



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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SPECIAL MEETING

MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION

FOR THE COUNTY OF LOS ANGELES

November 13, 2019

Present:

Jerry Gladbach, Chair

Kathryn Barger
Richard Close
Donald Dear
Janice Hahn
Gerard McCallum
John Mirisch
David Ryu

Lori Brogin-Falley, Alternate
Joe Ruzicka, Alternate

Paul Novak, Executive Officer
Lillian Salinger, Legal Counsel

Absent:

Margaret Finlay

Sheila Kuehl, Alternate
Judith Mitchell, Alternate

Vacant:

City of Los Angeles, Alternate Member
Alternate Public Member

1 CALL MEETING TO ORDER

The meeting was called to order at 9:00 a.m. in Room 374-A (Business License Commission) 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 two (2) members of the audience who planned to testify.

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 October 16, 2019.
- b. Approved Operating Account Check Register for the month of October 2019.
- c. Received and filed update on pending proposals.
- d. Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 2018-11 to the Los Angeles County Waterworks District No. 37, Acton; Resolution No. 2019-20RMD.

MOTION: Dear SECOND: McCallum APPROVED: 5-0-0
AYES: Close, Dear, McCallum, Mirisch, Gladbach
NOES: None.

ABSTAIN: None.

ABSENT: Finlay, Hahn, Ryu

[Commissioner Hahn arrived at 9:02 a.m.]

7 PUBLIC HEARING(S)

None.

8 PROTEST HEARING(S)

None.

Chair Gladbach indicated that Agenda Item 9.a. will be taken out of order.

9 OTHER ITEMS

The following item was called up for consideration:

- b. Recommendation to Award Contract to Consultant for the Consolidated Fire Protection District of Los Angeles County Municipal Service Review and Sphere of Influence Update.

Adriana Romo (Deputy Executive Officer) summarized the staff report concerning the Recommendation to Award Contract to Consultant for the Consolidated Fire Protection District of Los Angeles County Municipal Service Review and Sphere of Influence Update.

[Commissioner Barger arrived at 9:03 a.m.]

The Commission took the following actions:

- Selected RSG, Inc. to prepare the Consolidated Fire Protection Municipal Service Review and Sphere of Influence Update, as described in the Request for Proposal Scope of Services and the subsequent proposal “Municipal Service Review and Sphere of Influence Update of the Consolidated Fire Protection District of the County of Los Angeles” submittal date of October 30, 2019; and
- Authorized the Executive Officer to execute the professional services agreement with RSG, Inc. in an amount not to exceed \$108,565; with said agreement being approved as to form by LAFCO Counsel.

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

ABSTAIN: None.
ABSENT: Finlay, Ryu

9 OTHER ITEMS

The following item was called up for consideration:

c. Sativa Water System Status Report.

Adriana Romo (Deputy Executive Officer) summarized the staff report concerning status of the Sativa Water System.

Commissioner Barger asked what the current status of the infrastructure of the Sativa Water System is. Russ Bryden (Principal Engineer, Los Angeles County Department of Public Works) came before the Commission. Mr. Bryden stated that the County has made tremendous progress in addressing Sativa's infrastructure, referring to the water wells and underground pipes, but there is an "iceberg" of additional work underneath the surface. Mr. Bryden indicated that he is working with the State Water Resources Control Board to obtain grant funding for County projects to address the brown water and manganese issue, which has risen from one well, but there is an additional \$10 to \$15 million of work needed. A significant amount of piping within the Sativa's water system will need to be upgraded to wider diameter pipes which is beyond the scope of the County's role, and which will likely be performed by a future long-term operator.

Mr. Bryden indicated that the Los Angeles County Auditor-Controller completed a comprehensive audit of the former Sativa County Water District and found that there was a potential misuse of government funds. The audit was forwarded to the Los Angeles County District Attorney's Office and Mr. Bryden was not able to divulge any other details due to the involvement of law enforcement.

