

**LOCAL AGENCY FORMATION COMMISSION  
MEETING AGENDA**

Wednesday, May 27, 2009  
9:00 a.m.

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

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

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

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1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH.**
3. **PUBLIC HEARING**
  - a. Los Angeles County Sanitation District No. 20 – Sphere of Influence Amendment.
  - b. Los Angeles County Sanitation District No. 20 – Annexation No. 95  
**(Continued from May 13, 2009).**
4. **PROTEST HEARINGS**
  - a. Los Angeles County Sanitation District No. 14 – Annexation No. 335.
  - b. Los Angeles County Sanitation District No. 14 – Annexation No. 338.

5. **GOVERNMENT CODE § 56857 NOTICES**  
(For Informational Purposes Only, Receive and File)

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation is proposed, Government Code section 56857 requires LAFCO to place the proposal on its agenda for informational purposes only.

- a. Annexation No. 2006-12 to Los Angeles County Waterworks District No. 40.

6. **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. 37 – Annexation 2006-51.
- b. Los Angeles County Waterworks District No. 40 – Annexation 2004-16.
- c. Los Angeles County Waterworks District No. 40 – Annexation 2006-22.
- d. Los Angeles County Waterworks District No. 40 – Annexation 2006-25.
- e. Approve Minutes of May 13, 2009.
- f. Receive and file update on pending applications.

7. **OTHER ITEMS**

- a. Incorporation Report
  - 1) East Los Angeles – Consideration of award of Consultant Contract for preparation of Comprehensive Fiscal Analysis (CFA).
  - 2) Rowland Heights

8. **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.

9. **FUTURE MEETINGS**

June 10, 2009  
June 24, 2009 (Meeting may be cancelled do to County Budget Deliberations on this date.)  
July 8, 2009  
July 22, 2009

10. **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.

11. **ADJOURNMENT MOTION**

## Staff Report

May 27, 2009

### Agenda Item No. 3a

#### County Sanitation District No. 20 Sphere of Influence Amendment

The following is a request to approve a 31,363.89± acre amendment to the sphere of influence (SOI) of Los Angeles County Sanitation District No. 20.

**Proposal Area:** The subject territory consists of vacant high desert land, located within a rural agricultural area. There is no proposed development at this time. Expanding District No. 20's SOI boundary will allow the District to provide wastewater services for future proposed developments directly south of the District's current sphere boundary and to further annex land directly east of the current SOI boundary to develop agricultural and farming operations utilizing reclaimed wastewater in order to implement the Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan.

**Location:** The proposed SOI area lies north of Mount Emma Road, west of 87<sup>th</sup> Street East, north of Avenue K-8, west of 150<sup>th</sup> Street East and south of Avenue K. The southerly end of the proposed SOI area extends directly south of the California Aqueduct, east of Pearblossom Highway, and west of 33<sup>rd</sup> Street East and its intersection with Barrel Springs Road, located within both the City of Palmdale and County unincorporated territory.

**Background:** In 2005, County Sanitation District No. 20 approved the PRWP 2025 Facilities Plan. The plan addresses the sewerage needs of the growing population in the PWRP service area. The proposed SOI area is adjacent to the SOI boundary of District No. 20. Agenda Item 3b is a request to annex territory into District No. 20 (Annexation No. 95) that is within the proposed expanded SOI.

**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:** The SOI expansion is necessary to the implementation of the PRWP 2025 Facilities Plan and includes Annexation No. 95 and other areas of known proposed development that will be subject of future annexation requests. Denial of this proposal would require amending the SOI boundary of District No. 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 27, 2009

Sanitation District No. 20 – Sphere of Influence Amendment

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**Recommended Action:**

1. Open the public hearing and receive testimony on the matter.
2. There being no further testimony, close the public hearing.
3. Adopt the Resolution Making Determinations Approving and Amending the Sphere of Influence of County Sanitation District No. 20.

**RESOLUTION NO. 2009-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND AMENDING THE SPHERE OF**  
**INFLUENCE OF LOS ANGELES COUNTY SANITATION DISTRICT NO. 20**

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

WHEREAS, the principal reason for the proposed sphere of influence amendment is to provide offsite disposal for future proposed developments and 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 for this proposal is set forth in Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the territory consists of 31,363.89± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "County Sanitation District No. 20 Sphere of Influence Amendment"; and

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

WHEREAS, on May 27, 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 County Sanitation District No. 20 Sphere of Influence Amendment, 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 PWRP 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 sphere of influence of County Sanitation District No. 20 to include the territory 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 land use is vacant and agricultural. Development is proposed to the south and effluent management via agricultural reuse is planned to the east as recommended in the PWRP 2025 Facilities Plan.

