a higher level of special patrol services, landscape maintenance, and road maintenance to the Bradbury Estates. This includes 24-hour security patrol, maintenance of all streets within the gated community, and landscape maintenance at the entryway and guard post.

(Report continues on Page 15)

## Active Powers

Active powers are defined as authorized functions and services that are already being provided by a special district within its boundaries.

The Bradbury Estates Community Services District is authorized to provide the following services:

- Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements (Government Code Section 61100(g)). BECSD maintains a landscaped public easement at a gated entryway and a guard post into the Bradbury Estates.
- Provide security services, including, but not limited to, burglar and fire alarm services, to protect life and property (Government Code Section 61100(j)). Securitas uniformed security guards are stationed 24 hours a day, 7 days a week, at a guard post at the gated entryway of the Bradbury Estates. The security guards monitor the entrance with closed circuit cameras, monitor incoming vehicles and delivery services, conduct perimeter checks, and provide overnight parking passes to guests who are visiting residents within the Bradbury Estates.
- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and incidental work (Government Code Section 61100(l)). BECSD provides road construction, maintenance, repair, and street sweeping of all rights-of-way.

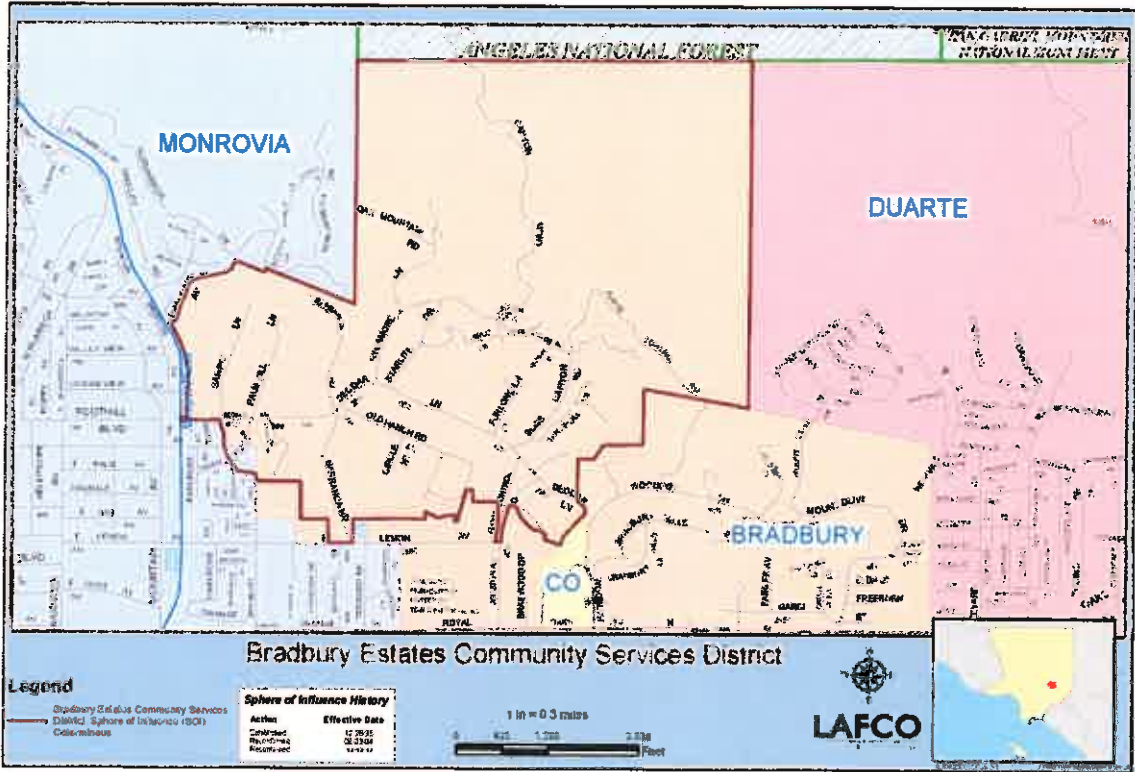
Any and all other powers not identified above, which the BECSD may propose to exercise, are considered to be new or different functions or classes of services (also known as "inactive powers" or "latent powers"). The BECSD is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

(Report continues on Page 16)



Exhibit 1

Existing Bradbury Estates Community Services District Sphere of Influence



(THIS SPACE INTENTIONALLY LEFT BLANK)

## **Bradbury Estates Community Services District**

### **Discussion and Determinations**

Government Code Section 56430 requires LAFCO to “conduct a service review of the municipal services” and to “prepare a written statement of its determinations” relative to several factors. This chapter addresses these factors and includes the recommended determinations.

#### *Population Projections*

According to the United States Census Bureau, the 2010 population of the Bradbury Estates Community Services District was 370.<sup>6</sup> The BECSD consists of a combination of large estate single-family homes, open-space; and flood control and debris basins, that is largely built-out.

The population within the SOI boundary within the Bradbury Estates Community Services District is unlikely to grow significantly over the next twenty (20) years.

#### **Determinations:**

- **Bradbury Estates Community Services District is in a suburban area that is largely built-out.**
- **The population is unlikely to grow significantly over the next twenty (20) years.**

#### *Disadvantaged Unincorporated Communities*

Pursuant to the State’s passage of Senate Bill 244, as of January 1, 2012, LAFCOs are required to make determinations regarding Disadvantaged Unincorporated Communities (DUCs) for an Update of a Sphere of Influence. The law defines a DUC as a community with an annual median household income that is less than eighty percent (80%) of the statewide annual median household income. The law also requires that LAFCOs consider “the location and characteristics of any disadvantaged communities within or contiguous to the sphere of influence” when preparing an MSR.

The Bradbury Estates Community Services District does not contain any unincorporated areas within its boundaries. There is one (1) small unincorporated area contiguous to the Bradbury Estates Community Services District and its SOI, located south of the BECSD and its SOI, but it does not contain a DUC.

#### **Determinations:**

- **There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Bradbury Estates Community Services District and its SOI.**

- **The Bradbury Estates Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.**

*Present and Planned Capacity of Public Facilities*

The Bradbury Estates Community Services District owns and maintains two (2) parcels which consist of a guard post and landscaped public easements, at the intersection of East Oak Leaf Avenue and East Wildrose Avenue.

The BECSD has no employees, and contracts out for the following services: security services with Securitas (a company that provides a full spectrum of security services, officers, and technology); street sweeping; landscaping; and accounting services.<sup>7</sup>

The Bradbury Estates Community Services District's Board of Directors does not employ nor contract out for a General Manager.

Securitas uniformed security guards are stationed 24 hours a day, 7 days a week, at a guard post at the gated entryway of the Bradbury Estates. The security guards monitor the entrance with closed circuit cameras, monitor incoming vehicles and delivery services, conduct perimeter checks, and provide overnight parking passes to guests who are visiting residents within the Bradbury Estates.<sup>8</sup>

The City of Monrovia and the City of Bradbury entered into a Memorandum of Understanding (MOU) on January 17, 2017 to implement a Community Service Officer (CSO) program. This MOU agreement is paid by the City of Bradbury to the City of Monrovia to employ a City of Monrovia non-sworn part-time CSO who performs field-related public safety work within the entire City of Bradbury, including the gated area of Bradbury Estates. The CSO reports directly to the City of Monrovia Police Department. The CSO provides a full-service investigation of crimes that have already occurred which have little or no workable leads, including evidence collection (photographs, fingerprinting, DNA, etc.); enforces some municipal code violations; investigates non-injury traffic collisions; enforces parking restrictions; and performs other duties as negotiated. The CSO program remains in effect until June 30, 2018, at which time both cities may elect to renew the program.<sup>9</sup>

The City of Bradbury contracts with the Los Angeles County Sheriff's Department which provides general law enforcements services within the City of Bradbury, including the Bradbury Estates.<sup>10</sup>

Bradbury Estates Community Services District representatives do not anticipate any potential expansion of service or service delivery.<sup>11</sup>

BECSD representatives do not have any existing issues or problems with service delivery, equipment, or long-term capital improvements forecasted.<sup>12</sup>

The BECSD has provided services effectively for over two (2) decades. There is minimal new development within the Bradbury Estates Community Services District's SOI.

**Determination:**

- **At this time, the Bradbury Estates Community Services District has the ability to serve the needs of the BECSD.**

*Financial Ability of Agencies to Provide Services*

The BECSD's Fiscal Year 2016-2017 (most recent budget available) budget summary reflects \$580,996 in revenue (special assessments and interest income) and \$378,046 in expenses (\$254,276 in security services; \$62,146 in maintenance (roads and landscape); \$31,155 in business expenses; and \$30,469 in utilities) for a year-end balance of \$202,949.<sup>13</sup>

The BECSD has no long-term debt.<sup>14</sup>

The BECSD does not receive a portion of the 1% ad-valorem property tax. The BECSD is funded exclusively through property tax assessments.

For the Fiscal Year 2016-2017, the Bradbury Estates Community Services District received an assessment of \$5,140 per parcel. With 108 parcels assessed at \$5,140 per parcel, the BECSD received \$555,120 in assessments.<sup>15</sup>

In 1995, when the BECSD was originally formed/established, the BECSD levied a property tax assessment not to exceed \$1,500 per year, per parcel.<sup>16</sup> In 1998, the BECSD held a special election and the voters within the BECSD approved a measure which: one, eliminated the maximum assessment of \$1,500 per year; two, authorized the BECSD Board of Directors to increase the annual assessment per parcel, up to a maximum of two percent (2%) each year; and three, empowered the Board to "re-capture" the 2% assessment in later years for prior years in which no increase was assessed.<sup>17</sup> Depending on the BECSD's budgetary needs, the Board reconsiders the rate of assessment every year.<sup>18</sup>

In 1998, the assessment was \$3,600 per parcel.<sup>19</sup> The current assessment (FY 2017-2018) is \$5,140 per parcel.<sup>20</sup>

The chart below shows the annual assessment for the last four (4) fiscal years.

Bradbury Estates Community Services Benefit Assessment (based on per parcel, per year)	
<u>Fiscal Year</u>	<u>Amount</u>
2014-2015	\$4,800
2015-2016	\$4,800
2016-2017	\$5,140
2017-2018	\$5,140

**Determination:**

- **The Bradbury Estates Community Services District has the financial ability to continue providing services at the current year budget levels.**

**Status of, and Opportunities for, Shared Facilities**

Together with the City of Bradbury Planning and Building Departments and the Bradbury Estates Association, development activity within the Bradbury Estates Community Services District is subject to review and approval by the BECSD Board of Directors before any construction activity is undertaken that may impact the existing or proposed street system, drainage system, or police or security services.<sup>21</sup>

**Determinations:**

- **The Bradbury Estates Community Services District works directly with the City of Bradbury and the Bradbury Estates Association to review and approve proposed new development and construction activities within the BECSD.**
- **There are no additional opportunities for shared facilities or services.**

**Accountability for Community Service Needs**

The governing body of Bradbury Estates Community Services District consists of a five-member Board of Directors. Board-members are elected by district, and they do not receive stipends.<sup>22</sup>

The Board of Directors conducts meetings at the Bradbury City Hall at 600 Winston Avenue, Bradbury, California, 91008 at 7:00 p.m. Board agendas are posted at the entryway guard post and at Bradbury City Hall. Notices of meetings are mailed to the residents within the BECSD. The Board meets twelve (12) times a year.<sup>23</sup>

The Bradbury Estates Community Services does not maintain a website. The City of Bradbury's website lists the board's president with contact information for the BECSD<sup>24</sup>.

**Determination:**

- **The Bradbury Estates Community Services District provides effective communication by posting Board agendas at the entryway guard post and at Bradbury City Hall, and notices of meetings are mailed to the residents within the BECSD. Given the limited number of assessed parcels (108 assessed parcels), and the fact that mailed notice is provided in advance of each meeting, a website is not necessary at this time.**

Other Matters

None.

**Determination:**

(No additional determinations)

(Report continues on Page 22)

(THIS SPACE INTENTIONALLY LEFT BLANK)

**Bradbury Estates Community Services District**

**SOI Recommendation**

**Bradbury Estates Community Services District SOI Recommendation:**

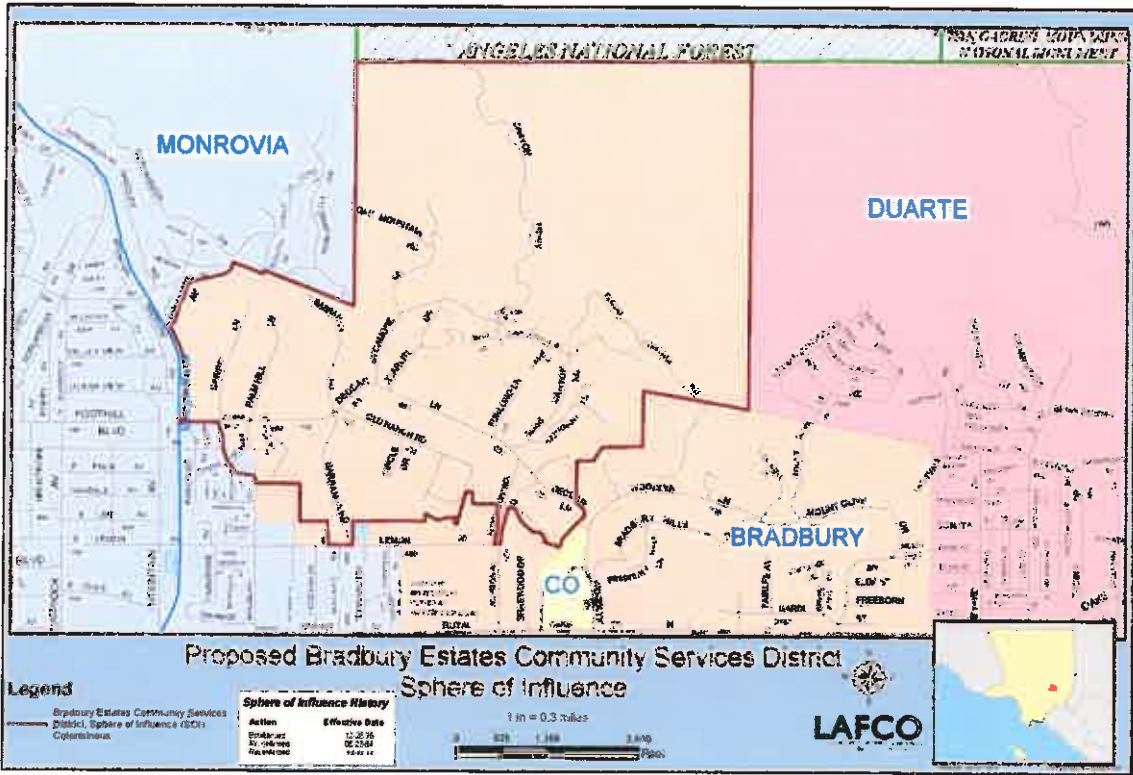
- **Reconfirm Bradbury Estates Community Services District's Existing Coterminous Sphere of Influence.** The Bradbury Estates Community Services District's Existing Coterminous SOI was established on December 28, 1995. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Bradbury Estates Community Services District Sphere of Influence, Exhibit 1, on Page 16). The Bradbury Estates Community Services District has no paid staff (all services are contracted out), and the BECSD's Board does not intend to make changes to its boundary. Future changes to the SOI boundaries are unlikely; LAFCO staff therefore recommends that the Commission reconfirm the existing Coterminous SOI for the Bradbury Estates Community Services District (see Proposed Bradbury Estates Community Services District Sphere of Influence, Exhibit 2, on Page 23).

