

**2.**  
**4/25/2013**

**MINUTES**  
**MARCH 28, 2013**

Present: Phil Williams, **Chair**  
Nancy Wright, **Vice Chair**  
Kevin Jeffries  
Terry Henderson  
Eugene Montanez  
Jeff Stone  
Stephen Tomanelli

Present Staff: George J. Spiliotis, Executive Officer  
Adriana Romo, Local Government Analyst II  
Elizabeth Valdez, LAFCO Secretary  
Pam Walls, LAFCO Counsel

**1.1 CALL TO ORDER AND SALUTE TO THE FLAG.**

The meeting was called to order by Chair Williams at 9:34 a.m.

**1.2 ROLL CALL.**

**2. APPROVAL OF MINUTES OF JANUARY 24, 2013.**

Moved (Henderson) seconded (Wright) to approve the Minutes of January 24, 2013 meeting.  
7/0

**3. CONSENT (NON-HEARING ITEMS).**

There were no consent item.

**4. PUBLIC HEARINGS:**

**NEW:**

- a. LAFCO 2012-15-2-Reorganization to Include Annexation 110 to the City of Corona and Concurrent Detachment from the Riverside County Waste Resources Management District.

Ms. Romo presented this proposal as outlined in the staff report. She said the property was within the City's sphere of influence and that the City would be able to serve the area. She also spoke about protest proceedings, indicating we had not received written consent from the owner of one parcel.

Chair Williams opened the public hearing.

Dennis Armstrong, representing Manuel Valencia, 1530 Consumer Circle, Corona, CA 92880. Mr. Armstrong spoke in favor of the annexation.

Jason Moquin, City of Corona, 400 S. Vicentia Ave., Corona, CA 92882. Mr. Moquin spoke in the favor of the annexation.

James Dawson, 19800 Lords Canyon Rd., Corona, CA 92882. Mr. Dawson submitted a letter consenting to the annexation.

Mr. Spiliotis said that now that there was 100% landowner consent the protest proceeding could be waived.

Chair Williams closed the public hearing.

Counsel Walls reviewed and approved the letter submitted by Mr. Dawson.

Moved (Stone) seconded (Henderson) to approved LAFCO 2012-15-2-Reorganization to Include Annexation 110 to the City of Corona and Concurrent Detachment from the Riverside County Waste Resources Management District as recommended by staff and waiving protest proceedings.

7/0

## **5. PUBLIC COMMENTS.**

Shirley Sawyer, 19570 Carmelita Av., Corona, CA 92881. Ms. Sawyer said she lives in El Cerrito and did not want to become part of the City of Corona. She also said that she wanted to be sure that she would be notified of upcoming LAFCO issues regarding the area she lives in.

Mr. Spiliotis said that the item on the agenda today regarding the Temescal Valley annexation to Corona was just an information only item letting the Commission know that we have received the proposal in our office. He said that annexation does not include the El Cerrito area and they would not receive direct notice. He said she would need to submit a request to be notified.

Jana Walchle, 18863 Consullue, Corona, CA 92881. Ms. Walchle said she has lived in the El Cerrito area for many years. She asked LAFCO to consider El Cerrito when Corona proposals are before the Commission. She also spoke about registered voters and landowners and how they are noticed.

Louise Mazochi, 7740 Liberty Av., Corona, CA 92881. Ms. Mazochi spoke about Senate Bill 244, disadvantaged unincorporated communities.

## **6. RECEIVE AND FILE:**

a. Information Items: Proposals Received (Government Code Section 56857, 56751):

- i. LAFCO 2013-03-3-Reorganization to Include Annexations to Eastern Municipal Water District and the Metropolitan Water District of Southern California (103rd Fringe).

- ii. LAFCO 2013-04-1-Sphere of Influence Amendments to the City of Corona (addition) (Temescal Valley).
- iii. LAFCO 2013-05-1-Reorganization to Include Annexation 114 to the City of Corona (Temescal Valley), Concurrent Detachment from the Riverside County Waste Resources Management District and Detachment from County Service Area 134.

Mr. Spiliotis stated that these items listed were strictly for information only and that this was not the public hearing on the item nor would an action be taken at this meeting by the Commission other than to receive and file 6.a.

