



**2.a.**  
**2/23/2023**

**MINUTES**  
**January 26, 2023**

Present                                   Michael Vargas, Chair  
Commissioners:                         Steve Sanchez  
  Kevin Jeffries  
  Yxstian Gutierrez  
  Steven Pastor, Alternate  
Via Teleconference:                 Stephen Tomanelli, 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 8:30 a.m.

**1.2. ROLL CALL.**

**1.3. 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 1, 2022
- b. January 12, 2023 (Special Meeting)

Moved (Gutierrez) seconded (Pastor) to approve the Minutes of the December 1, 2022 and January 12, 2023 meetings.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.  
NOES: None.  
ABSENT: None.  
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.

b. Renewing the Emergency Declaration pursuant to Resolution No. 01-23 Authorizing Virtual Commission Meetings for Thirty Days Pursuant to the Ralph M. Brown Act and establishing findings that state officials continue to impose or recommend measures to promote social distancing, justifying the ongoing need for virtual meetings. (Oral Report)

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

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.

NOES: None.

ABSENT: None.

ABSTAINED: None.

**5. PUBLIC HEARINGS:**

**Continued:** There were no continued public hearing items.

**New:** There were no new public hearing items.

**6. OTHER BUSINESS:**

a. Cherry Valley Unincorporated Community (UC) Five-Year Report.

Mr. Thompson presented this item. He stated that every five years the Cherry Valley UC must provide an updated report per policy. He stated that LAFCO has updated and generated a new map for both the Cherry Valley UC and the Banning Bench UC. He stated that the Cherry Valley UC has requested to continue their UC designation. He stated there was slow growth in the area and that Danny Thomas Ranch was purchased by the Beaumont-Cherry Valley Recreation and Park District and will be developed into a recreation area. He reviewed the options to the Commission if they chose to make a change in the designation.

Chair Vargas called on the public speakers.

**Sharon Hamilton**, Cherry Valley UC. Ms. Hamilton stated she lived

in Cherry Valley and loves the rural lifestyle. She thanked the Commission and asked them to continue the UC designation.

Mary Daniel. Ms. Daniel stated she lives south of Beaumont now but was a former resident in Cherry Valley. She thanked LAFCO and the County for the continued protection of vacant land.

Moved (Gutierrez) seconded (Sanchez) to receive and file the Cherry Valley Unincorporated Community Five-year Report and continue the UC designation as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.

NOES: None.

ABSENT: None.

ABSTAINED: None.

b. Banning Bench Unincorporated Community (UC) Five-Year Report.

Mr. Thompson presented this item. He stated that the Banning Bench UC filed a detailed report. He stated there was minimal growth in the area. He stated that the biggest issue is the availability of water in the area. Mr. Thompson stated that the City of Banning may provide water in the case of a future annexation. He stated that they requested to retain their UC status.

Chair Vargas called on the public speakers.

Larry Ellis. Mr. Ellis stated that the City and Banning Heights COI have been working closely together since the Apple Fire to provide water into the canyon. He stated that this was critical to Banning Bench. He stated the City was also working with the Dept. of Forestry and SoCal Edison.

Moved (Gutierrez) seconded (Pastor) to receive and file the Banning Bench Unincorporated Community Five-year Report and continue the UC designation as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.

NOES: None.

ABSENT: None.

ABSTAINED: None.

c. San Diego LAFCO Addendum to the Eastern Municipal Water District 2019 Municipal Service Review.

Mr. Thompson stated Riverside LAFCO and San Diego LAFCO entered into an MOU to change principal county to San Diego for the reorganization to include detachment of Fallbrook Public Utility District and Rainbow Municipal Water District from San Diego County Water Authority and annexation to Eastern Municipal Water District for wholesale water services. He stated that the application has been submitted to San Diego LAFCO. He stated an Addendum to the 2019 Eastern Municipal Water District MSR was required. He stated the Addendum was out for public review and comment.

This was a receive and file item. No action was taken by the Commission.

d. Selection of Officers for 2023.

After some discussion by the Commission, Commissioner Jeffries nominated Commissioner Vargas as Chair and Commissioner Tomanelli as Vice-Chair. Both commissioners accepted the nominations.

Moved (Jeffries) seconded (Tomanelli) to re-appoint Commissioner Vargas as Chair and Commissioner Tomanelli as Vice-Chair.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.

NOES: None.

ABSENT: None.

ABSTAINED: None.

e. Committee Assignments for 2023:

- i. Administrative Review Committee
- ii. Legislative Committee

Mr. Thompson stated that new commissioners would need to be appointed to the Legislative Committee since the previous members were no longer on the Commission.

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

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.

NOES: None.

ABSENT: None.

ABSTAINED: None.

Moved (Vargas) seconded (Jeffries) to appoint Commissioners Gutierrez and Pastor to the Legislative Committee.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Pastor, Jeffries, and Gutierrez.

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.

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 Omnibus bill was before the Assembly for Local Governance Committee for review. He stated that Government Code Section 56133 legislation will move forward this year. Mr. Thompson stated that the CALAFCO Legislative Committee will move forward with legislation to correct the indemnification language to include the collection of attorney fees.

**9. EXECUTIVE OFFICER REPORTS.**

Mr. Thompson gave a status update on the Special District Selection Committee election. Commissioner Sanchez asked if there was the ability to have two separate quorums for east and west nominations and do they have to be elected positions or can they be appointees to the special district. Mr. Thompson replied no, currently State law does not allow for two quorums and any board member can be nominated. Commissioner Jeffries stated that the Board of Supervisors was willing to send letters requesting the districts to vote in order to have a quorum if needed.

Mr. Thompson gave an update on the IID Study. He stated that LAFCO now has a page on the website dedicated to this study. He stated a draft report would be available in March. Commissioner Sanchez gave an update to the importance of this study as to how electricity will be provided to the Eastern Coachella Valley in the next ten years.

10. COMMISSIONER COMMENTS/FUTURE ITEMS.

The Commission requested that an item be put on the next agenda to discuss and approve changing the start time of meetings from 8:30 a.m. to 9 a.m.

11. ADJOURNMENT.

The Commission adjourned the meeting at approximately 9:11 a.m.

Respectfully submitted,



Elizabeth R. Valdez  
Commission Clerk