

MINUTES
July 23, 2015

Present: Nancy Wright, **Chair**
Douglas Hanson, **Vice Chair**
Kevin Jeffries
Eugene Montanez
Stephen Tomanelli
Chuck Washington
Phil Williams

Present Staff: George J. Spiliotis, Executive Officer
Crystal Craig, Local Government Analyst
Adriana Romo, Local Government Analyst
Elena Medina, Executive Assistant
Tiffany North, Legal Counsel

1.1 CALL TO ORDER AND SALUTE TO THE FLAG.

The meeting was called to order by Chair Wright at 9:31 a.m.

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF MAY 28, 2015.

Moved (Hanson) seconded (Williams) to approve the minutes of the May 28, 2015 meeting.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington
and Williams.

NOES: None.

ABSENT: None

ABSTAINED: None

3. CONSENT (NON-HEARING ITEMS).

There were no consent items.

4. PUBLIC HEARINGS:

CONTINUED:

- a. LAFCO 2014-20-5-Reorganization to Include Annexation 07-ANX-01A to the City of Beaumont (ASM Beaumont Business Center), Concurrent Annexation to the Beaumont-Cherry Valley Water District, and Concurrent Detachments from County Service Area 152 and the Riverside County Waste Resources Management District and Pursuant to the California Environmental Quality Act, the Commission, as a Responsible Agency, will also review and consider the Mitigated Negative Declaration

prepared by the City of Beaumont, as Lead Agency and adoption of a resolution making determinations on the proposal (**Continued from May 28, 2015; staff recommended continuance to September 24, 2015**).

Ms. Craig stated that since the last hearing, the City of Beaumont had not yet adequately responded to staff's concerns regarding the financial ability to extend municipal services to the annexation proposal. She further indicated that staff had received a letter from the City stating that the budget and financial plan was scheduled to be completed in August. Ms. Craig said that based on the information staff had at this time, staff could not recommend approval of the proposal; therefore, staff was recommending a continuance to September 24, 2015.

Commissioner Jeffries disagreed with staff's recommendation and stated that the project could not move forward unless it was in the City of Beaumont and felt it was not fair to make the property owner wait. He felt that this project needed to move forward at this time and the City of Beaumont needed to figure out how to provide the needed services for this project.

Chair opened the public hearing.

Brent Caldwell, representing, the Applicant, ASM Beaumont, 2300 Dupont Dr., #312, Irvine, CA 92612. Mr. Caldwell stated that he had reviewed the staff report and understood staff's position at this time. He stated that regarding the water concern, in their Urban Water Management Plan, the Beaumont-Cherry Valley Water District stated that there was sufficient water allocated for the project. He also commented that the project was a very small piece of property that would not affect the existing residents of the City.

Libi Uremovic, P. O. Box 2894, Rancho Cordova, CA 95741. Ms. Uremovic spoke in opposition to the annexation proposal restating how the City did not have the monies to service the annexation area and gave a brief history of what had transpired in the past two months.

Nancy Gall, 1375 Michigan Aveue, Beaumont, CA 92223. Ms. Gall spoke against the annexation proposal because of the City's inability to provide the needed services the proposed annexation.

Judith Bingham, 115 Viele, Beaumont, CA 92223. Ms. Bingham spoke in opposition to the annexation proposal.

Mary Daniel, P. O. Box 2041, Beaumont, CA 92223. Ms. Daniel spoke in opposition to the annexation proposal due to the City's inability to provide the municipal services needed for the proposal.

Commissioner Montanez expressed concern regarding the City of Beaumont's financial ability to provide municipal services to the new development.

Mr. Spiliotis responded that regarding law enforcement services, the City had its own police department. Their response could be faster because of their closer proximity to the new development area. He said that he could not comment any further than that.

Mr. Spiliotis further stated that staff was not expecting the City to turn things around in two months or even two years, but staff had requested the City to provide them with a plan on how they were going to be able to extend those services.

