

2.  
6/26/2003

**MINUTES**  
**APRIL 24, 2003**

Present Terry Henderson  
Commissioners: Bob Buster  
Robert E. Hird  
Kevin Jeffries  
Robin Lowe  
Jack McFadden  
John Tavaglione

Present Staff: George J. Spiliotis, Executive Officer  
Wayne Fowler, Local Government Analyst III  
Adriana Romo, Local Government Analyst I  
Crystal Craig, Local Government Analyst I  
Elena Medina, LAFCO Assistant  
Joe Rank, Legal Counsel

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

The meeting was called to order at 9:03 a.m.

2. **APPROVAL OF MINUTES OF JANUARY 23, 2003.**

Minutes were approved as presented.

**MINUTES FROM FEBRUARY 27, 2003 AND MARCH 27, 2003 WERE NOT YET AVAILABLE.**

3. **HEARINGS:**

**Consent:**

a. LAFCO 2002-45-3-Annexation 52 to County Service Area 84.

Moved (Lowe) seconded (Tavaglione) to approve LAFCO 2002-45-3-Annexation 52 to County Service Area 84.  
7/0

b. LAFCO 2002-48-1-Annexation 12 to County Service Area 145.

Moved (Lowe) seconded (Tavaglione) to approve LAFCO 2002-48-3-Annexation 12 to County Service Area 145.  
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c. LAFCO 2003-01-3-Annexation 65 to County Service Area 103.

Moved (Lowe) seconded (Tavaglione) to approve LAFCO 2003-01-3-Annexation 65 to County Service Area 103.

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- d. LAFCO 2003-02-3-Reorganization to Include Concurrent Annexations to Valley Wide Recreation & Park District and Annexation 54 to County Service Area 84.

Moved (Lowe) seconded (Tavaglione) to approve LAFCO 2003-02-3-Reorganization to Include Concurrent Annexations to Valley Wide Recreation & Park District and Annexation 54 to County Service Area 84.

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- e. LAFCO 2002-41-1-Annexation to County Service Area 142. **(Continued from March 27, 2003)**

Moved (Lowe) seconded (Tavaglione) to approve LAFCO 2002-41-1-Annexation to County Service Area 142.

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- f. LAFCO 2002-44-5-Annexation 63 to County Service Area 103. **(Continued from March 27, 2003; Staff recommends continuance to May 29, 2003)**

Moved (Hird) seconded (Lowe) to continue LAFCO 2002-44-5-Annexation 63 to County Service Area 103 to May 29, 2003 as recommended by staff.

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**Continued:**

The Commission decided to take Item j. at this time.

- j. LAFCO 2003-06-3-Request for Reconsideration of LAFCO Resolution 06-03 Approving LAFCO 2002-23-3-Reorganization to Include Annexation 99 to the City of Corona and Concurrent Detachment from County Service Area 21 and the Riverside County Waste Resources Management District. **(Continued from March 27, 2003)**

Mr. Spiliotis stated that the County of Riverside had filed a Request for Reconsideration subsequent to the approval of the proposal. He stated that the reason for said request was to remove two of the parcels located along Green River Road from the annexation proposal because the County was involved in an ongoing litigation regarding some billboard signage on the two parcels. He said that at the February meeting the Commission's legal Counsel, Mr. Rank announced that due to the current litigation, he needed to remove himself from the advisory capacity to the Commission. The Commission subsequently directed the Executive Officer to retain special counsel. He said that Mr. Aklufi from Wysocki and Aklufi was representing the Commission on this matter.

Mr. Spiliotis stated that at the last meeting Counsel for the affected landowner had submitted a letter outlining their opposition to the reconsideration. He said that attached was a response to the letter from Mr. Li's Counsel. He said that in summary, staff's recommendation was to

deny the request for reconsideration. He stated that as required by statute a hearing needed to be held on this matter.

Chair Henderson asked Mr. Aklufi if he had anything else to add and Mr. Aklufi responded that he was available to answer any questions.

Chair Henderson opened the public hearing.

