



REPORT TO CITY COUNCIL

DATE: SEPTEMBER 26, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: ALLISON COOK, ASSISTANT PLANNING DIRECTOR 

SUBJECT: DISCUSSION OF STATUS OF RESEARCH INTO POTENTIAL AREAS FOR ANNEXATION IN THE CITY OF AGOURA HILLS

The purpose of this report is to provide the City Council with a summary of the status of annexation research in the various areas of Liberty Canyon, based on previous guidance and direction from the City Council, as well as subsequent input from the City Council Annexation Committee. The potential annexation areas are shown on Attachment 1.

Background

On March 20, 2014, the Los Angeles County Local Agency Formation Commission (LAFCO) provided the City with a Notice of Filing, indicating that the City of Calabasas had submitted an annexation and Sphere of Influence (SOI) application to LAFCO (Annexation No. 2014-14). The annexation/SOI amendment area consists of approximately 43 acres of uninhabited territory along Agoura Road, east of Liberty Canyon Road (see Area A discussion, below). Shortly thereafter, City staff spoke with the City of Calabasas to obtain more details about the annexation proposal.

In an April 18, 2014 letter to LAFCO from the City of Agoura Hills Planning and Community Development Director, the City expressed concern about the annexation. The City had informed Calabasas of its concerns, and Calabasas indicated it would address at least some of the items. The letter to LAFCO summarized Agoura Hills' concerns. In closing, the letter noted that at its upcoming meeting on April 23, 2014, the Agoura Hills City Council would be reviewing and considering the proposed Calabasas annexation, and would notify LAFCO of any additional comments from the Council.

At the April 23, 2014 meeting, the City Council gave staff direction to draft another letter to LAFCO. This May 6, 2014 letter signed by the Mayor stated that, at the April 23, 2014 meeting, the City Council indicated its opposition to Calabasas' annexation and SOI amendment application, but also indicated a desire to continue working with Calabasas to address the concerns of Agoura

Hills. The letter listed the items of concern that are the basis for the opposition. These included, among others, assurance that the land would be maintained as low-intensity commercial/office development to serve as a transition from businesses in Calabasas to nearby residential neighborhoods, mostly in the City of Agoura Hills. Another item of concern was traffic impacts from the existing and possibly future development in the annexation territory, as the impacts would occur on City of Agoura Hills' roadways. In summary, the concerns were for potential intensification of development in the annexation territory, and changes to the community character and integrity of nearby residential neighborhoods in Agoura Hills.

At the request of the City Council during the 2014 City budget workshop, staff looked into areas the City may want to annex along the eastern and southern borders, in coordination with the Annexation Committee. A summary of the City annexation options was provided in a memorandum to the City Council on June 10, 2015. The memorandum also listed items that a jurisdiction most often considers when evaluating whether to annex an area. These include consent of property owners and/or voters; environmental and geologic constraints; compatibility of development patterns and current zoning with municipal standards and zoning; public service availability; and economic cost and benefit. Additionally, the likelihood of LAFCO support could be a consideration item.

During public comment at the January 27, 2016 City Council meeting, members of the public submitted petitions from residents of Area C to be annexed to the City.

Staff continued to work with the Annexation Committee to further evaluate potential annexation areas in the Liberty Canyon area. The areas of particular focus were C, D and E (see discussions below). At the Committee's direction, staff conducted a survey of residents/owners in these areas to gauge support for annexation in August 2016 (Areas C and E) and November 2016 (Area D). The most positive response came from Area C, with a majority of the properties in favor of annexation. In Area E, there was not a majority of properties in favor of annexation. There was no support of annexation in Area D.

In the City Council staff report dated January 25, 2017, staff summarized the information collected on the various areas considered for annexation and the survey results, and asked that City Council provide specific direction to staff on any areas it would like to pursue for annexation. A copy of this Council report is included for your reference as Attachment 2. Note that attachments to the January 25, 2017 Council report include the memorandum to City Council dated June 10, 2015, and the letters to LAFCO, all referenced above.

The City Council approved the following actions on January 25, 2017:

On a vote of 4-1, the City Council approved direction to staff to move forward with Area C with no further research, and which would include the Liberty Canyon Road right-of-way. The City Council directed that there be no additional research for Area E and that it not be included in the application. Lastly, the City Council directed that, at a minimum, the City work toward a sphere of influence for Area D, but, in the meantime, staff should work with West Pointe Homes (the majority owner of the properties) to negotiate an agreement for possible future annexation that would be mutually acceptable to the owner and the City.

Note that upon further City Council discussion, and a question and answer period with staff, City Council clarified that no LAFCO application would be filed at this time, and that staff should put aside Areas C and E and perform additional work on Area D and the Agoura Road parcels to create a uniform complete package of annexation.

On a vote of 4-1, City Council then directed staff to study the constraints, costs, fiscal impacts, and geology to determine the success if the Agoura Road parcels (Area A) are included in the annexation application.

Working with the Annexation Committee, staff first coordinated with the City's Geologic/Geotechnical Consultant (Geodynamics, Inc.), to investigate the potential geology and geotechnical constraints in Areas A and D. This work is summarized below.

Based on the last two City budgetary processes (in 2017 and 2018), and based on the results of the Geologic/Geotechnical study, the City Council made a decision to prioritize other City projects and programs, and to not further pursue annexation research until later in the 2018-2019 Fiscal Year. In the meantime, the City Council agreed to work with LAFCO to study sphere of influence/annexation in the region in a cost-sharing, comprehensive way, in coordination with the cities of Calabasas and Hidden Hills. Please see further discussion of the comprehensive study below.

Area C

As noted above, staff presented the results of the City survey of Area C to the City Council on January 25, 2017. The majority of property owners in Area C supported annexation [38 properties: 22 yes, 4 no, 12 no response]. The City Council gave staff direction that no additional research is needed for Area C. City Council further directed that Area C be considered for annexation, along with the Liberty Canyon Road portion bordering Area C and continuing southerly, and adjacent to Area D, to the road terminus, but that no application for annexation be filed yet. An application for annexation would need to include a concurrent request for amendment of the City's sphere of influence (SOI) to encompass Area C.

Area D

The City Council directed staff to work toward an SOI amendment to incorporate Area D. There are ten (10) parcels in Area D. One of the parcels is owned by an individual with a single-family home who is not in favor of annexation, based on survey results. The other nine (9) parcels are in contiguous ownership of West Point Homes. Seven (7) of these are being developed for single-family homes to be sold individually, with one (1) to be used as an access road, and the remaining one (1) dedicated for open space. The City Council asked staff to coordinate with the majority landowner in Area D to negotiate an agreement for future annexation when the lots are sold to individual parties, since the owner is not willing to annex the properties at this time. Staff met with the owner, who was amenable to an agreement for future annexation. However, staff explored the possibility of the agreement, and determined it ultimately may not be effective at achieving the City's goals.

Geodynamics evaluated the geologic/geotechnical issues in Area D. Geodynamics was not able to physically access the site, rather was able to observe the lots from off-site and conduct literature review at the County offices. A copy of Geodynamics' summary report (May 16, 2017) is included herein as Attachment 3. The report concludes:

- Buttress fills for stabilization were apparently constructed on ascending slopes, but cannot be verified with the data available.
- Original recommendations for complete removal of all alluvial material were revised to include removals only to groundwater depth. The project consultant performed additional field and lab testing to delineate the liquefaction potential and other related hazards based on the revised removal recommendation. There are discrepancies in calculations to be clarified by the consultant.
- The final compaction and "as-built" report will likely provide clarification of the buttress/slope stabilization efforts at the site.

Currently, construction is underway on the houses. Geodynamics visited the site this past week, and has completed a preliminary review of the geotechnical review and approval letters issued by the County of Los Angeles in approving grading and building permits. Geodynamics believes the necessary geotechnical issues have been resolved. Geodynamics could confirm this determination once all of the documents are thoroughly reviewed.

The SOI amendment for Area D could be pursued at this time, along with the request for SOI amendment and annexation for Area C. The City may want to move forward with the SOI based on the preliminary assessment by Geodynamics, or may want to consider the results of the final compaction and

as-built report, as noted above, prior to deciding whether to include this area in the SOI. In any case, the current owner of Area D is not interested in annexation at this time, while he still owns the parcels. A SOI amendment for Area D would begin the process for the City to consider potential annexation at a future date.

Agoura Road Area – Swath East of Liberty Canyon Road (Area A)

As previously noted, the City Council also directed staff to study the constraints, costs, fiscal impacts and geology in the area along Agoura Road, east of Liberty Canyon Road and up to the City of Calabasas limits. The Annexation Committee directed staff to first explore the geologic/geotechnical issues in Area A. Geodynamics' report (noted above) provided a summary of the geologic/geotechnical research completed. Geodynamics indicated the following:

- The geotechnical concern is not only for Agoura Road and current and prior slope failures, but for the nearby Provident Road slide years earlier (“upslope” and further south of Agoura Road).
- There are disagreements and differing opinions about the history and current problems in this area.
- The remediation systems on the Agoura Road slope (south side of Agoura Road) have not been maintained properly in order to function. There is visible evidence of infrastructure deterioration.
- Geodynamics was not able to get access to the Provident Road area to assess the conditions of the infrastructure there.
- There is an existing failure on the south side of Agoura Road along the cut slope in roughly the same area as the original failure (evidenced by 2017 rains and resulting slump of a portion of hill). Geodynamics does not know if the current failure is indicative of renewed movement deep in the slope, or just the result of constructing a fill slope at such a steep grade. Nonetheless, the current failure will require significant grading in an area of “highly complex subsurface conditions that remains under suspicion of deep slope instability.”
- The office building lot on the south side of Agoura Road and at the east end of the Agoura Road swath is also a concern. There were difficulties during construction, as noted by County review letters, and references to “pop outs” in the 1.5:1 slope originally graded. The original geotechnical consultant identified areas that may require stabilization. It is not clear what remediation was completed. Also, an oil well was discussed in some written correspondence, which was apparently buried during the original grading.

Area E

One of the goals of LAFCO is to “clean up” irregular boundaries of cities and counties. Area E was originally considered for annexation because it acts as an “island,” surrounded on three sides by the County and on one side by the City of Agoura Hills. The City Council directed staff that there should be no further study of Area E, based on the minimal interest in annexation by the residents in the City survey [41 properties: 9 yes, 9 no, 6 not sure, 17 no response]. The City Council concluded that Area E should not be annexed. The Annexation Committee discussed whether it would be beneficial to include Area E in the SOI now, if in the future, the majority of landowners become in favor of annexation and the City decides that the area should be annexed.

Area-wide Study

On March 14, 2018, staff discussed with the Annexation Committee a recommendation by LAFCO for the City to collaborate with other nearby cities, such as Calabasas and Hidden Hills, to conduct an area-wide SOI study. Such a study would ideally consider unincorporated land along the borders of these jurisdictions and determine the most logical city to which the lands should be annexed. Based on staff’s discussions with the Executive Director of LAFCO, the cost of the study would be shared between Agoura Hills and Calabasas. While the City has been considering unincorporated lands along Agoura Hills’ eastern and southern borders for some time, and determined that Areas A, B, C, D and E warranted further evaluation, the City may still desire to take a more comprehensive look at overall annexation in the local region and coordinate with the other cities and the County of Los Angeles.

While the Committee and City Council were receptive to such a study, and budgeted funds accordingly, LAFCO Executive staff has agreed to commission the study in 2019, when LAFCO staff time becomes available.

Other

The Annexation Committee members sent a letter dated April 16, 2018 to the Executive Director of LAFCO, with a copy to Supervisor Kuehl, about the City of Calabasas annexation/sphere of influence amendment application to LAFCO. The letter is included as Attachment 4 of this report. The letter expressed concern for the geologic/geotechnical issues along Agoura Road, as summarized by Geodynamics, and included the Geodynamics’ report. The Committee explained its concern for future maintenance of the Agoura Road slope should the City of Calabasas annex the property, and emphasized the importance of the

roadway as access for the City of Agoura Hills. The letter requested that the County retain jurisdiction over Agoura Road.

In response, the Executive Director informed staff that LAFCO (the Commission) evaluates proposals pursuant to the factors identified in Government Code Section 56668 (see Attachment 5). The Commission may impose conditions on a proposed annexation pursuant to Government Code Section 56886 (see Attachment 6). Therefore, consideration of such items addressed in the letter would be at the discretion of the Commission. If the City would like to bring the items in the letter to the attention of the Commission, additional correspondence can be prepared by staff.

The Annexation Committee also recommended that the City distribute a letter to City residents in the area of the proposed City of Calabasas' annexation, once the LAFCO hearing date is announced, in order to provide advance notice for the hearing. Based on recent information from Supervisor Kuehl's office, staff understands that the City of Calabasas and County of Los Angeles have agreed on a tax transfer resolution. The City Council of the City of Calabasas has approved a tax transfer resolution, and the tax transfer resolution may be scheduled for hearing before the County Board of Supervisors as early as October 2018. Once LAFCO receives these resolutions, it can schedule the annexation/sphere of influence amendment for a LAFCO Commission hearing.

RECOMMENDATION

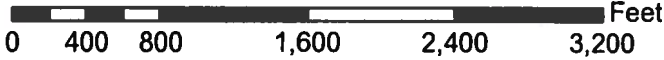
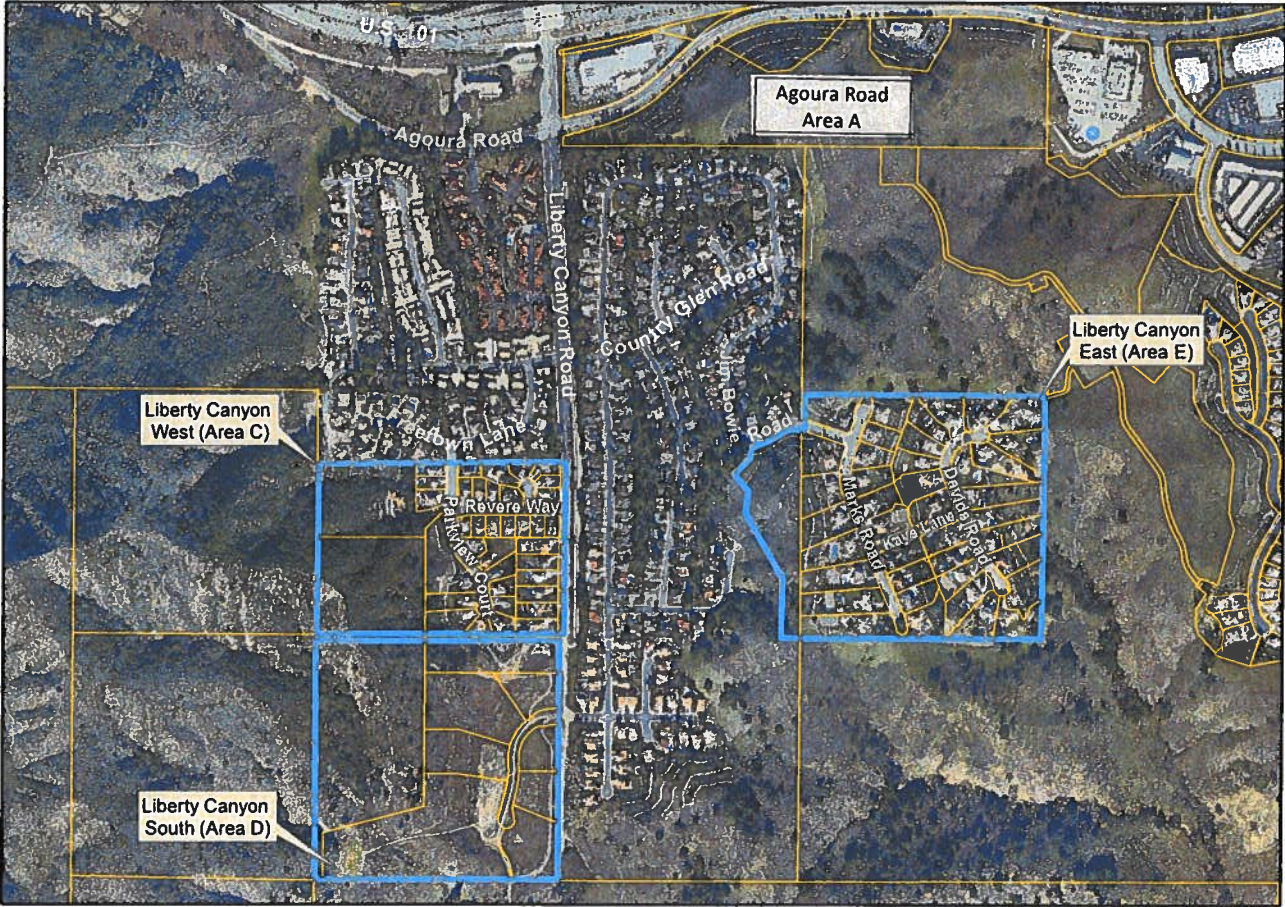
Staff respectfully requests that the City Council provide comments and direction to staff regarding the aforementioned information and issues.

Attachments:

1. Map of potential annexation areas.
2. City Council report dated January 25, 2017
3. Geotechnical Reconnaissance Report, Geodynamics, Inc., May 16, 2017
4. Letter from Committee to LAFCO Executive Director, April 16, 2018
5. Government Code Section 56668
6. Government Code Section 56886

Attachment 1

Potential Annexation Areas



Attachment 2

REPORT TO CITY COUNCIL

DATE: JANUARY 25, 2017

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: ALLISON COOK, ASSISTANT PLANNING DIRECTOR

SUBJECT: DISCUSSION OF POTENTIAL AREAS FOR ANNEXATION INTO THE CITY OF AGOURA HILLS

At the request of City Council, staff studied options for annexing nearby lands into the City of Agoura Hills in coordination with the ad hoc Annexation Committee. The City hired a consultant, Planning Plus, to assist staff in determining the feasibility and efficacy of annexing certain parcels. The purpose of this report is to provide information on the various locations considered, and to request that City Council provide specific direction to staff on any areas it would like to pursue for annexation.

Annexation is an extension of a City's corporate boundaries. A jurisdiction may pursue annexation of a given area for a variety of reasons, including: obtaining additional revenue from taxes; and controlling the type and density of development for a variety of reasons – both to increase development and limit development.

An annexation into the City of Agoura Hills would be overseen by the Los Angeles County Local Agency Formation Commission (LAFCO). LAFCO is an independent public agency created by the State of California that administers the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Act establishes procedures for local government changes of organization, including city annexations. A potential annexation to the City of Agoura Hills would require approval by LAFCO.

In a Memorandum to City Council dated June 10, 2015, staff summarized the results of the initial research into annexation of certain areas. For background purposes, the report is included as Attachment 1. Since presentation of the Memorandum, City staff has been working with the ad hoc Annexation Committee to evaluate potential annexation properties in the Liberty Canyon area, directly adjacent to the City limits. Annexation is being considered, in part, because some property owners indicated a desire to become part of the City. Additionally, there are a few pockets of existing or planned development directly adjacent to the City that are accessed solely via City roadways, but which are in

the unincorporated Los Angeles County area; LAFCO encouraged the City to consider these areas as a way of creating more logical and simpler jurisdictional boundaries.

The Annexation Committee and staff have been primarily focusing on two areas in the Liberty Canyon area: Area C on the west side of Liberty Canyon Road; and Area E on the east side of Liberty Canyon Road. Additionally, the Liberty Canyon Road right-of-way (ROW) south of Area C has also been considered in order to beautify the ROW and maintain a consistent appearance. Note that Area C includes the portion of the ROW directly to the east and adjacent to the residences in Area C). Area D was also considered to a limited extent. Attachment 2 is an exhibit of these areas.

Area C consists of 38 parcels, all but one (1) of which are developed with single-family homes; the one lot in Area C that is vacant is restricted as open space per the County Assessor's Map. Area E consists of 41 residential parcels, of which all but one (1) are developed. Area D has ten (10) lots, of which one (1) is a road to access future homes, one (1) is protected as open space per the County Assessor's Map; and one (1) is developed as a single-family home and business. Seven (7) lots remain in Area D for residential single-family use; they have been entitled for single-family homes by the County of Los Angeles, but have yet to be constructed.

Items considered in evaluating areas for possible annexation typically include:

- Likely consent of property owners/residents
- Environmental/geological conditions that present development challenges and/or liability
- Compatibility of development patterns and current zoning with City standards and zoning
- Availability of public services
- Economic cost/benefit
- Likelihood of LAFCO support of boundaries

LAFCO supports logical boundaries for cities and counties. Annexations are evaluated for their shape and configuration on a case-by-case basis, and an annexation resulting in an illogical expansion is not acceptable. Logical boundary expansions typically include adjacent streets, topographic features, flood control channels, etc. that "round out" existing boundaries. LAFCO discourages "island" areas, and areas with irregular borders. In this case, LAFCO staff has requested that the City consider "cleaning up" its boundaries in the Liberty Canyon area.

A summary of the remaining items that are commonly evaluated prior to annexation follows.

PROPERTY OWNER AND RESIDENT SURVEY

On August 12, 2016, staff mailed a letter signed by the City Manager and a self-addressed, postage-paid response postcard (Attachment 3) within Areas C and E. The letter explains that the City is considering a possible annexation of land adjacent to the City boundary and is seeking community input to assist in determining whether and how to proceed with a formal proposal for annexation. The survey asked if the owner/resident was in support of annexation, against annexation or was undecided (“not sure”). It also asked what further information the respondent would need to make a decision. Recipients of the letters were asked to submit their responses by September 12, 2016.

A total of thirty-one (31) responses out of seventy-nine (79) mailed were received, a response rate of 39 percent. Due to the low response rate, a door-to-door survey was implemented to garner more feedback from property owners and residents. During the early evening hours on October 3 and 4, 2016, City staff went door-to-door to properties not responding to the first letter. A second copy of the annexation letter and a self-addressed, postage-paid postcard was hand-delivered to the household if someone answered the door. For those households not answering the door, the letter packet was mailed on either October 4 or October 6, 2016. A total of twenty (20) additional responses were gathered from the door-to-door survey.

Only four respondents asked for additional information, which consisted of questions about “permitting,” “consequences and benefits,” “specific pros and cons,” and a “concern that the protections under the North Area Plan would be eliminated with annexation.” This report attempts to respond to those general comments. With regard to the North Area Plan (NAP), the NAP is the community plan for the unincorporated areas of Los Angeles County near Agoura Hills and Calabasas, similar to a local General Plan. If annexed, the areas would no longer be part of the NAP, rather they would be part of the City’s General Plan, which was updated and newly adopted in 2010. The City General Plan would need to be amended to include any newly annexed areas. Like the NAP, the City General Plan seeks to preserve and maintain natural areas and features, including ridgeline protection, and to consider sustainable development. The City’s Hillside Ordinance would also apply to annexed areas, and offers more specific protection of hillsides.

The following Table 1 presents the annexation survey results for Areas C and E, individually and combined.

Table 1 – Survey Results – Areas E and C

SUMMARY OF ANNEXATION SUPPORT	Yes	No	Not Sure	No Response
Total Responses for East Side (Area E) [24 of 41 properties] 58.5%	9 22% ¹	9 22% ¹	6 14.6% ¹	17 41.4%
Total Responses for West Side (Area C) [27 of 38 properties] 71%	22 57.8% ¹	4 10.5% ¹	0	12 31.6%
TOTAL RESPONSES [79 properties]	31 39.2% ¹	13 16.5% ¹	6 7.6% ¹	29 36.7%
Overall Response Rate = [51 of 79 properties] 64.6%				

¹ Reflects % of all properties, not just the properties whose owners responded.

Ultimately, the combined response rate for both areas was 64.6 percent, and of the total owners of property, 31 percent favor annexation. For Area C alone, the support for annexation is 57.8 percent of property owners. For Area E, there is 22 percent in favor and 22 percent not in favor, with 14.6 percent unsure.

One of the larger parcels in Area C is currently restricted open space, as identified on the County Assessor Map. Attachment 4 shows this parcel in relation to Area C. The owner of that parcel has expressed a strong opinion that it not be annexed. Given the owner's strong opposition, the fact that the parcel is protected as open space, is steeply sloped (likelihood of development is low), access to the parcel would be via the owner's other parcels in the County in Area D (split jurisdiction of contiguous, commonly owned properties if D is not annexed), the Annexation Committee supported its removal from Area C. In terms of "clean lines" for LAFCO, removal of the parcel would not create an island or unusual border of jurisdiction, since it is a square parcel. If both Areas C and D are annexed, however, (as discussed below) this parcel should be included in the annexation, as it would otherwise create an irregular boundary, and would result in a portion of the owner's property in the City and another in the County.

