

2.
12/7/2006

MINUTES
October 26, 2006

Present: Robert E. Hird, Chair
Ed Adkison
John Tavaglione
Bob Buster
Terry Henderson
Ron Starrs
Phil Williams

Absent: Robin Lowe

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

1.1 CALL TO ORDER AND SALUTE TO THE FLAG.

Vice Chair Hird acted as Chair in Commissioner Lowe's absence. The meeting was called to order by Chair Hird at 9:32

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF SEPTEMBER 28, 2006.

Minutes were revised to reflect that Commissioner Hird was absent from the Meeting.

3. Consent (Non-Hearing Items):

- a. LAFCO 2006-102-5-Reorganization to Include Detachment from County Service Area 146 and Concurrent Annexation 6 to County Service Area 43. **(Continued from September 28, 2006)**

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-102-5-Reorganization to Include Detachment from County Service Area 146 and Concurrent Annexation 6 to County Service Area 43 as recommended by staff.

7/0

- b. LAFCO 2006-107-3-Annexation 105 to County Service Area 103.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-107-3-Annexation 105 to County Service Area 103 as recommended by staff.
7/0

- c. LAFCO 108-1-Annexation 30 to County Service Area 132.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-108-1-Annexation 30 to County Service Area 132 as recommended by staff.
7/0

- d. LAFCO 2006-110-3-Reorganization to Include Detachment from County Service Area 146 and Annexation 76 to County Service Area 84 and Valley-Wide Recreation and Park District.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-110-3-Reorganization to Include Detachment from County Service Area 146 and Annexation 76 to County Service Area 84 and Valley-Wide Recreation and Park District as recommended by staff.
7/0

- e. LAFCO 2006-112-3-Annexation to Valley-Wide Recreation and Park District.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-112-3-Annexation to Valley-Wide Recreation and Park District as recommended by staff.
7/0

- f. LAFCO 2006-113-3-Annexation 18 to County Service Area 145.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-113-3-Annexation 18 to County Service Area 145 as recommended by staff.
7/0

4. **PUBLIC HEARINGS:**

Continued:

- a. LAFCO 2005-10-1,2,3,5-Sphere of Influence Review and Potential Amendments-Northwest Mosquito & Vector Control District. **(Continued from August 3, 2006) (Staff recommends continuance to January 25, 2007)**

Moved (Henderson) seconded (Williams) to continue LAFCO 2005-10-1,2,3,5-Sphere of Influence Review and Potential Amendments-Northwest Mosquito & Vector Control District to January 25, 2007.
7/0

- b. LAFCO 2006-11-3,4,5-Sphere of Influence Review and Potential Amendments-Coachella Valley Mosquito & Vector Control District. **(Continued from August 3, 2006) (Staff recommends continuance to January 25, 2007)**

Moved (Henderson) seconded (Williams) to continue LAFCO 2006-11-3,4,5-Sphere of Influence Review and Potential Amendments-Coachella Valley Mosquito & Vector Control District to January 25, 2007.

- c. LAFCO 2005-17-1,2,5-Sphere of Influence Review and Potential Amendments - City of Riverside. **(Continued from August 3, 2006; Staff recommends continuance to February 22, 2007).**

Mr. Fowler presented the report. Mr. Fowler said that staff was recommending that the Commission open the public hearing, take testimony and continue the item to February 22, 2007 to allow staff time to prepare the Initial Study and Notice of Determination.

Mr. Fowler proceeded to review past Commission sphere amendments and presented the Commission with an updated map for the rest of the City's sphere.

Chair Hird opened the Public Hearing.

Patti Nahill, Community Dev. Dep., City of Riverside, 3900 Main Street, Riverside, CA 92522. She said she was in agreement with what staff had presented; however, she wanted to address a small modification to the March JPA property. She said that on Alessandro Blvd. there were two properties that followed below the straight line that the City would like shown on the map and were not part of the March JPA. She said that the City was planning to bring an application for those two properties in the near future along with the pink areas on the map that front Alessandro Blvd. Ms. Nahill stated that she was available for any questions from the Commission.

