



Commission
Jerry Gladbach
Chair

Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

Kathryn Barger
Richard Close
Margaret Finlay
Janice Hahn
John Mirisch
Greig Smith

Alternate Members
Lori Brogin-Falley
Sheila Kuehl
Judith Mitchell
Joseph Ruzicka
David Ryu
Vacant
(Public Member)

Staff
Paul Novak
Executive Officer

Adriana Romo
Deputy Executive Officer

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

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www.lalafco.org

LOCAL AGENCY FORMATION COMMISSION MEETING AGENDA

Wednesday, April 10, 2019
9:00 a.m.

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

Entrance to the Commission Meetings requires entry through security screening at any of the public entrances to the KHHOA:

- 500 West Temple Street (third floor of KHHOA)
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- 222 N. Grand Avenue (fourth floor of KHHOA)
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The entire agenda package and any meeting related writings or documents provided to a majority of the Commissioners after distribution of the agenda package, unless exempt from disclosure pursuant to California Law, are available at the LAFCO office and at www.lalafco.org.

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIR GLADBACH**
3. **DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)**
4. **SWEARING-IN OF SPEAKER(S)**

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

None.

6. CONSENT ITEM(S)

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

- a. Approve Minutes of March 13, 2019.
- b. Approve Operating Account Check Register for the month of March 2019.
- c. Receive and file update on pending proposals.
- d. Annexation No. 754 to the County Sanitation District No. 21 of Los Angeles County, and California Environmental Quality Act (CEQA) exemption.
- e. Annexation No. 755 to the County Sanitation District No. 21 of Los Angeles County, and California Environmental Quality Act (CEQA) exemption.
- f. Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County, and California Environmental Quality Act (CEQA) exemption.

7. PUBLIC HEARING(S)

- a. Draft Proposed Budget for Fiscal Year 2019-20.
- b. Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County, and Mitigated Negative Declaration.
- c. Reorganization No. 2016-33 to the City of Los Angeles, and California Environmental Quality Act (CEQA) exemption and amendments to the City of Los Angeles, Consolidated Fire Protection District of Los Angeles County, and West Basin Municipal Water District Spheres of Influence (“SOIs”) (detachment from the City of Los Angeles and annexation to the Consolidated Fire Protection District of Los Angeles County, and West Basin Municipal Water District) and California Environmental Quality Act (CEQA) exemption.
- d. Reconsideration of Resolution No. 2019-01RMD-Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determinations Disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road), and California Environmental Quality Act (CEQA) exemption.

8. PROTEST HEARING(S)

None.

9. OTHER ITEMS

- a. Appointment/Re-Appointment of Commission Public Member
- b. Proposed Santa Clarita Valley Water Agency Reimbursement Agreement.

10. LEGISLATION

- a. Legislative Update.

11. **MISCELLANEOUS CORRESPONDENCE**

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.

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**

May 8, 2019

June 12, 2019

July 10, 2019

August 14, 2019

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**



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

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REGULAR MEETING

MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION

FOR THE COUNTY OF LOS ANGELES

March 13, 2019

Present:

Jerry Gladbach, Chair

Kathryn Barger
Richard Close
Donald Dear
Margaret Finlay
Janice Hahn
Gerard McCallum
John Mirisch
Greig Smith

Lori Brogin-Falley, Alternate
Judith Mitchell, Alternate

Paul Novak, Executive Officer
Lillian Salinger, Legal Counsel

Absent:

Sheila Kuehl, Alternate
Joe Ruzicka, Alternate
David Ryu, Alternate

Vacant:

Alternate General Public Member

1 CALL MEETING TO ORDER

The meeting was called to order at 9:05 a.m. in Room 381-B of the County Hall of Administration by Chair Jerry Gladbach.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Jerry Gladbach.

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 to 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 EO swore-in two (2) members of the audience who planned to testify.

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

None.

6 CONSENT ITEM(S)

The Commission took the following actions under Consent Items:

- a. Approved Minutes of February 13, 2019.
- b. Approved Operating Account Check Register for the month February 2019.
- c. Received and filed update on pending proposals.

MOTION: Barger SECOND: Finlay APPROVED: 9-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Mirisch, Smith, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: None.

7 PUBLIC HEARING(S)

None.

8 PROTEST HEARING(S)

None.

9 OTHER ITEMS

The following item was called up for consideration:

- a. Presentation by Gregory Pierce (Associate Director of Research, Luskin Center for Innovation and Adjunct Assistant Professor, Department of Urban Planning, UCLA) concerning his work analyzing the performance of retail water service providers in Los Angeles County.

The EO summarized the staff report concerning the presentation by Gregory Pierce.

Dr. Gregory Pierce summarized his presentation on the governance and geography of drinking water systems, an overview of new framework at the State level for assessing drinking water systems performance stemming from the Human Right to Water (legislation was passed in 2012), and a comparison of water systems under LAFCO purview compared to other water systems located in Los Angeles County.

Commissioner Mirisch indicated he would like to see a comparison between public water systems verses investor-owned water systems. Mr. Pierce indicated that the data within this presentation is from four years ago. Data is currently being updated to reflect each separate water system to track performance comparisons.

[Commissioner Smith left at 9:30 a.m.]

Adán Ortega (Executive Director, California Association of Mutual Water Companies; Board Member representing the City of Fullerton, Metropolitan Water District) came before the Commission. Mr. Ortega indicated that a representative from the County of Los Angeles would benefit by serving on a committee established by the State Water Resources Control Board to address water resiliency plans of smaller systems located within Los Angeles County.

The Commission took the following actions:

- Received and filed the presentation from Dr. Pierce, “Drinking Water Systems Performance in LA County LAFCO Purview”;

- Directed the Executive Officer to provide a status report on Technical, Managerial, and Financial (TMF) Assessment of the thirty-two (32) water districts under LAFCO purview; and
- Directed the Executive Officer to provide a status report regarding the State Water Resources Control Board assessment of at-risk smaller water systems.

MOTION: Hahn SECOND: Dear APPROVED: 8-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Smith

9 OTHER ITEMS

The following item was called up for consideration:

- b. Request for Proposals (RFPs) for:
 - i. Municipal Service Review of the Santa Clarita Valley Water Agency;
 - ii. Municipal Service Review of the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village; and
 - iii. Municipal Service Review of the Cities of La Mirada and Whittier.

The Executive Officer summarized the staff report on Request for Proposals (RFPs) for Municipal Service Reviews (MSRs) for the Santa Clarita Valley Water Agency; the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village; and the Cities of La Mirada and Whittier.

The Commission took the following action:

- Directed staff to issue RFPs for MSRs for the Santa Clarita Valley Water Agency; the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village; and the Cities of La Mirada and Whittier; which are in substantial conformance with the attached RFPs, and subject to approval as to form and legality by Counsel.

MOTION: Dear SECOND: McCallum APPROVED: 8-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Smith

9 OTHER ITEMS

The following item was called up for consideration:

- c. FY 2018-19 Mid-Year Budget Status Report (Continued from 2/13/2019 Meeting).

Adriana Romo (Deputy Executive Officer) summarized the staff report on FY 2018-19 Mid-Year Budget Status Report.

The Commission took the following action:

- Received and filed the mid-year budget status report for Fiscal Year 2018-19.

MOTION: Barger SECOND: Finlay APPROVED: 8-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Smith

[Commissioner Barger left at 10:10 a.m.]

9 OTHER ITEMS

The following item was called up for consideration:

- d. Alternate Public Member (Continued from 2/13/2019 Meeting).

The Executive Officer summarized the staff report on Alternate Public Member.

The Commission took the following action:

- Directed the Executive Officer to initiate a public outreach and recruitment process to fill the vacancy for Alternate Public Member.

MOTION: Dear SECOND: Finlay APPROVED: 7-0-0
AYES: Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Smith

10 LEGISLATION

- a. Legislative Update (continued from 2/13/2019).

The Executive Officer summarized the staff report on the Legislative Update.

The Commission took the following actions:

- Took “support” positions on AB 213 and AB 1253, and directed staff to communicate the positions in letters to members of the State Legislative and the Governor; and
- Received and filed the Legislative Update.

MOTION: Mirisch SECOND: Finlay APPROVED: 7-0-0
AYES: Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Smith

11 MISCELLANEOUS CORRESPONDENCE

Letter dated March 12, 2019 from the City of Calabasas requesting the Commission to reconsider the resolution for the disapproval of Annexation No. 2014-04 to the City of Calabasas.

Letters sent to California State Assemblymember Mike Gipson and California State Assembly Speaker Anthony Rendon, respectively, requesting legislation to protect the ratepayers of the Santa Clara County Water District from excessive rate increases in the future.

12 COMMISSIONERS' REPORT

None.

13 EXECUTIVE OFFICER'S REPORT

None.

14 PUBLIC COMMENT

None.

15 FUTURE MEETINGS

April 10, 2019
May 8, 2019
June 12, 2019
July 10, 2019

16 FUTURE AGENDA ITEMS

None.

17 ADJOURNMENT MOTION

On motion of Commissioner Hahn, seconded by Commissioner Dear, the meeting was adjourned at 10:17 a.m.

Respectfully submitted,

Paul Novak, AICP
Executive Officer

10:16 AM

04/02/19

Cash Basis

LA LAFCO

Register Report

March 2019

Type	Date	Num	Name	Paid Amount	Balance
Mar 19					
Check	03/01/2019	ADP	ADP	-39.37	-39.37
Check	03/06/2019	WIRE	TRPF 80 South Lak...	-8,567.76	-8,607.13
Check	03/08/2019	ADP	ADP	-162.08	-8,769.21
Bill Pmt -Check	03/12/2019	10272	Certified Records M...	-698.26	-9,467.47
Bill Pmt -Check	03/12/2019	10273	Charter Communica...	-530.19	-9,997.66
Bill Pmt -Check	03/12/2019	10274	CoreLogic	-28.80	-10,026.46
Bill Pmt -Check	03/12/2019	10275	County Counsel	-8,840.99	-18,867.45
Bill Pmt -Check	03/12/2019	10276	County of Los Angel...	-312.73	-19,180.18
Bill Pmt -Check	03/12/2019	10277	Daily Journal	-320.75	-19,500.93
Bill Pmt -Check	03/12/2019	10278	FedEx	-87.31	-19,588.24
Bill Pmt -Check	03/12/2019	10279	LACERA-OPEB	-1,679.04	-21,267.28
Bill Pmt -Check	03/12/2019	10280	Los Angeles County...	-900.00	-22,167.28
Bill Pmt -Check	03/12/2019	10281	MetLife*	-579.00	-22,746.28
Bill Pmt -Check	03/12/2019	10282	Office Depot*	-528.55	-23,274.83
Bill Pmt -Check	03/12/2019	10283	Promac Image Syst...	-270.11	-23,544.94
Bill Pmt -Check	03/12/2019	10284	Wells Fargo	-383.25	-23,928.19
Check	03/15/2019	DD	Ambar De La Torre	-1,945.68	-25,873.87
Check	03/15/2019	DD	Douglass S Dorado	-3,360.84	-29,234.71
Check	03/15/2019	DD	Michael E Henderson	-2,297.77	-31,532.48
Check	03/15/2019	DD	Patricia Knoebl-Wood	-1,352.61	-32,885.09
Check	03/15/2019	DD	Paul A Novak	-5,090.66	-37,975.75
Check	03/15/2019	DD	Alisha O'Brien	-2,264.05	-40,239.80
Check	03/15/2019	DD	Adriana Romo	-3,227.46	-43,467.26
Check	03/15/2019	DD	Federal Tax Deposit	-4,404.90	-47,872.16
Check	03/15/2019	DD	State Income Tax	-1,342.11	-49,214.27
Bill Pmt -Check	03/26/2019	10285	ATT	-293.61	-49,507.88
Bill Pmt -Check	03/26/2019	10286	Bank of America*	-395.90	-49,903.78
Bill Pmt -Check	03/26/2019	10287	County of Los Angel...	-312.73	-50,216.51
Bill Pmt -Check	03/26/2019	10288	Daily Journal	-68.25	-50,284.76
Bill Pmt -Check	03/26/2019	10289	LACERA	-13,693.27	-63,978.03
Bill Pmt -Check	03/26/2019	10290	Meijun	-6,000.00	-69,978.03
Bill Pmt -Check	03/26/2019	10291	Office Depot*	-312.38	-70,290.41
Bill Pmt -Check	03/26/2019	10292	Platinum Consulting	-2,095.25	-72,385.66
Bill Pmt -Check	03/26/2019	10293	The Lincoln National	-272.58	-72,658.24
Bill Pmt -Check	03/26/2019	10294	Tropical Interior Plants	-100.00	-72,758.24
Check	03/29/2019	DD	Ambar De La Torre	-1,945.68	-74,703.92
Check	03/29/2019	DD	Douglass S Dorado	-2,916.47	-77,620.39
Check	03/29/2019	DD	Michael E Henderson	-2,297.77	-79,918.16
Check	03/29/2019	DD	Patricia Knoebl-Wood	-1,338.43	-81,256.59
Check	03/29/2019	DD	Paul A Novak	-5,090.65	-86,347.24
Check	03/29/2019	DD	Alisha O'Brien	-2,264.06	-88,611.30
Check	03/29/2019	DD	Adriana Romo	-3,227.46	-91,838.76
Check	03/29/2019	DD	Federal Tax Deposit	-4,404.90	-96,243.66
Check	03/29/2019	DD	State Income Tax	-1,342.11	-97,585.77
Check	03/29/2019	59068...	Kathryn Barger	-134.08	-97,719.85
Check	03/29/2019	59068...	Brogin-Falley Lori	-138.52	-97,858.37
Check	03/29/2019	DD	Richard Close	-138.52	-97,996.89
Check	03/29/2019	DD	Donald Dear	-138.53	-98,135.42
Check	03/29/2019	59068...	Margaret E Finlay	-138.53	-98,273.95
Check	03/29/2019	59068...	Edward G Gladbach	-138.53	-98,412.48
Check	03/29/2019	DD	Janice K Hahn	-135.18	-98,547.66
Check	03/29/2019	DD	Gerard McCallum II	-138.52	-98,686.18
Check	03/29/2019	59068...	John A Mirisch	-138.52	-98,824.70
Check	03/29/2019	59068...	Judith M Mitchell	-138.52	-98,963.22
Check	03/29/2019	59068...	Greig L Smith	-138.52	-99,101.74
Check	03/29/2019	DD	Federal Tax Deposit	-215.33	-99,317.07
Mar 19				-99,317.07	-99,317.07

AGENDA ITEM NO. 6c April 10, 2019							
PENDING PROPOSALS As of April 3, 2019							
		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 home.	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 frw. 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	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 and approved map and legal.	12/10/2014	Unknown
11	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
12	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
13	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
14	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
15	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
16	DD	Reorganization No. 2017-10 to the Las Virgenes Municipal Water District	Robert Douglass	5.26 acres of uninhabited territory. The affected territory is generally located northeast of the intersection of Hovenweep Lane and Schuereen Road, in the unincorporated area north of Malibu	Notice of Filing Sent 11-30-17 Incomplete Filing: property tax transfer resolution, approved map and legal	11/8/2017	Unknown
17	AD	Annexation 298 to District No. 15	Sanitation Districts	4.01 acres of uninhabited territory. The affected territory is generally located on Del Valle Avenue west of the terminus of Mentz Street, all within the City of La Puente.	April 10, 2019 Agenda	1/3/2018	Jun-2019

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
18	AD	Annexation 754 to District No. 21	Sanitation Districts	0.4 acres of uninhabited territory. The affected territory is located on Padua Avenue approximately 100 feet south of Alamosa Drive, all within the City of Claremont.	April 10, 2019 Agenda	1/3/2018	May-2019
19	AD	Annexation 755 to District No. 21	Sanitation Districts	2.5 acres of uninhabited territory. The affected territory is located on Via Padova approximately 400 feet west of Mt. Baldy Road, all within unincorporated Los Angeles County.	April 10, 2019 Agenda	1/3/2018	May-2019
20	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1087	Sanitation Districts	0.311 acres of uninhabited territory. The affected territory is located on the northeast corner of Ferguson Drive and Cherry Drive, all within the unincorporated area of Los Angeles County.	April 10, 2019 Agenda	2/13/2018	May-2019
21	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1088	Sanitation Districts	6.796 acres of uninhabited territory. The affected territory is located on Sierra Highway approximately 600 feet south of Quinn Drive, all within unincorporated Los Angeles County.	Notice of Filing Sent 2-15-18 Incomplete filing: property tax transfer resolution.	2/13/2018	Unknown
22	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1090	Sanitation Districts	0.58 acres of uninhabited territory. Located on Sierra Highway approximately 150 feet south of Sand Canyon Road, all within unincorporated Los Angeles County.	Notice of Filing Sent 2-15-18 Incomplete filing: property tax transfer resolution.	2/13/2018	Unknown
23	DD	Reorganization No. 2016-33 to the City of Los Angeles	County of Los Angeles	1.34 acres of uninhabited territory located east of the intersection of W 116th St and Isis Avenue in the City of Los Angeles.	April 10, 2019 Agenda	2/3/2018	May-2019
24	AD	Annexation 757 to District No. 21	Sanitation Districts	0.566 acres of uninhabited territory. The affected territory is located on the southeast corner of Mountain Avenue and Sage Street, all within the unincorporated Los Angeles County.	Notice of Filing Sent 03-07-18 Incomplete filing: property tax transfer resolution.	3/7/2018	Unknown
25	AD	Annexation 428 to District No. 22	Sanitation Districts	1.67 acres of uninhabited territory. The affected territory is located on Crestglen Road approximately 300 feet east of Vista Bonita Avenue, all within the City of Glendora.	Notice of Filing Sent 03-22-18 Incomplete filing: property tax transfer resolution.	3/21/2018	Unknown
26	AD	Annexation 297 to District No. 15	Sanitation Districts	13.88 acres of uninhabited territory. The affected territory is located on the southwest corner of Loukelton Street and Echelon Avenue, all within the City of Industry.	Notice of Filing Sent 03-22-18 Incomplete filing: property tax transfer resolution.	3/21/2018	Unknown
27	DD	Reorganization No. 2018-03 to the City of Arcadia	Los Angeles County	.29 acres of uninhabited territory. Parcel 1 is located at the intersection of Oak Avenue and Duarte Road in the City of Arcadia and Parcel 2 is Located along Standish Street east of the intersection Mayflower Avenue and Standish Street adjacent to the City of Arcadia.	May 8, 2019 Agenda	5/8/2018	Jun-2019
28	AD	Annexation No. 430 to District No. 22	Sanitation Districts	1.6± acres of uninhabited territory. The affected territory is located at the southwest corner of Baseline Road and Bunnelle Avenue, all within the City of La Verne.	Notice of Filing Sent 07-17-18 Incomplete filing: property tax transfer resolution.	7/16/2018	Unknown
29	AD	Annexation 756 to District No. 21	Sanitation Districts	5.07± acres of inhabited territory. The affected territory is located on the south side of Baseline Road between Forbes Avenue and Allegany Court, all within the City of Claremont.	Notice of Filing Sent 09-6-18 Incomplete filing: property tax transfer resolution.	9/5/2018	Unknown
30	AD	Annexation 758 to District No. 21	Sanitation Districts	1.15± acres of uninhabited territory. The affected territory is located on Reedview Drive approximately 300 feet north of Shelyn Drive, all within unincorporated Los Angeles County.	Notice of Filing Sent 11-06-18 Incomplete filing: property tax transfer resolution.	11/5/2018	Unknown
31	AD	Annexation 432 to District No. 22	Sanitation Districts	0.5± acres of uninhabited territory. The affected territory is located on Walnut Avenue at the westerly terminus of Cannon Avenue, all within the City of San Dimas.	Notice of Filing Sent 11-06-18 Incomplete filing: property tax transfer resolution.	11/15/2018	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
32	DD	Annexation No 2018-10 to the Los Angeles County Waterworks District No. 40, Antelope Valley	Robert Sarkissian	80.91± acres of uninhabited territory. The affected territory is located southeast of the intersection of Blackbird Street and 8Th Street West, in the City of Palmdale	Notice of Filing Sent 10-11-18 Incomplete filing: property tax transfer resolution, approved map and legal, CEQA, mailing labels landowners and registered voters	10/1/2018	Unknown
33	DD	Annexation No. 2018-06 to the San Gabriel Valley Mosquito and Vector Control District	San Gabriel Valley Mosquito and Vector Control District	77.55± acres of inhabited territory. The affected territory is located north of the intersection of Mountain Laurel Way and Highwood Court in the City of Azusa.	Notice of Filing Sent 11-1-18 Incomplete filing: property tax transfer resolution, approved map and legal	10/22/2018	Unknown
34	DD	Annexation No. 2018-12 to the City of Agoura Hills	City of Agoura Hills	82.58± acres of inhabited territory to the City of Agoura Hills. Area A of the affected territory is generally located east of the intersection of Liberty Canyon Road and Agoura Road and Area C is generally located west of the intersection of Liberty Canyon Road and Revere Way, in Los Angeles County unincorporated territory adjacent to the City of Agoura Hills	Notice of Filing sent 11-20-18 Incomplete filing: property tax transfer resolution, CEQA, map of limiting addresses, pre-zoning, register voter labels, approved map and geographic description.	11/19/2018	Unknown
35	AD	Annexation 429 to District No. 14	Sanitation Districts	640.07± acres of uninhabited territory. The affected territory is located on the southeast corner of Sierra Highway and Columbia Way, all within the City of Palmdale.	Notice of Filing Sent 11-29-18 Incomplete filing: property tax transfer resolution.	11/28/2018	Unknown
36	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1093	Sanitation Districts	0.3± acres of uninhabited territory. The affected territory is located on Scherzinger Lane approximately 100 feet southwest of Sierra Cross Avenue, all within the City of Santa Clarita.	Notice of Filing Sent 12-27-18 Incomplete filing: property tax transfer resolution.	12/26/2018	Unknown
37	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1097	Sanitation Districts	230± acres of uninhabited territory. The affected territory is located south of Pico Canyon Road at the westerly terminus of Verandah Court, all within the unincorporated area of Los Angeles County.	Notice of Filing Sent 12-27-18 Incomplete filing: property tax transfer resolution.	12/26/2018	Unknown
38	DD	Annexation No. 2018-11 to the Los Angeles County Waterworks District No. 40, Antelope Valley	Lester Knox	20± acres of uninhabited territory. located southeast of the intersection of Mountain Springs Road and Hawk Free Court, in the unincorporated area known as Acton,	Notice of Filing Sent 1-17-18 Incomplete filing: property tax transfer resolution, CEQA, approved map and legal	10-Jan	Unknown
39	AD	Annexation 760 to District No. 21	Sanitation Districts	0.48± acres of uninhabited territory. The affected territory is located north of the Pomona freeway approximately 300 feet west of Hacienda Boulevard, all within the unincorporated area of Los Angeles County.	Notice of Filing Sent 1-30-19 Incomplete filing: property tax transfer resolution.	1/30/2019	Unknown
40	AD	Annexation 430 to District No. 14	Sanitation Districts	227.677± acres of uninhabited territory. The affected territory is located north of Avenue D, south of Avenue B, east of the Southern Pacific Railroad, and west of Edwards Air Force Base, all within the unincorporated area of Los Angeles County.	Notice of Filing Sent 2-20-19 Incomplete filing: property tax transfer resolution.	2/12/2019	Unknown
41	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1091	Sanitation Districts	4.158± acres of inhabited territory. The affected territory is located on Placeritos Boulevard approximately 200 feet west of Aden Avenue, all within the City of Santa Clarita.	Notice of Filing Sent 2-20-19 Incomplete filing: property tax transfer resolution.	2/12/2019	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
42	AD	Annexation 759 to District No. 21	Sanitation Districts	1.21± acres of uninhabited territory. The affected territory has 2 parcels. Parcel 1 is located on Glen Way approximately 800 feet north of Baseline Road; Parcel 2 is located on Mountain Avenue approximately 150 feet north of Baseline Road, all within the unincorporated area of Los Angeles County.	Notice of Filing Sent 3-7-19 Incomplete filing: property tax transfer resolution.	3/6/2019	Unknown