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

The proposed change in the SOI boundary will allow for requested annexations of proposed future known developments and effluent management for agricultural reuse as recommended in the PWRP 2025 Facilities Plan. The PWRP has a design capacity of 15 mgd and currently processes an average flow of 9.7 mgd. The subject territory is not currently serviced by the District. However, the area was included in the future service area that might be served by the District and the District's future wastewater management needs were addressed in the PWRP 2025 Facilities Plan.

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

Currently, there is no sewer service provided in the area. The proposed change in the SOI will allow for requested annexations of proposed future developments and effluent management for agricultural reuse as recommended in the PWRP 2025 Facilities Plan. The PWRP has a design capacity of 15 mgd and currently processes an average flow of 9.7 mgd.

d. Existence of Any Social or Economic Communities of Interest

District No. 20 services numerous areas directly north and west of the proposed SOI area.

3. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution to the General Manager of the District.



PASSED AND ADOPTED this 27<sup>th</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**

**Staff Report**

**May 27, 2009**

**Agenda Item No. 3b**

**Annexation No. 95 to County Sanitation District No. 20**

The following is a request to annex 926.291± acres of uninhabited territory to Los Angeles County Sanitation District No. 20.

**Background:** County Sanitation District No. 20 of Los Angeles County filed eminent domain complaints in the Los Angeles County Superior Court in October 2007 to acquire the subject territory. The District has acquired title for the majority of parcels within the subject territory. The District is in escrow for the remaining parcels and currently negotiating with the landowners to determine fair market value on their properties.

**Proposal Area:** The territory consists of vacant high desert land, located within a rural agricultural area.

**Location:** The subject territory consists of 10 parcels located between Avenue K and Avenue M, and 110<sup>th</sup> Street East and Longview Road. Parcels 1 through Parcels 8 are located within unincorporated County territory. Parcel 9 is located within the City of Palmdale. Parcel 10 is located within both the City of Palmdale and unincorporated County territory.

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

1. ***Population:*** The current population is 0.
2. ***Landowners:*** The County Sanitation District No. 20 of Los Angeles County and additional owners of record.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is generally flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is A-2-1; Heavy Agricultural with a minimum lot size of one unit per acre. The present land use is vacant and agricultural.
5. ***Surrounding Land Use:*** The surrounding land use is agricultural and open space.
6. ***Assessed Value:*** The total assessed value is \$3,151,138.
7. ***Governmental Services and Control, Availability and Adequacy:*** The subject territory is not currently serviced by the District. No sewerage service is planned for the future. However, the area was included in the future service area that might be served by the District and the District's future wastewater management needs were addressed in the PWRP 2025 Facilities Plan.

8. ***Effects on agricultural or open-space lands:*** The proposal area will be maintained as agricultural lands. The annexation territory will not have an effect on open space lands.
9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to the recorded lines of assessment.
10. ***Sphere of Influence:*** The subject territory will be within the District's SOI boundary if your Commission approves Agenda Item 3a. Should that item not be approved, this annexation cannot proceed.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

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

**Conclusion:** There is no plan for sewerage service to the subject territory. The proposal has been initiated to remove a tax burden on the District and its ratepayers. Denial of this proposal would increase the operation costs of the proposed reclaimed water agricultural reuse project, and result in a higher service charge for the District's ratepayers.

**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 Annexation No. 95 to County Sanitation District No. 20.
4. Pursuant to Government Code Section 57002, set July 8, 2009 at 9:00 a.m., as the date for Commission protest proceedings.

