

**LOCAL AGENCY FORMATION COMMISSION
MEETING AGENDA**

Wednesday, October 14, 2009
9:00 a.m.

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

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

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. City of Rancho Palos Verdes – Reorganization No. 2009-02.
 - b. Antelope Valley Mosquito and Vector Control District – Annexation No. 2008-10.
 - c. Los Angeles County Waterworks District No. 40 – Annexation No. 2006-47.
- 4. PROTEST HEARINGS**
 - a. Los Angeles County Sanitation District No. 14 – Annexation No. 373.
 - b. Los Angeles County Sanitation District No. 15 – Annexation No. 290.
 - c. Santa Clarita Valley Sanitation District of Los Angeles County – Annexation No. 1022.
 - d. City of Diamond Bar – Annexation No. 2007-20 (Crestline Drive).

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 Sanitation District No. 14 – Annexation No. 396.
- b. Los Angeles County Sanitation District No. 20 – Annexation No. 90.
- c. Los Angeles County Sanitation District No. 20 – Annexation No. 92.
- d. Los Angeles County Sanitation District No. 22 – Annexation No. 394 (**Continued from the September 9, 2009 Meeting**).
- e. Los Angeles County Sanitation District No. 22 – Annexation No. 397.
- f. Los Angeles County Sanitation District No. 22 – Annexation No. 398.
- g. Los Angeles County Waterworks District No. 40 – Annexation No. 2006-18.
- h. Approve Minutes of September 9, 2009.
- i. Operating Account and Check Register of the month of September 2009.
- j. Receive and file update on pending applications.

6. **OTHER ITEMS**

- a. Incorporation Report:
 - 1) East Los Angeles.
Report and Recommendation on Incorporation Funding.
 - 2) Rowland Heights.
- b. 2009 CALAFCO Distinguished Service Award Support for Nomination of Bob Braitman.

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**

November 11, 2009 (**Meeting cancelled due to Veteran's Day Holiday**)

November 18, 2009 (**Special Meeting for November**)

December 9, 2009

January 13, 2009

February 10, 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

October 14, 2009

Agenda Item No. 3a

City of Rancho Palos Verdes Reorganization No. 2009-02

Agenda Item No. 3a is a proposal requesting reorganization of approximately 440 square feet (0.010 acre) of uninhabited territory between the Cities of Rolling Hills Estates and Rancho Palos Verdes. The applicant of record is the City of Rancho Palos Verdes.

Related Jurisdictional Changes: Jurisdictional boundary changes include detachment of the subject territory from the City of Rolling Hills Estates and annexation of the same said territory to the City of Rancho Palos Verdes. The proposal also includes amendment of the sphere of influence boundaries of both cities.

Background: The subject territory is a portion of a legal lot that is primarily within the City of Rancho Palos Verdes' jurisdiction. The proposal area is part of a former 1.25-acre Verizon facility. The City of Rancho Palos Verdes has approved development of a 28-unit condominium project on the site.

Purpose of Request: Rancho Palos Verdes' request is to correct an error in the boundary between the two cities that cuts off part of a legal lot and a portion of the entire development site. Approval would allow development of the project under a single governmental jurisdiction.

Location: The general location of the subject territory is 28220 Highridge Road, Rolling Hills Estates.

Factors of Consideration Pursuant to Government Code Section 56668:

1. **Population:** The current population of the subject territory is 0. Upon completion of the development project, the estimated population will be 78.
2. **Registered Voters/Landowners:** As of March 27, 2009, the County Registrar-Recorder-County Clerk certified that there were no registered voters residing within the subject territory.
3. **Topography, Natural Boundaries and Drainage Basins:** The site is a gently sloping lot. There are no natural features within the proposal area.
4. **Zoning, Present and Future Land Use:** The site is currently improved with an abandoned 818 square foot Verizon facility and is proposed to be developed with a 28-unit condominium project. The current zoning designation is I (Institutional).
5. **Surrounding Land Use:** Land uses to the northeast, northwest, and southwest are multiple-family residential. To the southeast is a church.

6. ***Pre-zoning and Conformance with the General Plan:*** The City of Rancho Palos Verdes adopted a rezoning ordinance for the subject territory (Ordinance No. 483U) on February 17, 2009, designating the subject territory as RM-22 (Residential Multi-family, 22 dwelling units per acre).
7. ***General Plan Consistency:*** The proposed zoning is consistent with the City of Rancho Palos Verdes General Plan.
8. ***Assessed Value, Tax Transfer:*** There is no assessed land value available. All agencies have adopted a tax transfer resolution.
9. ***Governmental Services and Control, Availability and Adequacy:***
 - a. **Fire and Emergency Services:** There will be no change in service. Fire and emergency medical response services are provided to both cities by the Los Angeles County Fire Department. Services provided are adequate.
 - b. **Flood Control:** Flood control services will continue to be provided by the County Flood Control District; however, in some cases the City of Rancho Palos Verdes provides flood control. Services provided will be adequate.
 - c. **Library:** There will be no change in service. Library service is provided to both cities by the Palos Verdes Library District. Services provided are adequate.
 - d. **Park & Recreational Services:** No significant change in service is anticipated given the size of the subject territory. Upon approval of annexation and development, the City of Rancho Palos Verdes will provide park and recreational services to future residents. The developer will be required to pay park fees as a condition of approval of the final tract map.
 - e. **Police:** There will be no change in service. Law Enforcement is provided to both cities by the Los Angeles County Sheriff's Department.
 - f. **Solid Waste Services:** Upon annexation, solid waste disposal services will be provided by the City of Rancho Palos Verdes through contract with Waste Management, a private hauler. Services provided will be adequate.
 - g. **Street Lighting and Road Maintenance:** Upon approval, street lighting services will be provided by the City of Rancho Palos Verdes. Services provided will be adequate.

There will be no change in road maintenance service, since the subject site is served by a roadway currently maintained by the City of Rancho Palos Verdes. Services provided are adequate.
 - h. **Water:** There will be no change in service. The California Water Service Company provides water to all four cities on the Palos Verdes Peninsula.