(Report continues on Page 23)

(THIS SPACE INTENTIONALLY LEFT BLANK)

Exhibit 2

Proposed Bradbury Estates Community Services District Sphere of Influence



(THIS SPACE INTENTIONALLY LEFT BLANK)



## **Chapter Four: Pasadena Glen Community Services District**

The Pasadena Glen Community Services District (PGCSD) was formed by LAFCO on June 27, 1994.

The population within the boundaries of the PGCSD in 2010 (the most recent year for which data is available) was 126.<sup>25</sup> The PGCSD is 26.20 acres (or 0.04 square miles) in size.

The PGCSD consists of 92 parcels. Of the 92 parcels, 65 are assessed parcels. The remaining 27 parcels are vacant lots, open-space; and flood control and debris basins. There are 56 single-family homes with the boundaries of the PGCSD<sup>26</sup>.

The Pasadena Glen Community Services District and its Coterminous SOI boundaries are located in unincorporated territory known as Pasadena Glen; south and west of the Angeles National Forest, and northeast of the City of Pasadena. The PGCSD's boundaries include the roadways of Pasadena Glen Road, Shaw Ranch Road, and portions of Old Grove Road and Vosburg Street (see Existing Pasadena Glen Community Services District Sphere of Influence, Exhibit 3, on Page 26). The topography of the PGCSD consists of hillside and canyons.

In October of 1993, a fire swept through the community of Pasadena Glen and destroyed 28 of the 65 homes in the area. In 1994, a proposal was submitted to LAFCO by registered voter petition to form a community services district. In addition to the immediate damage caused by the fire, the community continued to suffer from severe flooding as a result of the erosion from barren hillsides. In order for the homeowners to rebuild their destroyed homes, Los Angeles required that the community demonstrate a financial capability to fund the necessary road and flood control improvements.<sup>27</sup>

The purpose of the PGCSD is to construct, fund, and maintain the roadway (Pasadena Glen Road), including street turnouts for fire engine access and; to construct, fund, and maintain the storm water culverts (under Pasadena Glen Road and at the Winifred Canyon runoff) to divert the flow of water and mud away from residential homes and roads within the PGCSD.<sup>28</sup> Pasadena Glen Road is the primary access point to the community.

### **Active Powers**

Active powers are defined as authorized functions and services that are already being provided by a special district within its boundaries.

The Pasadena Glen Community Services District is authorized to provide the following services:

- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and incidental work (Government Code Section 61100(l)). PGCSD maintains Pasadena Glen Road, Old Grove Road, and Shaw Ranch Road, including street turnouts for fire engine access and; to construct, fund, and maintain the storm water culverts (under Pasadena Glen Road and at the Winifred Canyon runoff) to divert the flow of water and mud away from residential homes and roads within the PGCSD.

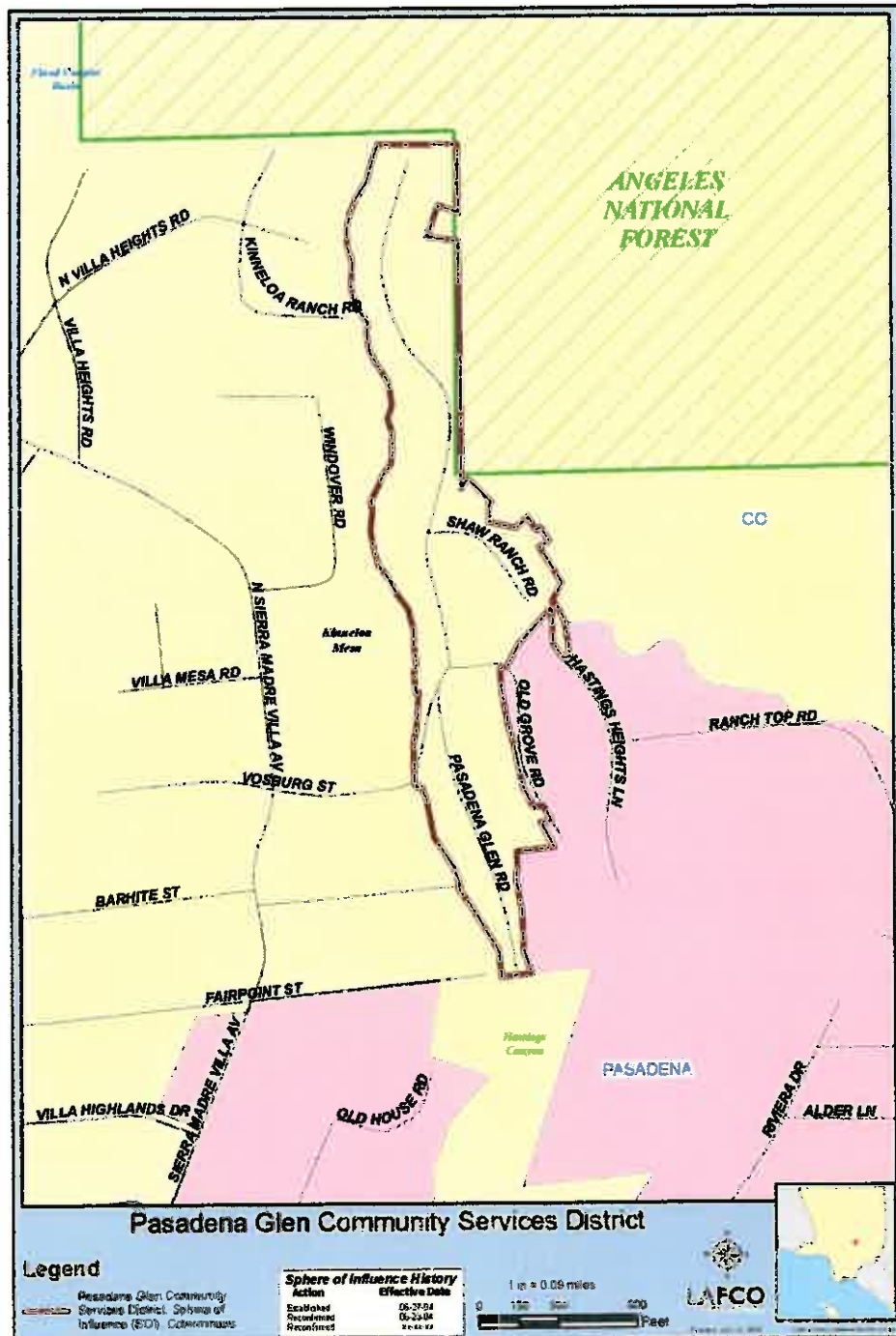
Any and all other powers not identified above, which the PGCSO may propose to exercise, are considered to be new or different functions or classes of services (also known as "inactive powers" or "latent powers"). The PGCSO is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

(Report continues on Page 26)

(THIS SPACE INTENTIONALLY LEFT BLANK)

Exhibit 3

Existing Pasadena Glen Community Services District Sphere of Influence



## **Pasadena Glen Community Services District**

### **Discussion and Determinations**

Government Code Section 56430 requires LAFCO to “conduct a service review of the municipal services” and to “prepare a written statement of its determinations” relative to several factors. This chapter addresses these factors and includes the recommended determinations.

#### **Population Projections**

According to the United States Census Bureau, the 2010 population of the Pasadena Glen Community Services District was 126.<sup>29</sup> The PGCSD consists of a combination of large estate single-family homes; and flood control and debris basins, that is largely built-out.

The population within the SOI boundary within the Pasadena Glen Community Services District is unlikely to grow significantly over the next twenty (20) years.

#### **Determinations:**

- **Pasadena Glen Community Services District is in a suburban area that is largely built-out.**
- **The population is unlikely to grow significantly over the next twenty (20) years.**

#### **Disadvantaged Unincorporated Communities**

Pursuant to the State’s passage of Senate Bill 244, as of January 1, 2012, LAFCOs are required to make determinations regarding Disadvantaged Unincorporated Communities (DUCs) for an Update of a Sphere of Influence. The law defines a DUC as a community with an annual median household income that is less than eighty percent (80%) of the statewide annual median household income. The law also requires that LAFCOs consider “the location and characteristics of any disadvantaged communities within or contiguous to the sphere of influence” when preparing an MSR.

The Pasadena Glen Community Services District is located entirely within unincorporated territory, but there are no DUCs within that unincorporated area. There is unincorporated territory, located north, northeast, west, and south, contiguous to the Pasadena Glen Community Services District and its SOI, but there are no DUCs within the unincorporated area.

#### **Determinations:**

- **There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Pasadena Glen Community Services District and its SOI.**

- **The Pasadena Glen Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.**

#### Present and Planned Capacity of Public Facilities

The PGCSO has no employees, and contracts out for the following services: road and culvert maintenance, brush removal, general management, legal services, and accounting services.<sup>30</sup>

The Pasadena Glen Community Services District Board of Directors contracts out for a General Manager.<sup>31</sup>

Pasadena Glen Community Services District representatives do not anticipate any potential expansion of service or service delivery.<sup>32</sup>

PGCSO representatives indicated that there are existing issues or problems with maintenance of the roads resulting from private construction or other heavy uses. The PGCSO is responsible for maintaining roads within its boundaries, but is faced with a challenge due to activities that cause damage or deterioration to the roads. The Board of Directors is considering adopting an ordinance by requiring an encroachment permit for construction activities. Collecting these permit fees from construction activities will offset maintenance costs incurred by the PGCSO.<sup>33</sup>

The PGCSO has been serving the area effectively for over two (2) decades. During that time the culverts and roadways have proven to be adequate for the community's needs. There is minimal new development within the Pasadena Glen Community Services District's SOI.

#### **Determinations:**

- **The Pasadena Glen Community Services District's public facilities are adequate to meet the needs of the Pasadena Glen community.**
- **The Pasadena Glen Community Services District Board of Directors should continue its consideration of adopting an encroachment permit/fee to offset impacts upon Pasadena Glen Road from outside parties.**

#### Financial Ability of Agencies to Provide Services

The PGCSOs five-year financial statement ending June 30, 2014 (most recent budget available) started with \$63,554; reflects \$32,385 in revenue and \$19,378 in expenses with an excess of revenues over expenses of \$13,007 for a fiscal year-end balance of \$76,561.<sup>34</sup>

The PGCSOs Fiscal Year 2013-2014 ending June 30, 2014 reflects a balance of \$76,561 in the PGCSO checking and savings accounts.<sup>35</sup>

The PGCSO has no long-term debt.<sup>36</sup>

The PGCSO does not receive a portion of the 1% ad-valorem property tax. The PGCSO is funded exclusively through property tax assessments.

For Fiscal Year 2013-2014, PGCSO received \$32,301 in assessments.<sup>37</sup>

At formation, the PGCSO is authorized to levy an annual benefit assessment of \$500 per parcel. Assessments have not increased since the PGCSO was formed in 1994. The Board has no plans to increase the assessment at this time.<sup>38</sup>

**Determination:**

- **The Pasadena Glen Community Services District has the financial ability to continue to provide services to the residents within the Pasadena Glen area at current budget levels.**

*Status of, and Opportunities for, Shared Facilities*

The PGCSO provides limited services which directly benefit a small number of homeowners in the Pasadena Glen community. The PGCSO has maintained its limited public facilities consistently and adequately since the District's formation through the collection of assessments upon homeowners in Pasadena Glen. There are no apparent opportunities to share facilities with other agencies.

**Determination:**

- **There are no apparent opportunities to share facilities with other agencies.**

*Accountability for Community Service Needs*

The governing body of the Pasadena Glen Community Services District consists of a five-member Board of Directors, residents who live within the boundaries of the PGCSO. Board-members are elected at-large, and do not receive stipends.<sup>39</sup>

The Board of Directors conducts meetings on the fourth Tuesday of each month. Board agendas are posted at the community bulletin board at the entry point into Pasadena Glen. The PGCSO does not own or lease any property and therefore each meeting is held at a different location within the PGCSO's boundaries. Meetings are typically held at the home of one of the Board members. The Board meets twelve (12) times a year.<sup>40</sup>

The Pasadena Glen Community Services District does not maintain a website.

**Determination:**

- **The Pasadena Glen Community Services District provides effective communication by posting Board agendas at the community bulletin board at the entry point into Pasadena Glen. Given the limited number of assessed parcels (65**

assessed parcels), and existing noticing practices, a website is not necessary at this time.

Other Matters

None.

**Determination:**

(No additional determinations)

(Report continues on Page 31)

(THIS SPACE INTENTIONALLY LEFT BLANK)

**Pasadena Glen Community Services District**

**SOI Recommendation**

**Pasadena Glen Community Services District SOI Recommendation:**

- **Reconfirm Pasadena Glen Community Services District's Existing Coterminous Sphere of Influence.** The Pasadena Glen Community Services District's Existing Coterminous SOI was established on June 27, 1994. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Existing Pasadena Glen Community Services District Sphere of Influence, Exhibit 3, on Page 26). The Pasadena Glen Community Services District has no paid staff (all services are contracted out), and the PGCSD's Board does not intend to make changes to its boundary. Future changes to the SOI boundaries are unlikely; LAFCO staff therefore recommends that the Commission reconfirm the existing Coterminous SOI for the Pasadena Glen Community Services District (see Proposed Pasadena Glen Community Services District Sphere of Influence, Exhibit 4, on Page 32).

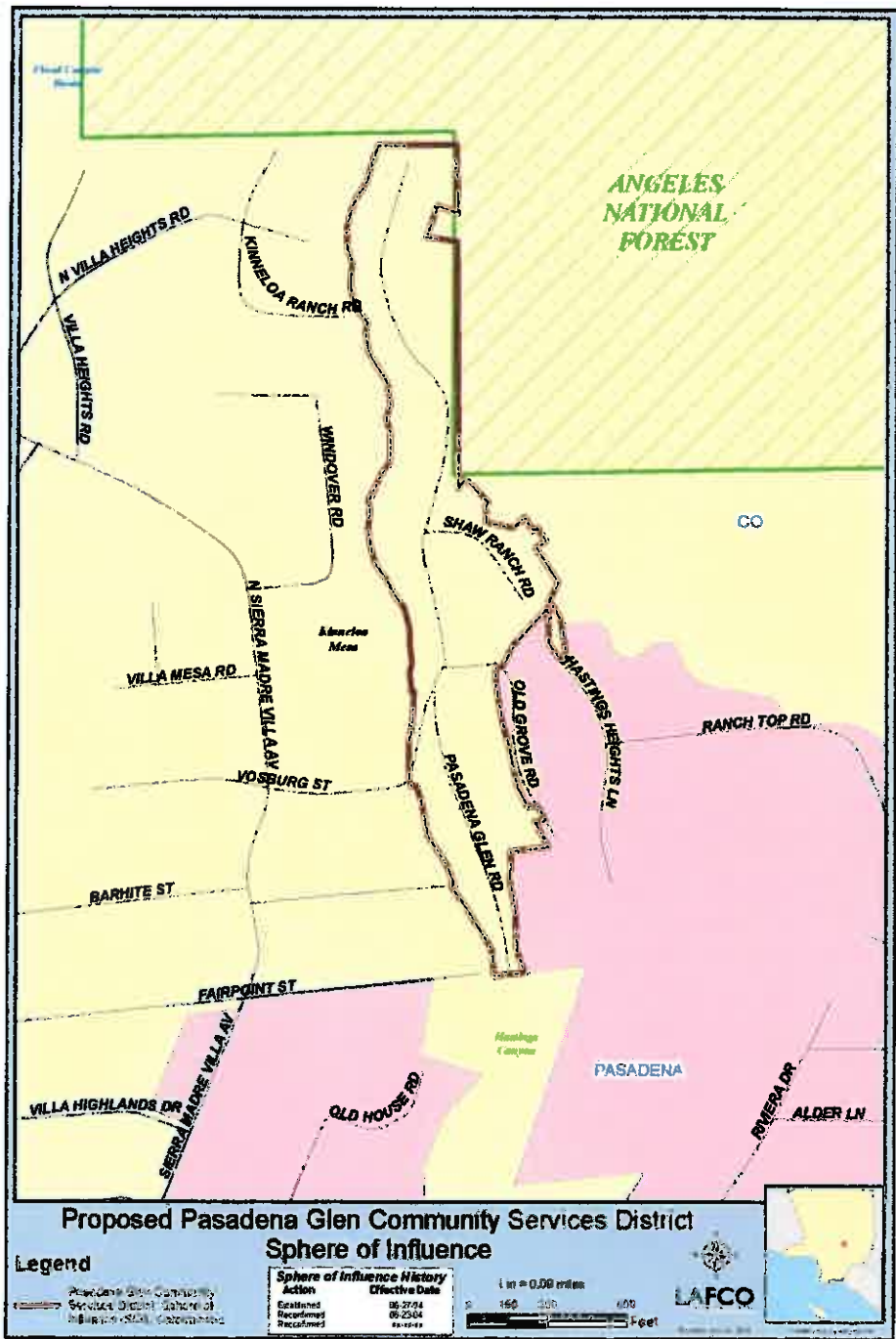
(Report continues on Page 32)

