



Local Agency Formation Commission
for the County of Los Angeles

LIVE VIRTUAL COMMISSION MEETING

LOCAL AGENCY FORMATION COMMISSION

Wednesday, July 14th, 2021
9:00 a.m.

This meeting will be conducted as a virtual meeting with telephone **1-415-655-0001 (Access Code: 145 541 1088)** and web access (<https://lacountyboardofsupervisors.webex.com/lacountyboardofsupervisors/onstage/g.p hp?MTID=e33f68dc4798d32637ad2d458c5fe338b>), pursuant to the provisions of the Governor’s Executive Orders N-25-20, N-29-20, and N-08-21 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.”

FOR MEMBERS OF THE PUBLIC

TO LISTEN BY TELEPHONE AND PROVIDE PUBLIC COMMENT DIAL:

1-415-655-0001
Access Code: 145-541-1088 (English)

OR TO LISTEN VIA WEB AND PROVIDE COMMENT:

<https://lacountyboardofsupervisors.webex.com/lacountyboardofsupervisors/onstage/g.php?MTID=e33f68dc4798d32637ad2d458c5fe338b>

TO PROVIDE WRITTEN PUBLIC COMMENT: Any interested person may submit written opposition or comments by email at info@lalafco.org prior to the conclusion of the Commission Meeting or by mail to the LAFCO Office at 80 S. Lake Avenue, Suite 870, Pasadena, CA 91101, no later than 5:00 p.m. on the business day preceding the date set for hearing/proceedings in order to be deemed timely and to be considered by the Commission. Any written opposition and/or comments will be read during the meeting for a maximum of three (3) minutes per comment, per item.

The entire agenda package and any meeting related writings or documents provided to a majority of the Commissioners after distribution of the agenda package, unless exempt from disclosure pursuant to California Law, are available at www.lalafco.org

Voting Members

Jerry Gladbach
Chair

Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

Kathryn Barger
Richard Close
Margaret Finlay
John Mirisch
Holly Mitchell
Vacant
(City of Los Angeles)

Alternate Members

Lori Brogin-Falley
Michael Davitt
Janice Hahn
David Lesser
Mel Matthews
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
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www.lalafco.org

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE WILL BE LED BY CHAIR GLADBACH**
3. **DISCLOSURE OF CAMPAIGN CONTRIBUTION(S)**
4. **SWEARING-IN OF SPEAKER(S)**
5. **INFORMATION ITEM(S) – GOVERNMENT CODE §§ 56751 & 56857 NOTICE**

- a. Annexation 2021-02 to the Los Angeles County Waterworks District No. 40, Antelope Valley

6. **CONSENT ITEM(S)**

All matters are approved by one motion unless held by a Commissioner or member(s) of the public for discussion or separate action.

- a. Approve Minutes of June 9, 2021.
- b. Approve Operating Account Check Register for the month of June 2021.
- c. Receive and file Update on Pending Proposals.

7. **PUBLIC HEARING(S)**

- a. MSR No. 2021-01 – Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Point Dume Community Services District, and California Environmental Quality Act (CEQA) exemption (**this item was continued from the May 12, 2021 Commission meeting without discussion**).

8. **PROTEST HEARING(S)**

- a. Annexation No. 2019-08 to the Santa Clarita Valley Water Agency (Valencia Water Company).

9. **OTHER ITEMS**

- b. None.

10. **LEGISLATION**

- a. Legislative Update

11. **MISCELLANEOUS CORRESPONDENCE**

- a. None.

12. **COMMISSIONERS' REPORT**

Commissioners' questions for staff, announcements of upcoming events and opportunity for Commissioners to briefly report on their LAFCO-related activities since last meeting.

13. **EXECUTIVE OFFICER'S REPORT**

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

- a. Written Update
- b. Verbal Update

14. **PUBLIC COMMENT**

This is the opportunity for members of the public to address the Commission on items not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

15. **FUTURE MEETINGS**

August 11, 2021
September 8, 2021
October 13, 2021

16. **ADJOURNMENT**

Staff Report

July 14, 2021

Agenda Item No. 5.a.

**GOVERNMENT CODE § 56857 NOTICE
(For Informational Purposes Only, Receive and File)**

Upon receipt of any proposed change of organization or reorganization that includes the annexation of territory to any district, if the proposal is not filed by the district to which annexation of territory is proposed, Government Code Section 56857(a) requires the Executive Officer to place the proposal on its agenda for informational purposes only, and to transmit a copy of the proposal to any district to which annexation is requested. Pursuant to Government Code Section 56857(b), no more than 60 days after the meeting agenda date, the district to which annexation is being proposed may adopt and submit to the Local Agency Formation Commission (“LAFCO”) a resolution requesting termination of the proceedings. The law requires that any such resolution requesting termination must be based upon written findings supported by substantial evidence in the record that the request is justified by a financial or service related concern or because the territory is already receiving electrical services under a service area agreement approved by the Public Utilities Commission. Prior to LAFCO’s termination of proceedings the resolution is subject to judicial review as provided in Government Code Sections 56857(b) and (c).

LAFCO may not hear nor consider the proposal until after the 60-day termination period has expired, unless the district to which an annexation of territory is requested, adopts and submits to LAFCO a resolution supporting the proposal.

The following is a summary of the proposal filed with LAFCO:

**Annexation 2021-02 to the Los Angeles County Waterworks District No. 40,
Antelope Valley**

Description: Georgia Eliopulous, Trustee of the Eliopulos Marital Trust (landowner) filed an application to annex 6.58± acres of vacant land to Los Angeles County Waterworks District No 40 for retail water services. The project includes the proposed construction of six (6) single-family homes.

Location: The project site is located north of Eliopulos Ranch Drive between Yianni Court and Marina Court, in the City of Palmdale.

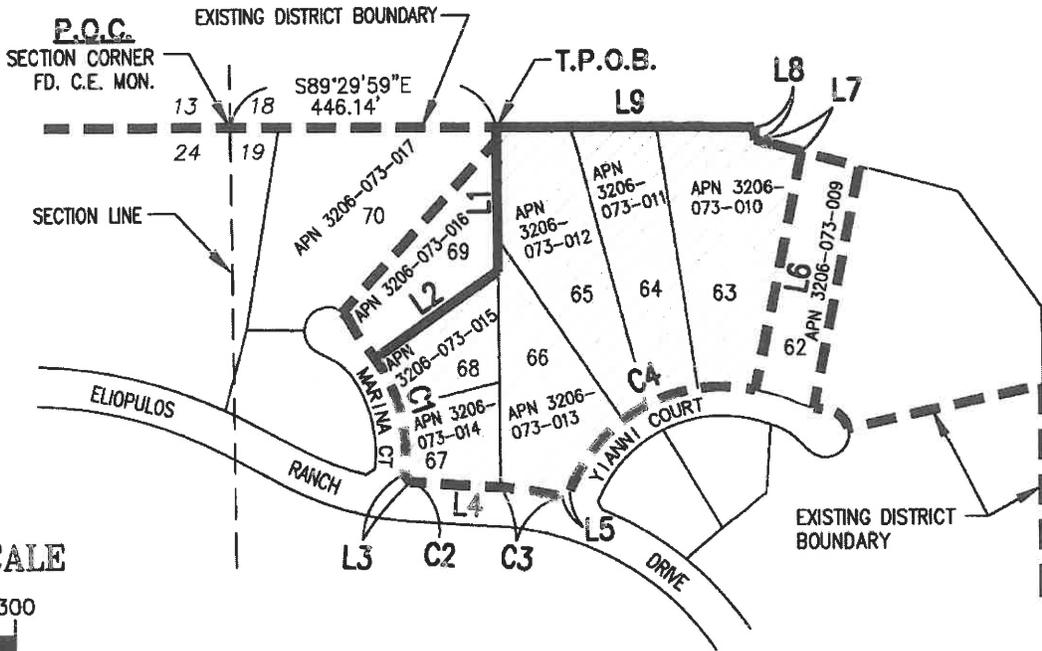
The Executive Officer will transmit a copy of the proposal to the Los Angeles County Waterworks District No.40, Antelope Valley, as required by Government Code Section 56857(a).

Recommended Action:

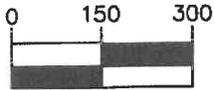
1. The Commission receive and file the information item.

EXHIBIT "B"

ANNEXATION No. 2021-0Z LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY LOTS 63 THROUGH 68 OF TRACT NO. 52200-03, MB 1337 PAGES 50-63



GRAPHIC SCALE



(IN FEET)

1 inch = 300 ft.

LINE TABLE		
COURSE	BEARING	DISTANCE
L1	S00°00'00"E	241.29'
L2	S55°15'24"W	253.49'
L3	S38°28'36"E	16.71'
L4	S86°07'51"E	143.01'
L5	N63°06'25"E	14.68'
L6	N11°09'25"E	407.33'
L7	N75°09'14"W	77.64'
L8	N03°45'21"W	20.94'
L9	N89°29'59"W	427.99'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	RADIAL IN	RADIAL OUT
C1	42°41'13"	275.00'	204.88'	N55°14'14"E	N82°04'33"W
C2	01°10'46"	464.50'	9.56'	N05°02'55"E	N03°52'09"E
C3	11°05'06"	535.50'	103.60'	N03°52'09"E	N14°57'15"E
C4	79°55'56"	275.00'	383.65'	N68°44'24"W	N11°11'32"E

LEGEND



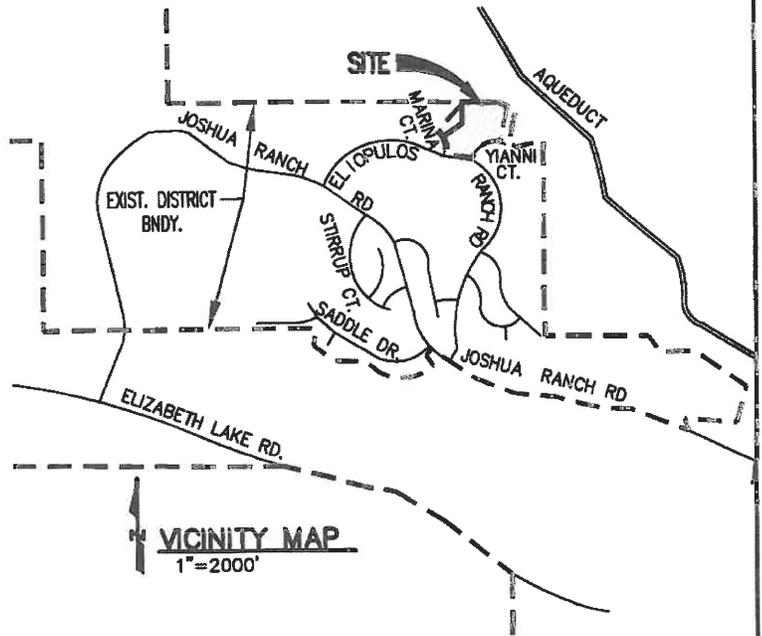
AREA TO BE ANNEXED CONTAINING 6.58 ACRES



EXISTING DISTRICT BOUNDARY

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N89°29'59"W BEING THE NORTHERLY LINE OF SECTION 19, T6N, R12W, S.B.M., AS SHOWN ON TRACT MAP NO. 52200-03 FILED IN BOOK 1337, PAGES 50-63, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.





DRAFT

Voting Members
Jerry Gladbach
Chair

Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

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www.lafco.org

SPECIAL MEETING

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

June 9, 2021

Present:

Jerry Gladbach, Chair

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

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

Paul Novak, Executive Officer
Carole Suzuki, Legal Counsel

Absent:

Richard Close

Janice Hahn, Alternate

Vacant:

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

1 CALL MEETING TO ORDER

The special meeting was called to order at 9:06 a.m. as a live virtual Commission meeting, with public comment accepted via email or phone.

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 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.

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

The EO swore in three (3) members of the audience who planned to testify.

Staff read an e-mail, received during the Commission meeting, from JoAnne Gutierrez Boggs addressed to the Commission. Ms. Boggs asked if the SCVWA would collect any previous back taxes, assessments, or fees; and will the SCVWA charge fees based on water usage or property valuation.

Chair Gladbach indicated his understanding that no back taxes, assessments, or fees will be levied; and water charges are based on water usage not property assessment.

Commissioner Barger asked the EO to forward Ms. Boggs e-mail to Matthew Stone (General Manager, Santa Clarita Valley Water Agency) and request that Mr. Stone address Ms. Boggs'

concerns directly.

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

None.

[Commissioner Mitchell arrived at 9:11 a.m.]

6 CONSENT ITEM(S)

The Commission took the following actions under Consent Items:

- a. Approved Minutes of May 12, 2021.
- b. Approved Operating Account Check Register for the month of May 2021.
- c. Received and filed update on Pending Proposals.
- d. Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No.437 to the County Sanitation District No. 22 of Los Angeles County; Resolution No. 2021-13RMD.
- e. Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving and Ordering Annexation No. 1094 to the Santa Clarita Valley Sanitation District of Los Angeles County; Resolution No. 2021-14RMD.

MOTION: Dear SECOND: Finlay APPROVED: 8-0-0
AYES: Barger, Brogin-Falley (Alt. for Close), Dear, Finlay, McCallum, Mirisch,
Mitchell, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Close

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- a. Annexation No. 2019-08 to the Santa Clarita Valley Water Agency (Valencia Water Company).

The EO summarized the staff report on this item.

The public hearing was opened to receive all testimony on the annexation.

Matthew Stone (General Manager, Santa Clarita Valley Water Agency) thanked the Commission

and LAFCO staff for their assistance in processing this annexation, which satisfies Condition No. 9 of the Application for Conditions No. 2018-01. Mr. Stone stated that SCVWA has now satisfied all conditions pertaining to Application for Conditions No. 2018-01.

There being no further testimony and no written opposition, nor e-mails, submitted prior to the close of the public hearing, the public hearing was closed.

The Commission took the following actions:

- Adopted the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving Annexation No. 2019-08 to the Santa Clarita Valley Water Agency (Valencia Water Company), Resolution No. 2021-15RMD; and
- Pursuant to Government Code § 57002, set the Protest Hearing for July 14, 2021 at 9:00 a.m., at the Commission's virtual meeting held by teleconference and web access, pursuant to the provisions of the Governor's Executive Order N-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", unless cancelled or rescheduled by the Commission or the Commission Chair approves an alternative meeting location.

MOTION: Barger SECOND: Finlay APPROVED: 8-0-0
AYES: Barger, Brogin-Falley (Alt. for Close), Dear, Finlay, McCallum, Mirisch,
Mitchell, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Close

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- b. Annexation No. 2019-07 to the Greater Los Angeles County Vector Control District (Entire City of Vernon) and Amendment to the Greater Los Angeles County Vector Control District Sphere of Influence.

The EO summarized the staff report on this item.

The public hearing was opened to receive all testimony on the annexation and Sphere of Influence Amendment. There being no testimony and no written opposition, nor e-mails, submitted prior to the close of the public hearing, the public hearing was closed.

7 PUBLIC HEARING(S)

The following item was called up for consideration:

- d. Annexation No. 1092 to the Santa Clarita Valley Sanitation District of Los Angeles County.

The EO summarized the staff report on this item.

The public hearing was opened to receive all testimony on the annexation. There being no testimony and no written opposition, nor e-mails, submitted prior to the close of the public hearing, 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 Annexation No. 1092 to the Santa Clarita Valley Sanitation District of Los Angeles County; Resolution No. 2021-18RMD.

MOTION: Finlay SECOND: Barger APPROVED: 8-0-0
AYES: Barger, Brogin-Falley (Alt. for Close), Dear, Finlay, McCallum, Mirisch,
Mitchell, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Close

8 PROTEST HEARING(S)

None.

9 OTHER ITEMS

The following item was called up for consideration:

- a. Proposed Memorandum of Understanding between LAFCO and the Statewide Electronic Courier Universal Recording Environment (“SECURE”).

The EO summarized the staff report on this item.

The Commission took the following actions:

- Adopted the Memorandum of Understanding between the counties of Los Angeles, Orange, Riverside, and San Diego that own the Statewide Electronic Courier Universal Recording Environment with Orange County Clerk-Recorder acting on their behalf as the Lead County and LAFCO; and

- Authorized the Executive Officer to execute the Memorandum of Understanding with SECURE.

MOTION: Barger SECOND: Finlay APPROVED: 8-0-0
AYES: Barger, Brogin-Falley (Alt. for Close), Dear, Finlay, McCallum, Mirisch,
Mitchell, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Close

9 OTHER ITEMS

The following item was called up for consideration:

- b. Proposed Lease Extension for 80 South Lake Avenue.

The EO summarized the staff report on this item.

The Commission took the following actions:

- Authorized the Executive Officer, on behalf of Commission, to execute a lease extension with IDS Real Estate Group to continue leasing office space (Suite 870) in the building located at 80 South Lake Avenue in Pasadena; and
- Directed staff to agendize a discussion, at a future Commission Meeting, of whether to exercise the one-term termination rights in the lease extensions, in advance of the deadline specific in the lease extension.

MOTION: Dear SECOND: Mirisch APPROVED: 8-0-0
AYES: Barger, Brogin-Falley (Alt. for Close), Dear, Finlay, McCallum, Mirisch,
Mitchell, Gladbach
NOES: None.
ABSTAIN: None.
ABSENT: Close

[Commissioner Brogin-Falley left at 9:58 a.m.]

10 LEGISLATION

The following item was called up for consideration:

- a. Legislative Update.

The EO summarized the staff report on this item.

The Commission took the following action:

- Received and filed the Legislative Update.

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

11 MISCELLANEOUS CORRESPONDENCE

- a. May 2021 CALAFCO Quarterly Report.
- b. Letter of May 18, 2021 from the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), League of California Cities (CalCities), California Special Districts Association (CSDA), California Association of Local Agency Formation Commissions (CALAFCO), Association of California School Administrators (ACSA), Association of California Healthcare Districts (ACHD), California Municipal Utilities Association (CMUA), and the Association of California Water Agencies (ACWA) to Governor Newsom re “Transition Period Prior to Repeal of COVID-related Executive Orders.
- c. Letter of June 2, 2021 from Ana Matosantos, Cabinet Secretary to Governor Gavin Newsom, to the California State Association of Counties (CSAC), Urban Counties of California (UCC), Rural County Representatives of California (RCRC), League of California Cities (CalCities), California Special Districts Association (CSDA), California Association of Local Agency Formation Commissions (CALAFCO), Association of California School Administrators (ACSA), Association of California Healthcare Districts (ACHD), California Municipal Utilities Association (CMUA), and the Association of California Water Agencies (ACWA) re “Transition Period Prior to Repeal of COVID-related Executive Orders.

No action was required by the Commission.

12 COMMISSIONERS’ REPORT

Chair Gladbach stated that he, Commissioner Dear, and Commissioner McCallum served on the Ad Hoc Lease Extension Committee. Chair Gladbach indicated that it was valuable and informative to serve on the Committee.

13 EXECUTIVE OFFICER'S REPORT

- a. Written Update
- b. Verbal Update

The EO summarized the EO report on this item.

The Commission took the following action:

- Received and filed the Executive Officer's Report.

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

14 FUTURE MEETINGS

July 14, 2021
August 11, 2021
September 8, 2011

15 FUTURE AGENDA ITEMS

None.

16 ADJOURNMENT MOTION

Chair Gladbach adjourned the live virtual meeting at 10:01 a.m.

Respectfully submitted,

Paul Novak, AICP
Executive Officer

3:19 PM

06/28/21

Cash Basis

LA LAFCO
Register Report
June 2021

Type	Date	Num	Name	Paid Amount	Balance
Jun 21					
Check	06/04/2021	WIRE	TRPF 80 South Lak...	-9,631.00	-9,631.00
Check	06/07/2021	10960	Registrar-Recorder/...	-75.00	-9,706.00
Bill Pmt -Check	06/10/2021	10961	Adriana Romo*	-791.58	-10,497.58
Bill Pmt -Check	06/10/2021	10970	Certified Records M...	-777.22	-11,274.80
Bill Pmt -Check	06/10/2021	10969	CTS Clouds LLC	-637.50	-11,912.30
Bill Pmt -Check	06/10/2021	10968	Daily Journal*	-1,392.96	-13,305.26
Bill Pmt -Check	06/10/2021	10967	ECS Imaging, Inc.	-1,360.00	-14,665.26
Bill Pmt -Check	06/10/2021	10966	LACERA-OPEB	-1,662.23	-16,327.49
Bill Pmt -Check	06/10/2021	10965	MetLife*	-693.00	-17,020.49
Bill Pmt -Check	06/10/2021	10964	SDRMA	-8,126.72	-25,147.21
Bill Pmt -Check	06/10/2021	10963	Wells Fargo	-385.89	-25,533.10
Bill Pmt -Check	06/10/2021	10962	Yvonne Green CPA	-300.00	-25,833.10
Bill Pmt -Check	06/10/2021	10971	CALAFCO'	-10,760.00	-36,593.10
Bill Pmt -Check	06/10/2021	10972	County of Los Angel...	-44,163.06	-80,756.16
Bill Pmt -Check	06/10/2021	10973	Kaiser*	-17,236.20	-97,992.36
Bill Pmt -Check	06/10/2021	10974	Delta Dental*	-3,143.52	-101,135.88
Bill Pmt -Check	06/10/2021	10975	Deltacare	-150.54	-101,286.42
Check	06/15/2021	DD	Ambar De La Torre	-2,131.02	-103,417.44
Check	06/15/2021	DD	Douglass S Dorado	-3,129.49	-106,546.93
Check	06/15/2021	DD	Adriana L Flores	-1,406.43	-107,953.36
Check	06/15/2021	DD	Michael E Henderson	-2,385.05	-110,338.41
Check	06/15/2021	DD	Paul A Novak	-5,680.68	-116,019.09
Check	06/15/2021	DD	Alisha O'Brien	-2,354.78	-118,373.87
Check	06/15/2021	DD	Adriana Romo	-3,891.75	-122,265.62
Check	06/15/2021	DD	Federal Tax Deposit	-4,518.46	-126,784.08
Check	06/15/2021	DD	State Income Tax	-1,254.33	-128,038.41
Bill Pmt -Check	06/21/2021	10976	Quadient Finance U...	-1,600.00	-129,638.41
Check	06/28/2021	DD	Michael T Davitt	0.00	-129,638.41
Bill Pmt -Check	06/28/2021	10977	ATT	-308.36	-129,946.77
Bill Pmt -Check	06/28/2021	10978	Bank of America*	-3,033.13	-132,979.90
Bill Pmt -Check	06/28/2021	10979	Charter Communica...	-566.88	-133,546.78
Bill Pmt -Check	06/28/2021	10980	County Counsel	-25,973.25	-159,520.03
Bill Pmt -Check	06/28/2021	10981	Davis Farr LLP	-2,225.00	-161,745.03
Bill Pmt -Check	06/28/2021	10982	Eide Bailly	-365.70	-162,110.73
Bill Pmt -Check	06/28/2021	10983	LACERA	-15,529.13	-177,639.86
Bill Pmt -Check	06/28/2021	10984	Motor Parks	-630.00	-178,269.86
Bill Pmt -Check	06/28/2021	10985	Office Depot*	-436.55	-178,706.41
Bill Pmt -Check	06/28/2021	10986	Quadient Finance U...	-1,363.59	-180,070.00
Bill Pmt -Check	06/28/2021	10987	The Lincoln National	-282.70	-180,352.70
Bill Pmt -Check	06/28/2021	10988	Tropical Interior Plants	-125.00	-180,477.70
Check	06/30/2021	62033...	Kathryn Barger	-132.99	-180,610.69
Check	06/30/2021	62033...	Brogin-Falley Lori	-138.53	-180,749.22
Check	06/30/2021	DD	Michael T Davitt	-138.52	-180,887.74
Check	06/30/2021	DD	Donald Dear	-138.53	-181,026.27
Check	06/30/2021	62033...	Margaret E Finlay	-138.53	-181,164.80
Check	06/30/2021	62033...	Edward G Gladbach	-138.52	-181,303.32
Check	06/30/2021	DD	David J Lesser	-138.53	-181,441.85
Check	06/30/2021	DD	Melvin L Matthews	-138.53	-181,580.38
Check	06/30/2021	DD	Gerard McCallum II	-138.52	-181,718.90
Check	06/30/2021	DD	John A Mirisch	-138.53	-181,857.43
Check	06/30/2021	DD	Holly J Mitchell	-124.87	-181,982.30
Check	06/30/2021	DD	Federal Tax Deposit	-233.89	-182,216.19
Check	06/30/2021	DD	Ambar De La Torre	-2,131.02	-184,347.21
Check	06/30/2021	DD	Douglass S Dorado	-3,129.49	-187,476.70
Check	06/30/2021	DD	Adriana L Flores	-1,283.58	-188,760.28
Check	06/30/2021	DD	Michael E Henderson	-2,385.04	-191,145.32
Check	06/30/2021	DD	Paul A Novak	-5,680.68	-196,826.00
Check	06/30/2021	DD	Adriana Romo	-3,891.76	-200,717.76
Check	06/30/2021	DD	Federal Tax Deposit	-4,473.93	-205,191.69
Check	06/30/2021	DD	State Income Tax	-1,246.13	-206,437.82
Check	06/30/2021	DD	Alisha O'Brien	-2,354.78	-208,792.60
Jun 21				-208,792.60	-208,792.60

AGENDA ITEM NO. 6.c. July 14, 2021						
PENDING PROPOSALS As of July 1, 2021						
	LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
1	DD Annexation 2006-12 to Los Angeles County Waterworks District No. 40	Land Resource Investors	Annex 20 acres of vacant land located at the northeast corner of Avenue J and 37th Street East, City of Lancaster. Will be developed into 80 single family homes.	Incomplete filing: property tax transfer resolution, registered voter and landowner labels.	5/16/2006	Unknown
2	DD Annexation No. 2006-46 to Los Angeles County Waterworks District No. 40	New Anaverde, LLC	Annex 1,567 acres of vacant land located near Lake Elizabeth Road and Avenue S in the city of Palmdale. Will be developed into 313 single family home.	Incomplete filing: CEQA, registered voter labels, landowner labels, and approved map and legal.	10/5/2006	Unknown
3	DD Annexation No. 2011-17 (2006-50) to Los Angeles County Waterworks District No. 40	Behrooz Haverim/Kamyar Lashgari	Annex 20.62 acres of vacant land located south of Avenue H between 42nd Street West and 45th Street West in the City of Lancaster. To be developed into single family homes	Incomplete filing: property tax transfer resolution, registered voter and landowner labels.	12/1/2006	Unknown
4	DD Annexation 2008-13 to Los Angeles County Waterworks District No. 40	Lancaster School Dist.	Annex 20.47 acres of vacant land located 2 miles west of the Antelope Valley fw. And the nearest paved major streets are ave. H. And Ave. I, in the City of Lancaster. For future construction of a school.	Need BOE fees to place on agenda for approval. Emailed district for fees on 4-18-17.	9/22/2008	Unknown
5	DD Reorganization 2010-04 Los Angeles County Waterworks District No. 29	Malitex Partners, LLC	Detach 88 acres of vacant land from the Las Virgenes Municipal Water District and annex same said territory to Los Angeles County Waterworks District No 29 and West Basin Municipal Water District. The project includes future construction of three homes and dedicates open space. The project site is located north of Pacific Coast Highway at the end of Murphy Way, in the unincorporated area adjacent to Mailbu.	Notice of Filing sent 07-15-10. Incomplete filing: CEQA. EIR on hold 4-14-15. Applicant requested to keep this file open, pending details how to proceed with the project 04/29/15.	6/9/2010	Unknown
6	DD City of Palmdale Annexation 2010-05	City of Palmdale	49.6 acres located adjacent to residential properties to the southwest, southeast, and separated by the Amargosa Creek to the north.	Notice of Filing sent 1-3-11. Incomplete filing: property tax transfer resolution, insufficient CEQA, unclear pre-zoning ordinance, approved map and legal. Need to include DUC.	10/25/2010	Unknown
7	DD Reorganization 2011-16 (Tesoro del Valle)	Montalvo Properties LLC	Annexation to NCWD and CLWA SOI Amendments for both districts. 801.53 acres regional access is provided via Interstate 5 (1-5) for north/south travelers from the east, and State Route 126 (SR-126) for travelers from the west. The existing local thoroughfare that provides access to the proposed area is Copper Hill Drive, which can be accessed directly from Tesoro del Valle Drive or Avenida Rancho Tesoro.	Notice of Filing sent 05-31-11. Incomplete filing: property tax transfer resolution. Project has changed ownership. Need new application	5/5/2011	Unknown
8	DD City of Los Angeles Annexation 2011-27	Forestar Group	685 acres of uninhabited territory located east of Browns Canyon Road and northwest of Mason Ave, in the unincorporated area just north of the City of Los Angeles.	Notice of Filing sent 2-15-12. Incomplete filing: property tax transfer resolution, CEQA, pre-zoning ordinance, map of limiting addresses, list of limiting addresses, and approved map and legal.	12/8/2011	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
9	DD	City of Palmdale Annexation 2011-19	City of Palmdale	405 acres of uninhabited territory located between Palmdale Blvd and Ave S and 80th and 85th Street East.	Notice of Filing sent 3-22-12 Incomplete filing: property tax transfer resolution, inadequate CEQA, maps of limiting addresses, list of limiting addresses, and approved map and legal. DUC adjacent	3/8/2012	Unknown
10	DD	Reorganization No. 2014-03 to the City of Calabasas	City of Calabasas	176± acres immediately north of and adjacent to the 101 freeway between the City of Calabasas and Hidden Hills.	Notice of Filing sent 1-8-15. Incomplete filing: property tax transfer resolution and approved map and legal.	12/10/2014	Unknown
11	DD	Annexation No. 2015-11 to the City of Palmdale (Desert View Highlands)	City of Palmdale	284 acres inhabited territory. Generally located north and south of Elizabeth Lake Road between Amargosa Creek and 10th street west, in Los Angeles County unincorporated territory surrounded by the City of Palmdale	Notice of Filing sent 9-22-15 Incomplete filing: property tax resolution, attachment 'A' plan for municipal services, CEQA (NOD), party disclosure, pre-zoning, map of limiting addresses, registered voter info	9/15/2015	Unknown
12	DD	Annexation No. 2015-10 to the City of Agoura Hills	City of Agoura Hills	117 acres uninhabited territory. Located northeast and southwest of Chesebro Road directly north of the Highway 101	Notice of Filing sent 11-3-15 Incomplete filing: property tax transfer resolution.	11/2/2015	Unknown
13	DD	Reorganization No. 2016-01 to the Las Virgenes Municipal Water District	Las Virgenes Municipal Water District	Detachment from West Basin Municipal Water District, and annexation to the Las Virgenes Municipal Water District. Both districts require SOI amendments. The territory consists of 26 single-family homes, generally located south of Cairnloch Street, west of Summit Mountain Way, all within the City of Calabasas.	Notice of Filing sent 04-19-16 Incomplete filing: property tax transfer resolution, and map and legal not approved.	2/22/2016	Unknown
14	AD	Annexation No. 2017-02 to the Newhall County Water District	Newhall County Water District	uninhabited territory, located west of the 5 freeway and north of the intersection of The Old Road and Calgrove Blvd.	Notice of Filing sent 06-21-17 Incomplete filing: property tax transfer resolution, CEQA, approved map and legal.	6/15/2017	Unknown
15	DD	Annexation No. 2017-09 to the Wilmington Cemetery District	Wilmington Cemetery District	inhabited territory around Wilmington	Notice of Filing sent 6-10-17 Incomplete filing: property tax transfer resolution	7/10/2017	Unknown
16	DD	Annexation No. 2018-06 to the San Gabriel Valley Mosquito and Vector Control District	San Gabriel Valley Mosquito and Vector Control District	77.55± acres of inhabited territory. The affected territory is located north of the intersection of Mountain Laurel Way and Highwood Court in the City of Azusa.	Notice of Filing Sent 11-1-18 Incomplete filing: property tax transfer resolution, missing map and legal, owners and registered voter labels	10/22/2018	Unknown
17	DD	Annexation No. 2018-12 to the City of Agoura Hills	City of Agoura Hills	82.58± acres of inhabited territory to the City of Agoura Hills. Area A of the affected territory is generally located east of the intersection of Liberty Canyon Road and Agoura Road and Area C is generally located west of the intersection of Liberty Canyon Road and Revere Way, in Los Angeles County unincorporated territory adjacent to the City of Agoura Hills	Notice of Filing sent 11-20-18 Incomplete filing: property tax transfer resolution, CEQA, map of limiting addresses, pre-zoning, register voter labels, approved map and geographic description.	11/19/2018	Unknown

