

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

REGULAR MEETING

9:00 A.M.

SEPTEMBER 18, 2019

PRESENT:

COMMISSIONERS:

Regular Member	Alternate Member
Jim Bagley	Louisa Amis
James Curatalo, Vice Chair	Steven Farrell
Dawn Rowe	Janice Rutherford
	Rick Denison

STAFF:

**Samuel Martinez, Executive Officer
Paula de Sousa Mills, LAFCO Legal Counsel
Michael Tuerpe, Project Manager
Jeffrey Lum, LAFCO Analyst
La Trici Jones, Clerk to the Commission
Angerose Schell, Administrative Assistant**

ABSENT:

COMMISSIONERS:

**Robert Lovingood
Kimberly Cox
Larry McCallon, Chair
Acquanetta Warren**

9:11 A.M. – CALL TO ORDER – FLAG SALUTE

ANNOUNCEMENT OF CONTRIBUTIONS

1. PUBLIC COMMENTS ON CLOSED SESSION

There were no members of the public who requested to speak on the Closed Session items.

2. CONVENE CLOSED SESSION

LAFCO Vice-Chair James Curatalo announced that Closed Session would not convene since there is nothing to discuss in Closed Session.

- Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)) – San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case NO CIVDS1715504
- Conference with Legal Counsel – Existing Litigation (Government Code Section

54956.9(d)(1)) – San Antonio Heights Association v. County of San Bernardino et al, San Bernardino County Superior Court Case No CIVDS1712271

- Conference with Legal Counsel – Existing Litigation – (Government Code Section 54956.9(d) (1)) – C.O.M.E.T. (Citizens of Mentone Empowered Together) v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS1906437

3. RECONVENE PUBLIC SESSION

[Not needed as Commission did not meet in Closed Session.]

CONSENT ITEMS:

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

4. Approval of Minutes for Regular Meeting of August 21, 2019

5. Approval of Executive Officer's Expense Report

Recommendation: Approve the Executive Officers' Expense Report for Procurement Card Purchases from July 24, 2019 to August 23, 2019.

6. Ratify Payments as Reconciled and Note Cash Receipts for Month of June 2019

Recommendation: Ratify payments as reconciled for the month of July 2019 and note revenue receipts for the same period.

7. Consent Items Deferred for Discussion (none)

Commissioner Bagley moves approval of the consent items. Second by Commissioner Rowe. The motion on the Consent Items passes with the following roll call vote:

Ayes: Bagley, Curatalo, Rowe, Denison, Rutherford and Farrell.

Noes: None.

Abstain: None.

Absent: McCallon (Denison voting in his stead), Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead) and Warren.

PUBLIC HEARING ITEMS:

8. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3234 and (2) LAFCO 3234 – Service Review for the Wrightwood Community Services District

Recommendation: Staff recommends that the Commission continue LAFCO 3234 to the October 16, 2019 hearing.

Commissioner Rowe moves to continue Item 8 to the October 16, 2019 hearing date. Second by Commissioner Farrell. The motion passes with the following roll call vote:

Ayes: Bagley, Curatalo, Rowe, Denison, Rutherford and Farrell.

Noes: None.

Abstain: None.

Absent: McCallon (Denison voting in his stead), Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead) and Warren.

DISCUSSION ITEMS:

9. Update on Sustainability of the City of Adelanto, related to LAFCO 3232 – Sphere of Influence Amendment for the City of Adelanto

Recommendation: Staff recommends that the Commission take the following actions:

- Note receipt of status report and file.
- Schedule an update for the City for the March 2020 hearing.

Commissioner Rowe expresses the concerns of Commissioner Lovingood and she states that she would like to see a status report in January 2020 to determine whether the City of Adelanto is adhering to its timeline to complete the backlog of audits instead of waiting until March 2020.

Ward Komers, Finance Director of the City of Adelanto states that when the audit reports are completed and accepted by the Counsel, they will be shared with the LAFCO staff.

Commissioner Bagley states that he shares the concerns of Commissioner Lovingood and Commissioner Rowe, he does not want to wait as there are egregious shortcomings in the audits.

Commissioner Rowe moves approval of the staff recommendation to receive and file the update with a modification to the scheduled update for the City to January 2020, Second by Commissioner Denison. The motion passes with the following roll call vote:

Ayes: Bagley, Curatalo, Rowe, Denison, Rutherford and Farrell.

Noes: None.

Abstain: None.

Absent: McCallon (Denison voting in his stead), Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead) and Warren.

10. Status Report Outlining the Progress of the Town of Apple Valley in Fulfilling its Obligation to Initiate an Island Annexation as a Condition of LAFCO 3229

Recommendation: Staff recommends that the Commission receive and file the update.

Commissioner Bagley moves approval of the staff recommendation. Second by Commissioner Denison. The motion passes with the following roll call vote:

*Ayes: Bagley, Curatalo, Rowe, Denison, Rutherford and Farrell.
Noes: None.
Abstain: None.
Absent: McCallon (Denison voting in his stead), Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead) and Warren.*

11. Appointment of Voting Delegate and Alternate Voting Delegate for the Southern Region Caucus and for the CALAFCO Business Meeting at the Annual CALAFCO Conference

Recommendation: Staff recommends that the Commission select Larry McCallon as voting delegate and Samuel Martinez as alternate voting delegate for the Southern Region Caucus and for the CALAFCO annual membership business meeting.

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

*Ayes: Bagley, Curatalo, Rowe, Denison, Rutherford and Farrell.
Noes: None.
Abstain: None.
Absent: McCallon (Denison voting in his stead), Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead) and Warren.*

12. Report on Proposed CALAFCO Dues Structure

Recommendation: Staff recommends that the Commission support the new dues structure proposed by the CALAFCO Board and direct its voting delegate to cast San Bernardino LAFCO's vote in support of the new dues structure.

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

*Ayes: Bagley, Curatalo, Rowe, Denison, Rutherford and Farrell.
Noes: None.
Abstain: None.
Absent: McCallon (Denison voting in his stead), Lovingood (Rutherford voting in his stead), Cox (Farrell voting in her stead) and Warren.*

INFORMATION ITEMS:

13. Legislative Update Report

Executive Officer Samuel Martinez provided a Legislative Update Report.

14. Executive Officer's Oral Report

Executive Officer Samuel Martinez provided an update that the FY 2018-19 has commenced and that the auditors will be on-site at the LAFCO office the week of October 14. He also provided an update on the upcoming items tentatively scheduled for the October Hearing.

15. Commissioner Comments

Commissioner Amis indicates that she and Commissioner Bagley attended the Watershed Board Conference and she states it was very informative and glad she had the opportunity to attend.

16. Comments from the Public

There were no members of the public who requested to speak.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:07 A.M.

ATTEST:



LA TRICI JONES, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



JAMES CURATALO, Vice-Chair