While Area D was previously dismissed from consideration due to an expected lack of property owner support, the Annexation Committee recommended that the properties be surveyed nonetheless to verify this assumption, and in response to LAFCO's request that the City at least initially explore annexation of various areas in Liberty Canyon. On November 22, 2016, staff mailed the annexation letter and survey postcard to the two (2) property owners in Area D. A response was requested by December 12, 2016. Both owners, which own a combined total of ten (10) parcels, responded that they do not support annexation. Adding these responses to the total for Areas C and E shows the following:

Table 2 – Survey Results – Areas E, C, and D

SUMMARY OF ANNEXATION SUPPORT	Yes	No	Not Sure	No Response
Total Responses for East Side (Area E) [24 of 41 properties] 58.5%	9 22% ¹	9 22% ¹	6 14.6% ¹	17 41.4%
Total Responses for West Side (Area C) [26 of 38 properties] 71%	22 57.8% ¹	4 10.5% ¹	0	12 31.6%
Total Responses for South Side (Area D) [10 of 10 properties] 100%	0	10 100% ¹	0	0
TOTAL RESPONSES [89 properties]	31 34.8%¹	23 25.8%¹	6 6.7%¹	29 32.5%
Overall Response Rate = [61 of 89 properties] 68.5%				

¹ Reflects % of all properties, not just the properties whose owners responded.

The combined response rate for all areas was 68.5 percent, and of the total property owners, 34.8 percent favor annexation. For Area C alone, the support for annexation is 57.8 percent of property owners, while for Area D there is no support.

While there is no rule for a minimum percent support needed to pursue annexation, an amount beyond 50 percent is commonly used. Staff of LAFCO has noted that some cities require at least a 60-65 percent rate of support to carry an annexation application forward to LAFCO. Only Area C, with annexation supported by 57.8 percent of owners, has a favorable response rate greater than 50 percent, although less than 60-65 percent.

The consent of the majority of the property owners is important to obtain approval of an annexation by LAFCO. Once LAFCO approves a boundary change, it holds a public hearing to measure protests. The Local Agency Formation Commission can waive this public hearing if all three of the following conditions are met: the affected territory is uninhabited; all of the landowners in the affected territory give their written consent; and all affected local agencies give their written consent (e.g., an adjoining jurisdiction supports the annexation). At the hearing, a landowner within the affected territory can protest the proposed boundary change. The Local Agency Formation Commission counts the protests and adopts a formal resolution that orders the boundary change without an election if less than 25 percent of the landowners protest; orders the boundary change subject to voter approval in an election if the protests are between 25-50 percent; or denies the boundary change if more than 50 percent protest.

Considering Area C alone, a support for annexation of 57.8 percent of the residents results in 42.1 percent not in favor or not responding. If at least 25 percent of the 42.1 percent protest the annexation (10.5 households), LAFCO may call for an election on the

matter. An election could be a regularly scheduled ballot election, or a mail-in ballot election administered by the County Registrar. In the election, the annexation can be stopped if the majority of votes cast by registered voters in the candidate area are against the proposal.

GEOLOGIC CONDITIONS

A preliminary investigation of geologic features and conditions in Areas C and E was conducted by the City's Geotechnical Consultant, Geodynamics, Inc. The investigation is useful in determining if annexing the territory would create financial or regulatory liability for the City in terms of needing to remedy potential failures and unsafe conditions.

Geodynamics, Inc. reviewed existing geologic reference publications and aerial photographs, as well as conducted a brief survey of the properties. The study did not include any sampling of soils or subsurface investigation, and so the conclusions are preliminary. The residential developments appear to have been constructed per codes, guidelines and standards of the time during the 1970s-1990s.

Area E is considered highly complex geologically. The western edge, which is susceptible to landslide, appears to have been addressed by burying the landslide with the grading for the subdivision and homes. There is no evidence of ongoing geotechnical issues.

Area C is susceptible to landslides and liquefaction. It has been completely developed, likely with construction measures that have reduced the geotechnical concerns. While there are some minor irregularities, with unauthorized grading for example in the southernmost part of Area C, there appear to be no unmitigated significant geotechnical hazards. The residential developments appear to be performing adequately with no signs of distress unusual for developments of this age.

ZONING AND DEVELOPMENT CONSIDERATIONS

Potential zoning and development issues were explored for Area C and Liberty Canyon Road south of Area C. With the exception of the open space parcel recommended for removal, all parcels in Area C are developed with single-family residences, and there are no vacant lands. Staff and the Annexation Committee considered three different zoning districts existing in the City that most closely reflect the County zoning in terms of lot size, density and development standards. Please see Attachment 5 for the proposed zoning districts in Area C.

The two largest parcels are being considered for RL (Residential Low Density) zoning, which allows 1-2 dwelling units per acre. One is located on Parkview Court and one on Revere Way. The only other location with RL zoning is Old Agoura. The County zoning on these two parcels is A-1-22,000 Light Agricultural (minimum 22,000 square-foot lots).

Both the RL and A-1-22,000 allow for limited agricultural uses. Each of the two parcels is developed with a single-family home, and both are hillside lots. There appears to be some limited agriculture on APN 2063-042-020, while APN 2063-035-025 has steep, vegetated slopes that may preclude any further development. The RL zone requires a minimum 20,000 square-foot lot, which both lots meet. The RL zone allows a maximum 30-foot-high building; the County A-1-22,000 zone allows a 35-foot-high building, so there may be non-conforming status regarding height.

Aside from the two lots noted above, the lots along Tiffany Court and Revere Way would be zoned RS-3 (10,000) as they are smaller, and those along Liberty Canyon Road and Parkview Court, which are relatively larger, would be RS-2 (15,000). Nonetheless, the two zones have the same development standards, including setbacks and building coverage. Building height is 35 feet maximum.

The single dedicated open space parcel could be zoned RL to be contiguous with the other adjacent proposed zoning. Alternatively, the lot could be OS-DR (Open Space – Deed Restricted); this would result in a single lot zoning district. Nonetheless, as previously noted, it may be more appropriate to leave this lot in the unincorporated County area.

Roadways are zoned the same as the adjacent properties. Therefore, Liberty Canyon Road through Area C would be zoned RS-2 and RS-3 (depending on the adjacent residential zone). The portion of the roadway further south would take on the zone of the existing City residential lots to the east, which is RS-3 (10,000), and OS-R (Open Space-Restricted) beyond. If Area D is annexed, however, the roadway zoning would be split at centerline, with each side of the roadway taking the zone of the adjacent residential area. If Area D is annexed, the full roadway adjacent to D should be considered for annexation, including the unpaved segment at the southerly terminus, to create a more even City boundary.

Further research is needed to determine the best zoning districts for Areas E and D. Given that these lots are for the most part larger than those in Area C, possible districts to consider may be the RL, RV (Residential Very Low Density) or OS-R (which allows one single-family home).

Upon annexation, all properties and their developments would come under City Planning, Engineering and Building regulations. Existing, non-conforming lots and development, both the original structure and any additions thereafter, could remain as is. For example, a first story addition to a residence that has a side setback of five (5) feet, although the City zoning standard may be ten (10) feet, would not need to be changed. If such resident would like to construct an addition to an existing home on a portion of the house that has a setback greater than five (5) feet, the resident could encroach up to five (5) feet into the

setback to match the existing setback of the remainder of the house. For a second story addition to a residence that has a side setback of five (5) feet, although the City zoning standard may be ten (10) feet, the addition can go up to five (5) away from the side property line as long as both side yard setbacks combined meet the total required setback. However, any developments that were constructed illegally, without permits, or completed against City/County Building Code, would need to be brought into compliance.

Staff used aerial photos to review, on a preliminary basis, the existing developments and their compliance with RL and RS standards to determine if there would be substantial non-conformity. Staff believes yard setbacks, such as side yards, would be the primary area of non-conformance. For the most part, building height and lot coverage seem to be consistent with City standards, but a thorough study has not been completed. As previously noted, residences on the larger lots of Area C may be up to five (5) feet higher than the potential City zoning district would allow.

Staff has not determined if there is illegal and/or unpermitted construction at this time. A preliminary study of Areas E and D and their potential compliance with City standards has also not been conducted.

PUBLIC SERVICES

Since the City contracts many of its services with the County, there would be no change in most services upon annexation of any of the considered areas. The Las Virgenes Municipal Water District (water and sewer), Las Virgenes Unified School District, Los Angeles County Sheriff, consolidated Fire Protection District of Los Angeles County, County Flood Control District, County Vector Control District, and the County Library would continue to serve any annexed areas. Waste haulers would likely be the same or similar to those now serving the County, and the same landfill(s) used. All potential annexation areas are served by sewer. (See discussion under "FISCAL IMPACT" below for services currently provided within the County that would not be required in the City).

Annexed territories would have more local government (i.e., City) representation and coordination for local services. City Public Works Department services would include public street maintenance (including sidewalks); issuing ROW, encroachment, and development related permits; and approvals such as a grading permit. The City Building Division would be responsible for issuing any Building Permits that would be subject to the building regulations of the City of Agoura Hills. Lastly, the City Planning Department and/or Planning Commission would be responsible for most planning/zoning approvals. The annexed properties would be included in any future comprehensive planning efforts, along with the City as a whole, including the City's General Plan.

FISCAL IMPACT

Staff has compared a typical property tax bill for a residential lot near Area C but in the City with the list of current property tax assessments for the lots in Area C to understand how property taxes might be affected upon annexation to the City. There is a Los Angeles County Solid Waste Service Charge and Library Services fee that is not required of City residents, although solid waste and library services would continue to be provided. These fees total almost thirty-four (34) dollars. Therefore, properties to be annexed would save this much each year in property taxes. Please see Attachment 6 for a summary of the property tax assessment fees estimated for Area C. Because of parcel size, property taxes in Areas E and D are expected to be similar to those of the larger lots in Area C.

Benefits to a City from annexation often include an increase in revenues. Given that the candidate sites are, or would be, developed as residences, annexation would not result in an increase in sales or business taxes to the City. The City would realize additional property tax by annexation, but compared with the higher cost of providing services, a net increase in costs to the City annually would result.

Staff calculated the estimated costs and expected revenues from annexation. Table 3 below shows the estimated maintenance costs of public facilities in Areas C and the southernmost portion of Liberty Canyon Road ROW beyond Area C. The costs annually would be \$48,177 and \$8,485, respectively, totaling \$56,662.

Table 3 – Maintenance Costs for Area C and ROW Below Area C

Item	Annual Cost (\$)		Details
	Area C ⁵	Liberty Canyon Rd. ⁴	
Street Lights	3,192	840	Maintenance covered by LA County Maintenance District 1687. City to cover electricity expense only.
Water Lines	0	0	LVMWD owns and maintains.
Sewer Lines	0	0	L.A. County Sewer Maintenance District owns and maintains.
Sidewalk	14,114 ¹	2,571 ¹	Assumes maintenance/repair on average every 7 years. Provided by contractor to City.
Street Sweeping	279	53	Provided by contractor to City.
Street Overlay	29,492 ²	4,821 ²	Provided by contractor to City. Assumes every 10 years.

Landscaping (sidewalk planters, trees)	1,100 ³	200 ³	Provided by contractor to City. Most trees in Area C are on private property. Minimal planters. Assumes tree trimming every 3 years, and other maintenance regularly.
TOTAL	48,177	8,485	

¹ Cost distributed over 7 years to achieve an annual cost.

² Cost distributed over 10 years to achieve an annual cost.

³ Cost of tree trimming distributed over 3 years to achieve annual cost, plus annual other landscaping maintenance.

⁴ Includes Liberty Canyon Road south of Area C up to Park Vista Court (paved segment).

⁵ Includes Liberty Canyon Road adjacent to Area C.

Table 4 below shows the estimated fiscal impact of annexing these same areas, reflecting the anticipated maintenance costs and property tax revenues. For Area C, the total property tax revenue would be \$14,815 each year. Combined with the expected maintenance costs, there would be a net annual cost to the City of \$33,362. For Liberty Canyon Road ROW south of Area C, the costs would be an additional \$8,485, which represents the net costs, since the road brings no property tax revenue. So, the net annual cost to the City of annexing both areas would be \$41,847.

Table 4 – Annual Fiscal Impact of Area C and ROW Below Area C

Annexation Area	Public Facilities Maintenance Cost(\$)	Property Tax Revenue (\$)	Net Fiscal Impact (\$)
Area C ¹	48,177	14,815	
Liberty Canyon Road (south of Area C)	8,485	0	
TOTAL	56,662	14,815	(41,847)

¹ Includes Liberty Canyon Road ROW directly adjacent to Area C on the east.

The maintenance costs for Areas C and E combined, as well as the Liberty Canyon Road ROW below Area C (adjacent to Area D), is summarized in Table 5. The total cost is \$162,974.

Table 5 – Maintenance Costs for Areas C and E Combined and Liberty Canyon Road ROW

Item	Annual Cost (\$)		Details
	Areas C & E	Liberty Canyon Rd. ³	
Street Lights	6,552	1,848	Maintenance covered by LA County Maintenance District 1687. City to cover electricity expense only.
Water Lines	0	0	LVMWD owns and maintains.
Sewer Lines	0	0	L.A. County Sewer Maintenance District owns and maintains.

Sidewalk	54,309 ¹	7,600 ¹	Assumes maintenance/repair on average every 7 years. Provided by contractor to City.
Street Sweeping	1,069	238	Provided by contractor to City.
Street Overlay	56,740 ²	25,218 ²	Provided by contractor to City. Assumes every 10 years.
Landscaping (sidewalk planters, trees)	4,111 ⁴	5,289 ³	Provided by contractor to City. Most trees in Area C are on private property. Minimal planters. Assumes tree trimming every 3 years, and other maintenance regularly.
TOTAL	122,781	40,193	

¹ Cost distributed over 7 years to achieve an annual cost.

² Cost distributed over 10 years to achieve an annual cost.

³ Includes portion adjacent to Area C and paved portion adjacent to Area D (up to Park Vista Road).

⁴ Cost of tree trimming distributed over 3 years to achieve annual cost, plus annual other landscaping maintenance.

The net annual fiscal impact to the City, considering maintenance costs and property tax revenues, for Areas C and E plus Liberty Canyon Road ROW adjacent to Area C and below Area C (adjacent to Area D) is shown in Table 6. The net annual cost to the City is estimated to be \$122,021.

Table 6 – Annual Fiscal Impact of Combined Areas C & E and ROW Below Area C

Annexation Area	Public Facilities Maintenance Cost (\$)	Property Tax Revenue (\$)	Net Fiscal Impact (\$)
Areas C ¹ & E and Liberty Canyon Road ROW South of Area C	162,974	40,953	(122,021)

¹ Includes Liberty Canyon Road ROW adjacent to the east of Area C.

The fiscal impact of annexing the ten (10) parcels in Area D has not been calculated. However, like Areas C and E, it is expected that the property tax revenue would not exceed the costs for City services, and therefore a net annual cost to the City would result. Staff expects that the properties in Area D would be similar to the properties in Areas C and E, and not require different maintenance responsibilities.

ANNEXATION VERSUS SPHERE OF INFLUENCE

A Sphere of Influence (SOI) is a term used to delineate a city's probable future physical boundary and service area. It consists of an area that a city intends to annex in the future, but which is not currently within the city limits. The SOI is often bigger than a City's current jurisdiction. Annexation refers to incorporating a specific territory into the City limits. The area to be annexed must first be identified in a city's SOI. Since the date of incorporation

of the City of Agoura Hills, the City's boundary has been coterminous with its SOI. In other words, there are no lands in the SOI that have not already been incorporated into the City. Therefore, an application to LAFCO would include a request for an SOI change and annexation concurrently. The purpose of placing a property in a SOI is to plan for eventual annexation of that property.

PROPERTY OWNER OUTREACH

In addition to the mailed letter with the "Fact Sheet" and survey to all property owners within the possible annexation areas, staff provided a courtesy notice of this City Council discussion item by mail and electronic mail (to those providing an e-mail address) to all who requested to be placed on a notification list for further information concerning annexation. The notification list includes all but seven (7) of the property owners who responded. Additionally, staff decided to provide the notice to these seven property owners, as well as to owners not returning the survey postcard. Therefore, all property owners potentially affected have been notified of this meeting. Because this item is for discussion only, a formal notice is not required. Future City Council public hearings regarding annexation would require conformance to established public hearing notice procedures.

SUMMARY AND NEXT STEPS

The Annexation Committee explored the following areas for annexation: C (with adjacent Liberty Canyon Road ROW); E; D; and the Liberty Canyon Road ROW south of Area C. Of the areas surveyed, only Area C has a majority of owners in support of annexation to the City. Removal of the large, protected open space parcel from Area C (as previously mentioned) would result in greater support for annexation of the remaining property owners. Because Liberty Canyon Road is a ROW, there is no opposition to its annexation. There is expected to be a net annual cost to the City upon annexation of any and all of the considered areas.

If the City Council is in favor of annexation, staff would prepare the necessary analyses and documentation, and at a second and future City Council meeting, staff would bring a request for City Council to initiate annexation by approving a Pre-Zoning Ordinance to identify future zoning districts, adopting a Resolution of Annexation, and adopting an environmental document pursuant to the California Environmental Quality Act (CEQA) that analyzes the environmental effects of annexing the properties.

In terms of processing the annexation, staff would prepare one application to LAFCO, which would include a Sphere of Influence amendment for the annexation area. Assuming all necessary actions would be combined in one application to LAFCO, staff expects that the application and related processing and technical report preparation fees, including

consultant fees, would be approximately \$171,000. The timeline for processing an annexation through LAFCO is commonly 18-24 months.

RECOMMENDATION

Staff respectfully requests that City Council direct staff on which areas to further explore for annexation through the Los Angeles County Local Agency Formation Commission, if any, and to return to City Council with additional information, and/or the items necessary to formally initiate annexation proceedings.

Attachments:

1. Report to City Council dated 6-10-17
2. Map of Potential Annexation Areas
3. Letter, Fact Sheet and Postcard Survey mailed to property owners
4. Modified Area C - without open space parcel
5. Area C Proposed Zoning Districts
6. Estimated Area C Property Tax Assessment



INTER-OFFICE MEMORANDUM

DATE: JUNE 10, 2015

TO: HONORABLE MAYOR AND MEMBERS OF COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

**BY: NATHAN HAMBURGER, ASSISTANT CITY MANAGER
ALLISON COOK, PRINCIPAL PLANNER**

SUBJECT: CITY ANNEXATION OPTIONS

I. BACKGROUND

At the request of City Council during the 2014 budget workshop, staff began studying options for annexing nearby lands into the City of Agoura Hills in coordination with the City Council Annexation Committee. The City hired a consultant, Planning Plus, to assist staff in determining the feasibility and efficacy of annexing certain parcels. This report is a summary of annexation options that staff worked through with the Annexation Committee. Staff is seeking direction from the City Council on items to pursue further.

A. Items to Consider When Evaluating Candidate Sites

A jurisdiction may pursue annexation of a given area for a variety of reasons, including: obtaining additional revenue from taxes; and controlling the type and density of development for a variety of reasons – both to increase development and limit development.

Some important items to consider when evaluating a potential area for annexation, and determining its feasibility, include the following:

- ✓ Likely consent of property owners and/or voters.
- ✓ Environmental/geological conditions that present development challenges and/or liability.
- ✓ Compatibility of development patterns and current zoning with City standards and zoning.
- ✓ Availability of public services.
- ✓ Economic cost/benefit.

- ✓ Likelihood of LAFCO support of boundaries.

Support of Voters/Property Owners

The consent of the majority of the property owners is important to obtain approval of an annexation by the Local Agency Formation Commission (LAFCO). Once LAFCO approves a boundary change, it holds a public hearing to measure protests. LAFCO can waive this public hearing if all three conditions are met: the affected territory is uninhabited; all of the landowners in the affected territory give their written consent; and all affected local agencies give their written consent (e.g., an adjoining jurisdiction supports the annexation). At the hearing, any registered voter or landowner within the affected territory can protest the proposed boundary change. LAFCO counts the protests and adopts a formal resolution that orders the boundary change without an election (if less than 25 percent of the registered voters or landowners protest); orders the boundary change subject to voter approval in an election (if the protests are between 25-50 percent) or denies the boundary change (if more than 50 percent protest). Therefore, it is important to gauge support for the annexation early on. Initial postcard surveys of voters/owners in the candidate area, or other similar informal means of determining support, can be helpful.

There are many factors that can influence support for annexation on the part of a voter or land owner. These include land use and development standards of the City versus the County, creating a regulatory environment more or less conducive to development, or being in “non-conformance”; whether annexation would result in more or less costs, such as taxes, to a voter or landowner (which in this case would likely amount to the same, since the City may not provide significantly less taxes or fees than currently exist for the areas); more local representation and government control in the City versus County; and the public services (e.g., Sheriff Department, water district) available in the territory, (which, in this case, would be nearly identical in the City versus the County). These items are discussed further below.

Environmental Constraints

An initial survey of critical environmental, particularly geologic, features and conditions on the site is important. This helps determine if annexing the territory would create a liability – financially and regulatory – for the City in terms of needing to remedy potential failures and unsafe conditions. Some of the candidate sites contain geotechnical issues that warrant additional study.

Zoning/Land Use Designations

The candidate areas contain County zoning standards and land use designations different from those of the City of Agoura Hills. Upon annexation, the City could either adopt the County categories, at least on a temporary basis, or determine which of the City categories best matches that of the County, to which the candidate area has been built. There would likely be discrepancies in standards between the City and County.

Designating the territory with a City zoning district and land use designation may result in non-conforming structures or land use standards (e.g., density, building coverage), to a lesser or greater extent. Annexing an existing developed area that is highly inconsistent with the development patterns in the City may present regulatory challenges. For the most part, staff expects City standards would be found to be stricter than those under the County. The City may decide to "grandfather" the non-conforming aspects, and allow them to continue, or provide a mechanism for the standards to be met over a period of time, if feasible.

Availability of Public Services

Since the City contracts many of its services with the County, there would be no change in most services. The Las Virgenes Municipal Water District (water and sewer), Las Virgenes Unified School District, Los Angeles County Sheriff, consolidated Fire Protection District of Los Angeles County, County Flood Control District, and the County Library would continue to serve any annexed areas. Waste haulers would likely be the same or similar to those now serving the County, and the same landfill(s) used. Therefore, a change in public services would not be a significant issue for annexation, and costs for services would likely remain the same for the property owners. Annexed territories would have more local government representation and coordination for local services, such as street repair, business licensing, and planning and building permits, which could be viewed as more expeditious and therefore advantageous.

Costs and Benefits to the City

Benefits to the City from annexation often include an increase in taxes. Given that the candidate sites are developed as residences, or would be developed as residences, considering the current or likely land use and zoning categories, annexation would not result in an increase in sales or business taxes to the City. The City would realize additional property tax by annexation, but the increase would need to be weighed with possible additional costs of maintaining public services in the areas.

Likelihood of LAFCO Support

Annexations are evaluated for their shape and configuration on a case-by-case basis, and annexation resulting in an illogical expansion is not acceptable. Logical boundary expansions typically include adjacent streets, topographic features, flood control channels, etc., that "round out" existing city boundaries.

B. Potential Sites

Attachment 1 shows the various parcels that staff initially considered for annexation. These include five areas labeled A, B, C, D, and E proposed as "candidates." (Also shown on Attachment 2). In addition, Areas 1, 2, 3 and 4 were discussed conceptually for inclusion in the "candidate" grouping. They were later dismissed, as they are non-contiguous to the City and/or do not provide much advantage to the City for annexation

since they are protected open space owned by the state or federal government, or otherwise dedicated for open space. The two areas shown as "AEE" refer to the proposed Agoura Equestrian Estates Project annexation areas. The Agoura Equestrian Estates Project is currently being considered for approval by the City, including annexation, and is currently in the California Environmental Quality Act (CEQA) review stage.

Also, the Triangle Ranch Project site, south of the City (Attachment 2, "Phase 2 – Possibility"), was determined to be a site to consider in a later phase of the annexation review.

