

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO**

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**DATE:** MARCH 25, 2005  
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #2 – Discussion of Island Areas Under New Provisions  
Government Code Section 56375.3**

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**BACKGROUND:**

At the February hearing, staff presented a discussion item regarding the changes to Government Code Section 56375.3, identified as the “island annexation” provisions. At the conclusion of the item, the Commission directed staff to schedule a workshop to further review the questions of a definition for “substantially surrounded” as outline in the island annexation law and to request input from the cities regarding areas to be discussed.

To assist in the workshop session, Attachment #1 to this report provides the language of the Section 56375.3 (island annexation provisions) as it will exist until its January 1, 2007 sunset date, as well as the language of Section 56375.4 which imposes restrictions on the areas that can be considered as islands. Attachment #2 to the report provides the Commission’s existing island annexation policy that is under discussion.

The specific questions raised during the discussion of Government Code Section 56375.3 at the February hearing were:

1. What will be the Commission’s definition of “substantially surrounded” as used in this section?
2. Will the reduction of an existing island, through a supported annexation, allow the remaining area to be considered as an island under the provisions of Section 56375.3 and 56375.4? Current policy language does not allow this to take place.

**QUESTION #1**

In order to assist the Commission in further discussing Question #1, staff forwarded a letter to affected cities requesting that they provide maps that outlined areas which would qualify as substantially surrounded using the percentage criteria of 52% or greater surrounded, 66% or greater surrounded, and 75% or greater surrounded. Letters were not forwarded to the Cities of Big Bear Lake, Chino Hills, Grand Terrace, Highland, Ontario and the Town of Yucca Valley as their boundaries were coterminous with their sphere of influence as they existed on January 1, 2000. A request for response was not forwarded to the Cities of Needles, Rancho Cucamonga, Twentynine Palms, or Yucaipa as a review of their sphere of influence did not show an area which would exceed 50% surrounded for lands that were substantially developed or developing. Of the remaining cities, the following responses were received and they are included in Attachment #3 to this report. They are:

1. The City of Barstow provided information regarding the 52% or greater, surrounded areas. The City of Barstow has identified the following additional areas for consideration:
  - a. Area 5 – 52% surrounded
  - b. Area 6 – 54% surrounded
  - c. Area 7 – 52% surrounded
  - d. Area 8 – 74% surrounded

Staff has the following concerns with the City's presentation:

- a. For area #7 staff would question whether it complies with the requirement that an island annexation proposal "address the whole of the island" as outlined in Subsection (b) (1) of 56375.3.
- b. For area #8 the question would need to be resolved as to whether or not the area was substantially developed or developing in order to be considered as an island annexation.

In addition, the City of Barstow letter has questioned whether or not the area of Barstow Heights could be addressed through a series of island annexations. In staff's view such an attempt would raise the question of compliance with Section 56375.4 which requires that the island could not have been created after January 1, 2000.

2. The City of Chino has responded with a map that identifies areas that are 60% or greater surrounded.
3. The City of Colton has provided a response that includes one additional area which it deems to be 75% or greater surrounded. Staff's only concern with the City's presentation is whether it would comply with the requirement to that the

substantially surrounded area “address the whole of the island”.

4. The City of Fontana originally provided four maps outlining its determinations of areas which would qualify as substantially surrounded utilizing the criteria requested by LAFCO staff: areas 52% to 65% surrounded; areas 66% to 74% surrounded; and areas 75% or greater surrounded. Each of these determinations was provided on an individual map. The City also presented a consolidated map outlining the 28 island areas identified as follows:

ISLAND NUMBER	ACREAGE	PERCENTAGE SURROUNDED
1	128.6	89.5
2	128.1	88.4
3	116.8	65
4	20	75
5	10	75
6	124	89
7	42.3	90
8	44.4	91.7
9	107	96.1
10	99.5	94.2
11	114	95.4
12	91.5	72.5
13	42.5	71.5
14	11.9	69.7
15	20	66.9
16	36.6	62.4
17	112.2	57.5
18	54.8	52.4
19	130.4	63
20	30	62.2
21	20	64.3
22	105	57
23	32.1	53.1
24	149.2	60.3
25	89.9	58.5
26	10.8	59.4
27	99.9	62.3
28	11	57.9

Staff has the following questions related to this series of maps:

- a. Areas #17, #24 and #25 raise the question of whether or not the individual island areas address “the whole of the island” a finding required by Section 56375.3 Subsection (b)(1).

