

AGENDA

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

**NORTON REGIONAL EVENT CENTER
1601 EAST THIRD STREET, SAN BERNARDINO**

REGULAR MEETING OF JULY 19, 2023

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. Comments from the Public
(By Commission policy, the public comment period is limited to three minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

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.

2. [Approval of Minutes for Regular Meeting of May 17, 2023](#)
3. [Approval of Executive Officer's Expense Report](#)
4. [Ratify Payments as Reconciled and Note Cash Receipts for the Months of April and May 2023](#)
5. [Approval of Fiscal Year 2014-15 Financial Records Destruction Pursuant to Commission Policy](#)
6. [Review and Update the Catalog Enterprise Systems per Government Code Section 6270.5](#)
7. [Consideration of: \(1\) CEQA Exemption as CEQA Lead Agency for LAFCO SC#503; and \(2\) LAFCO SC# 503 – City of Redlands OSC 23-01 for Water and Sewer Service \(APN 0298-391-07\)](#)
8. [Consideration of: \(1\) CEQA Exemption as CEQA Lead Agency for LAFCO SC#504; and \(2\) LAFCO SC# 504 – City of Redlands OSC 23-02 for Water and Sewer Service \(APN 0298-391-08\)](#)
9. [Consideration of: \(1\) CEQA Exemption as CEQA Lead Agency for LAFCO SC#505; and \(2\) LAFCO SC# 505 – City of Redlands OSC 23-09 for Water Service \(APN 0298-295-12\)](#)
10. Consent Items Deferred for Discussion

PUBLIC HEARING ITEMS:

11. Consideration of Amendments to Chapter 2: Out-of-Agency Service Contracts, Section IV – Application Processing of the Policy and Procedure Manual

DISCUSSION ITEMS:

12. Appointment of Voting Delegate for the CALAFCO Conference Regional Caucus Elections and the Annual Business Meeting and Consideration of Nominations for CALAFCO Board of Directors
13. Consideration of Candidate Election for Board of Directors to the Special District Risk Management Authority

INFORMATION ITEMS:

14. Legislative Update Report

15. Executive Officer's 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.

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.sbclafo.org.

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.

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

REGULAR MEETING

9:00 A.M.

MAY 17, 2023

PRESENT:

COMMISSIONERS:

Regular Member

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

Alternate Member

Rick Denison
Jim Harvey
Kevin Kenley

STAFF:

Samuel Martinez, Executive Officer
Paula de Sousa, Legal Counsel
Michael Tuerpe, Senior Analyst
Arturo Pastor, Analyst
Angela Schell, Commission Clerk

ABSENT:

COMMISSIONERS:

Regular Member

Alternate Member

Dawn Rowe

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –
9:02 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

ANNOUNCEMENT OF CONTRIBUTIONS

1. Swear in Regular County Member Supervisor Joe Baca, Jr.

Commission Clerk administers the Oath of Office for Commissioner Joe Baca, Jr.

2. Selection of Chair & Vice Chair

Commissioner Cox nominates Commissioner Warren to position of Chair and Commissioner Farrell to the position of Vice Chair. Seconded by Commissioner Dupper. The motion passes with the following roll call vote:

*Ayes: Baca, Bagley, Cox, Dupper, Farrell, Hagman, and Warren.
Noes: None.
Abstain: None.
Absent: None.*

CONSENT ITEMS:

Executive Officer Samuel Martinez provides clarification on Item #7. He states that staff indicated that the City of Chino's Service Contract LAFCO SC#501 sewer main is being constructed or is under construction. He states that staff was informed by the City that the sewer main is not being constructed at this time. Commissioner Farrell requests to pull Item 8 from Consent Items for further discussion. Chair Bagley comments that Item 8 will be separated from the Consent Items with a separate motion and the Commission will vote on the balance of the Consent Items. Commissioner Hagman comments that he will abstain from voting on Item 7 due to his property being within 300 ft. of the service contract item.

3. Approval of Minutes for Regular Meeting of April 19, 2023

4. Approval of Executive Officer's Expense Report

Recommendation: Approve the Executive Officer's Expense for Procurement Card Purchases from March 23, 2023, to April 24, 2023.

5. Ratify Payments as Reconciled and Note Revenue Receipts for the Month of March 2023

Recommendation: Ratify payments as reconciled for the month of March 2023 and note revenue receipts for the same period.

6. LAFCO SC#500 – City of San Bernardino Irrevocable Agreement to Annex No. 2022-368 for Water and Sewer Service (APN 0270-161-14)

Recommendation: Staff recommends that the Commission approve LAFCO SC#500 by taking the following actions:

1. Certify that LAFCO SC #500 is statutorily exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC #500 authorizing the City of San Bernardino to extend water and sewer service outside its boundaries to Assessor Parcel Number 0270-161-14.
3. Adopt LAFCO Resolution #3370 setting forth the Commission's determinations and approval of the agreement for service outside the City of San Bernardino's boundaries.

7. LAFCO SC#501 – City of Chino Covenant Agreement to Annex for Sewer Service (APN 1023-071-43)

Recommendation: Staff recommends that the Commission approve LAFCO SC#501 by taking the following actions:

1. Certify that LAFCO SC#501 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC #501 authorizing the City of Chino to extend sewer service outside its boundaries to Assessor Parcel Numbers 1023-071-43.

3. Adopt LAFCO Resolution #3371 setting forth the Commission's determinations and approval of the agreement for service outside the City of Chino's boundaries.

Commissioner Baca moves the approval of the balance of Consent Items 1 to 7. Second by Commissioner Warren. The motion passes with the following roll call vote:

Ayes: Baca, Bagley, Cox, Dupper, Farrell, Hagman (Items 1 to 6), and Warren.
Noes: None.
Abstain: Hagman (Recusal on Item 7).
Absent: None.

Item 8 Pulled from Consent Items for Discussion

Commissioner Cox comments that she will recuse herself from Item 8 because Helendale CSD is her employer as well as the applicant. She leaves the dais.

8. Consideration of Fee Reduction Requested by the Helendale Community Services District for its Annexation Application (LAFCO 3262) Pursuant to Commission Policy 1C of Chapter 2 of Section II of its Policy and Procedure Manual

Recommendation: Staff recommends that the Commission approve a reduction in application fees and deposits for LAFCO 3262 to a total of \$19,299.

Commissioner Dupper moves the approval of Item 8. Second by Commissioner Hagman. The motion passes with the following roll call vote:

Ayes: Baca, Bagley, Dupper, Farrell, Hagman, and Warren.
Noes: None.
Abstain: Cox (Recusal).
Absent: None.

Commissioner Cox returns to the dais at 9:18am.

PUBLIC HEARING ITEMS:

10. 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.
3. Adopt Resolution No. 3372 approving the amendments to the Policy and Procedure Manual and direct the Executive Officer to make the document available on the Commission's website.

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

Ayes: Baca, Bagley, Cox, Dupper, Farrell, Hagman, and Warren.
Noes: None.
Absent: None.

11a. Review and Adoption of Schedule of Fees, Deposits, and Charges Effective July 1, 2023

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, 2023.

3. Adopt LAFCO Resolution No. 3373 reflecting the Commission's determinations related to the Schedule.

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

Ayes: Baca, Bagley, Cox, Dupper, Farrell, Hagman, and Warren.
Noes: None.
Absent: None.

11b. Review and Adoption of Final Budget for Fiscal Year 2023-24

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

1. Adopt the Fiscal Year 2023-24 Final Budget 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.

Commissioner Hagman moves to approve staff recommendations. Second by Commissioner

Baca. The motion passes with the following roll call vote:

Ayes: Baca, Bagley, Cox, Dupper, Farrell, Hagman, and Warren.
Noes: None.
Absent: None.

11c. Review and Approve Agreement with Rebecca Lowery for Professional Services

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

1. Approve the agreement with Rebecca Lower for professional services, and
2. Authorize the Executive Officer to sign the agreement.

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

Ayes: Baca, Bagley, Cox, Dupper, Farrell, Hagman, and Warren.
Noes: None.
Absent: None.

INFORMATION ITEMS:

12. Legislative Update Oral Report

Executive Officer Samuel Martinez states he does not have any legislative update to report.

13. Executive Officer's Report

Executive Officer Samuel Martinez reminds the Commission that the month of June will be dark, and the Commission will return for the July 19 Commission meeting. He states that staff provided information for the nomination of the CALAFCO board and will bring this back in July for Commission consideration. He concludes his report stating the announcement of the CALAFCO Achievement Awards and request direction from the Commission.

14. Commissioner Comments

Commissioner Cox comments on Chair Bagley's years of service to the Commission as public member on the Commission and as the Chair for several terms. Chair Bagley thanks Commissioner Cox for her comments and expressed his gratitude to have served with the entire Commission. Commissioner Farrell also expressed his appreciation of Chair Bagley.

15. Comments from the Public

There is none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 9:36 A.M.

ATTEST:

ANGELA SCHELL, Clerk to the Commission


LOCAL AGENCY FORMATION COMMISSION

ACQUANETTA WARREN, Chair

DRAFT

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE : JULY 10, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #3 – APPROVAL OF EXECUTIVE OFFICER'S
EXPENSE REPORT**

RECOMMENDATION:

Approve the Executive Officer's Expense Report for Procurement Card Purchases from April 25 to May 22, 2023 and May 23 to June 22, 2023 .

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 periods of:

- April 25, 2023 to May 22, 2023
- May 23, 2023 to June 22, 2023

Staff recommends that the Commission approve the Executive Officer's expense reports as shown on the attachment.

SM/AS

Attachment



PROCUREMENT CARD PROGRAM

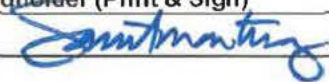
ATTACHMENT G

MONTHLY PROCUREMENT CARD PURCHASE REPORT

PAGE 1 OF 1

F		Cardholder Samuel Martinez						Travel	Billing Period 4/25/23 to 5/22/2023	
DATE	VENDOR NAME	#	DESCRIPTION	PURPOSE	COST CENTER	G/L ACCOUNT	\$ AMT	TRIP NUMBER	*R/D	SALES TAX INCL
04/26/23	Gabby's Cuisine	1	Meal Cost - staff	CALAFCO Staff Workshop	8900005012	52942943	\$68.64		R	
04/25/23	Murphy's Suites	2	Hotel Rm Fee - Arturo Pastor	CALAFCO Staff Workshop	8900005012	52942942	\$302.40		R	
04/25/23	Murphy's Suites	3	Hotel Rm Fee - Michael Tuerpe	CALAFCO Staff Workshop	8900005012	52942942	\$302.40		R	
04/25/23	Murphy's Suites	4	Hotel Rm Fee - Samuel Martinez	CALAFCO Staff Workshop	8900005012	52942942	\$201.60		R	
04/26/23	Enterprise	5	Car Rental	CALAFCO Staff Workshop	8900005012	52942944	\$104.44		R	
04/28/23	Ontario Airport Lot 6	6	Parking	CALAFCO Staff Workshop	8900005012	52942946	\$45.00		R	
05/03/23	Frontier Comm	7	Phone Service	Communication	8900005012	52002041	\$646.51		R	
05/12/23	Zoom	8	Zoom	Commision Meeting	8900005012	52002305	\$16.15		R	
05/16/23	Panera Bread	9	Office Expense	Commission Meeting	8900005012	52002305	\$49.67		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 	07/10/23

Approving Official (Print & Sign)	Date
Acquanetta Warren	07/19/23



PROCUREMENT CARD PROGRAM

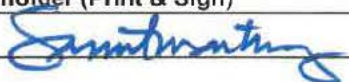
ATTACHMENT G

MONTHLY PROCUREMENT CARD PURCHASE REPORT

PAGE 1 OF 1

[REDACTED]		Cardholder						Travel	Billing Period	
F		Samuel Martinez						[REDACTED]	5/23/23 to 6/22/2023	
DATE	VENDOR NAME	#	DESCRIPTION	PURPOSE	COST CENTER	G/L ACCOUNT	\$ AMT	TRIP NUMBER	*R/D	SALES TAX INCL
05/23/23	Thomas West	1	Law Library Updates	Law Library Updates	8900005012	52002080	\$290.54		R	
05/23/23	Frontier Comm	2	Phone Service	Communication	8900005012	52002041	\$646.51		R	
06/07/23	JM Trophies	3	Office Expense	Staff Nameplate	8900005012	52002305	\$23.93		R	
06/12/23	Zoom	4	Video Conferencing	Commission Meeting	8900005012	52002305	\$16.15		R	
06/14/23	Thomas West	5	Law Library Updates	Law Library Updates	8900005012	52002080	\$316.68		R	
06/20/23	Crown Connect	6	Staff Business Card	Re-order Bus. Card for Mike Tuerpe	8900005012	52002305	\$129.74		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 	07/10/23

Approving Official (Print & Sign)	Date
Acquanetta Warren	07/19/23

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE : JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #4 - RATIFY PAYMENTS AS RECONCILED FOR
THE MONTHS OF APRIL AND MAY 2023 AND NOTE REVENUE
RECEIPTS

RECOMMENDATION:

Ratify payments as reconciled for the months of April and May 2023 and note revenue receipts for the same period.

BACKGROUND INFORMATION:

Staff 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:

- April 1 through April 30, 2023
- May 1 through May 31, 2023

Staff recommends that the Commission ratify the payments as outlined on the attached listing and note the revenues received.

SM/MT

Attachment

APRIL 2023 PAYMENTS PROCESSED							
Document Number	Account	Posting Date	Vendor	Invoice	Reference	Amount	
1901482479	5200 2085	04/20/23	Daily Journal	B3683298	Notice of Hearing SB County Sun	\$	467.16
1901472887	5200 2090	04/06/23	City Com	UNIT: 150	City Comm Lease Payment 01-Apr-2023	\$	372.00
1901472888	5200 2090	04/06/23	Jan Pro	92776	Fee for Janitorial Service Month of April 2023	\$	588.00
1901480979	5200 2180	04/19/23	So Cal Edison	6433-4-10-23	CustAcct700099666433 / SvcAcct 8002108287	\$	543.06
1901469139	5200 2335	04/04/23	Apple One	01-6590149	Emp; Lowery, Rebecca 1 Office Asst 3/25/2023 STD	\$	196.40
1901473837	5200 2335	04/10/23	Apple One	01-6595070	Emp; Lowery, Rebecca 1 Office Asst 04/01/2023 STD	\$	196.40
1901483410	5200 2335	04/21/23	Apple One	01-6605694	Lowery, Rebecca 1Office Asst 4/15/23	\$	196.40
1901482472	5200 2424	04/20/23	Tom Dodson	LAFCO 23-3	Projcts -2022 FY 22/23	\$	1,920.00
1901472878	5200 2445	04/06/23	Bagley	BAGLEY4-4-2023	Admin Cmte meeting 4/4/2023	\$	200.00
1901472881	5200 2445	04/06/23	Cox	COX4-4-2023	Admin Cmte meeting 4/4/2023	\$	200.00
1901472883	5200 2445	04/06/23	Warren	WARREN4-4-2023	Admin Cmte meeting 4/4/2023	\$	200.00
1901473833	5200 2445	04/10/23	Hannah Larsen	6	Dates of task performed: Feb 2,7,12,15,20, 26 & 28	\$	250.00
1901475346	5200 2445	04/12/23	Warren	WARREN1-24-2023	So Cal Region of CA LAFCO Board of Directors Mtg	\$	200.00
1901475348	5200 2445	04/12/23	Warren	WARREN4-11-2023	So Region of CA LAFCO Board of Directors Mtg	\$	200.00
1901482478	5200 2445	04/20/23	Hannah Larsen	#7	3/14/23 & 3/28/23 dates work completed in March	\$	75.00
1901482966	5200 2445	04/20/23	Baca	BACA4/19/23	Baca Stipend for April 19 Comm mtg	\$	200.00
1901483395	5200 2445	04/21/23	Bagley	BAGLEY4/19/23	Bagley Stipend for April 19 Comm Mtg	\$	200.00
1901483396	5200 2445	04/21/23	Cox	COX4/19/23	Cox Stipend for April 19 Comm mtg	\$	200.00
1901483398	5200 2445	04/21/23	Denison	DENISON4/19/23	Denison Stipend for April 19 Comm mtg	\$	200.00
1901483401	5200 2445	04/21/23	Dupper	DUPPER4/19/23	Dupper Stipend for April 19 Comm mtg	\$	200.00
1901483403	5200 2445	04/21/23	Farrell	FARRELL4/19/23	Farrell Stipend for April 19 Comm mtg	\$	200.00
1901483405	5200 2445	04/21/23	Harvey	HARVEY4/19/23	Harvey Stipend for April 19 Comm mtg	\$	200.00
1901483407	5200 2445	04/21/23	Kenley	KENLEY4/19/23	Kenley Stipend for April 19 Comm mtg	\$	200.00
1901483409	5200 2445	04/21/23	Warren	WARREN4/19/23	Warren Stipend for April 19 Comm mtg	\$	200.00
1901472892	5200 2895	04/06/23	Konica Minolta	42052948	Inv 42052948	\$	5.60
1901472892	5200 2895	04/06/23	Konica Minolta	42052948	Inv 42052948	\$	111.08
1901472892	5200 2895	04/06/23	Konica Minolta	42052948	Inv 42052948	\$	365.38
1901472887	5200 2905	04/06/23	City Com	UNIT: 150	City Comm Lease Payment 01-Apr-2023	\$	14,256.00
1901472889	5200 2905	04/06/23	IVDA	1567	Monthly rent for using Auditorium - April 2023	\$	405.00
1901483395	5294 2940	04/21/23	Bagley	BAGLEY4/19/23	Bagley Stipend for April 19 Comm Mtg	\$	113.97
1901483396	5294 2940	04/21/23	Cox	COX4/19/23	Cox Stipend for April 19 Comm mtg	\$	77.29
1901483398	5294 2940	04/21/23	Denison	DENISON4/19/23	Denison Stipend for April 19 Comm mtg	\$	87.63
1901483403	5294 2940	04/21/23	Farrell	FARRELL4/19/23	Farrell Stipend for April 19 Comm mtg	\$	23.97
1901483405	5294 2940	04/21/23	Harvey	HARVEY4/19/23	Harvey Stipend for April 19 Comm mtg	\$	110.04
1901483407	5294 2940	04/21/23	Kenley	KENLEY4/19/23	Kenley Stipend for April 19 Comm mtg	\$	31.70
1901483409	5294 2940	04/21/23	Warren	WARREN4/19/23	Warren Stipend for April 19 Comm mtg	\$	25.67
TOTAL						\$	23,217.75
APRIL 2023 COUNTY TRANSFERS PROCESSED							
4300000250	5200 2445	04/04/23	Auditor		Apportionment 22-23	\$	5,636.25
4102859735	5200 2031	04/01/23	IT		MAR 2023 Payroll System Services (EMACS)	\$	51.92
4102859244	5200 2032	04/01/23	IT		MAR 2023 Virtual Private Network (VPN)	\$	13.29
4102859736	5200 2037	04/01/23	IT		MAR 2023 Dial Tone	\$	226.72
4102859247	5200 2322	04/01/23	IT		MAR 2023 Enterprise Printing (EMACS)	\$	7.14
4102859738	5200 2420	04/01/23	IT		MAR 2023 Storage - Tier 3	\$	147.76
4102859738	5200 2420	04/01/23	IT		MAR 2023 Storage - Tier 1	\$	110.84
4102859738	5200 2420	04/01/23	IT		MAR 2023 Enterprise Content Management	\$	135.10


4102859739	5200	2421	04/01/23	IT		MAR 2023 Desktop Support Services	\$	747.92	
4102859248	5241	2410	04/01/23	IT		IT Infrastructure - Period 10	\$	570.00	
4102859249	5241	2414	04/01/23	IT		Application Maintenance & Support - Period 10	\$	673.00	
4200113700	5200	2424	04/21/23	Clerk to the Board		Env Filing - LAFCO 3261	\$	50.00	
4200113494	5200	2310	04/18/23	Mail		Mail Services - DEL	\$	194.35	
4200113495	5200	2310	04/18/23	Mail		Mail Services - FLAT	\$	27.38	
4200113496	5200	2310	04/18/23	Mail		Mail Services - HAN	\$	114.10	
TOTAL								\$	8,705.77
APRIL 2023 CASH RECEIPTS									
4102844197	4075	9930	04/18/23	CA Dept of Conservation		SALC Grant	\$	38,847.50	
TOTAL								\$	38,847.50
APRIL 2023 COUNTY TRANSFERRED RECEIVED									
40308500	4030	8500	04/27/23	Auditor		QE 3/31/2023 INTEREST APPORTIONMENT	\$	7,175.80	
1700032199	4080	9973	04/14/23	Erik Petersen		Partial Refund for SC 480	\$	404.93	
1700032202	4080	9973	04/14/23	Summerland Chino Manager LLC		Partial Refund for SC 478			
TOTAL								\$	7,580.73
COMPLETED BY: MICHAEL TUERPE Senior Analyst				APPROVED BY: SAMUEL MARTINEZ Executive Officer					
Date: 7/10/2023						7/10/2023			