Table 1 below is a summary of the characteristics of the five candidate areas, followed by more detailed information on each site.

TABLE 1
CANDIDATE SITES - CHARACTERISTICS

Area	Size (Acres/Parcels)	Development Status	Ownership	Access	Zoning/Land Use	Notes
A	503/9	<i>Mostly vacant</i> - 320 acres dedicated open space; remainder is vacant, undeveloped land except 10 acres along US 101 for private school.	Public (State-SMMC)/ Private	Existing residential neighborhood in Calabasas on Canwood Street in County.	OS; Single Family Residential 5-acre min and 20 acre min; Heavy Agriculture.	Not immediately contiguous to City, so only a candidate if the AEE Project annexation is approved. Mostly hillside area. Adjacent to landfill.
B	40/1	<i>Vacant</i> - surrounded by dedicated open space areas, except on East.	Private	Liberty Canyon Road via Freetown Lane to East	Light Agriculture, 5 acre minimum; Mountain Lands 1 dwelling unit/5 acres.	Steep hillsides, native vegetation. Proposed for new County SEA. Contiguous to City, but would likely only make sense if Candidate Area C is annexed.
C	25/38+	<i>Developed</i> - 38 single family homes; in addition, a few vacant open space parcels.	Private	Liberty Canyon Road	Single Family Residential (R-1), 22,000 minimum SF lot; Residential 2/U2 (2 DU/acre).	Contiguous to City limits.
D	26/9	<i>Mostly vacant</i> - County has approved and recorded a tract map for 8 single family lots and 1 improvement/open space lot; subdivision unimproved except 1 home developed to date.	Private	Liberty Canyon Road	Light Agriculture, 5 acre minimum; Mountain Lands 1 dwelling unit/5 acres.	Surrounded by dedicated open space lands to west and south, and existing development to north and east. Area is contiguous to City limits.

Area	Size (Acres/ Parcels)	Development Status	Ownership	Access	Zoning/ Land Use	Notes
E	35/40	<i>Developed</i> - 40 single family homes.	Private	Access is solely from Jim Bowie Road in the City of Agoura Hills.	Light Agriculture, 5 acre minimum; Mountain Lands 1 DU/5 acres.	Surrounded on north, east and south by dedicated open space, and on the west by a residential subdivision in the City of Agoura Hills. The area is contiguous to the City of Agoura Hills but is in a separate valley from Liberty Canyon. Possible geologic/landslide issues.

Candidate Area A contains several parcels. The westernmost parcel, adjacent to the Agoura Equestrian Estates Project parcels, is contiguous to the City and state-owned and protected as open space. Another parcel is developed with a private day school. The remaining parcels could be developed with single-family residences of a 5-acre minimum lot size. The owners of the westernmost parcels, adjacent to the City of Calabasas, have indicated a desire to develop a single-family residential community at a higher density than currently allowed by the County. The westernmost parcels are located directly south of the Calabasas Landfill, so there could be environmental concerns associated with the close proximity to the landfill waste. Access to any proposed residential development is a challenge, since the City of Calabasas has previously noted that it would not allow access from the existing residential community to the east. Annexing the parcels and approving a residential development would be leapfrog development over the state owned parcel, and directly adjacent to an existing residential neighborhood in Calabasas. While the state would likely not object to annexation of its property, the owners of the private land, particularly the proposed residential site, may be reluctant to annex to the City of Agoura Hills unless assurances are made that the City would support its proposed residential development. The benefits of annexing Area A are limited since a large portion of it is already protected by the state and the remaining parcels may present more pressure to develop at an intensity and location than the City might desire to support. The City should also be mindful that the state will likely assign additional Regional Housing Needs Assessment (RHNA) fair share housing allocations to the City in instances of uninhabited annexation. Area A could only be annexed if the Agoura Equestrian Estates Project is annexed; otherwise, an "island" of land would be created with Area A.

Candidate Area B consists of a single owner. A plot plan for one single-family home was approved for this site by the County in 2012. The home has not yet been built. The plot plan is valid until July 2016. It may be possible to subdivide the parcel into several separate parcels, if slope, access and geotechnical issues are not obstacles, but that would require approval of a different plot plan and a parcel or tract map. The land has recently been designated a Significant Ecological Area (SEA) in the County General Plan. It contains steep slopes and likely sensitive and protected native vegetation and valuable ecological resources.

The owner may not desire to annex to the City unless a greater development scenario is offered. With annexation, the City would have control over how the land is developed, but this same possible benefit could present additional regulatory challenges for the City if the City's desires are in conflict with the owner's. Note also that this annexation is most appropriate if Area C to the east is also annexed to create a proper City boundary line (i.e., not "island" like).

Candidate Areas C and E are both fully built out and it is likely that LAFCO would find them logical for annexation since they are contiguous to the City boundary and akin to County "islands" of development, which are discouraged by LAFCO. Area C consists of conventional single-family tract homes similar to what is adjacent in the City of Agoura Hills. Area E consists of large lot estate style homes. Aside from evening out the City boundary line, there are not significant benefits to annexation, unless annexation would

result in an increased economic benefit to the City. Both areas are using City services, such as roads, and perhaps City park facilities, so that the City may be compensated for the expenditures by capturing property tax. The disadvantages to annexation could be inheriting non-conforming buildings and land use and development standards that could pose a regulatory challenge to the City. Because of the possible non-conforming status and possibly stricter City land use and development controls, the voters/property owners may resist annexation, preferring to remain in the County. All hillside properties in the City are subject to the City's rigorous geologic and geotechnical reviews prior to development approval. The City's process is critical, given the history of landslides in the areas. Both areas have slope stability concerns (further discussion below).

Candidate Area D consists of an eight-parcel tract map that has been recorded by the County. One of the homes has been built. The future developers of the residential units would likely seek assurance that they can develop the properties as entitled. Given that City standards are often more restrictive than those of the County, it is possible that the entitled home would not be consistent with City regulations and standards. The existing home may be non-conforming, and regulatory challenges may result. If the property owners desire a change in the entitlement, such as higher density, that could be in conflict with City standards and regulations. As such, the voters/property owners may not want to be annexed, but want to remain in the County. The area is contiguous to the City, and would make more sense to annex if Area C is also annexed, as it would result in further isolation of Area C, similar to what Area E currently presents. There are no significant benefits to the City with annexation, except possibly containing the development. Yet, areas to the north and east of Area D are already developed, and areas to the west and south are protected open space, so annexation of this area to protect development of the surrounding area is not necessary.

II. ANNEXATION VERSUS SPHERE OF INFLUENCE

A Sphere of Influence (SOI) is a term used to delineate a city's probable future physical boundary and service area. It consists of an area that a city intends to annex in the future, but which is not currently within the city limits. The SOI is often bigger than a City's current jurisdiction. Annexation refers to incorporating a specific territory into the City limits. The area to be annexed must first be identified in a city's SOI. Since the date of incorporation of the City of Agoura Hills, the City's boundary has been coterminous with its SOI. In other words, there are no lands in the SOI that have not already been incorporated into the City. Therefore, an application to LAFCO would include a request for an SOI change and annexation.

III. ANNEXATION COMMITTEE REVIEW – FEBRUARY 2015

At its meeting on February 3, 2015, the Annexation Committee directed staff to look further at the feasibility of annexing Areas B, C and E, given in part their direct adjacency to existing residential subdivisions of the City. The Committee also directed staff to explore the feasibility of annexing the right-of-way of Liberty Canyon Road south of Area C and continuing southerly, adjacent to Area D. (Note that annexation of Area C

includes Liberty Canyon Road through Area C). The purpose of the right-of-way annexation would be to maintain the aesthetics of the road and adjacent landscaping. The Committee acknowledged that Area A was already being addressed in the Agoura Equestrian Estates Project process, and owner support of annexing Area D was thought to be limited.

Staff retained the City's geotechnical/geological consultant, Geodynamics, Inc., to review existing geologic reference publications and aerial photographs, and conduct a brief surface survey of the properties in order to provide an initial assessment of possible geotechnical constraints. Staff also estimated the annual cost to the City of ongoing public facility and infrastructure maintenance associated with the annexed properties, per the Committee's request.

A. Geologic/Geotechnical

Area B

Geodynamics, Inc. found that Area B is susceptible to landslides, with one large landslide visible, and would require stabilization in some areas accomplished by extensive grading. Also, Area B has a moderate to high potential for expansive soils. The development of this area would be challenging due to landslides and the rugged topography, although such challenges are not uncommon in hillside areas.

Area C

This area is also susceptible to landslides and liquefaction. It has been completely developed, likely with construction measures that have reduced the geotechnical concerns (although the particular construction methods implemented have not been investigated). There are no obvious signs of any ongoing geotechnical issues.

Area E

This area, which is fully developed, may be considered highly complex geologically. The western edge of the area is susceptible to landslide; however this area appears to have been buried by grading for the subdivision and homes. As with Area C, there is no evidence of ongoing geotechnical issues.

In conclusion, all areas were found to have liquefaction and landslide potential. For Area B, which has been entitled for a home but not yet developed, the hazard potential is still present. It is assumed that there are geology/geotechnical reports prepared and on file with the County for Area B as a product of the entitlement process. Because the site has not been developed and the hazards mitigated, the large visible landslide area could present an existing problem, regardless of whether there is future development. Per discussions with Geodynamics, Inc. staff, the City may not be liable for future landslide damage if annexed and the site remains undeveloped; if the City approves development and there is a landslide, there could be some City liability. For Areas C and E, additional

study was recommended by Geodynamics to determine what geotechnical conditions existed prior to the development and what mitigation measures were implemented during construction to address the geologic conditions and allow for the development.

B. Fiscal Impact

Staff considered the cost of ongoing repair and maintenance of street lights, sidewalks, street sweeping, street overlay, and landscaping in the public rights-of-way of Areas C, E and Liberty Canyon Road south of Area C. It is likely that Area B would be accessed via a private driveway, and so no street sweeping, paving, lighting, or landscaping, are expected, and there would be no sidewalks to maintain. The current condition of the public facilities the City would have to manage, particularly roads and sidewalks, appears good, and there is not expected to be an immediate need for reconstruction or replacement of facilities. Note that water lines and sewer lines are owned and maintained by the Las Virgenes Municipal Water District and the Los Angeles County Sewer Maintenance District, respectively.

City staff expects the increase in County Sheriff Department costs to be nominal, given the limited number of homes that would be annexed and that the City pays the number of deputy or service hours as needed and provided. For fire protection services, the homeowners would pay a separate fire district fee as part of the property tax, such that the expense is passed directly on to the homeowners.

Ongoing revenue from annexation of these areas consists of property tax. Each year, that amount is expected to be \$40,953, based on information from the City's consultant, HdL. This includes Areas C and E, but not Area B, as it is undeveloped. Assuming only one parcel to be developed in area B in the future, this would add a nominal amount to the property tax totals.

Annual maintenance costs are estimated at \$162,974, and the annual property tax revenues at \$40,953. The net cost to the City each year is \$122,021 for annexing Areas C and E along with Liberty Canyon Road south of Area C. Area B, with one lot, would not substantially affect these totals.

IV. ANNEXATION COMMITTEE REVIEW – MAY 2015

On May 4, 2015, the Annexation Committee expressed interest in possibly annexing Area C and the Liberty Canyon Road right-of-way beyond Area C, as well as placing Area B within the City's sphere of influence (SOI). Area E was eliminated primarily due to the potential for geologic/geotechnical issues that may occur.

The Committee asked staff to provide additional information about these areas, including: additional geologic/geotechnical research of Area C involving a County records search and review of reports; determination of estimated public facilities maintenance costs specifically for these areas; confirmation that Area B is within a County-designated Significant Ecological Area (SEA) and whether that designation provides similar kinds of

protection than would be realized by placing it in the City's Sphere of Influence; and information on the Triangle Ranch Project.

A. Area C

Geodynamics, Inc. conducted an archival review of Area C, consisting of County development file review and street-level reconnaissance. Residential development appears to have been constructed per codes, guidelines and standards of the time (1970s-1990s). The potential for landslide appears to have been mitigated as part of the residential development. While there are some irregularities with unauthorized grading and a sub drain tie-in at the southernmost portion of Area C, there are no other significant geotechnical hazards that have not been mitigated. The residential developments appear to be performing adequately with no signs of distress unusual for developments of this age. To be certain whether there are geotechnical issues of concern in Area C, subsurface testing would be necessary; such testing would require property owner permission.

Table 2 shows the estimated maintenance costs of public facilities in Area C and the southernmost portion of Liberty Canyon Road beyond Area C. The costs annually would be \$48,177 and \$8,485, respectively, totaling \$56,662 each year.

Table 3 shows the estimated fiscal impact of annexing these same areas, reflecting the anticipated maintenance costs and property tax revenues. For Area C, the property tax revenue would be \$14,815 each year. Combined with the expected maintenance costs, there would be a net cost to the City of \$33,362. For Liberty Canyon Road beyond Area C, the costs would be \$8,485, which represents the net costs, since the road brings no property tax revenue. So, the net cost to the City of annexing both areas would be \$41,847.

TABLE 2 - MAINTENANCE COSTS

Item	Annual Cost (\$)		Details
	Area C	Liberty Canyon Rd. ⁴	
Street Lights	3,192	840	Maintenance covered by LA County Maintenance District 1687. City to cover electricity expense only.
Water Lines	0	0	LVMWD owns and maintains.
Sewer Lines	0	0	L.A. County Sewer Maintenance District owns and maintains.
Sidewalk	14,114 ¹	2,571 ¹	Assumes maintenance/repair on average every 7 years. Provided by contractor to City.
Street Sweeping	279	53	Provided by contractor to City.
Street Overlay	29,492 ²	4,821 ²	Provided by contractor to City. Assumes every 10 years.
Landscaping (sidewalk planters, trees)	1,100 ³	200 ³	Provided by contractor to City. Most trees in Area C are on private property. Minimal planters. Assumes tree trimming every 3 years, and other maintenance regularly.
TOTAL	48,177	8,485	

¹ Cost distributed over 7 years to achieve an annual cost.

² Cost distributed over 10 years to achieve an annual cost.

³ Cost of tree trimming distributed over 3 years to achieve annual cost, plus annual other landscaping maintenance.

⁴ Includes Liberty Canyon Road south of Area C, adjacent to Area D.

TABLE 3 – ANNUAL FISCAL IMPACT

Annexation Area	Public Facilities Maintenance Cost (\$)	Property Tax Revenue (\$)	Net Fiscal Impact (\$)
Area C	48,177	14,815	
Liberty Canyon Road (south of Area C)	8,485	0	
<i>Total</i>	56,662	14,815	(41,847)

Additionally, the cost of the annexation application, including fees and other ancillary costs, such as a CEQA document and Municipal Services Report, land survey and mapping (required by LAFCO), is likely to be approximately \$165,000.

B. Area B

Area B is not currently within the County of Los Angeles' Significant Ecological Area (SEA) designation. However, on March 24, 2015 the Los Angeles County Board of Supervisors approved the County General Plan, with changes to the SEA boundaries. One of these changes included placing Area B in an SEA. The General Plan's final approval is expected this summer on the consent calendar of the Board of Supervisors.

The Committee expressed interest in what types of protections are offered with the County's SEA designation to understand if placing Area B in the City's Sphere of Influence (SOI) would provide any benefit in terms of environmental protection. The purpose of the SEA per the County Code is, "reconciling and balancing potential conflicts between conservation and development within the SEAs through the use of environmentally sensitive development standards and design, and identifying and assessing biological resources and potential impacts to such resources; and...ensuring that development conserves biological diversity, habitat quality, and connectivity to sustain species populations and habitats within the SEAs." (Section 22.52.2900(A) and (B)).

To this end, a SEA designation in the County requires a site review by the County biologist to assess the location of biological resources and physical conditions. A development project consisting of a single-family home may be approved by a Site Plan Review at staff level. The project may be conditioned to avoid sensitive biological resources, water courses and mature trees. The project would be subject to development standards regarding non-invasive landscaping, limited outdoor lighting, and wildlife permeable and wildlife-safe fencing. In some cases, portions of the site may be set aside for habitat preservation/open space.

Further, in areas designated as significant ridgelines, a development requires a minor CUP, and consideration of alternatives, as well as demonstrating maintenance of the maximum view of the significant ridgeline through design features, including minimized grading, reduced structural height, use of shapes, materials and colors that blend with the

surrounding environment, and use of native drought-tolerant landscaping for concealment.

A development of more than one residence may require a Conditional Use Permit, which is either heard by a Hearing Officer or the SEA Technical Advisory Committee. In the latter case, additional studies, site design modifications or conditions of approval may be applied.

In summary, a development project on a parcel within a County SEA requires additional discretionary review and conditions. In some cases, findings are required to ensure that biological and other natural resources, as well as views, are protected, and that the project is otherwise compatible with the natural environment. The level of additional review, conditions and findings depends on what type and amount of development is proposed and whether the site is within a significant ridgeline area. A single-family residence outside of a significant ridgeline, for example, is the most basic level of review.

In the future, any land use and development changes to Area B would be viewed in light of the SEA requirements. Moreover, Area B contains a significant ridgeline per the County GIS mapping, and so requirements pertaining to ridgelines would apply.

Staff estimates that the County SEA requirements would be as stringent, and possibly more stringent, than City Zoning Code requirements.

Note that there would be no ongoing costs or revenues associated with placing Area B in the City's Sphere of Influence (SOI).

C. Triangle Ranch Project

The Triangle Ranch Project just south of the City along Kanan and Cornell Roads was approved by Los Angeles County in 2007 for 61 single family homes. Shortly after, the State Legislature allowed for the extension of parcel/tract maps, and so the Triangle Ranch Project entitlement was extended to March 18, 2018. Per discussions with County regional planning staff, the entitlement could only be extended again, past this date, if the State Legislature again extends all maps; the County has no automatic extension.

Based on recent discussions with County Regional Planning Department and Board of Supervisors' staff, it appears that the owner/developer of Triangle Ranch is interested in pursuing the project with some changes related to conditions of approval, having recently contacted staff at the County.

Annexation of the Triangle Ranch Project property would result in the City implementing the County entitlement for the 61 single family homes, along with numerous mitigation measures and conditions to preserve sensitive habitat. Additional public service costs and property tax revenues would result. It is uncertain whether the owner would be receptive to City annexation, and may want to amend the prior entitlement in a number of various ways.

CONCLUSION

Area C appears to present minimal potential for geologic/geotechnical concerns. To further confirm this estimation, subsurface testing could be performed. Annexation would likely be supported by LAFCO to achieve logical jurisdictional boundaries. Annexation would provide added property tax to the City for residents already using City facilities, such as local streets. However, annexation of Area C is estimated to result in a net cost of \$33,362 annually when considering public facilities maintenance costs and expected property tax revenues. Since Area C is already built out, there would be no conflict with potential developers about building density and other development standards. At the same time, certain aspects of the existing development in Area C could be found non-conforming with City standards, and this fact could dissuade voters/property owners from favoring annexation into the City. Further research into non-conforming development would need to be undertaken to make a final determination.

Annexation of the Liberty Canyon Road right-of-way south of Area C is likely to be supported by LAFCO, and annexation of a roadway is not uncommon. The benefit of annexation would be to ensure street beautification. The annual cost to the City of annexing this roadway portion is estimated to be \$8,485.

If the City Council decides to further pursue these areas, staff would recommend an informal polling of current voters/property owners in Area C and perhaps geotechnical testing. It should be noted that in instances of inhabited annexation, usually residents initiate annexation for reasons that benefit them, rather than the City initiating annexation. If annexation of the two areas is desired, staff recommends that the City apply for an SOI amendment and annexation concurrently.

Area B could also be included in the SOI. Most often, placing a property in a SOI means that a city eventually intends to annex the property. If desired, the benefits of having land in an SOI without the intent to annex could be explored.

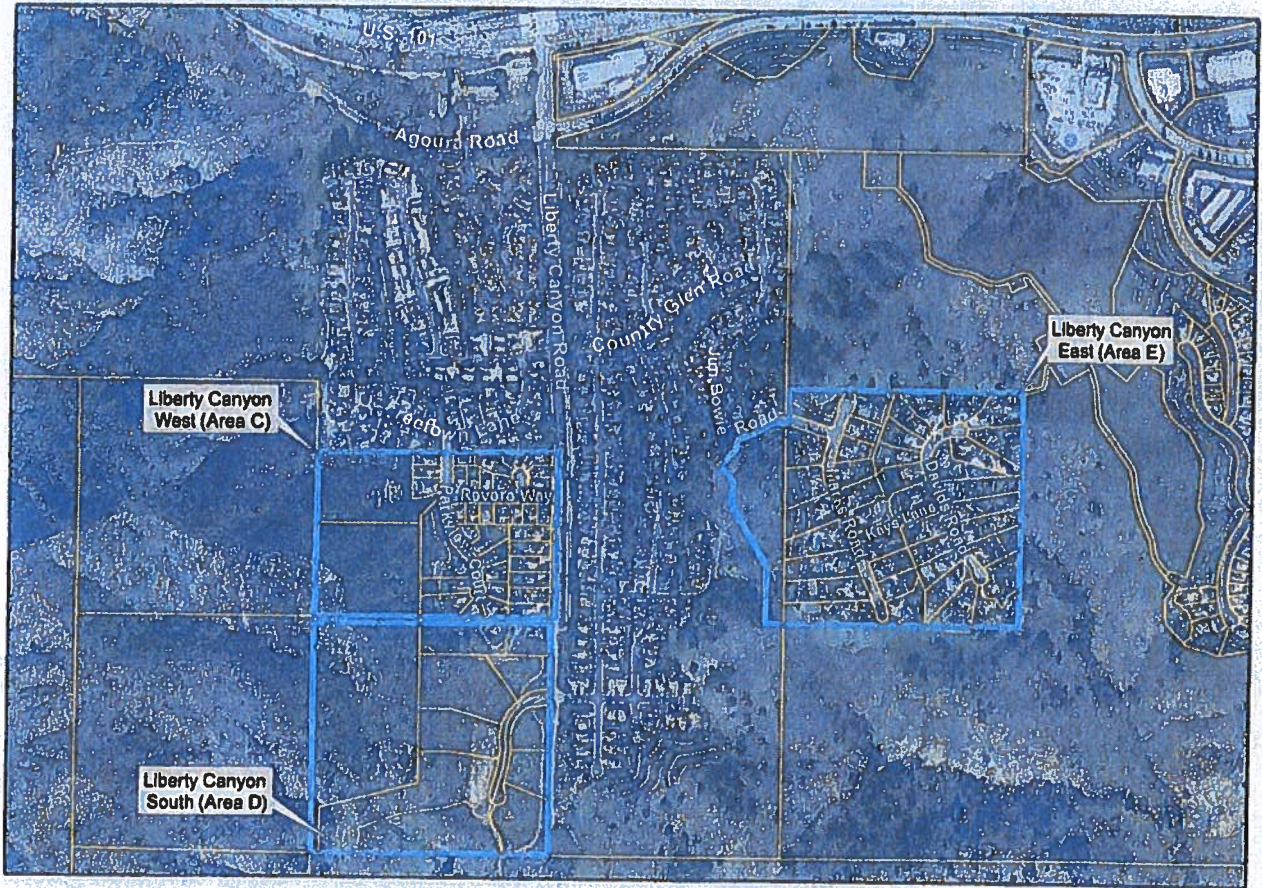
RECOMMENDATION

Staff respectfully requests that City Council provide direction on which areas to further explore for possible annexation through the Los Angeles County Local Agency Formation Commission, if any, and to continue to work with the Annexation Committee regarding these areas.

Attachments:

1. Reference Map (labeled "Exhibit A")
2. City of Agoura Hills Potential Annexation Sites

Potential Annexation Areas



August 12, 2016

Resident
Address
Address

Dear _____:

The City of Agoura Hills is considering whether to annex certain lands adjacent to the City boundary. Annexation would mean that land that is now within the unincorporated area of the County of Los Angeles would become part of the City of Agoura Hills. You are receiving this survey because property owners in your surrounding community have expressed interest in becoming a part of the City Agoura Hills.

At this time, the City of Agoura Hills is only exploring the possibility of annexation, and no specific proposal has been developed. Community input received from this survey will assist in determining whether and how to proceed with a more formal proposal for annexation. Annexation is not expected to result in a financial impact to property owners, and there would be no changes to existing services, such as law enforcement, fire, water, school district, etc. Please see the attached "Fact Sheet" for more information about annexation.