- b. Area #18 includes a portion of the San Sevaine Redevelopment Area, which may cause concerns on processing. Staff has been unable to resolve that question in time to include the information within the staff report.
5. In addition, the City of Fontana submitted an additional map for consideration that expands the number of areas of consideration and reconfigures many of the areas identified on earlier City maps. The changes identified on the map, labeled as “Proposed Alternative No.4”, affects areas primarily in the southern portion of the City’s sphere of influence. This map outlines 30 island areas as follows:

ISLAND NUMBER	ACREAGE	PERCENTAGE SURROUNDED
1A	108.4	68.3
1B	120.1	55.2
2A	106.7	86.9
2B	142.8	57.1
3	92.7	55.3
4	250	75
5	10	75
6	124	89
7	42.3	90
8	44.4	91.7
9	107	96.1
10	99.5	94.2
11	114	95.4
12	91.5	72.5
13	113.3	56
14	117.3	54.5
15	20	66.9
16	36.6	62.4
17	112.2	57.5
18	92.5	72.4
19	130.4	63
20	30	62.2
21	20	64.3
22	105	57
23	131.3	77.8
24	149.2	60.3
25	89.9	58.5
26	10.8	59.4
27	99.9	62.3
28	116	52
29	144	54.5
30	111.7	58.1

Staff has the following questions and/or concerns related to areas defined on this map:

- a. Areas #1A and #1B, #13, #14 and #29, #17, #24, and #25, would need to meet the criteria of addressing “the whole of the island” as required by statute. When taken together they address the whole of the island, but a specific determination would need to be made for separating them into individual actions. This would be a policy declaration of the Commission.
  - b. Area #2B requires the completion of Area #2A, in staff’s view, to be considered surrounded; Area #3, #23, and #30, in staff’s view, require the completion of another annexation to be considered surrounded, #13 and #18 require completion of another annexation to be considered surrounded. Therefore, the question of whether or not the island being considered was created prior to January 1, 2000, as required by Section 56375.4, would need to be determined by the Commission.
6. The City of Hesperia has provided a response of additional areas for consideration without providing an outline of the percentage surrounded by the City. It appears to staff that these areas would exceed the 66% percentage surrounded criteria. However, the boundaries in Summit Valley were created in 2002; therefore, areas #3, #4, and #5 would not qualify under these provisions. Areas #6, #7 and #8 would not qualify under the finding that the area is to be substantially developed or developing as determined through the availability of public services, the presence of public improvements and/or the presence of physical improvements within the area as outlined in statute.
  7. The City of Montclair has identified two additional areas to those previously identified by staff. The two areas are located in the City’s eastern sphere of influence and are identified as being 70% or greater surrounded utilizing the City of Montclair, City of Ontario and City of Chino boundaries. However, these areas would require a determination as to whether or not they constitute the “whole of the island” as required by Section 56375.3(b) (1).
  8. The City of Rialto indicated its support for the staff’s recommended areas on the north end which were totally surrounded or 75% surrounded. The City has indicated it was not prepared to address the areas in the southern portion of the City’s sphere at this time.
  9. The City of San Bernardino has indicated its support for the determination that 75% surrounded is deemed “substantially”. They provided no additional maps as they did not support a smaller percentage.

The Cities of Adelanto, Loma Linda, Upland, Victorville and Town of Apple Valley did not provide a response to the request.

To answer Question #1, the Commission will need to identify policy language to define how it wishes to proceed on the subject of substantially surrounded. As noted in the February staff report, many LAFCOs have wrestled with making just such a determination. A review Webster's Dictionary defines "substantial" in the context of area as "considerable in quantity: significantly large" and "being largely but not wholly that which is specified".

The most liberal determination of substantially surrounded within the State has been taken by Orange LAFCO who has indicated that 51% surrounded constitutes "substantially surrounded". However, the majority of LAFCOs who have adopted policy declarations on this question indicate 75% or greater constitutes substantially surrounded. In staff's view, the removal of residents and landowners ability to vote on the question of annexation should require more than a simple majority of area to be surrounded. In keeping with that view, and as a means for starting further discussion on this policy, staff has provided the following potential policy language:

"For the purpose of applying the provisions of the Government Code Section 56375.3, the subject territory of an annexation proposal shall be deemed "substantially surrounded" if 60% of its boundary, as set forth in a boundary description accepted by the Executive Officer, is surrounded by the affected City or the affected City and adjacent Cities."

