

Commission

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Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

Kathryn Barger
Richard Close
Margaret Finlay
John Mirisch
David Ryu
Hilda Solis

Alternate Members

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

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Paul Novak
Executive Officer

Adriana Romo
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MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES LIVE VIRTUAL MEETING

September 09, 2020

Present:

Jerry Gladbach, Chair

Kathryn Barger
Richard Close
Donald Dear
Margaret Finlay
Gerard McCallum
John Mirisch
David Ryu
Hilda Solis

Lori Brogin-Falley, Alternate
David Lesser, Alternate
Judith Mitchell, Alternate

Paul Novak, Executive Officer
Carole Suzuki, Legal Counsel

Absent:

Sheila Kuehl, Alternate

Vacant:

City of Los Angeles, Alternate Member
Special District, Alternate Member

1 CALL MEETING TO ORDER

The meeting was called to order at 9:04 a.m. as a live virtual Commission meeting, with public comment accepted via email or phone through the conclusion of public testimony.

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Gladbach.

3 DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)

The Executive Officer (EO) read an announcement, asking if any Commissioners had received a campaign contribution that would require disclosure or any other issue requiring recusal from any item on today's agenda (None).

ANNOUNCEMENT

The EO noted that today's meeting was conducted pursuant to the provisions of the Governor's Executive Orders No-25-20 and N-29-20, under the modified laws of the Ralph M. Brown Act for the COVID-19 emergency, as well as the County of Los Angeles "Safer at Home Order for Control of COVID-19." LAFCO's legal counsel reviewed the notifications and agenda and has confirmed that the conduct of the meeting is consistent with State law as modified by the Governor and County orders.

The EO noted that all public hearing notices, and the agenda, clearly stated that interested persons were afforded the opportunity to submit written opposition or comments by email, or via United States mail. For any communications received after the agenda was posted, staff has forwarded copies via e-mail to the Commission. LAFCO staff continued to monitor e-mail and comments received during the meeting and prior to the conclusion of each hearing item were read to the Commission.

4 SWEARING-IN OF SPEAKER(S)

The EO swore in six (6) members of the public.

PUBLIC TESTIMONY

Pamela Miller (Executive Director, California Association of Local Agency Formation Commissions (CALAFCO)) indicated that there will be no in-person nor virtual Annual Conference this year. Additional information will be forthcoming regarding stand-alone virtual sessions and regional roundtables.

[Commissioner Ryu arrived at 9:12 a.m.]

Illece Buckley Weber (Mayor, City of Agoura Hills), Debra Klein Lopez (Councilmember, City

of Agoura Hills), Kerry Kallman (City Manager, City of Hidden Hills), Mark Armbruster (Attorney, Armbruster Goldsmith & Delvac LLP), and Maureen Tamuri (Community Development Director, City of Calabasas) provided public testimony regarding Agenda Item No. 7.a. – MSR No. 2020-07 Municipal Service Review (MSR)/Sphere of Influence (SOI) Update for the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village (MSR/SOI Update).

Ms. Buckley Weber noted that Area P should be included in the SOI for the City of Agoura Hills, consistent with the MSR/SOI Update. Ms. Weber also indicated that Area I should be included within the SOI boundaries of the City of Agoura Hills.

Ms. Lopez also testified that Area I should be included within the SOI boundaries of the City of Agoura Hills, indicating that Area I includes a main vehicular access point utilized by the residents of the City of Agoura Hills, not by residents of the City of Calabasas.

Mr. Kallman requested that Area A be included in the SOI boundaries of the City of Hidden Hills, which will provide an opportunity for the City to consider annexation of the territory at a future date. The City of Hidden Hills disagrees with the staff report assertion that Hidden Hills does not have the capacity to provide services to Area A's residential area. Mr. Kallman indicated that Hidden Hills can provide future services to Area A, noting that the City of Hidden already provides services to the existing gated community within its jurisdictional boundaries.

Mr. Armbruster, representing Cypress Land Company, concurred with the MSR/SOI Update to have Area I remain outside the SOIs of the Cities of Agoura Hills and Calabasas and that if there were to be an SOI update to one of the cities, his client supports the SOI amendment for the City of Calabasas.

Ms. Tamuri indicated that the City of Calabasas supports the Commission's determinations (on page 5) concerning Area A and Area I.

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

None.

6 CONSENT ITEM(S)

The Commission took the following actions under Consent Items:

- a. Approved Minutes of August 12, 2020.
- b. Approved Operating Account Check Register for the month of August 2020.
- c. Received and filed update on Pending Proposals.

MOTION: Barger SECOND: Dear APPROVED: 8-0-1
AYES: Barger, Dear, Close, Finlay, McCallum, Mirisch, Ryu, Gladbach
NOES: None.
ABSTAIN: Solis
ABSENT: None.

7 PUBLIC HEARING(S)

The following item was called for consideration:

- a. MSR No. 2020-07 Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village.

The EO summarized the staff report and introduced LAFCO's consultants, Jennifer Stephenson Principal, Policy Consulting Associates) and Richard Berkson (Principal, Berkson Associates), to make a presentation concerning the MSR/SOI Update.

The EO indicated that there was a typographical error on page 16 of the staff report of the recommendation. Within bullet number 5, all references should be to "Area B and C" (in one instance, the report says "Areas A and B"). The EO stated that this will be addressed in all final documents.

The EO indicated that correspondence received after the posting of the agenda was forwarded to all Commissioners via e-mail.

