

**LOCAL AGENCY FORMATION COMMISSION  
MEETING AGENDA**

Wednesday, January 13, 2010  
9:00 a.m.

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

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

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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. 35 – Dissolution No. 2009-10  
**(Continued from the December 9, 2009 Meeting).**
4. **PROTEST HEARINGS**
  - a. Los Angeles County Sanitation District No. 20 – Annexation No. 88.
  - b. Los Angeles County Sanitation District No. 22 – Annexation No. 377.
  - c. Los Angeles County Waterworks District No. 40 – Annexation No. 2004-14.

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 December 9, 2009.
- b. Operating Account and Check Register of the month of December 2009.
- c. Receive and file update on pending applications.

6. **OTHER ITEMS**

- a. Consideration of terminating CALAFCO membership and forming a Southern California LAFCO organization.
- b. Merit Increase - Deputy Executive Officer.
- c. **NOTICE OF CLOSED SESSIONS (if requested)**

**CS-1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

The Commission will meet in Closed Session pursuant to Government Code Section 54957 to evaluate the performance of the Deputy Executive Officer.

**CS-2 CONFERENCE WITH LABOR NEGOTIATORS**

The Commission will meet in Closed Session pursuant to Government Code Section 54957.6.

Commission Representative: Jerry Gladbach, Chairman  
Unrepresented Employee: Deputy Executive Officer

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**

February 10, 2010

March 10, 2010

April 14, 2010

May 12, 2010

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

January 13, 2010

### Agenda Item No. 3.a.

#### **Dissolution of County Sanitation District No. 35 - Acton (Dissolution No. 2009-10)**

The following is a request to dissolve 6,247.68± acres of inhabited territory from Los Angeles County Sanitation District No. 35.

**Location:** The subject territory is located northwest of the San Gabriel Mountains near Angeles National Forest, south of the Sierra Pelona Mountains near Big Mountain Ridge, northeast of the City of Santa Clarita, and southeast of the Cities of Palmdale and Lancaster, all within the unincorporated community of Acton.

**Background:** County Sanitation District No. 35 was formed in November 1970, but has remained inactive and does not own or operate any sewerage facilities. The Los Angeles County General Plan and the Antelope Valley Area Plan Update adopted after the formation of County Sanitation District No. 35, provide for a low density, rural development that does not require the services of a regional sanitation system. Because the District is inactive and does not own or operate any facilities, there is no current need for a regional sewerage system. The Acton Town Council has requested that the County Sanitation Districts of Los Angeles County dissolve District No. 35.

#### **Factors to be Considered Pursuant to Government Code Section 56668:**

1. ***Population:*** The current population is 9,175 residents.
2. ***Landowner(s):*** There are numerous owners of record within the dissolution area.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is rolling terrain.
4. ***Zoning, Present and Future Land Use:*** The present land use is Rural Residential, Agricultural, Commercial, and Vacant.
5. ***Surrounding Land Use:*** The surrounding land use is Rural Residential, Agricultural, Commercial, and Vacant.
6. ***Assessed Value:*** The total assessed value is \$490,817,218.
7. ***Government Services and Control, Availability and Adequacy:*** The subject territory is not currently being serviced by the District. No sewerage service is planned for the future.
8. ***Effects on agricultural or open-space lands:*** This proposal will not have any effects on agricultural or open-space lands.

9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed dissolution conforms to the recorded lines of assessment.
10. ***Sphere of Influence:*** NA.
11. ***Tax Resolution:*** The District has never received any property taxes, and therefore, a tax exchange resolution is unnecessary.
12. ***Correspondence:*** County Sanitation Districts of Los Angeles received a letter from the Los Angeles County Board of Supervisors, Office of Michael Antonovich, in support of Dissolution of District No. 35.

**CEQA:** Dissolution of District No. 35 is not subject to the provisions of the California Environmental Quality Act (CEQA) because, pursuant to State CEQA Guidelines Section 15378(b)(5), an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment is not a “project” for purposes of CEQA.

