



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

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

**LOCAL AGENCY FORMATION COMMISSION  
MEETING AGENDA**

Wednesday, September 10, 2014  
9:00 a.m.

**Room 381B**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles 90012

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A person with a disability may contact the LAFCO office at (626) 204-6500 at least 72 hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

The entire agenda package and any meeting related writings or documents provided to a majority of the Commissioners after distribution of the agenda package, unless exempt from disclosure pursuant to California Law, are available at the LAFCO office and at [www.lalafco.org](http://www.lalafco.org).

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1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN GLADBACH**
3. **DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)**
4. **SWEARING-IN OF SPEAKER(S)**
5. **INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857  
NOTICE**

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, Government Code Section 56857(a) requires LAFCO to place the proposal on its agenda for informational purposes only.

None

**6. CONSENT ITEM(S)**

*All matters are approved by one motion unless held by a Commissioner or member(s) of the public for discussion or separate action.*

- a. Approve Minutes of August 13, 2014.
- b. Operating Account Check Register for the month of August 2014.
- c. Receive and file update on pending applications.

**7. PUBLIC HEARING(S)**

- 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 and California Environmental Quality Act exemption.
- b. Annexation No. 2012-10 (40-145/4-207) to Los Angeles County Waterworks District No. 40, Antelope Valley, and California Environmental Quality Act exemption.

**8. PROTEST HEARING(S)**

None

**9. OTHER ITEMS**

- a. Annual Election of Commission Officers
- b. Written Protests Valuation Policy
- c. Appointment of Voting Representative for CALAFCO Annual Conference
- d. Nomination of David Spence to CALAFCO Board of Directors
- e. Consideration of Canceling December 10<sup>th</sup> Commission Meeting

**10. COMMISSIONERS' REPORT**

Commissioners' questions for staff, announcements of upcoming events and opportunity for Commissioners to briefly report on their LAFCO-related activities since last meeting.

**11. EXECUTIVE OFFICER'S REPORT**

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

**12. PUBLIC COMMENT**

This is the opportunity for members of the public to address the Commission on items not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

**13. FUTURE MEETINGS**

October 8, 2014

October 22, 2014 (Special Meeting)

November 19, 2014

**14. FUTURE AGENDA ITEMS**

Items not on the posted agenda which, if requested, will be referred to staff or placed on a future agenda for discussion and action by the Commission.

**15. ADJOURNMENT MOTION**

# LAFCO

Local Agency Formation Commission  
for the County of Los Angeles

 **DRAFT**

Commission

Jerry Gladbach  
Chair

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

## MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION

### FOR THE COUNTY OF LOS ANGELES

August 13, 2014

Alternates

Lori Brogin  
Don Knabe  
Paul Krekorian  
Judith Mitchell  
Joseph Ruzicka

**Present:**

Jerry Gladbach, Chair

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

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

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

**Absent:**

Don Knabe, Alternate  
Paul Krekorian, Alternate

Staff

Paul A. Novak, AICP  
Executive Officer

June D. Savala  
Deputy  
Executive Officer

Amber De La Torre  
Doug Dorado  
Michael Henderson  
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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.

The E.O. requested that the Commission take CS-1, CS-2, and Item 9.b. out of the Agenda order. The Commission agreed to move on to Item 3.

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 one member of the audience who planned to testify.

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

(None.)

6 CONSENT ITEM(S) – OTHER

The E.O. suggested removing the following sentence, located within the last paragraph on page 6, above Public Comment, of the July 9<sup>th</sup> Minutes; “The E.O. stated that when there are two or more competing applications, the law states that the application that was filed first takes precedence”; and replace it with the following sentence, “The E.O. summarized the law concerning completing applications.”

Commissioner Close asked why the sentence needed to be revised. The E.O. stated that the explanation in the draft Minutes was incomplete.

The Commission took the following actions under Consent Items:

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- a. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 738 to Los Angeles County Sanitation District No. 21; Resolution No. 2014-26RMD.
- b. Adopted the Resolution Making Determinations Approving and Ordering No. 1036 to Santa Clarita Valley Sanitation District of Los Angeles County; Resolution No. 2014-27RMD.
- c. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 1058 to Santa Clarita Valley Sanitation District of Los Angeles County; Resolution No. 2014-28RMD.
- d. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 2013-05 to the City of Covina; Resolution No. 2014-29RMD.
- e. Approved Minutes of July 9, 2014, as amended.
- f. Approved Operating Account Check Register for the month of July 2014.
- g. Received and filed update on pending applications.

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

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Annexation No. 2013-03 to the City of Santa Clarita (North Saugus).

This item was continued from the July 9<sup>th</sup> meeting.

[Supervisor Yaroslavsky arrived at 9:06 a.m.]

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

Chair Gladbach noted that Jeff Hogan, City of Santa Clarita Planning Manager, was available to answer any questions. The Commission did not have any questions for Mr. Hogan.

The Commission took the following action:

- Approved Annexation No. 2013-03 to the City of Santa Clarita (North Saugus) and Greater Los Angeles County Vector Control District, Amendment to the City of Santa Clarita and Greater Los Angeles County Vector Control District Spheres of Influence; Resolution No. 2014-30RMD.
- Pursuant to Government Code Section 57002, set October 8, 2014, at 9:00 a.m., as the date and time for Commission protest proceedings.

MOTION:	DEAR
SECOND:	FINLAY
AYES:	CLOSE, DEAR, FINLAY, LaBONGE, McCALLUM, MITCHELL (ALT. FOR SPENCE), MOLINA, YAROSLAVSKY, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	SPENCE
MOTION PASSES:	9/0/0

## 7 PUBLIC HEARING(S)

The following item was called up for consideration:

- Greater Los Angeles County Vector Control District Out-of-Agency Service Agreement No. 2014-07 (La Crescenta-Montrose) and Amendment to the Greater Los Angeles County Vector Control District Sphere of Influence (SOI).

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

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

The Commission took the following action:

- Approved Greater Los Angeles County Vector Control District Out-of-Agency Service Agreement No. 2014-07 (La Crescenta-Montrose) and Amendment to the Greater Los Angeles County Vector Control District Sphere of Influence (SOI); Resolution No. 2014-31RMD.

MOTION: LaBONGE  
SECOND: FINLAY  
AYES: CLOSE, DEAR, FINLAY, LaBONGE, McCALLUM, MOLINA,  
SPENCE, YAROSLAVSKY, GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE  
MOTION PASSES: 9/0/0

## 8 PROTEST HEARING(S)

The following items were called up for consideration:

- a. Annexation No. 2 to Los Angeles County Sanitation District No. 1.
- b. Annexation No. 417 to Los Angeles County Sanitation District No. 22.

The E.O. stated that staff has not received any written protests for Items 8.a. and 8.b.

The combined protest hearings were opened to receive testimony. There being no testimony, the combined protest hearings were closed.

The Commission took the following actions under Protest Hearings:

- Ordered Annexation No. 2 to Los Angeles County Sanitation District No. 1;  
Resolution No. 2014-10PR.
- Ordered Annexation No. 417 to Los Angeles County Sanitation District No. 22;  
Resolution No. 2014-11PR.

MOTION: DEAR  
SECOND: FINLAY  
AYES: CLOSE, DEAR, FINLAY, LaBONGE, McCALLUM, MOLINA,  
SPENCE, YAROSLAVSKY, GLADBACH  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE  
MOTION PASSES: 9/0/0

Chair Gladbach suggested moving on to Closed Session, CS-1 and CS-2.

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## CS-1 and CS-2

Helen Parker, Legal Counsel, announced that the Commission will go to Closed Session, as listed on the Agenda: CS-1, Public Employee Performance Evaluation (Government Code § 54957) and CS-2 Conference with Labor Negotiator: Designated Representative, Chair Gladbach (Government Code § 54957.6).

Pursuant to Government Code § 54957 and § 54957.6, the Commission recessed to Closed Session at 9:15 a.m.

Present: Commissioners Brogin-Falley (Alt.), Close, Dear, Finlay, Gladbach, LaBonge, McCallum, Mitchell (Alt.), Molina, Ruzicka (Alt.), Spence, Yaroslavsky, Helen Parker (Legal Counsel).

Absent: Commissioners Knabe (Alt.), Krekorian (Alt.).

[Commissioner LaBonge left at 9:45 a.m.]

[Supervisor Molina left at 9:50 a.m.]

The Commission reconvened from Closed Session at 9:50 a.m.

Present: Commissioners Brogin-Falley (Alt.), Close, Dear, Finlay, Gladbach, McCallum, Mitchell (Alt.), Ruzicka (Alt.), Spence, Yaroslavsky, Helen Parker (Legal Counsel).

Absent: Commissioners Knabe (Alt.), Krekorian (Alt.), LaBonge, Molina.

Chair Gladbach stated that the Commission concluded that Paul Novak is performing an awesome job.

Helen Parker, Legal Counsel, stated there was no action or reportable action under the Brown Act.

## 9 OTHER ITEMS

The following item was called up for consideration:

- b. Employment Agreement of Executive Officer. The Commission may consider authoring revisions to the Executive Officer's 2011 Employment Agreement and authoring the Chair to execute an amendment.

