

**Municipal Service Review  
Resource Conservation Districts  
Adopted March 9, 2022**

This Municipal Service Review was conducted for the two (2) resource conservation districts (RCDs) located in the County of Los Angeles: the Antelope Valley Resource Conservation District (AVRCD) and the Resource Conservation District of the Santa Monica Mountains (RCDSMM).

The Commission adopted this MSR on March 9, 2022

**Chapter One: LAFCO Background**

*Municipal Boundaries*

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

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

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

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

- California Revenue and Taxation Code Sections 93 and 99. LAFCO considers the revenue and taxation implications of proposals and initiates the property tax negotiation process amongst agencies affected by the proposal.
- California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq*) and the related CEQA Guidelines (Title 14, California Code of Regulations Section 15000 *et seq*). Applications before LAFCO are considered to be “projects” under CEQA, which requires that potential environmental impacts be analyzed prior to Commission action.
- Ralph M. Brown Act (California Government Code Section 54950 *et seq*). Commonly known as the State’s “open meeting law,” the Brown Act ensures that the public has adequate opportunity to participate in the LAFCO process.

- Political Reform Act (California Government Code Section 81000 *et seq*). Commissioners, some LAFCO staff, and legal counsel are subject to the Political Reform Act, which requires the filing of annual reports of economic interests.

### What are LAFCO's?

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

In creating LAFCOs, the Legislature established four (4) priorities: encourage orderly growth and development, promote the logical formation and determination of local agency boundaries, discourage urban sprawl, and preserve open space and prime agricultural lands.

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

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

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

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

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

LAFCO does not regulate boundaries for the following public agencies:

- Air pollution control districts
- Bridge, highway, and thoroughfare districts
- Community college districts

- Community facility districts (aka “Mello-Roos” districts)
- Improvement districts
- Mutual water companies
- Private water companies
- Redevelopment agencies
- School districts
- Special assessment districts

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

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

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

- Two (2) members of the Los Angeles County Board of Supervisors (appointed by the Los Angeles County Board of Supervisors);
- One (1) member of the Los Angeles City Council (appointed by the Los Angeles City Council President);
- Two (2) members of city councils who represent the other 87 cities in the county other than the City of Los Angeles (elected by the City Selection Committee);
- Two (2) members who represent independent special districts (elected by the Independent Special Districts Selection Committee);
- One (1) member who represents the San Fernando Valley (appointed by the Los Angeles County Board of Supervisors); and
- One (1) member who represents the general public (elected by the other 8 members).

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

The Commission holds its “regular meetings” at 9:00 a.m. on the second Wednesday of each month. The Commission periodically schedules “special meetings” on a date other than the second Wednesday of the month. Commission meetings are held in Room 381B of the Kenneth Hahn Hall of Administration, located at 500 West Temple Street in downtown Los Angeles. Public notice, including the Commission agenda, is posted at the Commission meeting room and on LAFCO’s web-site ([www.lalafco.org](http://www.lalafco.org)).

The Commission appoints an Executive Officer and Deputy Executive Officer. A small staff reports to the Executive Officer and Deputy Executive Officer.

LAFCO's office is located at 80 South Lake (Suite 870) in the City of Pasadena. The office is open to the public Monday through Thursday from 9:00 a.m. to 5:00 p.m. The office is closed on Fridays.

#### What are LAFCO's responsibilities?

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

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

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

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

#### Municipal Service Reviews

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

Some LAFCOs prepare MSRs for each city and special district in their region every five (5) years (generally, these are LAFCOs with jurisdiction over a very limited number of cities and special districts). Other LAFCOs do not prepare MSRs proactively; rather, when a city, special district, or petitioner wants to expand the boundaries of an SOI, the LAFCO requires that the applicant pay for the preparation of an MSR in advance of the SOI determination. Most LAFCOs take an intermediate approach, above, preparing MSRs for a select group of cities and special districts every five years. This is the approach taken by the Commission at its meeting of March 9, 2011.

In the current round (Round Three), LAFCO is preparing MSRs for a total of nine (9) cities and eleven (14) special districts. To date, the Commission has adopted the following MSRs (the Wrightwood Community Services District on January 8, 2020; the Consolidated Fire Protection

District of Los Angeles County (CFPD) on July 8, 2020); the Cities of La Mirada and Whittier on March 10, 2021); the Santa Clarita Valley Water Agency (SCVWA) on August 10, 2020; the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village on September 9, 2020; and the Point Dume Community Services District on July 14, 2021.

In preparing MSRs, LAFCOs are required to make seven (7) determinations:

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

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

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## **Chapter Two: Resource Conservation Districts** (Public Resources Code Section 9000 *et seq*)

### **Resource Conservation Districts (RCDs)**

RCDs are independent special districts, managed by an elected board of directors, which work cooperatively with Federal, State, and local government agencies, as well as owners of private lands, to conserve soil. There are ninety-five (95) RCDs in the State of California.<sup>1</sup>

According to the California Association of Resource Conservation Districts:

RCDs were first founded after the Dust Bowl in the 1930s to bring federal and state funding and technical assistance to farmers and ranchers so that they could voluntarily conserve water, soil, and wildlife habitat on their land with the help of a local and neutral partner. Spanning many generations, RCDs have maintained deep connections to farmers and ranchers but most have also evolved with the changing needs of California's diverse communities. Today each RCD's projects and programs are different, and their services often include habitat restoration, forest health, healthy soils, public education, landscape-scale conservation planning, climate resilience, and assisting municipalities and the state in managing water use and preparing for drought and fire. RCDs always work with their constituents on a voluntary basis — a key reason they are considered a trusted resource in their communities.<sup>2</sup>

As described by Clark Stevens, Executive Officer of the Resource Conservation District of the Santa Mountains, RCDs are "Federally-created, State-authorized, locally-managed public agencies."<sup>3</sup>

### **Resource Conservation District Law**

Division 9 (Resource Conservation) of the Public Resources Code is the State of California principal act relative to resource conservation districts (Public Resources Code §§ 9001 *et seq*). The State's commitment to resource conservation is described therein:

The Legislature hereby declares that resource conservation is of fundamental importance to the prosperity and welfare of the people of this state. The Legislature believes that the state must assume leadership in formulating and putting into effect a statewide program of soil and water conservation and related natural resource conservation and hereby declares that this division is enacted to accomplish the following purposes:

- (1) To provide the means by which the state may cooperate with the United States and with resource conservation districts organized pursuant to this division in securing the adoption in this state of conservation practices, including, but not limited to, farm, range, open space, urban development, wildlife, recreation, watershed, water quality, and woodland, best adapted to save the basic resources, soil, water, and air of the state from unreasonable and economically preventable waste and destruction.

- (2) To provide for the organization and operation of resource conservation districts for the purposes of soil and water conservation, the control of runoff, the prevention and control of soil erosion, and erosion stabilization, including, but not limited to, these purposes in open areas, agricultural areas, urban development, wildlife areas, recreational developments, watershed management, the protection of water quality and water reclamation, the development of storage and distribution of water, and the treatment of each acre of land according to its needs.<sup>4</sup>

### **Governing Body**

The governing body of a resource conservation district may be appointed or elected, and is composed of 5, 7, or 9 members (Public Resources Code § 9301).

If formed pursuant to a consolidation or reorganization of two or more districts into a single district, LAFCO may increase the number of directors of the consolidated or reorganized district to 7, 9, or 11. As terms expire, the number of directors shall be reduced through attrition until the number of directors is in conformance with the district principal act or a larger number specified by LAFCO (Public Resources Code § 9301.1).

### **Functions**

A resource conservation district may be formed for the control of runoff, the prevention or control of soil erosion, the development and distribution of water and the improvement of land capabilities (Public Resources Code § 9151).

### **Formation**

A proposal to form a resource conservation district may be initiated by a petition signed by not less than 10% of the registered voters residing in the area to be included in the district (Public Resources Code § 9164). A proposal to form a district may also be initiated by the adoption of a resolution of application by the legislative body of any county or city that contains territory proposed to be included in the district (Public Resources Code §. 9167). If the proposed district would include territory in more than one county, the petition is presented to the Executive Officer of the LAFCO in the principal county (Public Resources Code § 9165). The principal county is defined as the county, which contains all or the greatest portion of the privately owned lands within the proposed district (Public Resources Code § 9025 and 9181).

Prior to circulation petitions, the proponent shall file with the LAFCO Executive Officer a notice of intention that includes the name and mailing address of the proponent and a written statement, not to exceed 500 words in length, setting forth the reasons for the proposal. After filing the notice, the petition may be circulated for signatures (Government Code § 56700.4).

After the formation proceedings have been initiated with LAFCO, a noticed public hearing is held. After hearing public testimony, the Commission may either; approve, modify, or deny the proposed formation. If it is approved, the Commission also will adopt terms and conditions for the formation, and establish a sphere of influence for the new district. Then the proposed formation is scheduled for a conducting authority hearing where no further modifications may be made. The conducting authority will, within thirty-five (35) days of the adoption of the

Commission's resolution, call and give notice of an election to be held in the territory of the proposed district (Public Resources Code § 9181).

The Commission may order formation of the district without an election, if the Commission finds that the petition filed with LAFCO has been signed by not less than 80% of the registered voters residing within the area to be included in the district. If the formation of the district is order without an election the commission will designate the member of the board of directors (Public Resources Code § 9182).

At the election, if a majority of the qualified voters within the proposed district vote in favor of formation, the district shall be established (Public Resources Code § 9188).

The following territory may be included within the proposed boundaries of a resource conservation district (Public Resources Code § 9152):

1. Those generally of value for agricultural purposes, including farm and range land useful for the production of agricultural crops or for the pasturing of livestock;
2. Those necessary for the control of runoff, the prevention of soil erosion, and the development and distribution of water; and
3. Those necessary for land improvement, and for fully accomplishing the purposes for which the district is formed.

### **RCD Boundaries**

An RCD may include territory in more than one county, and it may include territory in a city or in unincorporated territory. Both of the RCDs in Los Angeles County have territory in County unincorporated areas and in one or more incorporated cities.