- i. **Wastewater Service:** The subject territory is within the jurisdiction of the Los Angeles County Sanitation District No. 5 service area. The area will be detached from the District and annexed to the South Bay Cities Sanitation District , which provides wastewater service to the area.
- 10. *Effects on Agricultural and Open-Space Lands:*** The proposal will not impact agricultural or open-space lands.
- 11. *Boundaries and Lines of Assessment:*** The boundaries of this territory have been clearly defined and will correspond to lines of assessment and ownership upon annexation of the subject territory. The proposal does not create any new islands of unincorporated county territory.
- 12. *Effects of the Proposal on Adjacent Areas and the County:*** The impact of the proposal to adjacent areas will be less than significant given that it is a small area. The alternative governmental option would be to deny annexation of the subject territory, which would remain in the City of Rolling Hills. If the Commission were to deny the proposal, the development project would need to be approved by two governmental jurisdictions.
- 13. *Conformity with Policies on Planned and Orderly Growth:*** The proposed annexation provides for planned, orderly, and efficient patterns of urban development, and is not reasonably expected to induce, facilitate or lead to the conversion of existing open-space lands to uses other than open-space uses. The subject territory is within an established community that is built-out. Other than in-fill development projects, such as that proposed on the subject territory, annexation will not contribute to significant growth.
- 14. *Sphere of Influence:*** The subject territory is currently within the City of Rolling Hills Estates' sphere of influence. Upon amendment, the proposal will reflect the territory to be in the City of Rancho Palos Verdes' sphere of influence.
- 15. *Timely Availability of Water Supplies:*** Water is already provided to the site and there is adequate water available to service the proposed development.
- 16. *Regional Housing Needs:*** The City of Rancho Palos Verdes' RHNA allocation is 37 affordable units and 23 market-rate units. The approved project will provide 2 affordable units and 26 market-rate units.
- 17. *Environmental Justice:*** There are no issues regarding environmental justice.
- 18. *Comments from Affected Agencies:*** There were no concerns from affected agencies.
- 19. *Correspondence:*** Staff has received no correspondence regarding this reorganization proposal.

CEQA: As Lead Agency, the City of Rancho Palos Verdes adopted a Mitigated Negative Declaration for the project and filed a Notice of Determination with the Registrar Recorder/County Clerk on November 6, 2008.

Protest Proceedings: All of the owners of land and all subject agencies have consented to the waiver of protest proceedings, pursuant to Government Code Section 56663(c), and therefore, the Commission may waive protest proceedings in their entirety.

Conclusion:

Staff recommends approval of this annexation request. The annexation is a logical and reasonable extension of the City of Rancho Palos Verdes boundary.

Recommended Action:

- 1) Open the public hearing and receive testimony on the proposed reorganization.
- 2) There being no further testimony, close the public hearing.
- 3) Adopt the Resolution making determinations approving and ordering City of Rancho Palos Verdes Reorganization No. 2009-02 and amending the Spheres of Influence of each city.

RESOLUTION NO. 2009-__ RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"CITY OF RANCHO PALOS VERDES REORGANIZATION NO. 2009-02" AND
AMENDING THE SPHERES OF INFLUENCE OF THE
CITIES OF ROLLING HILLS ESTATES AND RANCHO PALOS VERDES

WHEREAS, the City of Rancho Palos Verdes (the "City") 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 reorganization of territory herein described as the detachment of territory from the City Rolling Hills Estates, and annexation of said territory to the City of Rancho Palos Verdes; and

WHEREAS, the proposed reorganization consists of 0.010 acres of uninhabited territory and is assigned the following distinctive short form designation: "City of Rancho Palos Verdes Reorganization No. 2000-02;" 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 reorganization is to correct an error in boundaries between the two cities and to allow the City of Rancho Palos Verdes single-governmental jurisdiction over the proposed development of a 28-unit condominium project; and

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

WHEREAS, on October 14, 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. The Commission, acting in its role as a responsible agency with respect to Reorganization No. 2009-02 pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15096, certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the proposed project and Mitigated Negative Declaration adopted by the City of Rancho Palos Verdes as lead agency, 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 the Cities of Rancho Palos Verdes and Rolling Hills Estates, to remove the territory described in Exhibits A and B from the sphere of influence of the City of Rolling Hills Estates and to add the same territory to the City of Rancho Palos Verdes' sphere of influence and make the following determinations in accordance with Government Code Section 56425:
 - a. Present and planned land uses in the area:
The subject territory is a portion of a legal parcel that includes an abandoned public utility facility. The City of Rancho Palos Verdes has approved future construction of a 28-unit condominium in-fill project. No future change in land use is anticipated because the area is built-out.
 - b. Present and probable need for public facilities and services:
Upon construction of the proposed condominium project, additional services will need to be provided. The City of Rancho Palos Verdes maintains the services that are provided and those services are adequate.
 - c. The present capacity of public facilities:
The current service needs are minimal. Upon reorganization and development of the proposed project, there will be an increased demand in services to the proposed area. Rancho Palos Verdes has the ability to provide the increased services.

- d. The existence of any social or economic communities of interest:
The subject territory is within the City of Rancho Palos Verdes' social and economic communities of interest.
3. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits A and B, attached hereto and by this reference incorporated herein.
4. The affected territory consists of 0.010 acre, is uninhabited, and is assigned the following short form designation:

“City of Rancho Palos Verdes Reorganization No. 2009-02”
5. City of Rancho Palos Verdes Reorganization No. 2009-02 is hereby approved, subject to the following terms and conditions:
 - a. Detachment of the territory described in Exhibits A and B from the City of Rolling Hills Estates.
 - b. Annexation of the territory described in Exhibits A and B to the City of Rancho Palos Verdes.
 - c. The territory so reorganized shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the City of Rancho Palos Verdes.
 - d. The regular County assessment roll shall be utilized by the City of Rancho Palos Verdes.
 - e. The territory will not be taxed for existing bonded indebtedness of the City of Rancho Palos Verdes.
6. Pursuant to Government Code Section 56663(c), the Commission hereby finds and determines that:
 - i. The territory to be reorganized is uninhabited;
 - ii. All owners of land within the affected territory have given their written consent to the reorganization; and

- iii. No subject agency has submitted written opposition to a waiver of protest proceedings.

Based thereon, protest proceedings are waived.

7. The Commission hereby orders City of Rancho Palos Verdes Reorganization No. 2009-02, subject to the terms and conditions set forth in paragraph 5, above.
8. The Executive Officer is directed to transmit a certified copy of this resolution to the City of Rancho Palos Verdes, upon the City'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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER, Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 3b.