**Conclusion:** There are no future development plans for the long term sewerage needs of the Acton area. Dissolving County Sanitation District No. 35 will eliminate any unnecessary costs of the District.

**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 and Ordering Dissolution of Los Angeles County Sanitation District No. 35 (No. 2009-10).

**RESOLUTION NO. 2010-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND ORDERING**  
**"DISSOLUTION OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 35**  
**(No. 2009-10)"**

WHEREAS, the County Sanitation District No. 35 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 dissolution of territory located within the unincorporated community of Acton; and

WHEREAS, the principal reason for the proposed dissolution is to eliminate any unnecessary costs of the District; and

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

WHEREAS, the territory consists of 6,247.68± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Dissolution of County Sanitation District No. 35"; and

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

WHEREAS, on January 13, 2010, 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. The Commission finds that the dissolution is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(5).
2. Pursuant to Government Code Section 57077, this dissolution shall be ordered without an election.
3. Dissolution of County Sanitation District No. 35 is hereby approved subject to the following terms and conditions:
  - a. The County of Los Angeles will be designated as the successor for the purpose of winding up the affairs of the District pursuant to Government Code Section 57451(b).
  - b. The County of Los Angeles will be responsible for the distribution of assets of the dissolved District pursuant to Government Code Section 574579(b).
  - c. The remaining funds of \$4,886.83, as of November 12, 2009, will be placed in a segregated account in the name of Los Angeles County Department of Public Works to be used solely for projects servicing the community of Acton.
4. The Commission hereby orders the inhabited territory described in Exhibit "B" dissolved from County Sanitation District No. 35.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of 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 13<sup>th</sup> day of January 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**SANDOR L. WINGER,**  
Executive Officer



**Staff Report**

**January 13, 2010**

**Agenda Item No. 4.a.**

**Protest Hearing on Annexation No. 88 to  
Los Angeles County Sanitation District No. 20**

On November 18, 2009 your Commission approved a request initiated by Los Angeles County Sanitation District No. 20 to annex 20.659± acres of uninhabited territory into the boundaries of District No. 20. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

***Proposal Area:*** The annexation consists of vacant land, located in a vacant area. The territory is currently being developed to include 61 proposed single-family homes.

***Population:*** The current population is 0. The estimated future population after development is 153 residents.

***Landowner(s):*** First Pacifica Estate, LLC; WA Real Estate, LLC.

***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.

***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 land use is vacant. The proposed land use is residential.

***Surrounding Land Use:*** The surrounding land use is vacant and residential.

***Governmental Services and Control, Availability and Adequacy:*** The subject territory is not currently serviced by the District. However, 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 proposed project will be treated at the PWRP. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.

***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or open space lands.

***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.

***Sphere of Influence:*** The subject territory is within the sphere of influence of District No. 20.

***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.

***CEQA:*** As a responsible agency, the Commission relied upon the mitigated negative declarations adopted by the City of Palmdale for approval of Tract Maps 061611 and 061981, respectively, for this proposal.

***Correspondence:*** No correspondence has been received.

**Recommended Action:**

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists or order Annexation No. 88 to Los Angeles County Sanitation District No. 20 directly if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

**RESOLUTION NO. 2010-00PR**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS ORDERING**  
**"ANNEXATION NO. 88 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 20"**

WHEREAS, the Los Angeles County Sanitation District No. 20 filed an 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 to the Los Angeles County Sanitation District No. 20; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 61 proposed 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 20.659± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 88 to County Sanitation District No. 20"; and

WHEREAS, on November 18, 2009, the Commission approved Annexation No. 88 to County Sanitation District No. 20; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set January 13, 2010 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 2 and the total assessed value of land within the affected territory is \$2,730,459.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 88 to County Sanitation District No. 20 and not withdrawn is \_\_\_\_\_, which, even if valid, represents owners of land who also own less than 50 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 20.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
  - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 20 may legally impose.
  - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 20.
  - c. The subject territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 20.