The Commission took the following action:

Commissioner Dear moved that the Commission authorize Chair Gladbach to execute an amendment to the employment agreement for the Executive Officer, following approval as to form by Commission Counsel and execution by the Executive Officer, to update the employment agreement:

- Replaced the reference to an “annual” performance review with a requirement for a performance evaluation of the Executive Officer no less than every three years, and at any other time as requested by any Commissioner or the Executive Officer, and limiting the review for potential merit raises to once every three years;
- Eliminated all references to a “salary range,” which conforms to a previous Commission action;
- Raised the Executive Officer’s salary to \$159,412, which is a five percent merit raise, effective September 1, 2014; and
- Confirmed that all other terms remain the same.

MOTION:	DEAR
SECOND:	SPENCE
AYES:	CLOSE, DEAR, FINLAY, McCALLUM, SPENCE, YAROSLAVSKY, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	LaBONGE, MOLINA
MOTION PASSES:	7/0/0

## 9 OTHER ITEMS

The following item was called up for consideration:

- a. Alternate to the Public Member Vacancy – Status Report.

The E.O. stated there was no written Staff Report for Item 9.a.

The E.O. stated that pursuant to the Commission recommendation, staff has conducted exhaustive public outreach associated with the Alternate Public Member recruitment process, which includes contacting public agencies, issuing a press release, and e-mailing or mailing announcements to homeowner associations, chambers of commerce, and civic associations. The

deadline to submit applications is Monday, September 8, 2014. As of August 12<sup>th</sup>, staff has received 17 applications. The E.O. anticipates receiving over 20 applications by September 8<sup>th</sup>.

The E.O. stated that there are two items in the recommendation; one, that the Commission direct the Executive Officer to schedule a meeting of the Ad Hoc Committee for the Alternate Public Member so the Committee can meet, review applications, and narrow down applicants to no more than 8 finalists; and two, direct the Executive Officer to schedule interviews with the finalists at the regular meeting of October 8<sup>th</sup> or at a Special Meeting on October 22<sup>nd</sup>.

Chair Gladbach appointed three Members of the Ad Hoc Committee for the selection of an Alternate Public Member: Commissioner Spence (City), Supervisor Knabe (County), and Commissioner McCallum (Public). Mr. Gladbach (Special District) will chair the Ad Hoc Committee formed for this purpose.

The Commission took the following action:

- Directed the Executive Officer to schedule a meeting of the Ad Hoc Committee to review applications and narrow down applicants to no more than 8 finalists; and
- Directed the Executive Officer to hold a Special Meeting of the Commission on October 22, 2014 at 9:00 a.m. in the Board of Supervisor's Room 381-B to interview finalists.

MOTION:	YAROSLAVSKY
SECOND:	FINLAY
AYES:	CLOSE, DEAR, FINLAY, McCALLUM, SPENCE, YAROSLAVSKY, GLADBACH
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	LaBONGE, MOLINA
MOTION PASSES:	7/0/0

#### 10 COMMISSIONER'S REPORT

(None.)

#### 11 EXECUTIVE OFFICER'S REPORT

The E.O. noted that the November meeting will be on November 19<sup>th</sup> not November 12<sup>th</sup>. The November 19<sup>th</sup> meeting date is reflected on the LAFCO Website.

12 PUBLIC COMMENT

(None).

13 FUTURE MEETINGS

September 10, 2014

October 8, 2014

October 22, 2014 (Special Meeting)

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

14 FUTURE AGENDA ITEMS

(None).

15 ADJOURNMENT MOTION

On motion of Commissioner Finlay, seconded by Commissioner Spence, the meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Paul A. Novak, AICP  
Executive Officer

8:31 AM

09/02/14

Accrual Basis

**LAFCO 03**  
**REGISTER REPORT**  
**August 2014**

Type	Date	Num	Name	Memo	Amount	Balance
<b>10000 Cash Unrestricted</b>						
<b>10003 Operating Account</b>						
Deposit	8/4/2014			Deposit	20.00	20.00
Bill Pmt -Check	8/7/2014	7231	Accountemps	Cust#00490-001923000, G. Duche ...	-112.28	-92.28
Bill Pmt -Check	8/7/2014	7232	CALAFCO"		-3,235.00	-3,327.28
Bill Pmt -Check	8/7/2014	7233	LACERA	LAFCO OPEB: July 2014, Calemin...	-833.52	-4,160.80
Bill Pmt -Check	8/7/2014	7234	Office Depot*		-308.57	-4,469.37
Deposit	8/13/2014			Deposit	5,000.00	530.63
Transfer	8/14/2014		Transfer To Operating	Operating Account T4-A Funds Tra...	100,000.00	100,530.63
Check	8/15/2014	440331256	ADP	Processing Charges for period endi...	-249.86	100,280.77
Check	8/15/2014	DM	Ambar De La Torre	Salary, August 15, 2014	-1,690.84	98,589.93
Check	8/15/2014	DM	Douglass Dorado	Salary, August 15, 2014	-2,505.54	96,084.39
Check	8/15/2014	DM	Michael E. Henderson	Salary, August 15, 2014	-1,936.67	94,147.72
Check	8/15/2014	DM	Patricia Knoebl-Wood	Salary, August 15, 2014	-1,097.21	93,050.51
Check	8/15/2014	DM	Paul A. Novak	Salary, August 15, 2014	-4,261.99	88,788.52
Check	8/15/2014	DM	Alisha O'Brien	Salary, August 15, 2014	-1,874.31	86,914.21
Check	8/15/2014	DM	June D. Savala	Salary, August 15, 2014	-3,656.57	83,257.64
Check	8/15/2014	DM	Federal Tax Deposit	Payroll Tax, August 15, 2014	-4,418.44	78,839.20
Check	8/15/2014	DM	State Income Tax	Payroll Tax, August 15, 2014	-1,164.51	77,674.69
Bill Pmt -Check	8/18/2014	7235	Accountemps	Cust#00490-001923000, G. Duche ...	-112.28	77,562.41
Bill Pmt -Check	8/18/2014	7236	CALAFCO"		-1,615.00	75,947.41
Bill Pmt -Check	8/18/2014	7237	Certified Records Manag...	Cust#00271, 08/01/14-08/31/14	-145.92	75,801.49
Bill Pmt -Check	8/18/2014	7238	Charter Communications	Acct#8245100171576933, 08/05/1...	-210.00	75,591.49
Bill Pmt -Check	8/18/2014	7239	CoreLogic	Acct#200-694038-RR657541-2, Jul...	-28.92	75,562.57
Bill Pmt -Check	8/18/2014	7240	FedEx*	Acct#1244-7035-8	-136.45	75,426.12
Bill Pmt -Check	8/18/2014	7241	Printing and Copy Store	Re: Letterhead	-206.01	75,220.11
Bill Pmt -Check	8/18/2014	7242	Ricoh Americas Corp	036-0027688-000	-1,568.36	73,651.75
Bill Pmt -Check	8/18/2014	7243	Ricoh USA, Inc.	Cust#13725307, 05/01/14-07/31/14	-899.59	72,752.16
Bill Pmt -Check	8/18/2014	7244	Office Depot*	Acct#32368442	-44.98	72,707.18
Bill Pmt -Check	8/18/2014	7245	LACERA	July 2014 Employee/Employer cont...	-12,026.75	60,680.43
Bill Pmt -Check	8/21/2014	7246	Accountemps	Cust#00490-001923000, G. Duche ...	-112.28	60,568.15
Bill Pmt -Check	8/21/2014	7247	ATT	Acct#990566760, 07/10/14-08/09/14	-341.68	60,226.47
Bill Pmt -Check	8/21/2014	7248	Daily Journal		-44.75	60,181.72
Bill Pmt -Check	8/21/2014	7249	LA County Chief Administr...	Cust#C000766, April 2014	-204.31	59,977.41
Bill Pmt -Check	8/21/2014	7250	Mail Finance	Cust#418653, 12-Sep-14 to 11-Oct...	-126.42	59,850.99
Bill Pmt -Check	8/21/2014	7251	Michael Henderson		-957.39	58,893.60
Bill Pmt -Check	8/21/2014	7252	Neofunds	Acct#7900 0445 2259 1290	-300.00	58,593.60
Bill Pmt -Check	8/21/2014	7253	Office Depot*	Acct#32368442	-56.78	58,536.82
Bill Pmt -Check	8/21/2014	7254	TelePacific Communicatio...	Acct#120143, 08/09/14-09/08/14	-555.18	57,981.64
Bill Pmt -Check	8/21/2014	7255	Tropical Interior Plants	Service: July 2014	-100.00	57,881.64
Check	8/29/2014	DM	Ambar De La Torre	Salary, August 29, 2014	-1,690.83	56,190.81
Check	8/29/2014	DM	Douglass Dorado	Salary, August 29, 2014	-2,505.53	53,685.28
Check	8/29/2014	DM	Michael E. Henderson	Salary, August 29, 2014	-1,936.68	51,748.60
Check	8/29/2014	DM	Patricia Knoebl-Wood	Salary, August 29, 2014	-1,097.21	50,651.39
Check	8/29/2014	DM	Paul Novak	Salary, August 29, 2014	-4,261.99	46,389.40
Check	8/29/2014	DM	Alisha O'Brien	Salary, August 29, 2014	-1,874.30	44,515.10
Check	8/29/2014	DM	June D. Savala	Salary, August 29, 2014	-3,656.57	40,858.53
Check	8/29/2014	DM	Federal Tax Deposit	Payroll Tax, August 29, 2014	-4,418.46	36,440.07
Check	8/29/2014	DM	State Income Tax	Payroll Tax, August 29, 2014	-1,164.51	35,275.56
Check	8/29/2014	89367107	Lori W. Brogin	Stipend, August 29, 2014	-147.82	35,127.74
Check	8/29/2014	89367108	Richard Close	Stipend, August 29, 2014	-147.82	34,979.92
Check	8/29/2014	DM	Donald L. Dear	Stipend, August 29, 2014	-147.83	34,832.09
Check	8/29/2014	89367109	Margaret E. Finlay	Stipend, August 29, 2014	-147.83	34,684.26
Check	8/29/2014	89367110	Edward G. Gladbach	Stipend, August 29, 2014	-147.83	34,536.43
Check	8/29/2014	DM	Thomas J LaBonge	Stipend, August 29, 2014	-147.82	34,388.61
Check	8/29/2014	DM	Gerard McCallum II	Stipend, August 29, 2014	-147.83	34,240.78
Check	8/29/2014	89367111	Judith Mitchell	Stipend, August 29, 2014	-147.82	34,092.96
Check	8/29/2014	89367112	Gloria Molina	Stipend, August 29, 2014	-134.62	33,958.34
Check	8/29/2014	DM	Joseph Ruzicka*	Stipend, August 29, 2014	-147.82	33,810.52
Check	8/29/2014	DM	David Spence	Stipend, August 29, 2014	-147.82	33,662.70
Check	8/29/2014	89367113	Zev Yaroslavsky	Stipend, August 29, 2014	-133.76	33,528.94
Check	8/29/2014	DM	Federal Tax Deposit	Payroll Tax, August 29, 2014	-52.26	33,476.68
Total 10003 Operating Account					33,476.68	33,476.68
Total 10000 Cash Unrestricted					33,476.68	33,476.68
<b>TOTAL</b>					<b>33,476.68</b>	<b>33,476.68</b>

