



2.a.
12/05/2024

MINUTES
September 26, 2024

Present Michael Vargas, Chair
Commissioners: Stephen Corona
 Steve Sanchez
 Kevin Jeffries
 Stephen Tomanelli
 Bruce Underwood

Absent
Commissioners: Yxstian Gutierrez, Vice-Chair

Present Staff: Gary Thompson, Executive Officer
 Crystal Craig, Assistant Executive Officer
 Elizabeth Valdez, Commission Clerk
 Melissa Cushman, Legal Counsel

1. CALL TO ORDER AND SALUTE TO THE FLAG.

Chair Vargas called the meeting to order at approximately 9:00 a.m.

1.2. ROLL CALL.

1.3. POTENTIAL REQUEST BY ONE OR MORE COMMISSIONERS TO PARTICIPATE REMOTELY AND UTILIZE AB 2449'S JUST CAUSE OR EMERGENCY CIRCUMSTANCES, POTENTIAL VOTE ON LATTER.

There were no requests made.

1.4. ANNOUNCEMENT CONCERNING CONTRIBUTIONS TO COMMISSION MEMBERS.

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

2. APPROVAL OF THE MINUTES:

a. July 25, 2024

Moved (Jeffries) seconded (Tomanelli) to approve the Minutes of the July 25, 2024, meeting.

Chair Vargas called for the vote.

AYES: Corona, Sanchez, Jeffries, Tomanelli, Underwood, and Vargas.

NOES: None.

ABSENT: Gutierrez.

ABSTAINED: None.

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

There were no public comments.

4. CONSENT CALENDAR (NON-HEARING ITEMS):

a. LAFCO Monthly Expenditure Review.

Commissioner Underwood asked why Commissioner Tomanelli's payment appears on the report but not the rest of the Commission.

Ms. Valdez replied that he was paid through the County Financial System as a vendor rather than through Payroll as a temporary employee since he was not required to as the public member.

Moved (Jeffries) seconded (Sanchez) to approve the Consent Calendar as recommended by staff.

Chair Vargas called for the vote.

AYES: Corona, Sanchez, Jeffries, Tomanelli, Underwood and Vargas.

NOES: None.

ABSENT: Gutierrez.

ABSTAINED: None.

5. PUBLIC HEARINGS:

Continued:

There were no continued public hearing items.

New:

- a. LAFCO 2022-01-4-Reorganization to Include Annexation to the City of Rancho Mirage and Concurrent Annexation to the Rancho Mirage Community Services District (Subsidiary) and Detachment from the Riverside County Waste Resources Management District (Section 24 - Remaining Trust Lands) and pursuant to the California Environmental Quality Act the Commission as responsible agency, will review and consider the Environmental Impact Statement prepared by the City of Rancho Mirage, as lead agency and adoption of a resolution making determinations on the proposal.

Ms. Craig presented this item. She stated that this was an annexation of approximately 256 acres into the City of Rancho Mirage. She stated that this would eliminate an existing/island pocket. She stated that there was a previous annexation that resulted in a Road Maintenance Agreement that was entered into between the City of Rancho Mirage and the County of Riverside, and she recommended that the two agencies meet to discuss terminating that agreement upon approval of this proposal. She stated that there would be a required protest hearing.

Chair Vargas opened the public hearing, there being no one wishing to speak he closed the public hearing.

Moved (Sanchez) seconded (Corona) to approve LAFCO 2022-01-4-Reorganization to Include Annexation to the City of Rancho Mirage and Concurrent Annexation to the Rancho Mirage Community Services District (Subsidiary) and Detachment from the Riverside County Waste Resources Management District (Section 24 - Remaining Trust Lands) as recommended by staff.

Chair Vargas called for the vote.

AYES: Corona, Sanchez, Jeffries, Tomanelli, Underwood and Vargas.

NOES: None.

ABSENT: Gutierrez.

ABSTAINED: None.

6. OTHER BUSINESS:

a. Fiscal Year 2023-24 End of Year Budget Review (Unaudited).

Mr. Thompson gave a PowerPoint presentation on this item. He stated that the fiscal year ended with revenues above budget and expenditures ended below. He stated that there was more interest due to more cash. He stated the end of year carryover was approximately \$149,000 which exceeded the budget amount of \$0.00. He stated all reserve accounts were funded per the budget. He also reviewed the status of the State Grant project which has been completed. Mr. Thompson stated that he would be starting on a new 5-Year Plan this year to continue to fund the Unfunded Pension Reserve.

This was a receive and file item, no action was taken by the commission.

b. Special District Commissioner Selection Policy & Procedures Discussion and Direction.

Mr. Thompson gave a detailed explanation of the Special District Selection Committee (SDSC) voting process. He stated that it has always been tough to get participation and a quorum even though many reminders are sent. He stated that he provided a matrix of the history of the districts that voted in the past eight elections. He reviewed the different options and actions that were recommended in the staff report.

Commissioner Sanchez asked if all 55 districts are eligible to vote and if it is a quorum of those that voted or all districts. He also asked if all the districts were members of the CSDA or any association. He asked if LAFCO could hold the election via Zoom.

Mr. Thompson stated that it is a quorum of all 55 districts driven by State law. He stated that they are not required to be a member of CSDA or the Riverside chapter. He stated that Zoom may be an option but would still need to get members to attend to meet quorum.

Commissioner Sanchez asked if all board members could be notified, not just the Clerk and Manager. Mr. Thompson stated that it would be quite tedious to keep that list updated.

