



Local Agency Formation Commission  
for the County of Los Angeles

Commission

Jerry Gladbach  
Chair

Richard H. Close  
Donald L. Dear  
Margaret Finlay  
Tom LaBonge  
Gerard McCallum  
Gloria Molina  
David Spence  
Zev Yaroslavsky

Alternates

Lori Brogin  
Don Knabe  
Paul Krekorian  
Judith Mitchell  
Joseph Ruzicka

Staff

Paul A. Novak, AICP  
Executive Officer

June D. Savala  
Deputy  
Executive Officer

Amber De La Torre  
Doug Dorado  
Michael Henderson  
Alisha O'Brien  
Patricia Wood

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

September 10, 2014

Present:

Jerry Gladbach, Chair

Donald L. Dear  
Margaret Finlay  
Tom LaBonge  
Gerard McCallum  
Gloria Molina  
David Spence  
Zev Yaroslavsky

Lori Brogin-Falley, Alternate  
Don Knabe, Alternate  
Judith Mitchell, Alternate  
Joe Ruzicka, Alternate

Paul A. Novak, AICP; Executive Officer  
Erik Conard, Legal Counsel

Absent:

Richard H. Close

Paul Krekorian, Alternate

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[www.lalafco.org](http://www.lalafco.org)

1 CALL MEETING TO ORDER

The meeting was called to order at 9:04 a.m. in Room 381-B of the County Hall of Administration.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Jerry Gladbach.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (E.O.) read an announcement, asking that persons who made a campaign contribution of more than \$250 to any member of the Commission during the past twelve (12) months to rise and state for the record the Commissioner to whom such campaign contributions were made and the item of their involvement (None).

4 SWEARING-IN OF SPEAKER(S)

The Executive Officer swore in members of the audience who planned to testify (None).

5 INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857 NOTICE

(None.)

6 CONSENT ITEM(S) – OTHER

The Commission took the following actions under Consent Items:

- a. Approved Minutes of August 13, 2014.
- b. Approved Operating Account Check Register for the month of August 2014.
- c. Received and filed update on pending applications.

MOTION: FINLAY  
SECOND: LaBONGE  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, GLADBACH  
ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM, YAROSLAVSKY  
MOTION PASSES: 7/0/0

[Supervisor Yaroslavsky arrived at 9:09 a.m.]

## 7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Request for Exemption from LAFCO Approval of an Out-of-Agency Service Agreement between the La Habra Utility Authority and the La Habra Heights County Water District (Government Code Section 56133) No. 2014-08.

The public hearing was opened to receive testimony. There being no testimony, the public hearing was closed.

The Commission took the following action:

- Found that the proposal is not subject to the California Environmental Quality Act (CEQA);
- Found that the Agreement between the La Habra Utility Authority and the La Habra Heights County Water District (Exhibit "A") is an agreement solely between two public agencies;
- Found that the retail water service to be provided by the La Habra Utility Authority is an alternative to, or substitute for, water service already being provided by an existing public service provider, the California Domestic Water Company;
- Found that the level of retail water service to be provided by the La Habra Utility Authority is consistent with the level of service currently being provided by an existing public service provider, the California Domestic Water Company (Exhibit "B");
- Determined that the Agreement between the La Habra Utility Authority and the La Habra Heights County Water District does not require LAFCO approval under Government Code Section 56133 because the Agreement falls within the exemption set forth in subdivision (e);
- Revised LAFCO's La Habra Heights County Water District Map to indicate that Area 1 is serviced by the La Habra Utility Authority; and
- Revised LAFCO's Rowland Water District Map to indicate that Area 2 is serviced by the La Habra Utility Authority.

MOTION: FINLAY  
SECOND: YAROSLAVSKY  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 8/0/0

[Supervisor Knabe arrived at 9:14 a.m.]

Chair Gladbach thanked the E.O., LAFCO staff, and all parties involved with this proposal.

The E.O. thanked the Orange LAFCO staff for their helpfulness.

#### 7 PUBLIC HEARING(S)

The following item was called up for consideration:

- b. Annexation No. 2012-10 (40-145/4-207) to Los Angeles County Waterworks District No. 40, Antelope Valley.

The public hearing was opened to receive testimony. There being no testimony, the public hearing was closed.

The Commission took the following action:

- Adopted the Resolution No. 2014-32RMD Making Determinations Approving Annexation No. 2012-10 to Los Angeles County Waterworks District No. 40, Antelope Valley; and
- Pursuant to Government Code Section 57002, set November 19, 2014, at 9:00 a.m., as the date and time for Commission protest proceedings.

MOTION: YAROSLAVSKY  
SECOND: FINLAY  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE  
ABSTAIN: NONE

ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 8/0/0

8 PROTEST HEARING(S)

(None.)

