

**DRAFT – ACTION MINUTES OF THE – DRAFT
LOCAL AGENCY FORMATION COMMISSION
HEARING OF NOVEMBER 15, 2017**

REGULAR MEETING

9:00 A.M.

NOVEMBER 15, 2017

PRESENT:

COMMISSIONERS:

Jim Bagley	Larry McCallon
Kimberly Cox, Chair	James Ramos, Vice-Chair
Jim Curatalo	Diane Williams
Steve Farrell, Alternate	
Robert Lovingood	

STAFF:

Kathleen Rollings-McDonald, Executive Officer
Clark Alsop, LAFCO Legal Counsel
Samuel Martinez, Assistant Executive Officer
Michael Tuerpe, Project Manager
Jeffrey Lum, LAFCO Analyst
La Trici Jones, Commission Clerk
Bob Aldrich, LAFCO Consultant

ABSENT:

Janice Rutherford, Alternate
Acquanetta Warren, Alternate

**CONVENE REGULAR SESSION OF THE LOCAL AGENCY FORMATION COMMISSION
– CALL TO ORDER – 9:07 A.M. – NORTON REGIONAL EVENT CENTER**

Chair Cox calls the regular session of the Local Agency Formation Commission to order and leads the flag salute.

ANNOUNCEMENT OF CONTRIBUTIONS

Chair Cox requests those present who are involved with any of the changes of organization to be considered today by the Commission and have made a contribution of more than \$250 within the past 12 months to any member of the Commission to come forward and state for the record their name, the member to whom the contribution was made, and the matter of consideration with which they are involved. There were none.

CONSENT ITEMS:

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

ITEM 1. Approval of Minutes for Regular Meeting of October 18, 2017

ITEM 2. Approval of Executive Officer's Expense Report

ITEM 3. Ratify Payments as Reconciled for Month of October 2017 and Note Cash Receipts

Commissioner Lovingood moves approval of the Consent Calendar, Second by Commissioner Ramos. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Ramos and Williams. Noes: None. Abstain: None. Absent: None.

ITEM 4. CONSENT ITEMS DEFERRED FOR DISCUSSION:

None

PUBLIC HEARING ITEMS:

ITEM 5. CONSIDERATION OF: (1) CEQA STATUTORY EXEMPTION FOR LAFCO 3221; AND (2) LAFCO 3221 – ANNEXATION TO THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT (APN 0336-111-04)

Assistant Executive Officer Samuel Martinez 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 here. The item has been advertised through publication in a newspaper of general circulation within the service area, the *Mountain News*. Individual notice was provided to landowners and registered voters within 750 feet surrounding the area as required by Commission policy and State law.

Mr. Martinez states that in June 2017, the Lake Arrowhead Community Services District initiated the application to annex Assessor's Parcel Number 0336-111-04. He states that this parcel is being developed into Tentative Parcel Map 1515111 and proposed to be subdivided into three single family residential lots. Mr. Martinez states that the proposed project was approved by the County in 2002, there has been a revision to this action, and a couple of extensions. He states that the last extension was granted in 2016 with an expiration of November 2018.

Mr. Martinez states that the primary reason for the annexation request is to provide water and wastewater service to the tentative parcel map. He states that the conditions of approval require that the proposed development connect to the water and sewer system of the Lake Arrowhead Community Services District prior to the final recordation of the map.

Mr. Martinez states that the parcel is within the District's sphere of influence but not its boundary, therefore, annexation is required in order to connect to the District's water and wastewater facilities.

Mr. Martinez states that the annexation is legally uninhabited, and LAFCO staff verified that there is 100% landowner consent to the annexation. Therefore, if the Commission approves LAFCO 3221, staff is recommending pursuant to Government Code Section 56662(d) that protest proceedings be waived and the Executive Officer be directed to complete the action following completion of the mandatory reconsideration period of 30 days.

Mr. Martinez states that staff recommends that the Commission approve LAFCO 3221 by taking the following actions: 1) For environmental review, certify that LAFCO 3221 is statutorily exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days; 2) Approve LAFCO 3221, with the condition for the “hold harmless” clause for potential litigation costs, continuation of fees, charges, assessments etc.; 3) Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the annexation; and, 4) Adopt LAFCO Resolution #3252 setting forth the Commission’s findings and determinations concerning LAFCO 3221.

