

2.
8/03/2006

MINUTES
June 22, 2006

Present Robin Lowe, Chair
Robert E. Hird, Vice-Chair
Bob Buster
Jeff Stone
Terry Henderson
Ron Starrs
John Tavaglione
Phil Williams

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
Elena Medina, Executive Assistant II
Joe Rank, Legal Counsel

1.1 CALL TO ORDER AND SALUTE TO THE FLAG.

The meeting was called to order by Chair Lowe at 9:34 a.m.

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF MAY 25, 2006.

Minutes were approved as presented.

3. Consent (Non-Hearing Items):

- a. LAFCO 2006-47-3-Annexation 75 to County Service Area 84 and Detachment from County Service Area 80.

Moved (Henderson) seconded (Hird) to approve LAFCO 2005-47-3-Annexation 75 to County Service Area 84 and Detachment from County Service Area 80 as recommended by staff.

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4. HEARINGS:

Continued:

- a. LAFCO 2005-102-1,2&3-Consolidation Study - Elsinore Murrieta-Anza, Riverside-Corona and San Jacinto Basin Resource Conservation Districts.

Ms. Craig gave a status report regarding the consolidation study. She said that LAFCO had drafted a map of potential boundary

adjustments discussed at the meeting. She said that Riverside-Corona and San Jacinto Basin RCDs would like to take the map of proposed boundary adjustments to their board to get a final recommendation. She said that Elsinore-Murrieta-Anza RCD had submitted their response and they had approved LAFCO's proposed boundaries as presented. She further stated that EMA would like to discuss additional areas of their boundaries in respect to maintaining consistency with watershed boundaries. She said that staff was recommending a one-month continuance for the districts to meet with their boards and schedule a meeting of the subcommittee if necessary.

Chair Lowe stated before carrying the motion forward on the Item being discussed, that it was appropriate at this time to discuss Item 6. Summer Schedule.

Chair Lowe stated that there was a calendar conflict for three of the LAFCO Commissioners during the month of July; therefore, it was suggested to move the July meeting to Thursday, August 3rd and not have an August hearing later on that month. After further discussion, it was agreed by the Commission to hold the July and August meeting on Thursday, August 3, 2006.

The Commission resumed with Item 4.a.

Moved (Hird) seconded (Henderson) to continue LAFCO 2005-102-1,2&3-Consolidation Study - Elsinore-Murrieta-Anza, Riverside-Corona and San Jacinto Basin Resource Conservation Districts to August 3, 2006.

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b. LAFCO 2005-103-1-Consolidation Study-Elsinore Valley and Wildomar Cemetery Districts.

Mr. Spiliotis gave a status report regarding the Consolidation study. He further stated that staff had prepared a synopsis of operational advantages and potential benefits to residents that could occur if the two Districts consolidated. He said that the benefits were presented to the Boards of the two Districts by the County Executive Office and LAFCO. He said that LAFCO staff and a representative from the 1st Supervisorial District had met with the Elsinore Valley trustees. He said that the Elsinore Valley Cemetery Board had requested additional time to formulate an opinion. However, no specific disadvantages were expressed.

He said that on May 4, 2006, a presentation was made to the Wildomar Cemetery District. He said that although no formal position was taken at the Wildomar meeting, trustees had expressed a favorable view of consolidation.

He said that earlier on in the month both Elsinore Valley and Wildomar Cemetery Districts had submitted resolutions signed by all Trustees indicating their opposition to the consolidation. He said that Wildomar's action was contrary to what was expressed at the earlier meeting. He said that neither District mentioned specific disadvantages of consolidation but rather referred to very general drawbacks. He said that staff would like to have time to contact the Districts to explore their specific objections to the consolidation.

Moved (Hird) seconded (Henderson) to continue LAFCO 2005-103-1 Consolidation Study-Elsinore Valley and Wildomar Cemetery Districts to Thursday, August 3, 2006.

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New:

- c. LAFCO 2006-10-2-Sphere of Influence Review and Potential Amendments- Home Gardens Sanitary District.

Mr. Spiliotis presented the proposal.

Commissioner Tavaglione expressed his desire to be involved in the discussions with the District prior to the September 28, 2006 meeting.

Moved (Hird) seconded (Starrs) to continue LAFCO 2006-10-2-Sphere of Influence Review and Potential Amendments-Home Gardens Sanitary District to September 28, 2006 as recommended by staff.

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- d. LAFCO 2005-11-2-Sphere of Influence Review and Potential Amendments-Home Gardens County Water District.

Moved (Hird) seconded (Starrs) to continue LAFCO 2005-11-2-Sphere of Influence Review and Potential Amendments-Home Gardens County Water District to September 28, 2006.

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- e. LAFCO 2006-29-2-Sphere of Influence Review and Potential Amendments - CSA 72.

Ms. Craig presented the report.

Commissioner Tavaglione asked if the Rubidoux CSD had been involved in the discussions. Ms. Craig responded in the positive.

