

LAFCO

Local Agency Formation Commission
for the County of Los Angeles

Commission

Jerry Gladbach
Chair

Richard H. Close
Donald L. Dear
Margaret Finlay
Tom LaBonge
Gloria Molina
Henri F. Pellissier
David Spence
Zev Yaroslavsky

Alternates

Lori Brogin
Don Knabe
Paul Krekorian
Gerard McCallum
Judith Mitchell

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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MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION

FOR THE COUNTY OF LOS ANGELES

November 13, 2013

Present:

Jerry Gladbach, Chair

Richard H. Close
Donald L. Dear
Margaret Finlay
Tom LaBonge
Gloria Molina
Henri F. Pellissier
David Spence
Zev Yaroslavsky

Lori Brogin-Falley, Alternate
Don Knabe, Alternate
Gerard McCallum, Alternate
Judith Mitchell, Alternate

Paul A. Novak, AICP; Executive Officer
Bob Cartwright, Legal Counsel

Absent:

Paul Krekorian, Alternate

1 CALL MEETING TO ORDER

The meeting was called to order at 9:00 a.m. in Room 381-B of the County Hall of Administration.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Jerry Gladbach.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (E.O.) read an announcement, asking that persons who made a 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 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 CONSENT ITEM(S) – GOVERNMENT CODE § 56857 NOTICE

(None).

6 CONSENT ITEM(S) - OTHER

The Commission took the following actions under Consent Items:

- a. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 398 to Los Angeles County Sanitation District No. 14, Resolution No. 2013-57RMD.
- b. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 292 to Los Angeles County Sanitation District No. 15, Resolution No. 2013-58RMD.
- c. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 378 to Los Angeles County Sanitation District No. 22, Resolution No. 2013-59RMD.
- d. Adopted the Resolution Making Determinations Approving and Ordering Annexation No. 416 to Los Angeles County Sanitation District No. 22, Resolution No. 2013-60RMD.
- e. Approved Minutes of October 9, 2013.
- f. Approved Operating Account Check Register for the month of October 2013.
- g. Received and filed update on pending applications.

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

7 PUBLIC HEARING(S)

The following continued public hearing from the October 9, 2013 meeting was called up:

- a. Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the City of Compton.

The E.O. asked the Commission to delay this item to provide additional time for representatives of the City of Compton to arrive at the meeting. Chair Gladbach agreed to postpone the continued public hearing on this item until Compton representatives arrived. (See Pages 8 thru 11 for minutes on consideration of this item).

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- b. Annexation No. 56 to Los Angeles County Sanitation District No. 2.

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Approving Annexation No. 56 to Los Angeles County Sanitation District No. 2 and Amendment to Los Angeles County Sanitation District No. 2 Sphere of Influence, Resolution No. 2013-62RMD.
- Pursuant to Government Code Section 57002, set January 8, 2014 at 9:00 a.m. as the date and time for Commission protest proceedings.

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

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- c. Annexation No. 411 to Los Angeles County Sanitation District No. 14.

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Approving Annexation No. 411 to Los Angeles County Sanitation District No. 14, Resolution No. 2013-63RMD.
- Pursuant to Government Code Section 57002, set January 8, 2014 at 9:00 a.m. as the date and time for Commission protest proceedings.

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

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

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- d. Annexation No. 703 to Los Angeles County Sanitation District No. 21.

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Approving Annexation No. 703 to Los Angeles County Sanitation District No. 21, Resolution No. 2013-64RMD.
- Pursuant to Government Code Section 57002, set January 8, 2014 at 9:00 a.m. as the date and time for Commission protest proceedings.

MOTION: FINLAY
SECOND: LaBONGE
AYES: CLOSE, DEAR, FINLAY, LaBONGE, MOLINA, PELLISSIER,
SPENCE, YAROSLAVSKY, GLADBACH
NOES: NONE

ABSTAIN: NONE
ABSENT: NONE
MOTION PASSES: 9/0/0

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- e. Annexation No. 414 to Los Angeles County Sanitation District No. 22.

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Approving Annexation No. 414 to Los Angeles County Sanitation District No. 22, Resolution No. 2013-65RMD.
- Pursuant to Government Code Section 57002, set January 8, 2014 at 9:00 a.m. as the date and time for Commission protest proceedings.

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

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- f. Annexation No. 2012-11 to Lo Angeles County Waterworks District No. 40, Antelope Valley.

