

# **AGENDA**

## **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

### **REGULAR MEETING OF DECEMBER 16, 2020**

#### **IMPORTANT NOTICE REGARDING THE DECEMBER 16, 2020 COMMISSION MEETING**

The Local Agency Formation Commission for San Bernardino County (LAFCO or Commission) will conduct this meeting virtually by videoconference and/or teleconference in compliance with waivers to certain Brown Act provisions under the Governor's Executive Order N-29-20, and members of the Commission or LAFCO staff will participate in this meeting telephonically or electronically. The public may participate in the meeting by joining the meeting virtually, by phone, or viewing the meeting live, and may provide general comments and comments on specific agenda items, as described below:

#### **Instructions for Viewing or Listening to the meeting:**

Members of the public may:

- Join the virtual meeting on Zoom using the following link: <https://zoom.us/j/89428560422>
- Listen to the meeting by calling (669) 900-9128 and enter the Meeting ID: 89428560422#
- Watch the meeting via YouTube live stream using the following link: [https://www.youtube.com/channel/UCpEpEankM-uoTTa8c\\_OyV1Q](https://www.youtube.com/channel/UCpEpEankM-uoTTa8c_OyV1Q)

#### **Instructions for Making Comments and Testimony:**

If you wish to make comment on a specific agenda item or a general comment under public comment you can do so by:

- On Zoom video conference via the web or the Zoom App, click the 'Raise Hand' button when the item you wish to comment on is being discussed.
- On Zoom via phone, you can also raise your hand by pressing \*9 when the item you wish to comment on is being discussed.

Alternatively, if you wish to make written comments on specific agenda items, make general comments, or submit testimony for public hearings, you can send comments and testimony to LAFCO, limited to a maximum of 250 words, by email at [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov), online at [www.sbclafco.org/AgendaandNotices/Agendas/PublicComments.aspx](http://www.sbclafco.org/AgendaandNotices/Agendas/PublicComments.aspx), or by mail to LAFCO, 1170 West 3<sup>rd</sup> Street, Unit 150, San Bernardino, CA 92415-0490, for receipt no later than 7:30 a.m. on the meeting day. These comments and testimony will be read on to the meeting record at the appropriate time.

This change in public participation will continue until further notice and supersede any LAFCO standard public comment and testimony policies and procedures to the contrary.

**9:00 A.M. – CALL TO ORDER – FLAG SALUTE**

**ANNOUNCEMENT:** Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

1. **PUBLIC COMMENTS ON CLOSED SESSION**

2. **CONVENE CLOSED SESSION**

Conference with Legal Counsel – Significant Exposure to Litigation (Government Code Section 54956.9(d)(2) - - 1 Potential Case

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 September 16, 2020 and Summary of November 18, 2020 Proceedings](#)
5. [Approval of Executive Officer's Expense Report](#)
6. [Ratify Payments as Reconciled and Note Cash Receipts for the Months of August, September, and October 2020](#)
7. [First Quarter Financial Review for Period July 1 through September 30, 2020](#)
8. [Consideration of Approval of the Participating Employer Agreement for the 457 Plan, as Amended and Restated, Sponsored by the County of San Bernardino](#)
9. Consent Items Deferred for Discussion

**PUBLIC HEARING ITEMS:**

10. [Consideration of: \(1\) CEQA Exemption for LAFCO 3245 and \(2\) LAFCO 3245 –Countywide Service Review of Public Cemetery Districts](#)
11. [Consideration of: \(1\) CEQA Exemption for LAFCO SC#457, and \(2\) LAFCO SC#457 –City of Fontana Out of Area Sewer Service Agreement \(APN 0229-072-31\)](#)

**DISCUSSION ITEMS:**

12. [LAFCO SC#454– Request for Exemption from the Provisions of Government Code Section 56133 for Agreement between Big Bear City Community Services District and the City of Big Bear Lake Department of Water and Power](#)

**INFORMATION ITEMS:**

13. Legislative Oral Report

14. [Executive Officer's Oral Report](#)

15. Commissioner Comments

(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)

16. Comments from the Public

(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed for Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at [www.sbclafco.org](http://www.sbclafco.org), and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at [www.fppc.ca.gov](http://www.fppc.ca.gov) or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

12/16/20