**RESOLUTION NO. 2009-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING**  
**ANNEXATION NO. 95 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 20**

WHEREAS, the County Sanitation District No. 20 adopted a resolution of application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the Commission) pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the annexation of territory located within both the City of Palmdale and unincorporated territory of Los Angeles County; and

WHEREAS, the principal reason for the proposed annexation is to develop agricultural and farming operations utilizing reclaimed wastewater in order to implement the Palmdale Water Reclamation Plant 2025 Facilities Plan; 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 926.291± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is “Annexation No. 95 to County Sanitation District No. 20”; and

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

WHEREAS, on May 27, 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 Annexation No. 95 to County Sanitation District No. 20, 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. Annexation No. 95 to the County Sanitation District No. 20 is hereby approved subject to the following terms and conditions:
  - a. The property so annexed shall be subject to the payment of such service charges, assessments or taxes as the District may legally impose.
  - b. The regular County assessment roll is utilized by the District.
3. The Commission hereby sets the protest hearing for July 8, 2009 at 9:00 a.m. and authorizes and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED this 27<sup>th</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**

**Staff Report**

**May 27, 2009**

**Agenda Item No. 4a**

**Protest Hearing on Annexation No. 335 to  
Los Angeles County Sanitation District No. 14**

On April 8, 2009 your Commission approved a request initiated by Los Angeles County District No. 14 to annex 10.158± acres of uninhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

***Proposal Area:*** The annexation consists of 37 existing single-family homes, located within a residential community.

***Population:*** The current population is 29 residents.

***Landowners:*** There are numerous landowners within the annexation territory.

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

***Zoning, Present and Future Land Use:*** The current zoning is R-7,000; single-family residential with a minimum lot size of 7,000 square feet. The present and proposed land is residential.

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

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

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

**CEQA:** As a responsible agency, the Commission relied upon the mitigated negative declaration adopted by the City of Lancaster for its approval of this proposal.

**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 annexation proceedings if a majority protest exists, ordering Annexation No. 335 to Los Angeles County Sanitation District No. 14 directly or ordering the annexation 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**  
**ANNEXATION NO. 335 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 14**

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

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 37 existing single-family homes; and

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

WHEREAS, the territory consists of 10.158± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is “Annexation No. 335 to County Sanitation District No. 14”; and

WHEREAS, on April 8, 2009, the Commission approved Annexation No. 335 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set May 27, 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 annexation directly or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 10 and the number of property owners is 30 and the total assessed value of land within the affected territory is \$8,090,820.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 14-335 and not withdrawn is \_\_\_\_, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits "A" and "B" hereto, to the Los Angeles County Sanitation District No. 14.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
  - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 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 27<sup>th</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**

**Staff Report**

**May 27, 2009**

**Agenda Item No. 4b**

**Protest Hearing on Annexation No. 338 to  
Los Angeles County Sanitation District No. 14**

On April 8, 2009 your Commission approved a request initiated by Los Angeles County District No. 14 to annex 80.655± acres of inhabited territory into the boundaries of District No. 14. The Protest Hearing before you today will satisfy the requirements of Government Code section 57000, *et seq.*

The annexation proposal is summarized as follows:

***Proposal Area:*** The annexation consists of 238 existing single-family homes, located within a residential community.

***Population:*** The current population is 116 residents.

***Landowners:*** There are numerous landowners within the annexation territory.

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

***Zoning, Present and Future Land Use:*** The current zoning is R-10,000; single-family residential with a minimum lot size of 10,000 square feet. The present and proposed land is residential.

***Surrounding Land Use:*** The surrounding land use is residential to the south and vacant to the north, east, and west.

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

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

**CEQA:** As a responsible agency, the Commission relied upon the two separate negative declarations adopted by the City of Lancaster for its approval of this proposal.

**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 annexation proceedings if a majority protest exists, ordering Annexation No. 338 to Los Angeles County Sanitation District No. 14 directly or ordering the annexation 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**  
**ANNEXATION NO. 338 TO**  
**LOS ANGELES COUNTY SANITATION DISTRICT NO. 14**

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

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 238 existing single-family homes; and

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

WHEREAS, the territory consists of 80.655± acres and is inhabited; and

WHEREAS, the short-form designation given this proposal is “Annexation No. 338 to County Sanitation District No. 14”; and

WHEREAS, on April 8, 2009, the Commission approved Annexation No. 338 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set May 27, 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 annexation directly or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters within the boundary of the territory is 56 and the number of property owners is 125 and the total assessed value of land within the affected territory is \$45,430,535.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 14-338 and not withdrawn is \_\_\_\_, which, even if valid, represents less than 25 percent of the number of registered voters residing within the boundaries of the affected territory, and less than 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of the territory described in Exhibits “A” and “B” hereto, to the Los Angeles County Sanitation District No. 14.
4. Pursuant to Government Code section 56886, the annexation shall be subject to the following terms and conditions:
  - a. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as the Los Angeles County Sanitation District No. 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 27<sup>th</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**



