



Local Agency Formation Commission
for the County of Los Angeles

Commission

Jerry Gladbach
Chair

Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

Kathryn Barger
Richard Close
Mitchell Englander
Margaret Finlay
Janice Hahn
John Mirisch

Alternate Members

Lori Brogin-Falley
Sheila Kuehl
Judith Mitchell
Joseph Ruzicka
Greig Smith
Vacant
(City of Los Angeles)

Staff

Paul Novak
Executive Officer

Adriana Romo
Deputy Executive Officer

Amber De La Torre
Doug Dorado
Michael Henderson
Alisha O'Brien
Patricia Wood

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REGULAR MEETING

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

September 12, 2018

Present:

Jerry Gladbach, Chair

Kathryn Barger
Richard Close
Donald Dear
Margaret Finlay
Janice Hahn
Gerard McCallum

Lori Brogin-Falley, Alternate
Joe Ruzicka, Alternate
Greig Smith, Alternate

Paul Novak, Executive Officer
Lillian Salinger, Legal Counsel

Absent:

Mitch Englander
John Mirisch

Sheila Kuehl, Alternate
Judith Mitchell, Alternate

Vacant:

Los Angeles City Member, Alternate

1 CALL MEETING TO ORDER

The meeting was called to order at 9:06 a.m. in Room 381-B of the County Hall of Administration by Chair Jerry Gladbach.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Jerry Gladbach.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (EO) read an announcement, asking that persons who made a campaign contribution of more than \$250 to any member of the Commission during the past twelve (12) months to rise and state for the record the Commissioner to whom such campaign contributions were made and the item of their involvement (None).

The EO read an announcement, asking if any Commissioner had received a campaign contribution that would require disclosure and recusal from any item on today's agenda (None).

4 SWEARING-IN OF SPEAKER(S)

The EO swore-in members of the audience who planned to testify (None).

5 INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857 NOTICE

None.

6 CONSENT ITEM(S) – OTHER

The Commission took the following actions under Consent Items:

- a. Approved Minutes of August 8, 2018.
- b. Approved Operating Account Check Register for the month of August 2018.
- c. Received and filed update on pending proposals.

MOTION: Finlay SECOND: Dear APPROVED: 6-0-0
AYES: Barger, Close, Dear, Finlay, McCallum, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Englander, Hahn, Mirisch

[Commissioner Hahn arrived at 9:09 a.m.]

[Commissioner Brogin-Falley arrived at 9:10 a.m.]

7 PUBLIC HEARING(S)

The following item was called for consideration:

- a. Reorganization No. 2017-04 to the Las Virgenes Municipal Water District (Amendments to the Las Virgenes Municipal Water District, Los Angeles County Waterworks District No. 29, Malibu, and West Basin Municipal Water District Spheres of Influence; Detachment from Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District: Annexation to Las Virgenes Municipal Water District).

Adriana Romo (Deputy Executive Officer, LAFCO) summarized the staff report on Reorganization No. 2017-04 to the Las Virgenes Municipal Water District.

The public hearing was opened to receive testimony. There being no testimony, the public hearing was closed.

The Commission took the following action:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Reorganization No. 2017-04 to the Las Virgenes Municipal Water District (Amendments to the Las Virgenes Municipal Water District, Los Angeles County Waterworks District No. 29, Malibu, and West Basin Municipal Water District Spheres of Influence; Detachment from Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District: Annexation to Las Virgenes Municipal Water District); Resolution No. 2018-14RMD.

MOTION: Finlay SECOND: Barger APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Englander, Mirisch

8 PROTEST HEARING(S)

None.

9 OTHER ITEMS

The following item was called up for consideration:

- a. Sativa County Water District Status Report.

The EO summarized the staff report on the Sativa County Water District Status Report.

The EO indicated that Governor Brown has until September 30th to sign or veto Assembly Bill 1577 (AB 1577). The EO stated that Sativa recently hired a lobbyist to seek the Governor's veto of AB 1577.

The EO noted that Rami Kahlon (Director – Division of Water and Audits, California Public Utilities Commission (CPUC)) will attend the Commission meeting on January 9, 2019 to discuss the CPUC's potential regulatory role concerning the Sativa County Water District (Sativa or District).

Commissioner Barger asked who is monitoring the District. The EO indicated that the State Water Resources Control Board (SWRCB) is monitoring Sativa's activity through a corrective action plan. When AB 1577 becomes effective, the SWRCB will appoint a State Administrator for the District.

The Commission took the following action:

- Received and filed the Sativa County Water District Status Report.

MOTION: McCallum SECOND: Dear APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Englander, Mirisch

9 OTHER ITEMS

The following item was called up for consideration:

- b. Annual Election of Commission Officers.