Staff Report

April 10, 2019

Agenda Item No. 6.d.

Annexation No. 754 to the County Sanitation District No. 21 of Los Angeles County

PROPOSAL SUMMARY:

Size of Affected Territory:	0.4± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	County Sanitation District No. 21 of Los Angeles County
Resolution:	December 18, 2017
Application Filed with LAFCO:	January 3, 2018
Location:	The affected territory is located on Padua Avenue approximately 100 feet south of Alamosa Drive.
City/County:	City of Claremont.
Affected Territory:	The affected territory is residential. The territory consists of one existing single-family home. The topography is flat.
Surrounding Territory:	Surrounding territory is residential.
Landowner(s):	Joseph & Helen Ditte Trust (c/o Laura Ditto Lo)
Registered Voters:	2 registered voters as of May 9, 2017.
Purpose/Background:	For the District to provide off-site sewage disposal service.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes.
Waiver of Notice/Hearing/Protest:	Yes.

CEQA Clearance:

The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a) because the annexation area consists of existing structures developed to the density allowed by the current zoning. A Categorical Exemption was adopted by the County Sanitation District of Los Angeles County, as lead agency, on December 18, 2017.

Additional Information:

None.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The existing population is 2 residents as of May 9, 2017. The population density is 5 persons per acre.

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

The affected territory is 0.4± acres. The affected territory is residential. The territory consists of one existing single-family home.

The assessed valuation is \$502,243 as of December 29, 2017.

The per capita assessed valuation is \$251,121.50.

On February 19, 2019, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is flat.

There are no natural boundaries.

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

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

The affected territory is likely to experience 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 one existing single-family home which requires organized governmental services.

The present cost and adequacy of governmental services and controls in the area are acceptable. With respect to sanitary sewage disposal, other than service provided by the District, there is no other sewer service alternative. The Los Angeles County Department of Public Health prohibits the installation, alteration, or repair of any on-site wastewater treatment systems for any building for which connection to a public sewer system is available within 200 feet. Due to the proposed land uses within the annexation area and its proximity to existing sewer infrastructure, public sewer service is the only viable alternative for development to occur. The cost of sewage disposal by the District is relatively preferable since the annexation is relatively close to an existing public sewer system. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact of the local government structure of the County. There is no alternative to public sewage disposal. Service by the District is considered more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

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

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

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

e. *Agricultural Lands:*

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

f. *Boundaries:*

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

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

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

g. *Consistency with Regional Transportation Plan:*

The Southern California Association of Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080. The closest highway to the annexation is part of the RTP and SCS's State Highway improved program. The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. *Consistency with Plans:*

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

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

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

i. *Sphere of Influence:*

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

j. *Comments from Public Agencies:*

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

k. *Ability to Provide Services:*

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

l. *Timely Availability of Water Supplies:*

There are no known issues regarding water supply or delivery. The Golden State Water company currently provides water services to the affected territory.

m. *Regional Housing:*

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

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

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

o. *Land Use Designations*

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

The proposal is consistent with the existing City's zoning designation of Residential (Claremont RM-4000).

p. *Environmental Justice:*

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

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

q. Hazard Mitigation Plan, Safety Element, & Fire hazard zone:

Information contained in the County of Los Angeles All-Hazard Mitigation Plan approved in 2014 has no bearing on the Proposal. Information contained in the Safety Element of the General Plan of the County of Los Angeles (adopted October 6, 2015) has no bearing on the proposed annexation. The affected territory is not in a very high fire hazard zone, nor in a state responsibility area, pursuant to maps published by the California Department of Forestry and Fire Protection.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

None.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The proposal is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a) The annexation consists of areas containing existing structures developed to the density allowed by the current zoning. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

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

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

CONCLUSION:

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

Recommended Action:

1. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 754 to the County Sanitation District No. 21 of Los Angeles County.

**RESOLUTION NO. 2019-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 754 TO THE COUNTY SANITATION DISTRICT NO. 21
OF LOS ANGELES COUNTY"**

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

WHEREAS, the proposed annexation consists of approximately 0.4± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 754 to the County Sanitation District No. 21 of Los Angeles County"; and

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

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

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

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

WHEREAS, the Executive Officer set the item for consideration for April 10, 2019 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012; and

WHEREAS, on April 10, 2019, this Commission considered the Proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a), because the annexation consists of areas containing existing structures developed to the density allowed by the current zoning. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.
2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the annexation is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed annexation, and no affected local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and

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

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

- 3. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
- 4. The affected territory consists of 0.4± acres, is uninhabited, and is assigned the following short form designation:
"Annexation No. 754 to the County Sanitation District No. 21 of Los Angeles County".
- 5. Annexation No. 754 to the County Sanitation District No. 21 of Los Angeles County is hereby approved, subject to the following terms and conditions:
 - a. The District agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
 - b. The effective date of the annexation shall be the date of recordation.
 - c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.

- d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - h. Except to the extent in conflict with "a" through "g", above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the County Sanitation District No. 21 of Los Angeles County.
7. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

PASSED AND ADOPTED this 10th day of April 2019.

MOTION:

SECOND:

AYES:

NOES:

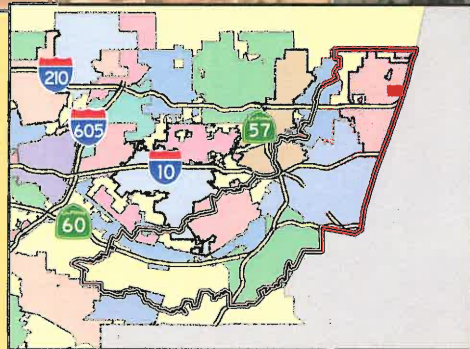
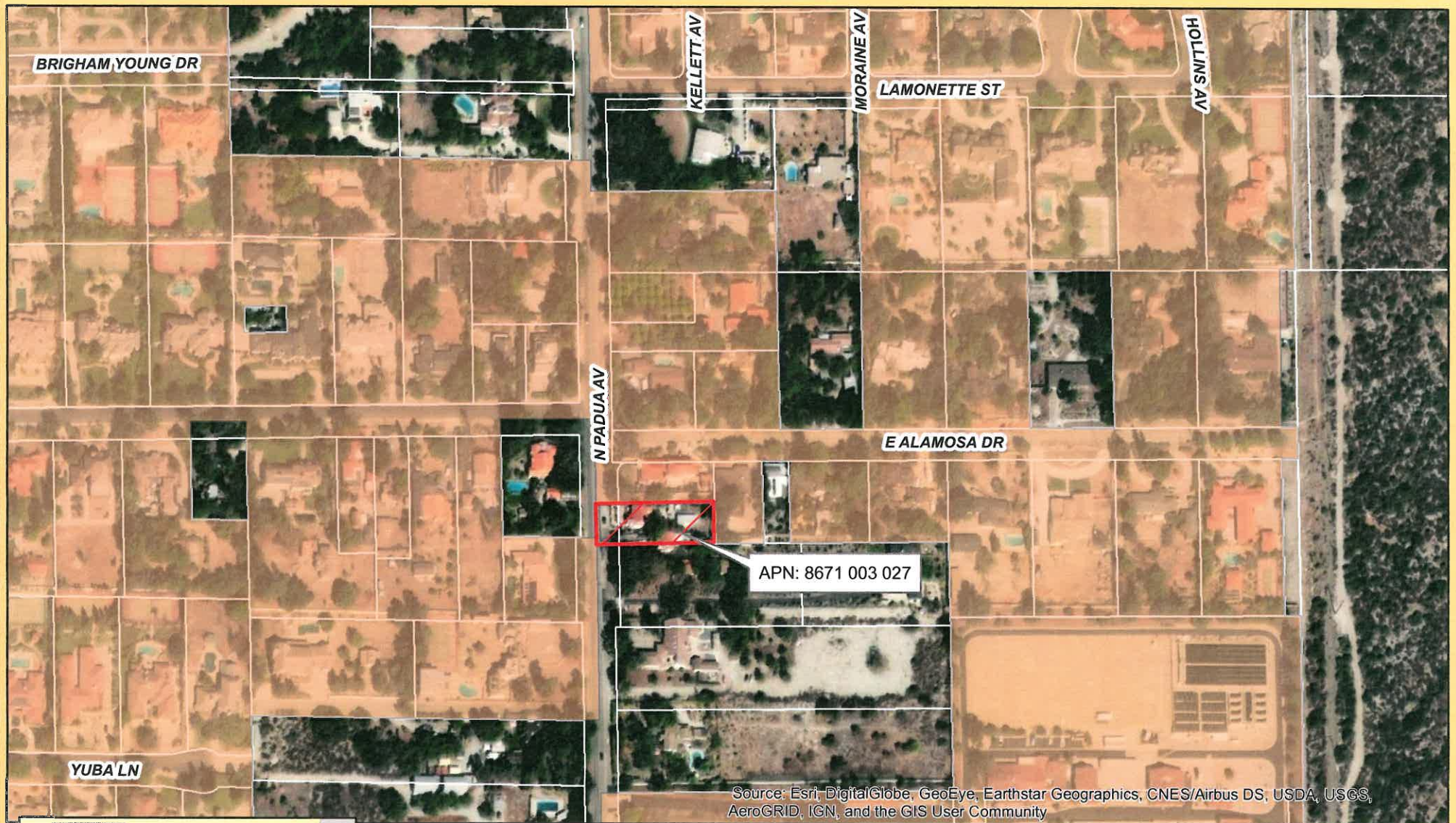
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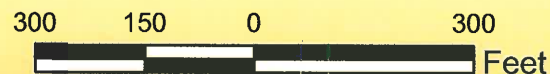
MOTION PASSES: 0/0/0

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





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



Annexation No. 754 to County Sanitation District No. 21



Legend

-  CSD Annexation 21-754
-  Sphere of Influence, CSD 21
-  Los Angeles County Sanitation District No. 21
-  City of Claremont

Staff Report

April 10, 2019

Agenda Item No. 6.e.

Annexation No. 755 to the County Sanitation District No. 21 of Los Angeles County

PROPOSAL SUMMARY:

Size of Affected Territory:	2.5± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	County Sanitation District No. 21 of Los Angeles County
Resolution:	December 18, 2017
Application Filed with LAFCO:	January 3, 2018
Location:	The affected territory is located on Via Padova approximately 400 feet west of Mt. Baldy Road.
City/County:	Los Angeles County unincorporated territory (Claremont).
Affected Territory:	The affected territory is residential. The territory consists of one proposed single-family home. The topography is flat.
Surrounding Territory:	Surrounding territory is residential.
Landowner(s):	Yue Ni, Qimin Yang
Registered Voters:	0 registered voters as of June 19, 2017.
Purpose/Background:	For the District to provide off-site sewage disposal service.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes.
Waiver of Notice/Hearing/Protest:	Yes.

CEQA Clearance:

The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(b), because it is an annexation of an individual small parcel of the minimum size for facilities exempted by Section 15303(a), New Construction or Conversion of Small Structures. A Categorical Exemption was adopted by the County Sanitation District of Los Angeles County, as lead agency, on December 18, 2017.

Additional Information:

None.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The existing population is 0 residents as of June 19, 2017.

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

The estimated future population is 7 residents.

The affected territory is 2.5± acres. The affected territory is residential. The territory consists of one proposed single-family home.

The assessed valuation is \$667,329 as of December 29, 2017.

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

On February 19, 2019, 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.

Claremont Hills Wilderness Park is immediately west of the affected territory.

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

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

b. Governmental Services and Controls:

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

The present cost and adequacy of governmental services and controls in the area are acceptable. With respect to sanitary sewage disposal, other than service provided by the District, there is no other sewer service alternative. The Los Angeles County Department of Public Health prohibits the installation, alteration, or repair of any on-site wastewater treatment systems for any building for which connection to a public sewer system is available within 200 feet. Due to the proposed land uses within the annexation area and its proximity to existing sewer infrastructure, public sewer service is the only viable alternative for the subject area. The cost of sewage disposal by the District is relatively preferable since the annexation is relatively close to an existing public sewer system. Service by the District is

environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact on the governmental structure of the County. There is no alternative to public sewage disposal. Service by the District is considered more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

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

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

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

e. *Agricultural Lands:*

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

f. *Boundaries:*

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

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

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

g. *Consistency with Regional Transportation Plan:*

The Southern California Association of Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080. The closest highway to the annexation is part of the RTP and SCS's State Highway improved program. The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. Consistency with Plans:

The proposal is consistent with the existing County's General Plan designation of Single-Family Residence (R-1).

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

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

i. Sphere of Influence:

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

j. Comments from Public Agencies:

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

k. Ability to Provide Services:

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

l. Timely Availability of Water Supplies:

There are no known issues regarding water supply or delivery. The Golden State Water company currently provides water services to the affected territory.

m. Regional Housing:

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

n. Comments from Landowners, Voters, or Residents:

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

o. Land Use Designations

The proposal is consistent with the existing County's General Plan designation of Single-Family Residence (R-1).

The proposal is consistent with the existing County's zoning designation of Light Agriculture (A-1-15000).

p. Environmental Justice:

The owners of real property within the affected territory have requested, in writing, that the District provide off-site sewage disposal service. Property-owners of adjacent areas did not

request such service, and/or were contacted by Sanitation District staff and were not interested in securing such service or did not respond. The proposal promotes environmental justice, in that there is fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

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

q. Hazard Mitigation Plan, Safety Element, & Fire hazard zone:

Information contained in the County of Los Angeles All-Hazard Mitigation Plan approved in 2014 has no bearing on the Proposal. Information contained in the Safety Element of the General Plan of the County of Los Angeles (adopted October 6, 2015) has no bearing on the proposed annexation. Pursuant to maps published by the California Department of Forestry and Fire Protection, the affected territory is in a very high fire hazard zone, and it is not in a state responsibility area.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

None.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

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

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

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

CONCLUSION:

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

RECOMMENDED ACTION:

1. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 755 to the County Sanitation District No. 21 of Los Angeles County.

**RESOLUTION NO. 2019-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 755 TO THE COUNTY SANITATION DISTRICT NO. 21
OF LOS ANGELES COUNTY"**

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

WHEREAS, the proposed annexation consists of approximately 2.5± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 755 to the County Sanitation District No. 21 of Los Angeles County"; and

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

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

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

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

WHEREAS, the Executive Officer set the item for consideration for April 10, 2019 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012; and

WHEREAS, on April 10, 2019, this Commission considered the Proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(b), because the annexation consists of an individual small parcel of the minimum size for facilities exempted by Section 15303(a), the proposed development involves new construction of one single-family residence. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.
2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the annexation is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the

application to initiate proceedings for the proposed annexation, and no affected local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and

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

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

- 3. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
- 4. The affected territory consists of 2.5± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 755 to the County Sanitation District No. 21 of Los Angeles County".

- 5. Annexation No. 755 to the County Sanitation District No. 21 of Los Angeles County is hereby approved, subject to the following terms and conditions:

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

- b. The effective date of the annexation shall be the date of recordation.
 - c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - h. Except to the extent in conflict with "a" through "g", above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the County Sanitation District No. 21 of Los Angeles County.
7. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

PASSED AND ADOPTED this 10th day of April 2019.

MOTION:

SECOND:

AYES:

NOES:

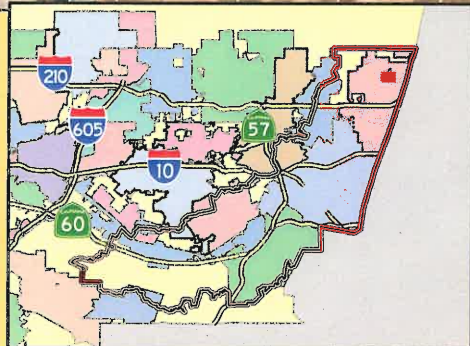
ABSTAIN:

ABSENT:

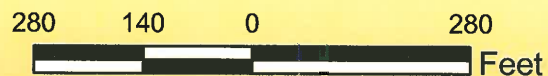
MOTION PASSES: 0/0/0

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





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



Annexation No. 755 to County Sanitation District No. 21



Legend

-  CSD Annexation 21-755
-  Sphere of Influence, CSD 21
-  Los Angeles County Sanitation District No. 21
-  City of Claremont

Staff Report

April 10, 2019

Agenda Item No. 6.f.

Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County

PROPOSAL SUMMARY:

Size of Affected Territory:	0.311± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	Santa Clarita Valley Sanitation District of Los Angeles County
Resolution:	January 19, 2018
Application Filed with LAFCO:	February 13, 2018
Location:	The affected territory is located on the northeast corner of Ferguson Drive and Cherry Drive.
City/County:	Los Angeles County unincorporated territory (Castaic).
Affected Territory:	The affected territory is residential. The territory consists of one existing single-family home. The topography is flat.
Surrounding Territory:	Surrounding territory is residential.
Landowner(s):	Robert & Linda Cotter
Registered Voters:	3 registered voters as of April 5, 2017.
Purpose/Background:	For the district to provide off-site sewage disposal service.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes.
Waiver of Notice/Hearing/Protest:	Yes.

CEQA Clearance:

The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a). The annexation consists of areas containing existing structures developed to the density allowed by the current zoning. A Categorical Exemption was adopted by the Santa Clarita Valley Sanitation District of Los Angeles County, as lead agency, on January 19, 2018.

