

12/14/2000

2.

MINUTES

October 26, 2000

Present Commissioners: John Tavaglione, Chair

Bob Buster

Terry Henderson

Robin Lowe

Jack McFadden

Present Staff: George J. Spiliotis, Executive Officer

Wayne Fowler, Illustrator/Analyst

Elena G. Medina, Staff Assistant

Joe S. Rank, Legal Counsel

1. 1. **CALL TO ORDER AND SALUTE TO THE FLAG.**

The meeting was called to order at 9:05 a.m.

2. **APPROVAL OF MINUTES OF SEPTEMBER 28, 2000.**

The minutes were approved as presented.

3. **HEARINGS:**

Consent:

a. LAFCO 2000-23-3-Annexation 42 to County Service Area 103.

Moved (Lowe) seconded (Hird) to approve LAFCO 2000-23-3-Annexation 42 to County Service Area 103.

7/0

Continued:

b. LAFCO 2000-06-3-Reorganization to Include Annexation 94-ANX-6 to the City of Beaumont, and Concurrent Detachments from the Riverside County Waste Resources Management District and County Service Area 152. (**Staff recommends continuance to January 25, 2001**)

Moved (Henderson) seconded (Ashley) to continue LAFCO 2000-06-3-Reorganization to Include Annexation 94-ANX-6 to the City of Beaumont, and Concurrent Detachments from the Riverside County Waste Resources Management District and County Service Area 152 to January 25, 2001.

7/0

c. LAFCO 2000-10-1-Reorganization to Include Concurrent Annexations to the City of Temecula and the Temecula Community Services District, and Concurrent Detachments from the Riverside County Waste Resources Management District and County Service Areas 143 and 152.

Mr. Spiliotis presented the proposal and gave a brief background report on what had transpired since the last meeting.

Commissioner Buster thanked the City and all parties involved for cooperating with the County in trying to achieve a mutual agreement. He suggested dividing the 120-acre commercial area on Highway 79 from Redhawk Parkway down to Butterfield Stage Road between the City and the County. He said that this would be a compromise proposal. He said that there was a division of opinion as to how much sales tax will be generated. He said that the suggestion will allow Vail Ranch to have their annexation and the City will still have an incentive to annex Redhawk at a later time. He said that the City will also have their sales tax portion to cover the additional cost they will incur with the annexation of Vail Ranch. He said that the larger yellow area on the map on Butterfield State Road already had a major Ralphs shopping center that will provide additional sales tax. He said that the Vail Ranch and Redhawk

residents were already spending sales tax money within the City. He said that overall, if the City was willing to take the annexation of all of Redhawk and Vail Ranch, which they were willing to do with all the commercial attached, then Vail Ranch will constitute less than half of the residential. He said that the County was proposing that the City get at least half of the commercial because if there was more than enough sales tax to cover Vail Ranch then there will be little incentive for the City to annex Redhawk. He suggested that the County be allowed to keep some of the sales tax to cover the County's extra cost of serving the Redhawk area, which will be surrounded by the City if the annexation was approved. He said that this suggestion will also allow the County to complete negotiations to fully restore the Vail Ranch Historic site, which was within the white areas as well. He said that this suggestion will also satisfy the Pechanga Indian Band, who was concerned with their burial site, which was within the white areas. He said that they had received a letter from the Pechanga Indian Band and the suggested solution satisfied their concerns. He said this compromise will give everyone what they desire, Vail Ranch will have their annexation to the City, Redhawk will still have the option of annexing to the City at a later time, the Pechanga Indian Band will have their concerns met and the County will also have their concerns met as well.

Commissioner Lowe wanted to make sure she understood correctly that the yellow portions on the map were the proposed annexation to the City of Temecula and the white portions were not part of the annexation.

Commissioner Buster responded that she was correct.

Commissioner Lowe asked if the addresses of the residents were going to be mixed, part of them being within the City and part of them being within the County.

Commissioner Buster responded in the affirmative.

Commissioner Lowe asked if the street addresses were going to be different if the numbering system was also going to be different?

Mr. Spiliotis responded that the addresses were going to be the same.

