

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

REGULAR MEETING

9:00 A.M.

NOVEMBER 15, 2023

PRESENT:

COMMISSIONERS:

Regular Member

Joe Baca, Jr.
James Bagley
Kimberly Cox
Phill Dupper
Steven Farrell, Vice Chair
Curt Hagman

Alternate Member

Rick Denison
Jim Harvey
Kevin Kenley

STAFF:

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

ABSENT:

COMMISSIONERS:

Regular Member

Acquanetta Warren, Chair

Alternate Member

Dawn Rowe

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –
9:04 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

ANNOUNCEMENT OF CONTRIBUTIONS

1. Comments from the Public

There are none.

CONSENT ITEMS:

2. Approval of Regular Meeting of September 20, 2023

3. Approval of Executive Officer's Expense Report

Recommendation: Approve the Executive Officer's Expense Report for Procurement Card Purchases from August 23, 2023, to September 22, 2023, and September 23, 2023, to October 23, 2023.

4. Ratify Payments as Reconciled and Note Revenue Receipts for the Month of June 2023

Recommendation: Ratify payments as reconciled for the months of August and September 2023 and note revenue receipts for the same period.

5. Consent Items Deferred for Discussion

No items are deferred for discussion.

Commissioner Hagman moves to approve Consent Items. Second by Commissioner Dupper. The motion passes with the following roll call vote:

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

PUBLIC HEARING ITEMS:

6. LAFCO SC#517 – City of Chino Covenant Agreement to Annex for Sewer Service (APN 1016-331-05)

Recommendation: Staff recommends that the Commission approve LAFCO SC#517 by taking the following actions:

1. Certify that LAFCO SC#517 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#517 authorizing the City of Chino to extend sewer service outside its boundaries to Assessor Parcel Number 1016-331-05.
3. Adopt Resolution No. 3385 setting forth the Commission's determinations and approval of the agreement for service outside the City of Redlands' boundaries.

Commissioner Hagman moves to approve staff recommendations. Second by Commissioner Baca. The motion passes with the following roll call vote:

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

7. LAFCO 3260 – Annexation to the Lake Arrowhead Community Services District (Hesperia Farms Property – District Owned) TAKEN OFF CALENDAR

Commissioner Cox states that she will recuse herself from Item 8 as she works for the Helendale CSD and leaves the dais at 9:10 a.m.

8. LAFCO 3262 – Annexation to the Helendale Community Services District (Lower Eastern Sphere of Influence)

Recommendation: Staff recommends that the Commission approve LAFCO 3262 by taking the following actions:

1. For environmental review, certify that LAFCO 3262 is exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days.
2. Approve LAFCO 3262, with the standard LAFCO terms and conditions that include the “hold harmless” clause for potential litigation costs by the applicant and the continuation of fees, changes, and/or assessments currently authorized by the annexing agency; and,
3. Adopt LAFCO Resolution #3387, setting for the Commission’s determinations and conditions of approval concerning this reorganization proposal.

*Public Comment: Henry Spiller, Board President, Helendale CSD
Kathleen Rollings-McDonald, Consultant to the applicant*

Commissioner Baca moves to approve staff recommendations. Second by Commissioner Hagman. The motion passes with the following roll call vote:

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

Commissioner Cox returns to the dais at 9:32 a.m.

DISCUSSION ITEM:

9. First Quarter Financial Review for FY 2023/24

Recommendation: Staff recommends that the Commission note receipt of this report and file.

Vice Chair Farrell states the item is to receive and file and requires no action from the Commission.

INFORMATION ITEMS:

10. Legislative Update Report

Executive Officer Samuel Martinez provides a summary of the staff report and notes the recommendation is to receive and file the report.

11. Executive Officer's Report

Executive Officer Samuel Martinez summarizes the EO staff report providing an update on current and pending proposals including a summary of a recent EO delegated service contract exemption. He informs the Commission of the upcoming LAFCO sponsored Governance Training at the Mojave Water Agency and thanks Commissioner Cox for the use of its facility. He provides an update on the recently concluded CALAFCO Annual Conference and identifies the Commissioners who were in attendance and congratulates Commissioner Cox who won the Southern Region Special District seat on the CALAFCO Board. He informs the Commission of the LAFCO 2024 office calendar, which is attached to the report. He concludes his EO report stating that the LAFCO audit will start next Monday.

12. Commissioner Comments

Commissioner Hagman addresses comments to Executive Officer Martinez and Legal Counsel Paula de Souza regarding Commissioner stipends relating to IRS interpretations. Legal Counsel Paula de Souza recommends having this discussion at a future meeting. Commissioner Cox, personally thanks Commissioners Farrell and Bagley for speaking on her behalf during the CALAFCO Board election.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 9:48 A.M.

ATTEST:



ANGELA SCHELL, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



STEVEN FARRELL, Vice Chair