MAY 2023 PAYMENTS PROCESSED							
Document Number	Account	Posting Date	Vendor	Invoice	Reference	Amount	
1901498035	5200	2085	05/15/23	Daily Journal	B3693301	Daily Journal Inv B3693301 May NOH	\$ 641.20
1901490288	5200	2090	05/02/23	Jan Pro	93110	Fee for Janitorial Service Month of May 2023	\$ 588.00
1901498015	5200	2180	05/15/23	So Cal Edison	6433-5-9-23	Cust acct 700099666433 Svc Acct 8002108287	\$ 421.37
1901490195	5200	2305	05/02/23	Dell, laptop bag	8003872890	04-12-23 Regular Service Tote-Medium	\$ 19.25
1901488624	5200	2315	05/01/23	Vital Records Control	3408400	Records Storage Inv 3408400	\$ 137.85
1901498020	5200	2315	05/15/23	Vital Records Control	3467676	Records Storage Inv 3467676	\$ 139.92
1901488779	5200	2335	05/01/23	Apple One	01-6609504	Lowery, Rebecca 1 Office Asst 4/22/2023	\$ 294.60
1901493381	5200	2335	05/05/23	Apple One	01-6616047	Lowery, Rebecca 1 Office Asst 04/29/23	\$ 196.40
1901498036	5200	2335	05/15/23	Apple One	01-6622515	Lowery, Rebecca 1 Office Asst 05/06/2023	\$ 196.40
1901517250	5200	2335	05/30/23	Apple One	01-6626265	Lowery, Rebecca 1 Ofc Asst. 5/13/23 STD	\$ 196.40
1901517252	5200	2335	05/30/23	Apple One	01-6632527	Lowery, Rebecca 1 Ofc Asst 5/20/23 STD	\$ 220.95
1901490294	5200	2400	05/02/23	Best Best Krieger	963282	Legal Counsel	\$ 1,520.44
1901490296	5200	2400	05/02/23	Best Best Krieger	963283	Legal Counsel	\$ 2,633.70
1901490297	5200	2400	05/02/23	Best Best Krieger	963281	Legal Counsel	\$ 99.30
1901492733	5200	2400	05/04/23	Best Best Krieger	942251	Legal Counsel	\$ 99.30
1901498069	5200	2400	05/15/23	Best Best Krieger	963284	Legal Counsel	\$ 1,158.50
1901490201	5200	2424	05/02/23	Tom Dodson	LAFCO 23-2	LA-1037 LAFCO SC#497; LA-1038 LAFCO SC#498	\$ 560.00
1901513995	5200	2424	05/24/23	Tom Dodson	LAFCO 23-4	Tom Dodson Inv. LAFCO 23-4	\$ 3,285.00
1901490287	5200	2444	05/02/23	Bay Alarm	20498858	Security Alarm Monitoring Svc 5/01/23 - 07/31/23	\$ 123.00
1901490289	5200	2445	05/02/23	Event Design Lab	03745	Live Stream Broadcast Package 4/19/2023 mtg	\$ 750.00
1901491650	5200	2445	05/03/23	Hannah Larsen	#8	Inv #8 (Work Completed in April 2023)	\$ 275.00
1901493379	5200	2445	05/05/23	Inland Empire RCD	8	3/31/23 Tasks 1-4, Salc Match	\$ 19,337.50
1901502820	5200	2445	05/17/23	Baca	BACA5-17-23	Baca Stipend for May 17 Comm Mtg	\$ 200.00
1901502824	5200	2445	05/17/23	Bagley	BAGLEY5-17-23	Bagley Stipend for May 17 Comm Mtg	\$ 200.00
1901502825	5200	2445	05/17/23	Cox	COX5-17-23	Cox Stipend for May 17 Comm Mtg	\$ 200.00
1901502828	5200	2445	05/17/23	Denison	DENISON5-17-23	Denison Stipend for May 17 Comm Mtg	\$ 200.00
1901502830	5200	2445	05/17/23	Dupper	DUPPER5-17-23	Dupper Stipend for May 17 Comm Mtg	\$ 200.00
1901502831	5200	2445	05/17/23	Farrell	FARRELL5-17-23	Farrell Stipend for May 17 Comm Mtg	\$ 200.00
1901502832	5200	2445	05/17/23	Hagman	HAGMAN5-17-23	Hagman Stipend for May 17 Comm Mtg	\$ 200.00
1901502834	5200	2445	05/17/23	Harvey	HARVEY5-17-23	Harvey Stipend for May 17 Comm Mtg	\$ 200.00
1901502837	5200	2445	05/17/23	Kenley	KENLEY5-17-23	Kenley Stipend for May 17 Comm Mtg	\$ 200.00
1901502838	5200	2445	05/17/23	Warren	WARREN5-17-23	Warren Stipend for May 17 Comm Mtg	\$ 200.00
1901514019	5200	2445	05/24/23	Event Design Lab	03748	Live Stream Broadcast Package w/Captioning Event	\$ 750.00
1901498018	5200	2895	05/15/23	Konica Minolta	42257620	Inv 42257620	\$ 365.38
1901498018	5200	2895	05/15/23	K	42257620	Inv 42257620	\$ 28.86
1901488778	5200	2905	05/01/23	IVDA	1588	Monthly rent for using Auditorium - May 2023	\$ 405.00
1901502824	5294	2940	05/17/23	Bagley	BAGLEY5-17-23	Bagley Stipend for May 17 Comm Mtg	\$ 113.97
1901502825	5294	2940	05/17/23	Cox	COX5-17-23	Cox Stipend for May 17 Comm Mtg	\$ 77.29
1901502828	5294	2940	05/17/23	Denison	DENISON5-17-23	Denison Stipend for May 17 Comm Mtg	\$ 87.63
1901502831	5294	2940	05/17/23	Farrell	FARRELL5-17-23	Farrell Stipend for May 17 Comm Mtg	\$ 23.97
1901502834	5294	2940	05/17/23	Harvey	HARVEY5-17-23	Harvey Stipend for May 17 Comm Mtg	\$ 110.04
1901502837	5294	2940	05/17/23	Kenley	KENLEY5-17-23	Kenley Stipend for May 17 Comm Mtg	\$ 31.70
1901502838	5294	2940	05/17/23	Warren	WARREN5-17-23	Warren Stipend for May 17 Comm Mtg	\$ 25.67
TOTAL							\$ 36,913.59
MAY 2023 COUNTY TRANSFERS PROCESSED							
4102906401	5200	2031	05/01/23	IT		APR 2023 Payroll System Services (EMACS)	\$ 51.92

4102906402	5200	2032	05/01/23	IT		APR 2023 Virtual Private Network (VPN)	\$	14.18
4102906404	5200	2037	05/01/23	IT		APR 2023 Dial Tone	\$	226.72
4102876702	5200	2305	05/08/23	Purchasing		Staples office supply surcharge	\$	27.05
4102881815	5200	2305	05/15/23	Purchasing		Staples office supply surcharge	\$	2.61
4102906407	5200	2322	05/01/23	IT		APR 2023 Enterprise Printing (EMACS)	\$	10.71
4102906410	5200	2420	05/01/23	IT		APR 2023 Enterprise Content Management	\$	135.10
4102906410	5200	2420	05/01/23	IT		APR 2023 Storage - Tier 1	\$	110.84
4102906410	5200	2420	05/01/23	IT		APR 2023 Storage - Tier 3	\$	147.76
4102906411	5200	2421	05/01/23	IT		APR 2023 Desktop Support Services	\$	702.59
4102906423	5241	2410	05/01/23	IT		IT Infrastructure - Period 11	\$	570.00
4102906424	5241	2414	05/01/23	IT		Application Maintenance & Support - Period 11	\$	673.00
4102876702	5540	5012	05/08/23	Purchasing		Staples office supply	\$	225.40
4102881815	5540	5012	05/15/23	Purchasing		Staples office supply	\$	21.74
4200115758	5200	2424	05/30/23	Clerk to the Board		Env Filing-LAFCO SC#500	\$	50.00
4200115759	5200	2424	05/30/23	Clerk to the Board		Env Filing-LAFCO Schedule of Fees	\$	50.00
4200115760	5200	2424	05/30/23	Clerk to the Board		Env Filing-LAFCO SC #501	\$	50.00
1901494187	5294	2940	05/05/23	Arturo Pastor		CALAFCO Workshop, Mileage	\$	10.48
1901494173	5294	2943	05/05/23	Michael Tuerpe		CALAFCO Workshop, Meals	\$	44.69
1901494187	5294	2943	05/05/23	Arturo Pastor		CALAFCO Workshop, Meals	\$	58.77
1901494173	5294	2944	05/05/23	Michael Tuerpe		CALAFCO Workshop, Car rental	\$	151.66
1901494187	5294	2944	05/05/23	Arturo Pastor		CALAFCO Workshop, Car rental	\$	185.07
1901494173	5294	2946	05/05/23	Michael Tuerpe		CALAFCO Workshop, Uber/taxi	\$	123.00
1901494187	5294	2946	05/05/23	Arturo Pastor		CALAFCO Workshop, airport parking	\$	119.30
4200115450	5200	2310	05/22/23	Mail		Mail Services - DEL	\$	169.00
4200115452	5200	2310	05/22/23	Mail		Mail Services - HAN	\$	613.72
4200115455	5200	2310	05/22/23	Mail		Mail Services - FLAT	\$	16.93
TOTAL								\$ 4,562.24
MAY 2023 CASH RECEIPTS								
4102890752	various		05/22/23	Helendale CSD		LAFCO 3262	\$	25,699.00
TOTAL								\$ 25,699.00
MAY 2023 COUNTY TRANSFERRED RECEIVED								
				NONE				
TOTAL								\$ -
COMPLETED BY: MICHAEL TUERPE				APPROVED BY: SAMUEL MARTINEZ				
Senior Analyst				Executive Officer				
Date: 7/10/2023				7/10/2023				

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 : JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
ANGELA SCHELL, Clerk to the Commission
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #5 – APPROVAL OF FISCAL YEAR 2014-15 FINANCIAL
RECORDS DESTRUCTION PURSUANT TO COMMISSION POLICY

RECOMMENDATION:

Staff recommends the Commission direct the Executive Officer, as Records Management Coordinator, to:

1. Destroy the Commission's financial records for Fiscal Year 2014-15 pursuant to the Commission's Records Retention Policy, and
2. Record the items to be destroyed in the Destruction Log along with a copy of the Commission's minute action authorizing destruction.

BACKGROUND INFORMATION:

The Commission's Records Retention Policy states that the Executive Officer, as the Records Management Coordinator, shall present a Commission agenda item once a year related to records to be destroyed.

As part of the Records Retention Policy, the adopted Records Retention Schedule provides for a seven-year retention period for all financial records, regardless if the statutes permit a lesser retention period. The records for destruction include expense reports, budgets, billings, accounting reports, budget change proposals, budget change concepts, audits, invoices, fees, receipts, checks, ledgers and registers. In addition, the Fair Political Practices Commission (FPPC) also provides for a seven-year retention period for Statements of Economic Interest (FORM 700). The records for destruction will also include the Form 700s for the 2015 calendar year.


Staff recommends the Commission direct the Executive Officer to take the actions listed in the Recommendation above.

Should the Commission have any questions, staff will be happy to answer them before or at the hearing.

SM/as

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DATE: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #6: REVIEW AND UPDATE THE CATALOG OF
ENTERPRISE SYSTEMS PER GOVERNMENT CODE SECTION 6270.5**

RECOMMENDATIONS:

Staff recommends that the Commission take the following actions:

1. Approve the Enterprise Systems Catalog as of July 1, 2023 as identified in this staff report.
2. Direct the Executive Officer to post the Enterprise Systems Catalog as of July 1, 2023 on the LAFCO website.

BACKGROUND:

On October 11, 2015, the State of California enacted Senate Bill 272 (SB 272) which added a section to the California Public Records Act (Government Code Section 6270.5) relating to public records. Section 6270.5 requires local agencies to create a catalog of "Enterprise Systems" and post that catalog on their respective websites with annual updates.

"Enterprise System" is defined as a software application or computer system that collects, stores, exchanges, and analyzes information that the agency uses that is both of the following:

- A multi-departmental system or a system that contains information collected about the public.
- A system of record where the system serves as an original source of data within an agency.

Systems used for security, public safety, and public utilities are not included in the requirements.

ANNUAL UPDATE:


Below is the catalog of “Enterprise Systems”, as prepared by LAFCO staff, as of July 1, 2023:

LAFCO ENTERPRISE SYSTEMS						
ENTERPRISE SYSTEMS PURCHASED DIRECTLY BY LAFCO						
Vendor	Product	Purpose	Data Type	Custodian	Data Collection Frequency	Data Update Frequency
CDWG	Adobe Acrobat DC Pro	PDF and fillable forms	Documents	Agency-wide	As needed	As needed
ECS Imaging	Laserfische	Document/Records Management	LAFCO Files, PDFs	Agency-wide	As needed	As needed
Zoom	Zoom	Audio/Video communications, meetings, and recordings	Communications	Agency-wide	As needed	As needed
SurveyMonkey	SurveyMonkey	Survey creation	Online Service	Agency-wide	As needed	As needed
ENTERPRISE SYSTEMS PURCHASED OR ACCESSED VIA THE COUNTY OF SAN BERNARDINO						
Vendor	Product	Purpose	Data Type	Custodian	Data Collection Frequency	Data Update Frequency
Blackberry Company	Enterprise Blackberry Exchange (BE) Server	Enterprise BE Server Software and Infrastructure	Email	Agency-wide	Daily	Daily
County Information Services	Property Information Management System (PIMS)	Accessing tax roll data for property valuation	Tax Roll	Agency-wide	Daily	Daily
County Information Services	sbclafco.org website	LAFCO website	Communications	Agency-wide	Daily	Daily
ESRI	ArcGIS Suite	Mapping and spatial analysis	Geographic Information System	Agency-wide	As needed	As needed
Microsoft	Exchange	Email	Email system	Agency-wide	Daily	Daily
Microsoft	Office Suite	Statutory obligations, general office work	Vendors or contractors' information	Agency-wide	As needed	As needed
Microsoft	Enterprise Microsoft Exchange (ME) Email	Enterprise ME Email Software and Infrastructure	Email	Agency-wide	Daily	Daily
Microsoft	Enterprise SQL Server	Enterprise SQL Server Software and Infrastructure	Databases	Agency-wide	Daily	Daily
Microsoft	Office 365	Email system used to send and receive emails	Email	Agency-wide	Daily	Daily
Microsoft	Teams	Audio/Video communication and meetings	Communications	Agency-wide	As needed	As needed
SAP	SAP Core Financials and Procurement	Financial management system	Financial	Agency-wide	Daily	Daily

Staff recommends that the Commission take the actions identified on page 1.

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DATE: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
ARTURO PASTOR, Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #7: LAFCO SC#503 – CITY OF REDLANDS OSC 23-01
FOR WATER AND SEWER SERVICE (APN 0298-391-07)

INITIATED BY:

City of Redlands, on behalf of the property owner.

RECOMMENDATION:

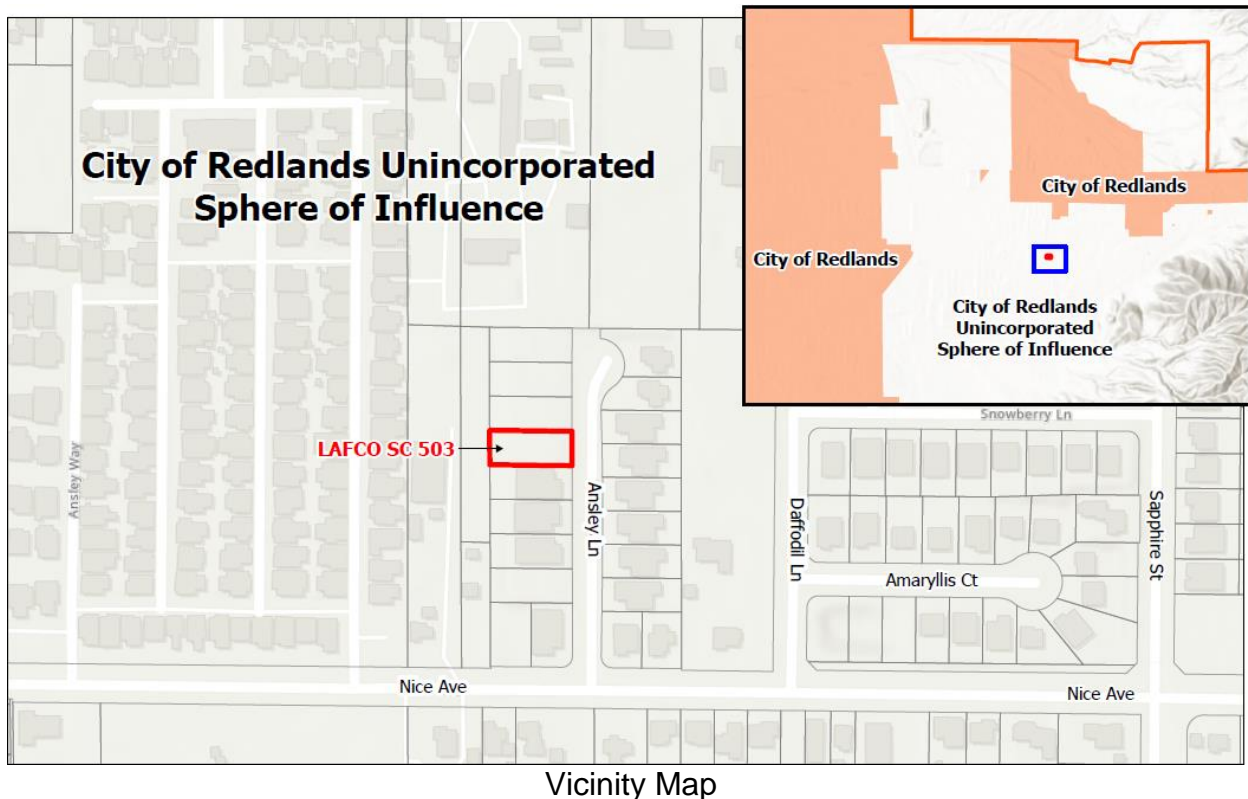
Staff recommends that the Commission approve LAFCO SC#503 by taking the following actions:

1. Certify that LAFCO SC#503 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#503 authorizing the City of Redlands to extend water and sewer service outside its boundaries to Assessor Parcel Number 0298-391-07.
3. Adopt LAFCO Resolution #3375 setting forth the Commission's determinations and approval of the agreement for service outside the City of Redlands' boundaries.

BACKGROUND:

The City of Redlands (hereinafter the "City") has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water and sewer service to a single parcel, Assessor Parcel Number (APN) 0298-391-07, which is approximately 0.2 acres and is generally located on the west side of Ansley Lane within the City of Redlands' eastern sphere of influence, in the unincorporated community of

Mentone. The map below, which is also included as Attachment #1, provides a location and vicinity map of the site. In addition, Attachment #2 outlines the City's application including a map that provides the location of the water and sewer infrastructure to be extended.



The property owner intends to build a single-family residence on the vacant parcel, which requires connection to the City's water and sewer facilities. Therefore, the City, on behalf of the property owner, is requesting that the Commission authorize the extension of water and sewer service to the parcel pursuant to the provisions of Government Code Section 56133. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

PLAN FOR SERVICE:

The City's application identifies that water and sewer service to the parcel will be provided through lateral connections to the existing 8-inch water main and the existing 8-inch sewer main in Ansley Lane, installation of a domestic water meter, as well as establishing a utility service account.

Pursuant to the Commission's application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency's boundaries. The City has submitted an estimated cost of

\$19,878 for the extension of water and sewer service to the parcel. Following is a table with a breakdown of the fee calculation:

Description of Fees/Charges	Cost	Total Cost
Development Impact Fee		
Water Source Acquisition	\$783	\$783
Water Capital Improvement	\$4,350	\$4,350
Sewer Capital Improvement	\$3,130	\$3,130
Measure “U” fees	\$7,730	\$7,730
Frontage Charge		
Water	\$1,830	\$1,830
Sewer	\$1,830	\$1,830
Connection Fee		
Meter Set	\$225	\$225
TOTAL		\$19,878

In addition to the cost outlined above, the property owner will be responsible for the entire cost of the water and sewer connection extending from the existing water and sewer mains to the vacant parcel.

ENVIRONMENTAL DETERMINATION:

As the CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson from Dodson and Associates, has reviewed this service contract application and has indicated that it is his recommendation that the review of LAFCO SC#503 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission’s approval of the out-of-agency service agreement has no potential to cause a significant adverse impact on the environment. Therefore, the service contract application is exempt (under the “Common Sense Rule”) from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3).

CONCLUSION:

The purpose of the service contract application is for the City to receive authorization to provide water and sewer service outside its boundaries via contract to a parcel that requires connection to the City of Redlands’ water and sewer facilities.

Staff has reviewed this request for authorization to provide water and sewer service from the City of Redlands outside its corporate boundaries against the criteria established by Commission policy and Government Code Section 56133. The area to

be served is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of the City sometime in the future. Staff supports the City's request for authorization to provide water and sewer service to APN 0298-391-07 since its facilities are adjacent to the parcel, and there is no other existing entity available to provide these services within the area.

DETERMINATIONS:

1. The project area, Assessor Parcel Number (APN) 0298-391-07, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water and sewer service.
2. The City of Redlands' OSC No. 23-01 being considered is for the provision of water and sewer service to APN 0298-391-07 generally located on the west side of Ansley Lane within the City of Redland's eastern sphere of influence. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water and sewer service.
3. The estimated fees the property owner will be charged by the City of Redlands for the extension of water and sewer service are identified as totaling \$19,878 (for a breakdown of charges, see table on page 3). Payment of these fees are required prior to connection to the City's water and sewer facilities. In addition, the property owner will be responsible for the entire costs of the construction and installation of the water and sewer extension.
4. As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is exempt from environmental review. A copy of Mr. Dodson's response is included as Attachment #3 to this report.