Commissioner Hahn thanked Mr. Bryden for his leadership and expertise in addressing the Sativa water system.

The Commission took the following action:

- Received and filed, the "Sativa Water System Quarterly Report ending September 2019" submitted by the County of Los Angeles Department of Public Works on September 19, 2019.

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

[Commissioner Ryu arrived at 9:18 a.m.]

9 OTHER ITEMS

The following item was called up for consideration:

- d. Draft Sphere of Influence Policy.

The EO summarized the staff report concerning the Draft Sphere of Influence Policy.

The Commission took the following actions:

- Adopted the Sphere of Influence Policy; and
- Directed staff to post the Sphere of Influence Policy to the Commission website.

MOTION: McCallum SECOND: Barger APPROVED: 8-0-0
AYES: Barger, Close, Dear, Hahn, McCallum, Mirisch, Ryu, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Finlay

The Commission returned to Agenda Item 9.a.

9 OTHER ITEMS

The following item was called up for consideration:

- a. Interview Alternate Public Member Finalist and Appoint Alternate Public Member.

The Commission interviewed the remaining Alternate Public Member finalist (the other four finalists were interviewed at the Commission Meeting on October 16, 2019).

Chair Gladbach asked the eight (8) voting members of the Commission present to identify their top two finalists. Upon the conclusion, it was determined that two candidates had each received four first place votes. Since there was a tie, and no voting member was willing to change his or her vote, the Commission determined that the outcome would be settled by a coin toss.

The Commission took the following actions:

- Interviewed one (1) additional Alternate Public Member Finalist; and
- Appointed David Lesser (winner of the coin toss) as the new LAFCO Alternate Public Member.

MOTION: Dear SECOND: Hahn APPROVED: 8-0-0
AYES: Barger, Close, Dear, Hahn, McCallum, Mirisch, Ryu, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Finlay

10 LEGISLATION

None.

The EO indicated that there is no Legislative Update as the State Legislature is currently in recess.

11 MISCELLANEOUS CORRESPONDENCE

The EO noted that the following correspondence:

- a. 2019 Edition of The Sphere.

The EO noted that a letter dated October 29, 2019 from Herb Wesson (President, Los Angeles City Council) appointed David Ryu as the City of Los Angeles Voting Member (Commissioner Ryu was previously the City of Los Angeles Alternate Member).

Commissioner Mirisch asked when will the appointment of the City of Los Angeles Alternate Voting Member occur. Commissioner Ryu indicated he will follow up with Council President Wesson.

12 COMMISSIONERS' REPORT

Chair Gladbach stated that he attended the 2019 CALAFCO Conference in Sacramento.

Commissioner Hahn indicated she was a panelist at the General Session on Wednesday, October 30th at the 2019 CALAFCO Conference, "It takes a village: State, County, and LAFCo collaboration to solve a local problem". The session was held at the State Capitol Building, and it was well attended.

13.a. EXECUTIVE OFFICER'S WRITTEN REPORT

The EO summarized the Executive Officer Report.

13.b. EXECUTIVE OFFICER'S VERBAL REPORT

The EO stated that two (2) awards were presented during the 2019 CALAFCO Conference Awards Banquet: Assemblyman Gipson was awarded Legislator of the Year; and the County of Los Angeles, the State Water Resources Control Board, and Los Angeles LAFCO were awarded

the Government Leadership Award.

14 PUBLIC COMMENT

None.

15 FUTURE MEETINGS

January 8, 2020
February 12, 2020
March 11, 2020

16 FUTURE AGENDA ITEMS

None.

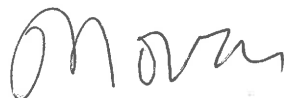
17 ADJOURNMENT MOTION

Commissioner Barger announced that this is Commissioner Hahn's last LAFCO meeting, and thanked Commissioner Hahn for her leadership and efforts in the dissolution of the Sativa County Water District.

Commissioner Dear wished the Commission and staff Happy Holidays and a Happy New Year.

