



Local Agency Formation Commission
for the County of Los Angeles

Voting Members

Donald Dear
Chair

Gerard McCallum
1st Vice-Chair

Margaret Finlay
2nd Vice-Chair

John Lee
John Mirisch
Kathryn Barger
Lindsey Horvath
Robert Lewis
Vacant
(San Fernando Valley)

Alternate Members

Angie Reyes English
Anthony Bell
Hilda Solis
Imelda Padilla
Micah Ali
Wendy Celaya

LALAFCO Staff

Paul Novak
Executive Officer

Adriana Romo
Deputy Executive Officer

Adriana Flores
Alisha O'Brien
Amber De La Torre
Doug Dorado
Taylor Morris

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

November 13, 2024

Present:

Donald Dear, Chair

Margaret Finlay
Lindsey Horvath
Robert Lewis
Gerard McCallum
John Mirisch (Remote, Government Code §54953.(f)(2))

Micah Ali, Alternate (Remote, Government Code §54953.(b))
Anthony Bell, Alternate
Wendy Celaya, Alternate
Angie Reyes English, Alternate

Paul Novak, Executive Officer
Miguel Dager, Legal Counsel

Absent:

Kathryn Barger
John Lee

Imelda Padilla, Alternate
Hilda Solis, Alternate

Vacant:

San Fernando Valley, Voting Member

1 CALL MEETING TO ORDER

The meeting was called to order at 9:03 a.m. as both an in-person and virtual meeting.

The following items were called up for consideration:

- a. Commissioner John Mirisch requested to participate remotely pursuant to Government Code § 54953.(f)(2) for just cause related to participation in another governmental meeting. Commissioner Mirisch confirmed verbally that there were two technicians working in the background near him but that otherwise no individuals 18 years of age or older were present in the room at the remote location with him. This participation requires Commission approval.
- b. Commissioner Micah Ali is participating remotely pursuant to Government Code § 54953.(b) at a location fully accessible to the public and equipped with a speaker phone such that any comments or testimony could be given by anyone present at that location, including any members of the public. Commissioner Ali confirmed verbally that no members of the public were present at the remote location with him. This participation does not require Commission approval.

The Commission took the following action:

- Approved the request from Commissioner Mirisch to participate remotely for just cause at today's meeting.

MOTION: Bell (Alt. for VACANT) SECOND: McCallum APPROVED: 5-0-1
AYES: Bell (Alt. for VACANT), Lewis, McCallum, Reyes English (ALT. for Finlay),
Dear
NOES: None.
ABSTAIN: Mirisch (virtual format)
ABSENT: Barger, Finlay, Horvath, Lee

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Dear.

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

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

(None).

ANNOUNCEMENTS

The Executive Officer (EO) announced that the agenda for today's meeting was posted on the

LAFCO website; at the Kenneth Hahn Hall of Administration; and at the South Coast Air Quality Management District, 21865 Copley Drive, Diamond Bar, California; all on Tuesday, November 5, 2024.

4 SWEARING-IN OF SPEAKER(S)

The EO asked if any members of the audience, including at the teleconference locations, planned to testify, remotely (None).

5 PUBLIC COMMENT

(None).

6 CONSENT ITEM(S)

The Commission took the following actions under Consent Item(s):

- a. Approved Minutes of October 9, 2024.
- b. Approved Operating Account Check Register for the month of October 2024.
- c. Received and filed the Update on Pending Proposals.
- d. Received and filed the Legislative Update (None).
- e. Received and filed the Executive Officer's Written Report.
- f. Information Item(s) – Government Code § 56751 (city proposal). (None).
- g. Received and filed the Information Item(s) – Government Code § 56857 (district proposal). (None).
- h. Miscellaneous Communications.
 - i. The Sphere (CALAFCO Newsletter).

MOTION: McCallum SECOND: Bell (Alt. for VACANT) APPROVED: 7-0-0
AYES: Bell (Alt. for VACANT), Horvath, Lewis, McCallum, Mirisch (virtual format),
Reyes English (ALT. for Finlay), Dear
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Lee

7 PUBLIC HEARING(S)

(None).

8 PROTEST HEARING(S)

The following item was called up for consideration:

- a. Annexation No. 2021-09 to the City of Whittier.

Doug Dorado (Senior Government Analyst) summarized the staff report on this item.

Mr. Dorado stated that this is the Commission protest hearing pursuant to Government Code Section 57000 *et seq.*, and that four (4) registered voters and six (6) property owners submitted written protests have been received in advance of the hearing (as reflected in the resolution).

The protest hearing was opened to receive testimony and/or written protest(s).

Commissioner McCallum asked if the proposed annexation territory is contiguous to the existing City of Whittier boundaries. The EO indicated “yes”.

