

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)

Staff

Paul Novak
Executive Officer

Adriana Romo
Deputy Executive Officer

Amber De La Torre
Doug Dorado
Adriana Flores
Michael Henderson
Alisha O'Brien

80 South Lake Avenue
Suite 870
Pasadena, CA 91101
Phone: 626/204-6500
Fax: 626/204-6507

www.lalafco.org

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

January 13, 2021

Present:

Jerry Gladbach, Chair

Kathryn Barger
Richard Close
Donald Dear
Margaret Finlay
Gerard McCallum
John Mirisch
Holly Mitchell

Lori Brogin-Falley, Alternate
David Lesser, Alternate
Mel Matthews, Alternate

Paul Novak, Executive Officer
Tiffani Shin, Legal Counsel

Absent:

Janice Hahn, Alternate

Vacant:

City of Los Angeles, Member
City of Los Angeles, Alternate Member
City, Alternate Member

1 CALL MEETING TO ORDER

The meeting was called to order at 9:03 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.

CHAIR ANNOUNCEMENT(S)

Chair Gladbach welcomed Holly Mitchell (new Los Angeles County Supervisor representing the 2nd Supervisorial District) as a new LAFCO Commissioner (voting member).

Commissioner Mitchell thanked the Commission for the introduction and stated that she was looking forward to working with the Commission.

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 (None). 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 (None).

4 SWEARING-IN OF SPEAKER(S) AND PUBLIC TESTIMONY/COMMENT

The EO swore in two (2) members of the audience who planned to testify.

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 November 18, 2020.
- b. Approved Operating Account Check Register for the month of November 2020.
- c. Received and filed update on Pending Proposals.

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

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Reorganization No. 2017-10 to the Las Virgenes Municipal Water District.

The EO indicated that the Commission was forwarded two (2) e-mails: the first e-mail, dated January 12, 2021, was from the Las Virgenes Homeowners Federation, Inc and; the second e-mail, dated January 13, 2021, was from the Monte Nido Valley Community Association. Both homeowners' associations (HOAs) requested that the Commission continue this item for further public review.

The EO summarized the staff report concerning this item.

Robert Douglas, landowner of the affected territory, requested that the Commission consider and approve this item.

Lee Reninger, representative of the Las Virgenes Homeowners Federation, Inc, indicated that the HOA is concerned about the proposed reorganization and requests that the Commission continue the item to its next meeting.

The Commission took the following action:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Reorganization No. 2017-10 to the Las Virgenes Municipal Water District; (Amendments to the Las Virgenes Municipal

Water District, the Los Angeles County Waterworks District No. 29, Malibu, and the West Basin Municipal Water District SOIs; Detachment from the Los Angeles County Waterworks District No. 29, Malibu and the West Basin Municipal Water District; and Annexation to the Las Virgenes Municipal Water District); Resolution No. 2021-01RMD.

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

8 PROTEST HEARING(S)

None.

9 OTHER ITEMS

The following item was called up for consideration:

- a. Commission Meeting Schedule for Calendar Year 2021.

The EO summarized the staff report on this item.

The Commission took the following actions:

- Adopted a Commission Meeting Schedule for Calendar Year 2021; and
- Directed staff to post the adopted Commission Meeting Schedule for Calendar Year 2021 to the LAFCO website.

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

9 OTHER ITEMS

The following item was called up for consideration:

- b. Proposed Memorandum of Understanding with Kern LAFCO.

The EO indicated that he received a request from Executive Officer, Blair Knox (Kern LAFCO),

to continue this item to a future meeting.

At the direction of Chair Gladbach, this item was referred back to staff.

9 OTHER ITEMS

The following item was called up for consideration:

- c. Recommendation to Award Contract for Audit Services to DavisFarr LLP.

The EO summarized the staff report concerning this item.

The Commission took the following actions:

- Awarded a contract to DavisFarr LLP to provide auditing services, as described in the proposal, and as recommended by the Evaluation Committee; and
- Authorized the Executive Officer to execute the professional services agreement with DavisFarr LLP, with said agreement being approved as to form by LAFCO Counsel.

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

10 LEGISLATION

None.

11 MISCELLANEOUS CORRESPONDENCE

None.

12 COMMISSIONERS' REPORT

Chair Gladbach indicated that a Performance Evaluation Survey will be e-mailed to all Commissioners regarding the Executive Officer's work performance. The results will be shared to the Commission, during Closed Session, at February's meeting.

13 EXECUTIVE OFFICER'S REPORT

The EO summarized the staff report on this item.

The EO indicated that Larry Calemine (former LAFCO Commissioner and Executive Officer) sent his regards to the Commission.

The EO indicated that the City Selection Committee will meet on January 25th to select a new city alternate LAFCO member to fill the vacancy expiring in 2023 (due to Judy Mitchell's retirement).

The Commission took the following action:

- Received and filed the Executive Officer Report and Verbal Report.

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

14 FUTURE MEETINGS

February 10, 2021

March 10, 2021

April 14, 2021

15 FUTURE AGENDA ITEMS

None.

16 ADJOURNMENT MOTION

At the suggestion of Chair Gladbach, and in memory of Tom LaBonge (former City of Los Angeles Council Member and LAFCO Commissioner) and Tommy Lasorda (former baseball pitcher and Los Angeles Dodgers Manager), as motioned by Commissioner Mirisch and seconded by Barger, the live virtual meeting was adjourned at 9:33 a.m.

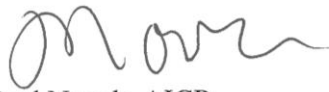
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CHAIR ANNOUNCEMENT

The Chair indicated that a Special Meeting would follow today's regular meeting.