(THIS SPACE INTENTIONALLY LEFT BLANK)



Exhibit 4

Proposed Pasadena Glen Community Services District Sphere of Influence



**Chapter Five: Point Dume Community Services District**

**CHAPTER FIVE TO BE ADDED LATER**

**Community Services Districts  
Municipal Service Review**

**Footnotes**

Footnotes:

1. *Community Needs, Community Services: A Legislative History of SB 135 (Kehoe) and the "Community Services District Law"*, Senate Local Government Committee, March 2006, Page 1.
2. *About Special Districts Guide*, California Special Districts Association, Last Updated: January 1, 2016; Page 2.
3. *Community Needs, Community Services: A Legislative History of SB 135 (Kehoe) and the "Community Services District Law"*, Senate Local Government Committee, March 2006, Page 3.
4. 2010 United States Census Bureau data.
5. Local Agency Formation Commission for the County of Los Angeles, Agenda, March 8, 1995.
6. 2010 United States Census Bureau data.
7. E-mail from Richard Hale, City Council Member, City of Bradbury, to Alisha O'Brien; July 7, 2017.
8. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
9. Memorandum of Understanding Agreement, dated January 17, 2017, between the City of Monrovia and the City of Bradbury.
10. Telephone conversation with Kevin Kearney, City Manager, City of Bradbury; September 14, 2017.
11. E-mail from Richard Hale, City Council Member, City of Bradbury, to Alisha O'Brien; July 7, 2017.
12. Ibid.
13. Bradbury Estates Community Services District, Fiscal Year 2016-2017 Budget, CSD Income & Expenses, Page 2.

14. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
15. Bradbury Estates Community Services District, Fiscal Year 2016-2017 Budget, CSD Income & Expenses, Page 2.
16. Local Agency Formation Commission for the County of Los Angeles, Agenda, March 8, 1995.
17. Resolution No. 98-6-2 A Resolution of the Board of Directors of the Bradbury Estates Community Services District Tabulating Assessment Ballots, Finding that a Majority Protest was not Made, Confirming the Increased Assessment and Directing Recordation of a Notice of Assessment; and accompanied Second Amendment to Engineer's Report for the Bradbury Estates Community Services District Cities of Bradbury & Monrovia, State of California, June 1998.
18. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
19. Resolution No. 98-6-2 A Resolution of the Board of Directors of the Bradbury Estates Community Services District Tabulating Assessment Ballots, Finding that a Majority Protest was not Made, Confirming the Increased Assessment and Directing Recordation of a Notice of Assessment; and accompanied Second Amendment to Engineer's Report for the Bradbury Estates Community Services District Cities of Bradbury & Monrovia, State of California, June 1998.
20. Bradbury Estates Community Services District, Fiscal Year 2016-2017 Budget, CSD Income & Expenses, Page 2.
21. *Bradbury Estates Community Services District Ordinance No. 14-01 Attachment "A" Design Guidelines*, May 12, 2014, Page 4.
22. E-mail from Richard Hale, City Council Member, City of Bradbury; September 26, 2017.
23. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
24. City Hall, County, State and Fed Resources, City of Bradbury Website; August 17, 2017.
25. 2010 United States Census Bureau data.
26. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
27. Local Agency Formation Commission for the County of Los Angeles, Agenda, April 27, 1994.

28. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
29. 2010 United States Census Bureau data.
30. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
31. Letter from Michael Maurer (Associate, Best Best & Krieger) to Paul Novak (Executive Officer, LAFCO); of September 1, 2017.
32. Ibid.
33. Ibid.
34. Pasadena Glen Community Services District, Statements of the Last Five Years ended June 30, 2014, Statement of Activities, Page 7.
35. Pasadena Glen Community Services District, Statements of the Last Five Years ended June 30, 2014, Statement of Activities, Page 8.
36. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
37. Pasadena Glen Community Services District, Statements of the Last Five Years ended June 30, 2014, Statement of Activities, Page 7.
38. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
39. Letter from Michael Maurer (Associate, Best Best & Krieger) to Paul Novak (Executive Officer, LAFCO); of September 1, 2017.
40. Ibid.





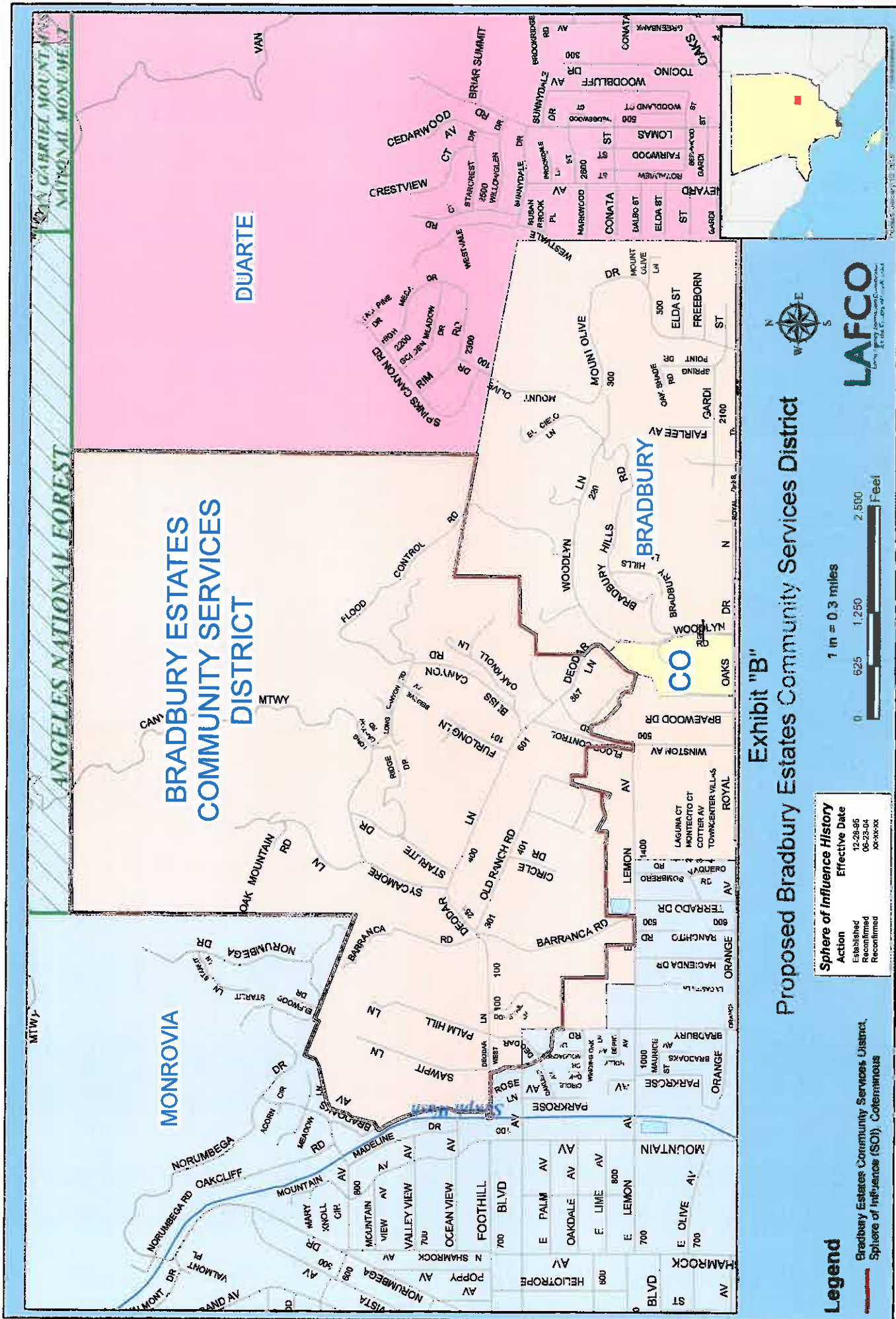
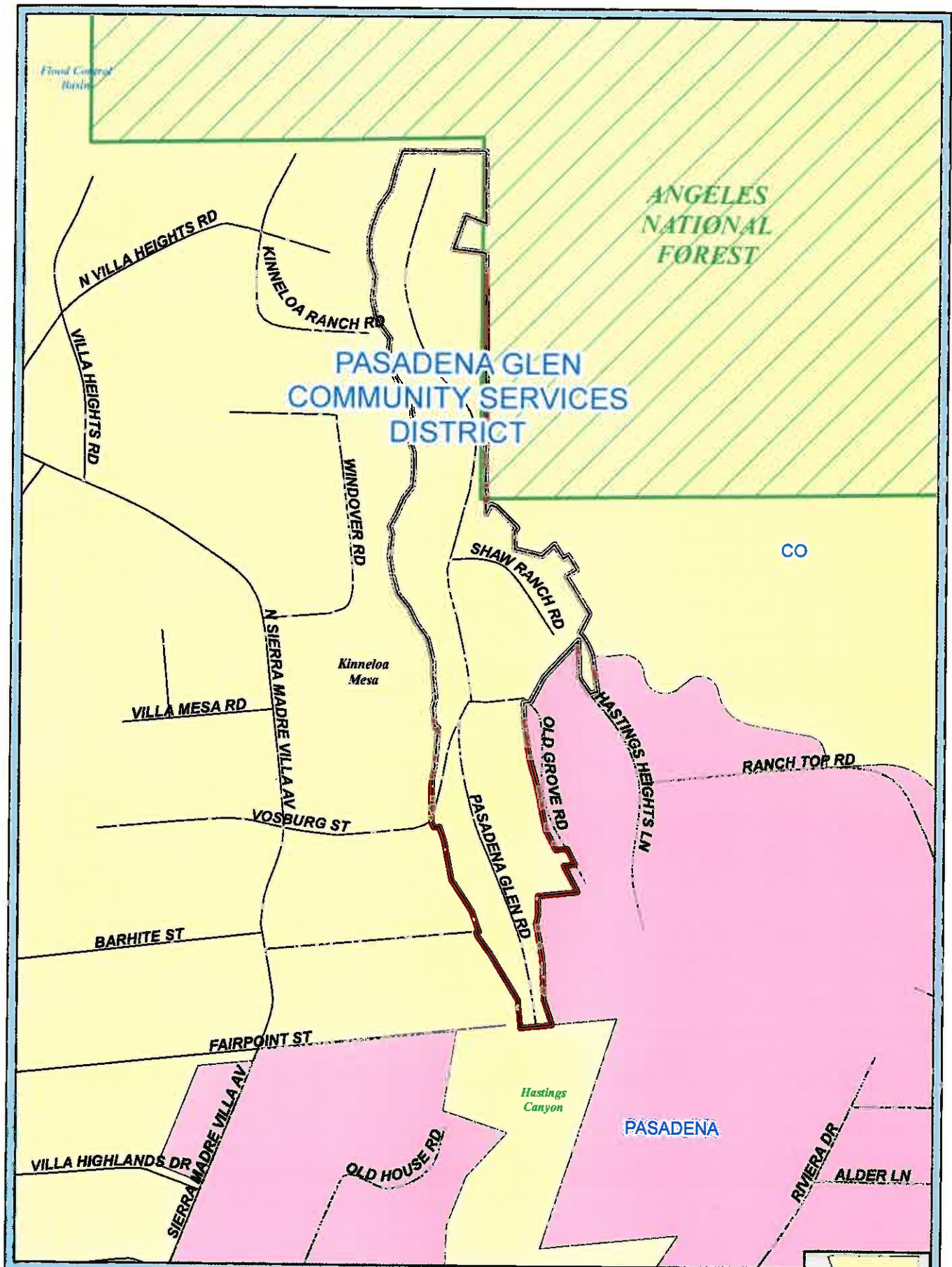


Exhibit "B"  
Proposed Bradbury Estates Community Services District



**Exhibit "C"**  
**Existing Pasadena Glen Community Services District**

**Legend**

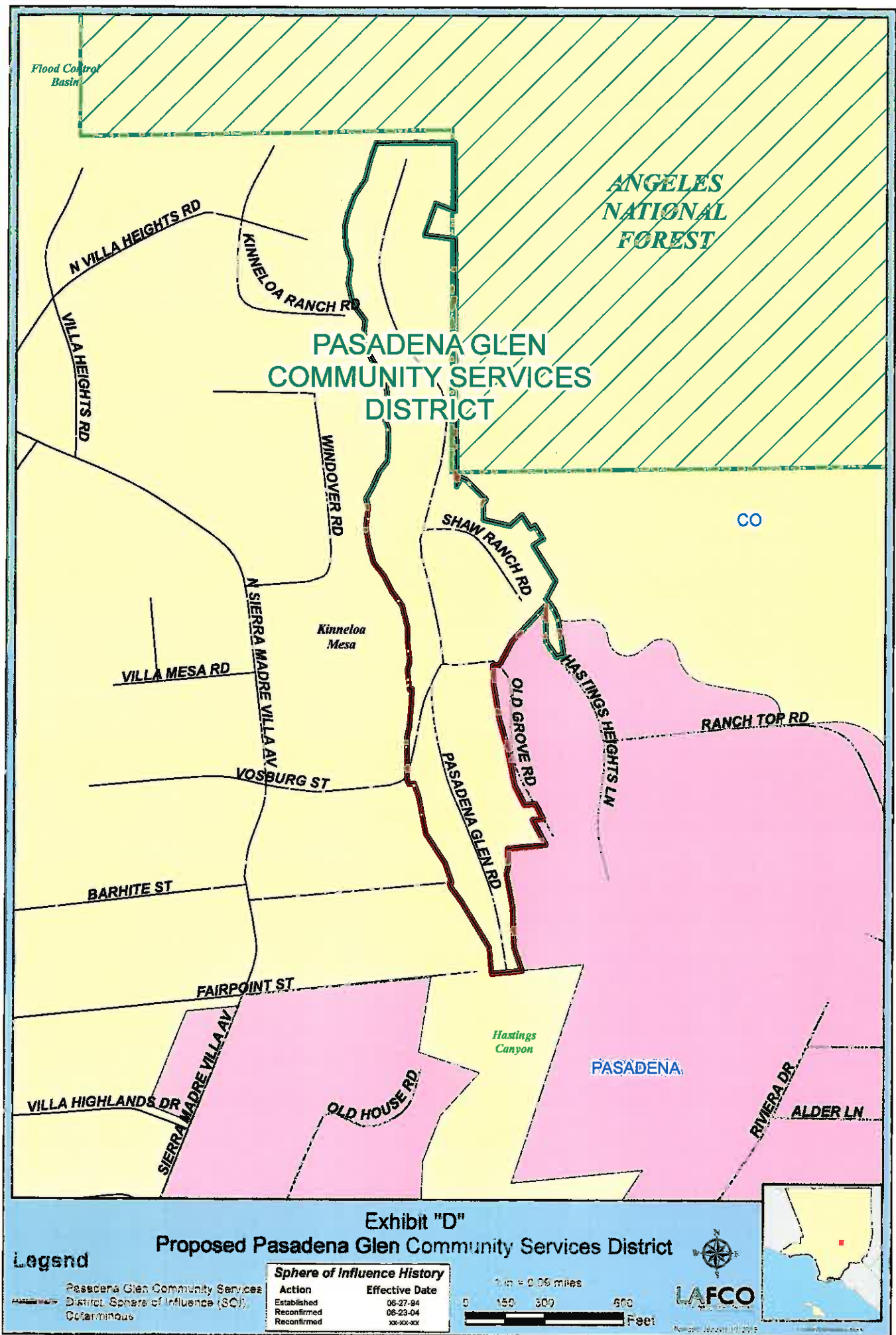
Pasadena Glen Community Services District, Sphere of Influence (SOI), Coterminalous

Sphere of Influence History	
Action	Effective Date
Established	06-27-64
Reconfirmed	08-23-04
Reconfirmed	XX-XX-XX



Revised: July 10, 2010





## **Staff Report**

**January 10, 2018**

### **Agenda Item No. 8.a.**

#### **Protest Hearing on Reorganization No. 2016-08 to the City of Bradbury, Detachment from the City of Monrovia, and Annexation to the City of Bradbury and the Consolidated Fire Protection District of Los Angeles County**

On November 15, 2017, your Commission approved a request for the reorganization of approximately 2.96± acres of uninhabited territory that included annexation to the City of Bradbury and Consolidated Fire Protection District of Los Angeles County and detachment from the City of Monrovia. The Protest Hearing before you today will satisfy the requirements of Government Code Section 57000, *et seq.*

The number of written protests received and not withdrawn is \_\_\_\_.