Commissioner Lewis asked since there are not a sufficient number of protests, either submitted written or submitted in-person, the annexation process will continue for Commission approval. The EO indicated “yes, the Commission has fulfilled the protest proceedings requirements.”

There being no further testimony or written protest(s) submitted, the protest hearing was closed.

The Commission took the following action:

- Adopted the Resolution Making Determinations Ordering Annexation No. 2021-09 to the City of Whittier; Resolution No. 2024-01PR.

MOTION: Lewis SECOND: McCallum APPROVED: 7-0-0
AYES: Bell (Alt. for VACANT), Horvath, Lewis, McCallum, Mirisch (virtual format),
Reyes English (ALT. for Finlay), Dear
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Lee

9 OTHER ITEMS

- a. 2025 Commission Calendar.

The EO summarized the staff report on this item.

The Commission took the following actions:

- Adopted a Commission Meeting Schedule for Calendar Year 2025; and
- Directed staff to post the adopted Commission Meeting Schedule for Calendar Year 2025 to the LAFCO website.

MOTION: McCallum SECOND: Mirisch (virtual format) APPROVED: 7-0-0
AYES: Bell (Alt. for VACANT), Horvath, Lewis, McCallum, Mirisch (virtual format),
Reyes English (ALT. for Finlay), Dear
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Lee

9 OTHER ITEMS

b. Filing Fee Schedule – Annual Adjustment.

The EO summarized the staff report on this item.

The Commission took the following action:

- Chose not to adopt a Consumer Price Index (CPI) adjustment to the filing fees for FY 2024-2025, and postponed the first CPI adjustment to the filing fees to July 1, 2025.

MOTION: Mirisch (virtual format) SECOND: Reyes English (ALT. for Finlay) APPROVED: 7-0-0
AYES: Bell (Alt. for VACANT), Horvath, Lewis, McCallum, Mirisch (virtual format),
Reyes English (ALT. for Finlay), Dear
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Finlay, Lee

9 OTHER ITEMS

c. Independent Auditor's Report for Fiscal Year 2023-24.

Adriana Romo (Deputy Executive Officer) summarized the staff report on this item.

Jennifer Farr (Certified Public Accountant and Founder, Davis Farr, LLC) summarized the audit findings. Ms. Farr indicated that there were no significant deficiencies, no material errors, nor any incidents. Ms. Farr stated that the most notable change in the net position was the addition of the lease liability due to the extension of the office lease which resulted in an asset liability increase of \$384,000 from the prior fiscal year to be amortized over the life of the lease through

February 2027. Ms. Farr indicated that the only risk factor identified is Other Post-Employment Benefits (OPEB) obligations.

[Commissioner Finlay arrived at 9:25 a.m.]

The Commission took the following action:

- Received and filed the Independent Auditor's Report, audited financial statements, and associated documents for Fiscal Year 2023-24, ending June 30, 2024.

MOTION: Mirisch (virtual format) SECOND: Finlay APPROVED: 7-0-0

AYES: Bell (Alt. for VACANT), Finlay, Horvath, Lewis, McCallum,
Mirisch (virtual format), Dear

NOES: None.

ABSTAIN: None.

ABSENT: Barger, Lee

10 REQUESTED POSITION(S) ON LEGISLATION

(None).

11 COMMISSIONERS' REPORT

(None).

12 EXECUTIVE OFFICER'S REPORT

The EO wished the Commission Happy Holidays and a Happy New Year. The Commission thanked staff and wished staff Happy Holidays.

13 PUBLIC COMMENT

(None).

14 FUTURE MEETINGS

~~December 11, 2024~~ (canceled)

January 8, 2025

February 12, 2025

15 ADJOURNMENT

Chair Dear adjourned the meeting at 9:29 a.m.

Respectfully submitted,



Paul Novak, AICP
Executive Officer

**RESOLUTION NO. 2024-01PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 2021-09 TO THE CITY OF WHITTIER"**

WHEREAS, the City of Whittier (City) 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 § 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the City of Whittier; detachment of said territory from County Road District No. 1, County Road District No. 4, and County Lighting District Landscaping and Lighting Act-1, Unincorporated Zone; and withdrawal of said territory from Los Angeles County Library District and County Lighting and Maintenance District 1687, all within the County of Los Angeles (County); and

WHEREAS, the proposed annexation consists of approximately 89.68± acres of inhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2021-09 to the City of Whittier"; 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 City to obtain and preserve the Whittier Boulevard corridor from Interstate 605 to the City of Whittier; and

WHEREAS, on October 9, 2024, the Commission approved Annexation No. 2021-09 to the City of Whittier; and