The meeting was adjourned at 10:01 a.m.

Respectfully submitted,



Paul Novak, AICP
Executive Officer

**RESOLUTION NO. 2019-20RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"ANNEXATION NO. 2018-11 TO THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 37,
ACTON"**

WHEREAS, the Lester K. Knox (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. 37, Acton (District), all within the County of Los Angeles (County); and

WHEREAS, the proposed annexation consists of approximately 20± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2018-11 to the Los Angeles County Waterworks District No. 37, Acton"; 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 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 Commission has determined that the Proposal meets all of the criteria for the Commission to make a determination without notice and hearing and waive protest proceedings entirely, pursuant to Government Code Section 56662; and

WHEREAS, the Executive Officer set the item for consideration for November 13, 2019 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

WHEREAS, on November 13, 2019, this Commission considered the Proposal and the report of the Executive Officer.

WHEREAS, this resolution making determinations is made pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, California Government Code § 56000 et seq.

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.
2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:
 - a. The territory encompassed by the annexation is uninhabited; and
 - b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed annexation, and no affected

local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and

- c. The annexation was accompanied by satisfactory proof that all owners of land within the affected territory have given their written consent to the proposal.

Based thereon, pursuant to Government Code Section 56662 (a), the Commission may, and hereby does, make determinations on the proposal without notice and hearing, and the Commission may, and hereby does, waive protest proceedings entirely.

3. 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.
4. The affected territory consists of 40± acres, is uninhabited, and is assigned the following short form designation: "Annexation No. 2018-11 to the Los Angeles County Waterworks District No. 37, Acton".
5. Annexation No. 2018-11 to the Los Angeles County Waterworks District No. 37, Acton is hereby approved, subject to the following terms and conditions:
 - a. Lester K. Knox 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.

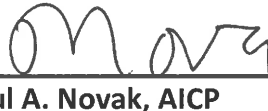
- b. The effective date of the annexation shall be the date of recordation of the Certificate of Completion with the Los Angeles County Registrar-Recorder/County Clerk.
- c. Recordation of the Certificate of Completion shall not occur prior to the conclusion of the 30-day reconsideration period provided under Government Code § 56895.
- d. All fees due to LAFCO, the County of Los Angeles (including, but not limited to, fees owed to the County Assessor and/or the Registrar-Recorder/County Clerk), and the State of California Board of Equalization; shall be paid by the Applicant, in full, prior to LAFCO's filing the Certificate of Completion. Failure to pay any and all fees due to LAFCO, the County of Los Angeles, and the State Board of Equalization, within one year of the Commission approval of this change of organization/reorganization, will result in the change of organization/reorganization being terminated pursuant to Government Code §57001 unless, prior to expiration of that year, the Commission authorizes an extension of time for that completion.
- e. 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.
- f. The regular County assessment roll shall be utilized by the District.
- g. The affected territory will be taxed for any existing general indebtedness, if any, of the District.

- h. Annexation of the affected territory described in Exhibits "A" and "B" to the District.
 - i. The map and geographic description of the affected territory shall comply with all requirements of LAFCO, the Los Angeles County Registrar-Recorder/County Clerk, and the State of California Board of Equalization. If LAFCO, the Los Angeles County Registrar-Recorder/County Clerk, and/or the State of California Board of Equalization require changes, the map and geographic description shall be revised and all associated costs shall be the responsibility of the applicant.
 - j. Except to the extent in conflict with "a" through "i", 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.
- 6. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" annexed to the District.
- 7. Pursuant to Government Code 56883, the Executive Officer may make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.
- 8. 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 Section 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code Section 57200, *et seq.*

PASSED AND ADOPTED this 13th day of November 2019.

MOTION:	Dear	SECOND: McCallum	APPROVED: 5-0-0
AYES:	Close, Dear, McCallum, Mirisch, Gladbach		
NOES:	None.		
ABSTAIN:	None.		
ABSENT:	Barger, Finlay, Hahn, Ryu		

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



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