



Local Agency Formation Commission
for the County of Los Angeles

Commission

Jerry Gladbach
Chair

Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

Kathryn Barger
Richard Close
Margaret Finlay
Janice Hahn
John Mirisch
Greig Smith

Alternate Members

Lori Brogin-Falley
Sheila Kuehl
Judith Mitchell
Joseph Ruzicka
David Ryu
Vacant
(Public Member)

Staff

Paul Novak
Executive Officer

Adriana Romo
Deputy Executive Officer

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

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REGULAR MEETING

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

September 11, 2019

Present:

Jerry Gladbach, Chair

Richard Close
Donald Dear
Margaret Finlay
Janice Hahn
Gerard McCallum
John Mirisch

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

Paul Novak, Executive Officer
Lillian Salinger, Legal Counsel

Absent:

Kathryn Barger

Sheila Kuehl, Alternate
David Ryu, Alternate

Vacant:

City of Los Angeles Member
Alternate General Public Member

1 CALL MEETING TO ORDER

The meeting was called to order at 9:01 a.m. in Room 381-B of the County Hall of Administration by Chair Jerry Gladbach.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Jerry Gladbach.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (EO) 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).

The EO read an announcement, asking if any Commissioner had received a campaign contribution that would require disclosure or any other issue requiring recusal from any item on today's agenda (None).

4 SWEARING-IN OF SPEAKER(S)

The EO swore in member of the audience who planned to testify (None).

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

None.

6 CONSENT ITEM(S)

The Commission took the following actions under Consent Items:

- a. Approved Minutes of August 14, 2019.
- b. Approved Operating Account Check Register for the month of August 2019.
- c. Received and filed update on pending proposals.

MOTION: Dear SECOND: Mirisch APPROVED: 5-0-0
AYES: Close, Dear, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Hahn, McCallum

7 PUBLIC HEARING(S)

The following item was called for consideration:

- a. Annexation No. 2018-10 to the Los Angeles County Waterworks District No. 40, Antelope Valley (Amendment to the Los Angeles County Waterworks District No. 40, Antelope Valley, Sphere of Influence).

Doug Dorado (Government Analyst) summarized the staff report concerning Annexation No. 2018-10 to the Los Angeles County Waterworks District No. 40, Antelope Valley.

The public hearing was opened to receive testimony on the annexation. There being no testimony and no written opposition submitted prior to the close of the public hearing, the public hearing was closed.

[Commissioner McCallum arrived at 9:05 a.m.]

The Commission took the following action:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 2018-10 to the Los Angeles County Waterworks District No. 40, Antelope Valley (Amendment to the Los Angeles County Waterworks District No. 40, Antelope Valley, Sphere of Influence); Resolution No. 2019-19RMD.

MOTION: Mitchell (Alt. for Finlay) SECOND: Dear APPROVED: 6-0-0
AYES: Close, Dear, McCallum, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Hahn

[Commissioner Hahn arrived at 9:06 a.m.]

8 PROTEST HEARING(S)

None.

9 OTHER ITEMS

The following item was called up for consideration:

- a. Proposed 2020 Commission Meeting Schedule.

The EO summarized the staff report concerning the Proposed 2020 Commission Meeting Schedule.

The Commission took the following action:

- Approved the 2020 Commission Meeting Schedule, with changes as determined by the Commission, and directed the Executive Officer to post the dates to the LAFCO website.

MOTION: Mirisch SECOND: Dear APPROVED: 7-0-0
AYES: Close, Dear, Hahn, McCallum, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay

9 OTHER ITEMS

The following item was called up for consideration:

- b. Annual Election of Commission Officers.

The EO summarized the staff report concerning the Annual Election of Commission Officers.

The Commission took the following action:

- Nominated and elected Commissioner Gladbach as LAFCO Chair for a term of one year and until the election of a successor.

MOTION: Dear SECOND: Mitchell (Alt. for Finlay) APPROVED: 7-0-0
AYES: Close, Dear, Hahn, McCallum, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay

The Commission took the following action:

- Nominated and elected Commissioner Dear as LAFCO First Vice-Chair for a term of one year and until the election of a successor.