**AGENDA ITEM NO. 6c - September 10, 2014  
PENDING APPLICATIONS AS OF SEPTEMBER 3, 2014**

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
1	DD	Annexation No. 2007-04 City of Industry	City of Industry	Annexation of 14.8 acres to the City of Industry. The subject territory consists principally of a street right-of-way along Valley Blvd., between Morningside Drive and the City of Industry and City of Pomona boundary line.	The City and County have been in involved in ongoing negotiations. There has been no agreement to date. 7-29-12 Troy Helling indicated the City Engineer wants to move forward. Working with Industry, Pomona, and County to amend application	1/4/2007	Unknown
2	AAO	Annexation No. 2003-08(40-23/4-103) to Los Angeles County Waterworks District No. 40	LA County Waterworks District 40	Annex 19.69 acres of land located at the NE corner of Ave N and 55th St W in the City of Palmdale. 43 single family homes have been constructed.	Received tax transfer reso on 09/18/12. Map & Legal pending review.	11/4/2003	Unknown
3	AAO	Annexation 2006-12 to Los Angeles County Waterworks District No. 40	Land Resource Investors	Annex 20 acres of vacant land located at the northeast corner of Avenue J and 37th Street East, City of Lancaster. Will be developed into 80 single family homes.	Missing "will serve" letter. Pending tax transfer resolution.	5/15/2006	Unknown
4	AAO	Annexation No. 2006-46 to Los Angeles County Waterworks District No. 40	New Anaverde, LLC	Annex 1,567 acres of vacant land located near Lake Elizabeth Road and Avenue S in the city of Palmdale. Will be developed into 313 single family home.	Missing "will serve" letter. Pending tax transfer resolution.	10/5/2006	Unknown
5	AAO	Annexation No. 2011-17 (2006-50) to Los Angeles County Waterworks District No. 40	Behrooz Haverim/Kamyar Lashgari	Annex 20.62 acres of vacant land located south of Avenue H between 42nd Street West and 45th Street West in the City of Lancaster. To be developed into single family homes	Missing "will serve" letter. Pending tax transfer resolution.	12/1/2006	Unknown
6	AAO	Annexation No. 2007-18 to Los Angeles County Waterworks District No. 40	Michael Roach/ LACWD	Annex 130.29 acres of inhabited located between Avenue K & K-8 and between 30th and 35th Streets East, in the City of Lancaster.	District has been serving area since 90's. Have tax resolution. Deemed Categorical Exemption. Map & Legal pending review.	8/10/2007	Unknown
7	AAO	Annexation No. 2007-29 to Quartz Hill Water District - SOI amendment	Kimberly Juday	Annex 5.08 acres of vacant land located at NEC of Avenue L-12 & 37th Street West, in the City of Lancaster. Future development of 7 single family homes	Applicant working on CEQA with city, pending approval of tax resolution, in redevelopment area.	1/4/2008	Unknown
8	AAO	Annexation 2008-13 to Los Angeles County Waterworks District No. 40	Lancaster School Dist	Annex 20.47 acres of vacant land located 2 miles west of the Antelope Valley frw. And the nearest paved major streets are ave. H. And Ave. I, in the City of Lancaster. For future construction of a school.	Pending approval of tax resolution. Missing "will serve" letter. Sent email to M.Roach re: status of tax resolution 12/17/12.	9/22/2008	Unknown
9	AAO	Annexation No. 2008-09 to Los Angeles County Waterworks District No. 37	Watt Enterprises LTD	Annex 272 Acres vacant land located on Escondido Canyon Road (area B) and Hubbard Road (area A) Angeles Forest Highway and Vincent Road	Missing CEQA. Missing "will serve" letter. Sent email to M. Roach re: status of tax resolution 12/31/13.	12/5/2008	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
10	AAO	Reorganization 2009-16 to County Waterworks District No. 29	M.H.A.B. Trust/ Waterworks Dist. 29	Detach 56 acres of uninhabited territory from Las Virgenes Municipal Water District and annex same said territory to Los Angeles County Waterworks District No. 29 and West Basin Municipal Water District. The project includes future construction of 5 homes. The project site is located north of Palm Canyon Lane between Cross Creek Road and Sierra Road, in unincorporated county territory, adjacent to Malibu.	Missing "will serve" letter. Pending approval of tax resolution.	12/28/2009	Unknown
11	AAO	Reorganization 2010-04 Los Angeles County Waterworks District No. 29	Malitex Partners, LLC	Detach 88 acres of vacant land from the Las Virgenes Municipal Water District and annex same said territory to Los Angeles County Waterworks District No. 29 and West Basin Municipal Water District. The project includes future construction of three homes and dedicates open space. The project site is located north of Pacific Coast Highway at the end of Murphy Way, in the unincorporated area adjacent to Malibu.	Missing "will serve" letter. Received Tax Resolution 12-29-11. Regional Planning is working on Draft EIR 04/29/14.	6/9/2010	Unknown
12	DD	City of Palmdale Annexation 2010-05	City of Palmdale	49.6 acres located adjacent to residential properties to the southwest, southeast, and separated by the Amargosa Creek to the north.	Pending approval of tax resolution	10/25/2010	Unknown
13	AAO	Reorganization 2011-16 (Tesoro del Valle)	NCWD/CLWA	801.53 acres regional access is provided via Interstate 5 (1-5) for north/south travelers from the east, and State Route 126 (SR-126) for travelers from the west. The existing local thoroughfare that provides access to the proposed area is Copper Hill Drive, which can be accessed directly from Tesoro del Valle Drive or Avenida Rancho Tesoro.	Pending approval of tax resolution. NCWD/CLWA are still in negotiations. No agreement yet. 09/19/12	5/5/2011	Unknown
14	DD	City of Los Angeles Annexation 2011-27	Forestar Group	685 acres of uninhabited territory located east of Browns Canyon Road and northwest of Mason Ave., in the unincorporated area just north of the City of Los Angeles.	Received incomplete application 12-8-11, received more 2-13-12, sent out notice 2-15-12, City of LA is working on CEQA,	12/8/2011	Unknown
15	DD	City of Carson Annexation 2011-25 (Rancho Dominguez)	City of Carson	1,710 acres located south of the 91 Freeway, west of the 710 Freeway, north of Del Amo Blvd., and east of Wilmington Ave.	New application.	12/27/2011	Unknown
16	DD	City of Palmdale Annexation 2011-19	City of Palmdale	405 acres of uninhabited territory located between Palmdale Blvd and Ave S and 80th and 85th Street East.	Sent out Notice 3-22-12, pending approval of tax resolution.	3/8/2012	Unknown
17	AAO	Annexation 2012-19 Walnut Valley Water District	Walnut Valley Water District	550.52 acres: Northwestern portion of City of Walnut, Recently developed hillside surrounded by housing developments to the North and East, fronted by Amar Rd on the South and an existing closed landfill on the West.	Pending approval of tax resolution	1/3/2013	Unknown
18	AAO	Annexation 2012-10 County Waterworks District No. 40	LA County Waterworks District 40	The area is bordered on the North, South and West by existing residential tracts comprised of single family residences. Directly to the east is a corridor of vacant land.	September Agenda	1/31/2013	Unknown
19	AAO	Annexation 2012-12 County Waterworks District No. 40	LA County Waterworks District 40	The proposed annexation areas consists of residential tracts of single family homes, are bordered by other residential tracts and by vacant land.	Pending approval of tax resolution	1/31/2013	Unknown
20	AAO	Annexation 2012-13 County Waterworks District No. 37	LA County Waterworks District 37	The proposed annexation areas consists of residential tracts of single family homes on large lots, are bordered by other residential tracts and by vacant land.	Pending approval of tax resolution	1/31/2013	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
21	AAO	Annexation 2012-01 County Waterworks District No. 40 (Antelope Valley Christian Ctr)	LA County Waterworks District 40	Southwest corner of 30th St. East and Avenue K-8, APN 3170-008-001. Also known as the North 1/2 of the Southeast 1/4 of Section 30, Township 7 North, Range 11 West, San Bernardino Meridian.	Pending approval of tax resolution	2/20/2013	Unknown
22	AAO	Reorganization No. 2013-01 to Newhall County Water District (Castaic High School)	Newhall County Water District	Detach from Los Angeles County Waterworks District No. 36, Val Verde and annex to Newhall County Water District. Located at the northwest corner of Romero Canyon Road and Canyon Hill Road, in the unincorporated community of Castaic.	Pending approval of tax resolution	4/3/2013	Unknown
23	DD	City of Santa Clarita Annexation 2013-03 (North Saugus)	City of Santa Clarita	The application involves approximately 826.23± acres of uninhabited, unincorporated territory. The subject territory is generally located north of Copperhill Drive, and adjacent to Blue Cloud Road with a portion of the site within the Angeles National Forest.	protest hearing oct	5/7/2013	Oct-2014
