

**LOCAL AGENCY FORMATION COMMISSION
SPECIAL MEETING AGENDA**

Wednesday, May 13, 2009

10:30 a.m.

Room 374A

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

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

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

1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH.**
3. **PUBLIC HEARINGS**
 - a. Sphere of Influence Amendment County Sanitation District No. 20 and Annexation No. 95 to Los Angeles County Sanitation District No. 20 **(Continued to May 27, 2009).**
 - b. Los Angeles County Sanitation District No. 14 and District No. 20 – Sphere of Influence Amendment No. 2009-07.
4. **PROTEST HEARING**
 - a. Los Angeles County Sanitation District No. 14 and District No. 20 – Reorganization No. 2007-01.

5. **CONSENT ITEMS**

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

- a. Los Angeles County Waterworks District No. 40 – Annexation 2006-11.
- b. Newhall County Water District – Annexation 2007-10.
- c. Approve Minutes of April 22, 2009.
- d. Operating Account and Check Register for the month of April.
- e. Receive and file update on pending applications.

6. **OTHER ITEMS**

- a. Incorporation Report:
 - 1) East Los Angeles
 - 2) Rowland Heights

7. **PUBLIC COMMENT**

This is the opportunity for members of the public to address the Commission on items that are not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

8. **FUTURE MEETINGS**

May 27, 2009
June 10, 2009
June 24, 2009
July 8, 2009

9. **FUTURE AGENDA ITEMS**

Items not on the posted agenda which, if requested, will be referred to staff or placed on a future agenda for discussion and action by the Commission, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Commission subsequent to the posting of the agenda.

10. **ADJOURNMENT MOTION**

Staff Report

May 13, 2009

Agenda Item No. 3a.

**Sphere of Influence Amendment County Sanitation District No. 20 and
Annexation No. 95 to County Sanitation District No. 20**

This is a continuation from the February 11, 2009 meeting. Although the annexation proposal has been properly noticed, the Sphere of Influence (SOI) amendment was not included in the notice because at the time, it was not realized that a SOI amendment was necessary. County Counsel has advised that proper notice of the SOI amendment must be given before this matter may be heard. Pursuant to Government Code Section 56427, a hearing on a SOI amendment requires 21 days prior notice. In view of that, the proposed SOI amendment and annexation under Agenda Item No. 3a must be continued until the proposed SOI amendment is properly noticed. Proper notice of the SOI amendment has been published for the May 27, 2009 Commission meeting.

Recommended Action:

Staff recommends that this Item be continued until the May 27, 2009 meeting.

Staff Report

May 13, 2009

Agenda Item No. 3b.

**Sphere of Influence Amendment No. 2009-07
(County Sanitation District No. 14 and County Sanitation District No. 20)**

The following is to request a removal of 11,275.58± acres of uninhabited territory from the Sphere of Influence (SOI) boundary of Los Angeles County Sanitation District No. 14 and include the same within the SOI boundary of Los Angeles County Sanitation District No 20.

Proposal Area: The subject territory consists predominantly of open space land with several vacated commercial structures scattered throughout the area. There is no proposed development at this time. Future development of the territory will consist of converting open space land to agricultural production using reclaimed water produced from the Palmdale Water Reclamation Plant.

Location: The subject territory is bounded by 90th Street East to the east, 40th Street East to the west, Avenue K-8 to the north, and Palmdale Boulevard to the south. The territory is partially located within both the City of Palmdale and County unincorporated territory.

Background: In 2005 County Sanitation District No. 20 approved the Palmdale Water Reclamation Plan (PWRP) 2025 Facilities Plan. The Plan addresses the sewerage needs of the growing population in the PWRP service area. A portion of territory currently in District No. 14's SOI is part of an area that is being considered for purchase by District No. 20 for the purpose of implementing the PWRP expansion. In implementing the PWRP expansion the subject area will be converted for agricultural reuse utilizing reclaimed water from the PWRP.

CEQA: The Palmdale Water Reclamation Plant 2025 Facilities Plan Environmental Impact Report certified by County Sanitation District No. 20 is adequate for consideration of this proposal.