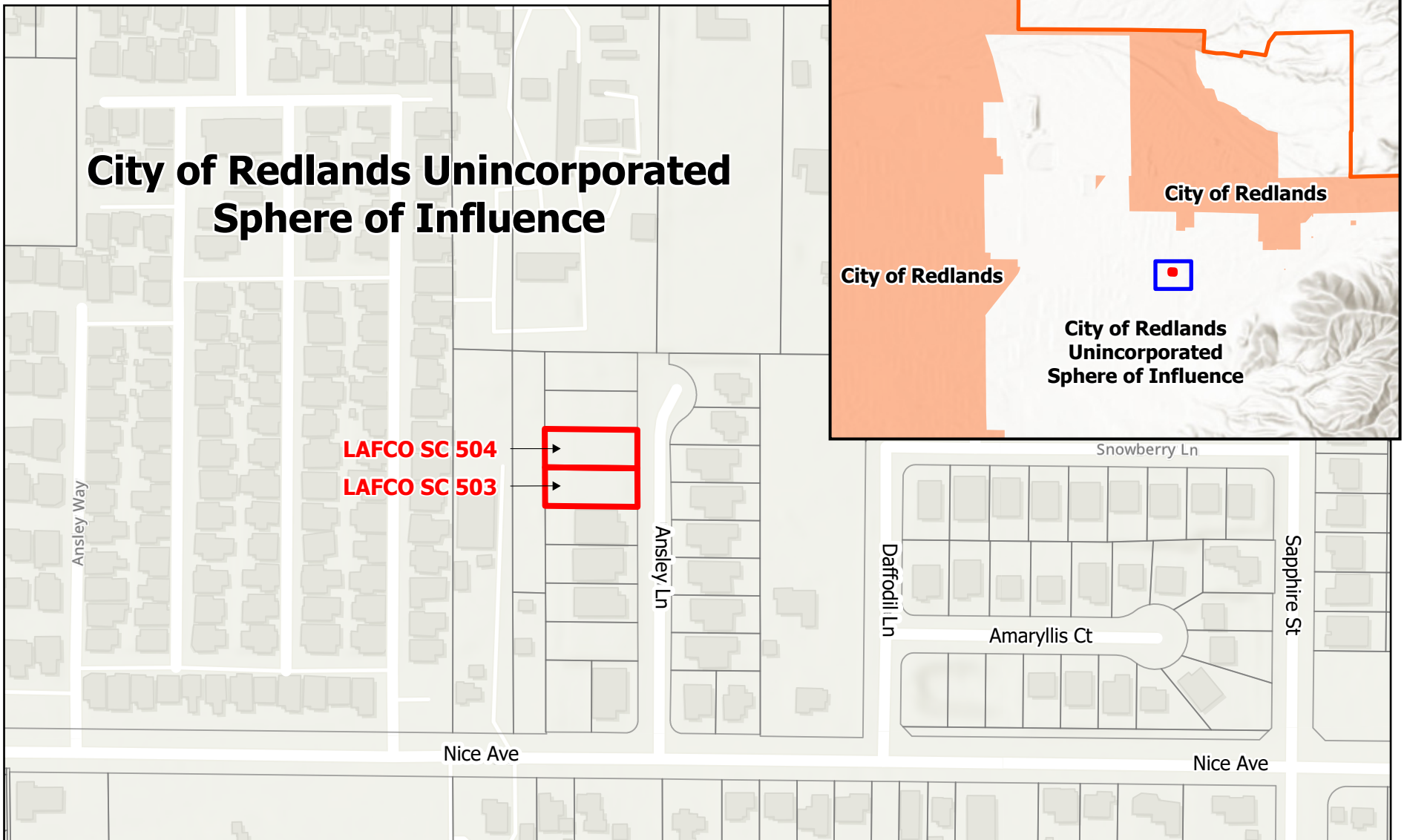
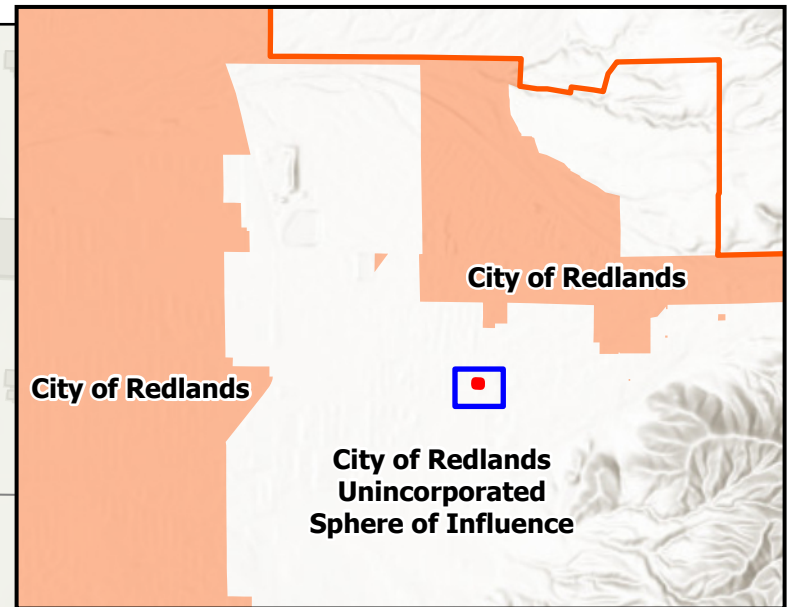
Attachments:

1. [Vicinity Map](#)
2. [City of Redlands' Application and Contract](#)
3. [Response from Tom Dodson and Associates](#)
4. [Draft Resolution #3375](#)

City of Redlands Unincorporated Sphere of Influence


LAFCO SC 504


LAFCO SC 503



Vicinity Map

LAFCO SC#503 - City of Redlands OSC 23-01
for Water and Sewer Service (APN 0298-391-07)

 LAFCO SC 503 & 504
 Redlands Sphere

 City of Redlands



Disclaimer: This information shown is intended to be used for general display only and is not to be used as an official map.

0 55 110
 Yards

**SAN BERNARDINO LAFCO
APPLICATION FOR
EXTENSION OF SERVICE BY CONTRACT**

(A certified copy of the City Council/District Board of Directors resolution or a letter from the City Manager/General Manager requesting approval for an out-of-agency service agreement must be submitted together with this application form.)

AGENCY TO EXTEND SERVICE:

AGENCY NAME:

City of Redlands

CONTACT PERSON:

Donald Young

ADDRESS:

35 Cajon Street
Redlands CA 92373

PHONE:

909 798 5875 x6

EMAIL:

DYOUNG@CITYOFREDLANDS.ORG

CONTRACTING PARTY:

NAME OF
PROPERTY OWNER:

Samuel Herrera

CONTACT PERSON:

Samuel Herera

MAILING ADDRESS:

631 Cactus St
San Jacinto CA 92582

PHONE:

818 631 9585

EMAIL:

Sammyefs@yahoo.com

ADDRESS OF PROPERTY
PROPOSED FOR CONTRACT:

1231 Ansley Lane
Mentone CA 92359

CONTRACT NUMBER/IDENTIFICATION:

DSC 23-01

PARCEL NUMBER(S):

029839107

ACREAGE:

0.208213

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

The following questions are designed to obtain information related to the proposed agreement/contract to allow the Commission and staff to adequately assess the proposed service extension. You may include any additional information which you believe is pertinent. Please use additional sheets where necessary.

1. (a) List the type or types of service(s) to be provided by this agreement/contract.

Domestic water + sewer service

- (b) Are any of the services identified above "new" services to be offered by the agency? ☐ YES ☒ NO. If yes, please provide explanation on how the agency is able to provide the service.

2. Is the property to be served within the agency's sphere of influence? ☒ YES ☐ NO

3. Please provide a description of the service agreement/contract.

Preannexation agreement

4. (a) Is annexation of the territory by your agency anticipated at some point in the future? ☒ YES ☐ NO. If yes, please provide a projected timeframe when it anticipates filing an application for annexation of territory that would include the area to be served. If no, please provide an explanation as to why a jurisdictional change is not possible at this time.

Projected timeframe of annexation has
too many variables to predict timing
of future annexation.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (b) Is the property to be served contiguous to the agency's boundary?
☐ YES ☒ NO. If yes, please provide explanation on why annexation to the agency is not being contemplated.

5. Is the service agreement/contract outside the Agency's sphere of influence in response to a threat to the public health and safety of the existing residents as defined by Government Code Section 56133(c)?
☐ YES ☒ NO. If yes, please provide documentation regarding the circumstance (i.e. letter from Environmental Health Services or the Regional Water Quality Control Board).

6. (a) What is the existing use of the property?

Vacant Land

- (b) Is a change in use proposed for the property? ☒ YES ☒ NO. If yes, please provide a description of the land use change.

Construction of a single family residence

7. If the service agreement/contract is for development purposes, please provide a complete description of the project to be served and its approval status.

Property is currently vacant land. Owner has submitted
plans to County of Building and Safety for review for
a new residential structure.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

8. Are there any land use entitlements/permits involved in the agreement/contract?
☐ YES ☒ NO. If yes, please provide documentation for this entitlement including the conditions of approval and environmental assessment that are being processed together with the project. Please check and attach copies of those documents that apply:

Tentative Tract Map / Parcel Map
Permit (Conditional Use Permit, General Plan Amendment, etc.)
Conditions of Approval
Negative Declaration (Initial Study)
Notice of Determination (NOD)/Notice of Exemption (NOE)
Department of Fish and Game (DFG) Receipt
Others (please identify below)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

9. Has the agency proposing to extend service conducted any CEQA review for this contract? ☐ YES ☒ NO. If yes, please provide a copy of the agency's environmental assessment including a copy of the filed NOD/NOE and a copy of the DFG Receipt.

10. Plan for Service:

- (a) Please provide a detailed description of how services are to be extended to the property. The response should include, but not be limited to, a description of: 1) capacity of existing infrastructure, 2) type of infrastructure to be extended or added to serve the area, 3) location of existing infrastructure in relation to the area to be served, 4) distance of infrastructure to be extended to serve the area, and 5) other permits required to move forward with the service extension.

Installation of a domestic water service lateral
to the existing site adjacent water main in
Ansley Lane.

Installation of a domestic sewer lateral
to the existing site adjacent sewer main in
Ansley Lane.

Upon approval of this Extension of Service contract,
the applicant will apply for installation of a water meter
and establishment of a utility service account.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (b) Please provide a detailed description of the overall cost to serve the property. The response should include the costs to provide the service (i.e. fees, connection charges, etc.) and also the costs of all improvements necessary to serve the area (i.e. material/equipment costs, construction/installation costs, etc.).

Description of Fees/Charges	Cost	Total
Development Impact Fee		
water Source Acquisition	783	783
water Capital Improvement	4350	4350
sewer Capital Improvement	3130	3130
Measure "U" Fees	7730	7730
Frontage charge water	1830	1830
sewer	1830	1830
Connection Fee		
Meter set	225	225
* all fees subject to change. actual fee to be assessed will be the current fee at time of meter set.		
Total Costs		19878

- (c) Please identify any unique costs related to the service agreement such as premium outside City/District rates or additional 3rd-party user fees and charges (i.e. fees/charges attributable to other agencies).

Not applicable

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (d) If financing is to occur, please provide any special financial arrangement between the agency and the property owner, including a discussion of any later repayment or reimbursement (If available, a copy of the agreement for repayment/reimbursement is to be provided).

- 11 Does the City/District have any policies related to extending service(s) outside its boundary? ☒ YES ☐ NO. If yes, has a copy been provided to LAFCO?
☒ YES ☐ NO. If not, please include a copy of the policy or policies (i.e. resolution, municipal code section, etc.) as part of the application.
City of Redlands Municipal Code identifies specific
procedures for extension of service to properties within the
city's sphere of influence

CERTIFICATION

As a part of this application, the City/Town of Redlands, or the _____ District/Agency agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

The agency signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

*Extension of Service by Contract
Application Form*

(FOR LAFCO USE ONLY)

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement and information presented herein are true and correct to the best of my knowledge and belief.

SIGNED

Donald P. Young

NAME:

Donald P. Young

POSITION TITLE:

One Stop Permit Center Manager

DATE:

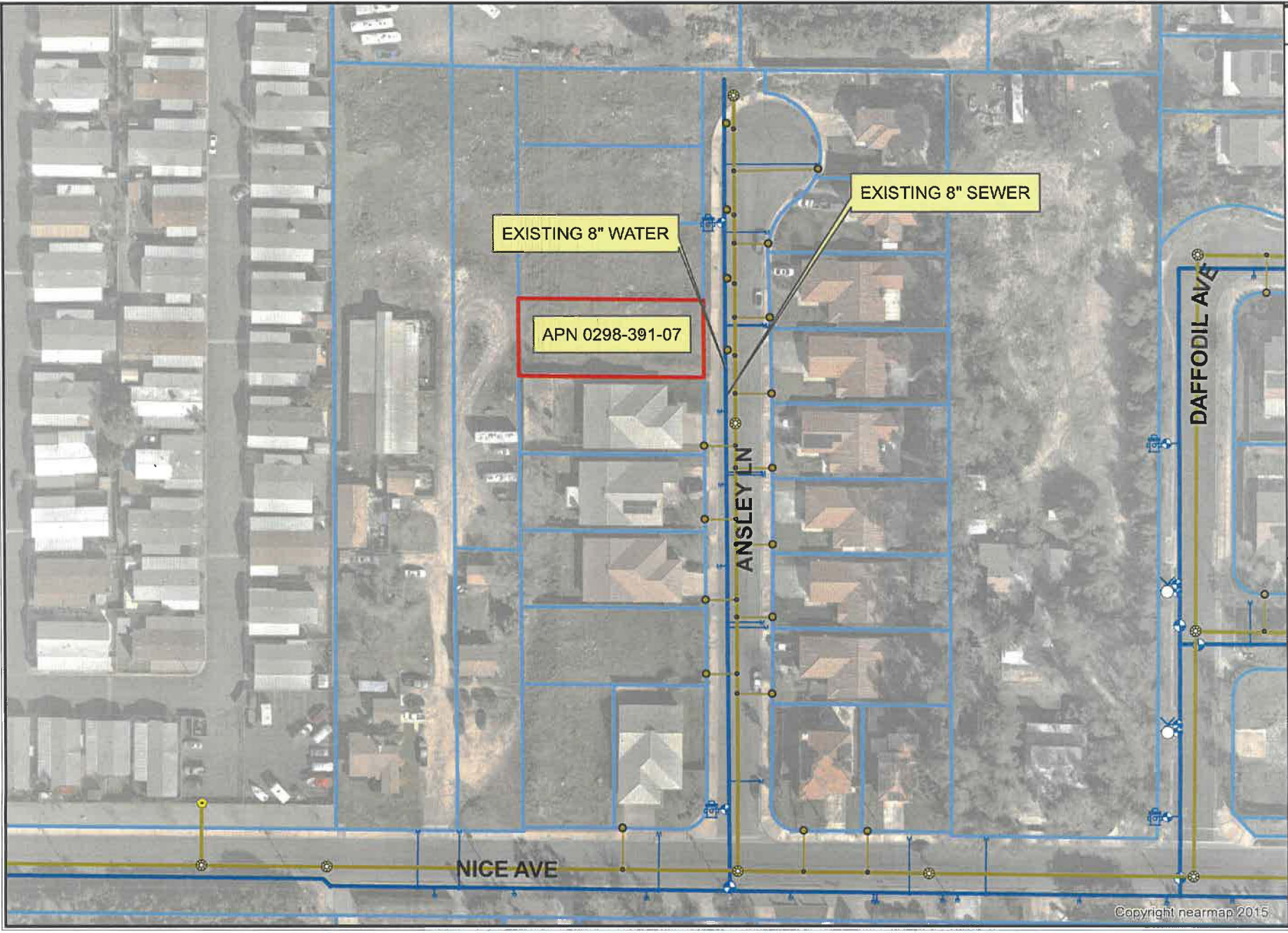
5/25/2023

REQUIRED EXHIBITS TO THIS APPLICATION:

1. Copy of the agreement/contract.
2. Map(s) showing the property to be served, existing agency boundary, the location of the existing infrastructure, and the proposed location of the infrastructure to be extended.
3. Certified Plan for Service (if submitted as a separate document) including financing arrangements for service.

Please forward the completed form and related information to:

Local Agency Formation Commission for San Bernardino County
1170 W. Third Street, Unit 150,
San Bernardino, CA 92415-0490
PHONE: (909) 388-0480 • FAX: (909) 388-0481

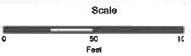


Title

REDLANDS
OSC 23-01

HERRERA

This map was produced by the City of Redlands Geographic Information System. The City of Redlands assumes no warranty legal responsibility for the information contained on this map. The data used to generate this map is dynamic in nature, therefore the map is dynamic and may not be the most current.



June 2, 2023

OneStop.mxd

Copyright nearmap 2015



Electronically
Recorded In Official Records
San Bernardino County

Assessor-Recorder-County Clerk

DOC# 2023-0105114

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY CLERK'S OFFICE
CITY OF REDLANDS
P.O. BOX 3005
REDLANDS, CA 92373

05/02/2023
10:23 AM
SAN
F3010

Titles: 1 Pages: 14

Fees	\$0.00
Taxes	\$0.00
CA SB2 Fee	\$0.00
Total	\$0.00

**FEES NOT REQUIRED
PER GOVERNMENT CODE
SECTION 6103**

(THIS SPACE FOR RECORDER'S USE ONLY)

EXEMPT FROM FEES PER GOVERNMENT CODE SECTION 27388.1

AGREEMENT FOR ANNEXATION AND PROVISION FOR CITY UTILITY SERVICES

This Agreement for Annexation and Provision of City Utility Services ("Agreement") is made and entered into this 4th day of April, 2023 by and between the City of Redlands, a municipal corporation organized and existing under the laws of the State of California ("City") and Samuel Herrera, ("Property Owner"). City and Property Owner are sometimes individually referred to herein as a "Party" and, together, as the "Parties."

RECITALS

WHEREAS, to provide for orderly planning, City (1) has the authority pursuant to Government Code sections 65300 and 65301 to include within its General Plan property outside its boundaries which is in City's sphere of influence or, which in City's judgment, bears a relation to its strategic planning, and (2) also has the authority pursuant to Government Code section 65859 to pre-zone property within its sphere of influence for the purpose of determining the zoning designation that will apply to such property in the event of a subsequent annexation of the property to City; and

WHEREAS, California case law, including but not limited to, *Dateline Builders, Inc. v. City of Santa Rosa* (1983) 146 Cal. App. 3d, 520 and *County of Del Norte v. City of Crescent City* (1999) which state in relevant part that it is not against the law or public policy for a city or county to use utilities as a tool to manage growth, provides that a city has no obligation, and may use its sole discretion, to extend utility services outside its corporate boundaries; and

WHEREAS, Property Owner owns a vacant parcel of land generally located at 1231 Ansley Lane and identified as county of San Bernardino Assessor's Parcel Number 0298-391-07-0000 ("Property") in the unincorporated area of the county of San Bernardino within the City's sphere of influence, as described in Exhibit "A" titled "Site Plan" and Exhibit "B" titled "Grant Deed", has made a request and application to City to receive water and sewer service for property located in the unincorporated area of the county of San Bernardino, and has provided evidence satisfactory to City that Property Owner is the fee owner of the Property; and

WHEREAS, Government Code section 56133 authorizes the City to provide new or extended utility services by contract outside its jurisdictional boundaries if it first receives written approval from the Local Agency Formation Commission for San Bernardino County ("LAFCO"), and provides that LAFCO may authorize City to provide such services within City's sphere of influence in anticipation of a later change of organization; and

WHEREAS, City's General Plan and Chapter 13.60 of the Redlands Municipal Code establish policies and procedures for the approval of City utility services to properties located within the City's sphere of influence and require, among other things, the owner of the property to be served to enter into an agreement, and record the same in the official records of the county of San Bernardino, requiring the property owner to annex the property to City upon certain conditions; and

WHEREAS, City has prepared a General Plan for the unincorporated area in which the Property is located to provide for the orderly planning of such area, and has determined that the proposed development of the Property is consistent with the goals and policies of City's General Plan; and

WHEREAS, it is the policy and goal of City to discourage and not facilitate development in City's sphere of influence which is unwilling and/or fails to comply with City's General Plan and City's development standards by refusing to extend utility services in such instances; and

WHEREAS, pursuant to the requirements of Chapter 13.60 of the Redlands Municipal Code and in consideration for City's agreement to extend utility services outside its jurisdictional boundaries to the Property, Property Owner has entered into this Agreement to provide assurances to City that connection to City's domestic water system will occur in accordance with the Redlands General Plan and the development standards of the Redlands Municipal Code, and that the Property shall be annexed to City in accordance with this Agreement's terms, provisions and conditions;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of Redlands and Property Owner agree as follows:

AGREEMENT

1. Recitals. The foregoing recitals are true and correct.
2. Provision of Utility Services. City agrees to provide domestic water service to the Property consistent with the terms and conditions of this Agreement, provided that the connection complies with all rules and regulations of City governing the extension and provision of utility services to properties located outside City's boundaries at the time a request by Property Owner for application for a water connection is approved by City's Municipal Utilities and Engineering Department. Nothing herein represents a commitment by City to provide such service unless and until Property Owner complies with all such rules and regulations. As a condition of approval of an application for water connection, and prior to receiving any service, Property Owner agrees to pay the full cost of such service as established by City for the extension of utility services to the Property.

3. Agreement to Develop by City Standards. In consideration of City's agreement to provide City water service to the Property, Property Owner shall develop the Property in accordance with the Redlands General Plan and any applicable development standards of the Redlands Municipal Code.

4. Agreement to Annex. In consideration of City's agreement to provide City water service to the Property, Property Owner hereby irrevocably consents to annexation of the Property to City and agrees it shall take any and all reasonable and necessary actions, and fully and in good faith cooperate with City, to cause the annexation of the Property to City. Property Owner and City agree that in the event City initiates an annexation of the Property, City shall be responsible for the costs of such annexation. In all other instances where the annexation of the Property is proposed to City, Property Owner shall be responsible for such costs.

5. Payment of Fees. As a condition of receiving domestic water service from City, Property Owner shall pay to City all then-established applicable development impact fees, water acquisition fees, and user fees specifically for such domestic water service.

6. Taxes and Assessments. Property Owner hereby consents to the imposition of, and agrees that Property Owner shall pay, all taxes and assessments imposed and/or levied by City which may be applicable to the Property at the time the Property is annexed to City.

