

MINUTES OF THE LOCAL AGENCY  
FORMATION COMMISSION FOR LOS ANGELES

January 28, 2009

Present

Donald L. Dear  
James DiGiuseppe  
Margaret Finlay  
Jerry Gladbach  
Carol Herrera  
Gloria Molina  
Henri F. Pellissier  
Greig Smith  
Zev Yaroslavsky

Robert O. Apodaca, Alternate  
Don Knabe, Alternate  
Judy Mitchell, Alternate

Sandor L. Winger, Executive Officer  
John Krattli, Legal Counsel

Absent

Kenneth Chappell, Alternate  
Richard Close, Alternate  
Tom La Bonge, Alternate

1  
The meeting was called to order at 9:00 a.m.

2  
The Pledge of Allegiance was led by Commissioner Jerry Gladbach.

3  
Persons who made a contribution of more than \$250 to any member of the Commission during the preceding 12 months were asked to come forward and state for the record the Commissioner to whom such contributions were made and the item of their involvement (None).

4  
The following item was called up for consideration:

Los Angeles County Sanitation District No. 14- Annexation No. 329.

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

On motion of Commissioner Dear, unanimously carried, (Commissioner Yaroslavsky being absent), the Commission took the following action:

- Adopted Resolution No. 2009-02 RMD, Making Determinations Approving Annexation No. 329 to Los Angeles County Sanitation District No. 14

5  
The following item was called up for consideration:

Los Angeles County Sanitation District No. 14- Annexation No. 331.

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

On motion of Commissioner Pellissier, unanimously carried, (Commissioner Yarolsavsky being absent), the Commission took the following action:

- Adopted Resolution No. 2009-03 RMD, Making Determinations Approving Annexation No. 331 to Los Angeles County Sanitation District No. 14

Minutes  
January 28, 2009  
Page 3

[Commissioner Yaroslavsky in at 9:03]

6

The following item was called up for consideration:

Protest Hearing for the Santa Clarita Valley Sanitation District of Los Angeles County Annexation No. 340

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

On motion of Commissioner Finlay, unanimously carried, the Commission took the following actions:

- Adopted Protest Resolution No. 2009-01PR Making Determinations Ordering Annexation No.340 to Santa Clarita Valley Sanitation District of Los Angeles County.

7

On motion of Commissioner Finlay, unanimously carried, the Commission took the following actions under Consent Items:

- Approved Minutes of January 14, 2009.
- Received and filed update on pending applications.

8

Commissioner Herrera made a motion to authorizing a 2% merit increase for the Executive Officer (EO). Commissioner Herrera indicated that the EO had completed the second phase of his performance evaluation, by completing the specific goals and objectives set by the Commission, including developing a policy and procedures manual that was very well done.

Commissioner Yaroslavsky then made a motion to adjourn to an emergency closed session to discuss the other issues regarding the EO's performance. Commissioner Smith questioned the legality of going into closed session without having a direct violation of the Brown Act. John Krattli, Legal Counsel, stated the circumstances under which the

Commission could adjourn to closed session. It was determined that there was sufficient grounds to adjourn to closed session, however, Legal Counsel further stated that a two-thirds vote would be required for an emergency closed session. The roll was called on Commissioner Yaroslavsky's motion to adjourn to closed session.

**AYES**

Finlay  
Molina  
Yaroslavsky

**NOES**

DiGiuseppe  
Dear  
Gladbach  
Herrera  
Pellissier  
Smith.

The motion failed.

Commissioner Herrera restated her original motion and Commissioner Yaroslavsky requested recognition from the Chair to further discuss the motion. Specifically requesting the results of any conversations the Chair had with the EO regarding ongoing anger management issues involving Board staff and members of the public. Commissioner Yaroslavsky requested that the Chair report back the results of the conversation he had with the EO. The Chair indicated that he would report details of the conversation in closed session at the February 11, 2009 hearing. Commissioner Yaroslavsky asked that the Executive Officer be available for that closed session. Commissioner Dear requested the Commission act on Commissioner Herrera's original motion and the roll was called:

**AYES**

DiGiuseppe  
Dear  
Gladbach  
Herrera  
Pellissier  
Smith.

**NOES**

Finlay  
Molina  
Yaroslavsky

The motion for a 2% increase in salary for the Executive Officer was approved.

9

The Executive Officer (EO) reported that East Los Angeles is proceeding on schedule. Rowland Heights did not have sufficient signatures, LAFCO asked them to re-evaluate the map and how they plan to proceed and LAFCO has not heard back from them. West Ranch is still very quiet, nothing to report on them.

10

Commissioner Dear congratulated Commissioner Finlay on her re-appointment to the Commission.

11

No one came forward during the public comment period.

12

The next meetings will be:

February 11, 2009

February 25, 2009

March 11, 2009

13

There was no new business to be placed on any future agenda.

14

On motion of Commissioner Finlay, unanimously carried, the meeting was adjourned at 9:32 a.m.

Respectfully submitted,

Sandor L. Winger  
Executive Officer