Chair Tavaglione opened the public hearing.

IN FAVOR:

Commander Anthony Migliore, 33007 Harmony Lane, Temecula, CA 92592. Mr. Migliore stated that he was in favor of the annexation and that Commissioner Buster was to be commended for the work he had done on the harder issues. He stated that the destiny of the residents and the tax paying homeowners should be considered. He said that Redhawk had cast their vote and they were moving in a different direction. He asked the Commissioners to vote in favor of the annexation.

Commissioner Buster commented that both annexations will occur over time.

Mr. Migliore said that the vote was cast, but it was not as a group. He said that the majority of the Vail Ranch residents wanted to move in the direction of annexation.

Commissioner Buster stated that the vote Vail Ranch wanted to use to annex to the City was conditioned as an all or nothing vote. He said that neither Vail Ranch nor Redhawk could separately annex to the City, unless both areas agreed. He said that this did not happen and there had not been a separate vote since that time.

Charlotte Fox, Vail Ranch Annexation Committee, 32800 Hupa Drive, Temecula, CA 92592. She said that the election last November paired two neighborhoods with different points of view. She said that the election was an all or nothing election and that the election outcome had satisfied the requirements for all or nothing condition. She said that this was a separate appeal from the Vail Ranch Community for annexation. She urged a positive finding and approval of the application for annexation. She expressed concerns regarding some drug culture and some unreported crime in the area. She said that through their property taxes, the Vail Ranch homeowners continued to support, with hefty sums, the County's revenue every year.

Ron Turco, 45436 Via Jaoa, Temecula, CA 92592. He stated that at first he was opposed to the annexation of Vail Ranch to the City of Temecula; but now he wants to ask the Commissioners for their "YES" vote. He stated that the voters of Vail Ranch overwhelmingly supported annexation with more than 90 percent voting in favor of the proposal. He said that with the support of the Commission in the form of a "Yes" vote, the residents of Vail Ranch can benefit from their farsightedness and be permitted to annex to the City of Temecula on July 1, 2001.

Bob Ritchie, Vail Ranch Annexation Committee, 44773 Tehachapi Pass, Temecula, CA 92592. He read a statement from the LAFCO policy manual to try to explain the mindset of what the Vail Ranch Community felt about the annexation. He said that 90% of the voters voted in favor of the annexation. He said that the political reality was that politics and money were the driving factor. He felt that the betterment of the Vail Ranch residents had not been the issue. He urged the Commission to vote positive today because this would give the Community of Vail Ranch and Redhawk what they want and deserve. He also stated that they were cognizant of the historical site considerations of the Wolf Store and they agree that it was worthy of preservation. He also urged the Commissioners not to make the Vail Ranch residents sacrifice because of the historical site.

OPPOSITION:

Bob Edmunds, Law Firm of Alhadeff & Solar, 41530 Enterprise Circle South, Suite 120, Temecula, CA 92590. He said that his office represented Price Enterprises and MDC Vail. He stated that they agreed with the County's proposal to carve out of the annexation, the property shown in white. He said that these properties were subject to a specific plan that had been in place for 10 years or more. He also stated that his client, Price Enterprise was obligated to restore the historic site and that was going to be a considerable economic expense. He said that with regards to their client, MDC Vail, they join in with the Pechanga Tribe's concern about lot 18 that had the burial site on it. He said that they joined in with the proposal of removing the 20 acres around the annexation. He said that they had been working with the County and the City, but had not been able to come to an agreement as of yet. He asked the Commission to condition the existing staff report to have a requirement of pre-annexation agreements with his two clients. He said that they agreed with the Vail Ranch residents to be part of the City. They did not mind being part of the City as well, so long as they knew that their existing development entitlements would be preserved. He said that since they didn't have those assurances at this time, they opposed the existing staff recommendation.

