

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, April 22, 2009
9:00 a.m.

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

A person with a disability may contact the LAFCO office at (818) 254-2454 at least 72 hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

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

1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH.**
3. **PUBLIC HEARING**
 - a. Los Angeles County Sanitation District No. 20 – Annexation No. 79.
4. **GOVERNMENT CODE § 56857 NOTICES**
(For Informational Purposes Only, Receive and File)

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation is proposed, Government Code section 56857 requires LAFCO to place the proposal on its agenda for informational purposes only.

- a. Annexation No. 2008-13 to Los Angeles County Waterworks District No. 40.
- b. Annexation No. 2008-14 to Los Angeles County Waterworks District No. 37.

5. **CONSENT ITEMS**

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

- a. Approve Minutes of April 8, 2009.
- b. Approve Operating Account Check Register for March 2009.
- c. Receive and file update on pending applications.

6. **OTHER ITEMS**

- a. Preliminary 2009/2010 Budget.
- b. Incorporation Report.
 - 1) East Los Angeles
 - 2) Rowland Heights

7. **PUBLIC COMMENT**

This is the opportunity for members of the public to address the Commission on items that are 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.

8. **FUTURE MEETINGS**

May 13, 2009
May 27, 2009
June 10, 2009
June 24, 2009

9. **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, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Commission subsequent to the posting of the agenda.

10. **ADJOURNMENT MOTION**

Staff Report

April 22, 2009

Agenda Item No. 3a

**Annexation No. 79 to
County Sanitation District No. 20**

The following is a request to annex 30.728± acres of inhabited territory to Los Angeles County Sanitation District No. 20.

Proposal Area: The annexation consists of 92 existing single-family homes and one existing retention basin, located within a residential community.

Location: The subject territory is located at the northeast corner of Pearblossom Highway and 47th Street East, all within the City of Palmdale.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The current population is 99 residents.
2. ***Landowners:*** There are numerous landowners within the annexation territory.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is R-1-7,000; single-family residential with a minimum lot size of 7,000 square feet. The present and proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is vacant and residential.
6. ***Assessed Value:*** The total assessed value is \$34,581,612.
7. ***Governmental Services and Control, Availability and Adequacy:*** The subject territory is already being serviced by the District. The area was included in the future service area that might be served by the District and the District's future wastewater management needs were addressed in the Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan. The wastewater generated by the annexation is being treated at the PWRP. The District has adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or open space lands.

9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.
10. ***Sphere of Influence:*** The subject territory is within the sphere of influence of District No. 20.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

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

Conclusion: It has been determined that, with the imposition of mitigation measures, the project will not have a significant effect on the environment. Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater generated by the subject territory.

Recommended Action:

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Approving Annexation No. 79 to County Sanitation District No. 20.
4. Pursuant to Government Code Section 57002, set June 10, 2009 at 9:00 a.m., as the date for Commission protest proceedings.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING
ANNEXATION NO. 79 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 20

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

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 92 existing single-family homes; and

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

WHEREAS, the territory consists of 30.728± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is “Annexation No. 79 to County Sanitation District No. 20”; and

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

WHEREAS, on April 22, 2009, after being duly and properly noticed, this proposal came on for hearing at which time this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Acting in its role as a responsible agency with the respect to Annexation No. 79, and under State CEQA Guidelines Section 15096, the Commission certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the project and the mitigated negative declaration adopted by the City of Palmdale and has determined that the document adequately addresses the environmental impacts of the project. The Commission also finds that it has complied with the requirements of CEQA with respect to the process for a responsible agency, and hereby adopts by reference the environmental findings previously adopted by the lead agency in connection with its approval of the project.
2. Annexation No. 79 to the County Sanitation District No. 20 is hereby approved subject to the following terms and conditions:
 - a. The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the District may legally impose.
 - b. The regular County assessment roll is utilized by the District.
 - c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.
3. The Commission hereby sets the protest hearing for June 10, 2009 at 9:00 a.m. and authorizes and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882.

Resolution No. 2009-00RMD
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PASSED AND ADOPTED this 22nd day of April 2009.

Ayes:

Noes:

Absent:

Abstain:

SANDOR L. WINGER, Executive Officer

Staff Report

April 22, 2009

Agenda Item No. 4

GOVERNMENT CODE § 56857 NOTICES

(For Informational Purposes Only, Receive and File)

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, Government Code section 56857 requires LAFCO to place the proposal on its agenda for informational purposes only. Within 60 days of the meeting date, the annexing district may adopt and submit to LAFCO a resolution requesting termination of the annexation proceedings. The law requires that the annexing district "present written findings supported by substantial evidence in the record that the termination request is justified by a financial or service related concern." Prior to the Commission's determination of termination of proceedings the resolution is subject to judicial review.

Waiver of 60-Day Termination Period

Under section 56857, LAFCO may not hear and consider the proposed annexation until the 60-day termination period has expired. The Code provides, however, that the Commission may waive the 60-day termination period if the annexing district adopts and submits to LAFCO a resolution supporting the change of organization or reorganization.

The following is a summary of the annexation proposals filed with LAFCO:

a. *Project Description – Annexation No. 2008-13*

Lancaster School District, landowner filed an application to annex 20 acres of vacant land into the boundary of Los Angeles County Waterworks District No. 40 for the future construction of a school.

Project Location - The project site is located at the northwest corner of Avenue H-8 and 40th Street West, in the City of Lancaster

b. *Project Description – Annexation No. 2008-14*

Jim Schultz, landowner filed an application to annex 51 acres of inhabited land into the boundary of Los Angeles County Waterworks District No. 37.

Project Location - The project site is located at the southeast corner of Westcoatt Street and 48th Street West, in the unincorporated community of Acton.

Recommended Action

Receive and file.