

10/26/2006

Corrected**MINUTES****September 28, 2006**

Present: Robin Lowe, Chair  
Stephen Tomanelli, Vice-Chair  
Bob Buster  
Terry Henderson  
Jeff Stone  
Phil Williams

Absent: Robert Hird  
Ron Starrs  
John Tavaglione

Present Staff: George J. Spiliotis, Executive Officer  
Wayne Fowler, Senior Government Analyst  
Adriana Romo, Local Government Analyst II  
Crystal Craig, Local Government Analyst II  
Elizabeth R. Solander, LAFCO Secretary  
Joe Rank, Legal Counsel

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

The meeting was called to order by Chair Lowe at 9:37 a.m.

**1.2 ROLL CALL.****2. APPROVAL OF MINUTES OF AUGUST 3, 2006.**

Minutes were approved as presented.

**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.

Moved (Henderson) seconded (Stone) to continue LAFCO 2006-102-5-Reorganization to Include Detachment from County Service Area 146 and Concurrent Annexation 6 to County Service Area 43 to October 26, 2006 as recommended by staff.  
6/0 (Starrs absent)

- b. LAFCO 2006-73-3-Reorganization to Include Annexation 95 to County Service Area 103 and Concurrent Annexation to Valley-Wide Recreation & Park District.

Moved (Henderson) seconded (Tomanelli) to approve LAFCO 2006-73-3-Reorganization to Include Annexation 95 to County Service Area 103 and Concurrent Annexation to Valley-Wide Recreation & Park District as recommended by staff.

6/0 (Starrs absent)

The Commission heard Item 4.p. at this time.

4. **PUBLIC HEARINGS:**

**New:**

- p. LAFCO 2006-79-2-Reorganization to Include Annexation 105 to the City of Corona and Concurrent Detachment from the Riverside County Waste Resources Management District.

Mr. Spiliotis stated that in order to have a boundary correspond with the annexation boundary, a lot line adjustment will need to be recorded concurrently with the annexation.

Chair Lowe opened the public hearing.

Jon Duston, Knowleton Communities, 205 Savona Walk, Long Beach, CA 90803. Mr. Duston stated that he is in support of the annexation and the conditions as recommended by staff.

Commissioner Henderson asked about an area to the south that appeared to be abandoned.

Mr. Duston stated that the land was previously used as agricultural purposes and that it is currently leased from the Forestry Service and the agriculture operations have been ceased and the lease agreement is in the process of being terminated and the area will be cleared and given back as forestry land.

Commissioner Buster asked whether access to the parcel is through Skyline Drive and who will improve the road.

Mr. Duston stated that the access is through the adjacent track and the access to the project will be through the City.

Terri Manuel, City of Corona, 400 S. Vicentia, Corona, CA 92882. Ms. Manuel stated that the City of Corona is in concurrence with the annexation and asked for approval.

Chair Lowe closed the public hearing.

Moved (Henderson) seconded (Williams) to approve LAFCO 2006-79-2-Reorganization to Include Annexation 105 to the City of Corona and Concurrent Detachment from the Riverside County Waste Resources Management District as recommended by staff.

6/0 (Starrs absent)

Continued:

- a. LAFCO 2005-64-4-Reorganization to Include the Formation of Desert River Community Services District and Dissolution of County Service Areas 62 and 122.

Moved (Buster) seconded (Tomanelli) to continue LAFCO 2005-64-4-Reorganization to Include the Formation of Desert River Community Services District and Dissolution of County Service Areas 62 and 122 to February 22, 2007.

6/0 (Starrs absent)

The Commission heard Items b. and c. together.

- b. LAFCO 2006-10-2-Sphere of Influence Review and Potential Amendments - Home Gardens Sanitary District.
- c. LAFCO 2006-11-2-Sphere of Influence Review and Potential Amendments - Home Gardens County Water District.

Ms. Romo stated that as a result of the sphere reviews staff reviewed many different alternatives and that the best one would be for Western Municipal Water District to assume the functions of both the Home Gardens Sanitary District and Home Gardens County Water District. She also stated that after speaking to the agencies that there was no interest by WMWD; therefore, staff recommends leaving the spheres of influence for both districts coterminous and taking no action regarding reorganization.

Commissioner Buster asked if there would be a significant difference in quality of service or rates if one agency would take over the whole area.

Ms. Romo stated staff felt in general that WMWD could provide a higher level of service to the area since they were already providing wastewater services but that the City of Riverside currently provides water services to the area.

Commissioner Buster asked if there is any kind of confusion due to the overlapping of services or any rate payers asking for changes.