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

The Commission took the following action:

- Adopted the Resolution Making Determinations Approving Annexation No. No. 2012-11 to Los Angeles County Waterworks District No. 40, Antelope Valley; Resolution No. 2013-66RMD.

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- Pursuant to Government Code Section 57002, set January 8, 2014 at 9:00 a.m. as the date and time for Commission protest proceedings.

MOTION: FINLAY
SECOND: SPENCE
AYES: CLOSE, DEAR, FINLAY, LaBONGE, MOLINA, PELLISSIER,
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. Reorganization No. 2007-02 (15-289) to Los Angeles County Sanitation District No. 15 (Detachment from Los Angeles County Sanitation District No. 22 and Annexation to Los Angeles County Sanitation District No. 15).
- b. Annexation No. 2012-09 to Los Angeles County Waterworks District No. 40, Antelope Valley.

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

The Commission took the following combined protest hearings under one action:

- Ordered Reorganization No. 2007-02 (15-289) to Los Angeles County Sanitation District No. 15 (Detachment from Los Angeles County Sanitation District No. 22 and Annexation to Los Angeles County Sanitation District No. 15; Resolution No. 2013-19PR.
- Ordered Annexation No. 2012-09 to Los Angeles County Waterworks District No. 40, Antelope Valley; Resolution No. 2013-20PR.

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

9 OTHER ITEMS

- a. Report on Disadvantaged Unincorporated Communities (DUCs).

The E.O. presented a slide show to the Commission which illustrated and identified regions where DUCs exist within Los Angeles County. For additional information, please refer to a copy of the slide show presentation in the November 13th Agenda Package.

9 OTHER ITEMS

- b. Presentation of Service Pins.

Chair Gladbach presented a 30-year service pin to Commissioner Pellissier, who was appointed in 1980.

10 COMMISSIONER'S REPORT

Chair Gladbach stated he attended the CALAFCO Board of Directors meeting on November 8th. He reported three actions occurred at the meeting: one, CALAFCO extended the contract for Executive Director, Pamela Miller, from November 16, 2013 to December 31, 2015; two, CALFCO is "on-target" with their Budget; and third, Paul A. Novak was re-appointed as staff member to the Legislative Committee.

11 EXECUTIVE OFFICER'S REPORT

The E.O. informed Commissioners that a brief notice was received from White Nelson Diehl Evans, LLP, auditors for LAFCO, stating the accounting firm will conduct the 2012-2013 Audit. This notice was included in the Agenda Package.

The E.O. informed the Commission about a flyer for a symposium on December 9th in Sacramento which will honor the 50th Anniversary of LAFCOs. The E.O. thanked Commissioner Close, who was instrumental in obtaining former State Assemblyman, Robert Hertzberg, who will be the Keynote Speaker at the symposium lunch. Also speaking at the symposium are Peter Detwiler, former chief consultant to the Senate Governance and Finance Committee (formerly known as the Local Government Committee); Thomas Willoughby, former Legislative Committee Consultant; and Michael Coleman, principal fiscal policy advisor for both the California Society of Municipal Finance Officers and the League of California Cities. The E.O. stated that the flyer was included in the Agenda Package, and if Commissioners would like to attend the symposium to contact staff to register for the event.

The E.O. reminded the Commission that the December 11, 2013 meeting is canceled.

On behalf of staff, the E.O. wished all of the Commissioners a happy holiday season and a happy, healthy, safe New Year.

12 PUBLIC COMMENT

(None).

13 FUTURE MEETINGS

~~December 11, 2013 (Meeting Canceled)~~

January 8, 2014

February 12, 2014

March 12, 2014

14 FUTURE AGENDA ITEMS

(None).

7 PUBLIC HEARING(S)

The following continued public hearing from October 9, 2013 was called up:

- a. Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the City of Compton.

The E.O. stated several things had occurred since last month's meeting. First, the City of Long Beach submitted a letter withdrawing its application to annex the eastern portion of Rancho Dominguez; second, the City of Compton's City Manager and Planning and Economic Development Director submitted a written "Annexation Program for the City of Compton" (Annexation Program); and third, the East Rancho Dominguez Neighborhood Association, which represents the residents and business-owners in the unincorporated islands on the east side of Compton, Areas 2, 3, 4, and 5 (all areas are known as East Rancho Dominguez), submitted a letter concerning the proposed City of Compton SOI Update and opposing the annexation of its area into Compton. Copies of all of these documents were included in the Agenda Package.