		LAFCO Designation	Applicant	Description	Status	Date Filed	Est. Date of Completion
18	AD	Annexation 429 to District No. 14	Sanitation Districts	640.07± acres of uninhabited territory. The affected territory is located on the southeast corner of Sierra Highway and Columbia Way, all within the City of Palmdale.	Notice of Filing Sent 11-29-18 Incomplete filing; property tax transfer resolution.	11/28/2018	Unknown
19	DD	Reorganization No. 2019-01 to the City of Rancho Palos Verdes	Rajendra Makan	1.17± acres of uninhabited territory located along Re Le Charlene, east of the intersection of Chandeleur and Rue Le Charlene, in the City of Los Angeles.	Notice of Filing Sent 5-14-19 Incomplete filing; property tax transfer resolution and approved map and legal.	5/14/2019	Unknown
20	DD	Annexation No 2019-07 to the Greater Los Angeles County Vector Control District (Entire City of Vernon)	City of Vernon	3.301± acres of inhabited territory, entire City of Vernon	Agenda 06-09-2021	7/23/2019	Jul-2021
21	DD	Formation No. 2019-06 of the Lower Los Angeles River Recreation and Park District	City of South Gate	inhabited territory, along the Los Angeles River between Vernon and Long Beach	TTR/Auditors determination and approved map and geographic description.	10/2/2019	Unknown
22	AOB	Annexation No. 2019-08 to the Santa Clarita Valley Water Agency (Valencia Water Company)	Santa Clarita Valley Water Agency	349± acres of inhabited territory. The affected territory is generally located southwest of the intersection of The Old Road and Valencia Boulevard, in Los Angeles County unincorporated territory of Stevenson Ranch, near the City of Santa Clarita.	Agenda June, 9 2021	12/30/2019	Jul-2021
23	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1092	Sanitation Districts	3.77± acres of uninhabited territory. The affected territory is located on the south side of Soledad Canyon Road at Mammoth Lane, all within the City of Santa Clarita.	Agenda, June 9, 2021, (continued from the May 12, 2021 agenda).	1/28/2020	Jul-2021
24	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1101	Sanitation Districts	2.5± acres of uninhabited territory. The affected territory is located on Arroyo Oak Lane approximately 300 feet south of Hasley Canyon, all within the unincorporated area of Los Angeles County.	Agenda, May 12, 2021	1/28/2020	Jun-2021
25	AD	Annexation 434 to District no. 22	Sanitation Districts	1.21± acres of uninhabited territory. The affected territory is located on Dancove Drive approximately 100 feet northeast of the terminus of Greenville Drive, all within the City of West Covina.	Agenda, May 12, 2021	2/4/2020	Jun-2021
26	DD	Reorganization No. 2020-01 to the City of Santa Clarita (Tesoro del Valle)	City of Santa Clarita	1609± acres of inhabited territory. The affected territory is generally located north of the intersection of Copper Hill Drive and Avenida Rancho Tesoro, in the Unincorporated area of Los Angeles County adjacent to the City of Santa Clarita.	Notice of Filing sent 02-18-20 Incomplete filing; property tax transfer resolution, approved map and legal. Reorg area within DUC.	1/27/2020	Unknown
27	AD	Annexation 436 to District no. 22	Sanitation Districts	6.356± acres of uninhabited territory. The affected territory is located on the north side of Mt. Olive Drive approximately 500 feet east of Woodlyn Lane, all within the City of Bradbury.	Agenda, June 9, 2021	3/12/2020	Jul-2021
28	AD	Annexation 428 to District no. 14	Sanitation Districts	2.51± acres of uninhabited territory. The affected territory is located on the southwest corner of Avenue N and 10th Street West, all within the City of Palmdale.	Agenda, May 12, 2021	5/28/2020	Jun-2021
29	AD	Santa Clarita Valley Sanitation District of Los Angeles County Annexation 1094	Sanitation Districts	79.084± acres of uninhabited territory. The affected territory is located north of Antelope Valley Freeway west of Oak Springs Canyon Road and east of Soledad Canyon Road, all within the City of Santa Clarita.	Agenda, June 9, 2021	6/30/2020	Jul-2021
30	AD	Annexation 300 to District no. 15	Sanitation Districts	9.573± acres of uninhabited territory. The affected territory is located on Palm Hill Lane approximately 500 feet north of Deodar Lane, all within the City of Bradbury.	Notice of Filing Sent 10-05-20 Incomplete filing; property tax transfer resolution.	10/5/2020	Unknown
31	AD	Annexation 301 to District no. 15	Sanitation Districts	0.31 acres of uninhabited territory. The affected territory is located on Shrode Avenue approximately 550 feet east of California Avenue, all within the Unincorporated area of Los Angeles County.	Agenda, May 12, 2021	10/5/2020	Jun-2021
32	AD	Annexation 437 to District no. 22	Sanitation Districts	0.31 acres of uninhabited territory. The affected territory is located on Covina Hills Road approximately 300 feet north of Rancho Creek Road, all within the City of Covina.	Agenda, June 9, 2021	10/5/2020	Jul-2021

Staff Report

July 14, 2021

Agenda Item No. 7.a.

MSR No. 2021-01

Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District

EXECUTIVE SUMMARY:

Staff has prepared a Draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Point Dume Community Services District (PDCSD or District) (MSR/SOI Update), and has analyzed the PDCSD consistent with all requirements of Government Code § 56430, and drafted the corresponding determinations in the MSR/SOI Update. This agenda package includes this Staff Report with MSR and SOI Update and determinations, resolution of approval, copies of correspondence, maps, and related documents.

Staff recommends approval of the MSR and its determinations and the SOI Update, which meet the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act). Further, all SOI recommendations are consistent with the Commission's existing SOI Policy, which was adopted by the Commission on November 13, 2019.

Staff has provided the notice of public hearing as required by the Act. The recommended actions are not a project and/or exempt under the California Environmental Quality Act (CEQA).

Staff conducted public outreach effort to various stakeholders, including representatives of the PDCSD, the City of Malibu (City), the County of Los Angeles and members of the public. Staff emailed all stakeholders with a link to the Draft MSR/SOI Update on March 9, 2021. All comments provided to LAFCO are attached to this staff report.

Consistent with the draft resolution making determinations attached to this staff report, staff recommends that the Commission: one, approve MSR No. 2021-01 Municipal Service Review and Sphere of Influence Update for PDCSD; two, adopt a Zero Sphere of Influence for the PDCSD; three, direct staff to prepare a Resolution of Application Initiating Proceedings for the Dissolution of the PDCSD; and four, agendaize the initiation of the dissolution of the PDCSD for a future Commission Meeting.

BACKGROUND:

The PDCSD is located in the City of Malibu, within a coastal community known as Point Dume. The PDCSD's jurisdictional boundaries are generally located north of the Pacific Ocean, south of Pacific Coast Highway (State Route 1), south and east of the Point Dume Club of Malibu Mobile Home Park and Zuma Bay Villas, and west of the Paradise Cove Mobile Home Park.

In the early 1980s, a group of concerned citizens petitioned LAFCO, by registered voter petition, to form a community services district. The Point Dume Community Services District was approved by the Commission on March 9, 1983. The effective date of the formation was August 26, 1985.

The PDCSD was formed to address a perceived lack of existing park and recreation programs in the unincorporated community of Point Dume. The PDCSD entered into a lease with the Santa Monica-Malibu Unified School District (SMMUSD) to utilize the former Point Dume Elementary School property (a school which SMMUSD had closed, due to declining enrollment, and determined was “surplus” to SMMUSD’s needs). The PDCSD also secured a Conditional Use Permit (CUP) from the County of Los Angeles to provide “senior citizen activities, scout activities, arts and crafts, and recreation programs” at the former Point Dume Elementary School site.

In 2011, and due to increasing enrollment, the SMMUSD determined that it wanted to reopen a school, now known as the Malibu Elementary School, on the former Point Dume Elementary School property. Given this development, the SMMUSD terminated its lease with the PDCSD. Because the PDCSD no longer had a property from which to provide park and recreation services, the PDCSD ceased providing any services whatsoever. Since 2012, the PDCSD has not provided any services to the residents of the PDCSD.

CITY OF MALIBU – PARKS AND RECREATION PROGRAMS:

The City of Malibu operates and maintains six (6) active parks:

- Charmlee Wilderness Park (532 acres within the Santa Monica Mountains);
- Las Flores Creek Park;
- Legacy Park;
- Malibu Bluffs Park (with skate park);
- Malibu Equestrian Park, which includes two riding arenas, picnic area, and restrooms, and is open to the public for practice, recreational riding, and rentals; and
- Trancas Canyon Park and Trancas Field (35 acres).

The City of Malibu operates and maintains the following community facilities:

- Malibu Senior Center (located within City Hall), a 1,200-square foot senior center that offers a variety of recreational, fitness, cultural, and social events;

- Dial-A-Ride and Meal on Wheels services to its senior citizens residents;
- Michael Landon Community Center (located within Malibu Bluffs Park), a community center where space available is available to rent for private parties, company picnics, and sports events;
- A community pool (located within Malibu High School) open year-round, offering swim lessons, water polo, aqua aerobics, and various water related sports and activities;
- Multi-purpose rooms (located within City Hall) where space is available to rent for private parties, lectures, and company training; and
- Malibu Civic Theater (City Hall, Council Chambers) where space is available to rent for musicals, concerts, and lectures.

The City of Malibu provides the following recreation programs:

- Children's sports and activities K -12 (basketball, volleyball, tennis, surfing, cross county, theater, nature walks);
- Youth and Teen (ballet, cartooning, violin, chess);
- After-school (Day Camps-soccer and basketball);
- Adult (various sports, Yoga, Tai Chi, social/ballroom dancing, violin); and
- Contract Instructors (provide demonstrations on fitness, art, language).

The City of Malibu Community Services Department also holds annual and special events, such as Malibu's history and heritage, cultural and arts events, and holiday celebrations.

The City of Malibu includes a state park (Malibu Creek State Park), a park managed by the National Park Service (Solstice Canyon Park), and over 500 miles of hiking trails throughout the Santa Monica Mountains (Santa Monica Mountains National Recreation Area).

BOYS & GIRLS CLUB OF MALIBU– PARKS AND RECREATION PROGRAMS:

The Boys & Girls Club of Malibu provides afterschool programs, teen centers, and wellness centers to students at all four (4) public schools within the City of Malibu:

- Teen Center and Wellness Center is located on the Malibu High School site, at 30215 Morning View Drive;
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- Teen Center and Wellness Center is located on the Malibu Middle School site, at 30215 Morning View Drive;
- Malibu Elementary Clubhouse and Wellness Center is located on the Malibu Elementary School site, at 6955 Fernhill Drive; and
- Webster Elementary Clubhouse and Wellness Center is located on the Webster Elementary School site, at 3602 Winter Canyon Road.

Afterschool activities include access to computers, music, books, art supplies, and outdoor space. The Teen Center provides a safe environment where teens can spend time with their peers and receive positive mentorship. The Wellness Center provide programs and support services that promote healthy, social, emotional intelligence to children, their families, and the community at large. The Boys & Girls Club of Malibu provides afterschool services and programs for a charge/fee, and financial assistance is available to eligible students. The Wellness Centers are provided to students at no cost.

MUNICIPAL SERVICES REVIEW BACKGROUND:

Staff has prepared a Draft Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the PDCSD (MSR/SOI Update) consistent with all requirements of Government Code §§ 56425 and 56430 and drafted the corresponding determinations in the Draft MSR/SOI Update.

MUNICIPAL SERVICE REVIEW DETERMINATIONS:

Since 2000, LAFCOs have been required to prepare MSRs pursuant to Government Code § 56430. In order to prepare and to update a Sphere of Influence which meets the requirements of Government Code § 56425, “the Commission shall conduct a review of the municipal services in that particular county or other appropriate area designated by the commission . . . and shall prepare a written statement of its determinations.” Staff has drafted the following determinations:

(1). Population Projections:

Based on 2010 United States Census Bureau data, it is estimated that the current population within the boundaries of the Point Dume Community Services District is 1,916 (2020 Census data is not yet publicly available). PDCSD is located in a suburban area that is largely built-out. The population within PDCSD is unlikely to grow significantly over the next twenty (20) years.

(2.) Disadvantaged Unincorporated Communities (DUCs):

Staff has considered the impact of the SOI Update relative to DUCs. As defined by Government Code § 56033.5, DUC is “an area of inhabited territory located within an unincorporated area of a county in which the annual median household income is less than eighty percent (80%) of the statewide median household income.” State law considers an area with twelve (12) or more registered voters to be an inhabited area. LAFCO designated the DUCs in the County using 2014-18 American Community Survey (ACS) Census data, which is all unincorporated territory where the median household income is less than \$56,982.

All of Point Dume, and its surroundings, are within the jurisdictional boundary of the City of Malibu. There is no impact upon the location and characteristic of any DUCs because there are no unincorporated communities, and therefore no DUCs, within or contiguous to the Point Dume Community Services District and its SOI.

(3.) Present and Planned Capacity of Public Facilities, Adequacy of Public Services, and Infrastructure Needs and Deficiencies:

The PDCSD has not provided services since 2012 to the residents within its jurisdictional boundaries, due to no longer having access to the former Point Dume Elementary School site.

At this time, the PDCSD does not have the ability—including the essential resources, finances, and demonstrated organizational capacity—to serve the needs of the residents within its jurisdictional boundaries. Further, the PDCSD does not have the public facilities, nor access to public facilities, to provide services.

Several years after the PDCSD was formed in 1983, the Commission approved the incorporation of the City of Malibu in 1991. Since its incorporation, the City has established and developed a robust recreation and parks program with community facilities. The City maintains six (6) parks which include an equestrian park. The City provides public facilities to its residents: Malibu Senior Center (located within City Hall), a 1,200-square foot senior center that offers a variety of recreational, fitness, cultural, and social events. The City also offers Dial-A-Ride and Meal on Wheels services to its senior citizens residents, Michael Landon Community Center (located within Malibu Bluffs Park), a community center where space available is available to rent for private parties, company picnics, and sports events, a community pool (located within Malibu High School) open year-round, offering swim lessons, water polo, aqua aerobics, and various water related sports and activities, multi-purpose rooms (located within City Hall) where space is available to rent for private parties, lectures, and company training, and Malibu Civic Theater (City Hall, Council Chambers) where space is available to rent for musicals, concerts, and lectures. Programs offered by the City of Malibu include Children’s sports and activities K -12 (basketball, volleyball, tennis, surfing, cross

county, theater, nature walks), Youth and Teen (ballet, cartooning, violin, chess), After-school (Day Camps-soccer and basketball), Adult (various sports, Yoga, Tai Chi, social/ballroom dancing, violin), and Contract Instructors (provide demonstrations on fitness, art, language). The City of Malibu includes a state park (Malibu Creek State Park), a park managed by the National Park Service (Solstice Canyon Park), and over 500 miles of hiking trails throughout the Santa Monica Mountains (Santa Monica Mountains National Recreation Area).

PDCSD representatives have expressed a desire to form a fire brigade with an all-volunteer staff to provide fire suppression and fire life safety training. Rather than activating a new function or class of service—a complicated, costly, and lengthy process, with no guarantee of a successful outcome—a simpler, faster, and more efficient means of attaining the same goal would be for Point Dume to join with an existing, nearby Fire Safe Council (FSC), due to close proximity of two (2) other FSCs located in the Point Dume area, or to form a new FSC exclusive to Point Dume. A community does not need a community services district (CSD) to form an FSC, nor, as far as staff can determine, is there a single fire safe council in the entire state that is operated by a CSD.

In various forums—at public meetings, at community meetings, in letters to the editor, and in communications with LAFCO representatives—PDCSD representatives and supporters have suggested that the District provide several different services: installing landscaping, creating and maintaining community gardens, establishing a fire brigade, providing rideshare programs for seniors, and constructing a swim and tennis facility. With respect to these proposals, staff notes:

- PDCSD cannot provide any new service unless: one, PDCSD applies to LAFCO; two, PDCSD provides LAFCO with a plan of services, which describes the scope of the new service(s) and how it/they will be financed; three, LAFCO staff deems the application complete; and four, the Commission determines that the proposed service(s) is/are economically viable, and thereby approves the new service(s). This process is likely to take at minimum of one (1) year, and very likely longer.
- Despite multiple requests from staff—going back more than three (3) years—PDCSD representatives have yet to provide a written proposal to provide any new service.

(4.) Financial Ability of Agencies to Provide Services:

PDCSD's checking account summary, December 7, 2019 through January 8, 2020 has a balance of \$308.07, and a savings account summary, December 13, 2019 through January 14, 2020 has a balance of \$16,766.78.

In 2011, the Los Angeles County Board of Supervisors approved a five-year audit cycle for the Point Dume Community Services District. This is an exemption to yearly audits

required by special districts. The PDCSD's total assets for Fiscal Year 2013-2014 are \$18,516. Representatives of the District indicated that it has been a number of years since an audit has been prepared by a Certified Public Accountant; it would appear that the District is well behind its legal obligation to have an audit prepared every five (5) years.

The Point Dume Community Services District is primarily funded through private donations, fundraising, and grants. The last time the PDCSD received grant funding was twenty-five (25) years ago. Those funds were utilized to secure office space.

Due to lack of revenue sources, the PDCSD does not have the financial ability to resume providing services to the residents within the Point Dume area.

(5.) Status of, and Opportunities for, Shared Facilities:

The PDCSD is currently not providing services, and there appears to be no opportunities to share facilities with other agencies. Since the closure of the PDCSD's leased community center (former school site) in 2012, PDCSD representatives have not established any partnerships with other public or private partners relative to the sharing of facilities.

(6.) Accountability for Community Services Needs:

By law, the governing body of the Point Dume Community Services District is composed of a five-member Board of Directors. Currently there are three (3) active Board Members, and the Board meets only once per year. It is unclear to staff whether the Board provides the necessary public notice for this meeting, as required by the Ralph M. Brown Act.

PDCSD does not provide any services to its residents, nor does it have a documented plan for providing any services in the future.

In 2018, the State approved SB 929 (McGuire), which took effect on January 1, 2019, and is now codified as Government Code §§ 6270.6 and 53087.8. The law states that "beginning on January 1, 2020, every independent special district, as defined in Section 56044, shall maintain an Internet Web site." The law required the PDCSD to have its website operational by January 1, 2020. Staff inquired with the District on several occasions about this issue, and was consistently told that the District was working on plans to create a website.

On June 14, 2021, during the virtual meeting of the Malibu City Council, staff learned that the PDCSD had created a website, nearly eighteen (18) months after the deadline to do so as required by State law. AB 929 and other State laws require that each district's website contain certain information. The PDCSD website includes "contact information"

for the District, as required by AB 929. The website does not comply with the following requirements of State Law: posting the most recent agenda for the governing board meetings (there are no Board agendas or minutes available); no State Controller's Financial Transaction Report; no Board and Staff Compensation Report (nor a link to the State Controller's website); and no District's Enterprise Systems Catalog (as required by SB 272, and due by July 2016).

(7.) Other Matters Effective or Efficient Service Delivery, as deemed relevant by the Commission:

None.

SPHERE OF INFLUENCE BACKGROUND:

Since 1971, LAFCOs have been required to develop and adopt a SOI for each city and special District. Government Code §56076 defines a SOI as "a plan for the probable physical boundaries and services area of a local agency, as determined by the Commission."

Determining SOIs is central to the Commission's purpose. As stated in Government Code § 56425:

"In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the Sphere of Influence of each city and special district, as defined by Section 56036, within the county and enact policies designed to promote the logical and orderly development of areas within the sphere."

Government Code § 56425(g) further requires that the Commission review and update SOI's "every five years...as necessary."

SPHERE OF INFLUENCE DETERMINATIONS PURSUANT TO GOVERNMENT CODE 56425(e):

(1). Present and Planned Land Uses in the Area:

The PDCSD's service area is 1.36 square miles, which includes mostly developed territory within the City of Malibu. The Point Dume Community Services District consists of 793 parcels. Of these, 723 are assessed parcels (single-family homes and commercial); 16 are government-owned parcels, which include an elementary school, local parks, and state beaches (Point Dume State Beach and Point Dume State Nature Reserve); and 54 are vacant parcels (commercial, residential, and government-owned). The most likely development is the rebuilding of homes destroyed during the 2018 Woolsey Fire.

(2). Present and Probable Need for Public Facilities and Services in the Area:

Several years after the PDCSD was formed in 1983, the Commission approved the incorporation of the City of Malibu in 1991. Since its incorporation, the City has established and developed a robust recreation and parks program with community facilities, as described in detail herein.

PDCSD representatives have expressed a desire to form a fire brigade with an all-volunteer staff to provide fire suppression and fire life safety training. Rather than activating a new function or class of service—a complicated, lengthy, and challenging process, with no guarantee of a successful outcome—joining with an existing, nearby fire safe council (two (2) existing FSCs are located near the Point Dume area), or forming a new fire safe council, is a simpler, faster, less expensive, and more efficient means of attaining the same goal for Point Dume, separate and apart from, the functions and services provided by the PDCSD. As far as staff can determine, none of the FSCs in California are operated by a community services district.

(3.) Present Capacity of Public Facilities and Services:

The Point Dume Community Services District currently does not provide any services and has not provided services since 2012, since it lost access due to the former Point Dume Elementary School property.

(4). Social or Economic communities of interest:

There is one (1) area of social and economic community of interest, the City of Malibu. The Point Dume Community is within the City of Malibu's jurisdictional boundaries and receives services from the City.

(5). Present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI:

There is no impact upon the location and characteristic of any DUCs because there are no unincorporated communities, and therefore no DUCs, within or contiguous to the Point Dume Community Services District and its SOI.

The Point Dume Community Services District does not provide any of the three (3) core government services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.

COMMISSION-ADOPTED SOI POLICY

As noted in the Commission SOI Policy (adopted in 2019), the Commission adopts a Zero SOI when it determines that the functions, services, assets, and liabilities of that city or special district should ultimately be re-assigned to another public agency or service provider. A Zero SOI may be adopted for a city or special district that includes no territory. In this particular instance, the PDCSD has provided no services for nearly a decade, so there are no specific services for LAFCO to “re-assign” to another provider; further, since its incorporation in 1991, the City of Malibu has established, and now operates and manages, a comprehensive and robust range of park and recreation facilities, programs, and services; and the Boys and Girls Club of Malibu offers after-school programs at all four (4) of the public schools in the City of Malibu.

PUBLIC HEARING REQUIREMENT FOR SOI UPDATE:

The Executive Officer, pursuant to Government Code § 56427, originally set the hearing on May 12, 2021. On April 1, 2021, PDCSD representatives submitted a letter to request additional time to address the MSR/SOI Update. The Commission continued the hearing on May 12, 2021, without discussion, to the July 14, 2021 meeting as the hearing date on this MSR/SOI Update, and gave the required notice of public hearing pursuant to Government Code § 56427. Notice of the public hearing for the proposed Zero Sphere of Influence Update was given pursuant to Government Code §§ 56150-56160.

Required Public Hearing Notice: LAFCO is required to provide notice of the public hearing “in one or more newspapers of general circulation within each affected county, affected city, or affected district,” pursuant to Government Code § 56153, and notice “shall be commenced at least 21 days prior to the date specified in the notice for the public hearing,” pursuant to Government Code § 56154. Staff published a hearing notice in the Daily Commerce on Monday, June 14, 2021. The publication in the Daily Commerce satisfied all legal requirements for public hearing notice pursuant to State Law.

Additional Public Hearing Notice: In addition to the published notice in the Daily Commerce, staff published the hearing notice in the Malibu Times on Thursday, June 17, 2021. Staff also mailed the public hearing notice to all landowners and all registered voters within the affected territory by first class U.S. Mail by Tuesday, June 22, 2021. This additional mailed notice—of approximately 2,300 public hearing notices—is above and beyond what is required by State Law.

Pursuant to Government Code § 56157(h), “[i]f the total number of notices required to be mailed in accordance with subdivisions (d) and (f) exceeds 1,000, then notice may instead be provided by publishing a display advertisement of at least one-eighth page in a newspaper, as specified in § 56153, at least 21 days prior to the hearing.” Staff deliberately chose not to rely solely upon the “one-eighth page publication” option—instead, staff mailed approximately 2,300 hearing notices.

PUBLIC OUTREACH:

On Monday, June 14, 2021—approximately one (1) month before today’s public hearing before the Commission—staff posted the Draft MSR/SOI Update to the LAFCO website. Separate and apart from any required legal notice, staff also emailed the Draft MSR/SOI Update to public agency representatives (PDCSD, City of Malibu, County of Los Angeles) and notified them of the upcoming public hearing of the July 14, 2021 Commission Meeting.

On March 9, 2021, staff provided a copy of the Draft MSR/SOI Update to representatives of the PDCSD, the City of Malibu, and Los Angeles County Supervisor Sheila Kuehl, and requested input/comments by April 8, 2021. Representatives of all three (3) parties acknowledged receipt of the Draft MSR/SOI Update; further, staff notified all three (3) in advance of the approaching deadline. Representatives of the City of Malibu and Supervisor Kuehl informed LAFCO that they had no comments. Staff extended the written comment period on the MSR/SOI Update to the representatives of the Point Dume Community Services District to May 3, 2021. PDCSD representatives did not provide any input/comments on the Draft MSR/SOI Update by May 3, 2021 deadline. On July 6, 2021, as staff was finalizing the staff report, PDCSD President Paul Major e-mailed two letters to LAFCO addressing the MSR.

COMMUNITY MEETING:

On April 11, 2021, Pamela Conley Ulich sent out an email (copy enclosed) asking approximately twenty-five (25) stakeholders to attend a virtual meeting of the Point Dume Neighborhood Watch to discuss the PDCSD. The meeting was held on Sunday, April 11, at 4:00 p.m., and concluded shortly before 5:00 p.m. Ms. Ulich hosted the meeting, and speakers included PDCSD President Paul Major, LAFCO Executive Officer Paul Novak, Mr. and Mrs. David Kramer (Malibu resident), and Hap Henry (Malibu resident). Ms. Conley Ulich and Mr. Major talked about the history of the PDCSD, why it is still needed, and the desire to assemble a “new residents committee” to explore services the PDCSD could offer. Mr. Novak explained the determinations in the PDCSD Draft MSR and SOI Update, and why he was recommending that the District be dissolved. Mr. Kramer noted that he “never was aware of the Point Dume Community Services District.” Mr. Henry spoke about the importance of the PDCSD.

MALIBU CITY COUNCIL MEETING:

On June 14, 2021, at its live virtual Zoom meeting, the Malibu City Council (City Council) considered Agenda Item 6.A. relative to LAFCO’s Draft MSR/SOI Update recommendation to dissolve the PDCSD. The staff recommendation was to “Authorize the Mayor to submit a letter of support for or opposition to the [MSR] recommendation [to dissolve the district].” Paul Major (Board President, Point Dume Community Services District), as well as, Malibu residents Pamela Ulich and Hap Henry, spoke against the MSR recommendation to dissolve the PDCSD, and requested that the City send a letter to LAFCO opposing the proposed dissolution. The Executive Officer summarized the determinations in the Draft MSR/SOI Update, explained why dissolution is recommended, and asked the City Council not to take a position.

Comments (paraphrased) from members of the Malibu City Council include:

- The SMMUSD re-opened the elementary school site in 1996, so it's not clear how the PDCSD was providing services at that site as late as 2012.
- Residents who want to avail themselves of recreational services have many opportunities to do so in City-offered programs.
- Students at the four (4) public schools can avail themselves of afterschool programs offered by the Boys & Girls Club of Malibu.
- Fire brigades are not dependent on a community services district.
- I appreciate the enthusiasm [for the PDCSD], but it is coming very late in the scheme of things.
- There has been a whole lot of nothing going on [by the PDCSD], until LAFCO recommended that the district be dissolved.
- Regarding the Heathercliff properties [lands acquired by the City of Malibu in 2013], there will be a robust community outreach process, with exhaustive public input, before anything is developed, so it is premature for the PDCSD to plan the use of these properties, and any such decision is premature.
- I love the idea of developing a swim and tennis club on the Heathercliff property, but it will take a lot of time and input in advance, and the City of Malibu as a whole is better positioned to raise the necessary funds and get it built.
- I've talked to some of the folks in Point Dume, including PDCSD board-members, and there was nothing coming out of them until this last week.
- I appreciate the interest of the community in the last week or so, but the City should stay out of this.
- I don't think that this District is working.

On a motion by Councilmember Steve Uhring, seconded by Councilmember Karen Farrer, the City Council voted to "take no action" on Agenda Item 6.A.

FUNCTIONS AND CLASSES OF SERVICES PURSUANT TO GOVERNMENT CODE

56425(i):

The Commission is required to establish the nature, location and extent of the District's functions or classes of service in accordance with Government Code § 56425(i). The Commission approved the formation of the PDCSD on March 9, 1983. On June 23, 2004, the Commission adopted the Municipal Government Services SOI and MSR; , the Commission authorized the PDCSD to “provide recreation programs of the City of Malibu.”

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

MSRs and SOI Updates are feasibility and planning studies for possible future actions that have not been approved, adopted, or funded. The preparation and adoption of an MSR and SOI Update is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines § 15262 as a feasibility and planning study for possible future action.

In addition, the MSR and SOI update for the Point Dume Community Services District is exempt from the provisions of CEQA under the common sense exemption in 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the recommended studies for the Point Dume Community Services District will have a significant effect on the environment. In the alternative, the MSR and SOI Update is not a project for purposes of CEQA because it is an organizational activity of government with no direct or indirect effects on the physical environment and therefore is excluded from the definition of a project, pursuant to Section 15378(b) of the State CEQA Guidelines.

COMMENTS FROM PUBLIC AGENCIES, LANDOWNERS, AND REGISTERED VOTERS:

Staff received comments from:

- Letter of April 1, 2021, from Paul Major, Board President of the Point Dume Community Services District. The letter indicated that the District disagrees with the proposed dissolution, and requested an extension of time to review the MSR/SOI Update for a community meeting scheduled for April 11, 2021.
- E-mail dated April 4, 2021, from Bruce Silverstein, Councilmember, City of Malibu. The e-mail indicated that the City Council received inquiries from its residents to contact LAFCO to request an extension of time to review the MSR/SOI Update, and for LAFCO to give time for the City Council to agenzize an item on their agenda for discussion about the proposed dissolution of the Point Dume Community Services District.
- E-mail dated April 6, 2021, from Hap Henry (resident of the City of Malibu). The e-mail requested that the Commission not dissolve the District and requested an extension of

time to gather more input from the community.

- E-mail dated April 7, 2021, from David and Pamela Ulich (residents of the City of Malibu). The e-mail indicated that the Point Dume community is in need of additional parks and recreation activities and requested a one-year extension to create a plan for the District.
- E-mail dated April 28, 2021, from Margo and Rock Lane (residents of the City of Malibu). The e-mail indicated that the Point Dume community is needed and requested a one-year extension to create a plan for the District.
- E-mail dated April 28, 2021, from Kevin Hanna and Family (residents of the City of Malibu). The e-mail requested that the Commission not dissolve the Point Dume Community Services District.
- E-mail dated June 30, 2021, from Pamela Conley Ulich, concerning the PDCSD 4th of July parade, including the flyer for same.
- E-mail dated July 2, 2021, from Pamela Conley Ulich, concerning a \$200,000 donation to the PDCSD funded through the Malibu Foundation.
- E-mail of July 5, 2021, from Paul Major; and two letters dated July 3, 2021; and July 5, 2021; concerning the history of the PDCSD; describing recent activities (4th of July Parade), future plans, and the District's website; and requesting that staff change its recommendation.
- E-mail dated July 5, 2021, from Pamela Conley Ulich to The Malibu Times, concerning recent activities of the PDCSD.
- E-mail and letter, both dated July 6, 2021, from ReJeana Goldsborough, Program Coordinator for the Malibu Foundation, confirming the \$200,000 donation to finance a "Power of Hope Garden" project managed by PDCSD on land owned by the City of Malibu at Pacific Coast Highway and Heathercliff Road in Point Dume.