24	DD	Reorganization No. 2013-04 City of Rolling Hills	City of Rolling Hills	The application involves approximately .54 acres of uninhabited territory. The subject territory is generally located at the intersection of Silver Spur Road and Crenshaw Blvd in the City of Rolling Hills.	Sent out notice 6-27-13, pending approval of tax resolution.	6/26/2013	unknown
25	DD	Annexation No. 2013-05 to the City of Covina	City Ventures	.07 acres located west of Citrus Ave, between Covina Blvd. and Cypress Ave, adjacent to the City of Covina.	approved and ordered aug	7/8/2013	Sep-2014
26	DD	Annexation No. 2013-06 to the City of Los Angeles (Jordan Downs)	City of Los Angeles	41.72 acres located along Alameda St between East 97th Street and East 103rd Street, adjacent to the City of Los Angeles.	Sent out notice 9-3-13	8/28/2013	Unknown
27	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation No. 1065	Sanitation Districts	5.539 acres located at the northwest corner of Magic Mountain Parkway and Bouquet Canyon Road, all within the City of Santa Clarita.	Pending approval of tax resolution.	11/5/2013	Unknown
28	AD	Annexation 293 to District No. 15	Sanitation Districts	0.650 acres located on Highland Oaks Drive approximately 500 feet southeast of its intersection with Highland vista Drive, all within the City of Arcadia.	Pending approval of tax resolution.	11/5/2013	Unknown
29	AD	Annexation 739 to District No. 21	Sanitation Districts	27.050 acres located west of the extended Wheeler Avenue between Arrow Highway and Puddingstone Drive, all within the City of La Verne.	Pending approval of tax resolution.	11/5/2013	Unknown
30	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation No. 1067	Sanitation Districts	1.998 acres located on Newhall Avenue at its intersection with Valle Del Oro, all within the City of Santa Clarita.	Pending approval of tax resolution.	2/6/2014	Unknown
31	DD	Reorganization No. 2014-01	Universal Studios LLC,	Annex and detach approximately 32 acres of uninhabited territory to and from the City of Los Angeles. The project site is located northeast of the intersection of Lankershim Blvd. and Us 101 Hollywood Freeway, in and adjacent to Los Angeles County unincorporated territory of Universal City.	waiting for tax transfer resolution. Anticipating October agenda	2/18/2014	Nov-2014
32	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation No. 1070	Sanitation Districts	12.24 acres located approximately 1,000 feet west of Whites Canyon Road and approximately 500 feet south of Sidani Lane, all within unincorporated Los Angeles County.	Pending approval of tax resolution.	3/3/2014	Unknown
33	DD	Annexation 2014-04 to the City of Calabasas	City of Calabasas	annex approximately 43.31± acres of uninhabited territory to the City of Calabasas. The affected territory is generally located along Agoura Road between Liberty Canyon Road and Malibu Hills Road, in Los Angeles County unincorporated territory adjacent to the City of Agoura Hills and Calabasas.	Sent out Notice of Filing march 20, 2014	3/18/2014	Unknown
34	AAO	Annexation No. 2014-02 to Greater Los Angeles County Vector Control District	Greater Los Angeles County Vector Control District	Annex the entire City of La Canada Flintridge (approx. 5,440 ± acres) into the Greater Los Angeles County Vector Control District.	Sent out Notice of Filing on April 22, 2014	4/16/2014	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
35	AAO	Reorganization No. 2014-06 to Los Angeles County Waterworks District No. 29, Malibu	NSRS Trust	Detach 2 acres located on Palm Canyon Lane, unincorporated territory, from Las Virgenes Municipal Water District and annex said territory to Los Angeles County Waterworks District No. 29, Malibu.	Pending approval of tax resolution. Missing CEQA. Sent Notice of Filing on 06/19/14.	5/21/2014	Unknown
36	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation No. 1072	Sanitation Districts	0.342 acres located at the southeast corner of Church Street and Cherry Drive, all within unincorporated Los Angeles County.	Pending approval of tax resolution.	5/27/2014	Unknown
37	AD	Annexation 743 to District No. 21	Sanitation Districts	1.5 acres located on Mt. Baldy Road approximately 250 feet north of the terminus of New Hampshire Avenue, all within the unincorporated Los Angeles County.	Pending approval of tax resolution.	6/23/2014	Unknown
38	AD	Annexation 742 to District No. 21	Sanitation Districts	8.380 acres. Two parcels. Parcel 1 is located on Summer Avenue approximately 100 feet south of Baseline Road; Parcel 2 is located at the southeast intersection of Towne Avenue and Baseline Road, all within the City of Claremont	Pending approval of tax resolution	7/15/2014	Unknown
39	AD	Annexation 741 to District No. 21	Sanitation Districts	1.8 acres located on Baseline Road approximately 200 feet west of Oxford Avenue, all within the City of Claremont.	Pending approval of tax resolution	7/15/2014	Unknown
40	AAO	Annexation No. 2014-09 to Los Angeles County Waterworks District No. 36, Val Verde (Los Valles Development)	SFI Los Valles LLC	SOI Amendment and Annexation of 10± acres located north of Halsey Canyon Road and Los Valles Drive, all within unincorporated territory of Castaic	Pending approval of tax resolution. Missing CEQA. Incomplete Map and Legal.	7/15/2014	Unknown
41		Request for Exemption from LAFCO Approval of an Out-of-Agency Service Agreement between La Habra Utility Authority and La Habra Heights County Water District (Government Code Section 56133) No. 2014-08	Cal Domestic Water Company	La Habra Utility Authority to provide retail water service to 219 service connections, formerly serviced by Cal Domestic Water Company.	September Agenda	7/24/2024	Unknown
42	DD	Reorganization No. 2014-10 Cities of Torrance and Rolling Hills Estates	Chandler's	81.58 acres of uninhabited territory generally located south of Pacific Coast Highway just west of Palos Verdes Drive East and the southern end of the City of Torrance	Sent out Notice of Filing 7-23-14	7/23/2014	Unknown
43	AD	Annexation 744 to District No. 21	Sanitation Districts	0.75 acres located on Pomello Drive approximately 300 feet west of Padua Avenue, all within the City of Claremont.	Pending approval of tax resolution	8/13/2014	Unknown
44	AD	Annexation 419 to District No. 22	Sanitation Districts	1.8 acres located on Ranch Road approximately 1,500 feet north of Sierra Madre Avenue, all within the City of Azusa.	Pending approval of tax resolution	8/13/2014	Unknown

## **Staff Report**

**September 10, 2014**

**Agenda Item No. 7.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(e)) No. 2014-08**

This is a request by the California Domestic Water Company for the Commission to determine that an out-of-agency service agreement between the La Habra Utility Authority and the La Habra Heights County Water District for the provision of retail water service ("Agreement") is exempt from Commission approval pursuant to Government Code Section 56133 ("Proposal").

Pursuant to subdivision (e) of Government Code Section 56133, an out-of-agency service contract or agreement does not require approval from the Commission if it involves:

- Contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider; or
- Contracts for the transfer of non-potable or non-treated water; or
- Contracts or agreements solely involving the provision of surplus water to agriculture land or facilities; or
- Extended service that a city or district was providing on or before January 1, 2001; or
- A local publicly owned electric utility providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

The Commission is being asked to determine that the Proposal is exempt from the requirements of Government Code Section 56133 pursuant to the exemptions found in subdivision (e) and summarized above.

**Purpose / Background:** The California Domestic Water Company, a private water company, currently provides retail water service to customers whose property is located within the boundaries of unincorporated Los Angeles County and the City of La Habra Heights ("affected territory"). The Proposal contemplates that La Habra Utility Authority, in Orange County, will

now provide water service to the affected territory.

**Location:** The affected territory is all within the County of Los Angeles. A portion is located within unincorporated Los Angeles County territory, and a portion is within the City of La Habra Heights. The affected territory consists of a total of 81.85± acres of inhabited territory, composed of two non-contiguous areas. Area 1 (79.25± acres) consists of a total of 215 service connections. Of the 215 service connections, 198 connections are located within Los Angeles County unincorporated territory, and 17 service connections are located within the City of La Habra Heights. Area 2 (2.60± acres) consists of 4 service connections, and it is located southeast of the City of La Habra Heights, in unincorporated Los Angeles County territory. The affected territory is composed of 219 single-family dwellings, 2 parks, 1 retention basin, and 1 sewer lift station.

