

# SPECIAL MEETING AGENDA

Wednesday, December 10, 2003

9:00 a.m.

Board of Supervisors Hearing Room, Room 381A  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles 90012

\*\*\*\*\*

A person with a disability may contact the LAFCO office at (818) 254-2454 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

\*\*\*\*\*

1. **CALL MEETING TO ORDER.**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIRMAN PELLISSIER.**
3. **PROTEST HEARING**
  - a. Midbury Area Detachment No. 2002-06 (Orange County), from the Consolidated Fire Protection District of Los Angeles County.
4. **SPECIAL ITEMS**
  - a. Distribution of Special Reorganization Fund Balance.
  - b. Amendments to LAFCO Employee Contracts.
  - c. Approve minutes of the meeting held November 12, 2003.
  - d. Municipal Service Reviews and Spheres of Influence Update.
  - e. Report on pending applications.
  - f. Approval of the November 2003 Operating Account Check Register, and Budget Report.

This is the opportunity for members of the public to address the Commission on items that are not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation

6. **FUTURE MEETINGS**

January 14, 2004

January 28, 2004

7. **NEW BUSINESS**

This is the opportunity for commissioners to discuss matters not on the Posted Agenda (to be discussed and upon Commission approval placed on the Agenda for action at a future meeting).

9. **ADJOURNMENT MOTION**

**DECEMBER 10, 2003**

**PROTEST HEARING ON MIDBURY AREA  
DETACHMENT NO. 2002-06 FROM  
CONSOLIDATED FIRE PROTECTION DISTRICT  
OF LOS ANGELES COUNTY**

**AGENDA ITEM NO. 3A**

Agenda Item 3a is a proposal requesting detachment of an area known as the Midbury Neighborhood in the County of Orange from the Consolidated Fire Protection District of Los Angeles County.

Background

On August 24, 1999 the Los Angeles County Board of Supervisors approved Ordinance No. 99-0077M, authorizing a boundary change between Los Angeles County and Orange County. This boundary change transferred jurisdiction for the Midbury Neighborhood to the County of Orange. The territory was subsequently annexed to the City of Brea. Separate proceedings are required to formally detach the area from the Consolidated Fire Protection District of Los Angeles County.

Approval of this request for detachment will relieve the District of all formal responsibility/liability for providing fire protection services to the Midbury area. The City of Brea has been providing this neighborhood with fire protection services since its annexation to the City in April 2000. Therefore, approval of this proposal will not result in any change in current services. Upon completion of these proceedings, the City of Brea will continue to be responsible for providing fire protection services to the Midbury area and will now receive the associated property tax revenue previously received by the District.

CEQA: The detachment is exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines, section 15061, because it can be seen with certainty that there is no possibility that this proposal may have a significant effect on the environment.

Correspondence: Staff has not received any correspondence in opposition to or in support of this annexation.

Conclusion

There are a total of 97 registered voters within the affected territory. Staff has received 0 written protests to date, which constitutes approximately 0 percent of the total registered voters and landowners.

protests have been filed and not withdrawn by 50 percent or more of the registered voters within the affected territory; (b) order the territory annexed subject to confirmation by registered voters residing within the affected territory if written protests have been filed and not withdrawn by either (1) at least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory or (2) at least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory; or (c) order the territory annexed if written protests have been filed and not withdrawn by less than 25 percent of the registered voters or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the affected territory.

### **Recommended Action**

1. Instruct the Executive Officer, pursuant to Government Code Section 57075, to determine the value of protests filed and not withdrawn and report back to the Commission with the results.
2. Adopt a resolution ordering Midbury Area Detachment No. 2002-06 from the Consolidated Fire Protection District of Los Angeles County if written protests have been filed and not withdrawn by less than 25 percent of the registered voters or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the affected territory.
3. Order the territory detached subject to the confirmation by the voters on the question if written protests have been filed and not withdrawn by at least 25 percent, but less than 50 percent of the registered voters residing in the affected territory or at least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.
4. Terminate the detachment proceedings if a majority protest exists.