Commissioner Williams concurred with Commissioner Jeffries comments and further commented that the City of Beaumont had a long way to go before they got on their feet. He felt that the project needed to move forward to give the City and the residents a ray of hope. He encouraged everyone to move the project forward. Commissioner Williams stated that he saw this project as the first step to helping the City get where they needed to be.

Commissioner Washington asked Mr. Spiliotis if he believed that by September, staff was going to receive the response from the City of Beaumont. Mr. Spiliotis responded that he was hopeful. Commissioner Washington commented that he would like to see their response before he can make a motion to approve the proposal. He stated that he was in support of the continuance request as recommended by staff.

Commissioner Jeffries stated that the City of Beaumont should be encouraging the approval of this proposal for it was zoned commercial which usually generated revenue. He expressed his agreement with the continuance request.

Commissioner Hanson asked Mr. Caldwell what were his plans for the property. Mr. Caldwell responded that once the site was annexed into the City of Beaumont, the property will have a commercial-general zoning. He further stated that the probable use will be warehouse industrial. Commissioner Hanson stated that he was also in agreement of the 60-day continuance.

The public hearing remained opened.

Moved (Washington) seconded (Tomanelli) to continue LAFCO 2014-20-5-Reorganization to Include Annexation 07-ANX-01A to the City of Beaumont (ASM Beaumont Business Center), Concurrent Annexation to the Beaumont-Cherry Valley Water District, and Concurrent Detachments from County Service Area 152 and the Riverside County Waste Resources Management District to September 24, 2015 as recommended by staff.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington and Williams.

NOES: None.

ABSENT: None

ABSTAINED: None

NEW:

- b. LAFCO 2015-03-3-Reorganization to Include Annexation 79 to the City of San Jacinto and Concurrent Detachment from the Riverside County Waste Resources Management District (Maravilla Partners, TR 28224-1) and the Commission, as Responsible Agency, will review and consider a finding of exemption from the California Environmental Quality Act and adoption of a resolution making determinations on the proposal.

Ms. Craig presented the proposal as outlined in the staff report. She further commented that the proposal was to adjust the City of San Jacinto's eastern boundary between Mountain Avenue and the City of San Jacinto's Flood Control Channel. She stated that staff's recommendation was for approval of the proposal with standard terms and conditions.

Commissioner Montanez asked Ms. Craig how were the houses built. Ms. Craig responded that at the time the homes were built, city staff and the developer believed that the area was within the City of San Jacinto. She further stated that later on the error was discovered which was the reason for the proposed annexation before the Commission.

Chair Wright opened the public hearing.

Blaine Womer, Blaine A. Womer Civil Engineering, Mr. Womer spoke in favor of the annexation proposal and he said he was available for any question the Commission might have.

Sharon Paisley, Development Director, City of San Jacinto, 595 S. San Jacinto Avenue, San Jacinto, CA 92573. Ms. Paisley spoke in favor of the annexation proposal.

Chair Wright closed the public hearing.

Moved (Washington) seconded (Jeffries) to approve LAFCO 2015-03-3-Reorganization to Include Annexation 79 to the City of San Jacinto and Concurrent Detachment from the Riverside County Waste Resources Management District (Maravilla Partners, TR 28224-1) as recommended by staff.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington and Williams

NOES: None.

ABSENT: None

ABSTAINED: None.

5. PUBLIC COMMENTS.

There were no public comments.

6. RECEIVE AND FILE:

- a. Information Items: Proposals Received (Government Code Section 56857, 56751):
 - i. LAFCO 2015-03-3-Reorganization to Include Annexation 79 to the City of San Jacinto and Concurrent Detachment from the Riverside County Waste Resources Management District (Maravilla Partners, TR 28224-1)
 - ii. LAFCO 2015-04-4-Annexation to Valley Sanitary District (Indian Springs).

iii. LAFCO 2015-05-2-Sphere of Influence Amendments to Elsinore Valley Municipal Water District (Removal) and Temescal Valley Water District (Addition) (Toscana).

iv. LAFCO 2015-06-2-Reorganization to Include Annexation to Temescal Valley Water District (Parcel 1) and Detachment from Elsinore Valley Municipal Water District and Concurrent Annexation to Temescal Valley Water District (Parcel 2) (Toscana).

b. LAFCO Monthly Expenditure Review.