Chair Cox asks for questions from the Commission regarding staff’s presentation. There are none.

Chair Cox calls for comment from the public; there being none, she closes the public hearing and refers the matter for motion from the Commission.

Commissioner Bagley moves approval of the staff recommendation, Second by Commissioner Lovingood. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Ramos and Williams. Noes: None. Abstain: None. Absent: None

ITEM 6. CONSIDERATION OF: (1) REVIEW OF MITIGATED NEGATIVE DECLARATION PREPARED BY THE CITY OF REDLANDS FOR ANNEXATION NO. 94, ZONE CHANGE NO. 454, TENTATIVE TRACT MAP NO. 19942, AND DEMOLITION PERMIT NO. 258; (2) REVIEW OF ADDENDUM PREPARED BY LAFCO ENVIRONMENTAL CONSULTANT TO ADDRESS THE INCLUSION OF ADDITIONAL RIGHT-OF-WAY, AS CEQA LEAD AGENCY FOR LAFCO 3207; AND (3) LAFCO 3207 – REORGANIZATION TO INCLUDE CITY OF REDLANDS ANNEXATION NO. 94 AND DETACHMENTS FROM SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE, COUNTY SERVICE AREA 70 AND ITS ZONE P-7 (SAM-REDLANDS, LLC)

Assistant Executive Officer Samuel Martinez 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 here. The item has been advertised through publication in a newspaper of general circulation within the service area, the *San Bernardino County Sun*. Individual notice was provided to landowners and registered voters within 750 feet surrounding the area as required by Commission policy and State law.

Mr. Martinez states the primary reason for the annexation is to receive water and sewer service from the City of Redlands. He states that the proposed tentative tract map is being developed with thirty four (34) lots for single family residences and four lettered lots for amenities.

Mr. Martinez states that since the project is contiguous to the City’s boundary along Wabash Avenue, the delivery of services to the project area is contingent upon annexation as required by the City’s “Measure U”. Mr. Martinez states that the staff report outlines the

major areas of consideration: (1) Boundaries; (2) Land use; (3) Service issues and effect on other local governments and (4) Environmental considerations.

Mr. Martinez states that in the past the Commission has expressed concern regarding piece-meal annexations, particularly in the community of Mentone and Crafton caused by the implementation of Measure U, and the Commission has directed staff to review the potential for expanding any proposal that is in that area.

Mr. Martinez states that LAFCO staff's position is that it would have been ideal to expand the proposal southerly to include the unincorporated peninsula. He states that in order to gauge if the expansion of the proposal was a viable option, LAFCO staff sent out a survey to all property owners and registered voters in the area. Mr. Martinez states that staff received a total of 15 responses to the survey which was negative for the two questions on the survey. Mr. Martinez states therefore the proposal cannot be expanded without the risk of terminating the proposal.

Mr. Martinez states that if the Commission chooses to approve this proposal, the Commission would be creating an unincorporated peninsula in the area and it requires that the Commission make the determination required to override the creation of the island.

Mr. Martinez states that on previous city annexations, the County Public Works Department identified their concerns regarding piece-meal annexations that creates a start-stop road maintenance between the city and the County. He states that since we could not expand the annexation southerly, staff viewed the expansion of the proposal to include the whole right-of-way of Wabash Avenue southerly of the LAFCO 3207 all the way to Citrus Avenue was the best service delivery option. However, upon review with the County Surveyor's office, it was identified that the right-of-way was already within the City's boundary. Therefore, Mr. Martinez states that the maintenance issue on Wabash is not a concern since the entire right-of-way is already within the City's boundary.

However, Mr. Martinez states that County Public Works Department submitted a letter, which is Attachment #5 to the staff report. He states that the letter requests that LAFCO expand the proposal to include the whole right-of-way on Sylvan Boulevard, which is adjacent to Tentative Tract Map 19942. Following staff review, Mr. Martinez states that LAFCO staff is proposing the modification of the reorganization proposal to include the whole right-of-way of Sylvan Boulevard. Mr. Martinez states the modified reorganization proposal allows Tentative Tract Map 19942 to move forward with the annexation in order to receive services and provides the City full responsibility of the entire easement of Sylvan Boulevard.

