



2.a.
12/7/2023

MINUTES
September 28, 2023

Present

Commissioners: Michael Vargas, Chair
Stephen Tomanelli, Vice-Chair
Stephen Corona
Kevin Jeffries
Cástulo Estrada

Absent

Commissioners: Steve Sanchez
Yxstian Gutierrez

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 9:01 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.

No request was 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 27, 2023

Moved (Tomanelli) seconded (Corona) to approve the Minutes of the July 27, 2023, meeting.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: Sanchez and 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.

Moved (Tomanelli) seconded (Corona) to approve the Consent Calendar as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: Sanchez and Gutierrez.

ABSTAINED: None.

5. PUBLIC HEARINGS:

Continued:

a. LAFCO 2023-03-1,5-Dissolution of County Service Area 93 (Moreno Valley) and a finding of exemption pursuant to the California Environmental Quality Act and a resolution making determinations on the proposal. **(Continued from June 23, 2023)**

Ms. Craig presented this proposal. She stated that this item was continued from June to allow for staff to gather further information regarding the ad valorem property taxes. She stated the applicant has requested to withdraw the application and the County will retain the CSA.

Commissioner Jeffries stated he was in support of terminating proceedings on this proposal. He asked if there was any record of what was supposed to happen to the CSA revenue when Moreno Valley incorporated. Ms. Craig replied that the entire CSA was not dissolved during incorporation. She stated that detachments

have taken place, but the CSA was larger than the incorporation boundary. She stated that since 2001 the ad valorem was being transferred from the CSA to the City of Moreno Valley but there are no records as to why it is occurring.

Commissioner Jeffries stated that many homeowners are paying a tax that is being given to a city that is not providing a service to them. He stated that the City may be providing fire services but it would need to be examined to see if that was occurring.

Commissioner Estrada asked who initiated the detachment. Ms. Craig stated that Riverside County Office of Economic Development did and is withdrawing its application. She stated that the CSA was initially providing park services but when the City incorporated it then created a subsidiary district to provide their own park services.

Commissioner Estrada asked if the funds would now be kept with the CSA and no longer be transferred to the city. Ms. Craig stated that if it was dissolved no agency would receive the money being collected and made sure both the City and the County were aware of that. She stated that the residents are not paying an assessment, but they are paying a one percent ad valorem tax to the CSA.

Commissioner Jeffries stated that the County needs to look at what the legal intent of the tax was and if there are any facilities that can be funded by it, otherwise, he couldn't see how they could keep it going.

Michael Franklin, Office of Economic Development. Mr. Franklin stated that when researching the CSA boundary, it encompasses the County's Box Springs Reserve Park which is operated by the Regional Park and Open Space District. He stated that with the revenue to contribute to the funding source that the district uses to help operate the Reserve. He stated that there are future developments in the southern portion of the CSA that could be supported as well with the revenue.

Moved (Jeffries) seconded (Tomanelli) to approve the request to withdraw LAFCO 2023-03-1,5-Dissolution of County Service Area 93 (Moreno Valley) as requested by the applicant and recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: Sanchez and Gutierrez.

ABSTAINED: None.

New:

- b. LAFCO 2023-04-5-Annexation to Beaumont-Cherry Valley Water District (Water) (Beaumont Self Storage) and a finding of exemption pursuant to the California Environmental Quality Act and a resolution making determinations on the proposal.

Ms. Craig gave a PowerPoint presentation. She stated that BCVWD was requesting annexation for the provision of domestic irrigation and fire water services to expand an existing storage facility. She stated that the well that is on site now will have to be abandoned in order to connect to BCVWD.

The Commission asked for clarification as to why these parcels were not already being serviced by BCVWD if they were within the boundary.

Mr. Thompson stated that at the time they were not required to receive water from BCVWD. He stated in order to receive service the parcels would have to come off the wells and annex.

Moved (Tomanelli) seconded (Estrada) to approve LAFCO 2023-04-5-Annexation to Beaumont-Cherry Valley Water District (Water) (Beaumont Self Storage) as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: Sanchez and Gutierrez.

ABSTAINED: None.

6. OTHER BUSINESS:

- a. Fiscal Year 2022-23 End of Year Budget Review (Unaudited).

Mr. Thompson gave a PowerPoint presentation. He stated that revenue and expenditures ended below budget primarily due to the State Grant and carryover was approximately \$49,000. He stated that the reserves were funded per budget. He reviewed the impact of the State Grant on the budget.

Moved (Jeffries) seconded (Estrada) to receive and file the Fiscal Year 2022-23 End of Year Budget Review (Unaudited) as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: Sanchez and Gutierrez.

ABSTAINED: None.

b. Revision to Commission Meeting Schedule.

Mr. Thompson stated that the CALAFCO Staff Workshop in April of 2024 falls in the same week as the Commission's regular meeting date. He recommended moving the April meeting to April 18, 2024.

Moved (Corona) seconded (Tomanelli) to change the April 25, 2024, meeting date to April 18, 2024, as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: Sanchez and 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 2023-05-5-Reorganization to Include Annexation to the City of Moreno Valley (World Logistics Center), the Moreno Valley Community Service District (subsidiary) and Detachments from the Riverside County Waste Resources Management District.

ii. LAFCO 2023-06-3-Reorganization to Include Concurrent Annexations to Eastern Municipal Water District (Water) and Metropolitan Water District of Southern California (114th Fringe/Los Alamos Hills Area).

Ms. Craig gave a brief overview of the new proposals 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 updated the Commission on current legislation. He

stated that AB 399 passed and was sent to the Governor. He stated that he did send a veto request letter opposing this bill. Commissioner Corona stated that the Fallbrook Public Utilities and Rainbow Water District proposal qualified for the ballot. He stated that San Diego County Water Authority has filed a lawsuit against all the agencies involved.

9. EXECUTIVE OFFICER REPORT.

Mr. Thompson stated the December 7th meeting would be at Western Municipal Water District. He stated that the IID Study comment period was extended to October 15th and the Final Report would be available November 30th.

Mr. Thompson stated he would be out of the country on an 8 day fishing trip starting tomorrow.

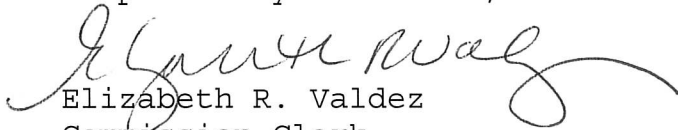
10. COMMISSIONER COMMENTS/FUTURE ITEMS.

Chair Vargas gave an update on events happening in the City of Perris.

11. ADJOURNMENT.

The Commission adjourned the meeting at approximately 9:44 a.m.

Respectfully submitted,


Elizabeth R. Valdez
Commission Clerk