

AGENDA

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

REGULAR MEETING OF MAY 20, 2020

IMPORTANT NOTICE REGARDING THE MAY 20, 2020 COMMISSION MEETING

The Local Agency Formation Commission for San Bernardino County (LAFCO or Commission) will conduct this meeting virtually by videoconference and/or teleconference in compliance with waivers to certain Brown Act provisions under the Governor's Executive Order N-29-20, and members of the Commission or LAFCO staff will participate in this meeting telephonically or electronically. The public may participate in the meeting by joining the meeting virtually, by phone, or viewing the meeting live, and may provide general comments and comments on specific agenda items, as described below:

Instructions for Viewing or Listening to the meeting:

Members of the public may:

- Join the virtual meeting on Zoom using the following link: <https://zoom.us/j/96310829172>
- Listen to the meeting by calling (669) 900-9128 and enter the Meeting ID: 96310829172#
- Watch the meeting via YouTube live stream using the following link: https://www.youtube.com/channel/UCpEpEankM-uoTTa8c_OyV1Q

Instructions for Making Comments and Testimony:

If you wish to make comment on a specific agenda item or a general comment under public comment you can do so by:

- On Zoom video conference via the web or the Zoom App, click the 'Raise Hand' button when the item you wish to comment on is being discussed.
- On Zoom via phone, you can also raise your hand by pressing *9 when the item you wish to comment on is being discussed.

Alternatively, if you wish to make written comments on specific agenda items, make general comments, or submit testimony for public hearings, you can send comments and testimony to LAFCO, limited to a maximum of 250 words, by email at lafco@lafco.sbcounty.gov, online at www.sbclafco.org/AgendaandNotices/Agendas/PublicComments.aspx, or by mail to LAFCO, 1170 West 3rd Street, Unit 150, San Bernardino, CA 92415-0490, for receipt no later than 7:30 a.m. on the meeting day. These comments and testimony will be read on to the meeting record at the appropriate time.

This change in public participation will continue until further notice and supersede any LAFCO standard public comment and testimony policies and procedures to the contrary.

9:00 A.M. – CALL TO ORDER – FLAG SALUTE

ANNOUNCEMENT: Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

- 1. **PUBLIC COMMENTS ON CLOSED SESSION**
- 2. **CONVENE 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. CIVDS1712771
- 3. **RECONVENE PUBLIC SESSION**
- 4. [Selection of Chair and Vice Chair](#)
- 5. [Interview and Select Alternate Public Member](#)

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.

- 6. [Approval of Minutes for Regular Meeting of April 15, 2020](#)
- 7. [Approval of Executive Officer's Expense Report](#)
- 8. [Ratify Payments as Reconciled and Note Cash Receipts for Month of March 2020](#)
- 9. Consent Items Deferred for Discussion

PUBLIC HEARING ITEMS:

- 10. [Consideration of: \(1\) CEQA Statutory Exemption for Schedule of Fees, Deposits and Charges Revisions; and \(2\) Review and Adoption of Schedule of Fees, Deposits, and Charges Effective July 1, 2020](#)
- 11. [Review and Consideration of Amendments to Policy and Procedure Manual Section II - Accounting and Financial \(add new committed reserve account to fund the extra pay-period\) and Section III – Human Resources \(rescind COLA for FY 2020-21\)](#)
- 12. [Review and Adoption of Final Budget for Fiscal Year 2020-21 including the Apportionment for Independent Special Districts, Cities and the County](#)

DISCUSSION ITEMS:

13. [Sustainable Agricultural Lands Conservation Program \(SALC\) Planning Grant Application](#)

INFORMATION ITEMS:

14. Legislative Oral Report
15. Executive Officer's Oral Report
16. Commissioner Comments
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
17. Comments from the Public
(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed for Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at www.sbclafco.org, and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.


The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at www.fppc.ca.gov or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

5/4/20:

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3rd Street, Unit 150 San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : MAY 13, 2020
FROM:  SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #4 – SELECTION OF CHAIR AND VICE-CHAIR


Pursuant to the Commission's Rule of Order #2, the Commission selects its Chair and Vice-Chair annually at the May hearing. The terms of office are for one year and, per the recent amendment to its policy adopted last April by the Commission, the Chair and Vice-Chair may serve no more than two consecutive full terms in those offices.

Any regular voting member of the Commission may be appointed to these positions. It should be noted that Chair McCallon and Vice-Chair Curatalo are completing their first full term of office and are eligible for reappointment to their positions under current policies.

Staff will be happy to respond to any questions prior to or at the hearing.

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3rd Street, Unit 150 San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: MAY 13, 2020
FROM: SAMUEL MARTINEZ, Executive Officer 
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #5 – INTERVIEW AND SELECTION OF ALTERNATE PUBLIC MEMBER OF THE COMMISSION

The term of office for the Alternate Public Member of the Commission expires on the first Monday in May 2020. Pursuant to Commission policy, the staff provided a thirty-day period from February 10 to March 11, 2020 for interested persons to submit an application for the position of Alternate Public Member of the Commission. During that period, five applications were submitted.

Copies of the letters of application are included as attachments to this report and have been received from:

- Louisa Amis, a resident of the City of Redlands (incumbent);
- Dieter Dammeier, a resident of the City of Rancho Cucamonga;
- James Daniels, a resident of the City of Rancho Cucamonga;
- Jim Harvey, a resident of the community of Johnson Valley; and,
- Scott Rindenow, a resident of the community of Lake Arrowhead.

Staff requested that each of the candidates attend the Commission's virtual May hearing and advised them that each will be asked to provide a brief oral presentation outlining their qualifications and reasons for their interest in this position. The Commission may then make an appointment, with the successful candidate sworn-in at the hearing, or may defer action to the next meeting. The term of office for this position expires on the first Monday in May, 2024.

The Commission process for selection of the successful candidate requires that the candidate must receive four votes and that neither the Public Member nor Alternate Public Member may vote. Further, state law requires that the successful candidate must receive at least one affirmative vote from each of the three other membership categories on the Commission – county, city and special district.

Staff will be happy to answer any questions at the hearing.

Attachments

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2020 MAR -9 AM 11:11

RECEIVED BY
PUBLIC OFFICE

March 5, 2020


Dear Mr. Martinez,

I wish to apply for the position of Alternate Public Member for the 2020-2024 term.

I am very committed to public service.

Please see my attached resume.

Thank You,



Louisa Amis

LOUISA AMIS

1325 East Citrus Ave. Apt 11G Redlands, Ca. · 909-810-8811

Louami35@gmail.com

EXPERIENCE

MAY 2018-PRESENT

ALTERNATE PUBLIC MEMBER, SAN BERNARDINO COUNTY LAFCO

Served as Alternate Public Member, Attended Best, Best and Kreiger Brown Act webinar, Santa Ana Watershed certification

AUGUST 2017 – PRESENT

FRONT OFFICE/RECEPTIONIST, L'ALBI PROPERTY MANAGEMENT COMPANY

Weekend office staff, leasing and general apartment management details

DECEMBER 2005-JULY 2015

RESEARCH ASSISTANT, LABORATORY MANAGER, Cancer Research Loma Linda University, Multiple publications in Scientific Journals

EDUCATION

JUNE 1976

B.A. HISTORY, CONVERSE COLLEGE SPARTANBURG, SOUTH CAROLINA

MAY 1997

B.S. CHEMISTRY, TENNESSEE STATE UNIVERSITY, NASHVILLE, TN.

Dean's List three quarters, Laboratory Teaching assistant, two years Student Research Assistant, Published in scientific Journals

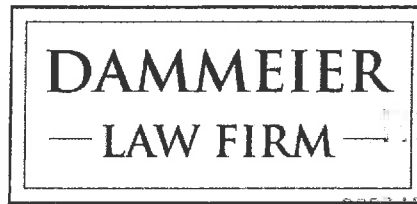
SKILLS

- Work well with diverse groups
- Clear, logical, analytical thinking

ACTIVITIES

I am an active community member of Redlands. I am a member of the Historical Society, the Redlands Conservancy, the Friends of A.K. Smiley library, the Civil War Round table and Redlands Climate Lobby. I also am interested in animal welfare and am a past volunteer at the Redlands Animal Shelter

8213 White Oak Avenue
Rancho Cucamonga, CA 91730



(909) 240-9525

Dieter@DammeierLaw.com

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2020 MAR 11 PM 4:27

March 11, 2020

Samual Martinez, Executive Officer
Local Agency Formation Commission for San Bernardino County
1170 West Third Street, Unit 150
San Bernardino, CA 92415-0490

Re: Interest in Alternate Public Member Position

Dear Board & Executive Officer,

I write to express my interest in the position for Alternate Public Member. As you can see on the attached resume, I bring experience as an attorney that has worked with over a hundred public agencies throughout California.

I would be honored and excited to have a voice in how the Board helps shape our County. I am one who pays attention to detail while recognizing there is always a bigger picture to keep in mind. I would humbly put forth the dedication this position demands.

Please contact me anytime to further discuss or let me know if you need any further information.

Very truly yours,

Dieter C. Dammeier
5716 Cabrosa Place
Rancho Cucamonga, CA 91737

RECEIVED

Dieter C. Dammeier



5716 Cabrosa Place, Rancho Cucamonga, CA 91737 (909) 240-9525 Dieter@DammeierLaw.com

CAREER HIGHLIGHTS

- Attorney with 23 years of experience.
- Experienced litigator arguing at every administrative and judicial level, including before the United States and California Supreme Court.
- Published numerous articles in statewide and national labor periodicals. Author of published article in the Harvard Law & Policy Review (Fading Rights of Public Employees) and current co-author of the Pocket Guide to the Public Safety Officers Procedural Bill of Rights Act.
- Presided over 300 cases as a Judge Pro Tem in the Los Angeles Superior Courts and as a "fee dispute" arbitrator for the California State Bar.
- Police Officer and Reserve Deputy Sheriff.

PROFESSIONAL EXPERIENCE

DAMMEIER LAW FIRM, Rancho Cucamonga, CA **Attorney, October 2013 – present**

- Serve as Labor Attorney and General Counsel to 10 police and fire unions in Southern California.
- Handle day to day legal issues for client's members, including grievance issues, representation in administrative proceedings and negotiating collective bargaining agreements.
- Litigate overtime rights cases.

LACKIE DAMMEIER MCGILL & ETHIR, Upland, CA **Managing Partner, June 1997 - October 2013**

- Founding partner, built Firm from scratch into largest provider of police disciplinary representation in California.
- Litigated cases at all administrative and judicial levels.
- Responsible for several published decisions, both State and Federal, involving employee/union rights.
- Managed 22 attorney office, including case oversight, administrative and business functions of the office.
- In 2012, I divested ownership of the majority of the Firm to allow other partners to share ownership and management of the Firm. At the end of 2013, the Firm lost its biggest client (based on external politics) which caused a mass exodus of attorneys and partners and resulted in the Firm closing.

POLICE EXPERIENCE, California **Various Assignments, 1986 – 2002**

- Jailer for the City of Claremont.
- Among the youngest ever fulltime police officers (Academy at 19 and working patrol at 20) for the City of Cypress.
- Reserve Deputy Sheriff (while working as an attorney) for the San Bernardino County Sheriff's Department.

EDUCATION

Western State University, College of Law, Fullerton, CA **Juris Doctor, Magna Cum Laude, December 1996**

- Top 5% of class.
- Law Review.
- Amjur Award (top grade in each class) in 6 classes, including Legal Writing I & II.

VOLUNTEER EXPERIENCE

- Appointed Arbitrator for the State Bar of California's "fee dispute" arbitration program.
- Appointed Judge Pro Tem for the Los Angeles Superior Court.
- Board of Directors member for the Inland Chapter of the American Cancer Society.

RECEIVED

James E. Daniels
5539 High Meadow Place
Rancho Cucamonga, CA 91737
Cell – 909-851-5200

2020 MAR 11 PM 4:19

LOCAL AGENCY
FORM COMMISSION

Mr. Sam Martinez, Executive Officer
LAFCO
1170 West Third Street, Unit 150
San Bernardino, CA 92415-0490

March 11, 2020

Dear Mr. Martinez,

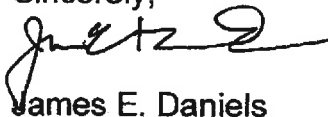
Please accept this application for the office of Alternate Public Member of the Local Agency Formation Commission (LAFCO).

I have been a professional in the planning and economic development field for over 25 years and am currently retired. I have strived to encourage and promote orderly growth and development during my career and feel that I have a lot to offer to the County of San Bernardino in general, and the LAFCO Board specifically.

Through my professional career I have worked on several annexations for local government and have always strived to establish sound reasons and support for the annexations. I have always tried to make every effort to address the questions regarding annexations and also to preserve the goals and objectives of the local community and the County. During my professional career I worked to respect the varied perspectives of those affected by the decisions of LAFCO and encouraged differing parties to work together towards a solution that will benefit the local government and the County. I would enjoy bringing that experience to this position on the LAFCO Board.

Thank you for your consideration of my application. If you have any further questions please feel free to contact me.

Sincerely,



James E. Daniels

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2000 MAR 11 PM 4:19

MAR 11 2000
CITY OF NORCO

James E. Daniels

5539 High Meadow Place
Rancho Cucamonga, California 91737
Phone (909) 987.4003
E-mail daniels4003@charter.net

Summary of Qualifications:

- Accomplished professional with over 25 years "hands-on" experience in the operation and management of community development departments for local government.
- Prepared and processed annexations with the County of Riverside.
- Prepared and/or supervised the preparation of General Plans and amendments, planning and development code amendments and specific plans.
- Prepared goals and objectives, strategic plans, management reports and work programs, personnel training, policy documents and issue papers.
- Extensive interaction with elected and appointed officials, community leaders and local organizations.
- Possess a Bachelor of Science in City and Regional Planning and a Masters degree in Public Administration.
- Served on a non-profit board that provided a variety of services to people with developmental disabilities.

Education: California Polytechnic State University, San Luis Obispo, California, 1980
Bachelor of Science in City and Regional Planning

La Verne University, La Verne, California, 1994
Masters in Public Administration

Professional Experience: **Community Development Director (Retired)**
1988 to 2008 City of Norco, California

Responsible for directing and supervising the activities and daily functions of the various divisions in the Community Development Department - Planning, Building, Engineering, Code Enforcement, Housing, and Economic Development.

Developed and administered several Specific Plans
Supervised the development of General Plan Elements and General plan amendments
Developed Municipal code amendments
Developed Departmental policie

Project Manager

1984 to 1988 Covington Homes, Fullerton, California

Responsible for the management of the firm's planning operations in the development of housing for the Inland Empire territory of their southern California office.

Completed several subdivisions
Constructed several multi-family and single family housing projects

Senior Planner (started as Assistant Planner)

1980 to 1984 City of Upland, California

Responsible for managing the day-to day current planning operations in the City of Upland Planning Department

Worked to develop Specific Plan for Upland Hills golf course
Developed several Code amendments

Entry Planner

1978 to 1980 City of Paso Robles

Entry level planning position working primarily with Senior Planner on Housing Element of the General Plan

Professional Memberships:

American Institute of Certified Planners
American Planning Association (not active since 2008)

References:

Andrea Erickson, CAO/President
OPARC
9029 Vernon Avenue
Montclair, CA 91763
909-851-3116

Mr. Otto Kroutil, Community Development Director (retired)
City of Ontario
909-239-4923

Additional references available upon request.

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2020 MAR 10 PM 4: 19

LOCAL AGENCY
FOR FORMATION COMMISSION

JIM HARVEY

Letter of Application and Brief Resume

For

*San Bernardino County Local Agency Formation Commission
(LAFCO)*

Alternate Public Member Opening



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2020 MAR 10 PM 4:19

LOCAL AGENCY
FORMATION COMMISSION

JIM HARVEY
50220 Saddle Rock Way
Johnson Valley, CA 92285
760-401-1015
johnsonvalley@gmail.com

SAMUEL MARTINEZ, Executive Officer
Local Agency Formation Commission
1170 West Third Street, Unit 150
San Bernardino, CA 92415-0490
Telephone (909) 388-0480

March 09, 2020

Dear Executive Officer Samuel Martinez

Thank you for the opportunity to submit this letter of application for the position of Alternate Public Member of the Local Agency Formation Commission (LAFCO) for San Bernardino County, current term expiring May 2020.

I am a long-time resident of San Bernardino County, having moved to the high desert community of Johnson Valley with my wife in 2001. I have a strong sense of community service, currently serving positions on several boards and councils as both elected and appointed.

I understand the important role LAFCO plays in overseeing orderly expansion of local agencies. As chairperson to the Homestead Valley Community Council I have had the honor of providing written and oral testimony in several past LAFCO SOI considerations relevant to my community. I also understand and support the mission and vision of the San Bernardino County LAFCO and appreciate the priority LAFCO places on available agency services when considering requests for sphere of influence and jurisdictional revisions.

I have attached a brief resume of qualifications as requested in the Notice of Vacancy. Please feel free to contact me for further clarification if necessary.

Thank you for your consideration.



Jim Harvey
50220 Saddle Rock Way
Johnson Valley, CA 92285
760-401-1015
johnsonvalley@gmail.com

RESUME
JIM HARVEY

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JIM HARVEY

COMMUNITY SERVICE

Elected

Lucerne Valley Unified School District Board of Trustees:

2010 to present.

Served as Board President 2012 to 2019. Ran unopposed in 2014 and 2018 elections. Small School Districts Association (SSDA) School Board Governance trainer/workshop presenter. Currently serving.

Appointed

Homestead Valley Community Council:

2008 to present

Served as President from 2009 to 2013, and again 2019 to present. Currently serving, representing Johnson Valley.

Morongo Basin Municipal Advisory Council to Third District Supervisor Dawn Rowe

2019 to present

One of nine appointees currently serving, representing Johnson Valley.

EMPLOYMENT

I Candy Website & Graphic Design:

Owner 2000 to present

Voted *Best of the Best* Website Design Firm in Hi Desert Star readers' poll 10 years in a row.

MEMBER

Yucca Valley Chamber of Commerce

2010 to present

Lucerne Valley Chamber of Commerce

2010 to present

Samuel Martinez, Executive Officer
1170 West Third Street, Unit 150
San Bernardino, CA 92415-0490
909 388-0480

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2020 MAR 11 AM 10:03

FORWARDED TO THE
LOCAL AGENCY FORMATION COMMISSION

March 4, 2020

Dear Mr. Martinez,

I am writing you to express my sincere interest in the position of Alternate Public Member, Local Agency Formation Commission, San Bernardino.

I am a strong believer in our community of San Bernardino and its potential. As a 28-year resident of the County, I have seen much change and growth. I believe the jurisdiction of LAFCO is an important part of San Bernardino's future.

I have dedicated my life to supporting and involvement in our community's needs. From my continuing service on the Lake Arrowhead Municipal Advisory Council, member of the Lake Arrowhead Communities Chamber of Commerce, Past President of the Arrowhead Lake Association, to my dedicated volunteer service to our community, I believe that I have a lot to offer with my business and management skills.

Thank you for your consideration. I look forward to hearing back from you.

