



2.
12/9/2021

MINUTES
October 28, 2021

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

Absent: Jeff Hewitt

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 9:36 a.m.

1.2. ROLL CALL.

1.3. PRESENTATION OF THE CALAFCO OUTSTANDING LAFCO PROFESSIONAL AWARD TO ASSISTANT EXECUTIVE OFFICER CRYSTAL CRAIG.

Mr. Thompson presented Crystal Craig with the CALAFCO Outstanding Professional Award. He spoke about many of her accomplishments including her GIS skills resulting in updated maps of all cities and special districts within the County, writing new policies, streamlining the proposal process, in addition to the many responsibilities and duties required of Riverside LAFCO.

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 OF THE SEPTEMBER 23, 2021 MEETING.

Moved (Tomanelli) seconded (Wright) to approve the Minutes of the September 23, 2021 meeting.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.

ABSENT: Hewitt.

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 (Wright) seconded (Sanchez) to approve the consent calendar as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.

ABSENT: Hewitt.

ABSTAINED: None.

5. PUBLIC HEARINGS:

Continued:

There were no continued public hearing items.

New:

- a. LAFCO 2021-01-1,2,4&5-Countywide Municipal Service Review (MSR) and Sphere of Influence (SOI) Reviews and Potential Amendments - Community Services Districts: De Luz Community Services District, Edgemont Community Services District, Jurupa Community Services District, Rubidoux Community Services District, Southern Coachella Valley Community Services District and Tenaja Community Services District and a finding of exemption pursuant to the California Environmental Quality Act, and adoption of a resolution making determinations on the proposal.

Mr. Thompson presented a PowerPoint presentation reviewing the statutes, MSR and SOI requirements and determinations for each community services district. Mr. Thompson stated the staff recommendation is to amend the De Luz CSD SOI to include the 'donut hole' that is within the district's jurisdictional boundary but was not in the current SOI boundary. He stated there would be no changes to the Edgemont CSD, Jurupa CSD, Rubidoux CSD, Southern Coachella

Valley CSD, or Tenaja CSD. He stated that the Southern Coachella Valley CSD or the adjacent cities should take action to remedy the overlapping boundary conflicts. He stated that staff has received comments from the De Luz CSD, the Jurupa CSD, and the City of Eastvale.

Chair Vargas opened the public hearing.

Steve Lawson, Director of Parks & Recreation, Jurupa Community Services District (CSD). Mr. Lawson thanked staff for the report. He reviewed the services and facilities provided by the Jurupa CSD and the District's accreditation. He provided the Commission with a response to the letter submitted by the City of Eastvale.

James Emmons, District Manager, De Luz Community Services District. Mr. Emmons stated he was there to answer questions of the Commission. He introduced Mariann Byers.

Mariann Byers, President, De Luz Community Services District. Ms. Byers thanked staff for the report. She stated that the primary function of the district is road maintenance. She stated that funding for the roads has been the same since Prop 218 passed and that they do not receive fuel tax funds for maintaining the public roads within the district. She asked that the MSR be amended to add a determination that the County Board of Supervisors work with the CSD to change the formation documents to allow for the fuel tax funding.

Todd Rigby, Councilmember, City of Eastvale. Mr. Rigby stated that the city would like to manage and maintain the parks and recreation services that are currently being provided by the Jurupa CSD. He stated the city has the funding now to better provide those services.

Christian Dinco, Councilmember, City of Eastvale. Mr. Dinco stated that local control of the parks and recreations services by the city was part of their strategic plan. He stated the city would be financially capable to provide expansion and enhance the services of the park system.

Chair Vargas closed the public hearing.

Commissioner Jeffries stated the De Luz CSD request be added to the staff recommendation. He stated he is supportive of working with the district to add the roads to the County maintained roads for additional revenue for the CSD.

Mr. Thompson stated he will add that recommendation to the Final MSR report.