MOTION: Mirisch SECOND: Mitchell (Alt. for Finlay) APPROVED: 7-0-0
AYES: Close, Dear, Hahn, McCallum, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay

The Commission took the following action:

- Nominated and elected Commissioner McCallum as LAFCO Second Vice-Chair for a term of one year and until the election of a successor.

MOTION: Mirisch SECOND: Hahn APPROVED: 7-0-0
AYES: Close, Dear, Hahn, McCallum, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay

[Commissioner Finlay arrived at 9:11 a.m.]

9 OTHER ITEMS

The following item was called up for consideration:

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

The EO summarized the staff report concerning the CALAFCO Annual Conference: Appointment of Voting Representative.

The Commission took the following action:

- Designated Commissioner Margaret Finlay as the Voting Delegate for the CALAFCO's Board of Directors.

MOTION: Dear SECOND: McCallum APPROVED: 7-0-0
AYES: Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger

The Commission took the following action:

- Designated Executive Officer, Paul Novak, as the Alternate Voting Delegate for the CALAFCO's Board of Directors.

MOTION: Gladbach SECOND: McCallum APPROVED: 7-0-0
AYES: Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger

9 OTHER ITEMS

The following item was called up for consideration:

- d. CALAFCO Annual Conference: Proposed New Dues Structure.

The EO summarized the staff report concerning the CALAFCO Annual Conference: Proposed New Dues Structure.

The EO noted that there was a typo on page two under New Proposed Due Structure of the staff report, the new dues will be \$10,662 not \$11,010.

Commissioner Finlay asked why is CALAFCO increasing its dues. The EO indicated that all CALAFCO on-going expenses will be covered by member dues under the new dues structure, and CALAFCO would not continue an unsustainable reliance on “carryover” revenues and Annual Conference profit.

Commissioner Mirisch indicated that increased CALAFCO dues should be in direct proportion to Los Angeles LAFCO’s voting power.

The Commission took the following actions:

- Supported CALAFCO’s proposed new dues structure; and
- Directed the Commission representatives (Commissioner Margaret Finlay as Voting Delegate and Executive Officer, Paul Novak, as Alternate Voting Delegate) to vote accordingly at the CALAFCO Annual Conference in Sacramento on October 31st.

MOTION: Close SECOND: Dear APPROVED: 7-0-0
AYES: Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger

10 LEGISLATION

The following item was called up for consideration:

- a. Legislative Update.

The Commission took the following action:

- Received and filed the Legislative Report.

MOTION: Finlay SECOND: McCallum APPROVED: 7-0-0
AYES: Close, Dear, Finlay, Hahn, McCallum, Mirisch, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger

11 MISCELLANEOUS CORRESPONDENCE

None.

12 COMMISSIONERS' REPORT

None.

13.a. EXECUTIVE OFFICER'S REPORT

The EO summarized the Executive Officer Report. No motion was made.

13 EXECUTIVE OFFICER'S REPORT

The EO indicated that the Request for Proposals for the Sativa Water System was released to potential bidders today.

The EO noted that Sativa Status Update Report will be agendized for the November 13th meeting.

The EO stated that Assemblyman Gipson's Office will host the Sativa general session at the State Capital building on Wednesday, October 30th (Annual CALAFCO Conference in Sacramento).

14 PUBLIC COMMENT

None.

15 FUTURE MEETINGS

October 16, 2019 (Special Meeting at 8:30 a.m.)
November 13, 2019
December 11, 2019
January 8, 2020

16 FUTURE AGENDA ITEMS

None.