Commissioner Tavaglione stated that as the representative of this area he would like to ask for a continuance to have further discussions with the District and LAFCO staff. Commissioner Tavaglione expressed concern with staff's recommendation as to whether this is the right path to follow. He stated that he would like Ann Stephens from his staff to be involved in these discussions as well. He asked for a two month continuance to September 28, 2006.

Moved (Tavaglione) seconded (Hird) to continue LAFCO 2005-11-2-Sphere of Influence Review and Potential Amendments-CSA 72 to September 28, 2006.

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- f. LAFCO 2006-72-2-Sphere of Influence Review and Potential Amendments - CSA 73.

Moved (Tavaglione) seconded (Hird) to continue LAFCO 2006-72-2-Sphere of Influence Review and Potential Amendments - CSA 73 to September 28, 2006.

g. LAFCO 2006-99-4-Request for Reconsideration of LAFCO 2005-20-4-Sphere of Influence Amendment - City of La Quinta and LAFCO 2005-22-4-Sphere of Influence Amendment -City of Coachella, Coachella Fire Protection District, Coachella Sanitary District.

Mr. Spiliotis gave a brief report of what had transpired since the approval of this proposal. He further stated that Mr. Gordon Chuchian had submitted a written request to reconsider the Commission's action on the two spheres because he would like to remain within the City of Coachella's sphere of influence. He introduced Mr. Chuchian to the Commission who in turn presented his case.

Mr. Chuchian stated that the reasons for requesting the reconsideration were that there was an application pending with the City of Coachella to annex his property. He also stated that the removal of his property from the Coachella SOI will represent a severe financial hardship to him and his family.

Carmen Manriquez, Community Development Director, City of Coachella, 1515 6th Street, Coachella, CA. Mr. Manriquez stated that the City Coachella was ready to serve and provide the needed services to Mr. Chuchian's property.

Commissioner Buster asked if the City was ready to service an extended area that would be more logical as the future City boundaries. Mr. Manriquez said that the City will be open to discuss this issue with all interested parties when the time comes.

Jerry Santillan, City Manager, City of Coachella, 1515 6th Street, Coachella, CA. Mr. Santillan expressed his concurrence with Mr. Manriquez comments and said that he was available for questions.

David Erwin, BB&K, 74-760 Highway 111, #200, Indian Wells, CA. Mr. Erwin stated that he was representing the Chuchian Family. Mr. Erwin pointed out the City of Coachella's willingness to provide the services needed to the property and asked the Commission for their approval to Mr. Chuchian's request.

Mr. Spiliotis pointed out to the Commission a correction to the map that accompanied the application.

Commissioner Henderson stated that she had met with property owners that had owned property for many years; she said that the area in question had been in the family for many years as well. She said that the City of La Quinta and the City of Coachella had a tentative agreement as to the boundaries on Jackson Street as being the logical boundary. She said that she had met with Mr. Chuchian and she was in support of his request for reconsideration and she hoped for a positive outcome.

Commissioner Tavaglione stated that after hearing further testimony for the request for reconsideration, it seemed that it was the right thing to do. He further stated that he was in full support of this request and the boundary change.

Commissioner Buster commented that he liked sphere changes by City application and consensus of the City rather than property owner by property owner sphere changes for the long term.

Commissioner Lowe agreed with Commissioner Buster's comments; however, sometimes the developer or property owner that would own the property, can move it forward faster rather having to wait for the city to initiate the proposal.

Moved (Tavaglione) seconded (Henderson) to reconsider LAFCO 2005-20-4-Sphere of Influence Amendment-City of La Quinta and LAFCO 2005-22-4-Sphere of Influence Amendment-City of Coachella Fire Protection District, Coachella Sanitary District.
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Move (Henderson) seconded (Hird) to approve requested modification of the Commission's earlier approval by placing the subject property in Coachella's SOI rather than La Quinta's SOI.
6/1 (Buster No)

5. RECEIVE AND FILE:

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

Moved (Henderson) seconded (Hird) acknowledge receipt of the following proposals:

- i. LAFCO 2006-76-1 Annexation 29 to County Service Area 132.
- ii. LAFCO 2006-80-1 Annexation 104 to County Service Area 103.
- iii. LAFCO 2006-81-1&5 Reorganization to Include Annexation to the City of Moreno Valley, the Moreno Valley Community Service District (subsidiary) and Detachment from the Riverside County Waste Resources Management District.
- iv. LAFCO 2006-82-3 Annexation to Valley-Wide Recreation & Park District.
- v. LAFCO 2006-83-3 Sphere of Influence Review and Potential Amendments - Pine Cove Water District.
- vi. LAFCO 2006-84-3 Sphere of Influence Review and Potential Amendments - Fern Valley Water District.
- vii. LAFCO 2006-85-3 Sphere of Influence Review and Potential Amendments - Idyllwild Water District.
- viii. LAFCO 2006-86-3&5 Sphere of Influence Review and Potential Amendments - County Service Area 84.
- ix. LAFCO 2006-87-4 Sphere of Influence Review and Potential Amendments - County Service Area 115.

