

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

REGULAR MEETING

9:00 A.M.

September 17, 2025

PRESENT:

COMMISSIONERS:

Regular Member

Joe Baca Jr.
Jim Bagley, Vice Chair
Kimberly Cox
Steven Farrell, Chair
Curt Hagman
Acquanetta Warren

Alternate Member

Rick Denison
Jim Harvey
Kevin Kenley

STAFF:

Samuel Martinez, Executive Officer
Paula de Sousa, Legal Counsel
Michael Tuerpe, Assistant Executive Officer
Gavin Centeno, Project Manager/Clerk to the Commission
Arturo Pastor, Analyst
Tom Dodson, Environmental Consultant

ABSENT:

COMMISSIONERS:

Regular Member

Phill Dupper

Alternate Member

Jesse Armendarez

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –
9:07 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 Minutes for Regular Meeting of July 16, 2025

3. Approval of Executive Officer's Expense Report

Recommendation: Approve the Executive Officer's Expense Report for Procurement Card Purchases from June 24, 2025, to July 22, 2025 and July 23, 2025 to August 22, 2025.

4. Ratify Payments as Reconciled and Note Cash Receipts for the Months of June and July 2025 and Note Revenue Receipts

Recommendation: Ratify payments as reconciled for the months of June and July 2025 and note revenue receipts for the same period.

5. Amendment #1 to Agreement with Event Design Lab for Video Production Services

Recommendation: Staff recommends the Commission:

1. Approve Amendment #1 to the services agreement with Event Design Lab for video production of LAFCO meetings, and
2. Authorize the Executive Officer to sign the amended agreement.

6. Consent Items Deferred for Discussion

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

Ayes: Baca, Bagley, Cox, Denison, Farrell, Hagman and Warren.

Noes: None.

Abstain: None.

Absent: Dupper (Denison voting in his stead).

PUBLIC HEARING ITEMS:

7. Consideration LAFCO SC#545 – City of San Bernardino Irrevocable Agreement to Annex No. 2025-383 for Sewer Service (Assessor Parcel Number 0262-021-14)

Recommendation: Staff recommends that the Commission approve LAFCO SC#545 by taking the following actions:

1. For environmental review as a responsible agency:
 - a. Certify that the Commission, its staff, and its Environmental Consultant have reviewed and considered the County of San Bernardino's Addendum to the Glen Helen Specific Plan Environmental Impact Report (SCH # 2000011093) prepared by the County for its review of a Conditional Use Permit for a trailer storage/ leasing facility consisting of 202 truck parking spaces and a 1,641 sq. ft. office building on approximately 10.4 acres;
 - b. Determine that the information substantiating the County's Addendum and Environmental Impact Report are adequate for the Commission's use as a CEQA Responsible Agency for its review and approval of the extension of service contained in LAFCO SC#545;

- c. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for this project; that all mitigation measures are the responsibility of the County of San Bernardino and/or others, not the Commission, and are self-mitigating through implementation of the Conditions of Approval; and,
 - d. Direct the Executive Officer to file a Notice of Determination within five (5) days of this action.
2. Approve LAFCO SC#545 authorizing the City of San Bernardino to extend sewer service outside its boundaries to Assessor Parcel Number 0262-021-14; and,
3. Adopt LAFCO Resolution #3426 setting forth the Commission's determinations and approval of the agreement for service outside the City of San Bernardino's boundaries.

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

Ayes: Baca, Bagley, Cox, Denison, Farrell, Hagman and Warren.

Noes: None.

Abstain: None.

Absent: Dupper (Denison voting in his stead).