#### **PROPOSAL SUMMARY:**

Size of Affected Territory:	2.96± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	City of Bradbury
Resolution or Petition:	June 28, 2016
Application Filed with LAFCO:	October 25, 2016
Location:	The affected territory is located east of the intersection of Wild Rose Avenue and Deodar Lane.
City/County:	City of Monrovia
Affected Territory:	The affected territory consists of three existing single-family homes and a guard shack. The topography is flat.
Surrounding Territory:	Surrounding the territory is residential.
Landowner(s):	4 landowners.
Registered Voters:	2 registered voters as of June 28, 2016
Purpose/Background:	The City of Bradbury states that the reorganization is necessary because there are 4 assessor parcel numbers and

one split assessor parcel number that currently reside within the City of Monrovia that should be in the boundaries of the City of Bradbury. There are three single-family homes in which access to the property is through the City of Bradbury and two parcels owned by Bradbury Estates Association that contain a guard shack and gate for residents of the City of Bradbury.

**Jurisdictional and**

**Related Jurisdictional Changes:**

The jurisdictional and related jurisdictional changes as a result of this reorganization include; Detachment from the City of Monrovia and Annexation to the City of Bradbury, Consolidated Fire Protection District of Los Angeles County, and County Public Library System.

**Within SOI:**

Yes

**Waiver of Notice/Hearing/Protest:**

No

**CEQA Clearance:**

The proposal is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a) because it consists of annexations to a city of areas containing existing public or private structures developed to the density allowed by current zoning. The proposal is also categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15320 because it does not change the geographical area in which previously existing powers are executed. In addition, there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the proposal records. A Categorical Exemption was adopted by the City of Bradbury on August 16, 2016.

**Additional Information:**

None

**FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:**

***a. Population:***

The existing population is 2 residents as of June 28, 2016. The population density is 1.48 persons per acre.

The estimated future population is 2 residents (no anticipated change).

The affected territory is 2.96+/- acres. The affected territory consists of three existing single-family homes and a guard shack. There are no proposed/future land use changes due to this proposal.

The assessed valuation is \$3,094,000 as of 2015/2016 tax roll.

The per capita assessed valuation is \$1,547,000.

On September 5, 2017, 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.

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

The affected territory is likely to experience no growth in the next ten years. The adjacent areas are likely to experience no growth in the next ten years.

***b. Governmental Services and Controls:***

The affected territory includes three existing single-family homes and a guard shack which require organized governmental services.

The present cost and adequacy of government services and controls in the area are acceptable. The probable effect of the proposed action and of alternative courses of action on the cost and adequacy of services and controls in the affected territory and adjacent areas is minimal.

	Current Service Provider	Proposed Service Provider
Animal Control	County Animal Care and Control (under contract)	Same
Fire and Emergency Medical	City of Monrovia Fire Department	Consolidated Fire Protection District of Los Angeles County

Flood Control	County	Same
Library	City of Monrovia	County Library
Mosquito & Vector Control	San Gabriel Valley Mosquito and Vector Control District	Same
Park and Recreation	City of Monrovia	City of Bradbury
Planning	City of Monrovia	City of Bradbury
Police	City of Monrovia Police Department	Sheriff
Road Maintenance	City of Monrovia	City of Bradbury
Solid Waste	private hauler	private hauler
Street Lighting	City of Monrovia	City of Bradbury
Water	City of Monrovia	California American Water Co.
Wastewater	County Sanitation District No. 15 of Los Angeles County	Same

The County will continue to provide animal control and flood control services, the San Gabriel Valley Mosquito and Vector Control District will continue to provide mosquito and vector control services, and the County Sanitation District No. 15 of Los Angeles County will continue to provide wastewater services to the reorganization area.

Upon approval of the reorganization request, the City of Bradbury will provide park and recreation, planning, road maintenance, and street lighting, water services, as well as solid waste services directly or through contracts. The City will continue to provide adequate services and maintain current service levels. Enhanced service levels will be financed through city general fund revenues or developer fees.

Upon approval of the reorganization, the County will provide library services, the Consolidated Fire Protection District of Los Angeles County will provide fire and emergency medical services, and the Los Angeles County Sheriff Department will provide police services. The County and special districts will continue to provide adequate services and maintain current service levels.

**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 governmental structure of the City of Monrovia.

The only alternative action is for the current City of Bradbury and City of Monrovia boundaries to remain the same. This would allow the Bradbury Estates community to remain split between the Cities of Bradbury and Monrovia. The effect of alternate actions on mutual social and economic interests and on the local governmental structure of the Cities of Bradbury and Monrovia is minimal.

**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.

The proposal does not 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 of Monrovia General Plan designation of Residential Low 5.8 du/ac.

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

Pursuant to the requirements of Government Code Section 56375(a)(7), Pre-Zoning Ordinance No. 344 was adopted by the City of Bradbury City Council on August 16, 2016. The pre-zoning designation of Agriculture Residential Estate Zoning District A-5 is consistent with the City of Bradbury General Plan.

**i. *Sphere of Influence:***

A concurrent sphere of influence amendment is being processed with this application for the City of Bradbury, City of Monrovia, and Consolidated Fire Protection District of Los Angeles County.

**j. *Comments from Public Agencies:***

The City of Monrovia and the City of Bradbury have executed an agreement whereby the City of Monrovia is agreeable to the proposed reorganization. Staff did not receive additional comments from any other public agencies or any resolutions raising objections from any affected agency.

**k. *Ability to Provide Services:***

The City of Bradbury and Consolidated Fire Protection District of Los Angeles County currently provides municipal services to many parcels of land. The reorganization would add four more parcels and a portion of a fifth parcel to the service area. The city and special district indicated that they have the ability to provide service to the affected territory once the reorganization is complete.

**l. *Timely Availability of Water Supplies:***

There are no known issues regarding water supply or delivery.

**m. *Regional Housing:***

The proposed reorganization has no impact on the achievement of a fair share of regional housing needs of the City or County. The County and Cities have agreed to a Regional Housing Needs Assessment (RHNA) allocation transfer of 0 units from the County to the Cities.

**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 of Monrovia General Plan designation of Residential Low 5.8 du/ac.

The proposal is consistent with the existing City of Monrovia zoning designation of zoning designation of Residential Low 5.8 du/ac.

**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 proposal is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a) because it consists of annexations to a city of areas containing existing public or private structures developed to the density allowed by current zoning. The proposal is also categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15320 because it does not change the geographical area in which previously existing powers are executed. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records. A Categorical Exemption was adopted by the City of Bradbury on August 16, 2016.

**GOVERNMENT CODE 56430 (a):**

Municipal Services Reviews (MSR) for the City of Bradbury, City of Monrovia, and Consolidated Fire Protection District of Los Angeles County were completed during the Commission's initial round of service reviews. Since this reorganization is not expected to impact the overall comprehensive services of the agencies, MSRs are not being required for the current sphere of influence amendments. At this time, the existing MSRs are considered sufficient to fulfill the requirements of GCS 56430.

**CONCLUSION:**

Staff recommends approval of the proposal as a logical and reasonable extension of City of Bradbury which will be for the interest of landowners and/or present and/or future inhabitants within the City and within the reorganization territory.

**RECOMMENDED ACTION:**

1. Open the public hearing and receive testimony on the reorganization;
2. There being no further testimony, close the public hearing;
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of written protests filed and not withdrawn and report back to the Commission with the results; and
4. Based upon the results of the protest hearing, adopt a resolution either terminating the reorganization proceedings if a majority protest exists pursuant to Government Code Section 57078 or ordering Reorganization No. 2016-08 to the City of Bradbury if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.



**RESOLUTION NO. 2017-00PR  
RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR THE COUNTY OF LOS ANGELES  
MAKING DETERMINATIONS ORDERING  
"REORGANIZATION NO. 2016-08 TO THE CITY OF BRADBURY, DETACHMENT FROM THE CITY  
OF MONROVIA, AND ANNEXATION TO THE CITY OF BRADBURY AND THE CONSOLIDATED FIRE  
PROTECTION DISTRICT OF LOS ANGELES COUNTY"**

WHEREAS, the City of Bradbury (City) 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 City of Bradbury and the Consolidated Fire Protection District of Los Angeles County and detachment of said territory from the City of Monrovia, all currently within the City of Monrovia; and

WHEREAS, the proposed reorganization consists of approximately 2.96± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Reorganization No. 2016-08 to the City of Bradbury"; 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 access and ownership purposes; and

WHEREAS, on November 15, 2017, the Commission approved Reorganization No. 2016-08 to the City of Bradbury; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set the

protest hearing for January 10, 2018 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, the Executive Officer has given notice of the protest hearing pursuant to Government Code Sections 56150-56160, 56660-56661, 57025, and 57026, wherein the protest hearing notice was published in a newspaper of general circulation in the County of Los Angeles on December 7, 2017, which is at least 21 days prior to the protest 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, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections, and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceeding if a majority protest exists or ordering the reorganization directly; and the Commission has received a report and recommendations on adoption of a conforming resolution from its Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 4, and the total assessed value of land within the affected territory is \$3,094,000.
2. The Commission finds that the number of written protests filed in opposition to Reorganization No. 2016-08 to the City of Bradbury and not withdrawn is \_\_\_, which, even

if valid, represents owners of land who own less than 50 percent of the assessed value of land within the affected territory.

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 2.96± acres, is uninhabited, and is assigned the following short form designation: " Reorganization No. 2016-08 to the City of Bradbury"
5. Reorganization No. 2016-08 to the City of Bradbury is hereby approved, subject to the following terms and conditions:
  - a. The City agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
  - 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 reorganized shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City and/or District.
  - e. The regular County assessment roll shall be utilized by the City and/or District.

- f. The affected territory will be taxed for any existing general indebtedness, if any, of the City and/or District.
- g. Annexation of the affected territory described in Exhibits "A" and "B" to the City of Bradbury, Consolidated Fire Protection District of Los Angeles County, and County Library System.
- h. Detachment of the affected territory from the City of Monrovia.
- i. Upon the effective date of the reorganization, all right, title, and interest of the City of Monrovia, including but not limited to, the underlying fee title or easement where owned by the City of Monrovia, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City of Bradbury.
- j. Upon the effective date of the reorganization, the City of Bradbury shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the City of Monrovia: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the reorganization area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent

property.

- k. Upon the effective date of the reorganization, the City of Bradbury shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the reorganization area and are currently owned, operated and maintained by the County ; (2) accept and adopt the County of Los Angeles Master Plan of Drainage (MPD), if any, which is in effect for the reorganization area. Los Angeles County Department of Public Works Department (LACDPW) should be contacted to provide any MPD which may be in effect for the reorganization area. Deviations from the MPD shall be submitted to the Chief Engineer of LACFCD/Director of LACDPW for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to LACFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the reorganization area; (4) coordinate development within the reorganization area that is adjacent to any existing flood control facilities for which LACFCD has a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACDPW, for review and comment.

- I. Except to the extent in conflict with "a" through "k", 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.
6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the City of Bradbury and Consolidated Fire Protection District of Los Angeles County and detached from the City of Monrovia.
7. The Executive Officer is directed to transmit a copy of this resolution to the City, upon the City's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

PASSED AND ADOPTED this 10<sup>th</sup> day of January 2018.

MOTION:

SECOND:

AYES:

NOES:

ABSTAIN:

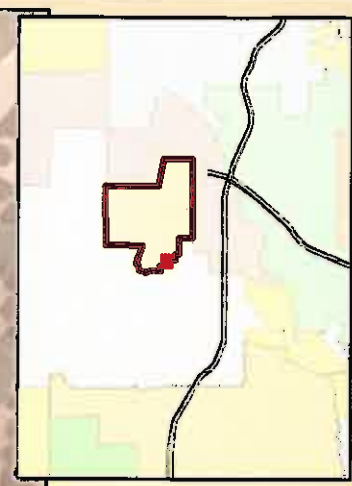
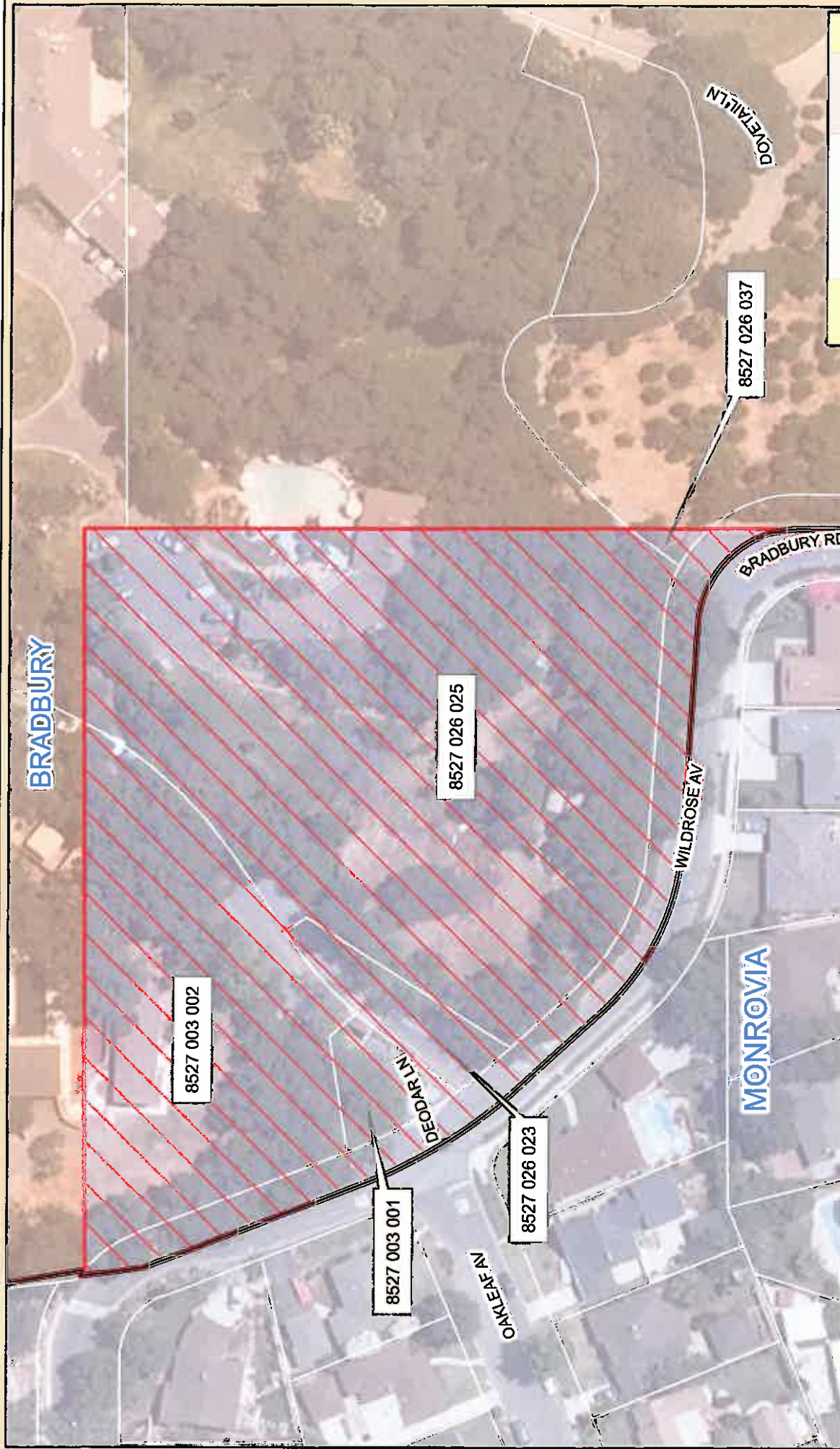
ABSENT:

