

**ACTION MINUTES TAKEN BY THE
LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY**

REGULAR MEETING

9:00 A.M.

AUGUST 21, 2019

PRESENT:

COMMISSIONERS:

Regular Member	Alternate Member
Jim Bagley	Louisa Amis
James Curatalo, Vice Chair	Steven Farrell
Larry McCallon, Chair	Janice Rutherford
Acquanetta Warren	Rick Denison
Dawn Rowe	

STAFF:

**Samuel Martinez, Executive Officer
Paula de Sousa Mills, LAFCO Legal Counsel
Michael Tuerpe, Project Manager
Jeffrey Lum, LAFCO Analyst
La Trici Jones, Clerk to the Commission
Angerose Schell, Administrative Assistant**

ABSENT:

COMMISSIONERS:

**Robert Lovingood
Kimberly Cox**

9:05 A.M. – CALL TO ORDER – FLAG SALUTE

ANNOUNCEMENT OF CONTRIBUTIONS

1. PUBLIC COMMENTS ON CLOSED SESSION

There were no members of the public who requested to speak on the Closed Session items.

2. CONVENE CLOSED SESSION

LAFCO Legal Counsel Paula de Sousa Mills' announced that Closed Session would not convene since there is nothing to discuss in Closed Session.

- Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) – San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case NO CIVDS1715504
- Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) – San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case No CIVDS1712271

- Conference with Legal Counsel – Existing Litigation – (Government Code Section 54956.9(d) (1)) – C.O.M.E.T. (Citizens of Mentone Empowered Together) v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS1906437

3. RECONVENE PUBLIC SESSION

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.

4. Approval of Minutes for Regular Meeting of July 17, 2019

5. Approval of Executive Officer's Expense Report

Recommendation: Approve the Executive Officers' Expense Report for Procurement Card Purchases from June 24, 2019 to July 23, 2019.

6. Ratify Payments as Reconciled and Note Cash Receipts for Month of June 2019

Recommendation: Ratify payments as reconciled for the month of June 2019 and note revenue receipts for the same period.

7. Consent Items Deferred for Discussion (none)

Commissioner Rowe abstains from Item 4

Commissioner Bagley moves approval of the consent items. Second by Commissioner McCallon. The motion on the Consent Items passes with the following roll call vote: Ayes: Bagley, Denison, Farrell, McCallon, and Rutherford. Noes: None. Abstain: Rowe (Item 4). Absent: Lovingood (Rutherford voting in his stead), Curatalo, Cox (Farrell voting in her stead) and Warren (Denison voting in her stead).

PUBLIC HEARING ITEMS:

Vice-Chair Curatalo takes his place at the dais at 9:07 A.M.

Commissioner Warren takes her place at the dais at 9:13 A.M.

- 8. Consideration of: (1) Final Environmental Impact Report Adopted by the City of San Bernardino for the Spring Trails Specific Plan (SCH No. 2009111086) as a CEQA Responsible Agency for LAFCO 3188A; (2) Adoption of Facts, Findings and Statement of Overriding Considerations; and (3) LAFCO 3188A – Reorganization to Include Annexation to the City of San Bernardino and to SBCFPD Zone FP-5 San Bernardino and Detachment from County Service Area 70 (Spring Trails Specific Plan) (CONTINUED AT THE REQUEST OF THE PROPERTY OWNER)**

Recommendation: Staff recommends that the Commission continue the item to the October 16, 2019 hearing.

Public Comment was provided by:

Richard Kaplan
City of San Bernardino Councilman Henry Nickel
Cruz Ruiz
Lagos Castaneda
Eddie Evans
Darcee Klapp
Lynette Kaplan

Commissioner Bagley moves to continue Item 8 to the October 16, 2019 hearing date. Second by Commissioner Curatalo. The motion passes with the following roll call vote: Ayes: Bagley, Curatalo, Farrell, McCallon, Rowe, Rutherford and Warren. Noes: None. Abstain: None. Absent: Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead)

9. Update on LAFCO 3187 – Countywide Service Review for Water, Required Continued Monitoring for Daggett Community Services District

Recommendation: Staff recommends that the Commission take the following actions:

- Note receipt of status report and file.
- Direct that no further monitoring occur for Daggett Community Services District.

Commissioner Bagley moves approval of the staff recommendation, Second by Commissioner Farrell. The motion passes with the following roll call vote: Ayes: Bagley, Curatalo, Farrell, McCallon, Rowe, Rutherford and Warren. Noes: None. Abstain: None. Absent: Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead).

10. Update on LAFCO 3190 – Countywide Service Review for Wastewater, Required Continued Monitoring for Victor Valley Wastewater Reclamation Authority

Recommendation: Staff recommends that the Commission take the following actions:

- Note receipt of status report and file
- Direct that no further monitoring occur for the Victor Valley Wastewater Reclamation Authority.

Commissioner Bagley moves approval of the staff recommendation. Second by Commissioner Curatalo. The motion passes with the following roll call vote: Ayes: Bagley, Curatalo, Farrell, McCallon, Rowe, Rutherford and Warren. Noes: None. Abstain: None. Absent: Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead).

INFORMATION ITEMS:

11. Legislative Oral Report

Executive Officer Samuel Martinez did not provide a Legislative Report.

12. Executive Officer's Oral Report

Executive Officer Samuel Martinez provided an update on the new video streaming service for the Commission Hearings and the upcoming items tentatively scheduled for the September Hearing.

13. Commissioner Comments


Commissioner Farrell indicates he is really excited about the new video system.

14. Comments from the Public

Elizabeth Surzack, the new Executive Officer for the Chino Basin Water Conservation District introduces herself to the LAFCO Commission.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING ADJOURNS AT 9:43 A.M.

ATTEST:



LA TRICI JONES
Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



JAMES CURATALO, Vice-Chair