**Antelope Valley Mosquito and Vector Control District
Annexation No. 2008-10**

The proposal before you is a request to annex inhabited territory into the boundary of the Antelope Valley Mosquito and Vector Control District.

Proposal Area: The project site consists of 14,120± acres of land.

Location: The site is generally located between Avenue K to the north, 10th Street West to the east, Elizabeth Lake Road to the south, and Bouquet Canyon Road to the west. The 14,120 acres include small portions of unincorporated county territory, small portions of the City of Lancaster, and greater portions of the City of Palmdale.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The current population is 38,742.
2. ***Landowner:*** There are numerous landowners within the annexation area.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The terrain is generally flat.
4. ***Zoning, Present and Future Land Use:*** The present land use consists of a mixture of residential, commercial, and industrial developments. There is no proposed change in land use for the subject territory.
5. ***Surrounding Land Use:*** The surrounding territory is a mixture of residential, commercial, industrial, and vacant land.
6. ***Assessed Value:*** The total assessed value is \$1,711,627,837.
7. ***Governmental Services and Control, Availability and Adequacy:***
The subject territory is all within the unincorporated county territory, the City of Lancaster, and the City of Palmdale. Municipal services to the subject territory will be provided as outlined in the County and City's General Plans.
8. ***Effects on agricultural or open-space lands:*** Currently, there is no open space, or agricultural lands within the subject or surrounding territory.
9. ***Boundaries and Lines of Assessment:*** The boundary of the proposed annexation conforms to recorded lines of assessment.

10. ***Sphere of Influence:*** The subject territory is within the sphere of influence of Antelope Valley Mosquito and Vector Control District.

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

12. ***Correspondence:*** No correspondence has been received.

Alternate Course of Action: There are no foreseeable alternate courses of action.

CEQA: Antelope Valley Mosquito and Vector Control District, as lead agency, adopted a Negative Declaration for the project.

Conclusion: The subject territory is currently being serviced by the district. This annexation has been proposed in order to offset the financial burden the district is experiencing as a result of the service being provided. Annexation will ensure that current residents continue to receive mosquito abatement and vector control services.

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 Resolution Making Determinations Approving Annexation No. 2008-10 to Antelope Valley Mosquito and Vector Control District.
4. Pursuant to Government Code Section 57002, set November 18, 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. 2008-10 TO THE
ANTELOPE VALLEY MOSQUITO AND VECTOR DISTRICT"

WHEREAS, an application for the proposed annexation of certain territory in unincorporated county territory, the City of Lancaster, and the City of Palmdale to the Antelope Valley Mosquito and Vector Control District, has been filed with the Executive Officer of the Local Agency Formation Commission for Los Angeles County (the "Commission"), pursuant to Title 5, Division 3, commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposed annexation consists of 14,120 ± acres of inhabited territory in unincorporated county territory, the City of Lancaster, and the City of Palmdale, and is assigned the following distinctive short form designation: "Annexation No. 2008-10 to the Antelope Valley Mosquito and Vector Control 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 mosquito and vector control services to inhabitants of the subject territory; and

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

WHEREAS, on October 14, 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. The Commission, acting in its role as a responsible agency with respect to Annexation 2008-10 to the Antelope Valley Mosquito and Vector Control 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 Antelope Valley Mosquito and Vector Control 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 the Antelope Valley Mosquito and Vector Control District, in connection with its approval of the project.

2. 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 Antelope Valley Mosquito and Vector Control District may legally impose.

- b. The regular County assessment roll is utilized by the Antelope Valley Mosquito and Vector Control District.
 - c. The territory will be taxed for existing bonded indebtedness of the Antelope Valley Mosquito and Vector Control District.
3. The Commission hereby sets the protest hearing for November 18, 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 the resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED this 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**SANDOR L. WINGER,
Executive Officer**

Staff Report

October 14, 2009

Agenda Item No. 3c.

**Los Angeles County Waterworks District No. 40
Annexation No. 2006-47**

The proposal before you is a request to annex 16.5± acres of uninhabited territory into the boundary of the Los Angeles County Waterworks District No. 40.

Proposal Area: The project site consists of 20 existing homes and vacant land.

Location: The site is located at the northeast corner of Kettering and 20th Street East, in the City of Lancaster.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The current population is 37.
2. ***Landowner:*** Cambridge Homes, Inc.
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 and the present land use is single family residential and vacant. Future land use will consist of 80 single family homes.
5. ***Surrounding Land Use:*** The surrounding territory is single family residential and vacant land.
6. ***Assessed Value:*** The total assessed value is \$1,200,000.
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, as lead agency, adopted a Negative Declaration for the project.

Conclusion: The subject territory will be developed into 80 single family homes. Currently 20 homes have been built and sold. The remaining 60 home will be constructed at a later date. Annexation will allow inhabitants to receive a reliable source of water.

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 Resolution Making Determinations Approving Annexation No. 2006-47 to Los Angeles County Waterworks District No. 40.
4. Pursuant to Government Code Section 57002, set November 18, 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. 2006-47 TO
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 16.5 ± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2006-47 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 inhabitants of the subject territory; and

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

WHEREAS, on October 14, 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. The Commission, acting in its role as a responsible agency with respect to Annexation 2006-47 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 Negative Declaration adopted by the City of Lancaster, 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 the City of Lancaster, in connection with its approval of the project.

2. 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.

3. The Commission hereby sets the protest hearing for November 18, 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 the resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED this 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**SANDOR L. WINGER,
Executive Officer**

Staff Report

October 14, 2009

Agenda Item No. 4a.

**Protest Hearing on Annexation No. 373 to
Los Angeles County Sanitation District No. 14**

On September 9, 2009 your Commission approved a request initiated by Los Angeles County District No. 14 to annex 8.880± 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 vacant land, located within a commercial area. The subject territory consists of three parcels. The territory is currently being developed to include one proposed warehouse (Parcel 1), one proposed office building (Parcel 2), and two proposed commercial buildings (Parcel 3). All three parcels are located within the City of Lancaster.

Population: The current population is 0.

Landowner(s): Dennis & Kathleen Pursley; Eliopulos Plaza, LLC; Caesars Plaza, LLC; Robert & Janice Stephens.

Topography, Natural Boundaries and Drainage Basins: The topography is sloped 25% in a northerly direction.

