



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

April 4, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**ANNEXATION OF TERRITORY INTO LANDSCAPING AND LIGHTING ACT
DISTRICT NO. 4, ZONE NO. 77, WEST CREEK PARK; APPROVAL OF INCREASE TO
THE EXISTING RATE FOR DISTRICT NO. 4, ZONE NO. 69, WEST CREEK CANYON
ESTATES; APPROVAL OF NEW CONSUMER PRICE INDEX (CPI) ADJUSTMENT
COMPONENTS FOR FIFTEEN ZONES IN THE SANTA CLARITA AREA; AND
APPROVAL OF NEW CPI ADJUSTMENT COMPONENTS FOR FOUR ZONES IN THE
EAST COUNTY AREA
(1st, 3rd, 4th and 5th Districts - Three-Vote Matter)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Pursuant to the provisions of the Landscaping and Lighting Act (LLA) (California Streets and Highway Code Section 22500, et seq.) (the "Act") and as provided by Article XIID of the California Constitution, Adopt the enclosed Resolution of Intention to annex territory into LLA District No. 4, Zone No. 77, West Creek Park; and order the levying of an assessment for this annexation for Fiscal Year 2006-07; order an amendment of the existing rate within LLA District No. 4, Zone No. 69, West Creek Canyon Estates; order an amendment to include a new consumer price index (CPI) adjustment components for fifteen Zones in the Santa Clarita area; and order an amendment to include for CPI adjustment components for four Zones in the East County area.

2. Set the public hearing date for: 1) the proposed annexation and levying of the proposed assessment for Zone No. 77; 2) the amendment to the rate for Zone No. 69; 3) the amendment to include new CPI adjustment components in the rate for fifteen Zones in the Santa Clarita Area; and 4) the amendment to include new CPI cost of living adjustment components in the rate for four Zones in the East County area, as specified in Section 22625 of the California Streets and Highways Code ("Streets and Highways Code").
3. Approve and file the enclosed Engineer's Reports prepared in accordance with Section 22565 et seq. of the Streets and Highways Code for the proposed annexation of territory and levy of assessments for landscape and park maintenance purposes for LLA District No. 4, Zone No. 77, West Creek Park; for the proposed amendment to the existing rate in LLA District No. 4, Zone No. 69, West Creek Canyon Estates; and for the proposed amendment to include new CPI adjustment components to the assessments in nineteen Zones in the Santa Clarita and East County area, pursuant to provisions of the Act.
4. Instruct the County Engineer and Assessor to review the boundary description of the territory to be annexed into LLA District No. 4 and instruct the County Engineer to report on the district boundary, as required by Section 58850 et seq. of the California Government Code.
5. Instruct the Executive Officer to give notice of the public hearings and to mail ballots to property owners at least 45 days prior to the date of the hearings.

IT IS FURTHER RECOMMENDED THAT, AT THE CONCLUSION OF THE PUBLIC HEARINGS, YOUR BOARD:

1. Instruct the Executive Officer to manage the tabulation of assessment ballots submitted and not withdrawn in support of, or in opposition to the proposed annexation of territory and levy of assessments for LLA District No. 4, Zone No. 77, West Creek Park and determine whether the ballots submitted in favor of the proposed annexation and assessment in the Zone exceed those submitted in opposition.
2. Instruct the Executive Officer to manage the tabulation of ballots submitted and not withdrawn in support of, or in opposition to the proposed amendments to the existing rate in LLA District No. 4, Zone No. 69, West Creek Canyon Estates and determine whether the ballots submitted in favor of the amendment exceed those submitted in opposition.

3. Instruct the Executive Officer to manage the tabulation of ballots submitted and not withdrawn in support of, or in opposition to the imposing of CPI adjustment components for fifteen Zones in the Santa Clarita area and determine whether the ballots submitted in favor of the amendment exceed those submitted in opposition.
4. Instruct the Executive Officer to manage the tabulation of ballots submitted and not withdrawn in support of, or in opposition to the imposing of CPI adjustment components for four Zones in the East County area and determine whether the ballots submitted in favor of the amendment exceed those submitted in opposition.
5. Find that the actions are exempt from the California Environmental Quality Act (CEQA).
6. Find that the territory to be annexed into LLA District No. 4 will be benefited by such annexation and order the boundary of LLA District No. 4 to be altered to include such territory.
7. Order changes in any of the matters provided in the reports including changes in the improvements, the proposed diagrams, or the proposed assessments, as described in the Engineer's Reports if needed.
8. For the territory to be annexed, if the ballots submitted in favor of the annexation and assessments exceed those in opposition; Adopt the "Resolution Ordering the Annexation of Territory into LLA District No. 4, Zone No. 77, West Creek Park and the Levying of an Assessment for the Annexed Territory for Fiscal Year 2006-07" in confirming the diagrams and assessments either as originally proposed, or changed by it and ordering the maintenance of the Zone. The adoption of this resolution shall constitute the annexation of territory for the fiscal year referred to in the Engineer's Report.

