

10/25/2007

MINUTES
SEPTEMBER 27, 2007

Present: Robin Lowe, Chair
Bob Buster
Terry Henderson
Ron Starrs
Robert Hird
Phil Williams

Absent: John Tavaglione

Present Staff: George J. Spiliotis, Executive Officer
Wayne Fowler, Senior Local Government Analyst
Eddie Moreno, Intern
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.

The meeting was called to order by Chair Lowe at 9:35 a.m.

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF JULY 12, 2007

Minutes were approved as presented.

3. Consent (Non-Hearing Items):

- a. LAFCO 2007-47-3-Annexation to Valley-Wide Recreation and Park District.

Moved (Henderson) seconded (Williams) to approve LAFCO 2007-47-3-Annexation to Valley-Wide Recreation and Park District.
4/2 (Buster and Lowe did not participate)

- b. LAFCO 2007-49-1-Annexation 16 to County Service Area 142.

Moved (Henderson) seconded (Williams) to approve LAFCO 2007-49-1-Annexation 16 to County Service Area 142.
6/0

- c. LAFCO 2007-51-3-Annexation 24 to County Service Area 145.

Moved (Henderson) seconded (Williams) to approve LAFCO 2007-51-3-Annexation 24 to County Service Area 145.

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- d. LAFCO 2007-52-3-Annexation 67 to County Service Area 69.

Moved (Henderson) seconded (Williams) to approve LAFCO 2007-52-3-Annexation 67 to County Service Area 69.

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- e. LAFCO 2007-53-1-Annexation 109 to County Service Area 103.

Moved (Henderson) seconded (Williams) to approve LAFCO 2007-53-1-Annexation 109 to County Service Area 103.

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4. **PUBLIC HEARINGS:**

Continued:

- a. LAFCO 2005-10-1,2,&5-Sphere of Influence Review and Potential Amendments- Northwest Mosquito & Vector Control District (**Continued from September 27, 2007**).

Moved (Henderson) seconded (Hird) to continue LAFCO 2005-10-1,2,&5-Sphere of Influence Review and Potential Amendments - Northwest Mosquito & Vector Control District to October 25, 2007 as recommended by staff.

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- b. LAFCO 2005-11-3,4&5-Sphere of Influence Review and Potential Amendments - Coachella Valley Mosquito & Vector Control District (**Continued from September 27, 2007**).

Moved (Henderson) seconded (Hird) to continue LAFCO 2005-11-3,4&5-Sphere of Influence Review and Potential Amendments - Coachella Valley Mosquito & Vector Control District to October 25, 2007 as recommended by staff.

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- c. LAFCO 2005-18-1&5-Sphere of Influence Review and Potential Amendments-City of Lake Elsinore, the City of Corona, the Menifee Unincorporated Community and the Wildomar Unincorporated Community. (**Continued from September 27, 2007**).

Mr. Spiliotis presented the proposal and further stated that it was staff's recommendation at this time to remove the entire area as shown on the map from the Lake Elsinore sphere of influence and include the Toscana Specific Plan area within the City of Corona Sphere of Influence. He said that they can come back at a later time and address the industrial parcels.

Specifically, staff's recommendation was to remove the area of Meadowbrook north of Riverside Street and Mauricio Street from the City of Lake of Elsinore's sphere of influence. He said that City staff concurred with the recommendation. He said that there was an application currently in process at the City to annex the eastern area south of Riverside Street.

Commissioner Williams said that he was under the understanding that City of Corona's sphere of influence stopped at Tom's Farms and Temescal Road. Mr. Spiliotis said that the recommendation was only to add the Toscana area in green on the map to the City of Corona sphere influence. He said that what staff was recommending was removing Horsethief Canyon and the Temescal Valley and most of the Meadowbrook area from the City's Sphere of Influence. The current sphere line was at approximately Indian Truck Trail.

Commissioner Williams commented that the Horsethief Canyon area received its services from the City of Lake Elsinore. He said that the only thing they had in common with the City of Corona was the zip code. He asked what was the benefit of taking this area out of everyone's sphere. Mr. Spiliotis responded that the Homeowner's Association addressed itself as Unincorporated Corona.