**RESOLUTION OF THE LOCAL AGENCY FORMATION  
COMMISSION FOR LOS ANGELES COUNTY  
ORDERING MIDBURY DETACHMENT NO. 2002-06  
FROM THE CONSOLIDATED FIRE  
PROTECTION DISTRICT OF LOS ANGELES COUNTY**

WHEREAS, the Los Angeles County Board of Supervisors adopted a resolution of application to initiate proceedings before the Local Agency Formation Commission for Los Angeles County (the "Commission") pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for the detachment of the Midbury area located in the City of Brea, County of Orange; and

WHEREAS, the principal reason for the proposed detachment is to formally relieve the Consolidated Fire Protection District of Los Angeles County of all responsibility/liability for providing fire protection and related services to the Midbury area; and

WHEREAS, a description of the boundaries and map of the proposal is set forth in Exhibits "A" and "B," attached hereto and by this reference incorporated herein; and

WHEREAS, the Midbury Neighborhood is inhabited and consists of 17.74 acres; and

WHEREAS, the short-form designation given this proposal is "Midbury Area Detachment No. 2002-06 from the Consolidated Fire Protection District of Los Angeles County;"

WHEREAS, on October 8, 2003, the Commission approved the Midbury Area Detachment No. 2002-06; and

WHEREAS, pursuant to Government Code Section 57002, the Executive Officer of the Commission has set December 10, 2003 as the date for the protest hearing and has given notice thereof; 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 which 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 detachment directly or subject to the confirmation of the voters based upon the number of protests filed and not withdrawn..

2. NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that the number of registered voters residing within the boundary of the territory is 95, and the number of landowners is 43.
2. The Commission finds that the number of written protests filed in opposition to Midbury Area Detachment No. 2002-06 and not withdrawn is
3. The Commission hereby orders the detachment of that territory described in Exhibit "A" hereto, which description is incorporated herein by reference, as follows:
  - a. Detachment of the subject territory from the Consolidated Fire Protection District of Los Angeles County.
4. The Executive Officer is directed to transmit a certified copy of this resolution to the affected local agencies, upon the Consolidated Fire Protection District of Los Angeles County'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 570000, *et seq.*

December 10, 2003

**Return Of Unspent Funds  
Special Reorganization (SRO)**

**Agenda Item No. 4A**

All activities concerning the Special Reorganization of the City of Los Angeles have concluded.

Background:

The funding for the Special Reorganization study was provided by three governmental agencies in the amounts of \$2,250,000 for the San Fernando Valley area and \$400,000 for the Harbor area. Those amounts committed and allocated from each agency were as follows:

|                           | <u>San Fernando Valley</u> | <u>Harbor</u> | <u>Total</u>   |
|---------------------------|----------------------------|---------------|----------------|
| State of California (80%) | \$ 1,800,000               | \$ 320,000    | \$ 2,120,000   |
| Los Angeles County (10%)  | 225,000                    | 40,000        | 265,000        |
| Los Angeles City (10%)    | <u>225,000</u>             | <u>40,000</u> | <u>265,000</u> |
| TOTAL                     | \$ 2,250,000               | \$400,000     | \$ 2,650,000   |

At the time that funds were provided to LAFCO from the State of California and City of Los Angeles all checking account management was handled by the County of Los Angeles through a voucher system for LAFCO, and, although the State and City of Los Angeles paid their fair share in one lump sum, the County was able to allocate payments to consultants and other costs on a pay as you go allocation.

Effective July 1, 2001 all Local Agency Formation Commissions were designated as independent agencies and were further made responsible for their own budgets and expenditures. As such, on the effective date, the County, as directed by LAFCO, deposited all unspent funds into a Special Reorganization investment account with the Los Angeles County Treasurer and Tax Collector. The County of Los Angeles elected to withhold deposit of their committed funds and provide payment on a pay as you go method.

Inasmuch as the County of Los Angeles did not pay their full \$265,000 commitment into the interest bearing management account until October 3, 2003, and only the final amount of \$156,090.21, only the State and City of Los Angeles are to receive a refund of unallocated funds.