- x. LAFCO 2006-88-4 Sphere of Influence Review and Potential Amendments - City of Indian Wells.
- xi. LAFCO 2006-89-4 Sphere of Influence Review and Potential Amendments - City of Palm Desert.
- xii. LAFCO 2006-90-4 Sphere of Influence Review and Potential Amendments - City of Rancho Mirage.
- xiii. LAFCO 2006-91-5 Sphere of Influence Review and Potential Amendments - Beaumont Library District.
- xiv. LAFCO 2006-92-3 Sphere of Influence Review and Potential Amendments - County Service Area 143.
- xv. LAFCO 2006-93-5 Sphere of Influence Review and Potential Amendments - Beaumont-Cherry Valley Recreation & Park District.
- xvi. LAFCO 2006-94-3 Sphere of Influence Review and Potential Amendments - County Service Area 145.
- xvii. LAFCO 2006-95-4 Sphere of Influence Review and Potential Amendments - Valley Sanitary District.
- xviii. LAFCO 2006-96-5 Sphere of Influence Review and Potential Amendments - Mission Springs Water District.
- xix. LAFCO 2006-97-4&5 Sphere of Influence Review and Potential Amendments - Desert Water Agency.
- xx. LAFCO 2006-98-4&5 Sphere of Influence Review and Potential Amendments - Coachella Valley Water District.
- xxi. LAFCO 2006-99-4 Reconsideration of LAFCO 2005-20-4 Sphere of Influence Review and Amendments - City of La Quinta and LAFCO 2005-22-4 Sphere of Influence Review and Amendments - City of Coachella, the Coachella Fire Protection District (subsidiary) and the Coachella Sanitary District (subsidiary).
- xxii. LAFCO 2006-100-2 Reorganization to Include Annexation 110 to the City of Riverside and Detachment from the Riverside County Waste Resources Management District.
- xxiii. LAFCO 2006-101-5 Annexation to Beaumont-Cherry Valley Water District.

b. MONTHLY EXPENDITURE REVIEW.

Moved (Henderson) seconded (Hird) to receive and file the Monthly Expenditure Review report.

7. **REQUEST FOR WAIVER OF THE FISCAL IMPACT REPORT REQUIREMENT FOR LAFCO 2006-81-1&5-REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF MORENO VALLEY, THE MORENO VALLEY COMMUNITY SERVICE DISTRICT (SUBSIDIARY) AND DETACHMENT FROM THE RIVERSIDE COUNTY RESOURCES MANAGEMENT DISTRICT.**

Moved (Tavaglione) seconded (Starrs) to approve the Request for Waiver of the Fiscal Impact Report Requirement for LAFCO 2006-81-1&5-Reorganization to Include Annexation to the City of Moreno Valley, the Moreno Valley Community Service District (Subsidiary) and Detachment from the Riverside County Resources Management District.

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8. **REQUEST FOR WAIVER OF APPLICATION OF FEES-LAFCO 2006-100-2-REORGANIZATION TO INCLUDE ANNEXATION 110 TO THE CITY OF RIVERSIDE AND DETACHMENT FROM THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT.**

Moved (Tavaglione) seconded (Hird) to approve the Request for Waiver of Application of Fees-LAFCO 2006-100-2-Reorganization to Include Annexation 110 to the City of Riverside and Detachment from the Riverside County Waste Resources Management District.

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9. **EXTENSION OF AGREEMENT FOR SERVICES BETWEEN LAFCO AND THE COUNTY OF RIVERSIDE.**

Moved (Henderson) seconded (Starrs) to approve the Extension of Agreement for Services between LAFCO and the County of Riverside.

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10. **MISCELLANEOUS STAFF REPORTS.**

Mr. Spiliotis stated that the upcoming CALAFCO Conference was scheduled for September 5, 6 and 7th, 2006 and asked the Commission to let Elena Medina know who was planning to attend to make the appropriate arrangements.

Mr. Spiliotis also announced that Commissioner Kevin Jeffries was stepping down as the LAFCO Commissioner and in the interim Alternate Commissioner Phil Williams will be attending the LAFCO Meetings until such time that a new regular member is appointed.

11. **PUBLIC COMMENTS.**

Pam Nelson, Elsinore-Murrieta-Anza RCD. Ms. Nelson asked the Commission for clarification of the northerly and easterly boundaries were. She said that they would like to see the watershed line continue to the east and on the north because they had lots of projects they were working on.

Chair Lowe commented that the hearing on this matter had been continued to August 3, 2006 at which time this issues will be discussed.

13. ADJOURNMENT.

The Commission adjourned at 10:10 a.m.

Respectfully,

George J. Spiliotis
Executive Officer