

KINNELOA IRRIGATION DISTRICT

Regular Meeting – Board of Directors
1999 Kinclair Drive, Pasadena, CA 91107
Tuesday, March 15, 2022
3:00 P.M.

AGENDA

This meeting will be conducted at the District office in accordance with the Brown Act and the Governor's Executive Orders N-25-20 (Mar. 12, 2020), N-29-20 (Mar. 17, 2020), N-08-21 (Jun. 11, 2021) and AB 361 which waive the Brown Act provisions found in Govt. Code section 54953(b)(3) which require the physical presence of the members, the clerk, or other personnel of the body, or the public, as a condition of participation in, or quorum for, a public meeting and allow teleconferencing. Face coverings are required for attendance at the office. Public comment may be made in person or submitted via email to kinneloa@outlook.com prior to the meeting and any information submitted will become part of the official record. The public may participate at the office or via computer or telephone using the following information:

<https://us02web.zoom.us/j/85061795151?pwd=QURaWGV5Lzg3dmEvcGx1Ujl6akRHdz09>

Meeting ID: 850 6179 5151

Passcode: 156331

Telephone: 669 900 9128

1. **CALL TO ORDER** – 3:00 P.M.
 - a. Declaration of a quorum
 - b. Review of agenda
2. **PUBLIC COMMENT** – Comments from the Public regarding items on the Agenda or other items within the jurisdiction of the District
In compliance with the Brown Act, the Board cannot discuss or act on items not on the Agenda. However, Board Members or District Staff may acknowledge Public comments, briefly respond to statements or questions posed by the Public, ask a question for clarification, or request Staff to place item on a future Agenda (Government Code section §54954.2)
3. **APPOINTMENT OF DIRECTOR FOR DIVISION 4** – Review candidates and make appointment
4. **TELECONFERENCING OF BOARD MEETINGS** – Board to review memo from attorney Jim Ciampa and to decide whether to authorize teleconferencing during the COVID pandemic and waive certain provisions of the Brown Act as permitted by AB 361
Recommended Action: Board to decide whether to extend the provisions of Resolution 2020-1-18 by adopting Resolution 2022-03-15 or return to the complete provisions of the Brown Act for the District's Board Meetings
5. **DIRECTOR REQUESTS**
6. **DIRECTOR REPORTS AND/OR COMMENTS** –
In accordance with Government Code §54954.2 Directors may make brief announcements or brief reports on their own activities. Directors may ask a question for clarification, provide a reference to staff or other resources for information, request staff to report back to the Directors at a subsequent meeting, or act to direct staff to place a matter of business on a future agenda.
7. **CALENDAR** – March 29, 2022 (Special Meeting) April 19, 2022 May 17, 2022
8. **ADJOURNMENT**

In compliance with the Americans with Disabilities Act, if you are a disabled person and need a disability-related modification or accommodation to participate in this meeting, please contact the District office 48 hours prior to the meeting at 626-797-6295. Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Material related to an item on this agenda submitted after distribution of the agenda packet is available for public review at the District office or online at the District's website <https://kinneloirrigationdistrict.info>.

February 25, 2022

Kinneloa Irrigation District
1999 Kinclair Drive
Pasadena, CA 91107

RE: Letter of Interest for Division 4 Vacancy

Please accept this letter as my notice of interest to be appointed to the Division 4 vacancy on the Board of Directors per the notice dated February 22, 2022.

Professionally, I am a real estate development and construction consultant working in the Los Angeles County area. My attached resume includes more detail on my professional experience including my time as a professor at Cal Poly Pomona teaching the subjects of Real Estate Principles, Real Estate Finance and Real Estate Development

Civically, I've served on the Board of Directors of the Pasadena Community Access Corporation per appointment of Councilmember Margaret McAustin until I moved just outside of the formal City of Pasadena boundaries. I also served on the Board of Directors of Pasadena Heritage and for several years was on the Board of Directors of the Chinatown Business Improvement District and Highland Park Business Improvement District, both in the City of Los Angeles. My volunteerism now is mostly doing trail work with various organizations in the local mountains and as a Level 2 coach for the St. Francis High School Mountain Bike Team.

