

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, July 11, 2007
9:00 a.m.

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

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

1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH.**
3. **CONSENT ITEMS**
 - a. Newhall County Water District Annexation No. 2005-30.
4. **OTHER ITEMS**
 - a. Appointment of newly elected Special District Alternate – Robert Apodaca.
 - b. Approve minutes of the meeting held June 27, 2007.
 - c. Approve revised minutes of June 13, 2007
 - d. Municipal Service Review and Sphere of Influence Update.
 - e. Receive and file update on pending applications.
5. **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.

6. **FUTURE MEETINGS**

July 25, 2007

August 8, 2007

7. **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.

8. **ADJOURNMENT MOTION**

Staff Report

July 11, 2007

Agenda Item No. 3a Newhall County Water District Annexation No. 2005-30

The proposal before you is a request to annex uninhabited territory into the boundary of the Newhall County Water District. The proposed annexation is a portion of a development (the Gate King Project) containing a total of approximately 508 acres. The Gate King Project is located within the City of Santa Clarita. The proposed annexation was continued from the February 14, 2007 hearing so that staff could review the status of the pending court proceedings and environmental documentation.

The City of Santa Clarita, as the lead agency, certified the Gate King Environmental Impact Report and approved the project in 2003. SCOPE and the California Oak Foundation filed a petition for writ of mandate in the trial court challenging the adequacy of the EIR. In November, 2005 the Court of Appeal issued its decision finding that the EIR's discussion of water availability was inadequate. The trial court was directed to retain jurisdiction until the City certified an EIR complying with the Court of Appeal's decision.

The City prepared, circulated and ultimately approved in July, 2006, a Final Additional Analysis to the Environmental Impact Report for the Gate King Project. The Project opponents have challenged in the trial court the adequacy of the Final Additional Analysis. At a June 19, 2007 hearing the trial court directed that the parties prepare proposed Statements of Decision for the court's consideration in August.

Proposal Area: The project site consists of 322.84± acres of vacant land.

Location: The site is generally located in the southern portion of the City of Santa Clarita west of the Antelope Valley Freeway and bounded by Sierra Highway to the east, San Fernando Road to the north and Pine Street to the west and all within the City of Santa Clarita.

Factors to be Considered Pursuant to Government Code Section 56668:

1. *Population:* The current population is 5.
2. *Landowner:* Gate King Properties, LLC.
3. *Topography, Natural Boundaries and Drainage Basins:* The terrain is a combination of moderately steep to steep slopes, oak woodlands, two secondary ridgelines, one primary ridgeline and open space.
4. *Zoning, Present and Future Land Use:* The territory is zoned IC-Industrial/Commercial, PD – Planned Development and OS - Open Space. The proposed future use of the subject territory will be a combination of commercial/industrial usage and open space. A large portion will be dedicated to the City of Santa Clarita for trails and a wilderness park. In addition, the city will receive and maintain newly constructed public streets that will connect the area to the MetroLink station. A Los Angeles County Fire Department will have acreage for a substation and a helipad and approximately 33 acres for rights of way for the Metropolitan Transportation Authority and Southern California

Edison.

5. *Surrounding Land Use:* Currently, the surrounding territory is a mix of commercial and residential uses.
6. *Assessed Value:* The total assessed value is \$1,976,722.00.
7. *Governmental Services and Control, Availability and Adequacy:*
The district has facilities adjacent to the site that will connect to new facilities in order to provide adequate service.

8. *Water Availability:*
A Water Assessment Report in connection with the EIR indicated the District has sufficient water supply to meet the needs of the proposal area.
9. *Effects on agricultural or open-space lands:* A substantial portion of the proposed annexation territory will be dedicated as trails and a wilderness park.
10. *Boundaries and Lines of Assessment:* The boundary of the proposed annexation conforms to recorded lines of assessment.
11. *Sphere of Influence:* The subject territory is partially within the sphere of influence of the District and will require an amendment to the District's sphere.
12. *Tax Resolution:* All affected agencies have adopted a negotiated tax exchange resolution.
13. *Correspondence:* LAFCO has received correspondence regarding this proposal which attached to this staff report.

Alternate Course of Action:

The nearest water providers for the area are the Santa Clarita Water Division, the Valencia Water Company and Los Angeles County Waterworks District No. 36. The Santa Clarita Water Division is precluded from supplying water by virtue of an agreement with the District. The Valencia Water Company and CWWD No. 36 are a significant distance from the proposal area and a new delivery system would have to be constructed in order to provide service. The costs associated with such construction would place an undue financial burden on the parties involved. There are no other foreseeable alternate courses of action.

CEQA: The City of Santa Clarita, as the lead agency, has certified the Environmental Impact Report and the Final Additional Analysis to the Environmental Impact Report for the Gate King Project. As provided for in the California Environmental Quality Act (CEQA) Guidelines, a final EIR prepared by a lead agency is conclusively presumed to comply with CEQA for purposes of use by responsible agencies unless and until the EIR is finally adjudged in a legal proceeding not to comply.

Waiver of Notice and Hearing: Pursuant to Government Code Section 56663(a) all owners of land within the affected territory have consented to the change of organization and have requested that the Commission make its determination without notice and hearing. However, various organizations and groups have requested notice. To date, no subject agency has submitted written demand for notice and hearing on this application.

Waiver of Protest Hearing: Pursuant to Government Code Section 56663(c) all owners of land within the affected territory have consented to the change of organization. To date, no subject agency has submitted written opposition to waiver of the protest proceedings.

