



Commission
Jerry Gladbach
Chair

Richard H. Close
Donald L. Dear
Margaret Finlay
Don Knabe
Sheila Kuehl
Gerard McCallum
David Spence

Alternates
Michael D. Antonovich
Lori Brogin
Paul Krekorian
Judith Mitchell
Joseph Ruzicka
Greig Smith

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

80 South Lake Avenue
Suite 870
Pasadena, CA 91101
Phone: 626-204-6500
Fax: 626-204-6507

www.lalafco.org

REGULAR MEETING

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

October 14, 2015

Present:

Jerry Gladbach, Chair

Richard H. Close
Donald L. Dear
Margaret Finlay
Sheila Kuehl
Gerard McCallum
David Spence

Michael D. Antonovich, Alternate
Lori Brogin-Falley, Alternate
Joe Ruzicka, Alternate
Greig Smith, Alternate

Paul A. Novak, AICP; Executive Officer
Helen Parker, Legal Counsel

Absent:

Don Knabe

Paul Krekorian, Alternate
Judith Mitchell, Alternate

1 CALL MEETING TO ORDER

The meeting was called to order at 9:00 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)

None.

4 SWEARING-IN OF SPEAKER(S)

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 September 9, 2015.
- b. Approved Operating Account Check Register for the month of September 2015.
- c. Received and filed update on pending applications.

MOTION: DEAR
SECOND: SMITH (ALT. FOR McCALLUM)
AYES: CLOSE, DEAR, KUEHL, SMITH (ALT. FOR McCALLUM),
GLADBACH
NOES: NONE
ABSTAIN: NONE
ABSENT: FINLAY, KNABE, KREKORIAN, McCALLUM, SPENCE
MOTION PASSED: 5/0/0

[Commissioner Spence arrived at 9:01 a.m.]

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Annexation No. 420 to the Los Angeles County Sanitation District No. 22.

The E.O. summarized the staff report on Annexation No. 420 to the Los Angeles County Sanitation District No. 22.

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 Making Determinations, including the California Environmental Quality Act determinations, Approving Annexation No. 420 to the Los Angeles County Sanitation District No. 22; Resolution No. 2015-28RMD.
- Pursuant to Government Code Section 57002, set November 18, 2015, at 9:00 a.m., as the date and time for Commission protest proceeding.

MOTION:	SPENCE
SECOND:	DEAR
AYES:	CLOSE, DEAR, KUEHL, SPENCE, SMITH (ALT. FOR McCALLUM), GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	FINLAY, KNABE, KREKORIAN, McCALLUM
MOTION PASSED:	6/0/0

8 PROTEST HEARING(S)

(None.)

[Commissioner Finlay and Supervisor Antonovich arrived at 9:03 a.m.]

9 OTHER ITEMS

The following item was called up for consideration:

- a. Legislative Report.

The E.O. stated that after the staff report was written, the Governor signed all four bills summarized in the report: AB 851 (Mayes), SB 485 (Hernandez), SB 239 (Hertzberg), and AB 402 (Dodd).

The E.O. stated that he would provide a presentation to the Commission, at a future meeting, to address all of the legislative changes.

The Commission took the following action:

- Received and Filed.

MOTION: FINLAY
SECOND: SPENCE
AYES: ANTONOVICH (ALT. FOR KNABE), CLOSE, DEAR,
FINLAY, KUEHL, SMITH (ALT. FOR McCALLUM),
SPENCE, GLADBACH
NOES: NONE
ABSTAIN: NONE
ABSENT: KNABE, KREKORIAN, McCALLUM
MOTION PASSED: 8/0/0

9 OTHER ITEMS

The following item was called up for consideration:

- b. Commission Schedule 2015 & 2016.

The E.O. summarized the staff report on the proposed Commission schedule for 2015 & 2016.

The Commission took the following action:

- Canceled the Commission Meeting of December 9, 2015; and
- Approved the Commission Calendar for 2016.

MOTION: DEAR
SECOND: FINLAY
AYES: ANTONOVICH (ALT. FOR KNABE), CLOSE, DEAR,
FINLAY, KUEHL, SMITH (ALT. FOR McCALLUM),
SPENCE, GLADBACH
NOES: NONE
ABSTAIN: NONE

ABSENT: KNABE, KREKORIAN, McCALLUM
MOTION PASSED: 8/0/0

10 COMMISSIONERS' REPORT

Commissioner Spence stated that he recently attended the League of California Cities 2015 Annual Conference & Expo in San Jose between September 30th and October 1st. He stated that he attended a panel called "What City Council-Members Need to Know About LAFCO", presented by Commissioner Judy Mitchell, E.O. Paul Novak, and San Benito LAFCO Executive Officer, Bob Braitman. Commissioner Spence asked the E.O. to elaborate about a question that arose relative to a proposed city incorporation in Placer County. The E.O. stated that there is an incorporation effort in Placer County to incorporate the community of Olympic Valley; several of the proponents for the cityhood of Olympic Valley are not pleased with certain decisions made by Placer LAFCO concerning the proposed incorporation. The E.O. stated that members of the audience asked whether Placer LAFCO was adhering to the direction in "A Guide to the LAFCO Process for Incorporations" issued by the Governor's Office of Planning and Research (OPR). The E.O. noted that he and Executive Officer Bob Braitman found it challenging to answer these questions.