The E.O. noted that the combination of the afore-mentioned factors presented changed facts and has provided staff with a wealth of new information to consider in formulating the staff recommendation. Given this additional input, staff recommended that the Commission re-adopt the existing SOI for the City of Compton (City). The E.O. stated that Compton has provided sufficient information to justify leaving Area 7 (Rancho Dominguez) within the City's SOI boundary at this time.

The City of Compton Draft MSR (Draft MSR) reflects the additional information which only recently came to staff's attention. The E.O. stated a "clean" version and a "strikethrough/underline" version of the Draft MSR highlighted changes in this November report was included in the Agenda Package. Map Exhibit "B" is a revised map showing the proposed SOI boundary as recommended by staff. The E.O. noted that the updated resolution now reflects the words "...re-adopting the current SOI for the City of Compton" in subsection 8 of the staff recommendation.

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The E.O. noted that there was a typo on staff recommendation number 4. The recommendation incorrectly referenced the September 20th Draft MSR, when in fact, it should reflect the November 13th Draft MSR.

The continued public hearing was reopened to receive testimony.

The E.O. reread Agenda Item No. 3, Disclosure of Campaign Contributions (None).

The E.O. swore in five members of the audience who planned to testify.

Harold Duffey, Compton City Manager, stated that City staff provided LAFCO with an Annexation Program which he believed accomplished two things: one, the Annexation Program absorbs the unincorporated territories near the City in a fiscally responsible manner; and two, the strategy prioritizes the annexations of selected areas outside the current municipal boundaries to facilitate the annexations of "County Islands" both in the eastern and western portions of Compton. Mr. Duffey stated the strategy for the City is to insure that Compton has a contiguous boundary. Mr. Duffey also stated that the City is very serious and motivated in moving forward with the Annexation Program.

Aja Brown, City of Compton Mayor, stated she anticipates that the City will have the opportunity to annex Area 7 to help facilitate the expenditures associated with Areas 2, 3, 4, and 5.

Robert Delgadillo, Interim Planning and Economic Development Director for the City of Compton, asked if Commissioners had any questions regarding the Annexation Program submitted to LAFCO. Commissioners did not have questions concerning the Annexation Program.

Commissioner LaBonge asked where most of the city annexation activity has occurred in the County. The E.O. responded that most annexation activity has occurred primarily in the City of Santa Clarita.

Commissioner LaBonge asked if the City of Long Beach has an opinion regarding the Rancho Dominguez area. The E.O. responded that the City of Long Beach has withdrawn their application to annex the eastern portion of Rancho Dominguez. The application submitted was to annex essentially 40% of the Rancho Dominguez, an area east of the Alameda Corridor. Negotiations with the City of Long Beach and the County failed because the County requested that the City of Long Beach include all of Rancho Dominguez and not a portion of the territory. Commissioner LaBonge asked the E.O. what his recommendation is. The E.O. stated that his recommendation is to re-adopt the existing SOI for the City of Compton which would retain Area 7 within their SOI boundary, as requested by the City of Compton.

Commissioner Spence asked how residents were surveyed. Mayor Brown stated she personally spoke with residents within Areas 2, 3, and residents of a mobile home park located in Area 7. She stated that these people are interested in being annexed to the City of Compton, if the level of service would be maintained at the same service level currently being provided by the County.

Supervisor Yaroslavsky asked would a vote be required from the residents in Area 7 to be annexed

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into the City of Compton. The E.O. stated that Area 7 is inhabited territory with more than 12 registered voters, and would therefore be subject the protest proceedings of the registered voters and landowners. The registered voters and landowners at the protest hearing could ultimately terminate the annexation if it meets or exceeds protest thresholds.

Sinetta T. Farley, President of the East Rancho Dominguez Neighborhood Association, spoke in opposition to Areas 2, 3, 4, and 5 remaining within the City of Compton's SOI boundary. Ms. Farley requested that the unincorporated community of East Rancho Dominguez be removed from the current City of Compton SOI boundary, as they have their own identity and do not want to be annexed to the City of Compton.

Robert Gwynn, a resident of Rancho Dominguez and Chair of the annexation committee for Area 7 to the City of Carson, stated he is opposed to Area 7 being included within the City of Compton's SOI boundary. Mr. Gwynn stated that an application was submitted to LAFCO in 2011 for the Rancho Dominguez area to be annexed into the City of Carson. He said he would like to see it be approved by LAFCO.