Moved (Hanson) seconded (Montanez) to receive and file Item 6.a. Information Items and 6.b. LAFCO Monthly Expenditure Review.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington and Williams

NOES: None.

ABSENT: None.

ABSTAINED: None.

7. ADOPTION OF RESOLUTION NO. 12-15 AMENDING AND SUPERSEDING PRIOR RESOLUTIONS ESTABLISHING SCHEDULES OF FEES FOR PROCESSING PROPOSALS.

Mr. Spiliotis stated that at the last meeting the Commission had tentatively approved the amendments to the processing fees and had directed staff to return with a resolution for formal adoption and approval by the Commission.

Moved (Hanson) seconded (Montanez) to adopt Resolution No. 12-15 Amending and Superseding Prior Resolutions Establishing Schedules of Fees for Processing Proposals as recommended by staff.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington and Williams

NOES: None.

ABSENT: None.

ABSTAINED: None.

8. WATER SUPPLY WORKSHOP.

Ms. Romo presented the workshop as outlined in the staff report on the role of LAFCOs and their statutory responsibility regarding water supply.

The Commission thanked Ms. Romo for her presentation. The Commission did not have any comments.

9. REQUEST TO WAIVE THE MUNICIPAL SERVICE REVIEW REQUIREMENT FOR THE TEMESCAL VALLEY WATER DISTRICT SPHERE OF INFLUENCE AMENDMENT (REMOVAL).

Ms. Romo presented the request as outlined in the staff report. She stated that based on the factors presented staff was recommending approval of the waiver request.

Moved (Tomanelli) seconded (Washington) to approve the Request to Waive the Municipal Service Review Requirement for the Temescal Valley Water District Sphere of Influence Amendment (Removal) as recommended by staff.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington and Williams.

NOES: None.

ABSENT: None.

ABSTAINED: None.

10. DESIGNATION OF VOTING DELEGATE FOR CALAFCO ANNUAL BUSINESS MEETING AND REGIONAL CAUCUS.

Chair Wright stated that staff was recommending that she be the voting delegate and Commissioner Hanson be the alternate for they will be attendance at the Annual CALAFCO Conference in September.

Moved (Hanson) seconded (Washington) to designate Commissioner Wright as the voting delegate and Commissioner Hanson as the Alternate Voting Delegate as recommended by staff.

AYES: Wright, Hanson, Jeffries, Montanez, Tomanelli, Washington and Williams.

NOES: None.

ABSENT: None.

ABSTAINED: None.

11. LEGISLATIVE REPORT: UPDATE AND POSITIONS ON CURRENT LEGISLATION. (Oral Report).

Mr. Spiliotis stated that the Local Government Omnibus Bill which carried technical changes to LAFCO Law had gone to the Legislature and it was signed into law by the Governor the previous week. Mr. Spiliotis said that the other significant piece of legislation that they had been following was the disincorporation statute re-write. He further stated that this bill, AB 851 by Assembly Member Chad Mayes, had gone through the assembly and through the Local Governance and Finance Committee and was now on the Senate floor. He said that they were not expecting any problems with this bill. He said that hopefully, it will pass very shortly. Mr. Spiliotis also stated that regarding the Water Consolidation Bill, SB 88, which gave the State Water Board the ability to order consolidations of water systems involving disadvantaged communities, had passed the bill. He said that they were already looking at some clean-up legislation.

12. REPORT ON CONDUCTING AUTHORITY PROCEEDINGS.

Mr. Spiliotis stated that from now on staff will be providing a written report on these proceedings and gave a brief overview on each proposal as outlined in the staff report.

13. MISCELLANEOUS REPORTS.

There were no miscellaneous items.

14 COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS.

There were no Commissioner comments.

15. ADJOURNMENT.

The meeting was adjourned at 10:45 a.m. to September 24, 2015.

Respectfully submitted,

George J. Spiliotis
Executive Officer