

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, October 24, 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**

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

- a. Los Angeles County Waterworks District No. 40 – Annexation No. 2004-08.
 - b. Approve minutes of October 10, 2007.
 - c. Receive and file Municipal Service Review and Sphere of Influence Update.
 - d. Receive and file update on pending applications.
4. **OTHER ITEMS**
 - a. Receive and file report on Environmental Justice and LAFCOs (SB 162)
 - b. Goals, Objectives and Specialized Tasks 2008-2013

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**

November 14, 2007

November 28, 2007 – Cancelled

December 12, 2007

December 26, 2007 - Cancelled

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

October 24, 2007

Agenda Item No. 3a

Los Angeles County Waterworks District No. 40 Annexation No. 2004-08

The proposal before you is a request to annex uninhabited territory into the boundary of the Los Angeles County Waterworks District No. 40.

Proposal Area: The project site consists of 793± acres of vacant land.

Location: The site is generally located north of Elizabeth Lake Road and west of the California Aqueduct in the City of Palmdale.

Factors to be Considered Pursuant to Government Code Section 56668:

1. **Population:** The current population is 0.
2. **Landowner:** J. P. Eliopulos Enterprises.
3. **Topography, Natural Boundaries and Drainage Basins:** The terrain is hilly with some natural drainage.
4. **Zoning, Present and Future Land Use:** The territory is zoned R-1-7000, the present land use is vacant and future use will consist of 539 single-family units, 3 park sites, 31, 26, and 3 acres respectively and 16 open space lots.
5. **Surrounding Land Use:** Currently, there are populated residential developments to the south and west of the subject territory. Other uses include open space, a public facility and agriculture.
6. **Assessed Value:** The total assessed value is \$918,508.00.
7. **Governmental Services and Control, Availability and Adequacy:**
If and when the land is developed as proposed, the City of Palmdale will provide services as outlined in the City's General Plan.
8. **Water Availability:**
The District has sufficient water supply to meet the needs of the proposal area. The landowner will build the water system to the District's specifications and interconnect with an existing water main. The system will eventually be dedicated to the District.

9. ***Effects on agricultural or open-space lands:*** The proposed development provides for open-space land preservation. While there is agricultural land use occurring in the surrounding area, the subject territory is not currently being used for agricultural purposes.
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 within the sphere of influence of Los Angeles County Waterworks District No. 40.
12. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
13. ***Correspondence:*** No correspondence has been received.

Alternate Course of Action:

There are no foreseeable alternate courses of action.

CEQA: The City of Palmdale, as lead agency, certified a Mitigated Negative Declaration for the project.

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. To date, no subject agency has submitted written demand for notice and hearing on this application pursuant to Government Code Section 56663(b). Based thereon, the Commission may conduct proceedings for the change of organization or reorganization without notice and hearing.

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, the subject agencies have not submitted written opposition to waiver of the protest proceedings.

Conclusion: The subject territory will be developed with 539 single-family homes. Annexation will allow future residents to receive a reliable source of water. The landowner has indicated that CWWD No. 40 offers the most convenient and economic solution for the proposed development.

Recommended Action:

1. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2004-08 to Los Angeles County Waterworks District No. 40.

RESOLUTION NO. 2007-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 2004-08 TO THE
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40"

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

WHEREAS, the proposed annexation consists of 793± acres of uninhabited territory in the City of Palmdale, and is assigned the following distinctive short form designation: "Annexation No. 2004-08 to Los Angeles County Waterworks District No. 40;" and

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

WHEREAS, the principal reason for this annexation is to provide a reliable source of water to 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 October 24, 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) and (b), 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 2004-08 to Los Angeles County Waterworks District No. 40, 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 mitigated negative declaration adopted by the City of Palmdale, 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 Palmdale, in connection with its approval of the project.

3. 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 Los Angeles County Waterworks District No. 40 may legally impose.
 - b. The regular County assessment roll is utilized by the Los Angeles County Waterworks District No. 40.
 - c. The territory will not be taxed for existing bonded indebtedness of the Los Angeles County Waterworks District No. 40.

4. 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.

5. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the Los Angeles County Waterworks District No. 40.

6. 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 24th day of October 2007.

Ayes:

Noes:

Absent:

Abstain:

Sandor L. Winger, Executive Officer

Staff Report

October 24, 2007

Agenda Item No. 4a

Executive Officer's Report on SB 162

Senate Bill 162 (Negrete McLeod) Chapter 428, Statutes of 2007 Environmental Justice and LAFCOs

Summary. Senate Bill 162 requires local agency formation commissions to consider the extent to which the proposal promotes environmental justice when making boundary decisions. Signed into law as Chapter 428 of the Statutes of 2007, SB 162 takes effect on January 1, 2008.