Respectfully submitted,

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

Paul Novak, AICP
Executive Officer

**RESOLUTION NO. 2021-01RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS APPROVING AND ORDERING
"REORGANIZATION NO. 2017-10 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 (SOI), DETACHMENT FROM THE LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 29, MALIBU AND WEST BASIN MUNICIPAL WATER DISTRICT;
AND ANNEXATION TO THE LAS VIRGENES MUNICIPAL WATER DISTRICT)**

WHEREAS, Robert Douglas ("landowner" or "Applicant") 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 and sphere of influence amendment of territory herein described to the Las Virgenes Municipal Water District ("District"), and detachment and sphere of influence amendments 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 5.27 ± acres of uninhabited territory and is assigned the following distinctive short-form designation: "Reorganization No. 2017-10 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 Las Virgenes Municipal Water District to provide water service for the future development of the property;

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 proposed reorganization consisting solely of both an annexation and a detachment ("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 Sections 56662 & 56663; and

WHEREAS, even though a public hearing is not required for the Proposal, a public hearing is nevertheless required for the proposed SOI amendments, pursuant to Government Code Section 56427; and

WHEREAS, the Executive Officer has given notice of the public hearing for the proposed SOI amendments 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 December 7, 2020, 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 January 13, 2021, 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 SOI amendments.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, with respect to Reorganization No. 2017-10 to the Las Virgenes Municipal Water District, finds that the reorganization is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(b) because it consists of annexation of individual small parcels of the minimum size for facilities exempted by State CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures. In addition, there are no cumulative impacts, unusual circumstances, nor other exceptions 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 amendments, a public hearing is still required pursuant to Government Code Section 56427.

Mailed notice has been provided pursuant to Government Code Section 566663 on December 4, 2020.

3. The Commission hereby amends the SOIs 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 Water District and makes the following determinations in accordance with Government Code Section 56425(e):

- a. Present and Planned Land Uses in the Area

The affected territory consists of vacant land and will be developed to include one 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 community north of the City of Malibu. General government services, including animal control, fire and emergency medical, flood control, library, mosquito and

vector control, park and recreation, planning, police, road maintenance, solid waste, street lighting, wastewater, and other services are provided by the County and other special districts.

The affected territory includes vacant land and will be developed to include one single-family home which requires organized governmental services. The affected territory will require governmental services indefinitely.

The present cost and adequacy of government services and controls in the area are acceptable. The probable effect of the proposed action and of alternative courses of action on the cost and adequacy of services and controls in the affected territory and adjacent areas is minimal.

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

The District currently provides water services to over 20,000 connections over 78,000± acres. The reorganization would add one parcel (5.27± acres) to its service area. The District has indicated that it has the ability to provide water service 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 District

The Commission has on file a written statement of the functions and classes of service of the Las Virgenes Municipal Water District, Los Angeles County Waterworks District No. 29, Malibu, and West Basin Municipal Water District specifying the nature, location and extent of their respective classes of service that they provide within their respective boundaries.

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 5.27± acres, is uninhabited, and is assigned the following short form designation: "Reorganization No. 2017-10 to the Las Virgenes Municipal Water District".
6. Reorganization No. 2017-10 to the Las Virgenes Municipal Water District is hereby approved, subject to the following terms and conditions:
 - a. Robert Douglas 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 reorganization shall be the date of recordation of the Certificate of Completion with the Los Angeles County Registrar-Recorder/County Clerk.
- c. Recordation of the Certificate of Completion shall not occur prior to the conclusion of the 30-day reconsideration period provided under Government Code Section 56895.
- d. All fees due to LAFCO, the County of Los Angeles (including, but not limited to, fees owed to the County Assessor and/or the Registrar-Recorder/County Clerk), and the State of California Board of Equalization; shall be paid by the Applicant, in full, prior to LAFCO's filing the Certificate of Completion. Failure to pay any and all fees due to LAFCO, the County of Los Angeles, and the State Board of Equalization, within one year of the Commission approval of this reorganization, will result in the reorganization being terminated pursuant to Government Code §57001 unless, prior to expiration of that year, the Commission authorizes an extension of time for that completion.
- e. The territory so annexed shall be subject to the payment of such service charges, assessments or taxes as may be legally imposed by the Las Virgenes Municipal Water District.
- f. The regular County assessment roll shall be utilized by the Las Virgenes

Municipal Water District.

- g. The affected territory will be taxed for any existing general indebtedness, if any, of the Las Virgenes Municipal Water District.
 - h. Annexation of the affected territory described in Exhibits "A" and "B" to the Las Virgenes Municipal Water District.
 - i. The map and geographic description of the affected territory shall comply with all requirements of LAFCO, the Los Angeles County Registrar-Recorder/County Clerk, and the State of California Board of Equalization. If LAFCO, the Los Angeles County Registrar-Recorder/County Clerk, and/or the State of California Board of Equalization require changes, the map and geographic description shall be revised and all associated costs shall be the responsibility of the applicant.
 - j. Detachment of the affected territory from the Los Angeles County Waterworks District No. 29, Malibu, and West Basin Municipal Water District.
 - k. Except to the extent in conflict with "a" through "j", 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" annexed to the Las Virgenes Municipal Water District and detached from Los Angeles County Waterworks District No. 29, Malibu and West Basin Municipal Water District.

9. Pursuant to Government Code 56883, the Executive Officer may make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or omission.
10. The Executive Officer is directed to transmit a copy of this resolution to the Las Virgenes Municipal Water District, upon the landowner'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 13th day of January 2021.

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

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



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