Personally, we moved into our home on Fairpoint in October 2016; however, I effectively grew up here as we purchased the home from my grandparents (Leo and Eva Majich) who built it in 1963 as their family home. My father grew up in this same house, my mother (a Kurn) grew up with her 7 siblings and various horses at the house at the west end of Vosburg. My wife Joy and I are raising our three children here now (Leo, Dean and Stella) who are at St. Francis High School and St. Philip respectively.

It would be my honor to serve on the KID Board of Directors and I appreciate your consideration given to this submission.

Respectfully,



Thomas "Tom" Leo Majich II
3445 Fairpoint St
Pasadena, CA 91107
P 626-833-0210
tm@arroyohill.com

Contact

tm@arroyohill.com

www.linkedin.com/in/tmajich
(LinkedIn)

www.arroyohill.com (Company)

Top Skills

Real Estate Development

Construction Management

Real Estate Transactions

Tom Majich

Construction and Development Management Advisor

Los Angeles

Summary

Tom Majich continues a more than 100 year family tradition of construction project delivery in Southern California. He is a 4th generation Los Angeles County native living with his wife and three children in the foothills of the San Gabriel Mountains.

Experience

ARROYO HILL DEVELOPMENT INC

Principal

January 2007 - Present (15 years 2 months)

As an advisor or operating partner Arroyo Hill Development has executed across multiple property types including acquisition, leasing, entitlement, design and construction management on behalf of clients that include investors, lenders, developers, owners and occupiers of a variety of real estate typologies. Arroyo Hill was founded and is led by Tom Majich, a 4th generation Los Angeles County native continuing a family tradition of more than 100 years of project delivery in Southern California.

California Building Contractor License 889164 (since 2007)

California Real Estate Broker License 01853623 (since 2008)

CURRENT AND RECENTLY COMPLETED PROJECTS:

- Design and Construction Management of a 125,000sf ground up Class A creative office project in Los Angeles on behalf of a local investment firm.
- Change of use and warm shell improvements of a 25,000sf creative office complex on the banks of the Los Angeles River in Frogtown/Elysian Valley on behalf of a New York based investor.
- Entitlement and Construction management of a boutique 35-unit live-work residential building on the banks of the Los Angeles River in Frogtown/Elysian Valley on behalf of a New York based investor.

- Design Management for potential adaptive re-use of a historic 20,000sf building in the Arts District in Los Angeles on behalf of a long time owner-occupier.
- Off market acquisition of a +2 acre land assemblage on a major Northeast LA corridor and entitlement for 156-units of live-work residential and 110,000 sf of self-storage.
- Managed entitlements, design and construction for a change of use of a 120,000sf warehouse complex in a Northeast Los Angeles neighborhood to a multi-media production facility and manage lease negotiations with a major international entertainment tenant.

Redcar Properties LTD
Co-Founder, President and COO
April 2013 - March 2017 (4 years)
Greater Los Angeles Area

Redcar Properties LTD acquires under performing properties in high growth urban neighborhoods and adds value through specialized redevelopment and deep repositioning.

Tom Majich was a co-founder of the firm responsible for building the internal company infrastructure from scratch. Starting with zero employees he managed growth to a staff of 12 while executing the acquisition, redevelopment and stabilization of 14 properties consisting of over 200,000 sf of high quality creative office that achieved some of the highest rents in the market.

Projects acquired, repositioned and stabilized include:

- 38 East Montecito Ave. Sierra Madre, CA - 13,000 sf conversion of lumber yard to neighborhood office and retail complex.
- 759 North Spring Street Chinatown Los Angeles - 27,000sf conversion of an 1880's built multi-story warehouse to new creative office for Giphy (Facebook) and Contend Productions
- 837 North Spring Street Chinatown Los Angeles - 39,000sf conversion of a 1920's warehouse to creative office for NAC Architecture, Ecosense Lighting and Brud.
- 1135 Alameda Street Chinatown Los Angeles - conversion of historic gas station to wine bar Oriel

-2820 Newell Street Elysian Valley/Frogtown LA - acquisition of 2 building warehouse complex and conversion to 22,000 sf campus including media production office tenants and La Colombe Coffee Roasters

-5619 North Figueroa Street Highland Park, Los Angeles - acquisition of historic mixed use building with 28 SRO units over street retail. Converted to executive office over new retail tenants including Homestate, Cookbook and Linear Labs. Office suites command the highest rents in Northeast LA.