MOTION PASSES: 0/0/0

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

---

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



# Reorganization No. 2016-08 to the City of Bradbury

- Legend**
- Reorg 2016-08 Bradbury
  - City of Bradbury
  - City of Monrovia
  - Bradbury Sphere of Influence (SOI)



**LAFCO**  
Local Agency Finance Commission  
for the County of Los Angeles



January 10, 2018

**Staff Report**

**January 10, 2018**

**Agenda Item No. 9.a.**

**Proposed Reimbursement Agreement by and between the Castaic Lake Water Agency (“CLWA”), the Newhall County Water District (“NCWD”), and LAFCO**

Staff is recommending that the Commission approve a Reimbursement Agreement by and between the Castaic Lake Water Agency (“CLWA”), the Newhall County Water District (“NCWD”), and LAFCO. The Agreement would compensate LAFCO for time expended by staff and legal counsel, as well as reimbursable expenses, associated with the processing of an application for conditions.

SB 634 (Wilk) is a bill to consolidate the Castaic Lake Water Agency (“CLWA”), the Newhall County Water District (“NCWD”) into a new entity, the Santa Clarita Valley Water Agency (“SCV Water”). Governor Brown signed the bill on September 15, 2017; it took effect on January 1, 2018, on which date the SCVWA came into being.

Two provisions of SB 634 are particularly important to LAFCO:

- Section 29(a) reads: “On or before January 31, 2018, the agency shall submit an application for conditions addressing the creation of the agency to the Local Agency Formation Commission for the County of Los Angeles.”
- Section 29(i) reads: “The agency shall reimburse the Local Agency Formation Commission for the County of Los Angeles for all costs associated with the submittal, review, consideration, preparation, and determination associated with the application for conditions.”

Staff of CLWA and NCWD, and their respective attorneys, as well as LAFCO staff and counsel, have negotiated a proposed reimbursement agreement (enclosed). The agreement identifies the scope of LAFCO’s work, reimbursement of labor and expenses, indemnification, and related matters; Section 7 of the agreement binds the agreement upon successors, specifically identifying “SCV Water upon its creation.”

The CLWA Board of Directors approved the proposed Reimbursement Agreement at its meeting of December 13, 2017. The NCWD Board of Directors approved the proposed Reimbursement Agreement at its meeting of December 14, 2017.

In staff’s opinion, the agreement implements the relevant provisions of Section 29 of SB 634, thereby

(continued)



insuring that LAFCO's costs for processing the application for conditions are fully recovered from the applicant.

**Staff Recommendation:**

Staff recommends that the Commission:

1. Adopt the Proposed Reimbursement Agreement by and between the Castaic Lake Water Agency ("CLWA"), the Newhall County Water District ("NCWD"), and LAFCO; and
2. Direct the Executive Officer to sign the Proposed Reimbursement Agreement.

## REIMBURSEMENT AGREEMENT

This Reimbursement Agreement ("Agreement") is made on \_\_\_\_\_, 2017 ("Effective Date"), by and between the Castaic Lake Water Agency ("CLWA"), Newhall County Water District ("NCWD"), and the Local Agency Formation Commission for the County of Los Angeles ("LAFCO"). CLWA, NCWD, and LAFCO are sometimes individually referred to as "Party" and collectively referred to as "Parties" herein.

### RECITALS

A. SB 634 (the "Act"), signed by the Governor (Chapter 833) on October 15, 2017 and effective on January 1, 2018, reorganizes CLWA and NCWD into a new special district called the Santa Clarita Valley Water Agency ("SCV Water"). It is the intent of the Parties that this Agreement will be binding upon SCV Water as the successor to CLWA and NCWD. For purposes of this Agreement, CLWA and NCWD may collectively be referred to as SCV Water. A copy of the Act is attached as Exhibit A.

B. Pursuant to Section 29 of the Act, SCV Water is required to submit an application for conditions to LAFCO by January 31, 2018. Within 60 days LAFCO is required to hold a public hearing on the application and within 90 days it must produce a written report that may include conditions SCV Water must comply with.

C. LAFCO must also certify the functions and classes of service that were being exercised by CLWA and NCWD as of December 31, 2017.

E. Section 29(i) of the Act specifically requires SCV Water to reimburse LAFCO for all costs associated with the submittal, review, consideration, preparation, and determination associated with the application for conditions and the preparation of the written report.

F. This Agreement is intended to comply with this requirement and provide for the reimbursement of LAFCO's costs associated with the LAFCO process as it relates to SCV Water described above.

G. This Agreement is also intended to provide for the indemnification of LAFCO by the Parties in the event that an action is brought against LAFCO as a result of LAFCO's written report and imposition of conditions as required by the Act.

### AGREEMENT

1. Incorporation of Recitals. The Parties agree that the Recitals constitute the factual basis upon which the Parties have entered into this Agreement. The Parties each acknowledge the accuracy of the Recitals and agree that the Recitals are incorporated into this Agreement as though fully set forth at length.

2. Reimbursement of Costs. SCV Water agrees to reimburse LAFCO for all costs associated with the submittal, review, consideration, preparation, and determination associated with SCV Water's application for conditions and LAFCO's preparation of the written report required by the Act. The reimbursable costs covered by this Agreement, including the rates attributable to LAFCO employee, legal counsel, and consultant time, shall be determined as described in Exhibit B

3. Timing of Reimbursement Payments. Within sixty (60) days of the issuance of a final written report as required by the Act, LAFCO shall send an invoice to SCV Water with the details of the costs that are subject to reimbursement by SCV Water consistent with the Act and this Agreement. SCV Water may request additional detail regarding any costs for which LAFCO seeks reimbursement. LAFCO may send invoices to SCV Water on or around the first of each month, starting on January 1, 2018, and each month thereafter until all payments required by Section 2 have been made. Except as provided below, SCV Water is responsible for paying LAFCO invoices within thirty days (30) of receipt. If there is a dispute with regards to whether certain costs are reimbursable or not, the Parties will meet and confer to attempt to reach resolution and any obligation to pay is stayed until after such meet and confer concludes.

4. Indemnification / Legal Defense. SCV Water hereby represents and agrees to defend, indemnify, and hold harmless LAFCO and its agents, officers, commissioners, and employees from any claim, action, or proceeding against LAFCO or its agents, officers, commissioners, and employees, relating to or arising out of LAFCO's evaluation of SCV Water's application for conditions and final written report, including, but not limited to, any action to attack, set aside, void, annul, enjoin, or compel LAFCO's disapproval, evaluation, or processing of the application for conditions, which indemnification obligation includes, but is not limited to, SCV Water being required to pay for any costs and reasonable attorneys' fees incurred or anticipated to be incurred by LAFCO in connection with any such action. This indemnification obligation shall not include intentional or willful misconduct on the part of LAFCO, but shall include passive and/or concurrent active negligence by LAFCO. SCV Water agrees that LAFCO has the right to appoint its own counsel for its defense and conduct its own defense in the manner it deems in its best interest, and that such actions will not relieve or limit SCV Water's obligations to indemnify and reimburse defense costs. At the discretion of the Executive Officer, a deposit or deposits of funds by the Applicant may be required in an amount or amounts sufficient to cover any anticipated or incurred litigation costs.

5. Nonwaiver of Rights or Remedies. The failure of a Party to exercise any one or more of its rights or remedies under this Agreement shall not constitute a waiver of that Party's right to enforce that right or seek that remedy in the future. No course of conduct or act of forbearance on any one or more occasions by any Party to this Agreement shall preclude that Party from asserting any right or remedy available to it in the future. No course of conduct or act of forbearance on any one or more occasions shall be deemed to be an implied modification of the terms of this Agreement.

6. Entire Agreement. This Agreement constitutes the sole agreement of the Parties with respect to its subject matter. It supersedes any prior written or oral agreements or

communications between the Parties. It may not be modified except in writing signed by authorized representatives of the Parties.

7. Binding Upon Successors. This Agreement and each of its terms shall be binding upon the Parties and their respective officers, elected officials, employees, agents, contractors, and successors in interest, including SCV Water upon its creation.

8. Application of Law. The Parties agree that California law applies to this Agreement and any action brought related to this agreement will be brought in the County of Los Angeles.

9. Severability. If any term or provision of this Agreement is found to be invalid or unenforceable, the Parties agree that they would have executed this Agreement notwithstanding the invalidity of such term or provision. The invalid term or provision may be severed from the Agreement and the remainder of the Agreement may be enforced in its entirety.

10. Headings. The headings of each Section of this Agreement are for the purposes of convenience only and shall not be construed to either expand or limit the express terms and language of each Section.

11. Representations of Authority. Each person signing this Agreement on behalf of a Party which is not a natural person hereby represents and warrants to the other Party that all necessary legal prerequisites to that Party's execution of this Agreement have been satisfied and that he or she has been authorized to sign this Agreement and bind the Party on whose behalf he or she signs.

12. Notices. Notices required under this Agreement shall be in writing and shall be sent to the following, as applicable:

If to LAFCO:	Local Agency Formation Commission for Los Angeles County 80 S. Lake Avenue, Suite 870 Pasadena, CA 91101 Attn: Executive Officer
--------------	---

If to SCV Water, prior to January 1, 2018:	Castaic Lake Water Agency 27234 Bouquet Canyon Road Santa Clarita, CA 91350 Attn: General Manager
--	--

and

Newhall County Water District  
23780 Pine Street  
Newhall, CA 91321

Attn: General Manager

And after January 1, 2018: SCV Water  
27234 Bouquet Canyon Road  
Santa Clarita, CA 91350  
Attn: General Manager

The addresses for notices set forth in this Section may be changed upon written notice of such change to the other Parties.

13. Counterparts. This Agreement may be signed in counterparts, each of which is considered an original, but all of which constitutes one and the same instrument.

14. Third Party Beneficiaries. This Agreement does not create any rights enforceable by any person not a party to the Agreement.

15. Litigation. In the event of litigation between the Parties regarding this Agreement, each party shall bear its own attorneys' fees.

#### **LOCAL AGENCY FORMATION COMMISSION FOR LOS ANGELES COUNTY**

By: \_\_\_\_\_  
Paul Novak, Executive Officer

Date: \_\_\_\_\_

APPROVED AS TO FORM:

Mary C. Wickman, County Counsel

By: \_\_\_\_\_  
Erik Conard, LAFCO Counsel

#### **CASTAIC LAKE WATER AGENCY**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**Matt Stone, General Manager**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Joseph Byrne, General Counsel

**NEWHALL COUNTY WATER DISTRICT**

By: \_\_\_\_\_  
Steve Cole, General Manager

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Tom Bunn, General Counsel

**Senate Bill No. 634**

**CHAPTER 833**

An act to repeal Section 57114.5 of the Government Code, to amend Sections 21530 and 21531 of the Public Contract Code, to repeal the Castaic Lake Water Agency Law (Chapter 28 of the First Extraordinary Session of the Statutes of 1962), and to create the Santa Clarita Valley Water Agency, and prescribing its boundaries, organization, operation, management, financing, and other powers and duties, relating to water districts.

[Approved by Governor October 15, 2017. Filed with  
Secretary of State October 15, 2017.]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 634, Wilk. Santa Clarita Valley Water Agency.

Existing law, the Castaic Lake Water Agency Law, created the Castaic Lake Water Agency and authorizes the agency to acquire water and water rights, including water from the State Water Project, and to provide, sell, and deliver water at wholesale for municipal, industrial, domestic, and other purposes.

This bill would repeal the Castaic Lake Water Agency Law.

Existing law, the County Water District Law, authorizes the formation of county water districts and authorizes those districts to appropriate, acquire, and conserve water and water rights for any useful purpose and to operate water rights, works, properties, rights, and privileges useful or necessary to convey, supply, store, or make use of water for any purpose authorized by that law.

This bill would reorganize the Newhall County Water District and the Castaic Lake Water Agency into the Santa Clarita Valley Water Agency, which this bill would create, and prohibit the Castaic Lake Water Agency and the Newhall County Water District from operating as separate entities or exercising independent functions. The bill would generally specify the powers and purposes, as well as the boundaries, of the Santa Clarita Valley Water Agency and would provide that the purpose of the agency is to provide, sell, manage, and deliver surface water, groundwater, and recycled water at retail or wholesale within the agency's territory. The bill would prescribe the composition of the board of directors of the agency.

Existing law authorizes the Castaic Lake Water Agency to prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures, or equipment, or the performance or furnishing of labor, materials, or supplies, for carrying out specified provisions. Existing law requires all contracts for any improvement or unit of work when the cost estimate exceeds \$5,000 to be let to the lowest responsible bidder or bidders. Existing law authorizes the agency to have

work done by force account without advertising for bids and to purchase in the open market materials and supplies when the estimated cost of the work or the cost of the materials and supplies does not exceed \$5,000.

This bill would instead make these provisions applicable to the Santa Clarita Valley Water Agency and would increase these cost and cost estimate limits to \$30,000.

Existing law requires, for any proposal involving the dissolution of the Newhall County Water District, that the local agency formation commission forward the change of organization or reorganization for confirmation by the voters if the commission finds that a petition requesting that the proposal be submitted for confirmation by the voters has been signed, as prescribed.

This bill would repeal that provision.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (act), provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts.

This bill would require the agency to submit an application for conditions addressing the creation of the agency to the Local Agency Formation Commission for the County of Los Angeles, as specified, and require the commission to prepare a written report, which may contain specific conditions to which the agency would be subject and which the commission deems appropriate under the act. The bill would require the agency to reimburse the Local Agency Formation Commission for the County of Los Angeles for all costs associated with the submittal, review, consideration, preparation, and determination associated with the application for conditions and the preparation of the written report.