7. Recordation. By entering into this Agreement, Property Owner and City acknowledge and agree that, among other things, it is the express intention of the Parties that any and all successors in interest, assigns, heirs and executors of Property Owner shall have actual and constructive notice of Property Owner's obligations under, and the benefits and burdens of, this Agreement. Therefore, this Agreement and any amendments hereof, shall be recorded in the official records of the county of San Bernardino. Property Owner further agrees that City shall, at the sole cost of Property Owner, have the right to cause the recordation of this Agreement.

8. Breach/Failure to Annex In the event Property Owner fails to comply with its obligations under this Agreement or takes any action to protest, challenge, contravene or otherwise breach any of its obligations or representations under this Agreement, City shall have the right to, without any liability whatsoever, cease the provision of City utility services to the Property. This right shall be in addition to any other legal or equitable relief available to City.

9. Not a Partnership. The Parties specifically acknowledge that Property Owner's development of the Property is a private project, that neither Party is acting as the agent of the other in any respect hereunder, and that each Party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint-venture or other association of any kind is formed by this Agreement. The only relationship between City and Property Owner is that of a governmental entity regulating the development of private property and the owner of such property.

10. Indemnity and Cost of Litigation.

A. Property Owner agrees to and shall hold City, and its elected and appointed officials, officers, agents, and employees free and harmless from any and all liability for damage or claims for damage for personal injury, including death, and claims for property damage which may

arise from the operations, errors, or omissions of Property Owner or those of its contractors, subcontractors, agents, employees or any other persons acting on Property Owner's behalf which relate to development of the Property. Property Owner agrees to and shall defend, indemnify and hold harmless City, its elected officials, officers, agents, employees and representatives from all actions for damages caused or alleged to have been caused by reason of Property Owner's acts, errors or omissions in connection with the development of the Property. This hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of Property Owner's or its representatives' acts, errors or omissions regardless of whether or not City supplied, prepared or approved plans or specifications relating to the development of the Property and regardless of whether or not any insurance policies of Property Owner relating to such development are applicable.

B. Property Owner shall defend, at its expense, including attorneys' fees, indemnify and hold harmless City, and its elected and appointed officials, officers, agents and employees from any claim, action or proceeding against any of them to attack, set aside, void or annul the approval of this Agreement or the approval of any permit or entitlement granted in furtherance of this Agreement. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding.

11. Liquidated Damages. In the event that the property is not annexed to City in accordance with the terms of the Agreement, the then existing owner of the Property shall pay each year to City, as liquidated damages, a sum equal to the property taxes and any sales taxes the City would have received had the Property been annexed. Failure to make such liquidated damages payments shall be good cause for City to cease service to the Property.

12. Section Headings. All section headings and sub-headings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

13. Governing Law. This Agreement and any dispute arising hereunder shall be governed by and construed in accordance with the laws of the State of California.

14. Attorneys' Fees. In the event any action is commenced to enforce or interpret the terms or conditions of this Agreement the prevailing Party shall, in addition to any costs and other relief, be entitled to the recovery of its reasonable attorneys' fees, including fees for a Party's use of in-house counsel.

15. Binding Effect. The burdens of this Agreement bind and the benefits of this Agreement inure to the assigns and successors in interest of the Parties.

16. Authority to Execute. The person or persons executing this Agreement warrant and represent that they have the authority to execute this Agreement on behalf of the legal, fee title owner of the Property.

17. Waiver and Release. Property Owner hereby waives and releases any and all claims it may have against City, and its elected and appointed officials, officers, employees and agents with respect to any City actions or omissions relating to the development of the Property, and the Parties' entry into, and execution of, this Agreement. Property Owner makes such waiver and release with full knowledge of Civil Code Section 1542, and hereby waives any and all rights

thereunder to the extent of this waiver and release, of such Section 1542 is applicable. Civil Code Section 1542 provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

18. Construction. The Parties agree that each Party and its counsel have reviewed this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in the interpretation of this Agreement. The Parties further agree that this Agreement represents a voluntary "arms-length" transaction agreed to by and between the Parties and that each Party has had the opportunity to consult with legal counsel regarding the terms, conditions and effect of this Agreement.

19. Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the Parties as to the matters contained herein, and there are no oral or written representations, understandings or ancillary covenants or agreements which are not contained or expressly referenced herein, and no testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

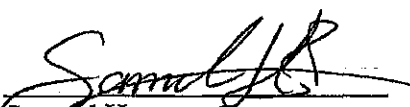
CITY OF REDLANDS

By:


Eddie Tejeda, Mayor

PROPERTY OWNER

By:


Samuel Herrera, Owner

ATTEST:


Jeanne Donaldson, City Clerk

* see attached

ACKNOWLEDGMENT

California All-Purpose Acknowledgment

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

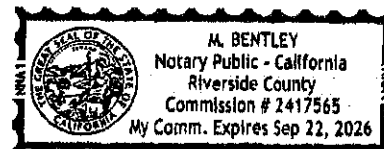
State of California))
County of Riverside)) ss.

On 25 April 2023 before me, M. Bentley, Notary Public,
personally appeared Samuel Herrera
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) (is) are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument.

I certify under **PENALTY OF PERJURY** under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

M Bentley
Signature of Notary Public LS



Attached Loose Certificate, Acknowledgment for document:

Agreement for Annexation and provision for City utilities services

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

On May 2, 2023 before me, Jennifer Macias, Notary Public
Date Here Insert Name and Title of the Officer

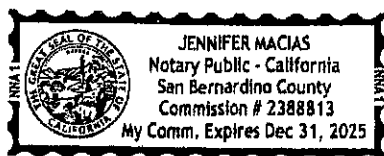
personally appeared Eddie Tejeda and Jeanne Donaldson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Christina Lacin
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Annexation Agreement

Document Date: April 4, 2023 Number of Pages: 7

Signer(s) Other Than Named Above: Samuel Herrera

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer - Title(s): _____

☐ Partner — ☐ Limited ☒ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☒ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

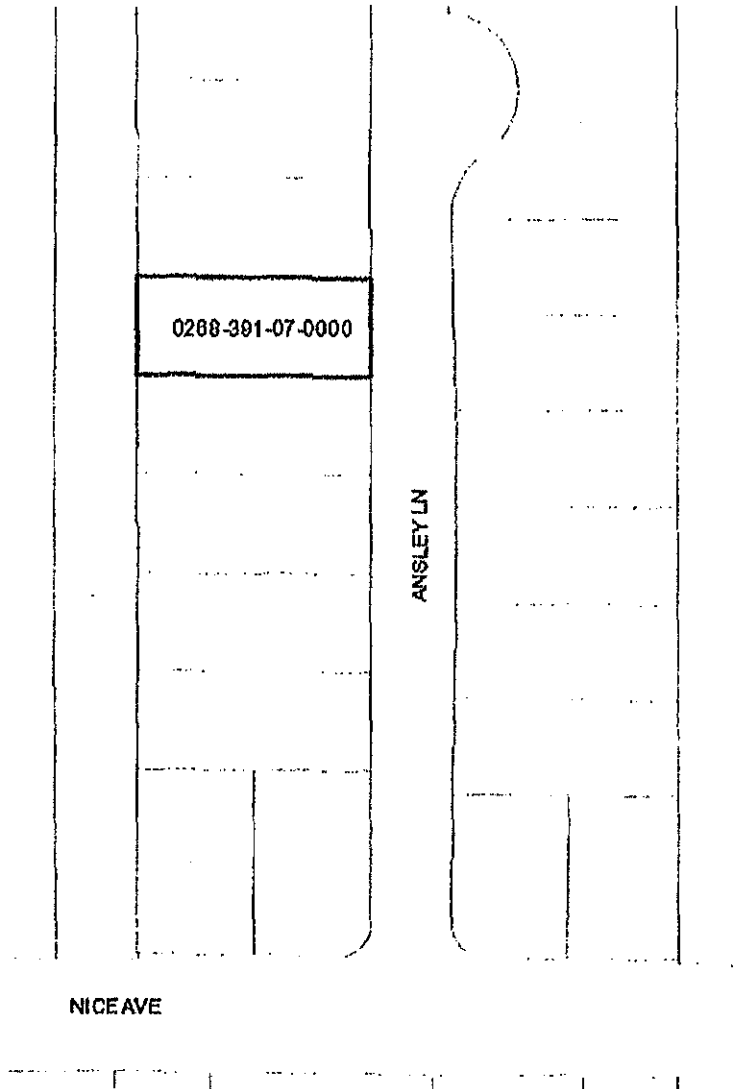
☐ Other: _____

Signer Is Representing: _____

EXHIBIT "A"
SITE PLAN

Site Plan Page 1

Ansley Lane
Mentone, CA
Annexation Agreement



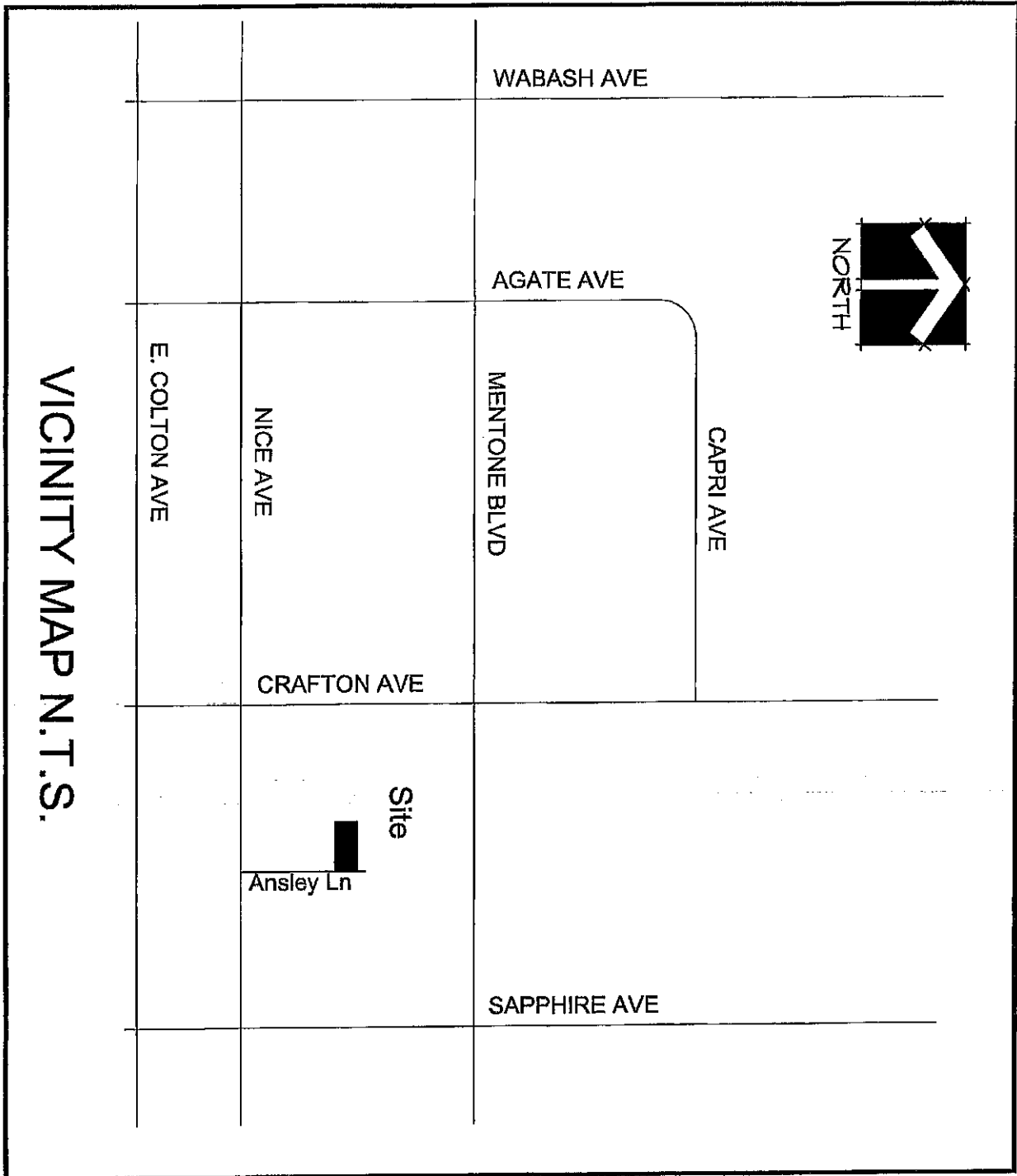


EXHIBIT "B"
GRANT DEED



Electronically
Recorded in Official Records
San Bernardino County
Bob Dutton
Assessor-Recorder-County Clerk

RECORDING REQUESTED BY:
Stewart Title Guaranty Company

WHEN RECORDED MAIL TO:
AND MAIL TAX STATEMENT TO:

Samuel Herrera

631 Cactus Street
San Jacinto, CA 92582

ORDER NO. NSWPUR21415854
APN: 0298-391-07-0000

Property Addr: vacant land, Mentone, CA 92359

DOC# 2021-0574445

12/27/2021
01:36 PM
SAN

Titles: 1 Pages: 4

Fees	\$23.00
Taxes	\$115.50
CA SB2 Fee	\$0.00
Total	\$138.50

11113

SPACE ABOVE THIS LINE FOR RECORDERS USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$115.50

CITY TAX \$0.00

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances
 remaining at time of sale.

(X) UNINCORPORATED AREA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

James A Heine and Nancy J Heine, husband and wife as Joint Tenants

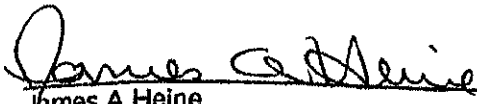
hereby GRANT(S) to Samuel Herrera, married man as his sole and separate property


the following described real property, County of San Bernardino, State of California:

See Exhibit "A" attached hereto and made a part hereof.

Mail Tax Statements to
SAME AS ABOVE

Order No.: NSWPUR21415854
Grant Deed Sale


James A Heine


Nancy J Heine

MAIL TAX STATEMENT AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

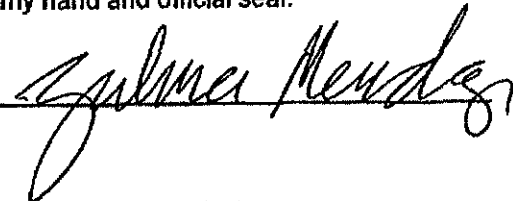
State of California
County of San Bernardino

On December 16, 2021 before me Zulma Mendoza, Notary Public personally appeared James A Heine and Nancy J. Heine, who proved to me on the basis of satisfactory evidence to be the person(s), whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he/she~~ they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(seal)

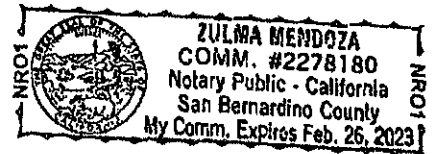


EXHIBIT "A"
LEGAL DESCRIPTION

Real property in the unincorporated area of the County of San Bernardino, State of California, described as follows:

LOT 7, TRACT NO. 13514, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 220 OF MAPS, PAGE(S) 46, 47 AND 48, RECORDS OF SAID COUNTY.

APN: 0298-391-07-0-000

TOM DODSON & ASSOCIATES

Mailing Address: PO Box 2307, San Bernardino, CA 92406-2307

Physical Address: 2150 N. Arrowhead Avenue, San Bernardino, CA 92405

Tel: (909) 882-3612 ♦ **Fax:** (909) 882-7015 ♦ **Email:** tda@tdaenv.com

Web: tdaenvironmental.com



July 10, 2023

Mr. Samuel Martinez
Local Agency Formation Commission
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0480

RECEIVED

JUL 10 2023

LAFCO
San Bernardino County

Dear Sam:

I have completed the California Environmental Quality Act (CEQA) review of out-of-area service contract, LAFCO SC#503 for the Commission. LAFCO SC#503 consists of a request by the City of Redlands to authorize out-of-agency water/wastewater service agreements for a single parcel (APN 0298-391-07). This parcel is located in the City's eastern Sphere of Influence on east Ansley Lane, just north of its intersection with Nice Avenue. Approval of SC#503 would allow the City of Redlands to extend water and wastewater (both collection and treatment) services to this property from pipelines located adjacent to the property in Ansley Lane.

Based on the above proposal and the analysis and findings presented below, it appears that LAFCO SC#503 can be implemented without causing significant adverse environmental impacts. The administrative record does not identify any action to comply with the California Environmental Quality Act (CEQA) for this proposed project. Therefore, LAFCO will consider this extension of service as the CEQA lead agency. Based on the proposal to construct a single-family residence on the project site and the available service lines adjacent to the site, this project has no potential to cause a significant adverse impact on the environment.

Therefore, I conclude that LAFCO SC#503 does not constitute a project under CEQA and adoption of an exemption (under the "Common Sense" finding in the State CEQA Guidelines) and filing of a Notice of Exemption are the most appropriate determination to comply with the CEQA. This exemption is found in Section 15061(b)(3) for this action. See the attached definition. The Commission can approve this review and finding for this action and I recommend that you notice LAFCO SC#503 as exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption (NOE) with the County Clerk of the Board for this action once a decision is made for this out-of-area service agreement.

Thus, after independent review of this proposed action, this proposed out-of-area service extension does not appear to have any potential to significantly alter the existing physical environment. Since no other project is known to be pending or will occur as a result of approving this application, no other potential significant physical changes in the environment are forecast to result from this action.

Based on this review of LAFCO SC#503 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the "Common Sense" exemption, as adequate substantiation in accordance with

the Commission's CEQA lead agency status. If you have any questions regarding this recommendation, please feel free to give me a call.

A handwritten signature in black ink that reads "Tom Dodson". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Tom Dodson

TD/cmc

Attachment

LAFCO SC#503 SE NOE Memo

Note: Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Section 65944, Government Code; Section 21080.2, Public Resources Code.

15060.5. PREAPPLICATION CONSULTATION

- (a) For a potential project involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the lead agency shall, upon the request of a potential applicant and prior to the filing of a formal application, provide for consultation with the potential applicant to consider the range of actions, potential alternatives, mitigation measures, and any potential significant effects on the environment of the potential project.
- (b) The lead agency may include in the consultation one or more responsible agencies, trustee agencies, and other public agencies who in the opinion of the lead agency may have an interest in the proposed project. The lead agency may consult the Office of Permit Assistance in the Trade and Commerce Agency for help in identifying interested agencies.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21080.1, Public Resources Code.

15061. REVIEW FOR EXEMPTION

- (a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.
- (b) A project is exempt from CEQA if:
 - (1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
 - (2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
 - (3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
 - (4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
 - (5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.
- (c) Each public agency should include in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt. This listing should be used in preliminary review.
- (d) After determining that a project is exempt, the agency may prepare a Notice of Exemption as provided in Section 15062. Although the notice may be kept with the project application at this time, the notice shall not be filed with the Office of Planning and Research or the county clerk until the project has been approved.
- (e) When a non-elected official or decisionmaking body of a local lead agency decides that a project is exempt from CEQA, and the public agency approves or determines to carry out the project, the decision that the project is exempt may be appealed to the local lead agency's elected decisionmaking body, if one exists. A local lead agency may establish procedures governing such appeals.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21080, 21080.9, 21080.10, 21084, 21108, 21151, 21152, and 21159.21, Public Resources Code; *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68.

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

PROPOSAL NO.: LAFCO SC#503

HEARING DATE: JULY 19, 2023

RESOLUTION NO. 3375

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO SC#503 – CITY OF REDLANDS OSC NO. 23-01 FOR WATER AND SEWER SERVICE (ASSESSOR PARCEL NUMBER 0298-391-07)

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

WHEREAS, Government Code Section 56133 requires the Local Agency Formation Commission to review and approve or deny applications for agencies to provide services outside their existing boundaries; and,

WHEREAS, an application for the proposed service extension in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and determined that the filings are sufficient; 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 the Commission on this matter; and,

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

WHEREAS, the public hearing by this Commission was called for July 19, 2023 at the time and place specified in the notice of public hearing; and,

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

RESOLUTION NO. 3375

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

DETERMINATIONS:

SECTION 1. The following determinations are noted in conformance with Commission policy:

1. The property, identified as Assessor Parcel Number 0298-391-07, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water and sewer service.
2. The City of Redlands' OSC No. 23-01 being considered is for the provision of water and sewer service to Assessor Parcel Number 0298-391-07. This contract will remain in force in perpetuity or until such time as the area will be annexed. Approval of this request will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water and sewer service.
3. The estimated fees the property owner will be charged by the City of Redlands for the extension of water and sewer service are identified as totaling \$19,878 (a breakdown of charges is on file in the LAFCO office). Payment of these fees is required prior to connection to the City's water and sewer facilities. In addition, the property owner shall bear all costs to complete improvements needed to extend the water and sewer service to the property.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the "Common Sense Rule" since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission's adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

SECTION 2. CONDITION. The City of Redlands shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this service contract, including any reimbursement of legal fees and costs incurred by the Commission.

SECTION 3. The Local Agency Formation Commission for San Bernardino County does hereby determine to approve the service extension contract submitted by the City of Redlands to provide water and sewer service to Assessor Parcel Number 0298-391-07.

SECTION 4. The Commission instructs the Executive Officer of this Local Agency Formation Commission to notify the affected agencies that the application identified as LAFCO SC#503 –

RESOLUTION NO. 3375

City of Redlands OSC No. 23-01 for Water and Sewer Service (APN 0298-391-07), has been approved.

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 regular meeting of July 19, 2023.

DATED:

SAMUEL MARTINEZ
Executive Officer

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: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
ARTURO PASTOR, Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #8: LAFCO SC#504 – CITY OF REDLANDS OSC 23-02
FOR WATER AND SEWER SERVICE (APN 0298-391-08)

INITIATED BY:

City of Redlands, on behalf of the property owner.