Conclusion: Denial of this proposal would require amending the SOI boundary of District Nos. 14 and 20 with each related annexation request, thus resulting in additional fees from property owners. It is therefore more efficient to amend the SOI boundary under a single request rather than the more costly piecemeal amendments.

Staff Report – May 13, 2009

County Sanitation District Nos. 14 & 20 – Sphere of Influence Amendment No. 2009-07

Recommended Action:

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Approving “Amendment No. 2009-07” Approving and Amending the Spheres of Influences of County Sanitation District No. 14 and County Sanitation District No. 20.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING “SPHERE OF INFLUENCE AMENDMENT
NO. 2009-07” APPROVING AND AMENDING
THE SPHERES OF INFLUENCES OF
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14 AND
LOS ANGELES COUNTY SANITATION DISTRICT NO. 20

WHEREAS, County Sanitation District No. 14 and County Sanitation District No. 20 submitted an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the Commission) pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the sphere of influence amendment of County Sanitation District No. 14 and No. 20; and

WHEREAS, the principal reason for the proposed sphere of influence amendment is to develop agricultural and farming operations utilizing reclaimed wastewater in order to implement the Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan; and

WHEREAS, the map of the proposal is set forth in Exhibit “A”, attached hereto and by this reference incorporated herein; and

WHEREAS, the territory consists of 11,275.58± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is “Sphere of Influence Amendment No. 2009-07”; and

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

WHEREAS, on May 13, 2009, after being duly and properly noticed, this proposal came on for hearing at which time this Commission heard and received all oral

and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Acting in its role as a responsible agency with the respect to the Sphere of Influence Amendment No. 2009-07, and under State CEQA Guidelines Section 15096, the Commission certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the project and the Palmdale Water Reclamation Plant 2025 Facilities Plan Environmental Impact Report certified by County Sanitation District No. 20 of Los Angeles County and has determined that the document adequately addresses the environmental impacts of the project. The Commission also finds that it has complied with the requirements of CEQA with respect to the process for a responsible agency, and hereby adopts by reference the environmental findings previously adopted by the lead agency in connection with its approval of the project.
2. The Commission hereby amends the spheres of influence of County Sanitation District No. 14 and County Sanitation District No. 20 to remove the territory from the sphere of influence of County Sanitation District No. 14 and add the said territory in the sphere of influence of County Sanitation District No. 20 described in Exhibit "A", and makes the following determinations in accordance with Government Code Section 56425:
 - a. Present and Planned Land Use in the Area

The present and planned land use is open space and agricultural.

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

The subject territory is not currently serviced by District No. 20. No sewerage service is planned for the future. However, the area was included in the future service area of District No. 20 and is required for District No. 20's reclaimed wastewater management needs, which were addressed in the PWRP 2025 Facilities Plan.
 - c. Present Capacity of Public Facilities and Adequacy of Public Service that the Agency Provides or is Authorized to Provide

The PWRP has a design capacity of 15mgd. In accordance with the PWRP 2025 Facilities Plan, the PWRP is being expanded to 22mgd in order to accommodate District No. 20's effluent management needs and the projected population growth until the year 2025.
 - d. Existence of Any Social or Economic Communities of Interest

County Sanitation District No. 20 currently services an area south of the proposed SOI amendment.
3. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882.

Resolution No. 2009-00RMD
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PASSED AND ADOPTED this 13th day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

SANDOR L. WINGER, Executive Officer

Staff Report

May 13, 2009

Agenda Item No. 4a.

**Protest Hearing on Reorganization No. 2007-01
(Detachment from County Sanitation District No. 20
and Annexation to County Sanitation District No. 14)**

On March 25, 2009 your Commission approved a request initiated by Los Angeles County Sanitation District No.14 and Los Angeles County Sanitation No. 20 to detach 39.512± acres of uninhabited territory from District No. 20 and annex said territory to District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The reorganization proposal is summarized as follows:

Proposal Area: The territory consists of one existing commercial shopping center, located within a commercial area.

Population: The current population is 0.

Landowners: Sam's Real Estate Business Trust; Destination 08, LLC; CFT Development, LLC; Kohl's Department Stores, Inc.; Ashley Furniture Industries, Inc.

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

Zoning, Present and Future Land Use: The current zoning is C-4; Commercial Center. The present and proposed land use is commercial.

