

# LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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**DATE :** JANUARY 10, 2011  
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #10 and #11 – Review of Policy and Procedure Manual and Review and Possible Action on Island Annexation Policies and Implementation Directives

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## **RECOMMENDATION:**

Staff recommends that the Commission continue consideration of the discussion and possible amendment to the Policy and Procedure Manual and Policy #29 – Island Annexation Policy and Directives to the May 18, 2011 Hearing.

## **BACKGROUND:**

Following the reconsideration hearing on LAFCO 3067 San Bernardino Islands in February 2010 and again at the August 2010 Workshop, the Commission directed staff to bring back a discussion of its Island Annexation Policy and its directions and practices for implementation. In addition, at the August 2010 Workshop the Commission directed staff to provide a full review of the Policy and Procedure Manual with development of a mission statement.

In response to the direction on the Island Annexation policy, staff provided a letter to all the cities with island areas (copy included as Attachment #1) that identified the islands that would comply with existing Island Annexation policies and requested that they review and respond on the issues of:

1. Definition of substantially surrounded – the current policy states: *...territory of an annexation proposal shall be deemed “substantially surrounded if 52% of its boundary, as set forth in a boundary description accepted by the Executive Office is sudounded by (a) the affected City or (b) the Affected City and adjacent Cities, or (c) the affected City and a service impediment boundary as defined by the Commission to include, but not be limited to, a freeway, a flood control channel or forest service land;*
2. The potential policy declaration by the Commission of the term “entire island” as used in Government Code Section 56375.3; and,

3. Discussion of outlining in policy form the Commission's current directive and practice to require a City to address its island area(s) when considering a development related annexation/reorganization proposal.

The Cities were requested to respond to these issues by January 4, so that LAFCO staff could evaluate and include their position in the staff report to be presented to the commission at the January 19, 2011 hearing. Four of the six responses received by the deadline have requested continuance of this discussion to allow for further review and discussion with their respective governing body (copies included as Attachments #2 through #5). The requests for continuance are from:

1. Mr. Greg Devereaux, Chief Executive Officer for the County
2. Mr. Mark Tomich, Development Services Director for the City of Colton
3. Mr. Scott Priester, Development Services Director for the City of Hesperia
4. Mr. James Penman, City Attorney, City of San Bernardino

Because of the significance of the discussion related to Policy #29 – Island Annexation, staff is recommending that the item be continued to the May 18, 2011 hearing. This will allow the cities, the County, and LAFCO staff to confer on the matter, LAFCO staff to receive the positions of the City Councils and the County Board of Supervisors, and then present the most complete analysis for the Commission's consideration. The discussion of the balance of the Policy and Procedure Manual is also proposed for continuance to accommodate any other policy changes or additions which these discussions may prompt.

/krm

Attachment:

1. [December 10, 2010 Letter on Island Annexation Discussion](#)
2. [Letter Dated January 4, 2011 from Gregory Devereaux, County Executive Officer](#)
3. [Letter Dated December 22, 2010 from Mark Tomich, Development Service Director, City of Colton](#)
4. [Letter Dated December 22, 2010 from Scott Priester, Director of Development Services for the City of Hesperia](#)
5. [Letter Dated January 4, 2011 from James Penman, City Attorney, City of San Bernardino](#)