Inasmuch as the County must be taken out of the refund equation, the allocation of repayment to the State and City of Los Angeles becomes 88.9% and 11.1% respectively. On November 19, 2003, a check from the Los Angeles County Treasurer and Tax Collector T-4C account in the amount of \$ 463,921.63 was wire transferred to the LAFCO SRO Bank of America (B of A) account. The existing balance of that B of A account as of November 24, 2003 is \$477,277.59. There are three account elements yet to be closed to finalize all transfers to our B of A account, they are:

1. A warrant for the interest for the month of October, 2003 - \$551.40
2. The interest for the month of November, 2003

At a minimum, if the funds were to be distributed back to the state today, the distribution amounts would be as follows:

|                     |                  |
|---------------------|------------------|
| State of California | \$424,789.97     |
| City of Los Angeles | <u>53,039.02</u> |
| Total               | \$477,828.99     |

**Recommendation:**

It is recommended that the above amounts be immediately returned to the appropriate State and City of Los Angeles agencies, as delineated above, along with the balance of any resulting residual funds as they become available.

December 10, 2003

AMENDMENTS TO EMPLOYMENT CONTRACTS

AGENDA ITEM NO. 4B

**Background:** The LAFCO Budget & Personnel Sub Committee has previously directed staff to determine what county benefits are offered to county department heads and determine which of those benefits may appropriately be offered to LAFCO's executive officer. In addition, all LAFCO staff employment contracts provide job classifications as well as a provision for vacation and sick leave. In general, LAFCO follows Los Angeles County's job classifications, salary ranges and fringe benefit schedules, including vacation and sick leave earned.

**Insurance Provision:** The County of Los Angeles provides a split life insurance policy for department heads. As your executive officer is not technically a county employee, it has taken a number of years for county counsel to prevail upon the appropriate county department to include your executive officer in the county insurance program offered to county department heads. The split life insurance program offered by the county is unique in that LAFCO will pay the premium, the insured beneficiary will receive the face amount of the policy upon the death of the insured, and upon the death of the insured LAFCO will receive back 100% of the premiums previously paid. The annual cost to LAFCO for this \$100,000 policy will be \$10,920.00 per year.

**Vacation and Sick leave:** As to vacation and sick leave days earned, employees with 1 to 5 years employment earn 10 vacation days and 6 sick leave days each year. Employees with 5 to 10 years earn 15 vacation days each year. A recent review of staff employment contracts reveals that:

1. Ms. Wilda Turner began her employment in January 1998, and her vacation days earned has increased from 10 days to 15 days effective January 1, 2003.
2. Mr. Sandor Winger began his employment in April 1999 and will have his vacation days earned increased from 10 days to 15 days effective April 1, 2004.

**Job Classifications:** Following a recent review of staff job classifications, the following change in job classifications are recommended:

|                       | <u>From</u>                  | <u>To</u>                 |
|-----------------------|------------------------------|---------------------------|
| 1. Serafina Grossman: | Government Relations Analyst | Senior Government Analyst |
| 2. Wilda Turner:      | Administrative Assistant     | Admin.Assistant/C.I.S.    |
| 3. Douglass Dorado:   | Mapping Technician           | GIS Administrator         |
| 4. Alisha O'Brien     | Assistant Analyst            | Local Government Analyst  |

**Salary Adjustments:** The recommended changes in job classification will result in the following salary adjustments:

|                       | <u>Start Date</u> | <u>Current Salary</u> | <u>New Salary</u>  | <u>Class</u> |
|-----------------------|-------------------|-----------------------|--------------------|--------------|
| 1. Serafina Grossman: | 12/2001           | \$59,184.28           | \$61,064.76        | (86 B)       |
| 2. Wilda Turner:      | 01/1998           | \$41,980.62           | \$42,357.84        | (78 G)       |
| 3. Douglass Dorado:   | 11/2001           | \$45,195.27           | \$47,151.24        | (78 G)       |
| 4. Alisha O'Brien*    | 07/2003           | <u>\$32,000.00</u>    | <u>\$35,544.00</u> | (72 A)       |
| Total                 |                   | \$178,360.17          | \$186,117.84       |              |

\*New hire who has completed the 6 month probationary period.

**Recommendation:** It is recommended that the commission direct staff to prepare the necessary Amendments to those Employment Contracts which will reflect the recommended actions contained in this report.