Of the ninety-five (95) RCDs in California, approximately five (5) have territory exclusively in County unincorporated territory, and ninety (90) have territory both in County unincorporated territory and in one or more incorporated cities.<sup>5</sup> Pursuant to Public Resources Code Section 9972, when annexation to a city occurs, "that territory may be excluded from the [Ventura County Resource Conservation] district". Further, Ventura LAFCO has adopted a local policy that requires detachment from the VCRCD for any proposed city annexation.

Like all special districts, and pursuant to State law, an RCD cannot provide service outside its jurisdictional boundary. Unlike many special districts, however, location of territory within an RCD's boundary does not obligate the RCD to provide any specific service (for example, the way that a retail water agency or a sanitation district would have to provide service). Should an RCD expand its boundaries, that newly annexed territory becomes eligible to receive services provided by the RCD.

### **Exercise of New or Different Functions or Classes of Services**

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



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

### **Annexation**

Additional lands may be annexed to the district in accordance the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, §§ 56000, *et seq* of the Government Code.

The lands need not be contiguous but shall be susceptible to the same general plan or system for the control of runoff, the prevention or control of soil erosion, the development and distribution of water, or land improvement (Public Resources Code § 9481).

Any potential SOI amendment and/or annexation to an existing RCD of territory outside Los Angeles County is subject to the February 19, 2020 MOU (“Memorandum of Understanding (MOU) for Exchange of Principal County Status for Sphere of Influence Changes”) adopted by the commissions of both LA LAFCO and Ventura LAFCO. As noted in Section 4 of that MOU:

“Both LA LAFCO and VLAFCO [Ventura LAFCO] agree that the LAFCO of the county within which the affected territory is situated should be the LAFCO that determines the sphere of influence, due to their knowledge of underlying service providers, affected agencies within and surrounding the entity within the affected county, and understanding the development standards and vision within the affected county.”<sup>6</sup>

Given the foregoing—as well as other provisions in the MOU—and to the extent that a proposed SOI amendment or annexation for an RCD involved territory in Ventura County, the consent/approval of Ventura LAFCO is required.

### **Resource Conservation District in Los Angeles County**

There are two Resource Conservation Districts in the County of Los Angeles: the Antelope Valley Resource Conservation District (AVRCD) and the Resource Conservation District for the Santa Monica Mountains (RCDSMM).

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### Chapter Three: Antelope Valley Resource Conservation District

The Antelope Valley Resource Conservation District (AVRCD or District), an independent special district, was formed in 1942 for the purpose of providing leadership and technical assistance to land users in conserving, improving and sustaining natural resources in Los Angeles County. The mission of the Antelope Valley Resource Conservation District is to promote conservation and restoration of natural resources for our area by providing plant materials, educational programs, and expertise in conservation.<sup>7</sup>

According to the district's website, the AVRCD is managed by 5 (five) non-salaried directors who are "land users in their districts and who are familiar with local resource problems."<sup>8</sup>

The Board of Directors holds monthly meetings (except August and December) on the second Wednesday of the month at the district office (10148 West Avenue I, Lancaster, CA 93534). Meeting agendas are available on the AVRCD's website ([www.avrcd.org](http://www.avrcd.org)).

Within Los Angeles County, the jurisdictional boundary of the AVRCD includes all of the City of Lancaster, all of the City of Palmdale, and portions of the City of Los Angeles and the City of Santa Clarita; unincorporated territory in the Antelope Valley, a portion of the Santa Clarita Valley, and a small area located in the northeasterly San Fernando Valley; and significant territory within the Angeles National Forest and the San Gabriel National Monument. The district's jurisdictional boundary also includes County unincorporated territory in southern Kern County, as well as County unincorporated territory in northeastern Ventura County. The district's jurisdictional boundary and SOI boundary are the same, also known as a "Coterminous SOI." Exhibit 1 on Page 11 shows the jurisdictional boundary of the AVRCD.

The district operates a nursery which is open to the public three (3) days a week (Thursday through Saturday).<sup>9</sup> The AVRCD has a full-time staff of nine (9) individuals.<sup>10</sup>

The district receives a portion of the one-percent (1%) *ad valorem* share of property taxes, and it also applies for and receives grants from Federal and State agencies as well as other sources.

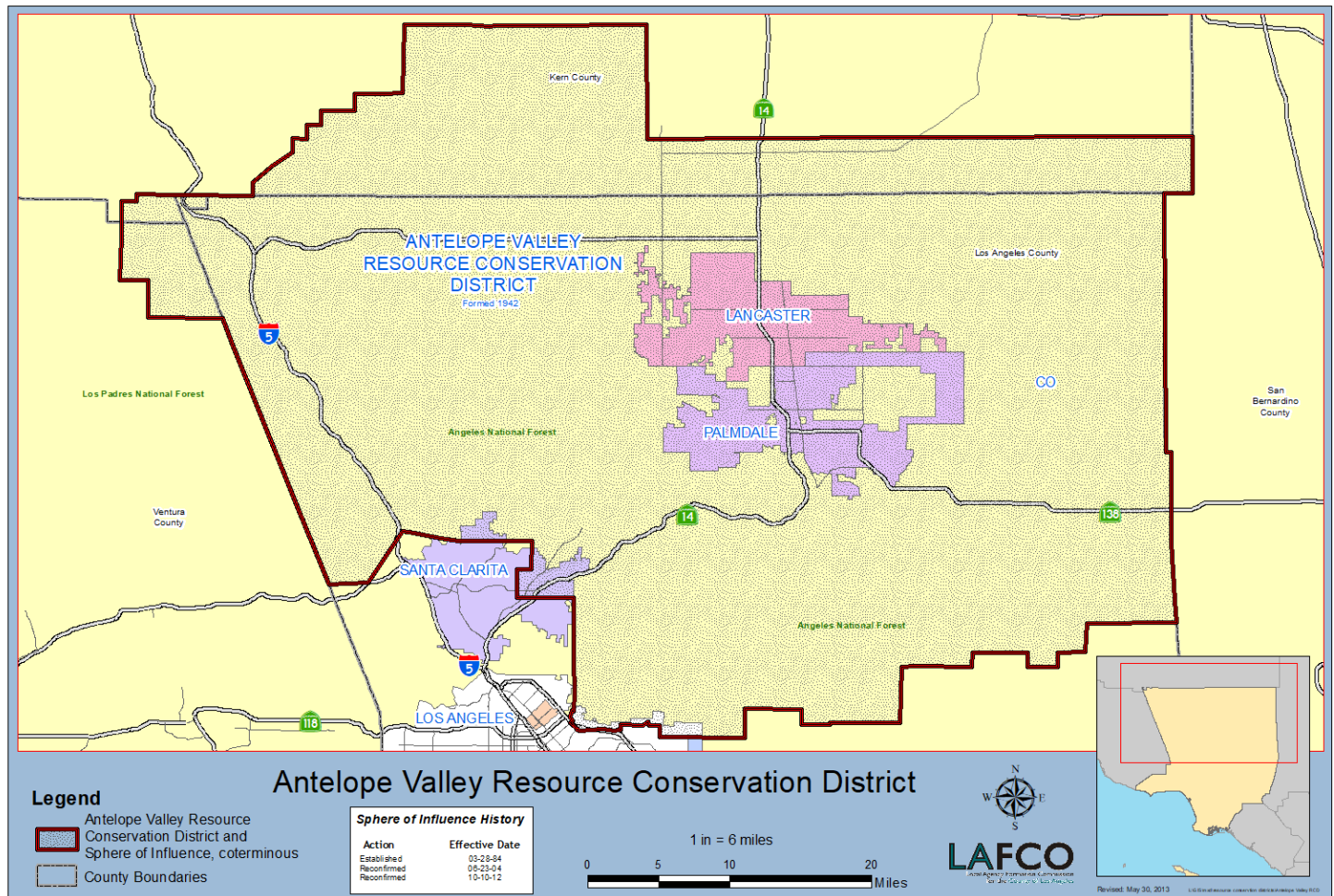
#### Functions or Classes of Services

The existing "functions or classes of services" are those municipal services that are already being provided by a special district within its boundaries; prior to recent changes in the Act, these existing functions or classes of services were known as "active powers." New or different functions or classes of services are those powers authorized by the principal act under which the district was formed, but not currently exercised by a special district; prior to recent changes in the Act, these existing functions or classes of services were known as "latent powers."

State law directs LAFCOs to determine each special district's active powers, and to maintain a record of those active powers. Because LAFCO failed to identify the AVRCD's active powers when it adopted the Miscellaneous Government Services MSR and SOI Update in 2004, this MSR will identify those active powers which the AVRCD is currently providing. All other services are considered to be latent powers; LAFCO approval (pursuant to Government Code Section 56824.10) would be required before the district could provide any new or different functions or classes of services.

## Exhibit 1

# Existing Antelope Valley Resource Conservation District Jurisdictional and SOI Boundary



By adopting this MSR, the Commission (LAFCO) hereby authorizes the AVRCD to provide the following functions or classes of services:

1. To conduct surveys, investigations, and research relating to the conservation of resources and the preventive and control measures [sic] and works of improvement needed; publish the results of such surveys, investigations, or research; and disseminate information concerning such preventive control measures and works of improvement (*Public Resources Code § 9402*).
2. To make improvements or conduct operations on public lands, with the cooperation of the agency administering and having jurisdiction thereof, and on private lands, with the consent of the owners thereof, in furtherance of the prevention or control of soil erosion,

water conservation and distribution, agricultural enhancement, and erosion stabilization, including, but not limited to, terraces, ditches, levees, and dams or other structures, and the planting of trees, shrubs, grasses, or other vegetation (*Public Resources Code § 9409*).

3. To disseminate information relating to soil and water conservation and erosion stabilization (*Public Resources Code § 9411*).
4. To provide technical assistance to private landowners or land occupants within the district to support practices that minimize soil and related resource degradation (*Public Resources Code § 9412*).
5. To engage in activities designed to promote a knowledge of the principles of resource conservation throughout the district and for that purposes may develop educational programs both for children and for adults; to conduct workshops on the relationships between soil and related resource problems and their effects on other resources, such as wildlife and water quality; and to sponsor programs that address land use practices which reduce water and wind erosion, soil contamination, soil salinity, agricultural land conversion, loss of soil organic matter, soil subsidence, and soil compaction and associated poor water infiltration (*Public Resources Code § 9419*).
6. To appoint advisory committees to provide technical assistance in addressing soil and related resource problems (*Public Resources Code § 9420*).