By imposing duties on the agency and a county in connection with the operation of the agency, the 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 no reimbursement is required by this act for specified reasons.

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

SECTION 1. The Legislature finds and declares as follows:

(a) Residents and businesses of the Santa Clarita Valley are served by several separate retail water providers. It is an inherently fragmented structure with noncontiguous service areas that has resulted in redundancies, interagency conflict, and barriers to integrated regional water management. Despite these challenges, the region's water providers continue to provide reliable and cost-effective water service.

(b) Castaic Lake Water Agency was created pursuant to the Castaic Lake Water District Law (Chapter 28 of the First Extraordinary Session of the



Statutes of 1962). The agency is a State Water Project contractor and provides wholesale water service to the Santa Clarita Valley region, which has a population of over 270,000.

(c) The agency provides retail water service to a portion of the valley through its Santa Clarita Water Division, which has approximately 30,700 service connections.

(d) Newhall County Water District is a county water district formed pursuant to the County Water District Law (Division 12 (commencing with Section 30000) of the Water Code). The district provides retail water service in the valley to approximately 9,750 service connections.

(e) Castaic Lake Water Agency is the owner of all of the outstanding stock of Valencia Water Company, which is a private company that provides retail water service in the valley to approximately 31,350 service connections.

(f) Representatives from the agency and the district began meeting in 2015 for the purpose of settling litigation between the entities arising from the agency's purchase of the company's stock. As the settlement discussions progressed, both sides began to see merit in and discuss the possibility of combining the two entities into a new public agency.

(g) Beginning in February 2016, the agency and the district began conducting an extensive evaluation and public process to determine whether creating a new combined public entity is in the best interest of the residents of the Santa Clarita Valley. This effort included a series of joint meetings and public workshops to gather information and public input.

(h) The agency and the district also launched an Internet Web site dedicated to the subject to inform the public and seek input, conducted two public opinion surveys, commissioned an independent third party to conduct a financial evaluation of a proposed new entity, prepared a comprehensive joint new public water district formation study, and presented to many groups and at events across the valley throughout 2016.

(i) The independent financial evaluation determined that both the agency and the district are in sound financial condition and that the formation of a new combined district would achieve operational cost efficiencies and economies of scale in project costs and pave the way for savings. The public opinion surveys also showed support for creating a new combined public entity, and the joint study determined that in addition to foundational efficiencies and cost savings, a new combined district would be much better positioned to provide improved regional water resource management.

(j) On December 13, 2016, the agency and the district held a joint public board meeting and voted to enter into an agreement to settle litigation between the two agencies. The settlement agreement includes a commitment to seek state legislation to combine the agency and the district into a new public entity.

(k) The agency and the district concluded in the settlement agreement that they conducted an open and transparent process and that ratepayer value and multistakeholder benefits have been the central priority. Based on this process, the agency and the district anticipate there will be multiple benefits

to the ratepayers resulting from combining the two entities into one new water entity, including, but not limited to, economies of scale such that the new water entity's expenses will be less than the total expenses of the individual entities.

(l) The two agencies further concluded that, given the importance of watershed-based water resource management and local regional planning, a single entity would build on and lead to greater success in water conservation, groundwater management, including conjunctive management of groundwater and surface water supplies, formation and participation in a groundwater sustainability agency, and future recycled water expansion across the Santa Clarita Valley.

(m) A single entity would also facilitate greater cooperation between the new water entity, the Santa Clarita Valley Sanitation District, and the Los Angeles County Waterworks Districts to better manage all water resources, including stormwater, and promote stewardship of natural resources in the Santa Clarita Valley.

(n) It is the intent of the Legislature that, following the enactment of this act, Valencia Water Company will be dissolved and integrated into the entity.

SEC. 1.5. Section 57114.5 of the Government Code is repealed.

SEC. 2. Section 21530 of the Public Contract Code is amended to read:

21530. The provisions of this article shall apply to contracts by the Santa Clarita Valley Water Agency.

SEC. 3. Section 21531 of the Public Contract Code is amended to read:

21531. (a) The Santa Clarita Valley Water Agency shall have power to prescribe methods for the construction of works and for the letting of contracts for the construction of works, structures, or equipment, or the performance or furnishing of labor, materials, or supplies, necessary or convenient for carrying out any of the purposes of this act or for the acquisition or disposal of any real or personal property; provided, that all contracts for any improvement or unit of work, when the cost according to the estimate of the engineer will exceed thirty thousand dollars (\$30,000), shall be let to the lowest responsible bidder or bidders as provided in this article. The board shall first determine whether the contract shall be let as a single unit or divided into severable parts. The board shall advertise for bids by three insertions in a daily newspaper of general circulation published in the agency or by two insertions in a nondaily newspaper of general circulation published in the agency or, if no newspaper is published in the agency, in any newspaper of general circulation distributed in the agency, inviting sealed proposals for the construction or performance of the improvement or work. The call for bids shall state whether the work shall be performed in one unit or divided into parts. The work may be let under a single contract or several contracts, as stated in the call. The board shall require the successful bidders to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material.

The bonds shall comply with Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code. The board may reject any bid.

(b) In the event all proposals are rejected or no proposals are received, or the estimated cost of the work does not exceed thirty thousand dollars (\$30,000), or the work consists of channel protection, maintenance work, or emergency work, the board may have the work done by force account without advertising for bids. In case of an emergency, if notice for bids to let contracts will not be given, the board shall comply with Chapter 2.5 (commencing with Section 22050).

(c) The agency may purchase in the open market without advertising for bids, materials and supplies for use in any work, either under contract or by force account; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in subdivision (b), may not be purchased if the cost exceeds thirty thousand dollars (\$30,000), without advertising for bids and awarding the contract to the lowest responsible bidder.

SEC. 4. The Castaic Lake Water Agency Law (Chapter 28 of the First Extraordinary Session of the Statutes of 1962, as amended by Chapter 1715 of the Statutes of 1963, Chapter 443 of the Statutes of 1970, Chapter 561 of the Statutes of 1971, Chapter 1252 of the Statutes of 1975, Chapter 1128 of the Statutes of 1984, Chapter 832 of the Statutes of 1986, Chapter 1119 of the Statutes of 1987, Chapter 1181 of the Statutes of 1988, Chapter 910 of the Statutes of 1989, Chapter 562 of the Statutes of 1991, Chapter 841 of the Statutes of 1997, Chapter 170 of the Statutes of 1998, Chapter 929 of the Statutes of 2001, Chapter 27 of the Statutes of 2007, and Chapter 328 of the Statutes of 2010), is repealed.

SEC. 5. This section shall be known and may be cited as the Santa Clarita Valley Water Agency Act and reads as follows:

#### SANTA CLARITA VALLEY WATER AGENCY ACT

Section 1. This act shall be known and may be cited as the Santa Clarita Valley Water Agency Act.

Sec. 2. The Santa Clarita Valley Water Agency is hereby created, organized, and incorporated. The agency shall be managed as expressly provided in this act and the agency may exercise the powers in this act that are expressly granted or necessarily implied. The agency may include contiguous or noncontiguous parcels of both unincorporated and incorporated territory and territory included in any public district having similar powers. As used in this act and unless otherwise indicated by its context, "agency" means the Santa Clarita Valley Water Agency.

Sec. 2.5. The purpose of the agency is to unify and modernize water resource management within the Santa Clarita Valley through the efficient, sustainable, and affordable provision, sale, management, and delivery of surface water, groundwater, and recycled water for municipal, industrial, domestic, and other purposes at retail and wholesale within the territory of

the agency and to do so in a manner that promotes the sustainable stewardship of natural resources in the Santa Clarita Valley.

Sec. 3. For purposes of this act, the initial boundaries of the agency shall be the boundaries of the Castaic Lake Water Agency, as those boundaries existed on December 31, 2017, and as confirmed by the Local Area Formation Commission for the County of Los Angeles in its final written report pursuant to Section 30.

Sec. 4. (a) The Castaic Lake Water Agency created pursuant to the Castaic Lake Water District Law (Chapter 28 of the First Extraordinary Session of the Statutes of 1962) and the Newhall County Water District created pursuant to the County Water District Law (Division 12 (commencing with Section 30000) of the Water Code), shall be reorganized into the Santa Clarita Valley Water Agency and shall no longer operate as separate entities or exercise independent functions.

(b) The agency shall be the successor to the Castaic Lake Water Agency and the Newhall County Water District for the purpose of succeeding to all of the rights, duties, obligations, contracts, responsibilities, assets, entitlements, and liabilities of the Castaic Lake Water Agency and the Newhall County Water District, including, but not limited to, the performance or payment of any outstanding bonds described in Section 53350 of the Government Code.

(c) All property, whether real or personal, and including all moneys such as cash on hand and moneys due uncollected, and assets and liabilities of the Castaic Lake Water Agency and the Newhall County Water District shall be transferred to and vested in the agency.

(d) All employees of the Castaic Lake Water Agency and the Newhall County Water District shall become employees of the agency.

(e) If the agency establishes a contract with the Public Employees' Retirement System, the agency shall be the successor to the Castaic Lake Water Agency and the Newhall County Water District for the purpose of providing continuation of membership in the Public Employees' Retirement System for agency employees, and shall succeed to the former agencies' assets and liabilities for Public Employees' Retirement System benefits, consistent with Section 20508 of the Government Code.

(f) The agency may continue to levy, impose, or fix and collect any previously authorized charge, fee, assessment, or tax approved, imposed, and levied by the Castaic Lake Water Agency or the Newhall County Water District, or both, including, but not limited to, any rates, fees, and charges for the provision of water. Any charge, fee, assessment, or tax authorized and in effect for the Castaic Lake Water Agency or the Newhall County Water District shall remain in effect until otherwise modified, increased, or terminated by the board of directors of the agency.

(g) The agency shall be the successor in interest to the Castaic Lake Water Agency's water supply contract with the Department of Water Resources dated August 3, 1962, as thereafter amended, for a water supply from the State Water Resources Development System, including all of the rights, responsibilities, and obligations contained in the contract, and the

agency shall succeed to the legal authority held by the Castaic Lake Water Agency for the performance and enforcement of that contract.

(h) The indebtedness of the Newhall County Water District and the Santa Clarita Water Division, a retail division of the Castaic Lake Water Agency, that exists as of December 31, 2017, including acquisition costs, tax obligations, and debt financing of capital improvement projects, shall be borne by retail divisions of the agency that correspond with the Newhall County Water District and Santa Clarita Water Division areas, respectively, and paid for from the revenues of the corresponding retail divisions. Any indebtedness incurred by the agency shall not be limited by this subdivision.

(i) The agency shall continue to supply water at wholesale to Los Angeles County Waterworks District No. 36, Val Verde, but shall not serve water at retail within the boundaries of that waterworks district without that waterworks district's consent or annexation or consolidation into the agency. Los Angeles County Waterworks District No. 36, Val Verde, upon mutual agreement between it and the agency, may be annexed or consolidated into the agency following appropriate procedures under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code). Any proposed future change of organization or reorganization involving the agency and the Los Angeles County Waterworks District No. 36, Val Verde, or any other public agency under the Local Agency Formation Commission for the County of Los Angeles on or after January 1, 2018, shall be subject to the filing with the Local Agency Formation Commission for the County of Los Angeles and shall be subject to review, consideration, and determination by the Local Agency Formation Commission for the County of Los Angeles consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code).

(j) The agency shall continue to supply water at wholesale to Valencia Water Company. No later than January 31, 2018, the agency, as the successor in interest to Castaic Lake Water Agency, shall take the appropriate steps together with the board of directors of Valencia Water Company to authorize the dissolution of Valencia Water Company and the transfer of the company's assets, property, liabilities, and indebtedness to the agency, consistent with the requirements of subdivision (k) and any other obligations of the parties. The dissolution and transfer shall be finalized no later than May 1, 2018, but the board of the agency may postpone this deadline until no later than July 1, 2018, if, by resolution, the board of the agency finds that specific circumstances require additional time. A transfer pursuant to this subdivision is not subject to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code).

(k) If Valencia Water Company or any other retail water supplier is integrated into the agency, the indebtedness of the retail water supplier that exists immediately before the integration shall be borne by the customers

in the area that corresponds with the boundaries of the retail water supplier and paid for from the revenues of that area.

(l) The agency may treat the retail divisions as a single unit for purposes of operations and expenses to the extent that it is economically beneficial for the operations of the agency as a whole, but as long as any preexisting indebtedness of a retail division remains outstanding, that indebtedness shall continue to be allocated to that retail division and paid from that retail division's rates and charges. When all such preexisting indebtedness has been retired, the agency shall dispense with the retail divisions for all purposes as soon as feasible.

Sec. 5. The agency is divided into three electoral divisions as follows:

(a) The first electoral division shall include the real property described as follows:

Beginning at the intersection of Newhall Ranch Road and Interstate 5; thence proceeding easterly along Newhall Ranch Road to Golden Valley Road; thence proceeding northerly along Golden Valley Road to Ermine Street; thence proceeding easterly along Ermine Street and Ermine Place and the extension of Ermine Place to Whites Canyon Road; thence proceeding along Whites Canyon Road to Nadal Street; thence proceeding easterly along Nadal Street to Bermina Avenue; thence proceeding southerly along Bermina Avenue to Delight Street; thence proceeding westerly along Delight Street to Bakerton Avenue; thence proceeding southerly along Bakerton Avenue to the Bakerton Avenue right-of-way just south of the power lines approximately 135 feet south of Kimbrough Street; thence proceeding westerly and southerly along the right-of-way behind the parcels on the east side of Crossglade Avenue until Allenwick Avenue; thence proceeding southerly along Allenwick Avenue to Vicci Street; thence proceeding westerly along Vicci Street to Crossglade Avenue; thence proceeding southerly along Crossglade Avenue to its dead end and continuing due south into the parking lot until its conclusion; thence proceeding westerly and southerly and easterly along the northern, western, and southern borders of Census Block 060379200351017, going around the two apartment buildings; thence proceeding easterly along the riverbed to Highway 14; thence proceeding northeasterly along Highway 14 to the agency's eastern border; thence proceeding clockwise along the agency's border to the intersection of Highway 14 and the agency's southern border; thence proceeding northerly along Highway 14 to Newhall Avenue; thence proceeding northwesterly along Newhall Avenue to Main Street; thence proceeding northerly along Main Street to Lyons Avenue; thence proceeding westerly along Lyons Avenue to Orchard Village Road; thence proceeding northerly along Orchard Village Road to McBean Parkway; thence proceeding westerly along McBean Parkway to Interstate 5; thence proceeding northerly along Interstate 5 to the point of origin.

(b) The second electoral division shall include the real property described as follows:

Beginning at the intersection of the agency's northern border and the Los Angeles Aqueduct easement on the western border of Census Block

060379200152002, between Harmony Way and Evening Star Court; thence proceeding southerly along the Aqueduct easement to Copper Hill Drive; thence proceeding westerly along Copper Hill Drive to McBean Parkway; thence proceeding southerly along McBean Parkway to Newhall Ranch Road; thence proceeding easterly along Newhall Ranch Road to Golden Valley Road; thence proceeding northerly along Golden Valley Road to Ermine Street; thence proceeding easterly along Ermine Street and Ermine Place and the extension of Ermine Place to Whites Canyon Road; thence proceeding along Whites Canyon Road to Nadal Street; thence proceeding easterly along Nadal Street to Bermina Avenue; thence proceeding southerly along Bermina Avenue to Delight Street; thence proceeding westerly along Delight Street to Bakerton Avenue; thence proceeding southerly along Bakerton Avenue to the Bakerton Avenue right-of-way just south of the power lines approximately 135 feet south of Kimbrough Street; thence proceeding westerly and southerly along the right-of-way behind the parcels on the east side of Crossglade Avenue until Allenwick Avenue; thence proceeding southerly along Allenwick Avenue to Vicci Street; thence proceeding westerly along Vicci Street to Crossglade Avenue; thence proceeding southerly along Crossglade Avenue to its dead end and continuing due south into the parking lot until its conclusion; thence proceeding westerly and southerly and easterly along the northern, western, and southern borders of Census Block 060379200351017, going around the two apartment buildings; thence proceeding easterly along the riverbed to Highway 14; thence proceeding northeasterly along Highway 14 to the agency's eastern border; thence proceeding counter-clockwise along the agency's border to the point of origin.