Mr. Martinez states that at this hearing, staff received a letter from the City of Redlands which identifies concerns with the expansion including the whole right-of-way of Sylvan Boulevard due to some structures that cross the easement boundary in the County's jurisdiction. The letter further states that this was not reviewed by the City Council when they approved the project in March 2017.

Executive Officer McDonald states that the discussion about the expansion of the boundaries to address the right-of-way was reviewed during the Departmental Review Committee Meeting. She states that there is sometimes an illustrative issue when showing

parcel lines against a google earth map; however, the development of structures in a flood control right-of-way is unheard of.

Mr. Martinez notes that the Mill Creek Zanja flood control (also known as the Zankey) is located within the expansion area. According to the County's letter to LAFCO, they have indicated that the easement for the flood control use is in the County's jurisdiction and the County will maintain the area.

Mr. Martinez states that approximately 5.5 acres of the 11.97 acres is a citrus grove, therefore the proposed development anticipated for LAFCO 3207 is anticipated to convert prime farmland into non-agriculture use. He states that when considering a proposal with agricultural conversion, Government Code Section 56377 requires that the Commission consider policies and priorities regarding such conversion of existing lands by: (1) Steering away from agricultural conversion unless the proposal "would not promote the planned, orderly, efficient development of an area" and; (2) encourage the development of existing vacant or non-prime agricultural lands for urban uses within the existing jurisdiction or within the sphere of influence of the local agency before any proposal is approved that would allow for the development of existing open-space for non-open-space uses outside the existing jurisdiction or outside the existing sphere of influence of the local agency. Mr. Martinez states that LAFCO 3207 will promote the planned, orderly efficient development of the area since the land use designation for the area is residential and the area surrounding is also designated for residential. Mr. Martinez states that a mitigation measure is included in the City's approval of Tentative Tract Map 19942 which has a 0.50/1 ratio and therefore, 2.75 acres of land will be conserved.

Mr. Martinez states that in regards to service issues, currently the area is serviced by the San Bernardino County Fire Protection District for fire and paramedic services; these services will transfer to the City's fire department. He states that LAFCO 3207 has an automatic aid agreement between the City and the County.

Mr. Martinez states that as required by Commission policy and State Law, the plan for service shows that the extension of the City's services will maintain or exceed the current levels of service provided by the County.

Mr. Martinez states that the City of Redlands prepared an environmental assessment and Mitigated Negative Declaration for Annexation No. 94, Zone Change No. 565, Tentative Tract Map No. 19942, and Demolition Permit No. 258. He states that the Commission's Environmental Consultant, Tom Dodson, prepared an addendum to the City's environmental assessment that addresses the additional right-of-way area and Mr. Dodson has determined that if the Commission approves LAFCO 3207, the addendum, together with the City's environmental assessment, are adequate for the Commission's use as a lead agency under CEQA.

Mr. Martinez states that the reorganization area is legally uninhabited and the study area possesses 100% landowner consent to the annexation. Therefore if the Commission approves LAFCO 3207 and none of the affected agencies have submitted written opposition to a waiver of protest proceedings, staff is recommending that the protest proceedings be waived and include the direction to the Executive Officer to complete the reorganization following completion of the mandatory reconsideration period of 30 days.

Mr. Martinez states that LAFCO staff supports approval of LAFCO 3207 and outlines the staff's recommendation as outlined on pages 1 and 2 of the staff report.

Chair Cox calls for questions from the Commission.

Commissioner Ramos asks Mr. Martinez to explain the survey results; to which Mr. Martinez responds that a total of 15 responses were received and both questions were received a "negative" response. Commissioner Ramos asks Mr. Martinez, what were the questions asking? Mr. Martinez states that the questions were asking if they supported the annexation, and secondly if there was no cost to them, would they support the annexation. Commissioner Ramos states the response from the community is in opposition; to which Mr. Martinez responds in the affirmative.

Discussion amongst Commissioners takes place.