Additional Information:

None.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The existing population is 3 residents as of April 5, 2017. The population density is 9.65 persons per acre.

The estimated future population is 3 residents (no anticipated change).

The affected territory is 0.311± acres. The affected territory is residential. The territory consists of one existing single-family home.

The assessed valuation is \$190,461 as of January 30, 2018.

The per capita assessed valuation is \$63,487.00.

On February 19, 2019, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is flat.

There are no natural boundaries.

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

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

The affected territory is likely to experience 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 one existing single-family home which requires organized governmental services.

The present cost and adequacy of governmental services and controls in the area are acceptable. With respect to sanitary sewage disposal, other than service provided by the District, there is no other sewer service alternative. The Los Angeles County Department of Public Health prohibits the installation, alteration, or repair of any on-site wastewater treatment systems for any building for which connection to a public sewer system is available within 200 feet. Due to the proposed land uses within the annexation area and its proximity to existing sewer infrastructure, public sewer service is the only viable alternative for development to occur. The cost of sewage disposal by the District is relatively preferable since the annexation is relatively close to an existing public sewer system. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact of the local government structure of the County. There is no alternative to public sewage disposal. Service by the District is considered more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

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

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

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

e. *Agricultural Lands:*

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

f. *Boundaries:*

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

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

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

g. *Consistency with Regional Transportation Plan:*

The Southern California Association of Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080. The closest highway to the annexation is part of the RTP and SCS's State Highway improved program. The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. *Consistency with Plans:*

The proposal is consistent with the existing County's General Plan designation of Single-Family Residence (R-1).

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

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

i. Sphere of Influence:

The affected territory is within the Sphere of Influence of the Santa Clarita Valley Sanitation District of Los Angeles County.

j. Comments from Public Agencies:

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

k. Ability to Provide Services:

Although the affected territory is not currently served by the District, the area was included in the future service area that might be served by the District. The District's future wastewater management needs were addressed in the 2015 Santa Clarita Joint Sewerage System Facilities Plan and Environmental Impact Report (EIR).

l. Timely Availability of Water Supplies:

There are no known issues regarding water supply or delivery. The affected territory is within the boundaries of the Santa Clarita Valley Water Agency which is the local water purveyor.

m. Regional Housing:

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

n. Comments from Landowners, Voters, or Residents:

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

o. Land Use Designations

The proposal is consistent with the existing County's General Plan designation of Single-Family Residence (R-1).

The proposal is consistent with the existing County's zoning designation of Light Agriculture (A-1-7000).

p. Environmental Justice:

The owners of real property within the affected territory have requested, in writing, that the District provide off-site sewage disposal service. Property-owners of adjacent areas did not request such service, and/or were contacted by Sanitation District staff and were not interested in securing such service or did not respond. The proposal promotes environmental

justice, in that there is fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

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

q. Hazard Mitigation Plan, Safety Element, & Fire hazard zone:

Information contained in the County of Los Angeles All-Hazard Mitigation Plan approved in 2014 has no bearing on the Proposal. Information contained in the Safety Element of the General Plan of the County of Los Angeles (adopted October 6, 2015) has no bearing on the proposed annexation. Pursuant to maps published by the California Department of Forestry and Fire Protection, the affected territory is in a very high fire hazard zone, and it is not in a state responsibility area.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

None.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The proposal is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a). The annexation consists of areas containing existing structures developed to the density allowed by the current zoning. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

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

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

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable extension of the Santa Clarita Valley Sanitation District of Los Angeles County which will be for the interest of landowners and/or present and/or future inhabitants within the District and within the annexation territory.

RECOMMENDED ACTION:

1. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County.

RESOLUTION NO. 2019-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 1087 TO THE SANTA CLARITA VALLEY SANITATION DISTRICT
OF LOS ANGELES COUNTY"

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

WHEREAS, the proposed annexation consists of approximately 0.311± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County"; and

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

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

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

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

WHEREAS, the Executive Officer set the item for consideration for April 10, 2019 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012; and

WHEREAS, on April 10, 2019, this Commission considered the Proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a), because it consists of areas containing existing structures developed to the density allowed by the current zoning. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.
2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the annexation is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed annexation, and no affected local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and

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

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

- 3. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
- 4. The affected territory consists of 0.3111± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County".
- 5. Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County is hereby approved, subject to the following terms and conditions:
 - a. The District agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
 - b. The effective date of the annexation shall be the date of recordation.

- c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - h. Except to the extent in conflict with "a" through "g", above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the Santa Clarita Valley Sanitation District of Los Angeles County.
7. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

Resolution No. 2019-00RMD

Page 5

PASSED AND ADOPTED this 10th day of April 2019.

MOTION:

SECOND:

AYES:

NOES:

ABSTAIN:

ABSENT:

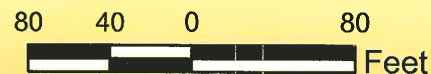
MOTION PASSES: 0/0/0

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





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



Annexation No. 1087 to the Santa Clarita Valley Sanitation District of Los Angeles County



Legend

-  CSD Annexation SCV-1087
-  City of Santa Clarita
-  Santa Clarita Valley Sanitation District of Los Angeles County
-  Sphere of Influence, CSD SCV

Staff Report

April 10, 2019

Agenda Item No. 7.a.

Proposed Draft Budget for Fiscal Year 2019-20

Background

Government Code Section 56381 requires the Commission to adopt a proposed budget by May 1st and a final budget by June 15th of each year. The Commission is further required to hold a noticed public hearing for both the proposed and final budget, and to distribute copies of the proposed and final budget to the County of Los Angeles, the 88 cities in Los Angeles County, and the 52 independent special districts in Los Angeles County.

Proposed Draft Budget

The Adopted Final Budget for Fiscal Year (FY) 2018-19 is \$1,472,400. The Proposed Draft Budget for Fiscal Year 2019-20 is \$1,625,603, which represents an increase of ten-percent (10%) over the FY 2018-19 Adopted Budget.

The increase in total appropriations would allow the Commission to implement its Municipal Service Review (MSR)/Sphere of Influence (SOI) schedule and fulfill its statutory obligations, without reducing its core functions.

The most significant expenditure increases are generally outside of the Commission's control and are described in greater detail below.

Expenditures

Employee Salaries (50001): A slight increase is included to account for a cost of living increase.

Employer Paid Pension Contributions (50015): As a LACERA participatory agency, LAFCO is subject to employer paid pension contribution rate increases. Over the course of two fiscal years, employer contribution rates were increased by approximately 2.34% in accordance with LACERA's valuation reports. The rate increases caused the cost of employer paid pension contributions to increase.

Insurance (50019): This account includes health, disability and life insurance, and is subject to increases outside of the Commission's control. As a result, this account will be maintained at FY 2018-19 levels, allowing the budget to absorb a maximum increase of 10% in this category.

Payroll Taxes (50020): This account was increased to more accurately reflect projected FY 2018-19 expenses.

Expenditures (continued)

Other Post-Employment Benefits (OPEB) – Existing Retirees (50022): Expenditures were increased to account for an additional LAFCO employee that will become eligible for post-employment benefits beginning in FY 2019-20.

LACERA OPEB Administrative Costs (50022.2): This budget line-item has been added to account for the estimated administrative fee quoted by LACERA for managing existing retiree health benefits.

Rent (50025): The proposed budget reflects a scheduled rent increase for LAFCO's ten-year lease executed in 2011, and an increase to common area maintenance (CAM) fees of approximately 37%. This is largely due major improvements that have been made to the facility and its common areas. Negotiations for a new office lease will commence in the 2019-20 fiscal year.

Computer Software (50029): This category includes Environmental Systems Research Institute (ESRI) software expenditures. ESRI is the Geographic Information Systems (GIS) software used to produce staff report/agency maps as well as Microsoft Office operating software.

Property/Liability Insurance (50032): The reduction in this category reflects projected FY 2018-19 expenditures.

Equipment Lease (50030) & Printing/Copy Charges (50056): Nominal increases were included to reflect FY 2018-19 expenditures.

Legal services (50076): Due to the departure of County Counsel assigned to LAFCO and new counsel having to manage LAFCO's recent need for additional legal services, the proposed budget more accurately reflects projected FY 2018-19 expenditures.

Audit/Financial Statements (50077.2): The budgeted amount corresponds to an existing four-year contract for outside auditing services. 2019 marks the final year of the contract.

Payroll Services (50077.1): Payroll services were increased to reflect projected FY 2018-19 expenditures.

Contract Services (50078): A placeholder for outside contract services is included. Funds in this account would allow the Commission to undergo a formal bidding process to comply with Governmental Accounting Standards Board (GASB) requirements related to actuarial valuation reports. The Commission would need to hire a firm to prepare an actuarial valuation report of its OPEB Obligations. The selection of an actuarial firm will be subject to the Commission's approval.

Expenditures (continued)

Municipal Service Reviews (MSRs) (50081): The proposed amount reflects the Commission's initiative to complete five Municipal Service Reviews (MSR) in the upcoming year. As acknowledged by the Commission in December of 2018, this would require outside consultant services. A placeholder is being included in this account. The selection of consultants is subject to the Commission's approval.

OPEB Liability

OPEB Liability – Reserves (20020): In the course of three fiscal years, the Commission has dedicated funding to its OPEB liability in an amount that covers anticipated obligations and funds part of the previously accrued liability. For two reasons, staff is not recommending additional contributions to its OPEB Trust Fund in the proposed budget; one, prior to the transfer of funds to the OPEB Trust, an actuarial valuation report must be completed as of July 1, 2018; and two, to lessen the increase to local agency assessments.

Revenues

Filing Fees (40005): Since filing fees are dependent on the actions of third parties, anticipating filing fee revenue is the most difficult projection in the annual budget. The figure included in the FY 2019-20 Proposed Draft Budget includes a modest amount, indicatively of projected year end revenues for FY 2018-19.

Processing Fees (40006): This account was inadvertently removed from the FY 2018-19 budget. This account is used for the reimbursement of extraordinary noticing charges and the County Assessor's parcel fees.

Local Agency Apportionment

LAFCO's annual apportionment—that is, the assessments upon the County of Los Angeles, the City of Los Angeles, the other 87 cities, and the independent special districts—have remained constant, with no increases, for FY 2016-17, FY 2017-18, and FY 2018-19.

As noted in the mid-year budget status report for FY 2018-19, presented to the Commission at your March 13th Meeting, the total local agency apportionment can no longer remain at FY 2016-2017 levels due to increased expenditures outside of the Commission's control. To forego increasing the apportionment, LAFCO has funded additional operating costs by drawing down on reserves, which is not sustainable on a long-term basis.

Staff is therefore proposing to increase the apportionment by sixteen-percent (16%). Staff reiterates that this would be the first such increase in four fiscal years. Over the combined, four-year period, and accounting for compounding, this averages out to an increase of slightly more than three-percent (3%) per fiscal year.

The County of Los Angeles assessment would increase by approximately \$83,000 (from \$508,633 to \$592,022); the City of Los Angeles assessment would increase by approximately \$33,000 (from \$203,456 to \$236,812); for the other 87 cities, the median increase would be approximately \$1,700; with the lowest city apportionment (City of Bradbury) increasing by approximately \$11 (from \$67 to \$78), and the highest city apportionment (City of Long Beach) increasing by approximately \$8,000 (from \$48,906 to \$56,923); for the 52 independent special districts, the median increase would be approximately \$1,600; with the lowest district apportionment (Ridgecrest Ranchos Recreation and Park District) increasing by approximately \$2 (from \$9 to \$11), and the highest district apportionment (West Basin Municipal Water District) increasing by approximately \$11,000 (from \$67,900 to \$79,000). Staff notes that these assessment projections are based on the reported budgets for cities and independent special districts; the actual assessments are calculated annually by the Los Angeles County Auditor-Controller, and may therefore be slightly different.

Staff Recommendation:

1. Open the budget hearing, receive public comments, and close the budget hearing;
2. Approve the attached Proposed Draft Budget for Fiscal Year 2019-20;
3. Pursuant to Government Code Section 56381, direct staff to forward the Proposed Budget for Fiscal Year 2019-20 to the County of Los Angeles, as well as the 88 cities and 52 independent special districts in Los Angeles County, for their comment; and
4. Set May 8, 2019, for hearing on adoption of the Recommended Final Budget for Fiscal Year 2019-20.

Enclosure: Proposed Draft Budget for Fiscal Year 2019-20 Spreadsheet

DRAFT PROPOSED BUDGET FOR FISCAL YEAR 2019-20

ACCT. #	ACCOUNT NAME	ADOPTED FINAL BUDGET 2018-19	MID YEAR BUDGET STATUS 2018-19	PROJECTED YEAR END (PYE) 2018-19	DRAFT PROPOSED BUDGET 2019-20	\$ Variance From FY 18-19 Adopted	% Variance From FY 18-19 Adopted
*As of 12/31/18							
EXPENSES							
50000	Salaries and Employee Benefits						
50001	Employee Salaries	\$ 639,600	\$ 313,080	\$ 627,700	\$ 651,203	\$ 11,603	1.8%
50015	Employer Paid Pension Contribution	116,200	59,124	118,032	121,000	4,800	4.1%
50016	Accrued vacation and sick cashout	10,000	4,700	10,000	10,000	-	0.0%
50017	Commissioner Stipends	20,000	8,100	20,000	20,000	-	0.0%
50018	Worker's Compensation Insurance	11,800	8,735	8,735	9,500	(2,300)	-19.5%
50019	Insurance (Health, Disability, Life)	126,000	109,090	111,888	126,000	-	0.0%
50020	Payroll Taxes	9,300	5,189	10,377	10,900	1,600	17.2%
50022	OPEB - Existing Retirees	23,364	9,768	19,800	27,000	3,636	15.6%
50022.2	LACERA OPEB Administratrion Costs	\$ 20,000	\$ -	\$ 20,000	\$ 20,000	-	0.0%
Total Salaries & Employee Benefits		\$ 976,264	\$ 517,784	\$ 946,532	\$ 995,603	\$ 19,339	2.0%
50000A	Office Expense						
50025	Rent	\$ 101,600	\$ 50,677	\$ 100,200	\$ 108,700	\$ 7,100	7.0%
50026	Communications	11,500	4,919	10,000	10,000	(1,500)	-13.0%
50027	Supplies	7,400	3,587	7,400	7,400	-	0.0%
50029	Computer Software	5,935	4,378	5,935	6,200	265	4.5%
50030	Equipment lease	6,100	3,577	6,257	6,500	400	6.6%
50031	Employee & Guest Parking Fees	8,781	4,329	8,514	9,200	419	4.8%
50032	Property/Liability Insurance	27,000	20,058	23,200	24,000	(3,000)	-11.1%
50033	Agency Membership Dues	11,400	13,236	13,236	13,000	1,600	14.0%
50040	Information Technology/Programming	6,600	3,387	6,600	7,000	400	6.1%
50052	Legal Notices	4,000	3,482	5,000	4,000	-	0.0%
50054	Postage	4,000	1,636	7,586	4,000	-	0.0%
50056	Printing/Copy Charges	4,000	1,788	5,400	4,400	400	10.0%
50057	Conferences/Travel - Commissioners	13,000	8,626	10,000	13,000	-	0.0%
50058	Conference/Travel - Staff	13,000	7,012	13,000	13,000	-	0.0%
50060	Auto Reimbursement	6,720	3,354	6,720	7,000	280	4.2%
50061	Various Vendors	7,200	3,745	7,491	8,000	800	11.1%
50065	Miscellaneous - Other	4,000	13,545	16,793	6,000	2,000	50.0%
50067	Computer-Copier-Misc Equipment	500	-	500	500	-	0.0%
Total Office Expenses		\$ 242,736	\$ 151,337	\$ 253,831	\$ 251,900	\$ 9,164	3.8%
50000C	Professional Services						
50076	Legal services	65,000	66,901	136,901	120,000	55,000	84.6%
50077	Accounting & Bookkeeping	25,000	15,378	25,000	25,000	-	0.0%
50077.2	Audit/Financial Statements	7,400	6,500	6,500	7,500	100	1.4%
50077.1	Payroll Service	3,000	2,315	4,385	5,600	2,600	86.7%
50078	Contract Services	3,000	-	18,000	20,000	17,000	566.7%
50081	Municipal Service Reviews	50,000	-	-	200,000	150,000	300.0%
Total Professional Services		\$ 153,400	\$ 91,094	\$ 190,786	\$ 378,100	\$ 224,700	146.5%
TOTAL EXPENDITURES		\$ 1,372,400	\$ 760,215	\$ 1,391,150	\$ 1,625,603	\$ 253,203	18.4%
20020	OPEB Liability - Reserves	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ (100,000)	
Total Contingencies and Reserves Set Aside		\$ 100,000	\$ -	\$ 100,000	\$ -	\$ (100,000)	
Total Appropriations		\$ 1,472,400	\$ 760,215	\$ 1,491,150	\$ 1,625,603	\$ 153,203	10.4%

DRAFT PROPOSED BUDGET FOR FISCAL YEAR 2019-20

ACCT. #	ACCOUNT NAME	ADOPTED FINAL BUDGET 2018-19	MID YEAR BUDGET STATUS 2018-19	PROJECTED YEAR END (PYE) 2018-19	DRAFT PROPOSED BUDGET 2019-20	\$ Variance From FY 18-19 Adopted	% Variance From FY 18-19 Adopted
*As of 12/31/18							
40000	REVENUES						
40005	Filing Fees	\$ 85,500	\$ 43,540	\$ 70,000	\$ 70,000	\$ (15,500)	-18.1%
40006	Processing Fees	-	-	-	1,000	1,000	
40007	Interest Income	12,000	12,508	22,000	15,000	3,000	25.0%
40008	Other Income	350	40	350	350	-	0.0%
	Total Revenues	\$ 97,850	\$ 56,088	\$ 92,350	\$ 86,350	\$ (11,500)	-11.8%
	NET OPERATING COSTS	\$ 1,374,550	\$ 704,127	\$ 1,398,800	\$ 1,539,253	\$ 164,703	12.0%
	Local Agency Apportionment	FY 2018-19	Proposed Budget Estimates*				
40001	City of Los Angeles	\$ 203,456		\$ 236,812	\$ 33,356	16.39%	
40002	County of Los Angeles	508,633		592,022	83,389	16.39%	
40003	Other Cities (87)	305,177		355,210	50,033	16.39%	
40004	Special Districts	305,177		355,210	50,033	16.39%	
	Total Local Agency Apportionment	\$ 1,322,443		\$ 1,539,253	\$ 216,810	16.39%	

**Estimates based on FY 2018-19 Billing. Invoices for FY 2019-20 are generated by the County Auditor Controller's Office.*

Staff Report

April 10, 2019

Agenda Item No. 7.b.

Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County

PROPOSAL SUMMARY:

Size of Affected Territory:	4.01± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	County Sanitation District No. 15 of Los Angeles County
Resolution:	December 18, 2017
Application Filed with LAFCO:	January 3, 2018
Location:	The affected territory is located on Del Valle Avenue west of the terminus of Mentz Street.
City/County:	City of La Puente.
Affected Territory:	The affected territory is residential. The territory consists of 45 proposed single-family homes.
Surrounding Territory:	Surrounding territory is residential.
Landowner(s):	Domingo, Jumar L.
Registered Voters:	0 registered voters as of February 15, 2017.
Purpose/Background:	For the District to provide off-site sewage disposal service.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes.
Waiver of Notice/Hearing/Protest:	No.

CEQA Clearance:	The California Environmental Quality Act (CEQA) clearance is a Mitigated Negative Declaration adopted by the City of La Puente, as lead agency, on January 24, 2017.
Additional Information:	None.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

The existing population is 0 residents as of February 15, 2017.

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

The estimated future population is 150 residents.

The affected territory is 4.01± acres. The affected territory is residential. The territory consists of 45 proposed single-family homes.

The assessed valuation is \$4,896,000 as of February 15, 2017.

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

On February 19, 2019, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is flat.

There are no natural boundaries.

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

The affected territory is surrounded by populated areas on all sides. With Del Valle Elementary School immediately North of the affected territory and Sierra Vista Middle School immediately west of the affected territory.

The affected territory is likely to experience modest 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 will be developed to include 45 single-family homes which will require organized governmental services. The affected territory will require governmental services indefinitely.

The present cost and adequacy of governmental services and controls in the area are acceptable. With respect to sanitary sewage disposal, other than service provided by the District, there is no other sewer service alternative. The Los Angeles County Department of Public Health prohibits the installation, alteration, or repair of any on-site wastewater treatment systems for any building for which connection to a public sewer system is available within 200 feet. Due to the proposed land uses within the annexation area and its proximity

to existing sewer infrastructure, public sewer service is the only viable alternative for development to occur. The cost of sewage disposal by the District is relatively preferable since the annexation is relatively close to an existing public sewer system. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact of the local government structure of the County. There is no alternative to public sewage disposal. Service by the District is considered more reliable than septic systems. Service by the District is environmentally superior in terms of wastewater treatment, effluent discharge, and impacts on surface water bodies and groundwater.