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

In carrying out the services described, above, the AVRCD currently provides the following services:

- Native plant propagation at its nursery.
- Native plant sales to the public.
- Solar panel study site for revegetation after solar panel installation.
- Windbreak tree program—free trees to homeowners affected by blowing dust.
- Water conservation and native plant education.
- Restoration projects with native plants for construction, fire damaged areas, and other purposes (including seed collection, plant propagation, and planting at designated sites).
- Grass replacement programs in the Antelope Valley and the Santa Clarita Valley.
- Bi-annual native plant and water conservation events to educate the public.
- Fugitive Dust Taskforce.
- Valley Fever Awareness Alliance.
- Watershed Implementation Plan for rapid response to vegetation needs.<sup>11</sup>

## Antelope Valley Resource Conservation District

### Discussion and Municipal Service Review Determinations

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

#### Population Projections

Based upon 2020 Census data, the current population of the AVRCD is 530,159.<sup>12</sup>

On September 3, 2020; the Southern California Association of Governments (SCAG) adopted its 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) which included 2020, 2030, 2035, and 2045 population projections. Utilizing the 2020 Census data, plus the population growth projected by SCAG’s forecast over 2020-2035 from the RTP/SCS, the projected population within the AVRCD in 2035 is 605,790. This projected population gives the district a growth rate just under 1% annually.<sup>13</sup> The existing and projected population are shown in Exhibit 2 on Page 14.

Because the jurisdictional and SOI boundary for the AVRCD are the same, the current population and projections are the same for both the district’s jurisdictional boundary and for the district’s SOI boundary.

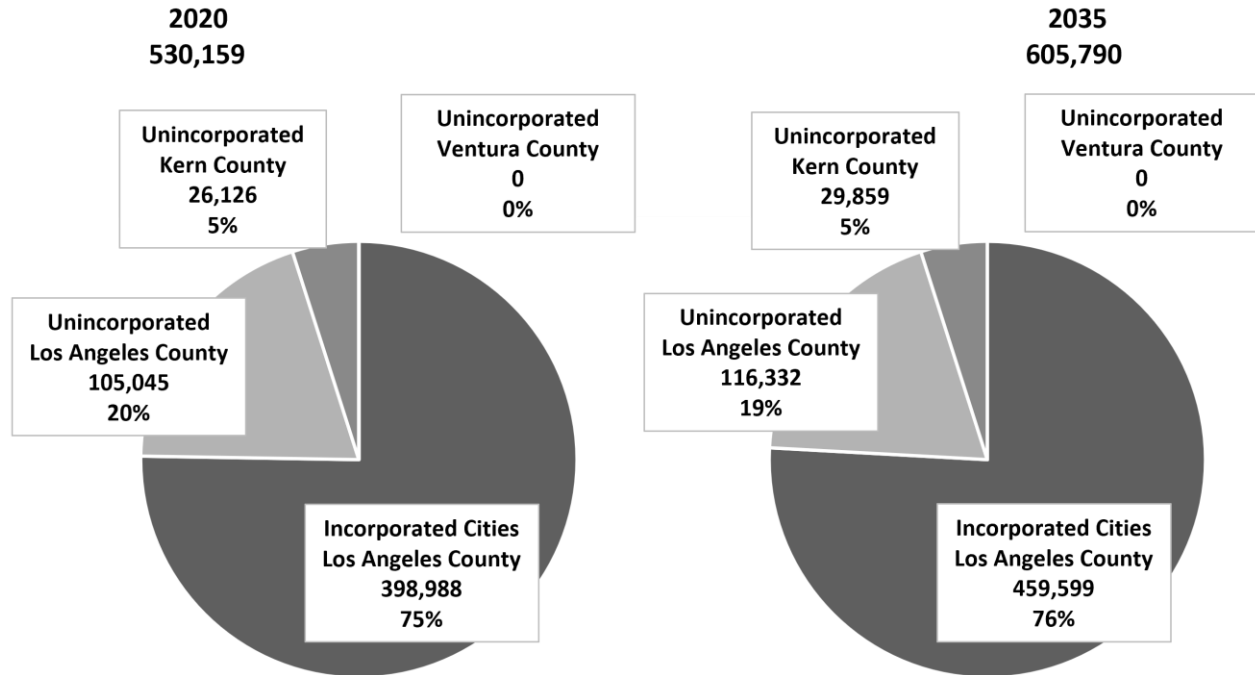
The modest growth projected within the AVRCD’s boundaries is unlikely to have any significant impact upon the need for the services which the district provides.

#### **Determinations:**

- The population within the AVRCD is expected to grow at a modest rate of one-percent (1%) between now and 2035.
- The modest growth projected within the AVRCD’s boundaries is unlikely to have any significant impact upon the need for the services which the district provides.

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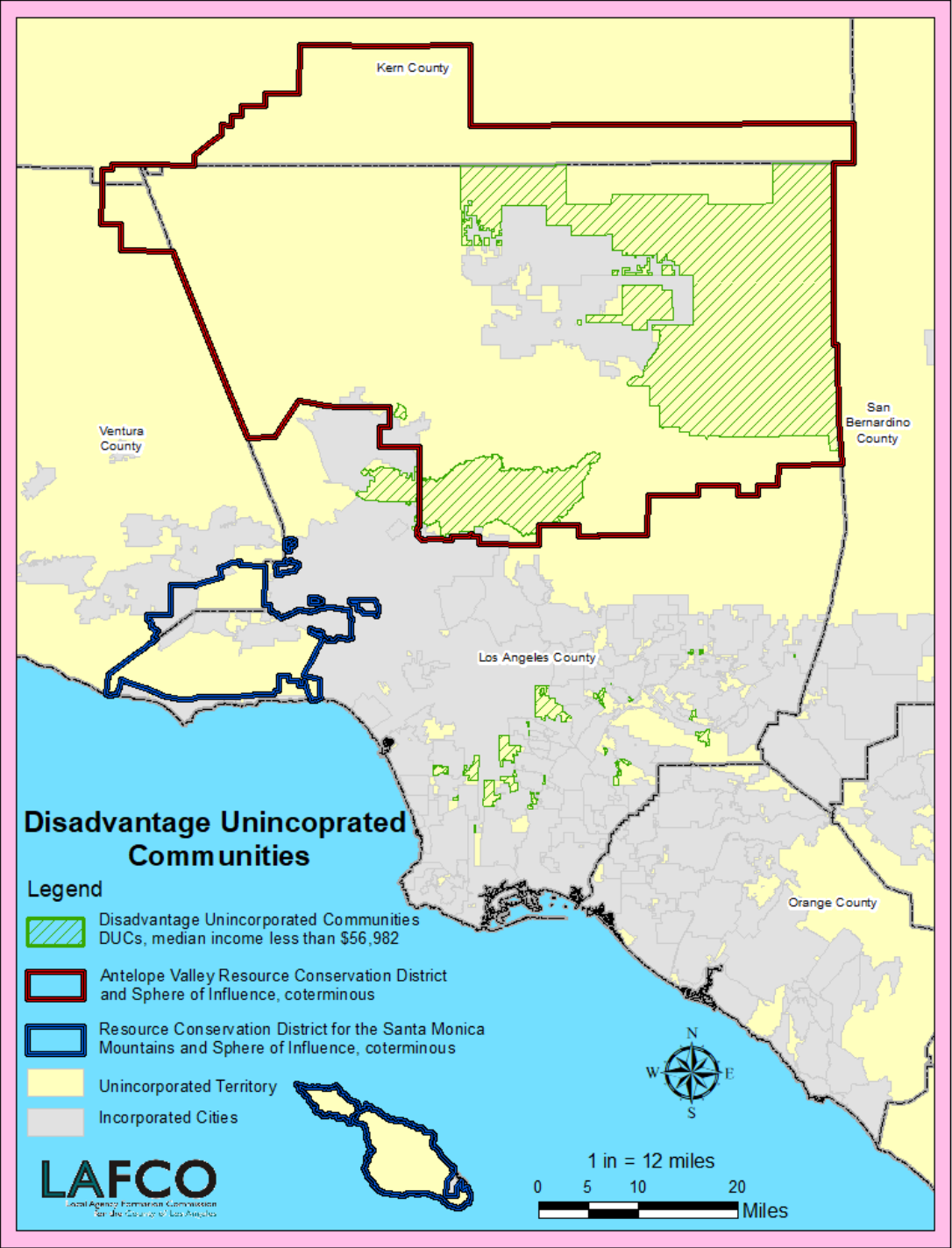
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**Exhibit 2****Population/Projections  
Antelope Valley Resource Conservation District****Disadvantaged Unincorporated Communities**

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

The intent of SB 244 is to protect against the potential for cities and special districts to engage in a pattern of "selective" annexations which may lead to the establishment "service islands" in which disadvantaged residents receive inferior structural fire protection, municipal water, and sanitary sewage disposal and treatment services compared to adjoining areas within a city or district's boundary. The AVRCD's focus on soil conservation is unrelated to these more traditional municipal services (fire, water, sanitation). There are multiple DUCs spread throughout the district's territory (see Exhibit 3 on Page 15), and AVRCD provides its services in all portions of its district, regardless of whether the involved territory lies within, or outside of, a DUC.

Exhibit 3  
Disadvantaged Unincorporated Communities



While the majority of one particular DUC (near the City of Santa Clarita) is within the boundary of the AVRCD, a small portion of it is just outside the DUC's boundary. The boundary of the AVRCD was established in 1942, and the boundary of this particular DUC was established in 2012; the fact that a portion of the DUC is outside the AVRCD's boundary is not significant. Further, the remainder of this DUC is proposed to be added to the AVRCD's SOI (see "Antelope Valley Resource Conservation District SOI Recommendation" discussion on Page 21).

**Determinations:**

- The core services provided by the AVRCD do not impact the present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI.
- The AVRCD provides its services in all portions of its district, regardless of whether the involved territory lies within, adjacent to, or outside of, a DUC.