**Staff Report**

**April 22, 2009**

**Agenda Item No. 5a**

**GOVERNMENT CODE § 56857 NOTICES**

**(For Informational Purposes Only, Receive and File)**

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, Government Code section 56857 requires LAFCO to place the proposal on its agenda for informational purposes only. Within 60 days of the meeting date, the annexing district may adopt and submit to LAFCO a resolution requesting termination of the annexation proceedings. The law requires that the annexing district "present written findings supported by substantial evidence in the record that the termination request is justified by a financial or service related concern." Prior to the Commission's determination of termination of proceedings the resolution is subject to judicial review.

Waiver of 60-Day Termination Period

Under section 56857, LAFCO may not hear and consider the proposed annexation until the 60-day termination period has expired. The Code provides, however, that the Commission may waive the 60-day termination period if the annexing district adopts and submits to LAFCO a resolution supporting the change of organization or reorganization.

The following is a summary of the annexation proposal filed with LAFCO:

a. *Project Description – Annexation No. 2006-12*

Darren Proulx, landowner filed an application to annex 20.35 acres of vacant land into the boundary of Los Angeles County Waterworks District No. 40 for the future construction of 80 single-family homes.

*Project Location* - The project site is located at the north of Avenue J between 35<sup>th</sup> and 40<sup>th</sup> Street East, in the City of Lancaster.

**Recommended Action**

Receive and file.

**Staff Report**

**May 27, 2009**

**Agenda Item No. 6a**

**Los Angeles County Waterworks District No. 37  
Annexation No. 2006-51**

The proposal before you is a request to annex uninhabited territory into the boundary of the Los Angeles County Waterworks District No. 37.

**Proposal Area:** The project site consists of 20± acres of land.

**Location:** The site is generally located near Aliso Canyon Road and Avenue Y-8 in the unincorporated area known as Acton.

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

1. *Population:* The current population is 0.
2. *Landowner:* Francisco Soltera
3. *Topography, Natural Boundaries and Drainage Basins:* The terrain consists of hills, desert and vacant land.
4. *Zoning, Present and Future Land Use:* The subject territory is currently zoned as R7-Low Density-Single-Family Residential, the future or proposed land use will remain the same. The subject territory is consistent with current County General Plans. The subject territory is proposed to be developed as one single family dwelling unit.
5. *Surrounding Land Use:* The surrounding territory is vacant and existing residential.
6. *Assessed Value:* The total assessed value is \$155,000.00.
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 sufficient water supply to meet the needs of the proposal area.
9. *Effects on agricultural or open-space lands:* There are no agricultural or open space lands within the subject territory, therefore, the proposal will have no effect on agricultural or open space lands.

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. 37.
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 alternate courses of action at this time.

**CEQA:** In accordance with the provisions of the California Environmental Quality Act (CEQA), an initial study and Negative Declaration were prepared and circulated for review beginning April 09, 2009. The review period ended on April 29, 2009. Your Commission, acting as lead agency, must consider and adopt the Negative Declaration before it approves this proposal. Comments received, if any, will be provided to your Commission for its consideration along with the Negative Declaration. No comments have been received to date.

The Local Agency Formation Commission for Los Angeles County, as lead agency, has filed a Notice of Intent to Adopt a Negative Declaration.

**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. 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 with one single-family home. Annexation will allow future residents to receive a reliable source of water.

**Recommended Action:**

1. Consider the Negative Declaration, together with any comments received during the public review process, find that the proposal will not have a significant effect on the environment, find that the Negative Declaration reflects the independent judgment of the Commission, and adopt the Negative Declaration.
2. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2006-51 to Los Angeles County Waterworks District No. 37.