Commissioner Henderson clarified if she was asking for the modification to the map to be done today. Ms. Nahill responded in the affirmative.

Chair Hird closed the Public Hearing.

Moved (Adkison) seconded (Henderson) to continue LAFCO 2005-17-1,2&5-Sphere of Influence Review and Potential Amendments - City of Riverside to February 22, 2007 with the modification to remove the southern sphere of influence as shown on the city map and to include the two additional parcels: the 10-acre future public safety facilities site east of Barton Road and the 10 acre parcel south of Alessandro Boulevard which is outside of the March JPA.

7/0

- d. LAFCO 2005-102-1,2,3-Consolidation Study: Elsinore-Murrieta-Anza, Riverside-Corona and San Jacinto Resources Conservation Districts. **(Continued from August 3, 2006) (Staff recommends continuance to January 25, 2007)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2005-102-1,2,3-Consolidation Study: Elsinore-Murrieta-Anza, Riverside-Corona and San Jacinto Resources Conservation Districts to January 25, 2007.

7/0

- e. LAFCO 2006-62-5-Sphere of Influence Review and Potential Amendments-County Service Area 126-(Highgrove) **(Continued from September 28, 2006)**

Ms. Craig presented the report and stated that at the last hearing there was a mislabeled street name on a map that created confusion in determining if the Spring Mountain Ranch Specific Plan was included in the sphere of influence of CSA 126. She said that staff had met with a representative of CSA 126 to ensure that the Spring Mountain Ranch Specific Plan was included in the sphere. She said that the corrected map was included in their packet. She also said that staff was recommending that the Commission amend the sphere to coincide with the CSA 152C Zone of Benefit.

Chair Hird opened the Public Hearing.

R. A. "Barney" Barnett, CSA 126 Chairman, 474 Prospect Avenue, Highgrove, CA 92507. Mr. Barnett thanked the Commission for allowing them the time to correct the error.

Moved (Hird) seconded (Starrs) to approve LAFCO 2006-62-5-Sphere of Influence Review and Potential Amendments - CSA 126 (Highgrove) and amend the sphere to coincide with the CSA 152C Zone of Benefit as recommended by staff.

7/0

Commissioner Henderson left at 9:58 a.m.

- f. LAFCO 2006-19-1&3-Sphere of Influence Review and Potential Amendments-City of Murrieta.

Mr. Spiliotis stated that the report was a preliminary overview of the Murrieta sphere of influence (SOI) review. He said that the City had indicated an interest to expand its SOI in only one area, north of the current city limits and south of Keller Road, on the west side of I-215. He said that the City and developer were preparing an updated land use plan and CEQA documentation for a specific project in this area. He said that the purpose of the initial hearing was to identify and discuss significant issues to be addressed at the next hearing. He said that staff was recommending that the Commission take testimony, identify areas of interest warranting further attention, and continue the hearing to February 22, 2006, when it will be expected that the property owner initiated applications will be heard.

Chair Hird opened the Public Hearing.

Mr. Paul Christman, 28264 Corte Ocaso, Temecula, CA 92592. Mr. Christman spoke in favor of the sphere of influence review recommendation.

Mr. Jack McGee, 26442 Beckman Ct., Murrieta, CA 92562. Mr. McGee spoke in favor of the sphere of influence review recommendation.

Doug Avis, President, Benchmark Pacific, 550 B Laguna Dr., Carlsbad, CA 92008. Mr. Avis spoke in favor of the sphere of influence review recommendation.

Betty Bouris, 33751 Zeiders Rd., Menifee Valley, CA 92584. Mr. Bouris spoke in support of the sphere of influence recommendation.

Marc Miller, 33320 Merritt Road, Menifee, CA 92584. Mr. Miller spoke in support of the sphere of influence recommendation.

Chair Hird closed the public hearing.

Moved (Starrs) seconded (Williams) to continue LAFCO 2006-19-1&3-Sphere of Influence Review and Potential Amendments-City of Murrieta to April 26, 2007.