Don Swift, 32071 Corte Bonillo, Temecula, CA 92592. He said that he was here to appeal to the Commission to either deny the annexation or insist on a solution that will make

Redhawk attractive to the City of Temecula to annex. He asked the Commission to consider the reasons the majority of the Redhawk residents voted no on the annexation. He said he would like to make it clear that he was not against Vail Ranch joining the City. However, he was against them joining the City at the expense of Redhawk. He stated that the majority of the residents were either young couples with large mortgages or older and retired people living on fixed incomes paying extremely high property taxes. He believed that the best time for Redhawk to be annexed would be in about three years when they were more fully developed and there were many more homeowners to share the costs.

Ray Crain, Vice President of the Homeowners Association, 32475 Corte Zaragoza, Temecula, CA 92592. He stated that he was not here on behalf of the association. He said he was here on behalf of a huge majority of Redhawk members and concerned homeowners. He asked the Commission to look at the community as a whole. He said that the design and the layout of the entire project was done as one community. He also stated that Redhawk was not fully developed, but Vail Ranch was pretty much built. Therefore, it was easy for Vail Ranch to say, yes, they would like to be annexed. He suggested that the income portion of the property be split and divided between both parties so that they will have an agreement down the road to come into annexation and that Vail Ranch will see its ultimate goal now as becoming part of the City of Temecula.

Virgil Bisson, Redhawk's primary representative on the CSA 143 Advisory Board, 46081 Via La Colorada, Temecula, CA 92592. He stated that originally he was prepared to thank the City of Temecula for agreeing with the proposal made by Commissioner Buster last week. However, now he understands that the compromise was not in the works and if that was the case why were they even here? He also wanted to know what happened to the Board's decision that the annexation of Vail Ranch was an all or nothing deal. He said that Redhawk turned the annexation down in the November election by a very large margin. He said he didn't blame the residents of Vail Ranch for trying to annex to the City of Temecula. He said that if Redhawk was at the same stage of build out as Vail Ranch, they probably would have voted for the annexation at the same time. He said that the question was, who really benefited from this proposed annexation. He said he represented a large number of people who asked to wait three or five years until they were closer to build

out and they will be surprised at the large number of votes in favor of annexation but not until that time.

Ken Johnson, 44728 Corte Valencia, Temecula, CA 92392. He stated that he was unsure of the City's reaction to Commissioner Buster's proposal. Therefore, he had prepared two statements pending the City's comments. He proceeded to read from one of the statements presented to the Commission. He also stated that they had been on the minority side of every issue and that the Board had been on the developer's side. He said that hundreds of Redhawk residents had called for revenue sharing as the only really fair way to go forward with the separate annexation of Vail Ranch. He encouraged the Commission to approve Commissioner's Busters recommendation and stated that everyone would benefit from Commissioner Buster's creative solution.

Brenda Tomaras, California Indian Legal Services, 609 S. Escondido, Escondido, CA 92025. She said she was representing the Pechanga Band of Indians. She said that the Pechanga Band of Indians was not in opposition to the annexation, but that they were in support of Commissioner Buster's compromise. She said that there was a burial ground located on some portions of lot 18 of the proposed annexation. She said it was not only a cultural resource that it was a California Historical Resource. She said that because of certain conditions that were included in the specific plan of the EIR, she felt that the County was better suited to work toward the preservation and protection of the burial grounds. She didn't believe that either the City or the County would dispute that. She said that Commissioner Buster's office and certain people of the City of Temecula had worked out the compromise and they were in support of that compromise in order to preserve the burial ground.

Gary Thornhill, Deputy City Manager for the City of Temecula, 43200 Business Park Drive, Temecula, CA 92590. He said first, he wanted to clear up the undercurrent thought that the City was somehow trying to go out and gobble up areas and annex them into the City. He reminded the Commission that the City started this proposal because they initially had received a petition from the residents of Redhawk and then the Vail Ranch people came on board. He

stressed that there had been a lot of work by both communities and staff on this project.

