



2.
4/25/2019

MINUTES
March 28, 2019

Present: Steve Sanchez, Chair
Stephen Tomanelli, Vice Chair
Kevin Jeffries
Jeff Hewitt
Nancy Wright
Michael Vargas
Phil Williams

Present Staff: Crystal Craig, Interim Executive Officer
Joshua Altopp, Local Government Analyst III
Elizabeth Valdez, Commission Clerk
Rebecca Holtzclaw, LAFCO Secretary
Tiffany North, Legal Counsel

1. CALL TO ORDER AND SALUTE TO THE FLAG.

Chair Sanchez called the meeting to order at approximately 9:30 a.m.

1.2. ROLL CALL.

1.3. ANNOUNCEMENT CONCERNING CONTRIBUTIONS TO COMMISSION MEMBERS.

Legal Counsel North made a statement to the public regarding disclosure of contributions made to Commissioners.

2. APPROVAL OF THE MINUTES OF FEBRUARY 28, 2019.

Moved (Tomanelli) seconded (Vargas) to approve the Minutes of February 28, 2019.

Chair Sanchez called for the vote.

AYES: Sanchez, Jeffries, Tomanelli, Wright, Vargas
NOES: None.
ABSENT: Hewitt
ABSTAINED: Williams

3. CONSENT (NON-HEARING ITEMS):

There were no consent items.

4. PUBLIC HEARINGS:**Continued:**

There were no continued public hearing items.

Commissioner Hewitt arrived at 9:32 a.m.

New:

- a. LAFCO 2018-04-2-Sphere of Influence Amendments to Jurupa Community Services District (Parcel 1 - Addition & Parcel 2 - Removal), and Rubidoux Community Services District (Parcels 2 & 3 - Addition) (Highland Park) and pursuant to the California Environmental Quality Act the Commission, as responsible agency will review and consider the Final Environmental Impact Report prepared by the City of Jurupa Valley as lead agency and adoption of a resolution making determinations on the proposal.
- b. LAFCO 2018-05-2-Reorganization to Include Annexation to Jurupa Community Services District (Parcel 1), Detachment from Jurupa Community Services District (Parcel 2) and Annexation to Rubidoux Community Services District (Parcels 2 & 3) (Highland Park) and pursuant to the California Environmental Quality Act the Commission, as responsible agency, will review and consider the Final Environmental Impact Report prepared by the City of Jurupa Valley, as lead agency, and adoption of a resolution making determinations on the proposal.

Ms. Craig presented both items. She provided history on the proposals and reviewed the staff recommendations to the Commission.

Chair Sanchez opened the public hearing.

Speakers in favor:

John Schafer, applicant, Richland Ventures, Inc., 3161 Michelson Drive, Suite 425, Irvine, CA 92612. Mr. Schafer stated this is a residential project. He said all boundary issues have been worked out and there are no objections.

Jeremy Krout, EPD Solutions, 2 Park Plaza, Suite 1120, Irvine, CA 92614. Mr. Krout spoke in favor of the proposals. He stated he agreed with Rubidoux Community Services District's efforts. He also recommended adding an agenda item on the progress of the issue with the City of Riverside.

Neutral Speakers:

Steve Appel, Rubidoux Community Services District (RCSD), 3590 Rubidoux Blvd., Rubidoux, CA 92509. Mr. Appel supported staff recommendations. He said he does not agree a compliance plan is needed as part of the approval.

Speakers in opposition:

Craig Justice, Public Works Dept., City of Riverside, 3900 Main Street, Riverside, CA 92522. Mr. Justice submitted a copy of a letter to the Commission. Mr. Justice stated the City of Riverside does not object to the amendments, annexation and reorganization to Jurupa Community Services District, but he stated the City does have issues with the staff recommendation to approve any amendment, annexation or reorganization in regards to Rubidoux Community Services District.

Chairman Sanchez closed the public hearing.

The Commission discussed with the representatives, from the City, District, and the applicant the costs involved to bring the Total Dissolved Solids (TDS) levels down and costs for violations. They also discussed options to be sure they are in compliance and staying within the TDS limits, including the need for the Regional Water Quality Control Board be involved.

