

**MINUTES**  
**April 28, 2005**

Present                    Kevin D. Jeffries  
Commissioners:        Robin Lowe  
                             Robert E. Hird  
                             Phil Williams  
                             Bob Buster  
                             John Tavaglione  
                             Terry Henderson

Absent:                    Ron Starrs

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.

1.2      **ROLL CALL.**

Alternate Commissioner Williams served in Commissioner Starr's absence.

2.        **APPROVAL OF MINUTES OF March 24, 2005.**

Minutes were approved as presented.

3.        **HEARINGS:**

**Consent:**

- a. LAFCO 2004-47-3-Minor Sphere of Influence Amendments to Murrieta County Water District (removal) and Rancho California Water District (addition) and Reorganization to Include Detachment from Murrieta County Water District and Annexation 89 to Rancho California Water District. **(Continued from March 24, 2005)**

Moved (Lowe) seconded (Hird) to approve LAFCO 2004-47-3-Minor Sphere of Influence Amendments to Murrieta County Water District (removal) and Rancho California Water District (addition) and Reorganization to Include Detachment from Murrieta County Water District and Annexation 89 to Rancho California Water District.  
7/0

- b. LAFCO 2004-50-3-Annexation 5 to County Service Area 80.

Moved (Lowe) seconded (Hird) to approve LAFCO 2004-50-3-Annexation 5 to County Service Area 80  
7/0

- c. LAFCO 2004-51-3-Annexation 84 to County Service Area 103.

Moved (Lowe) seconded (Hird) to approve Annexation 84 to County Service Area 103.  
7/0

- d. LAFCO 2004-52-1-Reorganization to Include Concurrent Annexations to Elsinore Valley Municipal Water District, Western Municipal Water District, and the Metropolitan Water District of Southern California.

Moved (Lowe) seconded (Hird) to approve LAFCO 2004-47-3-Reorganization to Include Concurrent Annexations to Elsinore Valley Municipal Water District, Western Municipal Water District, and the Metropolitan Water District of Southern California.  
7/0

- e. LAFCO 2004-53-3-Annexation 85 to County Service Area 103.

Moved (Lowe) seconded (Hird) to approve LAFCO 2004-53-3-Annexation 85 to County Service Area 103.  
5/0 (Buster and Tavaglione did not participate)

- f. LAFCO 2004-54-1-Annexation 82 to County Service Area 103.

Moved (Lowe) seconded (Hird) to approve LAFCO 2004-54-1-Annexation 82 to County Service Area 103.  
7/0

**New:**

- g. LAFCO 2004-39-1-Reorganization to Include Annexation 100 to the City of Riverside.

Moved (Hird) seconded (Lowe) to continue LAFCO 2004-39-1-Reorganization to Include Annexation 100 to the City of Riverside to May 26, 2005.  
7/0

h. LAFCO 2004-40-5-Minor Sphere of Influence Amendments to Beaumont Cherry Valley Water District (removal) and Yucaipa Valley Water District (addition) and Annexation to the Yucaipa Valley Water District.

Moved (Hird) seconded (Lowe) to continue LAFCO 2004-40-5-Minor Sphere of Influence Amendments to Beaumont Cherry Valley Water District (removal) and Yucaipa Valley Water District (addition) and Annexation to the Yucaipa Valley Water District to May 26, 2005.  
7/0

i. LAFCO 2004-49-3-Reorganization to Include Annexation 04-149 to the City of Hemet and Detachment from the Riverside County Waste Resources Management District.

Ms. Craig presented the proposal.

Chair Jeffries opened the public hearing and there being no proponents or opponents wishing to speak the public hearing was closed.

Moved (Hird) seconded (Lowe) to approve LAFCO 2004-49-3-Reorganization to Include Annexation 04-149 to the City of Hemet and Detachment from the Riverside County Waste Resources Management District.  
7/0

j. LAFCO 2004-60-1, 2&5-Northwestern County Municipal Service Review.

Moved (Lowe) seconded (Henderson) to continue LAFCO 2004-60-1,2, &5-Northwestern County Municipal Service Review to May 26, 2005 as recommended by staff.  
7/0

k. LAFCO 2004-61-4-Southern Coachella Valley Municipal Service Review.

Moved (Lowe) seconded (Henderson) to continue LAFCO 2004-60-1,2,&5 Southern Coachella Valley Municipal Service Review to May 26, 2005 as recommended by staff.  
7/0

The Commission decided to take Item 6. at this time.

**6. FEE REDUCTION REQUEST FOR LAFCO 2005-33-3-REORGANIZATION TO INCLUDE CONCURRENT DETACHMENTS FROM THE CITY OF TEMECULA AND THE TEMECULA COMMUNITY SERVICES DISTRICT AND CONCURRENT ANNEXATIONS TO THE CITY OF TEMECULA AND THE TEMECULA COMMUNITY SERVICES DISTRICT (REDHAWK AREA).**

Mr. Spiliotis presented the report.