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

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

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

e. *Agricultural Lands:*

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

f. *Boundaries:*

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

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

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

g. *Consistency with Regional Transportation Plan:*

The Southern California Association of Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080. The closest highway to the annexation is part of the

RTP and SCS's State Highway improved program. The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. Consistency with Plans:

The proposal is consistent with the existing City's General Plan designation of Medium Density Residential (MDR).

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

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

i. Sphere of Influence:

The affected territory is within the Sphere of Influence of the County Sanitation District No. 15 of Los Angeles County.

j. Comments from Public Agencies:

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

k. Ability to Provide Services:

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

l. Timely Availability of Water Supplies:

There are no known issues regarding water supply or delivery. The affected territory is within the boundaries of the La Puente Valley County Water District which is the local water purveyor.

m. Regional Housing:

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

n. Comments from Landowners, Voters, or Residents:

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

o. Land Use Designations

The proposal is consistent with the existing City's General Plan designation of Medium Density Residential (MDR).

The proposal is consistent with the existing City's zoning designation of Medium Residential (R-2).

p. Environmental Justice:

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

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

q. Hazard Mitigation Plan, Safety Element, & Fire hazard zone:

Information contained in the County of Los Angeles All-Hazard Mitigation Plan approved in 2014 has no bearing on the Proposal. Information contained in the Safety Element of the General Plan of the County of Los Angeles (adopted October 6, 2015) has no bearing on the proposed annexation. The affected territory is not in a very high fire hazard zone, nor in a state responsibility area, pursuant to maps published by the California Department of Forestry and Fire Protection.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

None.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The CEQA clearance is a Mitigated Negative Declaration adopted by the City of LA Puente, as lead agency, in January 24, 2017. The Commission is a responsible agency pursuant to CEQA and State CEQA Guidelines Section 15096.

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable extension of the County Sanitation District No. 15 of Los Angeles County which will be for the interest of landowners and/or present and/or future inhabitants within the district and within the annexation territory.

RECOMMENDED ACTION:

1. Open the public hearing and receive testimony on the annexation;
2. There being no further testimony, close the public hearing;
3. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County; and
4. Pursuant to Government Code Section 57002, set June 12, 2019, at 9:00 a.m. or the Commission's next available meeting date consistent with the protest provisions, in Room 381-B of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012, as the date, place, and time for Commission protest proceedings.

**RESOLUTION NO. 2019-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING
"ANNEXATION NO. 298 TO THE COUNTY SANITATION DISTRICT NO. 15
OF LOS ANGELES COUNTY "**

WHEREAS, the County Sanitation District No. 15 of Los Angeles County (District) adopted a resolution of application to initiate proceedings, which was submitted to the Local Agency Formation Commission for the County of Los Angeles (Commission), pursuant to, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the District, all within the City of La Puente; and

WHEREAS, the proposed annexation consists of approximately 4.01± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County"; and

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

WHEREAS, the principal reason for the proposed annexation is for the District to provide off-site sewage disposal to 45 proposed single-family homes; and

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

WHEREAS, the Executive Officer has given notice of the public hearing pursuant to Government Code Sections 56150-56160, 57025, and 57026, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on

March 8, 2019, which is at least 21 days prior to the public hearing, and said hearing notice was also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on April 10, 2019, after being duly and properly noticed, this proposal came on for hearing, at which time this Commission heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set the protest hearing for June 12, 2019 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Acting in its role as a responsible agency with respect to Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County, pursuant to California Environmental Quality Act (CEQA) Section 15096 of the CEQA guidelines, the Commission considered the Mitigated Negative Declaration prepared and adopted by the City of La Puente, as lead agency, on January 24, 2017, together with any comments received during the public review process; certifies that the Commission has independently reviewed and considered and reached its own conclusions regarding the environmental effects of the

project as shown in the Mitigated Negative Declaration; and adopts the Mitigation Monitoring and Reporting Program (Del Valle Residential Project- La Puente, CA) for the project, finding that the Mitigation Monitoring and Reporting Program (Del Valle Residential Project- La Puente, CA) is adequately designed to ensure compliance with the mitigation measures during project implementation as applicable to the responsible agency.

2. 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.
3. The affected territory consists of 4.01± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County".
4. Annexation No. 298 to the County Sanitation District No. 15 of Los Angeles County is hereby approved, subject to the following terms and conditions:
 - a. The District agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.

- b. The effective date of the annexation shall be the date of recordation.
 - c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - h. Except to the extent in conflict with "a" through "g", above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
5. Pursuant to Government Code Section 57002, the Commission hereby sets the protest hearing for June 12, 2019 at 9:00 a.m. and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
6. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code Section 56882.

Resolution No. 2019-00RMD

Page 5

PASSED AND ADOPTED this 10th day of April 2019.

MOTION:

SECOND:

AYES:

NOES:

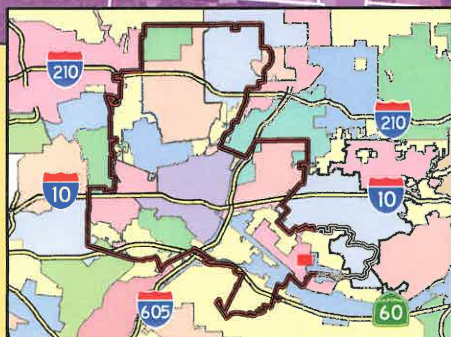
ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0

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

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



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LAFCO
Local Agency Formation Commission
for the County of Los Angeles

April 10, 2019

Annexation No. 298 to County Sanitation District No. 15

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Feet

Legend

- CSD Annexation 15-298
- City of La Puente
- Los Angeles County Sanitation District No. 15
- Sphere of Influence, CSD 15

Staff Report

April 10, 2019

Agenda Item No. 7.c.

**Reorganization No. 2016-33 to the City of Los Angeles and
amendments to the City of Los Angeles, Consolidated Fire Protection District of Los
Angeles County, and West Basin Municipal Water District Spheres of Influence (“SOI’s”)
(detachment from the City of Los Angeles and annexation to the Consolidated Fire
Protection District of Los Angeles County and West Basin Municipal Water District)**

PROPOSAL SUMMARY:

Size of Affected Territory:	1.34± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	County of Los Angeles
Resolution:	September 5, 2017
Application Filed with LAFCO:	February 3, 2018
Location:	The affected territory is located west of the intersection of West 116 th Street and Isis Ave.
City/County:	City of Los Angeles
Affected Territory:	The affected territory consists of a portion of publicly-owned right-of-way. The topography is flat.
Surrounding Territory:	Surrounding the affected territory are industrial and residential uses.
Landowner:	City of Los Angeles
Registered Voters:	0 registered voters as of February 3, 2018
Purpose/Background:	The County of Los Angeles states the reorganization is necessary to place a portion of a publicly-owned right-of-way in the same jurisdiction as the adjacent residential area. This would allow the County to implement/enforce on-street parking restrictions.

Jurisdictional Changes:	The jurisdictional changes as a result of this reorganization include amendments to the City of Los Angeles, Consolidated Fire Protection District of Los Angeles County, and West Basin Municipal Water District SOI's; detachment from the City of Los Angeles; annexation to the Consolidated Fire Protection District of Los Angeles County and West Basin Municipal Water District.
Within SOI:	The affected territory is within the City of Los Angeles SOI. A concurrent SOI amendment is being processed with this application, and this amendment will exclude the affected territory from the City of Los Angeles SOI. The affected territory is outside the Consolidated Fire Protection District of Los Angeles County SOI and the West Basin Municipal Water District SOI. A concurrent SOI amendment is being processed with this application, and this amendment will include the affected territory to the Consolidated Fire Protection District of Los Angeles County SOI and West Basin Municipal Water District SOI.
Waiver of Notice/Hearing/Protest:	Yes on the basis of the reorganization. Although the Commission may make a determination without public notice and hearing and waive protest proceedings, relative to the proposed reorganization, as described below, a noticed public hearing is required for the proposed SOI amendments, pursuant to Government Code Section 56427.
CEQA Clearance:	The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15320 because it consists of a reorganization of local government agencies where the changes do not change the geographical area in which previously existing powers are exercised.
Additional Information:	Once detached from the City of Los Angeles the affected territory will revert back to unincorporated territory.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

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

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

The affected territory is 1.34± acres. The existing land use is publicly-owned right-of-way.

The assessed valuation is \$0 as of February 3, 2018.

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

On March 5, 2019, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is flat.

There are no natural boundaries.

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

The nearest populated area is adjacent to the affected territory. 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 publicly-owned right-of-way which requires limited 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	City of Los Angeles Department of Animal Services	County Animal Care and Control
Fire and Emergency Medical	City of Los Angeles Fire Department	Consolidated Fire Protection District of Los Angeles County

Flood Control	Los Angeles County Flood Control District	Same
Library	County Library	County Library
Mosquito & Vector Control	Los Angeles County West Vector & Vector-Borne Disease Control District	Same
Park and Recreation	City of Los Angeles	County of Los Angeles
Planning	City of Los Angeles	County of Los Angeles
Police	Los Angeles Police Department	Sheriff
Road Maintenance	City of Los Angeles	County of Los Angeles
Solid Waste	private hauler	private hauler
Street Lighting	City of Los Angeles	County of Los Angeles
Water	Los Angeles Water & Power	West Basin Municipal Water District
Wastewater	County Sanitation District No. 5 of Los Angeles County	Same

The County will continue to provide flood control services and library services, the Los Angeles County West Vector & Vector-Borne Disease Control District will continue to provide mosquito and vector control services, and the County Sanitation District No. 5 of Los Angeles County will continue to provide wastewater services to the reorganization area.

Upon approval of the reorganization request, the County of Los Angeles will provide animal control, park and recreation, planning, road maintenance, and street lighting, as well as solid waste services directly or through contracts. The County of Los Angeles will continue to provide adequate services and maintain current service levels. Enhanced service levels will be financed through the County's general fund revenues or developer fees.

Upon approval of the reorganization, the Consolidated Fire Protection District of Los Angeles County will provide fire and emergency medical services, the Los Angeles County Sheriff Department will provide police services, and the West Basin Municipal Water District will provide water 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 significant effects 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 County.

The only alternative action is for the publicly-owned right-of-way to remain in the City of Los Angeles. The effect of alternate actions on mutual social and economic interests and on the local governmental structure of the City of Los Angeles 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 do not conform to lines of assessment or ownership, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

The affected territory in this proposed reorganization is contiguous to the existing boundaries of unincorporated County of Los Angeles

The proposal does not create islands or corridors of unincorporated territory

g. *Consistency with Regional Transportation Plan:*

The Southern California Association of Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080. The closest highway to the reorganization is part of the RTP and SCS's State Highway improved program. 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 General Plan designation of publicly-owned right-of-way.

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

Pre-zoning was not adopted for the affected territory. Publicly-owned rights-of-way are not zoned in the County of Los Angeles.

i. *Sphere of Influence:*

The affected territory is within the City of Los Angeles SOI. A concurrent SOI amendment is being processed with this application, and this amendment will exclude the affected territory from the City of Los Angeles SOI. The affected territory is outside Consolidated Fire Protection District of Los Angeles County SOI and West Basin Municipal Water District SOI. A concurrent SOI amendment is being processed with this application, and this amendment will include the affected territory to the Consolidated Fire Protection District of Los Angeles County SOI and West Basin Municipal Water District SOI.

j. *Comments from Public Agencies:*

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

k. *Ability to Provide Services:*

The County of Los Angeles, Consolidated Fire Protection District, and West Basin Municipal Water District currently provide municipal services to many parcels of land. The reorganization would add approximately 1.34± acres to their respective service areas. The County and the special districts 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. West Basin Municipal Water District provides water to existing unincorporated territory adjacent to the affected territory.

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 City have agreed to a Regional Housing Needs Assessment (RHNA) allocation transfer of zero units from the County to the City.

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 General Plan designation of publicly-owned right-of-way.

The proposal is consistent with the existing City zoning designation. The City of Los Angeles does not assign zoning designations to publicly-owned rights-of-way.

Pre-zoning was not adopted for the affected territory. Publicly-owned rights-of-way are not zoned in the County of Los Angeles.

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.

q. Hazard Mitigation Plan:

Information contained in the County of Los Angeles All-Hazard Mitigation Plan approved in 2014 has no bearing on the Proposal. The affected territory is not in a Very High Fire Hazard Zone, nor in a State Responsibility Area, pursuant to maps published by the California Department of Forestry and Fire Protection (Cal Fire). Information contained in the Safety Element of the General Plan for the City of Los Angeles (adopted November 26, 1996) has no bearing on the proposed reorganization.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

Once detached from the City of Los Angeles the affected territory will revert back to unincorporated territory.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15320 because it consists of a reorganization of local government agencies where the changes do not change the geographical area in which previously existing powers are exercised. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

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

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

PUBLIC HEARING REQUIREMENT FOR SOI AMENDMENT(S):

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

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

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

1. Present and Planned Land Uses in the Area

The present and future land use is publicly-owned right-of-way.

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

The affected territory is located within the City of Los Angeles. General government services, including animal control, land use planning and regulation, law enforcement, fire protection, flood control, library, vector control, park and recreation, road maintenance, solid waste, street lighting, water, wastewater, and other services are provided by either the city, county, or a special district

The affected territory includes publicly-owned right-of-way which requires limited organized governmental services.

3. Present Capacity of Public Facilities and Services:

The County of Los Angeles, Consolidated Fire Protection District, and West Basin Municipal Water District currently provide municipal services to many parcels of land. The reorganization would add approximately 1.34± acres to their respective service areas. The County and the special districts have the ability to provide service to the affected territory once the reorganization is complete.

4. Social or Economic communities of interest

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

5. Disadvantaged Unincorporated Communities:

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

There are existing DUCs within the jurisdictional boundaries and the Spheres of Influence (“SOIs”) for the involved public agencies. The present and probable need for sewers, municipal and industrial water, and structural fire protection of these existing disadvantaged

unincorporated communities is not in any way impacted by approval of the proposed reorganization.

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

The Commission has on file written statement of the functions and classes of service of the Consolidated Fire Protection District for Los Angeles County and West Basin Municipal Water District and can establish the nature, location and extent of its classes of service and that it provides fire protection and water services within its boundary.

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable reorganization between the City of Los Angeles and the County of Los Angeles which will be for the interest of landowners and/or present and/or future inhabitants within the unincorporated territory and within the reorganization territory.

RECOMMENDED ACTION:

1. Open the public hearing and receive testimony on the SOI amendments;
2. There being no further testimony, close the public hearing; and
3. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Reorganization No. 2016-33 to the City of Los Angeles; Amendments to the City of Los Angeles, Consolidated Fire Protection District of Los Angeles County, and West Basin Municipal Water District Spheres of Influence; detachment from the City of Los Angeles; and annexation to the Consolidated Fire Protection District of Los Angeles County and West Basin Municipal Water District.

**RESOLUTION NO. 2019-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
" REORGANIZATION NO. 2016-33 TO THE CITY OF LOS ANGELES AND AMENDMENTS TO THE
CITY OF LOS ANGELES, CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY,
AND WEST BASIN MUNICIPAL WATER DISTRICT SPHERES OF INFLUENCE ("SOI")"
(DETACHMENT FROM THE CITY OF LOS ANGELES AND ANNEXATION TO THE
CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND
WEST BASIN MUNICIPAL WATER DISTRICT)**

WHEREAS, the County of Los Angeles (County) adopted a resolution of application to initiate proceedings, which was submitted to the Local Agency Formation Commission for the County of Los Angeles (Commission), pursuant to, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for reorganization and sphere of influence amendments of territory herein described to the City of Los Angeles, Consolidated Fire Protection District of Los Angeles County, detachment of said territory from the City of Los Angeles, and annexation of said territory to the Consolidated Fire Protection District of Los Angeles County and West Basin Municipal Water District, all within the County; and

WHEREAS, the proposed reorganization consists of approximately 1.34± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Reorganization No. 2016-33 to the City of Los Angeles "; 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 to place a portion of a publicly-owned right-of way in the same jurisdiction as the adjacent residential area; and

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

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

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

WHEREAS, the Executive Officer has given notice of the public hearing for the proposed Sphere of Influence Amendment(s) pursuant to Government Code Sections 56150-56160, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on March 18, 2019, which is at least 21 days prior to the public hearing, and said hearing notice was also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on April 10, 2019, this Commission considered the Proposal and the report of Executive Officer, and heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the Sphere of Influence Amendments.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that Reorganization No. 2016-33 to the City of Los Angeles, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15320 because it consists of a

reorganization of local government agencies where the changes do not change the geographical area in which previously existing powers are exercised. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:

- a. The territory encompassed by the reorganization is uninhabited; and
- b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed reorganization, and no affected local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and
- c. The reorganization was accompanied by satisfactory proof that all owners of land within the affected territory have given their written consent to the proposal.

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

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

3. The Commission hereby amends the Spheres of Influence of the City of Los Angeles, Consolidated Fire Protection District of Los Angeles County, and West Basin Municipal Water District so as to exclude the subject territory described in Exhibit "A" and "B" from the City of Los Angeles, and include the subject territory described in Exhibit "A" and "B" within the Consolidated Fire Protection District of Los Angeles County, and West Basin Municipal Water District and makes the following determinations in accordance with Government Code Section 56425:

a. Present and Planned Land Uses in the Area

The present and future land use is publicly-owned right-of-way.

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

The affected territory is located within the City of Los Angeles. General government services, including animal control, land use planning and regulation, law enforcement, fire protection, flood control, library, vector control, park and recreation, road maintenance, solid waste, street lighting, water, wastewater, and other services are provided by either the city, county, or a special district.

The affected territory includes publicly-owned right-of-way which requires limited organized governmental services.

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

The County of Los Angeles, Consolidated Fire Protection District, and West Basin Municipal Water District currently provide municipal services to many parcels of

land. The reorganization would add approximately 1.34± acres to their respective service areas. The County and the special districts have the ability to provide service to the affected territory once the reorganization is complete.

d. Existence of Any Social or Economic Communities of Interest

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

e. Disadvantaged Unincorporated Communities

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

There are existing DUCs within the jurisdictional boundaries and the Spheres of Influence ("SOI's") for the involved public agencies. The present and probable need for sewers, municipal and industrial water, and structural fire protection of these existing disadvantaged unincorporated communities is not in any way impacted by approval of the proposed reorganization.

f. Determination of the Services of the Existing District

The Commission has on file written statement of the functions and classes of service of the Consolidated Fire Protection District for Los Angeles County and West Basin Municipal Water District and can establish the nature, location and extent of its classes of service and that it provides fire protection and water services within its boundary.

4. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
5. The affected territory consists of 1.34± acres, is uninhabited, and is assigned the following short form designation:

" Reorganization No. 2016-33 to the City of Los Angeles ".

6. Reorganization No. 2016-33 to the City of Los Angeles is hereby approved, subject to the following terms and conditions:
 - a. The County 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 County and/or special districts.
 - e. The regular County assessment roll shall be utilized by the County and/or special districts.
 - f. The affected territory will be taxed for any existing general indebtedness, if any,

of the County and/or special districts.

- g. Annexation of the affected territory described in Exhibits "A" and "B" to the Consolidated Fire Protection District of Los Angeles County and West Basin Municipal Water District.
- h. Detachment of the affected territory described in Exhibits "A" and "B" from the City of Los Angeles.
- i. Upon the effective date of the reorganization, all right, title, and interest of the City, including but not limited to, the underlying fee title or easement where owned by the City, 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 County.
- j. Upon the effective date of the reorganization, the County shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the City: 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 County 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.
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code Section 56882.
8. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" reorganization to the City.
9. The Executive Officer is directed to transmit a copy of this resolution to the County, upon the County'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 10th day of April 2019.