The areas being explored for possible annexation at this time include your property, and are shown highlighted in blue in the map on the next page. Other areas not identified on this map may be considered in the future as part of the annexation process, but are not currently being explored.

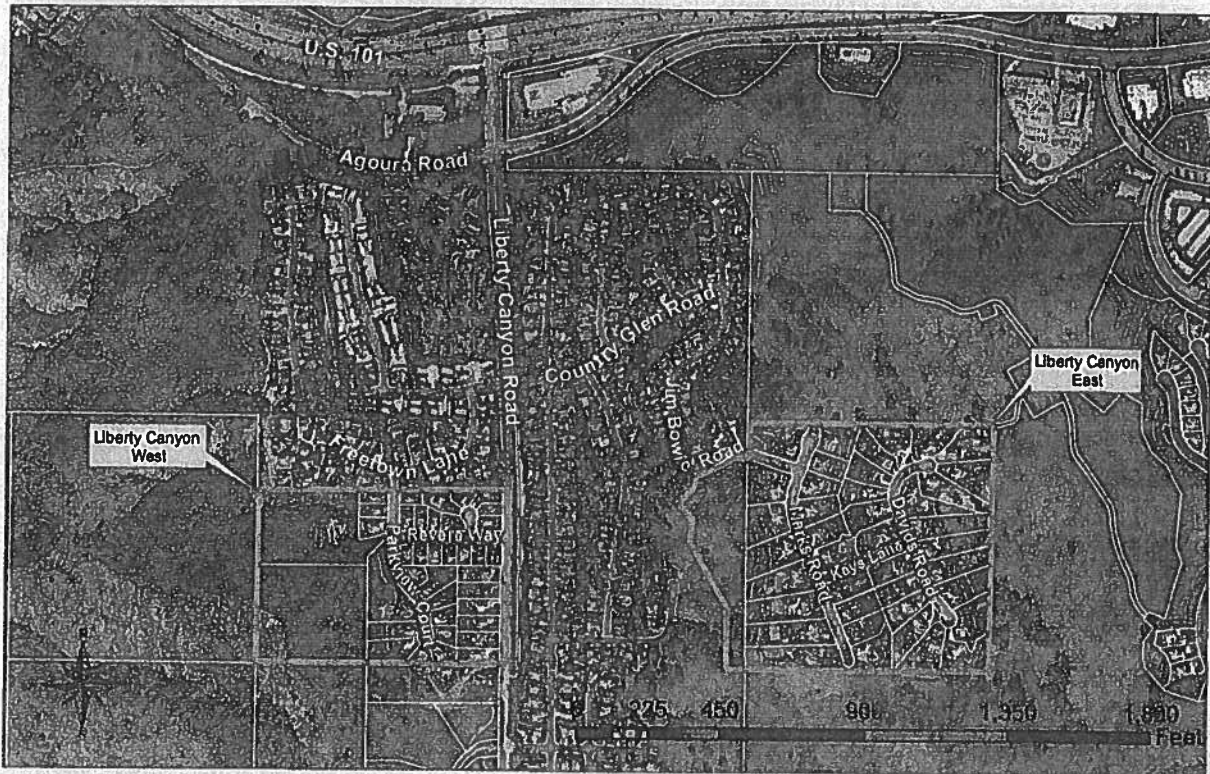
While your property is located within the unincorporated area of the County of Los Angeles, it is adjacent to and accessed through the City of Agoura Hills. The City would like to know your interest in annexation to Agoura Hills, and seeks your opinion before proceeding. Please take a moment to complete the attached (self-addressed, postage paid) postcard survey, and return it by **September 12, 2016**.

As background, annexations within the County of Los Angeles are overseen by the Los Angeles County Local Agency Formation Commission (LAFCO). LAFCO is an independent public agency created by the State of California that administers the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Act establishes procedures for local government changes of organization, including city annexations. A potential annexation to the City of Agoura Hills would require approval by LAFCO.

If you have any questions regarding annexation to the City of Agoura Hills or the survey, please contact Allison Cook, Assistant Planning Director, at (818) 597-7310 or at acook@ci.agoura-hills.ca.us. Thank you.

Sincerely,

Greg Ramirez
City Manager





**CITY ANNEXATION
FACT SHEET
(8-12-16)**

The following information is preliminary, and is being provided to you as background at this time. More detailed information will be prepared if the City decides to further proceed with the annexation process, and property owners would be kept informed of such additional information.

Two Areas Being Considered for Annexation (currently in unincorporated L.A. County):

- “Liberty Canyon West” – Revere Way, Tiffany Court, portions of Parkview Court, portions of Liberty Canyon Road (total 38 parcels)
- “Liberty Canyon East” – Marks Road, Kays Lane, Davids Road (total 40 parcels)

Changes with Annexation

Public Services:

- Public services, such as fire protection, law enforcement, library, schools, water supply/sewer treatment, and flood control would continue as currently provided by the Consolidated Fire Protection District of Los Angeles County, Los Angeles County Sherriff Department, County of Los Angeles Library (Agoura Hills branch), Las Virgenes Unified School District, Las Virgenes Municipal Water District, and the Los Angeles County Flood Control District.
- Rather than the County of Los Angeles, the City Public Works Department would acquire responsibility for public street maintenance, including sidewalks, and for issuing right-of-way, encroachment, and development related permits and approvals, such as a grading permit.
- Rather than the County of Los Angeles, the City Building Department would acquire responsibility for issuing any building permits that would be subject to the building regulations of the Agoura Hills Municipal Code.
- Rather than the County of Los Angeles, the City Planning Department and/or City Planning Commission would acquire responsibility for most planning/zoning approvals. Upon annexation, the new areas would be re-zoned to designations consistent with the City of Agoura Hills Zoning Ordinance and General Plan, in particular ones that most closely match the zoning designations that the parcels currently have in the County. The new zoning and General Plan land use designations would be related to single-family

residential. The properties would be included in any future comprehensive planning efforts, along with the City as a whole. The intent of the City is to continue the current use of the properties to be annexed.

Financial:

- At this time, it is anticipated that there would be no financial impact to the parcel owners with annexation to the City. Any assessments on the current property tax bill are expected to continue upon annexation, but may decrease in some cases.

Other

- Residents would be eligible for participation in elections involving City Council members and City-specific issues that may be placed on a ballot.
- Business licenses, such as for home occupations, would be issued by the City, rather than the County of Los Angeles.

Next Steps:

- Annexations within the County of Los Angeles are overseen by the Los Angeles County Local Agency Formation Commission (LAFCO). LAFCO is an independent public agency created by the State of California that administers the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Act establishes procedures for local government changes of organization, including city annexations. A potential annexation to the City of Agoura Hills would require approval by LAFCO.
- If there is sufficient interest by property owners and residents in being annexed to the City of Agoura Hills, the City will prepare additional studies regarding public services and costs. A formal proposal for annexation would then be prepared and the necessary application submitted to LAFCO for consideration.

Please contact Allison Cook, Assistant Planning Director, at acook@ci.agoura-hills.ca.us or (818) 597-7310 with any questions regarding annexation. Thank you.



ANNEXATION SURVEY

- Yes, I support annexation of my property to the City of Agoura Hills.
 - No, I do not support annexation.
 - Not sure, and need more information about:
-

Name: _____

Street Address: (if you are a non-resident property owner, provide the associated survey address): _____

I am:

- The Property Owner only (not a resident at the survey address)
- The Resident only (not the property owner at the survey address)
- Both the Property Owner and Resident (at the survey address)
- Other (please explain): _____

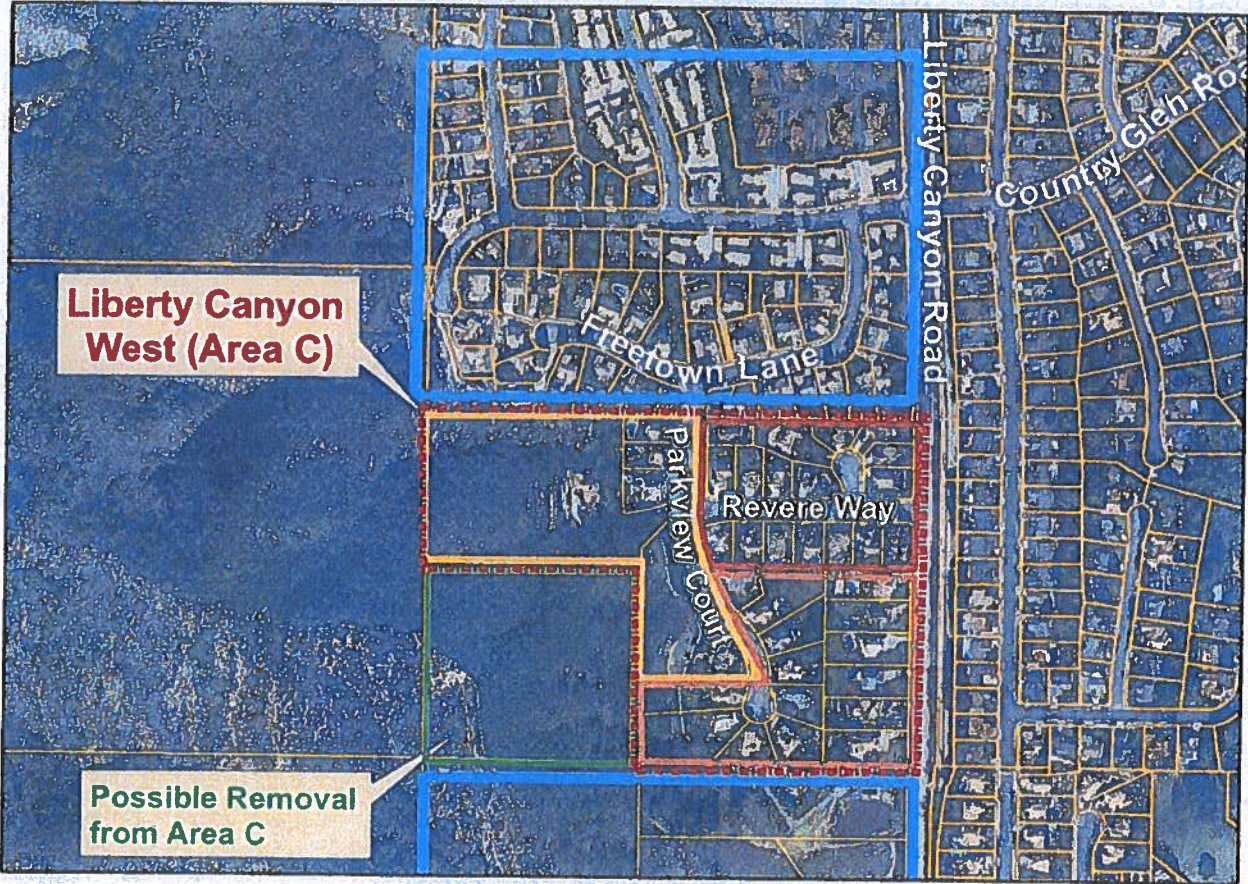
SIGN UP TO BE ON THE MAILING LIST:

E-mail: _____

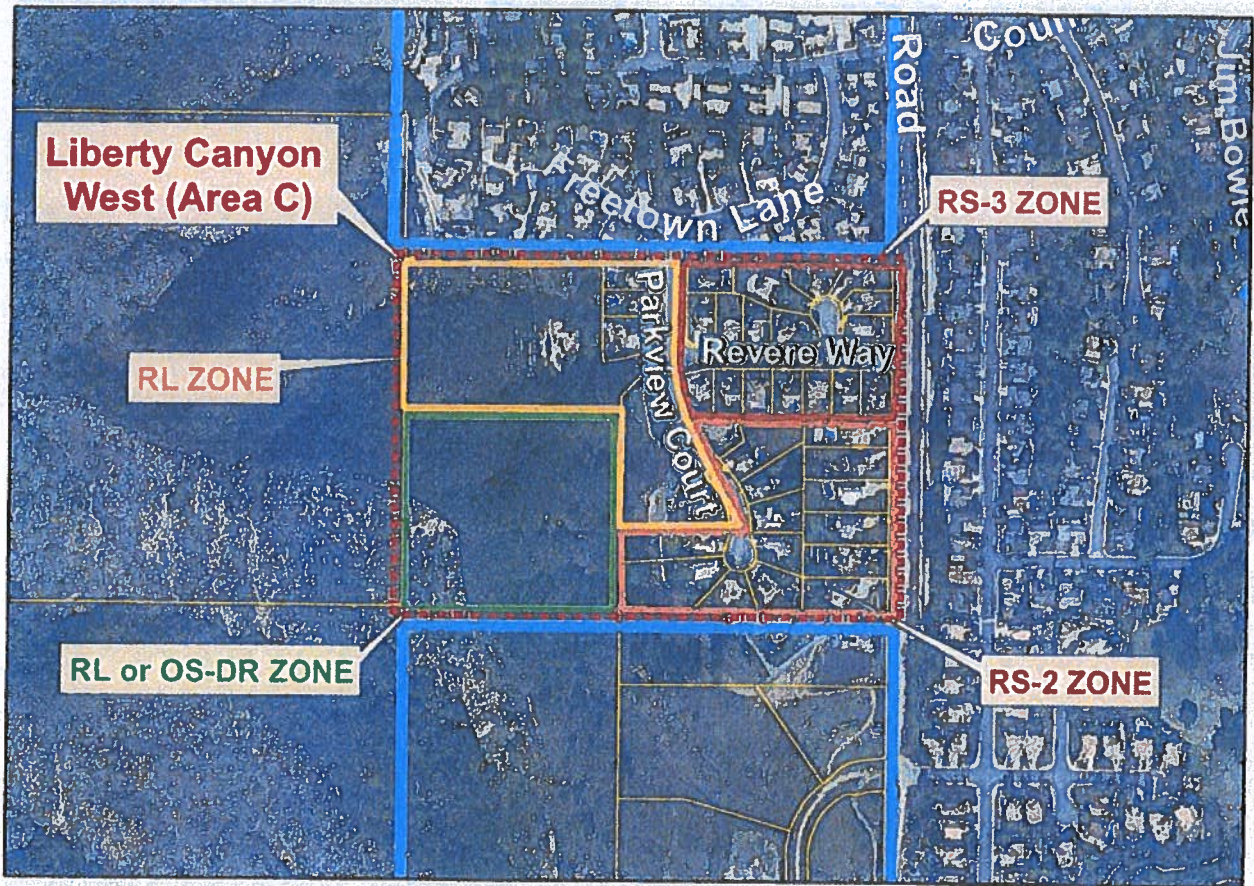
Mailing Address: _____

Thank you for your participation!

Modified Area C



Area C Proposed Zones



Area C Estimate of Property Tax Assessments

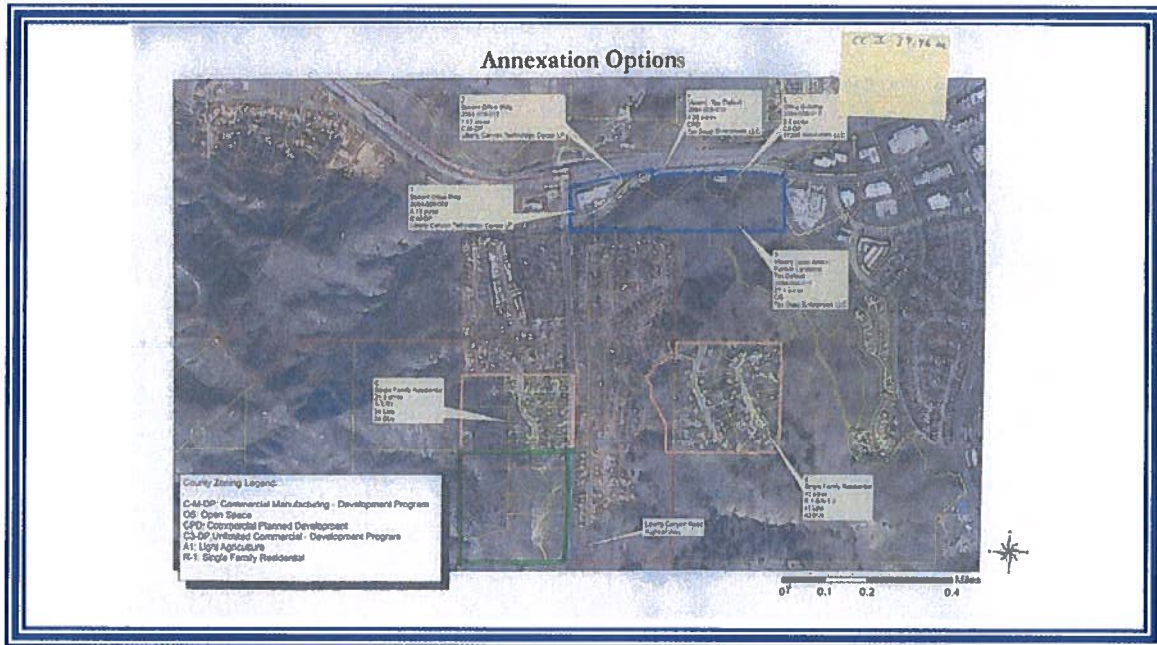
Direct Assessments	Flat Fee / Calculation	Amount/Method of Calculation	Apply to City?	Costs would not apply to property owners after annexation	Exceptions
		<i>Total square footage of all improvements on the property, as determined by assessor using exterior dimensions of improvements on site.</i>			
LA County Trauma/Emergency Services	Calculation		Yes		
LA County Solid Waste Service Charge	Flat Fee	\$ 3.51	No	\$ 3.51	
LA County Library Services	Flat Fee	\$ 30.36	No	\$ 30.36	
LA County Fire Department	Flat Fee	\$ 65.08	Yes		Larger lot \$21.48
LA County Lighting District	Flat Fee	\$ 5.00	Yes		
LA County Flood Control District	Calculation	<u>\$28.85*acreage*runoff factor/</u> 0.0637	Yes		
		<i>Vacant (\$11.81 per acre of land, up to max 2.5 acres) Single-Family Residential (\$ 11.81 per acre of land, up to max 2.5 acres, plus flat amount of \$ 5.07 for the dwelling)</i>			
Regional Park & Open Space District	Calculation		Yes		
LA County Sewer Maintenance	Flat Fee	\$ 50.50	Yes		Larger lot \$25.25
					Larger lots range from \$12.29 to \$18.85
LA County West Vector Control District	Flat Fee	\$ 10.85	Yes		
MWD Water Standby Charge #1	Calculation	\$8.02 flat fee, or \$8.02 per acre for any parcel over 1.0 acre.	Yes		Larger lots range from \$13.80 to \$57.48
Las Virgenes Municipal Water District	Calculation	\$10 flat fee, or \$10 per acre for any parcel over 1.0 acre.	Yes		Larger lots range from \$17.20-\$52.00
Las Virgenes USD Measure E Tax Assessment 04	Flat Fee	\$ 98.00	Yes		
				\$ 33.87	

Attachment 3

GEOTECHNICAL RECONNAISSANCE REPORT

**City of Agoura Hills
 Annexation Options
 Tracts 53100 and 33128**

May 16, 2017



FOR

City of Agoura Hills

March 31, 2017


Project No. 17.00103.0217

Ms. Allison Cook
30001 Ladyface Court
Agoura Hills, CA 91301Subject: Geotechnical Reconnaissance Report; City of Agoura Hills Annexation Options;
Liberty Canyon Area, Tracts 53100 and 33128; Los Angeles County, California

Dear Ms. Cook:

At your request and authorization, Geodynamics, Inc. (GDI), is pleased to provide the attached report of our preliminary geotechnical assessment of two tract developments in the Liberty Canyon area under consideration for annexation by the City of Agoura Hills. Our work was conducted in March of 2017. This report summarizes the scope of our assessment along with the development history and general geologic conditions of each site, and provides a brief assessment of geotechnical issues that should be considered in evaluating the suitability of each area for annexation by the City of Agoura Hills. Specific assessments of geotechnical conditions and hazards are outside the scope of this report, but can be provided upon your request.

Please do not hesitate to contact us if you have any questions or if we may be of any additional assistance. We look forward to assisting you again in the future.

Sincerely yours,
GEODYNAMICS, INC.
Ali Abdel-Haq, GE 2308
Principal Geotechnical Engineer
Christopher J. Sexton, CEG 1441
Principal Engineering GeologistEnclosures
References & Aerial Photographs Reviewed
Figure 1 – Location Map

Introduction

This report provides results of a limited geotechnical assessment of two land parcels in the Liberty Canyon area of Los Angeles County that are currently being evaluated for possible annexation by the City of Agoura Hills. The purpose of this assessment is to provide the city with basic geologic and geotechnical information that may bear on the annexation decision. The scope of our work was limited to review of existing, readily available geologic reference publications and aerial photographs available in our files, preliminary review of development records on file with the County of Los Angeles, and limited site reconnaissance from areas that appeared to be reasonably available for public access.

The land parcels are identified as Tract 53100 and Tract 33128. Both are located in the Liberty Canyon area of Los Angeles County. Tract 53100 is a partially graded parcel located west of Liberty Canyon Road about $\frac{3}{4}$ miles south of the 101 freeway at the Liberty Canyon off ramp. Tract 33128 extends about 650 feet south of the 101 Freeway between Liberty Canyon Road and a point about $\frac{1}{2}$ miles to the east. The approximate boundaries of each parcel are depicted on Figure 1. The following report addresses each of these parcels individually by providing an overall description and broad development history of the parcel, a discussion of the underlying geologic conditions, and brief assessments of the impacts those conditions may have on existing or proposed future developments as appropriate.

Note that the development history for each of these parcels is complex. The record for Tract 33128 in particular includes nearly 150 geotechnical letters and reports by various consultants, and a similar number of geotechnical review letters issued by the County of Los Angeles spanning a period of nearly 32 years. We have reviewed these records (some very briefly) to the degree necessary to develop a reasonable understanding of the development chronology and to gain a preliminary grasp of the issues involved. Developing independent professional opinions regarding the technical details of the development issues would require a far greater effort. If requested, GDI can provide this service as a separate scope of work. Note that References cited at the end of this report include only selected references directly pertinent to the current discussion.

Tract 53100

Site Description

Tract 53100 includes about 87 acres located west of Liberty Canyon Road about $\frac{3}{4}$ miles south of the 101 Freeway. The original development plan for Tract 53100 designated roughly the western $\frac{2}{3}$ of the property to remain as open space Lot 11. Three acres along the north edge was designated as Lot 1 and had been previously developed as a single-family residence. GDI discussed the development history of this lot previously in the referenced reports. The development plans for Tract 53100 called for grading building pads on Lots 2 through 10 for single-family homes.

The area currently under consideration for annexation by the City includes roughly the eastern half of the original tract. This area includes Lot 1 which is developed as a single-family residence, Lots 2 through 10 which have been graded as building pads, but have not been

developed with homes, and a part of the original Lot 11 which remains undeveloped, and which we understand is preserved as open-space.

Geologic Conditions

Published geologic references (Dibblee, 1992; Weber, 1984) describe bedrock below Tract 53100 as conglomerate and sandstone of the Monterey Formation (commonly referred to as the Modelo Formation) overlying gray claystone of the upper Topanga Formation. The Modelo sandstone is described as light gray to tan, and is generally fine to medium-grained. The conglomerate is described as gray cobble-conglomerate of granitic debris. The claystone is described as gray, thinly-bedded, and crumbly. The claystone is commonly associated with slope instability where bedding planes are unsupported in natural and constructed slopes.

Bedrock is overlain beneath most of the development area by alluvium and artificial fill placed during the grading operations to develop the building pads. Groundwater was reported to be within about 10 to 15 feet of the original grade.

Geologic structure reported during grading is complex, with north- to northwesterly trending faults, folds and formational contacts. The Modelo Formation was found to be in fault contact with the Topanga Formation.

The tract is not located within a State Earthquake Fault Zone for mapped active faulting. Parts of the property are within State Seismic Hazard Zones for either liquefaction or seismically induced slope failures as shown on a map of "Seismic Hazard Zones" on the Calabasas Quadrangle, published by the California Geological Survey (1998). Because the site is located in the seismically active southern California region, moderate to very strong ground shaking can be anticipated.