9 OTHER ITEMS

The following item was called up for consideration:

- a. Annual Election of Commission Officers.

The E.O. stated that The Rules of the Commission, adopted September 9, 2009, require that the Commission nominate and elect a Chair, First-Vice Chair, and Second-Vice Chair, annually. The current Chair is held by Commissioner Gladbach, First-Vice Chair is held by Commissioner Dear, and the Second-Vice Chair position is vacant due to the retirement of Henri Pellissier.

The Commission took the following actions:

- Nominated and elected Commissioner Gladbach to serve as LAFCO Chair for the term ending September 2015.

MOTION: DEAR  
SECOND: YAROSLAVSKY  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 7/0/0

- Nominated and elected Commissioner Dear to serve as LAFCO First-Vice Chair for the term ending September 2015.

MOTION: SPENCE  
SECOND: FINLAY  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE  
ABSTAIN: NONE

ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 7/0/0

- Nominated and elected Commissioner McCallum to serve as LAFCO Second-Vice Chair for the term ending September 2015.

MOTION: YAROSLAVSKY  
SECOND: LaBONGE  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

### b. Written Protests Valuation Policy.

The E.O. noted that there was one deviation from the Staff Report, the footnote located on page 3 identifies population with cities over 100,000 residents. Staff obtained more recent population data from the Bureau of the Census and the Department of Finance. The Commission was provided a hard copy of this data.

The E.O. also noted that a correction was made on page 3 of the draft policy to remove “place of residence” and replace the wording with “location of the property within the affected territory”. The Commission received a revised version of the Staff Report.

Commissioner Mitchell asked if other LAFCOs count and accept written protests received by fax or e-mail. The E.O. stated there has been discussion amongst staff and with Commissioners from other LAFCOs. The E.O. stated that he is not aware of other LAFCOs who count and accept written protests received via fax or e-mail. Some LAFCOs are starting to use this method for nomination and voting purposes for electing special district members, and there seems to be some reluctance to accept protest votes by fax or e-mail. The E.O. stated he drafted a deliberately conservative policy on this issue and wants to conduct additional research on what type of security can be utilized to validate signatures. Commissioner Mitchell stated that various courts now receive signatures via fax or e-mail, and LAFCO should consider utilizing the same method.

Commissioner Mitchell voiced concerns about the “cut-off” time for receiving written protests.

Supervisor Knabe and Commissioner LaBonge both voiced concerns about counting and receiving written protest via fax or e-mail, and should encourage inclusivity.

The E.O. suggested that the Commission move forward to adopt the draft Written Protests Valuation Policy “as-is”, and staff will report back to the Commission at a future date.

The Commission took the following action:

- Adopted the draft Written Protests Valuation Policy; and
- Directed the Executive Officer to report back to the Commission regarding counting and receiving written protests via fax or e-mail.

MOTION: YAROSLAVSKY  
SECOND: FINLAY  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- c. Appointment of Voting Representative for CALAFCO Annual Conference.

The Commission took the following action:

- Designated LAFCO Chair Gladbach and Executive Officer Paul Novak as the voting Member and Alternate, respectively, for the CALAFCO 2014 Annual Conference.

MOTION: FINLAY  
SECOND: YAROSLAVSKY  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE

ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 8/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- d. Nomination of David Spence to CALAFCO Board of Directors.

Commissioner Finlay asked what the Commission can do to rally Commissioner Spence to become elected. The E.O. stated the CALAFCO Board of Directors is elected once a year at the CALAFCO Annual Conference. A candidate is currently nominated for the Board of Director's position. The E.O. stated that Commissioner Spence's nomination to the CALAFCO Board of Directors is essentially to have a "back-up" person.

Chair Gladbach noted that Commissioner Spence would be eligible in two years to sit on the CALAFCO Board of Directors.

The Commission took the following action:

- Nominated Commissioner Spence as a candidate for the CALAFCO Board of Directors.

MOTION: YAROSLAVSKY  
SECOND: DEAR  
AYES: BROGIN-FALLEY (ALT. FOR CLOSE), DEAR, FINLAY,  
LaBONGE, MOLINA, SPENCE, YAROSLAVSKY,  
GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: CLOSE, McCALLUM  
MOTION PASSES: 8/0/0

[Commissioner McCallum arrived at 9:29 a.m.]

## 9 OTHER ITEMS

The following item was called up for consideration:

- e. Consideration of Canceling December 10<sup>th</sup> Commission Meeting.

The E.O. noted that there is no written Staff Report for this item.



The E.O. stated that this action is consistent with other previous years, where the Commission has typically canceled December meetings.

