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## **Economy & Efficiency Commission Presentation**

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**PRESENTATION OF  
Larry Calemine,  
Executive Officer of LAFCO  
February 4, 1998**

### **Topic: Secession Movement within the City of Los Angeles**

Chairman Abel welcomed Mr. Larry Calemine to the Commission. Mr. Calemine started off his presentation by giving an overview of LAFCO. All forms of local government are created by state legislature. In each of the 57 counties in California, the State Legislature created Local Agency Formation Commissions, LAFCOs, to act on behalf of the State Legislature as a quasi-legislative body to create cities and special districts, and to control the boundaries of those cities and special districts. In Los Angeles County, there are 88 cities and 94 known special districts.

The City of Malibu created, by council resolution, the Geological Hazard District (GEHAD), which threatened to dissolve special districts that did not comply. The courts ruled that Malibu did not have the authority to dissolve special districts. Cortese-Knox Local Government Reorganization Act of 1985 specifies what districts can create and change boundaries, and since GEHAD was not listed, it, like many others, falls under the jurisdiction of LAFCO.

Between 1889 and 1977 California State Law did not permit any city in the state to unilaterally veto a proposal for detachment.

The San Fernando Valley is 220 square miles. Geographically, it is nearly 50% of the City of Los Angeles. It is geographically separated from the City by the Santa Monica Mountains and by the cities of Burbank and Glendale. By itself it would be the 6th largest city in the US. The citizens of the Valley have been consistently unhappy with the City's response to their needs and the city services that they receive.

In 1997, the State Legislature adopted AB62 which creates a niche in the government code called "Special Reorganization," which allows for detachment from a city and simultaneous incorporation into a new city. Only under "Special Reorganization" can a city lose its veto right.

A successful Valley secession will not have a significant affect on Los Angeles County. The County has no financial stake in the Valley since no revenue producing districts would be taken from the County.

Prior to LAFCO's involvement with a secession, the group seeking to detach must, according to AB62, establish a boundary, which the Valley has done, using the geographical description of the Valley from Cortese-Knox. Secondly, they will need to get a minimum of 25% of the registered voters in the Valley to sign a petition. According to Cortese-Knox, any city over 100,000 people in a county over 4 million people has 90 days to circulate this petition, other cities have 180 days.

Once these steps have been taken, they file an application with LAFCO. LAFCO has the registrar certify the petition. If certified, this starts the LAFCO process in which the Executive Officer must estimate the cost of processing the application, payable by the applicant, for detachment and then present the estimate to the Commission. The Valley secession effort could possibly have an estimated cost of \$1.5 million, possibly more, because of the uniqueness and enormity of the situation. Many issues will be presented such as, the control of the airport, the city's bonded indebtedness, water and power, human relations, etc.

Once the application fee is paid and the application is processed, the Executive Officer has to recommend action to the Commission. If the Commission votes against the matter, that is the final step in the process, other than an appeal to the courts. If the detachment is recommended by the Executive Officer and agreed upon by the Commission, by resolution it will adopt the detachment, send it to the Board of Supervisors as the conducting authority and it will be set for election. The detachment must pass by dual majority of the City and Valley.

This process is long and costly and will increase in time and cost due to legal issues that will arise.

Commissioner Tortorice asked how the members of LAFCO are appointed. Mr. Calemine replied that LAFCO is a 9 member board and each member is appointed for a 4 year term: 2 members are members of the Board of Supervisors, Supervisors Yaroslavsky and Burke, Supervisor Molina is the alternate; the City of Los Angeles has one seat, appointed by the president of the City Council, Hal Bernson, alternate Richard Alatorre; 2 city members are elected by the remaining 87 cities in County, Jack Hastings and Beatrice Proo, alternate Christina Cruz Madrid; 2 are appointed by the 94 special districts, William Wentworth and Dr. Larry Conway, alternate Gordon Knopp; 1 public member to represent the San Fernando Valley area is appointed by the Board of Supervisors, James DeGusippe; these eight members of LAFCO elect 1 member at large, Henry Palacier. The alternate for the last two members is Kenneth Shappel.

Chairman Abel asked if LAFCO has examined the issue of unincorporated islands. Mr. Calemine stated that LAFCO had looked at the issue, but has no jurisdiction. If the island consists of single family residences, it would be to the County's advantage to get rid of the island, because they can't collect enough taxes to pay for the services given. If the island is a regional mall, it is the County's financial interest to keep it. Commissioner Buerk stated that root of these problems is that the incorporated island were allowed to form in the first place. He asked if the current LAFCO is conscious of this issue. Mr. Calemine stated that, to the best of its ability, LAFCO tries to eliminate islands by annexation. Part of the problem is that LAFCO's did not exist before 1963 and many cities were created prior to this date.

Commissioner Crowley stated that the EEC's report on Unincorporated Areas calls for a follow up report which the task force feels is very important. Mr. Calemine stated that the EEC may want to request that the Board of Supervisors make a request to the State Legislature to grant LAFO the ability to initiate annexation of islands.

Chairman Abel thanked Mr. Calemine for his presentation and introduced Mr. Will Stewart, Assistant Director of the Department of Public Social Services (DPSS) and asked him to give an overview of his department's approach to welfare reform.

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