Zoning, Present and Future Land Use: The current zoning is LI; Light Industrial. The present land use is vacant. The proposed land use is commercial.

Surrounding Land Use: The surrounding land use is commercial, vacant, and light industrial.

Governmental Services and Control, Availability and Adequacy: 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 Lancaster Water Reclamation Plant (LWRP) 2020 Facilities Plan. The wastewater generated by the proposed project will be treated at the LWRP. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be 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: Annexation of the one proposed warehouse and two proposed commercial buildings is categorically exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15332, because it consists of in-fill development within the City limits of five acres or less, which is consistent with the City's general plan and does not result in any significant environmental impacts. As a responsible agency, the Commission relied upon the mitigated negative declaration for the one proposed office building adopted by the City of Palmdale 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 the 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 or order Annexation No. 373 to Los Angeles County Sanitation District No. 14 directly if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

RESOLUTION NO. 2009-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 373 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 one proposed warehouse, one proposed office building, and two proposed commercial buildings; 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 8.880± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 373 to County Sanitation District No. 14"; and

WHEREAS, on September 9, 2009, the Commission approved Annexation No. 373 to County Sanitation District No. 14; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set October 14, 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 6 and the total assessed value of land within the affected territory is \$1,097,528.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 373 to County Sanitation District No. 14 and not withdrawn is ____, which, even if valid, represents owners of land who also own less than 50 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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER,
Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 4b.

**Protest Hearing on Annexation No. 290 to
Los Angeles County Sanitation District No. 15**

On September 9, 2009 your Commission approved a request initiated by Los Angeles County District No. 15 to annex 2.078± acres of uninhabited territory into the boundaries of District No. 15. 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 two existing single-family homes, located within a residential community. The subject territory consists of two parcels. Parcel 1 is located on Turnbull Canyon Road approximately 450 feet southeast of La Mesita Drive. Parcel 2 is located on Vallecito Drive approximately 200 feet south of Sonnet Place. Both parcels are within the unincorporated community of Hacienda Heights.

Population: The current population is 2 residents.

Landowner(s): US Bank Na Series 2006-CB8 C/O Litton Servicing, LP; Sam Abuzalaf.

Topography, Natural Boundaries and Drainage Basins: The topography has an existing residual slope of 30%.

Zoning, Present and Future Land Use: The current zoning is A-1-1; Light Agricultural with a minimum lot size of one acre. The present and proposed land use is residential.

Surrounding Land Use: The surrounding land use is non-urban residential and residential.

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 Joint Outfall System (JOS) 2010 Master Facilities Plan. The wastewater generated by the annexation is being treated by the JOS, which is comprised of 6 upstream water reclamation plants and the Joint Water Pollution Control Plant. The District 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: 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: Annexation of the two existing single-family homes is categorically 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 existing structures 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 the 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 or order Annexation No. 290 to County Sanitation District No. 15 directly if written protests have been filed and not withdrawn by the owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

RESOLUTION NO. 2009-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 290 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 15"

WHEREAS, the Los Angeles County Sanitation District No. 15 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. 15; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for two 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 2.078± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 290 to County Sanitation District No. 15"; and

WHEREAS, on September 9, 2009, the Commission approved Annexation No. 290 to County Sanitation District No. 15; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set October 14, 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 2 and the total assessed value of land within the affected territory is \$1,519,391.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 1022 to County Sanitation District No. 15 and not withdrawn is ____, which, even if valid, represents owners of land who also own less than 50 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. 15.
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. 15 may legally impose.
 - b. The regular County assessment roll shall be utilized by the Los Angeles County Sanitation District No. 15.
 - c. The subject territory will be taxed for existing bonded indebtedness, if any, of the Los Angeles County Sanitation District No 15.

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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**SANDOR L. WINGER,
Executive Officer**

Staff Report

October 14, 2009

Agenda Item No. 4c.

**Protest Hearing on Annexation No. 1022 to
The Santa Clarita Valley Sanitation District of Los Angeles County (SCVSD)**

On September 9, 2009 your Commission approved a request initiated by the Santa Clarita Valley Sanitation District of Los Angeles County to annex 2.907± acres of uninhabited territory into the boundaries of the SCVSD. 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 subject territory consists of two parcels. Parcel 1 is located on the southeast corner of Sand Canyon Road and Lost Canyon Road. Parcel 2 is located on Lost Canyon Road approximately 1,800 feet northeast of Sand Canyon Road. Both parcels are located within the City of Santa Clarita.

Population: The current population is 7 residents.

Landowner(s): Matthew D. Lynch; Sally Gasser; Anthony & Barbara Romo.

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

Zoning, Present and Future Land Use: The current zoning is RL; Residential Low with up to 2.2 dwelling units per acre. The present and proposed land use is residential.

Surrounding Land Use: The surrounding land use is residential.

Governmental Services and Control, Availability and Adequacy: The subject territory is already being serviced by the SCVSD. The area was included in the future service area that might be served by the SCVSD and the SCVSD's future wastewater management needs were addressed in the 2015 Santa Clarita Valley Joint Sewerage Facilities Plan and EIR. The wastewater generated by the annexation is being treated by the Santa Clarita Valley Joint Sewerage System, which is comprised of the Saugus and Valencia Water reclamation plants. The SCVSD 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: The subject territory is within the sphere of influence of the SCVSD.

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

CEQA: Annexation of the three existing single-family homes is categorically 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 existing structures 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 the 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 or order Annexation No. 1022 to the Santa Clarita Valley Sanitation District of Los Angeles County directly if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

RESOLUTION NO. 2009-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS ORDERING
ANNEXATION NO. 1022 TO THE SANTA CLARITA VALLEY
SANITATION DISTRICT OF LOS ANGELES COUNTY (SCVSD)

WHEREAS, the SCVSD 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 SCVSD; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for three 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 2.907± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 1022 to the Santa Clarita Valley Sanitation District of Los Angeles County"; and

WHEREAS, on September 9, 2009, the Commission approved Annexation No. 1022 to the SCVSD; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set October 14, 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of property owners is 4 and the total assessed value of land within the affected territory is \$1,344,377.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 1022 to the SCVSD and not withdrawn is ____, which, even if valid, represents owners of land who also own less than 50 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 SCVSD.
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 SCVSD may legally impose.
 - b. The regular County assessment roll shall be utilized by the SCVSD.
 - c. The subject territory will be taxed for existing bonded indebtedness, if any, of the SCVSD.

