



2.a.
9/22/2022

MINUTES
July 28, 2022

Present: Michael Vargas, Chair
Commissioners: Nancy Wright
Jeff Hewitt
Steve Sanchez
Phil Williams
Via Teleconference: Stephen Tomanelli, Vice-Chair
Kevin Jeffries

Present Staff: Gary Thompson, Executive Officer
Crystal Craig, Assistant Executive Officer
Michael Henderson, GIS Analyst
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 9:00 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. June 23, 2022
- b. July 19, 2022 (Special Meeting)

Moved (Wright) seconded (Hewitt) to approve the Minutes of the June 23, 2022 and July 19, 2022 meetings.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Wright, Jeffries, Hewitt, and Williams.
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. AB 361 Renewing the Emergency Declaration pursuant to Resolution No. 01-22 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. (No written report) (Link to Resolution 01-22).

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

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Sanchez, Jeffries, Wright, Hewitt, and Williams.

NOES: None.

ABSENT: None.

ABSTAINED: None.

5. PUBLIC HEARINGS:**Continued:**

a. LAFCO 2021-06-1,2,3,4&5-Countywide City Municipal Service Review and Sphere of Influence Reviews and Potential Amendments and a finding of exemption pursuant to the California Environmental Quality Act and adoption of resolutions making determinations on the proposal. (Continued from June 23, 2022)

Chair Vargas stated that late correspondence was received after the deadline by:

- Rutan & Tucker, attorney for City of La Quinta - letter
- Angela Little, Winchester/Homeland Municipal Advisory Council - letter
- City of Coachella, printed PowerPoint presentation.

Chair Vargas announced the time limit for speakers would be two (2) minutes.

Ms. Craig stated this item was continued from last month to allow for the Commission and agencies to review all the late correspondence and public testimony that was received. She stated that staff was making modifications to the sphere of influence determinations, corrected maps, and modified staff recommendations for a few cities. She

RIVERSIDE LOCAL AGENCY FORMATION COMMISSION

presented a PowerPoint presentation discussing each of the modifications in detail and the amendments to the Cities of Coachella, Indio, and Palm Desert. She stated that staff is recommending confirming the spheres of influence for the remaining 25 cities.

Chair Vargas continued the public hearing.

Linda Evans, Mayor, City of La Quinta. Ms. Evans stated that the City has now reviewed Coachella's plan to amend their SOI of an area not in their General Plan and against Commission Policy. She spoke in support of staff's recommendation to keep La Quinta's SOI unchanged.

Danny Castro, Design & Development Director, City of La Quinta. Mr. Castro provided history on La Quinta's sphere of influence.

Cheri Flores, Planning Manager, City of La Quinta. Ms. Flores spoke in favor of the staff recommendation for keeping the City's SOI unchanged. She spoke about future annexation of the City's SOI.

Chris Escobedo, Community Resource Director, City of La Quinta. Mr. Escobedo spoke about the planning for future public service for the City. He stated the City has the resources to support safety for future annexations to the City.

Star Leal, Rutan and Tucker, attorney for the City of La Quinta. Ms. Leal spoke about the City of Coachella, government code 56133, and the service agreement between the City of Coachella and Coachella Valley Water District (CVWD) and in opposition of Coachella's request to amend their SOI.

Jon McMillen, City Manager, City of La Quinta. Mr. McMillen spoke in support of the staff recommendation and thanked staff. He spoke about the future of water and energy services in La Quinta's SOI. He spoke about community outreach in the Vista Santa Rosa area and keeping it in the City's SOI.

Kevin Snyder, Director of Community Development, City of Indio. Mr. Snyder thanked staff and the Commission. He stated there was a technical error to No. 5 on page 637 of the Public Hearing Draft MSR and requested this be addressed in the Final Draft.

Lesia Sobek, Councilmember, City of Menifee. Ms. Sobek requested the Commission to be fair. She stated that there was no formal application to amend Menifee's SOI.

Cheryl Kitzerow, Community Development Director, City of Menifee. Ms. Kitzerow thanked staff and the Commission. She stated they were in support of the staff recommendation. She stated that there is no current application for a SOI amendment. She stated that it is a part of the City's 5-Year Plan but has not yet been acted on.

Gabriel Perez, City Development Director, City of Coachella. Mr. Perez referenced a PowerPoint that was printed for the Commission. Mr. Perez spoke about the proposed SOI amendment to the City's western boundary. He stated that the area was in Coachella's SOI in 2005 prior to it being placed in La Quinta's. He stated that P7 was evaluated in the General Plan EIR. He spoke about the 2005 action of the Commission when reviewing the City's SOI.