In addition, it should be noted that the definition of "substantially" surrounded is only one of six mandatory findings that must be made when the Commission reviews an island annexation proposal.

## **QUESTION #2**

The final question raised at the February hearing related to discussion of whether or not the reduction of an existing island through annexation would maintain the area's ability to be processed under the provisions of Section 56375.3. The Commission's existing policy declaration does not allow for such an occurrence and that language reads as follows:

*The Commission will not permit a city to reduce the size of an existing island through normal annexation proceedings for the purpose of allowing the remaining island to be processed under AB 1555 (Government Code Section 56375.3).*

This is purely a policy declaration by the Commission. If the Commission upholds this policy it would require the reduction or removal of areas under consideration as islands by the Cities of Chino, Fontana, and Montclair. The Commission has the ability to indicate that it will not permit a city to reduce the size of an area through island annexation proceedings, but allow for such a reduction under normal annexation proceedings. If the Commission chooses to retain the existing policy, staff would suggest, however, that it be rewritten to exclude the reference to AB 1555 and identify that it relates to the provisions of Government Code Section 56375.3.

**CONCLUSION**

The matters presented in this workshop report are purely policy declarations of the Commission; therefore, no specific recommendation has been made staff. Notice of the Workshop has been provided to all the Cities with island areas identified in this report to allow for their participation in the workshop discussion.

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Attachments:

- #1 -- Island Annexation Provisions within Cortese-Knox-Hertzberg Local Government Reorganization Act
- #2 -- Commission Policy #29 Related to Island Annexations
- #3 -- City Responses to Potential Substantially Surrounded Island Areas:
  - a. City of Barstow
  - b. City of Chino
  - c. City of Colton
  - d. City of Fontana
  - e. City of Hesperia
  - f. City of Montclair
  - g. City of Rialto
  - h. City of San Bernardino

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**DISCUSSION OF ISLAND AREAS UNDER NEW PROVISIONS OF GOVERNMENT CODE SECTION 56375.3 - REPEAL EXISTING POLICY NO. 29 AND REPLACE WITH NEW POLICY DECLARATION FOR SUBSTANTIALLY SURROUNDED ISLANDS**

LAFCO conducts a workshop to discuss island areas under the new provisions of Government Code Section 56375.3. Notice of this workshop was advertised as required by law through publication in The Sun, the Inland Valley Daily Bulletin and the Victor Valley Daily Press, newspapers of general circulation. Individual mailed notice was provided to affected and interested agencies, County departments and those agencies and individuals requesting mailed notice.

Executive Officer Kathleen Rollings-McDonald presents the staff report, a copy of which is on file in the LAFCO office and is made a part of the record by its reference herein. As outlined in the staff report, Ms. McDonald discusses the responses received from those cities which were requested to provide maps outlining areas which would qualify as substantially surrounded, using the percentage criteria of 52%, 66% and 75% or greater surrounded.

Ms. McDonald says that in order to answer Question No. 1, which asks what will be the Commission's definition of substantially surrounded, staff is asking for a Commission determination and specific policy language that defines what substantially surrounded is. She says that for discussion purposes, staff has provided possible policy language on page six of the staff report that uses 60% surrounded to constitute substantially surrounded. She asks that the Commission establish a definition of substantially surrounded so it can be identified for the cities should they choose to proceed under these special provisions, adding that nothing specifies that cities are required to initiate island annexations. She points out that the definition of substantially surrounded is only one of six mandatory findings that must be made by the Commission in reviewing an island annexation proposal. Ms. McDonald says that regarding Question No. 2, if the Commission wants to uphold its existing policy declaration No. 1 that a City is not permitted to reduce the size of an existing island through normal annexation proceedings in order to allow the remaining island to be processed under Section 56375.3, the number of island annexations that would qualify in the Cities of Chino, Fontana and Montclair will be reduced. She says that Attachment No. 2 provides the existing policy and notes that the staff report failed to mention that declaration No. 2 of the existing policy should be removed since the element of this policy requiring the city to act as conducting authority was rescinded, effective January 1, 2001.

Chairman Biane opens the hearing for questions and comments of Commissioners.

Commissioner Sedano discusses that for any future annexations, he hopes the cities will do a great job of notifying people in rural areas so that they will understand that if they are in compliance with their land use in the County, when they are annexed that legal use will be grandfathered in.