6/0 (Adkison abstained)

The Commission recessed at 10:04 and reconvened at 10:10 a.m.

g. LAFCO 2006-21-1&5-Sphere of Influence Review and Potential Amendments - City of Moreno Valley.

h. LAFCO 2006-81-1&5-Reorganization to Include Annexation to the City of Moreno Valley, the Moreno Valley Community Services District (subsidiary) and Detachments from County Service Area 93 and 152 and the Riverside County Waste Resources Management District.

Mr. Fowler stated that the report addressed both the mandated Sphere of Influence review for the City of Moreno Valley and an annexation proposal which was outside of the current sphere. He said that the sphere amendment and the annexation proposal had the support of 100% of the affected landowners. He said that staff was recommending approval of the sphere amendment (addition), the sphere review and the annexation, with standard terms and conditions as outlined in the staff report.

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

Moved (Williams) seconded (Starrs) to approve LAFCO 2006-21-1&5-Sphere of Influence Review and Potential Amendments-City of Moreno Valley as recommended by staff.

7/0

Moved (Williams) seconded (Starrs) to approve LAFCO 2006-81-1&5-Reorganization to Include Annexation to the City of Moreno Valley, the Moreno Valley Community Services District (subsidiary) and Detachments from County Service Area 93 and 152 and the Riverside County Waste Resources Management District as recommended by staff.

7/0

i. LAFCO 2006-22-1&5-Sphere of Influence Review and Potential Amendments-City of Perris (**Staff recommends continuance to March 22, 2007**)

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2006-22-1&5-Sphere of Influence Review and Potential Amendments-City of Perris to March 22, 2007)

7/0

- j. LAFCO 2006-41-3-Sphere of Influence Review and Potential Amendments - County Service Area 86 (Quail Valley)

Ms. Craig presented the report.

Commissioner Williams asked if the CSA could be expanded to help alleviate the sewage issues in Quail Valley.

Mr. Spiliotis responded that the Board of Supervisors can add additional powers to a CSA but as far as the funding is concerned, it would have to be as a special tax or assessment and also it would have to go through Proposition 218 proceedings.

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

Moved (Williams) seconded (Adkison) to approve LAFCO 2006-41-3-Sphere of Influence Review and Potential Amendments-County Service Area 86 (Quail Valley)

7/0

- k. LAFCO 2006-49-4-Sphere of Influence Review and Potential Amendments-Coachella Valley Recreation & Park District. **(Staff recommends continuance to December 7, 2006)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2006-49-4-Sphere of Influence Review and Potential Amendments-Coachella Valley Recreation & Park District to December 7, 2006.

- l. LAFCO 2006-50-2-Sphere of Influence Review and Potential Amendments-West Valley Water District.

Ms. Romo presented the report.

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

Moved (Henderson) seconded (Williams) to approve LAFCO 2006-50-2-Sphere of Influence Review and Potential Amendments-West Valley Water District and determined that the current sphere of influence was adequate at this time.

7/0

- m. LAFCO 2006-54-5-Sphere of Influence Review and Potential Amendments-San Bernardino Valley Municipal Water District.

Ms. Romo presented the report.

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

Moved (Henderson) seconded (Williams) to approve LAFCO 2006-54-5-Sphere of Influence Review and Potential Amendments-San Bernardino Valley Municipal Water District and determined that the current sphere of influence was adequate at this time.

7/0

- n. LAFCO 2006-55-3&5-Sphere of Influence Review and Potential Amendments-Valley-Wide Recreation & Park District. **(Staff recommends continuance to December 7, 2006)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2006-55-3&5-Sphere of Influence Review and Potential Amendments to Valley-Wide Recreation & Park District to December 7, 2006.

7/0

- o. LAFCO 2006-56-2-Sphere of Influence Review and Potential Amendments-Rubidoux Community Services District. **(Staff recommends continuance to December 7, 2006)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2006-56-2-Sphere of Influence Review and Potential Amendments-Rubidoux Community Services District to December 7, 2006.