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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**SANDOR L. WINGER,
Executive Officer**

Staff Report

October 14, 2009

Protest Hearing

Agenda Item No. 4d

City of Diamond Bar Annexation No. 2007-20 (Crestline Drive)

Agenda Item No. 4d is a proposal requesting annexation of approximately 116.4 acres of inhabited unincorporated county territory to the City of Diamond Bar. The applicant of record is the City of Diamond Bar, the proposal having been initiated by City of Diamond Bar Resolution No. 2007-20, adopted on March 6, 2007. The application was received on February 8, 2008.

Related Jurisdictional Changes: Jurisdictional boundary changes include annexation of the subject territory to the City of Diamond Bar. Related jurisdictional changes include annexation to County Lighting Maintenance District 10006, withdrawal from County Lighting Maintenance District 1687, and detachment from County Road District No. 4 and County Road District No. 5.

Background: On September 9, 2009, the Commission approved the annexation request. There are a total of 163 parcels within the proposal area. The subject territory is developed primarily as a residential community of 151 single-family homes. Two differing residential developments exist within the project area: the north central portion contains 76 residential units along the ridgeline; the center of the project area contains a gated residential community with 75 units near the base of the canyon, surrounded by approximately 53 acres of open-space.

The southeast portion of the project area also contains 3.4 acres of commercial/industrial use, which includes a light industrial building occupied by the company Biodense Webster, a church and associated parking lot, and 18.5 acres of open-space. There is a total of 71 acres of open-space land.

Purpose of Request: The City states in their application that there are several reasons for requesting annexation: to create a more uniform, logical political city boundary; to offer a better community connection; area residents believe they are or should be in the City of Diamond Bar; annual tax receipts from the area were historically distributed to the City and later retained by the County; and property tax transfers fall below the threshold of significance from the County's perspective.

Location: The subject property is generally located in the southeast portion of Los Angeles County. It is bordered by Brea Canyon Cutoff Road to the north, Diamond Canyon Road and the Orange Freeway (CA-57) to the east, and hillside to the west.

Population: The estimated population of the annexation area is 575 residents. It is unlikely that there will be any significant population growth in the area since the area is already built out and open-space lands are undevelopable.

Registered Voters/Landowners: As of August 18, 2009, the County Registrar-Recorder-County Clerk certified that there are 249 registered voters residing within the subject territory.

Assessed Value: The total assessed value of land for Assessor Roll Year 2008 is \$99,082,678. The per capita assessed land valuation is \$172,318.

Written Protest: No written protests have been received from any affected landowners or registered voters regarding this request.

Conclusion:

Pursuant to Government Code Section 57075, the Commission may: (a) terminate proceedings if written protests have been filed and not withdrawn by 50 percent or more of the registered voters within the affected territory; (b) order the territory annexed subject to confirmation by the registered voters within the affected territory if written protests have been filed and not withdrawn by at least 25 percent or more of the registered voters or at least 25 percent or more of the number of landowners owning at least 25 percent of the total assessed value of land; or (c) order the territory annexed if written protests have been filed and not withdrawn by less than 25 percent of the registered voters or less than 25 percent of landowners who own less than 25 percent of the total assessed value of land.

Recommended Action:

- 1) Open the public hearing and receive any testimony and/or written protests regarding City of Diamond Bar Annexation No. 2007-20.
- 2) There being no further testimony or written protests, close the public hearing.
- 3) Based upon the results of the protest hearing, either terminate the annexation proceedings pursuant to Government Code Section 57078 if a majority protest exists, or adopt a resolution ordering annexation directly or ordering the annexation subject to confirmation by the registered voters of the affected territory.

RESOLUTION NO. 2009-__PR

**RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY ORDERING
CITY OF DIAMOND BAR ANNEXATION NO. 2007-20 (CRESTLINE DRIVE)**

WHEREAS, the City of Diamond Bar 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 annexation of the territory herein described to the City of Diamond Bar; and

WHEREAS, the principal reason for this annexation is to create a more orderly, uniform, and logical city boundary; 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 proposed annexation consists of 116.4 ± acres of inhabited unincorporated territory and is assigned the following distinctive short form designation: "City of Diamond Bar Annexation No. 2007-20;" and

WHEREAS, on September 9, 2009, the Commission approved Annexation 2007-20; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set October 14, 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 landowners within the boundary of the territory is 575, and the assessed valuation of land is estimated to be \$99,082,678.
2. The Commission finds that the number of written protests filed in opposition to Annexation No. 2007-20 and not withdrawn is 0 registered voters and 0 landowners, which, even if valid, represents less than 25 percent of the registered voters in the affected territory and less than 25 percent of the number of landowners owning less than 25 percent of the total assessed value of land within the affected territory.
3. The Commission hereby orders the annexation of that territory described in Exhibit "A" hereto, which description is incorporated herein by reference, as follows:
 - a. Annexation of the subject territory to the City of Diamond Bar;
 - b. Annexation of the subject territory to County Lighting Maintenance District 10006;
 - c. Withdrawal of the subject territory from County Lighting Maintenance District 1687;
 - d. Detachment of that portion of the subject territory in County Road District No. 4 from County Road District No. 4;
 - e. Detachment of that portion of the subject territory in County Road District No. 5 from County Road District No. 5;
4. Pursuant to Government Code section 56886, the detachment shall be subject to the following terms and conditions:
 - a. The territory shall be subject to the payment of such service charges, assessments or taxes as the City of Diamond Bar may legally impose.
 - b. The regular County assessment roll shall be utilized.
 - c. The subject territory will not be taxed for existing bonded indebtedness of the City of

Diamond Bar.

5. The Executive Officer is directed to transmit a certified copy of this resolution to the City Clerk of the City of Diamond Bar, upon the City'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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER, Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 5a.

**Annexation No. 396 to
County Sanitation District No. 14**

The following is a request to annex 1.564± acres of uninhabited territory to Los Angeles County Sanitation District No. 14.

Proposal Area: The annexation consists of one existing office building, located within a commercial area.