Ms. Romo stated that she had not been contacted by any rate payers but she understood that there was some confusion such as service calls going to the wrong agency.

Commissioner Buster asked if Commissioner Tavaglione had any concerns or recommendations of his office.

Mr. Spiliotis stated that he did consult with Commissioner Tavaglione's office and asked him if he preferred that these items be continued and that Commissioner Tavaglione did not have a problem with going forward with the staff recommendation at this time.

Alan Burns, Home Gardens Sanitary District, 453 S. Glassell, Orange, CA 92866. Mr. Burns stated that he is in support staff's well reasoned recommendations. He stated that they are implementing a sewer/wastewater management plan as required by state law and that their rates have not been raised 14 years.

Chair Lowe closed the public hearing.

Moved (Buster) seconded (Henderson) that LAFCO 2006-10-2-Sphere of Influence Review and Potential Amendments - Home Gardens Sanitary District and LAFCO 2006-11-2-Sphere of Influence Review and Potential Amendments - Home Gardens County Water District current sphere's of influence should remain coterminous and adopt the District's written statements specifying the services provided by district.

6/0 (Starrs absent)

The Commission heard Items d. and e. at this time.

- d. LAFCO 2006-29-2-Sphere of Influence Review and Potential Amendments - County Service Area 72 (Rubidoux).
- e. LAFCO 2006-72-2-Sphere of Influence Review and Potential Amendments - County Service Area 73 (Crestmore).

Ms. Craig presented this item. She stated that at the June commission meeting that Commissioner Tavaglione's office had concerns in regards to Rubidoux Community Services District taking over the street lighting services of CSA's 72 and 73. She stated that after communication with Commissioner Tavaglione's office and EDA the staff recommendation still remains the same, which is to establish a zero sphere of influence which would indicate dissolution of the CSA's to be considered in the future. It would also be consistent with consolidation of the CSA's.

Chair Lowe opened the public hearing.

There being no requests to speak Chair Lowe closed the public hearing.

Moved (Henderson) seconded (Buster) that LAFCO 2006-29-2-Sphere of Influence Review and Potential Amendments - County Service Area 72 (Rubidoux) and LAFCO 2006-72-2-Sphere of Influence Review and Potential Amendments - County Service Area 73 (Crestmore) establish a zero sphere of influence for each CSA as recommended by staff.

6/0 (Starrs absent)

- f. LAFCO 2006-32-5-Sphere of Influence Review and Potential Amendments - San Gorgonio Pass Water Agency and Eastern Municipal Water District.

Ms. Romo stated that there are areas to be removed from Eastern Municipal Water District's sphere and added to San Gorgonio Pass Water Agency and that the sphere should follow townships and

section lines and that both districts have concurred with staff's recommendation.

Chair Lowe opened the public hearing.

There being no requests to speak Chair Lowe closed the public hearing.

Moved (Henderson) seconded (Williams) to approve LAFCO 2006-32-5-Sphere of Influence Review and Potential Amendments - San Gorgonio Pass Water Agency and Eastern Municipal Water District as recommended by staff.

Commissioner Stone abstained on this issue due to a potential conflict.

The Commission voted 5/0 (Stone abstained, Starrs absent)

**New:**

The Commission heard Items g. h. and i. at this time.

g. LAFCO 2005-47-1&3-Southwest Municipal Service Review.

h. LAFCO 2005-48-5-Pass Area Municipal Service Review.

i. LAFCO 2005-49-3&5-Central Valley Municipal Service Review.

Mr. Fowler stated that the MSR is comprised of nine cities and 31 special districts and county service areas. He stated that one item discussed in length was CSA 93. He stated that this CSA was originally listed as dormant by EDA but after review it still collects taxes and that the funds have been transferred to the City of Moreno Valley annually since at least 2001. Mr. Fowler introduced the consultant, Lloyd Zola, LSA, that prepared the MSR.

Lloyd Zola gave a presentation in which he reviewed each of the determinations within the MSR.

Commissioner Williams asked Counsel what the Commission needs to do, if anything, regarding the deficiencies pointed out in the MSR for some of the agencies.

Mr. Rank responded by saying that it would be up to the agencies to address those issues.

Chair Lowe also asked how updated information will be processed with future annexations.

Mr. Spiliotis stated that with each annexation a plan of services is still required because it will always be more up-to-date than the MSR data. He stated that as updates become available they will be posted as errata or addendums on the LAFCO website.

Chair Lowe opened the public hearing.

Stephen Brown, City of Temecula, 43200 Business Park Drive, Temecula, CA 92590. Mr. Brown stated that he would like to meet with LAFCO staff to update the information in the MSR pertaining to the City of Temecula.