WHEREAS, pursuant to Government Code § 57002, the Commission set the protest hearing for November 13, 2024 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, the Executive Officer has given notice of the protest hearing pursuant to Government Code §§ 56150-56160, 56660-56661, 57025, and 57026, wherein the protest hearing notice was published in a newspaper of general circulation in the County of Los Angeles on September 10, 2024, which is at least 21 days prior to the protest 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, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections, and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this action is within the scope of its California Environmental Quality Act findings made at the Commission hearing on October 9, 2024.
2. The Commission finds that the number of property owners is 272, and the number of registered voters is 772, and the total assessed value of land within the affected territory is \$64,427,809.

a) The Commission finds that the number of property owners who filed written protests in opposition to Annexation No. 2021-09 to the City of Whittier and not withdrawn is 6, which, even if valid, represents less than 25 percent of the number of owners of land who own at least 25 percent of the assessed value of land within the affected territory; and

b) The Commission finds that the number of registered voters who filed written protests in opposition to Annexation No. 2021-09 to the City of Whittier and not withdrawn is 4, which, even if valid, represents less than 25 percent of the number of registered voters residing within boundaries of the affected territory.

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 89.68± acres, is inhabited, and is assigned the following short form designation: "Annexation No. 2021-09 to the City of Whittier".

5. Annexation No. 2021-09 to the City of Whittier is hereby approved, subject to the following terms and conditions:

a. The City 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 City.
- f. The regular County assessment roll shall be utilized by the City.
- g. The affected territory will be taxed for any existing general indebtedness, if any, of the City.
- h. Annexation of the affected territory described in Exhibits "A" and "B" to the City.
- 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. Detachment of the affected territory from County Road District No. 1, County Road District No. 4, County Lighting District Landscaping and Lighting Act-1, Unincorporated Zone.
- k. Withdrawal of affected territory from Los Angeles County Library District and County Lighting and Maintenance District 1687.
- l. Upon the effective date of the annexation, all right, title, and interest of the County, including but not limited to, the underlying fee title or easement where owned by the County, in any and all sidewalks, trails, landscaped areas, street lights, property acquired and held for future road purposes, open space, signals, storm drains, storm drain catch basins, local sanitary sewer lines, sewer pump stations and force mains, water quality treatment basins and/or structures, and water quality treatment systems serving roadways and bridges shall vest in the City.
- m. Upon the effective date of the annexation, the City shall be the owner of, and responsible for, the operation, maintenance, and repair of all of the following property owned by the County: public roads, adjacent slopes appurtenant to the roads, street lights, traffic signals, mitigation sites that have not been accepted

by regulatory agencies but exist or are located in public right-of-way and were constructed or installed as part of a road construction project within the annexed area, storm drains and storm drain catch basins within street right-of-way and appurtenant slopes, medians and adjacent property.

- n. Upon the effective date of the annexation, the City shall do the following: (1) assume ownership and maintenance responsibilities for all drainage devices, storm drains and culverts, storm drain catch basins, appurtenant facilities (except regional Los Angeles County Flood Control District (LACFCD) facilities for which LACFCD has a recorded fee or easement interest and which have been accepted into the LACFCD system), site drainage, and all master plan storm drain facilities that are within the annexation area and are currently owned, operated and maintained by the County ; (2) accept and adopt the County of Los Angeles Master Plan of Drainage (MPD), if any, which is in effect for the annexation area. Los Angeles County Department of Public Works Department (LACDPW) should be contacted to provide any MPD which may be in effect for the annexation area. Deviations from the MPD shall be submitted to the Chief Engineer of LACFCD/Director of LACDPW for review to ensure that such deviations will not result in diversions between watersheds and/or will not result in adverse impacts to LACFCD's flood control facilities; (3) administer flood zoning and Federal Emergency Management Agency floodplain regulations within the annexation area; (4) coordinate development within the annexation area that is adjacent to any existing flood control facilities for which LACFCD has

a recorded easement or fee interest, by submitting maps and proposals to the Chief Engineer of LACFCD/Director of LACDPW, for review and comment.

- o. Except to the extent in conflict with "a" through "n", 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.
6. The Commission hereby orders the inhabited territory described in Exhibits "A" and "B" annexed to the City of Whittier.
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code § 56882.
8. The Executive Officer is directed to transmit a copy of this resolution to the City, upon the City'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.*
9. 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.

PASSED AND ADOPTED this 13th day of November 2024.

MOTION: Lewis SECOND: McCallum Bell APPROVED: 7-0-0
AYES: Bell (Alt. for VACANT), Horvath, Lewis,
 McCallum, Mirisch (virtual format), Reyes English, Dear
NOES: None.
ABSTAIN: None.
ABSENT: Barger, Lee, Finlay

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



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