In response to a question from Commissioner Ramos, Executive Officer McDonald states that the parcels in the area considered for expansion currently receive water service from the City of Redlands. She states that Measure U requires that anyone desiring water and sewer service that is contiguous to the City's boundary must annex. Ms. McDonald states that LAFCO is not removing the ability of the people to protest. She states that if the annexation area were expanded, registered voters could protest thereby terminating the entire proposal.

Discussion continues.

Chair Cox asks Mr. Martinez to speak to the matter regarding the letter received from the City of Redlands and provide further explanation. Mr. Martinez states that the City wanted to take this matter back to their City Council because the expansion of the annexation is not what the City Council approved in March 2017. Chair Cox questions whether this item should be continued to allow more time for consideration. Mr. Martinez states that we can hear from the City and the property owner as they are in attendance.

Chair Cox states that she would like to get a speaker's slip from the City as she would like a response to her question.

Chair Cox opens the public hearing on LAFCO 3207 and calls upon the proponent.

Executive Officer McDonald states that the Commission's standard process would be to call the City representative first, followed by the property owner, before the rest of the speakers are called to speak. Chair Cox states that she does not have a speaker's slip for the property owner. Ms. McDonald states that Pat Meyer is representing the property owner.

Chair Cox calls upon Mr. Meyer, followed by the City and then go the balance of the presenters.

Mr. Meyer states that he is representing the land owner and has been working on this project for a couple of years having submitted the application to the City quite some time ago. He states that the City has processed all the pertinent entitlements to get them in front

of LAFCO today. He states that he is in favor of the staff report that has been presented today, but with the knowledge now that the City has a problem with the full right-of-way; he would like to note that his original application was just to the center-line of Sylvan Avenue, not the full right-of-way. Mr. Meyer states that it was not until a letter was received by LAFCO that he was made aware of the County's desire to have control of the full right-of-way placed under the City's jurisdiction. He states that this has now created a problem. Mr. Meyer states that he remains in favor of the staff's recommendation, but would encourage the Commission to annex to the centerline of Sylvan Avenue and move forward today because the development is imminent.

Chair Cox calls Lorelee Farris, Principal Planner for the City of Redlands.

Ms. Farris states that the Redlands City Council reviewed the original boundaries of LAFCO 3207 in March 2017 and acted upon a tentative tract map and pre-zoning application and indicated their support of the annexation. She states that in response to the letter from the County's Department of Public Works, dated November 2, 2017, the City Council has not had the opportunity to fully review the modified area. She states that in conducting a preliminary review of this general area, it was identified that there was a structure that extends into the easement area and this raised ambiguity and questions regarding who the proper permitting authority for structures that might cross into different jurisdictional boundaries. Mrs. Farris states that the City Council would like an opportunity to be able to confirm support of the expanded area.

Mr. Bagley states that the original proposal that went before the City Council was just for half of the right-of-way and there were no issues with the encroachment? Ms. Farris states that Commissioner's Bagley's statement is correct. Mr. Bagley states that he is sympathetic to what the municipalities are asking and is in support of a continuance for review.

Discussion continues.

Chair Cox states that we have a property owner that is requesting to utilize the centerline as the boundary, we have a City that has already reviewed and approved this annexation to the centerline, and it's only because we received a letter from County Public Works that we are contemplating a continuation. To which Mr. Martinez states that this is correct. He states that this goes back to previous annexations that have been approved where the concern is about the start/stop maintenance on the roadway along Wabash Avenue. He states that if the Commission moves forward with going to just the centerline, he would encourage the City and the County to enter into a contractual relationship on how they are going to maintain the roads in and around that area.

Chair Cox states that it is very common to use the centerline of the road as a jurisdictional divide.

Chair Cox states that we will continue with the balance of public comment and calls Stephen Rogers.

Mr. Rogers states that he is from Redlands and is involved with the Mentone Community Association. He states that he is concerned about this project due to the underground storage tanks.

Chair Cox calls the next speaker, Anthony Serrano.

Mr. Serrano states he lives in the City of Highland and he stumbled into this matter because of septic tanks. He states that all of Mentone is on septic tanks and the contaminants from the tanks have been getting into the water.