Gary Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant discussed the interpretation of the MSR and legislative law. He also discussed his concerns with flood control and drainage systems. Chair Lowe closed the public hearing.

Moved (Henderson) seconded (Williams) to receive and file LAFCO 2005-47-1&3-Southwest Municipal Service Review, LAFCO 2005-48-5-Pass Area Municipal Service Review and LAFCO 2005-49-3&5-Central Valley Municipal Service Review and make the determinations as recommended by staff.

6/0 (Starrs absent)

- j. LAFCO 2006-28-5-Sphere of Influence Review and Potential Amendments - County Service Area 41 (Meadowbrook).

Ms. Craig stated that CSA 41 was formed with the intent of providing road maintenance for the property owners in the area. She stated that it currently has a coterminous sphere of influence.

Chair Lowe opened the public hearing.

Gary Grant, Chairman Meadowbrook CSA, 27068 Jarvis St., Perris, CA 92570. He stated his concerns with the cost of road maintenance and how money is being managed that is collected from property owners in the CSA.

Chair Lowe asked if the property owners in the CSA would be willing to be taxed to put in new roads.

Mr. Grant responded that he did not know and that the escalating prices for the roads causes people to not want to pay.

The Commission discussed that it would take consent and support of the property owners to get right of way approval needed in order to proceed.

Chair Lowe closed the public hearing.

Moved (Henderson) seconded (Williams) the staff recommendation LAFCO 2006-28-5-Sphere of Influence Review and Potential Amendments - County Service Area 41 (Meadowbrook) that the sphere of influence should remain coterminous.

6/0 (Starrs absent)

The Commission decided to take Items k. and l. at this time.

- k. LAFCO 2006-57-1-Sphere of Influence Review and Potential Amendments - County Service Area 132 (Lake Mathews).

1. LAFCO 2006-58-1-Sphere of Influence Review and Potential Amendments - County Service Area 128 (Lake Mathews).

Ms. Craig stated that CSA 132 was formed for the intent of street lighting services and that it currently has a countywide sphere and that staff is recommending that it be amended to a more regional sphere within the Lake Mathews area.

Chair Lowe opened the public hearing.

There being no requests to speak, Chair Lowe closed the public hearing.

Commissioner Buster asked to clarify the boundary of the CSA.

Moved (Buster) seconded (Williams) to amend LAFCO 2006-57-1-Sphere of Influence Review and Potential Amendments - County Service Area 132 (Lake Mathews) to include the area north of Cajalco Rd., west of Wood Rd., south of the Riverside City limits and east of the Corona City limits as shown in the exhibit.

6/0 (Starrs absent)

Moved (Buster) seconded (Williams) to determine that LAFCO 2006-58-1-Sphere of Influence Review and Potential Amendments - County Service Area 128 (Lake Mathews) should remain coterminous.

6/0 (Starrs absent)

- m. LAFCO 2006-62-5-Sphere of Influence Review and Potential Amendments - County Service Area 126 (Highgrove).

Ms. Craig stated that the CSA provides park and recreation, street lighting, sheriff, and landscaping services and that it currently has a countywide sphere. She also pointed that a parcel was left out of the current exhibit. She stated that the recommendation is to reduce the sphere to match the CSA 152C zone of benefit.

Chair Lowe opened the public hearing.

R.A "Barney" Barnett, Chairman CSA 126, 474 Prospect Ave., Highgrove, CA 92507. He stated that he was opposed to the reduction of the boundaries of the CSA and that the sphere of influence should include Spring Mountain Ranch. He stated that he would like to reap the benefits of the entire area that they consider to be part of the CSA for future annexations.

Mr. Spiliotis stated that since there may be a misunderstanding between EDA and LAFCO of where the boundary of Spring Mountain Ranch is that the item should be continued in order to coordinate with EDA and Mr. Barnett.

Moved (Henderson) seconded (Buster) to continue LAFCO 2006-62-5-Sphere of Influence Review and Potential Amendments - County Service Area 126 (Highgrove) to the October 26, 2006 meeting.

6/0 (Starrs absent)

- n. LAFCO 2006-74-3-Reorganization to Include Annexation 77 to the City of San Jacinto and Concurrent Detachment from the Riverside County Waste Resources Management District .

Mr. Spiliotis stated that the only issue with this annexation is the boundaries. He reviewed the history of annexations in the area and discussed possible future annexations.

Chair Lowe mentioned that she received phone calls regarding the area depicted as C on the exhibit.

Commissioner Williams asked why LAFCO would allow more annexations when a City's expenses don't meet its income.

Chair Lowe opened the public hearing and asked that Tim Hults address Commissioner William's question

Commissioner Stone left the meeting at 11:17 a.m.