**RESOLUTION NO. 2009-00RMD**  
**RESOLUTION OF THE LOCAL AGENCY FORMATION**  
**COMMISSION FOR LOS ANGELES COUNTY**  
**MAKING DETERMINATIONS APPROVING AND ORDERING**  
**“ANNEXATION NO. 2006-51 TO THE**  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 37”**

WHEREAS, an application for the proposed annexation of certain territory in the unincorporated territory of Los Angeles County known as Acton to the Los Angeles County Waterworks District No. 37, 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 20± acres of uninhabited territory in the unincorporated county territory of Acton, and is assigned the following distinctive short form designation: "Annexation No. 2006-51 to Los Angeles County Waterworks District No. 37;" 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 27, 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 lead agency with respect to Annexation 2006-51 to Los Angeles County Waterworks District No. 37, pursuant to State CEQA Guidelines Section 15074(b), has considered the Negative Declaration, together with any comments received during the public review process, finds that the proposal will not have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment of the Commission, and has adopted the Negative Declaration.

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. 37 may legally impose.
- b. The regular County assessment roll is utilized by the Los Angeles County Waterworks District No. 37.

- c. The territory will not be taxed for existing bonded indebtedness of the Los Angeles County Waterworks District No. 37.

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. 37.

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 27<sup>th</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**



**Staff Report**

**May 27, 2009**

**Agenda Item No. 6b**

**Los Angeles County Waterworks District No. 40  
Annexation No. 2004-16**

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 57.60± acres of vacant land.

**Location:** The site is located at the southeast corner of Avenue J and 45<sup>th</sup> Street West, in the City of Lancaster.

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

1. *Population:* The current population is 0.
2. *Landowner:* Cph Lancaster 237, LLC.
3. *Topography, Natural Boundaries and Drainage Basins:* The terrain is generally flat with no natural drainage and minor low lying shrubs.
4. *Zoning, Present and Future Land Use:* The territory is zoned R-7000 with a General Plan designation of Urban Residential. The present land use is vacant, and future use will consist of 240 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 \$838,318.00
7. *Governmental Services and Control, Availability and Adequacy:*  
The City of Lancaster 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 Lancaster Department of Community Development, 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 240 single-family homes. Annexation will allow future residents to receive a reliable source of water.

**Recommended Action:**

1. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2004-16 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. 2004-16 TO THE**  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40"**

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

WHEREAS, the proposed annexation consists of 57.60± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2004-16 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 27, 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 2004-16 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 Lancaster Department of Community Development, 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 City of Lancaster Department of Community Development, 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.

Resolution No. 2009-00RMD  
Page 4

PASSED AND ADOPTED this 27<sup>h</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**

**Staff Report**

**May 27, 2009**

**Agenda Item No. 6c**

**Los Angeles County Waterworks District No. 40  
Annexation No. 2006-22**

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 67.49± acres of vacant land.

**Location:** The site is located at the northwest corner of Avenue I and 40<sup>th</sup> Street West, in the City of Lancaster.

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

1. *Population:* The current population is 0.
2. *Landowner:* Prime West 40 Lp.
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 with the exception of 1 single family home. The future use will consist of 263 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 \$3,381,119.
7. *Governmental Services and Control, Availability and Adequacy:* The City of Lancaster 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 Lancaster Department of Community Development, as lead agency, adopted two Mitigated Negative Declarations for the project, one for each Tract Map included in 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 263 single-family homes. Annexation will allow future residents to receive a reliable source of water.

**Recommended Action:**

1. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2006-22 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. 2006-22 TO THE**  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40"**

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

WHEREAS, the proposed annexation consists of 67.49± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2006-22 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 27, 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 2006-25 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 two Mitigated Negative Declarations adopted by the City of Lancaster Department of Community Development, as lead agency, and has determined that the documents 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 Lancaster Department of Community Development, 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.

Resolution No. 2009-00RMD  
Page 4

PASSED AND ADOPTED this 27<sup>h</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**

**Staff Report**

**May 27, 2009**

**Agenda Item No. 6d**

**Los Angeles County Waterworks District No. 40  
Annexation No. 2006-25**

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 12.70± acres of vacant land.

**Location:** The site is located at the southwest corner of Avenue J-4 and 27<sup>th</sup> Street East, in the City of Lancaster.

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

1. *Population:* The current population is 0.
2. *Landowner:* Eastside School District.
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 an elementary school.
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 \$0.
7. *Governmental Services and Control, Availability and Adequacy:* The City of Lancaster 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 Eastside Union School District, as lead agency, adopted an Environmental Impact Report 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 an elementary school. Annexation will allow the campus to receive a reliable source of water.