5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of 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 57000, *et seq.*

PASSED AND ADOPTED this 13<sup>th</sup> day of January 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**SANDOR L. WINGER,**  
**Executive Officer**

## Staff Report

January 13, 2010

### Agenda Item No. 4.b.

#### **Protest Hearing on Annexation No. 377 to Los Angeles County Sanitation District No. 22**

On November 18, 2009 your Commission approved a request initiated by Los Angeles County Sanitation District No. 22 to annex 108.091± acres of inhabited territory into the boundaries of District No. 22. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

***Proposal Area:*** The territory consists of six existing single-family homes and one existing fire station, located within vacant residential and agricultural areas. The territory is currently being developed to include 112 proposed single-family homes.

***Population:*** The current population is 20. The estimated future population after development is 402 residents.

***Landowner(s):*** Azusa Land Partners, LLC, North Rosedale Community Association, and additional owners of record.

***Topography, Natural Boundaries and Drainage Basins:*** The topography is gently sloped.

***Zoning, Present and Future Land Use:*** The current zoning is SP and NG3; Monrovia Nursery Specific Plan and Neighborhood General 3, Low Density. The present land use is residential, vacant residential, and agricultural. The proposed land use is residential and open space.

***Surrounding Land Use:*** The surrounding land use is residential and open space.

***Governmental Services and Control, Availability and Adequacy:*** A portion of the subject territory is already being serviced by the District. The entire subject territory 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 Joint Outfall System (JOS) 2010 Master Facilities Plan. The wastewater generated by the annexation will be treated by the JOS, which is comprised of 6 upstream water reclamation plants and the Joint Water Pollution Control Plant. The District has adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.

***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural lands. The subject territory will include 49 acres of dedicated open space.

***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.

***Sphere of Influence:*** The subject territory is within the sphere of influence of District No. 22.

***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.

***CEQA:*** Annexation of the six existing single-family homes and one existing fire station are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a), because it is an annexation containing an existing structure developed to the density allowed by the current zoning. As a responsible agency, the Commission relied upon the Monrovia Nursery Specific Plan and Project Environmental Impact Report for the 112 proposed single-family homes adopted by the City of Azusa for its approval of this proposal.

***Correspondence:*** No correspondence has been received.

***Notice of Errata:*** The prior staff report and resolution making determinations and approving Annexation No. 377 to Los Angeles County Sanitation District No. 22 incorrectly identified this territory as being uninhabited. The resolution will be corrected to reflect that the territory is inhabited.

**Recommended Action:**

1. Open the protest hearing and receive written protests.
2. Close the protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists, ordering Annexation No. 377 to Los Angeles County Sanitation District No. 22 directly or ordering the annexation subject to confirmation by the registered voters of the affected territory.

**RESOLUTION NO. 2010-00PR**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS ORDERING**  
**"ANNEXATION NO. 377 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 22"**

WHEREAS, the Los Angeles County Sanitation District No. 22 filed an 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 to the Los Angeles County Sanitation District No. 22; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for six existing single-family homes, one existing fire station, and 112 proposed 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 108.091± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 377 to County Sanitation District No. 22"; and

WHEREAS, on November 18, 2009, the Commission approved Annexation No. 377 to County Sanitation District No. 22; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set January 13, 2010 as the date for the protest hearing and has given notice thereof; and



WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 13 and the number of property owners is 35 and the total assessed value of land within the affected territory is \$54,342,795.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 377 to County Sanitation District No. 22 and not withdrawn is \_\_\_\_, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 22.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
  - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 22 may legally impose.