Location: The subject territory is located on the southwest corner of Sierra Highway and Avenue L-12 approximately 1,100 feet north of Columbia Way, all within the City of Lancaster.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The current population is 0.
2. ***Landowner(s):*** PL Holdings, LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is LI; Light Industrial. The present and proposed land use is commercial.
5. ***Surrounding Land Use:*** The surrounding land use is commercial and open space.
6. ***Assessed Value:*** The total assessed value is \$303,231.
7. ***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 is being treated at the LWRP. The District has adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or 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 is within the sphere of influence of District No. 14.

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

12. ***Correspondence:*** No correspondence has been received.

CEQA: Annexation of the one existing office building is categorically 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 existing structures developed to the density allowed by the current zoning.

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: Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.

Recommended Action:

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 396 to County Sanitation District No. 14.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 396 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 14"

WHEREAS, the County Sanitation District No. 14 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 in the City of Lancaster; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for one existing office building; 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 1.564± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 396 to County Sanitation District No. 14"; and

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

WHEREAS, on October 14, 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) and (b), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. The Commission finds that the proposed annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a).
3. Annexation No. 396 to the County Sanitation District No. 14 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.
 - c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.

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 County Sanitation District No. 14.
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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER, Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 5b.

**Annexation No. 90 to
County Sanitation District No. 20**

The following is a request to annex 10.303± acres of uninhabited territory to Los Angeles County Sanitation District No. 20.

Proposal Area: The annexation consists of vacant land, located in vacant and residential areas. The territory is currently being developed to include 41 proposed single-family homes.

Location: The subject territory is located on Chapelle Street approximately 600 feet south of Palmdale Boulevard and 600 feet west of 70th Street East, all within the City of Palmdale.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The estimated population is 102 residents.
2. ***Landowner(s):*** 65th Street East, LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is R-1-7,000; single-family residential with a minimum lot size of 7,000 square feet. The present land use is vacant. The proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is residential and vacant residential.
6. ***Assessed Value:*** The total assessed value is \$1,706,256.
7. ***Governmental Services and Control, Availability and Adequacy:*** 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 Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan. The wastewater generated by the proposed project will be treated at the PWRP. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or 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 is within the sphere of influence of District No. 20.

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

12. ***Correspondence:*** No correspondence has been received.

CEQA: The mitigated negative declaration adopted by the City of Palmdale is adequate for consideration of this proposal.

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 a written opposition to waiver of the protest proceedings.

Conclusion: It has been determined that, with the imposition of mitigation measures, the project will not have a significant effect on the environment. Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater generated by the subject territory.

Recommended Action:

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 90 to County Sanitation District No. 20.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 90 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 in the City of Palmdale; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 41 proposed 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 10.303± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 90 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 October 14, 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) and (b), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with respect to Annexation No. 90, 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 mitigated negative declaration adopted by the City of Palmdale 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.
3. Annexation No. 90 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.

- c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.
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 County Sanitation District No. 20.
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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**SANDOR L. WINGER,
Executive Officer**

Staff Report

October 14, 2009

Agenda Item No. 5c.

**Annexation No. 92 to
County Sanitation District No. 20**

The following is a request to annex 41.116± acres of uninhabited territory to Los Angeles County Sanitation District No. 20.

Proposal Area: The annexation consists of vacant land, located in a vacant residential community. The territory is currently being developed to include 165 proposed single-family homes.

Location: The subject territory is located on 57th Street East approximately 1,200 feet north of Avenue T, all within the City of Palmdale.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The estimated population is 577 residents.
2. ***Landowner(s):*** Union Pacific & 60th Street LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is R-1-7,000; single-family residential with a minimum lot size of 7,000 square feet. The present land use is vacant. The proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is residential and vacant residential.
6. ***Assessed Value:*** The total assessed value is \$2,436,831.
7. ***Governmental Services and Control, Availability and Adequacy:*** 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 Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan. The wastewater generated by the proposed project will be treated at the PWRP. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or 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 is within the sphere of influence of District No. 20.

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

12. ***Correspondence:*** No correspondence has been received.

CEQA: The mitigated negative declaration adopted by the City of Palmdale is adequate for consideration of this proposal.

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 a written opposition to waiver of the protest proceedings.

Conclusion: It has been determined that, with the imposition of mitigation measures, the project will not have a significant effect on the environment. Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater generated by the subject territory.

Recommended Action:

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 92 to County Sanitation District No. 20.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 92 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 in the City of Palmdale; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 165 proposed 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 41.116± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 92 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 October 14, 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) and (b), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with respect to Annexation No. 92, 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 mitigated negative declaration adopted by the City of Palmdale 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.
3. Annexation No. 92 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.
 - c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.
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 County Sanitation District No. 20.
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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER,
Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 5d.

Annexation No. 394 to County Sanitation District No. 22

The following is to request to annex 9.888± acres of uninhabited territory to Los Angeles County Sanitation District No. 22.

Proposal Area: The annexation consists of vacant land, located within a residential community. The territory is currently being developed to include 11 proposed single-family homes.

Location: The subject territory is located on Valley Center Avenue at its intersection with Gainsborough Road, approximately 1,900 feet south of Cypress Avenue, all within the City of San Dimas.

Background: Donna Wong, a property owner who resides northeast of the proposal area, was present at the September 9, 2009 meeting. She was under the impression that approval of the annexation would allow County Sanitation to construct a sewer line on her property. County Sanitation resolved the issue with Donna Wong ensuring sewer pipes would not be built on her property without her consent. In conclusion, sewer pipes will be constructed southwest of the annexation territory.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The estimated population is 54 residents.
2. ***Landowner(s):*** Estate Financial Mortgage Fund, LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is sloped to the south.
4. ***Zoning, Present and Future Land Use:*** The current zoning is City of San Dimas Specific Plan No. 4. The present land use is vacant. The proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is residential.
6. ***Assessed Value:*** The total assessed value is \$3,473,500.

7. ***Governmental Services and Control, Availability and Adequacy:*** 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 Joint Outfall System (JOS) 2010 Master Facilities Plan. The wastewater generated by the proposed project will be treated by the JOS, which is comprised of 6 upstream water reclamation plants and the Joint Water Pollution Control Plant. The District will have adequate capacity to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural lands. The territory will include three dedicated open space lots.
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 is within the sphere of influence of District No. 22.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

CEQA: The Environmental Impact Report for Tentative Tract Map 52717, Amend to Specific Plan No. 4 certified by the City of San Dimas is adequate for consideration of this proposal.

Conclusion: Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater generated by the subject territory.