Development History

Based upon records recovered from the Los Angeles County Department of Public Works, development of this property began in 2002 with an investigation for the Tentative Map. The project geotechnical consultant - GeoLabs Westlake Village (GWV) - identified complex bedrock geologic conditions and high groundwater, with geotechnical constraints related to liquefaction, debris flow, and expansive soils. They recommended complete removal of alluvium to mitigate the liquefaction hazard and stabilization fills and impact walls to mitigate various slope stability and debris flow hazards. A structural setback would be defined for lots along the east side of the tract to mitigate possible settlement hazards associated with offsite alluvium that could not be removed.

There are references to several consultant reports in 2003; however, these were not present in the county files we reviewed. The Tentative Map was approved initially in December of 2003, with a number of revisions to the map approved between that time and March of 2005.

Reports were issued by the consultant between November of 2006 and February of 2007 addressing dewatering, a change in grading recommendations to limit alluvial removals to the depth of groundwater, rather than complete removal of all alluvium, grading quantities, and clarification of recommended structural setbacks. We recovered no consultant reports or Los Angeles County review letters specifically addressing the Grading Plan stage of development, or any approval letter from Los Angeles County Department of Public Works indicating that the Grading Plan was approved. However, subsequent to our review of County records, we were advised that there existed three additional folders of documents that we did not have at the time

of our review. We were, however, provided with copies of County review letters from these files. Based on review of these letters, the Grading Plan was approved in February of 2007.

Grading appears to have begun in June of 2007, with a Stop Work Order being issued shortly thereafter. The reason for the Stop Work Order is not clear; however, there are allusions to the need for a permit to pump ground water. Grading Progress reports were issued in September and October of 2007, and in December of 2007, the consultant issued a Final Compacted Fill and Geologic Report, but only for Lots 2, 3, 6 & 7. Grading was indicated to be incomplete for Lots 4, 5, and 8, and though grading apparently was complete on Lots 6 & 7, they were not recommended to be released for construction until settlement monitoring was complete.

This report discusses the grading operation in general and specifically addresses a number of critical items. Among these are included:

- Buttresses were constructed on virtually all of the east-facing slopes to stabilize highly folded and faulted bedrock;
- Updated liquefaction analyses are presented that revised settlement estimates and eliminated earlier requirements for compaction grouting. The record is not clear when this requirement was originally imposed;
- Structural setbacks for lots along the easterly side of the tract are provided based on a much-reduced depth of alluvial removal.
- Temporary subdrain outlets and risers are identified that need to be tied to a proposed storm drain;
- Areas are indicated that require impact walls to be constructed;
- Restricted Use Areas are identified on natural parts of Lots 3, 4, and 9 related to debris flow hazards
- Restricted Use Areas are identified on Lots 5, 6, 7, & 8 where removal of unsuitable materials was incomplete.

The County of Los Angeles, Department of Public Works reviewed this report, and in February of 2008 issued review letters recommending that rough grading not be approved. Between the Geology and Soils Engineering Sections, a list was generated of items necessary to be completed prior to rough grading approval. The list included the following:

- All grading needed to be completed before rough grading could be approved;
- Impact walls needed to be completed before rough grading could be approved;
- Additional information was requested regarding remedial grading that appeared to have been completed to repair erosion channels;
- Subdrain outlets needed to be verified;
- "Restricted Use Areas" defined for debris flow hazards needed to be reclassified to avoid having an RUA cross lot lines;
- Settlement monitoring needed to be completed before rough grading could be approved;
- Laboratory testing was required to evaluate the expansion potential of on-site soils.

Rough grading appears to have been submitted for approval a second time in April of 2008. A geology review letter dated April 17, 2008 indicates that the previous review issues remain unresolved.

On June 2, 2010, the Department of Public Works issued a "Notice of Permit Expiration" advising the property owner that permits had expired. These included Grading Permit No. GR 0910 0704170005; Building Permit Nos. BL 0910 061109009, BL 0910 0611090012, & BL 0910 0611090013; and Electrical Permit No. EL 0910 0707050026. This document carries a note that the Geotechnical and Materials Engineering Division has not received any documentation for more than 746 days. This is consistent with the April 17, 2008 review being the last recorded activity on this tract. The 2010 document was the most current included in the files reviewed. We were able to obtain copies of the review letters included in the file folders that we did not access during our file review. For the most part, these review letters and file notes were dated in 2006 and 2007 and dealt with approval of the grading plan, dewatering issues and various administrative issues. None of them post-date the April 2008 review letter requesting clarification of outstanding issues, and none of them post-date the June 2010 Notice of Permit Expiration.

Geologic Hazards Assessment

Based upon our brief field review, it appears that the site remains largely in the condition described in the December, 2007 rough grading report. The building pads remain unoccupied, impact walls have not been constructed, and significant erosion appears to have occurred on some of the graded slopes. Regardless of the status with the County of Los Angeles, development on this property should not proceed until (at a minimum) the outstanding review comments are addressed. Note that the December 2007 report includes a number of changes to earlier recommendations based on in-grading analyses. These analyses and changes in recommendations were never reviewed and approved by the County. Therefore it is not known whether the county would accept these findings. A more detailed review of the available information would be required to provide an independent assessment of these changes in recommendation. Note that code changes that have occurred since 2007 could impact these analyses such that recommendations that may have been acceptable in 2007 might not remain acceptable currently.

Tract 33128

Site Description

Tract 33128 includes about 35 acres located south of the 101 Freeway between Liberty Canyon Road and the Los Angeles County Sheriffs facility located about ½-mile to the east. The property includes two commercial developments and road cuts created to extend Agoura Road eastward from Liberty Canyon Road. The remainder of the property is open space hillsides that extend from Liberty Canyon Road and residences along Provident Road to the west edge of the Los Angeles County Sheriffs facility at Malibu Hills Road. This open space remains essentially undeveloped except for an area upslope of residences at the intersection of Provident Road and Jim Bowie Road where grading was conducted to repair a landslide in the late 1990's.

Geologic Conditions

Published geologic references (Dibblee, 1992; Weber, 1984) describe bedrock below Tract 33128 as gray claystone of the upper Topanga Formation. The claystone is described as gray, thinly-bedded, and crumbly, and is commonly associated with slope instability where bedding planes are unsupported in natural and constructed slopes.

Bedrock is overlain beneath developed areas by certified fill placed to create two commercial building pads and to stabilize slopes. Groundwater was reported in alluvial areas and as localized seepages in bedrock. An extensive system of horizontal drains has been installed in attempts to control one such seepage.

Geologic structure is complex, with easterly dips at highly variable inclinations, local faults and folds. The hillside area that rises above the sheriff's station is mapped as a large landslide.

The tract is not located within a State Earthquake Fault Zone for mapped active faulting. Parts of the property are within State Seismic Hazard Zones for either liquefaction or seismically induced slope failures as shown on a map of "Seismic Hazard Zones" on the Calabasas Quadrangle, published by the California Geological Survey (1998). Because the site is located in the seismically active southern California region, moderate to very strong ground shaking can be anticipated.

Development History

The original development included two commercial lots (Lots 1 & 2) and an open-space lot (Lot 3). An existing freeway cut would be moved about 80 feet to the south to make room for an extension of Agoura Road (referred to at that time as "Rondell Road"). Development of this tract and resolution of two associated major slope stability issues involved at least six different consultants and extended over a period of nearly 20 years. The summary provided below is based on a relatively cursory review of the record. It should be understood that the following summary is necessarily incomplete. Should you desire a more detailed assessment of the record or development of a detailed technical opinion, this service can be provided at your request.

Tentative Map Approval

The project was initially submitted in April of 1982, with a second submittal in June of 1982 supported with a preliminary investigation completed by GeoSoils, Inc. (GSI) for the Currey-Riach Company (GSI 1982a). Major elements of the proposed grading included a combination of cutting the nose of a ridge and filling the surrounding canyons to create a building pad on Lot 1 (currently 27349 Agoura Road), creating a northeasterly facing cut-slope and filling a small canyon to create the building pad for Lot 2 (currently 27200 Agoura Road) and creating a series of high cut-slopes to allow an extension of Agoura Road eastward from Liberty Canyon Road.

The highest cut-slope proposed on the project would be about 145 feet high and inclined at a gradient of approximately 1.5:1 (H:V). This cut would essentially be a regrading of an existing freeway cut to allow the eastward extension of Agoura Road. Preliminary reports by GSI discuss the condition of the existing cut. The cut is assessed to have performed reasonably well with the exception of small surficial failures that were attributed to degradation of rock due to persistent seepage at the toe. GSI noted that re-design of the cut at a gradient of 2:1 would reduce the potential for these sorts of problems, and stated that retaining the steeper configuration would likely result in continued surficial failures and a need for ongoing maintenance. Calculations were included in these early documents to demonstrate that the slope

had an adequate factor of safety against gross failure at a gradient of 1.5:1. The seepage at the toe was considered to be detrimental, and as such a series of horizontal drains extending 100 feet into the slope was recommended.

Other major cut-slopes were discussed as well. The 100 foot high, 1.5:1 cut-slope proposed south of Lot 1 was recommended to be flattened to 2:1, and the 50 foot high, 1.5:1 cut proposed on the south side of Lot 2 was recommended to be stabilized. Several smaller slopes were anticipated to be generally stable, but would require careful observation during grading to assess any unfavorable geologic conditions.

The Los Angeles County Environmental Development Division issued a review letter in June of 1982, requesting that the Tentative Map be modified to reflect the consultant's recommendations for cut-slopes, and that some minor errors in the report be corrected. In July of 1982, GSI issued a response to the review letter recommending that "the slope" be redesigned at 2:1 (GSI, 1982b). The context of the discussion suggests that "the slope" refers to the new 100 foot high cut to be located south of Lot 1 rather than the re-located freeway cut. The re-located freeway cut does not appear to be discussed in the July GSI report

The July GSI report was reviewed by the Los Angeles County Environmental Development Division, and the Tentative Map was approved with a list of seven soils engineering conditions. Among these was a condition to *"Decide regarding design of existing freeway cut slope (for proposed Rondell St.). Verify or amend recommendations for horizontal drains. Make recommendations for elimination of potential surficial failures and maintenance problems"*.

Grading Plan Approval

Initial grading on Tract 33128 was conditionally approved by The County of Los Angeles in October of 1982 when bulk grading was approved to complete alluvial removals for four tracts, including Tract 33128. This was not an approval of the grading plan for Tract 33128.

In January of 1984, GSI submitted a geotechnical review of the 40-scale grading plan for Tract 33128 (GSI 1984a). This report reiterates the recommendation for horizontal drains in the regraded, 150-foot high freeway slope, but does not repeat the recommendation to redesign the slope at a 2:1 gradient. Instead the consultant presents a discussion that a 10-foot high crib wall will be needed at the top of the slope: *"This wall is necessary to provide the utility easements at the top of the slope for 30 inch waterline, 24 inch reclaimed waterline and Pacific Telephone and Telegraph Cable"*. It is not clear whether these utilities already existed or were proposed.

The 115-foot high cut-slope south of Lot 1 is discussed as remaining at a gradient of 1.5:1 and to be expected to expose favorable geologic conditions; however, preliminary stabilization recommendations are provided in the event stabilization becomes necessary. The northeast facing cut-slope proposed behind Lot 2 is discussed as possibly needing stabilization as well. Discussions of stability fill construction include special recommendations to construct even the finished fill slopes at gradients of 1.5:1.

Grading was underway under the bulk grading permit by at least March of 1984 (GSI, 1984b). Grading Plans involving several tracts (including Tract 33128) were approved by the County in June and September of 1984.

Change of Ownership and Consultant

GSI prepared a "Project Status" report in June of 1985 (GSI, 1985). This report was addressed to Cabot, Cabot and Forbes, rather than Currey-Riach. This appears to represent a change in

ownership of the project, and appears to have been written after grading had been suspended for some time. The report summarizes alluvial removals, subdrain installations, the need for settlement monitoring and provides some limited discussion of “corrective grading”.

Pacific Soils Engineering, Inc. (PSE) appears to have replaced GSI shortly after the Project Status report was completed, as PSE issued “Grading Progress Report No. 1” in July of 1985 (PSE, 1985a). This report was also addressed to Cabot, Cabot & Forbes. Geologic and Soils Engineering Review Letters pertaining to this report were issued on August of 1985. These letters request clarification regarding the consultant of record for the project, and also indicated that numerous GSI reports referenced in the GSI “Project Status” report had never been submitted to the county. The review letter requests that these reports be submitted. The soils engineering review letter expressly requests: *“Either (a) the geotechnical consultant should state his agreement with the recommendations of the previous consultant and the approved grading plans or (b) the consultant should make other recommendations and revised plans should be submitted.”* PSE provided a letter stating that they had been contracted to be the geotechnical consultant for the four tracts known as the “Lost Hills Business Center” (PSE 1985b). They state that they have reviewed the referenced reports by GSI. They neither specifically state agreement nor provide alternative recommendations as requested. Nearly 1½ years later, PSE prepared a letter in January of 1987 that expanded their earlier statement and accepted the findings of the earlier consultant (PSE 1987a).

Tract Grading

Tract 33128 was graded in conjunction with three other tracts. Based on Grading Progress Reports prepared by PSE, grading appears to have continued through 1987. Various statements in these reports indicate the following items of interest pertaining to the grading for Tract 33128:

- The slope south of Agoura Road, east of Lot 2 was constructed as a stabilization fill.
- The slope above Lot 2 was constructed as a cut-slope inclined at a gradient of 1½:1.
- The slope south of Agoura Road above Lot 1 was constructed as a cut-slope inclined at a gradient of 1½:1.

The first indication of difficulty with the high cut-slope being graded south of Agoura Road is noted in PSE Grading Progress Report No. 6 (PSE, 1986a). This report notes that removal of an old line belonging to the Las Virgenes Water District (LVWD) undercut portions of the slope. Remedial actions included replacing the upper 15 feet of the cut as compacted fill, and reconfiguring the upper slope to be below the base of the old trench. There are no maps or cross sections included with this report, so it is difficult to envision exactly what has been implemented. The lack of any discussion of the crib wall previously proposed to support the utility easement is notable.

Grading continued through the fall of 1987. PSE prepared a report in October that indicated that rough grading on Tract 33128 was complete and that there were no Restricted Use Areas on the tract (PSE, 1987b). We did not recover a specific review letter approving rough grading on Tract 33128 at that time. We did recover a letter dated November 20, 1987 from the Engineering Geology Group of Los Angeles County that approves the Final Map to be filed. We recovered no record that the horizontal drains recommended by GSI were installed.

Continuing Slope Instability

In August of 1988, PSE prepared a report to address remedial work proposed for the north-facing cut slope above Agoura Road (PSE 1988a). The slope is reported to be experiencing difficulties between the toe and the lower bench between about 1100 and 1200 feet east of Liberty Canyon Road. The slope is affected and the curb and sidewalk are indicated to be experiencing cracking and uplift. The consultant attributes the distress to a combination of bedrock expansion in a sheared bentonite bed, and buildup of hydrostatic pressure behind the bed. PSE proposed minimization of irrigation water, repair of damaged drainage structures, and installation of horizontal drains into the face of the slope to extend behind the bentonite bed.

In December of 1988, PSE issued a report to address continuing distress in the slope (PSE 1988b). This report indicates that distress has advanced up the slope to the second terrace drain, that the hydraugers (horizontal drains) recommended in August had been installed, but had produced very little water, and that interaction between a toe of slope trench drain and a previously unrecognized fault was providing structural control of the displacement. They recommended remedial grading to remove and reconstruct the lower section of the slope. Upon review of the new plan of action, and clarification of a few technical items, the proposed remedial grading was approved by Los Angeles County in early February of 1989. GDI recovered no clear documentation of the remedial grading.

Staal, Gardner & Dunne, Inc. (SGD) was the geotechnical consultant for the Las Virgenes Water District (LVWD). In April of 1989, SGD issued a report discussing a February rupture in a 30-inch water line located on the ridge just behind the top of the Agoura Road slope. That report alludes to a landslide repair being performed at the toe of the slope, and draws a connection between the landslide repair at the toe of the slope, and the distress to the water line at the top of the 150 foot-high slope. This would be significant because it would indicate earth movement was translating through the full height of the slope rather than being limited to the lower two benches. SGD reports their understanding that PSE disputed the possible connection between the repair and the water line.

Evaluation and Debate

PSE issued a report in October of 1989 to document the slope repair. Therein they discount the notion of gross slope displacement or a connection between the repair and water line rupture. Throughout 1990, PSE produced a series of reports responding to comments from the County of Los Angeles geotechnical reviewers requesting additional data, additional analysis to demonstrate adequate factors of safety for the slope, and in particular requesting an unambiguous "Section 309" statement. This is a statement required in Los Angeles County to the effect that a development will be safe from landslide settlement and slippage, and will not adversely affect adjacent properties. The county requires that these statements be provided without qualifiers or caveats. PSE was reluctant to provide such a statement regarding the repaired slope.

Meanwhile, SGD installed three inclinometers into the slope and a series of survey points on the surface of the slope. SGD reports that these monitoring devices are indicating movement. PSE contends that the slope movements above the repair are the result of expansive soils and "rebound" of the highly deformed rock.

PSE issued a response report in October of 1990. This report appears to be a defense of the remedial grading completed in 1989 and includes discussions of shear strengths used in analyses, dewatering efforts, concerns held by PSE regarding the inclinometer installation and monitoring completed by SGD, and a variety of other topics. PSE also provides the Section 309 statement

requested by the county. A review letter by Los Angeles County issued on October 10 of 1990 titled "Final Grading Review" and referencing the PSE report of October 5, 1990 includes the "Action" finding that "*Plans and Reports are approved from a geotechnical standpoint*". It is not clear exactly what is being approved in this letter. SGD issued their own review of the PSE report in which, among other issues, they contend that PSE seems unsure of the mechanism of distress affecting the slope, question PSE interpretations and conclusions regarding some of their subsurface exploration, question shear strengths used in analyses, and question the PSE understanding of groundwater conditions.

Regardless of the approval letter from Los Angeles County, the issue of the slope was clearly not resolved. In early 1991, the City of Agoura Hills requested independent review of the situation with the Agoura Road slope from Slosson and Associates and from Bing Yen and Associates, Inc. Both of these consultants expressed concern regarding the state of understanding of the mechanism of failure affecting the slope, and recommended that monitoring continue.

By July of 1991, additional distress was noted in the vicinity of the slope. PSE continued to attribute the distress to expansive soils and rebound. In April of 1991 SGD reported up to seven inches of movement on the western side of the slope.

Final Resolution of the Agoura Road Cut Slope

These debates, investigations and reviews continued through May of 1993 when it appears that a plan to install piles along the toe of the slope along with a series of hydraugers was accepted by the County of Los Angeles. In June of 1994, PSE issued a report describing the installation of 60 cast-in-place, 36-inch diameter piles to a depth of 40 feet below grade, grading repair of several surficial failures, installation of 20 hydraugers in two tiers near the toe of the slope, to depths of 100 to 150 feet and a number of other measures. PSE seems to continue to consider that the mechanism of distress to the slope is related to expansive soils and rebound. They consider that these mechanisms will continue to act of the slope, and as such once again express a reluctance to issue an unqualified statement relative to Section 309. The repair was approved by the County of Los Angeles in October of 1994 using on a negotiated Section 309 statement provided by PSE.

Provident Road Landslide

The file appears to be incomplete regarding this failure and repair. One of the earliest documents recovered is a claim for damages filed against the County of Los Angeles dated May 26, 1993. The claim is filed on behalf of the residents at 27301 Provident Road in the City of Agoura Hills, and cites that "*Within the last twelve months, the subject property has been subject to landslides, earth related failure, subsidence, soil consolidation, surface and subsurface drainage problems and other problems with upslope soils*".

This failure was complicated by the fact that it failed from the County of Los Angeles, into the City of Agoura Hills and also involved an area within the City of Calabasas. The earliest county review letter recovered regarding this site is dated February 22 1994, and cites geotechnical reports dated February 17, 1994 and "Addenda" dated January 14, 1993 and November 23, 1993. The nature of these "addenda" is not known, and in any event, none of these documents were recovered as part of our research.

Based on the information available, it appears that after the failure in 1993, emergency remedial grading was undertaken in 1994. Brief review of the in-grading reports indicates that landslide

movement continued as the grading was underway. Installation of hydraugers as part of this remedial work is inferred from comments in some of the Los Angeles County review letters, but the record of consultant reports appears to be incomplete and details of these installations are not known.

Renewed movement was reported in 1995. The consultant for the remedial grading returned in August of 1996 and performed additional studies and subsurface exploration to gain a better understanding of the subsurface conditions. In September of 1997, a different consultant prepared analyses of the subsurface conditions and slope stability. After review of the initial report and several response reports, a plan to complete the repair was approved in late 1998. Approvals were also required from the City of Agoura Hills, the City of Calabasas and the Las Virgenes Water District. No records of those approvals were recovered in our file review.

Grading for the repair began in October of 1999 and continued at least through March of 2000. Based on review of two "In-Grading Geotechnical Progress Reports" prepared by Ninyo & Moore (1999, 2000) we surmise that the repair included installation of a significant buttress with five levels of backdrains. Some sections of the fill face were constructed at gradients exceeding 1½:1 and were reinforced with geogrid. A total of seven hydraugers were originally planned for the repair, but this number was reduced to three during grading.

The record indicates that grading for this project was most likely completed in early to middle 2000. Several rounds of review and response indicate county concerns regarding the consultants incorporation of field data obtained during grading into revised slope stability analyses, and also with a reluctance on the part of the consultant to provide an acceptable "Section 309" statement. The grading was ultimately approved in January of 2001.

Approval and Development of Lot 1 (27349 Agoura Road), Tract 33128

PSE provided a Final Geologic Report for Lots 1 and 2 of Tract 33128 in March of 1990. The county appears to have rejected approval of these lots until issues with the Agoura Road cut-slope were resolved.

In March of 1999, Neblett & Associates (NA) submitted an evaluation of Lot 1 relative to construction of a warehouse building. That report included subsurface exploration to characterize the depth of fill and underlying alluvium, groundwater conditions and to support a limited liquefaction analysis. After a second submittal, the project appears to have been approved in February of 2000. A geotechnical report of grading to overexcavate a building footprint was submitted by Leighton and Associates (L&A) in July of 2000. Rough Grading was approved in November of 2000.

Approval and Development of Lot 2 (27200 Agoura Road), Tract 33128

PSE provided a Final Geologic Report for Lots 1 and 2 of Tract 33128 in March of 1990. The county appears to have rejected approval of these lots until issues with the Agoura Road cut-slope were resolved.

In October of 1996, PSE submitted an evaluation of Lot 2 relative to construction of a two-story commercial building. That report notes that an oil well was capped and buried during grading of Lot 2. Based on the content of certain review letters, it appears that the disposition of this well developed as an issue during the review process. Similarly, there is an allusion to "pop-outs" in the upper part of the steep slope graded above the lot during the original tract grading. After

numerous rounds of review, the grading plan for the project was ultimately approved by Los Angeles County in May of 1998.

There are numerous review letters in early 1999 that specifically deny approval of rough grading on this lot for various reasons. Although the lot is currently occupied, we were not able to locate review letters from Los Angeles County specifically approving grading on this lot.

Geologic Hazards Assessment

The most pertinent element of the grading for Tract 33128 appears to be the slope failures along Agoura Road that delayed project approval for many years. Also pertinent are the landslide repair above Provident Road and (possibly) the cut-slope repair above Lot 2 and the oil well buried below Lot 2.

The landslide repair along Agoura Road was a very contentious undertaking. The primary consultant appears to have maintained the opinion that the distress of concern was not related to a slope failure per se, and to have designed the ultimate repair based largely upon subsurface conditions that were poorly understood at best. Despite the very expensive repair that was ultimately installed, there does not appear to have ever developed a consensus among the involved professionals regarding the most likely mechanism of failure. The slope was constructed at a steep gradient that the original (1982) consultant indicated would be problematic. Despite the repair; this fundamental deficiency remains, and in fact, some areas of the slope appear to be inclined at gradients even steeper than 1½:1.

Both of the landslide repairs (Agoura Road and Provident Road) include surface and subsurface drainage systems of various types. The graded repairs are dependent on these systems to avoid future failures; the systems must be protected and maintained in order to function properly. Based on a cursory review of the Agoura Road slope, we consider that these systems have not been maintained properly. Bench drains are blocked, uplifted, cracked and completely offset in some cases. Downdrains are bowed and lifted off the slope. Subsurface drain outlets are broken away from manifolds intended to control the discharge. GDI was not able to gain access to the Provident Road landslide repair to assess the condition of those drainage installations.