9. For the increase to the rate for LLA District No. 4, Zone No. 69, West Creek Canyon Estates, if the ballots submitted in favor of the amendment exceed those in opposition, adopt the "Resolution Increasing the Rate" for LLA District No. 4, Zone No. 69, West Creek Canyon Estates in confirming the amendment either as originally proposed or changed by it. The adoption of this resolution shall constitute the approval of the amendment as referred to in the Engineer's Report.
10. For the proposed CPI adjustment components for fifteen Zones in the Santa Clarita area, if the ballots submitted in favor of the amendment exceed those in opposition, adopt the "Resolution Imposing the CPI for Fifteen Zones in the Santa Clarita Area" in confirming the amendment either as originally proposed or changed by it. The adoption of this resolution shall constitute the approval of the amendment as referred to in the Engineer's Report.
11. For the proposed CPI adjustment components for four Zones in the East County area, if the ballots submitted in favor of the amendment exceed those in opposition, adopt the "Resolution Imposing the CPI for Four Zones in the East County area" in confirming the amendment either as originally proposed or changed by it. The adoption of this resolution shall constitute the approval of the amendment as referred to in the Engineer's Report.
12. Designate the Director of the Department of Parks and Recreation to accept, on behalf of LLA District No. 4, the Grants of Easement to designated areas and open space pursuant to the tract conditions approved for the annexation.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

These recommended actions would annex additional territory into LLA District No. 4; amend the existing rate for LLA District No. 4, Zone No. 69, West Creek Canyon Estates; impose annual CPI cost of living adjustment components for nineteen Zones in the Santa Clarita and East County areas; set a date for a public hearing regarding the establishment of the Fiscal Year 2006-07 annual assessment for the annexed area to provide landscape and park maintenance services subject to the requirements of Article XIID of the California Constitution; set a date for a public hearing for the amendment to the existing rate subject to the requirements of Article XIID of the California Constitution; set dates for public hearings to impose CPI cost of living adjustment components subject to the requirements of Article XIID of the California Constitution; and approve and file the enclosed Engineer's Reports. These actions are pursuant to the LLA Section of the Streets and Highways Code of the State of California, and as provided by Article XIID of the California Constitution, and provide funding for the operation of the aforementioned County-administered District Zones.

The Resolution of Intention to annex territory and to levy and collect assessments is limited to the proposed annexation area in LLA District No. 4, Zone No. 77 West Creek Park for Fiscal Year 2006-07.

The Resolution of Intention to increase the rate is limited to LLA District No. 4, Zone No. 69, West Creek Canyon Estates.

The Resolution of Intention to impose CPI adjustment components is limited to nineteen Zones in the Santa Clarita area and the East County area.

A separate Board letter and Resolution of Intention will be filed to set a date for a public hearing to establish the annual per parcel direct assessment for the remaining existing Zones within LLA Districts Nos. 1, 2 and 4 in accordance with the Act and Article XIID of the California Constitution.

LLA District No. 4, Zone No. 77 West Creek Park

Newhall Land, developer of the unincorporated area known as West Creek (Tract Nos. 52455, 52455-01, 52455-02, and 52455-03) has requested the annexation of approximately 15.5 acres into LLA District No. 4, Zone No. 77, West Creek Park.

The proposed annexation of this territory will provide the method to raise funds for the maintenance and servicing of park and landscaping improvements. These improvements include, but are not limited to: shrubs, turf, trees, automated irrigation systems, concrete walkways, tot lots and equipment, basketball and volleyball courts, picnic facilities, bridging and fencing, restrooms and appurtenant facilities.

LLA District No. 4, Zone No. 69 West Creek Canyon Estates

Newhall Land, developer of the unincorporated area known as West Creek Canyon Estates (Tract 52455-02, Area A and Tract 52455-03, Area B) has requested an increase to the existing rate due to changes in the Zone outlined in the revised Engineer's Report, which include changes in the total square footage of the Zone and adjusted rates for utilities, landscape maintenance, brushing, and administration.

Various Zones in the Santa Clarita area and Various Zones in the East County Area

The Director of Parks and Recreation is requesting ballots to impose CPI adjustment components on various Zones in both the Santa Clarita and East County areas that currently do not have automatic CPI adjustments. These are Zones that are geographically located in either the Santa Clarita or the East County areas only and exclude Zones that are being transferred to the City of Santa Clarita or for which our financial analysis indicates no CPI provision is needed at this time.