RECOMMENDATION:

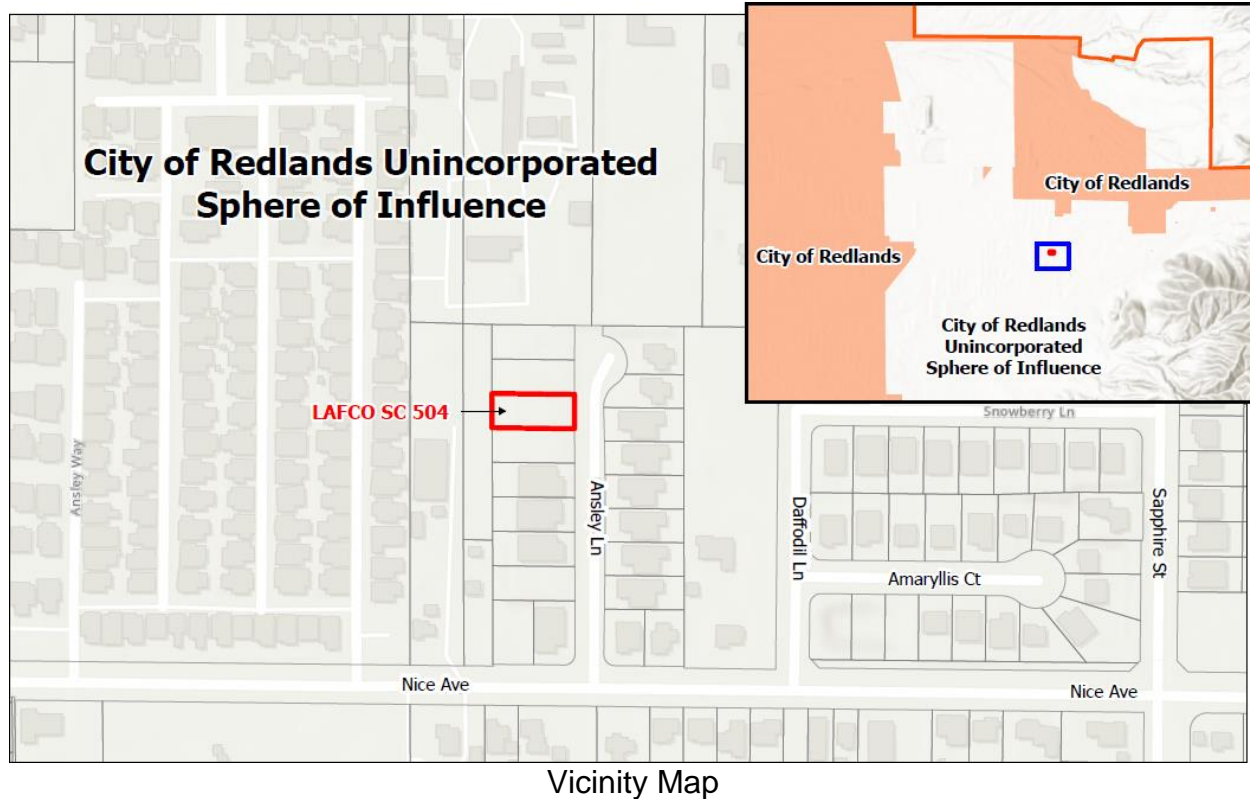
Staff recommends that the Commission approve LAFCO SC#504 by taking the following actions:

1. Certify that LAFCO SC#504 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#504 authorizing the City of Redlands to extend water and sewer service outside its boundaries to Assessor Parcel Number 0298-391-08.
3. Adopt LAFCO Resolution #3376 setting forth the Commission's determinations and approval of the agreement for service outside the City of Redlands' boundaries.

BACKGROUND:

The City of Redlands (City) has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water and sewer service to a single parcel, Assessor Parcel Number (APN) 0298-391-08, which is approximately 0.2 acres and is generally located on the west side of Ansley Lane within the City of Redland's eastern sphere of influence, in the unincorporated community of Mentone. The

map below, which is also included as Attachment #1, provides a location and vicinity map of the site. In addition, Attachment #2 outlines the City's application including a map that provides the location of the water and sewer infrastructure to be extended.



The property owner intends to build a single-family residence on the vacant parcel, which requires connection to the City's water and sewer facilities. Therefore, the City, on behalf of the property owner, is requesting that the Commission authorize the extension of water and sewer service to the parcel pursuant to the provisions of Government Code Section 56133. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

PLAN FOR SERVICE:

The City's application identifies that water and sewer service to the parcel will be provided through lateral connections to the existing 8-inch water main and the existing 8-inch sewer main in Ansley Lane, the installation of a domestic water meter, as well as establishing a utility service account.

Pursuant to the Commission's application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency's boundaries. The City has submitted an estimated cost of

\$19,878 for the extension of water and sewer service to the parcel. Following is a table with a breakdown of the fee calculation:

Description of Fees/Charges	Cost	Total Cost
Development Impact Fee		
Water Source Acquisition	\$783	\$783
Water Capital Improvement	\$4,350	\$4,350
Sewer Capital Improvement	\$3,130	\$3,130
Measure “U” fees	\$7,730	\$7,730
Frontage Charge		
Water	\$1,830	\$1,830
Sewer	\$1,830	\$1,830
Connection Fee		
Meter Set	\$225	\$225
TOTAL		\$19,878

In addition to the cost outlined above, the property owner will bear all costs for the water and sewer connection extending from the existing water and sewer mains to the vacant parcel.

ENVIRONMENTAL DETERMINATION:

As the CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson from Dodson and Associates, has reviewed this service contract application and has indicated that it is his recommendation that the review of LAFCO SC#504 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission’s approval of the out-of-agency service agreement has no potential to cause a significant adverse impact on the environment; and therefore, the service contract application is exempt (under the “Common Sense Rule”) from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3).

CONCLUSION:

The purpose of the service contract application is for the City to receive authorization to provide water and sewer service outside its boundaries via contract to a parcel that requires connection to the City of Redlands water and sewer facilities.

Staff has reviewed this request for authorization to provide water and sewer service from the City of Redlands outside its corporate boundaries against the criteria

established by Commission policy and Government Code Section 56133. The area to be served is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of the City sometime in the future. Staff supports the City's request for authorization to provide water and sewer service to APN 0298-391-08 since its facilities are adjacent to the parcel, and there is no other existing entity available to provide these services within the area.

DETERMINATIONS:

1. The project area, Assessor Parcel Number (APN) 0298-391-08, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water and sewer service.
2. The City of Redlands' OSC No. 23-02 being considered is for the provision of water and sewer service to APN 0298-391-08 generally located on the west side of Ansley Lane within the City of Redland's eastern sphere of influence. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water and sewer service.
3. The estimated fees the property owner will be charged by the City of Redlands for the extension of water and sewer service are identified as totaling \$19,878 (for a breakdown of charges, see table on page 3). Payment of these fees are required prior to connection to the City's water and sewer facilities. In addition, the property owners will be responsible for the entire costs of the construction and installation of the water and sewer extension.
4. As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is exempt from environmental review. A copy of Mr. Dodson's response is included as Attachment #3 to this report.

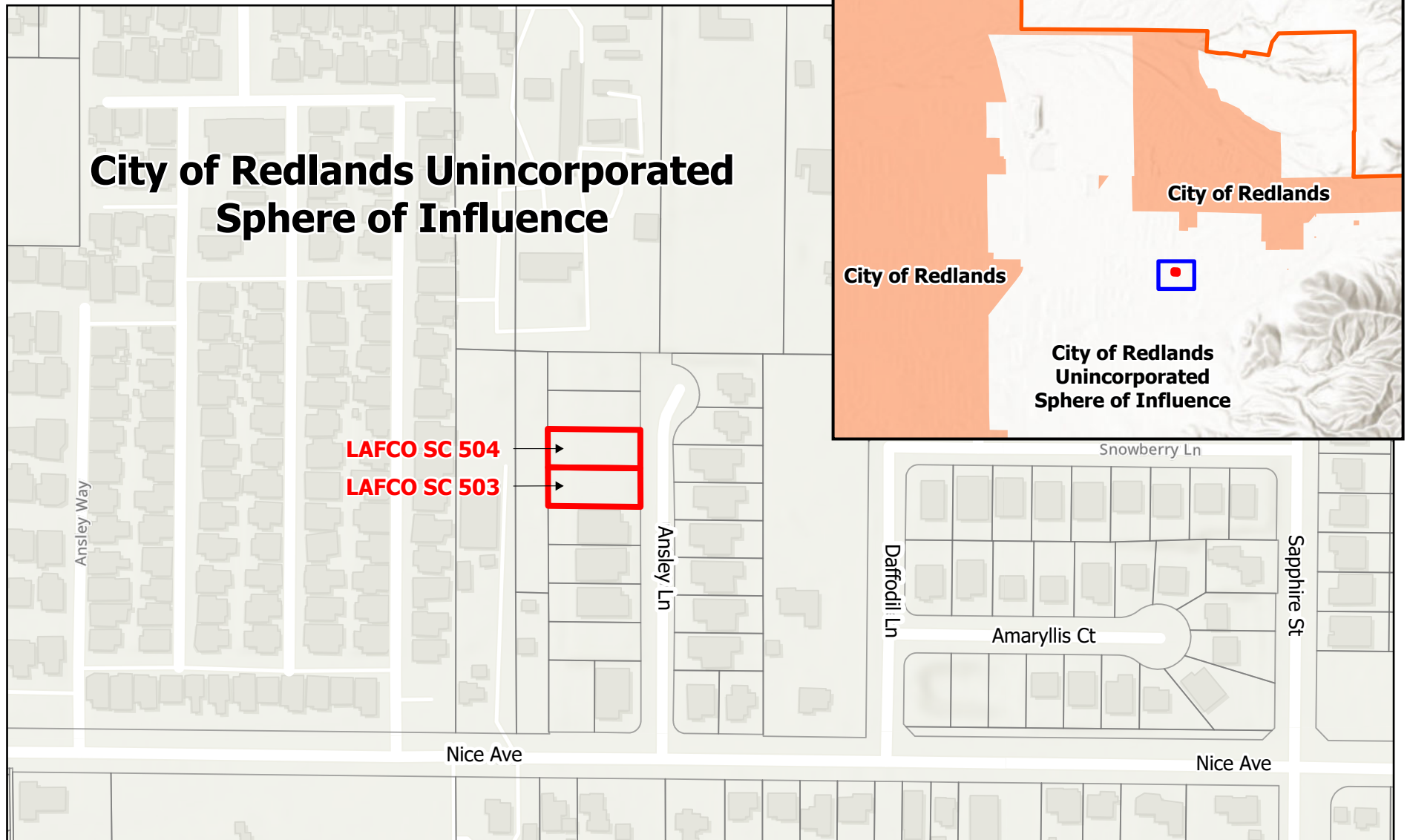
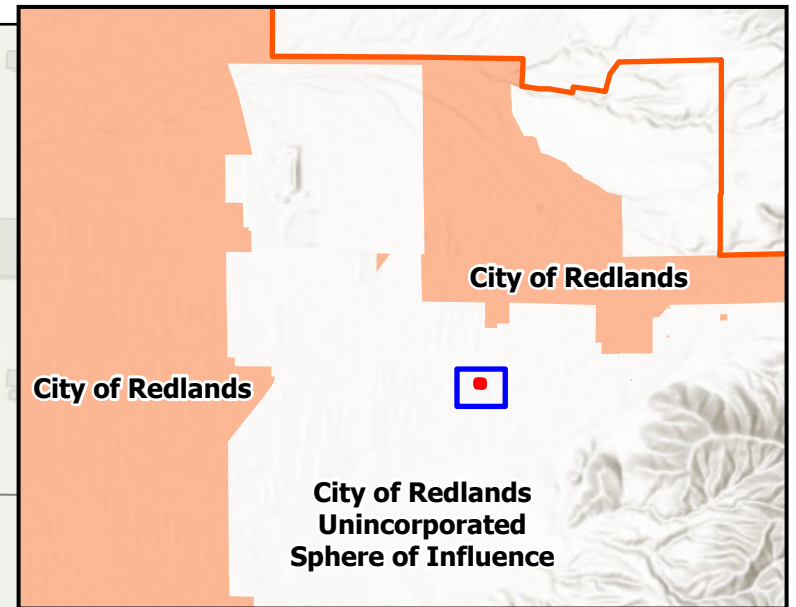
Attachments:

1. [Vicinity Map](#)
2. [City of Redlands' Application and Contract](#)
3. [Response from Tom Dodson and Associates](#)
4. [Draft Resolution #3376](#)

City of Redlands Unincorporated Sphere of Influence


LAFCO SC 504


LAFCO SC 503



Vicinity Map

LAFCO SC#504 - City of Redlands OSC 23-02
for Water and Sewer Service (APN 0298-391-08)

 LAFCO SC 503 & 504
 Redlands Sphere

 City of Redlands



Disclaimer: This information shown is intended to be used for general display only and is not to be used as an official map.

0 55 110
 Yards

**SAN BERNARDINO LAFCO
APPLICATION FOR
EXTENSION OF SERVICE BY CONTRACT**

(A certified copy of the City Council/District Board of Directors resolution or a letter from the City Manager/General Manager requesting approval for an out-of-agency service agreement must be submitted together with this application form.)

AGENCY TO EXTEND SERVICE:

AGENCY NAME:

City of Redlands

CONTACT PERSON:

Donald Young

ADDRESS:

35 Cajon Street

Redlands CA 92373

PHONE:

909 798 5875 x6

EMAIL:

DYOUNG@CITYOFREDLANDS.ORG

CONTRACTING PARTY:

NAME OF
PROPERTY OWNER:

Rosario Flores

CONTACT PERSON:

Rosario Flores

MAILING ADDRESS:

16565 Cheltenham Road

Riverside CA 92504

PHONE:

951 201 2127

EMAIL:

Perris Laundry@yahoo.com

ADDRESS OF PROPERTY
PROPOSED FOR CONTRACT:

1235 Ansley Lane

Mentone CA 92359

CONTRACT NUMBER/IDENTIFICATION:

OSC 2302

PARCEL NUMBER(S):

0298 391 08

ACREAGE:

0.208213

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

The following questions are designed to obtain information related to the proposed agreement/contract to allow the Commission and staff to adequately assess the proposed service extension. You may include any additional information which you believe is pertinent. Please use additional sheets where necessary.

1. (a) List the type or types of service(s) to be provided by this agreement/contract.

Domestic water + sewer service

- (b) Are any of the services identified above "new" services to be offered by the agency? ☐ YES ☒ NO. If yes, please provide explanation on how the agency is able to provide the service.

2. Is the property to be served within the agency's sphere of influence? ☒ YES ☐ NO

3. Please provide a description of the service agreement/contract.

Preannexation agreement

4. (a) Is annexation of the territory by your agency anticipated at some point in the future? ☒ YES ☐ NO. If yes, please provide a projected timeframe when it anticipates filing an application for annexation of territory that would include the area to be served. If no, please provide an explanation as to why a jurisdictional change is not possible at this time.

Projected timeframe of annexation has
too many variables to predict timing
of future annexation.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (b) Is the property to be served contiguous to the agency's boundary?
☐ YES ☒ NO. If yes, please provide explanation on why annexation to the agency is not being contemplated.

5. Is the service agreement/contract outside the Agency's sphere of influence in response to a threat to the public health and safety of the existing residents as defined by Government Code Section 56133(c)?
☐ YES ☒ NO. If yes, please provide documentation regarding the circumstance (i.e. letter from Environmental Health Services or the Regional Water Quality Control Board).

6. (a) What is the existing use of the property?

Vacant Land

- (b) Is a change in use proposed for the property? ☒ YES ☒ NO. If yes, please provide a description of the land use change.

Construction of a single family residence

7. If the service agreement/contract is for development purposes, please provide a complete description of the project to be served and its approval status.

Property is currently vacant land. Owner has submitted
plans to County of Building and Safety for review for
a new residential structure.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

8. Are there any land use entitlements/permits involved in the agreement/contract?
☐ YES ☒ NO. If yes, please provide documentation for this entitlement including the conditions of approval and environmental assessment that are being processed together with the project. Please check and attach copies of those documents that apply:

Tentative Tract Map / Parcel Map
Permit (Conditional Use Permit, General Plan Amendment, etc.)
Conditions of Approval
Negative Declaration (Initial Study)
Notice of Determination (NOD)/Notice of Exemption (NOE)
Department of Fish and Game (DFG) Receipt
Others (please identify below)

<input type="checkbox"/>
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<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

9. Has the agency proposing to extend service conducted any CEQA review for this contract? ☐ YES ☒ NO. If yes, please provide a copy of the agency's environmental assessment including a copy of the filed NOD/NOE and a copy of the DFG Receipt.

10. Plan for Service:

- (a) Please provide a detailed description of how services are to be extended to the property. The response should include, but not be limited to, a description of: 1) capacity of existing infrastructure, 2) type of infrastructure to be extended or added to serve the area, 3) location of existing infrastructure in relation to the area to be served, 4) distance of infrastructure to be extended to serve the area, and 5) other permits required to move forward with the service extension.

Installation of a domestic water service lateral
to the existing site adjacent water main in
Ansley Lane.

Installation of a domestic sewer lateral
to the existing site adjacent sewer main in
Ansley Lane.

Upon approval of this Extension of Service contract,
the applicant will apply for installation of a water meter
and establishment of a utility service account.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (b) Please provide a detailed description of the overall cost to serve the property. The response should include the costs to provide the service (i.e. fees, connection charges, etc.) and also the costs of all improvements necessary to serve the area (i.e. material/equipment costs, construction/installation costs, etc.).

Description of Fees/Charges	Cost	Total
Development Impact Fee		
water Source Acquisition	783	783
water Capital Improvement	4350	4350
sewer Capital Improvement	3130	3130
Measure "U" Fees	7730	7730
Frontage charge water	1830	1830
sewer	1830	1830
Connection Fee		
Meter set	225	225
* all fees subject to change. actual fee to be assessed will be the current fee at time of meter set.		
Total Costs		19878

- (c) Please identify any unique costs related to the service agreement such as premium outside City/District rates or additional 3rd-party user fees and charges (i.e. fees/charges attributable to other agencies).

Not applicable

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (d) If financing is to occur, please provide any special financial arrangement between the agency and the property owner, including a discussion of any later repayment or reimbursement (If available, a copy of the agreement for repayment/reimbursement is to be provided).

- 11 Does the City/District have any policies related to extending service(s) outside its boundary? ☒ YES ☐ NO. If yes, has a copy been provided to LAFCO? ☒ YES ☐ NO. If not, please include a copy of the policy or policies (i.e. resolution, municipal code section, etc.) as part of the application.

City of Redlands Municipal Code identifies specific
procedure for extension of service to properties within the
city's sphere of influence

CERTIFICATION

As a part of this application, the City/Town of Redlands, or the _____ District/Agency agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

The agency signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

*Extension of Service by Contract
Application Form*

(FOR LAFCO USE ONLY)

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement and information presented herein are true and correct to the best of my knowledge and belief.

SIGNED

Donald P. Young

NAME:

Donald P. Young

POSITION TITLE:

One Stop Permit Center Manager

DATE:

5/25/23

REQUIRED EXHIBITS TO THIS APPLICATION:

1. Copy of the agreement/contract.
2. Map(s) showing the property to be served, existing agency boundary, the location of the existing infrastructure, and the proposed location of the infrastructure to be extended.
3. Certified Plan for Service (if submitted as a separate document) including financing arrangements for service.

Please forward the completed form and related information to:

Local Agency Formation Commission for San Bernardino County
1170 W. Third Street, Unit 150,
San Bernardino, CA 92415-0490
PHONE: (909) 388-0480 • FAX: (909) 388-0481

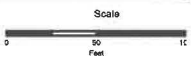


Title

REDLANDS
OSC 23-02

FLORES

This map was produced by the City of Redlands Geographic Information System. The City of Redlands assumes no warranty or legal responsibility for the information contained on this map. The data used to generate this map is displayed as is in nature, therefore the map is displayed as is and may not be the most current.



REDLANDS "A CITY THAT WORKS"

June 2, 2023

OneStop.mxd

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Electronically
Recorded In Official Records
San Bernardino County

Assessor-Recorder-County Clerk

DOC# 2023-0105112

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY CLERK'S OFFICE
CITY OF REDLANDS
P.O. BOX 3005
REDLANDS, CA 92373

05/02/2023

10:22 AM

SAN

F3010

Titles: 1 Pages: 14

Fees \$0.00

Taxes \$0.00

CA SB2 Fee \$0.00

Total \$0.00

**FEES NOT REQUIRED
PER GOVERNMENT CODE
SECTION 6103**

(THIS SPACE FOR RECORDER'S USE ONLY)

EXEMPT FROM FEES PER GOVERNMENT CODE SECTION 27388.1

AGREEMENT FOR ANNEXATION AND PROVISION FOR CITY UTILITY SERVICES

This Agreement for Annexation and Provision of City Utility Services ("Agreement") is made and entered into this 4th day of April, 2023 by and between the City of Redlands, a municipal corporation organized and existing under the laws of the State of California ("City") and Rosario Flores, ("Property Owner"). City and Property Owner are sometimes individually referred to herein as a "Party" and, together, as the "Parties."