Chair Vargas stated that he is an advocate for local control by the City of Eastvale. He asked if that would also be included as a new recommendation.

Mr. Thompson stated that the Commission could add language that the Commission recommends that further study on the provision of parks and recreation with the City of Eastvale be added to the Jurupa CSD determinations.

Chair Vargas asked that both these recommendations be added to the final motion of the Commission.

Commissioner Sanchez stated that cities grow and prosper and that it is now time for the City of Eastvale to have local control and be able to provide park and recreation services.

Commissioner Wright stated that she would like the two agencies to get together for discussions prior to coming before the Commission.

Moved (Williams) seconded (Tomanelli) to receive and file LAFCO 2021-01-1,2,4&5-Countywide Municipal Service Review and Sphere of Influence Reviews and Potential Amendments - Community Services Districts: De Luz Community Services District, Edgemont Community Services District, Jurupa Community Services District, Rubidoux Community Services District, Southern Coachella Valley Community Services District and Tenaja Community Services District as recommended by staff and the additional language below:

De Luz CSD Determination: LAFCO recommends to the Riverside County Board of Supervisors that the original resolutions transferring roads to De Luz CSD be modified to qualify the miles of roads maintained by DLCSO for Fuel Tax HUTA and RMRA funds and negotiate an MOU to facilitate transfer of such funds to the CSD for road maintenance purposes pursuant to CA Streets and Highways Code.

Jurupa CSD Determination: Further review by LAFCO staff into provision of recreation and parks services into the City of Eastvale is warranted and should be conducted.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.

ABSENT: Hewitt.

ABSTAINED: None.

6. OTHER BUSINESS:

- a. LAFCO 2021-09-5-Request for Extraterritorial Service Provision - Yucaipa Valley Water District (I-10 Logistics Owner, LLC) and pursuant to the California Environmental Quality Act the Commission, as responsible agency, has reviewed and considered Environmental Impact Report (EIR) No. 534 and Supplemental EIR for

the San Gorgonio Crossings Project prepared by the County of Riverside, as lead agency, and adoption of a resolution making CEQA findings and determinations on the proposal.

Ms. Craig stated that the request is to provide expedited extra-territorial water and wastewater services to the subject area. She presented a Google Earth presentation showing the parcel requesting service and gave a review of the provision to approve the request. She stated that the annexation of the parcels is being processed through the San Bernardino LAFCO. Ms. Craig stated staff is requesting an expiration date of the approval as to ensure the annexation is completed.

Moved (Jeffries) seconded (Tomanelli) to approve LAFCO 2021-09-5-Request for Extraterritorial Service Provision - Yucaipa Valley Water District (I-10 Logistics Owner, LLC) as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.

ABSENT: Hewitt.

ABSTAINED: None.

b. Fiscal Year 2020-21 End of Year Budget Review (Unaudited).

Mr. Thompson presented the end of year budget review. He stated that the carryover in revenue was more than budgeted, and that expenditures were overbudget due to consultant costs that were paid out due to the projects being completed at a faster rate. He stated that the final operating surplus was \$86,000.

c. Amendment No. 1 to the Agreement Between the County of Riverside and the Riverside Local Agency Formation Commission for Services Provided by the County.

Mr. Thompsons stated that there is a provision in the contract to renew the contract each year if agreed to by both parties. He stated that this amendment clarifies that provision.

Moved (Jeffries) seconded (Williams) to approve Amendment No. 1 to the Agreement Between the County of Riverside and the Riverside Local Agency Formation Commission for Services Provided by the County as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.
ABSENT: Hewitt.
ABSTAINED: None.

- d. LAFCO Policy Review: A-7 Records Retention Policy, B-1 LAFCO Policies and Procedures, and B-3 Waiver of Protest Proceedings.

Mr. Thompson presented the policies to the Commissions. He stated these will be a part of the final Policy Manual. He stated the LAFCO Policies and Procedures were updated to include new government code sections.