Commissioner Finlay asked if the City of Hidden Hills representatives would consider hiring additional staff to provide services to Mountain View Estates (Area A), if the territory is annexed into the City of Hidden Hills.

Mr. Kallman indicated that the City of Hidden Hills would hire additional staff to accommodate the future potential annexation of Area A if needed. The City of Hidden Hills has various existing contracts which allow for the expansion of its staffing and resources.

After a discussion of Area A, the Commission determined that Area A should be outside the SOIs of the Cities of Calabasas and Hidden Hills, in order to accommodate and encourage additional discussions amongst representatives of the two cities and affected residents.

After a discussion of Area I, the Commission determined that Area I should remain outside the SOIs of the Cities of Agoura Hills and Calabasas; further, the Commission supported staff's recommendation that an "Area of Concern" not be adopted for Area I.

Ms. Suzuki recommended that staff bring back a Resolution Making Determinations, along with revised SOI Maps for the Cities of Agoura Hills, Calabasas, and Hidden Hills, consistent with the Commission's findings, for review and adoption at the October 14th Commission Meeting. Chair Gladbach agreed.

There being no further testimony, the Commission closed the public hearing.

The Commission took the following actions:

- Adopted and Approved the Municipal Service Review and Sphere of Influence Update for the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village;
- Considered the draft Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving MSR No. 2020-07 Municipal Service Review and Sphere of Influence Update for the Cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village, which amends the existing Sphere of Influence of the Cities of Agoura Hills, Calabasas, and Hidden Hills;
- Determined that Area A shall be outside the Sphere of Influence of the Cities of Calabasas and Hidden Hills;
- Determined that Areas B and Area C shall remain in the City of Hidden Hills Sphere of Influence, for a period of three (3) years from the effective date of this action, and shall automatically be removed if the City of Hidden Hills has not addressed Area B and Area C in its General Plan, at which time Areas B and C would not be within the Sphere of Influence for any city (and should the City of Hidden Hills address Areas B and C in its General Plan within three (3) years, that Area B and Area C would remain in the City of Hidden Hills' Sphere of Influence, unless otherwise changed by the Commission), and as so stated in the Resolution Making Determinations;
- Determined that Area I shall remain outside the SOIs of the Cities of Agoura Hill and Calabasas;
- Determined that Area I shall not be designated as an "Area of Concern";
- Reconfirmed the existing Coterminous SOI for the City of Westlake Village, and adopted Proposed SOI Map for the City of Westlake Village, which shows the reconfirmation;
- Directed the Executive Officer to add the words "Reconfirmed September 9, 2020" to the official LAFCO SOI map for the City of Westlake Village;
- Directed the Executive Officer to report back to the Commission with a revised Resolution Making Determinations reflecting the Commission's determinations; and
- Directed the Executive Officer to report back to the Commission with revised Proposed SOI Maps for the Cities of Agoura Hills, Calabasas, and Hidden Hills reflecting the Commission's determinations.

MOTION: Barger SECOND: Solis APPROVED: 9-0-0
AYES: Barger, Close, Dear, Finlay, McCallum, Mirisch, Ryu, Solis, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: None.

8 PROTEST HEARING(S)

None.

[Commissioner Ryu left at 10:31 a.m.]

9 OTHER ITEMS

The following item was called up for consideration:

- a. Outside Employment Request of Executive Officer.

The EO summarized the staff report concerning this item.

The Commission took the following action:

- Authorized the Executive Officer to accept outside employment from the City of San Marino to serve as a Hearing Officer, subject to all requirements and limitations set forth in the Employment Agreement between the Commission and the Executive Officer.

MOTION: Solis SECOND: Barger APPROVED: 8-0-0
AYES: Barger, Close, Dear, Finlay, McCallum, Mirisch, Solis, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Ryu

10 LEGISLATION

The following item was called up for consideration:

- a. Legislative Update.

The EO summarized the staff report concerning this item.

The Commission took the following action:

- Received and filed the Legislative Update.

MOTION: Solis SECOND: Finlay APPROVED: 8-0-0
AYES: Barger, Close, Dear, Finlay, McCallum, Mirisch, Solis, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Ryu

11 MISCELLANEOUS CORRESPONDENCE

None.

12 COMMISSIONERS' REPORT

Commissioner Lesser indicated that he attended a CALAFCO webinar on August 21, 2020.

13 EXECUTIVE OFFICER'S REPORT

- a. Written Update
- b. Verbal Update.

[Commissioner Barger left at 10:35 a.m.]

The EO indicated that Los Angeles County Public Works Department staff anticipate concluding negotiations with Suburban Water Systems regarding the purchase of the Sativa Water System (formerly the Sativa County Water District) in late 2020. Public Works staff anticipates that a contract will be presented to the Los Angeles County Board of Supervisors in early 2021.

The Commission took the following actions:

- Received and filed the Written Update and Verbal Update from the Executive Officer.

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

14 PUBLIC COMMENT

See Public Testimony on pages 2 and 3.

15 FUTURE MEETINGS

October 14, 2020
November 18, 2020 (Special Meeting)
December 09, 2020

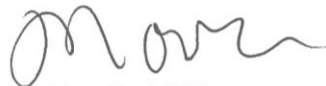
16 FUTURE AGENDA ITEMS

None.

17 ADJOURNMENT MOTION

On motion by Chair Gladbach, the live virtual meeting was adjourned at 10:38 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Novak", with a stylized flourish at the end.

Paul Novak, AICP
Executive Officer