Recommended Action:

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 394 to County Sanitation District No. 22.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 394 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 22"

WHEREAS, the County Sanitation District No. 22 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 in the City of San Dimas; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 11 proposed 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 9.888± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 394 to County Sanitation District No. 22"; and

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

WHEREAS, on October 14, 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) and (b), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with respect to Annexation No. 394, 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 Environmental Impact Report for Tentative Tract Map 52717, Amendment to Specific Plan No. 4, certified by the City of San Dimas 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.
3. Annexation No. 394 to the County Sanitation District No. 22 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.
 - c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.
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, notice and hearing requirements are waived.

5. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to County Sanitation District No. 22.
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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER,
Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 5e.

**Annexation No. 397 to
County Sanitation District No. 22**

The following is a request to annex 12.134± acres of uninhabited territory to Los Angeles County Sanitation District No. 22.

Proposal Area: The territory consists of vacant land, located within a vacant area. The territory is currently being developed to include one proposed ranger interpretive center.

Location: The subject territory is located on San Gabriel Canyon Road adjacent to Highway 39, all within the City of Azusa.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The population is 0.
2. ***Landowner(s):*** The City of Azusa.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is OS; Open Space. The present land use is vacant. The proposed land use is public facility.
5. ***Surrounding Land Use:*** The surrounding land use is commercial and residential.
6. ***Assessed Value:*** No assessed value is associated with this annexation.
7. ***Governmental Services and Control, Availability and Adequacy:*** The subject territory is not currently being 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 Joint Outfall System (JOS) 2010 Master Facilities Plan. The wastewater generated by the proposed project will be treated by the JOS, which is comprised of 6 upstream water reclamation plants and the Joint Water Pollution Control Plant. The District will have adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural lands. The subject territory is zoned as OS; Open Space.

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 is within the sphere of influence of District No. 22.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

CEQA: The mitigated negative declaration adopted by the City of Azusa is adequate for consideration for this proposal.

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: It has been determined that, with the imposition of mitigation measures, the project will not have a significant effect on the environment. Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater generated by the subject territory.

Recommended Action:

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 397 to County Sanitation District No. 22.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 397 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 22"

WHEREAS, the County Sanitation District No. 22 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 in the City of Azusa; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for one proposed ranger interpretive 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 12.134± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 397 to County Sanitation District No. 22"; and

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

WHEREAS, on October 14, 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) and (b), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with respect to Annexation No. 397, 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 mitigated negative declaration adopted by the City of Azusa 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.
3. Annexation No. 397 to the County Sanitation District No. 22 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.

- c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.
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 County Sanitation District No. 22.
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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER,
Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 5f.

**Annexation No. 398 to
County Sanitation District No. 22**

The following is a request to annex 6.984± acres of uninhabited territory to Los Angeles County Sanitation District No. 22.

Proposal Area: The annexation consists of vacant land, located within a residential community. The territory is currently being developed to include 15 proposed single-family homes.

Location: The subject territory is located on Sunnydale Drive north of Woodbluff Avenue, all within the City of Duarte.

Factors to be Considered Pursuant to Government Code Section 56668:

1. ***Population:*** The current population is 0.
2. ***Landowner(s):*** Sienica Trail Manors, LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The topography is flat.
4. ***Zoning, Present and Future Land Use:*** The current zoning is R-1B; single-family residential with a minimum lot size of 10,000 square feet. The present land use is vacant residential. The proposed land use is residential.
5. ***Surrounding Land Use:*** The surrounding land use is residential.
6. ***Assessed Value:*** The total assessed value is \$1,591,779.
7. ***Governmental Services and Control, Availability and Adequacy:*** 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 Joint Outfall System (JOS) 2010 Master Facilities Plan. The wastewater generated by the proposed project will be treated by the JOS, which is comprised of 6 upstream water reclamation plants and the Joint Water Pollution Control Plant. The District will have adequate capacity to collect, treat, and dispose of the wastewater generated by the subject territory.
8. ***Effects on agricultural or open-space lands:*** The proposal will not have an effect on agricultural or 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 is within the sphere of influence of District No. 22.
11. ***Tax Resolution:*** All affected agencies have adopted a negotiated tax exchange resolution.
12. ***Correspondence:*** No correspondence has been received.

CEQA: The environmental impact report certified by the City of Duarte is adequate for consideration of this proposal.

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: Should the subject territory not be annexed into the District, the landowners would have to use less efficient alternative means to collect, treat, and dispose of the wastewater anticipated to be generated by the subject territory.

Recommended Action:

1. Adopt the Resolution Making Determinations Approving and Ordering Annexation No. 398 to County Sanitation District No. 22.

RESOLUTION NO. 2009-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR LOS ANGELES COUNTY
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 398 TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 22"

WHEREAS, the County Sanitation District No. 22 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 in the City of Duarte; and

WHEREAS, the principal reason for the proposed annexation is to provide offsite sewage disposal for 15 proposed 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 6.984± acres and is uninhabited; and

WHEREAS, the short-form designation given this proposal is "Annexation No. 398 to County Sanitation District No. 22"; and

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

WHEREAS, on October 14, 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) and (b), the Commission hereby finds and determines that:
 - a. All owners of land within the affected territory have given their written consent to the change of organization; and
 - b. No subject agency has submitted a written demand for notice and hearing on this proposal.

Based thereon, notice and hearing requirements are waived.

2. Acting in its role as a responsible agency with respect to Annexation No. 398, 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 environmental impact report certified by the City of Duarte 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.
3. Annexation No. 398 to the County Sanitation District No. 22 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.

- c. The affected territory will be taxed for existing general bonded indebtedness, if any, of the District.
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 County Sanitation District No. 22.
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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

SANDOR L. WINGER,
Executive Officer

Staff Report

October 14, 2009

Agenda Item No. 5g.

**Los Angeles County Waterworks District No. 40
Annexation No. 2006-18**

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 40± acres of vacant land.

Location: The site is located at the northeast corner of Avenue G and 30th 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:*** Buzz Oates Enterprises, LLC.
3. ***Topography, Natural Boundaries and Drainage Basins:*** The terrain is generally flat.
4. ***Zoning, Present and Future Land Use:*** The territory is zoned LI, Light Industrial, and the present land use is vacant. The proposed land use is light industrial.
5. ***Surrounding Land Use:*** The surrounding territory is vacant land.
6. ***Assessed Value:*** The total assessed value is \$2,962,500.
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, 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 into 3 warehouse buildings with associated supporting offices. Annexation will allow the occupants to receive a reliable source of water.