Commissioner Jeffries stated LAFCO is not a regulatory agency. He stated he met with all parties involved. He stated he did not want to hold up the proposal from being approved. He recommended that the Commission approve the annexation and remove 8c of the staff recommendation. He also stated future annexations should not move forward until an agreement is reached on a compliance plan that is approved by the Regional Advisory Committee (RAC).

Speaker in favor:

Brent McManigal, Gresham|Savage, 550 E. Hospitality Lane, Suite 300, San Bernardino, CA 92408. Mr. McManigal spoke in favor of the proposals. He stated he is an attorney for another developer that is ready to bring a project to LAFCO. He stated he is opposed to a moratorium on future annexations.

The Commission continued to discuss a compliance plan and the need to address future annexations. They also requested information on the Regional Advisory Committee (RAC).

Craig Justice, City of Riverside. Mr. Justice stated that the City would need a commitment to a compliance plan with the District. He stated that this could be on the next agenda for the RAC meeting. He stated that there is a TDS level in place that can't be changed at this time and that the District is using the City's capacity.

Mr. Justice continued to answer questions of the Commission regarding a compliance plan and how to lower the TDS levels and increase capacity of the District and the City.

Steve Appel, RCSD, answered the Commission on how the District will come into compliance with the City. He stated it's a regional problem. He spoke about local ground water and the need to address quality issues and he gave stats on the current compliance of the District. He spoke

about past RAC meetings and the inability to have this item on the RAC agenda. He stated the District is ready to resolve this issue.

Jeremy Krout, EPD Solutions on behalf of the applicant. Mr. Krout stated that at the next meeting before the Commission, they could have an item to discuss how to address future annexations and the status of this issue. He asked the Commission to approve this annexation.

Commissioner Jeffries moved that this project would be approved and direct staff to come back next month with a proposal for discouraging future annexation until a compliance plan is agreed upon.

Commissioner Vargas seconded Commissioner Jeffries motion.

Ms. Craig stated there were other proposals submitted that would be affected by this issue.

Counsel North stated no future proposals could be considered.

Counsel North stated the motion would be to approve staff recommendation with regards to the annexation that starts on page 13 of the staff report

Moved (Jeffries) seconded (Vargas) to approve LAFCO 2018-04-2-Sphere of Influence Amendments to Jurupa Community Services District (Parcel 1 - Addition & Parcel 2 - Removal), and Rubidoux Community Services District (Parcels 2 & 3 - Addition) (Highland Park) and LAFCO 2018-05-2-Reorganization to Include Annexation to Jurupa Community Services District (Parcel 1), Detachment from Jurupa Community Services District (Parcel 2) and Annexation to Rubidoux Community Services District (Parcels 2 & 3) (Highland Park) as recommended by staff but specifically excluding 8.c. from the resolution and direct staff to bring back next month a proposal for discouraging future annexations until a compliance plan is agreed upon.

Chair Sanchez called for the vote.

AYES: Sanchez, Jeffries, Tomanelli, Hewitt, Vargas, Williams

NOES: Wright

ABSENT: None.

ABSTAINED: None.

c. LAFCO 2018-10-2-Annexation to Rubidoux Community Services District (CalPortland) and a finding of exemption pursuant to the California Environmental Quality Act and adoption of a resolution making determinations on the proposal.

Mr. Altopp presented this proposal. He stated CalPortland is requesting annexation into the Rubidoux Community Services District for water, wastewater, fire, and solid waste services. He stated the current location is undergoing upgrades from existing septic and well water systems.

Chairman Sanchez opened the public hearing.

Speaker in favor:

Beau Cooper, CalPortland, 8885 Haven Ave., Suite 195, Rancho Cucamonga, CA 91730. Mr. Cooper stated CalPortland desires to get off well water and a septic system and connect to a municipality. He stated the laboratory is a benign operation. He stated it is a small facility with half of the parcel already in RCSD's district.

Speaker in opposition:

Craig Justice, Public Works Dept., City of Riverside, 3900 Main Street, Riverside, CA 92522. Mr. Justice read from the letter submitted earlier. Mr. Justice stated the City of Riverside views this project as another comprehensive annexation and they are not opposed to the project directly. The City has concerns about future TDS levels and would like more information included in the Plan of Service.