There is an existing failure on the Agoura Road cut-slope in roughly the same area of the original failure. Whether this is indicative of renewed movement deep in the slope, or simply the foreseeable result of constructing a fill slope at such a steep gradient is difficult to assess. In any case, the current failure will require significant grading in an area of highly complex subsurface conditions that remains under suspicion of deep slope instability.

Also of concern are references to difficulties during development of Lot 2. County review letters allude to pop-outs in the 1½:1 slope graded during the original tract grading. Again, the original consultant for the tract identified this slope as an area that might require stabilization. Ultimately the slope was graded as a cut. An oil well was discussed as having been buried during the original grading for the tract. Both of these issues will need to be researched in greater detail to understand what constraints they may impose.

Conclusions

Both of the parcels reviewed carry significant administrative and/or technical challenges for the City to consider. Records concerning the parcels discussed in this report exceed 1500 pages of information. While we have strived to provide sufficient and complete information to assist the City with a decision regarding annexation of these parcels, the task far exceeded the specified

budget and scope of work. Additional effort would be necessary to better understand the history and delineate technical issues associated with these parcels; however, GDI strongly recommends that this effort be completed should the City decide to move forward with annexation of either one.

Closure

This report was prepared for the exclusive use of the City of Agoura Hills for the purpose referenced project site. It may not contain sufficient information for other uses or the purpose of other parties. Any person using this report for bidding or construction purposes should perform such independent investigations as they deem necessary to satisfy themselves as to the surface and subsurface conditions to be used encountered and the procedures to be used in the performance of their work on this project. The services of the geotechnical consultant should not be construed to relieve the owner or contractor of their responsibilities or liabilities.

Professional judgments presented in this report are based on evaluations of the information available, on GDI's understanding of the required scope of work, and general experience in the field of geotechnical engineering. GDI does not guarantee the interpretations made, only that the geotechnical work and judgment rendered meet the standard of care of the geotechnical profession at this time. In view of the general geology and our limited observation of the site, the possibility of different conditions cannot be totally discounted. A review of geotechnical data (if available) obtained during previous investigations at the site and during grading and construction of existing developments may be performed if so desired.

REFERENCES

California Division of Mines and Geology, Department of Conservation, 1998, "State of California Seismic Hazard Zones, Calabasas Quadrangle", Official Map released: February 1, 1998, scale 1:24,000.

Dibblee, T.W. and Ehrenspeck, H.E., ed., 1992, *Geologic map of the Calabasas quadrangle, Los Angeles and Ventura Counties, California*: Dibblee Geological Foundation, Dibblee Foundation Map DF-37, scale 1:24,000.

GeoSoils Inc.; 1982a; Preliminary Geotechnical Study, Tentative Tract 33128, Lost Hills, Calabasas, California; Consultant Report dated May 14, 1982; W. O. 1182-VN.

GeoSoils Inc.; 1982b; Addendum to Preliminary Geotechnical Study, Tentative Tract 33128, Lost Hills, Calabasas, California; Consultant Report dated July 9, 1982; W. O. 1182-VN.

GeoSoils Inc.; 1984a; Review of 1"=40' Scale Grading Plan, Tentative Tract 33128, Lost Hills, Calabasas, California; Consultant Report dated January 17, 1984; W. O. 1182-VN.

GeoSoils Inc.; 1984b; Progress Report #2, Tracts 32952, 32953, 32954, and 33128, Lost Hills, Calabasas, California; Consultant Report dated April 3, 1984; W. O. 1182-VN.

GeoSoils Inc.; 1985; Project Status, Lost Hills Business Park, Tracts 32952, 32953, 32954, and 33128, Calabasas, Los Angeles County, California; Consultant Report dated June 20, 1985; W. O. 1182-VN.

Leighton & Associates; 2000; As-Graded Geotechnical Report of Building Footprint Overexcavation, Lot 1, Tract 33128, Northeast Corner of Agoura and Liberty Canyon Roads, County of Los Angeles, California; Consultant Report dated July 7, 2000.

Neblett & Associates; 1999; Review of 40-Scale Grading Plan, Proposed Warehouse Building, Lot 1, Tract 33128, City of Calabasas, California; Consultant Report dated March 29, 1999; Project No. 128.

Ninyo & Moore; 1999; In-Grading Geotechnical Progress Report; Slope repair at 27301 Provident Road, and 4136 Jim Bowie Road, and 27250 Agoura Road, Tract 33128, City of Agoura Hills, City of Calabasas and County of Los Angeles, California, County Grading Plan Check No. 9710200004; Consultant Report dated December 7, 1999; Project No. 200939.02.

Ninyo & Moore; 2000; In-Grading Geotechnical Progress Report; Slope repair at 27301 Provident Road, and 4136 Jim Bowie Road, and 27250 Agoura Road, Tract 33128, City of Agoura Hills, City of Calabasas and County of Los Angeles, California, County Grading Plan Check No. 9710200004; Consultant Report dated March 10, 2000; Project No. 200939.02.

Pacific Soils Engineering Inc.; 1985a; Grading Progress Report No. 1, Tract Nos. 33128, 32952, 32953 and 32954, Lost Hills, County of Los Angeles, California; Consultant Report dated July 18, 1985; W. O. 10925.

Pacific Soils Engineering Inc.; 1985b; Geotechnical Responsibility, Tract Nos. 33128, 32952, 32953, and 32954, Calabasas Area, County of Los Angeles, California; Consultant Report dated July 26, 1985.

Pacific Soils Engineering Inc.; 1986a; Grading Progress Report No. 6, Tract Nos. 33128, 32952, 32953 and 32954, Lost Hills, County of Los Angeles, California; Consultant Report dated November 14, 1986; W. O. 10925.

Pacific Soils Engineering Inc.; 1987a; Addendum Remarks to Geotechnical Responsibility Letter dated 7/26/1985, Tract Nos. 33128, 32952, 32953, and 32954, Lost Hills-Agoura, County of Los Angeles, California; Consultant Report dated January 23, 1987; W. O. 10925.

Pacific Soils Engineering Inc.; 1987b; Tract 33128, Geologic Restricted Use, Agoura, County of Los Angeles, California; Consultant Report dated October 16, 1987; W. O. 10925.

Pacific Soils Engineering Inc.; 1988a; Results of Geotechnical Investigation and Recommendations for Remedial Work on North Facing 1-1/2:1 Cut Slope Above Agoura Road, County of Los Angeles, California; Consultant Report dated August 31, 1988; W. O. 10925.

Pacific Soils Engineering Inc.; 1988b; Recommendations for Remedial Repair of Distressed Slope on a Portion of North Facing Slope Above Agoura Road; Consultant Report dated December 1, 1988; W. O. 10925.

Pacific Soils Engineering Inc.; 1989a; Soil Engineering and Geologic Report, Lot 3, Tract No. 33128, Lost Hills Area, County of Los Angeles, California; Consultant Report dated October 2, 1989; W. O. 10925.

Pacific Soils Engineering Inc.; 1990a; Geotechnical Responses to Los Angeles County, Geologic and Soils Engineering Review Sheets dated 9-19-1990 and 9-20-1990; Consultant Report dated October 5, 1990; W. O. 10925.

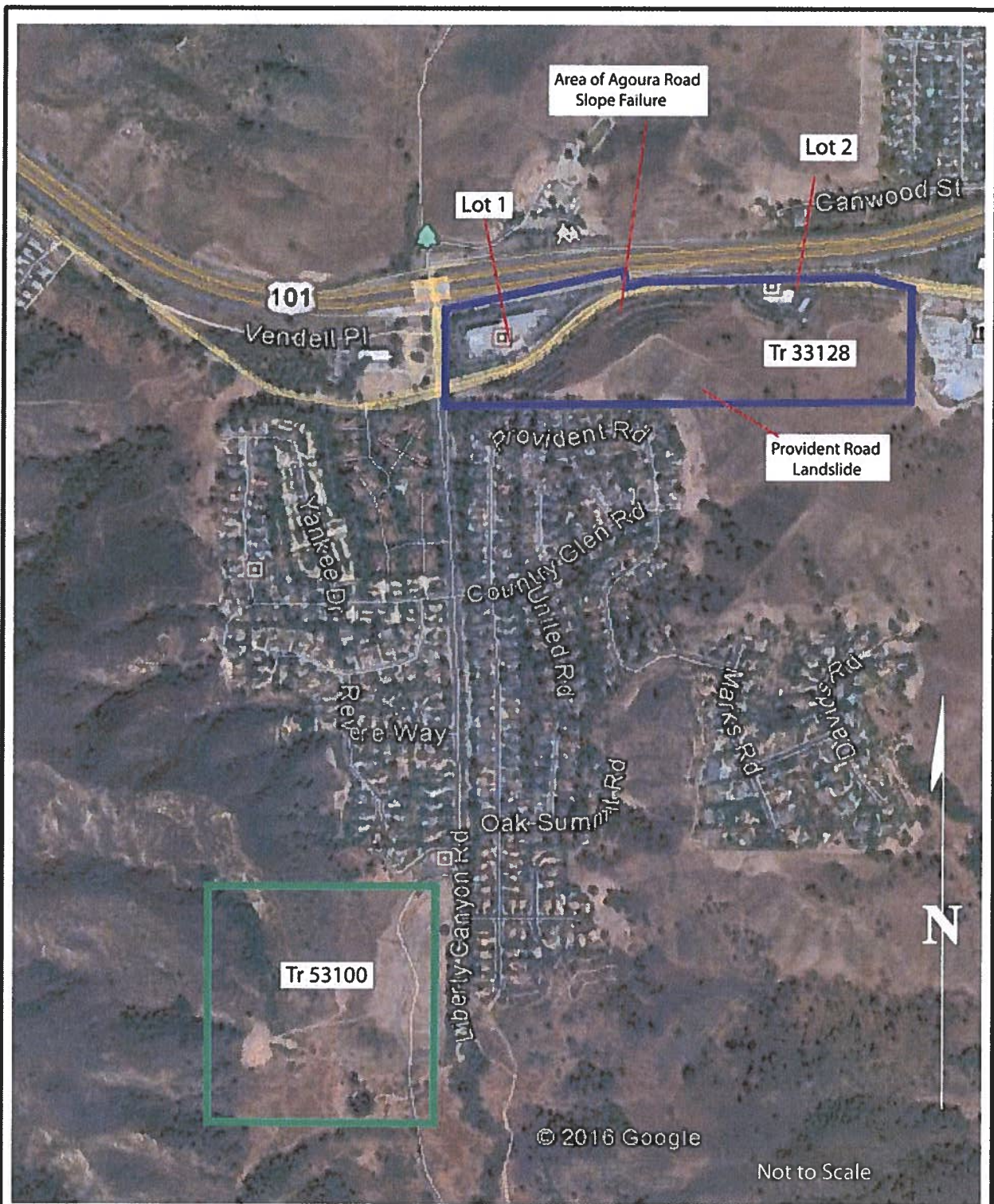
Staal, Gardner & Dunne, Inc. 1989; LVMWD 30" Water Line Between Liberty Canyon and Lost Hills, Los Angeles County, California; Consultant Report dated April 12, 1989; Reference 89028.


Staal, Gardner & Dunne, Inc. 1991; Summary of InclInometer and Survey Monument Monitoring of 1.5:1 Cut Slope on Agoura Road Between Liberty Canyon Road and Lost hills Road, Los Angeles County, California for the Period Between March 9, 1990 and April 1, 1991; consultant report dated April 23, 1991; Reference 89028.

Weber, 1984, Geology of the Calabasas-Agoura-Eastern Thousand Oaks Area, Los Angeles and Ventura Counties, California, California Division of Mines and Geology Open File Report 84-01, scale 1:24,000

AERIAL PHOTOGRAPHS REVIEWED

Date	Source	Flight	Frames	Scale
1928	Fairchild Aerial Surveys	C-300	J-27, 28, & 39-41	1"=1,500
1954	United States Dept. Agriculture	AXJ-14K	31 - 34	1"=1,800
1-10-65	Los Angeles County Flood Control District	1933-01	156-158	1"=3,000
1973	United States Government	U-2 73-036	39 & 40	1"=3,000
9-21-78	United States Dept. Agriculture	06111-178	24, 25, 51 & 52	1"=3,000
1-9-1990	Unknown	Calabasas	1	1'=1,000'
11-29-94	Pacific Western Aerial Surveys	PW VEN 11	45 & 46	1"=1,800



 <p>GeoDynamics, Inc. Applied Earth Sciences 588 Saint Charles Dr., Suite 116 • Thousand Oaks, California • 91360 Tel (805) 496-1222 • Fax (805) 496-1225</p>	<p>Project: City of Agoura Hills Annexation Project - 2017</p>		<p>Figure 1 Location Map</p>
	<p>Project #: 17.00103.0217</p>		
	<p>Date: March, 2017</p>		

Attachment 4

CITY OF

AGOURA HILLS

"Gateway to the Santa Monica Mountains National Recreation Area"

April 16, 2018

Paul Novak, AICP
Executive Director
Los Angeles LAFCO
80 South Lake Avenue, Ste. 870
Pasadena, CA 91101

SUBJECT: CITY OF CALABASAS APPLICATION TO LAFCO FOR ANNEXATION OF PARCELS
ALONG AGOURA ROAD – ANNEXATION NO. 2014-04

Dear Mr. Novak:

This letter is written in regard to the proposed annexation of several parcels along Agoura Road at or east of Liberty Canyon Road by the City of Calabasas. The Local Agency Formation Commission (LAFCO) has identified this request as Annexation No. 2014-04. We understand that the application is gradually moving through the LAFCO process, and will be heard by the Commission sometime in the near future. Attached are two previous letters from the City of Agoura Hills to LAFCO. One dated April 18, 2014 from the City of Agoura Hills staff identifies concerns with the proposed annexation of these parcels by the City of Calabasas (Attachment A); and one position letter, dated May 6, 2014 and from the Mayor, reflects the Agoura Hills City Council's vote of 4-0 opposing the annexation (Attachment B). The City Council maintains that position based on the following.

You may be aware that one area of the proposed annexation on the south side of Agoura Road, Tract 33128, has a history of geologic failure. We understand that the County currently maintains this slope, and, as recently as the past few weeks, has conducted maintenance on the slope. The City of Agoura Hills retained Geodynamics, Inc., a geologic/geotechnical consulting firm, to conduct analysis of the slope's stability by studying reports on file at the County offices and visiting the site for brief visual checks. Attached for your consideration is a *Geotechnical Reconnaissance Report* for this Tract 33128, prepared by Geodynamics, Inc. and dated March 2018, summarizing the firm's research to date and preliminary opinion on the slope (Attachment C). The report's conclusion is that the slope was constructed at a steep gradient that the original geotechnical consultant for the development of the nearby commercial lots indicated would be problematic. Despite subsequent repairs of the slope, this fundamental deficiency remains. The graded repairs are dependent on several surface and subsurface drainage systems to avoid future failures, which would need to be protected and maintained to function properly.

Mr. Paul Novak
April 16, 2018
Page 2

The City of Agoura Hills is extremely concerned about the future maintenance of the slope should the City of Calabasas annex the property. The future repairs and long-term maintenance are critical to avoid any potential failure, especially one that may cause the closure of Agoura Road for a period of time. As you know, Agoura Road is a regional roadway that provides key access through the City of Agoura Hills. However, should the slope fail, not a single Calabasas resident would be impacted, rather only residents of the entire Conejo Valley attempting to reach the San Fernando Valley and points east, including the cities of Agoura Hills and Westlake Village. We are mindful of the costs of repairs and maintenance of such a precarious slope, and, as such, strongly request that the County retain jurisdiction over Agoura Road. The maintenance/repairs may not be economically feasible for the City of Calabasas, or may not be as high a priority item as it would be to its neighbors to the west.

The slope's stability is critically important from a regional transportation perspective, as well as a local safety perspective. We would be happy to meet with you to discuss this issue in further detail. Please also note that the cities of Calabasas and Agoura Hills have recently agreed to work together on a comprehensive study of Spheres of Influence in the areas west of Calabasas and east of Agoura Hills, as recommended by LAFCO. We hope this study encourages greater coordination of annexation issues in the future.

Please contact Greg Ramirez, City Manager, at gramirez@ci.agoura-hills.ca.us or at (818) 597-7311, or contact Allison Cook, Assistant Planning Director, at acook@ci.agoura-hills.ca.us or at (818) 597-7310 for further coordination. Thank you for your consideration.

Sincerely,



William Koehler, Mayor
Annexation Subcommittee



Illece Buckley Weber, Councilmember
Annexation Subcommittee

Attachments:

- A. Letter to LAFCO from Mike Kamino, dated 4-18-14
- B. Letter to LAFCO from Mayor Koehler, dated 5-6-14
- C. Geotechnical Reconnaissance Report, Geodynamics, Inc., dated March 2018

cc: Sheila Kuehl, Los Angeles County Supervisor, District 3

Attachment A



"Gateway to the Santa Monica Mountains National Recreation Area"

April 18, 2014

LAFCO
80 South Lake Avenue, Suite 870
Pasadena, CA 91101

SUBJECT: ANNEXATION NO. 2014-04 TO THE CITY OF CALABASAS (WEST
AGOURA ROAD)

Dear Sir/Madam:

Thank you for the ability to comment on the proposed annexation of approximately 43 acres of uninhabited territory to the City of Calabasas (Annexation No. 2014-14). This is pursuant to LAFCO's Notice of Filing dated March 20, 2014, which we received. Based on our understanding of the proposed annexation, obtained in part from discussions with the City of Calabasas (Calabasas), the proposal includes annexing five (5) parcels totaling 43 acres (APNs 2064-005-017; 2064-005-009; 2064-005-015; 2064-005-011; and 2064-005-010), including the Agoura Road right-of-way:

- ✓ APNs 2064-005-017 and – 009 contain an existing office building (Spirent) and are zoned "commercial – manufacturing development program (CMDP)" currently and would be pre-zoned by the City of Calabasas as "Commercial, Office (CO)."
- ✓ APN 2064-005-010 contains an existing office building (Kythera), is currently zoned "unlimited commercial (C-3)" and would be pre-zoned by the City of Calabasas as "Commercial, Office (CO)."
- ✓ APN 2064-005-015 is currently vacant, has been the location of landslide remediation, and would be pre-zoned by the City of Calabasas as "Open Space – Development Restricted (OS-DR)."
- ✓ APN 2064-005-011 is currently vacant and open space, and would be pre-zoned by the City of Calabasas as "Open Space – Development Restricted (OS-DR)."

Calabasas has indicated to the City of Agoura Hills that upon annexation, the following would occur:

- Once the parcels are acquired (assuming purchase at Los Angeles County's sale of tax defaulted properties), it would convey APNs 2064-005-015 and -011 to the Santa Monica Mountains Conservancy (SMMC)/Mountains Restoration and Conservation Authority (MRCA), if amenable by that agency, for permanent open space preservation, and place permanent conservation easements on both parcels to prohibit any future development, particularly in consideration of the use of these lands as a corridor for wildlife.
- Maintain and enforce the existing conditions of approval of the Los Angeles County Conditional Use Permit for the office building at the northeast quadrant of the intersection of Agoura and Liberty Canyon Roads (i.e., Spirent building), APNs 2064-005-017 and -009. These conditions address hours of operation, delivery and receiving hours, notification to the City of Agoura Hills about changes to ownership and proposed changes to conditions, and limitations on permitted uses (e.g., high technology and office uses, not heavy manufacturing or general retail), among others.
- Apply the following City of Calabasas provisions to the annexed parcels: Ridgeline Ordinance, Dark Sky Ordinance, Scenic Corridor Overlay Zone, Sign Ordinance, and Oak Tree Ordinance.
- Maintain Agoura Road in the annexation area as a two-lane road (one lane in each direction), with the Calabasas General Plan amended to reflect this.
- Provide median landscaping; and consider reducing the number of street light poles and intensity of lighting.
- Include the annexed area in the City of Calabasas Landscape Maintenance District.
- Prohibit overnight parking of commercial vehicles on the annexed portion of Agoura Road, consistent with current overnight parking prohibition on Agoura Road within Calabasas city limits.

The City of Agoura Hills has expressed its concerns regarding the annexation to Calabasas, some of which Calabasas has indicated it would address. In summary, the concerns of Agoura Hills are the following:

- Maintaining the original 1999 County issued CUP conditions for the building at the northeast corner of Agoura and Liberty Canyon Roads. These conditions include hours of operation, hours of delivery and shipment, limitation on the type of permitted uses, and notification to the City of Agoura Hills regarding future changes in ownership and use. Any changes to these conditions would require a CUP amendment.
- Not allowing an expansion or intensification of the uses or operations, nor change in use to more industrial/manufacturing, of each of the two existing buildings.

LAFCO
April 18, 2014
Page 3

- Prohibiting development on Parcels 3 and 4, but instead preserve as permanent open space and ensure the viability of the wildlife corridor.
- Reducing the number of light poles, or otherwise reduce the effects of lighting/glare, on Agoura Road to be more appropriate to the semi-natural setting.
- Maintaining the existing two vehicle travel lanes, bike lanes and sidewalks on Agoura Road, and do not re-stripe the right-of-way to add vehicle travel lanes.
- Providing median landscaping along Agoura Road compatible with the natural setting of the area.

At its meeting on April 23, 2014, the Agoura Hills City Council will be reviewing and considering the proposed Calabasas annexation, and will notify LAFCO of any additional comments from our Council regarding the proposed annexation shortly thereafter.

We would appreciate being kept informed of this proposed annexation as it moves through the LAFCO process. If you have questions, please contact me at (818) 597-7321 or Principal Planner Allison Cook at (818) 597-7310.

Sincerely,



Mike Kamino
Director of Planning and Community Development

cc: Greg Ramirez, City Manager

Attachment B



"Gateway to the Santa Monica Mountains National Recreation Area"

May 6, 2014

Mr. Paul A. Novak, AICP
Executive Officer
LAFCO
80 South Lake Avenue, Suite 870
Pasadena, CA 91101

Re: Annexation No. 2014-04 to the City of Calabasas

Dear Mr. Novak:

This letter will serve as follow-up to our April 18, 2014 letter (enclosed) in which we provided comments regarding the proposed Annexation and Sphere of Influence ("SOI") amendment application by the City of Calabasas on a 43.3 acre territory along Agoura Road between the cities of Agoura Hills and Calabasas. Please be advised that at its April 23, 2014 meeting, the Agoura Hills City Council indicated that it opposed Calabasas's Annexation and SOI amendment application, but also indicated a desire to continue to work with the City of Calabasas to address our concerns.

While we will continue our discussions with Calabasas, I am forwarding the following concerns, which is the basis for our opposition at this time. As you know, in considering an annexation application, LAFCO must consider factors "a" through "o" in California Government Code Section 56665. The City of Agoura Hills respectfully requests that LAFCO consider the City of Agoura Hills's comments below as it relates to factor (c) and (i), particularly regarding the effect of the proposed action on adjacent areas and comments by other public agency. Factors (c) and (i) of Government Code Section 56665 are noted below and our analysis of the factors as it relates to the subject application follows.

"(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county"; and

"(i) The comments of any affected local agency or other public agency."

By way of background, the proposed 43.3-acre annexation territory, currently in Los Angeles County, serves as a buffer area between the cities of Agoura Hills and Calabasas. Of the 43.3 acres, approximately 30 acres is currently open space with 27.4 acres zoned Open Space – Deed Restricted and 2.6 currently zoned CPD. To the south of the territory is the Liberty Canyon community in the City of Agoura Hills and contains an exclusively residential area of approximately 400 primarily single family homes. In fact, 13 single family homes in the Liberty Canyon community in Agoura Hills directly abut the proposed annexation territory. The area to the west is also in the City of Agoura Hills and contains a small office building, single family homes, and town homes in a semi-rural setting, but the area primarily consists of the county-designated wildlife movement corridor which Agoura Hills, the County of Los Angeles, and other local agencies in the area, including the City of Calabasas and state and federal parkland agencies, have endeavored to protect and enhance over the years. Properties to the east of the territory in the City of Calabasas, on the other hand, are more densely developed with commercial uses.