Jannlee Watson, 23043 Sunrose St., Corona, CA 92883. Ms. Watson spoke about the Temescal Valley. She said that she was happy with the services that she was receiving. Ms. Watson spoke in opposition to the proposed annexation.

Barbara Paul, 12035 Spanish Hills Drive, Corona, CA 92883. Ms. Paul spoke in opposition to the proposed annexation. She said that she would lose the level of emergency services she currently receives if annexed. Ms. Paul submitted 252 letters of opposition to the LAFCO Secretary.

John Watson, 23043 Sunrose St., Corona, CA 92283. Mr. Watson spoke in opposition to the proposed annexation. He spoke about the number of opposition letters already submitted to LAFCO. He said that he believes enough registered voters would oppose the annexation during the protest proceeding and if it went to an election.

Dan Smith, 25298 Noble Canyon St., Corona, CA 92883. Mr. Smith said he lived in an area of approximately 1200 homes and they oppose the proposed annexation. He spoke about losing the level of services already being provided.

Robin Miller, 8405 Glen Rd., Temescal Valley, CA 92883. Mr. Miller spoke in opposition to the proposed annexation. He spoke about current and proposed zoning of the area he lived in.

Jack Wyatt, 24171 Whitetail Dr., Glen Ivy, CA 92883. Mr. Wyatt spoke in opposition to the proposed annexation. He said he sent letters of opposition to LAFCO. He said he was happy with the current services being provided by the County.

Rob Mucha, 22512 Amber Eve Dr., Corona, CA 92883. Mr. Mucha spoke in opposition to the proposed annexation. He said he was happy with the current services and representation being provided by the County.

Terry Morairty, 8145 Weirick Rd., Temescal Valley, CA 92883. Mr. Moriarty spoke in opposition to the proposed annexation. He said he is happy with the services being provided by the County.

Brian Clingman, 7810 Weirick Rd., Temescal Valley, CA 92883. Mr. Clingman spoke in opposition to the proposed annexation.

Jerry Sincich, 25704 Lacebark Rd., Corona, CA 92883. Mr. Sincich spoke in opposition to the proposed annexation. He said the service levels that he is currently receiving will be reduced if annexed.

b. LAFCO Monthly Expenditure Review.

Moved (Wright) seconded (Tomanelli) to received and file items 6.a. Information Items and 6.b. Monthly Expenditure Review.

7/0

**7. REQUEST FOR EXTENSION TIME TO COMPLETE PROCEEDINGS FOR LAFCO 2010-01-1&2-ANNEXATION TO NORTHWEST MOSQUITO AND VECTOR CONTROL DISTRICT (CITY OF RIVERSIDE REMAINDER).**

Mr. Spiliotis presented this item as proposed in the staff report. He said that proposal was approved by LAFCO in 2010 and the District is waiting for the ballots to be returned regarding a condition of approval of a special assessment.

Moved (Wright) seconded (Montanez) to approve the request for an extension of time to complete proceedings for LAFCO 2010-01-1&2-Annexation to Northwest Mosquito and Vector Control District (City of Riverside Remainder) to April 30, 2014 as recommended by staff.

7/0

**8. NON-COMPETE AGREEMENT BETWEEN LEE LAKE WATER DISTRICT AND THE CITY OF CORONA.**

Mr. Spiliotis presented this item. He spoke about the terms of the agreement.

Commissioner Wright asked what happens if LAFCO no longer exists in 20 years.

Counsel Walls said that the parties could agree to name a successor or amend the agreement if LAFCO did not exist.

Jeff Pape, General Manager, Lee Lake Water District, 22646 Temescal Canyon Rd., Corona, CA 92883. Mr. Pape spoke about the District and who they serve. He spoke about how the agreement came about and asked the Commission to enter into the agreement as proposed.

Paul Rodriguez, Vice President, Board of Directors, Lee Lake Water District, 23691 Coffee Berry Circle, Corona, CA 92883. Mr. Rodriguez said the agreement was done to provide the best services possible. He also said the District has not taken a position on the proposed Temescal Valley annexation.