Commissioner Finlay asked if the Commission cancels the December meeting, will the September 10<sup>th</sup> meeting be Supervisors Molina and Yaroslavsky's last LAFCO meeting. The E.O. stated that the last LAFCO meeting for both Supervisors will be at the November 19<sup>th</sup> meeting.

Chair Gladbach suggested reconsidering this item at a future meeting date. The Commission agreed to reconsider this item at a later date.

#### 10 COMMISSIONER'S REPORT

(None.)

#### 11 EXECUTIVE OFFICER'S REPORT

The E.O. stated that the filing period for candidates to submit an application for the Alternate Public Member position ended Monday, September 8<sup>th</sup>, and LAFCO received 27 applications. Staff is currently working with Supervisor Knabe's Office to secure a meeting date of the Ad Hoc Committee and the Commission will interview finalist at the Special Meeting of October 22<sup>nd</sup>.

The E.O. noted that staff is working on the Notice for Reorganization No. 2014-01 which consists of a series of detachments and annexations located on the Universal Studios property. This item will be scheduled for the October 8<sup>th</sup> Agenda.

Commissioner Spence indicated he will be out of town September 17<sup>th</sup> thru September 19<sup>th</sup>.

#### 12 PUBLIC COMMENT

(None).

#### 13 FUTURE MEETINGS

October 8, 2014

October 22, 2014 (Special Meeting)

November 19, 2014 (Special Meeting - moved from the regular meeting of November 12, 2014)

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14 FUTURE AGENDA ITEMS

(None).

15 ADJOURNMENT MOTION

On motion of Commissioner Finlay, seconded by Commissioner Dear, the meeting was adjourned at 9:32 a.m.

Respectfully submitted,



Paul A. Novak, AICP  
Executive Officer

**RESOLUTION NO. 2014-32RMD  
RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR THE COUNTY OF LOS ANGELES  
MAKING DETERMINATIONS APPROVING "ANNEXATION NO. 2012-10 TO LOS ANGELES  
COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY"**

WHEREAS, the Los Angeles County Waterworks District No. 40, Antelope Valley, (District) adopted a resolution of application to initiate proceedings, which was submitted to the Local Agency Formation Commission for the County of Los Angeles (Commission), pursuant to Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the District, all within the City of Palmdale; and

WHEREAS, the proposed annexation consists of approximately 10.00± acres of inhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2012-10 to Los Angeles County Waterworks District No. 40, Antelope Valley"; and

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

WHEREAS, the principal reason for the proposed annexation is for the District to provide water service to 21 existing single-family homes and 1 existing drainage basin; and

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

WHEREAS, the Executive Officer has given notice of the public hearing pursuant to Government Code Sections 56150-56160, 57025, and 57026, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on August 14,

2014, which is at least 21 days prior to the public hearing, and said hearing notice was also mailed to all required recipients by first-class mail on or before the date of newspaper publication; and

WHEREAS, on September 10, 2014, after being duly and properly noticed, this proposal came on for hearing, at which time this Commission heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, pursuant to Government Code Section 57002, the Commission set the protest hearing for November 19, 2014 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15319(a), because it consists of an annexation with existing structures developed to the density allowed by the current zoning.
2. A description of the boundaries and map of the proposal, as approved by this Commission, are set forth in Exhibits "A" and "B", attached hereto and by this reference incorporated herein.
3. The affected territory consists of 10.00± acres, is inhabited, and is assigned the

following short form designation:

"Annexation No. 2012-10 to Los Angeles County Waterworks District No. 40,  
Antelope Valley".

4. Annexation No. 2012-10 to Los Angeles County Waterworks District No. 40, Antelope Valley, is hereby approved, subject to the following terms and conditions:

- a. The District agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- b. The effective date of the annexation shall be the date of recordation.
- c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
- d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
- e. The regular County assessment roll shall be utilized by the District.
- f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
- g. Annexation of the affected territory described in Exhibits "A" and "B" to the District.

- h. Except to the extent in conflict with "a" through "g", above, the general terms and conditions contained in Chapter 2 of Part 5, Division 3, Title 5 of the California Government Code (commencing with Government Code Section 57325) shall apply to this annexation.
5. Pursuant to Government Code Section 57002, the Commission hereby sets the protest hearing for November 19, 2014 at 9:00 a.m. and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.
6. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code Section 56882.

PASSED AND ADOPTED this 10<sup>th</sup> day of September 2014.

MOTION:

SECOND:

AYES:

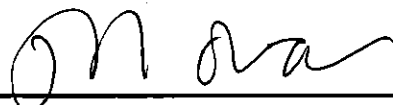
NOES:

ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0

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



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**Paul A. Novak, AICP  
Executive Officer**