Best,



Scott L Rindenow
P.O. Box 1313
Lake Arrowhead, CA 92352
310.925.0070

SCOTT L RINDENOW

310 925.0070

KCBSTV@AOL.COM

P.O. BOX 1313

Lake Arrowhead, CA 92352

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2019 MAR 11 AM 10:03

11/11/2019 10:03 AM

EMPLOYMENT HISTORY:

January 1, 2018 - Present

Owner, SLR Properties

Owner, LakeArrowheadNews.com

October 1980 - December 31, 2017

KCBS/KCAL Staff Television Director/Associate Director

EDUCATION:

California State University, Northridge - B.A. Degree 1976

Radio - Television - Film

AWARDS

Directors Guild of America - Franklin J. Schaffner Lifetime Achievement Award

6 Emmy Awards - 5 Golden Mike Awards - 4 Associated Press Awards

COMMUNITY SERVICE

Chair, Lake Arrowhead Municipal Advisory Council (Since 2010)

Appointed by Supervisor Janice Rutherford, San Bernardino

Member of Lake Arrowhead Communities Chamber of Commerce

Board of Directors, Directors Guild of America (1991 - 1993, 2007 - 2017)

Past President, Arrowhead Lake Association, Lake Arrowhead (2007 - 2009)

Webmaster, LakeArrowheadNews.com

Children's Forest Advisory Council, San Bernardino Mountains

Lake Arrowhead Film Festival - Advisory Board

Community Volunteer - Rotary, Lake Arrowhead Brewfest, Lake Arrowhead Chamber

SKILLS

Public Speaking, Computers, Graphic Design, Video Editing, Still Photography, Drone Photography, Real Estate, Property Management, Construction, Woodworking

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

REGULAR MEETING

9:00 A.M.

APRIL 15, 2020

The Commission conducts the meeting virtually by videoconference (via Zoom) and teleconference (via Zoom phone) and broadcast live via YouTube live stream in compliance with the Governor's Executive Order N-29-20 in response to the COVID-19 pandemic.

PRESENT:

COMMISSIONERS:

Regular Member	Alternate Member
Larry McCallon, Chair	Louisa Amis
James Curatalo, Vice Chair	Steven Farrell
James Bagley	Rick Denison
Kimberly Cox	
Robert Lovingood	
Dawn Rowe	
Acquanetta Warren	

STAFF:

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

ABSENT:

COMMISSIONERS: Janice Rutherford

9:00 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL

Chair McCallon makes an announcement regarding the meeting/hearing being conducted via videoconference and teleconference as well as broadcast live via YouTube in compliance with waivers to certain Brown Act provisions under the Governor's Executive Orders due to the COVID-19 Coronavirus pandemic.

ANNOUNCEMENT OF CONTRIBUTIONS

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.

- 1. Approval of Minutes for Regular Meeting of February 19, 2020**

2. Approval of Executive Officer’s Expense Report

Recommendation: Approve the Executive Officers’ Expense Report for Procurement Card Purchases from January 22, 2020 to February 24, 2020 and February 23, 2020 to March 23, 2020.

3. Ratify Payments as Reconciled and Note Cash Receipts for Month of December 2019

Recommendation: Ratify payments as reconciled for the months of January and February and note revenue receipts for the same period.

4. Consent Items Deferred for Discussion (none)

Commissioner Denison requested the minutes be amended to note that he voted in the stead of Commissioner Warren.

Commissioner Cox moves approval of the consent items with the requested amendment. Second by Commissioner Lovingood. The motion on the Consent Items, with the noted amendment, passes with the following roll call vote:

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

Commissioner Amis attends the Zoom Meeting at 9:09am

PUBLIC HEARING ITEMS:

5. 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:

1. Receive and file this report.
2. Schedule an update for the City for the August 2020 hearing, unless otherwise directed by the Commission

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

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

**Unavailable due to technical difficulties*

Commissioner Curatalo re-joins the Zoom meeting at 10:02am

6. Consideration of: (1) Review of Mitigated Negative Declaration by the County of San Bernardino for a General Plan Amendment to change the Land Use Zoning Designation from Single Residential (RS-20M) and General Commercial (CG) to Multiple Residential (RM) on Four Lots, Tentative Tract Map 20267 to Create Two Single-Family Residential Parcels and One Condominium Parcel, and a Conditional Use Permit for the Development of 40 Condominiums, with Major Variance for a Reduced Front Yard Setback on Approximately 4.7 Acres, as CEQA Responsible Agency for LAFCO SC#449; and (2) LAFCO SC#449 – City of Montclair Irrevocable Agreement to Annex No. 20-06-I-104 for Sewer Service (APN 1011-351-02)

Staff recommends that the Commission approve LAFCO SC#449 by taking the following actions:

1. For environmental review, take the following actions as a responsible agency:
 - a. Certify that the Commission has reviewed and considered the environmental assessment and the Mitigated Negative Declaration prepared by the County of San Bernardino for the General Plan Amendment, Conditional Use Permit, and Tentative Tract Map 20267 to construct 40 detached residential condominiums and two single-family residential lots on a 4.7 acres site, and found them to be adequate for Commission use;
 - b. Determine that the Commission does not intend to adopt alternatives or mitigation measures for this project; that all mitigation measures are the responsibility of the County and/or others, not the Commission; and,
 - c. Notes that this project is exempt from Department of Fish and Game fees because the filing fee was the responsibility of the County, as CEQA Lead Agency, and direct the Executive Officer to file a Notice of Determination within five (5) days of this action.
2. Approve SC#449 authorizing the City of Montclair to extend sewer services outside its boundaries to Assessor Parcel Number (APN) 1011-351-02.
3. Adopt LAFCO Resolution #3304 setting forth the Commission's determinations and approval of the sewer services outside the City of Montclair boundaries.

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

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

**Unavailable due to technical difficulties*

7. Consideration of: (1) Review of Mitigated Negative Declaration by the County of San Bernardino for a Minor Use Permit to Establish a 321,496 Sq. Ft. High Cube Warehouse on Approx. 20 Acres, as CEQA Responsible Agency for LAFCO SC#450; and (2) LAFCO SC#450 – City of San Bernardino Irrevocable Agreement NO. 2020-002 for Sewer Service (APNs 0262-041-09, -13, -18 and -20)

Staff recommends that the Commission approve LAFCO SC#450 by taking the following actions:

1. For environmental review as a responsible agency:
 - a. Certify that the Commission has reviewed and considered the environmental assessment and Mitigated Negative Declaration prepared by the County of San Bernardino for a Minor Use Permit to construct a 321,496 sq. ft. industrial warehouse facility with a 10,000 sq. ft. office space on the approximately 20-acre project site, and found them to be adequate for Commission use;
 - b. 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,
 - c. Note that this proposal is exempt from Department of Fish and Wildlife fees because the filing fee was the responsibility of the County as CEQA lead agency, and direct the Executive Officer to file a Notice of Determination within five (5) days of this action.
2. Approve LAFCO SC#450 authorizing the City of San Bernardino to extend sewer service outside its boundaries to the project area comprised of four (4) adjacent parcels identified as Assessor Parcel Numbers 0262-041-09, 0262-041-13, 0262-041-18 and 0262-041-20; and,
3. Adopt LAFCO Resolution #3305 setting forth the Commission's determinations and approval of the agreement for service outside the City of San Bernardino's boundaries.

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

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

Commissioner Cox re-joins the Zoom meeting.

**Unavailable due to technical difficulties*

8. Consideration of: (1) CEQA Exemption for Amendments to Policy and Procedure Manual; and (2) Review and Adoption of Amendments to LAFCO Policy and Procedure Manual

Staff recommends that the Commission take the following actions:

1. Certify that the proposed amendments to the Policy and Procedure Manual are exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action;
2. Provide staff with any additional changes, corrections or amendments to the Policy and Procedure Manual as presented;
3. Adopt the amendments to the Policy and Procedure Manual as follows:
 - a. Section I – Mission Statement and Commission Operations:
 - Chapter 3: Commission Rules of Order
 - Election of Chair and Vice Chair
 - b. Section II – Accounting and Financial:
 - Chapter 1: Financial Policies for Internal Operations
 - Expense Reimbursement (various)
 - Chapter 2: Financial Policies for Application Processing
 - LAFCO Filing Fee Refund
 - c. Section III – Human Resources
 - Chapter 1: Working Environment
 - Work-at-Home/Telecommute (new policy)
 - Chapter 2: Employment
 - One-Time Incentive Pay (being deleted)
 - d. Section V – Environmental Review
 - various
4. Adopt Resolution No. 3306 approving the amendments to the Policy and Procedure Manual and direct the Executive Officer to make the document available on the Commission’s website.

In addition, staff also recommended that the Commission: 1) recognize that the One-Time Incentive Pay policy is being deleted as part of the recommendation which was omitted from the list of amendments to the Manual in the staff report but identified in the text, 2) incorporate the additional changes to the Work-At-Home Telecommute policy outlined in the supplemental staff report, and 3) include the minor change to the Environmental Review policies provided at the hearing.

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

*Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Warren.
Noes: None.
Abstain: None.
Absent: None.*

9. Third Quarter Financial Review for FY 2019-20

Staff recommends that the Commission:

1. Note receipt of this report and file.
2. Provide direction to staff on items of concern for the remainder of the year.

Commissioner Cox moves to approve staff recommendation Second by Commissioner Bagley. The motion passes with the following roll call vote:

*Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Warren.
Noes: None.
Abstain: None.
Absent: None.*

10. Preliminary Budget Review for Fiscal Year 2020-21:

10a. Proposed Schedule of Fees, Deposits, and Charges for Fiscal Year 2020-21

Staff recommends that the Commission take the following actions related to the Proposed Schedule of Fees, Deposits and Charges for Fiscal Year 2020-21:

1. Review the proposed amendments and provide staff with direction on changes, corrections, or modifications to be included.
2. Direct staff to forward the Proposed Schedule of Fees, Deposits, and Charges for FY 2020-21 to the County, all Cities/Towns, and all Independent Special Districts for their review and comments pursuant to Government Code Section 56383.
3. Schedule the final review and adoption of the Schedule of Fees, Deposits, and Charges for the May 20, 2020 hearing.

Commissioner Bagley moves to approve staff recommendation Second by Commissioner Cox. The motion passes with the following roll call vote:

*Ayes: Bagley, Cox, Curatalo, Lovingood, McCallon, Rowe, and Warren.
Noes: None.
Abstain: None.
Absent: None.*

10b. Preliminary Budget Review for Fiscal Year 2020-21:

Staff recommends that the Commission take the following actions:

1. Adopt the Proposed Budget for Fiscal Year 2020-21 as presented by staff.

2. Direct the Executive Officer to sign the contract amendment with the Inland Valley Development Agency for the Commission’s use of the Norton Regional Event Center.
3. Direct staff to forward the adopted Proposed Budget, as may be modified at this hearing, to all the independent special districts, cities/towns, and the County for their comment pursuant to Government Code Section 56381.
4. Schedule a public hearing for May 20, 2020 for formal:
 - a. Approval of the amendments to the Policy and Procedure Manual for Salaries and Benefits; and,
 - b. Adoption of the Final Budget for Fiscal Year 2020-21.

Commissioner Bagley moves to approve staff recommendation Second by Commissioner Curatalo. The motion passes with the following roll call vote:

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

11. Legislative Report

Staff recommends that the Commission send a Letter of Support for Senate Bill 799 (Dodd)

Staff noted that following the publication of the staff report, Senator Dodd decided to hold SB 799 until next Legislative year since it does not fit the urgent COVID-19 bills that are encouraged to move forward.

Chair McCallon directs staff to hold off on submitting a letter of support and asks that it be brought back to the Commission for consideration when the Senator reintroduces the bill next year.

12. Executive Officer’s Oral Report

Executive Officer Samuel Martinez thanks the Commission for their patience during the Commission Hearing conducted via Zoom. He states that the LAFCO office is closed to the public, but available via phone and email. He also states that the public can also get information from the LAFCO website. He reminds the Commission that there will be a May meeting to adopt the final budget but notes that there will be no June meeting anticipated at this time.

**Unavailable due to technical difficulties*

13. Commissioner Comments

Commissioner Lovingood makes a request for the next update on the City of Adelanto’s sustainability (Item 5), that the City bring forward the current balances for the City of Adelanto and an update where the City is on all its pending lawsuits. He would also like to know what will happen if the City does not come through with the proposed financial stability measures – collectively and for each individual option.

Commissioner McCallon thanks the Commission stating that this is unprecedented times and it will resolve itself soon. He states that he appreciates staff and reminded all to stay safe and observe social distancing requirements.

14. Comments from the Public

There are none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:58 A.M.

ATTEST:


LA TRICI JONES, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION

LARRY McCALLON, Chair

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE : MAY 12, 2020
FROM: SAMUEL MARTINEZ, Executive Officer 
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #7 – APPROVAL OF EXECUTIVE OFFICERS’ EXPENSE REPORT

RECOMMENDATION:

Approve the Executive Officers’ Expense Report for Procurement Card Purchases from March 22, 2020 to April 24, 2020.

BACKGROUND INFORMATION:

The Commission participates in the County of San Bernardino’s Procurement Card Program to supply the Executive Officer a credit card to provide for payment of routine official costs of Commission activities as authorized by LAFCO Policy and Procedure Manual Section II – Accounting and Financial Policies #3(H). Staff has prepared an itemized report of purchases that covers the billing period of March 22, 2020 to April 24, 2020.

Staff recommends that the Commission approve the Executive Officers’ expense reports as shown on the attachments.

SM/lj

Attachments



PROCUREMENT CARD PROGRAM
MONTHLY PROCUREMENT CARD PURCHASE REPORT

Card Number		Cardholder					Travel	Billing Period		
		Samuel Martinez						3/22/20 - 4/24/2020		
DATE	VENDOR NAME	#	DESCRIPTION	PURPOSE	COST CENTER	G/L ACCOUNT	\$ AMT	TRIP NUMBER	*R/D	SALES TAX
03/27/20	Zoom	1	Virtual Meetings	Virtual Meetings	8900005012	52002305	\$54.99		R	
04/08/20	Best Best & Krieger	2	Sexual Harr. Prevent	Staff Training	8900005012	52942941	\$100.00		R	
04/16/20	Frontier	3	Phone Service	Communication	8900005012	52002041	\$671.87		R	

The undersigned, under penalty of perjury, states the above information to be true and correct. If an unauthorized purchase has been made, the undersigned authorizes the County Auditor/Controller-Recorder to withhold the appropriate amount from their payroll check after 15 days from the receipt of the cardholder's Statement of Account.

Cardholder (Print & Sign)	Date
Samuel Martinez <i>[Signature]</i>	05/12/20

Approving Official (Print & Sign)	Date
Larry McCallon	05/20/20

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DATE : MAY 11, 2020

FROM: SAMUEL MARTINEZ, Executive Officer 

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #8 - RATIFY PAYMENTS AS RECONCILED FOR
THE MONTH OF MARCH 2020 AND NOTE REVENUE RECEIPTS

RECOMMENDATION:

Ratify payments as reconciled for the month of March 2020 and note revenue receipts for the same period.

BACKGROUND INFORMATION:



Staff has prepared a reconciliation of warrants issued for payments to various vendors, internal transfers for payments to County Departments, cash receipts and internal transfers for payments of deposits or other charges that cover the period of March 1, 2020 through March 31, 2020.

Staff is recommending that the Commission ratify the payments for March 2020 as outlined on the attached listings and note the revenues received.

SM/Ilj


Attachments

MONTH OF MARCH 2020 PAYMENTS PROCESSED						
Document Number	Account	Posting Date	Activity	Reference	Vendor	Amount
1900693605	52002085	3/2/2020	NOTICE OF VACANCY AD - ALT PUB MBR.	INVOICE B3337269	DAILY JOURNAL	\$246.40
1900698364	52002085	3/9/2020	NOTICE OF HEARING BIG BEAR LIFE/GRIZZLY	INVOICE B3334281	DAILY JOURNAL	\$602.36
1900698642	52002085	3/9/2020	NOTICE OF HEARING - NEEDLES DESERT STAR	INVOICE B3337275	DAILY JOURNAL	\$121.11
1900698351	52002090	3/9/2020	JAN PRO CLEANING SERVICE	INVOICE 70653	JAN PRO	\$490.00
1900707672	52002180	3/18/2020	EDISON UTILITY BILL	INVOICE 2399452309	SO CAL EDISON	\$359.66
1900698645	52002315	3/9/2020	ARCHIVES STORAGE	INVOICE 0128908	STORETRIEVE	\$64.37
1900714836	52002400	3/26/2020	LEGAL SERVICES - SAHA CIVDS1715504	INVOICE 872331	BEST BEST & KRIEGER	\$1,509.90
1900714837	52002400	3/26/2020	LEGAL SERVICES - GENERAL	INVOICE 872330	BEST BEST & KRIEGER	\$1,076.52
1900693610	52002424	3/2/2020	LAFCO ENVIRONMENTAL CONSULTANT	INVOICE LAFCO 20-2	TOM DODSON & ASSOC.	\$1,567.50
1900714838	52002424	3/26/2020	LAFCO ENVIRONMENTAL CONSULTANT	INVOICE LAFCO 20-3	TOM DODSON & ASSOC.	\$2,177.50
1900707674	52002445	3/18/2020	GIS FOR LAFCO 3239	INVOICE 3239	RIVERSIDE LAFCO	\$60.00
1900714842	52002445	3/26/2020	ROV REGISTRATION LIST FOR LAFCO 3239	INVOICE 3239R	RIVERSIDE LAFCO	\$70.00
1900707502	52002895	3/18/2020	LAFCO OFFICE COPIER	INVOICE 34993925	KONICA MINOLTA	\$450.08
1900698355	52002905	3/9/2020	RECONCILED CAM FEES FOR 2019 CALENDAR YEAR	UNIT 150	CITY COM	\$686.02
TOTAL						\$9,481.42
MONTH OF MARCH 2020 INTERNAL TRANSFERS PROCESSED						
4101291829	52002031	3/1/2020	FEBRUARY 2020 PAYROLL SYSTEM SERVICES	ISD	ISD	\$63.50
4101290405	52002037	3/1/2020	FEBRUARY 2020 DIAL TONE	ISD	ISD	\$286.20
4200047176	52002135	3/3/2020	NOTICE OF DETERMINATION - LAFCO 3233	COB	COB	\$2,456.75
4200047336	52002135	3/3/2020	FUND CORRECTION - INTERNAL TRANSFER	LAFCO	LAFCO	\$50.00
4200047561	52002310	3/3/2020	MAIL SERVICES - FLAT	COUNTY MAIL	COUNTY MAIL	\$203.03
4200047562	52002310	3/3/2020	MAIL SERVICES - DEL	COUNTY MAIL	COUNTY MAIL	\$123.50
4200047620	52002310	3/3/2020	MAIL SERVICES - HAN	COUNTY MAIL	COUNTY MAIL	\$273.48
4101290416	52002420	3/1/2020	FEBRUARY 2020 WIRELESS DEVICE	ISD	ISD	\$23.83
4101290424	52002421	3/1/2020	FEBRUARY 2020 DESKTOP SUPPORT	ISD	ISD	\$1,257.12
4200047174	52002424	3/3/2020	NOTICE OF EXEMPTION - LAFCO 3231	COB	COB	\$50.00
4200047336	52002424	3/3/2020	FUND CORRECTION - INTERNAL TRANSFER	LAFCO	LAFCO	\$50.00
4200047501	52002445	3/3/2020	AUDITOR/CONTROLLER ACCOUNTING FEES QTR 5	ATC	ATC	\$948.15
4200047502	52002445	3/3/2020	AUDITOR/CONTROLLER ACCOUNTING FEES QTR 4	ATC	ATC	\$851.40
4200048025	52002445	3/13/2020	SET UP FEES - PROPERTY INFO. MGMT SYSTEM	ASSESSOR	ASSESSOR	\$51.00
4101290411	52412410	3/1/2020	IT INFRASTRUCTURE - PERIOD 09	ISD	ISD	\$938.00
4101290413	52412416	3/1/2020	CPU USAGE & ENTERPRISE PRINTING PERIOD 09	ISD	ISD	\$3.00
4101290415	52412418	3/1/2020	ENTERPRISE STORAGE - PERIOD 09	ISD	ISD	\$705.00
4101298754	55405012	3/16/2020	STAPLES - GENERAL OFFICE	PURCHASING	PURCHASING	\$352.07
4101307806	55405012	3/23/2020	STAPLES - GENERAL OFFICE	PURCHASING	PURCHASING	\$33.75
4101307807	55405012	3/23/2020	STAPLES - GENERAL OFFICE	PURCHASING	PURCHASING	\$76.51
TOTAL						\$8,796.29
MONTH OF MARCH 2020 CASH RECEIPTS						
410312091	40709800	3/24/2020	LAFCO SC#450 SBMWD	LAFCO FEES		\$1,030.00
410312091	40709800	3/24/2020	LAFCO SC#451 CITY OF MONTCLAIR	LAFCO FEES		\$772.00
410312091	40709660	3/24/2020	LAFCO SC#450 SBMWD	ENVIRONMENTAL		\$700.00
410312091	40709555	3/24/2020	LAFCO 3216 CITY OF UPLAND	INDEMNIFICATION		\$23.15
410312091	40709555	3/24/2020	LAFCO SC#450 SBMWD	LEGAL DEPOSIT		\$700.00
410312091	40709555	3/24/2020	LAFCO 3216 CITY OF UPLAND	INDEMNIFICATION		\$1,570.00
410312091	40709545	3/24/2020	LAFCO SC#450 SBMWD	INDIVIDUAL NOTICE		\$1,000.00
TOTAL						\$5,795.15

MONTH OF MARCH 2020 INTERNAL TRANSFERRED RECEIVED						
4200048814	40709555	3/26/2020	LAFCO 3216 INDEMNIFICATION - COUNTY FIRE	INDEMNIFICATION		\$754.95
TOTAL						\$754.95
					5/11/2020	
LA TRICI JONES, Clerk to the Commission				DATE		
RECONCILIATION APPROVED BY:						
					5/11/2020	
SAMUEL MARTINEZ, Executive Officer				DATE		

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: MAY 13, 2020 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #10 – REVIEW AND ADOPTION OF SCHEDULE OF FEES,
DEPOSITS, AND CHARGES EFFECTIVE JULY 1, 2020

RECOMMENDATION:

Staff recommends that the Commission take the following actions:

1. For Environmental review:
 - a. Make the findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines as follows:
 - i. Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service; and,
 - ii. The rates and charges identified in the Schedule are for the purpose of:
 - (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.
 - b. Certify that the proposed revisions to the Schedule of Fees, Deposits, and Charges are statutorily exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Adopt the Schedule of Fees, Deposits, and Charges, as revised, to be effective July 1, 2020.
3. Adopt LAFCO Resolution No. 3308 reflecting the Commission's determinations related to the Schedule.