**Present and Planned Capacity of Public Facilities**

The AVRCD owns eighty (80) acres of land located at 10148 West Avenue I in the City of Lancaster. According to AVRCD representative:

The property "contains an administration building, two residential houses (occupied), a nursery office, three greenhouses, two shade houses, large growing area with shade structures, [and a] 2-acre conservation garden. This property and all assets are owned unencumbered [free of any loans] by the District."<sup>14</sup>

The district also owns a John Deere tractor and a 2014 Ford F-150 pick-up truck.<sup>15</sup>

The district's assets, which are significant, enable the AVRCD to provide soil conservation to stakeholders and the general public. In addition to providing plants and seeds for district-initiated projects, the nursery is also open to the public three (3) days a week. The on-site administration accommodates the district's needs for office space and for monthly meetings of the board of directors. The eighty-acre property serves as a resource for the on-site nursery and administrative office building.

The two District-owned homes also serve as a resource to the district. According to AVRCD representatives:

The houses are occupied by employees of the District. One employee pays fair market value rent for the house, and another provides services in-lieu of paying rent. This employee is provided a 1099 at the end of each year for the fair market value of the rent. Both employees pay possessory tax to the County Tax Collector [a possessory tax is paid when real estate owned by a government agency is rented by a private individual for their own exclusive use].<sup>16</sup>

Given the payment of fair market rent by one employee, and the payment of a possessory tax by both tenants, the leasing of the two homes to District employees seems reasonable.



**Determinations:**

- The district has sufficient capacity, in terms of land, vehicles, and staffing, to provide soil conservations to stakeholders and the general public, both presently and for the foreseeable future.
- The district's ownership of eighty (80) acres of land, as well as two vehicles, free of any debt, provides the district with a solid base from which to provide services.

**Financial Ability of Agencies to Provide Services**

The AVRCD's most recent operating budget (2020-21) shows income of \$505,000, of which the largest component is the district's share of the one-percent (1%) (ad valorem) of property taxes, which is \$260,000. Income from other sources includes revenue from grants, rent, and miscellaneous other sources.<sup>17</sup>

The District's property tax income has risen slightly over the past three (3) years: from \$225,000 in FY 2018-19; to \$250,000 in FY 2019-20; and to \$260,000 in FY 2020-21. While grant income fluctuates significantly from one year to another, this is typical for any public agency, depending on what grants are received in any given fiscal year. Other income sources are reasonably stable.<sup>18</sup>

For the three (3) most recent fiscal years, the AVRCD has operated a budget surplus (\$47,655 in FY 2020-21; 77,195 in FY 2019-20; and \$105,980 in FY 2018-19).<sup>18</sup> The district's largest on-going expense—salaries/wages—has remained relatively constant over the past three years, as have most other expenses. Although the district's cost for consultants fluctuates significantly from one year to another, this is typical for any public agency, depending on the fluctuating number and extent of district-initiated projects from one year to the next (district representatives noted, further, that changes occurred as a result of the unexpected passing of a consultant and COVID-related impacts which affected workload).<sup>19</sup> Legal fees, which were \$1,500 in both 2018-2019 and 2019-2020, increased to \$10,000 in 2020-2021; district representatives noted that the increase is due to the need to retain legal counsel to intervene in the on-going Antelope Valley groundwater adjudication lawsuit.<sup>20</sup>

The three (3) most recent audits of the AVRCD's financial statements did not identify any significant deficiencies nor material weaknesses; further, all three audits determined that the district's financial statements were prepared in accordance with generally accepted accounting principles.<sup>21</sup>

The AVRCD is in a relatively strong condition, given several factors: one, on-going annual "surplus" budgets, in which revenue exceeds expenses; two, the stability of the district's primary revenue source, property taxes; three, the district's ownership of land and vehicles free of any encumbrances; four, the stability of the district's largest expense (salaries and wages); and five, favorable statements from the district's professional auditors.

**Determinations:**

- Available financial indicators suggest that the district is in a strong financial position.

- The district has sufficient financial capability to provide soil conservations to stakeholders and the general public, both presently and for the foreseeable future.

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

Because State law precludes land from being within the boundary of more than one RCD, by design, all RCDs are monopolies. Additionally, soil conservation is a unique public service, one which, in general, is not provided, to any significant extent, by competing government agencies. Given these two (2) factors, the opportunity for the AVRCD to utilize shared facilities is significantly constrained. This is not to say that the AVRCD operates in a vacuum—quite the contrary, as many of its vendor contracts are with other public agencies (the California Department of Transportation (CalTrans) Fort Irwin, the United State Department of Agriculture (USDA), and Los Angeles County).

The AVRCD is a member of the Desert & Mountains Conservation Authority (DMCA), a joint powers agreement between the AVRCD and the Santa Monica Mountains Conservancy (SMMC).<sup>22</sup>

#### **Determination:**

- **There are no existing shared facilities, nor are there any known, available opportunities for shared facilities.**

#### Accountability for Community Service Needs

The AVRCD is managed by five non-salaried directors, either elected by the voters in the district and/or appointed in-lieu by the Los Angeles County Board of Supervisors. The Board of Directors meets monthly at 10148 W Ave I in the City of Lancaster. Meeting agendas are available on the district's website ([www.avrcd.org](http://www.avrcd.org)).

The district maintains a reasonably complete website ([avrcd.org](http://avrcd.org)) which includes a meeting schedule and agendas; a transparency section which includes information about compensation, financial transactions, and a catalog of enterprise systems; and contact information for district representatives.

Adopted in late 2018, Senate Bill 929 is a law requiring all independent special districts in California to create and maintain a website (with specified information about the district). by January of 2020 (now codified as Government Code §§ 6270.6 and 53087.8).<sup>23</sup> SB 929 requires, further, that independent special districts post certain information on their websites. The AVRCD website ([www.avrcd.org](http://www.avrcd.org)) complies with most of SB 929's requirements, with the exception of not having an agenda which is searchable, indexable, and platform independent (in fairness, many independent special districts do not meet this requirement).

The district has a nursery which is open to the public three (3) days a week, thereby promoting awareness of the AVRCD and interactions with the general public. The district also hosts two annual on-site events, and conducts public outreach about soil conservation issues.

**Determination:**

- The AVRCD operates in a transparent manner, and it appears to be in compliance with State law relative to the posting of meeting agendas and website requirements.

Other Matters

(None)

**Determination:**

(No additional determinations)

**Antelope Valley Resource Conservation District Sphere of Influence Update**

In reviewing and updating the Antelope Valley Resource Conservation District Sphere of Influence, LAFCD is required to adopt written determinations for the following five items specified in Government Code Section 56425:

Present and planned land uses in the area including agricultural and open-space lands**Determinations:**

- Given the vast size of the AVRCD jurisdictional boundary—which includes all of the Antelope Valley, significant portions of the Santa Clarita Valley, a small portion of the San Fernando Valley, and a large swath of the Angeles National Forest—there are a wide variety of land uses therein.
- Present land uses within the AVRCD boundary include a combination of commercial, retail, industrial, residential, agricultural, and open space lands.
- Planned uses are likely to accommodate reasonable growth, mostly within and adjacent to the three existing incorporated cities (Lancaster, Palmdale, and Santa Clarita); this would include the buildout and expansion of commercial, retail, and industrial areas, as well as residential development (infill and new subdivisions).

Present and probable need for public facilities and services in the area**Determinations:**

- Given several factors—commercial agricultural operations, large swaths of undeveloped properties, and high winds—there is an existing need for the services which the district provides.
- The need for the district's services is on-going, and this need will continue for the foreseeable future.

Present capacity of public facilities and adequacy of public service that the agency provides or is authorized to provide

**Determinations:**

- The district has sufficient capacity, in terms of land, vehicles, and staffing, to provide soil conservations to stakeholders and the general public, both presently and for the foreseeable future.
- The district's ownership of eighty (80) acres of land, as well as two vehicles, free of any debt, provides the district with a solid base from which to provide services, and one this is not available to many other RCDs.

*Existence of any social or economic communities of interest in the area***Determinations:**

- Given the vast size of the AVRCD jurisdictional boundary, there are many social or economic communities of interest in the area.
- The AVRCD provides its services to all portions of the district, regardless of the presence of any existing social or economic communities of interest (with the qualification that the involved territory must be eligible to receive the services it provides).

*For cities or special districts that provide public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities with the existing sphere of Influence.***Determinations:**

- The core services provided by the AVRCD do not impact the present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI.
- The AVRCD provides its services in all portions of its district, regardless of whether the involved territory lies within, or outside of, a DUC.

(Report continues on Page 21)

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*Antelope Valley Resource Conservation District SOI Recommendation:*

A representative of the AVRCD has communicated the district's desire to expand its district boundaries to include: the remaining portion of the City of Santa Clarita which is not within its boundaries; unincorporated communities in the Santa Clarita Valley, generally southerly and westerly of the City of Santa Clarita; and that portion of the Santa Clara River westerly of the Golden State (I-5) Freeway to the Los Angeles-Ventura County boundary.