**IN FAVOR:**

Brad Robbins, Assistant City Manager, City of Corona. Mr. Robbins referred to a letter presented to the Commission. He stated that the City of Corona did not want to be involved in any litigation and asked the Commission to be removed from this matter. He said that he was available to answer any questions.

Mr. Tavaglione stated that in their letter it was stated that if the two parcels involved were removed from the annexation then they would not be opposed to said annexation.

Glenn Beloian, Attorney for the County of Riverside. Mr. Beloian spoke on behalf of the County of Riverside in support of the reconsideration request.

**IN OPPOSITION:**

Alene Taber, Attorney, Jackson, De Marco, & Peckenpaugh, 2030 Main Street, Irvine, CA 92614. Ms. Taber spoke on behalf of the Regency Outdoor Advertising and Outdoor Media Group in opposition to the reconsideration.

Charles Whitesell, Attorney for Mr. Peter Li. Mr. Whitesell spoke on behalf of his client, Mr. Pete Li, in opposition to the reconsideration.

Chair Henderson closed the public hearing and after a brief discussion reopened the hearing.

**REBUTTAL:**

Glen Beloian, Attorney for the County of Riverside. Mr. Beloian spoke on the issues presented during public hearing.

Chair Henderson closed the public hearing and after a brief discussion, the hearing was reopened.

Commissioner Tavaglione gave a brief history and reasons why the County of Riverside filed the request for reconsideration. He recommended approving the annexation and excluding the two parcels located along Green River Road.

Commissioner Buster stated that if that was the motion he will second it.

Commissioner Jeffries asked if the two parcels were removed from the annexation, then who was going to be responsible for providing services needed to that property? Commissioner Tavaglione responded that the County would be responsible for providing the needed services. He also commented that the property was currently not occupied.

Commissioner Lowe expressed that perhaps it was inappropriate for the County Supervisors to be making the motion regarding this issue due to the current litigation; therefore, she asked that if they withdraw their motion, she would make one.

Commissioner Lowe moved to remove the two parcels located along Green River Road and Commissioner Jeffries seconded the motion.

Commissioner Hird commented that the County Supervisors while they were on the LAFCO Commission were acting independently from the Board of Supervisors; therefore, Commissioner Lowe's comments were not valid.

Commissioner McFadden asked for clarification if there were two parcels or one parcel. Chair Henderson responded that she believed there were two parcels.

Commissioner Henderson stated that they were a LAFCO Agency bound by rules and regulations that guided that body. Therefore, if there was no new information presented there were no grounds for reconsideration.

Commissioner Lowe apologized for misunderstanding and commented that she did not recall being advised of a lawsuit when they approved the annexation at the January hearing.

Commissioner Henderson and Commissioner Lowe commented that they had made their decision based on lack of information provided at that time.

Commissioner Tavaglione asked Mr. Robbins to come forward.

Commissioner Tavaglione asked Mr. Robbins if he was requesting in their letter that the Commission approve the reconsideration. Mr. Robbins responded that they were requesting to be left out of the litigation process.

Commissioner Tavaglione stated that there was sufficient information necessary to insure that there was new information to support the reconsideration.

Mr. Aklufi stated that based on the new information received that morning, it appeared that the City of Corona was joining the County in the request for reconsideration.

Chair Henderson stated that there was a motion and a second on the table for a request to reconsider. The motion was approved.

Moved (Lowe) seconded (Jeffries) to approve LAFCO 2003-06-3-Request for Reconsideration of LAFCO Resolution 06-03 Approving LAFCO 2002-23-3-Reorganization to Include Annexation 99 to the City of Corona Concurrent Detachment from County Service Area 21 and the Riverside County Waste Resources Management District with a modification as requested by County.

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The Commission decided to take Item g. and i. at this time.

- g. LAFCO 2002-27-4-Reorganization to Include Concurrent Annexation 36 to the City of Palm Desert and Detachment from the Riverside County Waste Resources Management District. **(Continued from March 27, 2003; Staff recommends continuance to May 29, 2003)**

Moved (Hird) seconded (Lowe) to continue LAFCO 2002-27-4-Reorganization to Include Concurrent Annexation 36 to the City of Palm Desert and Detachments from the Riverside County Waste Resources Management District to May 29, 2003, as recommended by staff.