CONCLUSIONS:

The environment in the Point Dume community in 1983, when the PDCSD was formed, was vastly different than the environment in 2021. In 1983, the only parks and recreation programs offered in Point Dume were those provided by Los Angeles County. There was no City of Malibu (it did not incorporate until 1991). The former Point Dume Elementary School site was available for use by the PDCSD. Today, the City of Malibu provides a full range of parks and recreation services. The Boys & Girls Club of Malibu provides afterschool programs at all four (4) public schools in the City of Malibu, including Malibu Elementary School, where the

PDCSD formerly provided services. The record documents indicate that there are adequate park and recreation programs in Point Dume; were the PDCSD to resume providing park and recreation programs, they would merely duplicate what is being offered by the City of Malibu and the Boys & Girls Club of Malibu.

Staff has prepared an accurate and comprehensive review of the PDCSD, consistent with all MSR requirements in Government Code § 56430. Staff has prepared a proposed SOI Update for the PDCSD, consistent with all SOI requirements in Government Code § 56425, and consistent with the Sphere of Influence Policy adopted by the Commission on November 13, 2019.

Staff notes the following:

1. The PDCSD has not provided any municipal services since 2012.
2. The PDCSD nor has not formulated a feasible plan, nor has it demonstrated that it has the financial ability and resources necessary, to resume the services it formerly provided.
3. Despite its desire to offer new programs and services, the PDCSD has not offered a shuttle service, nor has it started a fire brigade, nor has it installed landscaping, nor has it acquired property to provide parks and recreation services, nor has it made any substantial progress toward developing a swim and tennis club, since the PDCSD stopped providing services in 2012.
4. The PDCSD does not have a full board (5 members), nor has it had a full five-member board for quite some time. Although PDCSD representatives claim to have requested that the Los Angeles County Board of Supervisors make “in-lieu appointments” to fill existing vacancies, that is a recent development, and such appointments are at the discretion of the Board of Supervisors.
5. The PDCSD holds no regular meetings, and when it does, it is not clear whether meetings are compliant with the Ralph M. Brown Act.
6. Although the PDCSD only recently created a website, the website was established nearly eighteen (18) months after the State deadline to do so; further, the website fails to provide most of the information required by State law in most instances.
7. The PDCSD has no staff.
8. The PDCSD does not have a dedicated facility for programs.
9. The PDCSD does not have a dedicated facility for the maintenance of records.
10. The PDCSD does not have a current audit, and it appears to be behind its legal requirement to have an audit prepared every five (5) years.

11. Despite LAFCO's requests for comments on the Draft MSR and SOI Update, PDCSD representatives have failed to provide any comments or input.

Given the foregoing, and nine (9) years of inaction and inactivity, it is unreasonable to expect that the PDCSD's future behavior will be appreciably different.

For the reasons stated herein, dissolving the PDCSD would not impact the residents of the Point Dume area. Staff therefore recommends that the Commission adopt a Zero SOI for the existing Coterminous District's SOI; and, further, staff recommends that the Commission direct staff to present a resolution to initiate a dissolution of the Point Dume Community Services District, and agendize the initiation of the dissolution of the PDCSD for a future Commission meeting.

RECOMMENDED ACTION:

In consideration of information gathered and evaluated for the service review of the Point Dume Community Services District, staff recommends that the Commission:

1. Open the public hearing and receive testimony on the MSR and SOI Update for the Point Dume Community Services District;
2. There being no further testimony, close the public hearing;
3. Adopt and approve the MSR/SOI Update (Municipal Service Review and Sphere of Influence Update of the Point Dume Community Services District), as enclosed;
4. Adopt a Zero Sphere of Influence for the Point Dume Community Services District, pursuant to Government Code § 56425, and as shown on the enclosed map;
5. Adopt the Resolution Making Determinations, including the California Environmental Quality Act determinations, Approving MSR No. 2021-01—Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District; and
6. Direct the Executive Officer to prepare a Resolution of Application Initiating Commission Proceedings for the Dissolution of the Point Dume Community Services District, pursuant to Government Code § 56375(a)(2)(B), and agendize the initiation of the dissolution of the PDCSD for a future Commission meeting.

ATTACHMENTS:

- MSR (Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District)
- Draft Resolution Making Determinations

- Map, Existing Sphere of Influence Point Dume Community Services District
- Map, Recommended Zero Sphere of Influence for the Point Dume Community Services District
- Commission SOI Policy
- Correspondence from interested parties
- Community Meeting invitation
- Media coverage

DRAFT Municipal Service Review

Community Services Districts

Adopted January 10, 2018 and DATE

This Municipal Service Review was conducted for the three (3) community services districts located in the County of Los Angeles:

- Bradbury Estates Community Services District;
- Pasadena Glen Community Services District; and
- Point Dume Community Services District.

The Commission adopted the MSR for the Bradbury Estates Community Services District and the Pasadena Glen Community Services District on January 10, 2018. The Commission adopted the MSR for the Point Dume Community Services District on DATE.

Chapter One: LAFCO Background

Municipal Boundaries

The State of California possesses the exclusive power to regulate boundary changes. Cities and special districts do not have the right to change their own boundaries without State approval.

The California Constitution (Article XI, Section 2.a) requires the Legislature to “prescribe [a] uniform procedure for city formation and provide for city powers.” The Legislature also has the authority to create, dissolve, or change the governing jurisdiction of special districts because they receive their powers only through State statutes.

The Legislature has created a “uniform process” for boundary changes for cities and special districts in the Cortese Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 *et seq*, or “Act”). The Act delegates the Legislature’s boundary powers over cities and special districts to Local Agency Formation Commissions (LAFCOs) established in each county in the State. The Act is the primary law that governs LAFCOs and sets forth the powers and duties of LAFCOs.

In addition to the Act, LAFCOs must comply with the following State laws:

- California Revenue and Taxation Code Sections 93 and 99. LAFCO considers the revenue and taxation implications of proposals and initiates the property tax negotiation process amongst agencies affected by the proposal.
- California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 *et seq*) and the related CEQA Guidelines (Title 14, California Code of Regulations

Section 15000 *et seq*). Applications before LAFCO are typically considered to be “projects” under CEQA, which requires that potential environmental impacts be analyzed prior to Commission action.

- Ralph M. Brown Act (California Government Code Section 54950 *et seq*). Commonly known as the State’s “open meeting law,” the Brown Act ensures that the public has adequate opportunity to participate in the LAFCO process.
- Political Reform Act (California Government Code Section 81000 *et seq*). Commissioners, some LAFCO staff, and legal counsel are subject to the Political Reform Act, which requires the filing of annual reports of economic interests.

What are LAFCO’s?

LAFCOs are public agencies with county-wide jurisdiction for the county in which they are located. LAFCOs oversee changes to local government boundaries involving the formation and expansion of cities and special districts.

In creating LAFCOs, the Legislature established four priorities: encourage orderly growth and development, promote the logical formation and determination of local agency boundaries, discourage urban sprawl, and preserve open-space and prime agricultural lands.

Created by the State but with local (not State) appointees, each of the 58 counties in the State of California has a LAFCO. Each LAFCO operates independently of other LAFCOs, and each LAFCO has authority only within its corresponding county.

While a LAFCO may purchase services from a county (i.e. legal counsel, employee benefits, payroll processing), LAFCO’s are not County agencies.

Local Agency Formation Commission for the County of Los Angeles (“LA LAFCO”)

LA LAFCO regulates the boundaries of all 88 incorporated cities within the County of Los Angeles. LAFCO regulates most special district boundaries, including, but not limited to:

- California water districts
- Cemetery districts
- Community service districts (“CSDs”)
- County service areas (“CSAs”)
- County waterworks districts
- Fire protection districts
- Hospital and health care districts
- Irrigation districts
- Library districts
- Municipal utility districts
- Municipal water districts
- Reclamation districts
- Recreation and parks districts

- Resource conservation districts
- Sanitation districts
- Water replenishment districts

LAFCO does not regulate boundaries for the following public agencies:

- Air pollution control districts
- Bridge, highway, and thoroughfare districts
- Community college districts
- Community facility districts (aka “Mello-Roos” districts)
- Improvement districts
- Mutual water companies
- Private water companies
- Redevelopment agencies
- School districts
- Special assessment districts
- Transit and transportation districts

LAFCO does not regulate the boundaries of counties. County boundary adjustments are within the purview of the boards of supervisors for the involved counties.

State law specifically prohibits LAFCOs from imposing terms and conditions which “directly regulate land use, property development, or subdivision requirements.” In considering applications, however, State law requires that LAFCO take into account existing and proposed land uses, as well as General Plan and zoning designations, when rendering its decisions.

The Local Agency Formation Commission for the County of Los Angeles (LA LAFCO, the Commission, or LAFCO) is composed of nine (9) voting members:

- Two (2) members of the Los Angeles County Board of Supervisors (appointed by the Los Angeles County Board of Supervisors);
- One (1) member of the Los Angeles City Council (appointed by the Los Angeles City Council President);
- Two (2) members of city councils who represent the other 87 cities in the county other than the City of Los Angeles (elected by the City Selection Committee);
- Two (2) members who represent independent special districts (elected by the Independent Special Districts Selection Committee);
- One (1) member who represents the San Fernando Valley (appointed by the Los Angeles County Board of Supervisors); and
- One (1) member who represents the general public (elected by the other eight members).

LAFCO also has six (6) alternate members, one (1) for each of the six (6) categories above.

The Commission holds its “regular meetings” at 9:00 a.m. on the second Wednesday of each month. The Commission periodically schedules “special meetings” on a date other than the second Wednesday of the month. Unless otherwise noticed, Commission meetings are held in Room 381B of the Kenneth Hahn Hall of Administration, located at 500 West Temple Street in downtown Los Angeles. Public notice, including the Commission agenda, is posted at the Commission meeting room and on LAFCO’s Website (www.lalafco.org).

The Commission appoints an Executive Officer. A small staff of less than ten (10), reports to the Executive Officer and Deputy Executive Officer.

LAFCO’s office is located at 80 South Lake (Suite 870) in the City of Pasadena. The office is open Monday through Thursday from 7:00 a.m. to 5:00 p.m. The office is closed on Fridays.

What are LAFCO’s responsibilities?

LAFCO oversees changes to local government boundaries involving the formation and expansion of cities and special districts. This includes annexations and detachments of territory to and/or from cities and special districts; incorporations of new cities; formations of new special districts; consolidations of cities or special districts; mergers of special districts with cities; and dissolutions of existing special districts. LAFCO also approves or disapproves proposals from cities and special districts to provide municipal services outside their jurisdictional boundaries (these public agencies can provide services outside of their boundaries under very limited circumstances).

An important tool used in implementing the Act is the adoption of a Sphere of Influence (SOI) for a jurisdiction. An SOI is defined by Government Code Section 56425 as “...a plan for the probable physical boundary and service area of a local agency.” An SOI represents an area adjacent to a city or special district where a jurisdiction might be reasonably expected to provide services over the next twenty (20) years. The SOI is generally the territory within which a city or special district is expected to annex.

LAFCO determines an initial SOI for each city and special district in the County. The Commission is also empowered to amend and update SOIs.

All jurisdictional changes, such as incorporations, annexations, and detachments, must be consistent with the affected agency’s Sphere of Influence, with limited exceptions.

Municipal Service Reviews

State law also mandates that LAFCO prepares Municipal Service Reviews (MSRs). An MSR is a comprehensive analysis of the municipal services, including an evaluation of existing and future service conditions, provided in a particular region, city, or special district. Related to the preparation of MSRs, and pursuant to State Law, LAFCOs must review and update SOIs “every five years, as necessary.” The Commission adopted MSRs for all cities and special districts in the County prior to the January 1, 2008 deadline (Round One).

Some LAFCOs prepare MSRs for each city and special district in their region every five years. Other LAFCOs do not prepare MSRs proactively; rather, when a city, special district, or petitioner wants to expand the boundaries of an SOI, LAFCO will then require the applicant to pay for the preparation of an MSR in advance of the SOI determination. Most LAFCOs take an intermediate approach, above, preparing MSRs for a select group of cities and special districts every five years. This is the approach taken by the Commission (LA LAFCO) at its meeting of March 9, 2011.

In the current round (Round Three), LAFCO is preparing MSRs for a total of nine (9) cities and eleven (11) special districts. To date, the Commission has adopted two of these MSRs (the Wrightwood Community Services District on January 8, 2020; and the Consolidated Fire Protection District of Los Angeles County on July 8, 2020).

In preparing MSRs, LAFCOs are required to make seven determinations:

- Growth and population projections for the affected area;
- The location and characteristics of any disadvantaged unincorporated communities (DUCs) within or contiguous to a city or district's SOI;
- Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs of deficiencies;
- Financial ability of agencies to provide services;
- Status of, and opportunities for, shared facilities;
- Accountability for community service needs, including governmental structure and operational efficiencies; and
- Any other matter related to effective or efficient service delivery.

Although State law requires the preparation of MSRs, the State does not provide funding to LAFCOs to perform this work. Some MSRs are prepared utilizing existing LAFCO staff; in other instances, LAFCO retains a consultant. This MSR was prepared in-house by LAFCO staff.

(Report continues on Page 6)

Chapter Two: Community Services District Enabling Act
(Government Code Sections 61000 – 61226.5)

Community Services District Law

The Legislature originally enacted the Community Services District (CSD) Law in 1951, and the Legislature re-enacted the Community Services District Law in 1955 (pursuant to Government Code Section 61001(a)(2)(3)).

Community Services District Law: 2006 Revisions

In 2006, Senator Christine Kehoe, in partnership with representatives of individual CSDs and the California Special Districts Association (CSDA), sponsored legislation (SB 135) to overhaul the Community Services District Law. SB 135 was approved by the Legislature and signed by the Governor, and it took effect on January 1, 2006. The reforms involved several substantive and significant changes to the original Community Services District Law.¹

In enacting the new CSD Law in 2006, the State Legislature (pursuant to Government Code Sections 61001(c)) expressed its intent, as follows:

- (1) To continue a broad statutory authority for a class of limited-purpose special districts to provide a wide variety of public facilities and services.
- (2) To encourage LAFCOs to use their municipal service reviews, spheres of influence, and boundary powers, where feasible and appropriate, to combine special districts that serve overlapping or adjacent territory into multifunction community services districts.
- (3) That residents, property owners, and public officials use the powers and procedures provided by the Community Services District Law to meet the diversity of the local conditions, circumstances, and resources.

Under the CSD Law (SB 135), community services districts may be any of the following (pursuant to Government Code Sections 61001(b)):

- (1) A permanent form of governance that can provide locally adequate levels of public services.
- (2) An effective form of governance for combining two or more special districts that serve overlapping or adjacent territory into a multifunction special district.
- (3) A form of governance that can serve as an alternative to the incorporation of a new city.
- (4) A transitional form of governance as the community approaches cityhood.

Governing Body

The governing body, which is established by law to administer the operation of a community services district, is composed of five (5) board of directors (pursuant to Government Code Section 61040).

Community services districts can be either independent or dependent: independent board of directors are elected by the district's voters or appointed to a fixed term of office by either the city council or board of supervisors. Dependent districts are governed by other existing legislative bodies such as a city council or board of supervisors. Larger independent districts have a professional manager, similar to a city manager or county administrator or chief executive officer, to assist the governing officials. The governing boards adopt policies that the general managers implement.²

SB 135 strengthened the community services districts' governance, as follows:

- Voters can elect directors at-large, by divisions, or from divisions (§ 61021 & 61025).
- Voters can convert dependent CSDs into independent districts (§ 61022 & 61027).
- All CSDs boards of directors must have five directors (§ 61040).
- Directors set policy; general managers implement policy (§ 61040 & 61051).
- Directors serve staggered, four-year terms (§ 61042).
- Directors must follow formal procedures (§ 61043, 61044 & 61045).
- General managers have defined roles (§61002(f) & 61051)³.

Functions

The California Government Code provides for a broad array of powers and authority for a community services district. With the notable exception of land-use (planning and zoning) authority, a community services district can provide almost the same range of services as a city. A community services district can provide up to thirty-two (32) services. Each of the specific powers (below) must be approved by the Commission prior to service(s) being provided.

Within its boundaries, the specific powers (pursuant to Government Code Section 61100) a CSD board of directors may exercise, are as follows:

- (a) Supply water for any beneficial uses in the same manner as a municipal water district.
- (b) Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water in the same manner as a sanitation district.
- (c) Collect, transfer, dispose of solid waste, and provide solid waste handling services, including, but not limited to, source reduction, recycling, and composting activities.
- (d) Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district.

- (e) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open-space in the same manner as a recreation and park district.
- (f) Organize, promote, conduct, advertise programs of community recreation, in the same manner as a recreation and park district.
- (g) Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.
- (h) Provide for the surveillance, prevention, abatement, and control of vectors and vectorborne diseases in the same manner as a mosquito abatement and vector control district.
- (i) Provide police protection and law enforcement services by establishing and operating a police department that employs peace officers.
- (j) Provide security services, including, but not limited to, burglar and fire alarm services, to protect lives and property.
- (k) Provide library services in the same manner as a library district.
- (l) Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental work.
- (m) Convert existing overhead electric and communications facilities, with the consent of the public agency or public utility that owns the facilities, to underground locations.
- (n) Provide emergency medical services.
- (o) Provide and maintain public airports and landing places for aerial traffic in the same manner as an airport district.
- (p) Provide transportation services.
- (q) Abate graffiti.
- (r) Plan, design, construct, improve, maintain, and operate flood protection facilities.
- (s) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.
- (t) Abate weeds and rubbish.
- (u) Acquire, construct, improve, maintain, and operate hydroelectric power generating facilities and transmission lines, consistent with the district's water supply and wastewater operations. The power generated shall be used for district purposes, or sold

to a public utility or another public agency that generates, uses, or sells electrical power. A district shall not acquire hydroelectric power generating facilities unless the facilities' owner agrees.

- (v) Acquire, construct, improve, maintain, and operate television translator facilities.
- (w) Remove snow from public streets, roads, easements, and rights-of-way.
- (x) Provide animal control services.
- (y) Control, abate, and eradicate pests, in the same manner as a pest abatement district.
- (z) Construct, maintain, and operate mailboxes on a district's property or rights-of-way.
- (aa) Provide mail delivery service under contract to the United States Postal Service.
- (ab) Own, operate, improve, and maintain cemeteries and provide interment services in the same manner as a public cemetery district.
- (ac) Finance the operations of area planning commissions formed pursuant to Section 65101.
- (ad) Finance the operations of municipal advisory councils formed pursuant to Section 31010.
- (ae) Acquire, own, improve, maintain, and operate land within or without the district for habitat mitigation or other environment protection purposes to mitigate the effects of projects undertaken by the district.
- (af) If a private person or entity is unable or unwilling to deploy broadband service, construct, own, improve, maintain, and operate broadband facilities and to provide broadband service. The district shall first make a reasonable effort to identify a private person or entity willing to deploy service. The authority granted by this subdivision shall expire when a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service as provided by the district. At that time, the district shall do one of the following: (1) Diligently transfer its title, ownership, maintenance, control, and operation of those broadband facilities and services at a fair market value to that private person or entity, or (2) lease the operation of those broadband facilities at a fair market value to that private person or entity.

(Report continues on Page 10)

The new CSD Law in 2006 (SB 135) clarified three (3) existing specific powers.

Within its boundaries, the specific powers that a board of directors may exercise, as follows:

- A district may provide electricity if LAFCO designated the district as the successor to another special district that was extinguished as the result of any change or organization or reorganization, that other special district had provided electricity pursuant to the principal act under which that other special district had operated (Government Code Section 61102).
- A district that acquires, constructs, improves, and maintains streets, road rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works pursuant to subdivision (I) of Section 61100 shall have the powers, duties, and authority of a county for those works (Government Code Section 61103).
- A district that acquires, constructs, improves, and maintains streets, road rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works pursuant to subdivision (I) of Section 61100 may grant franchises (Government Code Section 61104).

A district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the Commission. A district may provide the facilities and services authorized by Section 61100 outside its boundaries, subject to approval by LAFCO for an Out-of-Agency Service Agreement (pursuant to Government Code Section 56133 and 61101).

Exercise of New or Different Functions or Classes of Services (formerly known as “activation of latent powers”)

New or different functions or classes of services are those powers authorized by the principal act under which the district was formed, but not currently exercised by a special district.

Commission proceedings for the exercise of new or different functions or classes of services (or divestiture of power to provide particular functions or classes of services), within all or part of the jurisdictional boundaries of a special district may be initiated by a resolution of application (pursuant to Government Code Section 56824.10).

(Report continues on Page 11)

Plan for Services

A special district shall submit a plan for services with an application. The plan for services must include this information (pursuant to Government Code Section 56653(b)):

- (1) An enumeration and description of the services to be extended in the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

The plan for services shall also include all of this information (pursuant to Government Code Section 56824.12(a)):

- (1) The total estimated cost to provide the new or different function or class of services within the special district's jurisdictional boundaries.
- (2) The estimated cost of the new or different function or class of services to customers within the special district's jurisdictional boundaries. The estimated costs may be identified by customer class.
- (3) An identification of existing providers, if any, of the new or different functions or class of services proposed to be provided and the potential fiscal impact to the customers of those existing providers.
- (4) A written summary of whether the new or different function or class of services or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, pursuant to subdivision (b) of Section 56654, will involve the activation or divestiture of the power to provide a particular service or services, service function or functions, or class of services or services.
- (5) A plan for financing the establishment of the new or different function or class of services within the special district's jurisdictional boundaries.
- (6) Alternatives for the establishment of the new or different functions or class of services within the special district's jurisdictional boundaries.

The Commission shall not approve a proposal for the establishment of new or different functions or class of service unless the special district will have sufficient revenues to carry out the proposed new or different functions of class of services (Government Code Section 56824.14(a)) except as specified in Code Section 56824.14(1).

Formation

A proposal to form a new district may be made by petition or by the adoption of a resolution of application by a legislative body of a county, city, or special district that contains any of the proposed territory to be included in the proposed district. The petition shall do all of the things required by Section 56700. Except for the provisions regarding the signers, the signatures, and the proponents, a resolution of application shall contain all of the matters specified for a petition in Section 61011. In addition, the petition shall include, (pursuant to Government Code Section 61011(a)), the following information:

- State which of the services listed in Section 61100 it is proposed that the district be authorized to provide upon formation.
- Set forth the proposed methods, including, but not limited to, special taxes, benefit assessments, and fee, by which the district will finance those services.
- Specify the method of selecting the initial board of directors, as provided in Chapter 1 (commencing with Section 61020) of Part 2.
- The petition shall be signed by not less than twenty-five percent (25%) of the registered voters residing in the area to be included in the district.

Prior to circulating petitions, the proponent shall file with the LAFCO Executive Officer a Notice of Intention that includes the name and mailing address of the proponent(s) and a written statement, not to exceed 500 words in length, setting forth the reasons for the proposal. After filing the Notice of Intention, the petition may be circulated for signatures (Government Code Section 61012).

The proposal to form a new district may also be made by the adoption of a resolution of application by the legislative body of any county, city, or special district that contains any of the territory proposed to be included in the district (Government Code Section 56859 & 61013).

After the formation proceedings have been initiated, LAFCO must conduct a noticed public hearing. After hearing public testimony, the Commission may either approve, modify, or deny the proposed formation. If it is approved, the Commission must also adopt terms and conditions for the formation, and establish a sphere of influence for the new district. The proposed formation is then scheduled for a protest hearing. At the protest hearing, the proceedings may be terminated if protested by fifty percent (50%) or more of the registered voters residing within the district. If no majority protest exists, the Commission shall either:

1. Order the formation subject to approval by the voters; or
2. Order the formation subject to approval by the voters of a special tax or by the property owners of a special benefit assessment.

(Report continues on Page 13)

With respect to the proposed boundaries of a community services district, the following territory may be included upon formation pursuant to Government Code Section 61007.

1. Incorporated and/or unincorporated territory;
2. Contiguous or non-contiguous territory; and
3. Within one or more counties.

Territory within another community services district or another type of special district that provides the same proposed level of services shall not be included in a community services district.

Annexation

After a district has been formed, the boundaries of the district may be altered and outlying incorporated or unincorporated territory in one or more counties may be annexed into the district. Proceedings are to be initiated pursuant to Section 56000 *et seq* of the Government Code.

CSDs in Los Angeles County

There are three (3) community services districts located in the County of Los Angeles:

- Bradbury Estates Community Services District;
- Pasadena Glen Community Services District; and
- Point Dume Community Services District.

(Report continues on Page 14)

Chapter Three: Bradbury Estates Community Services District

The Bradbury Estates Community Services District (BECSD) was formed by LAFCO on December 28, 1995.

The population within the boundaries of the BECSD in 2010 (the most recent year for which data is available) was 370.⁴ The BECSD is 858 acres (or 1.34 square miles) in size with a population density of 276 persons per square mile.

The BECSD consists of 146 parcels. Of the 146 parcels, 108 are assessed parcels (single-family homes). The remaining 38 parcels are vacant lots (mostly inaccessible due to steep terrain), open-space; and flood control and debris basins (located in the northeastern portion of the BECSD boundaries, south of the Angeles National Forest).

The BECSD's boundaries include one of two distinct gated communities located in the City of Bradbury (City), the Bradbury Estates. The second gated community, Woodlyn Lane, is not within the BECSD's boundaries. Of the total 858 acres within the BECSD, 833 acres is the gated community of Bradbury Estates and the remaining twenty-five (25) acres are vacant lots, open-space, and flood control and debris basins, located within the northern and western portions of the City.

The Bradbury Estates Community Services District and its Coterminous SOI boundaries includes sixty-eight percent (68%) of the City of Bradbury, and a small area within the City of Monrovia consisting of four (4) parcels and a portion of one (1) parcel (Reorganization No. 2016-08 to the City of Bradbury). The BECSD's boundaries are generally located south and east of the City of Monrovia, south of the Angeles National Forest, west of the City of Duarte; and south and southeast of the City of Bradbury (see Existing Bradbury Estates Community Services District Sphere of Influence, Exhibit 1, on Page 16). The topography of the BECSD includes flat areas, as well as steep hillside and mountainous terrain in various locations.

In 1994, a proposal was submitted to LAFCO by registered voter petition to form a community services district within a portion of the City of Bradbury, a small residential equestrian community located at the base of the San Gabriel Mountains. A portion of the BECSD boundary includes a former City of Bradbury special municipal tax district boundary which existed from 1973 to 1992. From 1993 to 1995, patrol services to the Bradbury Estates area were financed through a voluntary homeowner's association. The former City municipal tax district boundary plus additional territory formed the BECSD boundaries.⁵

The purpose of the BECSD is to provide a higher level of special patrol services, landscape maintenance, and road maintenance to the Bradbury Estates. This includes 24-hour security patrol, maintenance of all streets within the gated community, and landscape maintenance at the entryway and guard post.

(Report continues on Page 15)

Active Powers

Active powers are defined as authorized functions and services that are already being provided by a special district within its boundaries.

The Bradbury Estates Community Services District is authorized to provide the following services:

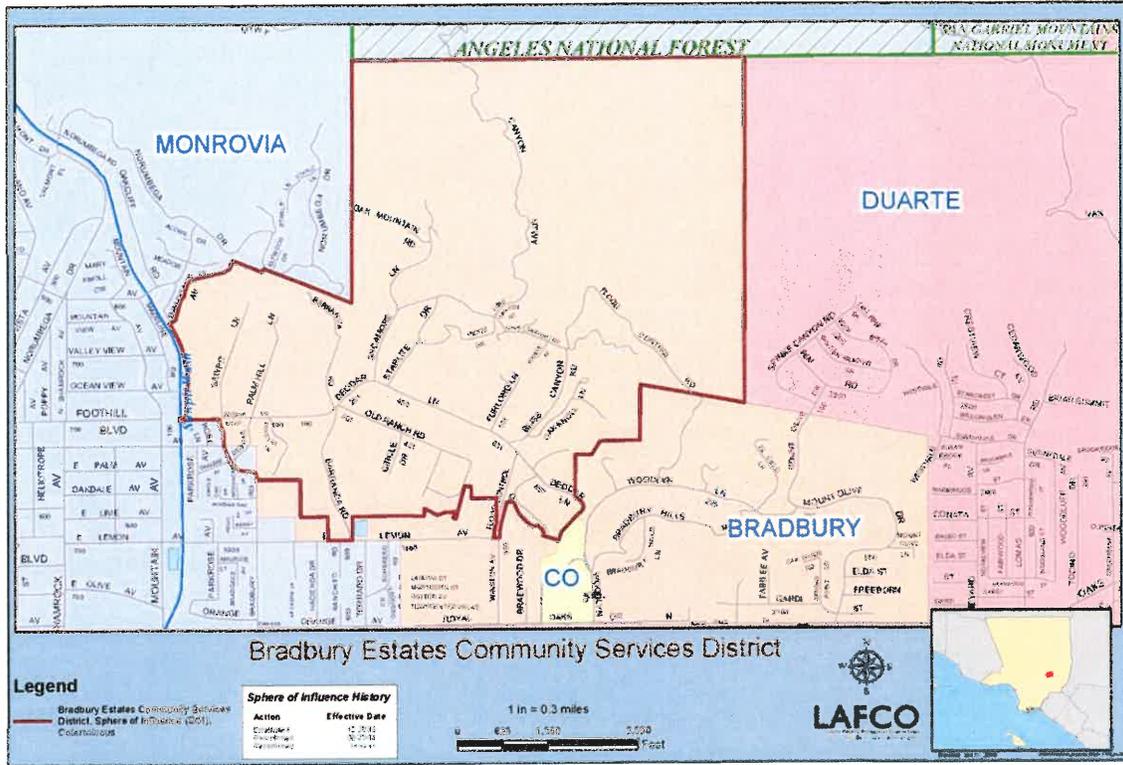
- Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements (Government Code Section 61100(g)). BECSD maintains a landscaped public easement at a gated entryway and a guard post into the Bradbury Estates.
- Provide security services, including, but not limited to, burglar and fire alarm services, to protect life and property (Government Code Section 61100(j)). Securitas uniformed security guards are stationed 24 hours a day, 7 days a week, at a guard post at the gated entryway of the Bradbury Estates. The security guards monitor the entrance with closed circuit cameras, monitor incoming vehicles and delivery services, conduct perimeter checks, and provide overnight parking passes to guests who are visiting residents within the Bradbury Estates.
- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and incidental work (Government Code Section 61100(l)). BECSD provides road construction, maintenance, repair, and street sweeping of all rights-of-way.

Any and all other powers not identified above, which the BECSD may propose to exercise, are considered to be new or different functions or classes of services (also known as “inactive powers” or “latent powers”). The BECSD is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

(Report continues on Page 16)

Exhibit 1

Existing Bradbury Estates Community Services District Sphere of Influence



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Bradbury Estates Community Services District

Discussion and Determinations

Government Code Section 56430 requires LAFCO to “conduct a service review of the municipal services” and to “prepare a written statement of its determinations” relative to several factors. This chapter addresses these factors and includes the recommended determinations.

Population Projections

According to the United States Census Bureau, the 2010 population of the Bradbury Estates Community Services District was 370.⁶ The BECSO consists of a combination of large estate single-family homes, open-space; and flood control and debris basins, that is largely built-out.

The population within the SOI boundary within the Bradbury Estates Community Services District is unlikely to grow significantly over the next twenty (20) years.

Determinations:

- **Bradbury Estates Community Services District is in a suburban area that is largely built-out.**
- **The population is unlikely to grow significantly over the next twenty (20) years.**

Disadvantaged Unincorporated Communities

Pursuant to the State's passage of Senate Bill 244, as of January 1, 2012, LAFCOs are required to make determinations regarding Disadvantaged Unincorporated Communities (DUCs) for an Update of a Sphere of Influence. The law defines a DUC as a community with an annual median household income that is less than eighty percent (80%) of the statewide annual median household income. The law also requires that LAFCOs consider “the location and characteristics of any disadvantaged communities within or contiguous to the sphere of influence” when preparing an MSR.