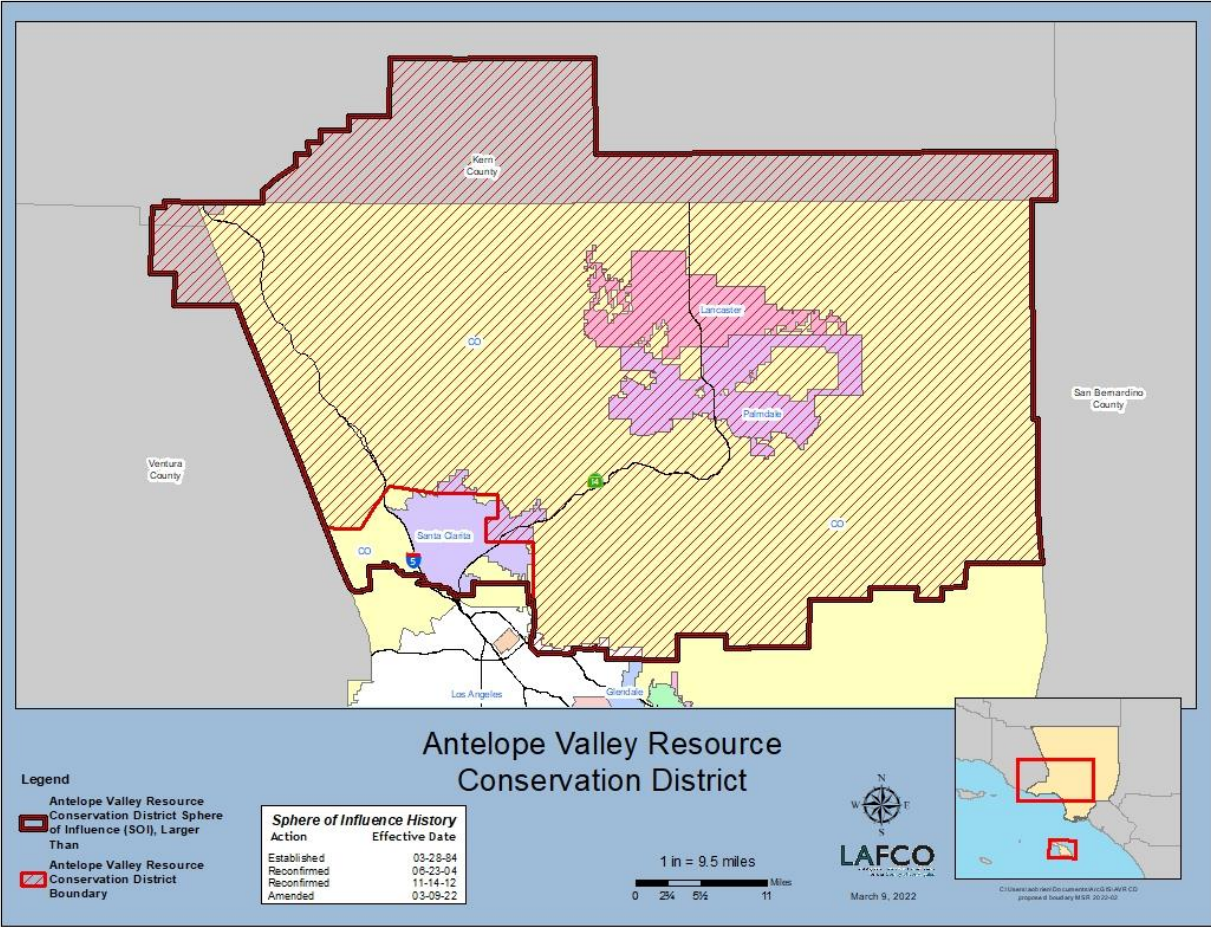
Consistent with the AVRCD's desire to expand its boundaries, through a future proposal to be submitted to LAFCO, staff recommends that the Commission expand the AVRCD, as shown in the map in Exhibit 4, below, based upon the following considerations:

- Staff supports adding the remainder of the City of Santa Clarita to be within the SOI boundary, given that the AVRCD's existing jurisdictional boundary currently includes approximately twenty-percent (20%) of the City of Santa Clarita. Staff believes that the City would benefit from soil conservation services on a citywide basis. Conversely, staff does not believe that anything would be gained by placing the City of Santa Clarita into the SOI boundaries of two separate RCDs.
- The proposed SOI boundary in the Santa Clarita Valley generally follows other established boundaries. For example, the proposed boundary west of the City of Santa Clarita is the northerly boundary of the Rim of the Valley (ROTV) boundary. Because the RCDSMM is particularly focused on ROTV issues and areas within the ROTV are proposed to be placed within the RCDSMM's proposed SOI boundary. Secondly, near the area of the intersection of the Golden State (I-5) and Freeway and the State Route (SR-14) interchange, the boundary follows the boundary which separates the City of Los Angeles SOI (to the south) and the SOI of the City of Santa Clarita to the north.
- The proposed AVRCD SOI boundary would abut the boundary of the Ventura Resource Conservation District (to the west) in Ventura County to the west, and the proposed RCDSMM SOI boundary to the south and southwest.
- Staff concurs with a sentiment expressed by an AVRCD communications indicating that the environmental resources, water resources, topography, and weather patterns in the Santa Clarita Valley and the Antelope Valley are distinctly different from those in the Los Angeles Basin, and that the AVRCD is the appropriate RCD to provide soil conservation services in this region.

Should the Commission expand the AVRCD's boundary, the AVRCD representative has communicated to staff that she anticipates filing a proposal with LAFCO to annex the territory in the near future.

Exhibit 4

Proposed Antelope Valley Resource Conservation District SOI Boundary



(Report continues on Page 23)

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## Chapter Four: Resource Conservation District of the Santa Monica Mountains

The Resource Conservation District of the Santa Monica Mountains (RCDSMM or District), an independent special district, was originally established as the Topanga Soil Conservation District in 1961.<sup>24</sup> In 1971, a new state law re-named soil conservation districts as resource conservation districts, and the name was changed to the Topanga Las Virgenes Resource Conservation District; and in 1995, the district's Board of Directors adopted a resolution to change the name to the Resource Conservation District of the Santa Monica Mountains.<sup>25</sup>

As noted on the district's website:

"The Mission of the RCDSMM is to promote land stewardship and resource conservation through ecological research, conservation planning and design, habitat restoration and environmental education, while adhering to the highest standards of transparency and accountability as a public agency. The District engages in a strategic planning process every five years and produces annual plans prior to the start of each fiscal year."<sup>26</sup>

The RCDSMM is managed by 5 non-salaried directors.<sup>27</sup> The Board of Directors holds monthly meetings on the fourth Monday of the month at the Resource Conservation District Office (540 S. Topanga Canyon Blvd, Topanga, CA 90290). Meeting agendas are available on the district's website ([www.rcdsmm.org](http://www.rcdsmm.org)).

The jurisdictional boundary of the AVRCD "encompasses the Santa Monica Mountains from Point Mugu to Topanga State Park and includes the Simi Hills."<sup>28</sup> The jurisdictional boundary includes four incorporated cities (Agoura Hills, Calabasas, Hidden Hills, and Westlake Village); several unincorporated communities (primarily Malibu and Topanga) in the County of Los Angeles; unincorporated territory in the County of Ventura County, generally south of the City of Simi Valley and east of the City of Thousand Oaks; three discontinuous areas (Chatsworth Reserve Nature Preserve, Pierce College, and Santa Susana Pass Historic Park), each of which is located within the boundaries of the City of Los Angeles; all County unincorporated territory on Santa Catalina Island (the entire island, excluding the City of Avalon); and Federal and State open space/recreation areas, including the Santa Monica Mountains National Recreation Area and Malibu Creek State Park.

Exhibit 5 on Page 24 shows the jurisdictional boundary of the RCDSMM.

The district receives a portion of the one-percent (1%) *ad valorem* share of property taxes, and it also applies for and receives grants from Federal and State agencies as well as other sources.

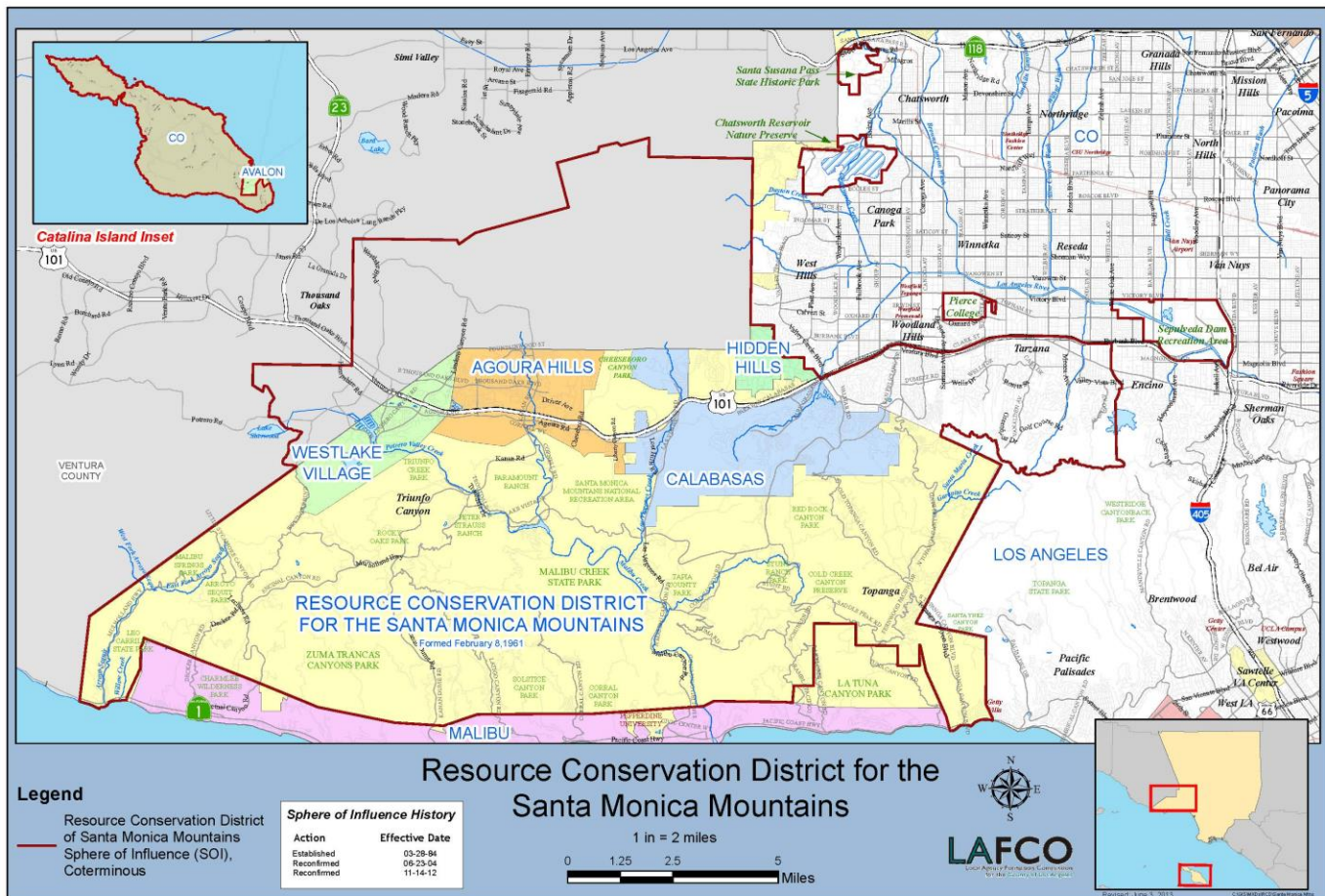
The RCDSMM is staffed by three (3) full-time employees: an Executive Officer & Architect, a Finance & Operations Officer, and an Administrative Assistant. The district utilizes additional staff on a part-time basis, with the individuals and assignments changing frequently, depending on the district's needs.<sup>29</sup>

The district does not own any real estate, it leases office space, and it has no significant assets of any appreciable value.