Moved (Williams) seconded (Wright) to adopt policies A-7 Records Retention Policy, B-1 LAFCO Policies and Procedures, and B-3 Waiver of Protest Proceedings as recommended by staff.

Chair Vargas called for the vote.

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

- e. Review of Amendments and Updates, and Adoption of the Commission's Disadvantaged Unincorporated Communities (DUCs) Policy. (Previously Adopted on February 25, 2021)

Ms. Craig presented this policy to the Commission. She gave a PowerPoint presentation reviewing the methodology to determine a DUC and the two changes from the previously adopted policy. She stated this policy has been rewritten to include the new methods.

Moved (Tomanelli) seconded (Sanchez) to adopt the Commission's Disadvantaged Unincorporated Communities (DUCs) Policy as recommended by staff.

Chair Vargas called for the vote.

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

- f. Designation of Disadvantaged Unincorporated Communities (DUCs) Within the County of Riverside.

Ms. Craig gave a PowerPoint presentation and reviewed the process for designating all the DUCs within the County of Riverside. She stated

that there is a total of 93 DUCs within the cities and the unincorporated areas of County of Riverside.

Moved (Jeffries) seconded (Tomanelli) to approve the Designation of Disadvantaged Unincorporated Communities (DUCs) Within the County of Riverside as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.

ABSENT: Hewitt.

ABSTAINED: None.

g. AB 361 Brown Act Waiver: Discussion for Future Commission Meetings.

Mr. Thompson stated that AB 361 was effective October 1, 2021. He stated that the Brown Act requirements cannot be waived without an Emergency Declaration and a resolution declaring such emergency. He stated otherwise the Brown Act requirements are in effect if the Commission were to attend a meeting virtually. He stated that the Commission would need to adopt this resolution every 30 days, therefore, would need to hold a special meeting to adopt the resolution due to the time between regular meetings.

The Commission and Counsel discussed to resume in-person meetings and what AB 361 is requiring of the Commission.

Moved (Jeffries) seconded (Williams) to resume in-person meetings and follow all Brown Act requirements and to develop and have a resolution prepared pursuant to AB 361, to adopt at a future meeting if needed.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Sanchez, Jeffries, and Williams.

NOES: None.

ABSENT: Hewitt.

ABSTAINED: None.

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

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

- i. LAFCO 2021-10-5-LAFCO 2021-10-5-Request for Extra-Territorial Service Provision - City of Beaumont (Country Club Village Project)

Ms. Craig gave an update on the new proposal received.

b. Report on Conducting Authority Proceedings.

Mr. Thompson reviewed the Conducting Authority Proceedings report.

8. LEGISLATIVE UPDATE AND POTENTIAL POSITIONS.

Mr. Thompson gave an update on pending legislation. He stated that AB 1021 (Mayes), Imperial Irrigation District (IID), was vetoed by the Governor. He stated that the study still needs to be performed and the funding was allocated for the study. He stated that both Riverside and Imperial LAFCOs are moving forward. He stated that current issue is that the contract is written for the County to administer this project and that LAFCO and the County are working with the State to have that changed to LAFCO.

9. EXECUTIVE OFFICER REPORTS.

Mr. Thompson stated that the next meeting will be held at Western Municipal Water District and that he will be on vacation so Ms. Craig will be running the meeting.

Ms. Craig gave an update on the LAFCO GIS Analyst position.

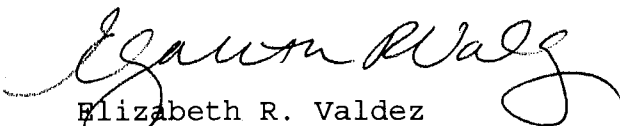
10. COMMISSIONER COMMENTS/FUTURE ITEMS.

There were no commissioner comments.

11. ADJOURNMENT.

The Commission adjourned the meeting at 11:11 a.m.

Respectfully submitted,



Elizabeth R. Valdez
Commission Clerk