Commissioner Close asked the E.O. if there are any upcoming controversial matters pertaining to Los Angeles LAFCO. The E.O. stated that the City of Claremont has filed an eminent domain action to acquire a private water company. The private water company's territory includes the City of Claremont, Los Angeles County unincorporated areas, portions of the Cities of Pomona, La Verne, Montclair, and parts of unincorporated territory in San Bernardino County. The E.O. stated that, should Claremont's condemnation succeed, and given the multiple jurisdictions involved, this could result in a proposal or proposals being submitted to Los Angeles LAFCO, San Bernardino LAFCO, or both. Also, the E.O. stated that the City of Calabasas filed an annexation (2014-04), near its boundary with the City of Agoura Hills, which has generated opposition from residents living in Agoura Hills.

At the state level, the E.O. stated that CALAFCO anticipates a great deal of LAFCO-related legislation in the year 2016. The CALAFCO Legislative Committee's first meeting will be in November, at which time the Committee will address what legislation is expected from the Assembly and Senate. The E.O. stated that he will report back to the Commission at a later meeting. Commissioner Close asked the E.O. what legislative issues he will anticipate. The E.O. stated that the focus is likely to be water-related issues, as well as how to address issues involving Government Code Section 56133 on Out-of-Agency Service Extensions. If a city or special district wants to provide service outside its jurisdictional boundary, there are only two circumstances where the Commission can approve Out-of-Agency Service Extensions: one, is on the condition that the territory will be annexed at a later date; and two, that there is an imminent health and safety concern. The E.O. stated that, due to these limitations, Napa and San Bernardino LAFCOs have been unable to formulate solutions to address failed water companies;

due to these challenges, a recently-adopted bill (AB 402) enacted a 5-year pilot program, which will allow Napa and San Bernardino LAFCOs to approve such extensions based on other criteria. Depending on the outcome in those two counties, there may be future discussion of broadening this authority for all LAFCOs statewide.

[Commissioner McCallum arrived at 9:10 a.m.]

11 EXECUTIVE OFFICER'S REPORT

The E.O. noted that, included in the Agenda Package, is a thank you letter from CALAFCO referencing Los Angeles LAFCO's participation at the 2015 Annual CALAFCO Conference in Sacramento.

The E.O. also noted that, included in the Agenda Package, is the CALAFCO Quarterly Report from the Board of Directors.

The E.O. thanked Commissioner Judy Mitchell for her participation as a panelist, "What City Council-Members Need to Know about LAFCO," at the League of Cities Annual Conference.

12 PUBLIC COMMENT

None.

13 FUTURE MEETINGS

November 18, 2015
~~December 9, 2015~~ (Meeting Canceled)
January 13, 2016

14 FUTURE AGENDA ITEMS

None.

15 ADJOURNMENT MOTION

On motion of Commissioner Finlay, seconded by Commissioner Dear, the meeting was adjourned at 9:13 a.m.

Respectfully submitted,



Paul A. Novak, AICP, Executive Officer

**RESOLUTION NO. 2015-28RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING
"ANNEXATION NO. 420 TO LOS ANGELES COUNTY SANITATION DISTRICT NO. 22"**

WHEREAS, the Los Angeles County Sanitation District No. 22 (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 San Dimas and City of La Verne; and

WHEREAS, the proposed annexation consists of approximately 40.789± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 420 to Los Angeles County Sanitation District No. 22"; 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 off-site sewage disposal to 1 existing single-family home and 15 proposed single-family homes; 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 17, 2015, 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 October 14, 2015, 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 18, 2015 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. For Parcel 1 (existing single-family home in the city of San Dimas). The Commission, acting in its role as a responsible agency with respect to Annexation No. 420 to Los Angeles County Sanitation District No. 22, 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 areas containing

existing structures developed to the density allowed by the current zoning. In addition, there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

For Parcel 2 (the 15 proposed single-family homes in the city of La Verne). Acting in its role as a responsible agency with respect to Annexation No. 420 to Los Angeles County Sanitation District No. 22, pursuant to State CEQA Guideline Section 15096, the Commission considered the Final Environmental Impact Report (EIR) prepared and certified by the City of La Vere, as lead agency, on June 17, 2009 for the project; certifies that the Commission has independently reviewed and considered and reached its own conclusions regarding the environmental effects of the project as shown in the Final EIR; finds that for each of the impacts listed in Section 1.2 of the Final EIR, changes or alterations have been required in, or incorporated into, the project which avoid the significant environmental effect as identified and described in the Final EIR, which is incorporated herein by reference; adopts the Mitigation Monitoring Program finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation as applicable to the responsible agency; finds that there are no further feasible alternatives or feasible mitigation measures within the Commission's power that would substantially lessen or avoid any significant effect the project would have on the environment; and determines that the significant adverse effects of the project have been reduced to an acceptable level, as outlined in the Final EIR.

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 40.789± acres, is uninhabited, and is assigned the following short form designation:

"Annexation No. 420 to Los Angeles County Sanitation District No. 22".

4. Annexation No. 420 to Los Angeles County Sanitation District No. 22 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 18, 2015 at 9:00 a.m. and directs the Executive Officer to give notice thereof pursuant to Government Code Sections 57025 and 57026.

PASSED AND ADOPTED this 14th day of October 2015.

MOTION: SPENCE
SECOND: DEAR
AYES: CLOSE, DEAR, KUEHL, SPENCE, SMITH (ALT. FOR McCALLUM), GLADBACH
NOES: NONE
ABSTAIN: NONE
ABSENT: FINLAY, KNABE, KREKORIAN, McCALLUM
MOTION PASSED: 6/0/0

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



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