## Exhibit 5

# Existing Resource Conservation District for the Santa Monica Mountains Jurisdictional and SOI Boundary



## Functions or Classes of Services

The existing “functions or classes of services” are those municipal services that are already being provided by a special district within its boundaries; prior to recent changes in the Act, these existing functions or classes of services were known as “active powers.” New or different functions or classes of services are those powers authorized by the principal act under which the district was formed, but not currently exercised by a special district; prior to recent changes in the Act, these existing functions or classes of services were known as “latent powers.”

State law directs LAFCOs to determine each special district’s active powers, and to maintain a record of those active powers. Because LAFCO failed to identify the RCDSMM’s active powers when it adopted the Miscellaneous Government Services MSR and SOI Update in 2004, this MSR will identify those active powers, which the RCDSMM is currently providing. All other services are considered to be latent powers; LAFCO approval (pursuant to Government Code



Section 56824.10) would be required before the district could provide any new or different functions or classes of services.

By adopting this MSR, the Commission (LAFCO) hereby authorizes the RCDSMM to provide the following functions or classes of services:

1. To conduct surveys, investigations, and research relating to the conservation of resources and the preventive and control measures [sic] and works of improvement needed; publish the results of such surveys, investigations, or research; and disseminate information concerning such preventive control measures and works of improvement (*Public Resources Code § 9402*).
2. To make improvements or conduct operations on public lands, with the cooperation of the agency administering and having jurisdiction thereof, and on private lands, with the consent of the owners thereof, in furtherance of the prevention or control of soil erosion, water conservation and distribution, agricultural enhancement, and erosion stabilization, including, but not limited to, terraces, ditches, levees, and dams or other structures, and the planting of trees, shrubs, grasses, or other vegetation (*Public Resources Code § 9409*).
3. To disseminate information relating to soil and water conservation and erosion stabilization (*Public Resources Code § 9411*).
4. To provide technical assistance to private landowners or land occupants within the district to support practices that minimize soil and related resource degradation (*Public Resources Code § 9412*).
5. To engage in activities designed to promote a knowledge of the principles of resource conservation throughout the district and for that purposes may develop educational programs both for children and for adults; to conduct workshops on the relationships between soil and related resource problems and their effects on other resources, such as wildlife and water quality; and to sponsor programs that address land use practices which reduce water and wind erosion, soil contamination, soil salinity, agricultural land conversion, loss of soil organic matter, soil subsidence, and soil compaction and associated poor water infiltration (*Public Resources Code § 9419*).
6. To appoint advisory committees to provide technical assistance in addressing soil and related resource problems (*Public Resources Code § 9420*).

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

In carrying out the services described, above, the RCDSMM currently provides the following services:

- Restoration of Topanga Lagoon.
- Wildlife resiliency information and services to homeowners and managers.
- Permit reporting and compliance for landowners.
- Watershed protection and restoration.
- Oak monitoring and restoration.
- Wildlife inventory and biodiversity studies.
- Regional and local conservation planning.
- Natural science education field programs at Malibu Lagoon, Topanga State Park, and Sepulveda Basin.
- Research/reference conservation library.
- Habitat restoration.
- Resource conservation educator training.
- Teacher training.
- Fire wise demonstration structure.
- Wildlife monitoring.
- Virtual field trips.
- Wildlife crossing design.
- Research and monitoring.
- Environmental education.
- Protection and preservation of natural resources.
- Landowner assistance.
- Community wildfire resilience.<sup>30</sup>

## **Resource Conservation District for the Santa Monica Mountains**

### **Discussion and Municipal Service Review Determinations**

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

#### Population Projections

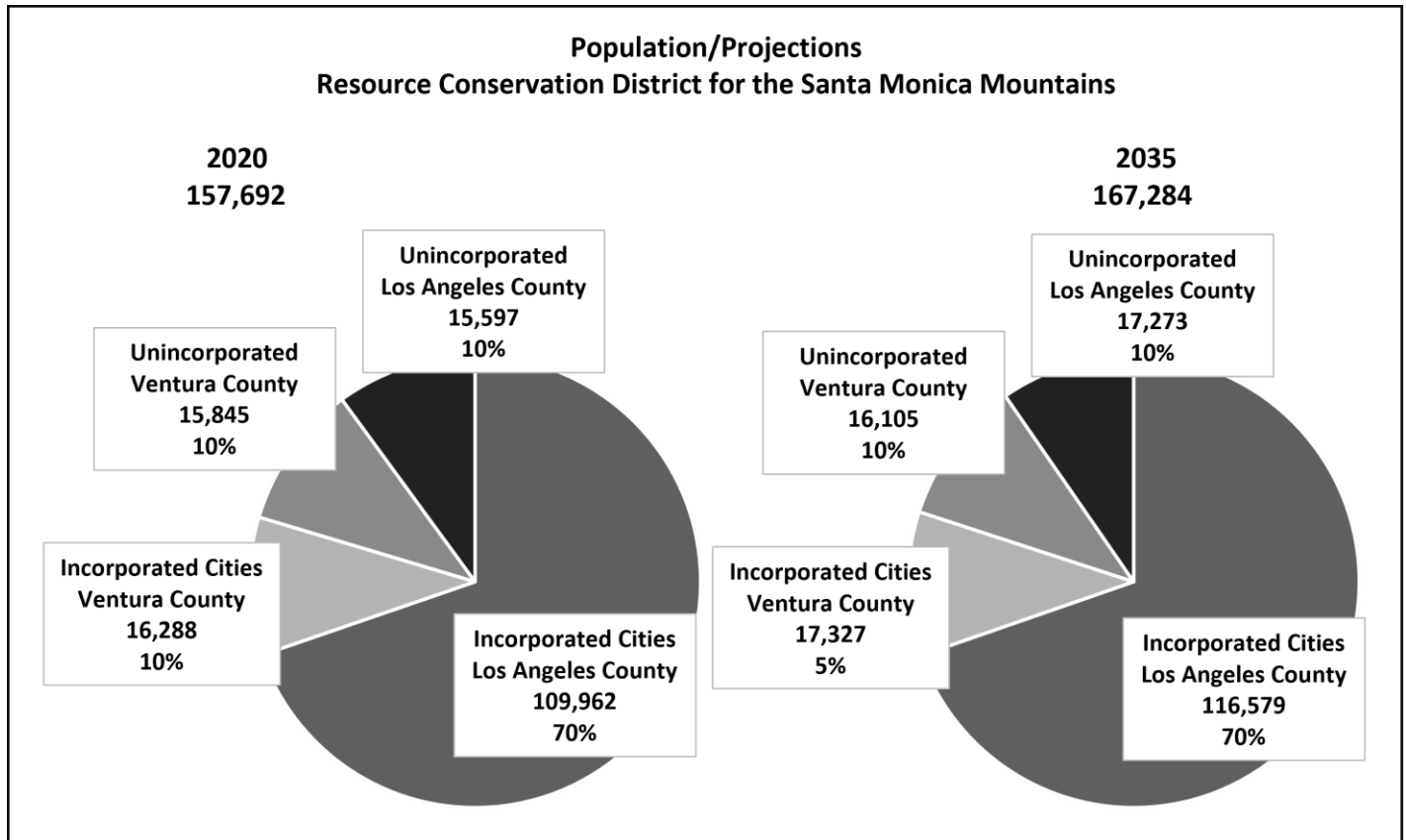
Based upon 2020 Census data, the current population of the RCDSMM is 157,692.<sup>31</sup>

On September 3, 2020; the Southern California Association of Governments (SCAG) adopted its 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) which included 2020, 2030, 2035, and 2045 population projections. Utilizing the 2020 Census data, plus the population growth projected by SCAG’s forecast over 2020-2035 from the RTP/SCS, the projected population within the RCDSMM in 2035 is 167,284. This projected population gives the district a growth rate of 0.41% per year.<sup>32</sup> The existing and projected population are shown in Exhibit 6 on Page 27.

Because the current jurisdictional and SOI boundary for the RCDSMM are the same, the current population and projection are the same for both the district’s jurisdictional boundary and for the district’s SOI boundary.

The modest growth projected within the RCDSMM's boundaries is unlikely to have any significant impact upon the need for the services which the district provides.

### Exhibit 6



#### Determinations:

- The population within the RCDSMM is expected to grow at 0.41% per year between now and 2035.
- The modest growth projected within the RCDSMM's boundaries is unlikely to have any significant impact upon the need for the services which the district provides.

#### Disadvantaged Unincorporated Communities

Pursuant to the State's passage of Senate Bill 244, as of January 1, 2012, LAFCOs are required to make determinations regarding Disadvantaged Unincorporated Communities (DUCs) for an Update of a Sphere of Influence. The law defines a DUC as a community with an annual median household income that is less than eighty percent (80%) of the statewide annual median household income. The law also requires that LAFCOs consider "the location and

characteristics of any disadvantaged communities within or contiguous to the sphere of influence” when preparing an MSR.

The intent of SB 244 is to protect against the potential for cities and special districts to engage in a pattern of “selective” annexations which may lead to the establishment “service islands” in which disadvantaged residents receive inferior structural fire protection, municipal water, and sanitary sewage disposal and treatment services compared to adjoining areas within a city or district’s boundary. The RCDSMM’s focus on soil conservation is unrelated to these more traditional municipal services (fire, water, sanitation).

There are no DUCs within or adjacent to the boundary of the RCDSMM (see Exhibit 3 on Page 15).<sup>33</sup>

**Determinations:**

- The core services provided by the RCDSMM do not impact the present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI.
- The RCDSMM provides its services in all portions of its district, regardless of whether the involved territory lies within, or outside of, a DUC.
- There are no DUCs adjacent to the RCDSMM boundary.