The Bradbury Estates Community Services District does not contain any unincorporated areas within its boundaries. There is one (1) small unincorporated area contiguous to the Bradbury Estates Community Services District and its SOI, located south of the BECSO and its SOI, but it does not contain a DUC.

Determinations:

- **There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Bradbury Estates Community Services District and its SOI.**

- **The Bradbury Estates Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.**

Present and Planned Capacity of Public Facilities

The Bradbury Estates Community Services District owns and maintains two (2) parcels which consist of a guard post and landscaped public easements, at the intersection of East Oak Leaf Avenue and East Wildrose Avenue.

The BECSD has no employees, and contracts out for the following services: security services with Securitas (a company that provides a full spectrum of security services, officers, and technology); street sweeping; landscaping; and accounting services.⁷

The Bradbury Estates Community Services District's Board of Directors does not employ nor contract out for a General Manager.

Securitas uniformed security guards are stationed 24 hours a day, 7 days a week, at a guard post at the gated entryway of the Bradbury Estates. The security guards monitor the entrance with closed circuit cameras, monitor incoming vehicles and delivery services, conduct perimeter checks, and provide overnight parking passes to guests who are visiting residents within the Bradbury Estates.⁸

The City of Monrovia and the City of Bradbury entered into a Memorandum of Understanding (MOU) on January 17, 2017 to implement a Community Service Officer (CSO) program. This MOU agreement is paid by the City of Bradbury to the City of Monrovia to employ a City of Monrovia non-sworn part-time CSO who performs field-related public safety work within the entire City of Bradbury, including the gated area of Bradbury Estates. The CSO reports directly to the City of Monrovia Police Department. The CSO provides a full-service investigation of crimes that have already occurred which have little or no workable leads, including evidence collection (photographs, fingerprinting, DNA, etc.); enforces some municipal code violations; investigates non-injury traffic collisions; enforces parking restrictions; and performs other duties as negotiated. The CSO program remains in effect until June 30, 2018, at which time both cities may elect to renew the program.⁹

The City of Bradbury contracts with the Los Angeles County Sheriff's Department which provides general law enforcements services within the City of Bradbury, including the Bradbury Estates.¹⁰

Bradbury Estates Community Services District representatives do not anticipate any potential expansion of service or service delivery.¹¹

BECSD representatives do not have any existing issues or problems with service delivery, equipment, or long-term capital improvements forecasted.¹²

The BECSD has provided services effectively for over two (2) decades. There is minimal new development within the Bradbury Estates Community Services District's SOI.

Determination:

- **At this time, the Bradbury Estates Community Services District has the ability to serve the needs of the BECSD.**

Financial Ability of Agencies to Provide Services

The BECSD's Fiscal Year 2016-2017 (most recent budget available) budget summary reflects \$580,996 in revenue (special assessments and interest income) and \$378,046 in expenses (\$254,276 in security services; \$62,146 in maintenance (roads and landscape); \$31,155 in business expenses; and \$30,469 in utilities) for a year-end balance of \$202,949.¹³

The BECSD has no long-term debt.¹⁴

The BECSD does not receive a portion of the 1% ad-valorem property tax. The BECSD is funded exclusively through property tax assessments.

For the Fiscal Year 2016-2017, the Bradbury Estates Community Services District received an assessment of \$5,140 per parcel. With 108 parcels assessed at \$5,140 per parcel, the BECSD received \$555,120 in assessments.¹⁵

In 1995, when the BECSD was originally formed/established, the BECSD levied a property tax assessment not to exceed \$1,500 per year, per parcel.¹⁶ In 1998, the BECSD held a special election and the voters within the BECSD approved a measure which: one, eliminated the maximum assessment of \$1,500 per year; two, authorized the BECSD Board of Directors to increase the annual assessment per parcel, up to a maximum of two percent (2%) each year; and three, empowered the Board to "re-capture" the 2% assessment in later years for prior years in which no increase was assessed.¹⁷ Depending on the BECSD's budgetary needs, the Board reconsiders the rate of assessment every year.¹⁸

In 1998, the assessment was \$3,600 per parcel.¹⁹ The current assessment (FY 2017-2018) is \$5,140 per parcel.²⁰

The chart below shows the annual assessment for the last four (4) fiscal years.

Bradbury Estates Community Services Benefit Assessment (based on per parcel, per year)	
<u>Fiscal Year</u>	<u>Amount</u>
2014-2015	\$4,800
2015-2016	\$4,800
2016-2017	\$5,140
2017-2018	\$5,140

Determination:

- **The Bradbury Estates Community Services District has the financial ability to continue providing services at the current year budget levels.**

Status of, and Opportunities for, Shared Facilities

Together with the City of Bradbury Planning and Building Departments and the Bradbury Estates Association, development activity within the Bradbury Estates Community Services District is subject to review and approval by the BECSD Board of Directors before any construction activity is undertaken that may impact the existing or proposed street system, drainage system, or police or security services.²¹

Determinations:

- **The Bradbury Estates Community Services District works directly with the City of Bradbury and the Bradbury Estates Association to review and approve proposed new development and construction activities within the BECSD.**
- **There are no additional opportunities for shared facilities or services.**

Accountability for Community Service Needs

The governing body of Bradbury Estates Community Services District consists of a five-member Board of Directors. Board-members are elected by district, and they do not receive stipends.²²

The Board of Directors conducts meetings at the Bradbury City Hall at 600 Winston Avenue, Bradbury, California, 91008 at 7:00 p.m. Board agendas are posted at the entryway guard post and at Bradbury City Hall. Notices of meetings are mailed to the residents within the BECSD. The Board meets twelve (12) times a year.²³

The Bradbury Estates Community Services does not maintain a website. The City of Bradbury's website lists the board's president with contact information for the BECSD²⁴.

Determination:

- **The Bradbury Estates Community Services District provides effective communication by posting Board agendas at the entryway guard post and at Bradbury City Hall, and notices of meetings are mailed to the residents within the BECSD. Given the limited number of assessed parcels (108 assessed parcels), and the fact that mailed notice is provided in advance of each meeting, a website is not necessary at this time.**

Other Matters

None.

Determination:

(No additional determinations)

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Bradbury Estates Community Services District

SOI Recommendation

Bradbury Estates Community Services District SOI Recommendation:

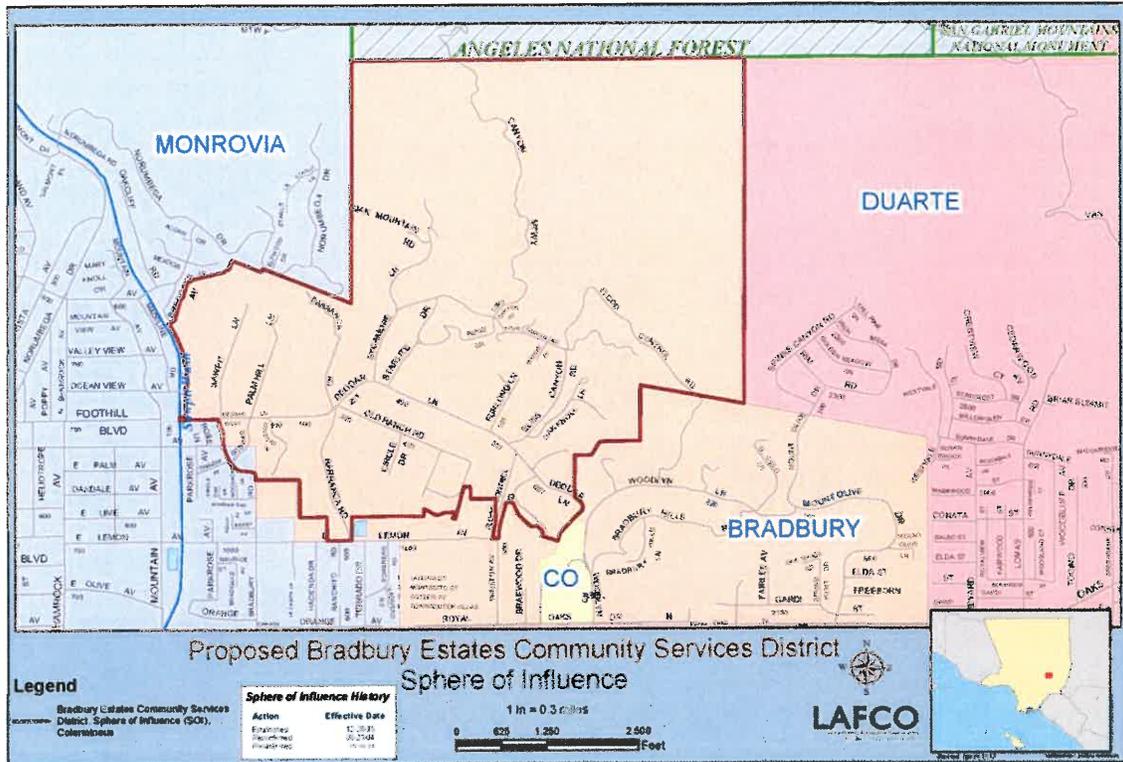
- **Reconfirm Bradbury Estates Community Services District's Existing Coterminous Sphere of Influence.** The Bradbury Estates Community Services District's Existing Coterminous SOI was established on December 28, 1995. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Bradbury Estates Community Services District Sphere of Influence, Exhibit 1, on Page 16). The Bradbury Estates Community Services District has no paid staff (all services are contracted out), and the BECSD's Board does not intend to make changes to its boundary. Future changes to the SOI boundaries are unlikely; LAFCO staff therefore recommends that the Commission reconfirm the existing Coterminous SOI for the Bradbury Estates Community Services District (see Proposed Bradbury Estates Community Services District Sphere of Influence, Exhibit 2, on Page 23).

(Report continues on Page 23)

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Exhibit 2

Proposed Bradbury Estates Community Services District Sphere of Influence



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Chapter Four: Pasadena Glen Community Services District

The Pasadena Glen Community Services District (PGCSD) was formed by LAFCO on June 27, 1994.

The population within the boundaries of the PGCSD in 2010 (the most recent year for which data is available) was 126.²⁵ The PGCSD is 26.20 acres (or 0.04 square miles) in size.

The PGCSD consists of 92 parcels. Of the 92 parcels, 65 are assessed parcels. The remaining 27 parcels are vacant lots, open-space; and flood control and debris basins. There are 56 single-family homes with the boundaries of the PGCSD²⁶.

The Pasadena Glen Community Services District and its Coterminous SOI boundaries are located in unincorporated territory known as Pasadena Glen; south and west of the Angeles National Forest, and northeast of the City of Pasadena. The PGCSD's boundaries include the roadways of Pasadena Glen Road, Shaw Ranch Road, and portions of Old Grove Road and Vosburg Street (see Existing Pasadena Glen Community Services District Sphere of Influence, Exhibit 3, on Page 26). The topography of the PGCSD consists of hillside and canyons.

In October of 1993, a fire swept through the community of Pasadena Glen and destroyed 28 of the 65 homes in the area. In 1994, a proposal was submitted to LAFCO by registered voter petition to form a community services district. In addition to the immediate damage caused by the fire, the community continued to suffer from severe flooding as a result of the erosion from barren hillsides. In order for the homeowners to rebuild their destroyed homes, Los Angeles required that the community demonstrate a financial capability to fund the necessary road and flood control improvements.²⁷

The purpose of the PGCSD is to construct, fund, and maintain the roadway (Pasadena Glen Road), including street turnouts for fire engine access and; to construct, fund, and maintain the storm water culverts (under Pasadena Glen Road and at the Winifred Canyon runoff) to divert the flow of water and mud away from residential homes and roads within the PGCSD.²⁸ Pasadena Glen Road is the primary access point to the community.

Active Powers

Active powers are defined as authorized functions and services that are already being provided by a special district within its boundaries.

The Pasadena Glen Community Services District is authorized to provide the following services:

- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and incidental work (Government Code Section 61100(l)). PGCSD maintains Pasadena Glen Road, Old Grove Road, and Shaw Ranch Road, including street turnouts for fire engine access and; to construct, fund, and maintain the storm water culverts (under Pasadena Glen Road and at the Winifred Canyon runoff) to divert the flow of water and mud away from residential homes and roads within the PGCSD.

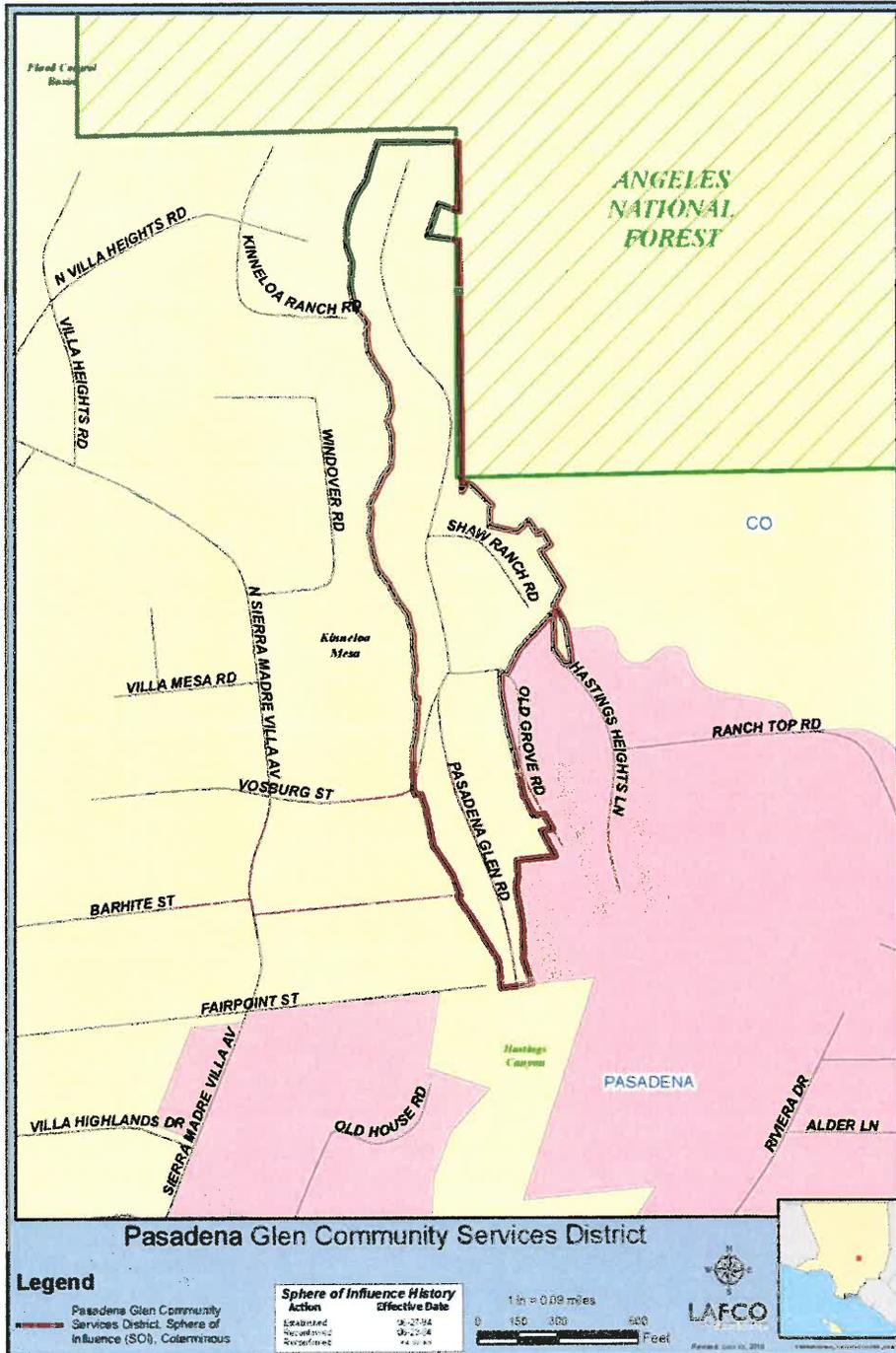
Any and all other powers not identified above, which the PGCSD may propose to exercise, are considered to be new or different functions or classes of services (also known as “inactive powers” or “latent powers”). The PGCSD is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

(Report continues on Page 26)

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Exhibit 3

Existing Pasadena Glen Community Services District Sphere of Influence



Pasadena Glen Community Services District

Discussion and Determinations

Government Code Section 56430 requires LAFCO to “conduct a service review of the municipal services” and to “prepare a written statement of its determinations” relative to several factors. This chapter addresses these factors and includes the recommended determinations.

Population Projections

According to the United States Census Bureau, the 2010 population of the Pasadena Glen Community Services District was 126.²⁹ The PGCSO consists of a combination of large estate single-family homes; and flood control and debris basins, that is largely built-out.

The population within the SOI boundary within the Pasadena Glen Community Services District is unlikely to grow significantly over the next twenty (20) years.

Determinations:

- **Pasadena Glen Community Services District is in a suburban area that is largely built-out.**
- **The population is unlikely to grow significantly over the next twenty (20) years.**

Disadvantaged Unincorporated Communities

Pursuant to the State’s passage of Senate Bill 244, as of January 1, 2012, LAFCOs are required to make determinations regarding Disadvantaged Unincorporated Communities (DUCs) for an Update of a Sphere of Influence. The law defines a DUC as a community with an annual median household income that is less than eighty percent (80%) of the statewide annual median household income. The law also requires that LAFCOs consider “the location and characteristics of any disadvantaged communities within or contiguous to the sphere of influence” when preparing an MSR.

The Pasadena Glen Community Services District is located entirely within unincorporated territory, but there are no DUCs within that unincorporated area. There is unincorporated territory, located north, northeast, west, and south, contiguous to the Pasadena Glen Community Services District and its SOI, but there are no DUCs within the unincorporated area.

Determinations:

- **There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no DUCs within or contiguous to the Pasadena Glen Community Services District and its SOI.**

- **The Pasadena Glen Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.**

Present and Planned Capacity of Public Facilities

The PGCSO has no employees, and contracts out for the following services: road and culvert maintenance, brush removal, general management, legal services, and accounting services.³⁰

The Pasadena Glen Community Services District Board of Directors contracts out for a General Manager.³¹

Pasadena Glen Community Services District representatives do not anticipate any potential expansion of service or service delivery.³²

PGCSO representatives indicated that there are existing issues or problems with maintenance of the roads resulting from private construction or other heavy uses. The PGCSO is responsible for maintaining roads within its boundaries, but is faced with a challenge due to activities that cause damage or deterioration to the roads. The Board of Directors is considering adopting an ordinance by requiring an encroachment permit for construction activities. Collecting these permit fees from construction activities will offset maintenance costs incurred by the PGCSO.³³

The PGCSO has been serving the area effectively for over two (2) decades. During that time the culverts and roadways have proven to be adequate for the community's needs. There is minimal new development within the Pasadena Glen Community Services District's SOI.

Determinations:

- **The Pasadena Glen Community Services District's public facilities are adequate to meet the needs of the Pasadena Glen community.**
- **The Pasadena Glen Community Services District Board of Directors should continue its consideration of adopting an encroachment permit/fee to offset impacts upon Pasadena Glen Road from outside parties.**

Financial Ability of Agencies to Provide Services

The PGCSOs five-year financial statement ending June 30, 2014 (most recent budget available) started with \$63,554; reflects \$32,385 in revenue and \$19,378 in expenses with an excess of revenues over expenses of \$13,007 for a fiscal year-end balance of \$76,561.³⁴

The PGCSOs Fiscal Year 2013-2014 ending June 30, 2014 reflects a balance of \$76,561 in the PGCSO checking and savings accounts.³⁵

The PGCSO has no long-term debt.³⁶

The PGCSO does not receive a portion of the 1% ad-valorem property tax. The PGCSO is funded exclusively through property tax assessments.

For Fiscal Year 2013-2014, PGCSO received \$32,301 in assessments.³⁷

At formation, the PGCSO is authorized to levy an annual benefit assessment of \$500 per parcel. Assessments have not increased since the PGCSO was formed in 1994. The Board has no plans to increase the assessment at this time.³⁸

Determination:

- **The Pasadena Glen Community Services District has the financial ability to continue to provide services to the residents within the Pasadena Glen area at current budget levels.**

Status of, and Opportunities for, Shared Facilities

The PGCSO provides limited services which directly benefit a small number of homeowners in the Pasadena Glen community. The PGCSO has maintained its limited public facilities consistently and adequately since the District's formation through the collection of assessments upon homeowners in Pasadena Glen. There are no apparent opportunities to share facilities with other agencies.

Determination:

- **There are no apparent opportunities to share facilities with other agencies.**

Accountability for Community Service Needs

The governing body of the Pasadena Glen Community Services District consists of a five-member Board of Directors, residents who live within the boundaries of the PGCSO. Board-members are elected at-large, and do not receive stipends.³⁹

The Board of Directors conducts meetings on the fourth Tuesday of each month. Board agendas are posted at the community bulletin board at the entry point into Pasadena Glen. The PGCSO does not own or lease any property and therefore each meeting is held at a different location within the PGCSO's boundaries. Meetings are typically held at the home of one of the Board members. The Board meets twelve (12) times a year.⁴⁰

The Pasadena Glen Community Services District does not maintain a website.

Determination:

- **The Pasadena Glen Community Services District provides effective communication by posting Board agendas at the community bulletin board at the entry point into Pasadena Glen. Given the limited number of assessed parcels (65**

assessed parcels), and existing noticing practices, a website is not necessary at this time.

Other Matters

None.

Determination:

(No additional determinations)

(Report continues on Page 31)

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Pasadena Glen Community Services District
SOI Recommendation

Pasadena Glen Community Services District SOI Recommendation:

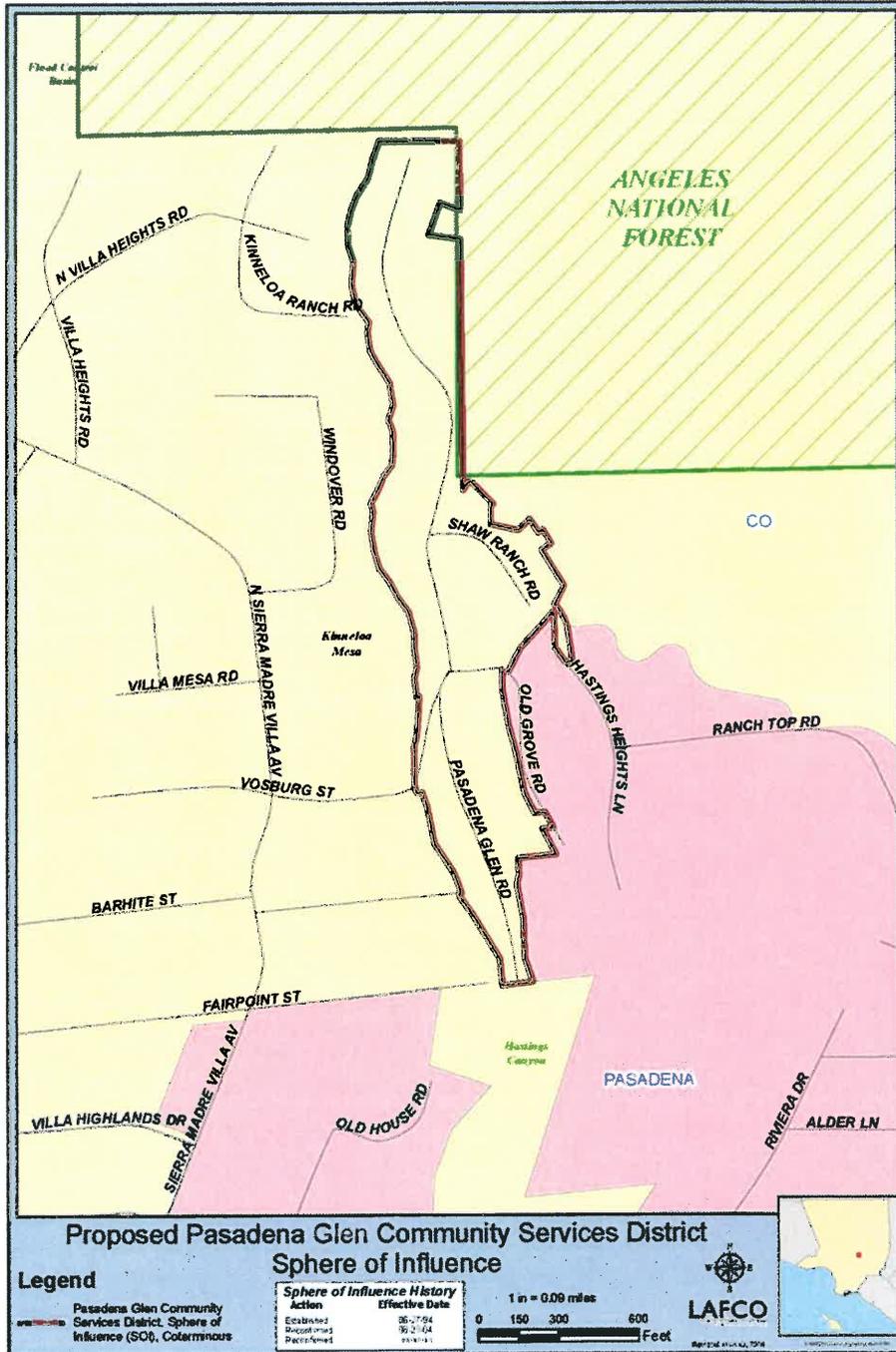
- **Reconfirm Pasadena Glen Community Services District's Existing Coterminous Sphere of Influence.** The Pasadena Glen Community Services District's Existing Coterminous SOI was established on June 27, 1994. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Existing Pasadena Glen Community Services District Sphere of Influence, Exhibit 3, on Page 26). The Pasadena Glen Community Services District has no paid staff (all services are contracted out), and the PGCSD's Board does not intend to make changes to its boundary. Future changes to the SOI boundaries are unlikely; LAFCO staff therefore recommends that the Commission reconfirm the existing Coterminous SOI for the Pasadena Glen Community Services District (see Proposed Pasadena Glen Community Services District Sphere of Influence, Exhibit 4, on Page 32).

(Report continues on Page 32)

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Exhibit 4

Proposed Pasadena Glen Community Services District Sphere of Influence



Chapter Five: Point Dume Community Services District

The formation of the Point Dume Community Services District (PDCSD or District) was approved by the Commission on March 9, 1983. The effective date of the formation was August 26, 1985.

The population within the boundaries of the PDCSD in 2010 (the most recent year for which data is available) was 1,916⁴¹. The PDCSD is 872.97 acres (or 1.36 square miles) in size, with a population density of 1,409 persons per square mile.

There are 1,257 registered voters (as of February 26, 2020) within the boundaries of the PDCSD⁴².

The PDCSD consists of 793 parcels. Of these, 723 are assessed parcels (single-family homes and commercial); 16 are government-owned parcels, which include an elementary school, local parks, and state beaches (Point Dume State Beach and Point Dume State Nature Reserve); and 54 are vacant parcels (commercial, residential, and government-owned).⁴³ Several parcels are vacant because structures were destroyed during the Woolsey Fire in 2018.

The Point Dume Community Services District is located in the City of Malibu, within a coastal community known as Point Dume. The PDCSD's jurisdictional boundaries are generally located north of the Pacific Ocean, south of Pacific Coast Highway (State Route 1), south and east of the Point Dume Club of Malibu Mobile Home Park and Zuma Bay Villas, and west of the Paradise Cove Mobile Home Park (see Existing Point Dume Community Services District Sphere of Influence Map, Exhibit 5, on Page 36). The topography of the PDCSD consists of hillside bluffs and canyons.

In the early 1980s, and due to declining enrollment, the Santa Monica-Malibu Unified School District (SMMUSD) declared the Point Dume Elementary School (now known as Malibu Elementary School), and formerly known as the Point Dume Marine Science School site, as a surplus school⁴⁴. The school was closed, and vandalism occurred. Since there were few existing park and recreation programs in the area, a group of concerned citizens petitioned LAFCO (by registered voter petition) to form a community services district.⁴⁵

The Los Angeles County Department of Regional Planning issued a Conditional Use Permit (CUP) for to the Point Dume Community Center Association, Incorporated, in 1983, for the future PDCSD to utilize the surplus school site... [to establish, operate, and maintain a Community Services Center to provide pre-school through senior citizen activities related to education, recreation; and other service programs, utilizing the building of the vacated Point Dume Elementary School]. All activities were approved with the condition that all funds go to the operation and maintenance of the facility.⁴⁶

The PDCSD was formed for the purpose of operating a community center at the Malibu Elementary School (formerly known as Point Dume Elementary School) for use as a meeting facility for senior citizen activities, Scout activities, arts and crafts, and recreation programs.⁴⁷

Under a lease agreement with the SMMUSD, the PDCSD utilized the Point Dume Elementary School property as a community center (Malibu Community Center) from 1987 to 2012 for community events and activities (senior programs, Scouts clubs, arts and crafts, preschool programs, dance studio, and reading and math programs).⁴⁸ In 2012, due to increasing student enrollment, the SMMUSD determined that the Point Dume Elementary School property was no longer a surplus property, and that SMMUSD would require the property for use as an elementary school; in so doing, the SMMUSD's action displaced the services then being provided by the PDCSD on the property. **Since 2012—for nearly a decade--the PDCSD has not provided any services to the community.**⁴⁹

The PDCSD currently has three (3) Board members; a President with two (2) additional Board members⁵⁰.

PDCSD representatives indicated that the purpose of the District is to operate and provide community involvement with various operations.⁵¹

Active Powers

Active powers are those functions and services which are provided by a special district within its geographic boundaries, as authorized by LAFCO.

According to a PDCSD representative, the list of services provided by the PDCSD through year 2012 includes⁵²:

- Maintain position as a primary service provider within the Point Dume Community Services District.
- Continuation of quality activity programs and community events.
- Teen activities – evenings and weekends.
- Sports workshops.
- Fundraising.
- Science or art classes offered through outside organizations.
- Bus trips for the community – museums, art galleries, sporting events, trips, seniors, local transportation.
- Provide for adequate fundraising and revenue enhancement.
- Establish better public relations and communications with local groups, parents, agencies, and the community.
- Work with others to establish a permanent site.
- Explore cooperative efforts with the City of Malibu, the Santa Monica-Malibu Unified School District, and California State Parks.
- Protection and beautification of the Point Dume community, and the PDCSD's natural resources.

Any and all other powers not identified above, which the PDCSD may propose to exercise, are considered to be new or different functions or classes of services. The PDCSD is prohibited from exercising such new or different functions or classes of services without the advance, written approval of the Commission pursuant to Government Code Sections 56824.10 through 56824.14, inclusive, and as addressed elsewhere in the Act.

Exercise New or Different Functions or Classes of Services

Staff representatives of the PDCSD indicated that the District is interested in providing a new class of service:

- Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district (Government Code Section 61100(d)). PDCSD anticipates establishing an all-volunteer staff fire brigade (Point Dume Fire Brigade) and provide fire life safety training⁵³.