BACKGROUND:

At the April 15 hearing, LAFCO staff presented the Commission with its recommended changes to the existing Schedule of Fees, Deposits and Charges (“Schedule”), and the Commission adopted the proposed Schedule (Attachment #1). On April 16, a copy of the proposed Schedule was forwarded to the County, the cities/towns, and the independent special districts for review and comment with a response requested by May 11. As of the date of this report, no comments have been received. However, if staff receives comments prior to the hearing they will be provided to the Commission along with staff’s response at the hearing.

ENVIRONMENTAL REVIEW:

As for environmental review, the California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide a statutory exemption for the review and modification of fee and rate schedules. Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines require that the Commission make findings regarding such an exemption indicating specifically the basis for the claim of exemption. Staff recommends that the Commission make the findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines as follows:

- a) Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service; and,
- b) The rates and charges identified in the Schedule are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.

Staff recommends that the Commission determine this action is statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission is required to file a Notice of Exemption with the Clerk to the Board within five working days of its action to approve the Schedule modifications. The environmental determination is included as Attachment #2.

CONCLUSION:

Staff recommends that the Commission adopt the revised Schedule, as presented, with an effective date of July 1, 2020, by taking the recommended actions outlined on page 1.

SM/MT

Attachments:

- 1. [Revised Schedule of Fees, Deposits, and Charges](#)
- 2. [Environmental Determination](#)
- 3. [Draft Resolution No. 3308](#)

Revised Schedule of Fees, Deposits, and Charges

Attachment 1

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

SCHEDULE OF FEES, DEPOSITS, AND CHARGES EFFECTIVE JULY 1, 2020

The submission of an application to the Local Agency Formation Commission (“LAFCO”) is not officially accepted for processing until the filing fees and deposits have been received (Gov’t. Code §56383). Filing Fees are for the Commission’s and staff’s costs. Deposits are for the recovery of outside costs for such items as LAFCO Legal Counsel, environmental review, individual notification, and protest proceedings, etc. In addition, certain fees and charges are required at the conclusion of the application process and must be received prior to its official completion.

Financial Policies for Application Processing

Refer to Attachment A for the Commission’s policies related to waivers and reductions of processing fees, filing fee refund if an application is withdrawn, indemnification, and responsibility for payment of special legal counsel costs. The Indemnification Policy is identified below.

Indemnification Policy

It is the policy of this Commission that for any application submitted for a change of organization or reorganization, a sphere of influence amendment, or a review of an out-of-agency service contract/agreement, the applicant and/or the real party in interest shall agree to defend, indemnify, and hold harmless San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them. A real party in interest includes the landowner and/or a registered voter of an application subject property.

Annual Review and Adjustment

The Fees are adjusted annually to increase with the Consumer Price Index, not to exceed five percent. Deposits and Charges relate to outside professional services and supplies and are evaluated annually.

Table of Contents

<u>Section 1.</u>	Proposals – Application Submission and Processing
<u>Section 2.</u>	Proposals – Completion Fees and Charges
<u>Section 3.</u>	Out-of-Agency Service Contracts
<u>Section 4.</u>	Reproduction Charges
<u>Attachment A.</u>	Financial Policies for Application Processing

Section 1. Proposals - Application Submission and Processing

FEE AND DEPOSITS SUMMARY			
Type of Proposal	Fee	Deposits*	Total
Annexation, Detachment, Reorganization involving solely annexations and/or detachments	See Annexation/ Detachment Chart	\$4,000	
<p><i>The fees identified in Chart 1 shall be assessed for each area of consideration within the proposal. A single area means any separate geographical area requiring a legal description. A "single area" does not include two areas that are contiguous only at a point, or two or more areas that are contiguous to an existing boundary of a city or district but not to each other.</i></p> <p><i>See Attachment A for automatic waivers or reductions in the Fee regarding: correcting boundary alignment problem; annexation/detachment with concurrent sphere of influence amendment; city island annexations under §56375.3; readjustments of agency boundaries due to roadway realignment.</i></p>			

Annexation/Detachment Chart

<i>Valley and Mountain Region</i>				
	Under 20 acres	20 – 150 acres	151 – 300 acres	Over 300 acres
<i>City</i>	\$ 6,359	\$ 8,479	\$ 10,599	\$ 10,599 plus \$1 per acre over 300 acres
<i>District</i>	\$ 5,299	\$ 6,889	\$ 8,479	\$ 8,479 plus \$1 per acre over 300 acres
<i>Desert Region (North and South Desert)</i>				
	Under 100 acres	100-640 acres	641-1,920 acres	Over 1,920 acres
<i>City</i>	\$ 6,359	\$ 8,479	\$ 10,599	\$ 10,599 plus \$1 per acre over 1,920 acres
<i>District</i>	\$ 5,299	\$ 6,889	\$ 8,479	\$ 8,479 plus \$1 per acre over 1,920 acres

Sphere of Influence Amendment	\$ 5,299	\$4,000	\$ 9,299
District: Dissolution, Merger, or Establishment of Subsidiary District(s)	\$ 5,299	\$4,000	\$ 9,299
District: Formation or Consolidation	\$ 15,898	\$4,000	\$ 19,898
District: Activation/Divestiture of Functions and/or Services	\$ 7,949 each function/service	\$4,000	\$ 11,949
City: Consolidation	\$ 21,197	\$4,000	\$ 25,197
City: Incorporation or Disincorporation	\$ 21,197	\$54,000	\$ 75,197
Reorganization <i>For a reorganization that involves changes other than annexations and detachments, the fee will be based upon the components of the reorganization.</i>	Sum of Components	\$4,000	

***DEPOSITS BREAKDOWN**

Applicants shall be required to reimburse the Commission for all charges and costs in excess of the deposits outlined below. Reimbursement to LAFCO shall be required prior to issuance of the Commission’s Certificate of Completion for jurisdictional changes or issuance of the Commission’s resolution for sphere of influence amendments/updates. If charges billed to LAFCO are less than the amount of deposit, the balance will be refunded to the applicant or applied to other categories where excess charges have been incurred.

Legal Counsel (\$250 non-refundable, \$1,750 deposit)	\$2,000
<p><i>It is the policy of this Commission that the costs for Special Counsel due to a representation conflict shall be the responsibility of the applicant. Additionally, as a condition of approval of any action taken by LAFCO, the proponents shall be required to defend, indemnify and hold harmless LAFCO or its agents, officers, and employees from any claim, action, or proceeding against LAFCO or its agents, officers, and employees to attack, set aside, void, or annul the approval of LAFCO concerning the proposal or any action relating to, or arising out of, such approval when such action is brought within the applicable statute of limitations. Refer to <u>Policy and Procedure Manual, Section II, Chapter 2.</u></i></p>	
Individual Notice (\$250 non-refundable, \$750 deposit)	\$1,000
<p>(1) Individual Mailed Notice or (2) Publication of Display Ad in lieu of Individual Notice</p> <p><i>In cases where the noticing would involve mailing more than 1,000 notices, the Commission may waive the individual notice requirement and direct its staff to publish a 1/8th page display ad in a newspaper of general circulation within the area. Refer to <u>Policy and Procedure Manual, Section IV, Chapter 1, Policy 9.</u></i></p> <p><i>By policy, individual notice to landowners and registered voters shall not be waived for city island annexations filed pursuant to Government Code Section 56375.3, even if it includes more than 1,000 notices.</i></p>	
<p>Proposals Extending an Existing Special Tax</p> <p><i>Should a proposal require individual notice due to the extension of an existing special tax, the proponent will be required to submit a deposit for the direct costs such as: (1) the County Assessor to compile the mailing list, (2) outside printing to produce the printed notices, (3) and County Mail for shipping and handling. Please contact the LAFCO office for the estimated deposit cost.</i></p>	<p>Actual Cost</p>
Environmental Review (\$250 non-refundable, \$750 deposit)	\$1,000
<p><i>All applicants shall be required to pay the full costs of the Commission’s Environmental Consultant’s review regardless whether the Commission is the lead or responsible agency as defined under CEQA.</i></p>	
Preparation of Negative Declaration/Mitigated Negative Declaration	Additional \$15,000
Preparation of an Environmental Impact Report (EIR)	Additional \$25,000
<p>If the proposal requires that LAFCO prepare a Negative Declaration/Mitigated Negative Declaration or EIR as CEQA lead agency, the CA Dept. of Fish and Wildlife (DFW) CEQA Environmental Document Filing Fees are required to be paid at the time LAFCO files the Notice of Determination with the Clerk of the Board of the affected County. The applicant will be notified of the appropriate fees, which must be received by LAFCO prior to the Commission hearing. Contact the LAFCO office for the current DFW filing fees.</p>	

San Bernardino LAFCO
Schedule of Fess, Deposits, and Charges
July 1, 2020

Protest Proceeding, if applicable (\$250 non-refundable, \$1,250 deposit)	\$1,500
<i>Deposit required within 30 days of Commission approval of action. The Protest Hearing will not be set until deposit has been paid. Applicants shall be required to reimburse the Commission for any protest proceeding costs in excess of the deposit. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion. If charges billed to LAFCO are less than the amount of the deposit, the balance of the fee will be refunded to the applicant or applied to other categories where excess charges have been incurred.</i>	
Proposals Extending an Existing Special Tax <i>Should a proposal require individual notice due to the extension of an existing special tax, the proponent will be required to submit a deposit for the direct costs such as: (1) the County Assessor to compile the mailing list, (2) outside printing to produce the printed notices, (3) and County Mail for shipping and handling. Please contact the LAFCO office for the estimated deposit cost.</i>	Actual Cost

ADDITIONAL FEES AND DEPOSITS

Comprehensive Fiscal Analysis for Incorporation or Disincorporation, Deposit	\$50,000
<i>A \$50,000 deposit is required at the time the application is submitted. Applicants shall be required to reimburse the Commission for all costs associated with the preparation of the Comprehensive Fiscal Analysis in excess of the deposit prior to the scheduling of the Commission hearing. If the charges billed to LAFCO for the preparation of the required document are less than the amount of the deposit, the balance will be refunded to the applicant or applied to other categories where excess charges have been incurred.</i>	
State Controller's Fiscal Review for Incorporations, Deposit	\$25,000
<i>A \$25,000 deposit is required at the time a Request for State Controller Review is submitted. All costs in excess of this amount will be the responsibility of the Requestor for payment. Any balance remaining after payments are made to the State will be refunded to the Requestor of Review.</i>	
Verification of Petition Signatures by Registrar of Voters Office, Deposit	\$200
<i>A \$200 deposit from the applicants is required at the time of petition submission. This amount will be refunded upon certification of the petition and determination of billable charges. The charges assessed by the Registrar of Voters Office to verify petition signatures shall be payable by the affected entity in the same manner as the verification of initiative petition signatures is billed.</i>	
Request for Reconsideration of LAFCO Decision or Environmental Determination, Fee	\$2,500
<i>Should a reconsideration request require individual notice due to the extension of a special tax, then the proponent will be required to submit a deposit for the direct costs to produce and mail the individual notices.</i>	
Workshop Request, Deposit	\$1,000
<i>Proponents of actions pending Commission review may request that a Commission workshop be held in their area. If the Commission agrees to conduct such a workshop session, the Commission may require reimbursement of all costs associated with that session by the proponents, subject to a deposit.</i>	
Request for Extension of Time to Complete Change of Organization Proceedings (Gov't. Code Section 57001)	\$1,100

Section 2. Proposals - Completion Fees and Charges

Following Commission approval of an action, the following fees or charges may be required. LAFCO staff will notify the applicant at the time the Commission's resolution is forwarded which of the following fees or charges is applicable to the proposal:

- A. County Geographic Information Management System (GIMS) Processing, required prior to issuance of the Certificate of Completion for jurisdictional changes or issuance of the Commission's resolution for sphere of influence amendments/updates:

1. Changes requiring an update to current sphere or boundaries of participating agencies
 (Fees identified below will be assessed for each area of consideration. The definition of area is provided under Processing Fees on Page 2.)

<u>Acreage</u>	<u>Primary Charge</u>	<u>Additional Agency</u>
0 to 100 acres	\$400	\$ 85
101 to 640 acres	\$550	\$110
641 to 2,560 acres	\$825	\$150
over 2,560 acres	\$1,100	\$175

2. Incorporation, Formation, or placement of a new agency boundary or sphere into the LAFCO-maintained GIMS system \$3,000

(The fees for incorporations or formations can be deferred until the new City/Town or District receives its first revenues. A request for deferral shall be made to the Executive Officer.)

- B. At the time the Certificate of Completion is forwarded to the State Board of Equalization (SBE), application types listed under Item A - Processing Fees Subsections 1 through 7 (except for Spheres of Influence), are charged a processing fee pursuant to SBE's adopted Fee Schedule (Government Code Section 54902.5). The fees listed below, as identified by SBE, are current as of January 1, 2011. LAFCO staff will notify the applicant of the appropriate fees:

Single Area Charges:	
Less than 1 acre	\$300
1-5 acres	\$350
6-10 acres	\$500
11-20 acres	\$800
21-50 acres	\$1,200
51-100 acres	\$1,500
101-500 acres	\$2,000
501-1,000 acres	\$2,500
1,001-2,000 acres	\$3,000
2,001 acres and above	\$3,500

(Additional types of charges are outlined in the State Board of Equalization Fee Schedule. LAFCO staff will notify the applicant of the appropriate fees.)

Section 3. Out-of-Agency Service Contract

FEE AND DEPOSITS SUMMARY			
Type of Service Contract	Fee	Deposits*	Total
Contracts involving developments such as: subdivisions/tracts as defined by the Subdivision Map Act (five or more units), Specific Plans	\$ 5,299	\$2,400	\$ 7,699
Contracts involving the development of units requiring only a parcel map as defined by the Subdivision Map Act (up to four units)	\$ 1,060 per connection	\$2,400	\$ 3,460 to \$6,640
Any contract for fire protection services outside a public agency's jurisdictional boundaries pursuant to Govt. Code Section 56134	\$ 5,299	\$2,400	\$ 7,699
Contracts to provide services outside a sphere of influence pursuant to Govt. Code Section 56133.5	\$ 1,060	\$2,400	\$ 3,460
Contract Requiring Approval pursuant to Govt. Code Section 56133 (c)	\$ 1,060	\$2,400	\$ 3,460
Development-Related Request for Exemption from Govt. Code Section 56133, requires noticed Commission hearing	\$ 2,384	\$0	\$ 2,384
Non-development-related (Administrative Review from Executive Officer): (1) Out-of-Agency Service Contract (City or District) or (2) Exemption from Govt. Code Section 56133 as Authorized by Commission Policy	\$ 550	\$0	\$ 550

*DEPOSITS BREAKDOWN

Applicants shall be required to reimburse the Commission for all charges and costs in excess of the deposits outlined below. Reimbursement to LAFCO shall be required prior to issuance of the Commission's resolution for service contracts. If charges billed to LAFCO are less than the amount of deposit, the balance will be refunded to the applicant or applied to other categories where excess charges have been incurred.

Legal Counsel (\$250 non-refundable, \$450 deposit)	\$700
<i>It is the policy of this Commission that the costs for Special Counsel due to a representation conflict shall be the responsibility of the applicant. Additionally, as a condition of approval of any action taken by LAFCO, the proponents shall be required to defend, indemnify and hold harmless LAFCO or its agents, officers, and employees from any claim, action, or proceeding against LAFCO or its agents, officers, and employees to attack, set aside, void, or annul the approval of LAFCO concerning the proposal or any action relating to, or arising out of, such approval when such action is brought within the applicable statute of limitations. Refer to <u>Policy and Procedure Manual, Section II, Chapter 2.</u></i>	
Individual Notice (\$250 non-refundable, \$750 deposit)	\$1,000
<i>(1) Individual Mailed Notice or (2) Publication of Display Ad in lieu of Individual Notice In cases where the noticing would involve mailing more than 1,000 notices, the Commission may waive the individual notice requirement and direct its staff to publish a 1/8th page display ad in a newspaper of general circulation within the area. Refer to <u>Policy and Procedure Manual, Section IV, Chapter 1, Policy 9.</u></i>	

Environmental Review (\$250 non-refundable, \$450 deposit)	\$700
<i>All applicants shall be required to pay the full costs of the Commission's Environmental Consultant's review regardless whether the Commission is the lead or responsible agency as defined under CEQA.</i>	
Preparation of Negative Declaration/Mitigated Negative Declaration	Additional \$15,000
Preparation of an Environmental Impact Report (EIR)	Additional \$25,000
If the proposal requires that LAFCO prepare a Negative Declaration/Mitigated Negative Declaration or EIR as CEQA lead agency, the CA Dept. of Fish and Wildlife (DFW) CEQA Environmental Document Filing Fees are required to be paid at the time LAFCO files the Notice of Determination with the Clerk of the Board of the affected County. The applicant will be notified of the appropriate fees, which must be received by LAFCO prior to the Commission hearing. Contact the LAFCO office for the current DFW filing fees.	

Section 4. Reproduction Charges

- | | | |
|----|--|--------------|
| A. | Charges for Purchase of Paper Copies, per page | |
| | (1) from paper materials (requests in excess of 10 pages) | 10 cents |
| | (2) from existing digital data (requests in excess of 20 pages) | 5 cents |
| B. | Charges for Purchase of Digital Data | |
| | (1) placement of materials on digital medium | \$10 |
| | (2) scan copies of paper materials (if applicable), per page | 5 cents |
| C. | DVD Copy of Commission Hearing
(available if production services are utilized for hearings) | \$25 per DVD |
| D. | Preparation of Transcript of Hearing | Actual Cost |

(Those requesting a transcript of a Commission hearing will be notified of the estimated cost for preparation. The Requestor will be required to provide a deposit in the amount of the estimated cost. All costs in excess of the deposit amount will be the responsibility of the Requestor for payment. Any balance remaining after final charges are determined will be refunded to the Requestor.)