The Zones in the Santa Clarita area included in this action are District No. 2, Zone 19 (Sagewood Valencia), Zone 20 (El Dorado Village), Zone 21 (Sunset Pointe), Zone 33 (Canyon Park), Zone 36 (Mountain Valley), Zone 37 (Castaic Hillcrest), Zone 40 (Castaic Shadow Lake), Zone 44 (Bouquet Canyon), Zone 48 (Shadow Hills), Zone 55 (Castaic North Bluff), Zone 56 (Commerce Center Area Wide), Zone 62 (Canyon Heights), Zone 63 (The Enclave); and District No. 4 Zone 64 (Double C Ranch), and the new Zone 77 (West Creek Park).

The Zones in the East County area included in this action are District No. 2, Zone 34 (Hacienda), Zone 35 (Montebello), Zone 43 (Rowland Heights), and Zone 58 (Rancho El Dorado).

A list of all Zones in District Nos. 2 and 4 is included (Attachment A).

On July 12, 1979, August 10, 1995 and July 22, 1997, your Board approved the formation of LLA District Nos. 1, 2 and 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered LLA Districts and Zones therein pursuant to provisions of the Act. As the governing body, the Board of Supervisors is responsible for levying the annual assessment for landscape and park maintenance purposes.

On June 12, 1979, your Board approved a method of distributing maintenance costs on the basis of land use and/or benefit and this same method will be used to compute the Fiscal Year 2006-07 assessments. This method and the proposed assessments on the various lots or parcels are shown in detail in the Engineer's Reports.

Implementation of Strategic Plan Goals

These actions will further the County's Strategic Plan Goals of Fiscal Responsibility (Goal Four), and Service Excellence (Goal One). These recommendations in compliance with the Act and Article XIID of the California Constitution, will allow the County to service and maintain the park, landscaping and appurtenant facilities that benefit those that live within these zones.

FISCAL IMPACT/FINANCING

There is no fiscal impact to the General Fund. Services provided in the Districts and Zones therein, are funded by the assessments established by the Board of Supervisors.

The recommended new annual assessment of \$286.23 per Equivalent Dwelling Unit (EDU) for LLA District No. 4, Zone No. 77, West Creek Park, will provide the funds needed for maintenance, servicing and administrative costs associated with the improvements during Fiscal Year 2006-07. It should be noted that this assessment includes \$216.26 annually for the eventual repair of areas which will be damaged during future construction of a secondary water pipe along the length of the Metropolitan Water District (MWD) property. [It is estimated that the MWD will not make a decision on when to construct the secondary water pipe for approximately 10 years.] Until a decision is made on a timetable, the \$216.26 will be credited back annually to the parcel owners. Once a decision on a timetable is made, the assessment of \$216.26 will no longer be credited and will be accumulated for the repairs to the Zone.

The recommended revised annual assessment of \$976.99 residential and \$526.69 commercial per EDU for LLA District No. 4, Zone No. 69, West Creek Canyon Estate, will provide the funds needed for maintenance, servicing and administrative costs associated with the improvements during Fiscal Year 2006-07. It should be noted that the residential assessment includes \$447.43 annually for the repair of areas which will be damaged during future construction of a secondary water pipe along the length of the Metropolitan Water District (MWD) property. [It is estimated that the MWD will not make a decision on when to construct the secondary water pipe for approximately 10 years.] Until a decision is made on a timetable, the \$447.43 will be credited back annually to the parcel owners. Once a decision on a timetable is made, the assessment of \$447.43 will no longer be credited and will be accumulated for the repairs to the Zone.

The recommended CPI adjustment components for nineteen Zones in the Santa Clarita area and East County area will improve the long term financial viability for these Zones.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The LLA sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Act, Government Code Section 53753, and the California Constitution have established procedures that must be followed for the levy of any new or increased assessments. The Act requires that the legislative body adopt a Resolution Initiating Proceedings, and generally describe any proposed improvements or substantial changes in existing improvements.

The legislative body also must order the Director of the Department of Parks and Recreation to have prepared an Engineer's Report in accordance with Section 22565, et seq. of the Streets and Highways Code. The report will show an estimate of, and a proposed assessment to pay for, the costs of providing landscape and park maintenance services. The Act provides a method of funding an assessment district with assessments being collected via the consolidated tax bill. This provides for the assessment of landscape and park maintenance costs against the benefiting properties.

Proceedings for the annexation of territory to an existing Los Angeles County LLA District under the Act are initiated by Resolution pursuant to Section 22608 of the Streets and Highways Code and Article XIID, Section 6 of the California Constitution. In annexation proceedings, the Resolution, Report, Notices of Hearing, and Right of Majority Protest are limited to the territory proposed to be annexed.