(c) The third electoral division shall include the real property described as follows:

Beginning at the intersection of the agency's northern border and the Los Angeles Aqueduct easement on the western border of Census Block 060379200152002, between Harmony Way and Evening Star Court; thence proceeding southerly along the Aqueduct easement to Copper Hill Drive; thence proceeding westerly along Copper Hill Drive to McBean Parkway; thence proceeding southerly along McBean Parkway to Newhall Ranch Road; thence proceeding westerly along Newhall Ranch Road to Interstate 5; thence proceeding southerly along Interstate 5 to McBean Parkway; thence proceeding easterly along McBean Parkway to Orchard Village Road; thence proceeding southerly along Orchard Village Road to Lyons Avenue; thence proceeding easterly along Lyons Avenue to Main Street; thence proceeding southerly along Main Street to Newhall Avenue; thence proceeding southeasterly along Newhall Avenue to Highway 14; thence proceeding southerly along Highway 14 to the agency's southern border; thence proceeding clockwise along the agency's border to the point of origin.

Sec. 6. The board of directors shall adjust the electoral division boundaries described in Section 5 by resolution pursuant to Chapter 8 (commencing with Section 22000) of Division 21 of the Elections Code.

Sec. 7. As used in this act:

(a) "Private corporation" means and includes any private corporation organized under federal law or the laws of any state.

(b) "Public agency" means and includes the federal government, the State of California, a county, a city, a public corporation, the Metropolitan Water District of Southern California, or other public district of this state.

(c) "Purveyor" means the Los Angeles County Waterworks District No. 36, Val Verde, which is a retail water supplier that has facilities connected to the agency's water transmission system and is under contract with the agency for water.

Sec. 8. (a) The agency shall be governed by a board of directors that shall initially consist of 15 members as follows:

(1) The five members of the Newhall County Water District board of directors in office as of December 31, 2017.

(2) The appointed member representing the purveyor described in subdivision (a) of Section 10 and the nine elected members of the Castaic Lake Water Agency board of directors in office as of December 31, 2017.

(b) Each elected member of the board of directors shall be a resident within the agency's service territory and shall hold office until his or her successor is elected pursuant to Section 9.

(c) Each of the initial members of the board of directors of the agency, except for the initial appointed member, are deemed to be designated as a director from the electoral division, as described in Section 5, in which his or her residence is located.

(d) Each of the initial members of the board of directors of the agency, except for the initial appointed member, shall hold office as follows:

(1) The initial terms of directors whose respective terms as a member of the Castaic Lake Water Agency or Newhall County Water District board of directors would have expired following the 2018 general election shall expire following the 2020 general election.

(2) The initial terms of directors whose respective terms as a member of the Castaic Lake Water Agency or Newhall County Water District board of directors would have expired following the 2020 general election shall expire following the 2022 general election.

(3) If any elected initial member of the board of the agency resigns, vacates, or is removed from office before the expiration of his or her initial term, the board may, in its discretion, decide not to appoint a successor. The board shall appoint a successor if the electoral division in which the vacancy occurs will have less than four members representing the electoral division on the board of directors.

Sec. 9. (a) All elected successors of the first board of directors shall be elected at the time and in the manner provided in the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code).

(b) Successors to the first board of directors shall be elected by the voters for each electoral division as follows:

(1) Two directors elected for each electoral division at the 2020 general election, and at every election on that four-year election cycle thereafter.



(2) One director elected for each electoral division at the 2022 general election and at every election on that four-year election cycle thereafter.

(c) Each elected director shall have his or her primary residence in and be an elector in the electoral division he or she represents. Each elected director shall serve a four-year term from the date of taking office and until the election and qualification of a successor. A director shall take office on the first Monday of the January after an election.

(d) Any vacancy in the board of directors shall be filled by a majority vote of the remaining directors in accordance with subdivision (d) of Section 1780 of the Government Code.

(e) If a director's place of residence, as defined in Section 244 of the Government Code, is moved outside of that director's electoral division where elected from an electoral division, and if within 180 days of the move the director fails to reestablish a place of residence within the director's electoral division, it shall be presumed that a permanent change of residence has occurred and that a vacancy exists on the board of directors pursuant to Section 1770 of the Government Code.

Sec. 10. (a) The initial board of directors of the agency shall include the Castaic Lake Water Agency director who was nominated by the purveyor and in office as a Castaic Lake Water Agency director as of December 31, 2017. This initial appointed director shall serve an initial term of one year that expires on January 1, 2019. The subsequent terms for the director nominated by the purveyor shall be four years.

(b) After the initial appointed director's term expires on January 1, 2019, the office of the appointed director shall be filled as follows:

(1) Not more than 90 or less than 30 days before the expiration of the term of office of the appointed director, the purveyor shall submit a nominee for a successor appointed director to the board of directors. A nominee of the purveyor may be a director, officer, agent, or employee of the purveyor and shall be a registered voter within the County of Los Angeles or the County of Ventura. Any appointed director whose term is expiring may be nominated by the purveyor for reappointment by the board of directors as the successor appointed director. If a vacancy occurs in the office of appointed director, the purveyor shall nominate a person for appointment to the vacant office not more than 60 days after the occurrence of the vacancy.

(2) The board of directors shall appoint the nominee within 30 days after the nomination is submitted, or may within the same time period by resolution reject the nominee for cause, which shall be documented in the resolution by a detailed statement of reasons. If the board of directors rejects the nominee, the purveyor shall promptly submit a second and different nominee to the board of directors. The board of directors shall appoint the second nominee within 30 days after the second nomination is submitted, or may within the same time period by resolution likewise reject that second nominee for cause, which shall be documented in the resolution by a detailed statement of reasons. If the board of directors rejects the nominee, the purveyor shall select a third and still different nominee, which nominee

shall be entitled without further board action to take an oath of office as required by law and to thereafter serve as an appointed director of the agency. A successor appointed director shall take office on the first Monday in January in odd-numbered years, or as soon thereafter as qualifying by taking the required oath of office. A successor appointed director appointed to or otherwise entitled to fill a vacancy shall take office immediately upon taking the required oath of office. A nominee of a purveyor who is the general manager of the purveyor shall be rejected for appointment only on the ground that the nominee is legally disqualified from holding the office of director by a provision of applicable law.

(c) An incumbent in the office of appointed director shall be subject to recall by the voters of the entire agency in accordance with Division 11 (commencing with Section 11000) of the Elections Code, except that any vacancy created by a successful recall shall be filled in accordance with subdivision (b).

(d) Notwithstanding anything to the contrary in this act, the position of appointed director shall be eliminated and abolished effective January 1, 2023. The position of appointed director shall be eliminated and abolished before January 1, 2023, if any of the following conditions are met:

(1) The agency acquires the purveyor or the purveyor is annexed or consolidated into the agency.

(2) The Board of Supervisors of the County of Los Angeles by an affirmative vote of a majority of its membership eliminates the appointed director position.

(e) Notwithstanding any other law, the provisions of Article 4.7 (commencing with Section 1125) of Chapter 1 of Division 4 of Title 1 of the Government Code shall not be applicable to the appointed director. The fact that the appointed director is simultaneously a director, officer, agent, or employee of the purveyor shall not in any way constitute the holding of incompatible offices under or for purposes of any common law doctrine prohibiting the simultaneous holding of these offices, and shall not disqualify the director from serving as a director of the agency or from discharging fully the responsibilities of the office of appointed director with respect to any matter coming before the board of directors of the agency for consideration, decision, determination, or other form of action.

Sec. 11. (a) A person who may vote at any agency election held under the provisions of this act shall be a voter within the meaning of the Elections Code, residing in the electoral division of the agency in which he or she casts his or her vote. For the purpose of registering voters who shall be entitled to vote at agency elections, the county elections official is authorized, in any county in which the agency is located, to indicate upon the affidavit of registration whether the voter is a voter of the agency.

(b) In case the boundary line of the agency crosses the boundary line of a county election precinct, only those voters within the agency and within the precinct who are registered as being voters within the agency shall be permitted to vote, and for that purpose the county elections official may provide two sets of ballots within those precincts, one containing the names

of candidates for office in the agency, and the other not containing those names, and it shall be the duty of the election officers in those precincts to furnish only those persons registered as voters within the agency with the ballots upon which are printed the names of the candidates for office in the agency.

(c) In a county in which the agency is located, the county elections official is hereby given authority to have printed upon the official ballots provided for voters at elections for directors a heading in the same form as that provided by the Elections Code for nonpartisan officers, which heading shall be marked "Santa Clarita Valley Water Agency," with a subheading "For a Member of the Board of Directors, Division \_\_\_\_" (here inserting the number of the electoral division).

Sec. 12. The board of directors shall hold its first meeting as soon as possible at which it shall choose one of its members to be president. The board of directors may appoint from its members additional officers and may define the duties of those officers. The board of directors shall provide for the time and place of holding its meetings and the manner in which its special meetings may be called. A majority of the board of directors shall constitute a quorum for the transaction of business.

Sec. 13. (a) The board of directors may act by ordinance, resolution, or motion. On all ordinances the roll shall be called and the ayes and noes recorded in the journal of the proceedings of the board of directors. Resolutions and motions may be adopted by voice vote, but on demand of any member the roll shall be called. Except as provided in Section 14, an ordinance, motion, or resolution shall not be passed or become effective without the affirmative vote of a majority of the membership of the board.

(b) The enacting clause of all ordinances passed by the board shall be, "Be it ordained by the Board of Directors of the Santa Clarita Valley Water Agency as follows:"

(c) Each member of the board of directors shall receive compensation equal to the amount of compensation authorized for a Castaic Lake Water Agency director as of December 31, 2017, for each meeting of the board attended and for each day's service rendered as a director at the request of the board. This initial compensation may be adjusted in accordance with Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code.

Sec. 14. (a) The board of directors may take action on the following items only by an affirmative vote of four-fifths of the membership of the board:

(1) Authorizing the agency to support or take action to further any amendments or efforts to amend this section.

(2) Issuing new debt in excess of ten million dollars (\$10,000,000) at any one time that relates to retail functions of the agency, excluding the refinancing of existing debt. The threshold of ten million dollars (\$10,000,000) shall be adjusted annually in proportion to the assessed value of real property within the agency.

(3) For the retail division of the agency that corresponds with the Newhall County Water District area, changes to the volumetric, nontiered retail rate structure that existed for the Newhall County Water District area as of December 31, 2017. This paragraph does not include changes to the tiered retail rate structure.

(b) On or before January 1, 2019, the agency shall develop a ratesetting process that includes an independent ratepayer advocate to advise the board of directors and provide information to the public before the adoption of new wholesale and retail water service rates and charges. The ratepayer advocate shall be selected by and report directly to the board of directors and shall be independent from agency staff. The ratepayer advocate shall advocate on behalf of customers within the agency's boundaries to the board of directors. The ratepayer advocate shall have access to all pertinent agency documents and information to independently advise the board of directors and inform the public. The board of directors shall develop and adopt any necessary rules and procedures to further define the role of the ratepayer advocate. The board of directors shall not eliminate the ratepayer advocate role before January 1, 2023. On and after January 1, 2023, the board of directors may eliminate the ratepayer advocate role with an affirmative vote of four-fifths of its membership.

(c) Until December 31, 2024, the board of directors may dispense with the four-fifths vote requirement for the actions described in subdivisions (a) and (b) at any time upon an affirmative vote of four-fifths of the membership of the board of directors.

(d) On and after January 1, 2025, the board of directors may at any time dispense with the four-fifths vote required for any action described in subdivisions (a) and (b) by a majority vote of the membership of the board.

Sec. 15. (a) No informality in any proceeding or informality in the conduct of any election, not substantially affecting adversely the legal rights of any citizen, shall be held to invalidate the incorporation of the agency and the legal existence of the agency and all proceedings in respect to the incorporation and the legal existence of the agency shall be held to be valid and in every respect legal and incontestable.

(b) An action to determine the validity of any bonds, warrants, promissory notes, contracts, or other evidences of indebtedness of the kinds authorized by this act may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

Sec. 16. At its first meeting, or as soon as practicable, the board of directors shall, by a majority vote of the membership of the board, appoint a general manager, secretary, and treasurer or auditor. The board shall define the duties of these appointees and fix their compensation in accordance with Division 12 (commencing with Section 30000) of the Water Code. The board may employ additional assistants, employees, engineers, attorneys, professionals, and other consultants as the board deems necessary to efficiently maintain and operate the agency.

Sec. 17. (a) Except as otherwise provided in this act and in subdivision (b), the agency has and may exercise the powers expressly granted or

necessarily implied in, and may operate in accordance with, Part 5 (commencing with Section 31000), Part 6 (commencing with Section 31300), Part 7 (commencing with Section 31650), and Part 8 (commencing with Section 32200) of the County Water District Law (Division 12 (commencing with Section 30000)) of the Water Code. The agency may exercise these powers throughout its territory.

(b) The agency may exercise any functions or class of services that are not certified by the Local Agency Formation Commission for the County of Los Angeles under subdivision (e) of Section 29 only pursuant to application to, and approval of, the Local Agency Formation Commission for the County of Los Angeles, as provided in that section.

Sec. 18. The agency shall have the power to do all of the following:

(a) To acquire, hold, and utilize water and water rights, including, but not limited to, water available from the state under the State Water Resources Development System, and to provide, sell, manage, and deliver surface water, groundwater, and recycled water for municipal, industrial, domestic, and other purposes at retail and wholesale throughout the territory of the agency.

(b) To construct, operate, and maintain works to develop energy, including, but not limited to, hydroelectric, solar, wind, and other renewable sources, inside or outside the agency for use by the agency in the operation of its works or as a means of assisting in financing the construction, operation, and maintenance of its projects for the control, conservation, diversion, and transmission of water and to enter into contracts for the sale of the energy. The energy may be marketed only at wholesale to any public agency or private entity, or both.

(c) To enter into contracts with any public agency or private entity engaged in the generation or distribution of electric energy for the right to use falling water, facilities, or real property of the agency, either inside or outside the agency, for energy generation or distribution purposes.

(d) To develop, treat, distribute, manage, and reclaim water, and to store and recover water from groundwater basins located wholly or partially inside or outside the boundaries of the agency and, in exercising that power, to make and enter into contracts allowing that storage and recovery.

(e) To join with one or more public agencies, private corporations, or other persons for the purpose of carrying out any of the powers of the agency, and for that purpose to contract with other public agencies or private corporations or persons for the purpose of financing those acquisitions, constructions, and operations. The contracts may provide for contributions to be made by each party to the contract and for the division and apportionment of the expenses of the acquisitions and operations, and the division and apportionment of the benefits, the services and products from the contract, and may provide for any agency to effect the acquisitions and to carry on the operations, and shall provide in the powers and methods of procedure for the agency the method by which the agency may contract. The contracts with other public agencies or private corporations or persons may contain other and further covenants and agreements as may be necessary

or convenient to accomplish the purposes of the contract. In addition to and without limiting all of the other powers of the agency, the agency may contract with the State of California for delivery of water under the State Water Resources Development System. Contracts under this subdivision include those made with the federal government under the Federal Reclamation Act of June 17, 1902, as amended, or any other act of the United States Congress enacted permitting cooperation.