- b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 22.
  - c. The subject territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No. 22.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of 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 57000, *et seq.*

PASSED AND ADOPTED this 13<sup>th</sup> day of January 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**SANDOR L. WINGER,**  
**Executive Officer**

**Staff Report**

**January 13, 2010**

**Agenda Item No. 4.c.**

**Protest Hearing  
Los Angeles County Waterworks District No. 40  
Annexation No. 2004-14**

On November 18, 2009 your Commission approved a request initiated by landowner petition to annex 30.5± acres of inhabited territory into the boundary of the Los Angeles County Waterworks District No. 40. The Protest Hearing before you today will satisfy the requirements of Government Code Section 57000, *et seq.*

The annexation proposal is summarized as follows:

***Proposal Area:*** The project site consists of 120 existing homes.

***Location:*** The site is located at the northeast corner of Lancaster Blvd. and 35<sup>th</sup> Street East, in the City of Lancaster.

***Population:*** The current population is 120.

***Landowner:*** There are numerous landowners within the annexation area.

***Topography, Natural Boundaries and Drainage Basins:*** The terrain is generally flat.

***Zoning, Present and Future Land Use:*** The territory is zoned R-7000 and the present and future land use is single family residential.

***Surrounding Land Use:*** The surrounding territory is single family residential and vacant land.

***Assessed Value:*** The total assessed value is \$838,318.

***Governmental Services and Control, Availability and Adequacy:*** The City of Lancaster will provide services as provided for in the City's General Plan.

***Water Availability:*** The District has sufficient water supply to meet the needs of the proposal area. The landowner will build the water system to the District's specifications and interconnect with an existing water main. The system will eventually be dedicated to the District.

***Effects on agricultural or open-space lands:*** Currently, there is no open space, or agricultural lands within the subject or surrounding territory.

***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to recorded lines of assessment.

***Sphere of Influence:*** The subject territory is within the sphere of influence of Los Angeles County Waterworks District No. 40.

***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.

***CEQA:*** The City of Lancaster, as lead agency, adopted a Mitigated Negative Declaration for the project.

***Correspondence:*** No correspondence has been received.

**Recommended Action:**

1. Open the public hearing and receive written protests.
2. Close the public hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of the protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the annexation proceedings if a majority protest exists, ordering Annexation No. 2004-14 to Los Angeles County Waterworks District No. 40 directly or ordering the annexation subject to confirmation by the registered voters of the affected territory.

**RESOLUTION NO. 2010-00PR**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS ORDERING**  
**"ANNEXATION NO. 2004-14 TO**  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40"**

WHEREAS, an application for the proposed annexation of certain territory in the City of Lancaster to the Los Angeles County Waterworks District No. 40, has been filed with the Executive Officer of the Local Agency Formation Commission for Los Angeles County (the "Commission"), pursuant to Title 5, Division 3, commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposed annexation consists of 30.5 ± acres of inhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2004-14 to Los Angeles County Waterworks District No. 40;" 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 this annexation is to provide a reliable source of water to inhabitants of the subject territory; and

WHEREAS on November 18, 2009, the Commission approved Annexation No. 2004-14 to Los Angeles County Waterworks District No. 40; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set January 13, 2010 as the date for the protest hearing and has given notice thereof; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly if less than a majority protest exists.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 42 and the number of property owners is 120 and the total assessed value of land within the affected territory is \$838,318.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 2004-14 to Los Angeles County Waterworks District No. 40 and not withdrawn is 0, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Waterworks District No. 40.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
  - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Waterworks District No. 40 may legally impose.
  - b. The regular County assessment roll shall be utilized by the Los Angeles County Waterworks District No. 40.

- c. The subject territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Waterworks District No 40.
  
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of 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 57000, *et seq.*

PASSED AND ADOPTED this 13<sup>th</sup> day of January 2010.

