



FINAL MINUTES

LAFCO REGULAR MEETING

Wednesday, January 9th, 2008, 9:00 a.m.

Planning Commission Hearing Room, Hall of Administration
10 Civic Center Plaza
Santa Ana, CA

1. CALL TO ORDER

Vice Chair Withers called the regular meeting of the Local Agency Formation Commission (LAFCO) to order at 9:02 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Herzog led the pledge of allegiance.

3. ROLL CALL

The following Commissioners and alternates were present:

- **Vice Chair Withers**
- **Commissioner Peter Herzog**
- **Commissioner John Moorlach**
- **Commissioner Arlene Schafer**
- **Commissioner Susan Wilson**
- **Alternate Commissioner Patsy Marshall**
- **Alternate Commissioner Rhonda McCune**
- **Alternate Commissioner Charley Wilson**

The following Commissioners were absent at roll call:

- **Chair Bill Campbell**
- **Commissioner Robert Bouer** (Arrived at 9:10 am)
- **Alternate Commissioner Pat Bates**

The following LAFCO staff members were present:

- Legal Counsel Scott Smith
- Executive Officer Joyce Crosthwaite
- Assistant Executive Officer Bob Aldrich
- Senior Project Manager Carolyn Emery
- Commission Clerk Esther Garcia-Negrete
- Policy Analyst Benjamin Legbandt
- Administrative Support Marion Jasieniecki

4. APPROVAL OF MINUTES

December 19, 2007 – Regular Commission Meeting Minutes

Vice Chair Withers called for any changes and approval of the December meeting minutes.

MOTION: Approve December 19th, 2007 meeting minutes without revision
(John Moorlach)
SECOND: Arlene Schafer
FOR: Bob Bouer, Peter Herzog, John Moorlach, Arlene Schafer,
Susan Wilson, and Vice Chair John Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

5. PUBLIC COMMENT

Vice Chair Withers requested public comments on any non-agenda item. There were none.

6. CONSENT CALENDAR

None

7. CONTINUED PUBLIC HEARING

7a.- Banning Ranch Sphere of Influence Amendment to the City of Costa Mesa (SOI 06-20)

Assistant Executive Officer Bob Aldrich summarized the Banning Ranch proposal and recounted past events of the application. He stated that the proposed area includes approximately 369 acres of heavily disturbed and undeveloped territory currently within the Newport Beach sphere of influence. Assistant Executive Officer Aldrich added that the one-foot strip that surrounds Banning Ranch continues to be an impediment for Costa Mesa to ultimately annex and serve the area and therefore recommends that the Commission deny the application.

Vice Chair Withers asked for Commissioner comments. There were none.

Vice Chair Withers open the continued public hearing.

Homer Bludau, City Manager, Newport Beach, expressed the city's support for staff recommendations.

Alan Roeder, City Manager, Costa Mesa, commended LAFCO staff on its summary of the proposed application and Supervisor Moorlach and his staff for their efforts. He cited the lack of effective dialogue between the cities on this issue. He stated that the City of Costa

Mesa strongly opposes any additional changes to the Costa Mesa sphere of influence in the South Mesa and Santa Ana Country Club areas.

Vice Chair Withers closed the continued public hearing.

Commissioner Schafer expressed her frustration with the City of Newport Beach and their unwillingness to discuss the Banning Ranch area.

MOTION: Deny the proposed Banning Ranch Sphere of Influence Amendment to the City of Costa Mesa (SOI 06-20). (Peter Herzog)
SECOND: John Moorlach
FOR: Bob Bouer, Peter Herzog, John Moorlach, Arlene Schafer, Susan Wilson, and Vice Chair John Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

8. CONTINUED PUBLIC HEARING

8a. Orange Park Acres annexation to Orange County Sanitation District (DA 07-28)

Policy Analyst Benjamin Legbandt summarized the Orange Park Acres annexation application. He briefly discussed the benefits of annexation and recommended that the Commission approve the annexation and set a 21 day protest period.

Vice Chair Withers opened the public hearing.

Bob Chenowith, Principal Engineer, Orange County Sanitation District (OCSD), summarized OCSD's goal to annex all unincorporated areas so that connection to the public sewer is available to property owners. He added that annexation of Orange Park Acres to Irvine Ranch Water District, which was already approved by the Commission, and annexation of the same area to OCSD are beneficial for the residents and the environment.

Vice Chair Withers closed the public hearing.

MOTIONS: Approve the proposed Orange Park Acres Annexation to Orange County Sanitation District and set a 21-day protest period. (Arlene Schafer)
SECOND: Susan Wilson
FOR: Bob Bouer, Peter Herzog, John Moorlach Arlene Schafer, Susan Wilson, and Vice Chair Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

8b .Proposed Lake Forest Drive Realignment Reorganization (RO 06-49)

Assistant Executive Officer Bob Aldrich summarized the proposed application for the Lake Forest Drive reorganization. He added that the application involves sphere amendments to detach four acres along Lake Forest Drive from the City of Irvine and annex the same territory to Laguna Hills. . Executive Officer Aldrich recommended the Commission approve the reorganization and sphere of influence amendments.

Vice Chair Withers opened the public hearing. There were no public comments.

Vice Chair Withers closed the public hearing.