Attachment A:
 Policy and Procedure Manual, Section II, Chapter 2: Financial Policies for
 Application Processing

Environmental Determination

Attachment 2

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: MAY 13, 2020
FROM: MICHAEL TUERPE, Senior Analyst 
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Environmental Determination – Revision of LAFCO for San Bernardino Schedule of Fees, Deposits, and Charges

The Local Agency Formation Commission is currently considering the revision of its “Schedule of Fees, Deposits, and Charges” which help support the services it provides to the County, cities/towns, special districts, and citizens of San Bernardino County. The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide a statutory exemption for the review and modification of fee and rate schedules. Specifically, Section 21080(b)(8) of the CEQA and Section 15273(a) of the CEQA Guidelines provide for such statutory exemptions if such rates or charges are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements, etc.

Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines require that the Commission make findings regarding such an exemption indicating specifically the basis for the claim of exemption. Staff recommends that the Commission make the findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines as follows:

- a) Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service; and,
- b) The rates and charges identified in the Schedule of Fees, Deposits, and Charges are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.

Staff recommends that the Commission determine this action is statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission is required to file a Notice of Exemption with the Clerk to the Board within five working days of its action to approve the Schedule modifications. A copy of this exemption shall be retained in the LAFCO file to serve as verification of this evaluation and as the CEQA environmental determination record.

Draft Resolution No. 3308

Attachment 3

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
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HEARING DATE: MAY 20, 2020

RESOLUTION NO. 3308

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON THE ADOPTION OF A REVISED SCHEDULE OF FEES, DEPOSITS, AND CHARGES FOR FISCAL YEAR 2020-21.

On motion of Commissioner ____, duly seconded by Commissioner ____, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, Section 56383 of the California Government Code authorizes a Local Agency Formation Commission to establish a schedule of fees for the filing and processing of applications submitted to the Commission pursuant to the provisions of Government Code Sections 56000 et seq.; and,

WHEREAS, the Local Agency Formation Commission for San Bernardino County (hereinafter referred to as the "Commission") adopted the existing Schedule of Fees, Deposits, and Charges on May 20, 2020; and,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this Commission upon the proposed amendments to the Schedule of Fees, Deposits, and Charges; and,

WHEREAS, the Executive Officer has prepared a report including his recommendations thereon, said report and related information having been presented to and considered by this Commission; and,

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in the notice of public hearing and in any order or orders continuing such hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written support and opposition; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the proposed amendments, in evidence presented at the hearing;

NOW, THEREFORE, BE IT RESOLVED, that the Local Agency Formation Commission for San Bernardino County does hereby determine, resolve, order, and find as follows:

RESOLUTION NO. 3308

DETERMINATIONS:

SECTION 1. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

SECTION 2. The Local Agency Formation Commission hereby approves the revised Schedule of Fees, Deposits, and Charges, attached hereto as Exhibit “A”, effective July 1, 2020.

SECTION 3. FINDINGS. The following findings are noted in conformance with Commission policy and the provisions of State law:

1. Notice of the Commission’s consideration of the Schedule of Fees, Deposits, and Charges amendment has been provided pursuant to the provisions of Government Code Section 66016. To date, no expressions of either in support or opposition to the proposed revisions to the Schedule of Fees, Deposits, and Charges have been received.
2. The Commission determines that the proposed revisions to the Schedule of Fees, Deposits, and Charges are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of CEQA and Section 15273(a), Subsections (1), (2), and (3), of the State CEQA Guidelines. The Commission makes the following findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the State CEQA Guidelines:
 - a. Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service for which the fee is charged.
 - b. The fees identified in the Schedule of Fees, Deposits, and Charges, attached as Exhibit “A”, are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.

The Commission hereby adopts the Statutory Exemption and directs the Executive Officer to file a Notice of Exemption within five (5) working days of adoption of the Commission’s action with the San Bernardino Clerk to the Board of Supervisors.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

* * * * *

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SAN BERNARDINO)

I, **SAMUEL MARTINEZ**, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a

RESOLUTION NO. 3308

full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of May 20, 2020.


DATED:

SAMUEL MARTINEZ
Executive Officer

DRAFT

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 * Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: APRIL 13, 2020 
FROM: SAMUEL MARTINEZ, Executive Officer
MICHAEL TUERPE, Senior Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #11 – REVIEW AND ADOPTION OF AMENDMENTS TO
LAFCO POLICY AND PROCEDURE MANUAL

RECOMMENDATION:

Staff recommends that the Commission take the following actions:

1. Provide staff with any additional changes, corrections or amendments to the Policy and Procedure Manual as presented;
2. Adopt the amendments to the Policy and Procedure Manual as follows:
 - a. Section II (Accounting and Financial), Chapter 1 (Financial Policies for Internal Operations), Policy 6 (Reserve Policy)
 - b. Section III (Human Resources), Chapter 2 (Employment), Policy 2 (Compensation)
3. Adopt Resolution No. 3307 approving the amendments to the Policy and Procedure Manual and direct the Executive Officer to make the document available on the Commission's website.

BACKGROUND:

Last month, the Commission approved the Preliminary Budget, which included two proposed changes to the Policy and Procedure Manual.

1. The first amendment would add a new committed reserve – Salary Reserve – to fund the extra pay period that occurs every ten years. Additionally, staff reviewed the Reserve Policy in whole and recommends modifying the General Reserve to be an assigned reserve rather than a committed reserve.
2. The second amendment would rescind the COLA for FY 2020-21 that was previously approved by the Commission effective July 18, 2020.

The amendments, which were approved by the Commission last month, are recommended for formal adoption at this hearing and are shown below.

SECTION II – ACCOUNTING AND FINANCIAL

CHAPTER 1: FINANCIAL POLICIES FOR INTERNAL OPERATIONS

6. RESERVE POLICY (Adopted April 21, 2011, Amended October 22, 2014, Amended May 20, 2020)

The Commission will require the maintenance of ~~three~~ **four** separate reserves which shall be funded as a part of the annual budget adoption process as follows:

- A. The balance of San Bernardino LAFCO employee compensated absences at April 1 of each fiscal year shall be funded and placed in a committed reserve account in the following fiscal year budget;
- B. Annually the Commission shall set aside a minimum of \$200,000 in a ~~committed~~ **an assigned** reserve account for payment of potential litigation or other special need; and,
- C. A committed reserve account shall set aside funds for future payment of the Commission’s net pension liability to the San Bernardino County Employees Retirement Association (SBCERA).
- D. **A committed reserve shall set aside funds for future payment of the extra pay period that occurs every tenth year.**

SECTION III – HUMAN RESOURCES

CHAPTER 2: EMPLOYMENT

2. COMPENSATION

- ...
- B. SALARY RANGES (Adopted June 16, 2011; Amended May 16, 2012;

*Amended October 22, 2014; Amended April 15, 2015; Amended January 27, 2016; Amended July 20, 2016; April 18, 2018; May 15, 2019, **Amended May 20, 2020**):*

The following shall be the salary ranges for LAFCO positions.

...

Effective July 20, 2019, the following shall be the salary ranges for LAFCO positions (3.0% increase):

Position	Hourly Range
Executive Officer	\$83.97 to \$114.54
Assistant Executive Officer	\$42.55 to \$57.83
Senior Analyst	\$37.84 to \$51.34
Project Manager	\$33.71 to \$45.67
LAFCO Analyst – GIS/Database Manager	\$28.65 to \$38.90
Clerk to the Commission/Office Manager	\$25.67 to \$34.53
Administrative Assistant	\$21.49 to \$28.75

Effective July 18, 2020, the following shall be the salary ranges for LAFCO positions (3.0% increase)*:

<i>Position</i>	<i>Hourly Range</i>
<i>Executive Officer</i>	<i>\$86.49 to \$117.98</i>
<i>Assistant Executive Officer</i>	<i>\$43.83 to \$59.56</i>
<i>Senior Analyst</i>	<i>\$38.98 to \$52.88</i>
<i>Project Manager</i>	<i>\$34.72 to \$47.04</i>
<i>LAFCO Analyst – GIS/Database Manager</i>	<i>\$29.51 to \$40.07</i>
<i>Clerk to the Commission/Office Manager</i>	<i>\$26.44 to \$35.57</i>
<i>Administrative Assistant</i>	<i>\$22.13 to \$29.61</i>

****If assessed values are less than a two percent increase in the 2018/2019 fiscal year from the 2017/2018 fiscal year, then the County may, upon approval of the Board of Supervisors, defer this three percent increase until no later than January 1, 2021.***

...

CONCLUSION:

Staff requests that the Commission provide staff with any additional changes or corrections to the proposed amendments to the Policy and Procedure Manual for staff to include in the document. Staff recommends that the Commission take the actions outlined on page 1 of this report to approve the changes.

Attachment:

1. [Exhibit A to Draft Resolution No. 3307](#)
2. [Draft LAFCO Resolution No. 3307](#)

**Exhibit A to
Draft Resolution No. 3307**

Attachment 1

SECTION II – ACCOUNTING AND FINANCIAL**CHAPTER 1: FINANCIAL POLICIES FOR INTERNAL OPERATIONS****6. RESERVE POLICY** (Adopted April 21, 2011, Amended October 22, 2014, **Amended May 20, 2020**)

The Commission will require the maintenance of **three four** separate reserves which shall be funded as a part of the annual budget adoption process as follows:

- A. The balance of San Bernardino LAFCO employee compensated absences at April 1 of each fiscal year shall be funded and placed in a committed reserve account in the following fiscal year budget;
- B. Annually the Commission shall set aside a minimum of \$200,000 in **a committed-an assigned** reserve account for payment of potential litigation or other special need; and,
- C. A committed reserve account shall set aside funds for future payment of the Commission's net pension liability to the San Bernardino County Employees Retirement Association (SBCERA).
- D. A committed reserve shall set aside funds for future payment of the extra pay period that occurs every tenth year.**

SECTION III – HUMAN RESOURCES**CHAPTER 2: EMPLOYMENT****2. COMPENSATION**

- ...
- C. SALARY RANGES (*Adopted June 16, 2011; Amended May 16, 2012; Amended October 22, 2014; Amended April 15, 2015; Amended January 27, 2016; Amended July 20, 2016; April 18, 2018; May 15, 2019, **Amended May 20, 2020***):

The following shall be the salary ranges for LAFCO positions.

...

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Position	Hourly Range
Executive Officer	\$83.97 to \$114.54
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Effective July 18, 2020, the following shall be the salary ranges for LAFCO positions (3.0% increase)*:

<i>Position</i>	<i>Hourly Range</i>
<i>Executive Officer</i>	<i>\$86.49 to \$117.98</i>
<i>Assistant Executive Officer</i>	<i>\$43.83 to \$59.56</i>
<i>Senior Analyst</i>	<i>\$38.98 to \$52.88</i>
<i>Project Manager</i>	<i>\$34.72 to \$47.04</i>
<i>LAFCO Analyst – GIS/Database Manager</i>	<i>\$29.51 to \$40.07</i>
<i>Clerk to the Commission/Office Manager</i>	<i>\$26.44 to \$35.57</i>
<i>Administrative Assistant</i>	<i>\$22.13 to \$29.61</i>

****If assessed values are less than a two percent increase in the 2018/2019 fiscal year from the 2017/2018 fiscal year, then the County may, upon approval of the Board of Supervisors, defer this three percent increase until no later than January 1, 2021.***

...

Draft
LAFCO Resolution No. 3307

Attachment 2

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
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RESOLUTION NO. 3307

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, AMENDING SECTION II (ACCOUNTING AND FINANCIAL) AND SECTION III (HUMAN RESOURCES) OF ITS POLICY AND PROCEDURE MANUAL

On Wednesday, May 20, 2020, on motion of _____, duly seconded by Commissioner _____, and carried, the Local Agency Formation Commission adopts the following resolution:

SECTION 1. The Local Agency Formation Commission for San Bernardino County, State of California (hereafter shown as "LAFCO"), hereby finds and determines that it wishes to amend Section II (Accounting and Financial) and Section III (Human Resources) of its Policy and Procedure Manual.

SECTION 2. The Local Agency Formation Commission for San Bernardino County therefore determines, resolves and orders that:

1. The Policy and Procedure Manual is hereby amended as follows:
 - a. Section II (Accounting and Financial), Chapter 1 (Financial Policies for Internal Operations), Policy 6 (Reserve Policy)
 - b. Section III (Human Resources), Chapter 2 (Employment), Policy 2 (Compensation)
2. The amended policies of Section II (Accounting and Financial) and Section III (Human Resources) of the Policy and Procedure Manual attached to this resolution as Exhibit "A" and incorporated herein by reference, is adopted and approved.

SECTION 3. The Executive Officer of LAFCO is ordered to certify the passage of this resolution and to cause a copy of the amended Policy and Procedure Manual to be posted on the LAFCO Website, and a certified copy of this resolution to be forwarded to the County Administrative Office, County Auditor-Controller/Treasurer/Tax Collector, and County Human Resources Department for implementation.

RESOLUTION NO. 3307

THIS ACTION APPROVED AND ADOPTED BY THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

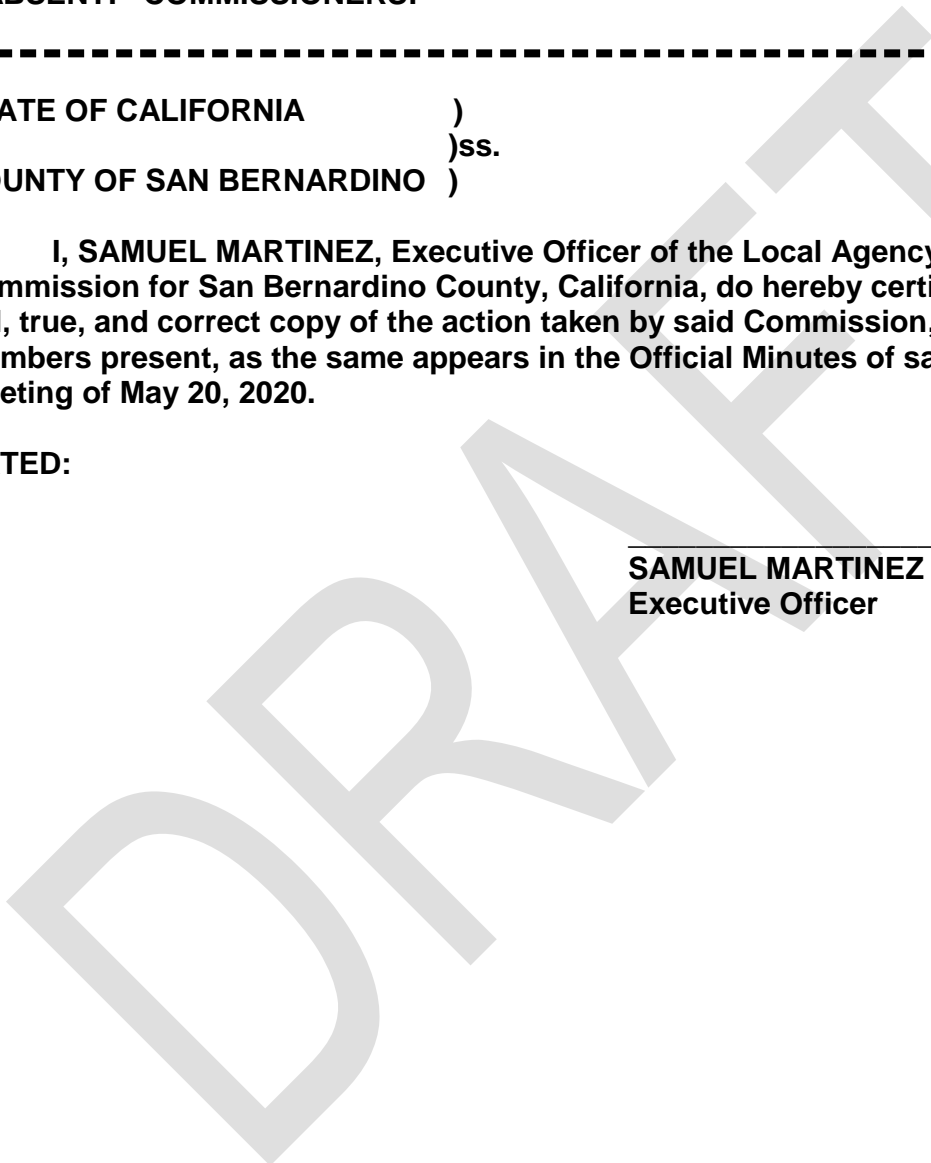
ABSENT: COMMISSIONERS:

STATE OF CALIFORNIA)
)ss.
COUNTY OF SAN BERNARDINO)

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of May 20, 2020.


DATED:

SAMUEL MARTINEZ
Executive Officer



LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: MAY 13, 2020 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #12 – REVIEW AND ADOPTION OF FINAL BUDGET
FOR FISCAL YEAR 2020-21

RECOMMENDATION:

Staff recommends that the Commission take the following actions:

1. Adopt the Fiscal Year 2020-21 Final Budget as presented including
 - a. Making the finding, as required by Government Code Section 56381, that the approval of a budget less than that adopted for Fiscal Year 2019-20 for the upcoming fiscal year will allow the Commission to fulfill its obligations under Government Code Section 56000 et seq; and,
 - b. Direction that with the apportionment of net LAFCO costs based upon the Auditor's information attached to this report; and,
2. Direct the Executive Officer to submit to the County Auditor-Controller the adopted Final Budget and request the apportionment of the Commission's net costs to the County, Cities/Towns and Independent Special Districts pursuant to the provisions of Government Code Section 56381 as shown in the approved Final Budget.

BACKGROUND:

The Commission's annual budget process began at the April 15 hearing through adoption of the Proposed Budget for Fiscal Year 2020-21. The Proposed Budget included an outline of the anticipated expenditures, revenues, and reserves for Commission consideration such as payment of step increases and retirement costs. Additionally, proposed policy and practice items included: rescinding the COLA for salaries, creation of

a reserve account to set aside funds for the extra pay period that occurs every ten years, reduction in the hearing schedule, defers migration to a new website platform to FY 2021-22, reduction of LAFCO's allocated capacity in the County server, limits the number of participants at CALAFCO Conference and Workshop, and does not increase the apportionment burden on the small districts.

On April 16, as required by Government Code Section 56381 staff distributed the Proposed Budget, as modified, for review and comment to the County, each city/town, and each independent special district with the request to submit comments by May 11 for inclusion in the final report. As of the date of this report, no comments or concerns have been provided regarding the Proposed Budget as adopted at the April hearing. If concerns are received following the publication of this report, staff will provide those to the Commission at the hearing along with an oral response.

Since the FY 2019-20 budget would be less than that adopted for FY 2020-21, Government Code Section 56381 requires the Commission to determine that the approval of the reduced budget for the upcoming fiscal year will allow the Commission to fulfill its obligations under Government Code Section 56000 et seq. Therefore, staff recommends that approval of the final budget include this finding.

Staff will be happy to answer any questions from the Commission prior to or at the hearing regarding any of the items within the budget documents or this report. Staff recommends that the Commission take the actions identified on page 1 of this report.

