



2.a.
6/22/2023

MINUTES
May 25, 2023

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
Kelly Moran, Legal Counsel

1. CALL TO ORDER AND SALUTE TO THE FLAG.

Chair Vargas called the meeting to order at approximately 9:30 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 Moran made a statement to the public regarding disclosure of contributions made to Commissioners.

2. APPROVAL OF THE MINUTES:

a. April 17, 2023

Moved (Tomanelli) seconded (Gutierrez) to approve the Minutes of the April 17, 2023, meeting.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: Vargas and Corona.

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 (Sanchez) seconded (Tomanelli) to approve the LAFCO Monthly Expenditure Review as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

5. PUBLIC HEARINGS:

Continued: There were no continued public hearing items.

New:

a. Fiscal Year 2023/24 Final Budget.

Mr. Thompson presented the Final Budget. He stated the budget had not been changed since the approval of the Proposed Budget in April and he was recommending approval.

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

Moved (Tomanelli) seconded (Corona) to approve the Fiscal Year 2023/24 Final Budget as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

- b. LAFCO 2023-01-1,2,3,4,5-Countywide Municipal Service Review and Sphere of Influence Reviews and Potential Updates-Independent Recreation & Park Districts: Beaumont-Cherry Valley Recreation and Park District, Desert Recreation District, Jurupa Area Recreation and Park District, and Valley-Wide Recreation and Park District and a finding of exemption pursuant to the California Environmental Quality Act and a resolution making determinations on the proposal.

Mr. Thompson gave a PowerPoint presentation on the proposal. He reviewed the MSR and SOI statutes, requirements, and determinations for each district. He also reviewed the process for collecting the data and incorporating comments received into the report. Mr. Thompson stated that no changes were being recommended at this time to any of the district's spheres of influence.

Chair Vargas opened public hearing.

Mike Juarez, Board member, Valley-Wide Recreation and Park District (VWRPD). Mr. Juarez thanked staff and stated he did not want the SOI for VWRPD to be expanded. He spoke about the development of many Community Facilities Districts in VWRPD. He spoke about his concerns regarding the order of events and procedures by the Board at a recent VWRPD meeting.

Chair Vargas closed the public hearing.

Commissioner Sanchez asked how the taxes were distributed after an annexation. Mr. Thompson replied that a tax exchange agreement between a district and city would need to be done. Mr. Thompson stated if the annexation is between districts, assessments would usually transfer to the district taking over the territory.

Commissioner Estrada asked if agencies such as a school district would lose money if a district or city annexes territory within their SOI. Mr. Thompson replied no, only the two districts involved in the annexation would negotiate a tax exchange.

Moved (Jeffries) seconded (Sanchez) to approve LAFCO 2023-01-1,2,3,4,5-Countywide Municipal Service Review and Sphere of Influence Reviews and Potential Updates-Independent Recreation & Park Districts: Beaumont-Cherry Valley Recreation and Park District, Desert Recreation District, Jurupa Area Recreation and Park District, and Valley-Wide Recreation and Park District as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.
ABSTAINED: None.

6. OTHER BUSINESS:

a. Consideration and Approval of Office Lease Renewal.

Mr. Thompson stated that the office space lease would be up in October. He stated that the amendment would extend the lease for another five years at an increase of 3.5% annually. He stated that this is the annual increase of the current lease. Mr. Thompson stated the Admin Review Committee reviewed the amendment and had no issues.

Moved (Jeffries) seconded (Sanchez) to renew the Office Lease as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

b. Consideration and Approval of Comprehensive Market Survey - LAFCO Position Salary Ranges & Salary Adjustments.

Ms. Craig presented a PowerPoint detailing the market study done by LAFCO in conjunction with the Riverside County Compensation and Classification Department. She stated that the County had already completed the reclassification of the LAFCO Secretary position to Executive Assistant I-CN and reviewed the GIS Analyst position both resulting in an increase in the salary ranges. She recommended the commission ratify the action of the Board of Supervisors.

Ms. Craig stated that the salary ranges of the remaining three positions, Commission Coordinator, Assistant Executive Officer, and Executive Officer, were below market and recommended an increase to the salary range of each. She stated that in conjunction to salary range increases she was recommending an increase to the hourly salary of the Assistant Executive Officer, Commission Coordinator, and GIS Analyst. Ms. Craig stated she would implement a policy to review the salaries of staff every five years.

Commissioner Jeffries asked why the increase to the hourly rate was so large. Mr. Thompson replied that staff no longer receives COLAs, were employed during furloughs, and that once an employee is maxed out in their range, they no longer receive an increase.

He stated this was to ensure the retention of long-term, valued employees.

Commissioner Estrada asked if the increases were included in the Final Budget and when a survey was last done. Mr. Thompson replied yes, the increases were included in the Budget and that that the last survey was done in 2016 for the Commission Coordinator position and over four years ago for the Asst. Executive Officer. He stated that the County MOU provides for a 4% annual increase on the anniversary date until the employee is maxed out in their salary range, which the Commission Coordinator has been for years.

