

**MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION
HEARING OF NOVEMBER 18, 2009**

CONSIDERATION OF: (1) CEQA STATUTORY EXEMPTION FOR LAFCO 3067B; AND (2) LAFCO 3067B – REORGANIZATION TO INCLUDE CITY OF SAN BERNARDINO ANNEXATION NO. 361 (ISLAND 2) AND DETACHMENTS FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE AND ITS SERVICE ZONE PM-2 (PARAMEDICS), COUNTY SERVICE AREA 70, AND COUNTY SERVICE AREA SL-1 (CONTINUED FROM SEPTEMBER 16, 2009)

LAFCO conducts a public hearing to consider 3067B – Reorganization to include City of San Bernardino Annexation No. 361 (Island 2) and Detachments from the San Bernardino County Fire Protection District, its Valley Service Zone and its Service Zone PM-2 (Paramedics), County Service Area 70, and County Service Area SL-1. Notice of the hearing was advertised as required by law through publication of a 1/8 page ad in the Sun, a newspaper of general circulation. Individual notice of this hearing was provided to affected and interested agencies, and those individuals and agencies requesting mailed notice. Executive Officer Kathleen Rollings-McDonald presents the staff report, a complete copy of which is on file in the LAFCO office and is made a part of the record by its reference herein.

Ms. McDonald reviews the map of the area on the overhead.

Ms. McDonald states that Island #2 is a 10+/- acre parcel generally located north of Lynwood Drive and west, south and east of parcel lines which comprise the City of San Bernardino boundaries. It is a private condominium complex. She states that this area is a unique situation in that part of the cul-de-sac is in the City of San Bernardino and the other part is in the County of San Bernardino. The area is 68% surrounded by existing City boundaries; the land use designation for this area is Residential Suburban which promotes development of single family detached units. She says that the Commission's Environmental Consultant, Tom Dodson and Associates has reviewed the proposal and has indicated that it is his recommendation that the area is statutorily exempt from CEQA based on the fact that the Commission has no discretion in its review of this proposal and must approve the project. She says that LAFCO staff is recommending that the Commission make the determinations as outlined in the staff report and approve the annexation of LAFCO 3067B with the understanding that the 7.75% Utility users Tax will not be extended to this area upon annexation and that the City will be assume all street lighting responsibilities.

Chairman Nuaimi opens the public hearing and asks if there are members of the public wishing to speak on this item. Hearing and seeing none, Chairman Nuaimi closes the public hearing. He asks for comments from the Commission.

Commissioner Williams asks if an address change will be required in each of the Islands proposed for annexation to which Ms. McDonald responds that all of the areas will have addresses that will need to be changed to match the City's grid for a more organized service delivery.

Commissioner Pearson moves approval of the item, second by Commissioner Mitzelfelt. Chairman Nuaimi calls for opposition to the motion. There being no opposition, the motion passes with the following vote: Ayes: Cox, Curatalo, Nuaimi, Mitzelfelt, Pearson, Williams. Noes: None. Abstain: None. Absent: Biane, McCallon (Commissioner Williams voting in his stead).