Chair Lowe opened the public hearing.

Gary Grant, 27068 Jarvis St., Perris, CA 92570. Mr. Grant discussed the City of Lake Elsinore's General Plan. He expressed his support for staff's recommendation.

Kelly Alhadef-Black, 41607 Margarita Road, Ste. 103, Temecula, CA 92591. Ms. Alhadef-Black requested that their property remain within the City of Lake Elsinore's Sphere of Influence for they had a current annexation application with the City of Lake Elsinore. She said she was available for any questions.

Chair Lowe closed the public hearing.

Chair Henderson expressed concern with removing the Horsethief Canyon area from the sphere of City of Lake Elsinore. She asked Mr. Spiliotis if the City of Lake Elsinore's General Plan was going to have the same recommendation of removing that area from the City's SOI. Mr. Spiliotis stated that the City of Lake Elsinore was not going to make any changes in their boundaries and their General Plan. Commissioner Henderson asked if City of Lake Elsinore was opposing staff's recommendations. Mr. Spiliotis responded in the negative.

Commissioner Williams suggested that the Commission leave the sphere as it currently was in the Horsethief Canyon area, with the exception of leaving out the green portion shown on the map (Toscana).

Commissioner Lowe closed the public hearing.

Moved (Buster) seconded (Hird) to remove the Toscana and Meadowbrook areas from the sphere of influence of City of Lake Elsinore and add the Toscana area to the sphere of influence of the City of Corona.

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- d. LAFCO 2005-64-4-Reorganization to Include the Formation of Desert River Community Services District and Dissolution of County Service Area 62 and 122. **(Continued from August 23, 2007; Staff recommends continuance to March 28, 2008)**

Moved (Henderson) seconded (Starrs) to continue LAFCO 2005-64-4-Reorganization to Include the Formation of Desert River Community Services District and Dissolution of County Service Area 62 and 122 to March 28, 2008.

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- e. LAFCO 2007-23-3&5-Sphere of Influence Review and Potential Amendments to the City of San Jacinto. **(Continued from August 23, 2007).**

Mr. Spiliotis presented the report. He further stated that staff's recommendation was to reaffirm the City's current sphere of influence.

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

Moved (Henderson) seconded (Williams) to determine that the current sphere of influence for LAFCO 2007-23-3&5-Sphere of Influence Review and Potential Amendments to the City of San Jacinto is adequate at this time.

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- f. LAFCO 2006-66-4-Sphere of Influence Review and Potential Amendments-County Service Area 105 (Happy Valley/Indio Hills) **(Continued from August 23, 2007).**

Ms. Craig presented the report. She further stated that staff was recommending that CSA 105 sphere of influence remain coterminous.

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

Moved (Henderson) seconded (Hird) to determine that the current sphere of influence for LAFCO 2006-66-4-Sphere of Influence Review and Potential Amendments-County Service Area 105 (Happy Valley/Indio Hills) is adequate at this time.

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- g. 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. **(Staff recommends continuance to October 25, 2007)**

h.

Moved (Buster) seconded (Henderson) 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 October 25, 2007.

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- h. 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 Resources Management District. **(Staff recommends continuance to October 25, 2007).**

Mr. Fowler said that because of issues that were currently being negotiated regarding water and wastewater services, the applicant was requesting in their letter a continuance to the December 6th LAFCO Hearing. He further stated that the landowner of the property as well as their legal counsel were available to answer any questions if needed.

Moved (Buster) seconded (Williams) to continue 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 Resources Management District to December 6, 2007.

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- i. LAFCO 2006-91-5-Sphere of Influence Review and Potential Amendments-Beaumont Library District.

Mr. Spiliotis presented the report as outlined in the staff report and further stated that staff was recommending to amend the sphere to align the District SOI with the boundaries and spheres of influence of the affected cities.