Castulo Estrada, Utilities Manager, City of Coachella. Mr. Estrada stated that the City has planned to provide services to the proposed SOI amendment. He stated that the area was in the City's SOI prior to it being in La Quinta's.

Holland Stewart, Best Best & Krieger, attorney, City of Coachella. Mr. Stewart thanked staff. He stated that he submitted a comment letter to the Commission. He stated that the City has provided water and sewer services outside its boundaries to the area in question for many years. He stated that those services were reviewed in the Countywide Water and Wastewater MSR.

Steven Hernandez, Mayor, City of Coachella. Mr. Hernandez stated that this area was in Coachella's SOI and water and sewer authority prior to 2005. He stated that the infrastructure was put in place to serve the area. He asked the Commission to work with Coachella and La Quinta to fairly divide the area.

Rochelle Clayton, Assistant City Manager, City of Menifee. Ms. Clayton wanted to reiterate that there was no current application for a SOI amendment before LAFCO. She stated that the City has met with members of the MAC and will continue to work collaboratively with the public.

Chair Vargas closed the public hearing.

Commissioner Williams commended the City of Menifee and the public for their collaboration. He stated he was a member of the Commission during the 2005 MSR review.

Commissioner Hewitt stated that he is pleased with the collaboration with the City of Menifee and the public. He stated that there was history before the 2005 decision. He stated that both the City of La Quinta and Coachella made compelling arguments today.

Commissioner Wright stated that Coachella needs to meet with La Quinta which option they agree on prior to coming to LAFCO.

Commissioner Sanchez commended the City of Menifee and the public for working together. He stated that there is a process to be followed when amending a SOI and for annexations. He stated his recommendation was to keep the staff recommendation as is.

Commissioner Jeffries left the meeting at 9:55 a.m. due to technical difficulties and not being able to hear the public testimony on Zoom.

Commissioner Tomanelli stated he was also having trouble hearing the meeting on Zoom.

Chair Vargas asked if they could make a motion to confirm the 27 of 28 cities and not act on the Coachella's requests.

Mr. Thompson stated that any changes the Commission decide to make to a SOI that is not in the City's General Plan then LAFCO would be responsible for the CEQA process. He recommended the Commission act today.

Commissioner Wright asked if the area was in Coachella's General Plan. Mr. Thompson stated the area is not in the General Plan that was made available to staff.

Moved (Sanchez) seconded (Hewitt) to approve LAFCO 2021-06-1,2,3,4&5-Countywide City Municipal Service Review and Sphere of Influence Reviews and Potential Amendments accepting staff modifications and technical corrections as recommended by staff.

Chair Vargas called for the vote.

AYES: Sanchez, Wright, Hewitt, and Williams.

NOES: None.

ABSENT: Jeffries.

ABSTAINED: Vargas, Tomanelli.

New:

- b. LAFCO 2022-02-3,4&5-Countywide Municipal Service Review and Sphere of Influence Review and Potential Updates for Library Independent Special Districts: Banning Library District, Beaumont Library District, and Palo Verde Valley Library District and a finding of exemption pursuant to the California Environmental Quality Act and adoption of resolutions making determinations on the proposal; and
- c. LAFCO 2022-03-1,2&3-Countywide Municipal Service Review and Sphere of Influence Review and Potential Updates for Mosquito & Vector Control Independent Special Districts: Coachella Valley Mosquito & Vector Control District and Northwest Mosquito & Vector Control District and a finding of exemption pursuant to the California Environmental Quality Act and adoption of resolutions making determinations on the proposal; and
- d. LAFCO 2022-04-3-Countywide Municipal Service Review and Sphere of Influence Review and Potential Updates for Fire Protection Independent Special Districts: Idyllwild Fire Protection District and a finding of exemption pursuant to the California Environmental Quality Act and adoption of resolutions making

determinations on the proposal.

Mr. Thompson presented items 5.a., b., and c. together. He gave a PowerPoint presentation discussing each district's boundary and that the recommendation was to maintain the current SOI for each of the districts. He stated that Beaumont Library District's SOI was moved into Banning Library District's SOI in 2009 and Beaumont LD feels that never should have happened and that they lost revenue since. He stated that all the disadvantaged unincorporated communities were being served by the districts. Mr. Thompson discussed in detail library district revenue and how services are provided.