Chairman Biane discusses a concern raised by the City of Montclair wherein a lot of cities have processed landowner-supported annexations since 2001, creating islands which, as he understands the current policy, cannot now be considered under the island provisions. He asks if that policy can be changed.

Legal Counsel Clark Alsop responds that all the law says is that the island has to have been substantially surrounded and not more than 150 acres at the time the law went into effect on January 1, 2000. He says if annexations have occurred which changed the boundaries of island areas since 2000, if the Commission eliminated the first element of Policy #29, staff would need to look at the island configurations as they existed when the law took effect. He says if the islands still qualify, they could be processed. He adds that if the Commission eliminates the first condition of its policy, it probably will allow more islands to be annexed.

Commissioner Nuaimi asks if an island was greater than 150 acres prior to 2001, and a "friendly" annexation took place, leaving an area of less than 150 acres that is still substantially surrounded, whether they have to look back to the prior boundaries and say that the original island was greater than

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150 acres. Mr. Alsop responds that they have to look at the boundaries as they existed in 2000; and he says that if those boundaries can be defined as substantially surrounded, even if subsequent annexations have changed them, the island annexation provisions can now be used for the area that is left. He says a regular annexation cannot be used to create a substantially surrounded piece of property that can be annexed under the island annexation provisions without protest. Chairman Biane asks if they change the definition of substantially surrounded today, whether those new determinations of substantially surrounded apply to what existed in 2000. Mr. Alsop explains that the Commission's definition of substantially surrounded has been on a case-by-case basis. He says the Commission has never defined what substantially surrounded is and says that is important to decide and will affect how many islands will qualify. He says that back in 2000, the Commission's action was to tell the cities to apply and that the Commission would decide on a case-by-case basis whether an area qualified as an island. He says this workshop is an attempt to have the Commission decide what the policy will be so that all cities will know what areas will qualify; and the cities then will have until January 2007 to make application to try to annex their islands, if they wish.

Commissioner Nuaimi asks for an explanation of what the "whole of the island" refers to. Ms. McDonald says one of the findings that must be made is that the area is 150 acres or less and comprises the whole of the island. She says if the area is declared substantially surrounded and it meets the other criteria, it would be the whole of the island. She says, however, there are many questions because there is no definition of substantially surrounded. Commissioner Nuaimi comments that it goes back to defining substantially surrounded, because if there is a percentage requirement, and an area meets that requirement and is under 150 acres, that, by definition, will be the whole of the island. Ms. McDonald says that is correct. Commissioner Nuaimi comments that included in some of the City of Fontana's assumptions is that "the whole of the island" could be adjacent to one another, as long as each island is substantially surrounded based on the percentage set by the Commission. Ms. McDonald says that is correct, as long as the Commission makes a policy declaration on a percentage and a definition of substantially surrounded.

Chairman Biane asks whether substantially surrounded includes State and Federal forestry land, military bases, state prisons, County lines, large flood control projects, like Lytle Creek and Cajon Creek, the Santa Ana River and possibly other natural-type boundaries. He asks how other LAFCOs have addressed this. Ms. McDonald says the Commission could expand its definition to include what Chairman Biane mentioned. She notes that Napa LAFCO's definition includes sphere lines. She says to her knowledge, flood control facilities have not been used, but she can ask other LAFCOs. She discusses military facilities and says they can be included.

Commissioner Gonzales comments she would also like the inaccessibility of an unincorporated area, other than through city streets, to be considered. Commissioner Nuaimi says there are many examples where the I-10 Freeway separates County pockets of land into islands that are almost completely surrounded by a city, although he says that when the County areas are combined with a freeway, they are not completely or substantially surrounded. He says it is a barrier to service provision, like those things mentioned by Chairman Biane. Ms. McDonald discusses that freeways in certain cases preclude or inhibit the delivery of service and "functionally" create a separate island. She says if the Commission wishes to use something that functionally separates an area for service delivery issues, language can be drafted to address that. Mr. Alsop points out that the Commission can create local regulations that reflect the circumstances in this County. He says if the Commission thinks that is appropriate, staff can come back with language that reflects that. Commissioner Gonzales says she believes that should seriously be considered. Commissioner Sedano says he wholeheartedly agrees.

Commissioner Cox comments that it is important to work into policy decisions the greatest flexibility possible for staff as they address these issues. She asks if they could come up with a determination along the lines of saying that "X" percent is what has been determined to be substantially surrounded, but jurisdictions can bring forward additional issues on a case-by-case basis for staff to evaluate to determine whether areas are substantially surrounded using other criteria. Ms. McDonald says staff could draft potential policy language for the Commission to review. Commissioner Sedano says he thinks they should set a policy and define exactly what percentage will be used. He says they should eliminate the

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from the City. He says annexing these island areas and allowing cities these efficiencies will help everyone.