**Sphere of Influence:** Area 1 is within the boundaries and Sphere of Influence (SOI) of the La Habra Heights County Water District. Area 2 is within the boundaries and SOI of the Rowland Water District. No Sphere of Influence amendments are required.

**CEQA:** The Proposal is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378(b) of the State CEQA Guidelines. This proposal is an administrative activity of government which will not result in direct or indirect physical changes to the environment

**Analysis:** This exemption from Commission approval under subdivision (e) of Government Code Section 56133, involves several components:

- **Contracts or agreements solely involving two or more public agencies.** The definition of a “public agency” in Government Code Section 56070 includes both a special district and a Joint Powers Authority (JPA). The La Habra Heights County Water District is a county water district, established in 1976 pursuant to Section 30000 of the Water Code, serving 1,970 customers in the City of La Habra Heights and small portions of the City of Whittier and unincorporated Los Angeles County. The La Habra Utility Authority is a JPA, formed under Government Code Section 6500 *et seq.*, the members of which include the City of La Habra and the La Habra Housing Authority. The La Habra Utility Authority was established in 2007 and provides retail water service to 13,542 customers in the City of La Habra. Attached as Exhibit "A" is an Agreement, dated July 8, 2014, between the La Habra Utility Authority and the La Habra Heights County Water District. The La Habra Utility Authority approved the Agreement on July 15, 2014. The Board of Directors of the La Habra Heights County Water District approved the Agreement at its meeting of July 8, 2014. Staff has determined that the record supports a finding that the Agreement is between two public agencies.
- **The public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider.** The California Domestic Water Company currently provides retail water service to customers in the affected

territory. The La Habra Utility Authority currently provides retail water service to customers within the City of La Habra (immediately adjacent to the affected territory, within Orange County). Staff has determined that the record supports a finding that proposed services to be provided to the affected territory by the La Habra Utility Authority under the Agreement are a substitute for services currently being provided by a public service provider, the California Domestic Water Company.

- The level of service to be provided is consistent with the level of service contemplated by the existing service provider. The La Habra Utility Authority currently provides retail water service to 13,542 customers within the City of La Habra. The addition of 219 service connections in the affected territory represents a modest increase of less than 2 percent above the customers already being served by the La Habra Utility Authority.

Attached as Exhibit "B" is a letter, from the City of La Habra's Public Works Director (Elias Saykali, P.E.), which states:

"It is . . . my professional opinion that the level of service that will be provided by the Authority after the contemplated transfer is completed will be consistent with the level of service now being provided by Cal. Domestic. It is my further professional opinion that upon completion of the planned water system improvements, the level of service the Authority will provide will be significantly improved as compared to the existing level of service."

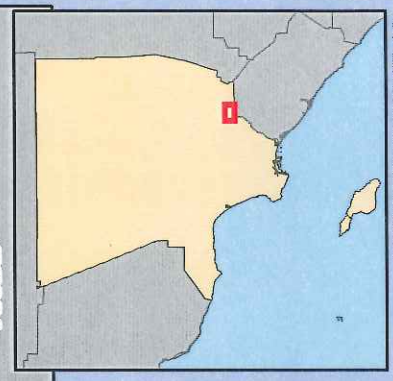
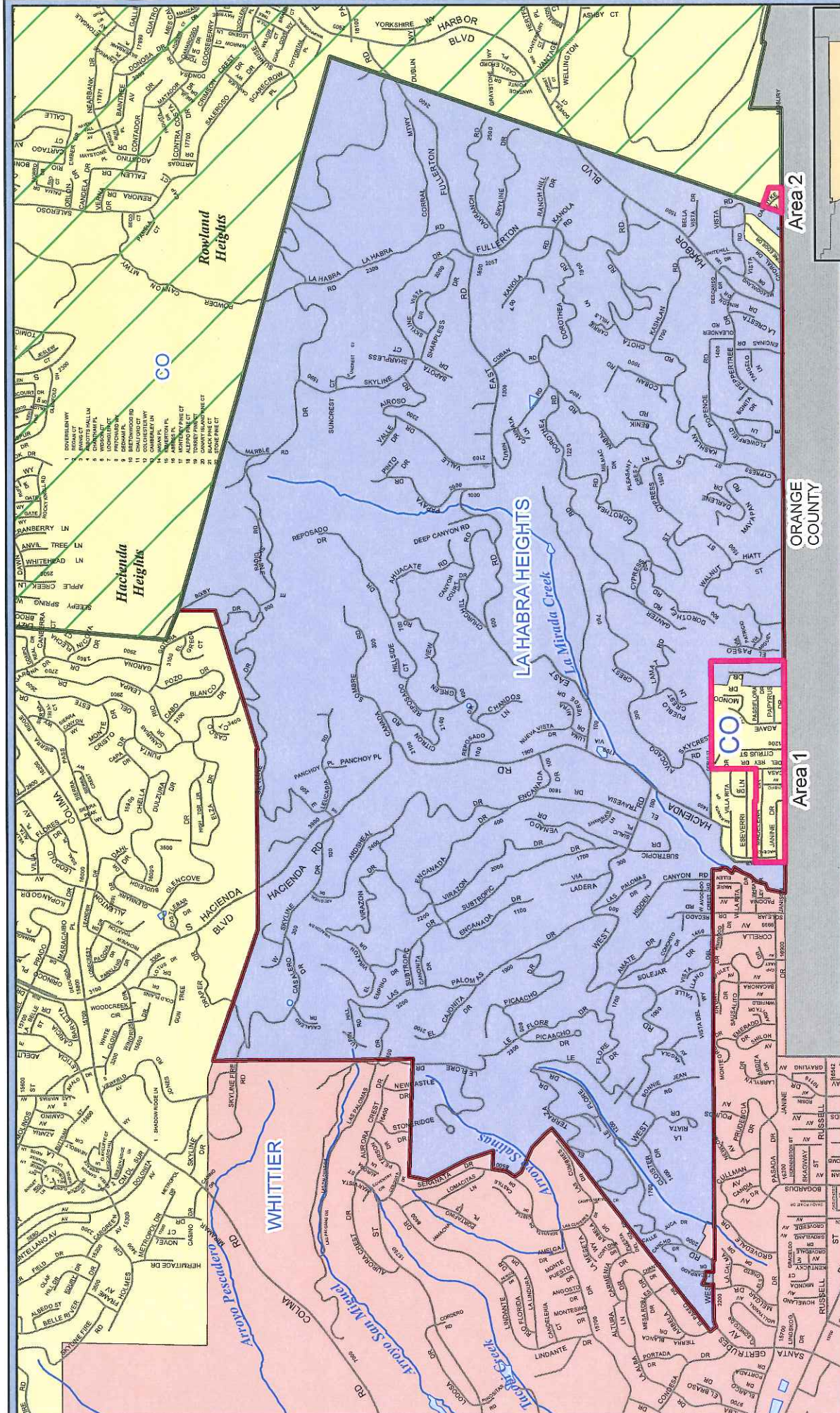
Based upon this information, staff has determined that the record supports a finding that the level of service to be provided by the La Habra Utility Authority is consistent with the level of service currently provided by the existing service provider, the California Domestic Water Company.

**Conclusion:** Staff has reviewed documentation provided by the applicant and concludes that the Proposal supports a finding that it meets the criteria for an exemption from Commission approval as set forth in subdivision (e) of Government Code Section 56133.

**Recommended Action:**

1. Open the public hearing and receive testimony on the Request for Exemption;
2. There being no further testimony, close the public hearing;
3. Find that the Proposal is not subject to the California Environmental Quality Act (CEQA);
4. Find 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;

5. Find 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;
6. Find 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");
7. Determine 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);
8. Revise LAFCO's La Habra Heights County Water District Map to indicate that Area 1 is serviced by the La Habra Utility Authority; and
9. Revise LAFCO's Rowland Water District Map to indicate that Area 2 is serviced by the La Habra Utility Authority.