7/0

- p. LAFCO 2006-59-2-Sphere of Influence Review and Potential Amendments-Jurupa Community Services District. **(Staff recommends continuance to December 7, 2006)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2006-59-2-Sphere of Influence Review and Potential Amendments-Jurupa Community Services District to December 7, 2006.

7/0

- q. LAFCO 2006-60-2-Sphere of Influence Review and Potential Amendments-Jurupa Area Recreation & Park District. **(Staff recommends continuance to December 7, 2006)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2006-60-2-Sphere of Influence Review and Potential Amendments-Jurupa Area Recreation & Park District to December 7, 2006.

7/0

- r. LAFCO 2006-63-2-Sphere of Influence Review and Potential Amendments-County Service Area 135 (Temescal)

Ms. Craig presented the report as outlined in the staff report.

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

Moved (Tavaglione) seconded (Henderson) to reduce the sphere of influence of County Service Area 135 (Temescal) to coincide with the community of El Cerrito as recommended by staff.

7/0

- s. LAFCO 2006-64-1,3-Sphere of Influence Review and Potential Amendments-CSA 103 (French Valley Area/Wildomar).

Ms. Craig presented the report as outlined in the staff.

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

Moved (Tavaglione) seconded (Henderson) to reduce the sphere of influence of CSA 103 to coincide with the French Valley and Wildomar area as recommended by staff.

7/0

- t. LAFCO 2006-65-1-Sphere of Influence Review and Potential Amendments-CSA 142 (Wildomar)

Ms. Craig presented the report as outlined in the staff.

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

Moved (Tavaglione) seconded (Henderson) to reduce the sphere of influence of CSA 142 to coincide with the Community of Wildomar as recommended by staff.

7/0

- u. LAFCO 2006-83-3-Sphere of Influence Review and Potential Amendments-Pine Cove Water District.

- v. LAFCO 2006-84-3-Sphere of Influence Review and Potential Amendments-Fern Valley Water District.

- w. LAFCO 2006-85-3-Sphere of Influence Review and Potential Amendments-Idyllwild Water District.

Ms. Romo presented each of the sphere reports as outlined in the staff report.

Chair Hird opened the public hearing.

Jim Billman, Director of Idyllwild Water District. Mr. Billman spoke in support of the staff support. He also mentioned an error on Page 5 second paragraph last sentence where it should state Idyllwild Water District as opposed to Pine Cove Water District providing said services.

Chair Hird closed the public hearing.

Moved (Tavaglione) seconded (Henderson) to determine that the sphere of influence of Pine Cove Water District is adequate at this time.
7/0

Moved (Tavaglione) seconded (Henderson) to determine that the sphere of influence of Fern Valley Water District is adequate at this time.
7/0

Moved (Tavaglione) seconded (Henderson) to determine that the sphere of influence of Idyllwild Water District is adequate at this time.
7/0

The Commission decided to take Item 4.y. at this time.

y. LAFCO 2006-111-3-Reorganization to Include Concurrent Annexations to Rancho California Water District (ANX 100), Eastern Municipal Water District, and the Metropolitan Water District of Southern California (95th Fringe)

Ms. Romo presented the proposal as outlined in the staff report.

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

Moved (Henderson) seconded (Williams) to approve LAFCO 2006-111-3-Reorganization to Include Concurrent Annexations to Rancho California Water District (ANX 100), Eastern Municipal Water District, and the Metropolitan Water District of Southern California (95th Fringe) as recommended by staff.
7/0

x. LAFCO 2006-105-1-Amendment to Sphere of Influence of the City of Lake Elsinore (Addition) and Removal from the Wildomar UC.

Commissioner Buster recused himself from this item due to a contribution made to his campaign by the Trumark Companies.

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

Commissioner Adkison asked for a status report regarding the Wildomar Incorporation process. Mr. Spiliotis responded that they were updating their comprehensive fiscal analysis. Commissioner Adkison asked if considering that everything will go "perfect" when it was expected to go to vote for cityhood. Mr. Spilioits responded that it would probably be in November, 2007.