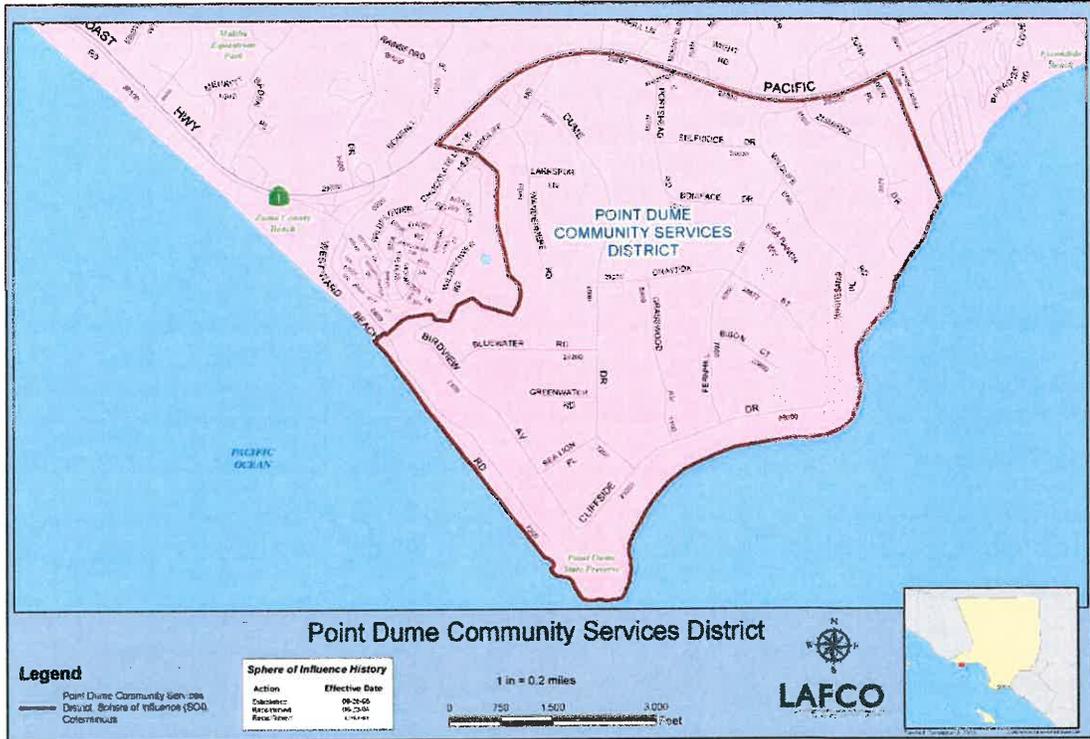
After the Woolsey Fire, and due to a perceived lack of fire protection resources amongst some Point Dume residents, PDCSD representatives expressed an interested in providing a new service by establishing a fire brigade for fire suppression, to provide fire life safety training such as proper equipment usage, cardiopulmonary resuscitation (CPR) and first aid training; and to conduct seminars for the community on fire preparedness. The fire brigade consists of a fire truck, fire equipment, and back-up generators (all donated to the PDCSD).

In order to provide this new function or service, the PDCSD would first have to file an application with a proposal with LAFCO to provide a new or different function or class of services with LAFCO pursuant to Government Code § 56824.10, and provide a plan of services required pursuant to Government Code § 56653. Said plan of services must present a detailed plan of the services the district proposes to offer, as well as a plan to finance these services; further, the Commission can only approve the activation of these services if it determines that the plan is economically viable.

(Report continues on Page 36)

Exhibit 5

Existing Point Dume Community Services District Sphere of Influence



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Point Dume Community Services District

Discussion and Determinations

Government Code Section 56430 requires LAFCO to “conduct a service review of the municipal services” and to “prepare a written statement of its determinations” relative to several factors. This chapter addresses these factors and includes the recommended determinations.

Population Projections

According to the United States Census Bureau, the 2010 population of the Point Dume Community Services District was 1,916.⁵⁴ The PDCSD consists of a combination of large estate single-family homes, commercial, and open-space, that is mostly built-out.

The population within the SOI boundary within the Point Dume Community Services District is unlikely to grow significantly over the next twenty (20) years. The construction of new homes, to replace those destroyed in the 2018 Woolsey Fire, will have merely a negligible impact on the overall population within the boundaries of the PDCSD.

Determinations:

- **Point Dume Community Services District is located in a suburban area that is largely built-out.**
- **The population is unlikely to grow significantly over the next twenty (20) years.**

Disadvantaged Unincorporated Communities

Pursuant to the State’s passage of Senate Bill 244, as of January 1, 2012, LAFCOs are required to make determinations regarding Disadvantaged Unincorporated Communities (DUCs) when preparing an Municipal Service Review and Sphere of Influence update. As defined by Government Code § 56033.5, DUC is “an area of inhabited territory located within an unincorporated area of a county in which the annual median household income is less than eighty percent (80%) of the statewide median household income.” State law considers an area with twelve (12) or more registered voters to be an inhabited area. LAFCO designated the DUCs in the County using 2014-18 American Community Survey (ACS) Census data, which is all unincorporated territory where the median household income is less than \$56,982.

All of Point Dume, and its surroundings, are within the jurisdictional boundary of the City of Malibu. There is no impact upon the location and characteristic of any DUCs because there are no unincorporated communities, and therefore no DUCs, within or contiguous to the Point Dume Community Services District and its SOI.

Determinations:

- **There is no impact upon the location and characteristic of any Disadvantaged Unincorporated Communities (DUCs) because there are no unincorporated communities, and therefore no DUCs, within or contiguous to the Point Dume Community Services District and its SOI.**
- **The Point Dume Community Services District does not provide three core governmental services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.**

Present and Planned Capacity of Public Facilities, Adequacy of Public Services, and Infrastructure Needs or Deficiencies

The Point Dume Community Services District currently does not provide any services and has not provided services since 2012 due to the reopening of Point Dume Elementary School (now known as Malibu Elementary School).

As stated previously, the Commission approved the formation of the PDCSD (previously County unincorporated territory) in 1983.

Several years after the PDCSD was formed, the Commission approved the incorporation of the City of Malibu (City) in 1991. Since its incorporation, the City has established and developed a robust recreation and parks program with community facilities:

The City maintains six (6) active parks⁵⁵:

- Charmlee Wilderness Park (532 acres within the Santa Monica Mountains)
- Las Flores Creek Park
- Legacy Park
- Malibu Bluffs Park (with skate park)
- Malibu Equestrian Park (Two riding arenas, picnic area, and restrooms. Open to the public for practice and recreational riding. Space is available for rent.)
- Trancas Canyon Park and Trancas Field (35 acres)

The City maintains the following community facilities⁵⁶:

- Malibu Senior Center (located within City Hall), a 1,200-square foot senior center that offers a variety of recreational, fitness, cultural, and social events. The City also offers Dial-A-Ride and Meal on Wheels services to its senior citizens residents.

- Michael Landon Community Center (located within Malibu Bluffs Park), a community center where space available is available to rent for private parties, company picnics, and sports events.
- A community pool (located within Malibu High School) open year-round, offering swim lessons, water polo, aqua aerobics, and various water related sports and activities⁵⁷.
- Multi-purpose rooms (located within City Hall) where space is available to rent for private parties, lectures, and company training.
- Malibu Civic Theater (City Hall, Council Chambers) where space is available to rent for musicals, concerts, and lectures.

The City provides the following recreation programs⁵⁸:

- Children's sports and activities K -12 (basketball, volleyball, tennis, surfing, cross county, theater, nature walks)
- Youth and Teen (ballet, cartooning, violin, chess)
- After-school (Day Camps-soccer and basketball)
- Adult (various sports, Yoga, Tai Chi, social/ballroom dancing, violin)
- Contract Instructors (provide demonstrations on fitness, art, language)

The City of Malibu Community Services Department also holds annual and special events (Malibu's history and heritage, cultural and arts events, and holiday celebrations).

The City of Malibu includes a state park (Malibu Creek State Park), a park managed by the National Park Service (Solstice Canyon Park), and over 500 miles of hiking trails throughout the Santa Monica Mountains (Santa Monica Mountains National Recreation Area).⁵⁹

The Boys & Girls Club of Malibu provides afterschool programs, teen centers, and wellness centers to students at all four (4) public schools within the City of Malibu⁶⁰:

- Teen Center and Wellness Center is located on the Malibu High School site, at 30215 Morning View Drive;
- Teen Center and Wellness Center is located on the Malibu Middle School site, at 30215 Morning View Drive;
- Malibu Elementary Clubhouse and Wellness Center is located on the Malibu Elementary School site, at 6955 Fernhill Drive; and
- Webster Elementary Clubhouse and Wellness Center is located on the Webster Elementary School site, at 3602 Winter Canyon Road.

Afterschool activities include access to computers, music, books, art supplies, and outdoor space. The Teen Center provides a safe environment where teens can spend time with their peers and receive positive mentorship. The Wellness Center provide programs and support services that promote healthy, social, emotional intelligence to children, their families, and the community at large. The Boys & Girls Club of Malibu provide afterschool services and programs for a fee/charge or financial assistance is available to eligible students. The Wellness Centers are provided to students at no cost.⁶¹

The District was formed in the 1983 because there was no community center, nor were there any extensive park and recreation programs, in Malibu. Those circumstances differ, substantially, from what exists today. The City of Malibu has established, and manages, a comprehensive and robust set of parks and recreation programs and facilities. Further, the Santa Monica-Malibu Unified School District has terminated the PDCSD's lease on the elementary school site previously utilized by the PDCSD for a community center and re-opened the property as the Point Dume Elementary School.

The PDCSD has no employees, and is supported by an all-volunteer staff of a Board President and two additional Board members⁶².

The PDCSD does not contract out with other agencies⁶³.

PDCSD representatives indicated that they do not have any existing issues or problems with service delivery, equipment, nor any long-term capital improvements forecasted⁶⁴.

Aside from the option of submitting an application to LAFCO pursuant to Government Code § 56824.10 to provide a new class of service (specifically fire protection services pursuant to Government Code § 61100(d)), the PDCSD is considering the formation of a fire brigade with an all-volunteer staff (the Point Dume Fire Brigade) to provide fire suppression and fire life safety training⁶⁵. Staff believes that the formation of a Fire Safe Council (FSC) is better suited to address fire service deficiencies within the Point Dume community.

Fire Safe Councils

The California Fire Safe Council (CFSC), a non-profit corporation, was originally formed as a project of the California Department of Forestry and Fire Protection (CAL FIRE) in 1993. In 2012, and under the leadership of the California Fire Alliance, CFSC became a "one-stop shop" for its members to submit grant applications through CFSC's Grants Clearinghouse, which includes four primary federal agencies: US Department of Agricultural, US Forest Service, Department of Interior Bureau of Land Management, US National Park Service, and the US Fish & Wildlife Service provide funding for various programs and projects. These agencies provide large master grants to CFSC to conduct, select, manage, and monitor subgrants to local community groups such as Fire Safe Councils (FSCs), homeowner associations, local government, fire departments, and other entities working on wildfire prevention.⁶⁶

CFSC also secures grant funding from insurance companies. CFSC is currently working in partnership with State Farm Insurance Company to develop a grant program to create new local fire safe councils.⁶⁷

CFSC supports local FSC's through its membership through grant distribution, monitoring grants, and providing resources and information.⁶⁸

FSCs, formed and established through the CFSC, are local community-led organizations which receive funding through private and public donations, and through CFSC membership (distribution of federal funding) that mobilizes residents to protect their homes, communities, and environments from catastrophic wildfire. Many FSCs are formed after a fire by local residents who are committed to making their communities safer. FSCs often collaborate with federal, state, and local (county, city, and special district) fire officials. These partnerships effectively reduce and prevent wildfire losses, increase the insurability by increasing community safety, forge partnerships with first responders, and acquire resources to assist in fire prevention⁶⁹.

FSCs can also receive funding through donated time, monetary donations, and in-kind donations, such as a business donating computers or office furniture⁷⁰. These in-kind donations build long-term partnerships with local businesses, community groups, and government offices to provide cooperative programs and projects to fire safety.⁷¹

Most FSCs are usually all-volunteer staff; with the exception where an executive director is paid staff. Board members do not receive stipends. A local fire council is a voice for the community. FSCs provide educational outreach programs and training, educational pamphlets, newsletters, e-newsletters. FSCs can help prevent fires and ensure better fire protection by providing homeowners with training on brush clearance and provide a defensible space around the perimeter of their properties and hosting local seminars or workshops on fire prevention. A local FSC can disseminate information to residents regarding exits routes and monitor traffic. FSC's collaborate with local and county fire authorities and have full battalions, if necessary. Forming an FSC is a funding mechanism to support local fire safety.⁷²

There are eighteen (18) local fire safe councils within Los Angeles County. Two (2) of these - the Coral Canyon Fire Safety Alliance and the Horizon Hills Fire Safe Council⁷³—are 4.68± and 1.55± miles⁷⁴ away from Point Dume CSD office, respectively. These two (2) fire safe councils are in the general area of Point Dume CSD. Given the close proximity to established FSCs, the residents of the Point Dume area should explore joining either one of these existing FSCs.

Forming a New Fire Safe Council – General Information

To form a new fire safe council, interested parties must submit an application with the CFSC. Once approved, the representatives of the fire safe council conduct several meetings to inform the local public and recruit volunteers. Its members establish a Board of Directors, a mission statement, objectives, name of the proposed FSC, and determine whether to seek non-profit status. Once the new FSC is established, its members inform the community through various news outlets (television, radio, newspaper, social media), issue press releases, and continue to engage the public and initiate fire partnerships with its residents, business-owners, community groups, and local governments.⁷⁵

Determinations:

- **The Point Dume Community Services District has not provided services in nine (9) years to the residents within its jurisdictional boundaries.**
- **At this time, the Point Dume Community Services District does not have the ability—including the essential resources, finances, and demonstrated organizational capacity—to serve the needs of the residents within its jurisdictional boundaries.**
- **The Point Dume Community Services District does not have the public facilities, nor access to public facilities, to provide services.**
- **Point Dume Community Services District representatives have expressed a desire to form a fire brigade with an all-volunteer staff to provide fire suppression and fire life safety training. Rather than activating a new function or class of service—a complicated, lengthy, and challenging process, with no guarantee of a successful outcome—joining with an existing, nearby fire safe council (due to close proximity of two (2) other FSCs located in the Point Dume area), or forming a new fire safe council may be a simpler, faster, and more efficient means of attaining the same goal for Point Dume, separate and apart from, the functions and services provided by the PDCSD.**

Financial Ability of Agencies to Provide Services

PDCSD's checking account summary, December 7, 2019 through January 8, 2020 has a balance of \$308.07, and a savings account summary, December 13, 2019 through January 14, 2020 has a balance of \$16,766.78. The Board President is the only PDCSD representative who has access to the checking and savings accounts.⁷⁶

Yearly audits can be costly especially for districts with a small budget. In 2011, the Los Angeles Board of Supervisor approved a five-year audit cycle for the Point Dume Community Services District⁷⁷. The Point Dume Community Services District total assets for Fiscal Year 2013-2014 is \$18,516.⁷⁸ Representatives of the District indicated that it has been a number of years since an audit has been prepared by a Certified Public Accountant⁷⁹; it would appear that the District is well behind its legal obligation to have an audit prepared every five (5) years.

The PDCSD has no long-term debt.⁸⁰

The PDCSD does not receive a portion of the one-percent (1%) ad-valorem property tax. The Point Dume Community Services District is primarily funded through private donations, fundraising, and grants.⁸¹ The last time the PDCSD received grant funding was twenty-five (25) years ago, which was utilized to secure office space.⁸²

According to a PDCSD representatives, all archived files and financial information (budgets and audits) were destroyed in the November 2018 Woolsey Fire⁸³.

Determination:

- **The Point Dume Community Services District does not have the financial ability to continue to provide services to the residents within the Point Dume area at current budget levels.**

Status of, and Opportunities for, Shared Facilities

The PDCSD is currently not providing services, and there appears to be no opportunities to share facilities with other agencies⁸⁴. Since the closure of its community center in 2012, PDCSD representatives have not established any partnerships with other public or private partners relative to the sharing of facilities.

Determination:

- **There are no identified opportunities to share facilities with other agencies.**

Accountability for Community Service Needs

The governing body of the Point Dume Community Services District usually consists of a five-member Board of Directors. Currently there are three (3) active Board Members⁸⁵. Boardmembers are either elected or they are appointed in-lieu of an election by the Los Angeles County Board of Supervisors, and they do not receive stipends.⁸⁶

The Board of Directors meets annually, conducting its meetings at members' homes.⁸⁷

Passed in late 2018, Senate Bill 929 is a law requiring all independent special districts in California to create and maintain a website (with specified information about the district) by January of 2020. Since the Point Dume Community Services District does not currently maintain a website, it is in violation of the provisions of SB 929 (now codified as Government Code §§ 6270.6 and 53087.8).

On June 14, 2021, during the virtual meeting of the Malibu City Council, staff learned that the PDCSD had created a website, nearly eighteen (18) months after the deadline to do so as required by State law. AB 929 and other State laws require that each district's website contain certain information. The PDCSD website includes "contact information" for the District, as required by AB 929. The website does not comply with the following requirements of State Law: posting the most recent agenda for the governing board meetings (there are no Board agendas or minutes available); no State Controller's Financial Transaction Report; no Board and Staff Compensation Report (nor a link to the State Controller's website); and no District's Enterprise Systems Catalog (as required by SB 272, and due by July 2016).⁸⁸

Determinations:

- Point Dume Community Services District Board member meet once a year.
- District's representatives do not maintain a website, as required by State law, and do not have a plan for establishing a website by a date certain.
- PDCSD does not provide any services to its residents, nor does it have a documented plan for providing any services in the future.
- Given that the PDCSD has only three (3) members (instead of five) on its Board of Directors, the Board meets only once per year, the District provides no services, and the District has no website nor plans to establish a website, the PDCSD is not accountable to the community service needs and is not operating in a transparent manner.

Other Matters

None.

Determination:

(No additional determinations)

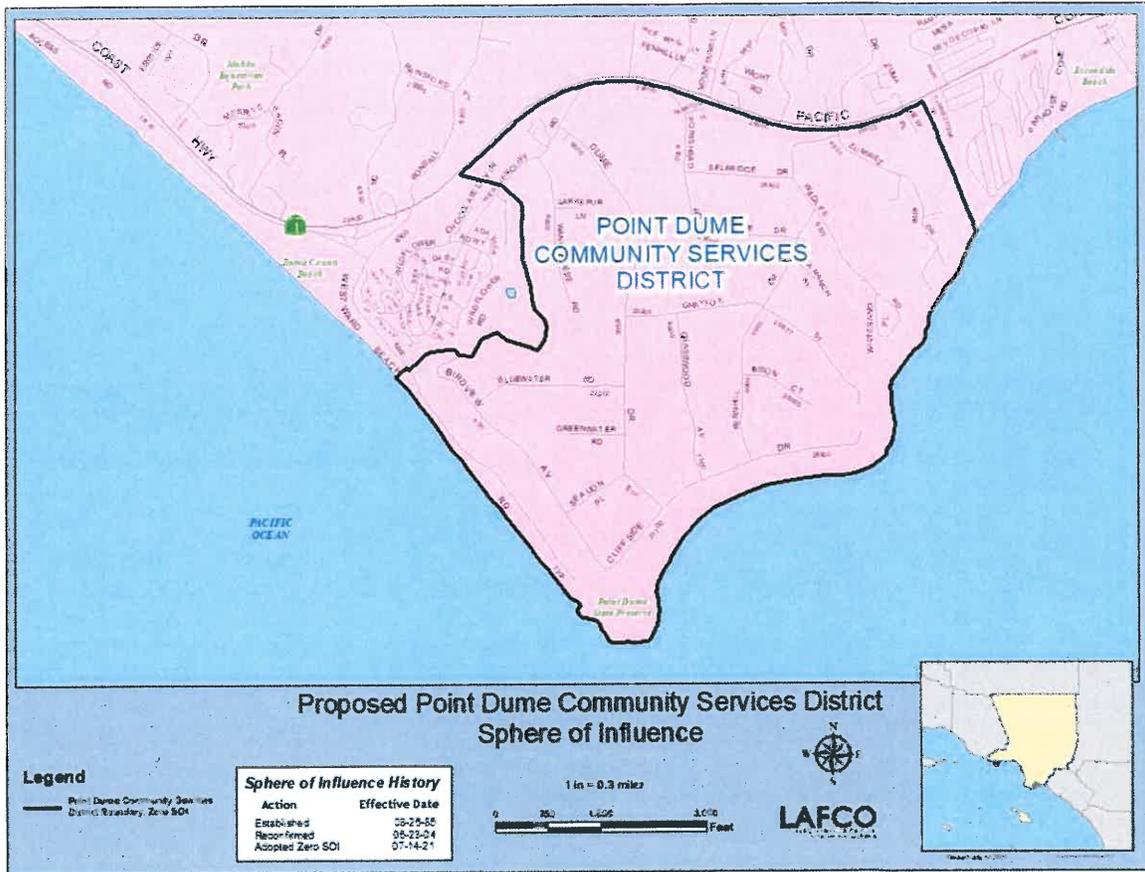
Point Dume Community Services District**SOI Recommendations****Point Dume Community Services District SOI Recommendations:**

- **Adopt a Zero Sphere of Influence (Zero SOI) for the Point Dume Community Services District.** As noted in the Commission SOI Policy (adopted in 2019), the Commission adopts a Zero SOI when it determines that the functions, services, assets, and liabilities of that city or special district should ultimately be re-assigned to another public agency or service provider. A Zero SOI is for a city or special district that includes no territory. In this particular instance, the PDCSD has provided no services for nearly a decade, so there are no specific services for LAFCO to “re-assign” to another provider; further, since its incorporation in 1991, the City of Malibu has established, and now operates and manages, a comprehensive and robust range of park and recreation facilities, programs, and services.
- **Dissolve the Point Dume Community Services District.** The Point Dume Community Services District’s Existing Coterminous SOI was established on August 26, 1985. On June 23, 2004, the Commission reconfirmed the Coterminous SOI in the course of adopting the Miscellaneous Government Services Municipal Service Review (see Point Dume Community Services District Sphere of Influence, Exhibit 5, on Page 36). The Point Dume Community Services District has not provided services since 2012, and it has not formulated a feasible plan, nor demonstrated that it has the financial ability and resources necessary to reinstate services previously provided. The District did not start a shuttle service (as intended), nor has it demonstrated any substantial progress toward plans of starting a fire brigade. The District does not have a full board (5 members), it holds no regular meetings, it does not maintain a comprehensive website, it has no staff, it does not rent office/facility space, and it is behind on audits. The City of Malibu provides services, all of those services that the PDCSD previously provided. Dissolution of the District would not impact the residents of the Point Dume area, as the City of Malibu provides a level of service that meets or exceeds the level of service previously provided by the PDCSD (prior to 2012). LAFCO staff therefore recommends that the Commission adopt a Zero SOI for the existing Coterminous District’s SOI; and, further, staff recommends that the Commission direct staff to present a resolution to initiate a dissolution of the Point Dume Community Services District (see Proposed Point Dume Community Services District Zero Sphere of Influence, Exhibit 6, on Page 45).

(Report continues on Page 45)

Exhibit 6

Proposed Point Dume Community Services District Zero Sphere of Influence



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Community Services Districts

Municipal Service Review

Footnotes

Footnotes:

1. *Community Needs, Community Services: A Legislative History of SB 135 (Kehoe) and the "Community Services District Law"*, Senate Local Government Committee, March 2006, Page 1.
2. *About Special Districts Guide*, California Special Districts Association, Last Updated: January 1, 2016; Page 2.
3. *Community Needs, Community Services: A Legislative History of SB 135 (Kehoe) and the "Community Services District Law"*, Senate Local Government Committee, March 2006, Page 3.
4. 2010 United States Census Bureau data.
5. Local Agency Formation Commission for the County of Los Angeles, Agenda, March 8, 1995.
6. 2010 United States Census Bureau data.
7. E-mail from Richard Hale, City Council Member, City of Bradbury, to Alisha O'Brien; July 7, 2017.
8. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
9. Memorandum of Understanding Agreement, dated January 17, 2017, between the City of Monrovia and the City of Bradbury.
10. Telephone conversation with Kevin Kearney, City Manager, City of Bradbury; September 14, 2017.
11. E-mail from Richard Hale, City Council Member, City of Bradbury, to Alisha O'Brien; July 7, 2017.
12. Ibid.
13. Bradbury Estates Community Services District, Fiscal Year 2016-2017 Budget, CSD Income & Expenses, Page 2.

14. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
15. Bradbury Estates Community Services District, Fiscal Year 2016-2017 Budget, CSD Income & Expenses, Page 2.
16. Local Agency Formation Commission for the County of Los Angeles, Agenda, March 8, 1995.
17. Resolution No. 98-6-2 A Resolution of the Board of Directors of the Bradbury Estates Community Services District Tabulating Assessment Ballots, Finding that a Majority Protest was not Made, Confirming the Increased Assessment and Directing Recordation of a Notice of Assessment; and accompanied Second Amendment to Engineer's Report for the Bradbury Estates Community Services District Cities of Bradbury & Monrovia, State of California, June 1998.
18. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
19. Resolution No. 98-6-2 A Resolution of the Board of Directors of the Bradbury Estates Community Services District Tabulating Assessment Ballots, Finding that a Majority Protest was not Made, Confirming the Increased Assessment and Directing Recordation of a Notice of Assessment; and accompanied Second Amendment to Engineer's Report for the Bradbury Estates Community Services District Cities of Bradbury & Monrovia, State of California, June 1998.
20. Bradbury Estates Community Services District, Fiscal Year 2016-2017 Budget, CSD Income & Expenses, Page 2.
21. *Bradbury Estates Community Services District Ordinance No. 14-01 Attachment "A" Design Guidelines*, May 12, 2014, Page 4.
22. E-mail from Richard Hale, City Council Member, City of Bradbury; September 26, 2017.
23. Telephone conversation with Richard Hale, City Council Member, City of Bradbury; August 9, 2017.
24. City Hall, County, State and Fed Resources, City of Bradbury Website; August 17, 2017.
25. 2010 United States Census Bureau data.
26. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
27. Local Agency Formation Commission for the County of Los Angeles, Agenda, April 27, 1994.

28. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
29. 2010 United States Census Bureau data.
30. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
31. Letter from Michael Maurer (Associate, Best Best & Krieger) to Paul Novak (Executive Officer, LAFCO); of September 1, 2017.
32. Ibid.
33. Ibid.
34. Pasadena Glen Community Services District, Statements of the Last Five Years ended June 30, 2014, Statement of Activities, Page 7.
35. Pasadena Glen Community Services District, Statements of the Last Five Years ended June 30, 2014, Statement of Activities, Page 8.
36. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
37. Pasadena Glen Community Services District, Statements of the Last Five Years ended June 30, 2014, Statement of Activities, Page 7.
38. Letter from Michael Maurer (Associate, Best Best & Krieger) to Alisha O'Brien (Government Analyst, LAFCO); of December 5, 2017.
39. Letter from Michael Maurer (Associate, Best Best & Krieger) to Paul Novak (Executive Officer, LAFCO); of September 1, 2017.
40. Ibid.
41. 2010 United States Census Bureau data.
42. Los Angeles County Registrar-Recorder/County Clerk, February 26, 2020.
43. Michael Henderson, GIS Data, January 29, 2020.
44. Telephone conversation with Carey Upton, Chief Operations Officer, Santa Monica-Malibu Unified School District; July 6, 2021.

45. Local Agency Formation Commission for the County of Los Angeles, Agenda, March 9, 1983.
46. County of Los Angeles, Board of Supervisors, Conditional Use Permit Case No. 2166-(4), Zoning Board Hearing Date: December 21, 1982.
47. Resolution of the Board of Supervisors of the County of Los Angeles Initiating Proceedings for Formation of the Point Dume Community Services District, 1985.
48. E-mail from Kathy Stevens, Paul Majors' (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; February 14, 2020.
49. E-mail from Kathy Stevens, Paul Majors' (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; August 7, 2019.
50. Ibid.
51. Ibid.
52. Ibid
53. Ibid
54. 2010 United States Census Bureau data.
55. City Government, City Departments, Community Services, Facilities & Parks, Parks & Facilities Listing, City of Malibu Website; October 21, 2020.
56. Community Services, Parks & Recreation, Services, City of Malibu Website; October 21, 2020.
57. Telephone conversation with Katie Gallo, Recreation Supervisor, City of Malibu; October 21, 2020.
58. City Government, City Departments, Community Services, Facilities & Parks, Parks & Facilities Listing, City of Malibu Website; October 21, 2020.
59. Resources, Beach, Park & Attractions, Parks, City of Malibu Website; October 21, 2020.
60. Locations, Boys & Girls Club of Malibu Website; July 7, 2021.
61. Home Page, Boys & Girls Club of Malibu Website; July 7, 2021.
62. E-mail from Kathy Stevens, Paul Majors' (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; January 29, 2020.
63. E-mail from Kathy Stevens, Paul Majors' (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; August 7, 2019.

64. Ibid.
65. Ibid.
66. About Us, About, California Fire Safe Council Website; April 2, 2020.
67. Resources, Start a New Fire Safe Council, California Fire Safe Council Website; April 2, 2020.
68. Telephone conversation with Elizabeth LaMar, Grants Specialist, California Fire Safe Council; May 11, 2020.
69. Resources, Fire Safe Councils, California Fire Safe Council Website; April 2, 2020.
70. Telephone conversation with Elizabeth LaMar, Grants Specialist, California Fire Safe Council; May 11, 2020.
71. California Fire Safe Council, Fire Safe Council Handbook, March 2020, Page 15.
72. Ibid.
73. Resources, Fire Safe Councils, Map of Fire Safe Councils, California Fire Safe Council: April 2, 2020.
74. Michael Henderson, GIS Data, May 14, 2020.
75. California Fire Safe Council, Fire Safe Council Handbook, March 2020, Pages 3-7.
76. E-mail from Kathy Stevens, Paul Majors' (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; January 29, 2020.
77. Los Angeles County Board of Supervisors, Recommendation as submitted by Supervisor Yaroslavsky: Replace the Point Dume Community Services District (District) annual audit with an audit covering a five-year period, performed in accordance with professional annual revenues of the District do not exceed \$50,0000; approved on March 22, 2011.
78. State Controller's Office, Point Dume Community Services District, Total Assets FY 2013-14; www.bythenumbers.sco.ca.gov.
79. E-mail from Paul Major, Board President, Point Dume Community Services District, to Alisha O'Brien: March 30, 2020.
80. E-mail from Kathy Stevens, Paul Major's (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; January 29, 2020.

81. E-mail from Kathy Stevens, Paul Major's (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; August 7, 2019.
82. Ibid
83. Ibid.
84. E-mail from Kathy Stevens, Paul Major's (Board President) personal assistant, Point Dume Community Services District, to Alisha O'Brien; January 29, 2020.
85. Ibid.
86. Ibid
87. Ibid.
88. Virtual Meeting, Malibu City Council Meeting, City of Malibu; June 14, 2021.

**RESOLUTION NO. 2021-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS ADOPTING THE
“MSR NO. 2021-01
MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE
FOR THE POINT DUME COMMUNITY SERVICES DISTRICT”**

WHEREAS, Division 3, Title 5, of the California Government Code (commencing with section 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), provides that a Local Agency Formation Commission (LAFCO) shall develop and determine a Sphere of Influence (SOI) for each special district (Government Code § 56425(a) and that every five (5) years thereafter, the Commission shall, as necessary, review and update each SOI (Government Code § 56425(g)); and

WHEREAS, the SOI is the primary planning tool for LAFCO and defines the probable physical boundaries and service area of a local agency as determined by LAFCO; and

WHEREAS, Government Code § 56430 requires that, in order to prepare and to update Spheres of Influence, the Commission shall conduct a Municipal Service Review (MSR) prior to, or in conjunction, with action to update or adopt an SOI; and

WHEREAS, the Commission has undertaken the MSR and SOI Update for the Point Dume Community Services District (PDCSD); and

WHEREAS, this proposed MSR and SOI Update consists of inhabited territory and is assigned the following short-form designation: “MSR No. 2021-01—Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District (MSR/SOI Update)”; and

WHEREAS, the Executive Officer has submitted to the Commission “MSR No. 2021-01—Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District”, including a recommendation to adopt a Zero Sphere of Influence and initiate the dissolution of the PDCSD; and

WHEREAS, staff circulated the Draft MSR/SOI Update to representatives of the PDCSD, and the City of Malibu, and the Draft MSR/SOI Update reflects input provided by these representatives; and

WHEREAS, the MSR and SOI Update for the Point Dume Community Services contain the determinations required by Government Code § 56430.

WHEREAS, The MSR determined that the PDCSD has not provided any municipal services within its jurisdictional boundaries since 2012; and

WHEREAS, a map of the existing SOI of the PDCSD is attached hereto and incorporated by reference herein; and

WHEREAS, a map of the recommended Zero SOI for the PDCSD is attached hereto and incorporated by reference herein; and

WHEREAS, the Executive Officer set July 14, 2021, as the hearing date on this MSR and SOI Update, and gave notice of public hearing pursuant to Government Code § 56427, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on June 14, 2021, and at least as a one-eight (1/8) page display advertisement as specified in Government Code § 56153; and

WHEREAS, on July 14, 2021, after being duly and properly noticed, this proposal

came on for hearing, at which time this Commission 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 this proposal and the report of the Executive Officer; and

WHEREAS, pursuant to Government Code § 56425(d)(5), the Commission has considered the impacts of the proposed MSR and SOI Update relative to Disadvantaged Unincorporated Communities (DUCs), noting that the PDCSD does not contain unincorporated areas or DUCs within its boundaries and there are no DUCs contiguous to the Point Dume Community Services District or its SOI; and

WHEREAS, the proposed action consists of the adoption of the Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission, finds that MSR No. 2021-01—Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District, is exempt from the provisions of the California Environmental Quality Act ("CEQA") because it can be seen with certainty that there is no possibility that the update of the Sphere of Influence of the Point Dume Community Services District will have a significant effect on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). In the alternative, this recommendation is not a project for the purposes of CEQA because it is an organizational activity of government with no direct or indirect effects on the physical environment and therefore is

excluded from the definition of a project, pursuant to Section 15378(b) of the State CEQA Guidelines.