SM/MT

Attachments:

1. [Final Budget Spreadsheet](#)
2. [Auditor's Apportionment Distribution for the County, Cities and Towns, and Independent Special Districts](#)
3. [Salaries and Benefits Detail](#)
4. [Services and Supplies Detail](#)
5. [Revenue Detail](#)

Final Budget Spreadsheet

Attachment 1

Attachment #1

Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 17-18	ACTUAL YEAR-END FY 18-19	PROJECTED YEAR-END FY 19-20	ADOPTED	FORECAST	FORECAST	FORECAST
					FY 20-21 Year 1	FY 21-22 Year 2	FY 22-23 Year 3	FY 23-24 Year 4
					Extra Pay Period	--	No Amortization	Retirement
	SALARIES AND BENEFITS							
1010	Earnable Compensation	\$ 477,488	\$ 503,704	\$ 485,548	\$ 507,972	\$ 495,324	\$ 515,205	\$ 511,784
1030	Auto and Cell Phone Allowances	17,000	19,269	9,735	9,485	9,135	9,100	9,100
1035	Overtime							
1045	Termination Payment							
1110	General Member Retirement	124,459	173,050	185,575	183,251	178,626	185,635	184,309
1130	Survivors Benefits	224	179	176	183	176	176	176
1135	Retirement Subsidy (no longer active)	16,980	1,995					
1200	Medical Premium Subsidy	52,779	53,970	55,906	55,860	58,370	58,147	58,147
1205	Long-Term Disability	955	1,068	1,110	1,184	1,154	1,195	1,200
1207	Vision Care Insurance	822	782	779	812	782	779	779
1215	Dental Insurance Subsidy	1,235	1,230	1,237	1,282	1,235	1,230	1,230
1222	Short-Term Disability	3,756	4,990	5,636	6,072	5,915	6,111	6,137
1225	Social Security Medicare	6,170	6,277	5,827	6,170	6,871	6,261	7,164
1235	Workers' Compensation	2,160	3,019	1,152	5,266	5,132	5,311	5,334
1240	Life Insurance & Medical Trust Fund	6,986	9,251	9,906	11,853	15,109	17,904	17,893
1305	Medical Reimbursement Plan	3,840	3,900	5,496	6,392	5,085	6,432	6,432
1310	Annuitant Employee Medical (no longer active)	12,264	3,774					
1314	457/401a Contribution	1,498	2,695	2,929	3,378	3,282	3,388	3,426
1315	401k Contribution	28,405	35,173	37,051	39,482	33,677	39,818	39,991
	TOTAL SALARIES & BENEFITS	\$ 757,022	\$ 824,325	\$ 808,062	\$ 838,641	\$ 819,872	\$ 856,689	\$ 853,100
	Staffing (Full time equivalent units)	5.5	5.25	5.0	5.0	5.0	5.0	5.0
	SERVICES AND SUPPLIES							
	General Services & Supplies							
2031	Payroll System Services			\$ 654	\$ 826	\$ 842	\$ 859	\$ 876
2035	Communications							
2037	COMNET Charge (ISF)	\$ 3,777	\$ 3,593	3,148	3,434	3,503	3,573	3,645
2040	Relocation Charges - Phone Service	3,151		0				
2041	Phone Service/Outside Company	4,295	8,644	7,598	8,400	8,568	8,739	8,914
2043	Electronic Equipment Maintenance	6,159	92	-	-	-	-	-
2075	Membership Dues	9,973	10,303	11,822	12,039	12,280	12,525	12,776
2076	Tuition Reimbursement	950	-	999	1,000	1,020	1,040	1,061
2080	Publications	4,218	2,723	3,448	3,343	3,410	3,478	3,547

Attachment #1

Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 17-18	ACTUAL YEAR-END FY 18-19	PROJECTED YEAR-END FY 19-20	ADOPTED	FORECAST	FORECAST	FORECAST
					FY 20-21 Year 1	FY 21-22 Year 2	FY 22-23 Year 3	FY 23-24 Year 4
					Extra Pay Period	--	No Amortization	Retirement
2085	Legal Notices	20,698	21,188	12,180	11,250	11,475	11,705	11,939
2090	Building Expense	103,019	6,466	7,627	7,000	7,140	7,283	7,428
2115	Computer Software	1,707	3,054	2,259	3,054	3,115	3,178	3,241
2125	Inventoriable Equipment				-	-	-	-
2130	Moving Expenses							
2135	Utilities			2,557				
2180	Electricity	2,778	3,576	5,817	7,200	7,344	7,491	7,641
2182	Electricity	2,372		-				
2195	Reimbursement Services and Supplies							
2245	Other Insurance	10,013	14,285	12,683	14,238	14,523	14,813	15,109
2305	General Office Expense	8,629	4,918	4,354	1,250	1,275	1,301	1,327
2308	Credit Card Clearing Account	2,046	(1,276)	311	-	-	-	-
2309	Visa Temp Card			-				
2310	Postage - Direct Charge	14,683	7,121	9,201	5,316	5,422	5,531	5,641
2315	Records Storage	606	808	1,305	900	918	936	955
2316	Surplus Handling			-				
2323	Reproduction Services	2,000	162		-	-	-	-
2335	Temporary Services	132	699	89	-	-	-	-
	Consultant & Special Services:							
2400	Legal Counsel	130,898	94,182	39,584	30,870	31,487	35,496	39,787
2405	Auditing	10,819	8,000	14,528	11,668	11,901	12,139	12,382
2410	Data Processing		12,851	11,255	8,439	8,608	8,780	8,956
2414	Application Development Maint.			-	-	-	-	-
2415	COWCAP	8,458	10,109	13,328	7,345	7,492	7,642	7,795
2416	Enterprise Printing			36	31	32	32	33
2418	Enterprise Data Storage			8,459	7,200	7,344	7,491	7,641
2420	Wireless Device Access	199	300	262	286	292	298	303
2421	Desktop Support Services	15,568	17,417	14,761	15,085	15,387	15,695	16,009
2424	Environmental Consultant	8,590	10,605	25,526	10,600	10,812	11,028	11,249
2444	Security Services	1,267	480	691	492	502	512	522
2445	Other Professional Services	137,937	96,029	64,545	34,161	46,071	44,072	45,093
2449	Outside Legal (Litigation & Special Counsel)		3,216	4,115	-	-	-	-
2450	Application Development Support		-	-	-	15,000	10,000	10,000
2460	GIMS Charges	13,500	13,518	13,500	16,500	16,830	17,167	17,510

Attachment #1

Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 17-18	ACTUAL YEAR-END FY 18-19	PROJECTED YEAR-END FY 19-20	ADOPTED FY 20-21 Year 1	FORECAST FY 21-22 Year 2	FORECAST FY 22-23 Year 3	FORECAST FY 23-24 Year 4
					Extra Pay Period	--	No Amortization	Retirement
	Lease/Purchases:			-				
2895	Rent/Lease Equipment (copier)	6,034	5,289	6,004	5,100	5,202	5,306	5,412
2905	Office/Hearing Chamber Rental	100,455	99,052	99,474	101,201	103,225	71,629	73,062
	Travel Related Expenses:			-				
2940	Private Mileage	4,374	4,952	4,025	4,632	4,725	4,819	4,916
2941	Conference/Training	5,422	5,231	5,205	4,710	4,804	4,900	4,998
2942	Hotel	6,739	5,886	6,151	7,610	7,762	7,917	8,076
2943	Meals	780	456	724	1,100	1,122	1,144	1,167
2944	Car Rental	260	-	-	-	-	-	-
2945	Air Travel	3,291	1,011	1,792	800	816	832	849
2946	Other Travel	665	122	848	300	306	312	318
	Other:			0				
5012	Services Out (Staples)	185	283	2619.44	3,600	3,672	3,745	3,820
TOTAL SERVICES & SUPPLIES		\$ 656,644	\$ 475,345	\$ 423,483	\$ 350,981	\$ 384,226	\$ 353,410	\$ 363,999
TOTAL EXPENDITURES		\$ 1,413,665	\$ 1,299,670	\$ 1,231,546	\$ 1,189,622	\$ 1,204,099	\$ 1,210,099	\$ 1,217,099
	RESERVES (Increases)							
6000	Contingency (Assigned)							
6010	Net Pension Liability Reserve (Committed)				43,852	43,852	43,852	43,852
6025	General Reserve (Assigned)					25,000	25,000	25,000
6030	Compensated Absences Reserve (Committed)				32,477	23,000	20,000	13,000
6035	Salary Reserve for Extra Pay Period (Committed)					3,000	3,000	3,000
TOTAL CONTINGENCIES & RESERVES		\$ -	\$ -	\$ -	\$ 76,329	\$ 91,852	\$ 88,852	\$ 81,852
TOTAL APPROPRIATION		\$ 1,413,665	\$ 1,299,670	\$ 1,231,546	\$ 1,265,951	\$ 1,295,951	\$ 1,298,951	\$ 1,298,951

Attachment #1

Budget Spreadsheets

ACCT #	ACCOUNT NAME	ACTUAL YEAR-END FY 16-17	ACTUAL YEAR-END FY 17-18	ACTUAL YEAR-END FY 18-19	PROJECTED YEAR-END FY 19-20	ADOPTED	FORECAST	FORECAST	FORECAST
						FY 20-21 Year 1	FY 21-22 Year 2	FY 22-23 Year 3	FY 23-24 Year 4
						Extra Pay Period	--	No Amortization	Retirement
	CONTRIBUTION REVENUES								
	Use of Money:								
8500	Interest	\$ 9,318	\$ 12,561	\$ 16,191	\$ 15,823	\$ 19,000	\$ 19,000	\$ 22,000	\$ 22,000
	Mandatory Contribution from Governments:								
8842	Apportionment	926,223	1,009,583	1,105,497	1,090,497	1,120,497	1,150,497	1,150,497	1,150,497
	Fees and Deposits (Current Services):								
9545	Individual Notice	27,507	6,351	8,916	5,429	11,000	11,000	11,000	11,000
9555	Legal Services	10,311	42,206	70,067	14,050	19,400	19,400	19,400	19,400
9595	Protest Hearing	34,000	3,000	3,000		6,000	6,000	6,000	6,000
9655	GIMS Fees	5,015	8,430	825	1,055	765	765	765	765
9660	Environmental	7,145	4,546	10,619	5,705	10,400	10,400	10,400	10,400
9800	LAFCO Fees	117,531	52,821	69,389	62,895	68,889	68,889	68,889	68,889
	Total Fees and Deposits	201,509	117,354	162,816	89,135	116,454	116,454	116,454	116,454
	TOTAL CONTRIBUTION REVENUES	1,137,049	1,139,498	1,284,504	1,195,454	1,255,951	1,285,951	1,288,951	1,288,951
	OTHER REVENUES								
9910	Prior Year Activity (refunds, collections)	\$ (20,757)	\$ 2,438	\$ (373)					
9930	Miscellaneous Revenues	345	2,140	265	580				
9970	Carryover of Open Proposals/Projects	42,219	5,058	(50)		10,000	10,000	10,000	10,000
9970	Carryover from Prior Year, Assigned	296,065	101,741	50					
9973	State-dated Checks			1,000	38				
9970	SBCERA Contributions			(184,963)					
	TOTAL OTHER REVENUES	317,873	111,377	(184,071)	618	10,000	10,000	10,000	10,000
	TOTAL REVENUES	\$ 1,454,922	\$ 1,250,875	\$ 1,100,434	\$ 1,196,072	\$ 1,265,951	\$ 1,295,951	\$ 1,298,951	\$ 1,298,951
	Note: Spreadsheet utilizes the cash basis of accounting and does not include accrual/reversal data.								

**Auditor's Apportionment
Distribution for the County,
Cities and Towns, and
Independent Special Districts**

Attachment 2

**LAFCO Cost Allocation
County of San Bernardino Allocation
PY 2020-2021**

	<u>Amount</u>	<u>Percentage of Total Cost</u>
County of San Bernardino		
Total LAFCO Cost	\$ 1,120,497.00	100.00%
County of San Bernardino Allocation (1/3)*	\$ 373,499.00	33.33%
Total San Bernardino County Allocation	\$ 373,499.00	33.33%

Note:

* Per LAFCO Funding Election, County of San Bernardino pays third of total LAFCO cost.

* Total LAFCO Apportionment for FY 2020-21 is \$1,120,497 (by letter dated March 12, 2020)

**LAFCO Cost Allocation
Cities Allocation
PY 2020-2021**

City	Total Revenues FY 17-18	LAFCO Allocation	Allocation Percentage
Adelanto	\$ 18,224,861.00	\$ 3,433.83	0.92%
Apple Valley	\$ 39,320,260.00	\$ 7,408.50	1.98%
Barstow	\$ 34,899,475.00 *	\$ 6,575.56	1.76%
Big Bear Lake	\$ 40,765,425.00 *	\$ 7,680.79	2.06%
Chino	\$ 112,252,783.00	\$ 21,150.03	5.66%
Chino Hills	\$ 76,674,435.00	\$ 14,446.56	3.87%
Colton	\$ 42,945,339.00	\$ 8,091.52	2.17%
Fontana	\$ 253,559,320.00 *	\$ 47,774.21	12.79%
Grand Terrace	\$ 9,297,284.00	\$ 1,751.74	0.47%
Hesperia	\$ 98,015,392.00 *	\$ 18,467.51	4.94%
Highland	\$ 36,200,679.00	\$ 6,820.73	1.83%
Loma Linda	\$ 25,934,943.00	\$ 4,886.52	1.31%
Montclair	\$ 40,479,899.00	\$ 7,626.99	2.04%
Needles	\$ 7,459,338.00	\$ 1,405.45	0.38%
Ontario	\$ 329,187,019.00	\$ 62,023.57	16.61%
Rancho Cucamonga	\$ 220,198,334.00 *	\$ 41,488.52	11.11%
Redlands	\$ 79,040,066.00	\$ 14,892.28	3.99%
Rialto	\$ 124,647,331.00	\$ 23,485.34	6.29%
San Bernardino	\$ 158,894,758.00	\$ 29,938.05	8.02%
Twentynine Palms	\$ 12,805,908.00	\$ 2,412.82	0.65%
Upland	\$ 52,607,537.00	\$ 9,912.01	2.65%
Victorville	\$ 117,252,883.00 *	\$ 22,092.12	5.91%
Yucaipa	\$ 31,093,672.00	\$ 5,858.49	1.57%
Yucca Valley	\$ 20,570,953.00	\$ 3,875.86	1.04%
	\$ 1,982,327,894.00	\$ 373,499.00	100.00%

Allocation is based on Cities revenues extracted from Fiscal Year 2017-18 tables published on the State Controller's website (www.sco.ca.gov). Fiscal Year 2018-19 was not available as of April 2, 2020.

* Cities with subsidiary districts. Subsidiary districts are excluded from the special district distribution and revenue added to the City (confirmed for FY 2020-21 by email dated April 1, 2020.)

- Barstow Fire Protection District (City of Barstow)
- Big Bear Lake Fire Protection District (City of Big Bear Lake)
- Fontana Fire Protection District (City of Fontana)
- Hesperia County Water District (City of Hesperia)
- Hesperia Fire Protection District (City of Hesperia)
- Rancho Cucamonga Fire Protection District (City of Rancho Cucamonga)
- Victorville Water District (City of Victorville)

**LAFCO Cost Allocation
Special Districts Allocation
PY 2020-2021**

District Name	Total Revenues*	LAFCO Cost	Allocation
	FY 17-18	Allocation	Percentage
Apple Valley Fire Protection	\$ 11,681,598.00	\$ 10,000.00	2.68%
Apple Valley Foothill County Water	\$ 158,816.00	\$ 274.52	0.07%
Apple Valley Heights County Water	\$ 442,299.00	\$ 764.55	0.20%
Arrowbear Park County Water	\$ 1,404,795.00	\$ 2,428.29	0.65%
Baker Community Services	\$ 740,273.00	\$ 1,279.62	0.34%
Barstow Cemetery	\$ 315,509.00	\$ 545.38	0.15%
Barstow Heights Community Services	\$ 67,872.00	\$ 117.32	0.03%
Bear Valley Community Healthcare	\$ 5,383,161.00	\$ 1,500.00	0.40%
Big Bear Airport	\$ 2,202,040.00	\$ 3,806.39	1.02%
Big Bear City Community Services	\$ 19,832,380.00	\$ 10,000.00	2.68%
Big Bear Municipal Water	\$ 5,582,250.00	\$ 10,000.00	2.68%
Big River Community Services	\$ 100,792.00	\$ 174.23	0.05%
Bighorn-Desert View Water Agency	\$ 2,176,278.00	\$ 3,761.85	1.01%
Chino Basin Water Conservation	\$ 2,976,880.00	\$ 5,000.00	1.34%
Chino Valley Independent Fire	\$ 40,873,126.00	\$ 20,000.00	5.35%
Crestline Lake Arrowhead Water Agency	\$ 7,082,877.00	\$ 10,000.00	2.68%
Crestline Sanitation District	\$ 4,384,198.00	\$ 5,000.00	1.34%
Crestline Village Water	\$ 3,152,500.00	\$ 5,000.00	1.34%
Cucamonga Valley Water District	\$ 95,058,935.00	\$ 30,000.00	8.03%
Daggett Community Services	\$ 343,704.00	\$ 594.12	0.16%
East Valley Water	\$ 40,771,044.00	\$ 20,000.00	5.35%
Helendale Community Services District	\$ 5,445,750.00	\$ 10,000.00	2.68%
Hesperia Recreation and Park	\$ 6,371,483.00	\$ 10,000.00	2.68%
Hi-Desert Memorial Healthcare District	\$ 8,672,881.00	\$ 1,500.00	0.40%
Hi-Desert Water District	\$ 13,159,465.00	\$ 10,000.00	2.68%
Inland Empire Resource Conservation	\$ 1,795,312.00	\$ 3,103.33	0.83%
Inland Empire Utilities Agency	\$ 204,696,082.00	\$ 30,000.00	8.03%
Joshua Basin Water	\$ 6,359,768.00	\$ 10,000.00	2.68%
Juniper-Riviera County Water	\$ 303,271.00	\$ 524.23	0.14%
Lake Arrowhead Community Services	\$ 18,357,050.00	\$ 10,000.00	2.68%
Mariana Ranchos County Water	\$ 557,391.00	\$ 963.49	0.26%
Mojave Desert Resource Conservation	\$ 131,231.00	\$ 226.84	0.06%
Mojave Water Agency	\$ 46,110,936.00	\$ 20,000.00	5.35%
Monte Vista Water	\$ 19,811,911.00	\$ 10,000.00	2.68%
Morongo Valley Community Services	\$ 961,862.00	\$ 1,662.65	0.45%
Newberry Community Services	\$ 211,715.00	\$ 365.96	0.10%
Phelan Pinon Hills Community Services District	\$ 8,477,853.00	\$ 10,000.00	2.68%
Rim of the World Recreation and Park	\$ 1,157,515.00	\$ 2,000.85	0.54%
Running Springs Water	\$ 7,341,785.00	\$ 10,000.00	2.68%
San Bernardino Mountains Community Hospital	\$ 886,275.00	\$ 1,500.00	0.40%
San Bernardino Valley Municipal Water	\$ 120,268,322.00	\$ 30,000.00	8.03%
San Bernardino Valley Water Conservation	\$ 2,477,154.00	\$ 4,281.93	1.15%
Thunderbird County Water	\$ 234,363.00	\$ 405.11	0.11%
Twentynine Palms Cemetery	\$ 256,395.00	\$ 443.20	0.12%
Twentynine Palms Water District	\$ 5,249,079.00	\$ 10,000.00	2.68%
West Valley Mosquito and Vector Control	\$ 3,465,907.00	\$ 5,000.00	1.34%
West Valley Water District	\$ 30,989,425.00	\$ 20,000.00	5.35%
Wrightwood Community Services District	\$ 457,119.00	\$ 790.16	0.21%
Yermo Community Services	\$ 215,382.00	\$ 372.30	0.10%
Yucaipa Valley Water	\$ 25,705,289.00	\$ 20,000.00	5.35%
Yucca Valley Airport	\$ 65,185.00	\$ 112.68	0.03%
Totals	\$ 784,924,483.00	\$ 373,499.00	100.00%

All data in this worksheet are extracted from Fiscal Year 2017-18 Special Districts revenues published on the State Controller's website. Fiscal Year 2018-19 was not available as of April 2, 2020.