Tim Hults, City of San Jacinto, 248 E. Main Street, San Jacinto, CA 92583. Mr. Hults presented the City's information. He stated that the City has met the 50% diversion requirement. He said they now have automated services from trash, green waste and recycling services.

Chair Lowe closed the public hearing.

Moved (Buster) seconded (Williams) to approve LAFCO 2006-74-3-Reorganization to Include Annexation 77 to the City of San Jacinto and Concurrent Detachment from the Riverside County Waste Resources Management District.

5/0 (Starrs, Stone absent)

- o. LAFCO 2006-77-3-Reorganization to Include Concurrent Annexations to Rancho California Water District (ANX 103), Eastern Municipal Water District and the Metropolitan Water District of Southern California (93rd Fringe).

Chair Lowe opened the public hearing.

There being no requests to speak, Chair Lowe closed the public hearing.

Moved (Henderson) seconded (Buster) to approve LAFCO 2006-77-3-Reorganization to Include Concurrent Annexations to Rancho California Water District (ANX 103), Eastern Municipal Water District and the Metropolitan Water District of Southern California (93rd Fringe).

5/0 (Starrs, Stone absent)

- q. LAFCO 2006-100-2-Reorganization to Include Annexation 110 to the City of Riverside and Concurrent Detachment from the Riverside County Waste Resources Management District.

Mr. Fowler stated that staff was recommending approval.

Chair Lowe opened the public hearing.

There being no requests to speak Chair Lowe closed the public hearing.

Moved (Buster) seconded (Williams) to approve LAFCO 2006-100-2-Reorganization to Include Annexation 110 to the City of Riverside and Concurrent Detachment from the Riverside County Waste Resources Management District.

5/0 (Starrs, Stone absent)

- r. LAFCO 2006-101-5-Annexation to Beaumont-Cherry Valley Water District.

Commissioner Henderson left the meeting at 11:25 am.

Chair Lowe opened the public hearing.

There being no requests to speak Chair Lowe closed the public hearing.

Moved (Tomanelli) seconded (Buster) to approve LAFCO 2006-101-5-Annexation to Beaumont-Cherry Valley Water District.

4/0 (Henderson, Starrs, Stone absent)

## 5. RECEIVE AND FILE.

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

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

4/0

- i. LAFCO 2006-112-3-Annexation to Valley-Wide Recreation and Park District.
- ii. LAFCO 2006-113-3-Annexation 18 to County Service Area 145.
- iii. LAFCO 2006-114-4-Reorganization to Include Annexation 84 to the City of Indio and Concurrent Detachment from Riverside Waste Resources Management District.
- iv. LAFCO 2006-115-2-Sphere of Influence Amendment to the City of Norco (removal) and the City of Corona (addition) and Reorganization to Include Concurrent Detachment from the City of Norco and Annexation 23 to the City of Corona.
- v. LAFCO 2006-116-3-Reorganization to Include Concurrent Annexations to Rancho California Water District (ANX 101), Eastern Municipal Water District, and the Metropolitan Water District of Southern California (97th Fringe).
- vi. LAFCO 2006-117-1-Annexation 31 to County Service Area 132.

- vii. LAFCO 2006-118-3-Reorganization to Include Concurrent Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (96th Fringe).
- viii. LAFCO 2006-119-4-Annexation 43 to County Service Area 121.
- b. MONTHLY EXPENDITURE REVIEW.

Moved (Buster) seconded (Williams) to receive and file the Monthly Expenditure Review report.  
4/0 (Henderson, Starrs, Stone absent)

**6. 2006 REPORT ON WATER SUPPLY CONDITIONS IN THE SAN GORGONIO PASS REGION.**

Commissioner Henderson returned at 11:28 a.m.

Andrew Schlange, General Manager, San Timoteo Watershed Management Authority and Chief of Watermaster Services for the Beaumont Basin Watermaster. Mr. Schlange stated that all the Pass agencies came together to sign and acknowledge the report on the water supply and demand conditions. He stated the report will be updated annually.

Jeff Davis, General Manager, San Gorgonio Pass Water Agency. Mr. Davis provided an overview of the Water Supply Conditions Report made to reconcile conflicting data regarding water supply and demand in the Pass area. Mr. Davis mentions the report consists of a compilation of data from Urban Water Management Plans (UWMP) for each of the agencies and data for Cabazon County Water District, which is not required to do a UWMP. He stated the demand and supply projections for the report are based on steady growth and fixed per capita demands, although the Pass agencies are working to reduce the per capita demands. He also stated the water sources are diverse and the agencies are working together to bring in supplemental water to the Pass area.

