

MINUTES
August 25, 2005

Present Kevin D. Jeffries
Commissioners: Bob Buster
Ron Starrs
Robert Hird

Absent: Robin Lowe, John Tavaglione, Terry Henderson

Present Staff: George J. Spiliotis, Executive Officer
Wayne Fowler, Local Government Analyst III
Adriana Romo, Local Government Analyst II
Crystal Craig, Local Government Analyst I
Elizabeth Solander, Office Assistant III
Joe Rank, Legal Counsel

1. CALL TO ORDER AND SALUTE TO THE FLAG.

The meeting was called to order at 9:08 a.m.

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF July 21, 2005

Minutes were approved as presented.

3. HEARINGS:

The Commission decided to take item 3.h. first.

h. LAFCO 2005-56-3 Dissolution of Murrieta County Water District.

Mr. Spiliotis presented this item. He made a change in the recommendation regarding the protest hearing. The government code allows the Commission, if they find that the Board of the agency being dissolved, Murrieta County Water District, has unanimously adopted a resolution of application, to make an additional finding that we can conduct a protest hearing without election, meaning that it will take a majority protest to terminate the dissolution.

Commissioner Starrs asked about the provisions for the 15% of Murrieta that is in Eastern Municipal Water District's (EMWD) service area. Staff responded that it would remain in EMWD. Existing service agreements would remain in place.

Commissioner Buster asked about the areas on the map that were not in any district. Staff responded that those were within Rancho California Water District's sphere of influence.

Chair Jeffries commented that he has participated in some of the negotiations and that it was done very professionally and it was done in the best interest of the customers in the community served by the water district.

Chair Jeffries opened the public hearing.

There being no one wishing to speak, Chair Jeffries closed the public hearing.

Moved (Hird) seconded (Buster) to approve LAFCO 2005-56-3
Dissolution of Murrieta County Water District.
4/0

The Commission decided to take items 3.a. through 3.e. at this time.

- a. LAFCO 2005-26-3 Annexation 89 to County Service Area 103.
- b. LAFCO 2005-27-3 Annexation 88 to County Service Area 103.
- c. LAFCO 2005-28-3 Annexation to Valley-Wide Recreation and Park District.
- d. LAFCO 2005-38-3 Reorganization to Include Concurrent Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (82nd Fringe).
- e. LAFCO 2005-39-3 Reorganization to Include Concurrent Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (80th Fringe).

Chair Jeffries opened the public hearing.

There being no one wishing to speak, Chair Jeffries closed the public hearing.

Moved (Hird) seconded (Buster) to approve items 3.a. through 3.e. as recommended by staff.
4/0

- f. LAFCO 2005-16-1,2 Sphere of Influence Review and Potential Amendments - City of Norco.

Ms. Craig presented the sphere review and recommended two minor modifications to the City's sphere.

Chair Jeffries opened the public hearing.

There being no one wishing to speak, Chair Jeffries closed the public hearing.

Moved (Buster) seconded (Hird) to approve LAFCO 2005-16-1,2 Sphere of Influence Review and Amendments - City of Norco as recommended by staff.
4/0

- g. LAFCO 2005-19-3 Sphere of Influence Review and Potential Amendments - City of Canyon Lake.

Ms. Romo presented the sphere review and stated that there were no recommended changes to the City's sphere.

Chair Jeffries opened the public hearing.

Garry Grant, 27068 Jarvis Street, Perris, CA 92570. Mr. Grant contested this process of Canyon Lake City that it does not/will not provide proper services to Meadowbrook.

William Zeidlik, 30141 Antelope Road, Menifee, CA 92584. Mr. Zeidlik spoke about the Menifee UC designation that none of the area should be placed in Canyon Lake's sphere.

Chair Jeffries closed the public hearing.

Mr. Spiliotis clarified that no one has approached LAFCO to be included in Canyon Lake's sphere and the City has never expressed any interest in going beyond it's current city boundaries. He stated that the staff recommendation is to maintain the existing coterminous sphere of influence.

Moved (Starrs) seconded (Buster) to approve LAFCO 2005-19-3 Sphere of Influence Review and Potential Amendments - City of Canyon Lake as recommended by staff.
4/0

4. RECEIVE AND FILE:

- a. Information Items: Proposals Received (Government Sections, 56857, 56751)
- b. Monthly Expenditure Review - July 21, 2005.
(Continued from July 21, 2005)
- c. Monthly Expenditure Review - August 25, 2005.

