

2.
1/24/2008

MINUTES
DECEMBER 6, 2007

Present: Ron Starrs
Bob Buster
Terry Henderson
Robert Hird
Phil Williams
Ed Adkison

Absent: Robin Lowe, John Tavaglione

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

Vice-Chair Starrs acted as Chair in the absence of Chair Lowe.

1.1 CALL TO ORDER AND SALUTE TO THE FLAG.

The meeting was called to order by Chair Starrs at 9:42 a.m.

1.2 ROLL CALL.

1.3 SELECTION OF OFFICERS

This item was deferred to the January 24, 2008 meeting.

2. APPROVAL OF MINUTES OF OCTOBER 25, 2007

Minutes were approved as presented.

3. Consent (Non-Hearing Items):

a. LAFCO 2007-39-1-Annexation 111 to County Service Area 103.

Moved (Henderson) seconded (Buster) to approve LAFCO 2007-39-1-Annexation 111 to County Service Area 103 as recommended by staff.

6/0

b. LAFCO 2007-58-3-Annexation 82 to County Service Area 84.

Moved (Henderson) seconded (Buster) to approve LAFCO 2007-58-3-Annexation 82 to County Service Area 84 as recommended by staff.

6/0

4. PUBLIC HEARINGS:**Continued:**

- a. LAFCO 2007-01-5-Sphere of Influence Amendment (addition) to the City of Desert Hot Springs and Reorganization to Include Annexation 34 (Watkins) to the City of Desert Hot Springs and Detachment from the Riverside County Waste Resources Management District. **(Continued from October 25, 2007; Staff recommends continuance to January 24, 2008).**

Moved (Henderson) seconded (Hird) to continue LAFCO 2007-01-5-Sphere of Influence Amendment (addition) to the City of Desert Hot Springs and Reorganization to Include Annexation 34 (Watkins) to the City of Desert Hot Springs and Detachment from the Riverside County Waste Resources Management District to January 24, 2008.

5/0 (Adkison did not participate due to potential conflict of interest)

- b. LAFCO 2007-31-4-Sphere of Influence Amendment (addition) to the City of Indio and Reorganization to Include Annexation to the City of Indio (Citrus Ranch) and Concurrent Detachment from the Riverside County Waste Resource Management District. **(Continued from September 27, 2007; Staff recommends continuance to February 28, 2008).**

Moved (Henderson) seconded (Hird) to continue Sphere of Influence Amendment (addition) to the City of Indio and Reorganization to Include Annexation to the City of Indio (Citrus Ranch) and Concurrent Detachment from the Riverside County Waste Resource Management District to February 28, 2008.

6/0

NEW:

The Commission decided to take items 4.c and d. at this time.

- c. LAFCO 2007-66-ALL-Regional Flood Control Municipal Service Review.
- d. LAFCO 2007-29-ALL-Sphere of Influence Review and Potential Amendments - Riverside County Flood Control and Water Conservation District.

Mr. Spiliotis presented these items. He asked that the Commission adopt the following modification to last sentence of the third determination in the MSR:

Given the 46 million dollar capital improvement budget, the stormwater fund balance does not appear to be unreasonable.

He also stated that there is an overlap of boundaries between the County Flood Control District and the Coachella Valley Water District. However, there is no dispute between the two districts that service is provided by the County Flood Control District.

Chair Starrs opened the public hearing.

Garry Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant discussed drainage issues and assessments in the Lake Elsinore area.

Chair Starrs closed the public hearing.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2007-66-ALL-Regional Flood Control Municipal Service Review as recommended by staff.

6/0

Moved (Hird) seconded (Adkison) to approve LAFCO 2007-29-ALL-Sphere of Influence Review and Potential Amendments - Riverside County Flood Control and Water Conservation District as recommended by staff.

6/0

- e. LAFCO 2007-54-4- Reorganization to Include Annexation (Agua Caliente) to the City of Rancho Mirage and Detachment from the Riverside County Waste Resources Management District.

Mr. Fowler presented this item and stated that there were no service issues with this project. He stated that this is tribal land but that LAFCO does have consent of the Tribal Council.

Chair Starrs opened the public hearing.

Mayor Dana Hobart, City of Rancho Mirage, 69-825 Hwy 111, Rancho Mirage, CA 92270. Mr. Hobart thanked staff and stated he was there to answer any questions.

Commissioner Henderson complimented all parties involved.

Chair Starrs closed the public hearing.

Moved (Hird) seconded (Adkison) to approve LAFCO 2007-54-4-Reorganization to Include Annexation (Agua Caliente) to the City of Rancho Mirage and Detachment from the Riverside County Waste Resources Management District as recommended by staff.

6/0

- f. LAFCO 2007-56-1&5- Sphere of Influence Amendments to the Cities of Riverside (addition) and Moreno Valley (addition) and to the Moreno Valley Community Services District (subsidiary-addition) and Reorganization to Include Concurrent Annexation 104 (Old Interstate 215 Right of Way) to the City of Riverside, Annexation to the City of Moreno Valley and the Moreno Valley Community Services District (subsidiary) and Detachments from County Service Area 93 and the Riverside County Waste Resources Management District.

Mr. Fowler presented this item. He stated that both cities have been working together on this proposal.