He commented regarding the statements made by Mr. Johnson. He said that it did take them a few months to research how to go about an election relating to rates and charges, but in the end they agreed with Mr. Johnson. They conducted a separate election just as Mr. Johnson wished. He stated that this was the first annexation effort on the part of the City. He said that the City had not gone out and actively sought to annex the properties. He said that as to the allegation that this was a "Cash Cow" situation, he reviewed the numbers to make everything clear. He also stated that Dave Stahovich, Commissioner Buster's staff representative, put together a plan. He said that the City thought that preserving and enhancing those buildings and making them part of that commercial development was a great idea. He said that they really looked at some of the numbers and looked at some of the developments that were occurring and they also looked at the costs that the City would have to incur. He said that at first it sounded good. However, they were talking about 1.8 million dollars. Unfortunately, the City was not a party to any of those prior negotiations on how this was to be structured. What happened, was that they predicated their tax revenues based on what they knew was being developed to help offset some of the costs. He said that when they started to take away or cut into that revenue it severely impacted them. He also wanted to make it clear that the annexation of the Redhawk area, as far as the City Council was concerned, it was not a fiscal issue.

He also commented about Mr. Edmund's statement regarding the pre-annexation agreement with MDC Vail. He said he had a number of discussions with Mr. Alhadeff and Mr. Swinger over this issue. He said that this was an issue between the City and the developer. He felt it was not appropriate to discuss this issue at this time. He said that the dilemma they were facing right now was that approximately \$60,000 a year was being generated along the commercial stretch in terms of retail sales tax. He said that at best they were looking at \$100,000/\$120,000 at the time of annexation, which will be needed by July of 2001. He said that at this time the City was required to provide a total of \$1,171,000 in services that the County will no longer provide. He said that they wouldn't actually get into the black until the year 2006. He stated that the proposal that Commissioner

Buster brought forward was an admirable one. He said it was a noble attempt to try to resolve the situation. He said that the reality for them, from a physical standpoint, was that it really aggravated the situation that they had in terms of trying to recover the 1.8 million dollars and at the same time provide the level of services that they promised the people of Vail Ranch.

He also stated that if there was a way to make this revenue neutral for a while, they would probably agree to this. He said that there had been a lot of staff time involved and a lot of community meetings. He said that there had been a lot of work put in by both the citizens and city staff. He said that the reason everyone was here today was because the residents of Vail Ranch came to the city asking if they would continue to sponsor the annexation of their area to their city. He said it was not a "Cash Cow" situation. He said that this had been very difficult, up until a week ago. He said they were very pessimistic that anything was going to be worked out with respect to this issue. He said that they had called everyone to Vail Ranch last Friday and the initial blush of that presentation was a positive one. The City thought it was something that sounded good and he thought that everyone went away kind of feeling good about it.

Commissioner Buster stated that Mr. Thornhill was right. He said that even though they disagree about the exact amount of their fronting services without being reimbursed, at the same time, the County was not going to cover their cost either. He said that they were both investing in the future. He said that the main thing to think about here was people not money. He said that the suggestion of splitting the land will be more advantageous to everyone. He said that the City had extended themselves and if there was some better way to do this, he certainly would entertain it. However, he did not see it. He said that both residential areas had been investing in the City with their sales tax, property tax and other taxes.

Mr. Thornhill stated that with regards to the Pechanga burial ground issue, he wholeheartedly agreed with them but felt that the issue would be best dealt with by the County. He thought that they had the infrastructure in place in terms of organizations that dealt with that issue. He said that in closing he wanted to say that he thought that Commissioner Buster went to extraordinary efforts. He said

that they all felt good about it initially and he wished that they felt better about it today, but he felt bad because it wasn't working. He felt bad because they had invested so much time with good people that wanted to be in the City. He thought they were getting the short end of the stick if it didn't go, as they want it. He made a recommendation that unless they were able to come up with some type of agreement, they were going to request that it be put off for a period of time, maybe three, four or five years. He said that if it was decided to go ahead with it today, they probably object based on the conditions being proposed. He agreed with Mr. Spiliotis regarding the revisions made to the conditions. However, he would also recommend that on 4c the last sentence in the first paragraph were it said "...any actions in the city council or city staff necessary to proceed with the annexation shall not be unreasonably withheld" he asks that that be stricken.