Ayes:

Noes:

Absent:

Abstain:

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

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**SANDOR L. WINGER,**  
**Executive Officer**

## **Staff Report**

### **Agenda Item No. 6.a.**

#### **CALAFCO Rejection of Regional Area Representation**

##### **Background**

The Southern California LACFOs; Imperial, Los Angeles, Orange, Riverside, San Bernardino and San Diego have been diligently working with CALAFCO to reform the representation of that organization modify the dues structure.

As an example of the inequities of the voting representation, there are 57 of the 58 LAFCOs associated with CALAFCO and each has one vote. As the commissioners are aware, almost 60% of the population of California is represented in the six Southern California LAFCOs. In one case, one Executive Officer in Northern California controls the vote of 5 -6 LAFCOs he represents.

A special panel was appointed by the CALAFCO Chair to make recommendations to reform the CALAFCO organization structure. Two of the panel members were from Southern CA and two from the North. The panel recommended a new organizational structure based on Regional Area representation that is quite similar to the California State Association of Counties (CSAC), Association of California Water Agencies (AWCA), and the League of Cities.

The CALAFCO Board at its August 7, 2009 meeting wholly embraced the recommendation offered by the special panel and voted to place those recommendations before the CALAFCO membership for approval at its annual business meeting to be held at the CALAFCO conference in October, 2009.

Interestingly enough, many of the same CALAFCO Board members who voted to place the panel's recommendations on the ballot at the conference business meeting then spoke vehemently against it. The motion failed, significantly. Moreover, in a later vote, no Southern California commissioner was elected or re-elected to the CALAFCO Board, thus, leaving Chair Gladbach as the only CALAFCO member still left from Southern California, as he was not up for re-election.

Therefore, only 1 Board member out of 15 is now from Southern CA. Since the election, there are no longer any Executive Officers from Southern CA that have been appointed to the CALAFCO Executive Staff, leaving a grand total of zero.

Lastly, at its CALAFCO Board meeting held in November the CALAFCO Chair emphatically stated that the CALAFCO membership will never vote for a reformed CALAFCO restructure with regional Area representation, thus, closing the door on any change.

##### **Southern California LAFCO meetings**

The Southern CA LAFCO's have been meeting for an extended period to formulate and find various compromise positions in trying to resolve the CALAFCO organizational issues.

Most of those who worked to find compromise really believed that the membership would approve



the regional area concept, however, once it was determined that there was no longer any possibility of success or compromise, the SC LAFCOs met on December 11, 2009, and unanimously agreed to recommend to their respective commissions that a new organization be formed which could best serve the needs of the SC LAFCOs.

A further meeting will be held the end of January.

### **Termination of CALAFCO Membership**

Pursuant to the CALAFCO Bylaws, membership may be terminated either by the voluntary resignation of a member, effective as of the date notice of such resignation is either personally hand-delivered to the President or Secretary of the CALAFCO or deposited in the U.S. Mail or by the nonpayment of required dues, assessments or fees. Termination does not relieve the resigning member from any obligation for charges incurred, services or benefits actually rendered, dues, assessments, or fees, incurred prior to the effective date of resignation and does not diminish CALAFCO's right to enforce any such obligation or obtain damages for its breach.

## **INDIVIDUAL LAFCO POSITIONS**

### **Imperial**

This LAFCO, even with its small population, closely associates itself with its SC neighbors. Imperial believes that CALAFCO has no sense of the growth or expansion issues facing SC. Imperial supports regional representation. Imperial has decided to join an effort to form a new SC LAFCO coalition.

The Minutes for the December 17, 2009 Meeting of Imperial LAFCO (attached) confirm that its commission took the following actions:

- 1) Agreed to withdraw membership from CALAFCO immediately;
- 2) Authorized its Executive Officer to not pay annual CALAFCO dues, but to allow the equivalent amount to be used in support of the new association of SC LAFCOs; and
- 3) Authorized its Executive Officer to attend, participate in and assist in the formation of a "southern" equivalent of CALAFCO

### **Orange**

Orange County LAFCO Commissioner, Peter Herzog, who was CALAFCO Chair, resigned this year due to CALAFCO's non-responsiveness to the needs of the SC LAFCOs concerning SB 375. Orange LAFCO has decided to join an effort to form a new SC LAFCO coalition. Furthermore, they have decided not to pay any further dues to CALAFCO, thus, leaving the organization effective June 30, 2010.