Chair Jeffries asked if the City of Temecula was in agreement with the 90% reduction fee request. Mr. Spiliotis stated that he had not spoken with the City of Temecula. City representatives in attendance confirmed the 90% reduction was acceptable.

Moved (Hird) seconded (Tavaglione) to approve a Fee Reduction Request for LAFCO 2005-33-3-Reorganization to Include Concurrent Detachments from the City of Temecula and the Temecula Community Services District and Concurrent Annexations to the City of Temecula and the Temecula Community Services District (Redhawk Area) as recommended by staff.

7/0

1. LAFCO 2005-33-3-Reorganization to Include Concurrent Detachments from the City of Temecula and the Temecula Community Services District and Concurrent Annexations to the City of Temecula and the Temecula Community Services District (Redhawk Area).

Mr. Spiliotis presented the proposal.

Commissioner Tavaglione stated that the County's risk will be minimal; therefore, he was in complete support of this proposal.

Mr. Rank stated that at this point, the City had agreed to provide the County with an opinion supporting their analysis as to Revenue and Taxation Code Section 97.70 which was the section of controversy. He also stated that the City had agreed to provide the indemnification agreement for both the County and the Auditor Controller's Office as part of this proposal. He said that all this was forthcoming.

Mr. Spiliotis stated that if LAFCO's action was challenged, LAFCO had its own standard indemnification clause included in the staff recommendation.

Chair Jeffries opened the public hearing .

Shawn Nelson, gave a brief overview of the proposal and told the Commission that the proposal was not going to have an adverse effect on the City or the County; therefore, he asked the Commission to approve the proposal.

Commissioner Henderson stated that as the legislation was moving forward with the budget and the agreement made by the Counties, Cities and the special district with the Governor, it was quite evident that the language in the law was included in the bill. She said that the League of Cities had worked very hard to change the language before the bill was passed, but were not successful.

Mr. Nelson stated that in their case, they did not have the ability to anticipate the situation because they had an election approving the annexation and then had subsequent legislation that basically changed the rules.

Chair Jeffries closed the public hearing.

Moved (Tavaglione) seconded (Lowe) to approve LAFCO 2005-33-3-Reorganization to Include Concurrent Detachments from the City of Temecula and the Temecula Community Services District and Concurrent Annexations to the City of Temecula and the Temecula Community Services District (Redhawk Area).

7/0

m. LAFCO 2005-29-2&5-Request to Provide Extra-Territorial Sewer Services to the Highgrove area-City of Riverside

Mr. Spiliotis presented the proposal as outlined in the staff report.

Tom Boyd, Deputy Public Works Director, City of Riverside. Mr. Boyd stated that when the process started three years ago, there was a sewer master plan for the Highgrove area prepared by the developers of the Spring Mountain Ranch Project. He said that the sewer master plan encompassed all of Highgrove. He said that the developers proposed a series of trunk sewer lines which will run through their projects to connect to the City's facilities to various points. He said that those facilities were sized for the excess flow. He said that the various areas were designed to drain to specified trunk lines. He said that there were also a series of improvements needed to the City's trunk lines identified. He said that the City was going to finance those improvements through the ongoing monthly charges.

Commissioner Buster stated that there was a redevelopment area in that area and if the health aspects of the contamination were real, perhaps, they needed to look into that more closely.

Mr. Boyd stated that the basic infrastructure will be in place to help with this demand.

Chair opened the public hearing and there being no further speakers the public hearing was closed.

Moved (Buster) seconded (Hird) to approve LAFCO 2005-29-2&5-Request to Provide Extra-Territorial Sewer Services to the Highgrove area-City of Riverside as recommended by staff.

7/0

The Commission decided to take Item 11. at this time.

**11. ESTABLISHMENT OF AN ADMINISTRATIVE REVIEW COMMITTEE AS A STANDING COMMITTEE.**

Mr. Spiliotis stated that he had met a few weeks ago with Commissioners Hird and Starrs and it was discussed at that time that additional participation and direction to the Executive Officer in certain areas was necessary. He said that it was agreed, at that meeting, to establish a standing committee to work with the Executive Officer on budget, staffing and human resources related issues. He said that there were pertinent budget issues to be discussed with the appointed committee before he brought the final budget in May.

Mr. Hird commented that it was also discussed that the Chairman should be an automatic member of that committee.

Chair Jeffries stated that it was appropriate for the Chairman to be an ex-officio of the Committee and the vice-chair be the alternate for the Chairman.

Chair Jeffries stated that Commissioners Hird and Starrs will serve on the Administrative Committee with the Chairman and Vice-Chairman as his alternate.

Moved (Jeffries) seconded (Tavaglione) to appoint Commissioner Hird, Commissioner Starrs and the Chair to serve on the Administrative Committee with the Vice-Chair as the Chair's alternate.

7/0

n. Proposed Budget for Fiscal year 2005-06.

Chair asked the Commission if there were any specific questions the Commission had on any of the items in the budget.