Chairman Biane asks if there is anyone else wishing to speak. There is no one and he closes the hearing.

Commissioner Nuaimi states that a City's sphere of influence is supposed to be the boundaries within which it proposes to provide services. He discusses that he thinks cities have been hurting themselves by doing friendly annexations, rather than annexing their sphere as a whole, or annexing larger components of their sphere, because they have taken in all the support that they had in those areas and now are left only with opponents. He says LAFCO, as a regional body, is looking at this issue and is now telling the cities they have a tool to bring in those areas. He says the Commission understands there is opposition and that the cities may not want to touch these areas, but he says this is about providing effective municipal services throughout the region and he does not think cities are doing a service to the region by only taking in friendly annexations. He points out that Councilman Mitchell indicated that when the County pocket needs an officer for an emergency, those resources come from the city, which puts a drain on that service level and has a regional impact. He says that although he understands and respects some city councils that do not want to annex people who do not want to be annexed, even if they qualify under this provision, he believes the island policy should be used for a regional benefit, even if that means putting restraints on a city until January 2007. He says he will oppose a city that only wants to take in a friendly area, and not an area with opposition, because that continues to promote the problems that have caused the scenarios they have discussed. He says he generally echoes comments about flexibility in setting the threshold; that they need a definition of how to calculate that number; that it needs to be cut and dry; and that he supports a threshold of 52% or greater. He says he would also like to see flexibility to eliminate out of the perimeter or calculation a freeway, natural boundary or other impediment to service delivery. He says he would support removing the policy statement that says a city is not permitted to reduce the size of an existing island through normal annexation proceedings and allow the remaining area to be annexed under the island provisions.

Commissioner Gonzales states that it is very important to keep peoples' interests as a priority. She says they need to have very clear, outlined facts as to what will and will not be allowed for consideration and says the flexibilities they have discussed must be defined. She discusses that a big impact on both city and County residents is that, with the rapid growth of the populations in sphere areas, there are heavy impacts on parks, libraries, community centers, and circulation because the people living in County pockets have to travel through cities to get to their homes. She says the economic return the cities and the County receive for the non-per capita representation is very poor. She reiterates the need for defining what the flexibilities will be. She says she supports the people who protest annexation and are against their way of life being changed, but she says LAFCO has to do the responsible thing, whether it likes it or not, on behalf of the future development that will take place, even after the Commission is no longer here.

Commissioner Williams discusses that she supports the 52% or greater threshold, given what Commissioner Nuaimi said about the removal of barriers to service. However, she emphasizes that in looking toward future hearings, she cannot support something if the city has not shown evidence of doing its homework first. She says cities must even look at possibly making agreements or signing documents agreeing that uses will be grandfathered in until some kind of change takes place. She notes that Commissioner Gonzales indicated in another recent hearing that if a use is illegal in the County or elsewhere, it is illegal and needs to be taken care of. She says if a use is legal in the County, she thinks every city needs to look at that use and say that even though it is not permitted in the city, it will be grandfathered in upon annexation. She says this is what residents want to hear. She says it is up to the cities to clear up what are often rumors that peoples' lifestyles will change upon annexation. She discusses that city budgets are impacted by services that must be provided in the island areas. She says she does not know if the flexibility can be defined as definitively as Commissioner Gonzales would like, but says she also does not think they can say everything is all black or white. Commissioner Gonzales asks that they make it as clear as possible. She says she failed to state that she also supports the 52% or greater surrounded threshold.

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Commissioner Cox states that Commissioner Gonzales well articulated that they need to allow flexibility; that the flexibility must be well defined; and that staff needs to know what parameters to operate within. She says it would help to have staff provide input to the Commission as to what parameters would help them. She says she has heard a lot agreement, so perhaps the percentage could be solidified today, but says staff could be asked to bring back some parameters that will allow the flexibility that everyone agrees needs to be in place.

Commissioner Sedano agrees they can be flexible and says maybe staff and Mr. Alsop can come up with a definition that will make the Commission comfortable. He says, however, in good conscience, he cannot use flexibility when he looks at a map and sees islands of 10 acres or less because he thinks that is black and white and those must be brought in. He says if an area is 20 acres or less, it should be annexed because people have to go through a city to get to that area. He says he would like to point out again that LAFCO is not taking away anyone's voting rights, but he says the Commission is following legislation.