## **Riverside**

At its last LAFCO meeting, Riverside LAFCO decided that because it committed to support the next annual CALAFCO meeting it will do so, but only on an as-needed basis. Riverside LAFCO advised CALAFCO that it might be a good idea to consider moving to another venue inasmuch as Riverside LAFCO will only, if at all, give minimum support. Furthermore, Riverside LAFCO does not plan to pay dues for the coming new fiscal year. Riverside has committed to a new coalition.

## **San Bernardino**

Since the December 11, 2009 meeting, San Bernardino LAFCO has taken the following actions, as confirmed by the Summary of Actions for its December 16, 2009 Regular Meeting (see attached):

1. Rescinded its approval for hosting the 2012 CALAFCO conference;
2. Directed its Executive Officer to withdraw from CALAFCO membership; and will not participate in CALAFCO activities except for very minimal events.
3. Directed its Executive Officer to resign from the CALAFCO Legislative Committee for Fiscal Year 09-10.

## **San Diego**

San Diego LAFCO has agreed to be a part of the new coalition. Because the San Diego LAFCO has a pending law suit against them and because CALAFCO has enjoined with them, San Diego is walking a thin line, however, it is their desire to participate with the rest of the SC LAFCOs where possible.

## **Recommendations**

1. Direct the Chair and Executive Officer to join efforts to form a new Southern California LAFCO organization.
2. Become part of a Southern California Legislative Committee.
3. Advise our legislative members that CALAFCO does not represent the Los Angeles LAFCO.
4. Direct the Executive Officer to send written notice to CALAFCO of Los Angeles LAFCO's resignation of its CALAFCO membership effective July 1, 2010, and after that no longer pay membership dues to CALAFCO.

## Staff Report

### Salary Merit Increase

#### Agenda Item No. 6.b

June Savala came to the Local Agency Formation Commission in January, 1994 after serving in many capacities for fifteen years with Los Angeles County. In June 2006, she was appointed to the position of Deputy Executive Officer. Since that time June has served and represented the Commission in a most prestigious manner including as Legislative Vice-Chair for CALAFCO.

She has been recognized for her leadership and administrative skills throughout the LAFCO community and is asked for advice and guidance by many of the other LAFCO organizations. Furthermore, June is also recognized for her ability to manage staff and provide guidance to those around her, including staff, the Executive Officer and Commissioners.

Since her appointment as Deputy Executive Officer, June has received minor cost of living (COLA) increases only and received no COLA increase for 2009. The following chart compares June's present salary compared to other second tier managers in other LAFCOs.

<u>LAFCO</u>	<u>Non E.O. Senior Level Management</u>	<u>Present Yearly Salary</u>
Orange	Assistant EO	\$ 127,502
Sacramento	Assistant EO	\$ 104,000
Santa Clara	Chief Analyst	\$ 95,929
Orange	Sr. Project Manager	\$ 94,241
<b>Los Angeles</b>	<b>Deputy EO</b>	<b>\$ 92,510</b>
Ventura	Deputy EO	\$ 92,310
San Diego	Chief Policy Research	\$ 90,771
Sonoma	Assistant EO	\$ 89,710
Butte	Deputy EO	\$ 84,464

#### **Recommendation:**

That June Savala will be given a merit salary increase of 7.5% percent or \$6,938 to \$99,448 effective immediately.

It is noted that if the Commission approves the recommended increase, salary increases for the year, including those given for the recent employee reclassifications, will total \$14,584 which is still well under the \$23,880 (51.4%) budgeted for FY 2009/2010.