Commissioner Lowe expressed concern about the amount of money budgeted for mileage. She said that perhaps it should be increased.

Chair Jeffries opened the public hearing there being no speakers, the public hearing was closed.

Moved (Tavaglione) seconded (Buster) to approve the Proposed Budget for Fiscal Year 2005-06 as recommended by staff.

7/0

**4. RECEIVE AND FILE:**

- a. **INFORMATION ITEMS: Proposals Received (Government Section 56857, 56751)**

The Commission acknowledged receipt of twelve proposals.

- b. **MONTHLY EXPENDITURE REVIEW.**

The Commission received and filed the Monthly Expenditure Review Report.

**5. LAFCO 2004-46-4-EXTRA TERRITORIAL SERVICE REQUEST-VALLEY SANITARY DISTRICT.**

Moved (Lowe) seconded (Hird) to continue LAFCO 2004-46-4-Extra Territorial Service Request-Valley Sanitary District to *May 26, 2005.*

7/0

**7. REPORT ON WATER SERVICE AGREEMENT BETWEEN CITY OF RIVESIDE AND WESTERN MUNICIPAL WATER DISTRICT.**

Moved (Buster) seconded (Lowe) to continue Report on Water Service Agreement Between City of Riverside and Western Municipal Water District to *June 23, 2005.*

7/0

- 8. **LAFCO 2003-03-1-SPHERE OF INFLUENCE AMENDMENT (ADDITION) TO THE CITY OF MURRIETA AND REMOVAL OF WILDOMAR UC DESIGNATION LAFCO 2004-10-1-REORGANIZATION TO INCLUDE CONCURRENT ANNEXATIONS TO THE CITY OF MURRIETA, THE MURRIETA COMMUNITY SERVICES DISTRICT (SUBSIDIARY) AND DETACHMENTS FROM THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT AND COUNTY SERVICE AREA 103 AND 142; WILDOMAR MUNICIPAL SERVICES AND INITIAL FISCAL REVIEW.**

Mr. Spiliotis presented the staff report.

Chair Jeffries expressed his opposition to adopting the initial fiscal review. He said that for the record, he was opposing the fiscal review for the purpose it was going to be used.

Moved (Buster) seconded (Hird) to approve the following actions as recommended by staff: 1: Acknowledge withdrawal of LAFCO 2003-03-1-Sphere of Influence Amendment (addition) to the City of Murrieta and Removal of Wildomar UC Designation and LAFCO 2004-10-1-Reorganization to Include Concurrent Annexations to the City of Murrieta, Murrieta Community Services District (subsidiary) and Murrieta Fire Protection District (subsidiary) and Detachments from the Riverside County Waste Resources Management District and County Service Areas 103 and 142; 2: Dissolve the ad hoc committee established on January 27, 2005; 3: Find the Municipal Service Review is exempt from CEQA review pursuant to Section 15306 of the CEQA Guidelines in that the municipal service review consists of basic data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource; 4: Receive and file the Wildomar Municipal Service Review; and 5: Adopt the determinations contained in Chapter 6 of the Wildomar Municipal Services and Initial Fiscal Review.

7/0

- 9. **SELECTION OF CONSULTANT FOR SOUTHWEST RIVERSIDE COUNTY, CENTRAL VALLEYS AND PASS AREA MUNICIPAL SERVICE REVIEWS.**

Moved (Lowe) seconded (Henderson) to approve the Selection of Consultant for Southwest Riverside County, Central Valleys and Pass Area Municipal Service Reviews as staff recommended.

7/0

- 10. **SELECTION OF AUDIT FIRM.**

Moved (Lowe) seconded (Tavaglione) to approve Selection of Audit Firm as recommended by staff.

7/0

- 12. **MISCELLANEOUS STAFF REPORTS.**

There were no miscellaneous staff reports.

**13. PUBLIC COMMENTS.**

Gary Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant read Section 56301 of Cortese-Knox-Hertzberg regarding the Commission's purpose. He also discussed the problem with sewer systems and septic tanks in the Quail Valley and Meadowbrook area.

Commissioner Lowe stated that she and staff had attended a meeting at Noble Creek in Cherry Valley. She said that the City of Calimesa and the City of Beaumont had territory desiring to annex in the future. She said that Supervisor Ashley held two community meetings and because there was no application on file with LAFCO; she asked if it was appropriate to participate in those meetings.

Mr. Spiliotis stated that the LAFCO Chair had asked Supervisor Ashley, several months ago to meet with various parties of that area prior to the applications coming to LAFCO to see if there were any areas of agreement or disagreement out there.

Commissioner Williams responded in regards to Mr. Grant's comments regarding sewer services in his area. He said that the City of Lake Elsinore and the Elsinore Valley Municipal Water District had agreed to a friendly condemnation of an abandoned street which was going to bring more sewer services to that area; therefore, will be able to handle the increase for services in that area.

**12. ADJOURNED.**

The Commission adjourned at 10:11 a.m.

Respectfully,

George J. Spiliotis  
Executive Officer