Surrounding Land Use: The surrounding land use is commercial.

Governmental Services and Control, Availability and Adequacy: The subject territory is already being serviced by District No. 14. The area was included in the future service area that might be served by District No. 14 and District No. 14's future wastewater management needs were addressed in the Lancaster Water Reclamation Plant (LWRP) 2020 Facilities Plan. The wastewater generated by the annexation will be treated at the LWRP. County Sanitation District No. 14 has adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.

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

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

Sphere of Influence: By your prior action, your Commission approved a sphere amendment for both Districts to remove the subject territory from District No. 20's SOI and transfer said territory to District No. 14's SOI.

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

CEQA: The one existing commercial shopping center is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a), because it is an annexation containing an existing structure developed to the density allowed by the current zoning.

Correspondence: No correspondence has been received.

Recommended Action:

1. Open the protest hearing and receive written protests.
2. Close protest hearing.
3. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
4. Based upon the results of the protest hearing either adopt a resolution terminating the reorganization proceedings if a majority protest exists, ordering Reorganization No. 2007-01 directly or ordering the reorganization subject to confirmation by the registered voters of the affected territory.

RESOLUTION NO. 2009-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING REORGANIZATION NO. 2007-01

WHEREAS, County Sanitation District No. 14 and County Sanitation District No. 20 filed an application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the Commission) pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the reorganization of territory between Los Angeles County Sanitation District Nos. 14 and 20; and

WHEREAS, the principal reason for the proposed reorganization is to provide offsite sewage disposal for one existing shopping center; and

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

WHEREAS, the territory consists of 39.512± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is “Reorganization No. 2007-01”; and

WHEREAS, on March 25, 2009, the Commission approved Reorganization No. 2007-01; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set May 13, 2009 as the date for the protest hearing and has given notice thereof; and

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 0 and the number of property owners is 5 and the total assessed value of land within the affected territory is \$30,583,276.
2. The Commission finds that the number of written protests filed in opposition to Reorganization No. 2007-01 and not withdrawn is ____, which, even if valid, represents less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the reorganization of the territory described in Exhibit "A" as follows: (a) the territory described in Exhibit "A" is hereby detached from Los Angeles County Sanitation District No. 20; and (b) said territory is hereby annexed to the Los Angeles County Sanitation District No. 14.
4. Pursuant to Government Code section 56886, the reorganization shall be subject to the following terms and conditions:

- a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 14 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 14.
 - c. The subject territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No. 14.
5. The Executive Officer is directed to transmit a certified copy of this resolution to the General Manager of the District, upon the District's payment of the applicable fees required by Government Code Section 54902.5, and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57000, *et seq.*

PASSED AND ADOPTED this 13th day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

SANDOR L. WINGER, Executive Officer

Staff Report

May 13, 2009

Agenda Item No. 5a.

**Los Angeles County Waterworks District No. 40
Annexation No. 2006-11**

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 34.07± acres of vacant land.

Location: The site is generally located north of Avenue P and west of Rancho Vista Boulevard, in the City of Palmdale.

Factors to be Considered Pursuant to Government Code Section 56668:

1. *Population:* The current population is 0.
2. *Landowner:* LA DF Investment Fund 78, LLC.
3. *Topography, Natural Boundaries and Drainage Basins:* The terrain is generally flat.
4. *Zoning, Present and Future Land Use:* The territory is zoned R-7000, the present land use is vacant, and future use will consist of 100 single-family homes.
5. *Surrounding Land Use:* Currently, there are populated residential developments and vacant land surrounding the subject territory.
6. *Assessed Value:* The total assessed value is \$913,475.
7. *Governmental Services and Control, Availability and Adequacy:*
The City of Palmdale will provide services as provided for 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:* Currently, there is no open space, or agricultural lands within the subject or surrounding territory.
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, adopted 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, no subject agency has submitted written opposition to waiver of the protest proceedings.

Conclusion: The subject territory will be developed with 100 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. 2006-11 to Los Angeles County Waterworks District No. 40.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 2006-11 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 34.07± acres of uninhabited territory in the City of Palmdale, and is assigned the following distinctive short form designation: "Annexation No. 2006-11 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 May 13, 2009 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 2006-11 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 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 13th day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

Sandor L. Winger, Executive Officer

Staff Report

May 13, 2009

Agenda Item No. 5b.