MOTION:

SECOND:

AYES:

NOES:

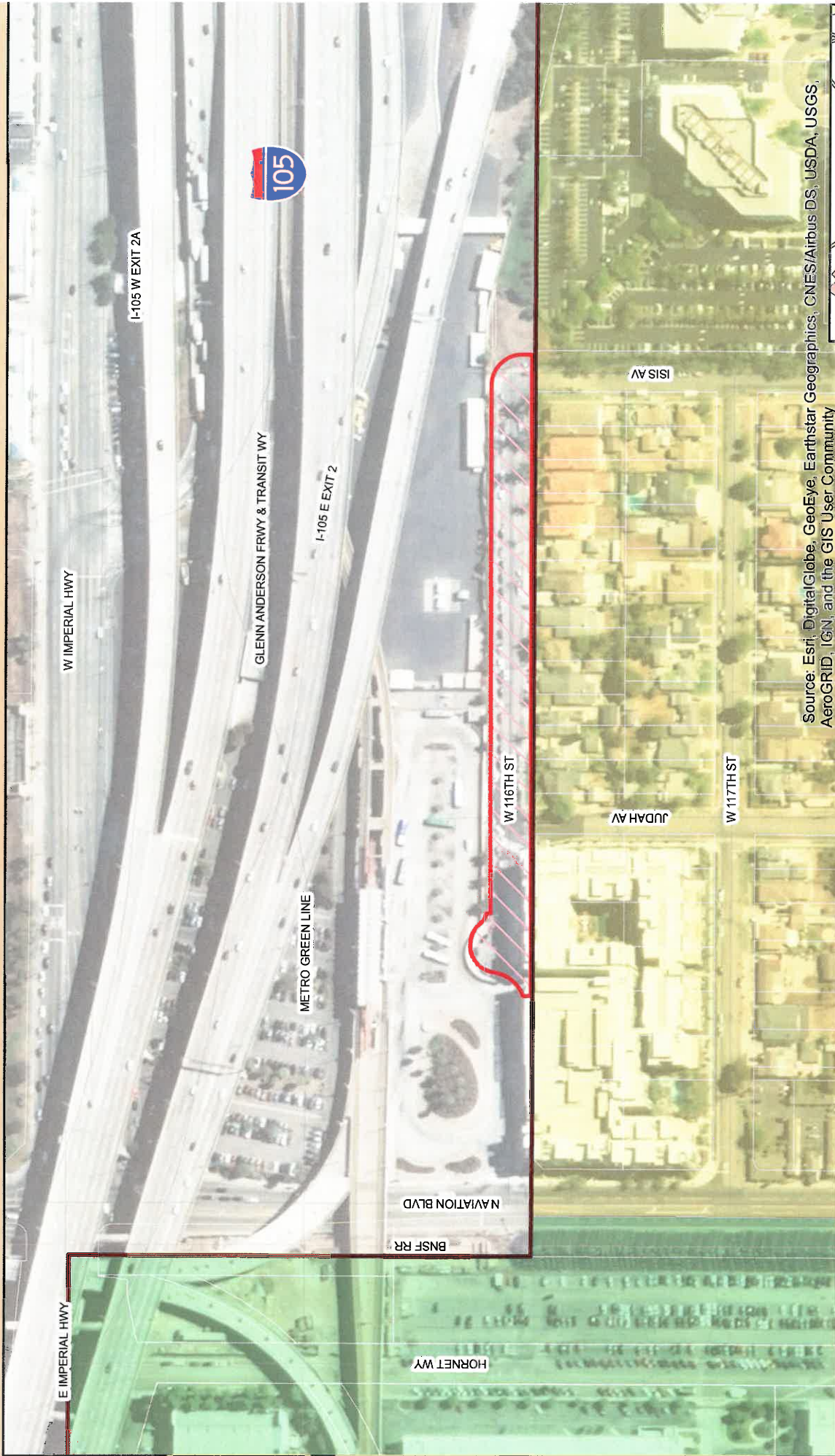
ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0





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

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



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

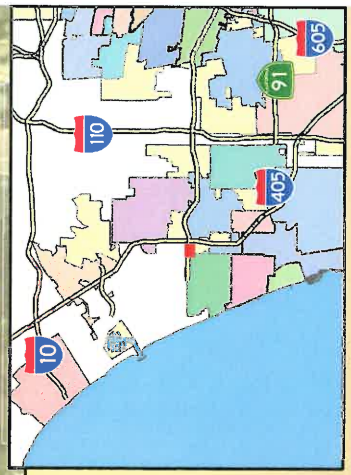
Legend

-  Reorg 2016-33 to Los Angeles
-  County Unincorporated
-  City of Los Angeles
-  City of Los Angeles Sphere of Influence (SOI)

Annexation No. 2016-33 to the City of Los Angeles (includes SOI Amendment for City of Los Angeles and Consolidated Fire Protection District)



LAFCO
Local Agency Formation Commission for the County of Los Angeles



Staff Report

April 10, 2019

Agenda Item No. 7.d.

Reconsideration of Resolution No. 2019-01RMD - Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determinations Disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)

Pursuant to Government Code Section 56895, any person or affected agency may file a written request with the Executive Officer requesting amendments to or reconsideration of the resolution. The request shall state the specific modification to the resolution being requested and the request shall state what new or different facts that could not have been presented previously are claimed to warrant the reconsideration.

A request for reconsideration of Resolution No. 2019-01RMD - Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determination Disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) was received on March 12, 2019 from the City of Calabasas.

The City of Calabasas seeks reconsideration on the grounds that the Commission failed to adequately consider all the relevant factors under Government Code sections 56668 and 56425 (see attached Exhibit "A").

On January 9, 2019, after holding a public hearing and considering all oral and written testimony, objections, and evidence, including the Executive Officer's Staff Report and its review of the provisions required by Government Code sections 56668, 56425, and 56430, the Commission disapproved a request for the annexation of approximately 57.78 ± acres of uninhabited territory into the boundaries of the City of Calabasas and associated sphere of influence amendment. On February 13, 2019, the Commission adopted Resolution No. 2019-01RMD - Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determinations Disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road).

In reviewing the City's request for reconsideration, Staff determined that consideration of section 56668(q), which was effective on January 1, 2019, is warranted and is included in this Staff Report. Staff recommends that Resolution No. 2019-01RMD be amended to include a reference to the Commission's review of this Staff Report, consideration of section 56668(q) and determination of the City of Calabasas reconsideration request.

The Commission's determination of the request for reconsideration is subject to the provisions of Government Code section 56895, which subsections (g) and (h) provide as follows:

"(g) At the conclusion of its consideration, the commission may approve with or without amendment, wholly, partially, or conditionally, or disapprove the request. If the

commission disapproves the request, it shall not adopt a new resolution making determinations. If the commission approves the request, with or without amendment, wholly, partially or conditionally, the commission shall adopt a resolution making determinations that shall supersede the resolution previously issued.

“(h) The determinations of the commission shall be final and conclusive. No person or agency shall make any further request for the same change or a substantially similar change, as determined by the commission.”

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

j. Comments from Public Agencies:

Staff received a letter from counsel for the County of Los Angeles on March 26, 2019, in opposition to the reconsideration request submitted by the City of Calabasas and staff received additional correspondence on April 2, 2019 from the City of Calabasas (see attached Exhibit “D”).

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

Staff received a letter from a local resident on April 3, 2019, in opposition to the reconsideration request submitted by the City of Calabasas (see attached Exhibit “E”).

q. Hazard Mitigation Plan:

The County of Los Angeles All-Hazard Mitigation Plan (approved February 13, 2014) establishes the County's emergency policies and procedures in the event of a disaster and addresses allocation of resources and protection of the public in the event of an emergency. The Safety Element of the General Plan for the County of Los Angeles (approved October 6, 2015) addresses reduction of potential risk of death, injuries and economic damage resulting from natural and man-made hazards. The affected territory is within a Very High Fire Hazard Zone pursuant to maps published by the California Department of Forestry and Fire Protection (Cal Fire). The affected territory is not within maps that identify state responsibility areas. Both the County of Los Angeles All-Hazard Mitigation Plan and the Safety Element of the General Plan includes information relating to mitigation and management of wildfire and fire hazard severity zones.

The City of Calabasas is one of five city members of the Las Virgenes – Malibu Council of Governments (LVMCOG) which was established as a Joint Powers Authority for coordination of governmental services and responsibilities. The LVMCOG has adopted a 2018 Multi-Jurisdictional Hazard Mitigation Plan for protection of the public, critical facilities, infrastructure, private and public property, and the environment caused by natural and man-made hazards, including mitigation and management of wildfire and very high fire hazard severity zones. The Safety Element of the General Plan for the City of Calabasas addresses mechanisms to reduce death, injury, property damage and the economic and social dislocation resulting from hazards such as fires, floods, earthquakes, landslides and other hazards.

RECOMMENDED ACTION:

1. Open the public hearing and receive any oral or written testimony on the request for reconsideration;
2. There being no further testimony, close the public hearing;
3. Partially approve the City of Calabasas' Request for Reconsideration of Resolution No. 2019-01RMD, for the reasons stated in this Staff Report and based on the written and oral testimony and information provided to the Commission during and in advance of the public hearing regarding reconsideration of Resolution No. 2019-01RMD;
4. Approve the attached Amended Resolution No. 2019-01RMD, and adopt the Resolution Making Determinations; and
5. Find the approval of the Amended Resolution No. 2019-01RMD is exempt from the California Environmental Quality Act for the reasons stated in the Amended Resolution and records of the proceedings.

EXHIBITS:

- Exhibit "A": Request for Reconsideration; March 12, 2019 Letter from David J. Shapiro, Mayor of Calabasas
- Exhibit "B": Resolution adopted by the Commission on February 13, 2019 Disapproving Annexation No. 2014-04 to the City of Calabasas ("Resolution 2019-01RMD Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determinations Disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)")
- Exhibit "C": Staff Report of January 9, 2019 to approve Annexation No. 2014-04 to the City of Calabasas ("Resolution 2019-00RMD Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determinations Approving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)")
- Exhibit "D": Comments from Public Agencies
- Exhibit "E": Comments from Landowners, Registered Voters, or Residents

**RESOLUTION NO. 2019-01RMD (AMENDED)
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS DISAPPROVING
"ANNEXATION NO. 2014-04 TO THE CITY OF CALABASAS (WEST AGOURA ROAD)"**

WHEREAS, the City of Calabasas (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 § 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the City, and detachment of said territory from County Road District No. 3 and withdrawal from County Lighting Maintenance District 1687 and County Public Library System, all within the County of Los Angeles (County); and

WHEREAS, the City requested that the Commission amend the existing Sphere of Influence (SOI) for the City of Calabasas, which is currently a Coterminous SOI (one in which the City's jurisdictional boundary is the same as the SOI boundary), to add the affected territory in the proposed annexation to the City's SOI; and

WHEREAS, the proposed annexation ("Proposal") consists of approximately 57.78± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)"; and

WHEREAS, the Executive Officer has reviewed the Proposal and submitted to the Commission written reports on January 9, 2019 and April 10, 2019, including his recommendations therein, pursuant to Government Code § 56665; and

WHEREAS, the Executive Officer provided notice of the Commission's public hearings on January 9, 2019 and April 10, 2019 pursuant to Government Code §§ 56150-56160, 56427, 57025, and 57026, wherein the public hearing notices were published in a newspaper of general circulation in the County at least 21 days prior to the public hearings, and said hearing notices were also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on January 9, 2019, after being duly and properly noticed, this Proposal came on for hearing, at which time this Commission heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this Proposal and the report of the Executive Officer; and

WHEREAS, the Commission disapproved the proposed annexation and the proposed SOI amendment at its January 9, 2019 public hearing; and

WHEREAS, on February 13, 2019, the Commission adopted Resolution No. 2019-01RMD - Resolution of the Local Agency Formation Commission for the County of Los Angeles Making Determinations Disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road); and

WHEREAS, the Commission has considered the request for reconsideration from the City dated March 12, 2019, which is partially approved as provided herein, to include consideration of Government Code section 56668(q); and

WHEREAS, the Commission has carefully considered the Executive Officer's written reports dated January 9, 2019 and April 10, 2019, including all factors required by Government

Code § 56668 (subsections “a” through “q”); the written testimony submitted in advance of the public hearings; the written testimony submitted during the public hearings on January 9, 2019 and April 10, 2019; and the oral testimony at the public hearings;

WHEREAS, Government Code § 56668 identifies seventeen (17) subsets of factors (identified as subsections (a) through (q)) to be considered in the review of a proposal; and

WHEREAS, Government Code § 56668(a) identifies “topography” as a factor, and the affected territory lies westerly of the existing boundary of the City, and the overwhelming majority of the existing City is on the far (easterly) side of a hill, and therefore somewhat removed from, the affected territory in the proposed annexation; and

WHEREAS, Government Code § 56668(a) identifies “proximity to other populated areas” as a factor, and the nearest existing homes in the City are found in a neighborhood which is located on the other side of a hill from the affected territory, and another neighborhood which is separated from most of the affected territory by the Ventura (U.S. 101) Freeway; and

WHEREAS, Government Code § 56668(b) identifies “the present cost and adequacy of governmental services and controls in the areas,” and nothing was provided in the record to suggest that existing governmental services and controls in the affected territory are, in any way, inadequate, and, during commission deliberations at the public hearing on January 9, 2019, commissioners stated that the County does a good job in providing services to unincorporated communities, and that all five County Supervisors devote extraordinary efforts to allocating resources to unincorporated communities; and

WHEREAS, Government Code § 56668(c) identifies “[t]he effect of the proposed action and of alternative actions, on adjacent areas,” and residents living in the City of Agoura Hills

near the affected territory testified at the public hearing, and in writing, that they experience impacts associated with lighting, noise, and traffic from development within the affected territory, and to a degree substantially more significant than is experienced by residents living within the City, all of which were considered by the Commission, as further reflected during the Commission's deliberations at the public hearing on January 9, 2019, at which time individual commissioners referred to this testimony, noting that the property is contiguous to existing homes in Agoura Hills, whose residents experience these impacts, and that one of the Commission's purposes is to put residents first; and

WHEREAS, Government Code § 56668(i) identifies "[t]he sphere of influence of any local agency which may be applicable to the proposal being reviewed," and the affected territory is outside the boundaries of the City's SOI; the SOI was originally determined to be an SOI that is coterminous to the City's existing boundary by the Commission on July 8, 1992; the SOI was reconfirmed by the Commission on August 25, 2004 and October 10, 2012; in the 2004 and 2012 reconfirmations, the Commission adopted an SOI that is coterminous to the City's existing boundary; and the Commission disapproved the SOI amendment at the January 9, 2019 public hearing; and

WHEREAS, Government Code § 56668(j) identifies "[t]he comments of any affected local agency or other public agency," and LAFCO received two letters from the County (dated December 19, 2018; and January 9, 2019) opposing the proposed annexation; four letters from the City of Agoura Hills (dated April 18, 2014; May 6, 2014; April 16, 2018; and January 3, 2019) expressing concerns about and/or opposing the proposed annexation; and four letters from the City (dated June 5, 2014; December 26, 2018; December 28, 2018; and December 27, 2019)

supporting the proposed annexation, and addressing concerns raised by opponents of the proposed annexation; all of which were considered by the Commission; and, at the public hearing on January 9, 2019; several individuals spoke on behalf of public agencies; including individuals representing and speaking on behalf of the City (Mayor, Mayor pro Tem, two City Council-Members, City Manager, Assistant City Attorney, Public Works Director/City Engineer, Community Development Director, and City Planner); individuals representing and speaking on behalf of the City of Agoura Hills (Mayor, Mayor pro Tem, City Council-Member); the Senior Manager, Economic Development, in the Chief Executive Office of the County; an attorney representing and speaking on behalf of the County; as well as several individuals who formerly served on the city councils of the City of Agoura Hills and the City; all of which also were considered by the Commission, as further reflected during the Commission's deliberations at the public hearing on January 9, 2019, at which time individual commissioners referred to specific letters and testimony from various public agency representatives. The Commission considered the City's written request for reconsideration of disapproval of annexation No. 2014-04 and the associated amendment to the City's SOI, including consideration of all written communications and oral testimony as described in the record of the April 10, 2019 public hearing; and

WHEREAS, Government Code § 56668(n) identifies "[a]ny information or comments from the landowner, voters, or residents of the affected territory," and LAFCO received separate letters from two different parties owning land in the affected territory and in support of the proposed annexation (both dated December 11, 2018); separate letters from two different attorneys representing one of the landowners in the affected territory (both dated

December 19, 2018); and a letter in support of the proposed annexation from a tenant in an existing office building located in the affected territory (dated December 5, 2018); all of which were considered by the Commission; and, at the public hearing on January 9, 2019; an individual who owns land in the affected territory spoke in support of the proposed annexation; and two different attorneys representing one of the landowners in the affected territory; which also was considered by the Commission; as further reflected during the Commission's deliberations at the public hearing on January 9, 2019, at which time individual Commissioners referred to specific testimony from a landowner within the affected territory, as well as lengthy discussions at the hearing between commissioners and an attorney representing a landowner within the affected territory; and, the Commission considered written and oral testimony at the public hearing of April 10, 2019; and

WHEREAS, the Commission is disapproving the proposed Sphere of Influence amendment to the City associated with the Proposal, the Commission therefore does not make the determinations required in Government Code § 56425(e), subsections (1) through (5); and

WHEREAS, the Commission is disapproving the proposed annexation which does not require conducting authority (protest) proceedings pursuant to Government Code § 57000(b), which only requires conducting authority (protest) proceedings when "a proposal is approved by the commission;" and

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines § 15270, CEQA does not apply to projects which a public agency rejects or disapproves, and, therefore, the Commission's disapproval of the proposed annexation and SOL amendment is exempt from

CEQA.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This resolution making determinations is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code § 56000 *et seq*;
2. The affected territory consists of 57.78± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)",

and is hereby not annexed to the City of Calabasas;
3. The Commission has reviewed the request for reconsideration by the City of Calabasas and partially approves the City's request in order to provide for consideration of the Executive Officer report of April 10, 2019, including its analysis of Government Code section 56668(q);
4. Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) is hereby disapproved;
5. The proposed SOI amendment to the City of Calabasas associated with the Proposal is hereby disapproved;
6. In disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) and associated Sphere of Influence amendment to the City of Calabasas, the Commission makes the following determinations:
 - a. Commission proceedings were commenced by the City in 2014;
 - b. The affected territory consists of approximately 57.78± acres of

unincorporated territory, composed of commercial and vacant land, and it is unpopulated;

- c. The affected territory is located generally westerly of the existing boundary of the City, and generally easterly of the existing boundary of the City of Agoura Hills;
- d. The Commission conducted a public hearing on January 9, 2019, at which time testimony was provided by twenty-seven (27) individuals, including persons representing and speaking on behalf of the County, the City, and the City of Agoura Hills; separate legal counsel to the County, the City, and a landowner in the affected territory; former elected officials of the City and the City of Agoura Hills; residents of the City of Agoura Hills who live near the affected territory; a resident of the City of Calabasas; and others;
- e. The Commission conducted a public hearing on April 10, 2019, at which time testimony was provided regarding the City's request for reconsideration of the disapproval of Annexation No. 2014-014 and associated SOI amendment;
- f. In making its decision to disapprove Annexation No. 2014-14 to the City of Calabasas (West Agoura Road) and the associated Sphere of Influence amendment to the City of Calabasas, the Commission has considered all evidence, testimony, and documentation submitted to the Commission from all agencies, jurisdictions, landowners, members of the public, proponents, opponents, and others, all of which was submitted to the Commission prior to and at the January 9, 2019 and April 10, 2019 public hearings;

- g. The Commission exercised independent judgment and discretion in making a reasonable and well-informed decision based on the information provided and, on that basis, determined to disapprove the annexation and associated SOI amendment; and, further, in making its decision, the Commission exercised independent judgment on behalf of the interests of residents, property owners, and the public as a whole;
- h. Annexation of the affected territory to the City will not promote orderly growth and development, discourage urban sprawl, preserve open space and efficiently extend government services, including providing governmental services and housing for persons and families at all incomes in the most efficient manner feasible;
- i. The affected territory lies westerly of the existing boundary of the City, and the overwhelming majority of the existing City is on the far (easterly) side of a hill, and therefore somewhat removed from, the affected territory in the proposed annexation;
- j. The nearest existing homes in the City are found in a neighborhood which is located on the other side of a hill from the affected territory, and another neighborhood which is separated from most of the affected territory by the Ventura (U.S. 101) Freeway, and both neighborhoods are therefore somewhat removed from the affected territory in the proposed annexation;
- k. The County currently allocates resources to provide adequate, reliable, and sound governmental services and controls in the affected territory; and there

was no evidence in the record to suggest that existing governmental services and controls in the affected territory are, in any way, inadequate;

- l. The effect of the proposed action, and/or any alternate action, is felt most by residents living in the City of Agoura Hills near the affected territory, from whom substantial testimony was provided at the public hearing, documenting how these residents experience impacts associated with lighting, noise, and traffic from existing development within the affected territory, and to a degree substantially more significant than is experienced by residents living within the City;
- m. The affected territory is not located within the City's SOI; and the Commission reconfirmed the City's SOI in 1992 and 2004 as an SOI that is coterminous to the City's existing jurisdictional boundary;
- n. The record includes substantial correspondence from representatives of affected public agencies, including multiple letters from the County, the City, and the City of Agoura Hills; as well as testimony at the public hearing from a representative of the County and outside legal counsel for the County; three elected officials of the City of Agoura Hills; and several individuals who formerly served as elected officials of the City and the City of Agoura Hills;
- o. The record includes correspondence from two landowners in the affected territory; letters from two attorneys representing a landowner in the affected territory; and a letter from a tenant in an existing office building located in the affected territory; as well as testimony at the public hearing from an individual

who owns land in the affected territory;

p. The record includes all staff reports, correspondence, and written and oral testimony submitted at and in advance of the public hearings of January 9, 2019 and April 10, 2019;

q. These determinations are final and conclusive pursuant to section 56895(h) of the Government Code.

