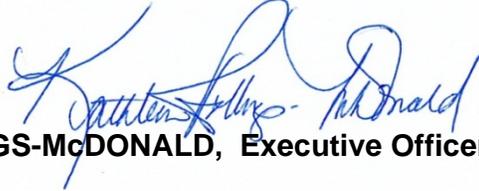


# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: AUGUST 6, 2012  
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION



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SUBJECT: AGENDA ITEM #4 – Review and Adoption of Resolution No. 3165 for the Revised, Amended and Reorganized Policy and Procedure Manual

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## RECOMMENDATION:

Staff recommends that the Commission adopt Resolution No. 3165 reflecting its adoption of the Revised, Amended and Reorganized Policy and Procedure Manual and the repealing of its previous Policy and Procedure Manual, its Environmental Policies and Administrative Guidelines, its Human Resources Policies and Guidelines and its Benefits Plan.

## BACKGROUND:

At the June hearing, the Commission reviewed and considered the adoption of a revised, amended and reorganized Policy and Procedure Manual. At that hearing, the Commission reviewed the changes proposed to comply with statutory updates most specifically related to the definition of disadvantaged unincorporated communities, the Attorney General Opinion affecting unincorporated islands of territory under the provisions of Government Code Section 56375.3, and determined to adopt the Countywide Vision Statement. Staff has discovered that the Policy and Procedure Manual previously provided to the Commission did not include the full language of proposed Policy 13 for Disadvantaged Unincorporated Communities as discussed at the June hearing. The language of that Policy should have read:

### **13. DISADVANTAGED UNINCORPORATED COMMUNITY ANNEXATION** *(Adopted June 20, 2012)*

- (a) LAFCO shall utilize the ESRI Business Analyst Online, a web-based application, to develop the demographic data needed to define a “disadvantaged unincorporated community” as outlined in Government Code Section 56033.5. In addition, a community, as identified in this section, shall be defined as meaning an inhabited area that is comprised of no less than 10 dwellings adjacent or in close proximity to one another.

- (b) Based upon local circumstance the Commission determines that the requirement for imposition of subsection (A) of Government Code Section 56375(a)(8) setting forth the requirement for a supplemental annexation to the City of the disadvantaged unincorporated community shall be imposed as follows:
  - 1) Valley and Mountain Cities – annexation greater than 10 acres
  - 2) North and South Desert Cities – annexation greater than 25 acres
- (c) The Commission determines that no annexation required to be submitted pursuant to this section shall create an island or peninsula of unincorporated territory substantially surrounded by the City to which the annexation is proposed or the annexing city and an adjacent city.
- (d) The Commission determines that in implementing subsection (B) (ii), it shall consider written evidence of opposition to include an application for sphere of influence removal or petitions for creation of a new government which were unsuccessful.

Attached to this report is the draft resolution reflecting the Commission's determinations and adopting the revised, amended and reorganized Policy and Procedure Manual. The manual itself is attached as an Exhibit to the draft resolution.

KRM

Attachments:

1. [Draft Resolution No. 3165](#)
2. [Policy and Procedure Manual](#)