Commissioner Lowe stated that she had heard both sides today and it was common knowledge, that the City of Temecula enjoyed a lot of sales tax from a beautiful mall and from wonderful stores, restaurants and so forth. She said it would be naive on her part to think that the people of Redhawk and Vail Ranch did not shop and eat in those facilities. She knew that many of the residents of the San Jacinto Valley visited the City of Temecula. She did not want this to become what it seemed to be becoming; that the City of Temecula was only entertaining this annexation because of the commercial value or that the County wanted to keep that territory because of the sales tax revenue. She said that everyone was in a rather precarious position. She said that this morning's paper referred to a decision made yesterday, something regarding a development east of Redhawk. She asked if Mr. Thornhill was familiar with this. She wanted to know where the development was going to be.

Mr. Thornhill pointed to Morgan Hill on the map.

Commissioner Lowe stated that they were going to have another isolated area for the County to service along with Redhawk.

Commissioner Lowe asked if the City staff reviewed that project.

Mr. Thornhill responded in the affirmative.

Mr. Thornhill stated that they knew they were going to be in the red for a while, for about four or five years. They didn't want to extend being in the red ten or twelve years. He said he was representing the council's view on this and that this had been a very complex issue.

Chair Tavaglione asked if there were any questions by members of the commission.

Commissioner Buster asked Mr. Thornhill if any of his council members or anyone else on his staff had suggested any other possible solution? Mr. Thornhill stated that when they started this process the city was willing to take both residential areas as the original annexation. He said that now with less than half of the residential coming into the city and yet half of the commercial, he didn't know how it would balance out financially, and the city was now reluctant.

Commissioner Buster stated that these were necessary annexations from a LAFCO standpoint, even from the County's standpoint. He said that if the County was being unreasonable with the numbers, he was certainly willing to adjust to that. He suggested taking the matter before the council and the Board. He said that there were more numbers than just the existing commercial and the future commercial.

Mr. Thornhill stated that the urgency was that they had told people that they would try to annex effective July 2001. He said that it seemed to him that the matter may have to be put off another year to allow them some time to work out some kind of an amenable solution.

Commissioner Henderson asked Mr. Thornhill if he was delivering a message to the Board from the City Council that they were not agreeing to the compromise that was on the floor.

Mr. Thornhill responded that they, unfortunately, can not support the compromise and if the Board was going to approve the annexation, they thought it needed to be revenue neutral.

Commissioner Henderson told Mr. Thornhill that he did not answer the question as to the message that she was hoping to hear from the City Council. She stated that the message she was getting was that unless they can sit today and make this project revenue neutral, they were asking for it to be perhaps continued, or put off indefinitely, but as the City, they were not requesting a withdrawal of the application.

Mr. Thornhill responded that they were not.

Commissioner Henderson asked if the burden was on the Board's shoulder.

Mr. Thornhill suggested that perhaps the Commission continue the proposal to work with Commissioner Buster or whomever else they needed to work with. He said however, that that they will not meet the July 2001 effective date that they had suggested to people.

Commissioner Henderson asked Mr. Thornhill why he was so adamantly assured that he would not meet the July 2001 date.

Mr. Thornhill asked when was the next meeting scheduled.

Chairman Tavaglione responded, December 14th.

Mr. Thornhill stated that they had to file certain information with the State Board of Equalization by the end of the year and their City attorney advised them that another two-month continuance would probably not work.

Chairman Tavaglione stated that a two-month continuance

would not work. He suggested that perhaps the Commission could hold a special meeting within the next two weeks if an agreement was reached.

Commissioner Henderson stated that she was impressed with the amount of work that the residents of both Redhawk and Vail Ranch had put into this effort. She said she really disliked seeing folks believe that for some reason or another, money always floated around there as being the evil of government when in fact there were policies and procedures and response mechanisms in place that they had to follow. She said that it appeared that they were again

looking for an accessible way for government to work efficiently. As she stated in their last meeting, they were there to try to accommodate all of the special efforts and if a special meeting needed to be called, she was willing to do that to make the system work and make it work properly.

Mr. Thornhill stated that they were open to that.