2. The Commission hereby adopts the Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District, as prepared by staff.
3. The Commission hereby adopts a Zero Sphere of Influence of the Point Dume Community Services District and makes the following determinations in accordance with Government Code § 56425(e).
 - A. The PDCSD's service area is 1.36 square miles which includes mostly developed territory within the City of Malibu. The Point Dume Community Services District consists of 793 parcels. Of these, 723 are assessed parcels (single-family homes and commercial); 16 are government-owned parcels, which include an elementary school, local parks, and state beaches (Point Dume State Beach and Point Dume State Nature Reserve); and 54 are vacant parcels (commercial, residential, and government-owned). Most planned land use is infill due to rebuilding of homes destroyed during the Woolsey Fire in 2018.
 - B. Present and probable need for public facilities and services in the area: Several years after the PDCSD was formed in 1983, the Commission approved the incorporation of the City of Malibu in 1991. Since its incorporation, the City has established and developed a robust recreation and parks program with community facilities. PDCSD representatives have expressed a desire to form a fire brigade with an all-volunteer staff to provide fire suppression and fire life safety training. Rather than activating a new function or class of service—a complicated, lengthy, and challenging process, with no guarantee of a successful outcome—joining with an existing, nearby fire safe council (due to close proximity of two (2) other FSCs located in the Point Dume area), or forming a new fire safe council may be a simpler, faster, and more efficient means of attaining the same goal for Point Dume, separate and apart from, the functions and services provided by the PDCSD. As far as can be determined by staff, no

community services districts in California operate a Fire Safety Council.

- C. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide: The Point Dume Community Services District currently does not provide any services and has not provided services since 2012, since it lost access due to the reopening of the former Point Dume Elementary School.
 - D. Existence of any social or economic communities of interest: There is one (1) area of social and economic community of interest, the City of Malibu. The Point Dume Community is within the City of Malibu's jurisdictional boundaries and receives services from the City.
 - E. Present and probable need for public facilities or services related to sewers, municipal and industrial water, and structural fire protection for any disadvantaged unincorporated communities within the existing and proposed SOI. There is no impact upon the location and characteristic of any DUCs because there are no unincorporated communities, and therefore no DUCs, within or contiguous to the Point Dume Community Services District and its SOI. The Point Dume Community Services District does not provide three core government services (water, wastewater, and structural fire protection) which are the focus of State Law concerning DUCs.
4. On June 23, 2004, the Commission authorized the PDCSD to "provide recreation programs in the City of Malibu."
 5. The affected territory is inhabited and is assigned the following short-form designation: "MSR No. 2021-01—Municipal Service Review and Sphere of Influence Update for the Point Dume Community Services District".
 6. A map of the recommended Zero SOI of the PDCSD is attached hereto and incorporated by reference herein.
 7. Direct the Executive Officer to prepare a Resolution of Application Initiating Commission Proceedings to Dissolve the Point Dume Community Services

District, pursuant to Government Code § 56375(a)(2)(B); and

8. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Section 56882 of the Government Code.
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.

PASSED AND ADOPTED this 14th day of July 2021.

MOTION:

AYES:

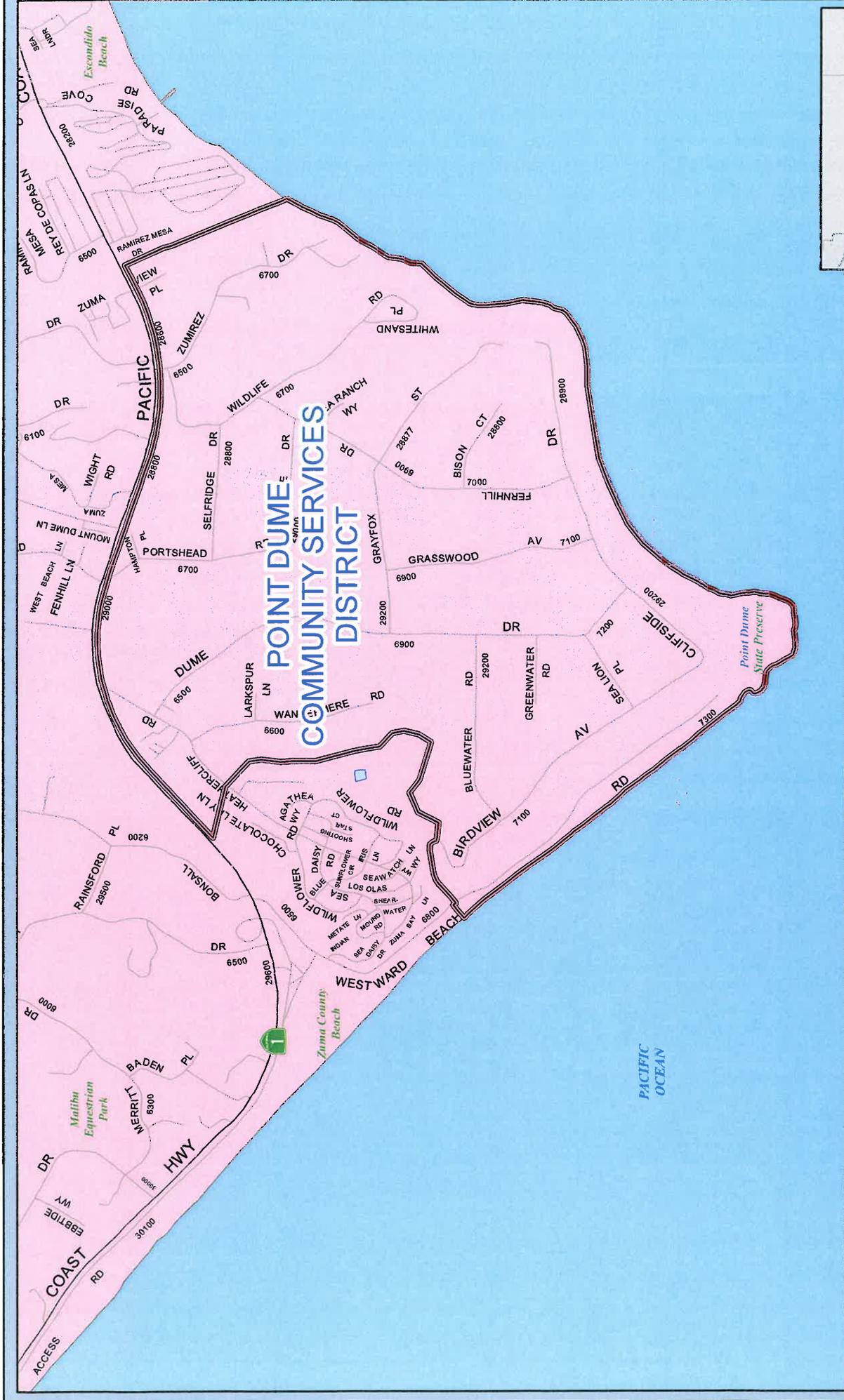
NOES:

ABSTAIN:

ABSENT:

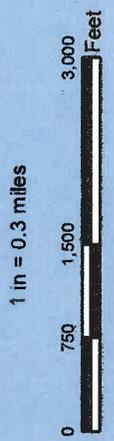
**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

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



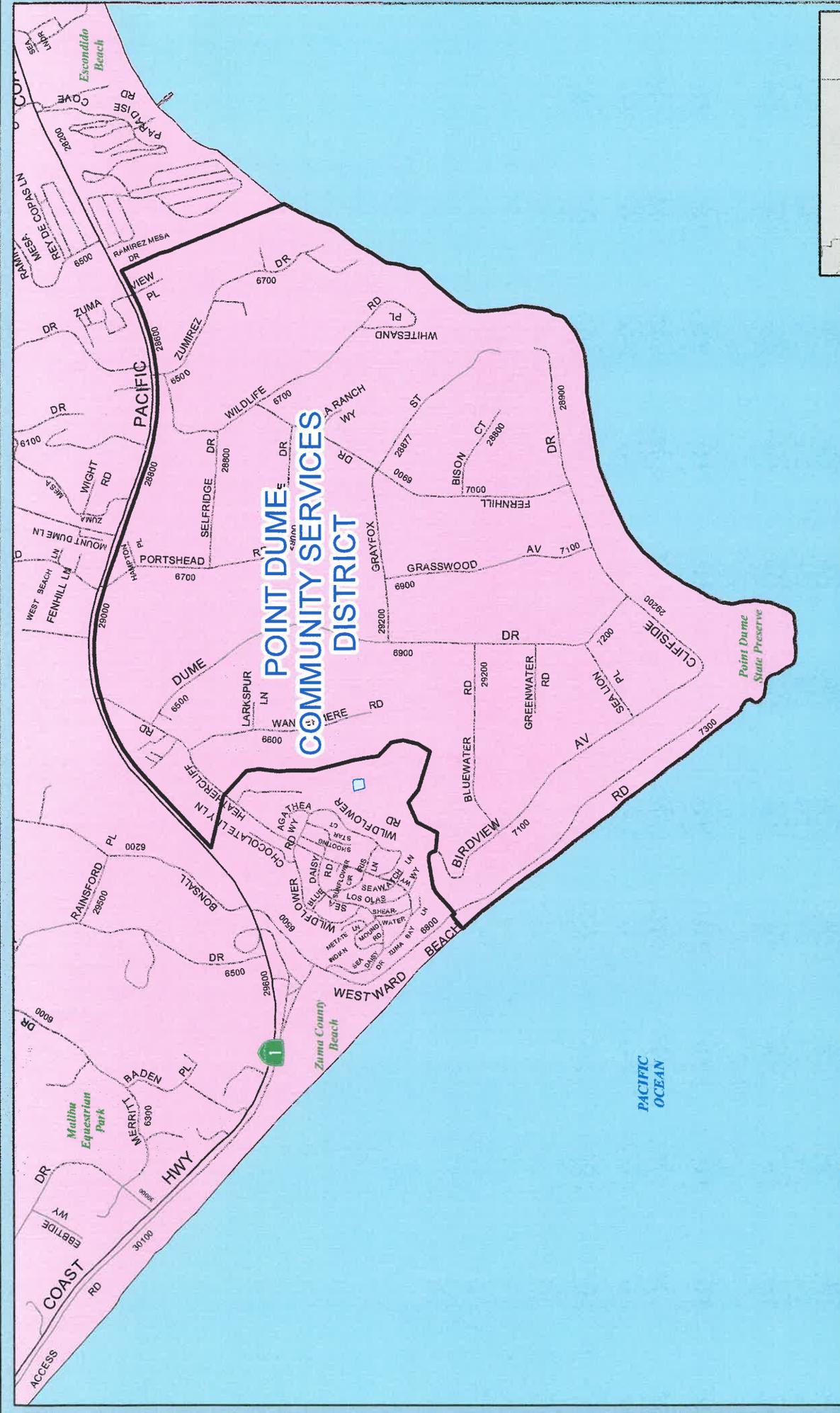
Revised July 14, 2021

Existing Point Dume Community Services District Sphere of Influence



Sphere of Influence History	
Action	Effective Date
Established	08-26-85
Reconfirmed	06-23-04

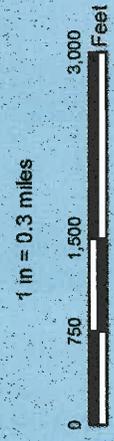
- Legend**
- Point Dume Community Services District, Sphere of Influence (SOI), Coterminalous



Revised July 14, 2021

POINT DUME COMMUNITY SERVICES DISTRICT

Proposed Point Dume Community Services District Sphere of Influence



Sphere of Influence History	
Action	Effective Date
Established	08-26-85
Reconfirmed	06-23-04
Adopted Zero SOI	07-14-21

Legend
 Point Dume Community Services District Boundary, Zero SOI

Sphere of Influence Policy

Adopted November 13, 2019

Background:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“Act”) is the primary body of State Law governing the operation of Local Agency Formation Commissions (“LAFCOs”).

Within the Act, Government Code § 56076 defines a Sphere of Influence (“SOI”) as “a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission.”

Policy:

The Commission hereby adopts the following definitions of types of SOIs for cities and special districts in Los Angeles County:

Coterminous Sphere of influence: A sphere of influence (SOI) for a city or special district that includes the same physical territory as the jurisdictional boundaries of that city or special district. The Commission adopts a Coterminous SOI if there is no anticipated need for services outside the jurisdictional boundaries of a city or special district, or if there is insufficient information to support inclusion of additional territory within the sphere.

Larger than Sphere of Influence: A sphere of influence (SOI) for a city or special district which includes territory that is larger than the jurisdictional boundary of the subject city or special district. The Commission adopts a Larger than SOI if there is an expectation of future growth of the agency’s physical boundaries and associated service area.

Zero Sphere of Influence: A sphere of influence (SOI) for a city or special district that includes no territory. The Commission adopts a Zero SOI if the functions, services, assets, and liabilities of that city or special district should ultimately be re-assigned to another public agency or service provider.

Point Dume Community Service District
28990 Pacific Coast Highway, #210
Malibu, CA 90265

April 1, 2021

LAFCO
Attn: Alisha O'Brien
80 South Lake Avenue
Suite 870
Pasadena, CA 91101

Re: Draft Municipal Service Review

To Whom It May Concern:

We received your Draft Municipal Service Review for the PDCSD dated March 8, 2021. We disagree with your dissolution recommendation in the manner described. We believe that there is considerable community support and interest in the concept of shared facilities for community services and events utilizing the school site where our physical community park still exists and has endured for many years since its inception back in 1987.

Yes, we have been a bit dormant recently, but we were picking up momentum just prior to the Woolsey fire in November 2018. This fire destroyed all of our original records, archived files, stored equipment, community props and related tools and furniture. This proved to be incredibly challenging to us but not fatal. Now for more than a year with the COVID virus in play has contributed to a slower rebound than was in the works over the past two and a half years. We were anticipating with your review an opportunity to re-establish ourselves with community support perhaps within a year and possibly receive advice and guidance that would be mutually beneficial to all those within our district.

With community services and activities, we are generally successful with our fundraising within the community when necessary. The unforeseen needs that are allowed and could be needed would be trash, sewer, security, communication services and undergrounding utilities which have previously been discussed as well. Joint efforts might improve services within the boundaries. The Fire Safe Councils mentioned are not even close enough to use in a wildfire but forming a new one only offers more critical services. The future is uncertain and other services could be provided only under the umbrella of the PDCSD.

We are requesting an extension of time to respond to your review so that our constituents have ample time to take action. We have a meeting with the community scheduled for April 11th. In addition, we have a website that will be back up very soon. If this is not possible, we do have a few activities and projects to complete at our MCC park site that we will conclude in case your dissolution recommendation is inevitable.

Thank you for your consideration in adding this into your review of our home of the Malibu Community Center and Point Dume Community Service District.

A handwritten signature in black ink, appearing to read "Paul Major". The signature is fluid and cursive, with a large initial "P" and "M".

Paul Major
Board President PDCSD
28990 Pacific Coast Highway, #210
Malibu, CA 90265

Paul Novak

From: Bruce Silverstein <bsilverstein@malibucity.org>
Sent: Sunday, April 4, 2021 12:47 PM
To: Alisha O'Brien; Paul Novak
Cc: majorlandscape@gmail.com; pamela@malawbu.com; Keegan Gibbs; John Mazza; Jane Albrecht; evelin weber; Reva Feldman; Mikke Pierson
Subject: Point Due Community Services District

Ms. O'Brien:

I am writing in response to your letter of March 8, 2021 to Paul Major, the Board President of the Point Due Community Services District (the "District"). As explained more fully below, I am joining in the requests I understand to be being made by others for an extension of the deadline established in your letter for the District to respond with its comments.

As I understand your letter and its attachment, LAFCO is proposing that the District be dissolved for various reasons set forth in the attachment. Your letter seeks input from Mr. Major on behalf of the District. By copy of your letter to Malibu's City Manager, your letter also seeks input from the City of Malibu. Your letter establishes a deadline for comments of April 8, 2021.

I was elected to Malibu City Council in November of 2020. This past Thursday, April 1, I received an email from Pamela Conley Ulich, a former City Councilmember and Point Dume resident, informing me of the District's circumstances. Ms. Ulich's email was addressed to all City Councilmembers, along with other community leaders and Point Dume residents, and asked that the City Councilmembers write to you, as individuals, requesting additional time for Mr. Major to submit comments on behalf of the District.

After receiving Ms. Ulich's email, I wrote to the City Manager and asked what input, if any, the City Manager intended to provide on behalf of the City of Malibu (as requested in your letter). The City Manager's response to my question was the following: "If the City Council would like to provide comments, the Council will need to take action at a council meeting on it." In response to my further inquiry, the City Manager offered that the matter could be discussed at the City Council meeting of April 26 if the City Councilmembers determined on April 12 to place the subject on the agenda for the April 26 meeting. Of course, that will be more than two weeks after the deadline set forth in your letter of March 8.

Personally, I lack sufficient knowledge about this matter to express an informed position on the merits of the proposed dissolution of the District. I have read the LAFCO analysis in the attachment to your letter, and I understand LAFCO's reasoning for proposing that the District be dissolved. I do not, however, know the District's position, which would be helpful to me in forming a judgment as to whether I would support the City of Malibu weighing on the matter.

Based on the foregoing, and in accordance with Ms. Ulich's request, I am requesting that the District be provided an extension of time to respond to your letter and that LAFCO schedule its consideration of the District's fate to a date later than May 12 (identified in your letter as a "tentative" date) to afford the District an adequate opportunity to present its case. I understand from Ms. Ulich's email that the Point Dume Neighborhood Watch will be hosting a Town Hall Zoom meeting on April 11 to discuss the District and to obtain community input respecting the matter. Accordingly, and as noted in Ms. Ulich's email to me and

others, the District's request for additional time seems reasonable -- especially considering the combined impact of the COVID-19 Pandemic and the Woolsey Fire on Point Dune.

To be clear, I am writing this email in my individual capacity as a Malibu resident, and not in my official capacity as a Malibu City Councilmember. For the City Council to express a formal position on the matter, the subject would need to be formally placed on an Agenda and voted upon, and that cannot occur prior to April 26 because your letter of March 6 was not shared with the City Councilmembers until April 1. At this time, I am doubtful (but not certain) that the City Council will formally weigh in on this matter, but I personally believe that it would be substantively and procedurally beneficial to afford the District additional time to formulate its response to the proposed dissolution -- which response may provide a basis for the City Council to take a position on the subject.

Stay Safe & Stay Well,

Bruce Silverstein

Paul Novak

From: Hap Henry <haphenry@gmail.com>
Sent: Tuesday, April 6, 2021 10:15 AM
To: Alisha O'Brien; Paul Novak
Cc: Pamela Ulich; sheila@bos.lacounty.gov; majorlandscape@gmail.com
Subject: Point Dume Community Services District

Dear Mr. Novak & Ms. O'Brien,

It has recently come to my attention that the Los Angeles County LAFCO is considering dissolving the Point Dume Community Services District. As a lifelong Point Dume resident, I emphatically encourage you to reconsider this proposal and table the matter, at least until there is greater clarification on what this means for our neighborhood, and we have been given an opportunity to explore and decide whether or not to expand the District's purpose.

As you may know, there is a neighborhood movement towards establishing additional projects and/or services related to fire prevention and response, general public safety, and a community garden, amongst others. The preservation of the District is paramount to materializing these possibilities. The greater local control the residents of Point Dume have over our neighborhood projects and services, the better.

Please allow for more time to gather input from the community on these matters, and thank you for your consideration.

Best,

Hap Henry

Paul Novak

From: Pamela Conley Ulich <pamelaconleyulich@gmail.com>
Sent: Wednesday, April 7, 2021 9:19 AM
To: Alisha O'Brien; Paul Novak
Cc: dulich@sheppardmullin.com Ulich; Pamela; Paul Major; haphenry@gmail.com
Subject: Point Dume Community Services District - 1 year extension and support

Sent Via Email:
Aobrien@LALAFCO.org
Pnovak@LALAFCO.org

Dear LAFCO:

We live in Point Dume and support the Point Dume Community Services District (District).

We are grateful the District helped create and maintain the park and planted the lovely trees around the Malibu Elementary School. In the 80's, our family donated a tree which is a treasure and a beautiful memory and tribute.

We believe we still need the District to help deliver additional parks and recreation needs of our community. We are willing to donate again to help fund these services.

In addition, we hope the District will get community input and also study whether it is feasible to provide additional services including, but not limited to wildfire protection/training or policing or both. Public safety issues are immediate and are not currently being addressed by other public agencies due to the size and concerns of LA County and due to the limited financial resources of the City of Malibu. We are willing to help insure these public safety needs will be met now and in the future.

In Point Dume, we know we are literally – on our own. This District is needed now more than ever before to provide numerous services that are not being addressed by other agencies.

We respectfully request that you give the District a one-year extension to work on these issues with the community. Please remember we are still recovering from the aftermath of the 2018 Woolsey fire and now we are in global pandemic and Covid quarantine.

Thank you for your attention to this matter.

With gratitude and respect,

David and Pamela Ulich
(310)699-0424

Paul Novak

From: Margo Lane <margowlane@gmail.com>
Sent: Wednesday, April 28, 2021 7:05 PM
To: Alisha O'Brien; Paul Novak
Subject: Point Dume Community Services District

Dear LAFCO:

We live in Point Dume and support the Point Dume Community Services District (District). We are grateful the District helped create and maintain the park and planted the lovely trees around the Malibu Elementary School. In the 80's, many families donated trees. Those trees still stand tall today and are a treasure and a beautiful memory and tribute to the power of community. We believe we still need the District to help deliver additional parks and recreation needs of our community. We are willing to donate again to help fund these services. In addition, we hope the District will get community input and also study whether it is feasible to provide additional services including, but not limited to wildfire protection/training or policing or both. Public safety issues are immediate and are not currently being addressed by other public agencies due to the size and concerns of LA County and due to the limited financial resources of the City of Malibu. We are willing to help ensure these public safety needs will be met now and in the future and are willing to help fund these additional needed services. In Point Dume, we know we are literally on our own. This District is needed now more than ever before to provide numerous services that are not being addressed by other agencies. We respectfully request that you give the District a one-year extension to work on these issues with the community. Please remember we are still recovering from the aftermath of the 2018 Woolsey fire and now we are in global pandemic and Covid quarantine.

Thank you for your attention to this matter.

Sincerely,

Margo & Rock Lane

Paul Novak

From: Kevin Hanna <kevinmariehanna@gmail.com>
Sent: Wednesday, April 28, 2021 11:56 AM
To: Alisha O'Brien; Paul Novak
Subject: Point Dume Community Services District

Dear LAFCO Staff Members,

I have lived and owned property on Point Dume for 47 years now. I strongly and respectfully urge you to preserve our Point Dume Community Services District. We want it. We need it. We value it.

Sincerely, Kevin Hanna and Family

Paul Novak

From: Pamela <pamela@malawbu.com>
Sent: Wednesday, June 30, 2021 9:25 AM
To: Paul Novak; Pamela Conley Ulich
Cc: Paul Major; barbarajferris@gmail.com; Paul Grisanti; Bruce Silverstein; Henry Stern; kfarrer@malibucity.org; Mikke Pierson; John Mazza; John Sibert; Hap Henry; David Kramer; MARLENE MATLOW; baacameron@aol.com; Lippman, Timothy; LAFCO Staff; TShin@counsel.lacounty.gov; Carole Suzuki
Subject: RE: Point Dume Community Service District - Unable to find under announcements

Thank you for providing this link so I can share it. The "Record" should also reflect that I appreciate your help and was trying to locate it - I did not find it under announcements on the LAFCO website with "a double click." **It might be easier to locate this information if you simply include the agenda when you go to LAFCO meetings for July 14?**

Thanks again and we do appreciate that you are sending Notices - - - many people have contacted me to ask what it's about.

We also appreciate your attending the town hall meeting and the Malibu City Council meeting via Zoom. Having participated many years in various public meetings, I appreciate that your job is not easy and is time consuming.

Many in our community have not recovered from the Woolsey Fire in 2018 - and as of yesterday of the 400 or so homes burnt down to the ground, only about 41 have been rebuilt. In addition, Covid has also taken a toll on everyone.

The District has been working hard help Point Dume rebound and to build community. The upcoming 4th of July Parade and Picnic shows you what and how we as a community need the District. I hope we can present this information to LAFCO so they can see the value of the District first hand.

This is precisely why we hope LAFCO will not dissolve the District - there is much more work to be done.

Have a wonderful July 4th, and I wish you health and continued happiness.

Respectfully,

Pamela Conley Ulich
Point Dume Resident

On June 30, 2021 9:06 AM Paul Novak <pnovak@lalafco.org> wrote:

**POINT DUME COMMUNITY SERVICE DISTRICT
TELLTALE GAMES
MALIBU CUSTOM CARTS
PRESENTS**

20TH ANNUAL POINT DUME PARADE & PICNIC SUNDAY, JULY 4TH 2021 @9:30



DONATIONS APPRECIATED

9:30 AM PARADE-LINE UP @ BLUEWATER RD. - 10:00 AM START TIME

THANKS FOR THE GENEROSITY & SUPPORT OF ALL POINT DUME RESIDENTS

QUESTIONS? CALL:

PAUL MAJOR POINT DUME COMMUNITY SERVICE DISTRICT (310)384-6613;

DOUG RANDALL MALIBU CUSTOM CARTS (310)773-7132

WE LIVE THE DREAM. LET'S KEEP IT ALIVE!



THIS YEAR IT IS REQUIRED TO SECURE ROAD CLOSURES FOR THE PARADE ROUTE PER L.H.S.D. & CITY OF MALIBU THIS IS BEING MANAGED BY A TRAFFIC MANAGEMENT COMPANY, WE AIM TO KEEP DISRUPTION TO A MINIMUM.

VOLUNTEERS ON PATROL & LOCAL VOLUNTEERS WILL ASSIST LOCALS NEEDING TO ENTER OR LEAVE PROPERTIES ON THE PARADE ROUTE PRIOR TO THE START OF THE PARADE LINE-UP.

ONCE THE PARADE LINE-UP STARTS @ 9:30 A.M. THERE WILL BE NO ROAD ACCESS TO THE NON-PARADE TRAFFIC.

AS THE PARADE CLEARS, SECTIONS & BARRICADES WILL BE REMOVED AND THE ROAD REOPENED.

WE ANTICIPATE ALL ROADS TO BE REOPENED BY 11:30-12:00 NOON. WE APOLOGIZE IN ADVANCE FOR ANY INCONVENIENCE.

*QUESTIONS? CALL: PAUL MAJOR @ PDCSD (310) 384-6613;
DOUG RANDALL @ Malibu Custom Carts(310)773-7132*

THANK YOU!

On 7/14/21 LAFCO (Local Agency Formation Commission) will meet on-line to consider whether the Point Dume Community Service District (PDCSD) should be dissolved.

We need you to help us save the beloved PDCSD!

What can you do to help? Visit PDCSD.ORG to learn more.

- 1) Sign up to speak on-line at LAFCO on July 14.(For help - Pamela (310)699-0424)
- 2) Please email Aobrien@LALAFCO.org and/or Pnovak@LALAFCO.org and tell them to keep the PDCSD alive. It is needed and wanted by you!
- 3) Sign the petition at the Parade and/or sign on line: <http://chn.g.it/4QJ4gpJvs>



GRATEFUL FOR YOU!

We Live the Dream. Let's Keep It Alive.

Paul Novak

From: Pamela Conley Ulich <pamelaconleyulich@gmail.com>
Sent: Friday, July 2, 2021 2:10 PM
To: Paul Novak
Cc: ReJeana Goldsborough; Candace Mckeever; Paul Major; Henry Stern; Paul Grisanti
Subject: PDCSD - \$200,000 Funding for Power of Hope Garden - Follow Up Barbara Cameron/Paul Major

Dear Paul:

Per our conversation earlier today, thanks again for the opportunity to show LAFCO how the PDCSD has funding and the ability to serve the Point Dume community. In the 7/1/21 Malibu Times guest column you stated that the proposals require dedicated "resources, financing and organizational capacity that are, without question, beyond the reach of PDCSD."

Funding is not beyond the reach of our beloved Malibu community, who has helped PDCSD in the past and will step up to help make Malibu better for all in the coming days, months and years.

I have copied the Malibu Foundation on this email so they can follow up with a letter confirming an amazing anonymous \$200k donation for the Power of Hope project in coordination with PDCSD.

I will also ask that both Paul Major and Barbara Cameron follow up to LAFCO in writing to explain how the District's initial project at the school was to remove the asphalt, plant trees and grass and create a beautiful walking path for the community to enjoy - another successful power of hope project that is still enjoyed by our community on a daily basis.

Finally, this Sunday on July 4th, thanks to the efforts of PDCSD and other locals, we look forward to coming together to celebrate freedom and community at the 20th Annual Point Dume Parade and Picnic. This promises to be another reason why the PDCSD is so beloved and needed.

Thank you and we all look forward to working with LAFCO and the PDCSD to grow not only a garden of hope, but community in the coming years. Today, more than ever, we need to show what we can do when we work together as a community.

"Never underestimate the power of a small group of committed people to change the world. In fact, it is the only thing that ever has." ~ Margaret Mead

I hope you have a wonderful long weekend and that we all do what we can, when we can to make the world better tomorrow than it is today.

All the best,

Pamela Conley Ulich
Point Dume Resident

Paul Novak

From: Paul Major <pmajor1101@gmail.com>
Sent: Monday, July 5, 2021 9:29 PM
To: aobrian@lalafco.org; Paul Novak
Subject: PDCSD
Attachments: To LAFCO Commissioners and Executive Director Paul Novak.docx; Rich history final and clarify pdcsd 7-3-21.docx

Please see attached two letters for further information to help clarify any misinformation for your reference.
Thanks Paul Major.

To LAFCO
Attention Paul Novak

7-3-21

I wanted to clarify our scope of services to you and explain a bit of our back story and rich history on the scope of services that we provide. Our community had taken an abandoned and vandalized school site and turned it into a recreational outdoor multi use park environment and active community center for the benefit of our constituents?

Gardens were an integral part of the inspiration and creation in this process. Recreation ,leisure, and gardens were some of main founding purposes in the design and construction implementation of the two plus acres. I personally designed , planed, staged and constructed the entire park grounds. This area was previously entirely an ugly hazardous asphalt paved parking lot. I reached out to the community, professional associates , community groups, suppliers and associates to come together to make this park happen. This community project included jogging / walking paths, recreational play fields, senior and ADA accessible facilities, play equipment for various ages of children, reading areas, picnic facilities. Also, botanical landscaped areas with educational identifiable name plaques present on donated trees and shrubbery . Other areas we had permanent herb and inground and raised veggie gardens. These gardens were integral to CCW (onsite famous preschool) along with elementary school children .They conducted visits to the gardens throughout the day to plant and upkeep the grown food. After hours the community was actively involved with the gardens care and upkeep and further educational uses as well.

We actually were coexisting on site for many years even with the diminished school open and with CCW operational throughout ,until the school reopened (expanding) to more full capacity ! In other words, we phased out our 100% lease to less that over many years. I had my office there until that point and was integrally involved with the marine science classes development as well. That's even more of a great shared use example for the community enrichment program.

This is a brief summary of just a few of the recreational and gardening features and usages that our Point Dume Community Service district Park has to offer and will continue to provide in our expanded use options that are just ahead of us.

Thank you for your consideration.
Respectfully

Paul Major
President PDCSD
MCC

The Point Dume Community Service District (“PDCSD” or District) was created for and by the local Point Dume community and has a history of planting seeds that grow our community and help Point Dume blossom. The District was a “game changer” in the 80’s, and is a game changer now.

