

2.
5/26/2011

MINUTES
April 28, 2011

Present: Stephen Tomanelli, **Chair**
Phil Williams, **Vice Chair**
Bob Buster
Terry Henderson
John Tavaglione
Nancy Wright

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

1.1 CALL TO ORDER AND SALUTE TO THE FLAG.

The meeting was called to order by Chair Tomanelli at 9:33 a.m.

1.2 ROLL CALL.

2. APPROVAL OF MINUTES OF MARCH 24, 2011.

Moved (Henderson) seconded (Williams) to approve the Minutes of March 24, 2011 with one correction on the first page of Item 1.1. to state that the meeting was called to order by Chair Tomanelli instead of Chair Buster.
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3. CONSENT(NON-HEARING ITEMS):

There were no consent items.

4. PUBLIC HEARINGS:

CONTINUED:

- a. LAFCO 2007-31-4-Reorganization to Include Annexation 86 to the City of Indio (Citrus Ranch) and Concurrent Detachment from the Riverside County Waste Resources Management District. (**Continued from October 28, 2010, staff requests continuance to September 22, 2011**).

Moved (Henderson) seconded (Wright) to continue LAFCO 2007-31-4-Reorganization to Include Annexation 86 to the City of Indio (Citrus Ranch) and Concurrent Detachment from the Riverside County Waste Resources Management District to September 22, 2011.

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- b. LAFCO 2010-17-4-Reorganization to Include Annexation 55 (Cocopah) to the City of Coachella, the Coachella Fire Protection District (subsidiary) and the Coachella Sanitary District (subsidiary), and Detachments from County Service Area 125 and the Riverside County Waste Resources Management District. **(Continued from March 24, 2011; staff recommends continuance to July 28, 2011)**

Moved (Henderson) seconded (Tavaglione) to continue LAFCO 2010-17-4-Reorganization to Include Annexation 55 (Cocopah) to the City of Coachella, the Coachella Fire Protection District (subsidiary) and the Coachella Sanitary District (subsidiary), and Detachments from County Service Area 125 and the Riverside County Waste Resources Management District to July 28, 2011.

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NEW:

- c. LAFCO 2011-01-1-Reorganization to Include Annexation 115 (Karger) to the City of Riverside and Detachment from the Riverside County Waste Resources Management District. **(Staff recommends continuance to May 26, 2011)**

Moved (Henderson) seconded (Williams) to continue LAFCO 2011-01-1-Reorganization to Include Annexation 115 (Karger) to the City of Riverside and Detachment from the Riverside County Waste Resources Management District to May 26, 2011.

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- d. LAFCO 2011-02-5-Sphere of Influence Amendment (addition) to Mission Springs Water District (Garnet Hill).

Ms. Romo presented the proposal as outlined in the staff report and recommended approval of the sphere of influence amendment with standard terms and conditions.

Chair Tomanelli opened the public hearing and there being no proponents or opponents wishing to speak the public hearing was closed.

Moved (Williams) seconded (Henderson) to approve LAFCO 2011-02-5-Sphere of Influence Amendment (addition) to Mission Springs Water District (Garnet Hill) as recommended by staff.

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- e. Proposed Budget for Fiscal Year 2011-2012.

Mr. Spiliotis presented the report as outlined in the staff report and commented that the proposed budget represented an overall reduction in appropriations of over six percent for an overall decrease of 44 percent over five fiscal years.

Commissioner Henderson complimented Mr. Spiliotis for a job well done on the report. She also expressed her appreciation for the efforts that staff had done to help with the budget.

Commissioner Tavaglione commented that everyone in the State of California was going through the same struggles of trying to balance the budget.

Moved (Henderson) seconded (Tavaglione) to approve the Proposed Budget for Fiscal year 2011-2012 as recommended by staff.

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5. PUBLIC COMMENTS.

There were no public comments.

6. RECEIVE AND FILE:

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

i. LAFCO 2011-05-4-Establishment of the Wildomar Cemetery District as a Subsidiary District of the City of Wildomar.

b. LAFCO Monthly Expenditure Review.

Moved (Tavaglione) seconded (Wright) to receive and file items 6.a. Information Items and 6.b. LAFCO Monthly Expenditure Review.

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7. AGREEMENT TO PROVIDE SUPPORT SERVICES TO SAN BERNARDINO LAFCO.

Mr. Spiliotis stated that San Bernardino LAFCO had requested to contract with Riverside LAFCO for clerical support services and staff was recommending approval of this request.

Moved (Henderson) seconded (Wright) to approve the Agreement to Provide Support Services to San Bernardino LAFCO as recommended by staff.

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8. LEGISLATIVE UPDATE.

Mr. Spiliotis gave the update to the Commission as outlined in the staff report. Mr. Spiliotis elaborated on SB 244 stating that the bill could represent substantial unfunded mandates to LAFCOs, Counties and Cities. He stated that CALAFCO has had at least one discussion with the author's office to try to resolve some of the issues of concern. He suggested taking an "oppose" position. Legal Counsel Lind suggested a formal position should be agendaized for the next meeting.

Commissioner Henderson expressed her opposition to SB 244 and also supported writing a letter in opposition to the bill.

The Commission directed the Executive Officer to write a letter in opposition to SB 244 and bring it back to the next LAFCO Hearing, May 26, 2011.

10. MISCELLANEOUS REPORTS.

There were no miscellaneous staff reports.

11. COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS.

Commissioner Buster stated that the State Redistricting Commission was going to hold a meeting in the City of Norco on May 5th. He asked Mr. Spiliotis if there was anything that this Commission should be telling them with regard to future State Assembly, State Senate or Congressional Districts boundaries that would help or alleviate issues or problems that had happened in the past because of boundaries being stretched out in a different direction.

Mr. Spiliotis stated that the only assistance LAFCO could offer to them as well as the local redistricting committee would be to provide information regarding the cities' spheres of influence because he felt it was important to take the spheres of influence into account when making those decisions.

The Commission decided to recess to Executive Session.

9. 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. **CITY OF PERRIS v. LAFCO**
San Diego County Superior Court Number 37-2010-00096561-CU-WM-CTL
- b. **CITY OF PERRIS v. LAFCO, et al.**
San Diego County Superior Court Number 37-2009-00059573-CT-TT-NC
- c. **CITY OF PERRIS v. LAFCO et al.**
San Diego County Superior Court Number 37-2010-00095159-CU-JR-CTL

The Commission reconvened at 10:25 and Counsel announced that there was nothing to report.

12. ADJOURNMENT.

The Commission adjourned at 10:30 a.m. to the next meeting on May 26, 2011.

Respectfully submitted,

George J. Spiliotis
Executive Officer