Chair Hird commented that perhaps this proposal was a premature sphere amendment. He asked if they did a comprehensive review when this would be ready. Mr. Spiliotis responded that it all depended on the City and their general plan amendment which had been going on for sometime.

The following persons spoke in favor of the sphere amendment:

Vicky Mata, Trumark Companies, representing the two property owners for the 246 acres. She also disclosed that Trumark Companies had contributed to

Robin Lowe's campaign. She introduced Jeremy Krout, Alene Taber and Mike Alte, land use attorneys.

Mr. Jeremy Krout, Trumark Companies, 8921 Research Dr. Irvine, Ca 92618. Mr. Krout gave a 15-minute power point presentation outlining the reasons the Commission should approve the proposal.

Daryl Hickman, Councilman, City of Lake Elsinore, 130 S. Main St., Lake Elsinore, CA 92530. Mr. Hickman responded that the area fit with the City's topography and were ready to serve the area with the needed services.

Chair Hird asked Councilman Hickman if he knew when the General Plan will be completed. Mr. Hickman stated that they were expecting the completion date to be the first part of next year.

Rolfe Preisendanz, Director, Community Development, 130 S. Main Street, Lake Elsinore, CA 92530. Mr. Preisendanz stated that they anticipated having the General Plan completed in February, 2007 and hopefully, they will be able to adopt it in June, 2007. He asked the Commission for their approval on the proposal to allow the applicant to move forward.

Brenda Schroeder, 29900 Porth Road, Murrieta, CA 92563. Ms. Schroeder spoke in favor of the sphere proposal.

The following persons spoke in opposition of the sphere amendment.

Sheryl L. Ade, 35255 Amatista Avenue, Wildomar, CA 92595. Ms. Ade expressed her opposition to the sphere amendment stating that this proposal was premature. She said that the Municipal Service Review was not done, the General Plan Amendment update was not done, and the comprehensive sphere review was not completed; therefore, she would like to know what studies was LAFCO basing their decision on. She said that the City of Lake Elsinore's proposed sphere was larger than their current city boundary. She said that this alone was of serious consideration. She continued to outline all the reasons the sphere amendment should be denied. She asked the Commission for their denial on this sphere amendment.

Katherine Celli, 32013 Cottage Glen Dr., Lake Elsinore, CA 92532. Ms. Celli spoke in opposition of the Sphere Amendment proposal.

Gina Castanon, Treasurer for the WIN Committee, 32555 McVicar St., Wildomar, CA 92595. Ms. Castanon spoke on behalf of the WIN Committee in opposition of the Sphere Amendment proposal.

Rick Estes, WIN Director, P. O. Box 1571, Wildomar, CA 92595. Mr. Estes spoke on behalf of the WIN Committee in opposition of the Sphere Amendment proposal.

Garry Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant spoke in opposition of the Sphere Amendment proposal.

Bob Cashman, 23630 Peggulane, Wildomar, CA 92595. Mr. Cashman spoke in opposition of the Sphere Amendment proposal.

Gary Andre, 31906 Gruwell Street, Wildomar, CA 92595. Mr. Andre spoke in opposition of the Sphere Amendment proposal.

Gary Lancaster, 23540 Crab Hollow Circle, Wildomar, CA 92595. Mr. Lancaster spoke in opposition of the Sphere Amendment proposal.

Jose Gallegos, 32145 Crooked Arrow, Wildomar, CA 92595. Mr. Gallegos spoke in opposition of the Sphere Amendment proposal.

Diana Howser, 32516 Navajo Springs Road, Wildomar, CA 92595. Ms. Howser spoke in opposition of the Sphere Amendment proposal.

Steve Uraine, 32255 Navajo Springs Road, Wildomar, CA 92595. Mr. Uraine spoke in opposition of the Sphere Amendment proposal.

Paul Metivier, 32200 Crooked Arrow, Wildomar, CA 92595. Mr. Metivier spoke in opposition of the Sphere Amendment proposal.

Vicky Long, 40390 Via Ceballos, Murrieta, CA 92562. Ms. Long spoke in opposition of the Sphere Amendment proposal.