Paul Major, the President of PDCSD, knows first hand what it means to take action. He and many others before him rolled up their sleeves and did the work to promote community. He helped plant all the grass at Malibu Elementary school which was previously paved with asphalt by the School District. He, and others who donated, also helped plant the beautiful trees that you see around Malibu Elementary (Cameron Park) today. The edible gardens were utilized regularly by the school classes, preschool children, and the community members. But for the District and the contributions of many families in Point Dume, the Malibu elementary school would have been filled with asphalt and little or no trees would have been planted way back when.

The PDCSD should not be dissolved because concerns outlined in the LAFCO report and the “Determinations” listed on page 43 are simply inaccurate. Please see the following:

- “The Point Dume Community Services District currently does not provide any services and has not provided services since 2012 due to the reopening of Point Dume Elementary School.” at p. 38. This is not true. **The District was integral in organizing and funding the 20th Annual Point Dume Fourth of July Parade and Picnic on July 4, 2021.** This event was a huge success and united the community.
- “PDCSD representatives indicated that they do not have any existing issues or problems with service delivery, equipment, nor any long-term capital improvements forecasted.” This is not true. **The District is working with Malibu Foundation and other community members to create a Power of Hope sustainable garden and learning center with both private parties and also plans to approach City of Malibu to enter into short term lease for property on PCH and Heathercliff while the City of Malibu does an extensive and robust needs assessment to determine what to do with the now vacant and empty 18 acre parcel of property located entirely within the District. A \$200,000 donation has been secured to help implement this project.**
- The District has met more than once a year and has met several times recently and also participated in a community town hall on 4/11/21. **To watch the Open Town Hall meeting see: <https://youtu.be/pVwCgbRk4y>**
- The PDCSD website can be found at <https://pdcsd.org/> and is updated frequently.
- The District is in the process of getting additional Board members.

This along with recent funding and tangible planning for current and future developments, (delivered to you in other formats separately), we are requesting that you change your recommendations on the draft MSR from LAFCO commission (from dissolve) the Point Dume

Community Service District to “continue to conduct services for our District”. Even if your recommendation could be a compromise to be reviewed in another year before taking action.

In conclusion, PDCSD has a plan and the economic resources needed to educate, empower and enrich the community by planting and harvesting not just food and recreational activities, but more importantly good will and community.

We are requesting that you change your recommendations on the draft MSR from LAFCO commission (from dissolve) the Point Dume Community Service District to “continue to conduct services for our District.” Thank you for your service and we look forward to answering any questions you may have.

Respectfully

Paul Major

President
Point Dume Community Service district
Malibu Community Center

Paul Novak

From: Pamela Conley Ulich <pamelaconleyulich@gmail.com>
Sent: Monday, July 5, 2021 10:30 AM
To: Editorial; Paul Novak; Paul Major; Henry Stern; Karen York; Paul Grisanti
Subject: Response to 7/1/21 Malibu Times Guest Column by Paul Novak the Executive Officer of the Local Agency Formation Commission.

Dear Malibu Times:

I appreciate you afforded Paul Novak the executive director of LAFCO a "guest column" to respond to my letter to the editor. I hope you will also offer the same opportunity for a "guest column".

"Never underestimate the power of a small group of committed people to change the world. In fact, it is the only thing that ever has." ~ Margaret Mead

Mr. Novak asserted in the 7/1/21 Malibu Times guest column: that the various PDCSD proposals require dedicated "resources, financing and organizational capacity that are, without question, beyond the reach of PDCSD." This assertion is simply wrong and factually inaccurate.

Funding is not beyond the reach of our beloved Malibu community, who has helped PDCSD in the past and will step up to help make Malibu better for all in the coming days, months and years.

The Malibu Foundation has confirmed an anonymous \$200k donation for the Power of Hope project in coordination with PDCSD.

In the 80s', the PDCSD initial project at Malibu Elementary school was also funded by the community. The PDCSD removed the asphalt, planted trees and grass and created a beautiful walking path for the community to enjoy. This past successful power of hope project is still enjoyed by our community on a daily basis.

On Sunday July 4th, thanks to the efforts and funding by PDCSD and other locals, we were able to come together and celebrate freedom and community at the 20th Annual Point Dume Parade and Picnic. This is another reason why the PDCSD is so beloved and needed and how it can step up to give our community services that are not being provided by the City of Malibu.

I hope Mr. Novak will reconsider his statement and recommendation to LAFCO in light of this information. I also hope that the LAFCO representatives will vote on July 14 to allow the PDCSD to grow not only another garden of hope, but community in the coming years.

Today, more than ever, we need to show what we can do when we work together as a community. Even though PDCSD is small, it is mighty, and it has the power and the resources to serve and make Point Dume and the world a bit better.

For more information and to see what you can do to help, please visit the PDCSD website at PDCSD.org. You can also email Mr. Novak directly at pnovak@Lalafco.org.

With grit, gratitude and respect,

Pamela Conley Ulich
Point Dume Resident

Paul Novak

From: ReJeana Goldsborough <rejeana@themalibufoundation.org>
Sent: Tuesday, July 6, 2021 1:18 PM
To: Alisha O'Brien
Cc: Pamela Conley Ulich; Paul Major; Paul Novak; Candace McKeever; Evelin Weber
Subject: PDCSD and Malibu Foundation secure \$200,000 funding for Power of Hope Project
Attachments: 2021-7-06_MF_LetterOfSupport+Funding_PDCSD_.pdf

Dear Ms O'Brien,

Malibu Foundation is writing to announce the raising of \$200,000.00 for the Power of Hope Garden, of which the Point Dume Community Service District (PDCSD) will be a lead agency and major supporter. The attached letter not only serves as Malibu Foundation's announcement of the funding opportunity, but our support of the PDCSD as a continued community service in Malibu.

We would appreciate it if the letter could be forwarded to all of the Commissioners of LALAFCO, including Mr. Jerry Gladbach, Chair, prior to the meeting on July 14.

Thank you so much,

ReJeana Goldsborough
Program Coordinator
rejeana@themalibufoundation.org



July 6, 2021

TO: Mr. Jerry Gladbach, Chair
Local Agency Formation Commission for the County of Los Angeles

RE: Point Dume Community Service District (PDCSD) and Malibu Foundation secure \$200,000 funding for Power of Hope Project

Dear Mr. Gladbach,

Malibu Foundation, a 501(c)(3) organization created to support the community of Malibu and its neighbors after the Woolsey Fire, is writing to announce the raising of \$200,000.00 for the Power of Hope Garden, of which the Point Dume Community Service District (PDCSD) will be a lead agency and major supporter.

The Power of Hope Project could be developed on property that the City of Malibu currently owns at Pacific Coast Highway and Heathercliff Road in Point Dume. This area is entirely within the PDCSD boundary. An adjacent 2 acre parking lot is scheduled to be built on this property soon with funding from the Metro Transit Authority (MTA). The PDCSD, as a quasi government entity, is currently planning to seek to secure a \$1 lease from the City of Malibu for the land on a short-term basis while the City of Malibu conducts long-term planning for the use of this and other vacant City of Malibu properties. (Please note: some of these City owned properties like Trancas field have been left vacant since 2016 (i.e. 5 years.) In addition, at the last City Council Budget meeting the City of Malibu reported an approximate \$3 million shortfall in funds. It would be beneficial for the City of Malibu to allow the PDCSD in coordination with Malibu Foundation to proceed with implementing community serving uses as described below on a short term basis so that services to the community can be provided and help increase the health and wellness as the community emerges from the 2018 fire and the ongoing Pandemic.

The Power of Hope Community Project is ready to be funded for Phase 1. Phase 1:

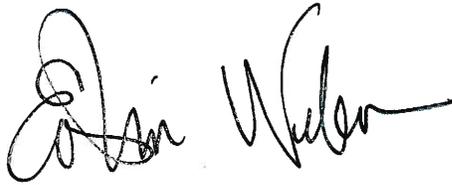
- 1) Community Garden, Regenerative Farm and Educational Composting Center** — Produce and compost will be given back to residents with surplus going to vulnerable communities (low income, unhoused programs, elderly). Please note: on a short-term basis farm boxes could be used and recycled if/when the short term lease with City of Malibu expires.
- 2) Open Field** — A large open area that will be available for community events, sports, events and activities, managed by the PDCSD in coordination with the City of Malibu.
- 3) Learning/healing Ecosystem Museum/Native Plant Garden** —A space for education on local ecosystems and native plant cultivation, and reflection/meditation garden with walking pathways.

Phase 2 of the Power of Hope Project expansion could include a proposed swimming and tennis center supported by and Angel Donor and by members of Malibu community at large (i.e. Calabasas Swim and Tennis Club). This phase will only be done in coordination with City of Malibu and only after a robust period of public input which could take years.

Malibu Foundation, as the lead partner, would provide administrative, technical, and fund raising support on behalf of our co-community and the PDCSD. **Collectively, we have secured \$200,000 of funding for the Power of Hope project from an anonymous donor.** As thus, we are relying on our partnership with the PDCSD, and their continued status as a community service district, to help develop, build, and manage this needed project and establish the Power of Hope community project as an integral part of Malibu.

We urge you to consider this funding security as an example of how wanted these initiatives are, and how necessary the PDCSD is to the Malibu Foundation and our community.

Sincerely,



Ms. Evelin Weber
Executive Director
Malibu Foundation

----- Original Message -----

From: Pamela Conley Ulich <pamela@malawbu.com<mailto:pamela@malawbu.com>>

To: "heypinky@aol.com<mailto:heypinky@aol.com>"

<heypinky@aol.com<mailto:heypinky@aol.com>>,

"majorlandscape@gmail.com<mailto:majorlandscape@gmail.com>"

<majorlandscape@gmail.com<mailto:majorlandscape@gmail.com>>, Barbara

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"res02igz@gte.net<mailto:res02igz@gte.net>"

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Cc: Barbara Ferris <barbaraferris@gmail.com<mailto:barbaraferris@gmail.com>>,

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Karen Farrer <karen.farrer28@gmail.com<mailto:karen.farrer28@gmail.com>>, The

Grisanti Group <Paul@MalibuRE.com<mailto:Paul@MalibuRE.com>>, Bruce Silverstein

<bsilvesq@gmail.com<mailto:bsilvesq@gmail.com>>, Steve Uhring

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<gblake@davisshapiro.com<mailto:gblake@davisshapiro.com>>

Date: April 1, 2021 8:43 AM

Subject: Save Point Dume Community Services District - Call to Action - Write LAFCO and Shiela Kuehl's office and ask for Extension of Time

I hope you are staying calm and strong. You are receiving this email because you are a helper and you love Point Dume and you want to make it stronger and better tomorrow than it is today.

This is an invitation to you personally to learn more about and to help save the Point Dume Community Services District. It has been around since the 80's and helped create and make the lovely park at Malibu Elementary School. (All the local papers are copied on this so they can learn what is happening).

On 3/8/21, LAFCO (Local Agency Formation Commission) sent a letter to PDCSD informing it that they may dissolve it for the reasons listed on pages 41-43 of the attached report. Comments are due by April 8, 2021 and LAFCO is meeting on May 12, 2021 to consider what to do with PDCSD.

I spoke with Paul Major last night, who worked so many years and who recently lost his home and business in the Woolsey fire. I am so grateful for his work through the years. I want to help him "Save PDCSD", and I hope you will join me.

1) New District Board members. Currently there are 3 board members, Paul, Valerie and John Mazza. It may help to bring fresh ideas and perspective to help lighten the load and also spear head efforts to get fire and public safety programs created and implemented and/or community garden/meeting area in Point Dume.

Barbara Ferris, Hap Henry, Laureen Sills and/or Mindy Peterson could be excellent additional Board members if they have the time and inclination to help save the District. I have also copied John Sibert and Skylar Peak and many others who are community advocates and who may want to be involved. (I will volunteer if no one else is able to take this on, but am happy to help as "Point Dume Neighborhood Watch" founder.)

2) Point Dume Neighborhood Watch (and possibly Malibu Democratic Club - Jane is copied on this) will host a town hall zoom on Sunday, April 11, 2021 from 4-5 p.m. with Paul and PDCSD to discuss what is happening, to show transparency and to also get community input and support to "Save PDCSD". Please attend and invite everyone to share this information and attend:

Topic: Save Point Dume Community Services District Town Hall - hosted by Point Dume Neighborhood Watch

Time: Apr 11, 2021 04:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87100230533>

Meeting ID: 871 0023 0533

3) Can you please share and also write to LAFCO. If there is community support then an on-line petition to help "Save PDCSD" may also help.

4) Ask Malibu City Councilmembers as individuals to write a letter asking LAFCO to give PDCSD an extension to prepare plan for Fire Brigade and/or Community MalibuStrong Farm. This is a reasonable request given the 2018 Woolsey Fire and the subsequent Covid Quarantine. What is the rush to extinguish the District? Please note: ALL

<skylar@peakpowerelectric.com<mailto:skylar@peakpowerelectric.com>>, Mark Russo
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<gailblock@gmail.com<mailto:gailblock@gmail.com>>, Guy Blake
<gblake@davisshapiro.com<mailto:gblake@davisshapiro.com>>

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John Mazza. It may help to bring fresh ideas and perspective to help lighten the load and
also spear head efforts to get fire and public safety programs created and implemented

Council). I think maybe on Page 41. I do not know if other needs could be facilitated by assessment. The City of Malibu would have a very hard time allocating more services to Point Dume and not every neighborhood but Point Dume could do them on its own, if the District remains in place.

In summary, time is short to generate letters of opposition to LAFCO recommendation, two more good volunteers to serve on the Board - current Paul, Valerie Fish (Major) and John Mazza and a volunteer to create and manage a website (required under the District regulations now).

Love and gratitude always-

Pamela
xoxoxo

Love and gratitude always-

Pamela
xoxoxo



Council tells Point Dume residents they're on their own in district fight



A home decked out in the red, white and blue on Point Dume. Scott Steepleton/Surfside News

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Scott Steepleton, Editor
4:32 pm PDT June 17, 2021

The head of the independent agency charged with overseeing changes to city and special district boundaries in Los Angeles County this week had some harsh words for backers of the Point Dume Community Services District.

Backers are trying to resuscitate a body formed in the 1980s whose purpose is to provide services to residents of Point Dume.

Several speakers on Monday told the Malibu City Council about the grand plans of the district: operating a community center; fire safety and disaster preparedness; tending a "hub" community garden with "satellites" at homes around the point.

But the Local Agency Formation Commission for the County of Los Angeles is being asked to dissolve the district and speaking to the council on Monday, Paul Novak, L.A. LAFCO executive officer, explained why.

“I would not question the need for (the district) when it was created. I would not question the spectacular work that they did for quite some time,” Novak said.

But times have changed.

The state does not want the forming of districts that can’t survive.

“LAFCO has jurisdiction over 90 special districts in Los Angeles County,” said Novak. “This is the only one that provides zero municipal services. None.”

According to Novak, the district lacks the financial resources to serve the community needs, it has no community space. Its board meets just once a year, and instead of the five required members, it can muster only three.

“We have heard about the garden wall, we have heard about the fire brigade, we have heard about the new recreational programs,” Novak said.

“We have heard about a lot of things. What we have not seen is any concrete plan to do any of those things.”

“It is news to me tonight, after 3 1/2 years of communicating with them,” he added, “that they have finally established a website.”

“This district has not, in my opinion, operated in a transparent manner. They have not provided services,” Novak said. “They are sitting on approximately \$22,000 in money which frankly has not been spent.”

Hap Henry, a lifelong Point Dume resident, said he and others are trying to save the district “from the county’s chopping block.”

Pamela Conley Ulich said the district “represents all that’s good in Malibu.”

“We need this district now more than ever. We need to have more parks and rec opportunities. We need to have that fourth of July parade for freedom.”

She urged the council to send a strong message to LAFCO that the district is needed.

“Help us make Malibu better tomorrow than it is today,” she said.

LAFCO takes up doing away with the district at 9 a.m July 14.

“I appreciate the enthusiasm,” council member Karen Farrer — a longtime resident of the point — said. “It sounds like it’s coming very late in the scheme of things.”

“What I do see that the community seems to have some traction on is either a fire safety council or a fire brigade,” Farrer said, adding that other neighborhoods have them.

“But those are not dependent on a community services district.”

Farrer suggested the money the district has on hand could be used for the brigade.

Council member Bruce Silverstein summed up his thoughts on the district this way: “There's just been a lot of nothing going on. Even though there were some good things that happened many, many years ago, there's been a lot of nothing going on until LAFCO recommended the district be dissolved.”

Stay out of it, urged council member Steve Uhring — and he made a motion to take no action, essentially telling backers that they can take their case to LAFCO next month without city participation.

Farrer seconded the motion.

She and Uhring voted yes; Mikke Pierson no; Silverstein abstained.

Mayor Paul Grisanti initially voted no.

“This district, originally when it was formed, was a real game changer for what was going on in Malibu at the time,” said Grisanti.

“On second thought, I think no action is the right thing to do,” said the mayor. “So, I'm going to vote yes.”

The motion to take no action carried with three yes votes.

The Malibu Times

NEWSPAPER MAGAZINE ONLINE

Daily Headlines

Council Declines to Defend Point Dume Community Services District

Mask mandates, tow yard, city manager recruitment and more: news in brief from this week's Malibu City Council meeting.

- By Emily Sawicki / Managing Editor
- Jun 17, 2021



Samantha Bravo / TMT

Writing is on the wall for Point Dume Community Services District

When the Point Dume Community Services District was formed in 1985, the neighborhood had just lost Point Dume Elementary School. The neighborhood—Malibu's largest—was without a community center, its local school and associated playground shuttered as enrollment dwindled. The Local Agency Formation

Commission for the County of Los Angeles (LAFCO) granted permission for nearby residents to form a community services district, “formed for the purpose of revitalizing what was a neglected property for a number of years,” according to lifelong Point Dume resident Hap Henry, who spoke Monday. Henry said the district “continues to serve as a vital resource,” but council members and LAFCO said there was little sign the community services district was still active. Most services provided by the district have not been active for years; the elementary school reopened in 1996 and the property went back under the control of the school district. The Boys & Girls Club of Malibu is also active on every school site in Malibu, including at Point Dume.

This summer, LAFCO announced it recommended dissolving the district. In response, a little over 150 community members signed an online petition to save the district and the district leaped into action, creating a website and creating future plans, including for a community garden. They also requested city council send a letter to LAFCO in support of the district, but council members voted, 3-1, not to write the letter. Council Member Mikke Pierson voted “no” on the motion to take no action; Council Member Bruce Silverstein abstained from the vote.

“I appreciate the enthusiasm [but] it sounds like it’s coming very late, in the scheme of things,” Council Member Karen Farrer said, suggesting a fire safe council or fire brigade be formed in place of the community services district for those who wish to be more engaged in the community.

Silverstein said it appeared there was “a lot of nothing going on, until LAFCO recommended the district be dissolved.” When Silverstein asked if the district could be re-formed after being dissolved, Paul Novak, representing LAFCO, suggested the district may not “survive.” Novak added that it has been many years since the school on Point Dume reopened, offering time for the district to reform after losing its home base—time the district did not use.

If the district is dissolved, Novak said, the district's \$20,000 in assets would likely go to the City of Malibu; LAFCO may provide guidance as to how that money could be spent effectively for the neighborhood.

The Malibu Times

NEWSPAPER · MAGAZINE · ONLINE

Letter: Our Beloved District

- Jun 26, 2021

Time is a precious commodity and the beloved local Point Dume Community District may not have much time left.

The district is on the chopping block by Local Area Formation Commission (LAFCO), which will meet in mid-July to decide the fate of this beloved local community organization. (Incidentally, LAFCO is also the same entity that decided that the City of Malibu must fork over 99 percent of every Malibu tax dollar to LA County—every single year since Malibu’s incorporation and split from LA County in 1991.) If you ever believe for one minute that LAFCO really cares about Malibu, then ask why LAFCO won’t give Malibu more of our tax dollars to address public safety and other pressing issues facing our community. Is LAFCO a puppet of LA County?

Last Monday, many Point Dume residents waited over five or so hours to simply ask that the Malibu City Council send a letter supporting the district before the LAFCO chopping block meeting in July. At the meeting on June 14, LAFCO’s representative began by saying it was not “for” LA County but “of” LA County. OK, really? The LAFCO representative also stated that they had given the district three years to get a “plan” and seemed insensitive and unaffected by the fact that the president of the district lost everything in 2018, his Point Dume home and his business, nearly three years ago in the Woolsey Fire.

The Malibu City Council, with the exception of Mikke Pierson, voted to “take no action,” which is very telling of those who were elected to serve. “Take no action”? Wow. I hope and pray the four remaining members will eventually take actions needed to help our community in the future.

Even if our city council fails to take action, you can. Why?

The district was created for and by the local Point Dume community and has an awareness of what is actually happening in Malibu and in Point Dume. The district, since the mid-1980s, has a history of planting seeds that grow community and make Point Dume blossom. The district was a “game changer” then, and can be a game changer now if given the chance.

Paul Major, the president of the district, knows first hand what it means to take action. He and many others before him rolled up their sleeves and did the work to promote community. He helped plant all the grass at Malibu Elementary School, which was previously paved with asphalt by the school district. He, and others who donated, also helped plant the beautiful trees that you see around Malibu Elementary (Cameron Park) today. But for the district and the contributions of many families in Point Dume, Malibu Elementary School would have been filled with asphalt and little or no trees would have been planted way back when.

LAFCO said the district is not needed unless there are “gaps in service” that have not been provided. The glaciers may be melting, but the “gaps in service” are glacial when it comes to Point Dume and Malibu.

Point Dume needs to have a sustainable and local food source because, we all know, when the next natural disaster hits, we are on our own. We also need to help plan and prepare and build a Point Dume Fire Brigade. The City of Malibu is going to get “robust public input” when it comes to deciding what to do with the properties it acquired many years ago. In the meantime, the city-owned property on Point Dume abutting Heathercliff could be leased on a short-term basis by the district and seeds could be planted literally tomorrow.

We also don’t have adequate parks and recreation facilities for the entire community to enjoy and to ensure we all take our health seriously. The pool at the school is opened on a very

limited basis and there is not a single public weight lifting facility, tennis court and/or basketball court in all of Malibu. These recreational facilities could be built by the district in coordination with the Malibu City Council, if there was a vision and if the community wants to emulate the crown jewel and community builder like the Calabasas Swim and Tennis Center.

I don't believe for one minute LAFCO will support the district or its plan to help Point Dume and Malibu. That's OK. It really does cement the fact that we all must be self-reliant and plant our own gardens and teach our children self-reliance when the next natural disaster hits. We all must continue to do what we can to grow.

The district has a plan to educate, empower and enrich our community by planting and harvesting not just food, but more importantly good will and community. You can learn more by visiting the District website at <https://pdcSD.org/> by signing the petition [here](#) and by supporting the District's plan to preserve Point Dume and grow resilience.

At the end of the day, will you be prepared for whatever is next? Do you have your water supplies, your emergency kits? Will you maybe even plant your own garden to ensure that you and your family and community make it through whatever Mother Nature throws at us next?

Thank you, district, and all who served and contributed to it to make Point Dume and Malibu better. Even though you have been treated like "District 13" in The Hunger Games, we are grateful for your courage.

The "District" may be extinguished and killed by LAFCO, but our collective spirit will never die, and we can grow from this and take actions needed now and in the future.

Pamela Conley Ulich

The Malibu Times

NEWSPAPER · MAGAZINE · ONLINE

Guest Column: Nine Years of Opportunity

By Paul Novak / Executive Officer, Local Agency Formation Commission for the County of Los Angeles

As the executive officer of the Local Agency Formation Commission (LA LAFCO or LAFCO), I feel obligated to reply to certain claims in Pamela Conley Ulich's recent letter ("Our Beloved District") to *The Malibu Times*. I would also like to express my gratitude to *The Malibu Times* for considering publication of my comments.

LAFCO, an acronym for Local Agency Formation Commission, is a public agency with county-wide jurisdiction. Originally established by state law in 1963, LAFCOs are now governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The intent of the act is to discourage urban sprawl and encourage orderly and efficient provision of services, such as water, sewer and fire protection. LAFCO oversees changes to local government jurisdictional boundaries involving the formation and expansion of cities and special districts.

Each county has a LAFCO, with jurisdictional authority within their respective county. In Los Angeles County, LAFCO's jurisdiction includes 88 cities and 90 special districts (a special district is an agency which provides one or more services in a particular geographic area, such as a sanitation district, water district, or library district).

LAFCOs periodically prepare Municipal Service Reviews (MSRs), which are studies that evaluate existing and future service conditions, review a city or special district's finances and capacity to provide services, and examine related issues, such as accountability

and transparency. LAFCO also periodically reviews and updates a city or district's Sphere of Influence (SOI), which is a plan for the probably physical boundaries and service area of a local agency, as determined by LAFCO. At its July 14 meeting, the commission (LAFCO) will conduct a public hearing on the Draft MSR/SOI Update of the Point Dume Community Services District (PDCSD). In advance of that meeting, the Malibu City Council considered the Draft MSR/SOI Update, as well as my recommendation that the commission consider initiating the dissolution of the PDCSD; several members of the public, including Ms. Conley Ulich and I, spoke at that meeting. Despite testimony requesting that the City of Malibu oppose my recommendation that LAFCO consider dissolving the PDCSD, and only after considering testimony from city staff and stakeholders, the Malibu City Council voted to "take no action" on the matter.

To answer a question raised in Ms. Conley Ulich's letter, LAFCO is not a "puppet" of Los Angeles County. LAFCO is governed by a commission composed of nine voting members and six alternate members. The voting members include two Los Angeles County Supervisors (Kathryn Barger and Holly Mitchell); two members of city council (Margaret Finlay of Duarte and John Mirisch of Beverly Hills); two members of special district governing boards (Don Dear of the West Basin Municipal Water District, the boundary of which includes all of the City of Malibu, and Jerry Gladbach of the Santa Clarita Valley Water Agency); a representative of the San Fernando Valley (Richard Close of the Sherman Oaks Homeowners Association); a representative of the general public (Gerard McCallum); and a seat for the City of Los Angeles, which is currently vacant. Los Angeles County Supervisor Sheila Kuehl is the county alternate member, and she previously served as a voting member. Commission action requires a majority vote (five votes), which, in and of itself, precludes LAFCO from being a "puppet" of the county.

In the second paragraph, Ulich states that "LAFCO's representative [me] began by saying it [LAFCO] was not 'for' Los Angeles County but 'of' Los Angeles County." In fact, I said the exact opposite, as I do in most presentations, where I consistently state that we are the LAFCO "for" the county, and not "of" the county, because LAFCO *is not* a part of Los Angeles County government. LAFCO is an independent public agency

created by the State of California that is funded by Los Angeles County. The county as well as all cities in Los Angeles County and all independent special districts in Los Angeles County make annual contributions to finance LAFCO's work.

Ulich's assertion that I am "unaffected" and "insensitive" to the fact that the board president of the PDCSD lost his home in the Woolsey Fire is inaccurate. LAFCO's communications with the district consistently demonstrate a remarkable level of patience and consideration on LAFCO's part. It should be known that the relevant concern arose in 2012—roughly nine years ago—to the point in time at which the PDCSD ceased providing *any* municipal services to Point Dume residents. Of the 90 special districts in Los Angeles County within LAFCO's jurisdiction, the PDCSD is the only one that does not provide any services.

The letter identifies various services that the PDCSD could provide: "prepare and build a Point Dume Fire Brigade" (there are many fire brigades in California, including two in Malibu, none of which is operated by a community services district); a suggestion that "the city-owned property on Point Dume abutting Heathercliff could be leased [by the PDCSD]," a proposal which city officials have said is "premature" at this time; a "pool . . . and tennis court and/or basketball court" which "could be built by the district in coordination with the Malibu City Council" (an idea that would require resources and finances which the PDCSD is ill-suited to provide); or something similar to the "Calabasas Swim and Tennis Center" (built by the City of Calabasas, not by a community services district). The PDCSD has had roughly nine years to move these plans forward, and it has failed to do so, despite multiple requests from LAFCO. Many of these proposals would require application to, and approval from, LAFCO; in nine years, the PDCSD has failed to submit an application to LAFCO, or even provide a written narrative of what services the district would like to provide. All of these proposals require dedicated resources, financing and organizational capacity that are, without question, beyond the reach of the PDCSD.

For those interested in learning more about the PDCSD, the PDCSD Draft MSR/SOI Update is available on LAFCO's website (lalafo.org) on the home page under

“Announcements.” Additionally, the agenda package for the July 14 commission meeting (at which the PDCSD MSR/SOI Update will be considered) will be available on the website on or around Wednesday, July 7. In the interim, interested parties can contact me via email (pnovak@lalafco.org) or telephone (626.204.6500).

Thank you again for this opportunity to address the issues concerning the PDCSD.

Staff Report

July 14, 2021

Agenda Item No. 8.a.

**Protesting Hearing on Annexation No. 2019-08 to the Santa Clarita Valley Water Agency
(Valencia Water Company)**

On June 9, 2021, your Commission approved a request for the annexation of approximately 344± acres of inhabited territory into the boundaries of the Santa Clarita Valley Water Agency. The Protest Hearing before you today will satisfy the requirements of Government Code § 57000, *et seq.*

The number of written protests received and not withdrawn is 0.

PROPOSAL SUMMARY:

Size of Affected Territory:	344 ± acres
Inhabited/Uninhabited:	Inhabited
Applicant:	Santa Clarita Valley Water Agency (“SCVWA”)
Resolution:	December 17, 2019
Application Filed with LAFCO:	December 30, 2019
Certificate of Filing	May 13, 2021
Location:	The affected territory is located west of The Old Road, north of Pico Canyon Road, and south of Westridge Parkway; and southwest of intersection of The Old Road and Valencia Boulevard.
City/County:	Los Angeles County unincorporated territory (Stevenson Ranch).
Affected Territory:	The affected territory includes a total of 543 parcels [473 parcels are completely outside the current jurisdictional boundary of the SCVWA and require annexation into the boundary of the SCVWA, 69 parcels (portions of parcels) are not completely within the current jurisdictional boundary of the SCVWA and require annexation into the boundary of the SCVWA , and one (1) parcel, which consists of a water tank, owned and operated by the

SCVWA, is not within the current jurisdictional boundary of the SCVWA and requires annexation of the water utility site into the boundary of the SCVWA]. Of the 473 parcels, there are 450 single-family homes, 20 vacant parcels, two (2) schools, and one (1) Homeowner's Association (HOA)-owned landscaped area. Of the 69 parcels (portions of parcels), there are 63 single-family homes, one (1) school, and five (5) HOA-owned landscaped areas. There are no natural boundaries within the affected territory. The topography consists of moderately flat to moderately steep terrain. There are currently no flood control facilities within or adjacent to the affected territory. There is no change of land use and/or future planned development.

Surrounding Territory:

The affected territory is bordered by undeveloped open space to the west and single-family residences to the east. To the south is primarily undeveloped open space. The properties to the north consist of water utilities, single-family residences, and an elementary school.

Landowners/Real Party/
Parties of Interest:

There are multiple owners of record.

Registered Voters:

1,391 registered voters as of November 4, 2020.

Purpose/Background:

The reason for the annexation as set forth in the application is for the Santa Clarita Valley Water Agency to comply with a requirement of Senate Bill 634, a bill which consolidated the former Castaic Lake Water Agency and the Newhall County Water District into the Santa Clarita Valley Water Agency, and which took effect on January 1, 2018; and to comply with Condition No. 9 of the Application for Conditions No. 2018-01 to the Santa Clarita Valley Water Agency approved by the Commission on April 11, 2018. The affected territory is composed of the area formerly served by the Valencia Water Company, which was purchased by the SCVWA on January 22, 2018. Because the affected territory is outside the jurisdictional boundaries of the SCVWA, the Commission imposed Condition No. 9 to require the SCVWA to file a proposal with LAFCO to annex the affected territory into the SCVWA.

Jurisdictional Changes: The jurisdictional change that results from this proposal is the annexation of the affected territory into jurisdictional boundaries of the Santa Clarita Valley Water Agency.