7. The Commission finds that, pursuant to CEQA Guidelines section 15270, CEQA does not apply to projects that a public agency rejects or disapproves, and therefore, in disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) and the proposed SOI amendment, the Commission finds that its actions are exempt from CEQA;

8. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code § 56882; and

9. As allowed under Government Code § 56107, the Commission hereby authorizes the Executive Officer to make non-substantive corrections to this resolution to address any

Continued on Page 12

technical defect, error, irregularity, or omission.

PASSED AND ADOPTED this 10th day of April 2019.

MOTION:

SECOND:

APPROVED:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

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



CITY of CALABASAS

Exhibit "A"

DAVID J. SHAPIRO
Mayor

RECEIVED
2019 MAR 15 PM 12:07
CITY OF CALABASAS
FOR THE CITY CLERK

March 12, 2019

VIA ELECTRONIC MAIL AND US MAIL

Mr. Paul A. Novak, AICP
Los Angeles Local Agency Formation Commission
80 South Lake Avenue, Suite 870
Pasadena, CA 91101
pnovak@lalafco.org

RE: City's Request for Reconsideration of Resolution No. 2019-00RMD
Disapproving Annexation No. 2014-04 and the Associated Sphere of Influence
Amendment

Executive Officer Novak:

We write under Government Code section 56895 to request reconsideration of the Los Angeles Local Agency Formation Commission's ("Commission") Resolution No. 2019-00RMD ("Resolution") disapproving the Annexation and the associated sphere of influence amendment adopted on February 13, 2019. The Resolution's findings reflect that the Commission failed to adequately consider all the relevant factors under Government Code sections 56668 and 56425. We ask that you reconsider the findings made in the proposed Resolution in light of the issues raised in this letter and vote to approve the Annexation.

Of the 17 factors that the Commission should have considered under Government Code section 56668, the Resolution indicates that the Commission only considered six. Similarly, the Resolution makes no findings regarding the five factors the Commission should have considered under Government Code section 56425. Taken together, and truly evaluating the clear record supporting the City's proposed annexation and sphere of influence amendment, the findings in support of the Annexation and the associated sphere of influence amendments must be made. But contrary to the statutory procedure, the Commission found otherwise, placing an undue weight on politically-motivated statements and unsubstantiated claims, while discounting the reports and analyses prepared by the Commission's staff and the comments and public testimony from the City of Calabasas and its officials, residents, the landowners, and other interested parties. This is not the procedure required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, a law adopted, in part, to depoliticize local government organization. The Commission must revise its Resolution to approve the annexation and sphere of influence amendment and to make new, objective findings based on fact, not politics.

Resolution's Disapproval of Annexation

The Resolution states "the Commission has carefully considered the Executive Officer's written report, including all factors required by Government Code § 56668;" but that contention is belied by the few factors incorrectly evaluated in the Resolution, the many factors entirely ignored, and the lack of evidence in the record supporting the Resolution's findings.

Government Code section 56668 requires the Commission to consider 17 factors in its review of the Annexation. The Resolution only discusses six of those factors. Specifically, the Commission addresses the factors listed in subdivisions (a), (b), (c), (i), (j), and (n). The Resolution does not reflect that the Commission considered the remaining 11 relevant factors at all, abdicating its statutory duties and revealing the flawed foundations of this decision.

Under Government Code section 56668, subdivision (a), the Commission must consider: "Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years." Section (5)(h) of the Resolution regarding "topography" states, "the overwhelming majority of the existing city is on the far (easterly) side of a hill, and therefore somewhat removed from, the affected territory in the proposed annexation" First, this is false, as the City is a unified entity, not a series of divided territories, and the annexation area

is an integral part of an existing commercial and mixed-use corridor on the City's west side. Second, the finding ignores the other factors in subdivision (a), including the fact the City pre-zoned the "land area and land use" to preserve vulnerable open space, or that the proposed annexation area is an extension of the City's "natural boundaries" because it is adjacent to the City. The finding also ignores that the topographical characteristics of the proposed annexation area are identical to the adjacent portions of the City, and its conclusion regarding the City being "somewhat removed" is based more on perceived political factors than actual geography or topography.

Section (5)(h) of the Resolution also discusses "proximity to other populated areas" claiming, "The nearest existing homes in the city are found in a neighborhood which is located on the other side of a hill from the affected territory..." More accurately, the nearest existing homes in the City are less than half a mile away from the northeaster portion of the proposed annexation area. The Resolution does not provide any factual basis for its bare assertion the City's neighborhoods are "somewhat removed," and indeed a distance of less than half a mile cannot be considered removed. Plainly, the Resolution's conclusion that the annexation area is somehow removed from Calabasas is a claim rooted in the political comments of a few residents, and not supported by geography, topography, or actual corridor connections and existing ties between Calabasas and the annexation area, as discussed in the City's comments and written statements in detail.

Under subdivision (b), the City must consider: "The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas." Section (5)(i) of the Resolution finds, "The County currently allocates resources to provide adequate, reliable, and sound governmental services and controls in the affected territory ..." Again, the Resolution ignores the other factors in subdivision (b), such as the "need for organized community services" that the City has demonstrated it can provide, or "probable effect of the proposed ... annexation" which the City has shown will protect existing open space by adding new zoning provisions via the City's pre-zoning that block any redevelopment of open space absent two-thirds voter approval, and extending that protection to an undeveloped parcel currently zoned for commercial uses. The Resolution indicates the County's "services and controls in the affected territory" are merely adequate, but that should not weigh in favor of disapproving the annexation where the City's services and controls are superior, and the record shows that the County has failed to adequately utilize existing slope maintenance funds to preserve and protect the

ancient landslide adjacent to Agoura Road. The Commission proposes to accept the assertion that the City and the County can provide identical services and will have identical benefits to the area, two false conclusions unsupported by the record. Instead, the City alone provides stronger open space protections and can adequately serve the complete needs of the annexation area.

Under subdivision (c), the Commission must consider, "The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county." Section (5)(j) of the Resolution contends, "The effects of the proposed action, and/or any alternate action, is felt most by residents living in the City of Agoura Hills near the affected territory, from whom substantial testimony was provided at the public hearing, documenting how these residents experience impacts associated with lighting, noise, and traffic from existing development within the affected territory, and to a degree substantially more significant than is experienced by residents living within the City." But nowhere in the Resolution is there mention of the numerous use restrictions the City has already adopted via rezoning to limit light, noise, traffic, and other burdens on Agoura Hills' residents that might occur. Moreover, the adopted rezoning for the annexation area preserves its existing limitations on commercial development and further blocks development of the one undeveloped, commercially zoned parcel by designating that parcel for open space. Nothing in the proposed annexation will exacerbate any present impacts on area residents from existing commercial development, impacts that exist now, and thus those impacts are not reasonable considerations for the proposed annexation. Instead of acting in accord with the record and this evidence, the Commission proposes to accept political commentary as fact, and fear as proof.

Under subdivision (d), the Commission must consider, "The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377." The Resolution makes no finding under subdivision (d), and the Commission failed to consider it entirely. The Commission should have found that the planned development of the territory preserves open space and is consistent with the Commission's policies regarding urban development.

Under subdivision (e), the Commission must consider, "The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016." The Resolution makes no finding under subdivision (e), and the Commission failed to consider it entirely. The Commission should have found that there is no agricultural land within the proposed territory that would be impacted by this Annexation.

Under subdivision (f), the Commission must consider, "The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries." The Resolution makes no finding under subdivision (e), and the Commission failed to consider it entirely. The Commission should have found that the proposed boundaries of the territory are clear, track the boundaries of the privately-owned parcels and adjacent freeway access, and do not create any islands.

Under subdivision (g), the Commission must consider: "A regional transportation plan adopted pursuant to Section 65080." The Resolution makes no finding under subdivision (e), and the Commission failed to consider it entirely. The Commission should have found that the Annexation is consistent with the regional transportation plan.

Under subdivision (h), the Commission must consider: "The proposal's consistency with city or county general and specific plans." The Resolution makes no finding under subdivision (e), and the Commission failed to consider it entirely. The Commission should have found the Annexation to be consistent with the City of Calabasas' general and specific plans.

Under subdivision (i), the Commission must consider: "The sphere of influence of any local agency which may be applicable to the proposal being reviewed." Section (5)(l) of the Resolution notes, "The affected territory is not located within the City's SOI ..." The statement is technically correct, but misleading, because the City's annexation proposal requests a sphere of influence amendment to remedy this incongruence, which is itself proposed for unlawful denial.

Under subdivision (j), the Commission must consider "The comments of any affected local agency or other public agency." Section (5)(m) of the Resolution finds "The record includes substantial correspondence from representatives of affected public agencies...." The statements of former elected officials is an improper basis on which to base a finding because the former officials cannot comment on behalf of agencies. Also, the Resolution does not consider the merits of those comments and whether the City addresses the issues raised in the letters and comments, nor how the various assertions connect to the statutory factors. The mere number of letters received by the Commission, regardless of their substance, cannot form the basis of the Commission's decision.

Under subdivision (k), the Commission must consider, "The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change." The Resolution makes no finding under subdivision (k), and the Commission failed to consider it entirely. The Commission should have found that the City is able to provide the territory with services and has sufficient funds to do so.

Under subdivision (l), the Commission must consider, "Timely availability of water supplies adequate for projected needs as specified in Section 65352.5." The Resolution makes no finding under subdivision (l), and the Commission failed to consider it entirely. The Commission should have found that adequate water supplies exist to meet the needs of the territory as pre-zoned.

Under subdivision (m), the Commission must consider, "The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7." The Resolution makes no finding under subdivision (m), and the Commission failed to consider it entirely. The Commission should have found the Annexation does not impact the City's ability to zone for its share of the regional housing needs.

Under subdivision (n), the Commission must consider "Any information or comments from the landowner or landowners, voters, or residents of the affected territory." Section (5)(n) of the Resolution finds, "The record includes correspondence from two landowners in the affected territory; letters from two attorneys representing a landowner in the affected territory; and a letter from a tenant in an existing office building located in the affected territory; as well as testimony at the public hearing room an individual who owns land in the affected territory." Instead of actually considering these comments, the Resolution merely recites their existence. This factor clearly weighs in the City's favor as the landowners were unanimously and strongly in support of the Annexation.

Under subdivision (o), the Commission must consider, "Any information relating to existing land use designations." The Resolution makes no finding under subdivision (o), and the Commission failed to consider it entirely. The Commission should have found the City's pre-zoning preserves the existing land uses, prevents development of the one undeveloped, commercially zoned parcel, and strengthens protections for open space.

Under subdivision (p), "The extent to which the proposal will promote environmental justice. As used in this subdivision, 'environmental justice' means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services." The Resolution makes no finding under subdivision (p), and the Commission failed to consider it entirely. The Commission should have found the Annexation promotes "environmental justice" by preserving the territory's open space.

Lastly, under subdivision (q), "Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal." The Resolution makes no finding under subdivision (p), and the Commission failed to consider it entirely. The Commission should have found that the territory is located within a very high fire hazard zone that will be adequately maintained and protected by the City.

Resolution's Disapproval of Sphere of Influence Amendment

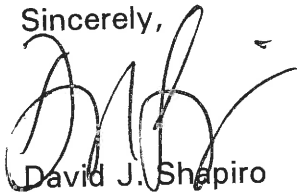
The City also requests reconsideration of the Resolution's sphere of influence amendment. Government Code section 56425, subdivision (e), reads, "In determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to each of the following ...[five factors]." Section (4) of the Resolution summarily states, "The proposed Sphere of Influence amendment to the City of Calabasas associated with the Proposal is hereby disapproved" Such a conclusory statement is insufficient. The Commission must demonstrate that it has "adequately considered all relevant factors, and has demonstrated a rational connection between those factors, the choice made, and the purposes of the enabling statutes." (*County of Los Angeles v. City of Los Angeles* (2013) 214 Cal.App.4th 643, 654.)

Mr. Paul A. Novak, AICP
Los Angeles Local Agency Formation Commission
March 12, 2019
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Conclusion

As written, the Resolution's findings are unsupported by the City's or the Commission's staff's analysis. Instead, the Commission bases its findings on politically-motivated statements and unsubstantiated, anecdotal claims. When taken together, the factors support approval of the City's application. In conclusion, we ask the Commission to reconsider the findings made in the Resolution in light of the issues raised in this letter and vote to approve the Annexation and the associated Sphere of Influence Amendment.

Sincerely,



David J. Shapiro
Mayor

cc:

City Council, City of Calabasas
Dr. Gary J. Lysik, City Manager
Scott Howard, City Attorney

Exhibit “B”

**RESOLUTION NO. 2019-01RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS DISAPPROVING
"ANNEXATION NO. 2014-04 TO THE CITY OF CALABASAS (WEST AGOURA ROAD)"**

WHEREAS, the City of Calabasas (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 § 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the City, and detachment of said territory from County Road District No. 3 and withdrawal from County Lighting Maintenance District 1687 and County Public Library System, all within the County of Los Angeles (County); and

WHEREAS, the City requested that the Commission amend the existing Sphere of Influence (SOI) for the City of Calabasas, which is currently a Coterminous SOI (one in which the City's jurisdictional boundary is the same as the SOI boundary), to add the affected territory in the proposed annexation to the City's SOI; and

WHEREAS, the proposed annexation ("Proposal") consists of approximately 57.78± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)"; and

WHEREAS, the Executive Officer has reviewed the Proposal and submitted to the Commission a written report, including his recommendations therein, pursuant to Government Code § 56665; and

WHEREAS, the Executive Officer has given notice of the public hearing pursuant to Government Code §§ 56150-56160, 56427, 57025, and 57026, wherein the public hearing notice was published in a newspaper of general circulation in the County on December 6, 2018, which is at least 21 days prior to the public hearing, and said hearing notice was also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on January 9, 2019, after being duly and properly noticed, this Proposal came on for hearing, at which time this Commission heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this Proposal and the report of the Executive Officer; and

WHEREAS, the Commission has carefully considered the Executive Officer's written report, including all factors required by Government Code § 56668; the written testimony submitted in advance of the public hearing; the written testimony submitted during the public hearing on January 9, 2019; and the oral testimony at the public hearing on January 9, 2019;

WHEREAS, the Commission disapproved the proposed annexation and the proposed SOI amendment at its January 9, 2019 meeting; and

WHEREAS, Government Code § 56668 identifies seventeen (17) subsets of factors (identified as subsections (a) through (q)) to be considered in the review of a proposal; and

WHEREAS, Government Code § 56668(a) identifies "topography" as a factor, and the affected territory lies westerly of the existing boundary of the City, and the overwhelming majority of the existing City is on the far (easterly) side of a hill, and therefore somewhat removed from, the affected territory in the proposed annexation; and

WHEREAS, Government Code § 56668(a) identifies “proximity to other populated areas” as a factor, and the nearest existing homes in the City are found in a neighborhood which is located on the other side of a hill from the affected territory, and another neighborhood which is separated from most of the affected territory by the Ventura (U.S. 101) Freeway; and

WHEREAS, Government Code § 56668(b) identifies “the present cost and adequacy of governmental services and controls in the areas,” and nothing was provided in the record to suggest that existing governmental services and controls in the affected territory are, in any way, inadequate, and, during commission deliberations at the public hearing on January 9, 2019, commissioners stated that the county does a good job in providing services to unincorporated communities, and that all five County Supervisors devote extraordinary efforts to allocating resources to unincorporated communities; and

WHEREAS, Government Code § 56668(c) identifies “[t]he effect of the proposed action and of alternative actions, on adjacent areas,” and residents living in the City of Agoura Hills near the affected territory testified at the public hearing, and in writing, that they experience impacts associated with lighting, noise, and traffic from development within the affected territory, and to a degree substantially more significant than is experienced by residents living within the City, all of which were considered by the Commission, as further reflected during the Commission’s deliberations at the public hearing on January 9, 2019, at which time individual commissioners referred to this testimony, noting that the property is contiguous to existing homes in Agoura Hills, whose residents experience these impacts, and that one of the Commission’s purposes is to put residents first; and

WHEREAS, Government Code § 56668(i) identifies “[t]he sphere of influence of any local agency which may be applicable to the proposal being reviewed,” and the affected territory is outside the boundaries of the City’s SOI; the SOI was originally as an SOI that is coterminous to the City’s existing boundary by the Commission on July 8, 1992; the SOI was reconfirmed by the Commission on August 25, 2004 and October 10, 2012; in the 2004 and 2012 reconfirmations, the Commission adopted an SOI that is coterminous to the City’s existing boundary; and the Commission reconfirmed that the SOI should remain coterminous at the January 9, 2019 Meeting; and

WHEREAS, Government Code § 56668(j) identifies “[t]he comments of any affected local agency or other public agency,” and LAFCO received two letters from the County (dated December 19, 2018; and January 9, 2019) opposing the proposed annexation; four letters from the City of Agoura Hills (dated April 18, 2014; May 6, 2014; April 16, 2018; and January 3, 2019) expressing concerns about and/or opposing the proposed annexation; and four letters from the City (dated June 5, 2014; December 26, 2018; December 28, 2018; and December 27, 2019) supporting the proposed annexation, and addressing concerns raised by opponents of the proposed annexation; all of which were considered by the Commission; and, at the public hearing on January 9, 2019; several individuals spoke on behalf of public agencies; including individuals representing and speaking on behalf of the City (Mayor, Mayor pro Tem, two City Council-Members, City Manager, Assistant City Attorney, Public Works Director/City Engineer, Community Development Director, and City Planner); individuals representing and speaking on behalf of the City of Agoura Hills (Mayor, Mayor pro Tem, City Council-Member); the Senior Manager, Economic Development, in the Chief Executive Office of the County; an attorney

representing and speaking on behalf of the County; as well as several individuals who formerly served on the city councils of the City of Agoura Hills and the City; all of which also were considered by the Commission, as further reflected during the Commission's deliberations at the public hearing on January 9, 2019, at which time individual commissioners referred to specific letters and testimony from various public agency representatives; and

WHEREAS, Government Code § 56668(n) identifies "[a]ny information or comments from the landowner, voters, or residents of the affected territory," and LAFCO received separate letters from two different parties owning land in the affected territory and in support of the proposed annexation (both dated December 11, 2018); separate letters from two different attorneys representing one of the landowners in the affected territory (both dated December 19, 2018); and a letter in support of the proposed annexation from a tenant in an existing office building located in the affected territory (dated December 5, 2018); all of which were considered by the Commission; and, at the public hearing on January 9, 2019; an individual who owns land in the affected territory spoke in support of the proposed annexation; and two different attorneys representing one of the landowners in the affected territory; which also was considered by the Commission; as further reflected during the Commission's deliberations at the public hearing on January 9, 2019, at which time individual Commissioners referred to specific testimony from a landowner within the affected territory, as well as lengthy discussions at the hearing between commissioners and an attorney representing a landowner within the affected territory; and

WHEREAS, the Commission is disapproving the proposed Sphere of Influence amendment to the City associated with the Proposal, the Commission therefore does not make

the determinations required in Government Code § 56425(e), subsections (1) through (5); and

WHEREAS, the disapproval of the proposed annexation does not require conducting authority (protest) proceedings pursuant to Government Code § 57000(b), which only requires conducting authority (protest) proceedings when “a proposal is approved by the commission;” and

WHEREAS, pursuant to California Environmental Quality Act (CEQA) Guidelines § 15270, CEQA does not apply to projects which a public agency rejects or disapproves, and, therefore, the Commission’s disapproval of the proposed annexation and SOL amendment is exempt from CEQA.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This resolution making determinations is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code § 56000 *et seq*;
2. The affected territory consists of 57.78± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)",

and it is hereby not annexed to the City of Calabasas;
3. Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) is hereby disapproved;
4. The proposed Sphere of Influence amendment to the City of Calabasas associated with the Proposal is hereby disapproved;

5. In disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) and associated Sphere of Influence amendment to the City of Calabasas, the Commission makes the following determinations:

- a. Commission proceedings were commenced by the City in 2014;
- b. The affected territory consists of approximately 57.78± acres of unincorporated territory, composed of commercial and vacant land, and it is unpopulated;
- c. The affected territory is located generally westerly of the existing boundary of the City, and generally easterly of the existing boundary of the City of Agoura Hills;
- d. The Commission conducted a public hearing on January 9, 2018, at which time testimony was provided by twenty-seven (27) individuals, including persons representing and speaking on behalf of the County, the City, and the City of Agoura Hills; separate legal counsel to the County, the City, and a landowner in the affected territory; former elected officials of the City and the City of Agoura Hills; residents of the City of Agoura Hills who live near the affected territory; a resident of the City of Calabasas; and others;
- e. In making its decision to disapprove Annexation No. 2014-14 to the City of Calabasas (West Agoura Road) and the associated Sphere of Influence amendment to the City of Calabasas, the Commission considered all evidence, testimony, and documentation submitted to the Commission from all agencies, jurisdictions, landowners, members of the public, proponents,

opponents, and others, all of which was submitted to the Commission prior to and at the January 9, 2019 public hearing;

- f. The Commission exercised independent judgment and discretion in making a reasonable and well-informed decision based on the information provided and, on that basis, determined to disapprove the annexation and associated SOI amendment; and, further, in making its decision, the Commission exercised independent judgment on behalf of the interests of residents, property owners, and the public as a whole;
- g. Annexation of the affected territory to the City will not promote orderly growth and development, discourage urban sprawl, preserve open space and efficiently extend government services, including providing governmental services and housing for persons and families at all incomes in the most efficient manner feasible;
- h. The affected territory lies westerly of the existing boundary of the City, and the overwhelming majority of the existing City is on the far (easterly) side of a hill, and therefore somewhat removed from, the affected territory in the proposed annexation;
- i. The nearest existing homes in the City are found in a neighborhood which is located on the other side of a hill from the affected territory, and another neighborhood which is separated from most of the affected territory by the Ventura (U.S. 101) Freeway, and both neighborhoods are therefore somewhat removed from the affected territory in the proposed annexation;

- j. The County currently allocates resources to provide adequate, reliable, and sound governmental services and controls in the affected territory; and there was no evidence in the record to suggest that existing governmental services and controls in the affected territory are, in any way, inadequate;
- k. The effect of the proposed action, and/or any alternate action, is felt most by residents living in the City of Agoura Hills near the affected territory, from whom substantial testimony was provided at the public hearing, documenting how these residents experience impacts associated with lighting, noise, and traffic from existing development within the affected territory, and to a degree substantially more significant than is experienced by residents living within the City;
- l. The affected territory is not located within the City's SOI; and the Commission reconfirmed the City's SOI in 1992 and 2004 as an SOI that is coterminous to the City's existing jurisdictional boundary;
- m. The record includes substantial correspondence from representatives of affected public agencies, including multiple letters from the County, the City, and the City of Agoura Hills; as well as testimony at the public hearing from a representative of the County and outside legal counsel for the County; three elected officials of the City of Agoura Hills; and several individuals who formerly served as elected officials of the City and the City of Agoura Hills;
- n. The record includes correspondence from two landowners in the affected territory; letters from two attorneys representing a landowner in the affected

territory; and a letter from a tenant in an existing office building located in the affected territory; as well as testimony at the public hearing from an individual who owns land in the affected territory;

6. The Commission finds that, pursuant to CEQA Guidelines section 15270, CEQA does not apply to projects that a public agency rejects or disapproves, and therefore, in disapproving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) and the proposed SOI amendment, the Commission finds that its actions are exempt from CEQA;
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code § 56882; and
8. As allowed under Government Code § 56107, the Commission hereby authorizes the Executive Officer to make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.

PASSED AND ADOPTED this 13th day of February 2019.

MOTION:	Hahn	SECOND:	Mirisch	APPROVED:	9-0-0
AYES:	Barger, Close, Dear, Hahn, McCallum, Mirisch, Mitchell (Alt. for Finlay), Smith, Gladbach				
NOES:	None.				
ABSTAIN:	None.				
ABSENT:	Finlay				

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



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

Exhibit “C”

Staff Report

January 9, 2019

Agenda Item No. 7.a.

Annexation No. 2014-04 to the City of Calabasas (West Agoura Road), Amendment to the City of Calabasas Sphere of Influence (SOI)

PROPOSAL SUMMARY:

Size of Affected Territory:	57.78± acres
Inhabited/Uninhabited:	Uninhabited
Applicant:	City of Calabasas “City”
Resolution or Petition:	June 25, 2014
Application Filed with LAFCO:	March 17, 2014
Location:	The affected territory is located east of the intersection of Liberty Canyon Road and Agoura Road.
City/County:	Los Angeles County unincorporated territory adjacent to the City of Calabasas.
Affected Territory:	The affected territory consists of commercial and vacant land. The topography is hilly.
Surrounding Territory:	Surrounding the affected territory is commercial, residential, and vacant land.
Landowners:	Three landowners: Allocates, LLC; Liberty Canyon Technology; and Tax Deed Enterprises, LLC
Registered Voters:	0 registered voters.
Purpose/Background:	The City indicates annexation is necessary to allow landowners and business tenants to fully participate in government affairs of the city including the preservation of open space.

Jurisdictional Changes:

The jurisdictional changes resulting from this proposal include amendment to the City of Calabasas Sphere of Influence; withdrawal from County Lighting Maintenance District 1687 and County Public Library System; transfer of jurisdiction over and accepting the negotiated exchange of benefit assessment proceeds for the County Lighting and Landscaping Act District #2-32 from the County to the City; and detachment from the County Road District No. 3.

Within SOI:

The affected territory is not within the Sphere of Influence of the City of Calabasas, but a concurrent Sphere of Influence Amendment is being processed with this application.

Waiver of Notice/Hearing/Protest: No.

CEQA Clearance:

The proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. On May 14, 2014, the City of Calabasas found the project exempt from CEQA pursuant to a categorical exemption and pursuant to State CEQA Guidelines Section 15061(b)(3).

Additional Information:

On November 19, 2018, the City of Agoura Hills filed "Annexation No. 2018-12 to the City of Agoura Hills", to annex the same territory as the City of Calabasas. On November 20, 2018, a notice of an incomplete application (Notice of Filing) was sent to the City of Agoura Hills.

Pursuant to Government Code Section 56655:

If two or more proposals pending before the commission conflict or in any way are inconsistent with each other, as determined by the commission, the commission may determine the relative priority for conducting any further proceedings based on any of those proposals. That determination shall be included in the terms and conditions imposed by the commission. In the absence of that determination,

priority is given to that proceeding which shall be based upon the proposal first filed with the executive officer.

Government Code Section 56655 does not apply because Annexation No. 2018-12 to the City of Agoura Hills is incomplete and not pending before the Commission.

Staff received letters in opposition to the proposed annexation to the City of Agoura Hills from two of the landowners within the affected territory.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:

a. Population:

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

The estimated future population is zero residents (no anticipated change) due to the existing land use and zoning.

The affected territory is 57.78± acres. The affected territory consists of commercial and vacant land. There are no proposed/future land use changes due to this proposal.

The assessed valuation is \$2,149,049 as of 2018/2019 tax rolls.

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

On November 7, 2018, 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 hilly.

There are no natural boundaries.

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

The nearest populated area is directly south of the affected territory. The affected territory is not likely to experience 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 commercial and vacant land which requires 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	Same (under contract with City of Calabasas)
Fire and Emergency Medical	Consolidated Fire Protection District of Los Angeles County	Same (under contract with City of Calabasas)
Flood Control	County	Same
Library	County	City of Calabasas
Mosquito & Vector Control	Los Angeles County West Vector and Vector-Borne Disease Control District	Same
Park and Recreation	County	City of Calabasas
Planning	County	City of Calabasas
Police	Los Angeles County Sheriff Department	Same (under contract with City of Calabasas)
Road Maintenance	County	City of Calabasas
Solid Waste	Waste Management/GI Industries (under contract with County)	Same (under contract with City of Calabasas)
Street Lighting	County	City of Calabasas
Water	Las Virgenes Municipal Water District	Same
Wastewater	Las Virgenes Municipal Water District	Same

The County will continue to provide animal control, fire and emergency medical, flood control, and police services directly or through contracts; the Los Angeles County West Vector and Vector-Borne Disease Control District will continue to provide mosquito and vector control services; the Las Virgenes Municipal Water District will continue to provide water and wastewater services; and Waste Management/GI Industries will continue to provide solid waste services directly or through contracts to the annexation area.

Upon approval of the annexation request, the City of Calabasas will provide park and recreation, planning, road maintenance, and street lighting. 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.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The effect of the proposed action on mutual social and economic interests is addressed in the Agreement Between the City of Calabasas and the County of Los Angeles, "Sharing City Sales Tax Revenues Pursuant to

Annexation 2014-04.” The proposal has no impact on the governmental structure of the County.

The effect of alternate actions on mutual social and economic interests and on the local governmental structure of the County 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, conform to lines of assessment or ownership, and have been reviewed and approved by LAFCO's GIS/Mapping Technician.

The affected territory in this proposed annexation is contiguous to the existing boundaries of the City of Calabasas.

The proposal does not create islands or corridors of unincorporated territory.

g. *Consistency with Regional Transportation Plan:*

The Southern California Association of Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code Section 65080. The closest highway to the annexation is part of the RTP and SCS's State Highway improved program. The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

h. *Consistency with Plans:*

The proposal is consistent with the existing County General Plan designation of Commercial (C), Open Space Deed Restricted (OS-DR), and Transportation Corridor (TC).

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. 2014-316 was adopted by the City of Calabasas City Council on May 28, 2014. The pre-zoning designation of Commercial Office (CO) and Open Space (OS) is consistent with the City of Calabasas General Plan.

i. Sphere of Influence:

The affected territory is not within the Sphere of Influence of the City of Calabasas, but a concurrent Sphere of Influence Amendment is being processed with this application.

j. Comments from Public Agencies:

Staff received comments from the County of Los Angeles on December 19, 2018 and the City of Agoura Hills on April 18, 2014, May 06, 2014, and April 16, 2018 in opposition to the annexation to the City of Calabasas. On June 5, 2014, staff also received a response letter from the City of Calabasas addressing the City of Agoura Hills' concerns. All correspondence was considered and is attached for your review.

k. Ability to Provide Services:

The City of Calabasas currently provides municipal services to many parcels of land. The annexation would add five more parcels to the service area. The City indicated that it has the ability to provide services to the affected territory once the annexation is complete.

l. Timely Availability of Water Supplies:

There are no known issues regarding water supply or delivery. Las Virgenes Municipal Water District currently provides water service to the affected territory, and it will continue to do so upon approval of the annexation.

m. Regional Housing:

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

n. Comments from Landowners, Voters, or Residents:

Staff received comments from two landowners and one business tenant within the affected territory in support of the annexation; and 14 comments were received from a homeowners association, surrounding residents, and local organizations in opposition to the annexation to the City of Calabasas. All correspondence was considered and is attached for your review.

o. Land Use Designations

The proposal is consistent with the existing County General Plan designation of Commercial (C), Open Space Deed Restricted (OS-DR), and Transportation Corridor (TC).

The proposal is consistent with the existing County zoning designation of Commercial Manufacturing (C-M), Commercial Planned Development (CPD), General Commercial (C-3) and Open Space (OS).

Pursuant to the requirements of Government Code Section 56375(a)(7), Pre-Zoning Ordinance No. 2014-316 was adopted by the City of Calabasas City Council on May 28, 2014. The pre-zoning designation of Commercial Office (CO) and Open Space (OS) is consistent with the City of Calabasas General Plan.

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.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

On November 19, 2018, the City of Agoura Hills filed “Annexation No. 2018-12 to the City of Agoura Hills”, to annex the same territory as the City of Calabasas. On November 20, 2018, a notice of an incomplete application (Notice of Filing) was sent to the City of Agoura Hills.

Pursuant to Government Code Section 56655:

If two or more proposals pending before the commission conflict or in any way are inconsistent with each other, as determined by the commission, the commission may determine the relative priority for conducting any further proceedings based on any of those proposals. That determination shall be included in the terms and conditions imposed by the commission. In the absence of that determination, priority is given to that proceeding which shall be based upon the proposal first filed with the executive officer.

Government Code Section 56655 does not apply because Annexation No. 2018-12 to the City of Agoura Hills is incomplete and not pending before the Commission.

Staff received letters in opposition to the proposed annexation to the City of Agoura Hills from two of the landowners within the affected territory.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

The proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the

activity is not subject to CEQA. On May 14, 2014, the City of Calabasas found the project exempt from CEQA pursuant to a categorical exemption and pursuant to State CEQA Guidelines Section 15061(b)(3).

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

1. Present and Planned Land Uses in the Area

The affected territory consists of commercial and vacant land. There are no proposed/future land use changes due to this Sphere of Influence amendment.

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

The affected territory is located within the unincorporated County territory adjacent to the City of Calabasas. The County, Las Virgenes Municipal Water District, and Los Angeles County West Vector and Vector-Borne Disease Control District provide general government services to the affected territory.

The affected territory includes commercial and vacant land which requires organized governmental services. The affected territory will require governmental facilities and services indefinitely.

3. Present Capacity of Public Facilities and Services:

The City of Calabasas currently provides municipal services to many parcels of land. The Sphere of Influence amendment would add five more parcels to the service area. The City indicated that it has the ability to provide service to the affected territory once the annexation is complete.

4. Social or Economic communities of interest

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

5. Disadvantaged Unincorporated Communities:

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

**MUNICIPAL SERVICE REVIEW DETERMINATIONS PURSUANT TO
GOVERNMENT CODE 56430(a):**

In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission.

A Municipal Services Review (MSR) for the City of Calabasas was completed during the Commission's initial round of service reviews. Since this annexation is not expected to impact

the overall comprehensive services of the City of Calabasas, an MSR is not being required for the current sphere of influence amendment to include the affected territory. At this time, the existing MSR is considered sufficient to fulfill the requirements of Government Code Section 56430 for this sphere of influence amendment.

CONCLUSION:

Staff recommends the approval of Annexation No. 2014-04 to the City of Calabasas as a logical and reasonable extension of the City of Calabasas which will be for the interest of the affected landowners and/or present and/or future inhabitants within the City and within the annexation territory.

RECOMMENDED ACTION:

1. Open the public hearing and receive testimony on the annexation and sphere of influence amendment;
2. There being no further testimony, close the public hearing;
3. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) and Amendment to the City of Calabasas Sphere of Influence; and
4. Pursuant to Government Code Section 57002, set February 13, 2019, at 9:00 a.m. or the Commission's next available meeting date consistent with the protest provisions, in Room 381-B of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012, as the date and time for Commission protest proceedings.

**RESOLUTION NO. 2019-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING
"ANNEXATION NO. 2014-04 TO THE CITY OF CALABASAS (WEST AGOURA ROAD)"**

WHEREAS, the City of Calabasas (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, and detachment of said territory from County Road District No. 3 and withdrawal from County Lighting Maintenance District 1687 and County Public Library System, all within the County of Los Angeles (County); and

WHEREAS, the proposed annexation consists of approximately 57.78± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)"; and

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

WHEREAS, the principal reason for the proposed annexation is to allow landowners and business tenants to fully participate in government affairs of the city including the preservation of open space; and

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

WHEREAS, the Executive Officer has given notice of the public hearing pursuant to Government Code Sections 56150-56160, 56427, 57025, and 57026, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on December 6, 2018, which is at least 21 days prior to the public hearing, and said hearing notice was also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on January 9, 2019, after being duly and properly noticed, this proposal came on for hearing, at which time this Commission heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set the protest hearing for February 13, 2019 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, acting in its role as a responsible agency with respect to Annexation No. 2014-04 to the City of Calabasas (West Agoura Road), finds that this annexation is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), because the activity is covered by the general rule the CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that

the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

2. The Commission hereby amends the Sphere of Influence of City of Calabasas and makes the following determinations in accordance with Government Code Section 56425:

- a. Present and Planned Land Uses in the Area

The affected territory consists of commercial and vacant land. There are no proposed/future land use changes due to this Sphere of Influence amendment.

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

The affected territory is located within the unincorporated County territory adjacent to the City of Calabasas. The County, Las Virgenes Municipal Water District, and Los Angeles County West Vector and Vector-Borne Disease Control District provide general government services to the affected territory.

The affected territory includes commercial and vacant land which requires organized governmental services. The affected territory will require governmental facilities and services indefinitely.

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

The City of Calabasas currently provides municipal services to many parcels of land. The Sphere of Influence amendment would add five more parcels to the service area. The City indicated that it has the ability to provide service to the affected territory once the annexation is complete.

d. Existence of Any Social or Economic Communities of Interest

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

e. Disadvantaged Unincorporated Communities

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to 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 57.78± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 2014-04 to the City of Calabasas (West Agoura Road)".

5. Annexation No. 2014-04 to the City of Calabasas (West Agoura Road) 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 annexation shall be the date of recordation.
- c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization

fees.

- d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City.
- e. The regular County assessment roll shall be utilized by the City.
- f. The affected territory will be taxed for any existing general indebtedness, if any, of the City.
- g. Annexation of the affected territory described in Exhibits "A" and "B" to the City.
- h. Detachment of the affected territory from County Road District No. 3.
- i. Withdrawal of affected territory from County Lighting Maintenance District 1687 and County Public Library System.
- j. Transfer of jurisdiction over and accepting the negotiated exchange of benefit assessment proceeds for the County Lighting and Landscaping Act District #2-32 from the County to the City.
- k. Upon the effective date of the annexation, all right, title, and interest of the County, including but not limited to, the underlying fee title or easement where owned by the County, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City.
- l. Upon the effective date of the annexation, the City shall be the owner of, and

responsible for, the operation, maintenance, and repair of all of the following property owned by the County: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent property.

- m. Upon the effective date of the annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently owned, operated and maintained by the County ; (2) accept and adopt the County of Los Angeles Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Los Angeles County Department of Public Works Department (LACDPW) should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Chief Engineer of LACFCD/Director of 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 annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which LACFCD has a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACDPW, for review and comment.

- n. Except to the extent in conflict with "a" through "m", above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.

- 6. Pursuant to Government Code Section 57002, the Commission hereby sets the protest hearing for February 13, 2019 at 9:00 a.m. and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
- 7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED this 9th day of January 2019.

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**



ATTORNEYS AT LAW

Via U.S. Mail and E-mail PDF

March 25, 2019

Paul A. Novak, AICP
Executive Officer
Local Agency Formation Commission
for the County of Los Angeles
80 South Lake Avenue, suite 870
Pasadena, CA 91101
pnovak@lalafco.org

RECEIVED
2019 MAR 26 PM 4:05
HARRIS COUNTY CLERK
FOR THE COUNTY OF HARRIS

Re: Opposition of the County of Los Angeles to the Request for
Reconsideration of the City of Calabasas to Resolution No. 2019-00RMD
Disapproving Application for Annexation No. 2014-04 and Amendment to
Sphere of Influence

Dear Mr. Novak:

We are Special Counsel to the County of Los Angeles ("County") and Sachi Hamai, the Chief Executive Officer, in this matter. We submit the following points in opposition to the Request for Reconsideration which the City of Calabasas ("Calabasas") submitted by letter dated March 12, 2019 to Resolution No. 2019-00RMD Disapproving Application for Annexation No. 2014-04 and Amendment to Sphere of Influence ("Request").

1. Section 56895 of the Government Code requires a party seeking reconsideration "to state the specific modification to the resolution being requested and . . . what new or different facts that could not have been presented previously are claimed to warrant the reconsideration." A review of the Request reveals that it contains no new or different facts at all, much less new or different facts that could not have been presented previously. In fact, it is repetitious of the same arguments made at the last hearing by the Assistant City Attorney by the February 12, 2019 letter and by testimony.

2. The request erroneously asserts that the Commission did not consider, or make "findings" as to, each of the factors listed in section 56668 of the Government Code. However, the resolution expressly states that the Commission did consider those factors:

WHEREAS, *the Commission has carefully considered the Executive Officer's written report, including all factors required by Government Code § 56668; the written testimony submitted in advance of the public hearing; the written testimony submitted during the public*

hearing on January 9, 2019, and the oral testimony at the public hearing on January 9, 2019;

(Resolution No. 2019-00RMD, p.2; italics added.)

3. The Staff Report related to the application for annexation and amendment of Sphere of Influence addressed the factors in section 56668 of the Government Code and the resolution expressly states, as quoted immediately above, that "the Commission has carefully considered the Executive Officer's written report."