Honorable Board of Supervisors
April 4, 2006
Page 9

The passage of Proposition 218 in November 1996 added Articles XIIC and XIID to the California Constitution. Article XIID contains additional requirements to those found in the Act that must be followed for the levying of new or additional assessments and the filing of the Engineer's Report. Zone No. 77, West Creek Park and Zone No. 69, West Creek Canyon Estates, require assessment ballots to approve the new assessment and amendments, respectively.

Your Board is required to conduct a public hearing upon the proposed assessment and adjustments not less than 45 days after mailing notices to the property owners. The developer of the proposed annexation area and the developer of the zones proposed for the rate amendments are the owners of the properties and have provided written petitions requesting the proposed actions. A notice and ballot will be mailed to each property owner within LLA District No. 4, Zone No. 77, West Creek Park and Zone No. 69, West Creek Canyon Estates, in compliance with Article XIID of the California Constitution. A notice and ballot will be mailed to each owner within the fifteen Zones included in the Countywide ballot for Santa Clarita Area Zones who would be affected by the increase in assessment due to a CPI adjustment. A notice and ballot will be mailed to each owner within the four Zones included in the Countywide ballot for East County Area Zones who would be affected by the increase in assessment due to a CPI adjustment.

Any new or additional assessment that is subject to the notice and hearing provisions of Article XIID of the California Constitution is not subject to the notice and hearing requirements of Government Code Section 54954.6.

Pursuant to the approved tentative tract conditions as indicated in the Engineer's Reports for LLA District No. 4, Zones 69, and 77, the developer is required to install the improvements as approved by the District and grant to the District maintenance easements for designated areas. When the required improvements are completed to the satisfaction of the District and executed Grants of Easement are received, the designated areas will be accepted by the District for maintenance and servicing.

County Counsel has approved the enclosed Resolutions as to form.

ENVIRONMENTAL DOCUMENTATION

Approval of the proposed actions is exempt from the California Environmental Quality Act (CEQA) according to Section 15301 and Subsection 15301 (h) of State CEQA Guidelines. Approval of proposed assessments and adjustments is exempt from CEQA, according to Section 15273(a)(1)(2)(3)(4) of State CEQA Guidelines because CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies. Approval of the assessments is also exempt from CEQA because it is for the purpose of: 1) meeting operating expenses including employee wage rates and fringe benefits; 2) purchasing and leasing supplies, equipment or materials; 3) meeting financial reserve needs and requirements; and/or 4) obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080(b) 8 of the Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of these recommendations for LLA District No. 4, Zones 69 and 77, and the nineteen Zones included in the CPI ballots will be a benefit to these development communities through the beautification, maintenance and servicing of landscaped medians, park areas and appurtenant improvements.

CONCLUSION

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board, one conformed copy each be forwarded to the Chief Administrative Office, County Counsel and Auditor-Controller, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,



Russ Guiney
Director

Attachments (10)

c: Chief Administrative Officer
Executive Officer, Board of Supervisors (22)

**Zones in District Nos. 2 and 4
Current CPI Provision Status**

District No.	Zone No.	Zone Title	Current CPI Provision Status	
2	19	Sagewood Valencia	No	
	20	El Dorado Village	No	
	21	Sunset Pointe	No	
	25	Stevenson Ranch	Yes	
	26	Emerald Crest	Yes	
	28	Vista Grande	Yes	
	32	Lost Hills Commercial	No	
	33	Canyon Park	No	
	34	Hacienda	No	
	35	Montebello	No	
	36	Mountain Valley	No	
	37	Castaic Hillcrest	No	
	38	Sloan Canyon	Yes	
	40	Castaic Shadow Lake	No	
	43	Rowland Heights	No	
	44	Bouquet Canyon	No	
	45	Lake Los Angeles	No	
	47	Northpark	No	
	48	Shadow Hills	No	
	51	Valencia High School	Yes	
	52	Mountain View East	No	
	55	Castaic North Bluff	No	
	56	Commerce Center A/W	No	
	58	Rancho El Dorado	No	
	62	Canyon Heights	No	
	4	63	The Enclave	No
		64	Double C Ranch	No
65		Fair Oaks Ranch, Phase 1	Yes	
65A		Fair Oaks Ranch, Ph. 2&3	Yes	
65B		Fair Oaks Park	Yes	
66		Valencia Marketplace	Yes	
67		Miramontes	Yes	
68		West Creek Copperhill	Yes	

**Zones in District Nos. 2 and 4
Current CPI Provision Status**

District No.	Zone No.	Zone Title	Current CPI Provision Status
4	69	West Creek Canyon Estates	Yes
	70	Lakeview	Yes
	71	Haskell Canyon Ranch	Yes
	72	Copperhill 22	Yes
	73	Westridge	Yes
	74	Tesoro Del Valle	Yes
	75	Westridge Area Wide	Yes
	76	Tesoro Adobe Park	Yes

Shaded Zones are included in the CPI ballots, as well as Zone 77 (West Creek Park)