# Area to be Serviced by La Habra Utility Authority

1 in = 0.5 miles

0 0.25 0.5 1 Miles

Sphere of Influence History	
Action	Effective Date
Established	XX-XX-XX
Reconfirmed	XX-XX-XX
Reconfirmed	10-10-12

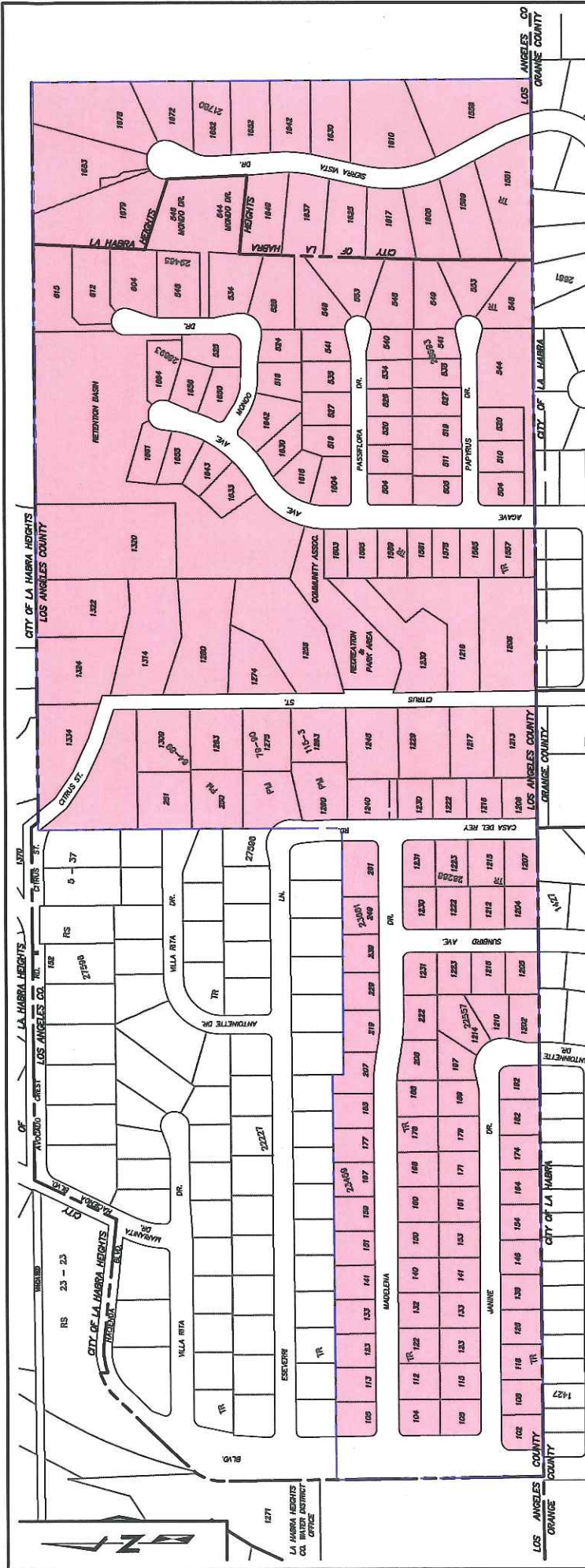
- Legend**
- Area to be serviced by La Habra Utility Authority
  - Sphere of Influence (SOI) Rowland Water District, SOI Cotermious
  - Sphere of Influence (SOI), La Habra Heights CWD, SOI Cotermious

**LAFCO**  
Local Agency Formation Commission  
for the County of Los Angeles

Revised: September 10, 2014

C:\GIS\MXD\GOWILA Harbor Heights Utility Auth.

# AREA 1



## LEGEND

- CALIFORNIA DOMESTIC WATER COMPANY  
SERVICE AREA BOUNDARY
- CALIFORNIA DOMESTIC WATER COMPANY  
SERVICE AREA LOCATION

TOTAL NUMBER OF CDWC SERVICES  
IN L.A. COUNTY = 215

TOTAL AREA = 79.25 AC

CALIFORNIA DOMESTIC WATER COMPANY	
SERVICE AREA BOUNDARY IN THE COUNTY OF LOS ANGELES	
SCALE: 1" = 250'	FIGURE NO.
DRAWN BY: O.A.M.	1
DATE: 09/25/13	



- TOTAL NUMBER OF CDWC SERVICES  
IN L.A. COUNTY = 4
- TOTAL AREA = 2.6 AC

**TOTAL AREA = 2.6 AC**

**TOTAL AREA = 2.6 AC**

CALIFORNIA DOMESTIC WATER COMPANY	
SERVICE AREA BOUNDARY IN THE COUNTY OF LOS ANGELES	
SCALE: 1" = 250'	REVISIONS  DRAWN BY: O.A.M. DATE: 09/25/13
FIGURE NO.	
2	



August 28, 2014

CHAIR  
**JOE CARCHIO**  
Councilmember  
City of Huntington Beach

VICE CHAIR  
**PAT BATES**  
Supervisor  
5<sup>th</sup> District

**CHERYL BROTHERS**  
Councilmember  
City of Fountain Valley

**DEREK J. MCGREGOR**  
Representative of  
General Public

**JOHN MOORLACH**  
Supervisor  
2<sup>nd</sup> District

**CHARLEY WILSON**  
Director  
Santa Margarita  
Water District

**JOHN WITHERS**  
Director  
Irvine Ranch Water District

ALTERNATE  
**ALLAN BERNSTEIN**  
Councilmember  
City of Tustin

ALTERNATE  
**JAMES FISLER**  
Director  
Mesa Water District

ALTERNATE  
**TODD SPITZER**  
Supervisor  
3<sup>rd</sup> District

ALTERNATE  
**VACANT**  
Representative of  
General Public

**CAROLYN EMERY**  
Executive Officer

Paul Novak, Executive Officer  
Los Angeles County LAFCO  
80 South Lake Avenue, Suite 870  
Pasadena, CA 91101

SUBJECT: Comment Letter to the Request for Exemption of La Habra  
Utility Authority/La Habra Heights County Water District  
Out-of-Agency Service Agreement from LAFCO Approval

Dear Mr. Novak:

Thank you for forwarding the July 23, 2014 letter from James Ciampa, legal counsel for California Domestic Water Company ("CDWC"), requesting an exemption from approval by Los Angeles County LAFCO ("LA LAFCO") of an out-of-agency service agreement between the La Habra Utility Authority ("Authority") and La Habra Heights County Water District ("LHHCWD") pursuant to Government Code Section 56133(e). On July 8, 2014, the Authority and LHHCWD entered into an agreement that would allow the Authority to provide retail water service to properties located in LHHCWD's jurisdiction, and to adjacent properties located in the jurisdiction and sphere of influence of the Rowland Water District. The properties are located in two non-contiguous service areas in both unincorporated Los Angeles County and the City of La Habra Heights. CDWC, a private mutual water company, currently delivers retail water services to the affected properties and, on December 16, 2013, entered into a Memorandum of Understanding ("MOU") with the Authority to transfer all CDWC retail water facilities and services in the La Habra (Orange County)/La Habra Heights (Los Angeles County) areas to the Authority.

I appreciate the opportunity to review CDWC's request. While we have no formal comments on the proposed exemption affecting Los Angeles County properties, to ensure appropriate inter-county coordination of our LAFCOs, the following letter provides an overview of our understanding of CDWC's proposal to transfer retail water service to the Authority, and how we anticipate we will review and process a request for LAFCO approval of an out-of-agency service agreement between CDWC and the Authority for unincorporated properties in Orange County.


With respect to Los Angeles County, it is our understanding that the extraterritorial service extension by the Authority to the two non-contiguous service areas would occur under the July 8, 2014 agreement by and between the Authority and LHHWCWD. Upon approval by LA LAFCO of an exemption under Government Code Section 56133(e), retail water service would be served to the two service areas by the Authority under that July 8, 2014 agreement, and in concert with the December 16, 2013 MOU between the Authority and CDWC. Such an exemption, however, is not applicable in Orange County and any proposed extraterritorial extension of retail water services by the Authority to CDWC customers located in unincorporated Orange County will require approval of an out-of-agency service agreement by Orange County LAFCO ("OC LAFCO").

OC LAFCO is currently participating in ongoing discussions with the City of La Habra ("City") about the proposed transfer of CDWC's retail water facilities and services to the Authority, and annexation of the six islands affected by that transfer to the City pursuant to Government Code Section 56375.3. We are currently assuming that the transfer of CDWC's water facilities/services in Orange County will occur initially through an out-of-agency service agreement and companion pre-annexation agreement. The six La Habra islands are neither jurisdictionally located in, nor currently served by, an existing public water agency. Therefore, an out-of-agency service agreement involving the islands in the City's sphere of influence requires the approval of OC LAFCO pursuant to subdivisions (a) and (b) of Government Code Section 56133, prior to the extension of services.

At this time, we have not identified any procedural conflicts or service-related issues for the areas located in Orange County as it relates to the exemption request submitted to LA LAFCO. The timing and outcome of OC LAFCO's review will occur independent of LA LAFCO's action on the exemption.

If you have questions or concerns, please do not hesitate to contact me at [cemery@oclafco.org](mailto:cemery@oclafco.org) or (714) 834-2556.

Sincerely,



Carolyn Emery  
Executive Officer

cc: Scott Smith, OC LAFCO General Counsel, Best Best & Krieger LLP  
Jim Sadro, City Manager, City of La Habra  
Jim Byerrum, President, California Domestic Water Company

**Staff Report**

**September 10, 2014**

**Agenda Item No. 7.b.**

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

**PROPOSAL SUMMARY:**

Size of Affected Territory:	10.00± acres
Inhabited/Uninhabited:	Inhabited
Applicant:	Los Angeles County Waterworks District No. 40, Antelope Valley (District)
Resolution or Petition:	June 6, 2012
Application Filed with LAFCO:	January 31, 2013
Location:	The affected territory is located at the northeast corner of Avenue N-8 and 55 <sup>th</sup> Street West.
City/County:	City of Palmdale.
Affected Territory:	The affected territory consists of 21 existing single-family homes and 1 existing drainage basin.
Surrounding Territory:	Surrounding land is residential and vacant land.
Landowner(s):	There are multiple owners of record.
Registered Voters:	55 registered voters as of July 24, 2014
Purpose/Background:	The purpose of this annexation is to bring the Los Angeles County Waterworks District No. 40, Antelope Valley, customers who are currently being serviced by the District into the District's boundaries.
Related Jurisdictional Changes:	There are no related jurisdictional changes.
Within SOI:	Yes

Waiver of Notice/Hearing/Protest: No

CEQA Clearance: The proposal 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 current zoning. A Categorical Exemption was adopted by the Los Angeles County Waterworks District No. 40, Antelope Valley, as lead agency, on February 26, 2013.

