

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Supervisor Stone

SUBMITTAL DATE:
March 12, 2007


SUBJECT: Resolution of Application requesting LAFCO to take proceedings for the Incorporation of the City of Menifee Valley

RECOMMENDED MOTION: That the Board of Supervisors:
Please join me in sponsoring the Menifee Valley Incorporation Committee to initiate a new application to the Local Agency Formation Commission (LAFCO) and adopt the foregoing resolution.

BACKGROUND:

Menifee Valley is one of the fastest growing areas in our county and has been actively pursuing cityhood for the past 10 years. Prior efforts to incorporate have been delayed due to changes in State Law and changes in the State Budget.

With the passage of AB 1602, which restores the Vehicle License Fee (VLF) subvention, the Menifee Valley Incorporation Committee is now positioned to begin a new study with current data and proceed with the effort of becoming a city.



Jeff Stone
Supervisor, 3rd District

Prev. Agn. Ref.:

District: 3-50 Agenda Number:

3.2

Resolution No. 2007-140

**A RESOLUTION OF APPLICATION BY THE
COUNTY OF RIVERSIDE
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE
PROCEEDINGS FOR THE INCORPORATION OF THE CITY OF MENIFEE VALLEY**

WHEREAS, the County of Riverside desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the incorporation of the City of Menifee; and

WHEREAS, notice of intent to adopt this resolution of application has not been given to the commission, each interested agency and each subject agency at least 20 days prior to the adoption of this resolution; and

WHEREAS, the territory proposed to be incorporated is inhabited, and a description of the boundaries of the territory is set forth in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is not consistent with the sphere of influence of the affected district(s); and

WHEREAS, it is desired to provide that the proposed incorporation be subject to the following terms and conditions:

- 1. Single Ballot Question – The question of incorporation, all related boundary changes, and all terms and conditions shall be presented as one question on the ballot.**
- 2. Effective Date – The effective date of the incorporation shall be determined by LAFCO.**

3. **Legislative Body** – The City shall be governed by a five (5) member City Council elected at large.
4. **Council Terms of Office** – The terms of office of the City Council members shall be four (4) years. Of the first elected legislative body, the terms of three (3) members of the City Council with the largest popular vote shall be four (4) years. Of the first elected legislative body, the terms of the two (2) members of the City Council with the least popular vote shall be two (2) years.
5. **Selection of Mayor** – It is the desire of the electorate that the terms of the office of Mayor be one (1) year and that the position be rotated among all members of the City Council. It is intended that the City Council candidate receiving the greatest number of votes during the incorporation election shall serve as the first Mayor of the City.
6. **First City Council Meeting** – In addition to all other means authorized by law, the first meeting of the City Council may be called by notice given in a lawful manner by any three (3) members of the City Council.
7. **Form of Organization** – The City shall have a City Manager and the City Council shall appoint the City Manager who shall fill the positions of City Clerk and City Treasurer by appointment.
8. **Provisional Appropriations Limit** – LAFCO shall establish a provisional appropriations limit sufficient to accommodate reasonable and possible future increases in proceeds of taxes received by the City.
9. **Continuation of Existing General Taxes** – The City shall be authorized to levy as general taxes of the City those general taxes which are from time to time levied by the County including (1) a sales and use tax collected under contract with the State Board of Equalization and returned to the City pursuant to applicable law, (2) a transient occupancy tax on gross receipts of hotels, motels and similar facilities within the City and returned by the operators of such facilities pursuant to local ordinance, (3) a business license tax to be collected by the City pursuant to local ordinance, and (4) all other applicable general taxes presently imposed by the County to be collected by the same method of collection as use by the County.