Therefore, permanently maintaining the current low intensity character of the proposed annexation territory is important in maintaining the effectiveness of the buffer between the Cities of Agoura Hills and Calabasas. The Agoura Hills City Council believes that this buffer area should remain low intensity. The assurance of low intensity commercial/office development in the territory proposed for annexation would also provide an important land use transition from businesses mostly in Calabasas to residential neighborhoods mostly in Agoura Hills, and would help to minimize conflicts between these two types of land uses in terms of compatibility of uses and operations.

At the April 23, 2014 Agoura Hills Council meeting, 15 Agoura Hills residents, many residents of the Liberty Canyon community, opposed the proposed annexation and many cited the importance of maintaining the effectiveness of the current low intensity development buffer between the two cities. Whereas the proposed annexation territory is directly adjacent to Agoura Hills residences, the proposed annexation territory is not directly adjacent to Calabasas residences. Therefore, any negative impacts from uses in the proposed annexation territory would be borne by Agoura Hills residents, not Calabasas residents.

The westerly border of the proposed annexation area is also adjacent to the Liberty Canyon Road on-ramp and off-ramps of the 101 Freeway, and thus serves as a gateway to the Liberty Canyon residential community. Therefore, the Liberty Canyon residents want to ensure that this gateway remains in character with their community. Moreover, Liberty Canyon Road in Agoura Hills is the closest access point to the 101 Freeway and therefore is the main access portal to the proposed annexation area. Moreover, all the traffic going in and out of the 81,000 square foot commercial-manufacturing building at the westerly end of the territory would be going through Agoura Hills because of its adjacency to the Liberty Canyon Road freeway on-ramp and off-ramp, which is also located in Agoura Hills. Again, all negative traffic impacts would be borne only by the residents of the City of Agoura Hills.

Currently, Agoura Hills residents' concerns are considered and protected by the County Board of Supervisors, because the proposed annexation territory is located in the County of Los Angeles. In contrast, if the proposed territory is annexed to Calabasas, Agoura Hills residents would have no recourse if they are negatively impacted by uses in the proposed territory. The City is concerned that any intensification of uses within the proposed annexation area would impact the integrity of

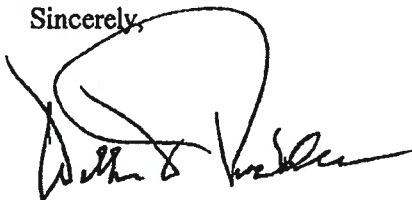
the Liberty Canyon residential community. Therefore, the proposed annexation action could affect adjacent areas in the City of Agoura Hills unless assurances are in place to maintain this area as a low density, low development buffer between the two cities.

The City of Calabasas has indicated that, if annexed to Calabasas, the two vacant parcels totaling approximately 30 acres, currently in tax default, will be acquired by Calabasas when they become available and will be zoned Open Space – Development Restricted with all development rights retired. The properties will be deeded either to the Santa Monica Mountains Conservancy (SMMC)/Mountains Recreation and Conservation Authority (MRCA) or will be retained by Calabasas, but in either case, a conservation easement will be recorded to further prohibit development. If this territory is annexed by the City of Calabasas, Calabasas must act swiftly to permanently protect open space as it would help maintain, more permanently, the effectiveness of the buffer area, thus implementing the mutual desire of both jurisdictions to preserve the land in open space in perpetuity.

Cypress Land Company's building, at the northeast corner of Liberty Canyon and Agoura Road, encompasses 75% of the current building area in the proposed annexation territory, and is located just across the street from Agoura Hills. It should be noted that many of the residents who spoke at the April 23rd City Council meeting expressed the importance of retaining the development and operational restrictions placed on the Cypress Land Company building (APN 2064-005-009 and 017) which were adopted as part of the County-issued Conditional Use Permit. These restrictions were actually negotiated between the developer and the Liberty Canyon neighborhood and placed as conditions of approval to ensure that any use of the property does not cause undue burden on the residential neighborhood. If the City of Calabasas is successful in annexing the proposed territory, Calabasas must continue to work with the City of Agoura Hills to ensure that the integrity of these conditions will be maintained in the future.

Thank you for this opportunity to provide LAFCO with additional comments at this time. We look forward to participating in the annexation hearings process. If you should have any questions, please contact City Manager Greg Ramirez at (818) 597-7311 or Director of Planning and Community Development Mike Kamino at (818) 597-7321.

Sincerely,



William D. Koehler, Mayor
City of Agoura Hills

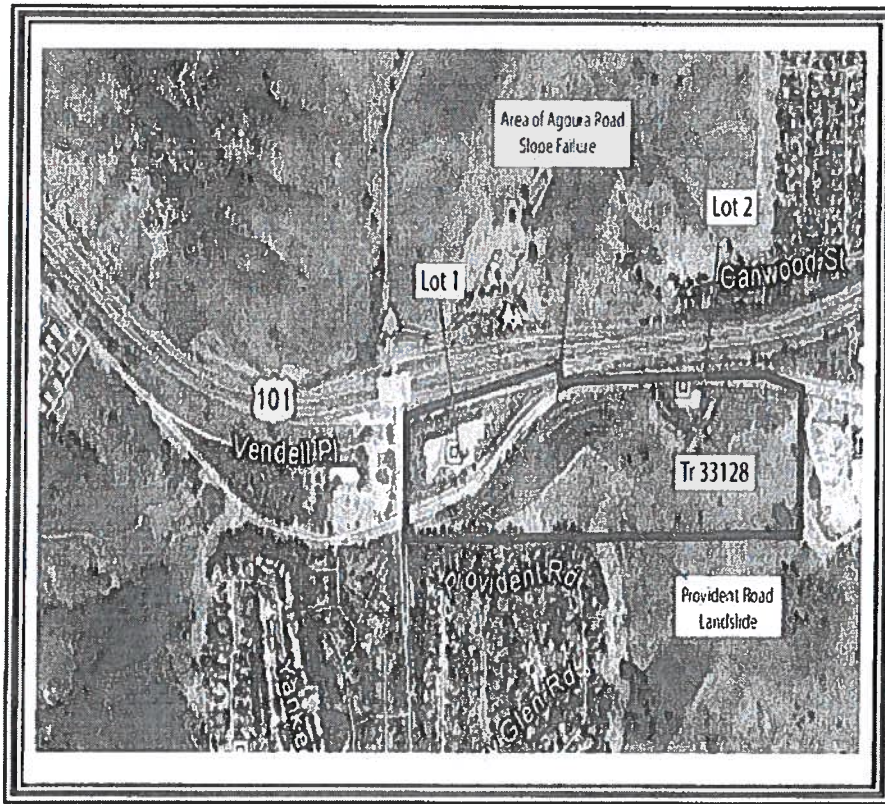
Enclosure

Attachment C

GEOTECHNICAL RECONNAISSANCE REPORT

**City of Agoura Hills
Annexation Options
Tract 33128**

March 2018



FOR

City of Agoura Hills

March 20, 2018

Project No. 17.00103.0217

Ms. Allison Cook
30001 Ladyface Court
Agoura Hills, CA 91301

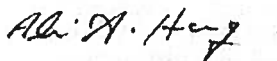
Subject: Geotechnical Reconnaissance Report; City of Agoura Hills Annexation Option;
Tract 33128 (Agoura Road); Los Angeles County, California

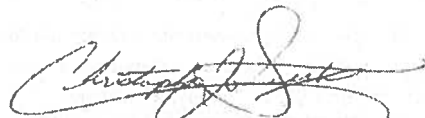
Dear Ms. Cook:

At your request and authorization, Geodynamics, Inc. (GDI) provides in the attached report our preliminary geotechnical assessment of developments along Agoura Road under consideration for annexation by the City of Agoura Hills. Our work was conducted in March of 2017. This report is based on data and information included in our report of May 2017 and summarizes the scope of our assessment along with the development history and general geologic condition of the site, and provides a brief assessment of geotechnical issues that should be considered in evaluating the suitability of the area for annexation by the City of Agoura Hills. Specific assessments of geotechnical conditions and hazards are outside the scope of this report, but can be provided upon your request.

Please do not hesitate to contact us if you have any questions or if we may be of any additional assistance. We look forward to assisting you again in the future.

Sincerely yours,
GEODYNAMICS, INC.


Ali Abdel-Haq, GE 2308
Principal Geotechnical Engineer


Christopher J. Sexton, CEG 1441
Principal Engineering Geologist

Enclosures
References & Aerial Photographs Reviewed
Figure 1 – Location Map

Introduction

This report provides results of a limited geotechnical assessment of a land parcel being evaluated for possible annexation by the City of Agoura Hills. The purpose of this assessment is to provide the city with basic geologic and geotechnical information that may bear on the annexation decision. The scope of our work was limited to review of existing, readily available geologic reference publications and aerial photographs available in our files, preliminary review of development records on file with the County of Los Angeles, and limited site reconnaissance from areas that appeared to be reasonably available for public access.

The land parcel is identified as Tract 33128. The parcel is located along Agoura Road between Liberty Canyon Road and Los Angeles County Sheriffs facility in Los Angeles County, California. The property extends about 650 feet south of the 101 Freeway between Liberty Canyon Road and a point about ½ miles to the east. The approximate boundaries of the parcel are depicted on Figure 1. The following report provides an overall description and broad development history of the parcel, a discussion of the underlying geologic conditions, and brief assessment of the impacts those conditions may have on existing or proposed future developments as appropriate.

Note that the development history for this parcel is complex. The record for Tract 33128 includes nearly 150 geotechnical letters and reports by various consultants, and a similar number of geotechnical review letters issued by the County of Los Angeles spanning a period of nearly 32 years. We have reviewed these records (some very briefly) to the degree necessary to develop a reasonable understanding of the development chronology and to gain a preliminary grasp of the issues involved. Developing independent professional opinions regarding the technical details of the development issues would require a far greater effort. If requested, GDI can provide this service as a separate scope of work. Note that References cited at the end of this report include only selected references directly pertinent to the current discussion.

Tract 33128

Site Description

Tract 33128 includes about 35 acres located south of the 101 Freeway between Liberty Canyon Road and the Los Angeles County Sheriffs facility located about ½-mile to the east. The property includes two commercial developments and road cuts created to extend Agoura Road eastward from Liberty Canyon Road. The remainder of the property is open space hillsides that extend from Liberty Canyon Road and residences along Provident Road to the west edge of the Los Angeles County Sheriffs facility. This open space remains essentially undeveloped except for an area upslope of residences at the intersection of Provident Road and Jim Bowie Road where grading was conducted to repair a landslide in the late 1990's.

Geologic Conditions

Published geologic references (Dibblee, 1992; Weber, 1984) describe bedrock below Tract 33128 as gray claystone of the upper Topanga Formation. The claystone is described as gray,

thinly-bedded, and crumbly, and is commonly associated with slope instability where bedding planes are unsupported in natural and constructed slopes.

Bedrock is overlain beneath developed areas by certified fill placed to create two commercial building pads and to stabilize slopes. Groundwater was reported in alluvial areas and as localized seepages in bedrock. An extensive system of horizontal drains has been installed in attempts to control one such seepage.

Geologic structure is complex, with easterly dips at highly variable inclinations, local faults and folds. The hillside area that rises above the sheriff's station is mapped as a large landslide.

The tract is not located within a State Earthquake Fault Zone for mapped active faulting. Parts of the property are within State Seismic Hazard Zones for either liquefaction or seismically induced slope failures as shown on a map of "Seismic Hazard Zones" on the Calabasas Quadrangle, published by the California Geological Survey (1998). Because the site is located in the seismically active southern California region, moderate to very strong ground shaking can be anticipated.

Development History

The original development included two commercial lots (Lots 1 & 2) and an open-space lot (Lot 3). An existing freeway cut would be moved about 80 feet to the south to make room for an extension of Agoura Road (referred to at that time as "Rondell Road"). Development of this tract and resolution of two associated major slope stability issues involved at least six different consultants and extended over a period of nearly 20 years. The summary provided below is based on a relatively cursory review of the record, and as such, it should be understood that the following summary is necessarily incomplete. Should you desire a more detailed assessment of the record, or development of a detailed technical opinion, this service can be provided at your request.

Tentative Map Approval (1982)

The project was initially submitted in April of 1982, with a second submittal in June of 1982 supported with a preliminary investigation completed by GeoSoils, Inc. (GSI) for the Currey-Riach Company (GSI 1982a). Major elements of the proposed grading included a combination of cutting the nose of a ridge and filling the surrounding canyons to create a building pad on Lot 1 (currently 27349 Agoura Road), creating a northeasterly facing cut-slope and filling a small canyon to create the building pad for Lot 2 (currently 27200 Agoura Road) and creating a series of high cut-slopes to allow an extension of Agoura Road eastward from Liberty Canyon Road.

The highest cut-slope proposed on the project would be about 145 feet high and inclined at a gradient of approximately 1.5:1 (H:V). This cut would essentially be a regrading of an existing freeway cut to allow the eastward extension of Agoura Road. Preliminary reports by GSI discuss the condition of the existing cut. The cut is assessed to have performed reasonably well with the exception of small surficial failures that were attributed to degradation of rock due to persistent seepage at the toe. GSI noted that re-design of the cut at a gradient of 2:1 would reduce the potential for these sorts of problems, and stated that retaining the steeper configuration would likely result in continued surficial failures and a need for ongoing maintenance. Calculations were included in these early documents to demonstrate that the slope had an adequate factor of safety against gross failure at a gradient of 1.5:1. The seepage at the

toe was considered to be detrimental, and as such a series of horizontal drains extending 100 feet into the slope was recommended.

Other major cut-slopes were discussed as well. The 100 foot high, 1.5:1 cut-slope proposed south of Lot 1 was recommended to be flattened to 2:1, and the 50 foot high, 1.5:1 cut proposed on the south side of Lot 2 was recommended to be stabilized. Several smaller slopes were anticipated to be generally stable, but would require careful observation during grading to assess any unfavorable geologic conditions.

The Los Angeles County Environmental Development Division issued a review letter in June of 1982, requesting that the Tentative Map be modified to reflect the consultant's recommendations for cut-slopes, and that some minor errors in the report be corrected. In July of 1982, GSI issued a response to the review letter recommending that "the slope" be redesigned at 2:1 (GSI, 1982b). The context of the discussion suggests that "the slope" refers to the new 100 foot high cut to be located south of Lot 1 rather than the re-located freeway cut. The re-located freeway cut does not appear to be discussed in the July GSI report

The July GSI report was reviewed by the Los Angeles County Environmental Development Division, and the Tentative Map was approved with a list of seven soils engineering conditions. Among these was a condition to *"Decide regarding design of existing freeway cut slope (for proposed Rondell St.). Verify or amend recommendations for horizontal drains. Make recommendations for elimination of potential surficial failures and maintenance problems"*.

Grading Plan Approval (1984)

Initial grading on Tract 33128 was conditionally approved by The County of Los Angeles in October of 1982 when bulk grading was approved to complete alluvial removals for four tracts, including Tract 33128. This was not an approval of the grading plan for Tract 33128.

In January of 1984, GSI submitted a geotechnical review of the 40-scale grading plan for Tract 33128 (GSI 1984a). This report reiterates the recommendation for horizontal drains in the regraded, 150-foot high freeway slope, but does not repeat the recommendation to redesign the slope at a 2:1 gradient. Instead the consultant presents a discussion that a 10-foot high crib wall will be needed at the top of the slope: *"This wall is necessary to provide the utility easements at the top of the slope for 30 inch waterline, 24 inch reclaimed waterline and Pacific Telephone and Telegraph Cable"*. It is not clear whether these utilities already existed or were proposed.

The 115-foot high cut-slope south of Lot 1 is discussed as remaining at a gradient of 1.5:1 and to be expected to expose favorable geologic conditions; however, preliminary stabilization recommendations are provided in the event stabilization becomes necessary. The northeast facing cut-slope proposed behind Lot 2 is discussed as possibly needing stabilization as well. Discussions of stability fill construction include special recommendations to construct even the finished fill slopes at gradients of 1.5:1.

Grading was underway under the bulk grading permit by at least March of 1984 (GSI, 1984b). Grading Plans involving several tracts (including Tract 33128) were approved by the County in June and September of 1984.

Change of Ownership and Consultant (1985)

GSI prepared a "Project Status" report in June of 1985 (GSI, 1985). This report was addressed to Cabot, Cabot and Forbes, rather than Currey-Riach. This appears to represent a change in ownership of the project, and appears to have been written after grading had been suspended for

some time. The report summarizes alluvial removals, subdrain installations, the need for settlement monitoring and provides some limited discussion of "corrective grading".

Pacific Soils Engineering, Inc. (PSE) appears to have replaced GSI shortly after the Project Status report was completed, as PSE issued "Grading Progress Report No. 1" in July of 1985 (PSE, 1985a). This report was also addressed to Cabot, Cabot & Forbes. Geologic and Soils Engineering Review Letters pertaining to this report were issued on August of 1985. These letters request clarification regarding the consultant of record for the project, and also indicated that numerous GSI reports referenced in the GSI "Project Status" report had never been submitted to the county. The review letter requests that these reports be submitted. The soils engineering review letter expressly requests: "*Either (a) the geotechnical consultant should state his agreement with the recommendations of the previous consultant and the approved grading plans or (b) the consultant should make other recommendations and revised plans should be submitted.*" PSE provided a letter stating that they had been contracted to be the geotechnical consultant for the four tracts known as the "Lost Hills Business Center" (PSE 1985b). They state that they have reviewed the referenced reports by GSI. They neither specifically state agreement nor provide alternative recommendations as requested. Nearly 1½ years later, PSE prepared a letter in January of 1987 that expanded their earlier statement and accepted the findings of the earlier consultant (PSE 1987a).

Tract Grading (1987)

Tract 33128 was graded in conjunction with three other tracts. Based on Grading Progress Reports prepared by PSE, grading appears to have continued through 1987. Various statements in these reports indicate the following items of interest pertaining to the grading for Tract 33128:

- The slope south of Agoura Road, east of Lot 2 was constructed as a stabilization fill.
- The slope above Lot 2 was constructed as a cut-slope inclined at a gradient of 1½:1.
- The slope south of Agoura Road above Lot 1 was constructed as a cut-slope inclined at a gradient of 1½:1.

The first indication of difficulty with the high cut-slope being graded south of Agoura Road is noted in PSE Grading Progress Report No. 6 (PSE, 1986a). This report notes that removal of an old line belonging to the Las Virgenes Water District (LVWD) undercut portions of the slope. Remedial actions included replacing the upper 15 feet of the cut as compacted fill, and reconfiguring the upper slope to be below the base of the old trench. There are no maps or cross sections included with this report, so it is difficult to envision exactly what has been implemented. The lack of any discussion of the crib wall previously proposed to support the utility easement is notable.

Grading continued through the fall of 1987. PSE prepared a report in October that indicated that rough grading on Tract 33128 was complete and that there were no Restricted Use Areas on the tract (PSE, 1987b). We did not recover a specific review letter approving rough grading on Tract 33128 at that time. We did recover a letter dated November 20, 1987 from the Engineering Geology Group of Los Angeles County that approves the Final Map to be filed. We recovered no record that the horizontal drains recommended by GSI were installed.

Continuing Slope Instability (1988 – 1989)

In August of 1988, PSE prepared a report to address remedial work proposed for the north-facing cut slope above Agoura Road (PSE 1988a). The slope is reported to be experiencing difficulties between the toe and the lower bench between about 1100 and 1200 feet east of Liberty Canyon Road. The slope is affected and the curb and sidewalk are indicated to be experiencing cracking and uplift. The consultant attributes the distress to a combination of bedrock expansion in a sheared bentonite bed, and buildup of hydrostatic pressure behind the bed. PSE proposed minimization of irrigation water, repair of damaged drainage structures, and installation of horizontal drains into the face of the slope to extend behind the bentonite bed.

In December of 1988, PSE issued a report to address continuing distress in the slope (PSE 1988b). This report indicates that distress has advanced up the slope to the second terrace drain, that the hydraugers (horizontal drains) recommended in August had been installed, but had produced very little water, and that interaction between a toe of slope trench drain and a previously unrecognized fault was providing structural control of the displacement. They recommended remedial grading to remove and reconstruct the lower section of the slope. Upon review of the new plan of action, and clarification of a few technical items, the proposed remedial grading was approved by Los Angeles County in early February of 1989. GDI recovered no clear documentation of the remedial grading.

Staal, Gardner & Dunne, Inc. (SGD) was the geotechnical consultant for the Las Virgenes Water District (LVWD). In April of 1989, SGD issued a report discussing a February rupture in a 30-inch water line located on the ridge just behind the top of the Agoura Road slope. That report alludes to a landslide repair being performed at the toe of the slope, and draws a connection between the landslide repair at the toe of the slope, and the distress to the water line at the top of the 150 foot-high slope. This would be significant because it would indicate earth movement was translating through the full height of the slope rather than being limited to the lower two benches. SGD reports their understanding that PSE disputed the possible connection between the repair and the water line.

Evaluation and Debate (1989- 1991)

PSE issued a report in October of 1989 to document the slope repair. Therein they discount the notion of gross slope displacement or a connection between the repair and water line rupture. Throughout 1990, PSE produced a series of reports responding to comments from the County of Los Angeles geotechnical reviewers requesting additional data, additional analysis to demonstrate adequate factors of safety for the slope, and in particular requesting an unambiguous "Section 309" statement. This is a statement required in Los Angeles County to the effect that a development will be safe from landslide settlement and slippage, and will not adversely affect adjacent properties. The county requires that these statements be provided without qualifiers or caveats. PSE was reluctant to provide such a statement regarding the repaired slope.

Meanwhile, SGD installed three inclinometers into the slope and a series of survey points on the surface of the slope. SGD reports that these monitoring devices are indicating movement. PSE contends that the slope movements above the repair are the result of expansive soils and "rebound" of the highly deformed rock.

PSE issued a response report in October of 1990. This report appears to be a defense of the remedial grading completed in 1989 and includes discussions of shear strengths used in analyses, dewatering efforts, concerns held by PSE regarding the inclinometer installation and monitoring completed by SGD, and a variety of other topics. PSE also provides the Section 309 statement

requested by the county. A review letter by Los Angeles County issued on October 10 of 1990 titled "Final Grading Review" and referencing the PSE report of October 5, 1990 includes the "Action" finding that *"Plans and Reports are approved from a geotechnical standpoint"*. It is not clear exactly what is being approved in this letter. SGD issued their own review of the PSE report in which, among other issues, they contend that PSE seems unsure of the mechanism of distress affecting the slope, question PSE interpretations and conclusions regarding some of their subsurface exploration, question shear strengths used in analyses, and question the PSE understanding of groundwater conditions.

Regardless of the approval letter from Los Angeles County, the issue of the slope was clearly not resolved. In early 1991, the City of Agoura Hills requested independent review of the situation with the Agoura Road slope from Slosson and Associates and from Bing Yen and Associates, Inc. Both of these consultants expressed concern regarding the state of understanding of the mechanism of failure affecting the slope, and recommended that monitoring continue.

By July of 1991, additional distress was noted in the vicinity of the slope. PSE continued to attribute the distress to expansive soils and rebound. In April of 1991 SGD reported up to seven inches of movement on the western side of the slope.

Final Resolution of the Agoura Road Cut Slope (1991-1994)

These debates, investigations and reviews continued through May of 1993 when it appears that a plan to install piles along the toe of the slope along with a series of hydraugers was accepted by the County of Los Angeles. In June of 1994, PSE issued a report describing the installation of 60 cast-in-place, 36-inch diameter piles to a depth of 40 feet below grade, grading repair of several surficial failures, installation of 20 hydraugers in two tiers near the toe of the slope - to depths of 100 to 150 feet, and a number of other measures. PSE seems to continue to consider that the mechanism of distress to the slope is related to expansive soils and rebound. They consider that these mechanisms will continue to act on the slope, and as such once again express a reluctance to issue an unqualified statement relative to Section 309. The repair was approved by the County of Los Angeles in October of 1994 using on a negotiated Section 309 statement provided by PSE.

Provident Road Landslide (1993-2001)

The file appears to be incomplete regarding this failure and repair. One of the earliest documents recovered is a claim for damages filed against the County of Los Angeles dated May 26, 1993. The claim is filed on behalf of the residents at 27301 Provident Road in the City of Agoura Hills, and cites that *"Within the last twelve months, the subject property has been subject to landslides, earth related failure, subsidence, soil consolidation, surface and subsurface drainage problems and other problems with upslope soils"*.