MOTIONS: Approve the proposed Lake Forest Drive Realignment Reorganization and Sphere of Influence Amendments.
(Peter Herzog)
SECOND: John Moorlach
FOR: Bob Bouer, Peter Herzog, John Moorlach Arlene Schafer, Susan Wilson, and Vice Chair Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

9. COMMISSION DISCUSSION AND ACTION

9a. – Municipal Water District of Orange County (MWDOC) Governance Study

Executive Officer Joyce Crosthwaite noted that at the November 2007 meeting the Commission directed staff to develop a schedule, scope, and budget for the MWDOC governance study to present to the Commission. She commented that the Request for Proposal (RFP) was sent out to Municipal Water District of Orange County (MWDOC) and member agencies in November and MWDOC's member agencies requested additional time to review the RFP. Executive Officer Crosthwaite recommended that the Commission continue this item to the February meeting. Executive Officer Crosthwaite added that LAFCO received a letter from Susan Hinman, President of MWDOC questioning LAFCO's legal authority to study the governance options for MWDOC. She added that LAFCO's legal drafted a response letter which was signed by **Chair Campbell** explaining LAFCO's authority.

Kevin Hunt, General Manager, MWDOC, requested the Commission to consider that that the study was requested by four MWDOC member agencies but would affect all member agencies. He requested that copies of all comments be provided to the Commission.

Executive Officer Crosthwaite responded that Commissioners would be provided copies of all comments and added that the process would be as open and inclusive as possible.

MOTIONS: Motion to continue the MWDOC governance study until February 13th 2008 meeting. (Arlene Schafer)
SECOND: Susan Wilson
FOR: Bob Bouer, Peter Herzog, John Moorlach Arlene Schafer, Susan Wilson, and Vice Chair Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

9b. – Boundary Report

Senior Project Manager Carolyn Emery summarized the Orange/Los Angeles County boundary report. She briefly described what led up to the preparation of the report and provided an overview of potential county boundary adjustments between the two counties. Senior Project Manager Emery added that the authority to change county boundaries rest solely with the County Board of Supervisors. She added that the report is meant to be a high-level report that needs additional study. She concluded by recommending that the Commission direct staff to present the report to the Orange County Board of Supervisors.

Commissioner McCune commented on the area located in Buena Park’s sphere of influence and added that that there have been past attempts to annex this area to the city, but they have failed because residents did not want to annex. She added that the residents more closely identify with La Mirada than Buena Park

Supervisor Moorlach inquired that if residents preferred to be in La Mirada what prevented them from being annexed to La Mirada. Senior Project Manager Emery responded that La Mirada is unique because the entire city is within a redevelopment project area.

Commissioner Moorlach indicated he would be pleased to take the lead and approach Supervisor Knabe from Los Angeles County Board of Supervisors to discuss potential boundary adjustments and welcomes the concept of a working group to study these issues.

MOTIONS: Direct staff to present the Orange/Los Angeles County Boundary Report to the Orange County Board of Supervisors. (Peter Herzog)
SECOND: Arlene Schafer
FOR: Bob Bouer, Peter Herzog, John Moorlach Arlene Schafer, Susan Wilson, and Vice Chair Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

9c. – Election of New Officers for LAFCO for 2007

Commissioner Herzog nominated **Vice-Chair John Withers** as Chair.

MOTION: Approve nomination of John Withers as Chair of LAFCO for 2008
(Peter Herzog)
SECOND: John Moorlach
FOR: Robert Bouer, Peter Herzog, John Moorlach, Arlene Schafer,
Susan Wilson, and Vice Chair Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

Commissioner Arlene Schafer nominated **Commissioner Susan Wilson** as Vice-Chair.

MOTION: Approve nomination of Susan Wilson as Vice-Chair of LAFCO for
2008 (Arlene Schafer)
SECOND: Peter Herzog
FOR: Robert Bouer, Peter Herzog, John Moorlach, Arlene Schafer,
Susan Wilson, and Vice Chair Withers
AGAINST: None
ABSTAIN: None
MOTION PASSED

Vice-Chair Withers thanked the Commission for their support.

10. COMMISSIONER COMMENTS

Commissioner Herzog discussed a report dated January 3, 2008 which was included in Commissioners folders and opposed any effort from Southern California Association of Governments (SCAG) to require the water agencies to adopt regional blueprints.

Vice Chair Withers noted that this particular report was distributed at last WACO meeting.

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

Executive Officer Crosthwaite commented that legislation (SB-301) which aims to extend the subventions for newly incorporated cities from July 2009 to 2014 is currently being discussed at the state legislature. She added that CALAFCO has requested that Orange County LAFCO support the bill and if supported by the Commission she suggests that a letter of support be sent to the legislator sponsoring the bill. The Commission directed Executive Officer Crosthwaite to write a letter in support of SB-301.

12. CLOSED SESSION

None

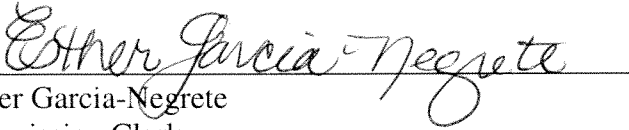
13. ADJOURNMENT

The meeting adjourned at 10:20 am.

JOHN WITHERS

Acting Chair

Orange County Local Agency Formation Commission

By: 
Esther Garcia-Negrete
Commission Clerk