Exception: Data used for Bear Valley Community Healthcare and San Bernardino Mountains Community Hospital is 'Net from Operations' from FY 2018-19, published by the Office of Statewide Health Planning and Development

- On March 28, 1995, Hi-Desert Memorial Hospital's name was changed to Hi-Desert Memorial Healthcare District.
- By the Resolution No. 2003-10-8, Cucamonga County Water District name changed to Cucamonga Valley Water District.
- Effective July 15, 2015, Hi-Desert Memorial Healthcare District, DBA Morongo Basin Healthcare District, has no longer operates a hospital as it leased operations to Tenet Healthcare Corporation.

Salaries and Benefits Detail

Attachment 3

Attachment #3

Salaries and Benefits Detail

Account		Charge Measurement	Rate Inc/Dec	Total
1010	Earnable Compensation	Per Salary Schedule	Increasing 5.1%	\$ 507,971.67
	<i>Includes step increases (3 employees), 2% longevity pay for those with 15 yrs (3 employees), & leave cashouts. No COLA.</i>			
1030	Auto & Phone Allowances	Auto Allowance (\$300 per pay period)	--	\$ 9,485.00
		Mobile Phone Allowance (\$50 per pay period)	--	
	<i>Executive Officer auto and phone allowances, per Benefit Plan.</i>			
1110	General Member Retirement	Tier 1 (35.76%)	Decreasing 5.9%	\$ 183,250.84
		Tier 2 (33.24%)	Decreasing 6.7%	
	<i>Contributions to retirement plan. Per SBCERA and Retirement Board adopted rates.</i>			
1130	Survivors Benefits	\$1.35 per pay period per employee	--	\$ 182.93
	<i>The survivor benefit is provided by SBCERA in lieu of Social Security's death benefits since members do not participate in Social Security. General members pay a contribution each pay period to fund this benefit.</i>			
1200	Medical Premium Subsidy	\$529.94 per period (employee +2): 2 employees	--	\$ 55,860.42
		\$379.03 per period (employee +1): 2 employees	--	
		\$243.33 per period (employee +0): 1 employee	--	
	<i>A subsidy is provided to offset employee medical premiums.</i>			
1205	Long-Term Disability	0.24% of Base Pay	--	\$ 1,184.46
	<i>Long-term disability insurance.</i>			
1207	Vision Insurance	\$5.99 per employee per period	--	\$ 811.65
	<i>Vision insurance.</i>			
1215	Dental Insurance Subsidy	\$9.46 per employee per period	--	\$ 1,281.83
	<i>A subsidy is provided to offset employee dental premiums.</i>			
1222	Short-Term Disability	Short-term disability insurance (1.18% of Base Pay)	--	\$ 6,071.54
		FMLA program charge (\$1.83 per employee per period)	--	
	<i>Short-term disability insurance & admin cost for family medical leave.</i>			
1225	Social Security Medicare	1.412% of Earnable Compensation	--	\$ 6,169.86
	<i>Contribution to Social Security Medicare for those entering after 1985 (4 employees).</i>			
1235	Workers' Compensation	1.07% of Base Pay	--	\$ 5,265.90
	<i>Purchased through Special Districts Management Authority (SDRMA), a joint powers authority.</i>			
1240	Life Insurance & Med Trust Fund	Life Insurance (\$1.75 per employee per period)	Decreasing 4.0%	\$ 11,853.32
		Variable Life Insurance (\$1,059 for 3 employees)	--	
		Retirement Medical Trust Fund (\$10,556 for 5 employees)	Increasing 15.1%	
	<i>(1) Life Insurance is a benefit for all employees. (2) Employees may purchase Variable Life Insurance, which has an employer contribution. (3) LAFCO contributes to a Retirement Medical Trust Fund for employees with over 5 years of service (5 employees). One employee becomes eligible this year.</i>			
1305	Medical Reimbursement Plan	Medical Reimbursement (up to \$40 per employee/period)	--	\$ 6,392.00

Attachment #3

Salaries and Benefits Detail

Account		Charge Measurement	Rate Inc/Dec	Total
		Healthy Lifestyles (gym, \$324 per employee - 3)	--	
1314	457/401a Contribution	1% match for Executive Officer, 0.5% for all others	--	\$ 3,377.85
	<i>LAFCO matches employee contributions to the 457 savings plan of the County up to 0.5% for Groups B and C, and 1% for Group A (Executive Officer).</i>			
1315	401k Contribution	8% match for Group A & B, 6% match for Group C	--	\$ 39,481.88
	<i>LAFCO matches employee contributions to the 401(k) savings plan of the County up to 8% for Groups A and B, and up to 6% for Group C (Analyst-GIS).</i>			
TOTAL SALARIES AND BENEFITS				\$ 838,641.14

Services and Supplies Detail

Attachment 4

Attachment #4

Services and Supplies Detail

Account		Charge Measurement	Increase/Decrease	Total
2031	Payroll System Services	\$6.35 per payroll warrant (26), 5 employees	Decreasing 17%	\$ 825.50
	<i>Maintenance, support, and enhancements for County's payroll system and infrastructure.</i>			
2037	COMNET Charge	\$31.80 per line (9) per month	Decreasing 2%	\$ 3,434.40
	<i>Phone line. Includes support services.</i>			
2041	Outside Phone - Verizon	\$700 per month	--	\$ 8,400.00
	<i>Fiber optic data line from Verizon.</i>			
2043	Electronic Equip. Maint.	No activity		\$ -
	<i>County ISD services for data line installation.</i>			
2075	Membership Dues	CSDA: \$1,377	--	\$ 12,039.00
		CALAFCO: \$10,662	Increasing 3%	
	<i>Membership in Professional Associations.</i>			
2076	Tuition Reimbursement	One employee at max reimbursement	No change	\$ 1,000.00
	<i>Pursuant to the LAFCO Benefits Plan, employees can be reimbursed for up to \$1,000 for approved tuition, course/seminar or degree related expenses, and membership dues in professional organizations.</i>			
2080	Publications	CA Land Use & Planning Law: \$101.00	--	\$ 3,342.82
		CA Annotated Code Books: \$218.08/month	Increasing 7%	
		CA Planning & Development: \$222	--	
		County calendars: \$8.90 each (5)	--	
		Longtin's CA Land Use: \$78.60	--	
		CEQA desktop book: \$100.00	--	
	<i>Purchase or subscription to professional publications related to LAFCO study areas.</i>			
2085	Legal Notices	General paper: \$750 per hearing (6)	--	\$ 11,250.00
		Local Paper: \$750 for 6 hearings	--	
		Protest hearing: \$750 per protest hearing (3)	--	
	<i>Legal and policy requirement for notices: hearing, protest hearing, public member vacancy, etc... An eighth-page display ad in general newspapers is required for the countywide service reviews and when advertisement is authorized in-lieu of individual landowner and/or registered voter notice.</i>			
2090	Building Expense	HVAC: \$325 per quarter	--	\$ 7,000.00
		Janitorial: \$475 per month	--	
	<i>Ongoing maintenance of the staff office.</i>			
2115	Software	Laserfische archiving: \$1,313.00 annual	--	\$ 3,054.32
		Microsoft licenses: \$1,741.32 annual	--	
	<i>Purchases, subscriptions, and updates of software and online programs, to include digital archiving software for LAFCO to maintain its records in perpetuity per Government Code Section 56382.</i>			
2125	Inventoriable Equipment	No activity		
	<i>Purchase of equipment with a value over \$5,000.</i>			
2180	Electricity	\$600 per month	Increasing 20%	\$ 7,200.00

Attachment #4

Services and Supplies Detail

Account	Charge Measurement	Increase/Decrease	Total	
	<i>LAFCO is responsible for electricity payments while located at the train depot.</i>			
2245	Other Insurance	\$14,328 annual	--	\$ 14,238.00
	<i>Liability insurance (property, general, personal, employment, benefits, auto) errors and omissions, and employee dishonesty coverage. Purchased through the Special District Risk Management Authority (SDRMA).</i>			
2305	Office Expense	Petty Cash Reimbursement: \$250 per quarter	--	\$ 1,250.00
		Paper shredding: \$50	--	
		HP Printer cartridges:\$200	--	
	<i>Expenses to run the office such as office supplies and non-inventoriable items.</i>			
2308	Credit Card Clearing			\$ -
	<i>Clearing account for credit card issued to the Executive Officer. All charges post to this account temporarily with charges then transferred to the appropriate accounts.</i>			
2310	Postage	Months with hearings (6): \$400 per month	Decreasing 20%	\$ 5,316.00
		Months with no hearings (6): \$200 per month	--	
		Mail delivery: \$6.50 per stop (22 per month)	Decreasing 31%	
	<i>On avg. USPS rates increasing 10%. County mail handling increasing 18%. LAFCO implementing more digital circulation as cost savings, which reduce costs overall.</i>			
2315	Record Storage	\$70 per month	Decreasing 7%	\$ 900.00
	<i>Off-site retention of records. Gov Code 56382 mandates LAFCO to maintain its records in perpetuity.</i>			
2323	Reproduction	No activity		\$ -
	<i>Printing activity outside of the LAFCO office (County Printing Services, Kinkos, etc.).</i>			
2335	Temp Services	No activity		\$ -
	<i>Use of temporary services for clerical support.</i>			
2400	Legal			\$ 30,870.00
		Months with hearings (6): \$3,600 per month	Increasing 3.0%	
		Months with no hearings (6): \$1,500 per month	Increasing 3.0%	
	<i>Contract with Best, Best, and Krieger for general and special counsel. Costs related to a proposal are recoverable pursuant to Commission policy. Payments received for cost recovery are deposited into Revenue Account 9555.</i>			
2405	Auditing	SBCERA costs for GASB 67 & 68: \$3,018	--	\$ 11,668.00
		BB&K response: \$250	--	
		Independent auditor: \$8,000	Increasing 5%	
	<i>Contract with Davis Farr LLP for independent auditing services. SBCERA is required to determine the unfunded liability for its participants and by legislative action can charge for that requirement.</i>			
2410	IT Infrastructure	\$117.21 per email address (6) per month	Decreasing 4%	\$ 8,439.12
	<i>Support of computer/server systems, email, wide area network, internet access, IT security, virus protection, help desk, and data center.</i>			

Attachment #4

Services and Supplies Detail

Account	Charge Measurement	Increase/Decrease	Total
2414	Application Development Maint. <i>County ISD services for upgrades to applications such as website.</i>	Year 2: \$11,000 for migration of website to new architecture	-- \$ -
2415	COWCAP <i>The County Auditor charges for county-related costs incurred in the prior year.</i>	\$7,345 per County COWCAP publication	Decreasing 45% \$ 7,345.00
2416	Enterprise Printing <i>Printing from County's enterprise server related to payroll.</i>	Per print impression, annual estimate	-- \$ 31.00
2418	Enterprise Data Storage <i>High-speed enterprise data storage services, including data backup and recovery.</i>	\$704.72 per month, based on storage allocation	Anticipated to dec. by 1/3 \$ 7,200.00
2420	Wireless Device Access <i>Phone sync to County email.</i>	\$23.83 per user per month	-- \$ 285.96
2421	Desktop Support Services <i>County tech support & monitoring for computers and applications.</i>	\$139.68 per computer (9) per month	Increasing 4% \$ 15,085.44
2424	Environmental <i>The Commission contracts with an independent consultant, Tom Dodson and Associates, for the environmental assessment associated with its proposals. Most environmental consultant costs are billable under the Commission's existing fee schedule. Payments received for cost recovery are deposited into Revenue Account 9660.</i>	Consultant work, per contracted rate, 11 proposals File with County Clerk, 14 actions, \$50 each	-- -- \$ 10,600.00
2444	Security <i>Maintain and monitor the security system.</i>	\$123 per quarter	Increasing 5% \$ 492.00
2445	Other Professional Services <i>This account is for outside services to assist in processing applications and service reviews as well as conducting Commission hearings. Staffing support from Bob Aldrich will correspond with proposal activity levels. Governance training will include one course: LAFCO 101.</i>	Surveyor proposal review: \$450 each proposal (14) Commissioner stipend: \$200 per hearing (6) ROV: \$100.60 per hour (14) Bob Aldrich for staffing: \$75/hr for 0 hours County processing of quarterly taxes: \$1,000/quarter County work on apportionment: \$5,6866 Video recording of hearings: \$360 per hearing (6) Commissioner stipend for SoCal LAFCO: \$200 per mtg. (4) Governance Training: LAFCO 101 (incidentals of \$427)	-- -- -- -- -- -- -- -- -- -- Charge eliminated \$ 34,161.40
2449	Outside Legal <i>Legal services conducted through special contract for either litigation or when a conflict of interest waiver is not granted. For proposals not initiated by the Commission, the applicant agrees to indemnify the Commission against legal costs. Payments received for cost recovery are deposited into Revenue Account 9660.</i>	Per special counsel rate	\$ -

Attachment #4

Services and Supplies Detail

Account		Charge Measurement	Increase/Decrease	Total
2450	System Development	per County rate schedule		\$ -
	<i>County support to develop new software programs or systems. None anticipated.</i>			
2460	GIMS	Aerial Imagery \$1,000 per user (3)	--	\$ 16,500.00
		Street Network Subscription: \$10,500 flat fee	--	
		ArcMap Desktop - GIMS license: \$1,000 per user	--	
	<i>Generation & maintenance of digitized maps & aerial images, access to County's parcel & street layers.</i>			
2895	Copier	\$425 per month	Increasing 6%	\$ 5,100.00
	<i>LAFCO implementing more digital circulation as cost savings.</i>			
2905	Rent	Hearing Chambers: \$405 per hearing (6)	--	\$ 101,200.69
		Amortization Payment: \$8,448.33 quarterly	--	
		Office Lease & Common Area Expense: \$16,244 quarterly	Increasing 3%	
	<i>Use of Norton Conference Center for hearings, amortizing the renovations of the staff office for 60 monthly payments, and office lease with associated costs for common area expenses such as security, landscaping, lighting, etc.</i>			
2940	Private Mileage	ESRI Conference San Diego, 1 staff: \$132	--	\$ 4,632.10
		Employee travel, misc.: \$55	--	
		CALAFCO Conf. Monterey, 6 cars	--	
		CALAFCO Staff Workshop Orange, 1 auto: \$440	--	
		Commissioner So Cal participation, 4 trips: \$220	--	
		Commissioner Hearings (6): \$2,502.50	--	
	<i>Commissioners and staff private auto mileage at the IRS rate, excluding the Executive Officer.</i>			
2941	Conference/Training	CALAFCO Staff Workshop Orange: \$360 each (2)	--	\$ 4,710.00
		CALAFCO Conference Monterey \$570 each (7)	--	
	<i>The CALAFCO Staff Workshop will be held in Orange, with 2 staff budgeted.</i>			
	<i>The CALAFCO Conference will be held in Sacramento, with 5 Commissioners and 2 staff budgeted.</i>			
2942	Hotel	CALAFCO/So Cal participation: \$200 per night (1)	--	\$ 7,610.00
		ESRI Conference San Diego: \$300/night, 1 staff, 3 nights	--	
		CALAFCO Conf. Mont., \$250/night, 7 people, 3 nights	--	
		CALAFCO Staff Work. Orange: \$210/night, 2 staff, 3 nights	--	
	<i>Hotel charges for Commissioners and staff on LAFCO business.</i>			
2943	Meals	Staff travel: \$50	--	\$ 1,100.00
		ESRI Conference San Diego: \$50/day, 1 staff, 3 days	--	
		CALAFCO Conference Monterey \$350 for 7 people	--	
		CALAFCO Staff Workshop Orange: \$50 for 2 staff	--	
		So Cal participation - Staff: \$50/trip (4)	--	
		So Cal participation - Commissioner: \$50/trip (2)	--	
	<i>Meal charges for Commissioners and staff on LAFCO business. Per diem max \$50/day.</i>			

Attachment #4

Services and Supplies Detail

Account		Charge Measurement	Increase/Decrease	Total
2944	Car Rental	No activity		\$ -
	<i>Car rental by Commissioners or staff.</i>			
2945	Air Travel	CALAFCO participation: \$200/trip (4)		\$ 800.00
	<i>Airfare on Southwest Airlines for approved travel to Sacramento.</i>			
2946	Other Travel	CALAFCO participation: \$75/trip (4)		\$ 300.00
	<i>Miscellaneous travel charges such as parking and taxi charges.</i>			
5012	Staples Office Supply	\$300 per month utilizing County's contract.	--	\$ 3,600.00
TOTAL SERVICES AND SUPPLIES				\$ 350,980.75

Revenue Detail

Attachment 5


Attachment #5

Revenues Detail

Account		Charge Measurement	Rate Inc/Dec	Total
8500	Interest	County Interest Pool returns	Variable	\$ 19,000
	<i>LAFCO participates in the County's interest pool and is apportioned interest receipts quarterly.</i>			
8842	Apportionment		Increasing 2.8%	\$ 1,120,497
	<i>Govt Code §56381 requires that the net costs for LAFCO be apportioned equally to those seated on the Commission: the County, the 24 Cities, and the 51 Independent Special Districts within the County of San Bernardino. The proposed apportionment to the County, Cities, and Independent Special Districts is \$373,499 each. The County Auditor will be required to apportion this amount on July 1, 2020 pursuant to the requirements of law and Commission policies.</i>			
8545	Individual Notice	\$1,000 deposit	--	\$ 11,000
	<i>This account is for landowner and registered voter notification requirements. This \$1,000 deposit is applied to proposals and development-related service contract less refunds. Should a proposal require individual notice due to the extension of a special tax, then the proponent will be required to submit a deposit for the direct costs to produce and mail the individual notices.</i>			
9555	Legal Services	\$2,000 for proposals; \$700 for applicable service contracts	--	\$ 19,400
	<i>This account is for deposits for legal services which are calculated at \$2,000 for proposals and \$700 for service contracts requiring a hearing.</i>			
9595	Protest Hearing	\$1,500	--	\$ 6,000
	<i>The account is for deposits related to the processing of the protest hearing which are calculated at \$1,500 each. Should a proposal require individual notice due to the extension of a special tax, then the proponent will be required to submit a deposit for the direct costs to produce and mail the individual notices.</i>			
9655	GIMS Fees	LAFCO Fee Schedule, based on acreage	--	\$ 765
	<i>This account is for receipt of revenue to recover the costs associated with the County's digital maps for sphere or boundary changes, maintenance and updates. The charge is based upon the acreage of each consideration area.</i>			
9660	Environmental	\$1,000 for proposals; \$750 for applicable service contracts	--	\$ 10,400
	<i>Deposits for environmental review processing are calculated at \$1,000 for proposals and \$750 for service contracts requiring a hearing.</i>			
9800	LAFCO Fee	LAFCO Fee Schedule, based on region and acreage	Increasing w/ CPI	\$ 68,889
	<i>Revenues in this account are based on anticipated activity and conservatively calculated at the median annexation filing fee for the activity identified above.</i>			
9910	Prior Year Activity		--	\$ -
	<i>This account refunds deposits submitted by applicants less costs incurred for activity which carry over from one year to another and includes prior year payment of indemnification of legal costs.</i>			
9930	Miscellaneous Revenues		--	\$ -
	<i>This account is for revenues received for duplication of CDs, DVDs, paper copies, and other miscellaneous receipts.</i>			
9970	Carryover of Open Proposals		--	\$ 10,000
	<i>Proposals received in FY 2019-20 but still being processed will carryover unearned funds.</i>			
TOTAL REVENUES				\$ 1,265,951

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: MAY 13, 2020 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #13: Sustainable Agricultural Lands Conservation (SALC)
Program Planning Grant Application

RECOMMENDATION:

Staff recommends that the Commission:

1. Authorize the Executive Officer to submit the SALC Program Planning Grant pre-proposal to the CA Department of Conservation;
2. Direct staff to continue to work with the Inland Empire Resource Conservation District in finalizing the full application; and,
3. Prior to actual submittal of full application, return to the Commission for review of document(s) and to adopt resolution approving the submittal of the SALC Program Planning Grant application to the CA Department of Conservation.