Chair Cox calls Steve Hellerman.

Mr. Hellerman states that he lives next door to the proposed project and today is the first he has heard that Redlands is seeking to annex part of his property. He states that if the developer stays to his word this development may work. He states that the tanks on the property have not been removed. He states that the tanks are still leaking underground. Chair Cox questions if Mr. Hellerman is primarily objecting to the expansion of taking the entirety of Sylvan Avenue, but does not object to the original proposal of the centerline. Mr. Hellerman states that he really does not have a choice because he does not own the property. He states that he could live with the plans that were presented back in May as long as the toxic waste in the middle of the property is dealt with.

Chair Cox ask if there are additional speakers.

Leonette DiMuro states that she is concerned because the Commission seems to okay dishonesty from the City of Redlands. She is in opposition to the staff recommendation.

Chair Cox calls Angie DeLaRosa.

Ms. De La Rosa states that she lives in Mentone and has been advocating to keep Mentone rural and agricultural. She states that these types of developments that keep coming in set a precedence that Mentone will have high-density homes. She is in opposition to the staff recommendation.

Chair Cox closes the public hearing and asks the Commission for final comments.

Commission McCallon states that he is a firm believer in private property rights and the owner of the property wants to annex to the City to get water and sewer and the City has approved that. He states that he understands the concerns that others have brought before the Commission, but most of those concerns are outside the purview of LAFCO. He states that the City of Redlands is the one to address those issues. He states that he believes the Commission should approve this only to the centerline which was proposed and approved by Redlands.

Commissioner McCallon makes the motion to approve staff's recommendation for only the original proposal using the centerline of Sylvan Blvd. as the southerly boundary.

Commissioner Ramos states that if the Commission approves to the centerline and Redlands approves the entire right-of-way, would this matter come back to LAFCO?

Executive Officer McDonald states that if it goes to the centerline, the annexation will move forward. No jurisdictional change related to the peninsula would be processed until the areas decides it wants to be included within the City's jurisdiction.

Ms. McDonald states that with the proposed motion, Mr. Dodson would like to make a few comments.

Mr. Tom Dodson states that he would like to clarify the addendum that was prepared included the whole alignment, therefore if you go to the center-line, you would still want to take the same action because its encompassing the whole alignment of Sylvan, so you would be adopting the addendum and approving the initial study as a basis for the addendum of the study.

Commissioner Ramos states that Measure U has been a topic of discussion, and it's clear that this body has no bearing on Measure U. He states that it's more of what's given to us, and we have to react on that. Mr. Ramos states that the place to go address those concerns would be the originator of Measure U and that would be the City of Redlands.

Executive Officer McDonald states that Measure U was a referendum that was voted on by the residents of Redlands establishing a mechanism and threshold to extend services outside the city of Redlands boundaries. She states that any change in that referendum would have to go back again to the voters of the City of Redlands.

Commissioner Curatalo states that if the maps we have in the staff report are not accurate or current concerning the buildings as they state are proposed for demolition. He questions if they are already gone, would that change the staff recommendation?

Executive Officer Mc Donald states that it would not.

Chair Cox asks if there are further comments. There are none.

Commissioner McCallon moves approval of the staff recommendation, Second by Commissioner Bagley. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Ramos and Williams. Noes: None. Abstain: None. Absent: None.

DISCUSSION ITEMS:

ITEM 7 SIX MONTH UPDATE ON THE CITY OF RIALTO'S INITIATION OF ITS FIVE NORTH RIALTO ISLANDS

Assistant Executive Officer Martinez states that this is the third update regarding the City of Rialto's compliance with their commitment to initiate the five north Rialto Islands. Mr. Martinez states that LAFCO staff was not able to attend the community meeting in June held by the City of Rialto due to the circumstances that are outlined in the staff report. He

states that since then there has been no communication or coordination with City staff regarding the progress to annexing the five north Rialto islands.

He states that last month LAFCO staff requested that City staff provide an update as well as a new timeline regarding their commitment to annex the islands. Mr. Martinez states that City staff responded with a new timeline which anticipates submittal of an annexation application to LAFCO by July 2018.