Mr. Spiliotis summarized that a great deal of infrastructure must be built and water sources secured to bring this plan to fruition. He stated that there is still a structural deficit and that in the next 30 years demand will still be outstripping supply and that there is still work to be done.

**7. RESPONSE TO GRAND JURY REPORT.**

Mr. Fowler stated that Commission had before them a revised response and that the format was changed to conform to penal codes.

Moved (Buster) seconded (Williams) to adopt the response and authorize staff to transmit it to the Grand Jury.  
5/0 (Starrs, Stone absent)

The Commission heard Items 8. and 11. at this time.

**8. EXTENSION OF TIME TO COMPLETE PROCEEDINGS-LAFCO 2005-50-1 REORGANIZATION TO INCLUDE ANNEXATION 71 TO THE CITY OF LAKE ELSINORE**

AND CONCURRENT DETACHMENT FROM THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT.

11. REQUEST FOR WAIVER OF FISCAL IMPACT REPORT REQUIREMENT-LAFCO 2006-114-4-REORGANIZATION TO INCLUDE ANNEXATION 84 TO THE CITY OF INDIO AND CONCURRENT DETACHMENT FROM RIVERSIDE WASTE RESOURCES MANAGEMENT DISTRICT (WESTSIDE)

Moved (Buster) seconded (Williams) to approve extension of time to complete proceedings-LAFCO 2005-50-1 Reorganization to Include Annexation 71 to the City of Lake Elsinore and Concurrent Detachment from the Riverside County Waste Resources Management District to October 31, 2007.

5/0 (Starrs, Stone absent)

Moved (Buster) seconded (Williams) to approve the Request for Waiver of Fiscal Impact Report Requirement-LAFCO 2006-114-4-Reorganizaiton to Include Annexation 84 to the City of Indio and Concurrent Detachment from the Riverside Waste Resources Management District (Westside).

5/0 (Starrs, Stone absent)

9. EXTENSION OF TIME TO COMPLETE PROCEEDINGS-LAFCO 2005-52-4 REORGANIZATION TO INCLUDE CONCURRENT ANNEXATIONS TO THE CITY OF COACHELLA, COACHELLA FIRE PROTECTION DISTRICT, COACHELLA SANITARY DISTRICT AND CONCURRENT DETACHMENTS FROM COUNTY SERVICE AREA 125, THE SOUTHERN COACHELLA COMMUNITY SERVICES DISTRICT AND THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT.

Richard Hill Adams, American Realty Capital, 1111 N. Palm Canyon Drive, Suite E, Palm Springs, CA. Mr. Adams stated that requirements to completing this proposal are underway.

Moved (Buster) seconded (Williams) to approve the Request for and Extension of Time to Complete Proceedings-LAFCO 2005-52-4 Reorganization to Include Concurrent Annexations to The City of Coachella, Coachella Fire Protection District, Coachella Sanitary District and Concurrent Detachments from County Service Area 125, the Southern Coachella Community Services District and the Riverside County Waste Resources Management District to October 31, 2007.

5/0 (Starrs, Stone absent)

10. REQUEST FOR WAIVER OF APPLICATION FEE AND FISCAL IMPACT REPORT REQUIREMENT-PROPOSED ANNEXATION TO THE CITY OF LAKE ELSINORE (RUNNING DEER).

Gary Grant, Chairman Meadowbrook CSA, 27068 Jarvis St., Perris, CA 92570. Mr. Grant expressed his concerns of annexations in the area and the fee for hydrology.

Michael Righi, City of Lake Elsinore, 3151 Airway Ave. R-1, Costa Mesa, CA 92626. He stated that this proposed annexation is for a change of boundary and not new development.

**12. SELECTION OF CONSULTANT - MOSQUITO & VECTOR CONTROL STUDY.**

Mr. Fowler discussed the process of selection and that there was only one response to the Request for Proposals.

Moved (Henderson) seconded (Tomanelli) to approve the selection of Pacific Mutual Consultants as the consultant to prepare the Mosquito & Vector Control Service Provision Special Study and authorized the Chair to execute a professional services agreement with the selected consultant for the preparation of the Special Study.

5/0 (Starrs, Stone absent)

**13. NOVEMBER/DECEMBER HEARING DATE.**

The Commission agreed on December 7, 2006 as the hearing date.

**14. MISCELLANEOUS STAFF REPORTS.**

There were no miscellaneous staff reports.

**15. PUBLIC COMMENTS.**

There were no public comments.

**16. ADJOURNMENT.**

The Commission adjourned at 12:04 p.m.

Respectfully,

George J. Spiliotis  
Executive Officer