



MEDIA STATEMENT

COMPLAINT FILED REQUESTING IMMEDIATE STAY ON BALLOT TITLE AND SUMMARY FOR INITIATIVE PETITION REGARDING ALBERHILL VILLAGES

LAKE ELSINORE (March 30, 2016) – On Tuesday, March 29th, City Attorney Barbara Leibold filed a complaint for declaratory relief requesting that the Riverside County Superior Court order the immediate stay for the preparation of a Ballot Title and Summary for the proposed initiative petition received by the City Clerk on March 14, 2016.

The initiative, proposed by Dana Mark Coon of Lake Elsinore, involves the adoption of a specific plan and development agreement for the development of the Pacific Clay mining site, known as Alberhill Villages, near Interstate 15 in Lake Elsinore. The proponent filed an initial Notice of Intent to Circulate a Petition to place an initiative measure entitled “Alberhill Villages Initiative” on a ballot on March 2, 2016. Subsequently, this Notice of Intent was withdrawn and a second Notice of Intent was submitted by the same proponent with several changes.

Prior to receiving a Notice of Intent, on February 16, 2016, the Planning Commission recommended approval of the Alberhill Villages Specific Plan as submitted and sponsored by Pacific Clay Products, Inc. and developer Castle & Cooke for the same area as the specific plan proposed in the initiative petition. However, the specific plan proposed in the initiative contains considerable revisions to the Alberhill Villages Specific Plan as considered and approved by the Planning Commission, which, in turn, has led to the filing of the complaint for declaratory relief.

“The City of Lake Elsinore is one of the fastest growing cities in the State and it is essential that we ensure responsible and positive development for current and future residents of our City,” said City Manager Grant Yates. “This initiative proposes something very different than what was just endorsed by our Planning Commission and was set for consideration by the City Council.”

The complaint contains six causes of actions. The basis for those causes of action include: the initiative unconstitutionally deprives the community from public participation in future land use decisions for the proposed development; contains misleading statements about future public amenities that the developer can opt out of such as a 46-acre sports park; requires the City to enter into a 45-year development contract it has not negotiated; requires the City to issue municipal bonds at the developer’s direction or face monetary penalties; compels the City to form and levy assessment district taxes; forecloses the City from being fully reimbursed for out of pocket costs to review development and building plans; and compels the City to pay for arbitration of disputes initiated by the developer. Additional claims are contained in the complaint.

The City Attorney will be seeking a court hearing date on the request for a stay and will notify the public of that date once it is available.

For more information, please contact:
Susan Domen, City Clerk, (951) 674-3124 ext. 262