Mr. Martinez states that staff is revising the recommendation to not only receive and file, but to also continue to participate and assist in the City's process, and return to the Commission in six months with an update on the actions of the City.

Chair Cox asks if the City has begun their CEQA process, to which Mr. Martinez states that they have begun the process in April with the initial study of the five islands. Executive Officer McDonald states that when the City did the initial study and circulated for review and comment, LAFCO staff was not included.

Commissioner McCallon states that it would be useful if a letter was sent to the City of Rialto from the LAFCO chair stating our concerns on the process. Chair Cox states that this will be added to the recommendation.

Commissioner McCallon moves approval of the staff recommendation, Second by Commissioner Lovingood. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Ramos and Williams. Noes: None. Abstain: None. Absent: None.

ITEM 8 AUTHORIZE LAFCO STAFF TO CONDUCT THE SPECIAL DISTRICT SELECTION FOR THE MEMBERSHIP ON THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD A THE REQUEST OF THE SAN BERNARDINO COUNTY AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR

Executive Officer McDonald states that in September, LAFCO staff received a letter from Oscar Valdez, the County Auditor/Controller/Treasurer/Tax-Collector, requesting that we implement the Special Districts selection process to provide for the seating of a Special District member on the newly consolidated countywide oversight board for redevelopment agencies. Ms. McDonald states that oversight boards are related to the demise of the redevelopment agencies and with the passage of SB107, there will be a single oversight board for the entire county.

Ms. McDonald states that we will use the standard process for all Special District items which is an all-mail ballot. She states that staff has included in the staff report the process that LAFCO will undertake for the Special District regular and alternate positions.

Ms. McDonald states that staff recommends that the Commission take the following actions related to the amendment of its Policy and Procedure Manual:

- (1). Authorize LAFCO staff to conduct the Special District selection process pursuant to Government Code Section 56332 to fill the seat of a regular and alternate member of the San Bernardino County Oversight Board and to bill the San Bernardino County Auditor

Controller for all costs of processing; (2) Amend Policy #4 in Section VI – Special Districts, to correct code citation to read as follows:

The business of the Special Districts Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56322(f).

(3). Add Policy #5 in Section VI – Special Districts Chapter 1 – Introduction as outlined in the staff report titled as follows:

SELECTION OF INDEPENDENT SPECIAL DISTRICT REPRESENTATIVES (REGULAR AND ALTERNATE) TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD Staff Report Pages 1&2 has Full Policy Description)

(4). Adopt Resolution No. 3254 approving the changes to Section VI – Special Districts, Chapter 1 – Introduction and Policies of the Policy and Procedure Manual and direct the Executive Officer to make the amended document available on the Commission’s website and circulate as required.

Commissioner McCallon moves approval of the staff recommendation, Second by Commissioner Curatalo. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Ramos and Williams. Noes: None. Abstain: None. Absent: None.

INFORMATION ITEMS:

ITEM 9 LEGISLATIVE ORAL REPORT

Executive Officer McDonald states that there is nothing to report at this time.

ITEM 10 EXECUTIVE OFFICER’S ORAL REPORT

Executive Officer McDonald states that there are no new proposals to identify at this time. She states that LAFCO was well represented by Commissioners at the annual conference.

ITEM 11 COMMISSIONER COMMENTS

Chair Cox states that Executive Officer Kathleen Rollings-McDonald received the Lifetime Achievement Award from CALAFCO which is a significant honor. Chair Cox thanks Ms. McDonald for all her years of service. Commissioner Curatalo states that he would like to thank Kathy and Sam for supporting CALAFCO and state that their efforts have not gone unnoticed.

ITEM 12 COMMENTS FROM THE PUBLIC

Stephen Rogers states that three minutes really is not a long time to convey to the Commission how he feels on a specific project. He states that he encouraged the Mentone community to put a letter together and provide it to LAFCO ahead of time. Mr. Rogers

states that he is concerned about the hold harmless clause when it comes to willful and professional negligence.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING IS ADJOURNED AT 10:55 A.M IN THE MEMORY OF FORMER LAFCO COMMISSIONER DICK PEARSON.

ATTEST:

LA TRICI JONES
Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION

KIMBERLY COX, Chair

DRAFT