Additional Information: None

**FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE 56668:**

***a. Population:***

The existing population is 82 residents as of January 31, 2013. The population density is 8.2 persons per acre.

The estimated future population is 82 residents (no anticipated change).

The affected territory is 10.00+/- acres. The existing land use is residential and vacant.

The assessed valuation is \$5,981,919 as of July 22, 2014. The per capita assessed valuation is \$72,950. On July 29, 2014, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a property tax transfer resolution.

The topography of the affected territory is generally flat with gently sloped terrain.

There are no natural boundaries. There is one existing drainage basin located within the affected territory.

The nearest populated area are immediately to the north, south, and west of the affected territory. The affected territory is likely to experience no growth in the next ten years. The adjacent areas are likely to experience no growth in the next ten years.

***b. Governmental Services and Controls:***

The affected territory includes 21 existing single-family homes and 1 existing drainage basin which require organized governmental services. The affected territory will require governmental services indefinitely.

The present cost and adequacy of government services and controls in the area are acceptable. The probable effect of the proposed action and of alternative courses of action on the cost and adequacy of services and controls in the affected territory and adjacent areas is for residents to pay lower rates than they would if they were to remain outside the District boundary and pay out-of-district rates.

***c. Proposed Action and Alternative Actions:***

The 21 existing single-family homes and 1 existing drainage basin will not impact the surrounding areas. There is no effect of the proposed action on mutual social and economic interest. As a special district annexation, the proposal has no impact on the local governmental structure of the County.

***d. Conformity with Commission Policies on Urban Development and Open Space Conversion Policies:***

There are no conformance issues because the Commission has not adopted any policies relative to providing planned, orderly, efficient patterns of urban development.

There is no prime agricultural land within or adjacent to the affected territory. The proposal conforms with the objectives in Government Code Sections 56377(a) and 56377(b).

**e. *Agricultural Lands:***

There are no effects on agricultural lands, as defined. None of the land within the affected territory is currently used for the purpose of producing an agricultural commodity for commercial purposes. According to the California Department of Conservation, Division of Land Resource Protection, none of the land within the affected territory is subject to a Land Conservation Act (aka "Williamson Act") contract nor in a Farmland Security Zone (California Land Conservation Act 2012 Status Report).

**f. *Boundaries:***

The boundaries of the affected territory have been clearly defined by the applicant, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

The boundaries conform to lines of assessment or ownership, and these boundaries have been reviewed and approved by LAFCO's GIS/Mapping Technician.

As a special district annexation, the proposal has no impact on existing city-county boundaries, nor does it create islands or corridors of unincorporated territory.

**g. *Consistency with Plans:***

The proposal has no significant impact upon, and is therefore consistent with, the Regional Transportation Plan.

The proposal is consistent with the existing City of Palmdale General Plan designation of SFR-2 (Single Family Residential).

The affected territory is not within the boundaries of any Specific Plan.

Pre-zoning is not a requirement for a special district proposal.

**h. *Sphere of Influence:***

The affected territory is within the Sphere of Influence of the Los Angeles County Waterworks District No. 40, Antelope Valley.

**i. *Comments from Public Agencies:***

Staff did not receive any significant comments from public agencies or any resolutions raising objections from any affected agency.

**j. *Ability to Provide Services:***

The affected territory is already being serviced by the Los Angeles County Waterworks District No. 40, Antelope Valley.

***k. Timely Availability of Water Supplies:***

There are no known issues regarding water supply or delivery.

***l. Regional Housing:***

As a special district annexation, the proposal will not affect any city, nor the county, in achieving their respective fair shares of the regional housing needs as determined by the Southern California Association of Governments (SCAG).

***m. Comments from Landowners, Voters, or Residents:***

Staff did not receive any significant comments from landowners, voters, or residents.

***n. Land Use Designations***

The proposal is consistent with the existing City of Palmdale General Plan designation of SFR-2 (Single Family Residential).

The proposal is consistent with the existing City of Palmdale zoning designation of R-1-12,000 (single-family residential with a minimum lot size of 12,000 square feet).

***o. Environmental Justice:***

The proposal will have no adverse effect with respect to the fair treatment of people of all races and incomes, or the location of public facilities or services.

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:**

The proposal is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15319(a) because it consists of an annexation with existing structures developed to the density allowed by current zoning.

**CONCLUSION:**

Staff recommends approval of the proposal as a logical and reasonable extension of the Los Angeles County Waterworks District No. 40, Antelope Valley, which will be for the interest of landowners and/or present and/or future inhabitants within the District and within the annexation territory.

**Recommended Action:**

1. Open the public hearing and receive testimony on the annexation;
2. There being no further testimony, close the public hearing;

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

**RESOLUTION NO. 2014-00RMD  
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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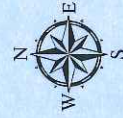
**Paul A. Novak, AICP  
Executive Officer**



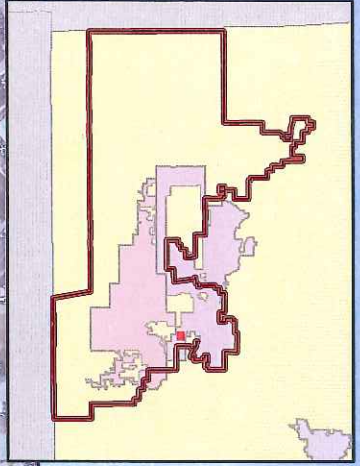
# **Legend**

- LA Co. Waterworks Districts
- City of Lancaster
- City of Palmdale
- CWWD District 40
- Annexation 2012-10
- SOI County Waterworks Districts

## **Annexation 2012-10** **Los Angeles County Waterworks** **District 40, Antelope Valley**



**LAFCO**  
 Local Agency Formation Commission  
 for the County of Los Angeles



September 10, 2014

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## **Staff Report**

**September 10, 2014**

### **Agenda Item No. 9.a.**

#### **Annual Election of Officers**

Consistent with Section 10 of the Rules of the Commission Rules (adopted July 8, 2009), "the Commission shall be presided over by a Chair, a First Vice-Chair and a Second Vice-Chair, to be elected by the Commission."

Officer positions are currently held by Commissioner Jerry Gladbach (Chair) and Commissioner Donald Dear (First Vice-Chair). With the recent retirement of Commissioner Henri Pellissier, the Second Vice Chair position is currently vacant.

Consistent with Section 11 of the Commission Rules, the Commission "shall elect the Chair, First Vice-Chair and Second Vice-Chair at the first meeting of the Commission held in September of each year."

It would therefore be appropriate for the Commission to nominate and elect a member to serve as the Chair, First Vice-Chair, and Second Vice-Chair.

#### **Recommended Action:**

1. Nominate and elect a member to serve as LAFCO Chair for a term of one year and until the election of a successor;
2. Nominate and elect a member to serve as LAFCO First Vice-Chair for a term of one year and until the election of a successor; and
3. Nominate and elect a member to serve as LAFCO Second Vice-Chair for a term of one year and until the election of a successor.

## **Staff Report**

**September 10, 2014**

### **Agenda Item No. 9.b.**

#### **Written Protests Valuation Policy**

Pursuant to State law, LAFCO serves as the “conducting authority” for written protests involving changes of organization for cities and special districts within the Commission’s purview.

The valuation or counting of written protests is governed by several provisions in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, including, but not limited to, the following, as summarized, in these sections of the Government Code:

- Section 57050 outlines the Commission’s protest hearing and provides that a written protest may be withdrawn at any time prior to the conclusion of the protest hearing.
- Section 57051 states that written protests may be filed with the Executive Officer “[a]t any time prior to the conclusion of the protest hearing in the notice given by the executive officer, but not thereafter,” and requires certain content in every written protest. It also authorizes specified agents for landowners and provides that signatures on protests without a date or bearing a date prior to the date of the published notice of the protest hearing shall be disregarded for the purposes of valuing the written protests. This section provides, further, that protests shall include the same information required for petitions as set out in Section 56704.
- Section 57052 provides that the Commission determines the value of written protests at the conclusion of the protest hearing in the same manner as set forth in specified sections for determining the sufficiency of petitions to the Commission.
- Section 57075 outlines the general procedures for valuing protests for inhabited territory and for uninhabited territory.
- Section 57075.5 outlines the special procedures for valuing protests for inhabited territory that is proposed to be annexed to a city with more than 100,000 residents<sup>1</sup> in Los Angeles County and any other county with a population of over 4,000,000.
- Section 56704 identifies specific information that must be provided if an individual is protesting as a registered voter or as a landowner.
- Section 56707 addresses the validation of signatures of registered voters by the Executive Officer.

- Section 56708 addresses the validation of signatures of landowners by the Executive Officer.
- Section 56710, for purposes of valuation of any protest signed by landowners, concerns the value of land exempt from taxation or owned by a public agency and land held in joint tenancy. This section further requires the Executive Officer to disregard certain signatures not shown as owners on the most recent assessment roll, unless certain written evidence is provided to the satisfaction of the Executive Officer.
- Section 56107 provides that the state law shall be liberally construed to effect its purposes, that no Commission determinations shall be invalidated due to any defect or omission which does not adversely and substantially affect the rights of any person or public agency as provided, and that Commission determinations shall be final and conclusive in the absence of fraud or prejudicial abuse of discretion.