Moved (Wright) seconded (Tomanelli) to authorize the Executive Officer to execute the Non-Compete Agreement Between Lee Lake Water District and the City of Corona as recommended by staff.

7/0

**9. LAFCO 2012-13-1-REQUEST FOR EXTRA-TERRITORIAL SERVICE PROVISION-CITY OF CANYON LAKE (EVMWD PROPERTY).**

Mr. Spiliotis presented this item. He said that although the staff report was recommending approval staff was now recommending a one month continuance.

Moved (Jeffries) seconded (Henderson) to continue LAFCO 2013-13-1-Request for Extra-Territorial Service Provision-City of Canyon Lake (EVMWD Property) to April 25, 2013.

7/0

**10. OFFICE SPACE LEASE (ORAL REPORT).**

Mr. Spiliotis presented this item. He said that the lease for the new office space has been received by the landowner and ready to be signed by the Chair.

Moved (Stone) seconded (Montanez) to approve the Office Space Lease.

7/0

**11. LEGISLATIVE REPORT.**

**a. Update on current legislation.**

**b. Positions on AB 743, SB 772 AND SB 56.**

Mr. Spiliotis gave a summary of the current bills as outlined in the staff report. He said that AB 743 would allow for a streamlined method to process island annexations. He said the acreage for island annexation would be increased from 150 to 300 acres. He said that the bill would also eliminate the sunset provisions.

Moved (Henderson) seconded (Tomanelli) to take a support position on AB 743 with potential amendments.

7/0

Mr. Spiliotis spoke about SB 56. He said that revenues would be restored to cities with the most impact being on the four newly incorporated cities.

Moved (Henderson) seconded (Tomanelli) to take a support position on SB 56.

7/0

Mr. Spiliotis spoke about SB 772. He said that CALAFCO strongly opposes this bill. He said that the most significant concern is that it is a large unfunded mandate. He said it would require LAFCOs to establish spheres of influence and conduct municipal service reviews for private water companies and mutual water companies. He said that LAFCO does not have jurisdiction over the service territory of these water companies. Mr. Spiliotis said that gathering the information for these territories has not been easy in the past. He said that there are three regulatory agencies that have regulatory authority over the agencies and they should be the ones collecting the information.

Moved (Henderson) seconded (Tomanelli) to take an opposed position on SB 772 unless amended and direct staff to work with CALAFCO, the author and sponsor on amendments that will improve the dissemination of information without a significant additional burden on local agencies.

7/0

**12. INDEPENDENT AUDITOR'S REPORT FOR FISCAL YEAR 2011-2012.**

Mr. Spiliotis presented this item. He said that there were no control issues or changes recommended in the report. He said that net assets position is negative due primarily to large compensated absences on the books.

**13. REPORT ON PROTEST PROCEEDINGS (Oral Report).**

- a. LAFCO 2012-12-4-Reorganization to Include Annexation to the City of Rancho Mirage (I-10-Commercial) and the Rancho Mirage Community Services District and Concurrent Detachment from the Riverside County Waste Resources Management District.

Mr. Spiliotis reported that there were no protests received for this proposal. He said that there is a condition of approval for the City to enter into a road maintenance agreement with the County of Riverside that has not yet been executed. When this is completed the proposal will be recorded.

The Commission decided to take items 15 and 16 at this time.

**15. MISCELLANEOUS REPORTS.**

Mr. Spiliotis mentioned there was information from the League of California Cities and the CALAFCO Quarterly Report and was provided to the Commission with their packets.

**16. COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS.**

There were no Commission comments.

The Commission recessed into Executive Session at 10:58 a.m.

**14. EXECUTIVE SESSION:**

CONFERENCE WITH LEGAL COUNSEL:

With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION.  
Subdivision (a) of Section 54956.9:

- a. Boe Del Heights Mutual Water Association vs. Riverside LAFCO, et al.

Riverside County Superior Court Case Number: INC 1205090

The Commission reconvened at 11:07 a.m.

Chair Williams stated that there was no reportable action.

**17. ADJOURNMENT.**

The meeting was adjourned to April 25, 2013 at 11:07 a.m.

Respectfully submitted,

George J. Spiliotis  
Executive Officer