Commissioner Gutierrez asked if the increase in the hourly rate was on top of the salary range increase. Ms. Craig stated no, the hourly increase would be within the range.

Commissioner Vargas proposed the policy should state that salary ranges be reviewed every three years instead of every five years.

Moved (Jeffries) seconded (Gutierrez) to approve the LAFCO Position Salary Ranges and Salary Adjustments and to ratify the action of the Board of Supervisors related to the Executive Assistant and LAFCO GIS Analyst and to amend the recommendation to implement a policy to review the salary ranges every three years instead of every five years as recommended by staff.

Chair Vargas called for the vote.

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

NOES: None.

ABSENT: None.

ABSTAINED: None.

Commissioner Jeffries left the meeting at 9:51 a.m.

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 2023-02-3-Reorganization to Include Concurrent Annexations to Eastern Municipal Water District (Water & Wastewater) and Metropolitan Water District of Southern California (112th Fringe/Whitewood 29).
- ii. LAFCO 2023-03-1&5-Dissolution of County Service Area 93 (Moreno Valley).

Ms. Craig reviewed the new proposals received.

Commissioner Sanchez asked how many MSR/SOI reviews needed to be completed and stated there is a small pool of consultants to choose from to complete them. Mr. Thompson stated that the MSR/SOI cycles were ongoing, even when all district and city reviews are complete the next round starts again. Mr. Thompson stated that a majority of the reviews would be completed by staff.

b. Report on Conducting Authority Proceedings.

There was no Conducting Authority Proceedings report.

Commissioner Gutierrez left the meeting at 9:56 a.m.

8. LEGISLATIVE UPDATE AND POTENTIAL POSITIONS.

Mr. Thompson gave an update on pending legislation which includes the Omnibus bill and 56133. He stated that CALAFCO is working with two authors to address the indemnification issue. He stated that CALAFCO was opposing the bill on the consolidation of healthcare districts in Imperial County.

Commissioner Sanchez stated that LAFCO doesn't oppose consolidation for healthcare districts but opposes the law since it is written to bypass LAFCO and forces LAFCO to approve the consolidation without going through the LAFCO process.

9. EXECUTIVE OFFICER REPORTS.

Mr. Thompson welcomed Commissioner Corona to LAFCO.

a. San Diego LAFCO Proposal-Reorganization Involving Eastern Municipal Water District, Rainbow Municipal Water District, Fallbrook Public Utility District, and the San Diego County Water Authority.

Mr. Thompson gave a review and update on the San Diego Lafco proposal. He stated this has been ongoing for approximately four years. He stated that San Diego LAFCO will have this item on their June 5th agenda, and it would be live streamed on YouTube.

Mr. Thompson gave an update on the IID Study. He stated the Draft Study was out for review and any comments would be implemented in the final draft. He stated that he, Jurg Heuberger, Imperial LAFCO EO, and the consultant would be giving a presentation to the Energy Commission.

Public comment:

Greg O'Conner, Eastern Municipal Water District (EMWD) customer. Mr. O'Conner stated he was against the water district reorganization. He stated that the reorganization would be a direct

impact on EMWD and that they would need to build more facilities. He stated that EMWD wants to sell reclaimed water and San Diego LAFCO was not looking at the impact to EMWD. He stated he felt Commissioner Corona should not vote on anything related to EMWD increasing their SOI.

There were no more public comments.

Commissioner Sanchez stated that the IID Study did not give any recommendations from the consultant. He expressed frustration with the report and wanted it to provide what the next step would be instead of the options that were already known. Mr. Thompson stated that the report needs to be cleaned up and that a recommendation is hard until a decision is made. He stated that the Energy Commission can take the options provided and pursue them and figure out what they want to do and the costs that will be involved. Commissioner Sanchez expressed his concerns regarding who owns the infrastructure, and stated it needs to be resolved. Mr. Thompson stated the Energy Commission should be looking into that now and yes, he agrees it needs to be figured out.

Commissioner Estrada stated the recommendations were too vague and a preferred alternative would be better instead of many recommendations. He stated he hoped the consultant would have interviewed the agencies and members of the Energy Commission on the governance structure and what they wanted. Mr. Thompson stated yes, many interviews were done.

Commissioner Corona stated in regard to Mr. O'Conner's public comment, that EMWD was not taking a side on the San Diego LAFCO proposal and that no recycled water lines do, or would, run into San Diego County.

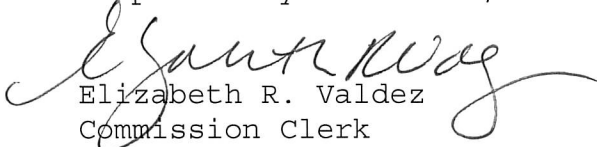
10. COMMISSIONER COMMENTS/FUTURE ITEMS.

Commissioner Vargas stated there would be no more Zoom meetings unless by a Commissioner under AB 2449.

11. ADJOURNMENT.

The Commission adjourned the meeting at approximately 10:21 a.m.

Respectfully submitted,


Elizabeth R. Valdez
Commission Clerk