RECITALS

WHEREAS, to provide for orderly planning, City (1) has the authority pursuant to Government Code sections 65300 and 65301 to include within its General Plan property outside its boundaries which is in City's sphere of influence or, which in City's judgment, bears a relation to its strategic planning; and (2) also has the authority pursuant to Government Code section 65859 to pre-zone property within its sphere of influence for the purpose of determining the zoning designation that will apply to such property in the event of a subsequent annexation of the property to City; and

WHEREAS, California case law, including but not limited to, *Dateline Builders, Inc. v. City of Santa Rosa* (1983) 146 Cal. App. 3d, 520 and *County of Del Norte v. City of Crescent City* (1999) which state in relevant part that it is not against the law or public policy for a city or county to use utilities as a tool to manage growth, provides that a city has no obligation, and may use its sole discretion, to extend utility services outside its corporate boundaries; and

WHEREAS, Property Owner owns a vacant parcel of land generally located at 1235 Ansley Lane and identified as county of San Bernardino Assessor's Parcel Number 0298-391-08-0000 ("Property") in the unincorporated area of the county of San Bernardino within the City's sphere of influence, as described in Exhibit "A" titled "Site Plan" and Exhibit "B" titled "Grant Deed", has made a request and application to City to receive water and sewer service for property located in the unincorporated area of the county of San Bernardino, and has provided evidence satisfactory to City that Property Owner is the fee owner of the Property; and

WHEREAS, Government Code section 56133 authorizes the City to provide new or extended utility services by contract outside its jurisdictional boundaries if it first receives written approval from the Local Agency Formation Commission for San Bernardino County ("LAFCO"), and provides that LAFCO may authorize City to provide such services within City's sphere of influence in anticipation of a later change of organization; and

WHEREAS, City's General Plan and Chapter 13.60 of the Redlands Municipal Code establish policies and procedures for the approval of City utility services to properties located within the City's sphere of influence and require, among other things, the owner of the property to be served to enter into an agreement, and record the same in the official records of the county of San Bernardino, requiring the property owner to annex the property to City upon certain conditions; and

WHEREAS, City has prepared a General Plan for the unincorporated area in which the Property is located to provide for the orderly planning of such area, and has determined that the proposed development of the Property is consistent with the goals and policies of City's General Plan; and

WHEREAS, it is the policy and goal of City to discourage and not facilitate development in City's sphere of influence which is unwilling and/or fails to comply with City's General Plan and City's development standards by refusing to extend utility services in such instances; and

WHEREAS, pursuant to the requirements of Chapter 13.60 of the Redlands Municipal Code and in consideration for City's agreement to extend utility services outside its jurisdictional boundaries to the Property, Property Owner has entered into this Agreement to provide assurances to City that connection to City's domestic water system will occur in accordance with the Redlands General Plan and the development standards of the Redlands Municipal Code, and that the Property shall be annexed to City in accordance with this Agreement's terms, provisions and conditions;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of Redlands and Property Owner agree as follows:

AGREEMENT

1. Recitals. The foregoing recitals are true and correct.
2. Provision of Utility Services. City agrees to provide domestic water service to the Property consistent with the terms and conditions of this Agreement, provided that the connection complies with all rules and regulations of City governing the extension and provision of utility services to properties located outside City's boundaries at the time a request by Property Owner for application for a water connection is approved by City's Municipal Utilities and Engineering Department. Nothing herein represents a commitment by City to provide such service unless and until Property Owner complies with all such rules and regulations. As a condition of approval of an application for water connection, and prior to receiving any service, Property Owner agrees to pay the full cost of such service as established by City for the extension of utility services to the Property.

3. Agreement to Develop by City Standards. In consideration of City's agreement to provide City water service to the Property, Property Owner shall develop the Property in accordance with the Redlands General Plan and any applicable development standards of the Redlands Municipal Code.

4. Agreement to Annex. In consideration of City's agreement to provide City water service to the Property, Property Owner hereby irrevocably consents to annexation of the Property to City and agrees it shall take any and all reasonable and necessary actions, and fully and in good faith cooperate with City, to cause the annexation of the Property to City. Property Owner and City agree that in the event City initiates an annexation of the Property, City shall be responsible for the costs of such annexation. In all other instances where the annexation of the Property is proposed to City, Property Owner shall be responsible for such costs.

5. Payment of Fees. As a condition of receiving domestic water service from City, Property Owner shall pay to City all then-established applicable development impact fees, water acquisition fees, and user fees specifically for such domestic water service.

6. Taxes and Assessments. Property Owner hereby consents to the imposition of, and agrees that Property Owner shall pay, all taxes and assessments imposed and/or levied by City which may be applicable to the Property at the time the Property is annexed to City.

7. Recordation. By entering into this Agreement, Property Owner and City acknowledge and agree that, among other things, it is the express intention of the Parties that any and all successors in interest, assigns, heirs and executors of Property Owner shall have actual and constructive notice of Property Owner's obligations under, and the benefits and burdens of, this Agreement. Therefore, this Agreement and any amendments hereof, shall be recorded in the official records of the county of San Bernardino. Property Owner further agrees that City shall, at the sole cost of Property Owner, have the right to cause the recordation of this Agreement.

8. Breach/Failure to Annex In the event Property Owner fails to comply with its obligations under this Agreement or takes any action to protest, challenge, contravene or otherwise breach any of its obligations or representations under this Agreement, City shall have the right to, without any liability whatsoever, cease the provision of City utility services to the Property. This right shall be in addition to any other legal or equitable relief available to City.

9. Not a Partnership. The Parties specifically acknowledge that Property Owner's development of the Property is a private project, that neither Party is acting as the agent of the other in any respect hereunder, and that each Party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint-venture or other association of any kind is formed by this Agreement. The only relationship between City and Property Owner is that of a governmental entity regulating the development of private property and the owner of such property.

10. Indemnity and Cost of Litigation.

A. Property Owner agrees to and shall hold City, and its elected and appointed officials, officers, agents, and employees free and harmless from any and all liability for damage or claims for damage for personal injury, including death, and claims for property damage which may

arise from the operations, errors, or omissions of Property Owner or those of its contractors, subcontractors, agents, employees or any other persons acting on Property Owner's behalf which relate to development of the Property. Property Owner agrees to and shall defend, indemnify and hold harmless City, its elected officials, officers, agents, employees and representatives from all actions for damages caused or alleged to have been caused by reason of Property Owner's acts, errors or omissions in connection with the development of the Property. This hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of Property Owner's or its representatives' acts, errors or omissions regardless of whether or not City supplied, prepared or approved plans or specifications relating to the development of the Property and regardless of whether or not any insurance policies of Property Owner relating to such development are applicable.

B. Property Owner shall defend, at its expense, including attorneys' fees, indemnify and hold harmless City, and its elected and appointed officials, officers, agents and employees from any claim, action or proceeding against any of them to attack, set aside, void or annul the approval of this Agreement or the approval of any permit or entitlement granted in furtherance of this Agreement. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding.

11. Liquidated Damages. In the event that the property is not annexed to City in accordance with the terms of the Agreement, the then existing owner of the Property shall pay each year to City, as liquidated damages, a sum equal to the property taxes and any sales taxes the City would have received had the Property been annexed. Failure to make such liquidated damages payments shall be good cause for City to cease service to the Property.

12. Section Headings. All section headings and sub-headings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

13. Governing Law. This Agreement and any dispute arising hereunder shall be governed by and construed in accordance with the laws of the State of California.

14. Attorneys' Fees. In the event any action is commenced to enforce or interpret the terms or conditions of this Agreement the prevailing Party shall, in addition to any costs and other relief, be entitled to the recovery of its reasonable attorneys' fees, including fees for a Party's use of in-house counsel.

15. Binding Effect. The burdens of this Agreement bind and the benefits of this Agreement inure to the assigns and successors in interest of the Parties.

16. Authority to Execute. The person or persons executing this Agreement warrant and represent that they have the authority to execute this Agreement on behalf of the legal, fee title owner of the Property.

17. Waiver and Release. Property Owner hereby waives and releases any and all claims it may have against City, and its elected and appointed officials, officers, employees and agents with respect to any City actions or omissions relating to the development of the Property, and the Parties' entry into, and execution of, this Agreement. Property Owner makes such waiver and release with full knowledge of Civil Code Section 1542, and hereby waives any and all rights

thereunder to the extent of this waiver and release, of such Section 1542 is applicable. Civil Code Section 1542 provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

18. Construction. The Parties agree that each Party and its counsel have reviewed this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in the interpretation of this Agreement. The Parties further agree that this Agreement represents a voluntary "arms-length" transaction agreed to by and between the Parties and that each Party has had the opportunity to consult with legal counsel regarding the terms, conditions and effect of this Agreement.

19. Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the Parties as to the matters contained herein, and there are no oral or written representations, understandings or ancillary covenants or agreements which are not contained or expressly referenced herein, and no testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

CITY OF REDLANDS

By: 

Eddie Tejada, Mayor

PROPERTY OWNER

By: 

Rosario Flores, Owner

ATTEST:


Jeanne Donaldson, City Clerk

*see attached

ACKNOWLEDGMENT

California All-Purpose Acknowledgment

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

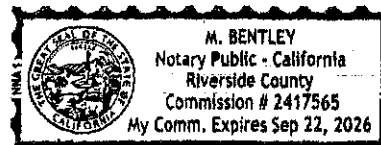
State of California))
County of Riverside)) ss.

On 25 April 2023 before me, M. Bentley, Notary Public,
personally appeared Rosario Flores
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is subscribed to the within instrument and acknowledged to me that
he/~~she~~/they executed the same in his/her/their authorized capacity(ies), and that by
his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf
of which the person(s) acted, executed the instrument.

I certify under **PENALTY OF PERJURY** under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Mentys
Signature of Notary Public LS



Attached Loose Certificate, Acknowledgment for document:

Agreement for Annexation and Provision For
City Utility Services.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

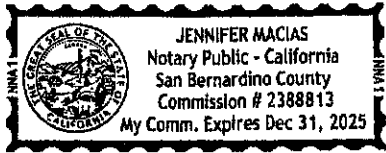
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Bernardino)
On May 2, 2023 before me, Jennifer Macias, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Eddie Tejeda and Jeanne Donaldson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Jennifer Macias
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Annexation Agreement
Document Date: April 4, 2023 Number of Pages: 7
Signer(s) Other Than Named Above: Rosario Flores

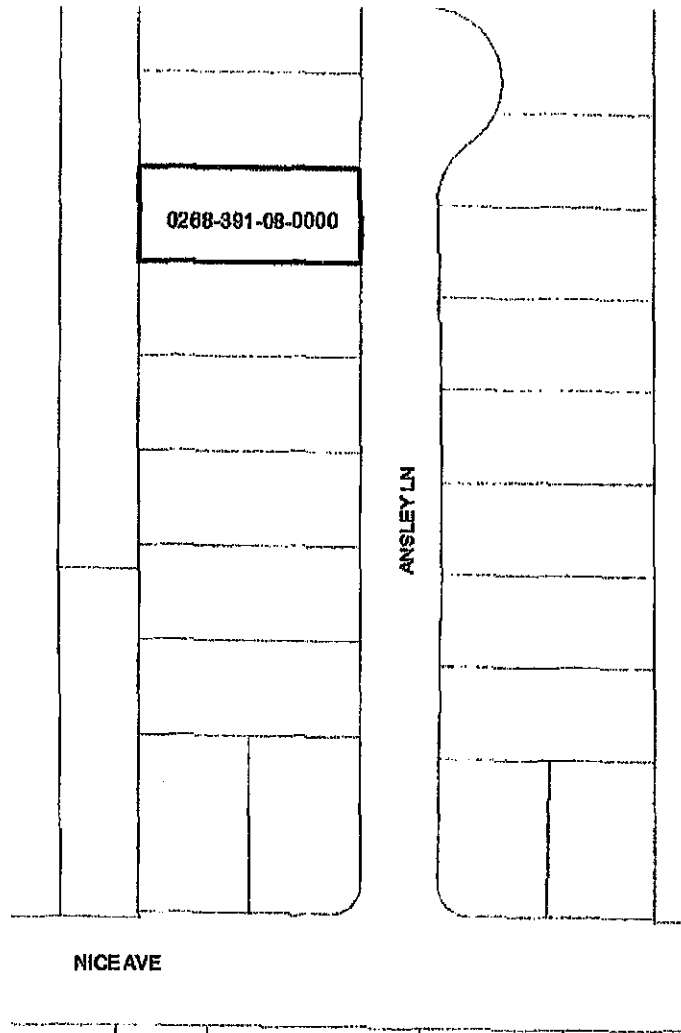
Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
<input type="checkbox"/> Corporate Officer — Title(s): _____	<input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Signer Is Representing: _____	Signer Is Representing: _____

EXHIBIT "A"
SITE PLAN

Site Plan Page 1

Ansley Lane
Mentone, CA
Annexation Agreement



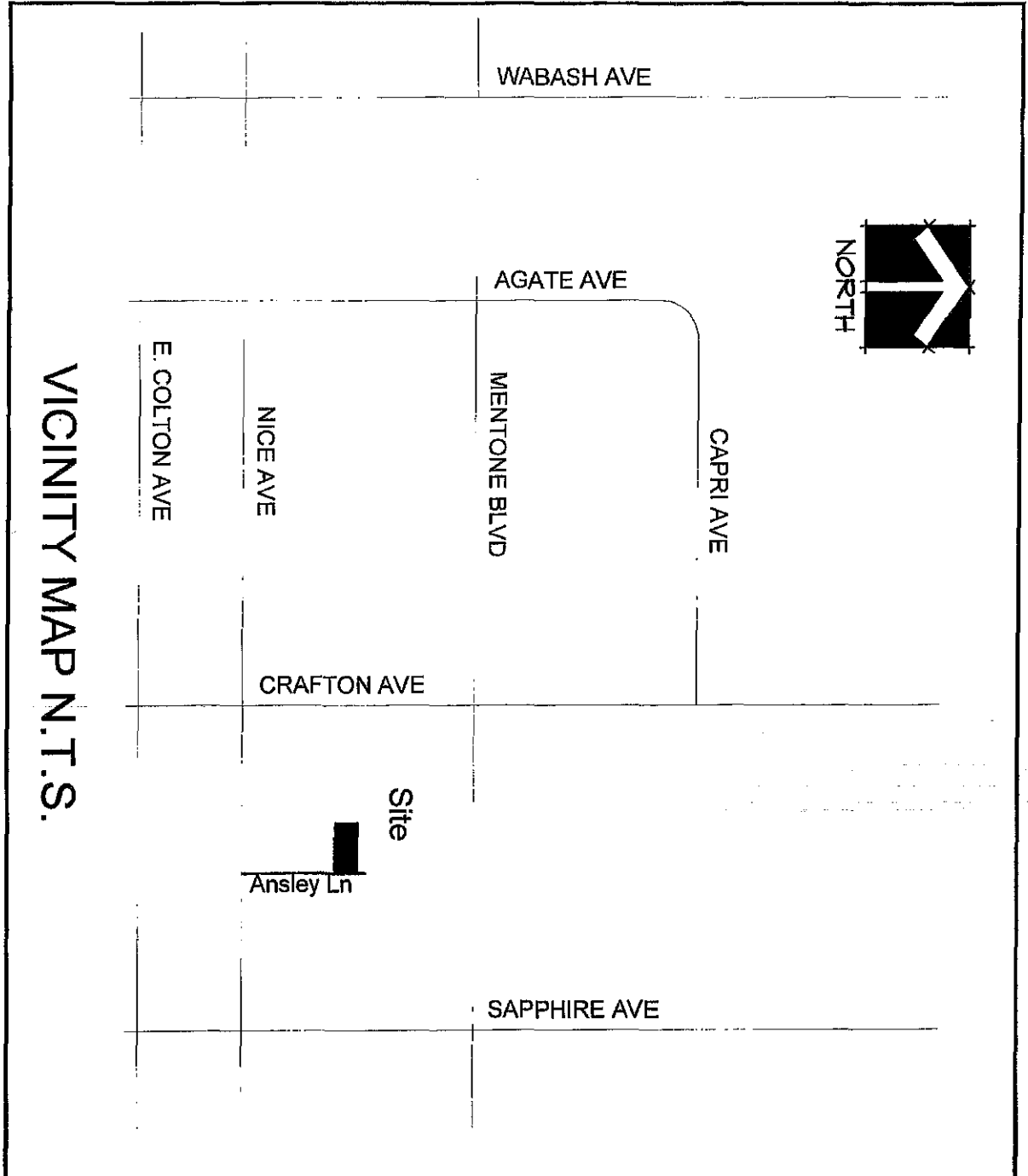


EXHIBIT "B"
GRANT DEED

Recording Requested By

First American Title Company

~~RECORDING REQUESTED BY:~~
~~Stewart Title Guaranty Company~~WHEN RECORDED MAIL TO:
AND MAIL TAX STATEMENT TO:Rosario Flores
16565 Cheltenham Road
Riverside, CA 92504ORDER NO. NSWPUR21415852
APN: 0298-391-08-0000

Property Addr: Vacant Land, Mentone, CA 92359

SPACE ABOVE THIS LINE FOR RECORDERS USE

U740380

GRANT DEED

THE UNDERSIGNED GRANTOR(s) DECLARE(s)

DOCUMENTARY TRANSFER TAX is \$115.50

CITY TAX \$0.00

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens or encumbrances
 remaining at time of sale.

(X) Unincorporated Area

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

James A Heine and Nancy J Heine, husband and wife as Joint Tenants

hereby **GRANT(S)** to Rosario Flores, a single woman

the following described real property, County of San Bernardino, State of California:

See Exhibit "A" attached hereto and made a part hereof.

Date: December 16, 2021

James A Heine
James A Heine

Nancy J. Heine
Nancy J Heine

MAIL TAX STATEMENT AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Bernardino

On December 16, 2021 before me Zulma Mendoza, Notary Public personally appeared James A Heine and Nancy J Heine, who proved to me on the basis of satisfactory evidence to be the person(s), whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Zulma Mendoza

(seal)

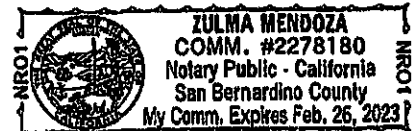


Exhibit "A"

Legal Description

A.P.N.: 0298-391-08-0-000

Real property in the unincorporated area of the County of San Bernardino, State of California, described as follows:

LOT 8 TRACT NO. 13514, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 220 OF MAPS, PAGE(S) 46, 47 AND 48, RECORDS OF SAID COUNTY.

TOM DODSON & ASSOCIATES

Mailing Address: PO Box 2307, San Bernardino, CA 92406-2307

Physical Address: 2150 N. Arrowhead Avenue, San Bernardino, CA 92405

Tel: (909) 882-3612 ♦ *Fax:* (909) 882-7015 ♦ *Email:* tda@tdaenv.com

Web: tdaenvironmental.com



July 10, 2023

Mr. Samuel Martinez
Local Agency Formation Commission
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0480

RECEIVED

JUL 10 2023

LAFCO
San Bernardino County

Dear Sam:

I have completed the California Environmental Quality Act (CEQA) review of out-of-area service contract, LAFCO SC#504 for the Commission. LAFCO SC#504 consists of a request by the City of Redlands to authorize out-of-agency water/wastewater service agreements for a single parcel (APN 0298-391-08). This parcel is located in the City's eastern Sphere of Influence in the community of Mentone on east Ansley Lane, just north of its intersection with Nice Avenue. Approval of SC#504 would allow the City of Redlands to extend water and wastewater (both collection and treatment) services to this property from pipelines located adjacent to the property in Ansley Lane.

Based on the above proposal and the analysis and findings presented below, it appears that LAFCO SC#504 can be implemented without causing significant adverse environmental impacts. The administrative record does not identify any action to comply with the California Environmental Quality Act (CEQA) for this proposed project. Therefore, LAFCO will consider this extension of service as the CEQA lead agency. Based on the proposal to construct a single-family residence on the project site and the available service lines adjacent to the site, this project has no potential to cause a significant adverse impact on the environment.

Therefore, I conclude that LAFCO SC#504 does not constitute a project under CEQA and adoption of an exemption (under the "Common Sense" finding in the State CEQA Guidelines) and filing of a Notice of Exemption are the most appropriate determination to comply with the CEQA. This exemption is found in Section 15061(b)(3) for this action. See the attached definition. The Commission can approve this review and finding for this action and I recommend that you notice LAFCO SC#504 as exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption (NOE) with the County Clerk of the Board for this action once a decision is made for this out-of-area service agreement.

Thus, after independent review of this proposed action, this proposed out-of-area service extension does not appear to have any potential to significantly alter the existing physical environment. Since no other project is known to be pending or will occur as a result of approving this application, no other potential significant physical changes in the environment are forecast to result from this action.

Based on this review of LAFCO SC#504 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the "Common Sense" exemption, as adequate substantiation in accordance with the

Commission's CEQA lead agency status. If you have any questions regarding this recommendation, please feel free to give me a call.

A handwritten signature in black ink that reads "Tom Dodson". The signature is written in a cursive, flowing style.

Tom Dodson

TD/cmc

Attachment

LAFCO SC#504 SE NOE Memo

Note: Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Section 65944, Government Code; Section 21080.2, Public Resources Code.

15060.5. PREAPPLICATION CONSULTATION

- (a) For a potential project involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the lead agency shall, upon the request of a potential applicant and prior to the filing of a formal application, provide for consultation with the potential applicant to consider the range of actions, potential alternatives, mitigation measures, and any potential significant effects on the environment of the potential project.
- (b) The lead agency may include in the consultation one or more responsible agencies, trustee agencies, and other public agencies who in the opinion of the lead agency may have an interest in the proposed project. The lead agency may consult the Office of Permit Assistance in the Trade and Commerce Agency for help in identifying interested agencies.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21080.1, Public Resources Code.

15061. REVIEW FOR EXEMPTION

- (a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.
- (b) A project is exempt from CEQA if:
 - (1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
 - (2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
 - (3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
 - (4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
 - (5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.
- (c) Each public agency should include in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt. This listing should be used in preliminary review.
- (d) After determining that a project is exempt, the agency may prepare a Notice of Exemption as provided in Section 15062. Although the notice may be kept with the project application at this time, the notice shall not be filed with the Office of Planning and Research or the county clerk until the project has been approved.
- (e) When a non-elected official or decisionmaking body of a local lead agency decides that a project is exempt from CEQA, and the public agency approves or determines to carry out the project, the decision that the project is exempt may be appealed to the local lead agency's elected decisionmaking body, if one exists. A local lead agency may establish procedures governing such appeals.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21080, 21080.9, 21080.10, 21084, 21108, 21151, 21152, and 21159.21, Public Resources Code; *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68.