7/0

- i. LAFCO 2002-42-5-Sphere of Influence Amendment (addition) and Annexation to Yucaipa Valley County Water District. **(Continued from March 27, 2003; Staff recommends continuance to May 29, 2003)**

Moved (Hird) seconded (Lowe) to continue LAFCO 2002-42-5-Sphere of Influence Amendment (addition) and Annexation to Yucaipa Valley County Water District to May 29, 2003 as recommended by staff.

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The Commission decided to take Item h. and m.

- h. LAFCO 2002-08-1-Wildomar Unincorporated Community Five-Year Review. **(Continued from December 12, 2002; to be heard with Item 3.m.)**

- m. LAFCO 2003-03-1-Sphere of Influence Amendment (addition) to the City of Murrieta and Removal of the Wildomar Unincorporated Community Designation. **(to be heard with Item 3.h.)**

Mr. Spiliotis presented the report and commented that there were several groups wishing to speak on the matter and they were usually allowed 15 minutes for their presentation.

Chair Henderson opened the public hearing.

J.J. McCabe, 35183 Portola Pl., Wildomar, CA 92595. McCabe requested to be excluded from the UC Designation.

Nancy Banda, 22960 Paula Ct., Wildomar, Ca 92595. Ms. Banda requested to be excluded from the UC Designation.

James T. Wells, 35281 Portola, Wildomar, CA 92595. Mr. Wells spoke against the UC Designation status.

Stan Griffin, 32044 Desert Court, Wildomar, CA. Mr. Griffin spoke against the UC Designation status.

Ron Kusayanagi, MAC representative. Mr. Kusayanagi elaborated on the report presented to the Commission.

Bob Cashman, President, Wildomar Chamber of Commerce, Mr. Cashman spoke on the business and public sector growth in Wildomar during the last five years.

Commissioner Lowe asked Mr. Cashman if he had an overlay map of the multi-species that would go over the Wildomar area. Mr. Cashman said that he did have one in their presentation.

Bob Devine, Wildomar Incorporation Now (WIN), P. O. Box 1348, Wildomar, CA 92595-1348. Mr. Devine gave the Commission a brief overview of the Committee.

Harv Dykstra, Chairman, WIN Committee, P. O. Box 1348, Wildomar, CA 92595-1348. Mr. Dykstra spoke briefly on their report presented to the Commission.

Rick Estes, Member, WIN Committee, P. O. Box 1348, Wildomar, CA 92595-1348. Mr. Estes spoke briefly on the survey results presented previously to the Commission in their report.

Comi Sabsaba, Representative of the WIN Committee, P. O. Box 1348, Mr. Sabsaba spoke regarding the benefits of the RDA Project.

Ed McOrmand, WIN Committee, P. O. Box 1348, Wildomar, CA 92595-1348. Mr. McOrmand spoke regarding the Emergency Services provided to the Wildomar Community. Mr. McOrmand proceeded to summarize his presentation with a 2-minute video presentation.

Jack Van Haaster, City of Murrieta. Mr. Van Haaster gave a brief update on where the City of Murrieta was at that time which was outlined in their letter to the Commission.

Commissioner Lowe asked Mr. Van Haaster if a 6-month extension would help them in their efforts and Mr. Van Haaster responded in the affirmative.

Commissioner Lowe asked what was going to happen to the Redevelopment funds and the agency. Commissioner Buster responded that he had not really contemplated that issue yet.

Commissioner Buster expressed how impressed he was with all the presentations. He encouraged the Commission to look at all the information provided prior to their decision.

Commissioner Jeffries commented that a short-term postponement was not going to resolve the issue. Therefore, he suggested taking the rest of the testimony and making a decision as well. He expressed concern with the State budget and how it was going to affect this matter.

Chair Henderson commended the committees for their presentation and also agreed with taking all the rest of the public testimony at that time.