(f) To require reporting to the agency of all production, distribution, and reclamation of water within the agency in excess of 10 acre-feet per annum.

(g) To join with one or more local agencies to form a groundwater sustainability agency pursuant to Section 10723.6 of the Water Code and to participate with a groundwater sustainability agency to develop and implement a groundwater sustainability plan within the agency in accordance with Chapter 6 (commencing with Section 10727) of Part 2.74 of Division 6 of the Water Code.

(h) To contract with the purveyor or successor in interest to the purveyor.

(i) (1) To construct works along and across any stream of water, watercourse, channel, flood control channel, storm channel, canal, ditch or flume, street, avenue, highway, or across any railway that the route of the works may intersect or cross, if the works are constructed in a manner as to afford security for life and property and the agency restores the crossings and intersections to their former state as near as may be or in a manner not to have impaired unnecessarily their usefulness. This paragraph grants the agency a statutory franchise right and therefore the agency may not be charged any use fees or be made subject to any conditions that unreasonably interfere with the franchise rights.

(2) The statutory franchise right and right-of-way granted in paragraph (1) is hereby given, dedicated, and set apart to locate, construct, and maintain the works along and across any street or public highway and over and through any of the lands that are now or may be the property of this state, and to have the same rights and privileges as have been or may be granted to cities within the state. Any use under this section of a public highway shall be subject to the provisions of Chapter 3 (commencing with Section 660) of Division 1 of the Streets and Highways Code.

Sec. 19. The financial or other interest of any appointed director in any contract between the purveyor or successor in interest to the purveyor and the agency, or the fact that an appointed director may hold the position of a director, officer, agent, or employee of the purveyor or successor in interest to the purveyor, shall not constitute a violation of Section 1090 of the Government Code, and that interest or fact shall not render the contract void or make it avoidable under Section 1092 of the Government Code, at the instance of any party, if either the fact of the interest or the fact of the relationship as director, officer, agent, or employee, or both, are disclosed to the board of directors of the agency and noted in its official records and the board authorizes, approves, or ratifies the contract by a vote of its membership sufficient for the purpose without counting the vote of the interested appointed director.

Sec. 20. Notwithstanding any other law, the agency may fix, levy, or collect any standby or availability charge or assessment in connection with the provision of water service pursuant to the procedures set forth in the Uniform Standby Charge Procedures Act (Chapter 12.4 (commencing with Section 54984) of Part 1 of Division 2 of Title 5 of the Government Code).

Sec. 21. The agency may impose and collect capacity charges and connection fees pursuant to Section 66013 of the Government Code.

Sec. 22. The agency may prescribe, by resolution or ordinance, that when any capacity charges or connection fees adopted pursuant to this act become due and are unpaid under and in accordance with the rules and regulations concerning those charges and fees, the charges and fees may be secured and collected in accordance with the procedures specified in Sections 23 and 24.

Sec. 23. The amount of any delinquent and unpaid capacity charges or connection fees shall be collected with the annual taxes next levied upon the property that is subject to the imposition of a capacity charge or connection fee, and that amount constitutes a lien on that property as of the same time and in the same manner as the tax lien securing annual property taxes. If during the year preceding the date on which the first installment of real property taxes that evidence the charges appears on the roll, any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches to the real property, the lien that would otherwise be imposed by this section shall not be added to and become part of the annual assessment and it shall not attach to the real property. A county in which the agency is located shall deduct from the capacity charges and connection fees collected by it an amount sufficient to compensate the county for costs incurred in collecting the delinquent and unpaid capacity charges and connection fees. The amount of that compensation shall be fixed by agreement between the board of supervisors of the county and the board of directors of the agency.

Sec. 24. (a) If delinquent and unpaid capacity charges or connection fees are determined to exist by the agency, the amount of those charges or fees may, in the discretion of the agency, be secured at any time by filing for record in the office of the county recorder of the county in which the real property is located a certificate specifying the amount of those charges and fees and the name and address of the person liable for the delinquent and unpaid charges or fees.

(b) From the time of recordation of the certificate, the amount required to be paid, together with interest and penalties, constitutes a lien upon all real property in the county owned by the person or later acquired before the lien expires. The lien shall have the force, priority, and effect of a judgment lien and shall continue for 10 years from the date of the filing of the certificate, unless sooner released or otherwise discharged. The lien may, within 10 years from the filing of the certificate or within 10 years from the date of the last extension of the lien in the manner provided in this subdivision, be extended by filing for record a new certificate. From the

time of that filing, the lien shall be extended with respect to the real property in that county for 10 additional years unless sooner released or otherwise discharged.

Sec. 25. Any bonds issued by the agency are hereby given the same force, value, and use as bonds issued by any city and shall be exempt from all taxation within the state.

Sec. 26. (a) Except as otherwise provided in this act, the County Water District Law (Division 12 (commencing with Section 30000) of the Water Code) shall govern the formation, operation, and dissolution of all improvement districts, so far as they may be applicable.

(b) The board of directors may advance general funds of the agency to accomplish the purposes of an improvement district formed to incur bonded indebtedness or for any other purpose for which an improvement district may be created and, if the improvement district is formed to incur bonded indebtedness, may repay the agency from the proceeds of the sale of the bonds, or if the improvement district is formed for any other purpose for which an improvement district may be created, in the formation of the improvement district, provide that the agency shall be repaid with interest at a rate not to exceed the maximum rate per annum authorized by Section 31304 of the Water Code from the special taxes levied exclusively upon the taxable property in the improvement district.

(c) Interest on any bonds issued by the agency coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available may be paid from the proceeds of the sale of the bonds. The percentage of the proceeds of any sale of the bonds shall not exceed the maximum interest rate authorized, for other purposes, by Section 31304 of the Water Code.

Sec. 27. The agency may contain lands situated in more than one county, and the agency may annex lands situated in another county.

Sec. 28. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Sec. 29. (a) On or before January 31, 2018, the agency shall submit an application for conditions addressing the creation of the agency to the Local Agency Formation Commission for the County of Los Angeles. The application shall include a copy of this act, a map and description of the boundaries of the agency, and a plan for providing services that includes the information described in Section 56653 of the Government Code, as applicable. The plan for providing services shall include Valencia Water Company, which will be integrated into the agency pursuant to subdivision (j) of Section 4. The application for conditions shall identify the functions or class of services that were being exercised by the Castaic Lake Water Agency and Newhall County Water District on December 31, 2017.

(b) The Local Agency Formation Commission for the County of Los Angeles shall hold a noticed public hearing regarding the application no later than 60 days after the submission of the application. The Local Agency



Formation Commission for the County of Los Angeles shall prepare a written report, which may contain specific conditions pertaining to the formation of the agency as the commission may deem appropriate under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Division 3 (commencing with Section 56000) of Title 5 of the Government Code). A condition specified in the written report shall be consistent with this act and shall be consistent with and subject to Sections 56853 and 56886 of the Government Code. The written report shall be completed and posted on the Local Agency Formation Commission for the County of Los Angeles Internet Web site and made available, upon request, to the public not less than five days before the date specified in the noticed hearing.

(c) Within 30 days of the public hearing, the Local Agency Formation Commission for the County of Los Angeles shall approve a final written report.

(d) Any specific conditions pertaining to the agency in the Local Agency Formation Commission for the County of Los Angeles final written report shall be applicable and binding upon the agency to the extent the conditions are not inconsistent with this act and Sections 56853 and 56886 of the Government Code.

(e) In addition to any conditions, the Local Agency Formation Commission for the County of Los Angeles shall certify in the written report the functions or class of services that were being exercised by the Castaic Lake Water Agency and the Newhall County Water District on December 31, 2017. Any other functions or class of services that are authorized by the act, but are not certified by the Local Agency Formation Commission for the County of Los Angeles, may only be exercised pursuant to application to, and approval of, the Local Agency Formation Commission for the County of Los Angeles pursuant to Sections 56824.10 to 56824.14, inclusive, of the Government Code.

(f) Section 99 of the Revenue and Taxation Code does not apply to this section.

(g) Except as provided in this section as it relates to the imposition of conditions, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 does not apply to the agency's application for conditions.

(h) Notwithstanding any other provision in this act, the Local Agency Formation Commission for the County of Los Angeles shall not impose any condition on the agency that requires a protest proceeding or an election, as described in Part 4 (commencing with Section 57000) and Part 5 (commencing with Section 57300) of Division 3 of Title 5 of the Government Code, respectively.

(i) The agency shall reimburse the Local Agency Formation Commission for the County of Los Angeles for all costs associated with the submittal, review, consideration, preparation, and determination associated with the application for conditions and the preparation of the written report.

Sec. 30. Nothing in this act shall affect the application of any local, state, or federal law to the development of property within the agency.

Sec. 31. (a) As a pilot program, the agency is authorized to award contracts for recycled water program capital facilities construction projects over five hundred thousand dollars (\$500,000) using the design-build contracting process or using construction manager at-risk contracts if, on or before September 30, 2018, the agency has entered into a community workforce agreement with the Los Angeles/Orange Counties Building and Construction Trades Council that applies to all recycled water program capital facilities construction contracts over five hundred thousand dollars (\$500,000).

(b) The pilot community workforce agreement shall include provisions to encourage local participation in contracts from within the Santa Clarita Valley and surrounding communities to provide work opportunities within the local community workforce. The pilot community workforce agreement shall include provisions that support hiring opportunities for local military service veterans.

(c) The pilot community workforce agreement shall be for a term of five years, and may be renewed or modified for additional five-year terms upon approval of the board of directors. If the board approves the renewal or modification of the pilot community workforce agreement for additional terms, the board shall have the authority to award contracts in accordance with this section during any additional terms.

(d) The pilot community workforce agreement shall comply with Section 2500 of the Public Contract Code.

(e) Any payment or performance bond written for the purposes of this section shall be written using a bond form developed by the agency.

(f) For purposes of this section, the following definitions apply:

(1) "Best value" means a value determined by objective criteria related to the experience of the entity and project personnel, project plan, financial strength of the entity, safety record of the entity, and price.

(2) "Construction manager at-risk contract" means a competitively procured contract awarded by the agency, to either the lowest responsible bidder or by using the best value method, to an individual, partnership, joint venture, corporation, or other recognized legal entity that satisfies all of the following conditions:

(A) Is appropriately licensed in this state, including, but not limited to, having a contractor's license issued by the Contractors' State License Board.

(B) Guarantees the cost of a project and furnishes construction management services, including, but not limited to, preparation and coordination of bid packages, scheduling, cost control, value engineering, evaluation, preconstruction services, and construction administration.

(C) Possesses or obtains sufficient bonding to cover the contract amount for construction services and risk and liability insurance, as may be required by the agency.

(3) "Design-build contracting process" means the process described in Chapter 4 (commencing with Section 22160) of Part 3 of Division 2 of the Public Contract Code, except that subdivision (c) of Section 22164 of the Public Contract Code shall not apply.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

**Exhibit B**  
**Labor and Expenses**

Labor shall be compensated pursuant to the following rates:

<b>Labor</b>	<b>Staff</b>	<b>Rates</b>
Professional Support	Executive Officer, Deputy Executive Officer, Government Analyst	\$85/hr.
Technical/ Administrative Support	GIS/Mapping Technician, Administrative Clerk	\$40/hr.
Legal Counsel	County Counsel	\$215- \$234/hr.

Reimbursable expenses shall be billed at cost for:

- Photocopying and/or Reproduction of document;
- Postage, FedEx, Courier Service, or equivalent;
- Notice of Public Hearing Publication;
- Special Commission Meeting (outside LAFCO meeting schedule);
- Fees required by other public agencies, such as California Environmental Quality Act (CEQA) Compliance, Los Angeles County Assessor, Los Angeles County Registrar-Recorder/County Clerk, and any other non-LAFCO public agency; and
- Any other non-labor expenses, associated with the review, consideration, preparation and determination, associated with SCV Water's application for conditions and LAFCO's preparation of the written report.

## Staff Report

January 10, 2018

### Agenda Item No. 10.a.

#### Legislative Update

CALAFCO's Board of Directors has appointed Executive Officer Paul Novak to the CALAFCO Legislative Committee and Government Analyst Alisha O'Brien to the Legislative Advisory Committee for 2018. Both will continue to represent LA LAFCO's interests by providing input on proposed bills, and report back at monthly Commission meetings to seek direction.

CALAFCO's Legislative Committee met on December 15<sup>th</sup>. The Committee anticipates working on the following issues in 2018:

- **Omnibus Bill (Assembly Local Government Committee):** The Committee anticipates submittal of seven (7) proposals for the annual Omnibus Bill, which makes technical corrections to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act").
- **AB 577 (Caballero):** This bill would expand the definition of a Disadvantaged Unincorporated Community ("DUC"). The potential impact upon LAFCO's is uncertain at this time. CALAFCO's Executive Director is engaging the author's staff to ascertain additional information. The bill is tentatively scheduled for a hearing in the Assembly Environmental Safety and Toxic Materials Committee.
- **SB 561 (Gaines):** This bill proposes to enable individuals who own property within the boundaries of the Fallen Leaf Community Services District ("District") to serve on the District's board of directors (only registered voters who are residents of the District are currently eligible to serve on the board). Staff of El Dorado LAFCO (the county in which the District is located) will recommend that LAFCOs statewide be given the authority to make these governance decisions rather than by "onc-off" bills pertaining to specific CSDs. Broadening SB 561 to address this larger issue would potentially benefit LA LAFCO relative to the three CSDs in Los Angeles County (the Bradbury CSD, the Pasadena Glen CSD, and the Point Dume CSD).
- **SB 778 (Hertzberg):** This bill would give the State Water Resources Control Board ("SWRCB") additional authority to mandate consolidation of or extension of services by wastewater systems. The proposal is similar to SB 88—prior legislation, now law, which empowers the SWRCB to consolidate water systems—which CALAFCO and LA LAFCO opposed. CALAFCO's Executive Officer is working with the author and the sponsor (The Leadership Council for Justice and Accountability) to seek amendments which are more favorable to LAFCOs.

- **Proposed Legislation Sponsored by the California Special Districts Association (“CSDA”) Concerning Vehicle License Fee (“VLF”) Revenue:** CSDA has met with CALAFCO’s

Board of Directors and Legislative Committee to seek support for a bill which would restore funding for newly-incorporated cities and for annexations of inhabited territory. Prior to 2011, state law provided the following: one, newly-incorporated cities received a Vehicle License Fee Bump (“VLF Bump”) which provided increased VLF funding in the first five years after incorporation; and two, when cities annexed inhabited territory, they received the VLF associated with the annexed territory. In 2011, SB 89 eliminated both of these revenue sources, creating two significant impacts: one, it is substantially more difficult to incorporate new cities—SB 89 had a profound adverse impact on the financial viability of the proposed City of East Los Angeles, for example; and two, many cities are less willing to annex inhabited territory absent the VLF revenue. CSDA’s proposed legislation would restore the funding in both instances.

- **Proposed Legislation Sponsored by the CSDA Concerning Definitions:** CSDA has contacted CALAFCO about collaborating on legislation to amend the definitions of “dependent special district” and “independent special district” in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. CALAFCO and CSDA are forming a joint working group to discuss revisions.
- **Proposed Legislation Sponsored by the Eastern Municipal Water District (“EMWD”):** This is a conceptual proposal (nothing in writing at this point) from an EMWD representative indicating that the agency intends to seek legislation to authorize the SWRCB to form new public water districts by reorganizing existing public, private, and mutual water providers. More information will be provided in future updates as it becomes available.

**Staff Recommendation:**

1. Receive and file the Legislative Report.