Commissioner Ashley stated that he agreed with most of the comments made today. He thought this was a very complex situation. He said that Commissioner Buster had come up with the best solution. He thought that the idea of having a special meeting to try to work the numbers out and to make sure they had the right numbers was a good idea. He said that right now if they had to decide today, he would vote in favor of the compromise. He said it was as good as they were going to get. He said that the people wanted to annex to the City and they had voted for it. He felt that the Board needed to listen to the people who wanted in. He said that they needed to figure out a way to accommodate them, and the County and the City were going to have to just try to work that out.

Commissioner Hird stated that Commissioner Ashley's comments were exactly as his. He said that if they were to vote for the proposal today he would certainly agree with the compromise.

Commissioner Buster stated that they were going to sit down and go over the issues of concern. He said they were closing on an agreement. He said that he was very appreciative of his fellow Commissioners' support and he was sure that Mr. Thornhill will take it back to his Council. He asked Mr. Spiliotis if it was possible to work out an arrangement, even over the next several weeks.

Mr. Spiliotis said that if they were to set up a special meeting two weeks from now, they were on the edge of impossible to meet the December 1st filing deadline with the State Board of Equalization. The City would still have to notice and conduct a protest hearing, adopt a resolution, get all the needed documentation to LAFCO to make that filing deadline of December 1st. He said that was not the end of the world. He said that the December 1st date technically only applied to the base property tax, not to the special taxes and charges. He said that as it had been

done in other instances, they could also negotiate, the property taxes that otherwise will go to the City for the first fiscal year.

Chairman Tavaglione stated that it sounded like a "yes" to him.

Mr. Buster stated that they could live with that.

Commissioner Lowe stated that agreements can be made, and as Mr. Spiliotis just stated the December 1st date really was superfluous when they were talking about agreements with the City and the County. She said that they had to remember that they had people involved and while they have revenue and budget year planning and so forth, they, as elected officials, planned for these type of things, it was not catastrophic to think that they would be taking on additional neighborhoods and she encouraged all the parties to remember that they had people out there that were dependent upon them and they needed to step aside and put the differences aside.

Commissioner Buster moved that a date be found that the Commissioners can meet in the next three weeks to continue this item. He said he will sit with the City as soon as possible and see if they can complete the negotiations.

Chair Tavaglione suggested to Mr. Spiliotis November 16th.

Mr. Spiliotis stated that they needed to get someone from the Clerk of the Board to see the availability of the room.

Chairman Tavaglione asked if there were any Commissioners that would not be present on the 16th. He stated that since they had a quorum of four members, they should set it for November 16th.

Moved (Buster) seconded (Lowe) to continue LAFCO 2000-10-1-Reorganization to Include Concurrent Annexations to the City of Temecula and the Temecula Community Services District, and Concurrent Detachments from the Riverside County Waste Resources Management District and County Service Areas 143 and 152 to November 16, 2000.

d. LAFCO 2000-17-2-Reorganization to Include Annexation

94 to the City of Corona and Concurrent Detachment

from the Riverside Waste Resources Management District.

Chairman Tavaglione stated that this matter had been continued for thirty days last month for the purpose of resolving an issue related to potential fire stations between the County of Riverside and the City of Corona. He stated that the desire they hoped to achieve was to have a joint fire station, thereby creating better efficiencies financially. He said that discussions between representatives of both fire unions from the City of Corona and County took place within the last 30 days. He also sat down with representatives of the City of Corona, Council members, City Manager and both fire chiefs. He said that differences regarding the operational issues between County Fire and City Fire were quite different in terms of coverage of the areas, regarding the manpower, and the day to day hours and shift work. He said that while it would be ultimately nice to be able to join in the facility together, in this particular instance, it did not make sense because of the difference in organizational issues. He said that they did, however, agree that when the two individual stations were built, the County of Riverside will be working very closely on the new location with the City of Corona to eventually have a joint facility that would include County Fire with City-County Parks. He said that their intent on the County's side was to have a fire station adjoining a joint park and recreational center. He said that they had always had that goal in mind and they thought they could achieve that in cooperation with the City of Corona to provide soccer fields and other types of recreational fields that will serve both the County and City residents. He said that they had an agreement in concept, he thought it made sense for both the City and County.