*Present and Planned Capacity of Public Facilities*

The assets of the RCDSMM are composed of two (2) outdoor storage sheds, a Mobile Mini, and miscellaneous equipment, the value of these assets is less than \$2,000.<sup>34</sup> The district office is located in rented office space, which accommodates the district’s needs for office space and for monthly meetings of the board of directors.

With respect to the district’s overall fiscal health, one must acknowledge the RCDSMM’s performance in securing other revenue at a multiple of its property tax revenue in each of the last three years. As noted in the “Management’s Discussion and Analysis” in all three of the most recent audits, the District has secured 2.7 times the amount of other revenue compared to property tax revenue (in Fiscal Year 2019-20); 2.1 times the amount of other revenue compared to property tax revenue (in Fiscal Year 2018-19); and 3.1 times the amount of other revenue compared to property tax revenue (in Fiscal Year 2017-18).<sup>35</sup> These results reflect a concerted, deliberate effort to maximize revenues from sources other than property taxes.

**Determination:**

- The district has sufficient capacity, in terms of resources and staffing, to provide soil conservation services presently and for the foreseeable future.

*Financial Ability of Agencies to Provide Services*

The RCDSMM’s most recent operating budget (2020-21) shows income of \$529,200; of which

the largest component is the district's share of the one-percent (1%) *ad valorem* of property taxes, which is \$374,000; with \$300,000 coming from property taxes in Los Angeles County, and \$74,000 from property taxes in Ventura County. Income from other sources includes revenue from grants, fees for services, and miscellaneous other sources.<sup>36</sup>

The District's property tax income is relatively stable over the past three (3) years: originally at \$352,000 in FY 2018-19; to \$376,000 in FY 2019-20; and to \$374,000 in FY 2020-21.<sup>37</sup>

While grant income and fees for service revenues fluctuate significantly from one year to another, this is typical for any public agency, depending on what grants are received, and what fees are charged, in any given fiscal year. Other income sources are reasonably stable.<sup>38</sup>

For the three (3) most recent fiscal years, the RCDSMM has operated with a balanced budget, with revenues and expenses essentially in balance (while perfectly in balance in Fiscal Year 2018-2019, there was negligible net income of \$140.07 in Fiscal Year 2020-21 and \$55 in Fiscal Year 2019-20).<sup>39</sup>

The district's largest on-going expense—salaries/wages—has remained relatively constant over the past three years, as have most other expenses. Although the district's cost for consultants fluctuates significantly from one year to another, this is typical for any public agency, depending on the fluctuating number and extent of district-initiated projects from one year to the next.<sup>40</sup>

The three (3) most recent audits of the RCDSMM's financial statements did not identify any significant deficiencies nor material weaknesses; further, all three (3) audits determined that the district's financial statements were prepared in accordance with generally accepted accounting principles.<sup>41</sup>

With respect to the district's overall fiscal health, it is important to consider the RCDSMM's ability to secure other revenue at a multiple of its property tax revenue in each of the last three(3) years. As noted in the "Management's Discussion and Analysis" in all three of the most recent audits, the District has secured 2.7 times the amount of other revenue to property tax revenue (in Fiscal Year 2019-20); 2.1 times the amount of other revenue to property tax revenue (in Fiscal Year 2018-19); and 3.1 times the amount of other revenue to property tax revenue (in Fiscal Year 2017-18).<sup>42</sup> These results reflect a concerted, deliberate effort to maximize revenues from sources other than property taxes.

The RCDSMM is in a relatively strong financial position, given several factors: one, on-going annual balanced budgets, in which revenue and expenses are equivalent; two, the stability of the district's primary revenue source, property taxes; three, the district's successful efforts to maximize revenues from sources other than property taxes; and four, favorable statements from the district's professional auditors.

#### **Determinations:**

- Available financial indicators suggest that the district is in a strong financial position.
- The district has sufficient financial capability to provide soil conservations to stakeholders and the general public, both presently and for the foreseeable future.

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

Because State law precludes land from being within the boundary of more than one RCD, by design, RCDs are monopolies. Additionally, soil conservation is a unique public service, one which, in general, is not provided by competing government agencies. Given these two (2) factors, the opportunity for the RCDSMM to utilize shared facilities is significantly constrained. While the district does not share facilities, it works with a wide array of other public agencies at the Federal, State, and local level; and with a wide array of non-profit organizations. These include the National Marine Fisheries Service, the Santa Monica Mountains National Recreation Area; the California Department of Fish and Wildlife, the California Department of Transportation (CalTrans) District 7, the Los Angeles County Fire Forestry Division, the City of Agoura Hills, the San Fernando Valley Audubon Society, and the Santa Monica Bay Restoration Commission.<sup>43</sup>

#### **Determination:**

- **There are no existing shared facilities, nor are there any known, available opportunities for shared facilities.**

### Accountability for Community Service Needs

The RCDSMM is managed by five (5) non-salaried directors, , either elected by the voters in the district and/or appointed in-lieu by the Los Angeles County Board of Supervisors.<sup>44</sup> The Board of Directors holds monthly meetings on the fourth Monday of the month at the Resource Conservation District Office (540 S. Topanga Canyon Blvd, Topanga, CA 90290). Meeting agendas are available on the district's website ([www.rcdsmm.org](http://www.rcdsmm.org)).

The district maintains a reasonably complete website ([www.rcdsmm.org](http://www.rcdsmm.org)) which includes a meeting schedule and agendas; a transparency section which includes information about compensation, financial transactions, and a catalog of enterprise systems; and contact information for district representatives.

Adopted in late 2018, Senate Bill 929 is a law requiring all independent special districts in California to create and maintain a website (with specified information about the district) by January of 2020 (now codified as Government Code §§ 6270.6 and 53087.8).<sup>45</sup> SB 929 requires, further, that independent special districts post certain information on their websites. The RCDSMM website ([www.rcdsmm.org](http://www.rcdsmm.org)) complies with most of SB 929's requirements, with the exception of not having an agenda which is searchable, indexable, and platform independent (in fairness, many independent special districts do not meet this requirement).

The district has a robust public education and outreach program, which typically includes seminars, training, and outreach to public schools (many of these activities were suspended, or converted to virtual format, during COVID-19 pandemic restrictions).

#### **Determination:**

- The RCDSMM operates in a transparent manner, and it appears to be in compliance with State law relative to the posting of meeting agendas and website requirements.

Other Matters

(None)

**Determinations:**

(No additional determinations)

**Resource Conservation District for the Santa Monica Mountains Sphere of Influence Update**

In reviewing and updating the Resource Conservation District for the Santa Monica Mountains Sphere of Influence, LAFCO is required to adopt written determinations for the following five items specified in Government Code Section 56425:

Present and planned land uses in the area including agricultural and open-space lands

**Determinations:**

- There are a wide variety of land uses within the boundaries of the RCDSMM.
- Present land uses within the RCDSMM boundary include a combination of commercial, retail, industrial, residential, agricultural, and open space lands.
- Relatively little new development is likely to occur within the boundaries of the RCDSMM.

Present and probable need for public facilities and services in the area

**Determinations:**

- Given the presence of endangered species, soil erosion, and the large amount of undeveloped open space lands within its boundaries, there is an existing need for the services which the district provides.
- The need for the district's services is on-going, and this need will continue for the foreseeable future.

Present capacity of public facilities and adequacy of public service that the agency provides or is authorized to provide.

**Determination:**

- The district has sufficient capacity, in terms of resources and staffing, to provide soil conservation services presently and for the foreseeable future.

Existence of any social or economic communities of interest in the area.

**Determinations:**

- Given the vast size of the RCDSMM jurisdictional boundary, there are many social or economic communities of interest in the area.
- With the qualification that the involved territory must be eligible to receive the services it provides, the RCDSMM provides its services to all portions of the district, regardless of the presence of any existing social or economic communities of interest.

*For cities or special districts that provide public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities with the existing sphere of Influence.*

**Determination:**

- The core services provided by the RCDSMM do not impact the present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI.
- The RCDSMM provides its services in all portions of its district, regardless of whether the involved territory lies within, or outside of, a DUC.
- There are no DUCs adjacent to the RCDSMM boundary.

(Report continues on Page 33)

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Resource Conservation District of the Santa Monica Mountains SOI Recommendation:

Approximately two years ago, RCDSMM representatives approached staff, expressing an interest in expanding its SOI to include several areas:

- The City of Malibu;
- Portions of the San Fernando Valley and adjoining communities, including all or portions of the Cities of Burbank, Glendale, La Cañada-Flintridge, Los Angeles, San Fernando, and associated unincorporated areas;
- Portions of the Santa Clarita Valley, both within the City of Santa Clarita and adjoining unincorporated communities; and
- Portions of the cities of Camarillo, Moorpark, Thousand Oaks, and Ventura, as well as adjoining unincorporated territory in Ventura County. After consultation with various stakeholders, including Ventura LAFCO and representatives of the four cities in Ventura County, the RCDSMM withdrew its request to amend its SOI to include portions of Ventura County.