Cal Poly Pomona College of Business Administration

Professor; Finance, Real Estate and Law Dept.

April 2008 - December 2014 (6 years 9 months)

Pomona, CA

Over the course of several years I taught the following courses to undergraduate business, economics and planning students:

FRL 3062 Fundamentals of Real Estate

FRL 3832 Real Estate Finance

FRL 4902 Urban Real Estate Development

Matt Construction

Senior Project Engineer

June 2004 - January 2007 (2 years 8 months)

Los Angeles County, California, United States

As a new graduate with a finance degree I was fortunate to be hired by Matt Construction to start my post-collegiate career. I was able to work closely with, and be mentored by, the founding principals and executives of the firm in addition to the broader Matt Construction office and field team.

Projects included:

-The Colburn School of Performing Arts Expansion Project

-Children's Museum of Los Angeles at Hansen Dam (now Discovery Cube LA)

-Rehabilitation and Retrofit of Frank Lloyd Wright's Ennis House in Los Feliz

Education

University of Southern California

Master of Construction Management · (2004 - 2007)

California State Polytechnic University-Pomona

Bachelor of Science - BS, Finance, Real Estate and Law · (2000 - 2004)



MEMORANDUM

To: Public Water Agencies Group
From: James Ciampa
Re: AB 361 Update
Date: March 3, 2022

As the number of COVID-19 cases continues to decline, the State is beginning to take steps to return to pre-COVID conditions. Unfortunately, some of the announcements that have been made have caused confusion among public agencies.

One of those confusing statements was Governor Newsom's recent announcement that teleconference meetings would end as of March 31 and that he was rescinding many of the COVID-related Executive Orders he had issued. This announcement caused confusion and concern on two levels: (1) whether the teleconferencing allowed for special districts under AB 361 would be ending; and (2) whether the announcement included the end of the emergency declaration Governor Newsom had issued in March 2020.

As to AB 361, Governor Newsom's announcement has no direct effect on that law, which applies to special districts (such as the Group's public agency members), but does not apply to state agencies (who are governed by a separate law, the Bagley-Keene Act) or school districts (who are governed by provisions in the Education Code). State agencies and school districts have been relying on an Executive Order, and not AB 361, in connection with their teleconferenced meetings. Thus, the Governor's announcement cancelling that Executive Order will remove the legal authority for those state agencies and school districts to conduct their meetings virtually or by teleconference. AB 361 is not affected by the cancellation of that Executive Order, and it will remain in effect until January 1, 2024. ***Thus, special districts can continue to rely on AB 361 to conduct their board meetings remotely.***

Governor Newsom did not announce the end of the state of emergency and from our research it does not appear that he will be doing so in the near future. That is very important as to the effectiveness of AB 361, as that law requires that a "proclaimed state of emergency" be in effect to justify the continued use of remote/teleconferenced meetings.

For the time being, special districts can continue to rely on AB 361, as the state of emergency continues. However, their boards must still make one of the following two findings when adopting their continuing AB 361 resolutions:

(A) The local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; **or**

(B) The local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

If state or local health authorities withdraw their recommendations for social distancing and a board is also not able to adopt a finding that meeting in person would present an imminent risk to the health or safety of attendees, then that district would not be able to rely upon AB 361 to avoid compliance with the Brown Act's teleconference requirements, even if the proclaimed state of emergency remains in place.

Each member's Board will need to review the health and safety conditions in its geographical area when determining whether it can make the necessary finding(s), provided that the state of emergency remains in effect. As COVID-19 conditions continue to improve, the Group's members should begin examining steps necessary to return to in-person meetings.