Mr. Spiliotis presented the proposal and stated that the only additional technical issue was very minor. He said that the overlap would be the Murdock proposal which was next on the agenda.

Andrea Puga, Mayor Pro Tem City of Corona, 815 W. 6th Street, Corona, CA. She stated that she just wanted to deliver a message from their council that they were in support of the agreement. She stated that they had been working with the residents, as had Mr. Sahabi, to make this a viable project, and the City was looking forward to seeing the blight being taken away and having the sports

park and the hotel and the 5,000 jobs that the project will generate. She wanted to thank the Commission for their time. She said she appreciated the support and hoped that they will approve the annexation.

Karen Buford, 3711 Windsong Street, Corona, CA 92879-1970. She said that Mr. Sahabi had been working hard on the Dos Lagos project for approximately five years. She said that he had already fulfilled his permitting obligations and had already donated land for the multi species project. She asked the Commission to approve the application today and not let it fall through. She stated that this project would bring jobs, revenue, and dollars and improve the ascending value for the entire area. She said that the residents of Temecula Canyon and most specifically El Cerrito will not tolerate any more negative impact projects. She submitted a poem that she wrote for Mr. Sahabi's project.

Chairman Tavaglione commented that he had met personally with the applicants and the City and that the uses for both Murdock and the Sahabi property were going to be of the highest caliber with little environmental effects.

Commissioner Ashley stated that he listened to the tape of this entire hearing and he was impressed with the testimony and the strong support for this project. He said that it was obvious that this was a great project for the area and the City of Corona.

Chair Tavaglione opened the public hearing.

Larry Flynn, COI El Cerrito, 19520 Carmelita, Corona, CA. Mr. Flynn stated that he had a major concern regarding the Medford Canyon Wash. He said that they had a flood condition and no one wanted to address it. He believed that the Commission will not do its job unless they were willing to address the issue prior to its approval. He said that everyone was going to have to get together and put up money and have that wash improved. He said he was not anti-development he just wanted to make sure this issue was addressed before the proposal was approved.

Chairman Tavaglione assured Mr. Flynn that he will work closely with the City as a member of the Flood Control Commission on this issue. He told Mr. Flynn that he understood his concerns and they will be dealt with at the

appropriate time. He thanked everyone for doing a great job.

Moved (Lowe) seconded (Henderson) to approve LAFCO 2000-17-2-Reorganization to Include Annexation 94 to the City of Corona and Concurrent Detachment from the Riverside Waste Resources Management District as recommended by Staff.

e. LAFCO 2000-19-2-Reorganization to Include Annexation 97 to the City of Corona and Concurrent Detachment from the Riverside County Waste Resources Management District.

Mr. Fowler presented proposal.

There being no opponents or proponents wishing to speak Chair Tavaglione closed the public hearing.

Moved (Lowe) seconded (Henderson) to approve LAFCO 2000-19-2-Reorganization to Include Annexation 97 to the City of Corona and Concurrent Detachment from the Riverside County Waste Resources Management District as recommended by Staff.

The Commission recessed for executive session at 11:00 a.m.

4. **EXECUTIVE SESSION:**

LITIGATION:

With respect to every item of business to be discussed in closed session pursuant to Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:

Subdivision (a) of Section 54956.9

a. a. **City of Lake Elsinore v. LAFCO et al.**
(Cleveland Ridge UC/SOI Amendment-Riverside Superior Court Case No. RIC-311942)

b. **City of Lake Elsinore v. LAFCO et al.**

(Meadowbrook UC/SOI Amendment-Riverside Superior Court Case No. 317305)

The Commission reconvened at 11:15 a.m.

Mr. Rank stated that there were no reportable actions taken.

5. **MISCELLANEOUS STAFF REPORTS.**

There were no miscellaneous reports.

6. **PUBLIC COMMENTS.**

There was no public comment.

7. **ADJOURNMENT.**

The Commission adjourned at 11:20 a.m.

Respectfully,

George J. Spiliotis

Executive Officer