Chair Gladbach recused himself from Agenda Item 9.b.

The EO summarized the status report on the Annual Election of Commission Officers.

The Commission took the following action:

- Nominated and elected Commissioner Gladbach as LAFCO Chair for a term of one year and until the election of a successor.

MOTION: Finlay SECOND: McCallum APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Ruzicka (Alt. for Gladbach)
NOES: None.

ABSTAIN: None.
ABSENT: Englander, Mirisch

The Commission took the following action:

- Nominated and elected Commissioner Dear as LAFCO First Vice-Chair for a term of one year and until the election of a successor.

MOTION: Hahn SECOND: McCallum APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Ruzicka (Alt. for Gladbach)
NOES: None.
ABSTAIN: None.
ABSENT: Englander, Mirisch

The Commission took the following action:

- Nominated and elected Commissioner McCallum as LAFCO Second Vice-Chair for a term of one year and until the election of a successor.

MOTION: Dear SECOND: Close APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Ruzicka (Alt. for Gladbach)
NOES: None.
ABSTAIN: None.
ABSENT: Englander, Mirisch

Chair Gladbach returned to conduct the remainder of the meeting.

10 LEGISLATION

The following item was called up for consideration:

- a. Legislative Update.

The EO summarized the staff report on the Legislative Update.

The Commission took the following action:

- Received and filed the Legislative Update.

MOTION: Barger SECOND: Finlay APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Gladbach
NOES: None.
ABSTAIN: None.

ABSENT: Englander, Mirisch

11 MISCELLANEOUS CORRESPONDENCE RECEIVED

- a. August 28, 2018 Letter from L.A. City Council President Herb Wesson.

The EO noted that a letter from Herb Wesson (President, Los Angeles City Council) indicated that Marqueece Harris-Dawson, an alternate member representing the City of Los Angeles, is removed from LAFCO.

12 COMMISSIONERS' REPORT

None.

13 EXECUTIVE OFFICER'S REPORT

The EO indicated that Davis Farr Certified Public Accountants are currently preparing an audit for Fiscal Year 2017-2018. The auditor's report will be agendized either in November 2018 or January 2019.

The EO stated that, for the November 14th meeting, Urban Planning Professor Greg Pierce (Associated Director of Research, UCLA Luskin Center for Innovation) will present findings of a Luskin study which examined water service and water rates in Los Angeles County, with a focus on service quality/capacity within disadvantaged communities.

14 PUBLIC COMMENT

None.

15 FUTURE MEETINGS

October 10, 2018
November 14, 2018
December 12, 2018
January 9, 2019

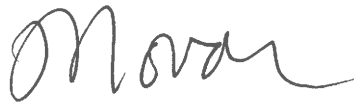
16 FUTURE AGENDA ITEMS

None.

17 ADJOURNMENT MOTION

On motion of Commissioner Hahn, seconded by Commissioner Finlay, the meeting was adjourned at 9:30 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Novak", written in a cursive style.

Paul Novak, AICP
Executive Officer

**RESOLUTION NO. 2018--14RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"REORGANIZATION NO. 2017-04 TO THE LAS VIRGENES MUNICIPAL WATER DISTRICT
(AMENDMENTS TO THE LAS VIRGENES MUNICIPAL WATER DISTRICT, LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 29, MALIBU, AND WEST BASIN MUNICIPAL WATER DISTRICT
SPHERES OF INFLUENCE; DETACHMENT FROM LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 29, MALIBU AND WEST BASIN MUNICIPAL WATER DISTRICT; AND ANNEXATION
TO LAS VIRGENES MUNICIPAL WATER DISTRICT)"**

WHEREAS, the landowner submitted a petition for proceedings, 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 section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the Las Virgenes Municipal Water District ("District"), and detachment of said territory from Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District (collectively, "Districts"), all within the County of Los Angeles (County); and

WHEREAS, the proposed reorganization consists of approximately 2.57± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Reorganization No. 2017-04 to the Las Virgenes Municipal Water District"; 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 reorganization is for the District to provide potable water service to a proposed single-family home; and

WHEREAS, the Executive Officer has reviewed the proposal and submitted to the

Commission a written report, including his recommendations therein; and

WHEREAS, the Commission has determined that the Proposal meets all of the criteria for the Commission to make a determination without notice and hearing and waive protest proceedings entirely, pursuant to Government Code Section 56662; and

WHEREAS, even though a public hearing is not required for the reorganization, a public hearing is nevertheless required for the proposed SOI amendment(s), pursuant to Government Code Section 56427; and