4. Section 56668 of the Government Code states that the listed factors are "to be considered in the review of a proposal." The section does not state that the Commission need make a finding on each of the factors or include in its resolution a "finding" as to each factor. The factors simply must be "considered" "in the review of the proposal." As stated, the Commission "considered [the factors] in the review of [the] proposal." Given that the statute provides factors which may be considered by any of the 58 LAFCOs throughout the State with proposed annexations of differing sizes, locations, topography, and economic conditions, some factors will be more relevant in any given situation than others.

5. The Request complains that the Commission made no finding as to subparagraphs (d), (e), (f), (g), (h), (j), (k), (l) (m), (n), (o) and (p). However, the Staff Report, which the Commission reviewed effectively asserted that there were no issues regarding them. In other words, the report was neutral. Calabasas cannot cite to, and the County has not located, any authority that *entitles* a city to approval of an application for annexation simply because a consideration of the factors in section 56668 are neutral with respect to a proposed annexation. And, of course, the Commission's resolution did not conclude that application of all of the factors set out in section 56668 were neutral; the Commission had concerns with specific factors as reflected in the resolution. (See Resolution, Determinations g, h, i, j, k, l, m, and n.) Such an approach as suggested by the City of Calabasas might be more appropriate in a quasi-judicial venue; but here the Commission is a quasi-legislative body charged with oversight regarding development of agencies for the collective good of the County.

6. The Commission stated in its Resolution that "[a]nnexation of the affected territory to the City will not promote orderly growth and development, discourage urban sprawl, preserve open space and efficiently extend governmental services, including providing governmental services and housing for persons and families at all incomes in the most efficient manner feasible" (Resolution No. 2019-00RMD, p. 8.) Calabasas failed to present evidence at the hearing as to how annexation to Calabasas would be superior to the status quo, superior to other possible outcomes or would promote orderly growth and development, discourage urban sprawl, preserve open space and efficiently extend governmental services, including providing governmental services and housing for persons and families at all incomes in the most efficient manner feasible.

7. The request of Calabasas for an amendment of its sphere of influence erroneously puts the cart before the horse. An application for such an amendment should occur only after completion of a Municipal Service Review that supports such an amendment. Such a review has yet to be completed but was begun by Commission action in December of 2018. Alternatively, Calabasas did not comply with section 56425(b) of the Government Code which provides:

Prior to a city submitting an application to the commission to update its sphere of influence, representatives from the city and representatives from the county shall meet to discuss the proposed new boundaries of the sphere and explore methods to reach agreement on development standards and planning and zoning requirements within the sphere to ensure that development within the sphere occurs in a manner that reflects the concerns of the affected city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. If an agreement is reached between the city and county, the city shall forward the agreement in writing to the commission, along with the application to update the sphere of influence. The commission shall consider and adopt a sphere of influence for the city consistent with the policies adopted by the commission pursuant to this section, and the commission shall give great weight to the agreement to the extent that it is consistent with commission policies in its final determination of the city sphere.

8. Calabasas entirely ignores¹ the fact that its primary, if not sole, motivation for a proposed annexation and an amendment to its sphere of influence, was, and is, improperly, to grab sales taxes related to Spirent. That is not a consideration that promotes orderly growth and development. In its rush to recapture the sales taxes generated on the property, the city acted contrary to its then current general plan and did not address the factors it now demands the Commission consider. Only subsequent to the submission of its application to the Commission did the city then begin to retrace its steps to dress up its position in an attempt to mask its true motivation. Such a pattern of conduct is contrary to the purposes and procedures established for issues presented to Commissions; and it encourages myopic, self-interested and detrimental results without concern for regional planning.

¹ Understandably so, since such motivation is not consistent with proper planning

For all of the foregoing reasons, the County respectfully requests that the Commission deny the reconsideration request of Calabasas regarding its Request for Reconsideration of the City of Calabasas to Resolution No. 2019-00RMD Disapproving Application for Annexation No. 2014-04 and Amendment to Sphere of Influence

Sincerely,

A handwritten signature in cursive script, appearing to read "Lloyd W. Pellman".

LLOYD W. PELLMAN
Attorney at Law

LWP/jr

Local Agency Formation Commission for the County of Los Angeles
80 South Lake Ave, Suite 870
Pasadena, CA 91101

RECEIVED
2019 APR -3 PM 12:54
LACFO
FOR THE COUNTY OF LOS ANGELES

April 1, 2019

RE: Reconsideration of Resolution NO.2019-01RMW. Disapproving annexation NO.2014-04 to the City of Calabasas (West Agoura Road) and amendment to their Sphere of Influence.

Dear LAFCO members,

I am in support of LACFO's decision to disapprove the annexation by the City of Calabasas of the unincorporated property along Agoura Road adjacent to Agoura Hills. The impacts and services for this property are best addressed by LA County. As a 45 year Liberty Canyon resident whose neighborhood lies adjacent to this proposed annexation, the first Mayor of Agoura Hills, and a former State Senator for this area, I attended the two prior hearings on this subject and sent in written comments and also provided oral testimony for the record that are still relevant. Legal reasons that led to the findings for disapproval were also addressed during the hearings by the LAFCO members, staff, Agoura Hills elected officials, and local residents.

I concur with the LAFCO findings and reasons outlined in the resolution to disapprove the annexation by the City of Calabasas.

Sincerely,



Fran Pavley
4050 Jim Bowie Rd
Agoura Hills, CA 91301

cc Supervisor Sheila Kuehl
Agoura Hills Mayor Linda Northrop

Staff Report

April 10, 2019

Agenda Item No. 9.a.

Appointment/Re-Appointment of the Commission Public Member

Section 56326 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides that LAFCO shall have a member “representing the general public appointed by the other members of the commission.” Commissioner Gerard McCallum serves as the Public Member. Commissioner McCallum’s four-year term will expire May 6, 2019, or until he is re-appointed or the Commission appoints a successor, consistent with Government Code Section 56334.

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

- Re-appoint Gerard McCallum to the position of Public Member for the term which expires on May 1, 2023;

or

- Provide alternate direction to staff.

Staff Report

April 10, 2019

Agenda Item No. 9.b.

Proposed Reimbursement Agreement by and between the Santa Clarita Valley Water Agency ("SCVWA") and LAFCO

Staff is recommending that the Commission approve a Reimbursement Agreement by and between the SCVWA and LAFCO. The Agreement would compensate LAFCO for the cost of hiring a Municipal Service Review ("MSR") Consultant, time expended by LAFCO staff and legal counsel, as well as reimbursable expenses, associated with the preparation of an MSR and Sphere of Influence ("SOI") Update for the SCVWA.

The Commission approved Application for Conditions No. 2018-01 to the Santa Clarita Valley Water Agency on April 11, 2018. In approving the Application for Conditions, the Commission imposed Condition No. 6.A., which states: "Within twelve (12) months of the effective date of these conditions, the Agency shall enter into a Memorandum of Understanding ("MOU") or equivalent with LAFCO wherein the Agency shall reimburse LAFCO for the cost of soliciting, hiring, and paying for a consultant to prepare the Santa Clarita Valley Water Agency MSR and SOI Update."

Staff of SCVWA, and LAFCO staff, have negotiated a reimbursement agreement which was approved as to form by LAFCO legal counsel and attorneys for SCVWA (enclosed).

On April 2nd, the SCVWA Board of Directors approved the reimbursement agreement.

Staff Recommendation:

Staff recommends that the Commission:

1. Approve and authorize the Executive Officer to execute the attached Reimbursement Agreement by and between the Santa Clarita Valley Water Agency (SCVWA) and LAFCO.

Attachment: Reimbursement Agreement by and between the SCVWA and LAFCO

ATTACHMENT

REIMBURSEMENT AGREEMENT

This Reimbursement Agreement (“Agreement”) is made on _____, 2019 (“Effective Date”), by and between the Santa Clarita Valley Water Agency (“SCV Water”) and the Local Agency Formation Commission for the County of Los Angeles (“LAFCO”). SCV Water 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, reorganized Castaic Lake Water Agency and Newhall County Water District into SCV Water.
- B. Pursuant to Section 29 of the Act, SCV Water submitted an application for conditions to LAFCO. LAFCO approved the application on April 11, 2018, and included conditions SCV Water must comply with.
- C. Condition 6 requires SCV Water to support LAFCO’s preparation of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for SCV Water, and to enter into a Memorandum of Understanding or equivalent with LAFCO wherein SCV Water shall reimburse LAFCO the cost of soliciting, hiring, and paying for a consultant to prepare the MSR and SOI Update.
- D. 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.

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 the cost of soliciting, hiring, and paying for a consultant to prepare the MSR and SOI Update. The reimbursable costs covered by this Agreement, including the rates attributable to LAFCO employee and consultant time, shall be determined as described in Exhibit A.
- 3. Timing of Reimbursement Payments. LAFCO may send invoices to SCV Water on or around the first of each month, starting on May 1, 2019, 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. SCV Water may request additional detail regarding any costs for which LAFCO seeks reimbursement. 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. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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: Santa Clarita Valley Water Agency
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.

12. 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.

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

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

LOCAL AGENCY FORMATION COMMISSION FOR LOS ANGELES COUNTY

By: _____
Paul Novak, Executive Officer

Date: _____

APPROVED AS TO FORM:

Mary C. Wickham, County Counsel

By: _____
Lillian Salinger, LAFCO Counsel

SANTA CLARITA VALLEY WATER AGENCY

By: _____
Matt Stone, General Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Thomas S. Bunn III, General Counsel

Santa Clarita Valley Water Agency Reimbursement Agreement

Exhibit A

Labor and Expenses

Consultant

Total payment (fees and costs) to pay for a consultant to prepare a Santa Clarita Valley Water Agency Municipal Service Review (MSR). (Consultant will be chosen through a formal bidding process.)

LAFCO Labor shall be compensated pursuant to the following rates:

Labor	Staff	Rates
Professional Support	Executive Officer, Deputy Executive Officer, Government Analyst	\$90/hr.
Technical/ Administrative Support	GIS/Mapping Technician, Administrative Clerk	\$45/hr.
Legal Counsel	County Counsel	\$293/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, State of California Board of Equalization (BOE), and any other non-LAFCO public agency; and
- Any other non-labor expenses, associated with the review, consideration, preparation and determination, associated with the preparation of the MSR.

Staff Report

April 10, 2019

Agenda Item No. 10.a.

Legislative Update

Staff is tracking the following legislation:

- **AB 213 (Reyes):** Sponsored by the League of California Cities, this bill would reinstate the Vehicle License Fee (“VLF”) for city annexations of inhabited territory. Last year’s version of the bill, also by Assemblyman Reyes, died in the Assembly Appropriations Committee. The bill was introduced on February 4, 2019, and referred to the Assembly Local Government Committee. The California Association of Local Agency Formation Commissions (“CALAFCO”) has taken a “support” position; the Commission did not take a position on last year’s bill. **The first committee hearing was scheduled for March 18th; the committee meeting was canceled at the request of the author.**

Commission Position: SUPPORT (March 13th Meeting)

- **AB 1253 (Rivas, Robert):** This bill would require the Strategic Growth Council, until July 31, 2025, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for other specified purposes, including the initiation of an action, as defined, that is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission. The bill would specify application submission, reimbursement, and reporting requirements for a local agency formation commission to receive grants pursuant to the bill. The bill would make the grant program subject to an appropriation for the program in the annual Budget Act, and would repeal these provisions on January 1, 2026. This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFCOs with one-time grant funding for in-depth studies of potential reorganization of local service providers. Last year, the Governor vetoed AB 2258 - this is the same bill. The bill was introduced on February 22, 2019. CALAFCO has taken a “support” position; the Commission took a “Support” position on last year’s bill. **The Assembly Local Government committee approved AB 1253 on March 27th. AB 1253 is scheduled for consideration by the Assembly Appropriations Committee on April 3rd (the agenda was finalized on April 2nd).**

Commission Position: SUPPORT (March 13th Meeting)

- **AB 1822 (Assembly Local Government Committee):** The CALAFCO Legislative Committee is recommended nine (9) items for the Assembly Local Government Committee’s annual Omnibus Bill amending the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. ALGC staff rejected one item, one item was removed due to stakeholder opposition, a separate item was removed and added to a

different bill. **AB 1822, introduced on March 11, 2019, may be considered at the Assembly Local Government Committee on April 11, 2019. As introduced, the bill includes the following items:**

- **Revise the definition of “service” in Government Code Section 56074;**
- **Add new Government Code Section 56074.5 to create a definition of service review (proposed by LA LAFCO);**
- **Add “consolidation of two or more cities” to the voter confirmation requirements for incorporations and disincorporations in Government Code Section 57077l;**
- **Amend Government Code Section 57103 to clarify the requirements to dissolve a hospital district; and**
- **Removes Government Code Section 56375.3, an obsolete provision pertaining to the City of Simi Valley in Ventura County.**

LA LAFCO has taken a “support” position on prior Omnibus Bills.

Commission Position: Take a SUPPORT position on AB 1822

- **SB 414 (Caballero):** This bill would create the Small System Water Authority Act of 2019, authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate non-compliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels. This bill is very similar to AB 2050 (Caballero) from 2018, and it is sponsored by the Eastern Municipal Water District (located in Riverside County) and the California Municipal Utilities Association. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual, and private) and authorize the formation of a new public water authority. The focus is on non-contiguous systems. While the SWRCB has existing authority to mandate consolidation of these systems, SB 414 would add the authority to mandate dissolution and the formation of a new public agency. LAFCO would be responsible for dissolving any state-mandated public agency dissolution, and the formation of the new water authority. The SWRCB's appointed administrator would act as the applicant on behalf of the state. LAFCO would have ability to approve with modifications the application, and the new agency would have to report to the LAFCO

annually for the first three years. The bill was introduced on February 21, 2019. CALAFCO has taken a “Watch” position; the bill was only recently introduced, and staff is still analyzing the language and assessing its potential impacts. **SB 414 was approved by the Governance & Finance Committee on March 27th; the bill is scheduled to be considered by the Senate Environmental Quality Committee on April 3rd** (the agenda was finalized on April 2nd).

Commission Position: None Requested at this time.

- **SB 646 (Morrell):** This bill would require LAFCO to authorize a city or district to extend utility service outside its jurisdictional boundary, with within its sphere of influence, if not city, district, or privately-owned public utility provides that service, irrespective of whether a change of organization is anticipated. The bill would prohibit a city or district providing extending service from denying the extension of utility service to a property owner located within the extended service area based upon a property owner’s election not to participate in an annexation or pre-annexation proceeding. The fee for extension of water or sewer service outside of the local agency’s jurisdictional boundaries would be subject to the Mitigation Fee Act and includes a requirement that the fee be of proportional benefit to the property being served. CALAFCO has taken a “Watch” position; the bill was only recently introduced, and staff is still analyzing the language and assessing its potential impacts. **Introduced on February 22nd, the bill was referred to the Committee on Governance & Finance.**

Commission Position: None Requested at this time.

- **AB 1389 (Eggman):** This bill would authorize the Commission to propose, as part of the review and approval of a proposal for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, within all or part of the jurisdictional boundaries of a special district, that the special district, to mitigate any loss of property taxes, franchise fees, and other revenues to any other affected local agency, provide payments to the affected local agency from the revenue derived from the proposed exercise of new or different functions or classes of service. The bill was introduced on February 22, 2019. CALAFCO has taken a “Watch” position; the bill was only recently introduced, and staff is still analyzing the language and assessing its potential impacts. **AB 1389 was referred to the Committee on Local Government.**

Commission Position: None Requested at this time.

Staff Recommendation:

1. Take a “support” position on AB 1822 and direct staff to communicate the position in letters to members of the State Legislature and the Governor; and
2. Receive and Receive and file the Legislative Update.

Enclosure: AB 1822 (Assemblyman Local Government Committee)

ASSEMBLY BILL

No. 1822

Introduced by Committee on Local Government

March 11, 2019

An act to amend Sections 56074, 57077, and 57013 of, and to add Section 56074.5 to, the Government Code, and to repeal Sections 1 and 2 of Chapter 805 of the Statutes of 2004, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1822, as introduced, Committee on Local Government. Local Government: omnibus.

(1) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the act) provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law requires a commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Existing law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. Existing law defines “sphere of influence” to mean a plan for the probable physical boundaries and service area of a local agency. Existing law defines the term “service” for purposes of the act to mean a specific governmental activity established within, and as a part of, a general function of the special district, as specified.

This bill would revise the definition of the term “service” for these purposes to mean a specific governmental activity established within, and as a part of, a general function of the local agency. This bill would also define the term “service review,” for purposes of the act, to mean an analysis conducted by the commission documenting and analyzing the services in a particular geographic region or jurisdictional area, pursuant to the process described above.

(2) Existing law requires the commission to order a change of organization or reorganization subject to confirmation of the voters if the change of organization or reorganization consists of an incorporation or disincorporation, as specified.

This bill would additionally require the commission to order a change of organization or reorganization subject to confirmation of the voters if the change of organization or reorganization consists of a consolidation of two or more cities.

(3) Existing law subjects any order in any resolution adopted by a commission ordering the dissolution of a local hospital district to conformation by the voters, as specified. Existing law, notwithstanding that provision, authorizes a commission, if a change of organization consists of the dissolution of a district that is consistent with a specified prior action of the commission, to order the dissolution either without an election or protest proceedings if the dissolution meets certain requirements.

This bill would make clarifying changes to the above provisions.

(4) Existing law prohibits the commission in the County of Ventura, on or before December 31, 2007, from imposing a condition that requires the City of Simi Valley to initiate proceedings on a proposal for a change of organization or reorganization unless the territory that would be affected is contiguous and physically related to the affected territory.

This bill would repeal this provision.

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

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

- 1 SECTION 1. Section 56074 of the Government Code is
- 2 amended to read:
- 3 56074. “Service” means a specific governmental activity
- 4 established within, and as a part of, a general function of the special
- 5 district, ~~as provided by regulations adopted by the commission~~

1 pursuant to Chapter 5 (commencing with Section 56821) of Part
2 3, a local agency.

3 SEC. 2. Section 56074.5 is added to the Government Code, to
4 read:

5 56074.5. "Service review" means an analysis conducted by
6 the commission documenting and analyzing the services in a
7 particular geographic region or jurisdictional area pursuant to
8 Section 56430.

9 SEC. 3. Section 57077 of the Government Code is amended
10 to read:

11 57077. If a change of organization consists of an ~~incorporation~~
12 ~~or incorporation~~, disincorporation, *or consolidation of two or more*
13 *cities*, or if a reorganization includes an ~~incorporation or~~
14 ~~incorporation~~, disincorporation, *or consolidation of two or more*
15 *cities*, the commission shall order the change of organization or
16 reorganization subject to confirmation of the voters. A protest
17 proceeding shall not be conducted.

18 SEC. 4. Section 57103 of the Government Code is amended
19 to read:

20 57103. Any order in any resolution adopted by the commission
21 on or after January 1, 1986, ordering the dissolution of a local
22 hospital district, organized pursuant to Division 23 (commencing
23 with Section 32000) of the Health and Safety Code, is subject to
24 confirmation by the ~~voters~~. *voters unless dissolution of the local*
25 *hospital district meets the requirements set forth in subdivision*
26 *(c) of Section 57077.1.*

27 SEC. 5. Section 1 of Chapter 805 of the Statutes of 2004 is
28 repealed.

29 ~~SECTION 1. Notwithstanding any other provision of law, on~~
30 ~~or before December 31, 2007, the local agency formation~~
31 ~~commission in the County of Ventura shall not impose a condition~~
32 ~~that requires the City of Simi Valley to initiate proceedings on a~~
33 ~~proposal for a change of organization or reorganization pursuant~~
34 ~~to paragraph (3) of subdivision (a) of Section 56375 of the~~
35 ~~Government Code or pursuant to Section 56375.3 of the~~
36 ~~Government Code unless the territory that would be affected is~~
37 ~~contiguous and physically related to the affected territory.~~

38 SEC. 6. Section 2 of Chapter 805 of the Statutes of 2004 is
39 repealed.

1 ~~SEC. 2. The Legislature finds and declares that a special law~~
2 ~~is necessary and that a general law cannot be made applicable~~
3 ~~within the meaning of Section 16 of Article IV of the California~~
4 ~~Constitution because of the unique circumstances of the City of~~
5 ~~Simi Valley. The facts constituting the special circumstances are:~~

6 ~~There are seven areas of unincorporated territory that are~~
7 ~~surrounded or substantially surrounded by the City of Simi Valley.~~
8 ~~The city intends to explore the possibility of annexing those~~
9 ~~unincorporated territories over the next two years. The Legislature~~
10 ~~wants to allow city officials, property owners, and residents to~~
11 ~~discuss those possible annexations without undue influence.~~