REBUTTAL:

Alene Taber, Attorney representing Trumark, 8921 Research Dr., Irvine, CA 92618. Ms. Taber stated that the City of Lake Elsinore would like to address some issues relating to the City.

Rolfe Preisendanz, Community Development Director, 130 S. Main St., Lake Elsinore, CA 92530. Mr. Preisendanz stated that this was only an amendment to their sphere of influence. He said that the annexation proposal will be coming before the Commission in the future. He said that they were not talking about a development plan at this point. He said that they were currently processing a Specific Plan and a tract map that was being thoroughly analyzed. He said that City staff took great efforts to analyze these projects. He said that they were currently preparing an environmental impact report as well as a traffic study before moving forward. He said that he would like to have the courtesy of allowing him the time to prepare the studies and make the necessary findings and also prepare the mitigation findings that they normally do for all tracts. He said that once the report was completed, they will include in their report the mitigation findings in relation to traffic impacts to that area. He also commented regarding the General Plan Advisory Commission; he said that he had been involved in that committee for the past two and half years and regarding that area, there was a concern with the hillside area and the grading. He said that they also were concerned and were currently reviewing the tract as well. He said that the project was not approved and it had not gone to the Planning Commission or the City Council. He said that in regard to the comment that the City Council was not looking out for the welfare of the citizens; he said that the Council had been very thorough with all the projects that they had brought before the Council. He said that the projects that had been approved were projects that had met all the concerns in regards to the environment. He said that the WIN Committee had stated that their incorporation would be before the Commission sometime in August of this year which had not happened. He asked that they respect their time because processes take time as well. He said that the City of Temecula, the City of

Murrieta and the City of Lake Elsinore needed to work together. He said that as the Community Development Director, he would like to cooperate with neighboring cities.

Chair Hird asked Mr. Preisendanz that if they postpone the action on this proposal would that give them enough time to do all studies that needed to be done? Mr. Preisendanz responded that this proposal was only the sphere amendment however; they were processing the annexation proposal at this point in time.

Mr. Spiliotis clarified that the Commission was not breaking any policies. He said that the area in question was included in the City's general plan. He said that they were not doing the comprehensive review until the City did their comprehensive general plan update. He said that the property in question was within their general plan. Chair Hird stated that he did not realize that the property was within the general plan. Mr. Spiliotis also stated that additionally, they had done the Municipal Services Review for the City of Lake Elsinore which was adopted by the Commission in 2005.

Alene Taber, Attorney representing Trumark, 8921 Research Dr., Irvine, CA 92618. Ms. Taber addressed the concern of Navajo Springs Road. She clarified that the developer at that time made an irrevocable offer of dedication which meant it cannot be revoked by the people who lived in that area. She said that the reason it had not been formally accepted by the County was that the improvements had not been made. She said that once these improvements were completed, the County will formally accept the irrevocable offer of dedication. She said that this road also serves a number of properties and if this road went away, many property owners would be landlocked. She also said that the Fire Department was very concerned and not agreeable to giving up an irrevocable offer of dedication for that roadway. She said that this was an issue irrespective of the sphere of influence. She said that it was an issue that will be facing whoever will be looking at that property for development. She said that the Commission did a very comprehensive Municipal Service Review in May, 2005. She said that the review included the City of Lake Elsinore and this sphere amendment was consistent with the determination and findings that Municipal Service Review done in May, 2005. She said that another issue she wanted to address was the current litigation pending with the City of Lake Elsinore and the people who brought the suit in that particular area. She said that this litigation issue was not an issue that involved LAFCO. She said that this issue should not be an issue to gain a delay regarding the approval of the sphere amendment. Ms. Taber stated that what the Commission had before them was merely a sphere of influence amendment. She said that there was no development project at hand yet and no proposed change in zoning. She said that this proposal was simply a sphere of influence amendment. She said that under the Government Code Section two primary factors that the Commission was considering were community identity and the other was the availability of public services. She said that the staff report and the Trumark representatives stated that topography of this area was oriented towards the City of Lake Elsinore. She said that the CEDCO Hills topography formed a barrier between the property and Wildomar. She also said that the services that were going to serve the property were coming through roadways located within the City of Lake Elsinore. She said that it made more sense to have the area within the City of Lake Elsinore. She said that area was currently in the City's General Plan and had always been a part of the

planning process and delaying the proposal would not gain anything. She respectfully requested the Commission to approve the Sphere of Influence Amendment.