WHEREAS, the Executive Officer has given notice of the public hearing for the proposed Sphere of Influence Amendment(s) pursuant to Government Code Sections 56150-56160, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on August 17, 2018, which is at least 21 days prior to the public 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, on September 12, 2018, this Commission considered the Proposal and the report of Executive Officer, and heard and received all oral and written testimony, objections, and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the Sphere of Influence Amendments.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, with respect to Reorganization No. 2017-04 to the Las Virgenes Municipal Water District, finds that the reorganization is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303 (d). Section 15303(d) exempts new construction or conversion

of small structures, and installation of small new facilities, including extensions of water main, sewage, electrical, gas, and other utilities, including street improvements, of reasonable length to serve such construction. In addition, the proposal is not in a sensitive environment, and there are no cumulative impacts, unusual circumstances, nor other limiting factors that would make the exemption inapplicable based on the proposal records.

2. Pursuant to Government Code Section 56662(a), the Commission hereby finds and determines that:

- a. The territory encompassed by the reorganization is uninhabited; and
- b. Pursuant to Government Code Sections 56658(b)(1) and 56662(c), the Executive Officer has given the required mailed notice to each affected agency of the application to initiate proceedings for the proposed reorganization, and no affected local agency has submitted a written demand for notice and hearing during the 10-day period following the notice; and
- c. The reorganization was accompanied by satisfactory proof that all owners of land within the affected territory have given their written consent to the proposal.

Based thereon, pursuant to Government Code Section 56662(a), the Commission may make determinations upon the proposed reorganization proposal without notice and hearing and may waive protest proceedings relative to the proposed reorganization.

However, with respect to the proposed SOI amendment(s), a public hearing is still required pursuant to Government Code Section 56427.

3. The Commission hereby amends the Spheres of Influence of Las Virgenes Municipal Water District, Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District so as to exclude the subject territory described in Exhibit "A" and "B" from Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District, and include the subject territory described in Exhibit "A" and "B" within Las Virgenes Municipal District and makes the following determinations in accordance with Government Code Section 56425:

a. Present and Planned Land Uses in the Area

The affected territory consists of vacant land. The territory will be developed to include once single-family home.

b. Present and Probable Need for Public Facilities and Services in the Area

The affected territory is located within the County of Los Angeles unincorporated territory north of the City of Malibu and currently does not receive water services. The County of Los Angeles provides general government services to the affected territory.

The affected territory will be developed to include one single-family home which will require water services. The affected territory will require water services indefinitely from the Las Virgenes Municipal Water District.

c. Present Capacity of Public Facilities and Adequacy of Public Services that the Agency Provides or is Authorized to Provide

The Las Virgenes Municipal Water District provides water services to over 122 square miles of territory with over 3,000 customers. The sphere of influence amendment would remove the affected territory from the Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District and would amend to the Sphere of Influence for the Las Virgenes Water District to include the affected territory. The Las Virgenes Municipal Water District indicated that they have the ability to provide potable water services to the affected territory once the reorganization is complete.

d. Existence of Any Social or Economic Communities of Interest

The proposal will have no adverse effect with respect to the fair treatment of people of all races and incomes, or the location of public facilities or services.

e. Disadvantaged Unincorporated Communities

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory.

f. Determination of the Services of the Existing Districts

The Commission has on file written statements of the functions and classes of service of the Districts and can establish the nature, location and extent of its classes of service and that it provides water service within its boundary.

4. 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.
5. The affected territory consists of 2.57± acres, is uninhabited, and is assigned the following short form designation:

"Reorganization No. 2017-04 to the Las Virgenes Municipal Water District".
6. Reorganization No. 2017-04 to the Las Virgenes Municipal Water District is hereby approved, subject to the following terms and conditions:
 - a. The landowner 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.
 - c. Payment of Registrar-Recorder/County Clerk and State Board of Equalization fees.
 - d. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the District.
 - e. The regular County assessment roll shall be utilized by the District.
 - f. The affected territory will be taxed for any existing general indebtedness, if any, of the District.
 - g. Reorganization of the affected territory described in Exhibits "A" and "B" to the

District.

- h. Except to the extent in conflict with "a" through "g", 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 Section 57325) shall apply to this reorganization.
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code Section 56882.
8. The Commission hereby orders the uninhabited territory described in Exhibits "A" and "B" reorganized to the District.
9. The Executive Officer is directed to transmit a copy of this resolution to the District, upon the applicant'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 57200, *et seq.*

PASSED AND ADOPTED this 12th day of September 2018.

MOTION: Finlay SECOND: Barger APPROVED: 7-0-0
AYES: Barger, Close, Dear, Finlay, Hahn, McCallum, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Englander, Mirisch

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



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