Background. Local agency formation commissions (LAFCOs) control the boundaries of cities and special districts, operating under the Cortese-Knox-Hertzberg Act (Government Code §56000, et seq.). The courts call LAFCOs the Legislature's "watchdog" over these boundary changes (*Timberidge Enterprises, Inc. v. City of Santa Rosa* [1978] 86 Cal.App.3d 873). Boundary changes include annexations, detachments, incorporations, formations, disincorporations, dissolutions, consolidations, mergers, and reorganizations. As LAFCOs prepare to make decisions about proposed boundary decisions, they must consider 14 specified "factors" (Government Code §56668).

Responding to the increasing awareness that the burdens of pollution fall disproportionately on minority and low-income communities, legislators passed bills to promote environmental justice (SB 89, Escutia, 1999 and SB 115, Solis, 1999). To encourage local officials to address environmental justice in their general plans, the Governor's Office of Planning and Research (OPR) must include advice in its *General Plan Guidelines*. For that purpose, "environmental justice" means:

[T]he fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

Government Code §65040.12.

Regulating local boundaries is more than an exercise in cartographic neatness. City limits and special districts' boundaries influence the timing, location, and character of land development. By approving annexations to cities and districts that provide public facilities such as water and sewer systems, streets, and flood control facilities, LAFCOs influence which land is likely to develop. LAFCOs allocate access to local public services when they act on annexations to cities and districts that provide programs such as police and fire protection, libraries, and recreation.

There is an increasing awareness that LAFCOs' boundary decisions can have disproportionate effects on minority and low-income communities.

New law. Senate Bill 162 adds the promotion of environmental justice to the list of factors that LAFCOs must consider when acting on city and special districts boundary changes. The new law defines “environmental justice” as:

[T]he fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

SB 162 also requires LAFCOs to consider the comments of the affected residents and voters, in addition to landowners or owners.

Staff Report

October 24, 2007

Agenda Item No. 4b.

Goals, Objectives and Specialized Tasks

BACKGROUND

In response to the request that your Executive Officer review the administrative processes and guidelines that directs staff in its every day activity, staff drafted a manual based on those unwritten policies put in place over the last few years. In addition, staff considered it prudent to take a look at all the aspects involved in the operation of LA LAFCO and set some directly related goals and objectives for the LA LAFCO.

In addition to its daily activities which include the processing of various local agency activities such as annexations, support to county offices, meetings with community groups and other incidental studies, this LAFCO has either begun processing or expects to process an unprecedented amount of activities, equal to, or in excess of the effort required by the recent Special Reorganization activity. Below is a short synopsis of the various goals, objectives and specialized tasks that are currently in process.

Policies

In our continuing effort to improve our standards your executive officer is developing procedures, policies and standards to aid all staff members better understand their responsibilities.

In process, expected completion 2nd quarter, 2008

Conference

As this LAFCO prepares for the CALAFCO Conference to be held in Los Angeles, staff is working to produce the finest program to date. We would hope that when the session is completed our conference will become the new standard for all future conferences.

In process, expected completion 3rd quarter, 2008

Incorporations

We are dealing with an unprecedented four possible incorporations, three of which must be considered imminent. They are; East Los Angeles, Stevenson Ranch (West Ranch) east of Santa Clarita, Rowland Heights and possibly Altadena.

In process, expected completion 4th quarter, 2009

Major Annexations

There are two major annexations expected. The AURA Project, a proposed annexation to the City of Diamond Bar, the possibility of either an SOI/MSR addition to Santa Clarita at the vicinity of the I-5/Route 14 interchange between Santa Clarita and Los Angeles or an annexation by Las Lomas if the developer can produce an acceptable application.

In process, expected completion (worse case scenario) 2nd quarter, 2009

Sphere Of Influence and Municipal Service Review studies

As of January 1, 2008 all LAFCO's will be required to meet the next five year review requirement for Sphere Of Influence and Municipal Service Review studies. While LAFCO anticipates that we will significantly reduce the effort develop the reports, our commitment is based upon utilizing in house staff as much as possible, thus significantly reducing consultant expense.

Begin January 1st, 2008, expected completion 4th quarter, 2013

STAFF REPORT

October 10, 2007

Agenda Item No. 4e 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