Commissioner Colven says he is in agreement with the 52% threshold.

Chairman Biane states that there seems to be a consensus on 52% as the threshold for what is considered to be substantially surrounded. He says he also heard a lot of agreement about including additional boundaries which are service impediments, such as freeways, a natural creek or river, and forestry boundaries. He says he also thinks they must include defense bases. He says his office is also working with the City of Fontana on the question about the San Sevaine Redevelopment Area and asks that staff contact his office on this matter. He says he agrees with Commissioner Nuaimi about getting rid of the first element of Policy No. 29, which will give them flexibility on the second question in the staff report.

Commissioner Nuaimi discusses that if there is an island where part of the perimeter of that island is a government entity-owned or maintained land, such as CALTRANS, forestry or military land, then that perimeter of the island would be removed from the percentage calculation. He explains how that would work.

Commissioner Cox says she wants to be sure that they allow staff to come back with ideas on what parameters to use to help construct this policy. Ms. McDonald says that if that is the Commission's direction to staff, she does not know whether staff can present that at the April 20 hearing since it has already been advertised.

Mr. Alsop states that what he has heard so far is that it sounds like the Commission wants to repeal its current Policy No. 29 and replace it with a policy that, at a minimum, includes the language which is listed on page six of the staff report, to read as follows: "For the purpose of applying the provisions of Government Code Section 56375.3, the subject territory of an annexation proposal shall be deemed "substantially surrounded" if 52% of its boundary, as set forth in a boundary description accepted by the Executive Officer, is surrounded by the affected City or the affected City and adjacent Cities or is surrounded by the affected City and other impenetrable boundaries as determined by the Commission." Mr. Alsop says the phrase "as determined by the Commission" only relates to the impenetrable boundaries. He says the Commission also discussed: (1) that it wanted to develop a policy that encourages city outreach programs to the unincorporated residents and (2) how to respond to the Redevelopment Area issues. He says if they repeal Policy No. 29 and replace it with the 52% threshold and add in "other boundaries as approved by the Commission", and direct that staff bring back some results on outreach programs of the cities and Redevelopment Area issues, the Commission can do all of that today.

Commissioner Nuaimi says that is his motion. The motion is seconded by Commissioner Sedano.

Chairman Biane states they have a motion and a second based on Mr. Alsop's interpretation of today's discussion. He calls for any comments.

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Commissioner Gonzales comments that Mr. Alsop mentioned impenetrable boundaries and says she would like to see the examples discussed today be given as examples to be considered. Ms. McDonald says the Commission can indicate that the service impediment boundary includes, but is not limited to, a freeway, a flood control channel, or forest service land.

Chairman Biane calls for further comment. Ms. McDonald says she failed to introduce Angela Schell, who is sitting in for Clerk Debby Chamberlin who is ill, and says she wants to be clear that the motion was made by Commissioner Nuaimi and seconded by Commissioner Sedano.

Chairman Biane says he assumes that the amendment related to the service impediment boundaries is acceptable to Commissioners Nuaimi and Sedano and they indicate it is. Chairman Biane calls for objections to the motion. There being none, the vote is as follows: Ayes: Biane, Colven, Cox, Gonzales, Nuaimi, Sedano, Williams. Noes: None. Absent: Hansberger (Gonzales voting in his stead), Pearson (Sedano voting in his stead).

**EXECUTIVE OFFICER'S ORAL REPORT**

Ms. McDonald states she has no oral report.

**COMMISSIONER COMMENTS**

Commissioner Sedano wishes Commissioner Pearson, who is absent, a successful surgery today and a Happy Birthday tomorrow.

Commissioner Nuaimi thanks LAFCO staff and the cities that submitted information in support of the island annexation item. He says it was very helpful and educational. Commissioner Sedano says it is outstanding that everyone took an active part in today's dialogue. Chairman Biane agrees and thanks staff for getting the Commission through a complicated item.

**COMMENTS FROM THE PUBLIC**

Chairman Biane calls for comments from the public. There are none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING IS  
ADJOURNED AT 3:40 P.M.**

**ATTEST:**

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**DEBBY CHAMBERLIN**  
Clerk to the Commission

**LOCAL AGENCY FORMATION COMMISSION**

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**PAUL BIANE, Chairman**