Mr. Spiliotis also stated that any future detachment of developed territory from the Beaumont Library District should include provisions for the phased transfer of property tax revenue from the Beaumont Library District in order to reduce the impact of revenue loss on District services.

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

Moved (Williams) seconded (Buster) to amend the sphere of the Beaumont Library District as recommended by staff to align the District SOI with the boundaries and spheres of influence of all affected cities.

6/0

- j. LAFCO 2007-09-4-Sphere of Influence Amendment to the City of Indio.

Mr. Fowler presented the sphere amendment report as outlined in the staff report.

Chair Lowe opened the public hearing.

The following persons spoke in opposition of the sphere of influence amendment to the City of Indio.

Donald L. Finn, 31905 Desert Rock Road, Indio Hills, CA 92241.

Estelle Dahl, 31-700 Desert Rock Road, Indio Hills, CA 92241.

Nancy Fiero, 29-100 Sunnyslope, Indio Hills, CA 92241.

Russell L. Joseph, 26-200 Dollar Road, Indio Hills, Ca 92241.

M. Sunny, 31-905 Desert Rock, Indio Hills, CA 92241.

Anne Leach, Sun City, Palm Desert, CA 92211.

Peter Flax, 70450 Placerville Road, Rancho Mirage, CA 92270.

The following persons spoke in favor of the sphere of influence amendment to the City of Indio.

Robert Pippin, 73-111 El Paseo #205, Palm Desert, CA 92260.

Matthew V. Johnson, 45-445 Portola Avenue #5, Palm Desert, CA 92260. He requested that his property be included in the City of Indio's sphere of influence.

Rory Legacy, 30195 Sunny Rock Road, Indio Hills, CA 92241.

Rob Bernheimer, 45-025 Manitou Dr., Indian Hills, CA 92210.

Sean Moore, City of Indio P. O. Drawer 1788, Indio, CA 92202. Mr. Moore commented that the sphere amendment was created in concert with all the affected agencies and the property owners of the area. He said that the sphere was for the future annexation and planning of the area. He said that this was not an annexation proposal.

Chair Lowe closed the public hearing.

Commissioner Buster stated that he would like to see a plan whereby the city will be able sustain the needed services for future annexations. He said that the City needed to show him the plan for the next five years before he will support the sphere amendment. He disagreed with Indio's sphere amendment request.

Commissioner Henderson commented that the development of Dillon Road will fall heavily on the developers to make the needed roads. Commissioner Henderson also stated the City of Indio had a plan that was currently worked on regarding improvements to the City. Commissioner Henderson commented that the boundaries of the sphere of influence amendment application being discussed was to square off the boundaries of the City of Indio. Commissioner Henderson stated that the application that was before the Commission had a lot of merit; therefore she was in full support of the request.

Chair Lowe requested the City of Indio to include Mr. Matthew Johnson's property within the City of Indio's sphere of influence. Mr. Moore stated that they were already working with Mr. Johnson regarding this matter.

Chair Lowe expressed a concern that she wanted to make sure that it was understood that the application before them was a sphere of influence amendment request not an annexation proposal.

Commissioner Hird expressed his agreement with sphere of influence amendment request because it will allow the City to do the infrastructure planning needed for future development.

Commissioner Williams expressed his support for the sphere amendment request.

Moved (Henderson) seconded (Starrs) to amend LAFCO 2007-09-4-Sphere of Influence Amendment (addition) - City of Indio as recommended by staff by removing the territory of the closed Coachella Landfill from the boundaries of this proposal.

5/1 (Buster No)

- k. LAFCO 2007-44-3-Reorganization to Include Concurrent Annexation to Rancho California Water District (ANX 102), Eastern Municipal Water District and the Metropolitan Water District of Southern California (98th Fringe).

Moved (Henderson) seconded (Hird) to approve LAFCO 2007-44-3-Reorganization to Include Concurrent Annexation to Rancho California Water District (ANX 102), Eastern Municipal Water District and the Metropolitan Water District of Southern California (98th Fringe).