These and other provisions of state law mandate the outcomes of protest hearings based upon the valuation of written protests received and not withdrawn during the protest period and prior to the conclusion of the protest hearing.

Once the Commission has made a finding as to the value of written, the outcome is a ministerial action—that is, the conclusion is determined by law, and it is not subject to any discretion by the Commission.

With respect to the valuation of written protests, there are a series of issues which state law does not address. These include, for example, whether protests can be submitted by fax or e-mail, as well as the precise cut-off time for protests deliver to LAFCO's office (as opposed to those submitted to the Commission at the protest hearing). In addition, and because the Commission meetings are held at the Los Angeles County Hall of Administration and LAFCO's Office is located in Pasadena, there are issues associated with receiving written protests that are unique to LA LAFCO. Because state law is silent on these issues, staff is recommending adoption of the attached policy to clarify these and other matters associated with the valuation of written protests.

Commission practice is that protest hearings are conducted by the Commission. Pursuant to a policy previously adopted by the Commission, the Commission may delegate the conduct of protest hearings to the Executive Officer.

**Staff Recommendation:**

Staff recommends that the Commission:

1. Adopt the enclosed draft Written Protests Valuation Policy; and
2. Direct the Executive Officer to post the Written Protests Valuation Policy on the Commission website.

**Footnote:**

- <sup>1</sup> According to the Bureau of the Census (2012) and the California Department of Finance (2010), cities in Los Angeles County with a population of more than 100,000 residents are Burbank, Downey, El Monte, Glendale, Inglewood, Lancaster, Long Beach, Los Angeles, Norwalk, Palmdale, Pasadena, Pomona, Santa Clarita, South Gate, Torrance, and West Covina. For the City of South Gate, the California Department of Finance estimates a population of 101,194; the Bureau of the Census 2012 estimates a population of 94,875.

**DRAFT Written Protests Valuation Policy**  
(Proposed for Adoption on September 10, 2014)

**1. Receipt of Written Protests:**

Immediately upon receipt, LAFCO staff shall write the date and time on all written protests.

With respect to the counting of written protests, and provided that said written protest is received prior to the time certain that the Commission concludes the specified protest hearing, LAFCO will count all written protests which are received, and not withdrawn, via any of the following:

- U.S. mail received at LAFCO's office by 5:00 p.m. on the business day preceding the protest hearing date; or
- Courier delivery (FedEx, UPS, or similar delivery service) received at LAFCO's office by 5:00 p.m. on the business day preceding the protest hearing date; or
- Hand-delivered to LAFCO's office by the protesting party or his or her duly-authorized representative received at LAFCO's office by 5:00 p.m. on the business day preceding the protest hearing date; or
- Hand-delivered to the Commission and/or staff, at the noticed protest meeting of the Commission, by the protesting party or his or her duly-authorized representative, on the protest hearing date and prior to the closing of the protest hearing by the Commission Chair or Acting Chair.

LAFCO will not count written protests which are received:

- By facsimile ("fax") transmission; or
- By electronic mail ("e-mail"), including digital copies of an original signature; or
- Bearing a date prior to the date of publication of the protest hearing notice; or
- Delivered to the Commission and/or staff after the closing of the protest hearing by the Commission Chair or Acting Chair.

For purposes of valuing written protests only, any reference in this policy and in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to the close of the protest hearing will be construed to mean the close of the final protest hearing, meaning that any continuance of the protest hearing pursuant to Government Code Section 57050(a) will extend the time during which written protests will be accepted

**2. Registered Voter Protest:**

Data obtained from the Los Angeles County Registrar-Recorder-County Clerk ("RRCC") shall determine the total number of registered voters within the boundaries of the affected territory at the time of the noticed protest hearing.

For purposes of calculating registered voter protests, LAFCO shall calculate the applicable percentage thresholds based upon the data obtained from the RRCC.

LAFCO will count written protests which include the following required information:

- Address of the property, providing street and number or other designation sufficient to enable the place of residence to be ascertained; and
- Original signature; and
- Original date of signature, which must be within the period starting with the publication of the protest hearing notice and ending at the time of the closing of the protest hearing by the Commission Chair or Acting Chair.

LAFCO will not count written protests under any of the following circumstances:

- The address of the property, or other designation sufficient to enable the place of residence to be ascertained, is not provided; or
- The original signature is not provided; or
- The original date of signature is not provided; or
- The original date of signature is prior to the date of publication of the protest hearing notice; or
- The original date of signature is after the date of the closing of the protest hearing by the Commission Chair or Acting Chair; or
- The written protest is from a registered voter who is not registered to vote within the boundaries of the affected territory; or

The written protest was not received consistent with the provisions in Section 1 ("Receipt of Written Protests"), above; or

- The individual who originally filed the protest withdraws his or her protest, in writing, within the time constraints identified herein; or
- Any protest which has been disqualified by the Los Angeles County Registrar-Recorder-County Clerk (RRCC), in the event that the Executive Officer refers registered voter protests to the RRCC.

LAFCO staff will count all valid written protests from registered voters to determine the valuation and outcome. The Executive Officer may, at his or her discretion, refer any registered voter written protests to the RRCC for verification.

### **3. Landowner Protest:**

Data obtained from the Los Angeles County Assessor's current tax rolls shall determine the total number of landowners within the boundaries of the affected territory.

For purposes of identifying all land-owners, and for calculating landowner protests, LAFCO shall calculate the applicable percentage thresholds based upon current tax rolls and the assessed value of land obtained from the Los Angeles County Assessor.

LAFCO will count written protests which include the following required information:

- Address of the property, providing street and number or other designation sufficient to enable the place of residence to be ascertained; and
- Original signature; and
- Original date of signature, which must be within the period starting with the publication of the protest hearing notice and ending at the time of the closing of the protest hearing by the Commission Chair or Acting Chair.

LAFCO will not count written protests under the following circumstances:

- The address of the property, or other designation sufficient to enable the place of residence to be ascertained, is not provided; or
- The original signature is not provided; or
- The original date of signature is not provided; or

- The original date of signature is prior to the date of publication of the protest hearing notice; or
- The original date of signature is after the date of the closing of the protest hearing by the Commission Chair or Acting Chair;
- The written protest was not received consistent with the provisions in Section 1 (“Receipt of Written Protests”), above;
- The individual signing the written protest is different than the owner of record provided by the Assessor based upon the most recent assessment roll, subject to the requirements of the exception identified in Government Code Section 56710(c); or
- The individual who originally filed the protest withdraws his or her protest, in writing, within the time constraints identified herein.

For those properties which are exempt from taxation owned by a public agency, the valuation shall be determined consistent with Government Code Section 56710(a).

For those properties held in joint tenancy or tenancy in common, the valuation shall be determined consistent with Government Code Section 56710(b).

#### **4. All protests in writing**

While oral testimony will be considered by the Commission, said testimony will not have any effect on the valuation of protests. Under state law, and this policy, it is only written protests, not later withdrawn in writing, if applicable, that count.

#### **5. Outcomes:**

Government Code Sections 57075 through 57077.4 describe whether the Commission considers written protests from registered voters, landowners, or both. Based on the valuation of the applicable protests, these sections dictate which of the following actions the Commission must take:

- Terminate the proceedings; or
- Order the change of organization or reorganization subject to an election; or

- Order the change of organization or reorganization without an election.

**6. Results:**

The Commission may announce results at the conclusion of the protest hearing, or, in the alternative, may postpone the announcement to a future meeting if LAFCO staff needs time to verify and value written protests.

## **Staff Report**

**September 10, 2014**

**Agenda Item No. 9.c.**

### **Appointment of Voting Representative California Association of Local Agency Formation Commissions ("CALAFCO")**

The California Association of Local Agency Formation Commission's ("CALAFCO") is an association of all LAFCO's in the State. CALAFCO meets regularly to foster the exchange of information amongst LAFCO commissioners and staff and to advance issues of mutual concern. CALAFCO also retains staff to lobby the State Legislature on behalf of all LAFCO's.

CALAFCO is hosting its annual conference in Ontario from October 15 through October 17, 2014. CALAFCO has requested that each LAFCO appoint a voting member and an alternate (primarily for the selection of incoming CALAFCO officers). In the past, these positions have been held by your Chairman and the Executive Officer, respectively.

#### **Recommended Action:**

1. Designate LAFCO Chairman Jerry Gladbach and Executive Officer Paul Novak as the voting Member and Alternate, respectively, for the CALAFCO'S 2014 Annual Conference.

**Staff Report**

**September 10, 2014**

**Agenda Item No. 9.d.**

**Nomination of David Spence to the  
California Association of Local Agency Formation  
Commissions ("CALAFCO") Board of Directors.**

CALAFCO is hosting its annual conference in Ontario from October 15 through October 17, 2014. Vacancies on CALAFCO's Board of Directors are voted on and approved at the Conference. There is a vacancy for a "city" representative from the Southern Region, and Commissioner David Spence has expressed an interest. CALAFCO requires that individual LAFCOs nominate candidates in advance of the conference.

**Recommended Action:**

1. Nominate David Spence as a candidate for the CALAFCO Board of Directors.