17 ADJOURNMENT MOTION

On motion of Chair Gladbach, in memory of the September 11, 2001 attacks, the meeting was adjourned at 9:41 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Novak". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Paul Novak, AICP
Executive Officer

**RESOLUTION NO. 2019-19RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 2018-10 TO THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40,
ANTELOPE VALLEY (AMENDMENT TO THE LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40, ANTELOPE VALLY SPHERE OF INFLUENCE)"**

WHEREAS, the Robert Sarkissian (landowner) submitted a petition for proceedings, 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 Los Angeles County Waterworks District No. 40, Antelope Valley (District), all within the City of Palmdale (City); and

WHEREAS, the proposed annexation consists of approximately 80.91± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2018-10 to the 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 a portion of the affected territory; 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 §§ 56150-56160, 56427, 57025, and 57026, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on July 15, 2019, 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, in accordance with Government Code § 56663, mailed notice pursuant to Government Code § 56157 has been given to landowners and registered voters within the affected territory; and the mailed notice discloses that: 1) the potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the City and/or District in the affected territory, and 2) unless written opposition to the proposal is received before the conclusion of the Commission proceeding on the proposal, the Commission intends to waive protest proceedings; and

WHEREAS, on September 11, 2019, 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, the Commission, having not received written opposition to the proposal from landowners or registered voters before the conclusion of the proceeding/hearing hereby waives protest proceedings pursuant to Government Code § 56663.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this annexation is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines § 15061(b)(3) because the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject CEQA. No projects for development have been initiated by the applicant. At such time as an application to develop the property is initiated, it is required to comply with applicable CEQA provisions as part of its project approvals.
2. The Commission finds that it received from landowners or registered voters the following number of written opposition to the proposal before the conclusion of the proceeding/hearing: 0 .
3. The Commission hereby amends the Sphere of Influence of the Los Angeles County Waterworks District No. 40, Antelope Valley and makes the following determinations in accordance with Government Code § 56425:
 - a. Present and Planned Land Uses in the Area

The affected territory consists of vacant land. A portion of the affected territory is being developed to include an industrial building.
 - b. Present and Probable Need for Public Facilities and Services in the Area

The affected territory is located within the City of Palmdale. General government services, including animal control, fire and emergency medical,

flood control, library, mosquito and vector control, park and recreation, planning, police, road maintenance, solid waste, street lighting, wastewater, and other services are provided by the respective City, the County, and other special districts.

The affected territory includes vacant land with a portion that will be developed to include an industrial building 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 minimal.

c. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide

The District currently provides water service to over 550 square miles in northeastern Los Angeles County. The annexations would add 80 acres to the service area. The District indicated that it has the ability to provide water service to the affected territory once the annexation is complete.

d. Existence of Any Social or Economic Communities of Interest

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.

e. Disadvantaged Unincorporated Communities

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

f. Determination of the Services of the Existing District

The Commission has on file a written statement of the functions and classes of service of the Los Angeles County Waterworks District No. 40, Antelope Valley specifying the nature, location and extent of its classes of service that it provides within its boundary.

4. 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.
5. The affected territory consists of 80.91± acres, is uninhabited, and is assigned the following short form designation: "Annexation No. 2018-10 to the Los Angeles County Waterworks District No. 40, Antelope Valley".
6. Annexation No. 2018-10 to the Los Angeles County Waterworks District No. 40, Antelope Valley is hereby approved, subject to the following terms and conditions:
 - a. The Robert Sarkissian 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 § 57325) shall apply to this annexation.
7. Pursuant to Government Code § 56663, the Commission finds that all the following have occurred: 1) mailed notice pursuant to Government Code § 56157 has been given to landowners and registered voters within the affected territory; 2) the mailed notice discloses the potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the City and/or District in the affected territory; 3) the mailed notice discloses that unless written opposition to the proposal is received before the conclusion of the Commission proceeding on the proposal, the Commission intends to waive protest proceedings; and 4) no written opposition to the proposal from

landowners or registered voters before the conclusion of the proceeding/hearing.
Therefore, pursuant to Government Code § 56663, the Commission hereby waives protest proceedings.

8. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the District.
9. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the District's payment of the applicable fees required by Government Code § 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code § 57200, *et seq.*

MOTION: Mitchell (Alt. for Finlay) SECOND: Dear APPROVED: 6-0-0
AYES: Close, Dear, McCallum, Mirisch, Mitchell (Alt. for Finlay), Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Hahn

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



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