Chair Starrs opened the public hearing.

Patti Nahill, City of Riverside, 3900 Main St., 3rd Fl., Riverside, CA 92522. Ms. Nahill stated she was there to answer any questions.

Chair Starrs closed the public hearing.

Mr. Fowler clarified for Commissioner Buster the boundaries would be clear for which jurisdictional access the properties would be in.

Moved (Adkison) seconded (Henderson) to approve LAFCO 2007-56-1&5-Sphere of Influence Amendments to the Cities of Riverside (addition) and Moreno Valley (addition) and to the Moreno Valley Community Services District (subsidiary-addition) and Reorganization to Include Concurrent Annexation 104 (Old Interstate 215 Right of Way) to the City of Riverside, Annexation to the City of Moreno Valley and the Moreno Valley Community Services District (subsidiary) and Detachments from County Service Area 93 and the Riverside County Waste Resources Management District.

6/0

- g. LAFCO 2007-60-1-Reorganization to Include Annexation 113 (Public Safety Facility) to the City of Riverside and Concurrent Detachment from the Riverside County Waste Resources Management District.

Ms. Romo presented this item. She discussed the two alternative recommendations.

Chair Starrs opened the public hearing.

Patti Nahill, City of Riverside, 3900 Main St., 3rd Fl., Riverside, CA 92522. Ms. Nahill stated that parcel B has a combination of zones including residential agriculture and single family residential. She stated that she disagrees with the alternate recommendation and asked the Commission approve the primary recommendation.

Commissioner Buster asked about the proposed police facility and Ben Clark Training Center.

Mr. Spiliotis explained the difference between the primary and alternate recommendation.

Chair Starrs closed the public hearing.

Moved (Henderson) seconded (Adkison) to approve LAFCO 2007-60-1-Reorganization to Include Annexation 113 (Public Safety Facility) to the City of Riverside and Concurrent Detachment from the Riverside County Waste Resources Management District as recommended by staff.

5/1 (noes, Buster)

The Commission decided to take items 5.a. and b. at this time.

5. RECEIVE AND FILE:

a. Information Items: Proposals Received (Government Code Section 56857, 56751):

- i. LAFCO 2007-70-5-Sphere of Influence Amendment (addition) and Reorganization to Include Annexation 04-ANX-1 to the City of Beaumont and Concurrent Removal from the Cherry Valley UC and the Riverside County Waste Resources Management District.

- ii. LAFCO 2007-71-3-Reorganization to Include Concurrent Annexation to Rancho California Water District (ANX 104), Eastern Municipal Water District and the Metropolitan Water District of Southern California (100th Fringe).

Garry Grant, 27068 Jarvis Street, Perris, CA 92570. Mr. Grant discussed item i. He stated he was there on behalf of Cherry Valley UC and asked that this item be deferred until the people of Cherry Valley have a better understanding of what is going on.

He was informed that no action was being taken on this item at this time.

b. LAFCO Monthly Expenditure Review.

Moved (Henderson) seconded (Williams) to receive and file the Information Items and the Monthly Expenditure Review report.
6/0

6. STATUS REPORT OF TENAJA/DE LUZ CSD CONSOLIDATION DISCUSSIONS.

Ms. Romo presented this item. She stated that both districts have met and that the De Luz Board has mentioned that they will form a committee to meet with Tenaja and discuss consolidation efforts and that Tenaja CSD board was meeting that night. She said she will present to the Commission a status report at the January 24, 2008 meeting.

7. FINANCIAL DISCLOSURE POLICY.

Mr. Spiliotis presented a proposed LAFCO financial disclosure policy to implement AB 745, including some recommended alternative language options.

Moved (Henderson) seconded (Hird) to approve the Financial Disclosure Policy with the language alternatives as recommended by staff.
6/0

8. REQUEST FOR EXTENSION OF TIME TO COMPLETE PROCEEDINGS FOR LAFCO 2006-124-3-REORGANIZATION TO INCLUDE ANNEXATION TO RANCHO CALIFORNIA WATER DISTRICT (ANX 97), EASTERN MUNICIPAL WATER DISTRICT AND THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (94TH FRINGE).

Moved (Henderson) seconded (Hird) to approve the Request for Extension of Time to Complete Proceedings for LAFCO 2006-124-3-Reorganization to Include Annexation to Rancho California Water District (ANX 97), Eastern Municipal Water District and the Metropolitan Water District of Southern California (94th Fringe) to no later than January 30, 2009.
6/0

9. MISCELLANEOUS STAFF REPORTS.

There were no miscellaneous staff reports.

10. PUBLIC COMMENTS.

Garry Grant, 27065 Jarvis Street, Perris, CA 92570. Mr. Grant spoke about fair political practices.

Commissioner Adkison announced his resignation to the LAFCO Commission as his council term will expire in a few days.

The Commission adjourned at 10:50 am. for Executive Session.

11. EXECUTIVE SESSION:

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to subdivision(b) of Section 54956.9:

- a. City of Perris vs. LAFCO case #RIC 486028.**

The Commission reconvened at 11:00 a.m.

There was no reportable action taken.

12. ADJOURNMENT.

The Commission adjourned at 11:01 a.m.

Respectfully submitted,

George J. Spiliotis
Executive Officer