Jim Dear, City of Carson Mayor, stated that he has spoken frequently with residents of Area 7, who associate themselves with the City of Carson. Mayor Dear stated that a lot of work and energy is expended when trying to annex territory into a city. Mayor Dear referred to Exhibit "B" regarding the Joint SOI of Area 7. Mayor Dear stated that this area is within the SOI boundary of three cities: Carson, Compton, and Long Beach. He would like to remedy the situation by annexing all of Area 7 into the City of Carson. Mayor Dear asked the Commission to consider excluding Area 7 from the City of Compton's SOI boundary.

Commissioner Close asked Mayor Dear if he had comments regarding the validity of the Annexation Program. Mayor Dear suggested that the City of Compton could annex the industrial zoned portions of Area 1 to offset the fiscal constraints associated with Areas 2, 3, 4, and 5, and accomplish the same goal.

Commissioner Close commented that if the City of Compton submits an application to annex Area 7, there will be competing applications between the Cities of Compton and Carson. Commissioner Close asked what is the method or process when there are competing applications. The E.O. stated there are several provisions of law. In the absence of any action by the Commission, the application that was filed first takes precedent. Also, an application cannot be scheduled before the Commission until the application is complete. Carson's application is not complete, pending approval of the negotiated property tax transfer resolution. If the negotiated property tax transfer resolution was approved within the next several months or so, the application would be complete and the annexation would be set for a public hearing and presented to the Commission. At that point, the City of Compton application, unless it was complete, would not be before the Commission. The E.O. stated there are no current pending applications from the City of Compton.

Commissioner Dear asked why it takes so long for local agencies and the County to negotiate a property tax transfer resolution and should legislation be changed to expedite negotiations. The E.O. stated that LAFCO does not have authority over the negotiated property tax transfer resolution. The negotiations only involve cities, the County, and/or special districts. The E.O. stated the law

requires those parties to negotiate but does not necessarily require those parties to come to an agreement. The E.O. stated that there have been discussions along those lines and Chair Gladbach added that these issues have been discussed at CALAFCO as well.

Supervisor Yaroslavsky asked if the Commission had the discretion not to approve an annexation if the territory is “cherry-picked”, not in the best interest of the public. The E.O. stated that Commission decisions are legislative actions in which an application can be approved or denied.

Chair Gladbach asked the E.O. to clarify the locations of “East Rancho Dominguez” and “Rancho Dominguez”. The E.O. referenced map Exhibit “B”. Areas 2, 3, 4, and 5 are referred as “East Rancho Dominguez” and the red-hatched territory, labeled Area 7, is referred to as “Rancho Dominguez”.

Supervisors Pellissier and Yaroslavsky both stated they would like to see the City of Compton have an opportunity to annex the unincorporated County areas located in the City’s SOI boundary, adding, further, that taking Area 7 (Rancho Dominguez) out of the City of Compton’s SOI would make it more difficult for Compton to annex the area.

The Commission took the following action:

- Adopted the November 13, 2013 City of Compton Municipal Service Review, as updated.
- Adopted the recommended determinations required for a Municipal Service Review as contained in both the staff report and the MSR, as updated, and pursuant to Government Code Sections 56430.
- Adopted the recommended determinations required for the Update of the Sphere of Influence as contained in both the staff report and MSR pursuant to Government Code Sections 56425.
- Adopted the SOI Update for the City of Compton, pursuant to Government Code Section 56425, as shown on map Exhibit “B”, Revised: November 13, 2013.
- Adopted Resolution No. 2013-61RMD as updated adopted the MSR and SOI Update for the City of Compton re-adopted the current SOI for the City of Compton.

MOTION: LaBONGE
SECOND: YAROSLAVSKY
AYES: CLOSE, FINLAY, LaBONGE, MOLINA, PELLISSIER,
SPENCE, YAROSLAVSKY, GLADBACH
NOES: NONE
ABSTAIN: DEAR
ABSENT: NONE
MOTION PASSES: 8/0/1

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[Commissioner LaBonge left at 10:31 a.m.]

15 ADJOURNMENT MOTION

On motion of Commissioner Yaroslavsky, seconded by Commissioner Pellissier, the meeting was adjourned at 10:33 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Novak", written in a cursive style.

Paul A. Novak, AICP
Executive Officer

L: minutes 2013\11-13-13