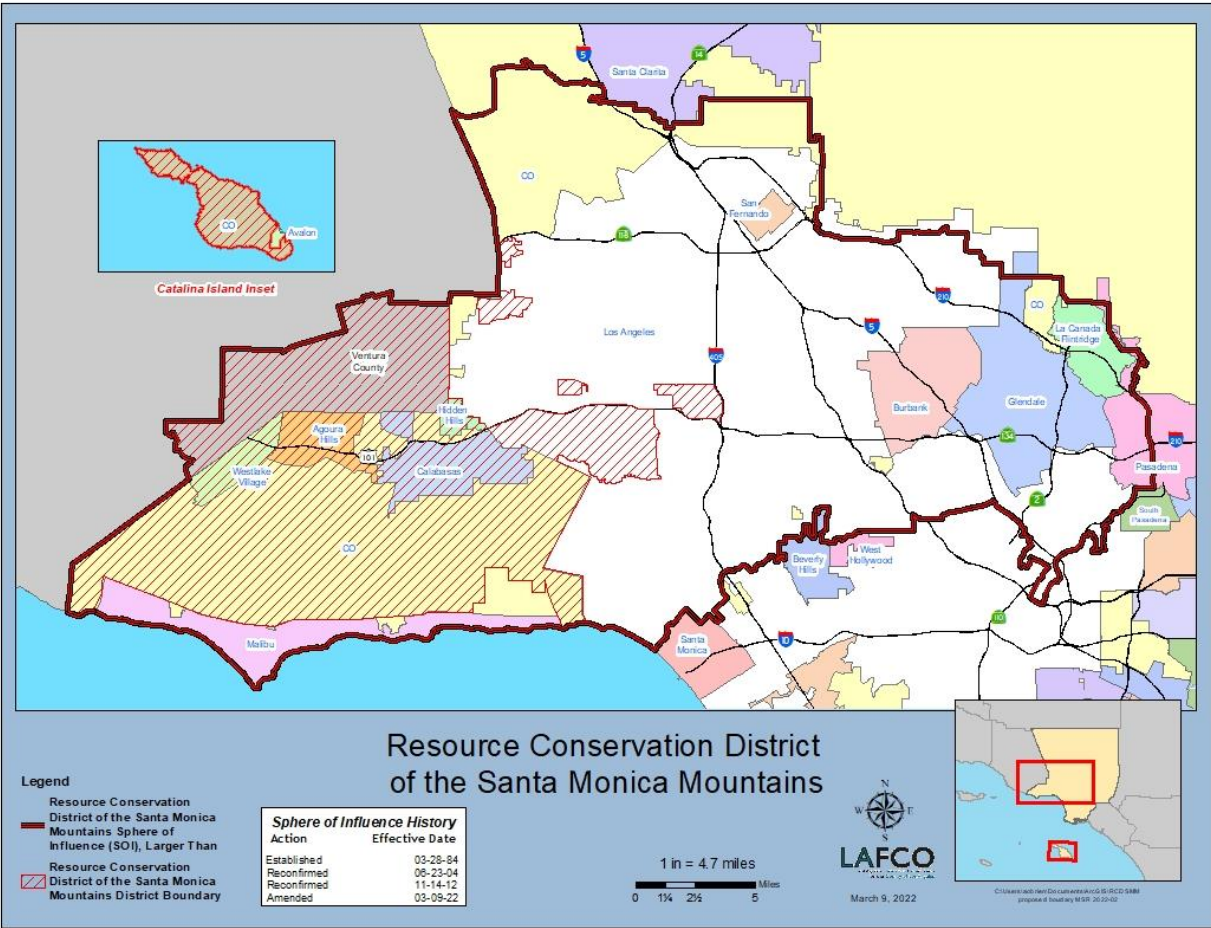
Consistent with the RCDSMM's desire to expand its boundaries, through a future proposal to be submitted to LAFCO, staff recommends that the Commission expand the AVRCD, as shown in the map in Exhibit 7 on Page 34, based upon the following considerations:

- Staff supports the proposed addition of the City of Malibu to the SOI boundary. While a significant portion of the Malibu Creek Watershed is within the RCDSMM's existing jurisdictional and SOI boundary, the City of Malibu is currently outside those boundaries. Further, the RCDSMM abuts the City of Malibu on three sides (the fourth side is the Pacific Ocean). In these respects, the RCDSMM is ideally suited to provide soil conservation services within the City of Malibu.
- The proposed SOI boundary in the Santa Clarita Valley generally follows other established boundaries. For example, the proposed boundary is the northerly boundary of the Rim of the Valley (ROTV). Secondly, near the area of the intersection of the Golden State (I-5) and Freeway and the State Route (SR-14) interchange, the boundary follows the boundary which separates the City of Los Angeles SOI (to the south) and the SOI of the City of Santa Clarita to the north.
- Because the RCDSMM is particularly focused on ROTV issues, staff supports placing these areas (near the northern boundary of the City of Los Angeles) within the RCDSMM's proposed SOI boundary.

Should the Commission expand the RCDSMM's boundary, RCDSMM representatives have communicated to staff that they anticipate filing a proposal with LAFCO to annex the territory in the near future.

Exhibit 7

Proposed Resource Conservation District for the Santa Monica Mountains Sphere of Influence



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**Resource Conservation District  
Municipal Service Review**

**Footnotes**

Footnotes:

1. California Association of Resource Conservation Districts website ([www.carcd.org](http://www.carcd.org)), downloaded July 15, 2020.
2. California Association of Resource Conservation Districts website ([www.carcd.org](http://www.carcd.org)), downloaded July 15, 2020.
3. Clark Stevens, Meeting at LAFCO Offices, Pasadena, California, June 19, 2019.
4. State of California Public Resources Code, Section 9000.
5. Karen Buhr, Executive Director, California Association of Resource Conservation Districts; E-mail with Paul Novak, September 9, 2021.
6. Memorandum of Understanding (MOU) for Exchange of Principal County Status for Sphere of Influence Changes, Local Agency Formation Commission for Ventura County and Local Agency Formation Commission for the County of Los Angeles; February 19, 2020; LA LAFCO website ([www.lalafco.org](http://www.lalafco.org)), downloaded August 31, 2021.
7. Antelope Valley Resource Conservation District website ([www.avrcd.org](http://www.avrcd.org)), downloaded July 15, 2021.
8. Ibid.
9. Ibid.
10. Debra Gillis, Antelope Valley Resource Conservation District General Manager, Interview, September 22, 2021.
11. Debra Gillis, Antelope Valley Resource Conservation District General Manager, AVRCD; written response to LAFCO inquiry; enclosure to e-mail to Paul Novak; May 10, 2021.
12. United States Department of Commerce, Bureau of the Census, 2020 Census, August, 2021.
13. Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) adopted September 3, 2020.

14. Debra Gillis, Antelope Valley Resource Conservation District General Manager, AVRCD; written response to LAFCO inquiry; enclosure to e-mail to Paul Novak; May 10, 2021.
15. Ibid.
16. Debra Gillis, Executive Director, Antelope Valley Resource Conservation District; E-mail to Paul Novak, September 20, 2021.
17. AVRCD Operating Budget, 2020-21.
18. AVRCD Operating Budget, Fiscal Year 2020-21; AVRCD Operating Budget, Fiscal Year 2019-20; and AVRCD Operating Budget, Fiscal Year 2018-19.
19. Ibid.
20. Debra Gillis, Executive Director, Antelope Valley Resource Conservation District; E-mail to Paul Novak, September 20, 2021.
21. Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for Fiscal Year 2018-2019 and Fiscal Year 2019-2020; Nigro & Nigro, a professional accountancy corporation; February 28, 2021; and Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards for Fiscal Year 2017-2018; January 29, 2019; Burkey Cox Evans & Bradford Accountancy Corporation; and Debra Gillis, Executive Director, Antelope Valley Resource Conservation District; E-mail to Paul Novak, September 20, 2021.
22. Debra Gillis, Antelope Valley Resource Conservation District General Manager, AVRCD; written response to LAFCO inquiry; enclosure to e-mail to Paul Novak; May 10, 2021.
23. Streamline Website, downloaded July 20, 2020.)
24. Financial Statement with Independent Auditor's Report; Year Ended June 30, 2020; Rogers, Anderson, Malody & Scott, LLP; Page 18.
25. Ibid.
26. Resource Conservation District of the Santa Monica Mountains website ([www.rcdsmm.org](http://www.rcdsmm.org)), downloaded July 15, 2021.
27. Ibid.
28. Ibid.
29. John Hendra, Finance & Operations Officer, Resource Conservation District of the Santa Monica Mountains; e-mail to Paul Novak; August 20, 2021.

30. Resource Conservation District of the Santa Monica Mountains website ([www.rcdsmm.org](http://www.rcdsmm.org)), downloaded July 15, 2021; and RCDSMM 2019-2020 Annual Report, Pages 3-8.
31. United States Department of Commerce, Bureau of the Census, 2020 Census, August, 2021.
32. Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) adopted September 3, 2020.
33. Local Agency Formation Commission for the County of Los Angeles website ([www.lalafco.org](http://www.lalafco.org)), downloaded September 14, 2021 (for DUCs within Los Angeles County); Kai Luoma, Ventura LAFCO Executive Officer, e-mail to Paul Novak; September 14, 2021 (for DUCs within Ventura County); and Blair Knox, Kern LAFCO Executive Officer, e-mail to Paul Novak.
34. John Hendra, Finance & Operations Officer, Resource Conservation District of the Santa Monica Mountains; e-mail to Paul Novak; August 20, 2021.
35. Financial Statement with Independent Auditor's Report; Year Ended June 30, 2020; Rogers, Anderson, Malody & Scott, LLP; Financial Statement with Independent Auditor's Report; Year Ended June 30, 2019; Rogers, Anderson, Malody & Scott, LLP; and Financial Statement with Independent Auditor's Report; Year Ended June 30, 2018; Rogers, Anderson, Malody & Scott, LLP.
36. Resource Conservation District of the Santa Monica Mountains, Revised Budget, Fiscal Year 2020-21.
37. Resource Conservation District of the Santa Monica Mountains, Revised Budget, Fiscal Year 2020-21; Resource Conservation District of the Santa Monica Mountains, Revenue & Expense Budget, Fiscal Year 2019-2020; and Resource Conservation District of the Santa Monica Mountains, Fiscal Year 2018-19 General Fund Budget.
38. Ibid.
39. Ibid.
40. Ibid.
41. Financial Statement with Independent Auditor's Report; Year Ended June 30, 2020; Rogers, Anderson, Malody & Scott, LLP; Financial Statement with Independent Auditor's Report; Year Ended June 30, 2019; Rogers, Anderson, Malody & Scott, LLP; and Financial Statement with Independent Auditor's Report; Year Ended June 30, 2018; Rogers, Anderson, Malody & Scott, LLP.
42. Ibid.
43. RCDSMM 2019-2020 Annual Report, Page 9.

44. Resource Conservation District of the Santa Monica Mountains website ([www.rcdsmm.org](http://www.rcdsmm.org)), downloaded July 15, 2021.
45. Streamline Website, downloaded July 20, 2020.)
46. Clark Stevens, Executive Officer, Resource Conservation District of the Santa Monica Mountains; letter to Paul Novak; June 23, 2021.
47. Karen Buhr, Executive Director, California Association of Resource Conservation Districts; E-mail with Paul Novak, September 9, 2021.