Jeremy Krout, 8921 Research Dr., Irvine, CA 92618. Mr. Krout stated that Ms. Taber had been very thorough; therefore, he only wanted to address that the sphere of influence request was by landowners. He said that they had 100% of the property owners in the area. He said that the property owners had identified themselves with the City of Lake Elsinore. He said that this was one of the critical components of the sphere amendment request. He said that the sphere of influence amendment request will not impact the community of Wildomar or their efforts to incorporate. He said he was available for questions.

Chair Hird asked if he would stay in the County, he would be able to develop the area the way they wish? Mr. Krout responded that they could not anticipate what the City or the County would do in the future.

Commissioner Henderson asked regarding the environmental impact analysis on page 28 stating that the current land use designation permits low density residential development and ancillary uses; therefore, the project did not conflict with any applicable land use policy or regulation. She asked if this was accurate. Mr. Krout responded in the affirmative.

Chair Hird closed the public hearing.

Chair Hird stated that staff was recommending approval and asked the Commission for their input.

Chair Henderson asked if the comprehensive review of the SOI of City of Lake Elsinore was for all the perimeter boundaries of the City or just for the area in question.

Mr. Spiliotis responded that one of the things staff looks at first was the City's input and see if there were any areas they would like to add or remove.

Commissioner Henderson asked Mr. Spiliotis what the MSR said in regards to the area. Mr. Spiliotis stated that the MSR were generally focused on the agencies and the services they provided. He said that there was nothing out of the ordinary or outstanding.

Commissioner Henderson stated that there were policies and procedures that were not made in stone. She said that this policies and procedures could be amended at any point in time to previous actions.

Commissioner Henderson stated that they were not approving an annexation or a project. She said that they were looking at a sphere amendment and this action did not prevent Wildomar from moving forward with their Incorporation efforts. Commissioner Henderson said that she was supporting moving forward with the sphere amendment request.

Commissioner Adkison asked if Cityhood efforts were approved if they had to change the city boundaries from the City of Lake Elsinore. Mr. Spiliotis responded that an action on the sphere would not directly cause a change in

the Cityhood proposal. He said that at any time in the future anyone could submit an application to change the sphere of influence and remove it from the sphere. He also said that this action would not change the Incorporation proposal.

Commissioner Adkison stated that if the Commission approved the sphere amendment, and also at a future time, the Incorporation proposal was approved then the City of Lake Elsinore would become part of Wildomar? Mr. Spiliotis stated that once the Commission approved an incorporation proposal, it will not be able to approve a conflicting proposal. Commissioner Adkison stated that in his opinion it would not be a good idea to delay the approval of the sphere.

Mr. Rank stated that there was a hierarchy of conflicting proposals. He said that once there was a proposal before the Commission they generally will not hear it if another conflicting proposal was before the Commission.

Commissioner Adkison stated that he thought the Wildomar Incorporation effort was going to be a success because of the unity of that community.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-105-1-Amendment to Sphere of Influence of the City of Lake Elsinore (Addition) and Removal from the Wildomar UC as described in Exhibit "A".

3/2 (Hird and Williams voted no), the motion failed, as four affirmative votes are required to carry a motion.

Commissioner Williams stated that originally SEDCO which meant South Elsinore Development Company and was part of City of Lake Elsinore sphere of influence. He said that SEDCO was removed when the Wildomar UC was established. Commissioner Williams asked if there was opposition by the City and the landowners at that time. Mr. Spiliotis responded that he believed there was opposition from the City of Lake Elsinore.