Commissioner Hewitt asked about the Beaumont/Banning Library District issue and how hard it would be to undo the previous amendment made by the Commission. Mr. Thompson stated that yes it would be difficult and it would also require changing one district's boundary since there has been annexations since.

Moved (Williams) seconded (Hewitt) to approve as recommended by staff:

- a. LAFCO 2022-02-3,4&5-Countywide Municipal Service Review and Sphere of Influence Review and Potential Updates for Library Independent Special Districts: Banning Library District, Beaumont Library District, and Palo Verde Valley Library District; and
- b. LAFCO 2022-03-1,2&3-Countywide Municipal Service Review and Sphere of Influence Review and Potential Updates for Mosquito & Vector Control Independent Special Districts: Coachella Valley Mosquito & Vector Control District and Northwest Mosquito & Vector Control District; and
- c. LAFCO 2022-04-3-Countywide Municipal Service Review and Sphere of Influence Review and Potential Updates for Fire Protection Independent Special Districts: Idyllwild Fire Protection District.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Hewitt, Sanchez, and Williams.

NOES: None.

ABSENT: Jeffries.

ABSTAINED: None.

6. OTHER BUSINESS:

- a. Fiscal Year 2022-23 Budget Revenue and Appropriations Amendments - SWRCB Grant.

Mr. Thompson stated that he wanted to rescind the action taken last month to put the funding for the study in the FY 2021-2022 Budget. He stated that the first installment was received, and this is a formality to amend the Budget.

Moved (Williams) seconded (Wright) to rescind the action taken last month to put the funding for the study in the FY 2021-2022 Budget and approve the Fiscal Year 2022-23 Budget Revenue and Appropriations Amendments - SWRCB Grant as recommended by staff.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Hewitt, Sanchez, and Williams.

NOES: None.

ABSENT: Jeffries.

ABSTAINED: None.

- b. CALAFCO Annual Conference Attendance and Designation of Voting Delegate for CALAFCO Annual Business Meeting and Regional Caucus.

Mr. Thompson asked the Commission who would like to attend the Conference. He stated that they need to select a voting delegate and alternate for the business meeting.

Chair Vargas and Commissioner Sanchez stated they would be able to attend the conference.

Moved (Vargas) seconded (Williams) to appoint Chair Vargas as the Voting Delegate and Commissioner Sanchez as the Alternate Voting Delegate for the CALAFCO Annual Business Meeting and Regional Caucus.

Chair Vargas called for the vote.

AYES: Vargas, Tomanelli, Wright, Hewitt, Sanchez, and Williams.

NOES: None.

ABSENT: Jeffries.

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):

- i. LAFCO 2022-10-3-Reorganization to Include Detachment from County Service Area 146 and Concurrent Annexation 102 to County Service Area 84 (TR 36417 - KB Homes).
- ii. LAFCO 2022-11-3-Annexation 1 to County Service Area 69 (TR 32081).
- iii. LAFCO 2022-12-3-Annexation to Valley-Wide Recreation and Park District (TR 38163 - D.R. Horton/Keller Crossing)

Ms. Craig gave a brief overview of each of the new and/or LAFCO initiated proposals.

b. Report on Conducting Authority Proceedings.

There was no Conducting Authority Proceedings Report.

8. LEGISLATIVE UPDATE AND POTENTIAL POSITIONS.

Mr. Thompson gave an update on pending legislation. He stated the two CALAFCO sponsored bills were signed by the Governor.

9. EXECUTIVE OFFICER REPORTS.

Mr. Thompson stated that it was a long MSR process and now agencies and the public are now talking with each other. He stated that the IID study has begun and meetings with the consultants are scheduled.

10. COMMISSIONER COMMENTS/FUTURE ITEMS.

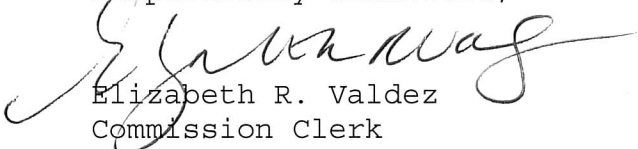
Commissioner Wright stated that the City of Coachella asked for help with meeting with La Quinta and if staff would be helping facilitate that.

Commissioner Sanchez stated that a meeting has been scheduled.

11. ADJOURNMENT.

The Commission adjourned the meeting at approximately 10:28 a.m.

Respectfully submitted,



Elizabeth R. Valdez
Commission Clerk