

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

REGULAR MEETING

10:00 A.M.

DECEMBER 21, 2022

PRESENT:

COMMISSIONERS:

Regular Member	Alternate Member
Joe Baca	Rick Denison
James Bagley, Chair	Jim Harvey
Kimberly Cox	Kevin Kenley
Phill Dupper	Dawn Rowe
Steven Farrell	

STAFF:

**Samuel Martinez, Executive Officer
Paula de Sousa, Legal Counsel
Michael Tuerpe, Senior Analyst
Art Pastor, Analyst
Angela Schell, Commission Clerk
Tom Dodson, Environmental Consultant**

ABSENT:

**COMMISSIONERS: Acquanetta Warren, Vice Chair
Curt Hagman**

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION
– 10:14 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

ANNOUNCEMENT OF CONTRIBUTIONS

CONSENT ITEMS:

- 1. Approval of Minutes for Regular Meeting of November 16, 2022**
- 2. Approval of Executive Officer's Expense Report**

Recommendation: Approve the Executive Office's Expense for Procurement Card Purchases from October 24 to November 22, 2022.

- 3. Ratify Payments as Reconciled for the Month of October 2022 and Note Revenue Receipts**

Recommendation: Ratify payments as reconciled for the month of October 2022 and note revenue receipts for the same period.

4. Consent Items Deferred for Discussion (None)

Commissioner Dupper moves the approval of the Consent Items. Second by Commissioner Cox. The motion passes with the following roll call vote:

*Ayes: Baca, Bagley, Cox, Dupper, Farrell, Denison and Rowe.
Noes: None.
Abstain: None.
Absent: Hagman (Rowe voting in his stead) and Warren (Denison voting in her stead).*

PUBLIC HEARING ITEMS:

5. LAFCO SC#492 – West Valley Water District Service Agreement – Water System Infrastructure Installation and Conveyance Agreement – for APN 0254-192-02 (GATX Corporation):

Recommendation: Staff recommends that the Commission approve LAFCO SC#492 by taking the following actions:

1. Certify that LAFCO SC#492 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#492 authorizing the West Valley Water District to extend water service outside its boundaries and outside its sphere of influence to Assessor Parcel Number 0254-192-02.
3. Adopt LAFCO Resolution #3360 setting forth the Commission's determinations and approval of the agreement for service outside the West Valley Water District's boundaries and sphere of influence.

Commissioner Baca moves approval of staff recommendations. Second by Commissioner Rowe. The motion passes with the following roll call vote:

*Ayes: Baca, Bagley, Cox, Dupper, Farrell, Denison and Rowe.
Noes: None.
Abstain: None.
Absent: Hagman (Rowe voting in his stead) and Warren (Denison voting in her stead).*

6. LAFCO 3257 and LAFCO 3258

- A. LAFCO 3257: Sphere of Influence Amendment for City of San Bernardino (expansion), San Bernardino County Fire Protection District (expansion) and City of Redlands (reduction)
- B. LAFCO 3258: Reorganization to Include Annexation to the City of San Bernardino, San Bernardino County Fire Protection District, its Valley Service Zone and its Zone FP-5, and Detachment from City of Redlands

Recommendation: Staff recommends that the Commission approve LAFCO 3257 and LAFCO 3258 by taking the following actions:

1. With respect to environmental review for LAFCO 3257 and LAFCO 3258:
 - a) Certify that LAFCO 3257 and LAFCO 3258 are exempt from the provisions of the California Environmental Quality Act, and
 - b) Direct the Executive Officer to file the Notice of Exemption within five (5) days.
2. For LAFCO 3257 (sphere of influence amendments):
 - a) Determine that the proposed sphere of influence amendments, submitted under the provisions of Government Code Section 56428, do not require a service review;
 - b) Approve the sphere of influence amendments (expansions) for the City of San Bernardino and San Bernardino County Fire Protection District;
 - c) Approve the sphere of influence amendment (reduction) for the City of Redlands;
 - d) Affirm the descriptions of the functions and services for the San Bernardino County Fire Protection District, as identified in the *LAFCO Policy and Procedure Manual*; and,
 - e) Adopt LAFCO Resolution No. 3361, reflecting the Commission's determinations for the sphere of influence amendments as identified.
3. For LAFCO 3258 (reorganization):
 - a) Approve LAFCO 3258, with the following conditions:
 1. Standard terms and conditions that include, but are not limited to, the "hold harmless" clause for potential litigation costs by the applicants.
 2. The Certificate of Completion shall be held in abeyance for six months subject to County Fire Board action to change the boundaries of its Valley Service Zone and its Service Zone FP-5 to include the reorganization area.
 - b) Adopt LAFCO Resolution No. 3362, setting forth the Commission's determinations and conditions for LAFCO 3258.

Commissioner Baca moves approval of staff recommendations. Second by Commissioner Dupper. The motion passes with the following roll call vote:

Ayes: Baca, Bagley, Cox, Dupper, Farrell, Denison and Rowe.
Noes: None.
Abstain: None.
Absent: Hagman (Rowe voting in his stead) and Warren (Denison voting in her stead).

INFORMATION ITEMS:

7. Legislative Update Report

Executive Officer Samuel Martinez states that there is no report for this month.

8. Executive Officer's Report

Executive Officer Samuel Martinez states that the Admin Committee composed of Chair Bagley, Vice-Chair Warren, and Commissioner Cox, will meet to review the draft audit before the January Commission meeting.

9. Commissioner Comments

Chair Bagley wishes everyone a happy holiday season.

10. Comments from the Public

There is none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:36 A.M.

ATTEST:



ANGELA SCHELL, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



JIM BAGLEY, Chair