Recommended Action:

1. Adopt Resolution Making Determinations Approving and Ordering Annexation No. 2006-18 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. 2006-18 TO
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 40 ± acres of uninhabited territory in the City of Lancaster, and is assigned the following distinctive short form designation: "Annexation No. 2006-18 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 occupants of the subject territory; and

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

WHEREAS, on October 14, 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 2006-18 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, 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 the City of Lancaster, 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 14th day of October 2009.

Ayes:

Noes:

Absent:

Abstain:

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**SANDOR L. WINGER,
Executive Officer**

Staff Report

Agenda Item No. 6.a.1.

EAST LOS ANGELES INCORPORATION

The question has come up as to whether or not a LAFCO can fund or make a loan to an incorporation proponent.

Your Executive Officer (E.O.) has reviewed this question from both a legal and professional standpoint and has come to the conclusion that LAFCO is authorized to fully or partially waive incorporation fees or fee deposits; however, LAFCO is not expressly authorized to make a loan to an incorporation proponent. An analysis by Legal Counsel of the funding options available to the Commission is attached.

After saying that, and after conducting a thorough investigation of the question and after having further in depth discussions with many of the professionals who have been involved with incorporations over the years, **it is your E.O.'s opinion that expending LAFCO's budgeted funds to support the incorporation effort of a private organization would be inappropriate and could call into question the independence of any conclusion or recommendation made for or against the application.**

STUDY RESULTS

Below is a partial list of those with whom your E.O. had discussions:

Legal: LAFCO counsel.

Director of the State Senate Local Government, Standing Committee, Peter Detwiler, and

LAFCO Executive Officers:

Robert Braitman	Santa Barbara
Peter Brundage	Sacramento
Joyce Crosthwaite	Orange
Michael Ott	San Diego
Kathy Rollings-McDonald	San Bernardino
George Spiliotis	Riverside
Neelima Palacherla	Santa Clara

BUDGET

Each LAFCO allocates and budgets its funds in accordance with the requirements of Government Code § 56381. In its preparation of its budget no funds were allocated for any potential incorporation and as you are aware, there are currently three potential incorporation efforts in process. They are:

1. East Los Angeles
2. Rowland Heights
3. Stevenson Ranch (West Ranch)

LAFCO funds are primarily derived from its local agencies. The budgeted line items contained in the approved budget were sent to the 87 cities, 92 special districts, the City of Los Angeles and the County for review and comment. None of those agencies have had benefit to comment on LAFCO funding of an incorporation study. Therefore, your Executive Officer cannot recommend the use of public funding for an incorporation study.

STATE CONTROLLER REQUESTED FUNDING - Denied

The East Los Angeles proponents requested that LAFCO submit a letter to the State Controller, under the provisions of Government Code § 56383(g), for a state assisted loan. That request was denied by the Controller's office inasmuch as the legislature had not appropriated an amount for the East Los Angeles effort.

LEGISLATURE

Assembly Bill 711 (Calderon) was amended to provide emergency appropriations to support the East Los Angeles application. The bill has become a two year bill and is not expected to be heard until sometime in the first or second quarter of 2010. It will need a 2/3 majority vote in both the Assembly and Senate. Initial indications are that the bill has an uphill battle because of the many state budget problems.

OTHER COSTS

While the Comprehensive Fiscal Analysis (CFA) will cost \$133,000 for the East Los Angeles effort, there are other associated costs that must be paid by the applicant such as CEQA compliance. The applicant has been made fully aware of all other anticipated costs in meetings and by certified correspondence. These associated costs could rise to an amount of \$35,000 or more. It is noted that the Santa Clara LAFCO recently terminated an application because of an applicant's inability or refusal to pay for costs associated with the process.

COUNTY FUNDING, LOANS and REPAYMENT

1. FUNDING – There have been two cases whereby a county has supported an incorporation effort to a large degree. Rancho Cordova, CA and Goleta, CA. Each was supported with funding by the Counties of Sacramento and Santa Barbara, respectively. It has been suggested by some that Los Angeles County may want to consider the same.

2. LOAN – The provisions of Government Code § 56383(g) requires that if a loan from the State is received and the incorporation proposal is approved by the commission and the voters, the new city must repay the State. If the effort fails, the loan is forgiven. Legal Counsel has advised that LAFCO is not expressly authorized to make a loan contingent on repayment by the new city and this LAFCO can ill afford to expend such a large amount without repayment

PERCEPTION

The one single observation given by those interviewed, more than any other, was the possibility of misperception this funding issue could cause. The funding of an incorporation application by a LAFCO could cause the independent role and judgment of this regulatory agency to be questioned, whether the determinations were for or against the incorporation.

RECOMMENDATION:

That the Commission not, at this time, waive or reduce the funding and deposit requirements for the East Los Angeles incorporation proposal.

Staff Report

October 14, 2009

Agenda Item No. 6b.

2009 CALAFCO Distinguished Service Award Support for Nomination of Bob Braitman

Agenda Item 6b. is a letter to CALAFCO Commissioner/Supervisor Ted Novelli, the CALAFCO Awards Chair, to support Santa Barbara LAFCO in nominating Mr. Bob Braitman, Executive Officer of the Santa Barbara County LAFCO, for this year's CALAFCO Distinguished Service Award.

Throughout the years Mr. Braitman has provided this and many LAFCOs throughout the state with an immeasurable amount of voluntary assistance with not only his in-depth knowledge of laws and procedures that govern LAFCO but also his historical knowledge of the LAFCO institution.

This LAFCO has had a long time working relationship unlike that of any other LAFCO. We hired Mr. Braitman to perform our very first municipal service review, for the City of Azusa. We worked closely with Mr. Braitman in developing the format for the first MSR/SOI study and then utilized Mr. Braitman's findings of that MSR to make our determinations for the Monrovia Nursery annexation and the City's sphere of influence update. Upon completion, that MSR and SOI was used as a model for our next 180 studies. As an aside, that same model has been used by a multitude of LAFCO's across the state.

Conclusion: Staff is requesting that the Commission support Santa Barbara LAFCO in nominating Mr. Braitman for the 2009 CALAFCO Distinguished Service Award.