

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



3.5

On motion of Supervisor Stone, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Executive Office regarding Resolution 2012-96 Authorizing Deferral of Reimbursement of Transition Year Service Costs to the City of Menifee Pursuant to Government Code Section 57384 is taken off calendar.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 27, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 27, 2012  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: \_\_\_\_\_

Deputy

AGENDA NO.

3.5

xc: E.O.



# MEMORANDUM

EXECUTIVE OFFICE, COUNTY OF RIVERSIDE

**Larry Parrish**

*Interim County Executive Officer*

**Jay E. Orr**

*Assistant County Executive Officer*

**TO:** Kecia Harper-Ihem, COB  
**FROM:** Jay E. Orr, Assistant CEO  
**DATE:** March 27, 2012  
**RE:** OFF CALENDAR

Please take the items below off-calendar:

3.4 – Executive Office: Adoption of Resolution 2012-95 authorizing deferral of reimbursement of Transition Year Service Costs to the City of Wildomar pursuant to Government Code Section 53784.

3.5 – Executive Office: Adoption of Resolution 2012-96 authorizing deferral of Reimbursement of Transition Year Service Costs to the City of Menifee pursuant to Government Code Section 53784.

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

242



**FROM:** Executive Office

**SUBMITTAL DATE:**  
March 19, 2012

**SUBJECT:** Resolution No. 2012-96 Authorizing Deferral of Reimbursement of Transition Year Service Costs to the City of Menifee Pursuant to Government Code Section 57384

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Resolution No. 2012-96, deferring the repayment of transition year service costs by the City of Menifee.

**BACKGROUND:** When a city incorporates, government code requires the county to provide existing levels of service to the area incorporated for the remaining fiscal year, or until the city council requests discontinuance of service; whichever occurs first. This period is known as the transition year. The requirement to repay the county within five years from the date of incorporation for the transition year service costs was included in the conditions of approval adopted by the Local Area Formation Commission (LAFCO) on October 25, 2007.

Continued on the next page

  
Tina Grande, Principal Management Analyst

FORM APPROVED COUNTY COUNCIL  
BY  3/2  
DALE A. GARDNER

Departmental Concurrence

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE  
  
BY: Christopher M. Hans

County Executive Office Signature

- Policy
- Policy
- Consent
- Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.: | District: 3&5/5 | Agenda Number:

3.5

Resolution No. 2012-96 Authorizing Deferral of Reimbursement of Transition Year Service Costs to the City of Menifee Pursuant to Government Code Section 57384

March 19, 2012

Page 2

**BACKGROUND continued:** The City of Menifee incorporated on October 1, 2008, which means total repayment is due before October 1, 2013. The total transition year net cost to the county is \$1,057,615. Of this amount, \$459,977 was for general fund services, and the remaining \$597,638 was for non-general fund transportation services. These amounts are adjusted annually by any subsequent change in the California Consumer Price Index (CPI).

The city approached the Executive Office and discussed terms for a deferral of the transition year costs. On January 3, 2012, the City of Menifee City Council formally requested a deferral by resolution.

The attached resolution reflects terms discussed and recommended by the Executive Office. The terms are as follows: The city will be allowed to defer repayment of the total general fund transition year costs for an additional five years to September 30, 2018. Full repayment of the non-general fund transportation services costs repayment will be deferred until fiscal year 2020/2021, with a minimum annual payment of no less than \$100,000, plus CPI, beginning in fiscal year 2015/2016 and ending in fiscal year 2020/2021.

Government Code Section 57384 allows the Board of Supervisors, by resolution, to defer repayment of transition year service costs.

The resolution has been approved as to form by County Counsel.

2 RESOLUTION NO. 2012-96

3 A RESOLUTION OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY AUTHORIZING DEFERRAL OF  
4 REIMBURSEMENT OF TRANSITION YEAR SERVICE COSTS TO THE CITY OF MENIFEE PURSUANT TO  
5 GOVERNMENT CODE SECTION 57384

6 WHEREAS, the conditions of approval for the incorporation of the City of Menifee adopted by the  
7 Riverside County Local Agency Formation Commission on October 25, 2007, provide that the City of  
8 Menifee ("City"), in accord with the provisions of Government Code Section 57384(b), must repay the  
9 County of Riverside ("County") for transition year services provided by the County within five years  
10 unless otherwise agreed by the County and the City; and

11 WHEREAS, the actual cost for services provided by the County to the City during the transition  
12 year have been determined to be \$459,977 in general fund services, and \$597,638 in non-general fund  
13 transportation services for a total repayment obligation of \$1,057,615; and

14 WHEREAS, these amounts, as outlined in Government Code Section 57384(b), are adjusted  
15 annually by any subsequent change in the California Consumer Price Index (CPI); and

16 WHEREAS, on January 3, 2012, in accordance with the provisions of Government Code Section  
17 57384(b), the City of Menifee requested by resolution a deferral of the full reimbursement of general  
18 fund transition year costs, originally in the amount of \$459,977, for an additional five years to  
19 September 30, 2018; and

20 WHEREAS, on January 3, 2012, in accordance with the provisions of Government Code Section  
21 57384(b), the City of Menifee requested by resolution a deferral of the full reimbursement of non-  
22 general fund transportation transition year costs, originally in the amount of \$597,638, with a minimum  
23 annual payment of no less than \$100,000, plus CPI, beginning in fiscal year 2015/16 and ending in Fiscal  
24 Year 2020/2021;

25 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED that the Board of  
26 Supervisors for the County of Riverside in regular session assembled on March 27, 2012, hereby agrees  
27 that the County will defer the full reimbursement of general fund transition year costs, originally in the  
28 amount of \$459,977, for an additional five years to September 30, 2018, and the County will defer the

FORM APPROVED COUNTY OF RIVERSIDE 5/28/12  
BY *Nancy Gardner*  
DATE  
BY GALE A. GARDNER

1 full reimbursement of non-general fund transportation transition year costs, originally in the amount of  
2 \$597,638, with a minimum annual payment of no less than \$100,000, plus CPI, beginning in fiscal year  
3 2015/2016 and ending in Fiscal Year 2020/2021.

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By: \_\_\_\_\_  
CHAIRMAN, Board of Supervisors

Dated: \_\_\_\_\_

Attest:  
  
\_\_\_\_\_  
KECIA HARPER-IHEM, Clerk of the Board