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

PROPOSAL NO.: LAFCO SC#504

HEARING DATE: JULY 19, 2023

RESOLUTION NO. 3376

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO SC#504 – CITY OF REDLANDS OSC NO. 23-02 FOR WATER AND SEWER SERVICE (ASSESSOR PARCEL NUMBER 0298-391-08)

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

WHEREAS, Government Code Section 56133 requires the Local Agency Formation Commission to review and approve or deny applications for agencies to provide services outside their existing boundaries; and,

WHEREAS, an application for the proposed service extension in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and determined that the filings are sufficient; 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 the Commission on this matter; and,

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

WHEREAS, the public hearing by this Commission was called for July 19, 2023 at the time and place specified in the notice of public hearing; and,

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

RESOLUTION NO. 3376

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

DETERMINATIONS:

SECTION 1. The following determinations are noted in conformance with Commission policy:

1. The property, identified as Assessor Parcel Number 0298-391-08, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water and sewer service.
2. The City of Redlands' OSC No. 23-02 being considered is for the provision of water and sewer service to Assessor Parcel Number 0298-391-08. This contract will remain in force in perpetuity or until such time as the area will be annexed. Approval of this request will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water and sewer service.
3. The estimated fees the property owner will be charged by the City of Redlands for the extension of water and sewer service are identified as totaling \$19,878 (a breakdown of charges is on file in the LAFCO office). Payment of these fees is required prior to connection to the City's water and sewer facilities. In addition, the property owner shall bear all costs to complete improvements needed to extend the water and sewer service to the property.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the "Common Sense Rule" since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission's adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

SECTION 2. CONDITION. The City of Redlands shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this service contract, including any reimbursement of legal fees and costs incurred by the Commission.

SECTION 3. The Local Agency Formation Commission for San Bernardino County does hereby determine to approve the service extension contract submitted by the City of Redlands to provide water and sewer service to Assessor Parcel Number 0298-391-08.

SECTION 4. The Commission instructs the Executive Officer of this Local Agency Formation Commission to notify the affected agencies that the application identified as LAFCO SC#504 –

RESOLUTION NO. 3376

City of Redlands OSC No. 23-02 for Water and Sewer Service (APN 0298-391-08), has been approved.

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 regular meeting of July 19, 2023.

DATED:

SAMUEL MARTINEZ
Executive Officer

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: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
MICHAEL TUERPE, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #9: LAFCO SC#505 – CITY OF REDLANDS OSC 23-09
FOR WATER SERVICE (APN 0298-295-12)

INITIATED BY:

City of Redlands, on behalf of the property owner.

RECOMMENDATION:

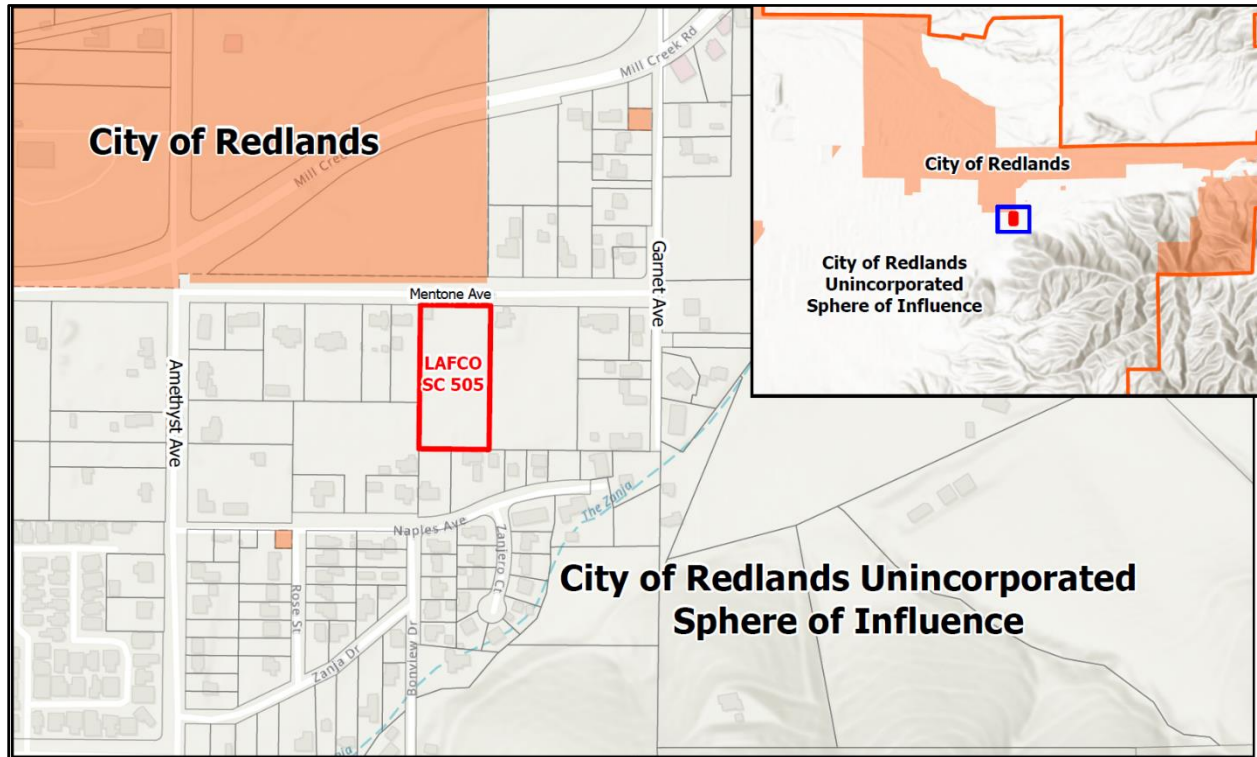
Staff recommends that the Commission approve LAFCO SC#505 by taking the following actions:

1. Certify that LAFCO SC#505 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#505 authorizing the City of Redlands to extend water service outside its boundaries to Assessor Parcel Number 0298-295-12.
3. Adopt LAFCO Resolution #3377 setting forth the Commission's determinations and approval of the agreement for service outside the City of Redlands' boundaries.

BACKGROUND:

The City of Redlands (hereinafter the "City") has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water service to a single parcel, Assessor Parcel Number (APN) 0298-295-12. The service contract area is generally located on the south side of Mentone Avenue (2340 Mentone Avenue) between Amethyst Avenue and Garnet Street, within the City of Redlands'

eastern sphere of influence, in the unincorporated community of Mentone, which is approximately 1.8 acres. The map below, which is also included as Attachment #1, provides a location and vicinity map of the site.



Vicinity Map

The property owner intends to construct a single-family residence on the vacant parcel, which requires connection to the City's water facilities. Therefore, the City, on behalf of the property owner, is requesting that the Commission authorize the extension of water service to the parcel pursuant to the provisions of Government Code Section 56133. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

PLAN FOR SERVICE:

The City's application, included as Attachment #2, identifies that water service to the parcel will be provided through a lateral connection to the existing 8-inch water main in Mentone Avenue and will include the installation of a domestic water meter as well as establishing a utility service account.

Pursuant to the Commission's application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency's boundaries. The City has submitted an estimated cost of

\$5,358 for the extension of water service to the parcel. Following is a table with a breakdown of the fee calculation:

Description of Fees/Charges	Cost	Total Cost
Development Impact Fee		
Water Source Acquisition	\$783	\$783
Water Capital Improvement	\$4,350	\$4,350
Connection Fee		
Meter Set	\$225	\$225
TOTAL		\$5,358

In addition to the cost outlined above, the property owner will be responsible for the entire cost of the water connection extending from the existing water main to the vacant parcel.

ENVIRONMENTAL DETERMINATION:

As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson from Dodson and Associates, has reviewed this service contract application and has indicated that it is his recommendation that the review of LAFCO SC#505 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission's approval of the out-of-agency service agreement has no potential to cause a significant adverse impact on the environment; and therefore, the service contract application is exempt (under the "Common Sense Rule") from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3).

CONCLUSION:

The purpose of the service contract application is for the City to receive authorization to provide water service outside its boundaries via contract to a parcel that requires connection to the City of Redlands' water facilities.

Staff has reviewed this request for authorization to provide water service from the City of Redlands outside its corporate boundaries against the criteria established by Commission policy and Government Code Section 56133. The parcel to be served is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of the City sometime in the future. Staff supports the City's request for authorization to provide water service to APN 0298-295-12 since its facilities are adjacent to the parcel, and there is no other existing entity available to provide this service within the area.

DETERMINATIONS:

1. The project area, Assessor Parcel Number (APN) 0298-295-12, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water service.
2. The City of Redlands' OSC No. 23-09 being considered is for the provision of water service to APN 0298-295-12 generally located on the south side of Mentone Avenue (2340 Mentone Avenue) between Amethyst Avenue and Garnet Street within the City of Redlands' eastern sphere of influence. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water service.
3. The estimated fees the property owner will be charged by the City of Redlands for the extension of water service are identified as totaling \$5,358 (for a breakdown of charges, see table on page 3). Payment of these fees are required prior to connection to the City's water facilities. In addition, the property owner will be responsible for the entire costs of the construction and installation of the water service extension.
4. As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is exempt from environmental review. A copy of Mr. Dodson's response is included as Attachment #3 to this report.

Attachments:

1. [Vicinity Map](#)
2. [City of Redlands' Application and Contract](#)
3. [Response from Tom Dodson and Associates](#)
4. [Draft Resolution #3377](#)

City of Redlands

**LAFCO
SC 505**

**City of Redlands Unincorporated
Sphere of Influence**


City of Redlands

**City of Redlands
Unincorporated
Sphere of Influence**

Vicinity Map

LAFCO SC#505 - City of Redlands OSC 23-09
for Water Service (APN 0298-295-12)

 LAFCO SC 505
 Redlands Sphere

 City of Redlands



Disclaimer: This information shown is
intended to be used for general display
only and is not to be used as an official map.

0 90 180
Yards

**SAN BERNARDINO LAFCO
APPLICATION FOR
EXTENSION OF SERVICE BY CONTRACT**

(A certified copy of the City Council/District Board of Directors resolution or a letter from the City Manager/General Manager requesting approval for an out-of-agency service agreement must be submitted together with this application form.)

AGENCY TO EXTEND SERVICE:

AGENCY NAME:

City of Redlands

CONTACT PERSON:

Donald Young

ADDRESS:

35 Cajon Street

Redlands CA 92373

PHONE:

909 798 7585 x6

EMAIL:

D Young @ City of Redlands.org

CONTRACTING PARTY:

NAME OF
PROPERTY OWNER:

Homes For Our Troops Inc

CONTACT PERSON:

Heather Register, Younger Construction

MAILING ADDRESS:

6 Main Street

Taunton MA 02780

PHONE:

760 728 9874

EMAIL:

G POIRIER @ HFOTUSA.ORG

ADDRESS OF PROPERTY
PROPOSED FOR CONTRACT:

2340 MENTONE AVE.

MENTONE CA 92359

CONTRACT NUMBER/IDENTIFICATION:

OSC 23-09

PARCEL NUMBER(S):

0298 295 12

ACREAGE:

1.79509

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

The following questions are designed to obtain information related to the proposed agreement/contract to allow the Commission and staff to adequately assess the proposed service extension. You may include any additional information which you believe is pertinent. Please use additional sheets where necessary.

1. (a) List the type or types of service(s) to be provided by this agreement/contract.

Domestic water service

- (b) Are any of the services identified above "new" services to be offered by the agency? ☐ YES ☒ NO. If yes, please provide explanation on how the agency is able to provide the service.

2. Is the property to be served within the agency's sphere of influence? ☒ YES ☐ NO

3. Please provide a description of the service agreement/contract.

Pre annexation Agreement

4. (a) Is annexation of the territory by your agency anticipated at some point in the future? ☒ YES ☐ NO. If yes, please provide a projected timeframe when it anticipates filing an application for annexation of territory that would include the area to be served. If no, please provide an explanation as to why a jurisdictional change is not possible at this time.

Projected timeframe of annexation has too
many variable to predict timing of
future annexation

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (b) Is the property to be served contiguous to the agency's boundary?
☐ YES ☒ NO. If yes, please provide explanation on why annexation to the agency is not being contemplated.

5. Is the service agreement/contract outside the Agency's sphere of influence in response to a threat to the public health and safety of the existing residents as defined by Government Code Section 56133(c)?
☐ YES ☒ NO. If yes, please provide documentation regarding the circumstance (i.e. letter from Environmental Health Services or the Regional Water Quality Control Board).

6. (a) What is the existing use of the property?

Vacant Land

- (b) Is a change in use proposed for the property? ☒ YES ☐ NO. If yes, please provide a description of the land use change.

construction of a single family residence

7. If the service agreement/contract is for development purposes, please provide a complete description of the project to be served and its approval status.

Property is currently vacant land. Owner has
submitted plans to County Building and Safety for
review of a new residential structure

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

8. Are there any land use entitlements/permits involved in the agreement/contract?
☐ YES ☒ NO. If yes, please provide documentation for this entitlement including the conditions of approval and environmental assessment that are being processed together with the project. Please check and attach copies of those documents that apply:

Tentative Tract Map / Parcel Map
Permit (Conditional Use Permit, General Plan Amendment, etc.)
Conditions of Approval
Negative Declaration (Initial Study)
Notice of Determination (NOD)/Notice of Exemption (NOE)
Department of Fish and Game (DFG) Receipt
Others (please identify below)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

9. Has the agency proposing to extend service conducted any CEQA review for this contract? ☐ YES ☒ NO. If yes, please provide a copy of the agency's environmental assessment including a copy of the filed NOD/NOE and a copy of the DFG Receipt.

10. Plan for Service:

- (a) Please provide a detailed description of how services are to be extended to the property. The response should include, but not be limited to, a description of: 1) capacity of existing infrastructure, 2) type of infrastructure to be extended or added to serve the area, 3) location of existing infrastructure in relation to the area to be served, 4) distance of infrastructure to be extended to serve the area, and 5) other permits required to move forward with the service extension.

Installation of a domestic water service
lateral to the existing site adjacent
water main in Mentone Avenue.

Upon approval of this Extension of Service
Contract, the applicant will apply for
installation of a water meter and
establishment of a utility service account.

Extension of Service by Contract
Application Form

(FOR LAFCO USE ONLY)

- (b) Please provide a detailed description of the overall cost to serve the property. The response should include the costs to provide the service (i.e. fees, connection charges, etc.) and also the costs of all improvements necessary to serve the area (i.e. material/equipment costs, construction/installation costs, etc.).

Description of Fees/Charges	Cost	Total
Development Impact Fee		
water source Acquisition	783	783
water Capital Improvement	4350	4350
sewer Capital Improvement	N/A	—
Connection Fee		
Meter set	225	225
* all fees subject to change, actual fee to be assessed will be the current fee at time of meter set.		
Total Costs		\$5,358

- (c) Please identify any unique costs related to the service agreement such as premium outside City/District rates or additional 3rd-party user fees and charges (i.e. fees/charges attributable to other agencies).

Not applicable

- (d) If financing is to occur, please provide any special financial arrangement between the agency and the property owner, including a discussion of any later repayment or reimbursement (If available, a copy of the agreement for repayment/reimbursement is to be provided).

- 11 Does the City/District have any policies related to extending service(s) outside its boundary? ☒ YES ☐ NO. If yes, has a copy been provided to LAFCO?
☒ YES ☐ NO. If not, please include a copy of the policy or policies (i.e. resolution, municipal code section, etc.) as part of the application.

City of Redlands Municipal Code identifies specific
procedures for extension of service to properties within the
City's sphere of influence

CERTIFICATION

As a part of this application, the City/Town of Redlands, or the _____ District/Agency agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

The agency signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

*Extension of Service by Contract
Application Form*

(FOR LAFCO USE ONLY)

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement and information presented herein are true and correct to the best of my knowledge and belief.

SIGNED

Donald P. Young

NAME:

Donald P. Young

POSITION TITLE:

One Stop Permit Center Manager

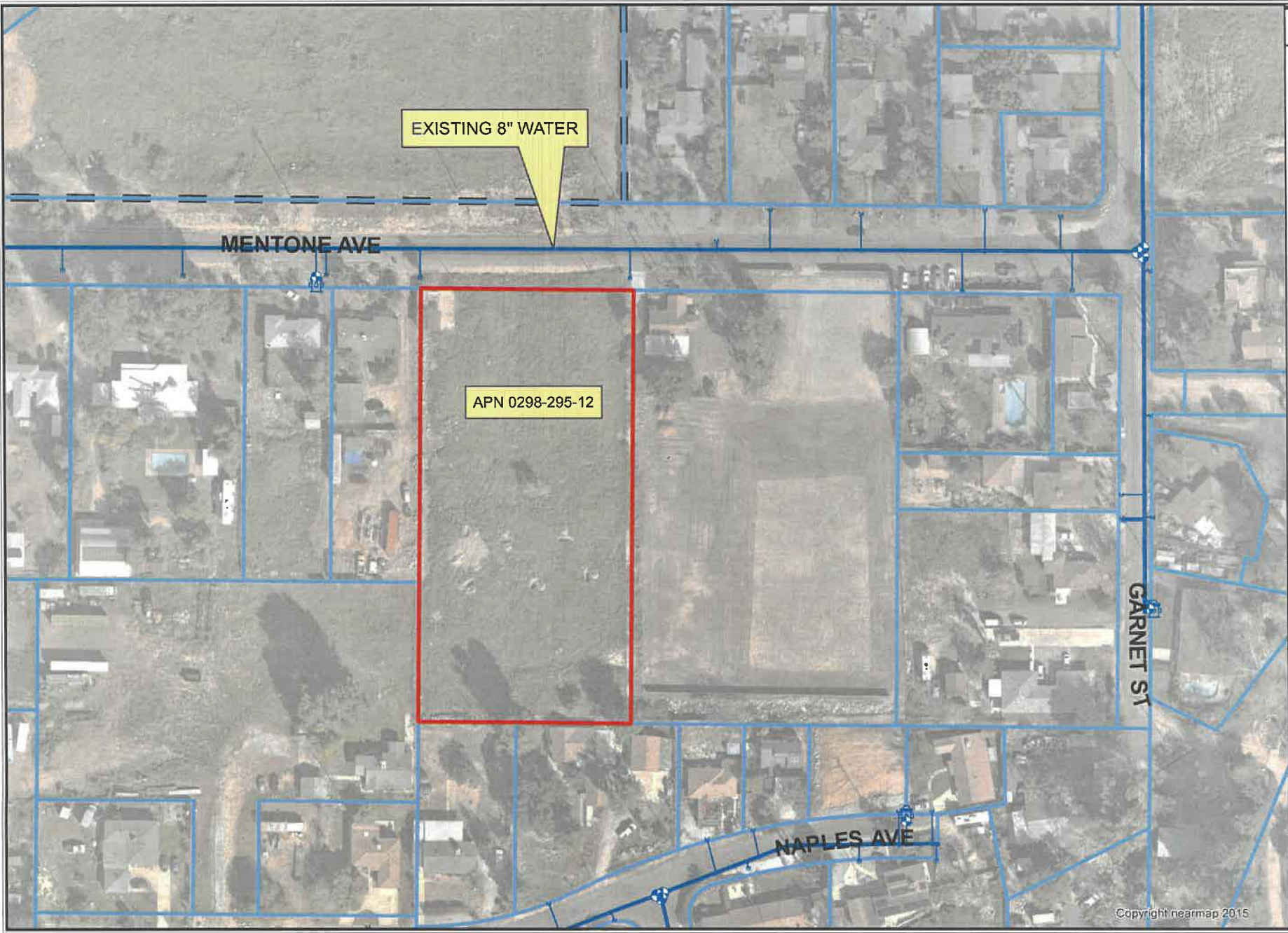
DATE:

REQUIRED EXHIBITS TO THIS APPLICATION:

1. Copy of the agreement/contract.
2. Map(s) showing the property to be served, existing agency boundary, the location of the existing infrastructure, and the proposed location of the infrastructure to be extended.
3. Certified Plan for Service (if submitted as a separate document) including financing arrangements for service.

Please forward the completed form and related information to:

Local Agency Formation Commission for San Bernardino County
1170 W. Third Street, Unit 150,
San Bernardino, CA 92415-0490
PHONE: (909) 388-0480 • FAX: (909) 388-0481

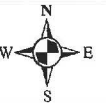


Title

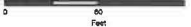
REDLANDS
OSC 23-09

HOME FOR
OUR TROOPS

This map was produced by the City of Redlands Geographic Information System. The City of Redlands assumes no warranty or legal responsibility for the information or on this map. The data used to generate this map is by nature, therefore the user may not be the most current.



Scale



City of
REDLANDS "A City That Works"

June 2, 2023

OneStop.mxd

Copyright nearmap 2015



Electronically
Recorded in Official Records
San Bernardino County

Assessor-Recorder-County Clerk

DOC# 2023-0126779

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

CITY CLERK'S OFFICE
CITY OF REDLANDS
P.O. BOX 3005
REDLANDS, CA 92373

05/25/2023
08:24 AM
SAN

C5032

Titles: 1 Pages: 13

Fees	\$0.00
Taxes	\$0.00
CA SB2 Fee	\$0.00
Total	\$0.00

**FEES NOT REQUIRED
PER GOVERNMENT CODE
SECTION 6103**

(THIS SPACE FOR RECORDER'S USE ONLY)

AGREEMENT FOR ANNEXATION AND PROVISION FOR CITY UTILITY SERVICES

This Agreement for Annexation and Provision of City Utility Services ("Agreement") is made and entered into this 16th day of May, 2023, by and between the City of Redlands, a municipal corporation organized and existing under the laws of the State of California ("City") and Home For Our Troops, Inc., a Massachusetts Nonprofit Corporation ("Property Owner"). City and Property Owner are sometimes individually referred to herein as a "Party" and, together, as the "Parties."