BACKGROUND

The Sustainable Agricultural Lands Conservation (SALC) Program is a component of the Strategic Growth Council's Affordable Housing and Sustainable Communities Program that is administered by the California Department of Conservation (DOC) in conjunction with the Natural Resources Agency. It is a statewide program that supports California's greenhouse gas (GHG) emission reduction goals by making strategic investments to fund projects that protect agricultural lands that are at risk of conversion to non-agricultural uses through the purchase of agricultural conservation easements or development of agricultural land strategy plans.

LAFCO 2019 Strategic Planning Workshop

In January 2019, the Commission held a strategic planning workshop and identified vital strategies for LAFCO to prioritize in the next few years. One of the items it considered was

the adoption of open space and agricultural preservation policies and directed staff to formulate such policies for consideration by the Commission. One of the key issues identified was the lack of an existing local agency in the region that currently has an established agricultural conservation program that can provide for protection of agricultural lands in the area.

In June 2019, the DOC held a number of workshops throughout the State on the SALC Program, one of which LAFCO staff attended. In our region, the DOC partnered with the Inland Empire Resource Conservation District (IERCD) to host a workshop. Since then, LAFCO staff and IERCD staff have been working together to develop a project proposal in consultation with other local and regional stakeholders (e.g. County of San Bernardino Land Use Services Department, City of Ontario, City of Yucaipa, SCAG, Loma Linda University, etc.).

Types of SALC Grants

The SALC Program provides two types of awards – Agricultural Conservation Planning Grants and Agricultural Conservation Acquisition Grants.

- Planning grants support the development of local and regional land use policies and economic development strategies to protect critical agricultural land. The program funds strategies related to establishing and implementing goals, policies, and objectives to support the economic viability of the local agricultural sector. It also supports planning processes to identify and designate priority lands for conservation and development.
- Acquisition grants are used to permanently protect croplands and rangelands that are at-risk of conversion to sprawl development. Agricultural conservation easements are deed restrictions that landowners voluntarily place on their property to preserve the land's agricultural uses.

The following link provides information on the grant guidelines and information on the Agricultural Planning Grant and Acquisition Grant applications:

<https://www.conservation.ca.gov/dlrp/grant-programs/SALCP/Documents/California%20Sustainable%20Agricultural%20Lands%20Conservation%20Program-%20Grant%20Guidelines%20%26%20Applications.pdf>

Proposed SALC Planning Grant Project:

After months of coordinating and evaluating ideas, IERCD and LAFCO staffs are proposing to submit a SALC Program planning grant project that aims to create a local tool for the preservation of agriculture, which does not currently exist in the region. By establishing an agricultural conservation program and developing a mitigation program that classifies important farmland that can be targeted for agricultural preservation, farmland in the San Bernardino valley could potentially be preserved in perpetuity.

The project intends to provide the following deliverables:

1. Mapping and identification of priority mitigation lands to develop a connected corridor of preserved agricultural lands in the San Bernardino valley as opposed to disconnected pockets. Land priority will focus on highest value agricultural land with the best soils, most abundant water resources, and other evaluation and ranking criteria.
2. Analysis of all policies that the County and the 24 cities have related to open space and agricultural preservation to determine if policies include mitigation requirements or otherwise address agricultural preservation. If not, efforts will be made to work with the County and/or cities to update policies that would allow for agricultural mitigation within the region. One goal would be to encourage policies (or update policies) that would primarily ensure that the required mitigation first consider lands within the individual localities where the conversion of agricultural lands occur and perhaps secondarily lands within the County itself, before considering lands located in other parts of the State.
3. Demonstrate IERCD's ability to manage agricultural lands set aside for conservation by developing mitigation program guidelines, legal documents, program protocol, and fee structure to ensure a sustainable mitigation program that can meet its objectives.
4. Incorporate proposed regional mitigation program into SCAG's Sustainable Communities Strategy as a regional program available to help reduce greenhouse gas emissions.

The goals of this project would be to encourage the long-term preservation of agricultural lands within San Bernardino County (generally the Valley region of the County) and develop local mitigation tools to provide a way for municipalities to preserve agricultural lands while continuing to address housing and growth needs. The DOC has shown support of IERCD and LAFCO's planning grant proposal and selected the project to receive technical support from its consultant team.

Originally, IERCD was taking the lead on the SALC planning grant but was recently informed that resource conservation districts are not eligible applicants for the SALC Planning Grant (resource conservation districts are only eligible to apply for Acquisition grants). Therefore, since IERCD can no longer officially submit the Planning Grant application or serve as the applicant, LAFCO staff proposes that it serve as the official applicant pending the Commission's support and approval.

Agency Roles:

As the applicant, LAFCO would be responsible for submitting invoices and reports to the DOC and communicating important updates from DOC to IERCD staff:

- Provide final review of SALC Planning grant application and submit to DOC for consideration;

- If awarded, enter into the grant agreement with DOC and an MOU with IERCD;
- Serve an administrative role between the IERCD and DOC, including:
 - Collecting invoicing materials from IERCD to provide to DOC; and,
 - Collecting reports from IERCD to provide to DOC.
- Support IERCD staff in carrying out the scope of work as outlined in the grant application; and,
- Ensure IERCD staff is aware of information related to grant implementation.

IERCD will be responsible for carrying out the scope of work detailed, along with partners identified, in the grant application. IERCD can be expected to:

- Draft the SALC Planning grant application and collect feedback from stakeholder organizations to strengthen the application;
- Hire and manage staff and consultants necessary to carry out scope of work;
- Provide office space, computer, supplies, and other supply needs for the work;
- Manage grant reporting requirements and provide to LAFCO in a timely manner; and,
- Manage much of the financial aspects of the grant (paying consultants, staff payroll, and purchasing supplies) and submitting detailed invoices and backup to LAFCO.

Financial Considerations:

Planning grants will reimburse grantees and participating stakeholders for all direct costs, including staff costs incurred during the grant performance period and related to the project. The grant request can be up to \$250,000. The application must include a minimum ten percent (10%) match funding with at least five percent (5%) of the requested grant amount a cash match and the balance may be in-kind.

IERCD is able to cover the 5% cash match (up to \$12,500) and the remaining 5% (up to \$12,500) will come from in-kind services, including staff time from LAFCO and/or stakeholders. LAFCO can also request administrative/staff funding through this grant to cover time spent implementing the goals and administration of the planning grant.

Important Dates to Remember:

- July 1, 2020 - Pre-proposal due
- August 28, 2020 - Full Application due
- December 2020 - Project Awards

Applicants are encouraged to submit a Planning Grant pre-proposal to the DOC for a preliminary review of the proposed project prior to submission of a full application. Pre-proposals are reviewed, and technical assistance is provided to facilitate the development of the application as needed.

Planning Grant pre-proposals are due no later than July 1, 2020; however, submitting as early as June 1 is recommended to allow DOC staff to provide comments and make necessary adjustments prior to the final deadline. The final Planning Grant application is due on August 28, 2020.

The Planning Grant Pre-proposal (draft copy attached) is currently being reviewed by stakeholders. Any changes prior to the actual submittal, if any, would be technical and not change the overall information outlined in the document.

CONCLUSION:

As outlined in Government Code Section 56301, “Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands...” Adopting agricultural preservation policies and coordination with other jurisdictions to do the same in order to protect agricultural lands from conversion to urban or rural residential development promotes smart growth, ensures open space remains available, and supports a healthy agricultural economy.

It should also be noted that, pursuant to Section 56378(b), the Commission “may apply for or accept, or both, any financial assistance and grants-in-aid from public or private agencies or from the state or federal government or from a local government.” Therefore, LAFCO does have the authority to submit a SALC Program Planning Grant application.

Therefore, LAFCO staff is seeking the Commission’s support in submitting the SALC Program Planning Grant pre-proposal and continue working with IERCD staff on finalizing the full application and, return to the Commission for final adoption of resolution approving the submittal of the Planning Grant application.

Staff will be happy to answer any questions of the Commission prior to or at the hearing.

Attachment: Draft Planning Grant Pre-Proposal

SALC PLANNING GRANT PRE-PROPOSAL

LAFCO for San Bernardino County

May 2020

DRAFT

PROJECT INFORMATION:

Project Title	San Bernardino Valley Agricultural Planning and Preservation Program	
Applicant Name	Local Agency Formation Commission for San Bernardino County	
Department/Office	NA	
Federal Employee ID Number	32-0422397	
Mailing Address	1170 W. Third Street, Unit 150, San Bernardino, CA 92415-0490	
Project Title:	San Bernardino Valley Agricultural Planning and Preservation Program	
Location (County and/or City)	San Bernardino County Valley Region	
Claiming Priority Population Benefits Status (circle one)	<input checked="" type="radio"/> Y <input type="radio"/> N	If yes, you will need to submit a Priority Population Benefits Checklist with your application
Grant Request Amount	\$250,000	
Matching Funds Pending	\$	
Matching Funds Committed	\$25,000 (cash and in kind)	
Total Estimated Project Cost	\$275,000	
Contact Person	Samuel Martinez	
Title	Executive Officer	
Phone Number	909-388-0480	
Email Address	smartinez@lafco.sbcounty.gov	

EXECUTIVE SUMMARY

The proposed planning project would perform an analysis of existing agricultural resources and agricultural policies to better inform future development decisions in the San Bernardino Valley region. The proposal will also create a local program for the preservation of agriculture, which does not currently exist in the region. By establishing an agricultural conservation program that classifies and prioritizes important farmland for agricultural preservation, farmland in the San Bernardino Valley, as well as the local agricultural economy, could potentially be preserved in perpetuity.

The project will result in the following deliverables:

1. Mapping and identification of priority mitigation lands to develop a connected corridor of preserved agricultural land in the San Bernardino Valley.
2. Analysis of agricultural policies for city and county jurisdictions to determine if policies include mitigation requirements or otherwise address agricultural preservation.
3. Develop IERCD's capacity to manage agricultural easements by developing mitigation program guidelines, legal documents, program protocol, and fee structure to ensure a sustainable mitigation program.
4. Inform, educate, and gain interest among municipalities and agricultural organizations about the agricultural conservation program and incorporate the proposed regional mitigation program into SCAG's Sustainable Communities Strategy as a regional program available to help reduce greenhouse gas emissions.

The San Bernardino Valley region has lost over 70% of its important farmlands between 1984 and 2016 according to Farmland Mapping and Monitoring Program (FMMP) data. This number has undoubtedly increased over the past four years as the California housing crisis and new industries have placed pressure on farmers and land values. As one of the epicenters of the state's logistics industry, San Bernardino County is quickly urbanizing, resulting in rapid conversion of agricultural land. Compounding this issue is the threat of invasive pests to the existing citrus industry. In addition to these pressures on the agriculture industry, San Bernardino County is also a region with low rankings on several environmental, public health, and economic factors. Notably, the area suffers from heavy air pollution and limited access to open space and healthy food options. This poses a great opportunity to preserve farmland as a means to improve local food access and conserve working lands.

There is strong local support for this project from cities, local agencies, agricultural organizations, universities, and community groups. We plan to continue growing the list of stakeholders to include more individuals from the agricultural community and city planners. A meeting was held in November 2019 where stakeholders shared their ideas for regional agriculture, which included discussion of a local mitigation option and a comprehensive vision for the sustainability of our agriculture. Committed stakeholders include, LAFCO for San Bernardino County, Inland Empire Resource Conservation District (IERCD), County of San Bernardino, Southern California Association of Governments, SB County Farm Bureau, local municipalities, and community groups further described in question #9.

There are several current projects and impending threats that this project would plan to address. The County of San Bernardino is in the process of updating its General Plan, which contains a proposed element for preservation of agricultural land, including a mitigation element. SCAG is in the process of updating their Sustainable Communities Strategy, calling out regional mitigation as a tool available to help implement their SCS. SCAG is also developing its regional Greenprint, which could utilize much of the information developed through this planning process to inform the development of the interactive planning tool. In addition, the sense of urgency to address the need for housing has taken precedence over discussions on land preservation. This effort would help bring those important discussions back into regional planning in a strategic way. This program will enable cities to make better decisions on where to place housing and industry and where to preserve agriculture within the valley region. Lastly, Huanglongbing is continuing to threaten the local citrus industry and many of those growers will soon be faced with decisions on whether to switch crops or sell their land. This mitigation program would provide an additional option to help offset the financial strain to these at-risk growers.

QUESTIONS AND RESPONSES

1. *Describe the proposed planning project. What outcomes and deliverables are expected?*

Description of Proposed Planning Project

The proposed planning project aims to improve communication among regional planning, conservation, and agricultural organizations by collecting and presenting important data on agricultural resources and engaging in and elevating conversations around existing agricultural policy. The proposed program will also create a local tool for the preservation of agriculture, which does not currently exist in the region. By developing a mitigation program and identifying important farmland that should be targeted for preservation, farmland in the San Bernardino Valley will be preserved in a way that currently does not exist. The project will result in the following deliverables:

1. Mapping and identification of priority mitigation lands to develop a strategically connected corridor of preserved agricultural land in the San Bernardino Valley as opposed to disconnected pockets. Land priority will focus on highest value agricultural land with the best soils, most abundant water resources, proximity to other conserved lands, and other evaluation and ranking criteria.
 - This mapping will in part be guided by the DOC's Land Evaluation and Site Assessment (LESA) Model, Farmland Mapping and Monitoring Program (FMMP) data as well as other statewide datasets and local information. This resulting map product will be used to inform regional prioritization for agricultural preservation and also contribute to the in-progress regional Greenprint
2. Analysis of agricultural policies for city and county jurisdictions to determine if policies include mitigation requirements or otherwise address agricultural preservation. If not, efforts will be made to work with the County and cities to update policies that would allow for agricultural mitigation. A primary goal is to encourage or update policies that would ensure that the required mitigation strategically preserve lands within the individual localities, or within the County, where the conversion of agricultural lands occur instead of the current practice of mitigating on lands located in other parts of the State.
 - This deliverable will be met through meetings with stakeholders and individual cities to review existing policies and propose updates that would encourage local mitigation for farmland. For those municipalities that already include a mitigation policy, efforts will be made to update policies so that land is conserved locally to prevent further loss within the San Bernardino Valley.
 - An assessment of properties owned by either the County and or/or the cities that are currently held for agricultural preservation (including current management of said properties) and any additional farmlands that could potentially be set-aside for agricultural preservation.
 - Review additional areas that could potentially be used for agricultural purposes in perpetuity through consultation with individual property owners.
3. Develop IERCD's capacity to manage agricultural easements by developing mitigation program guidelines, legal documents, program protocol, and fee structure to ensure a sustainable mitigation program that can meet its objectives.

- IERCD, and other conservation groups, will work collaboratively to develop a mitigation priority plan and program guidelines to ensure readiness to accept mitigation within the San Bernardino Valley so that important agricultural lands may be preserved in perpetuity.
4. Inform, educate, and gain interest among municipalities and agricultural organizations about the agricultural conservation program and incorporate proposed regional mitigation program into SCAG's Sustainable Communities Strategy as a regional program available to help reduce greenhouse gas emissions.
 - Stakeholders will work to ensure the resulting analysis of agricultural lands and policies is shared widely with municipalities and organizations who may find this information valuable. Presentations will be made to municipalities on the agricultural mitigation program and other options for agricultural conservation in their jurisdictions. These presentations will connect back to SCAG's SCS and work to meet some of the SCS goals through this program.

The ideal outcomes of this planning process include:

1. A regional comprehensive vision for the sustainability of agriculture in the San Bernardino Valley
2. Long-term preservation of important and highly functioning agricultural lands through conservation easements or direct purchase by local conservation agencies
3. Identification of farmland that would be good candidates for the Department of Conservation's SALC Agricultural Easement Program
4. Increased communication between cities, county, agencies, and community organizations on agricultural priorities and opportunities by developing a stakeholder group that will continue to work on implementation beyond this grant.
5. Connection of new/beginner farmers with land opportunities within their community to farm
6. Improvement in land management and sustainable farming techniques by protecting more resilient lands. Currently, many urban farmers only have access to leased lands and are often hesitant to apply conservation practices on their properties since their lease length might not enable them to see the benefits of their investment. We believe permanently preserved agricultural lands will provide more opportunity for conservation agencies to work with farmers to implement soil health and water efficiency practices.

Future agricultural goals, beyond this planning process, to ensure success of local agricultural industry:

1. Helping expand existing agricultural markets to provide more opportunities for urban farmers, including a Buy Local Campaign
2. New farmer trainings and support for farmers transitioning crops (ex. citrus to avocados)
3. Development of infrastructure for existing and new farm products including the grape industry in Yucaipa

Land Base and Economy

San Bernardino County is the largest county in the United States, covering over 20,000 square miles. The County extends from Los Angeles County to the Arizona border and contains the Mojave National Preserve, the San Bernardino Mountains, and the Inland Valley. Because of the large size and diverse landscapes within the County, this proposal focuses only on the valley region, south of the San Bernardino Mountains where 80% of the population resides and the majority of the agriculture industry exists. The valley's level terrain makes the land extremely suitable for farming, but these same characteristics also make for desirable and profitable development opportunities.

San Bernardino County continues to maintain a large agricultural industry bringing in approximately \$493 million in 2018 according to San Bernardino County Annual Crop Report with the largest output products consisting of livestock and poultry (64%), nursery products (17%), and vegetable crops (9%). The portion of San Bernardino County that will benefit from the proposed project includes 84% of the total industry, only excluding the North Desert and South Desert regions. As of 2018, the County had 1,429,360 acres in agriculture, a majority of which consists of field crops in the desert regions. The valley region, in comparison, contains less than 15,000 acres of remaining agricultural land while making up 84% of the industry's economic output.

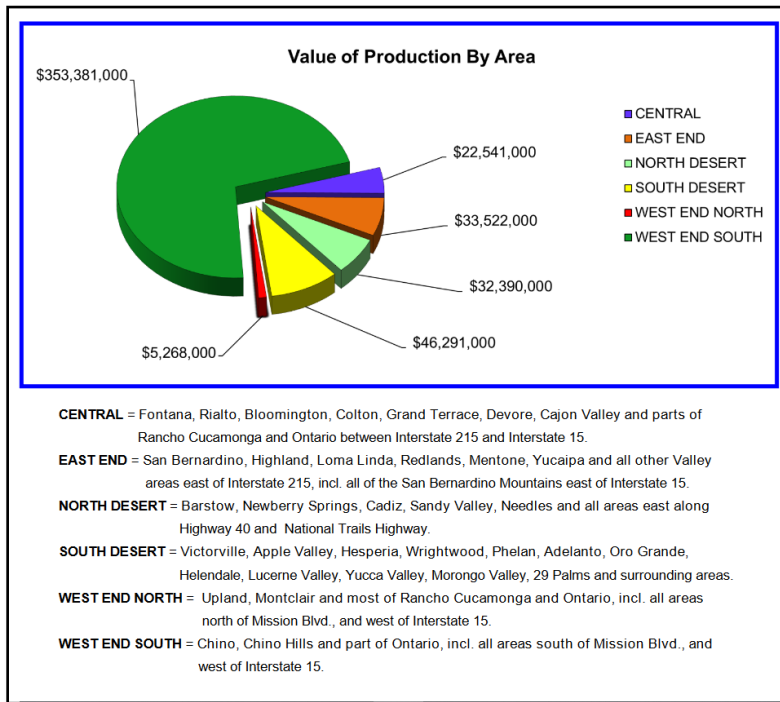


Figure 1: This chart shows the value of the agricultural industry in SB County. The majority of the industry is located in West End South within the cities of Ontario, Chino, and Chino Hills

2. Risk of Conversion

Like much of the state, San Bernardino County is experiencing housing shortages and increased development to meet state requirements. The population of San Bernardino County was 2,153,000 as of 2018 and is projected to continue growing. Approximately 80% of the County's total population is located in the San Bernardino Valley region where this project is proposed to occur. The San Bernardino Valley region only accounts for 2.4% of the total land area in the County, but carries 84% of the agriculture industry. Because the remainder of the county is either mountainous or desert landscape with insufficient water resources, there is little potential for the agricultural industry to move from the valley region, containing the majority of productive land, to other parts of the County.