RESOLUTION 2022-03-15

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KINNELOA IRRIGATION DISTRICT
EXTENDING THE TIME DURING WHICH THE DISTRICT MAY CONTINUE TO MEET IN
ACCORDANCE WITH RESOLUTION 2022-01-18 AND WITHOUT COMPLIANCE WITH
GOVERNMENT CODE SECTION 54953(B)(3)**

WHEREAS this District has previously approved Resolution 2022-01-18 authorizing remote teleconference meetings; and

WHEREAS the COVID-19 state of emergency declared by the Governor is ongoing; and

WHEREAS the District wants to follow the health and safety recommendations of state and local health officials to reduce the spread of the COVID-19 virus.

NOW THEREFORE, IT IS RESOLVED that the Board extends the provisions of Resolution 2022-01-18 for thirty days in accordance with Government Code Section 54953(e).

PASSED, APPROVED AND ADOPTED THIS FIFTEENTH DAY OF MARCH, 2022.

SIGNED: _____
Chair

ATTEST: _____
Secretary

RESOLUTION NO. 2022-01-18

**RESOLUTION OF THE KINNELOA IRRIGATION DISTRICT AUTHORIZING REMOTE
TELECONFERENCE MEETINGS PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, the Kinneloa Irrigation District is committed to preserving and nurturing public access and participation in meetings of the District; and

WHEREAS, all meetings of the District are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District conduct its business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, a required condition of Government Code Section 54953(e) is that the Governor declares a state of emergency pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further a required condition of Government Code Section 54953(e) that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body holds a meeting to determine by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, because such conditions now exist in Los Angeles County and throughout the state, a State of Emergency has been proclaimed by Governor Gavin Newsom on March 4, 2020, addressing the threats to public health and safety associated with the COVID-19 pandemic in California, and prescribing certain measures to protect the health and safety of all state residents, and said State of Emergency remains in full force and effect; and

WHEREAS, the California Department of Industrial Relations has issued regulations, at Title 8 of the California Code of Regulations Section 3205(c)(S)(D), making recommendations for physical (social) distancing in the workplace as a measure to decrease the spread of COVID-19, given that particles containing the virus can travel more than six feet, especially indoors; and

WHEREAS, the Los Angeles County Public Health Officer has issued guidance for the business community, "Best Practices to Prevent Covid-19 – Guidance for Businesses and Employers," which recommends that employers implement policies and practices that support physical distancing of at least six feet, including practices such as limiting indoor occupancy, using visual distancing cues, offering telework options to staff, offering flexible work hours, and altering physical work space to increase distance between workstations and customers; and

WHEREAS, an in-person meeting of the District would present imminent risk to the health and safety of attendees, given the continued presence of COVID-19, as well as the inability to maintain adequate social distancing amongst Directors, staff, and the public in an indoor setting; and

WHEREAS, because of the foregoing, the District does hereby find that it shall conduct its meetings without complying with Government Code Section 54953(b)(3), as authorized by Government Code Section 54953(e), and that the District shall comply with

the requirements to provide the public with access to the meetings as prescribed in Government Code Section 54953(e)(2).

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Recitals set forth above are true and correct and are hereby incorporated into this Resolution by reference.
2. The District hereby determines that there is an active, proclaimed state of emergency throughout the State of California due to the ongoing COVID-19 pandemic; those state and local officials have imposed or recommended measures to promote social distancing; and that meeting in person would present imminent risks to the health and safety of attendees as the result of the COVID-19 emergency.
3. The District is hereby authorized to conduct its open and public meetings by teleconference in compliance with the provisions of Government Code Section 54953(e).
4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty days from today, or such time as the District adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the legislative body of the District may continue to teleconference without compliance with Government Code Section 54953(b)(3).

PASSED AND ADOPTED this 18th day of January, 2022.

MOTION:
SECOND:
AYES:
NOES:
ABSTAIN:
ABSENT:
MOTION PASSES: 0/0/0

KINNELOA IRRIGATION DISTRICT

CHAIR

SECRETARY