Within SOI: Yes. The affected area was incorporated into the SOI for the SCVWA by your Commission at the August 12, 2020 LAFCO meeting consistent with the recommendations of the Municipal Service Review for the SCVWA.

California Environmental Quality Act (CEQA) Clearance: The proposal is categorically exempt from CEQA pursuant to State CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility that the annexation may have a significant effect on the environment. In addition, this annexation is categorically exempt from CEQA pursuant to §15320 because the annexation implements a change in organization of a local agency where the changes do not change the geographical area in which previously existing powers are exercised. A Categorical Exemption was adopted by the Santa Clarita Valley Water Agency, as lead agency, on December 18, 2019, which was considered and adopted by your Commission, as responsible agency, on June 9, 2021.

Additional Information: None.

CERTIFICATE OF FILING

Pursuant to Government Code § 56020.6, a Certificate of Filing (COF) is “the document issued by the executive officer that confirms an application for a change of organization or reorganization has met submission requirements and is accepted for filing.”

Upon reviewing the proposal for completeness, and pursuant to the requirements of Government Code § 56658, the Executive Officer issued the COF to the applicant on May 13, 2021. In conjunction with the issuance of the COF, the Executive Officer set the public hearing date as Wednesday, June 9, 2021. On June 9, 2021, the Commission approved Annexation 2019-08 to the SCVWA and set the protest hearing for July 14, 2021.

FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT § 56668:

a. Affected population, territory and adjacent areas:

The existing population is 1,939 residents as of December 1, 2020. The population density is 5.64 persons per acre.

The estimated future population is 1,939 residents (no anticipated change).

The affected territory is 344+/- acres. The existing land use(s) include 513 single-family homes, 20 vacant parcels, three (3) schools, six (6) landscaped areas, and one (1) water utility site. There is no proposed/future land use development.

The assessed valuation is \$388,419,032 as of December 1, 2020.

The per capita assessed valuation is \$1,129,125.

On March 9, 2021, the County adopted a negotiated tax exchange resolution; all other involved public agencies have adopted a corresponding property tax transfer resolution.

The topography of the affected territory is moderately flat to moderately steep terrain.

There are no natural boundaries within or adjacent to the affected territory.

There are no drainage basins on or near the affected territory.

The nearest populated area is directly north and south of the affected territory. The affected territory is likely to experience no growth in the next ten years. The adjacent areas are likely to experience no growth in the next ten years.

b. *Governmental Services and Controls:*

The affected territory includes 543 parcels [513 single-family homes, 20 vacant parcels, three (3) schools, six (6) landscaped area, and one (1) water utility site] which requires organized governmental services].

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.

Potential enhanced services may be financed by general fund revenues, developer impact fees, community facilities districts, bonds, assessments, grants, and/or user fees.

c. *Proposed Action and Alternative Actions:*

The proposed action will have no effect on adjacent areas. The proposed action will have no effect on mutual social and economic interests. The proposal has no impact on the governmental structure of the County.

The effect of alternate actions on mutual social and economic interests and on the local governmental structure of the County is minimal.

d. *Conformity with Commission Policies on Urban Development and Open Space Conversion Policies:*

There are no conformance issues because the Commission has not adopted any policies relative to providing planned, orderly, efficient patterns of urban development.

There is no prime agricultural land within or adjacent to the affected territory. The proposal conforms with the objectives in Government Code § 56377(a).

The proposal does not involve the development of existing vacant lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency.

The proposal does not involve the development of existing non-prime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency.

e. *Agricultural Lands:*

There are no effects on agricultural lands, as defined by Government Code § 56016. None of the land within the affected territory is currently used for the purpose of producing an agricultural commodity for commercial purpose, land left fallow under a crop rotation program, or land enrolled in an agricultural subsidy or set-aside program. According to the California Department of Conservation, Division of Land Resource Protection, none of the land within the affected territory is subject to a Land Conservation Act (aka "Williamson Act") contract nor in a Farmland Security Zone (California Land Conservation Act 2016-2017 Status Report).

f. Boundaries:

The boundaries of the affected territory have been clearly defined by the applicant, do not conform to lines of assessment or ownership, and have been reviewed and approved by LAFCO's GIS/Mapping Technician. Of the total of 543 parcels, one (1) parcel (APN: 2826 009 104) consists of a large parcel (open space, mountainous area). Instead of annexing the entire parcel, SCVWA is requesting that only the water utility site be annexed into the SCVWA.

As a special district annexation, the proposal has no impact on existing city-county boundaries, nor does it create islands or corridors of unincorporated territory.

g. Regional Transportation Plan:

The Southern California Associated Governments (SCAG) adopted its 2020-2045 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code § 65080. The closest highway to the annexation is part of the RTP and SCS's State Highway improved program. The closest highway in the RTP/SCS is the Interstate 5 (I-5) Freeway, which is approximately 0.87 miles or 4,650 feet from the affected territory.

h. Consistency with Plans:

The proposal is consistent with the existing Santa Clarita Valley Area Plan designation of one single-family dwelling with a minimum lot size of 5,000 square feet (R-1-5000), single-family residential with a minimum lot size of 5,00 square feet (A-2-5), and open space (O-S).

The affected territory is not within the boundaries of any Specific Plan.

Pre-zoning is not a requirement for a special district proposal.

i. Sphere of Influence:

The affected territory is within the Sphere of Influence of the Santa Clarita Valley Water Agency.

j. Comments from Public Agencies:

Staff did not receive any significant comments from public agencies or any resolutions raising objections from any affected agency.

k. Ability to Provide Services:

The affected territory is already being served by the Santa Clarita Valley Water Agency.

l. Timely Availability of Water Supplies:

There are no known issues regarding water supply or delivery. The Santa Clarita Valley Water Agency already provides retail water service to customers within the affected territory.

m. Regional Housing Needs:

As a special district annexation, the proposal will not affect any city, nor the county, in achieving their respective fair share of the regional housing needs as determined by the Southern California Association of Governments (SCAG).

n. Comments from Landowners, Voters, or Residents:

Staff did not receive any significant comments from landowners, voters, or residents.

o. Land Use Designations

The proposal is consistent with the existing Santa Clarita Valley Area Plan designation of one single-family dwelling with a minimum lot size of 5,000 (R-1-5000), single-family residential with a minimum lot size of 5,00 square feet (A-2-5), and open space (O-S).

The proposal is consistent with the existing Santa Clarita Valley Area Plan zoning designation of Heavy Agricultural (A-2), Single-family Residential (R-1), and Open Space (O-S).

p. Environmental Justice:

The proposal makes no representations relating to exclusions of peoples of any race, culture, income and/or national origin with respect to the location of public facilities and public services, to ensure a healthy environment for all people such that the effects of the pollution are not disproportionately borne by any particular populations or communities.

There are no Disadvantaged Unincorporated Communities (DUCs) within or adjacent to the affected territory according to data obtained and extracted from the Census Bureau of the United States Department of Commerce 2014-2018 American Community Survey (ACS).

q. Hazard Mitigation Plan:

The County of Los Angeles All-Hazard Mitigation Plan (approved February 24, 2014) establishes the County's emergency policies and procedures in the event of a disaster and addresses allocation of resources and protection of the public in the event of an emergency.

The Safety Element of the General Plan for the County of Los Angeles (approved October 6, 2015) addresses reduction of the potential risk of death, injuries, and economic damages resulting from natural and man-made hazards.

The affected territory is within a Very High Fire Hazard Zone pursuant to maps published by the California Department of Forestry and Fire Protection (Cal Fire). The affected territory is within the maps that identify State Responsibility Area (SRA). Both the County of Los Angeles All-Hazard Mitigation Plan and the Safety Element of the General Plan include information relating to mitigation and management of wildfire and fire hazard severity zones.

ADDITIONAL FACTORS TO BE CONSIDERED PURSUANT TO GOVERNMENT CODE § 56668.3:

a) District Annexation or City Detachment:

The proposed action involves a district annexation.

(1) Interest in landowners/inhabitants, district annexations:

The proposed action will be for the interest of the landowners and/or present and/or future inhabitants within the district and within the affected territory.

(2) Interest in landowners/inhabitants, city detachments:

The proposed action will be for the interest of the landowners and/or present and/or future inhabitants within the city and within the affected territory.

(3) Any factors which may be considered by the commission provided in Section 56668:

The Commission has addressed the factors in Government Code § 56668, subsections (a) through (q), above.

(4) Any resolution raising objections to the action that may be filed by an affected agency:

No affected agency has filed a resolution raising objections to the proposed action.

(5) Any other matters which the commission deems material.

There are no additional matters which the commission deems material to the proposed action.

REGIONAL GROWTH CONSIDERED PURSUANT TO GOVERNMENT CODE § 56668.5:

The Southern California Associated Governments (SCAG) adopted its 2020-2045 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) pursuant to Government Code § 65080.

Regional growth goal and policies were not a consideration of the proposed action.

ADDITIONAL INFORMATION/OTHER MATTERS (RELEVANT TO THE PROPOSAL):

None.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CLEARANCE:

On June 9, 2021, your Commission found the proposal to be categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility that the annexation may have a significant effect on the

environment. In addition, this annexation is categorically exempt from CEQA pursuant to §15320 because the annexation implements a change in organization of a local agency where the changes do not change the geographical area in which previously existing powers are exercised. A Categorical Exemption was adopted by the Santa Clarita Valley Water Agency, as lead agency, on December 18, 2019.

PROTEST HEARING NOTICE

LAFCO staff published a protest hearing notice in the Daily Commerce on Monday, June 14, 2021, pursuant to Government Code section 56157(h). The publication in the Daily Commerce satisfied all legal requirements for protest hearing notice pursuant to State Law.

Additional Protest Hearing Notice: In addition to the published notice in the Daily Commerce on June 14, 2021, LAFCO staff published the protest hearing notice in The Signal on June 16, 2021.

Pursuant to Government Code § 56157(h), “[i]f the total number of notices required to be mailed in accordance with subdivisions (d) and (f) exceeds 1,000, then notice may instead be provided by publishing a display advertisement of at least one-eighth page in a newspaper, as specified in § 56153, at least 21 days prior to the protest hearing.” There are approximately 2,900 landowners and registered voters within the affected territory. The foregoing publications in both the Daily Commerce and in The Signal met and exceeded these statutory requirements.

CONCLUSION:

Staff recommends approval of the proposal as a logical and reasonable extension of the Santa Clarita Valley Water Agency which will be for the interest of landowners and/or present and/or future inhabitants within the Santa Clarita Valley Water Agency and within the annexation territory.

RECOMMENDED ACTION:

1. Open the protest hearing and receive written protests;
2. Close the protest hearing;
3. Instruct the Executive Officer, pursuant to Government Code § 57075, to determine the value of written protests filed and not withdrawn and report back to the Commission with the results; and
4. Based upon the results of the protest hearing, adopt a resolution either terminating the annexation proceedings if a majority protest exists pursuant to Government Code § 57078, or ordering Annexation No. 2019-08 to the Santa Clarita Valley Water Agency (Valencia Water Company) directly, or ordering the annexation subject to confirmation by the registered voters of the affected territory.

**RESOLUTION NO. 2021-00PR
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS ORDERING
"ANNEXATION NO. 2019-08 TO THE SANTA CLARITA VALLEY WATER AGENCY
(VALENCIA WATER COMPANY)"**

WHEREAS, the Santa Clarita Valley Water Agency (SCVWA) adopted a resolution of application to initiate proceedings, which was submitted 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 § 56000, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), for annexation of territory herein described to the, within the unincorporated territory of Stevenson Ranch, near the City of Santa Clarita; and

WHEREAS, the proposed annexation consists of approximately 344± acres of inhabited territory and is assigned the following distinctive short-form designation: "Annexation No. 2019-08 to the Santa Clarita Valley Water Agency"; 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 Santa Clarita Valley Water Agency's application to initiate proceedings is in compliance with Senate Bill 634, a bill which consolidated the former Castaic Lake Water Agency and the Newhall County Water District into the Santa Clarita Valley Water Agency, and which took effect on January 1, 2018, and in compliance with Condition No. 9 of the Application for Conditions No. 2018-01 to the Santa Clarita Valley Water Agency approved by the Commission on April 11, 2018. The affected territory is the area formerly served by the Valencia Water Company, which was purchased by the SCVWA on January 22, 2018. Because

the affected territory is outside the jurisdictional boundaries of the SCVWA, the Commission imposed Condition No. 9 to require the SCVWA to file a proposal with LAFCO to annex the affected territory into the SCVWA; and

WHEREAS, on June 9, 2021, the Commission approved Annexation No. 2019-08 to the SCVWA; and

WHEREAS, pursuant to Government Code § 57002, the Commission set the Protest Hearing for July 14, 2021 at 9:00 a.m., at the Commission's virtual meeting held by teleconference and web access, pursuant to the provisions of the Governor's Executive Order N-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", unless cancelled or rescheduled by the Commission or the Commission Chair approves an alternative meeting location; and

WHEREAS, the Executive Officer has given notice of the protest hearing pursuant to Government Code §§ 56150-56160, 56660-56661, 57025, and 57026, wherein the protest hearing notice was published in a newspaper, as a display advertisement of least one-eighth page pursuant to Government Code § 56157(h), of general circulation in the County of Los Angeles on June 14, 2021, which is at least 21 days prior to the protest hearing; and

WHEREAS, at the time and place fixed in the notice, the hearing was held, and any and all oral or written protests, objections, and evidence were received and considered; and

WHEREAS, the Commission, acting as the conducting authority, has the ministerial duty of tabulating the value of protests filed and not withdrawn and either terminating these proceedings if a majority protest exists or ordering the annexation directly or subject to

confirmation by the registered voters.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission finds that this action is within the scope of its California Environmental Quality Act findings made at the Commission hearing on June 9, 2021.
2. The Commission finds that the number of property owners is 575, and the number of registered voters is 1,391, and the total assessed value of land within the affected territory is \$388,419,032.
 - a) The Commission finds that the number of property owners who filed written protests in opposition to Annexation No. 2019-08 to the SCVWA and not withdrawn is ____, which, even if valid, represents less than 25 percent of the number of owners of land who own at least 25 percent of the assessed value of land within the affected territory; and
 - b) The Commission finds that the number of registered voters who filed written protests in opposition to Annexation No. 2019-08 to the SCVWA and not withdrawn is ____, which, even if valid, represents less than 25 percent of the number of registered voters residing within boundaries of the affected territory.
3. 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.
4. The affected territory consists of 344± acres, is inhabited, and is assigned the following short form designation: "Annexation No. 2019-08 to the SCVWA".

5. Annexation No. 2019-08 to the SCVWA is hereby approved, subject to the following terms and conditions:

- a. The Santa Clarita Valley Water Agency 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 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 § 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 SCVWA, 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 change of organization/reorganization, will result in the change of organization/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 SCVWA.
 - f. The regular County assessment roll shall be utilized by the SCVWA.
 - g. The affected territory will be taxed for any existing general indebtedness, if any, of the SCVWA.
 - h. Annexation of the affected territory described in Exhibits "A" and "B" to the SCVWA.
 - 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. Except to the extent in conflict with "a" through "i", 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 § 57325) shall apply to this annexation.
6. The Commission hereby orders the inhabited territory described in Exhibits "A" and "B" annexed to the Santa Clarita Valley Water Agency.
7. The Executive Officer is hereby authorized and directed to mail copies of this resolution as provided in Government Code § 56882.

8. The Executive Officer is directed to transmit a copy of this resolution to the SCVWA, upon the SCVWA's payment of the applicable fees required by Government Code § 54902.5 and prepare, execute and file a certificate of completion with the appropriate public agencies, pursuant to Government Code § 57200, *et seq.*
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.

PASSED AND ADOPTED this 14th day of July 2021.

MOTION:

SECOND:

AYES:

NOES:

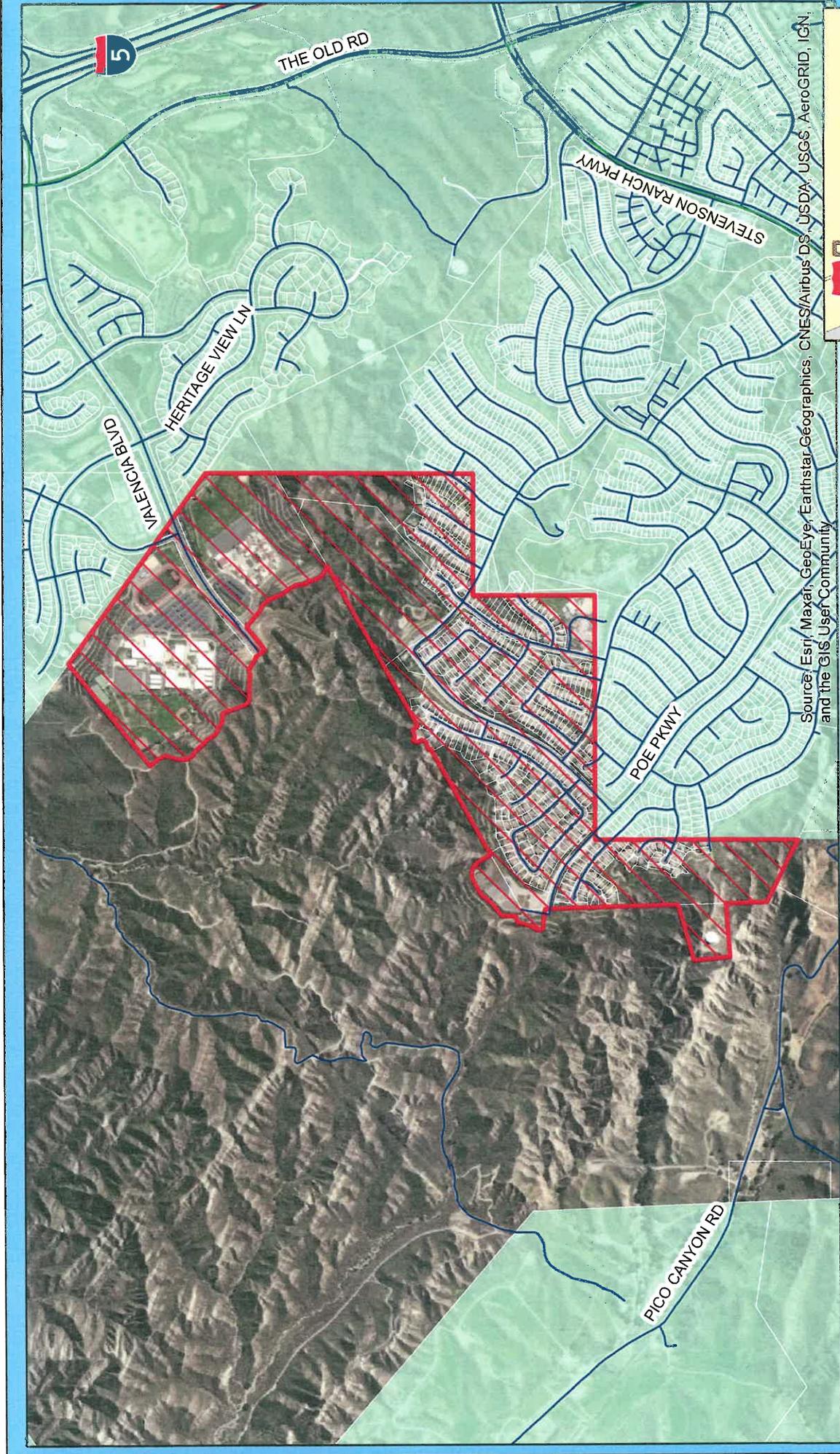
ABSTAIN:

ABSENT:

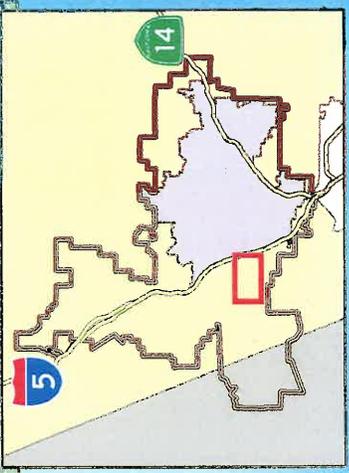
MOTION PASSES: 0/0/0

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

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



Source: Esri, Maxxi, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Annexation No. 2019-08 to the Santa Clarita Valley Water Agency

- Legend**
-  Annexation 2019-08
 -  Santa Clarita Valley Water
 -  Santa Clarita Valley Water Agency Sphere of Influence (SOI)
 -  City of Santa Clarita
 -  County Unincorporated



July 14, 2021

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Staff Report

July 14, 2021

Agenda Item No. 10.a.

Legislative Update

Legislation:

Several bills of interest to the Commission are moving forward in the committee review process in the Capitol. Information that is new (compared to last month's update) is provided in bold).

Bills on which the Commission has taken a Position:

- **AB 1581 (Assembly Local Government Committee):** This is the annual Omnibus Bill sponsored by CALAFCO. AB 1581 was introduced on March 9th. CALAFCO and LA LAFCO are on record in support of AB 1581. AB 1581 is pending before the Assembly Local Government Committee. The bill was amended on April 19th, and now includes a total of seventeen (17) items (eleven "traditional" items, and six items repealing "special provisions" which relate exclusively to Los Angeles, Marin, and Santa Cruz Counties). **Governor Gavin Newsom signed AB 1581 into law on June 29, 2021.**

Commission Position: **SUPPORT** (March 10th Meeting)

- **AB 703 (Rubio, B):** Post-pandemic, AB 703 (introduced on February 16th) would allow legislative bodies to utilize teleconferencing for public Brown Act meetings, subject to certain requirements concerning posting, notice, and the ability of the public to observe the meetings and provide public comment; would remove the requirement to post agendas and provide for public attendance at each virtual meeting location for teleconferencing meetings; and would require public agencies to respond to requests for reasonable ADA accommodation requests. The bill is sponsored by the Three Valleys Municipal Water Agency, and has garnered the support of the Association of California Water Agencies (ACWA), California Mutual Utilities Association, Foothill Municipal Water District, Metropolitan Water District of Southern California (MWD), Municipal Water District of Orange County (MWDOC), Public Water Agency Group (PWAG), Rowland Water District, San Gabriel Valley Economic Partnership, Southern California Water Coalition (SCWC), and Walnut Valley Water District. AB 703 is pending before the Assembly Local Government Committee. **AB 703 did not clear the policy committee deadline, and it is now a two-year bill.**

Commission Position: **SUPPORT** (April 14th Meeting)

- **AB 1053 (Gabriel):** Current law states that a majority of city representatives is required to establish a quorum for the City Selection Committee in each county; AB 1053, introduced on February 18th) would reduce that quorum, for the same agenda items only, to one-third of city representatives if the first meeting was postponed for lack of a quorum. Current law

states that City Selection Committees must meet in person; this bill would authorize city selection committee meetings to be conducted by teleconferencing and electronic means. The bill was amended on April 20th to apply exclusively to the Los Angeles County City Selection Committee (given this change, CALFCO has withdrawn its initial opposition to the bill). **AB 703 did not clear the policy committee deadline, and it is now a two-year bill.**

Commission Position: **SUPPORT** (April 14th Meeting)

Other Bills:

- **AB 1195 (Cristina Garcia):** This bill, introduced on February 18th, would form a new Southern Los Angeles County Regional Water Agency (SLACRWA) as a regional water agency serving Southeast Los Angeles County. The boundary of the proposed SLACRWA would be the same territory as the existing boundary of the Water Replenishment District of Southern California (WRD), and the combined territory of the existing boundaries of the Central Basin Municipal Water District and the West Basin Municipal Water District. The SLACRWA would be governed by a five-member board appointed by the Governor, the Los Angeles County Board of Supervisors, the Gateway Cities Council of Government, the South Bay Cities Council of Governments, and the San Gabriel Valley Council of Governments. Under AB 1195, when directed by the State Water Resources Control Board, the SLACRWA will consolidate operation of public water systems (defined as systems for human water consumption that have 15 or more service connections) or serve as an administrator of a public water system. The bill is special legislation without LAFCO involvement in the formation of the SLACRWA. **AB 1195 did not clear the Senate, and it is now a two-year bill.**
- **SB 268 (Archuleta):** Current law authorizes the submittal of a proposal to LAFCO to form a new Lower Los Angeles River Recreation and Parks District (LLARRPD), and the City of South Gate submitted a proposal to form the LLARRPD with LAFCO on October 2, 2019, which is currently pending); SB 268 would alter the composition of the governing board for the proposed district. Current law authorizes, no later than January 1, 2020, the submittal of a proposal to LAFCO to form a new Lower San Gabriel Valley Recreation and Park District; SB 268 would extend that deadline to January 1, 2024. Staff does not see a reason for LAFCO to take a position on SB 268. Co-authored by Senator Lena Gonzalez, and Assembly Members Cristina Garcia, Lisa Calderon, and Patrick O'Donnell, the bill is supported by the Cities of Artesia, Bellflower, Commerce, Downey, Lakewood, Pico Rivera, and Santa Fe Springs. Introduced on January 28th, SB 268 was approved by the Senate Governance and Finance Committee on March 25th. **The Assembly Local Government approved SB 268 on June 23rd; the Assembly Water, Parks & Wildlife Committee approved SB 268 on July 1st; and SB 268 is now pending before the Assembly Appropriations Committee.**

- **AB 850 (Gallagher)**: Current law, and until January 1, 2022, authorizes the City of El Monte, the City of Montebello, and the City of Willows to sell its public utility for furnishing water service for the purpose of consolidating the system with another public water system; this bill would extend the deadline to January 1, 2024. Co-authored by Assemblyman Mike Gipson, the bill was introduced on February 17th. **The Senate Governance & Finance Committee Approved AB 850 on July 1st, and the bill is pending before the Senate Appropriations Committee.**
- **AB 339 (Lee and Cristina Garcia)**: Once public meetings return to an “in-person” format (post COVID restrictions), AB 339 would require that public agencies provide both call-in access (landline telephone) and internet access (computer, laptop, or cell phone) for all public meetings. Additionally, the bill would require public agencies to provide closed captioning for all meetings, to translate all agendas and instructions for accessing the meeting into all languages for which five-percent (5%) of the population in the area governed by the local agency is a speaker. CALAFCO has taken a “watch” position on AB 339. The bill was introduced on January 28th. On April 15th, the bill was amended to apply only to “all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing at least 250,000 people.” Given this amendment, AB 339 would not apply to LAFCO. **The Senate Governance & Finance Committee approved AB 339 on July 1st; the bill is pending before the Senate Judiciary Committee.**
- **SB 273 (Hertzberg)**: Under current law, most county sanitation districts do not have the authority to provide stormwater management services; the two exceptions are in Los Angeles County and Orange County, both of which are the result of special legislation. SB 273 would allow all other county sanitation districts statewide to provide stormwater management services, while keeping the LAFCO process to activate these latent powers intact. The bill is sponsored by the California Association of Sanitation Agencies (CASA), and it is supported by CALAFCO, who worked with the author on proposed amendments. The Senate approved SB 273 on April 12th. **The Assembly Committee on Environmental Quality and Toxic Materials approved SB 273 on June 30th; the bill is pending before the Assembly Appropriations Committee.**
- **SB 403 (Gonzalez)**: Current law authorizes the State Water Resources Control Board (SWRCB) to order the “forced consolidation” of small water systems with a receiving system for certain disadvantaged communities. SB 403 would expand this authority to encompass a water system or domestic well(s) that are at risk of failing to provide adequate drinking water. CALAFCO has reached out to the author’s office to address concerns and to discuss amendments. The Senate Environmental Quality Committee approved SB 403 on March 16th. **The Assembly Environmental Safety and Toxic Materials Committee approved SB 403 on June 16th; the bill is pending before the Assembly Local Government Committee.**

- **SB 55 (Stern and Allen):** This bill would prohibit the creation or approval of a new development, as defined, in a Very High Fire Hazard Severity Zone or a State Responsibility Area. CALAFCO has taken a “watch” position on SB 55. Introduced by Senators Henry Stern and Ben Allen on December 7, 2020, the bill was double-referred to the Governance & Finance Committee and the Housing Committee. The author amended the bill on April 5th, and so as to “not result in a decrease in the state’s supply of housing,” the “intent of the Legislature [is] to help prevent such a decrease by offering alternative density bonus line incentives.” **SB 55 did not clear the policy committee deadline, and it is now a two-year bill.**
- **AB 1295 (Muratsuchi):** This bill would prohibit a city or county from entering into a development agreement for property located in a designated “Very High Fire Hazard Severity Zone.” Introduced on February 19th, the bill was double-referred to the Assembly Local Government Committee and the Housing and Community Development Committee. **AB 1295 did not clear the policy committee deadline, and it is now a two-year bill.**
- **AB 11 (Ward):** Introduced by Assemblyman Chris Ward on December 7, 2020, AB 11 would require the Strategic Growth Council to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders. CALAFCO has taken a “watch” position on AB 11. **AB 11 did not clear the policy committee deadline, and it is now a two-year bill.**

Recommended Action:

Staff recommends that the Commission:

1. Receive and file the Legislative Update.

Voting Members

Jerry Gladbach
Chair

Donald Dear
1st Vice-Chair

Gerard McCallum
2nd Vice-Chair

Kathryn Barger
Richard Close
Margaret Finlay
John Mirisch
Holly Mitchell
Vacant
(City of Los Angeles)

Alternate Members

Lori Brogin-Falley
Michael Davitt
Janice Hahn
David Lesser
Mel Matthews
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

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Fax: 626/204-6507

www.lalafco.org

June 23, 2021

The Honorable Governor Gavin Newsom
State of California
State Capitol Building
Sacramento, CA 95814

**RE: Request to Sign AB 1581
Assembly Local Government Committee Omnibus Bill**

Dear Governor Newsom:

The Local Agency Formation Commission for the County of Los Angeles (LA LAFCO or Commission) respectfully requests that you **sign Assembly Bill 1581** (Assembly Local Government Committee) which is now before you for action. **AB 1581** makes changes and clarifications to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

This bill includes technical changes to the Act which governs the work of local agency formation commissions. These changes are necessary as commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 1581** makes several minor technical changes, corrects obsolete and incorrect code references, and makes minor updates to outdated sections. Without making any policy changes, the revised language greatly clarifies the laws and eliminates outdated and confusing language thereby creating a significant increase in the clarity of the Act for all stakeholders.

Because this legislation helps ensure that the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state, and clearer to all who use the Act, we respectfully urge you to sign **AB 1581**.

Sincerely,



Jerry Gladbach
Chair

cc: Honorable Cecilia Aguiar-Curry, Chair, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
Ronda Paschal, Deputy Legislative Secretary to the Governor
Pamela Miller, Executive Director, CALAFCO

Executive Officer Report

July 14, 2021

Agenda Item No. 13.a.

The Executive Officer hereby reports the following:

- **Lease Extension:** On June 10th, the real estate broker representing the owner of the building at 80 South Lake Avenue in Pasadena emailed staff a full copy of the executed lease amendment (the owner signed electronically).
- **Other Post-Employment Benefits OPEB Trust Contribution:** Consistent with Commission direction at the May 12th Meeting; and on June 29, 2021; staff successfully wire-transferred \$200,000 from LAFCO into the California Employees Retiree Benefit Trust (CERBT). With this contribution, LAFCO has funded approximately fifty-eight percent (58%) of its Total OPEB Liability (TOL).
- **Statewide Electronic Courier Universal Recording Environment (SECURE):** In late June, a SECURE representative provided LAFCO with an original, fully-executed Memorandum of Understanding (MOU) between LAFCO and SECURE. Staff is hoping to begin recording documents remotely with the Los Angeles Registrar-Recorder/County Clerk's Office later this month.
- **Staff Schedule:** The Executive Officer and Deputy Executive Officer implemented a schedule in which staff is now in the office on a regular basis--on a part-time basis, in shifts—as of Tuesday, June 2nd. This means that the office now has at least one person available, in the office, during regular business hours (Monday through Thursday, 9:00 a.m. to 5:00 p.m.). Staff notes that this change, and any future changes, remain dependent on the continued widespread availability of vaccines, an improving COVID-19 climate in Los Angeles County, and health orders issued by the State and the County. Staff continues to consult frequently with the Commission Chair, legal counsel, and Los Angeles County representatives concerning the most effective means of balancing the safety of LAFCO employees and providing access to the public.

Staff Recommendation:

1. Receive and file the Executive Officer Report.