Chairman Sanchez closed the public hearing.

Commissioner Williams stated he is in support of the project.

Moved (Williams) seconded (Vargas) to approve LAFCO 2018-10-2-Annexation to Rubidoux Community Services District (CalPortland) as recommended by staff.

Chair Sanchez called for the vote.

AYES: Sanchez, Jeffries, Tomanelli, Wright, Hewitt, Vargas,
Williams

NOES: None.

ABSENT: None.

ABSTAINED: None.

5. PUBLIC COMMENTS ON ANY ITEMS NOT ON THE AGENDA.

There were no public comments.

6. INFORMATION ITEMS: No action to be taken by Commission.

a. Proposals Received (Government Code Sections 56751 and 56857):

- i. LAFCO 2019-06-3-Reorganization to Include Concurrent Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (109th Fringe/Whitewood Skilled Nursing Facility)
- ii. LAFCO 2019-07-2-Sphere of Influence Amendments to Rubidoux Community Services District (Addition) (Rio Vista)
- iii. LAFCO 2019-08-2-Annexation to Rubidoux Community Services District (Rio Vista)

Ms. Craig stated these were informational items.

b. Report on Conducting Authority Proceedings.

There were no pending Conducting Authority Proceedings.

7. RECEIVE AND FILE:

a. LAFCO Monthly Expenditure Review.

There was no discussion on this item.

Moved (Tomanelli) seconded (Vargas) to receive and file item 7a.
LAFCO Monthly Expenditure Review.

Chair Sanchez called for the vote.

AYES: Sanchez, Jeffries, Tomanelli, Wright, Hewitt, Vargas,
Williams

NOES: None.

ABSENT: None.

ABSTAINED: None.

8. LEGISLATIVE UPDATE AND POTENTIAL POSITIONS.

Ms. Craig gave an update on current legislation. She recommended the Commission take a support position on AB 213 (Reyes) - Local Government Finance, and AB 1253 (Rivas/Robert) - LAFCO Grant Program. She also updated the Commission on Omnibus Bill AB 1822.

Moved (William) seconded (Wright) to take a support position on AB
213 (Reyes), and AB 1253 (Rivas/Robert) as recommended by staff.

Chair Sanchez called for the vote.

AYES: Sanchez, Jeffries, Tomanelli, Wright, Hewitt, Vargas,
Williams

NOES: None.

ABSENT: None.

ABSTAINED: None.

9. FISCAL YEAR 2018-19 BUDGET AMENDMENTS AND APPROPRIATION TRANSFERS

Ms. Craig updated the Commission on the FY 2018-19 budget and recommended two new line items be established. She also stated there was an appropriation transfer from the Compensated Absence Liability Reserve due to the departure of the previous Executive Officer.

Moved (Williams) seconded (Vargas) to amend the FY 2018-19 Budget
and make the appropriation transfer as recommended by staff.

Chair Sanchez called for the vote.

AYES: Sanchez, Jeffries, Tomanelli, Wright, Hewitt, Vargas,
Williams
NOES: None.
ABSENT: None.
ABSTAINED: None.

10. INTERIM EXECUTIVE OFFICER REPORTS.

Ms. Craig updated the Commission on the Murrieta Special Study. She stated the PSA was signed and executed and a kick-off meeting is scheduled on April 25, 2019 in the City of Murrieta.

Ms. Craig stated three staff members will be going to the CALAFCO Workshop in San Jose, CA on April 10-13, 2019.

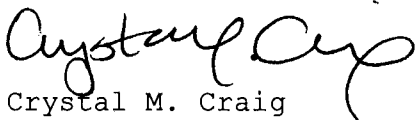
11. COMMISSIONER COMMENTS/FUTURE ITEMS.

There were no Commissioner comments.

12. ADJOURNMENT.

The meeting was adjourned to Executive Session at 11:12 a.m.
Counsel North stated there will be no reportable action.
Chair Sanchez adjourned the meeting.

Respectfully submitted,



Crystal M. Craig
Interim Executive Officer