Conclusion: The subject territory will be developed as an industrial complex constructed on 66 lots totaling 4.2 million square feet of industrial buildings to be completed in seven phases over a 15 year term. A plan is in place for open space preservation. In addition, it is anticipated that the project could generate 6,000+ jobs that could result in positive impacts on the jobs to housing ratio. Traffic will be mitigated via the construction of a bypass road linking Sierra Highway and San Fernando Road, and with the addition of the helipad and fire substation emergency assistance response times would be reduced. Annexation will allow the proposal area access to receive a reliable and potable source of water. Newhall County Water District offers the most convenient and economic solution for the proposed development.

Recommended Action:

1. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2005-30 to Newhall County Water District.

RESOLUTION NO. 2007-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
“ANNEXATION NO. 2005-30 TO THE
NEWHALL COUNTY WATER DISTRICT AND
AMENDING THE DISTRICT'S SPHERE OF INFLUENCE

WHEREAS, an application for the proposed annexation of certain territory in the City of Santa Clarita to the Newhall County Water District, 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 322.84± acres of uninhabited territory in the City of Santa Clarita, and is assigned the following distinctive short form designation: "Annexation No. 2005-30 to Newhall County Water District;" 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 future inhabitants of the subject territory; and

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

WHEREAS on July 11, 2007 at its regular meeting this Commission considered the proposal and the report of the Executive Officer, along with public comment on the proposal.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Pursuant to Government Code Section 56663(a), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted written opposition to a waiver of notice and hearing requirements.

Based thereon, notice and hearing requirements are waived.

2. The Commission, acting in its role as a responsible agency with respect to Annexation 2005-30 to Newhall County Water District, pursuant to State CEQA Guidelines Section 15096, certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the proposed project and the Environmental Impact Report adopted by the City of Santa Clarita, as lead agency, and has determined that the document adequately addresses the environmental impacts of the proposed project. The Commission finds that it has complied with the requirements of CEQA with respect to the process for a responsible agency, and hereby adopts by reference the environmental findings, previously adopted by the City of Santa Clarita, in connection with its approval of the project.
3. Pursuant to Government Code Section 56425 the Commission hereby amends the sphere of influence of the District to include the territory described in Exhibits "A" and "B" and finds and determines that:

a. Present and Planned Land Uses in the Area

The subject area contains a mixture of industrial and open space land use. Industrial lands make up approximately 39%. A large portion of land, approximately 58% will be dedicated to open space and a small portion will be used for public facilities (fire substation).

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

In order for the project to proceed the necessary facilities will be in place as required by the City of Santa Clarita's conditions for development of the project.

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

The District currently has facilities in place adjacent to the proposal area. In addition new facilities will be constructed to accommodate the entire development.

d. Existence of Any Social or Economic Communities of Interest

The project is located within the Santa Clarita Redevelopment Agency and the surrounding land use is a combination of industrial and residential. Therefore, it will coincide with existing social and economic communities of interest.

4. The Commission hereby approves the annexation 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 Newhall County Water District may legally impose.
- b. The regular County assessment roll is utilized by the Newhall County Water District.
- c. The territory will not be taxed for existing bonded indebtedness of the Newhall County Water District.

5. Pursuant to Government Code Section 56663(c), the Commission hereby finds and determines that:

- a. The territory to be annexed is uninhabited;

- b. All owners of land within the affected territory have given their written consent to the change of organization; and
- c. No subject agency has submitted written opposition to a waiver of protest proceedings.

Based thereon, protest proceedings are waived.

- 6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the Newhall County Water District.
- 7. 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 11th day of July 2007.

Ayes:

Noes:

Absent:

Abstain:

Sandor L. Winger, Executive Officer

STAFF REPORT

June 27, 2007

Agenda Item No. 4d MUNICIPAL SERVICE REVIEWS AND SPHERES OF INFLUENCE UPDATE

<u>Regional Area</u> Cities / Water Districts	MSR Draft Completion Status	Workshop Meeting Status	SOI Draft Completion Status	Commission Hearing Schedule Projection	Comments
<u>Los Angeles Area</u> Cities (8) Water Districts (2)	Complete	Complete	Complete	December 13, 2006	Approved 8 cities and 1 district on 12/13/06 – Crescenta Valley open

<u>Catalina</u> Cities (1)	Complete	Complete	Complete	Feb. 27, 2004	No Special Districts
<u>Misc. Gov't Services</u> Total Districts (29)	Complete	Complete	Complete	Jun. 23, 2004	
<u>Las Virgenes</u> Cities (5) Water Districts (2)	Complete Complete	Complete Complete	Complete Complete	Aug. 25, 2004	
<u>High Desert</u> Cities (2) Water Districts (8)	Complete Complete	Complete Complete	Complete Complete	Aug. 25, 2004	
<u>Santa Clara</u> Cities (1) Water Districts (5)	Complete Complete	Complete Complete	Complete Complete	Jan. 19, 2005	Approved 3 districts at LAFCO Hearing on Dec 14, 2005
<u>San Gabriel-West</u> Cities (18) Water Districts (8)	Complete Complete	Complete Complete	Complete Complete	Dec. 8, 2004	
<u>San Gabriel – East</u> Cities (13) Water Districts (5)	Complete Complete	Complete Complete	Complete Complete	July 13, 2005	
<u>San Districts</u> (25)	Complete	Complete	Complete	May 25, 2005	
<u>South Bay</u> Cities (14) Water Districts (1)	Complete Complete	Complete Complete	Complete Complete	Sept. 28, 2005	
<u>Gateway</u> Cities (26) Water Districts (6)	Complete Complete	Complete Complete	Complete Complete	Dec. 14, 2005	Approved 3 cities and 1 Water District on Feb. 22, 2006

Crescenta Valley Water District is still open

179 Total SOI's / MSR's completed to date -

88 Cities 29 Misc. Districts 36 Water Districts 25 San Districts