6/0

5. RECEIVE AND FILE:

- a. Information Items: Proposals Received (Government Code Section 56857, 56751):
- i. LAFCO 2007-61-3-Reorganization to Include Concurrent Annexation to Eastern Municipal Water District and Metropolitan Water District (101st Fringe).
 - ii. LAFCO 2007-62-4-Eastern Riverside County Water & Wastewater Municipal Service Review.
 - iii. LAFCO 2007-63-5-Reorganization to Include Annexation 42 (Corman Leigh) to the City of Perris and Concurrent Detachment from Riverside County Waste Resources Management District and County Service Area 152.
 - iv. LAFCO 2007-64-4-Annexation to Rubidoux Community Services District.
 - v. LAFCO 2007-65-3-Reorganization to Include Annexation 88 to County Service Area 84 and Concurrent Annexation to Valley-Wide Recreation & Park District.

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. SELECTION OF CONSULTANT FOR PREPARATION OF MUNICIPAL SERVICES REVIEW FOR FLOOD CONTROL SERVICES IN RIVERSIDE COUNTY.

Mr. Fowler presented the report and stated that it was staff's recommendation that the Commission select Public Financial Management (PFM) as the consultant to prepare the Municipal Services Review involving Riverside County Flood Control and Coachella Valley Water District (flood control only).

Mr. Fowler also stated that staff was recommending that the Commission authorize the Chair to execute a professional services agreement with the selected consultant for the preparation of the Municipal Services Review.

Moved (Hird) seconded (Henderson) to approve the selection of Public Financial Management (PFM) as the consultant to prepare the Municipal Services Review involving Riverside County Flood Control and Coachella Valley Water District (flood control only)
6/0

7. REQUEST FOR WAIVER OF APPLICATION FEE FOR RESUBMITTAL OF LAFCO 2007-63-5-REORGANIZATION TO INCLUDE CONCURRENT ANNEXATION 42 (CORMAN LEIGH) TO THE CITY OF PERRIS AND CONCURRENT DETACHMENTS FROM COUNTY SERVICE AREA 152 AND THE RIVERSIDE COUNTY WASTE RESOURCES MANAGEMENT DISTRICT.

Mr. Spiliotis presented the report as outlined in the staff report and stated that LAFCO's Notice of Results did not indicate the expiration date of the application or the need to request an extension of time. He said that staff was in support of the request for the waiver of the application fee.

Moved (Henderson) seconded (Hird) to approve the Request for Waiver of Application Fee for Resubmittal of LAFCO 2007-63-5-Reorganization to Include Concurrent Annexation 42 (Corman Leigh) to the City of Perris and Concurrent Detachments from County Service Area 152 and the Riverside County Waste Resources Management District.
5/0 (Lowe did not participate)

8. REQUEST FOR DEFERRAL OF PREZONING FOR REORGANIZATION TO INCLUDE ANNEXATION OF THE THIRD STREET AREA TO THE CITY OF LAKE ELSINORE.

Garry Grant, 27068 Jarvis Street, Perris, CA 92570. Mr. Grant discussed the annexations in their boundary area that will deeply impact their community.

Moved (Henderson) seconded (Hird) to approve the Request for Deferral of Prezoning for Reorganization to Include Annexation of the Third Street area to the City of Lake Elsinore.
4/0 (Buster and Lowe did not participate)

9. DETERMINATION OF SUBSTANTIAL COMPLIANCE WITH TERMS AND CONDITIONS FOR LAFCO 2005-52-4-REORGANIZATION TO INCLUDE ANNEXATION 54 TO THE CITY OF COACHELLA.

Mr. Spiliotis said that they were very close to reaching an agreement. He said that once the agreement is reached and the condition has been met, staff will bring it back to the Commission at the following LAFCO hearing, if necessary.

10. MISCELLANEOUS STAFF REPORTS.

There were no miscellaneous staff reports.

11. PUBLIC COMMENTS.

There were no public comments.

12. ADJOURNMENT.

The Commission adjourned at 11:40 a.m.

Respectfully,

George J. Spiliotis
Executive Officer