



2.a.
2/22/2024

MINUTES
January 25, 2024

Present

Commissioners: Michael Vargas, Chair
Stephen Tomanelli, Vice-Chair
Kevin Jeffries
Steve Sanchez
Yxstian Gutierrez
Cástulo Estrada
Stephen Corona

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 9:04 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. December 7, 2023

Moved (Gutierrez) seconded (Tomanelli) to approve the Minutes of the December 7, 2023, meeting.

Chair Vargas called for the vote.

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

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

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

David Lloyd, Attorney with Best Best & Krieger, City of Coachella. Mr. Lloyd requested that the Commission place the City's SOI amendment request on the next agenda. He stated the City submitted a complete application in September of 2022 and should not be delayed waiting for another agency to potentially submit a competing application.

Gabriel Perez, Development Service Director, City of Coachella. Mr. Perez spoke about the pending SOI amendment to the City of Coachella application. He requested the Commission consider the proposal next month and not delay the process any further.

Dr. Gabriel Martin, City Manager, City of Coachella. Mr. Martin spoke about the pending SOI amendment to the City of Coachella application. He requested the Commission consider the proposal next month. He stated they completed all necessary steps to submit a complete proposal in September.

4. CONSENT CALENDAR (NON-HEARING ITEMS):

a. LAFCO Monthly Expenditure Review.

b. Adoption of Revised LAFCO Investment Policy.

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

Chair Vargas called for the vote.

AYES: Corona, Sanchez, Jeffries, Tomanelli, Gutierrez, Estrada, and Vargas.
NOES: None.
ABSENT: None.
ABSTAINED: None

5. PUBLIC HEARINGS:

Continued: There were no continued public hearing items.

New:

a. 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) and pursuant to the California Environmental Quality Act the Commission as responsible agency, will review and consider the Mitigated Negative Declaration prepared by the Eastern Municipal Water District, as lead agency and adoption of a resolution making

determinations on the proposal.

Ms. Craig presented this proposal. She presented exhibits of the project and stated that this was a reorganization of approximately 109 acres proposed to provide water services by the EMWD and MWD. Ms. Craig stated that there were 36 parcels seeking services. She stated that some residents have concerns that their wells are failing, and they are unable to pump enough water. Ms. Craig stated that the City of Murrieta has agreed to provide EMWD 3.3 million dollars of American Rescue Plan Act (ARPA) funding to provide potable water infrastructure to this area. She stated that a landowner, Mr. Landwehr's whose property is adjacent to the annexation submitted opposition to the proposal. She stated that there will also be a protest hearing held if the proposal is approved.

Commissioners Vargas and Gutierrez asked, if approved, would LAFCO be creating an island. Ms. Craig responded that an annexation to a special district can create an island.

Chair Vargas opened the public hearing.

Speakers in favor:

Ivan Holler, Assistant City Manager, City of Murrieta. Mr. Holler spoke in favor of the reorganization. He stated that the City Council decided unanimously to allocate the ARPA funds to the project. He stated they heard from residents regarding the lack of water in the wells. He stated that the lack of water is a public health issue, and the fire department was not able to connect to hydrants in the area during a fire.

Ron Holliday, resident, City of Murrieta. Mr. Holiday spoke in favor of the reorganization. He stated he owned property adjacent to the proposed annexation. He stated fire hydrants are desperately needed in the area. He stated that there is a public safety issue, and the wells are drying up.

Nick Kanetis, Assistant General Manager, Eastern Municipal Water District. Mr. Kanetis spoke in favor of the reorganization. He stated the City identified this community as needing a safe and reliable water supply and reached out to EMWD stating they will provide the additional funding needed to support the project. He stated after extensive outreach 36 property owners have agreed to connection with EMWD.

Alan Long, resident, City of Murrieta. Mr. Long spoke in favor of the reorganization. He stated that he has always had well water and that is now becoming more and more difficult as the wells are drying up. He stated it was a public health and safety issue citing cases of testimony from residents during meetings he attended.

Mihoko Yamanishi, resident, City of Murrieta. Ms. Yamanishi spoke in favor of the reorganization. She stated that her family spent money

to have their well drilled deeper for water which there was none. She stated they paid for a second well in and it barely provides water, but they are forced to get what little they can.