Commissioner Sanchez asked if there was anything in the statute that could remove a commissioner if they did not attend a meeting. Mr. Thompson stated there was not, and that is also why there are alternates on the commission.

Commissioner Corona stated that the SDSC should be able run the election how they want. He stated he liked the idea of LAFCO holding a Zoom meeting to explain how the process works after the nomination period and prior to the election. He stated that the Instant Runoff is confusing so members may not be voting properly. He stated that there is not much information being transmitted to the board members either by the district managers or the Special District Association.

Commissioner Jeffries stated that in the past there was a dinner. He asked if it was State law that the presiding officer could not delegate an alternate voting member without approval of the full board.

Mr. Thompson stated yes, it was statute and that there was a 60-day nomination period to allow boards that do not meet every month to approve a resolution. He stated that a presiding officer could vote without the approval of the board.

Commissioner Underwood stated that as the newest member of LAFCO that with three people the clerk, manager, and presiding officer, a district may not vote. He continued the discussion of keeping a

database of members so a candidate could contact them. He also agreed that a Zoom meeting in advance is a good idea.

Mr. Thompson stated that LAFCO keeps a list of all clerks and managers but not each board member as they change often. He stated that by law, LAFCO is only required to send the election material to the clerk and that the manager is also notified.

Commissioner Sanchez stated that if the district has to hold a meeting to have the full board take action on who to vote for takes time. He stated that it may be time to change State law if it is hindering the election process.

Chair Vargas directed staff to find out if the election could happen via Zoom. He also asked if the ballots are sent via email then maybe policy should be changed so that they are sent via certified mail. He directed staff to look into options of keeping a database of contacts and asked that these items be brought back to a future meeting as the next election is not going to be held until 2026.

c. October Meeting Discussion and Potential Cancellation, Change of Date and/or Location.

Ms. Valdez presented this item. She stated that the State of the County event would be held at the same date and time as the October meeting. She stated that many commissioners expressed interest in attending that event. She stated there were no items that would require commission action in October therefore staff was recommending cancelling the meeting.

Commissioner Underwood stated that there was a Strategic Plan to review each city and special district. He stated that LAFCO should be more informative and not cancel meetings.

Chair Vargas stated that LAFCO can always hold a special meeting if something were to come up that needed commission action prior to the next meeting.

Moved (Sanchez) seconded (Jeffries) to cancel the October 24, 2024, meeting as recommended by staff. The next regular meeting would be December 5, 2024.

Chair Vargas called for the vote.

AYES: Corona, Sanchez, Jeffries, Tomanelli, and Vargas.

NOES: Underwood.

ABSENT: Gutierrez.

ABSTAINED: None.

7. INFORMATION ITEMS: No action to be taken by the Commission.

a. Proposals Received and/or LAFCO Initiated (Government Code Sections 56751 and 56857):

i. LAFCO 2024-10-5-Annexation to the Beaumont-Cherry Valley Water District (Orchard Logistics Center)

Ms. Craig gave an overview of the new proposal received.

b. Report on Conducting Authority Proceedings.

Mr. Thompson gave an update on the conducting authority proceedings.

8. LEGISLATIVE UPDATE AND POTENTIAL POSITIONS.

Mr. Thompson gave an update on pending legislation. He stated the session is over. He stated that SB 1209 (indemnification) was in process and waiting for the Governor's signature. He said the Coachella Valley IID bills are both moving forward.

Mr. Thompson stated that the CALAFCO Executive Director and Ad Hoc Committee decided to dissolve the CALAFCO Legislative Committee. He stated that there was going to be a special board meeting to decide to bring it back as it was done without discussion from the regional boards and LAFCO's. He stated that 28 LAFCOs sent a letter requesting to reinstate the Committee. He stated that he would send the meeting information to the commission.

There was no action taken by the Commission.

9. EXECUTIVE OFFICER REPORTS.

Mr. Thompson stated that he would be on an eight-day fishing trip next week.

He stated that he was working on the cemetery districts MSR. He stated that additional workload delayed the process. He stated that per the 5-Year Plan about 90% of the MSRs and SOI reviews have been completed on time.

10. COMMISSIONER COMMENTS/FUTURE ITEMS.

Commissioner Underwood stated that he felt that special districts were the stepchild of LAFCO action. He stated that some districts don't participate due to the amount of the stipend. He stated that there should be more incentives to be involved and not just financial but there are also transportation issues getting to meetings.

Chair Vargas asked if he meant issues getting to our LAFCO meeting. Commissioner Underwood stated that district members may not want to travel to Riverside for a meeting therefore not want to participate to be on the Commission.

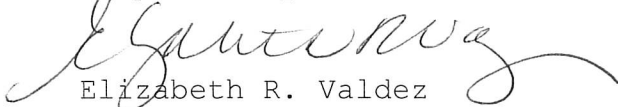
Chair Vargas asked if he wanted the stipend to be reviewed for LAFCO Commissioners and stated that it had just been done. Commissioner Underwood replied that compensation by LAFCO for future commissioners may get them to participate more and asked that the stipend amount be reviewed again by staff and brought back to the Commission for consideration.

Chair Vargas announced that the Special District Risk Management Authority issued Riverside LAFCO the President's Special Acknowledgement Award recognizing that there were no paid claims made in the prior five consecutive program years.

11. ADJOURNMENT.

The Commission adjourned the meeting at approximately 10:12 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Elizabeth R. Valdez", written in dark ink.

Elizabeth R. Valdez
Commission Clerk