This failure was complicated by the fact that it failed from the County of Los Angeles, into the City of Agoura Hills and also involved an area within the City of Calabasas. The earliest county review letter recovered regarding this site is dated February 22 1994, and cites geotechnical reports dated February 17, 1994 and "Addenda" dated January 14, 1993 and November 23, 1993. The nature of these "addenda" is not known, and in any event, none of these documents were recovered as part of our research.

Based on the information available, it appears that after the failure in 1993, emergency remedial grading was undertaken in 1994. Brief review of the in-grading reports indicates that landslide

movement continued as the grading was underway. Installation of hydraugers as part of this remedial work is inferred from comments in some of the Los Angeles County review letters, but the record of consultant reports appears to be incomplete and details of these installations are not known.

Renewed movement was reported in 1995. The consultant for the remedial grading returned in August of 1996 and performed additional studies and subsurface exploration to gain a better understanding of the subsurface conditions. In September of 1997, a different consultant prepared analyses of the subsurface conditions and slope stability. After review of the initial report and several response reports, a plan to complete the repair was approved in late 1998. Approvals were also required from the City of Agoura Hills, the City of Calabasas and the Las Virgenes Water District. No records of those approvals were recovered in our file review.

Grading for the repair began in October of 1999 and continued at least through March of 2000. Based on review of two "In-Grading Geotechnical Progress Reports" prepared by Ninyo & Moore (1999, 2000) we surmise that the repair included installation of a significant buttress with five levels of backdrains. Some sections of the fill face were constructed at gradients exceeding 1½:1 and were reinforced with geogrid. A total of seven hydraugers were originally planned for the repair, but this number was reduced to three during grading.

The record indicates that grading for this project was most likely completed in early to middle 2000. Several rounds of review and response indicate county concerns regarding the consultant's incorporation of field data obtained during grading into revised slope stability analyses, and also with reluctance on the part of the consultant to provide an acceptable "Section 309" statement. The grading was ultimately approved in January of 2001.

Approval and Development of Lot 1 (27349 Agoura Road), Tract 33128 (1999-2000)

PSE provided a Final Geologic Report for Lots 1 and 2 of Tract 33128 in March of 1990. The county appears to have rejected approval of these lots until issues with the Agoura Road cut-slope were resolved.

In March of 1999, Neblett & Associates (NA) submitted an evaluation of Lot 1 relative to construction of a warehouse building. That report included subsurface exploration to characterize the depth of fill and underlying alluvium, groundwater conditions and to support a limited liquefaction analysis. After a second submittal, the project appears to have been approved in February of 2000. A geotechnical report of grading to overexcavate a building footprint was submitted by Leighton and Associates (L&A) in July of 2000. Rough Grading was approved in November of 2000.

Approval and Development of Lot 2 (27200 Agoura Road), Tract 33128 (1996-1999?)

PSE provided a Final Geologic Report for Lots 1 and 2 of Tract 33128 in March of 1990. The county appears to have rejected approval of these lots until issues with the Agoura Road cut-slope were resolved.

In October of 1996, PSE submitted an evaluation of Lot 2 relative to construction of a two-story commercial building. That report notes that an oil well was capped and buried during grading of Lot 2. Based on the content of certain review letters, it appears that the disposition of this well developed as an issue during the review process. Similarly, there is an allusion to "pop-outs" in the upper part of the steep slope graded above the lot during the original tract grading. After

numerous rounds of review, the grading plan for the project was ultimately approved by Los Angeles County in May of 1998.

There are numerous review letters in early 1999 that specifically deny approval of rough grading on this lot for various reasons. Although the lot is currently occupied, we were not able to locate review letters from Los Angeles County specifically approving grading on this lot.

Geologic Hazards Assessment

The most pertinent element of the grading for Tract 33128 appears to be the slope failures along Agoura Road that delayed project approval for many years. Also pertinent are the landslide repair above Provident Road and (possibly) the cut-slope repair above Lot 2 and the oil well buried below Lot 2.

The landslide repair along Agoura Road was a very contentious undertaking. The primary consultant appears to have maintained the opinion that the distress of concern was not related to a slope failure per se, and to have designed the ultimate repair based largely upon subsurface conditions that were poorly understood at best. Despite the very expensive repair that was ultimately installed, there does not appear to have ever developed a consensus among the involved professionals regarding the most likely mechanism of failure. The slope was constructed at a steep gradient that the original (1982) consultant indicated would be problematic. Despite the repair; this fundamental deficiency remains, and in fact, some areas of the slope appear to be inclined at gradients even steeper than 1½:1.

Both of the landslide repairs (Agoura Road and Provident Road) include surface and subsurface drainage systems of various types. The graded repairs are dependent on these systems to avoid future failures; the systems must be protected and maintained in order to function properly. Based on a cursory review of the Agoura Road slope, we consider that these systems have not been maintained properly. Bench drains are blocked, uplifted, cracked and completely offset in some cases. Downdrains are bowed and lifted off the slope. Subsurface drain outlets are broken away from manifolds intended to control the discharge. GDI was not able to gain access to the Provident Road landslide repair to assess the condition of those drainage installations.

There is an existing failure on the Agoura Road cut-slope in roughly the same area of the original failure. Whether this is indicative of renewed movement deep in the slope, or simply the foreseeable result of constructing a fill slope at such a steep gradient is difficult to assess. In any case, the current failure will require significant grading in an area of highly complex subsurface conditions that remains under suspicion of deep slope instability.

Also of concern are references to difficulties during development of Lot 2. County review letters allude to pop-outs in the 1½:1 slope graded during the original tract grading. Again, the original consultant for the tract identified this slope as an area that might require stabilization. Ultimately the slope was graded as a cut. An oil well was discussed as having been buried during the original grading for the tract. Both of these issues will need to be researched in greater detail to understand what constraints they may impose.

Conclusions

Tract 33128 carries significant administrative and/or technical challenges for the City to consider. Records concerning the parcels discussed in this report include hundreds of pages of information. While we have strived to provide sufficient and complete information to assist the City with a decision regarding annexation of these parcels, the task far exceeded the specified

budget and scope of work. Additional effort would be necessary to better understand the history and delineate technical issues associated with these parcels; however, GDI strongly recommends that this effort be completed should the City decide to move forward with annexation of either one.

Closure

This report was prepared for the exclusive use of the City of Agoura Hills for the purpose referenced project site. It may not contain sufficient information for other uses or the purpose of other parties. Any person using this report for bidding or construction purposes should perform such independent investigations as they deem necessary to satisfy themselves as to the surface and subsurface conditions to be used encountered and the procedures to be used in the performance of their work on this project. The services of the geotechnical consultant should not be construed to relieve the owner or contractor of their responsibilities or liabilities.

Professional judgments presented in this report are based on evaluations of the information available, on GDI's understanding of the required scope of work, and general experience in the field of geotechnical engineering. GDI does not guarantee the interpretations made, only that the geotechnical work and judgment rendered meet the standard of care of the geotechnical profession at this time. In view of the general geology and our limited observation of the site, the possibility of different conditions cannot be totally discounted. A review of geotechnical data (if available) obtained during previous investigations at the site and during grading and construction of existing developments may be performed if so desired.

REFERENCES

- California Division of Mines and Geology, Department of Conservation, 1998, "State of California Seismic Hazard Zones, Calabasas Quadrangle", Official Map released: February 1, 1998, scale 1:24,000.
- Dibblee, T.W. and Ehrenspeck, H.E., ed., 1992, Geologic map of the Calabasas quadrangle, Los Angeles and Ventura Counties, California: Dibblee Geological Foundation, Dibblee Foundation Map DF-37, scale 1:24,000.
- GeoDynamics, Inc.; 2017; Geotechnical Reconnaissance Report, City of Agoura Hills Annexation Options, Tracts 53100 and 33128l; Consultant Report dated May 16, 2017; Project No. 17.00103.0217.
- GeoSoils Inc.; 1982a; Preliminary Geotechnical Study, Tentative Tract 33128, Lost Hills, Calabasas, California; Consultant Report dated May 14, 1982; W. O. 1182-VN.
- GeoSoils Inc.; 1982b; Addendum to Preliminary Geotechnical Study, Tentative Tract 33128, Lost Hills, Calabasas, California; Consultant Report dated July 9, 1982; W. O. 1182-VN.
- GeoSoils Inc.; 1984a; Review of 1"=40' Scale Grading Plan, Tentative Tract 33128, Lost Hills, Calabasas, California; Consultant Report dated January 17, 1984; W. O. 1182-VN.
- GeoSoils Inc.; 1984b; Progress Report #2, Tracts 32952, 32953, 32954, and 33128, Lost Hills, Calabasas, California; Consultant Report dated April 3, 1984; W. O. 1182-VN.
- GeoSoils Inc.; 1985; Project Status, Lost Hills Business Park, Tracts 32952, 32953, 32954, and 33128, Calabasas, Los Angeles County, California; Consultant Report dated June 20, 1985; W. O. 1182-VN.
- Leighton & Associates; 2000; As-Graded Geotechnical Report of Building Footprint Overexcavation, Lot 1, Tract 33128, Northeast Corner of Agoura and Liberty Canyon Roads, County of Los Angeles, California; Consultant Report dated July 7, 2000.
- Neblett & Associates; 1999; Review of 40'-Scale Grading Plan, Proposed Warehouse Building, Lot 1, Tract 33128, City of Calabasas, California; Consultant Report dated March 29, 1999; Project No. 128.
- Ninyo & Moore; 1999; In-Grading Geotechnical Progress Report; Slope repair at 27301 Provident Road, and 4136 Jim Bowie Road, and 27250 Agoura Road, Tract 33128, City of Agoura Hills, City of Calabasas and County of Los Angeles, California, County Grading Plan Check No. 9710200004; Consultant Report dated December 7, 1999; Project No. 200939.02.
- Ninyo & Moore; 2000; In-Grading Geotechnical Progress Report; Slope repair at 27301 Provident Road, and 4136 Jim Bowie Road, and 27250 Agoura Road, Tract 33128, City of Agoura Hills, City of Calabasas and County of Los Angeles, California, County Grading Plan Check No. 9710200004; Consultant Report dated March 10, 2000; Project No. 200939.02.

Pacific Soils Engineering Inc.; 1985a; Grading Progress Report No. 1, Tract Nos. 33128, 32952, 32953 and 32954, Lost Hills, County of Los Angeles, California; Consultant Report dated July 18, 1985; W. O. 10925.

Pacific Soils Engineering Inc.; 1985b; Geotechnical Responsibility, Tract Nos. 33128, 32952, 32953, and 32954, Calabasas Area, County of Los Angeles, California; Consultant Report dated July 26, 1985.

Pacific Soils Engineering Inc.; 1986a; Grading Progress Report No. 6, Tract Nos. 33128, 32952, 32953 and 32954, Lost Hills, County of Los Angeles, California; Consultant Report dated November 14, 1986; W. O. 10925.

Pacific Soils Engineering Inc.; 1987a; Addendum Remarks to Geotechnical Responsibility Letter dated 7/26/1985, Tract Nos. 33128, 32952, 32953, and 32954, Lost Hills-Agoura, County of Los Angeles, California; Consultant Report dated January 23, 1987: W. O. 10925.

Pacific Soils Engineering Inc.; 1987b; Tract 33128, Geologic Restricted Use, Agoura, County of Los Angeles, California; Consultant Report dated October 16, 1987: W. O. 10925.

Pacific Soils Engineering Inc.; 1988a; Results of Geotechnical Investigation and Recommendations for Remedial Work on North Facing 1-1/2:1 Cut Slope Above Agoura Road, County of Los Angeles, California; Consultant Report dated August 31, 1988: W. O. 10925.

Pacific Soils Engineering Inc.; 1988b; Recommendations for Remedial Repair of Distressed Slope on a Portion of North Facing Slope Above Agoura Road; Consultant Report dated December 1, 1988: W. O. 10925.

Pacific Soils Engineering Inc.; 1989a; Soil Engineering and Geologic Report, Lot 3, Tract No. 33128, Lost Hills Area, County of Los Angeles, California; Consultant Report dated October 2, 1989: W. O. 10925.

Pacific Soils Engineering Inc.; 1990a; Geotechnical Responses to Los Angeles County, Geologic and Soils Engineering Review Sheets dated 9-19-1990 and 9-20-1990; Consultant Report dated October 5, 1990: W. O. 10925.

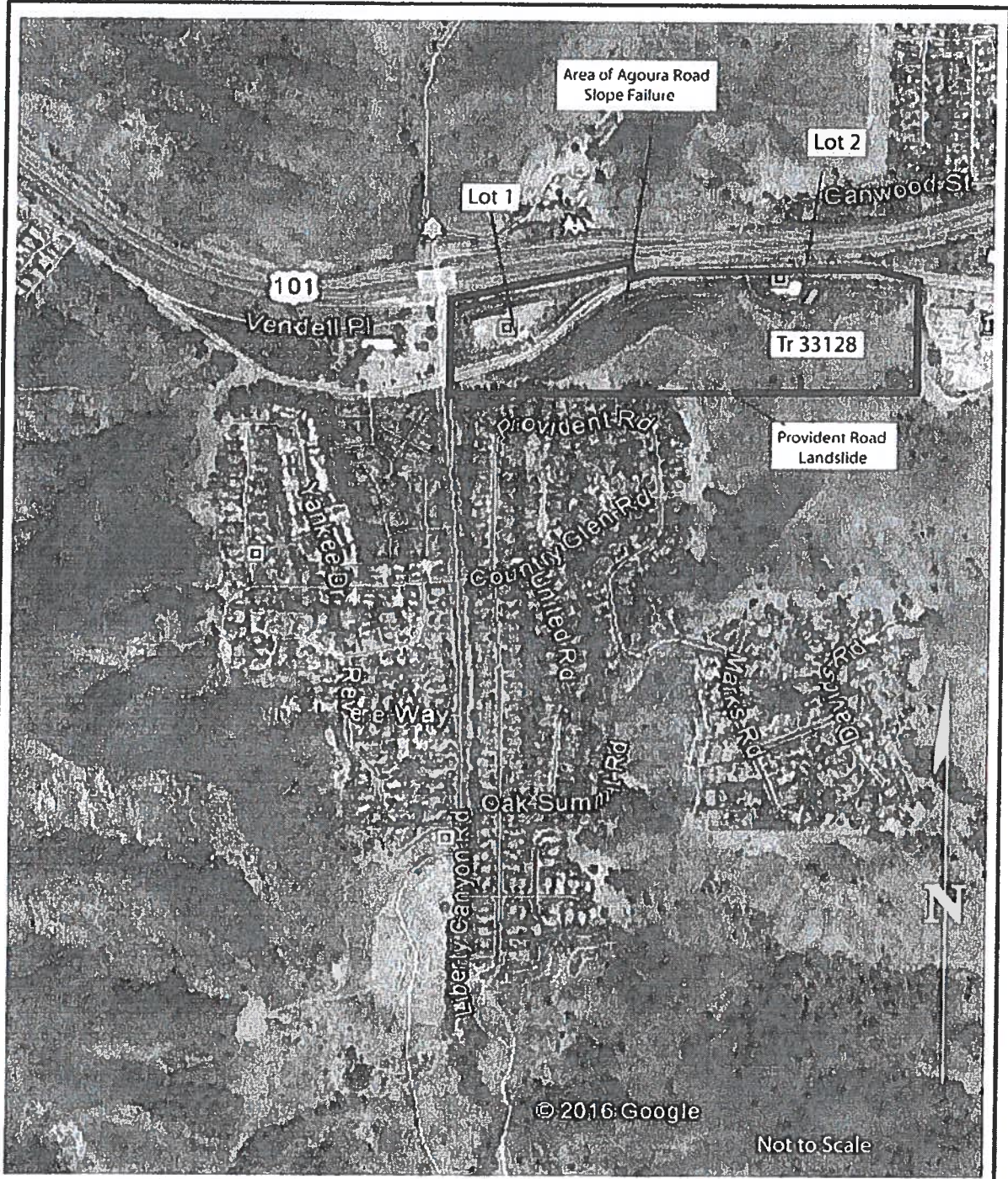
Staal, Gardner & Dunne, Inc. 1989; LVMWD 30" Water Line Between Liberty Canyon and Lost Hills, Los Angeles County, California; Consultant Report dated April 12, 1989; Reference 89028.

Staal, Gardner & Dunne, Inc. 1991; Summary of InclInometer and Survey Monument Monitoring of 1.5:1 Cut Slope on Agoura Road Between Liberty Canyon Road and Lost hills Road, Los Angeles County, California for the Period Between March 9, 1990 and April 1, 1991; consultant report dated April 23, 1991; Reference 89028.

Weber, 1984, Geology of the Calabasas-Agoura-Eastern Thousand Oaks Area, Los Angeles and Ventura Counties, California, California Division of Mines and Geology Open File Report 84-01, scale 1:24,000

AERIAL PHOTOGRAPHS REVIEWED

Date	Source	Flight	Frames	Scale
1928	Fairchild Aerial Surveys	C-300	J-27, 28, & 39-41	1"=1,500
1954	United States Dept. Agriculture	AXJ-14K	31 - 34	1"=1,800
1-10-65	Los Angeles County Flood Control District	1933-01	156-158	1"=3,000
1973	United States Government	U-2 73-036	39 & 40	1"=3,000
9-21-78	United States Dept. Agriculture	06111-178	24, 25, 51 & 52	1"=3,000
1-9-1990	Unknown	Calabasas	1	1'=1,000'
11-29-94	Pacific Western Aerial Surveys	PW VEN 11	45 & 46	1"=1,800



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Project: City of Agoura Hills Annexation Project - 2018	
Project #: 17,00103 0217	
Date:	March, 2018

Figure 1
Location Map

Attachment 5

You are here: [California](#) / [Government Code - GOV](#) / [CHAPTER 1. General](#) [[56650. - 56668.5.](#)] / [Section 56668.](#)

Section 56668. (Amended by Stats. 2009, Ch. 570, Sec. 1.)

Cite as: Cal. Gov't. Code §56668.

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

(i) The comments of any affected local agency or other public agency.

(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6

(commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(m)Any information or comments from the landowner or owners, voters, or residents of the affected territory.

(n)Any information relating to existing land use designations.

(o)The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

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Attachment 6

You are here: [California](#) / [Government Code - GOV](#) / [ARTICLE 2. Terms and Conditions \[56885. - 56890.\]](#) / [Section 56886.](#)

Section 56886. (Amended by Stats. 2003, Ch. 36, Sec. 1.)

Cite as: Cal. Gov't. Code §56886.

Any change of organization or reorganization may provide for, or be made subject to one or more of, the following terms and conditions. If a change of organization or reorganization is made subject to one or more of the following terms and conditions in the commission's resolution making determinations, the terms and conditions imposed shall constitute the exclusive terms and conditions for the change of organization or reorganization, notwithstanding the general provisions of Part 5 (commencing with Section 57300). However, none of the following terms and conditions shall directly regulate land use, property development, or subdivision requirements:

(a) The payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of any city, county, or district.

(b) The levying or fixing and the collection of any of the following, for the purpose of providing for any payment required pursuant to subdivision (a):

(1) Special, extraordinary, or additional taxes or assessments.

(2) Special, extraordinary, or additional service charges, rentals, or rates.

(3) Both taxes or assessments and service charges, rentals, or rates.

(c) The imposition, exemption, transfer, division, or apportionment, as among any affected cities, affected counties, affected districts, and affected territory of liability for payment of all or any part of principal, interest, and any other amounts which shall become due on account of all or any part of any outstanding or then authorized but thereafter issued bonds, including revenue bonds, or other contracts or obligations of any city, county, district, or any improvement district within a local agency, and the levying or fixing and the collection of any (1) taxes or assessments, or (2) service charges, rentals, or rates, or (3) both taxes or assessments and service charges, rentals, or rates, in the same manner as provided in the original authorization of the bonds and in the amount necessary to provide for that payment.

(d) If, as a result of any term or condition made pursuant to subdivision (c), the liability of any affected city, affected county, or affected district for payment of the principal of any bonded indebtedness is increased or decreased, the term and condition may specify the amount, if any, of that increase or decrease which shall be included in, or excluded from, the outstanding bonded indebtedness of that entity for the purpose of the application of any statute or charter provision imposing a limitation upon the principal amount of outstanding bonded indebtedness of the entity.

(e) The formation of a new improvement district or districts or the annexation or detachment of territory to, or from, any existing improvement district or districts.

(f) The incurring of new indebtedness or liability by, or on behalf of, all or any part of any local agency, including territory being annexed to any local agency, or of any existing or proposed new improvement district within that local

agency. The new indebtedness may be the obligation solely of territory to be annexed if the local agency has the authority to establish zones for incurring indebtedness. The indebtedness or liability shall be incurred substantially in accordance with the laws otherwise applicable to the local agency.

(g)The issuance and sale of any bonds, including authorized but unissued bonds of a local agency, either by that local agency or by a local agency designated as the successor to any local agency which is extinguished as a result of any change of organization or reorganization.

(h)The acquisition, improvement, disposition, sale, transfer, or division of any property, real or personal.

(i)The disposition, transfer, or division of any moneys or funds, including cash on hand and moneys due but uncollected, and any other obligations.

(j)The fixing and establishment of priorities of use, or right of use, of water, or capacity rights in any public improvements or facilities or any other property, real or personal. However, none of the terms and conditions ordered pursuant to this subdivision shall modify priorities of use, or right of use, to water, or capacity rights in any public improvements or facilities that have been fixed and established by a court or an order of the State Water Resources Control Board.

(k)The establishment, continuation, or termination of any office, department, or board, or the transfer, combining, consolidation, or separation of any offices, departments, or boards, or any of the functions of those offices, departments, or boards, if, and to the extent that, any of those matters is authorized by the principal act.

(l)The employment, transfer, or discharge of employees, the continuation, modification, or termination of existing employment contracts, civil service rights, seniority rights, retirement rights, and other employee benefits and rights.

(m)The designation of a city, county, or district, as the successor to any local agency that is extinguished as a result of any change of organization or reorganization, for the purpose of succeeding to all of the rights, duties, and obligations of the extinguished local agency with respect to enforcement, performance, or payment of any outstanding bonds, including revenue bonds, or other contracts and obligations of the extinguished local agency.

(n)The designation of (1) the method for the selection of members of the legislative body of a district or (2) the number of those members, or (3) both, where the proceedings are for a consolidation, or a reorganization providing for a consolidation or formation of a new district and the principal act provides for alternative methods of that selection or for varying numbers of those members, or both.

(o)The initiation, conduct, or completion of proceedings on a proposal made under, and pursuant to, this division.

(p)The fixing of the effective date or dates of any change of organization, subject to the limitations of Section 57202.

(q)Any terms and conditions authorized or required by the principal act with respect to any change of organization.

(r)The continuation or provision of any service provided at that time, or previously authorized to be provided by an official act of the local agency.

(s)The levying of assessments, including the imposition of a fee pursuant to Section 50029 or 66484.3 or the approval by the voters of general or special taxes. For the purposes of this section, imposition of a fee as a condition of the issuance of a building permit does not constitute direct regulation of land use, property development, or subdivision requirements.

(t)The extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency or a successor local agency in the affected territory.

(u)The transfer of authority and responsibility among any affected cities, affected counties, and affected districts for the administration of special tax and special assessment districts, including, but not limited to, the levying and collecting of special taxes and special assessments, including the determination of the annual special tax rate within authorized limits; the management of redemption, reserve, special reserve, and construction funds; the issuance of bonds which are authorized but not yet issued at the time of the transfer, including not yet issued portions or phases of bonds which are authorized; supervision of construction paid for with bond or special tax or assessment proceeds; administration of agreements to acquire public facilities and reimburse advances made to the district; and all other

rights and responsibilities with respect to the levies, bonds, funds, and use of proceeds that would have applied to the local agency that created the special tax or special assessment district.

(v) Any other matters necessary or incidental to any of the terms and conditions specified in this section. If a change of organization, reorganization, or special reorganization provides for, or is made subject to one or more of, the terms and conditions specified in this section, those terms and conditions shall be deemed to be the exclusive terms and conditions for the change of organization, reorganization, or special reorganization, and shall control over any general provisions of Part 5 (commencing with Section 57300).

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