Speakers in opposition:

Robert Landwehr, resident. Mr. Landwehr requested additional time to speak. Chair Vargas allowed him six minutes. Mr. Landwehr spoke in opposition to the reorganization. He submitted his written comments and documents to the Commission. He stated there was not outreach done and his questions were not answered by the City or EMWD regarding the hydrants or funding. He stated how proper procedures were not followed regarding CEQA.

Chair Vargas closed the public hearing.

Commissioner Corona stated that he also sits on the board of EMWD. He stated that extensive outreach was conducted with the public. He stated that the City of Murrieta was providing funding, and it was a deal for those that wanted to participate in the annexation.

Moved (Jeffries) seconded (Tomanelli) to approve 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) as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

6. OTHER BUSINESS:

a. Selection of Officers for 2024.

Moved (Gutierrez) seconded (Estrada) to appoint Commissioner Vargas as Chair.

Moved (Estrada) seconded (Corona) to appoint and Commissioner Gutierrez as Vice-Chair.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

b. Committee Assignments for 2024:

i. Administrative Review Committee

Moved (Vargas) seconded (Tomanelli) to re-appoint Commissioners Vargas, Sanchez, and Tomanelli to the Administrative Review Committee.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

ii. Legislative Committee.

There was some discussion by the Commission and staff regarding meeting times and how many members can be on the committee.

Moved (Gutierrez) seconded (Corona) to appoint Commissioners Estrada, Sanchez, and Gutierrez to the Legislative Committee.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

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):

There were no new proposals.

b. Report on Conducting Authority Proceedings.

There was no Conducting Authority Proceedings report.

8. LEGISLATIVE UPDATE AND POTENTIAL POSITIONS.

Mr. Thompson gave an update on pending legislation. He stated the new legislative session had just begun and there would be a more extensive update next month.

9. EXECUTIVE OFFICER REPORTS.

Ms. Craig stated that LAFCO has not yet received the City of Indio's SOI amendment proposal for Pocket 7.

Commissioner Jeffries asked when the proposal may be brought to the Commission. Ms. Craig stated possibly by early March.

Commissioner Gutierrez asked if Indio has stated that they were moving in the direction of submitting a proposal. Ms. Craig stated that she had not spoken with the City since they submitted the letter to the Commission in December.

Commissioner Gutierrez asked if Coachella's proposal was complete. Ms. Craig stated yes, since September.

Commissioner Estrada asked what it would take to have Coachella's proposal before the commission next month. Counsel Cushman stated direction from the Chair and/or an official motion by the Commission.

Mr. Thompson stated if staff were given direction today, then there was still going to be time to give notice. Ms. Craig stated if staff were to wait until Indio submitted their proposal then it may be as late as March or April due to processing and noticing time-frames.

Commissioner Sanchez asked if Indio was moving in the right direction since December in preparing to submit their proposal. Ms. Craig stated that the city was going to take it to their Planning Commission in January but that there was no communication with the City since they submitted their letter in December.

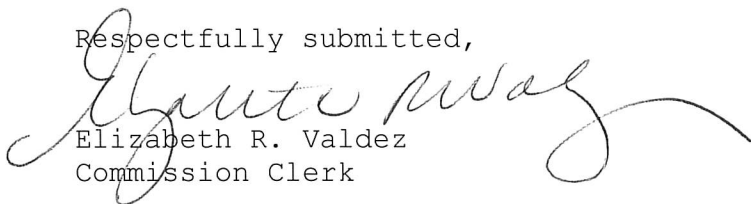
10. COMMISSIONER COMMENTS/FUTURE ITEMS.

Chair Vargas stated that Coachella has been ready since September with their proposal and the Commission cannot ask them to wait any further for Indio to finally submit theirs. Chair Vargas directed staff to put the Coachella proposal on February's agenda. The Commission agreed.

11. ADJOURNMENT.

The Commission adjourned the meeting at approximately 10:02 a.m.

Respectfully submitted,



Elizabeth R. Valdez
Commission Clerk