Agriculture conversion is a major risk in the valley region. Land values have soared as a result of the growing logistics industry as well as increased housing demands. The dairy industry in Chino/Ontario has been experiencing rapid development and movement to the Central Valley. At its prime, the Chino Basin contained the highest density of dairy animals found anywhere in the world, with approximately 354 dairies in operation in 1989. According to the latest Crop Report only 52 dairies remain. While this is just one example, many cities in the San Bernardino Valley are experiencing similar loss of agriculture and difficulties balancing development and open space needs. This project

intends to support municipalities in addressing these issues and introduce conservation strategies and programs they can use within their jurisdictions or apply in other, less developed, parts of the valley.

Aside from development pressures, the region's citrus industry has been threatened by the Huanglongbing disease (also known as Citrus Greening) carried by the Asian Citrus Psyllid. As of November 2019, a large portion of the San Bernardino Valley citrus is in quarantine, limiting the movement of citrus. Many citrus growers are responding to the California citrus threat by removing their citrus and selling their land. This is a major loss to our agricultural industry and local culture and many organizations are assisting these growers to manage for the pest or switch to new crops.

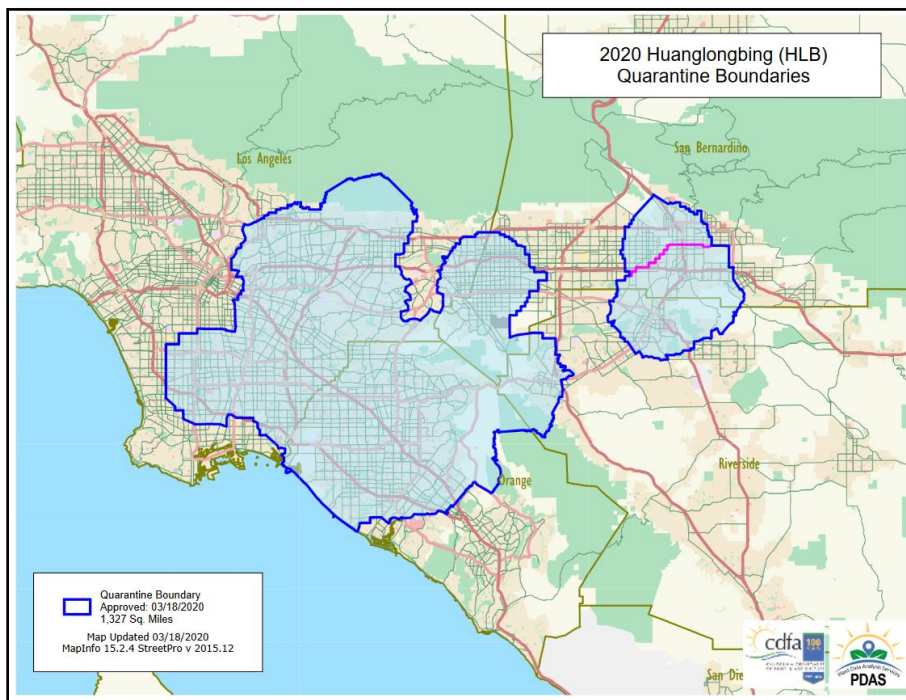


Figure 2: Map showing current Quarantine boundaries for citrus in San Bernardino and Los Angeles counties. (Source: CDFA)

3. How will the project avoid or reduce GHG emissions?

The project will primarily avoid GHG emissions by reducing conversion to other land uses, including commercial and residential development, which typically have higher GHG emissions from construction, utilities, and increased vehicle miles traveled for both trucking and residential trips. One of the priority areas for the mitigation program will be to preserve agricultural lands that contain the greatest existing GHG reduction benefits, or the greatest potential to sequester GHG emissions. Once lands are permanently conserved through the mitigation program, the Inland Empire Resource Conservation District (IERCD), along with the Natural Resources Conservation Service (NRCS), will work to support those farmers in implementing practices that improve soil health and carbon sequestration potential on the land. The IERCD has been involved in carbon farming efforts for several years, which implements practices on farms that are known to sequester carbon into the soil. IERCD's carbon farming program is expected to develop simultaneously with the proposed mitigation program. The RCD will support farmers in accessing funding from California Department of Food and Agriculture (CDFA) through their Healthy Soils Program to ensure that lands preserved through the SALC program are meeting their greatest potential to reduce GHG emissions.

4. How will the proposed project implement an adopted or draft Sustainable Communities Strategy?

Southern California Association of Governments (SCAG) is in the process of developing their 2020 Sustainable Communities Strategy. The plan calls for several objectives and policies that would be directly implemented through this proposed project

The proposed project supports 3 of the 10 overall SCS plan goals including:

- *Promote conservation of natural and agricultural lands and restoration of habitats.* Preserving the region's natural resource areas will ensure that future generations will be able to enjoy Southern California's unique landscapes as we do.
- *Reduce greenhouse gas emissions and improve air quality.* Agricultural lands conservation helps avoid emissions and depending on the crop type or practice, promotes carbon sequestration.
- *Encourage regional economic prosperity and global competitiveness.* Productive farm and range lands bring billions of dollars into Southern California's economy, creating jobs and providing food security.

In addition to supporting these overall goals, the proposed SCS also outlines several policies and strategies that would be met through this project including:

Relevant Policies/Next Steps in Technical Report (page 21-22):

- *Facilitate Partnerships and Collaboration:* Encourage, cultivate, and facilitate partnerships and collaboration on natural/ farmlands policies and programs between public, educational and non-profit agencies throughout the SCAG region.
- *Encourage Regional Conservation Planning:* Seek and expand engagement with resource and permitting agencies, County Transportation Commissions, Caltrans, California High Speed Rail Authority and other partners on regional advance mitigation and integrated regional conservation planning
- *Support Innovative Land Use Policies:* Recognize the region's growth potential and its inherent connection between the conservation of existing natural/farm lands and strategies to promote infill, such as transfer of development rights and land banking, which relieve pressure to expand the urban footprint. Additionally, continue efforts to work toward identifying priority conservation areas, including habitat and farmland areas, to permanently protect as part of future regional plans.
- *Align with Funding Opportunities:* SCAG aims to help local agencies seek planning funds, such as Cap-and-Trade auction proceeds that could help prepare for local action on acquisition and restoration.

We would specifically like to note the "encourage regional conservation planning" policy, which directly supports regional organizations in developing a local strategy for conserving agriculture through a mitigation or land banking program. In early conversations, SCAG staff and leadership have demonstrated enthusiastic support for this effort as it allows for a way to plan regionally for development needs while considering the most important agricultural lands and developing a program to ensure long-term success of these lands. SCAG also explicitly calls out the SALC program in their Technical Report as an opportunity to meet their SCS goals.

5. How is the proposed plan consistent with the State's Planning Priorities?

The proposed project is consistent with 2 of the 3 State Planning Priorities including:

1. Protect the state's natural and working lands, including agricultural land, lands of cultural and historic significance, wetlands, and wildlands.
 - a. By mapping existing agricultural resources, reviewing and enhancing local policies, and developing an agricultural preservation program, this project will support the State's goals of protecting natural and working lands.
2. Develop in an efficient manner that limits sprawl and minimizes costs to taxpayers.
 - a. The project will work with cities and other planning agencies to strategically prioritize important agricultural lands and reduce urban sprawl into more rural communities.

6. What economic, environmental, public health, or other co-benefits would arise from the project and how will those co-benefits be measured?

1. Economic Benefits:

The proposed project has several economic benefits both to the local economy and for individual farmers. As previously mentioned, the agricultural industry in SB County brings in over \$493 million a year. By protecting farmland, we can continue to maintain that local economic resource. Inland Empire farmers also have a great marketing opportunity, with over 2 million residents residing in the valley region, and the City of Los Angeles within 50 miles, there is an enormous market in which to sell locally grown produce and establish a more local food system. There are also economic benefits for farmers through this proposed project. Farmers who are interested in permanently conserving their land through easements may have the opportunity to be compensated for the value of the easement through mitigation credits or SALC's easement program. In addition to an upfront payment, farmers will receive ongoing economic benefits through reduction of annual taxes due to the decreased property value once an easement is recorded, as well as Federal and State tax incentives for land preservation. Because easements reduce the value of the land, future farmers will be able to access more affordable agricultural lands therefore preserving future agricultural jobs and elements of the existing agricultural economy.

2. Environmental Benefits:

There are several environmental benefits that are expected from this proposal, including improved groundwater quality and quantity, reduced GHG emissions, and increased habitat for wildlife species. With much of the valley region developed, runoff from storm events is primarily channelized and not naturally absorbed by the landscape. Preventing conversion of agricultural lands would allow the land to serve as an important recharge station for our groundwater resources and watershed health during rain and irrigation events. As mentioned previously, this project has a great opportunity to reduce GHG emissions by reducing land conversion and promoting infill development, thereby keeping working lands working. These working lands will then be encouraged to implement agricultural practices that reduce GHG emissions so that the land use becomes even more beneficial for GHG reduction goals.

3. Wildlife Habitat:

The San Bernardino Valley contains sensitive habitats home to plant and animal species that are designated as threatened or endangered by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife. Preserved agricultural lands serve as important open space to preserve habitat for these species. Agricultural lands also provide habitat components for bird species and pollinators, especially as a food source. The edge habitat can be enhanced for habitat value through conservation programs like the Natural Resources Conservation Service's EQIP Program and the CDFA Healthy Soils Program. These funding programs support not only soil health and water efficiency projects, but also projects that enhance wildlife habitat including windbreaks and pollinator hedgerows. The Inland Empire is also home to many threatened and endangered species that can use agricultural lands near riparian areas for habitat, including the Least Bell's Vireo and Southwestern Willow Flycatcher.

4. Public Health Benefits:

Public health benefits are a major element of this proposal, because the project is located within a highly developed region serving millions of residents, there is great potential to address and improve public health. Agriculture is considered important open space and while it might not serve as recreation, it does maintain important green space and offers opportunities for community members to improve mental health. According to the 2017 San Bernardino Food Security and Obesity report, 28% percent of adults are considered obese and the median rate of obesity for children in school districts is 41%, which is connected in part to food insecurity as well as socio-economic issues. It is well documented that nutrition and food security are significantly linked, making local farming extremely important to provide opportunities in our region for easy access to healthy produce. The recent COVID-19 pandemic has also brought to light the importance of maintaining a local food system to serve communities during times of uncertainty for our globalized food system.

7. How will the proposal complement other projects in the region?

There are several projects ongoing in the San Bernardino valley region that will complement the project we are proposing. Some of these projects include:

1. SCAG's 2020 Sustainable Communities Strategy
 - As further described in question #3, SCAG is in the process of finalizing their 2020 SCS update. The current draft of this update recognizes the importance of working lands in regional conservation and has outlined several goals and strategies to preserve agriculture as a strategy for GHG reduction. The implementation of this proposed project would support several of the goals and strategies of the SCS.
2. SCAG's Greenprint
 - SCAG is also beginning the process of developing a Greenprint for the region. Once completed, this conservation tool will enable jurisdictions, land use planners, and developers to make land use decisions that reduce their impact on valuable land resources. Many of the stakeholders on this SALC proposal will be participating in the development of this Greenprint and providing input throughout the process, especially as it relates back to this SALC proposal.
3. County of San Bernardino General Plan Update
 - The County is in the final stages of updating its General Plan. The current draft Soils and Agriculture policy addresses the preservation of important farmlands by requiring an agricultural resource

evaluation on projects proposing to convert more than 20 acres of farmland and includes a mitigation requirement if conversion is deemed significant. The draft policy also supports conservation and preservation programs and establishing new or maintaining existing Williamson Act contracts.

4. Williamson Act Contracts

- There are currently over 190 parcels with existing Williamson Act Contracts, totaling approximately 2,800 acres within the San Bernardino Valley. The mapping and planning efforts will take into account existing and expiring contracts and use this data to inform placement of contiguous permanently preserved agricultural areas.

5. San Bernardino LAFCO agricultural policy development

- SB LAFCO participated in a Strategic Planning process in January 2019 where their Commission directed staff to return with a discussion on adopting open space and agricultural conservation policies. One proposed policy is the addition of a mitigation requirement for annexation projects. This policy would require, to the extent possible, that mitigation of agricultural land remain in the jurisdiction or County in which the impacts are made. The SALC proposal would directly support this effort by developing policies and a local mitigation program that could meet this policy requirement.

6. Rivers and Lands Conservancy 2016 Farmland Conservancy Program

- In 2016, RLC received funding from the DOC through which they were able to perform mapping of important farmlands in western San Bernardino and Riverside Counties. The project also enabled them to review and develop a report on existing policies for jurisdictions in the region. This SALC proposal will utilize and build off these initial efforts to further develop priorities for agricultural preservation, develop a mitigation program, and work directly with cities on reviewing policies.

7. GROW Riverside

- There has been recent momentum in Riverside and San Bernardino counties to build a regional marketplace for local food systems and advance public policy as it relates to food and agriculture. The Grow Riverside effort extends into all Inland Empire communities and works to support farmers in reaching marketplaces and supporting jurisdictions in updating agricultural policies.

8. Applicant's Experience Developing and Implementing Similar Projects

This proposal will be carried out as a joint effort between all stakeholders listed above, as well as additional stakeholders that will be identified as this project develops. LAFCO for San Bernardino County and the Inland Empire RCD will lead the effort and manage the program to ensure success criteria are met.

San Bernardino LAFCO is the submitting applicant for this proposal and will be working alongside Inland Empire RCD to carry out the scope of this project. One of LAFCO's missions is preserving open space and prime agricultural lands. SB LAFCO will help lead the policy review effort, along with IERCD staff and consultants. LAFCO will put together the data on Williamson Act contracts and Agricultural Preserves, in coordination with the County and cities, and reviewing other pertinent data with the stakeholder group.

The Inland Empire Resource Conservation District will be taking a lead role in the implementation of the SALC proposal, specifically in the regional mapping of agricultural resources and development of a mitigation program. The IERCD will also communicate with the stakeholder group and organize stakeholder meetings and facilitated working group sessions to carry out project scope. The IERCD is a public agency focusing on open

space preservation, habitat restoration, urban agriculture, and education and outreach. As part of their programming, the IERCD facilitates a habitat mitigation program to carry out mitigation requirements required by regulatory agencies. IERCD's mitigation program has been in place for over 15 years and holds over 1,000 acres of conservation easements and has carried out habitat enhancement and restoration for more than 5,000 acres. Most recently, the IERCD developed an Army Corps of Engineers certified In-Lieu Fee program, allowing for a more programmatic and strategic mitigation option in the Santa Ana Watershed. Prior experience in developing and implementing these mitigation programs will enable IERCD to create an agricultural mitigation program that prioritizes land for conservation and properly determines the costs for implementing such a program, including land costs, appraisals, legal fees, and staff time. IERCD is also involved in many urban agriculture efforts and has been awarded over \$300,000 in funding to support local farmers and urban agriculture projects, including the National Association of Conservation District's Urban Agriculture Conservation Grant and funding through the Natural Resources Conservation Service.

9. Which stakeholders will participate in project?

Stakeholders met in November 2019 to discuss regional needs for the preservation of agriculture, all of the stakeholders in attendance voiced their support for this project and plan to participate in various ways detailed below. This initial group will be further expanded to include missing stakeholders as the project continues, including additional city planning staff, local farmers, local ag industry voices, and more. This work will be carried out with staff and consultants who will hold opportunities for stakeholder engagement throughout the process, including input on the mapping and evaluation ranking of agricultural lands, drafting of policy language for local municipalities, and developing the structure and priority plan for the regional mitigation program. We envision this stakeholder group to grow into a long-term regional working group for agricultural policy and program development.

Several of the stakeholders and their proposed roles are included below. All stakeholders will be engaged throughout this process through bimonthly meetings. Additional working groups will be set up to work on specific elements on the SALC proposal:

- **LAFCO for San Bernardino County:** LAFCO will lead the policy effort by example, by creating a policy ensuring that an annexation applicant mitigate any conversion from agriculture land use to another land use by placing a condition of approval in the annexation resolution. LAFCO will also support the SALC project through review of policy for local municipalities and supporting policy updates. LAFCO will provide information on Williamson Act contract data and other regional information.
- **Inland Empire Resource Conservation District (IERCD):** IERCD will work alongside SB LAFCO to review local agricultural policies and encourage jurisdictions to update policies to include local mitigation requirements. IERCD will also develop an agricultural mitigation program to ensure that a program is available to accept future agricultural mitigation and agricultural easements. IERCD will also work to identify important lands that would be good candidates for the SALC Easement Program. Lastly, IERCD staff will lead the stakeholder meetings and ensure regional collaboration around the SALC grant
- **Southern California Association of Governments (SCAG):** SCAG will provide support in moving forward this effort forward as it directly benefits their ongoing SCS plan. Specifically, SCAG intends to serve a role in the stakeholder committee as well as helping to bring in additional stakeholders through their Regional Affairs Officers.

- **County of San Bernardino:** The County will support this work by attending stakeholder meetings and providing input on mapping, draft policies, and mitigation program development. The County will also work to help identify farmers within the County who may be interested in permanently protecting their lands and help set up meetings with interested municipalities.
- **City of Ontario:** The City of Ontario has been interested in expanding urban agriculture projects in their community. Most recently, the City was awarded the Transformative Climate Communities (TCC) grant, which includes an urban agriculture composting project. The City will continue to collaborate with stakeholders to discuss opportunities (including shared use) to appropriately integrate agricultural uses into the City's urban fabric to increase sustainability, food security, and community and cultural amenities.
- **City of Yucaipa:** The City of Yucaipa was awarded a SALC planning grant in 2019 for their efforts in establishing a grape growing industry in their City. The City will collaborate to find ways in which their SALC project fits into the proposed regional program.
- **San Bernardino County Farm Bureau:** SB County Farm Bureau will provide input on the criteria development for the mapping efforts and the mitigation program. Farm Bureau will also connect us with additional agricultural industry stakeholders and farmers who might be interested in conserving their farmland through the mitigation program.
- **University of California Cooperative Extension (UCCE):** UCCE will serve on the stakeholder committee and provide valuable input on the development of the mapping product and the mitigation program. UCCE staff and volunteers will also provide outreach to educate farmers on conservation programs available to them.
- **Huerta del Valle Community Garden:** HDV is a non-profit partner that has developed extensive urban agriculture projects directly benefitting disadvantaged communities. HDV is interested in policy development as it relates to agriculture and accessing farmland, especially in more urban environments. HDV staff will be involved in policy review, especially in the jurisdictions in which their projects occur. HDV is also interested in connecting farmers from their new farmer-training program with land conserved through this effort.
- **Rivers and Lands Conservancy:** RLC has been a stakeholder in agricultural land conservation for several decades. In 2016 they received funding to perform a mapping analysis of agricultural resources which will be used to inform the current proposed mapping project. RLC is also an accredited land conservation organization, authorized to perform perpetuity conservation and may also develop an agricultural conservation program as part of the SALC process.
- **Robert Redford Conservancy:** The Robert Redford Conservancy will support this effort by providing outreach around land conservation issues and co-sponsoring a conference on sustainable agriculture and land use. The Conservancy would like to serve as a public platform to share this work and vision.
- **Loma Linda University:** Loma Linda University is interested in this project as it relates to public health and increasing opportunities for residents to access local food. They also are interested in seeing an increase in job opportunities in the agricultural sector as opposed to warehouse jobs and similar work.
- **UCR Center for Social Innovation:** The Center for Social Innovation focuses on community engagement and policy innovation for the Inland Empire. This organization is another great public platform for this project and can help broaden the reach of this effort to both community groups and important policy makers.

10. Maps

Project Area Boundary