**Recommended Action:**

1. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2006-25 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. 2006-25 TO THE**  
**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40"**

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

WHEREAS, the proposed annexation consists of 12.70± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2006-25 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 27, 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 2006-25 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 Environmental Impact Report certified by Eastside Union School District, 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 certified by Eastside School District, 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 27<sup>h</sup> day of May 2009.

Ayes:

Noes:

Absent:

Abstain:

**Local Agency Formation Commission  
For The County Of Los Angeles**

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**SANDOR L. WINGER,  
Executive Officer**

## **Staff Report**

### **Agenda Item No. 7a.,1)**

#### **Executive Officer Recommendation for a Consultant to Perform a Comprehensive Fiscal Analysis (CFA) for the Proposed East Los Angeles Incorporation**

#### **Background**

As we have previously advised your Commission, the chief petitioners for the proposed incorporation of the unincorporated community of East Los Angeles have collected more than the required minimum signatures of 25% of the registered voters living within the proposed incorporation territory to initiate incorporation proceedings before your Commission.

In accordance with the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000, the Executive Officer must now perform or have performed a Comprehensive Fiscal Analysis (CFA) of the proposed incorporation per Government Code section 56800.

#### **RFP History**

On October 30, 2008, LAFCO issued a Request for Proposals (RFP) to qualified consulting firms to provide up to three CFAs for the possible incorporations of the East Los Angeles, Rowland Heights, and West Ranch communities.

After issuance of the RFP, it was determined that the communities of West Ranch and Rowland Heights would not provide timely petition submittals, and therefore, letters were sent on January 7, 2009, to all proposers amending the original RFP to request a proposal for the proposed East Los Angeles incorporation effort only. The letter further extended the RFP response deadline to January 23, 2009.

LAFCO received four proposals from the following consultants:

1. Economic & Planning Systems, Inc. (EPS)
2. PMC
3. Public Financial Management, Inc. (PFM)
4. ROSENOW SPEVACEK GROUP, INC. (RSG)

## **Selection Process**

Pursuant to the RFP, the proposals were evaluated based upon the following weighted criteria:

- |  |            |
|--|------------|
| 1. Experience and Organizational Resources | 300 Points |
| 2. Approach to Contract Requirements       | 200 Points |
| 3. Price                                   | 500 Points |

Each of these criteria was divided into a number of factors, with each factor being assigned a maximum number of points.

Each proposal was individually evaluated by three LAFCO staff members (Raters 1, 2, and 3). For each proposal, the three Raters' scores were added together and then divided by three to arrive at the Pre-Interview Evaluation Scores.

The proposers, and their respective not-to-exceed fee, labor hours and Pre-Interview Evaluation Scores are as follows:

<u>Company</u>	<u>Not-to- Exceed Fee</u>	<u>Labor Hours</u>	<u>Pre-Interview Evaluation Scores</u>
1. EPS	\$ 134,710	686	790
2. RSG	\$ 109,720	716	707
3. PFM	\$ 50,490	283	512
4. PMC	\$ 217,310	1182	349

The RFP provides that: "Based on the evaluation scoring, up to three firms with the highest scores will be selected for follow up interviews". Based on staff's evaluation and in accordance with the RFP's requirements, EPS and RSG, as the proposers with the highest evaluation scores, were invited for interviews.

## **Interviews**

As a result of the interviews and the clarifications provided by the two proposers during the interviews, the evaluation scores were adjusted for both EPS and RSG as follows:

	<b><u>Evaluation Scores</u></b>	
	<b><u>Initial</u></b>	<b><u>Post-Interview</u></b>
<b>EPS</b>	790	800
<b>RSG</b>	707	727

Based upon the selection process, EPS has the proposal with the highest score. EPS has agreed to accept all contract requirements contained in LAFCO's standard form consultant contract, but, has requested that its responsibility for indemnifying LAFCO be limited to the negligent performance of its services. The Executive Officer recommends accepting this modification.

## **Recommendations**

1. It is the recommendation of the Executive Officer that Economic & Planning Systems, Inc. (EPS) be selected as the consultant for the preparation of the Comprehensive Fiscal Analysis for the East Los Angeles incorporation application.
2. Authorize the Executive Officer, at such time as the East Los Angeles incorporation proponents have deposited with LAFCO the sum of \$134,710, to enter into an Agreement for Consulting Services with EPS for a not-to-exceed fee of \$134,710 in substantially similar form to the attached Agreement.