**Newhall County Water District
Annexation No. 2007-10**

The proposal before you is a request by the district to annex uninhabited territory into the boundary of Newhall County Water District.

Proposal Area: The project site consists of 1.53± acres of vacant land.

Location: The site is located north of Lake Hughes Road, between Golden State 5 Freeway and Castaic Road, in the unincorporated community of Castaic.

Factors to be Considered Pursuant to Government Code Section 56668:

1. **Population:** The current population is 0.
2. **Landowner:** Castaic Universal Investors, LLC.
3. **Topography, Natural Boundaries and Drainage Basins:** The terrain is flat.
4. **Zoning, Present and Future Land Use:** The territory is zoned C-3-DP (Unlimited Commercial – Development Program). The present land use is vacant, however, the subject territory is proposed for a two story 15,000 square foot medical/office building, and a one story 8,000 square foot retail building.
5. **Surrounding Land Use:** Currently, there is a senior apartment complex to the north, single and multi-family residences to the east, and single family residences to the west across the Interstate 5 Freeway.
6. **Assessed Value:** The total assessed value is \$1,080,246
7. **Governmental Services and Control, Availability and Adequacy:**
The subject territory is all within unincorporated county territory: municipal services to the subject territory will be provided as outlined in the County's General Plan.
8. **Water Availability:**
The District has facilities adjacent to the site with 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:*** Currently, there is no open space, or agricultural lands within the subject or surrounding territory.
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 not within the sphere of influence of Newhall County Water District.
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 County of Los Angeles, as lead agency, adopted a 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, no subject agency has submitted written opposition to waiver of the protest proceedings.

Conclusion: The subject territory will be developed into retail and medical/office buildings. Annexation will allow the facilities to receive a reliable source of water.

Recommended Action:

1. Adopt Resolution Making Determinations Amending the Sphere of Influence, Approving and Ordering Annexation No. 2007-10 to Newhall County Water District

**RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 2007-10" TO
NEWHALL COUNTY WATER DISTRICT"
AND AMENDING THE SPHERE OF INFLUENCE OF
NEWHALL COUNTY WATER DISTRICT**

WHEREAS, an application for the proposed annexation of certain territory in the County of Los Angeles to Newhall County Water District, and request for amendment of the District's sphere of influence, 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 amendment and annexation consists of 1.53± acres of uninhabited unincorporated County territory, and is assigned the following distinctive short form designation: "Annexation No. 2007-10 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 May 13, 2009 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. The Commission, acting in its role as a responsible agency with respect to Annexation 2007-10 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 negative declaration adopted by the County of Los Angeles, 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 County of Los Angeles, in connection with its approval of the project.
2. The Commission hereby amends the Sphere of Influence of Newhall County Water District and makes the following determinations in accordance with Government Code Section 56425:
 - a. Present and planned land uses in the area:

The site is currently vacant. A two story 15,000 square foot medical/office building and a one story 8,000 square foot retail building is proposed.
 - b. Present and probable need for public facilities and services:

The subject territory is part of unincorporated County territory and receives general governmental services, including land use planning and regulation, law enforcement, fire protection, road maintenance and other services from the County or County-governed special districts. As the area develops it will require urban levels of law enforcement, fire protection and other service.
 - c. The present capacity of public facilities:

Newhall County Water District has facilities adjacent to the site and has the capacity to serve. The District has entered into a Water Service Agreement with developer to design and construct water system improvements and upgrades required by the District in order for the District to provide water service.

d. The existence of any social or economic communities of interest:

The subject territory is located within the advisory area of the Castaic Area Town Council. The project will contribute to the desire for expanded commercial development and will be compatible with the uses in adjacent areas.

3. A description of the boundaries and map of the amended Sphere of Influence, as approved by the Commission, is set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
4. 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.

5. 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 Newhall County Water District.

- c. The territory will be taxed for existing bonded indebtedness of Newhall County Water District.

6. 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.

7. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to Newhall County Water District.
8. 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 13th day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

Sandor L. Winger, Executive Officer