Bridget Moore, Chair, Wildomar Parks Committee, 20151 Hill Spring Road, Wildomar, CA 92595. Ms. Moore spoke in reference to the parks in the area.

Ray Taylor, 34041 Harrow Hill Road, Wildomar, CA 92595. Mr. Taylor spoke on behalf of Marie Taylor. Ms. Taylor was against the annexation proposal.

Vicki R. Johnson, 24529 Wagon Wheel Lane, Wildomar, CA 92595. Ms. Johnson spoke against annexing to the City of Murrieta.

John King, 24529 Wagon Wheel Wildomar, CA 92595. Mr. King spoke in favor of the UC Designation and against annexing to the City of Murrieta.

Stan Smith, 22285 Alameda Del Monte, Wildomar, CA 92595. Mr. Smith spoke in favor of Incorporation and against annexing to the City of Murrieta.

Jerry Glassman, 21575 Grand Avenue, Wildomar, Ca 92595. Mr. Glassman spoke in favor of Wildomar becoming a City and against annexing to the City of Murrieta.

Commissioner McFadden expressed his support for the Community of Wildomar and his support to allow sufficient time to let the studies move forward. He said he was in favor of a continuance on this matter.

Commissioner McFadden left at 12:04 p.m.

Dave Dunncliffe, 35267 Portola Place, Wildomar, CA 92595. Mr. Dunncliffe expressed that he would like to be excluded from the UC Designation and to be annexed to the City of Murrieta.

Lety Marquez, 35508 Country Park Dr., Wildomar, CA 92595. Ms. Marquez spoke in favor of annexing to the City of Murrieta.

Luana Wells, 35281 Portola, Wildomar, CA 92595. Ms. Wells spoke in favor of annexing to the City of Murrieta.

Janet Mueller, Attorney representing the Lake Elsinore USD, 750 B. Street, Ste. 2310, San Diego, Ca 92101. Ms. Mueller spoke against the City of Murrieta expanding their sphere of influence to include the Community of Wildomar.

Irene Iglesias, 32682 Iris Lane, Wildomar, CA 92595. Ms. Iglesias spoke in favor of the UC Designation to allow them to become a City.

Sheryl Ade, 35255 Amatista Avenue, Wildomar, CA 92595. Ms. Ade spoke in favor of Wildomar becoming a City.

Ashley Miller, Wildomar, CA. Ms. Miller spoke in favor of remaining unincorporated and against annexing to the City of Murrieta.

Dean Willis, 35709 Country Park Drive, Wildomar, CA 92595. Mr. Willis spoke in favor of annexing to the City of Murrieta.

Andrea Herbert, 35763 Crest Meadow Dr., Wildomar, CA 92595. Ms. Herbert spoke against the UC Designation.

Jon Rodarme, 35295 Billie Ann Road, Wildomar, CA 92595. Mr. Rodarme spoke against annexing to the City of Murrieta.

Michael Perry, 24043 Rubi St., Wildomar, CA 92595. Mr. Perry spoke in favor of annexing to the City of Murrieta.

Barbara Diaz, 35306 Portola Pl., Wildomar, CA 92595. Ms. Diaz spoke in favor of annexing to the City of Murrieta.

George Cambero, 21584 Grand Avenue, Wildomar, CA 92595. Mr. Cambero spoke in favor of Wildomar becoming a city.

Craig Thralls, 32325 Pasadena, Wildomar, Ca 92595. Mr. Thralls spoke against annexing to the City of Murrieta.

Lee Wilson, 23125 Palomar Street, Murrieta, Ca 92562. Mr. Wilson spoke against annexing to the City of Murrieta.

Tom Jones, 24250 Brillante Dr., Wildomar, CA 92595. Mr. Jones spoke in favor of annexing to the City of Murrieta.

Hal Diaz, 35306 Portola Pl., Wildomar, Ca 92595. Mr. Diaz spoke in favor of annexing to the City of Murrieta.

Jack Buettner, 35293 El Diamante Dr., Wildomar, CA 92595. Mr. Buettner spoke in favor of annexing to the City of Murrieta.