Motion (Hird) seconded (Buster) to receive and file items 4.a. through 4.c.

5. LAFCO 2004-46-4 EXTRA TERRITORIAL SERVICE REQUEST-VALLEY SANITARY DISTRICT. (Staff recommended continuance to October 27, 2005)

Mr. Spiliotis clarified that there was an amended report for this proposal. The report states the District requests that the proposal be continued to October 27, 2005.

Moved (Buster) seconded (Starrs) to continue LAFCO 2004-46-4 - Extra Territorial Service Request-Valley Sanitary District until October 27, 2005.
4/0

6. REPORT ON WATER SERVICE AGREEMENT BETWEEN CITY OF RIVERSIDE AND WESTERN MUNICIPAL WATER DISTRICT. (Staff recommended continuance to September 22, 2005)

Moved (Buster) seconded (Hird) to continue the Report on Water Service Agreement between City of Riverside and Western Municipal Water District to September 22, 2005.
4/0

7. DISCUSS MEETING DATE FOR NOVEMBER/DECEMBER 2005.

Mr. Spiliotis stated that since there was not many Commissioners present to pick a date that the item will be placed on the September 22, 2005 agenda.

8. CALAFCO ANNUAL BUSINESS MEETING - DESIGNATION OF VOTING DELEGATE.

Moved (Hird) seconded (Starrs) to designate Commissioner Buster as the voting delegate and Mr. Spiliotis as the alternate.
4/0

9. MISCELLANEOUS STAFF REPORTS

Mr. Spiliotis stated there were no miscellaneous staff reports.

10. PUBLIC COMMENTS

Rita Hale, 26201 Wheat Street, Sun City, CA 92585. Ms. Hale spoke about the chronology of Menifee Valley and asked that LAFCO proceed with incorporation.

Don Gravett, P.O. Box 721, Sun City, CA 92586. Mr. Gravett expressed his dissatisfaction about the incorporation process.

Juergen D. Stens, 873 Via Bernardo, Corona, CA 92882. Mr. Stens spoke about annexation issues of Coronita to the City of Corona.

Chair Jeffries distributed Ms. Spencer's handout of four pages with attachments.

Barbara Spencer, 30141 Antelope Road, D-133, Menifee Valley, CA 92584. Ms. Spencer spoke about the Incorporation Guidelines, the Menifee Valley Preliminary Feasibility Assessment, the petition to place the question of cityhood on the ballot and how it is not on the LAFCO agenda and the CFA preparation and its requirements.

Garry Grant, 27068 Jarvis Street, Perris, CA 92570. Mr. Grant spoke about local government and development.

Marc Miller, 33320 Merritt Road, Menifee, CA 92584. Mr. Miller spoke about the incorporation process. He commented about the Comprehensive Fiscal Analysis, the errors in the data and the delays in when the report was available to him.

Chair Jeffries distributed Mr. Zeidlik's two page document to the Commission.

William Zeidlik, 30141 Antelope Road, Menifee, CA 92584. Mr. Zeidlik spoke about the Menifee Valley Cityhood process and the requirements to proceed with the incorporation. He also commented on the CFA and stated there was inaccurate data in the report.

Sheryl Ade, 35255 Amatista Avenue, Wildomar, CA 92595. Ms. Ade spoke about AB 1602 - League of Cities amendments, and its current stalled status in the Legislature.

11. EXECUTIVE SESSION

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

Conference with legal counsel-anticipated litigation:
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9:

a. One potential case.

Mr. Spiliotis stated there was nothing to discuss.

Chair Jeffries stated that he spoke to Mr. Spiliotis about forming an Ad Hoc Committee to evaluate some of the Menifee concerns.

Mr. Rank stated that when an item is being proposed for eventual presentation before the Commission, for them to become actively involved in that item taints the hearing that takes place when it is brought to them for approval or denial. The creation of a formal Ad Hoc Committee is highly discouraged.

Commissioner Buster stated that members of the Incorporation should go to their county representative's office to get help and get information.

12. ADJOURNMENT.

The Commission adjourned at 10:20 a.m.

Respectfully,

George J. Spiliotis
Executive Officer