8. LAFCO 3274 - Reorganization to Include Annexation to the City OF San Bernardino and Detachment from County Service Area 70 (Spring Trails Specific Plan Project)

Recommendation: The staff recommends that the Commission approve LAFCO 3274 by taking the following actions:

1. With respect to the environmental review:
 - a. Certify that the Complete Final Environmental Impact Report (EIR) and other related environmental documents prepared by the City of San Bernardino for the Spring Trails Specific Plan have been independently reviewed and considered by the Commission, its staff and its Environmental Consultant;
 - b. Determine that the Complete Final EIR for the project prepared by the City of San Bernardino is adequate for the Commission's use as a California Environmental Quality Act (CEQA) Responsible Agency for its determination related to LAFCO 3274;
 - c. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the Spring Trails Specific Plan, and that the mitigation measures identified for the project are the responsibility of the City of San Bernardino and others, not the Commission;
 - d. Adopt the Facts, Findings and Statement of Overriding Considerations as presented by the Commission's Environmental Consultant and attached to the staff report; and,

- e. Direct the Executive Officer to file the Notice of Determination within five days, and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval since the City, as CEQA Lead Agency, has paid said fees.
2. Approve LAFCO 3274, with the following determination and conditions:

Determination – The Commission determines that approval of LAFCO 3274 will create an unincorporated island surrounded by the City of San Bernardino. Since the inclusion of the island area would likely terminate the annexation proposal due to the number of registered voters within said island, the Commission determines, pursuant to the provision of Government Code Section 56375(m), to waive the restrictions on the creation of a totally-surrounded island contained within Government Code Section 56744 because it would be detrimental to the orderly development of the community, and it further determines that the area to be surrounded by the City of San Bernardino cannot reasonably be annexed to another city or incorporated as a new city.

Conditions – The standard LAFCO terms and conditions that include, but are not limited to, the “hold harmless” clause for potential litigation costs by the applicant and the continuation of fees, charges, and/or assessments currently authorized by the annexing agency, and the identification that the transfer of utility accounts will occur within 90 days of the recording of the Certificate of Completion.

3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the reorganization; and,
4. Adopt LAFCO Resolution No. 3427 setting forth the Commission's determinations and conditions of approval concerning LAFCO 3274.

The following provide Public Comment:

*Gabriel Elliot, Representative for the City of San Bernardino
Treasure Ortiz, City of San Bernardino Councilmember
Hank Mitchell
Barabara Sky
Rich Kaplan
Edward Bonadiman
Corey Evans
Tim May
Ken Rosmussen
Lynette Kaplan
Candy Evans
Stacey Evans*

Commissioner Cox moves to approve staff's recommendation subject to the successful annexation of the adjacent island annexation proposal, LAFCO 3275, as a condition of approval for LAFCO 3274. Second by Commissioner Bagley.

Commissioner Hagman makes a substitute motion to approve staff recommendations as originally proposed. Second by Commissioner Warren.

The Commission votes on the substitute motion. The substitute motion passes with the following roll call vote:

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

Commissioner Baca leaves dais at 11:08 a.m.

DISCUSSION ITEM:

9. Legislative Report

Staff recommends that the Commission:

1. Receive and file the Legislative Report;
2. Regarding the Amicus Brief related to Monterey LAFCO's pending appeal:
 - a. Inform CALAFCO of this Commission's desire to join with other LAFCOs and CALAFCO as a party to the amicus brief to be submitted in the appeal of Monterey Peninsula Water Management District v. Monterey LAFCO (Monterey County Superior Court Case No. 22CV000925);
 - b. Authorize the expenditure of up to \$5,000 from Account 2449 (Outside Legal—Litigation & Special Counsel) to cover San Bernardino LAFCOs share of the legal expense to prepare the amicus brief; and,
 - c. Authorize the Executive Officer to sign the Cost Sharing Agreement with CALAFCO.
3. Provide direction to staff on legislation of interest or future actions, if any.

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

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

INFORMATION ITEMS:

10. Executive Officer's Report

Executive Officer Samuel Martinez provides a summary of the staff report.

11. Commissioner Comments

There are none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 11:15 A.M.

ATTEST:



GAVIN CENTENO
Project Manager/Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



STEVEN FARRELL, Chair