

Boundary-setting panel's independence questioned by Temecula

Jeff Horseman, Riverside Press-Enterprise, 7-14-10

A member of a boundary-setting panel empowered to approve Temecula's request to annex 4,510 acres said Wednesday that he had three meetings with a quarry developer that has opposed the city's plans.

Russell Kitahara said Granite Construction executive Gary Johnson bought him breakfast at one meeting. The meetings do not violate the Riverside Local Agency Formation Commission rules, said agency Executive Director George Spiliotis.

Temecula officials are concerned that Granite, which wants to build Liberty Quarry just outside the city, may have had undue influence on the commission.

Johnson did not return a phone call Wednesday.

Kitahara said Johnson paid for about \$10 worth of breakfast -- "corned beef hash" -- at the Fork in the Road restaurant in Coachella. He didn't recall the exact date of the meeting.

He said his meetings with Johnson did not influence his decision about an annexation last year that was rejected, or one this year that was approved but excluded the quarry property. "I guess I didn't really listen to him that much, because I don't remember what he was trying to tell me."

At Tuesday night's Temecula council meeting, Councilman Ron Roberts called for a grand jury investigation of the commission.

"I am not saying that anything that was done was illegal," he said in an e-mail Wednesday, "but I do feel, as I believe the rest of the council members also feel, that Granite's influence was so significant that it merits investigation ... "

The quarry is a divisive topic in the Temecula Valley. Supporters say it will boost the economy; critics, including the council, say it will cause air pollution and traffic congestion and spoil the adjacent Santa Margarita Ecological Reserve, which takes up nearly all of the area that will be annexed.

Besides Kitahara, who sits on the Coachella Valley Water District board, commission members are county supervisors Bob Buster and John Tavaglione; Phil Williams, of the Elsinore Valley Municipal Water District; Hemet Councilwoman Robin Lowe; La Quinta Councilwoman Terry Henderson; and private citizen Stephen Tomanelli, of Banning.

The commission in June 2009 rejected the city's bid to annex nearly 5,000 acres of land that included the proposed quarry site; Tavaglione and Buster dissented. Commissioners said the quarry is a regional issue best decided at the county level rather than by the city of Temecula.

The city appealed and asked to annex everything but the quarry site. The commission rejected the city's appeal on technical grounds last September.

Following the commission's advice, the city submitted a new application to annex 4,500 acres surrounding the proposed quarry. The commission last month approved that application.

Mayor Jeff Comerchero questioned how the June 2009 meeting was handled. The meeting at the County Administrative Center in Riverside lasted all day as dozens of people spoke for or against annexation.

Comerchero said Kitahara, who was commission chairman at the time, noted toward the end of the hearing that the parking garage next to the center would soon close for the day. City Manager Shawn Nelson was asked to end his rebuttal before he was finished, Comerchero said.

"It was a meeting that would very possibly lead someone to believe there was bias (against the city)," he said.

Kitahara said that, as a courtesy, Nelson was allowed to rebut annexation opponents' arguments. Nelson took too long and was being repetitive, he said.

Temecula's sphere of influence outlines areas that eventually could become a part of the city. Redrawing the sphere to exclude the quarry was a condition of the commission's approval of the city's latest annexation.

Granite did not contest last month's annexation try. Roberts wrote that the sphere stipulation came at the 11th hour and only after Granite raised the issue.

Kitahara countered that Comerchero offered to have the city remove the quarry site from its sphere to secure the annexation. City officials said they felt they had no choice.

Granite spokeswoman Karie Reuther said in an e-mail Wednesday that company representatives briefed the commission about making Temecula aware they wanted the quarry property out of the city's sphere.

"To the extent any of these briefings included meals, Granite has followed all disclosure requirements," Reuther said.