Commissioner Williams stated that the community had always thought of the area as being part of the City of Lake Elsinore.

Commissioner Williams stated that he fully supported Wildomar's efforts to become a city. He said that he would reconsider his vote.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2006-105-1-Amendment to Sphere of Influence of the City of Lake Elsinore (Addition) and Removal from the Wildomar UC as described in Exhibit "A".

4/1 (Hird voted no). The motion passed.

5. RECEIVE AND FILE.

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

Moved (Adkison) seconded (Williams) acknowledge receipt of the following proposals:

4/0 (Tavaglione and Buster absent)

- i. LAFCO 2006-120-3-Reorganization to Include Concurrent Annexation 106 to County Service Area 103 and Annexation to Valley-Wide Recreation & Park District.
- ii. LAFCO 2006-121-3-Annexation 19 to County Service Area 145.
- iii. LAFCO 2006-122-4-Annexation 2 to County Service Area 53.
- iv. LAFCO 2006-123-3-Annexation 66 to County Service Area 69.
- v. LAFCO 2006-124-3-Reorganization to Include Concurrent Annexations to Rancho California Water District (ANX 97), Eastern Municipal Water District and the Metropolitan Water District of Southern California (94th Fringe).
- vi. LAFCO 2006-125-1-Annexation 15 to County Service Area 142.
- vii. LAFCO 2006-126-5-Sphere of Influence Review and Potential Amendments-County Service Area 47-West Palm Springs.
- viii. LAFCO 2006-127-4-Sphere of Influence Review and Potential Amendments-County Service Area 104-Sky Valley.
- ix. LAFCO 2006-128-5-Sphere of Influence Review and Potential Amendments - County Service Area 15-Palm Springs Oasis.
- x. LAFCO 2006-129-5-Sphere of Influence Review and Potential Amendments-County Service Area 13-North Palm Springs.
- xi. LAFCO 2006-130-3-Sphere of Influence Review and Potential Amendments-County Service Area 60-Pinyon Flats.
- xii. LAFCO 2006-131-5-Sphere of Influence Review and Potential Amendments - County Service Area 27 - Cherry Valley.
- xiii. LAFCO 2006-132-5-Sphere of Influence Review and Potential Amendments-County Service Area 85- Cabazon.
- xiv. LAFCO 2006-133-5-Sphere of Influence Review and Potential Amendments-County Service Area 43 - Homeland.
- xv. LAFCO 2006-134-5-Annexation 32 to the City of Desert Hot Springs and the Desert Hot Springs Community Services District (subsidiary) and Detachment from the Riverside County Waste Resources Management District.
- xvi. LAFCO 2006-135-5-Reorganization to Include Annexation 76 to the City of Lake Elsinore and Concurrent Detachments from County Service Area 41 and the Riverside County Waste Resources Management District.

Gary A. Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant spoke in relation to Item xvi of the Receive and File Items. He expressed concern with not being advised of this proposal. Mr. Rank advised Mr. Grant that the Economic Development Agency was his point of contact regarding CSA 41.

Mr. Spiliotis stated that the Notice of Intent to Circulate Petition was faxed to Mr. Grant when it was received by LAFCO. Mr. Spiliotis also stated that the Receive and File items were only to let the Commission know what proposals were received since the last hearing. He said that this was the earliest possible notification to the Commission as to when a proposal had been received.

b. MONTHLY EXPENDITURE REVIEW.

Moved (Adkison) seconded (Williams) to receive and file the Monthly Expenditure Review report.
4/0 (Tavaglione and Buster absent)

6. MISCELLANEOUS STAFF REPORTS.

There were no miscellaneous staff reports.

7. PUBLIC COMMENTS.

Gary A. Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant discussed Item j. of last month's hearing whereby CSA 41 was discussed. He said he did not have enough time to discuss the report with the appropriate persons because he did not receive said report in a timely manner. He also stated that the concerns of the public were not being addressed properly.

8. ADJOURNMENT.

The Commission adjourned at 12:56 p.m.

Respectfully,

George J. Spiliotis
Executive Officer