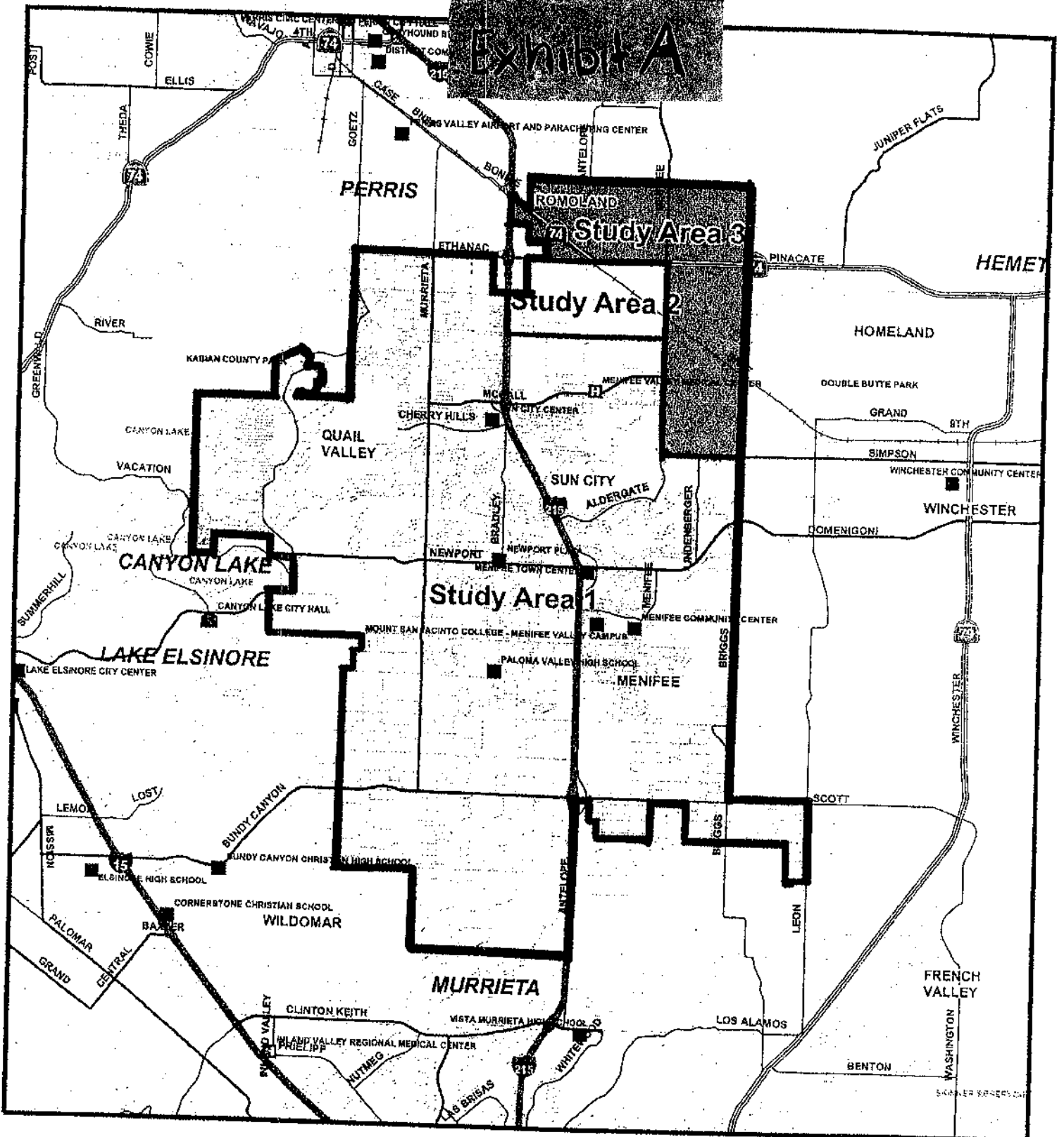
10. Continuation of Charges, Fees and Assessments – The City shall be authorized to continue to levy charges, fees and assessments of the City that are from time to time levied by the County or any of the subject agencies of this incorporation.

WHEREAS, the reasons for the proposed incorporation are as follows:

1. Provide Menifee residents local control over planning, services and infrastructure.
2. Provide the local communities a greater voice in required services.
3. Create a politically accountable local government for the community.
4. Retain local tax revenues for use in and to benefit the community.
5. Maintain the community's unique environment and preserve historical and cultural heritage.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Riverside, assemble in regular session on 03/27/07, that the Board hereby requests the Local Agency Formation Commission take proceedings for the incorporation of the City of Menifee according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Exhibit A

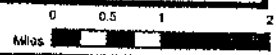


Boundaries of the Proposed City of Menifee Valley

February 2007



JN.04623_Proposed City of Menifee Valley_Letter.mxd



Legend					
	Study Area 1		Freeway		City Limit
	Study Area 2		Highway		Area of Interest
	Study Area 3		Major Street		Park
	Civic Center		Railroad		Water Body
	Point of interest		Hospital		

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