

IA 22-02

**RESOLUTION OF THE LOCAL AGENCY
FORMATION COMMISSION OF ORANGE COUNTY, CALIFORNIA
MAKING RESPONSIBLE AGENCY FINDINGS UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND APPROVING THE "HAMER ISLAND
ANNEXATION TO THE CITY OF PLACENTIA (IA 22-02)"**

June 8, 2022

On motion of Commissioner _____, duly seconded and carried, the following resolution was adopted:

WHEREAS, the proposed annexation, designated as "Hamer Island Annexation to the City of Placentia (IA 22-02)," was hereto filed with and accepted for filing on May 17, 2022 by the Executive Officer of the Local Agency Formation Commission of Orange County ("LAFCO") pursuant to Title 5, Division 3, commencing with Section 56000 et seq. of the Government Code; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56658 set June 8, 2022 as the hearing date of this proposal; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56665 has reviewed this proposal and prepared a report including her recommendation therein and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, the proposed annexation, consists of the annexation of approximately 76 acres of inhabited territory to the City of Placentia; and

WHEREAS, the City of Placentia served as the lead agency for the environmental review and analysis for the proposal, pursuant to the requirements of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) and the State CEQA Guidelines (14 Cal. Code Regs., § 15000 et seq.) ("CEQA"); and

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WHEREAS, pursuant to CEQA, on February 17, 2022, the City of Placentia adopted a Notice of Exemption (“NOE”) for the proposal and

WHEREAS, LAFCO has been asked to approve the proposed “Hamer Island Annexation to the City of Placentia (IA 22-02)”; and

WHEREAS, LAFCO is thus a “responsible agency” for the proposal under CEQA because it has limited approval and implementing authority over the proposal; and

WHEREAS, LAFCO, at its agendized public hearing on June 8, 2022, independently reviewed and considered the NOE and other related documents in the record before it; and

WHEREAS, as contained herein, LAFCO has endeavored in good faith to set forth the basis for its decision on the proposal; and

WHEREAS, this Commission called for and held a public hearing on the proposal on June 8, 2022, and at the public hearing, this Commission heard and received all oral and written protests, 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; and

WHEREAS, all of the findings and conclusions made by LAFCO pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, LAFCO does hereby resolve as follows:

Section 1. LAFCO Findings.

The subject territory is found to be inhabited, is within the City of Placentia’s Sphere of Influence, and is assigned the following distinctive short-form designation, “Hamer Island Annexation to the City of Placentia (IA 22-02).” The Resolution (IA 22-02)

proposal consists of the annexation of approximately 76 acres generally located north of east Palm Drive and west of Rose Drive.

Section 2. Compliance with the Environmental Quality Act.

As the decision-making body for LAFCO, and in LAFCO's limited role as a responsible agency under CEQA, the Commission has reviewed and considered the information contained in the NOE, and all supporting documentation, copies of which are on file at LAFCO's office and are incorporated by reference as though set forth fully herein. Based on this review, the Commission concurs with the City of Placentia's conclusion that the proposal is exempt from CEQA, as set forth in greater detail in the City's NOE, which was filed with the Orange County Clerk-Recorder on February 17, 2022. Specifically, the Commission finds that the proposal is categorically exempt from CEQA under the Class 19 exemption set forth in State CEQA Guidelines section 15319 (a) concerning the annexations of existing facilities and lots for exempt facilities. The Commission additionally finds that the proposal is exempt from CEQA set forth in State CEQA Guidelines section 15300.2, subdivision (c) as it can be seen with certainty that there is no possibility that the proposal may have a significant effect on the environment. Rather, the proposal is comprised of administrative action (i.e., government reorganization and administrative boundary changes) that would not result in either a direct, or reasonably foreseeable indirect, physical change in the environment.

Section 3. The proposal is approved subject to the following terms and conditions.

- a) Upon annexation of the territory to the City of Placentia, all right, title, and interest of the County of Orange ("County"), including easements and/or the underlying fee title where owned by the County in any and all sidewalks, trails, landscaped areas, street lights, open space, public roads, adjacent slopes, traffic signals, storm drains and culverts, appurtenant

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facilities and site drainage that are within the annexation area shall vest in the City of Placentia, except for those properties to be retained by the County and specifically listed by these conditions. The County shall provide and execute any deeds or other documents necessary to effectuate these transfers to the City of Placentia.

- b) Upon annexation, the City of Placentia shall accept and be the owner of, and maintenance responsibilities for, the following property within the annexed area: streets, sidewalks, public roads, trails, landscaped areas, adjacent slopes, street lights, and traffic signals that are within the annexation area and that were owned by the County.
- c) Upon annexation, the City of Placentia shall also do the following: (1) accept and assume ownership and maintenance responsibilities for all drainage devices, storm drains, culverts, catch basins, water quality treatment systems, site drainage, and appurtenant facilities (except regional Orange County Flood Control District (“OCFCD”) flood control facilities for which OCFCD has a recorded flood control easement or ownership interest), and all master plan storm drain facilities that are within the annexation area and were operated and maintained by the County; (2) accept and adopt the County of Orange Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Orange County Public Works Department/Planning should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Deputy Director of OC Infrastructure Programs, Orange County Public Works Department for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to OCFCD’s flood control facilities; and (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area.

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- d) The provisions of the “Pre-Annexation Agreement” entered into and executed by and between the City of Placentia and the County of Orange, dated as April 26, 2022 are incorporated herein and adopted by the Commission by this reference as though fully set forth in this Section 3, and are attached hereto as Exhibit A.
- e) Upon the effective date of this annexation, the owners, tenants, occupants of the territory, as applicable, shall be subject to any and all charges, fees, assessments, and taxes previously adopted and authorized by the City of Placentia that are generally applicable to other properties within the City of Placentia’s territory.
- f) Payment by the City of Placentia of County Clerk-Recorder and State Board of Equalization fees is a condition of approval.
- g) The effective date shall be the date of recordation of the LAFCO Certificate of Completion.

Section 4. Notice of Exemption.

The Commission directs staff to file a Notice of Exemption with the Orange County Clerk-Recorder within five working days of the adoption of this Resolution.

Section 5. Conducting Authority Proceedings.

The Commission shall waive conducting authority proceedings in accordance with Government Code Section 56375.3.

Section 6. Custodian of Records.

The documents and materials that constitute the record of proceedings on which this Resolution and the above findings have been based are located at the offices of LAFCO. The custodian for these records is the Local Agency Formation

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Commission of Orange County, 2677 North Main Street, Suite 1050, Santa Ana,
California 92705.

AYES:

NOES:

STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

I, Douglass Davert, Chair of the Local Agency Formation Commission of Orange County, California, hereby certify that the above and foregoing resolution was duly and regularly adopted by said Commission at a regular meeting thereof, held on the 8th day of June 2022.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of June 2022.

DOUGLASS DAVERT
Chair of the Local Agency Formation
of Orange County

By: _____
DOUGLASS DAVERT