Howard Ramshorn, 24117 Safiro Ct., Wildomar, CA 92595. Mr. Ramshorn spoke in favor of annexing to the City of Murrieta.

MaryAnn Ramshorn, 24117 Safiro Ct., Wildomar, CA 92595. Mr. Ramshorn spoke in favor of annexing to the City of Murrieta.

Vicki Long, 40390 Vial Caballo, Murrieta, Ca 92562. Ms. Long spoke against annexing to the City of Murrieta.

Robin Oxman, 19062 Homestead Lane, Huntington Beach, CA 92646. Dr. Oxman spoke in favor of Wildomar becoming a City.

Max Stark, 22668 Hunwut Dr., Wildomar, CA 92595. Mr. Stark spoke in favor of remaining an unincorporated community.

Gina Castanon, 32555 McVicor Street, Wilsomar, CA 92595. Ms. Castanon spoke in favor of Wildomar becoming a City.

Judy Wiltse, 24089 Safiro Ct., Wildomar, CA 92595. Ms. Wiltse spoke in favor of annexing to the City of Murrieta.

Cynthia Ferry, 16115 Rocky Bluff Rd., Gavilan Hills, CA 92570. Ms. Ferry spoke of the UC Designation.

Commissioner Buster moved to continue the UC Designation on Item H. and on Item M. to deny the sphere of influence amendment to the City of Murrieta. He also moved to support the study efforts with the County, the Community of Wildomar, the City of Murrieta, and the City of Lake Elsinore if they so desire to participate.

Commissioner Hird stated that he was in favor of denying the sphere of influence proposal but was against extending the UC Designation for another five years. He suggested continuing Item H. for six months to allow time to move forward with the feasibility studies.

Mr. Spiliotis clarified that the UC Status was in place because it was previously received and filed at another LAFCO hearing.

Mr. Spiliotis stated that the sphere of influence amendment proposal cannot be acted on until the municipal service reviews were performed.

Commissioner Lowe moved to continue both items for six months to further explore all the information submitted prior to making a final decision and continue with the study efforts.

Moved (Lowe) seconded (Hird) to continue LAFCO 2002-08-1-Wildomar Unincorporated Community Five-Year Review to October 23, 2003 to allow the studies to move forward.

6/0 (McFadden absent)

Moved (Lowe) seconded (Hird) to continue LAFCO 2003-03-1-Sphere of Influence Amendment (addition) to the City of Murrieta and Removal of the Wildomar Unincorporated Community Designation to October 23, 2003.

6/0 (McFadden absent)

n. PROPOSED BUDGET FOR FISCAL YEAR 2003-2004.

Moved (Lowe) seconded (Hird) to approve the Proposed Budget for Fiscal Year 2003-2004 as recommended by staff.

6/0 (McFadden absent)

4. **INFORMATION ITEMS: Proposals Received (56857, 56751)**

There were no new proposals received.

5. **REQUEST FOR WAIVER OF FEES FOR ANNEXATION 97 TO THE CITY OF RIVERSIDE.**

Moved (Tavaglione) seconded (Buster) to approve Request for Waiver of Fees for Annexation 97 to the City of Riverside.

6/0 (McFadden absent)

6. **SELECTION OF CONSULTANT FOR WATER/WASTEWATER SERVICE REVIEWS.**

Moved (Lowe) seconded (Jeffries) to appoint Commissioner Hird and Commissioner McFadden to make the final decision.

5/1 (Hird abstained) (McFadden absent)

7. **MISCELLANEOUS STAFF REPORTS.**

There were no miscellaneous staff reports.

8. **PUBLIC COMMENTS.**

Mr. David Ledbetter, President of the Winchester Homeowners' Association. Mr. Ledbetter spoke in regards to LAFCO 1997-06-3 AND LAFCO 1997-07-3.

9. EXECUTIVE SESSION:

There were no executive items scheduled.

10. **ADJOURNMENT.**

The Commission adjourned at 1:38 p.m.

Respectfully,

George J. Spiliotis  
Executive Officer