RECITALS

WHEREAS, to provide for orderly planning, City (1) has the authority pursuant to Government Code sections 65300 and 65301 to include within its General Plan property outside its boundaries which is in City's sphere of influence or, which in City's judgment, bears a relation to its strategic planning, and (2) also has the authority pursuant to Government Code section 65859 to pre-zone property within its sphere of influence for the purpose of determining the zoning designation that will apply to such property in the event of a subsequent annexation of the property to City; and

WHEREAS, California case law, including but not limited to, *Dateline Builders, Inc. v. City of Santa Rosa* (1983) 146 Cal. App. 3d, 520 and *County of Del Norte v. City of Crescent City* (1999) which state in relevant part that it is not against the law or public policy for a city or county to use utilities as a tool to manage growth, provides that a city has no obligation, and may use its sole discretion, to extend utility services outside its corporate boundaries; and

WHEREAS, Property Owner owns a parcel of land generally located at 2340 Mentone Avenue, Mentone, CA 92359 and identified as county of San Bernardino Assessor's Parcel Number 0298-295-12-0000 ("Property") in the unincorporated area of the county of San Bernardino within the City's sphere of influence, as described in Exhibit "A" titled "Site Plan" and Exhibit "B" titled "Grant Deed" has made a request and application to City to receive water service for property located in the unincorporated area of the county of San Bernardino, and has provided evidence satisfactory to City that Property Owner is the fee owner of the Property; and

WHEREAS, Government Code section 56133 authorizes the City to provide new or extended utility services by contract outside its jurisdictional boundaries if it first receives written approval from the Local Agency Formation Commission for San Bernardino County ("LAFCO"), and provides that LAFCO may authorize City to provide such services within City's sphere of influence in anticipation of a later change of organization; and

WHEREAS, City's General Plan and Chapter 13.60 of the Redlands Municipal Code establish policies and procedures for the approval of City utility services to properties located within the City's sphere of influence and require, among other things, the owner of the property to be served to enter into an agreement, and record the same in the official records of the county of San Bernardino, requiring the property owner to annex the property to City upon certain conditions; and

WHEREAS, City has prepared a General Plan for the unincorporated area in which the Property is located to provide for the orderly planning of such area, and has determined that the proposed development of the Property is consistent with the goals and policies of City's General Plan; and

WHEREAS, it is the policy and goal of City to discourage and not facilitate development in City's sphere of influence which is unwilling and/or fails to comply with City's General Plan and City's development standards by refusing to extend utility services in such instances; and

WHEREAS, pursuant to the requirements of Chapter 13.60 of the Redlands Municipal Code and in consideration of City's agreement to extend utility services outside its jurisdictional boundaries to the Property, Property Owner has entered into this Agreement to provide assurances to City that connection to City's domestic water system will occur in accordance with the Redlands General Plan and the development standards of the Redlands Municipal Code, and that the Property shall be annexed to City in accordance with this Agreement's terms, provisions and conditions;

~~NOW, THEREFORE~~, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the City of Redlands and Property Owner agree as follows:

AGREEMENT

1. Recitals. The foregoing recitals are true and correct.
2. Provision of Utility Services. City agrees to provide domestic water service to the Property consistent with the terms and conditions of this Agreement, provided that the connection complies with all rules and regulations of City governing the extension and provision of utility services to properties located outside City's boundaries at the time a request by Property Owner for application for a water connection is approved by City's Municipal Utilities and Engineering Department. Nothing herein represents a commitment by City to provide such service unless and until Property Owner complies with all such rules and regulations. As a condition of approval of

an application for water connection, and prior to receiving any service, Property Owner agrees to pay the full cost of such service as established by City for the extension of utility services to the Property.

3. Agreement to Develop by City Standards. In consideration of City's agreement to provide City water service to the Property, Property Owner shall develop the Property in accordance with the Redlands General Plan and any applicable development standards of the Redlands Municipal Code.

4. Agreement to Annex. In consideration of City's agreement to provide City water service to the Property, Property Owner hereby irrevocably consents to annexation of the Property to City and agrees it shall take any and all reasonable and necessary actions, and fully and in good faith to cooperate with City, to cause the annexation of the Property to City. Property Owner and City agree that in the event City initiates an annexation of the Property, City shall be responsible for the costs of such annexation. In all other instances where the annexation of the Property is proposed to City, Property Owner shall be responsible for such costs.

5. Payment of Fees. As a condition of receiving domestic water service from City, Property Owner shall pay to City all then-established applicable development impact fees, and user fees specifically for such domestic water service.

6. Taxes and Assessments. Property Owner hereby consents to the imposition of and agrees that Property Owner shall pay, all taxes and assessments imposed and/or levied by City which may be applicable to the Property at the time the Property is annexed to City.

7. Recordation. By entering into this Agreement, Property Owner and City acknowledge and agree that, among other things, it is the express intention of the Parties that any and all successors in interest, assigns, heirs, and executors of Property Owner shall have actual and constructive notice of Property Owner's obligations under, and the benefits and burdens of, this Agreement. Therefore, this Agreement and any amendments hereof, shall be recorded in the official records of the county of San Bernardino. Property Owner further agrees that City shall, at the sole cost of Property Owner, have the right to cause the recordation of this Agreement.

8. Breach/Failure to Annex In the event Property Owner fails to comply with its obligations under this Agreement or takes any action to protest, challenge, contravene, or otherwise breach any of its obligations or representations under this Agreement, City shall have the right to, without any liability whatsoever, cease the provision of City utility services to the Property. This right shall be in addition to any other legal or equitable relief available to City.

9. Not a Partnership. The Parties specifically acknowledge that Property Owner's development of the Property is a private project, that neither Party is acting as the agent of the other in any respect hereunder, and that each Party is an independent contracting entity with respect to the terms, covenants, and conditions contained in this Agreement. No partnership, joint-venture or other association of any kind is formed by this Agreement. The only relationship between City and Property Owner is that of a governmental entity regulating the development of private property and the owner of such property.

10. Indemnity and Cost of Litigation.

A. Property Owner agrees to and shall hold City, and its elected and appointed officials, officers, agents, and employees free and harmless from any and all liability for damage or claims for damage for personal injury, including death, and claims for property damage which may arise from the operations, errors, or omissions of Property Owner or those of its contractors, subcontractors, agents, employees or any other persons acting on Property Owner's behalf which relate to development of the Property. Property Owner agrees to and shall defend, indemnify and hold harmless City, its elected officials, officers, agents, employees, and representatives from all actions for damages caused or alleged to have been caused by reason of Property Owner's acts, errors, or omissions in connection with the development of the Property. This hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of Property Owner's or its representatives' acts, errors, or omissions regardless of whether or not City supplied, prepared, or approved plans or specifications relating to the development of the Property and regardless of whether or not any insurance policies of Property Owner relating to such development are applicable.

B. Property Owner shall defend, at its expense, including attorneys' fees, indemnify and hold harmless City, and its elected and appointed officials, officers, agents, and employees from any claim, action, or proceeding against any of them to attack, set aside, void or annul the approval of this Agreement or the approval of any permit or entitlement granted in furtherance of this Agreement. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding.

11. Liquidated Damages. In the event that the property is not annexed to City in accordance with the terms of the Agreement, the existing owner of the Property shall pay each year to City, as liquidated damages, a sum equal to the property taxes and any sales taxes the City would have received had the Property been annexed. Failure to make such liquidated damages payments shall be good cause for City to cease service to the Property.

12. Section Headings. All section headings and sub-headings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

13. Governing Law. This Agreement and any dispute arising hereunder shall be governed by and construed in accordance with the laws of the State of California.

14. Attorneys' Fees. In the event any action is commenced to enforce or interpret the terms or conditions of this Agreement the prevailing Party shall, in addition to any costs and other relief, be entitled to the recovery of its reasonable attorneys' fees, including fees for a Party's use of in-house counsel.

15. Binding Effect. The burdens of this Agreement bind and the benefits of this Agreement inure to the assigns and successors in interest of the Parties.

16. Authority to Execute. The person or persons executing this Agreement warrant and represent that they have the authority to execute this Agreement on behalf of the legal, fee title owner of the Property.

17. Waiver and Release. Property Owner hereby waives and releases any and all claims it may have against City, and its elected and appointed officials, officers, employees, and agents with respect to any City actions or omissions relating to the development of the Property, and the Parties' entry into, and execution of, this Agreement. Property Owner makes such waiver and release with full knowledge of Civil Code Section 1542, and hereby waives any and all rights thereunder to the extent of this waiver and release, of such Section 1542 is applicable. Civil Code Section 1542 provides as follows:

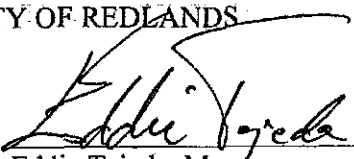
"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

18. Construction. The Parties agree that each Party and its counsel have reviewed this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in the interpretation of this Agreement. The Parties further agree that this Agreement represents a voluntary "arms-length" transaction agreed to by and between the Parties and that each Party has had the opportunity to consult with legal counsel regarding the terms, conditions, and effect of this Agreement.

19. Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the Parties as to the matters contained herein, and there are no oral or written representations, understandings, or ancillary covenants or agreements which are not contained or expressly referenced herein, and no testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

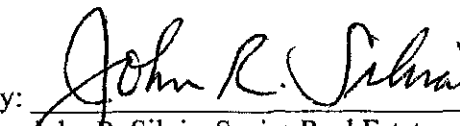
CITY OF REDLANDS

By:


Eddie Tejada, Mayor

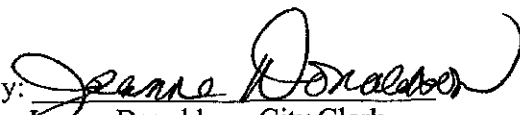
HOME FOR OUR TROOPS, INC.

By:


John R. Silvia, Senior Real Estate
Compliance Officer

ATTEST:

By:


Jeanne Donaldson, City Clerk

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Massachusetts
County of Bristol,

On May 16, 2023 before me, Cheryl G. Peterson, Notary Public
(Insert name and title of the officer)

personally appeared John R. Silvia, Senior Real Estate Compliance officer who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

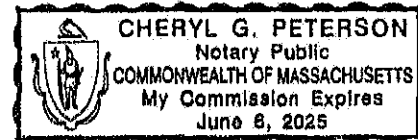
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Cheryl G. Peterson

(Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San BernardinoOn May 24, 2023 before me, JR McCasland, Notary Public

Here Insert Name and Title of the Officer

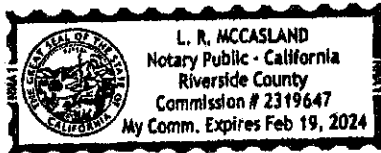
personally appeared Jeanne Donaldson and Eddie Tejada

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity(ies), and that by ~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature JR McCasland

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

EXHIBIT "A"
SITE PLAN

Exhibit A
Site Plan

Mentone Avenue
Mentone, CA
Annexation Agreement

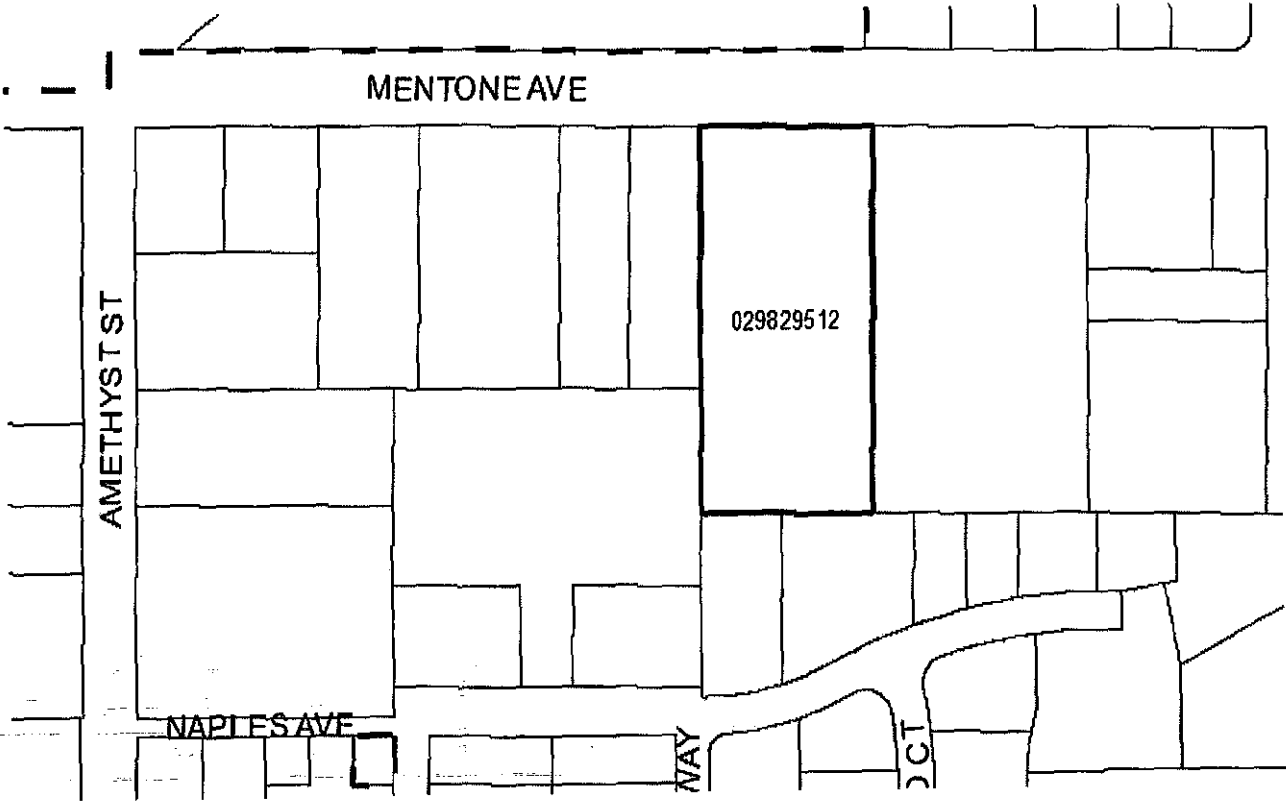


EXHIBIT "B"
GRANT DEED

Exhibit B - Grant Deed



Electronically
Recorded in Official Records
San Bernardino County
Bob Dutton
Assessor-Recorder-County Clerk

RECORDING REQUESTED BY:
Lawyers Title
MAIL TAX STATEMENTS TO
AND WHEN RECORDED MAIL TO:

John R. Silvia
6 Main St
Taunton, MA 02780

DOC# 2021-0393802

08/31/2021
10:31 AM
SAN
14609

Titles: 1 Pages: 3

Fees	\$30.00
Taxes	\$268.50
OA SB2 Fee	\$0.00
Total	\$288.50

THIS SPACE FOR RECORDER'S USE ONLY:

Title Order No.: 621690936
AP#: 0298-295-12-0-000

Escrow No.: 13917-JP

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)

DOCUMENTARY TRANSFER TAX is \$268.50

[X] computed on full value of property conveyed, or

[] computed on full value less value of liens or encumbrances remaining at time of sale.

[] Unincorporated area [X] City of Mentone AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Chase Ash and Lindsay Ash, Husband and Wife as Joint Tenants

hereby GRANT(s) to:

Homes For Our Troops, . INC.

the real property in the City of Mentone, County of San Bernardino, State of California, described as:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF

Also Known as: 2340 Mentone Ave, Mentone, CA 92359

Dated June 24, 2021

Chase Ash

Lindsay Ash

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

On JULY 3, 2021 before me, SAMUEL LUNA
appeared CHASE ASH LINDSAY ASH who proved to me on the
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and
correct.

WITNESS my hand and official seal.

Signature

(Seal)



MAIL TAX STATEMENTS TO PARTY SHOWN BELOW; IF NO PARTY SHOWN, MAIL AS SHOWN ABOVE:

ILLEGIBLE NOTARY SEAL DECLARATION

GOVERNMENT CODE 27361.7

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary: SAMUEL LUNA

Notary Identification Number: 2351124

Vendor #: TUS7

County Where Bond Is Filed: SAN BERNARDINO COUNTY

Date Commission Exp: MARCH 12, 2025

Place of Execution: Riverside, CA

Position title Inc.

08/31/2021

DATE:

Riverside, CA



Signature

File No: 621690936

EXHIBIT "A"

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PORTION OF LOT 5, BLOCK 22 OF MENTONE, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 8, PAGE 81 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5, THENCE EAST ALONG THE SOUTH LINE OF MENTONE AVENUE 195 FEET; THENCE AT RECORDED ANGELES SOUTH 400 FEET, BUT NOT SOUTH OF A POINT 210 FEET NORTH OF THE SOUTH LINE OF SAID LOT; THENCE WEST PARALLEL WITH THE SOUTH LINE OF MENTONE 195 FEET, MORE OR LESS, TO THE WEST LINE OF LOT 5; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 5, 400 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 0298-295-12-0-000

TOM DODSON & ASSOCIATES

Mailing Address: PO Box 2307, San Bernardino, CA 92406-2307

Physical Address: 2150 N. Arrowhead Avenue, San Bernardino, CA 92405

Tel: (909) 882-3612 ♦ *Fax:* (909) 882-7015 ♦ *Email:* tda@tdaenv.com

Web: tdaenvironmental.com



July 10, 2023

Mr. Samuel Martinez
Local Agency Formation Commission
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0480

RECEIVED

JUL 10 2023

LAFCO

San Bernardino County

Dear Sam:

I have completed the California Environmental Quality Act (CEQA) review of out-of-area service contract, LAFCO SC#505 for the Commission. LAFCO SC#505 consists of a request by the City of Redlands to authorize out-of-agency water service agreement for a single parcel (APN 0298-295-12). This parcel is located in the City's eastern Sphere of Influence at 2340 Mentone Avenue between Amethyst Avenue and Garnet Street. Approval of SC#505 would allow the City of Redlands to extend water services to this approximate 1.76-acre property from a water pipeline located adjacent to the property in Mentone Avenue.

Based on the above proposal and the analysis and findings presented below, it appears that LAFCO SC#505 can be implemented without causing significant adverse environmental impacts. The administrative record does not identify any action to comply with the California Environmental Quality Act (CEQA) for this proposed project. Therefore, LAFCO will consider this extension of service as the CEQA lead agency. Based on the proposal to construct a single-family residence on the project site and the available service line adjacent to the site, this project has no potential to cause a significant adverse impact on the environment.

Therefore, I conclude that LAFCO SC#505 does not constitute a project under CEQA and adoption of an exemption (under the "Common Sense" finding in the State CEQA Guidelines) and filing of a Notice of Exemption is the most appropriate determination to comply with the CEQA. This exemption is found in Section 15061(b)(3) for this action. See the attached definition. The Commission can approve this review and finding for this action and I recommend that you notice LAFCO SC#505 as exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption (NOE) with the County Clerk of the Board for this action once a decision is made for this out-of-area service agreement.

Thus, after independent review of the proposed action, this proposed out-of-area service extension does not appear to have any potential to significantly alter the existing physical environment. Since no other project is known to be pending or will occur as a result of approving this application, no other potential significant physical changes in the environment are forecast to result from this action.

Based on this review of LAFCO SC#505 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the "Common Sense" exemption, as adequate substantiation in accordance with the

Commission's CEQA lead agency status. If you have any questions regarding this recommendation, please feel free to give me a call.

A handwritten signature in black ink that reads "Tom Dodson". The signature is written in a cursive, flowing style.

Tom Dodson

TD/cmc

Attachment

LAFCO SC#505 SE NOE Memo

Note: Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Section 65944, Government Code; Section 21080.2, Public Resources Code.

15060.5. PREAPPLICATION CONSULTATION

- (a) For a potential project involving the issuance of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies, the lead agency shall, upon the request of a potential applicant and prior to the filing of a formal application, provide for consultation with the potential applicant to consider the range of actions, potential alternatives, mitigation measures, and any potential significant effects on the environment of the potential project.
- (b) The lead agency may include in the consultation one or more responsible agencies, trustee agencies, and other public agencies who in the opinion of the lead agency may have an interest in the proposed project. The lead agency may consult the Office of Permit Assistance in the Trade and Commerce Agency for help in identifying interested agencies.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21080.1, Public Resources Code.

15061. REVIEW FOR EXEMPTION

- (a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.
- (b) A project is exempt from CEQA if:
 - (1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
 - (2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
 - (3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
 - (4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
 - (5) The project is exempt pursuant to the provisions of Article 12.5 of this Chapter.
- (c) Each public agency should include in its implementing procedures a listing of the projects often handled by the agency that the agency has determined to be exempt. This listing should be used in preliminary review.
- (d) After determining that a project is exempt, the agency may prepare a Notice of Exemption as provided in Section 15062. Although the notice may be kept with the project application at this time, the notice shall not be filed with the Office of Planning and Research or the county clerk until the project has been approved.
- (e) When a non-elected official or decisionmaking body of a local lead agency decides that a project is exempt from CEQA, and the public agency approves or determines to carry out the project, the decision that the project is exempt may be appealed to the local lead agency's elected decisionmaking body, if one exists. A local lead agency may establish procedures governing such appeals.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Sections 21080, 21080.9, 21080.10, 21084, 21108, 21151, 21152, and 21159.21, Public Resources Code; *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal. 4th 372, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68.

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

PROPOSAL NO.: LAFCO SC#505

HEARING DATE: JULY 19, 2023

RESOLUTION NO. 3377

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO SC#505 – CITY OF REDLANDS OSC NO. 23-09 FOR WATER SERVICE (ASSESSOR PARCEL NUMBER 0298-295-12)

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

WHEREAS, Government Code Section 56133 requires the Local Agency Formation Commission to review and approve or deny applications for agencies to provide services outside their existing boundaries; and,

WHEREAS, an application for the proposed service extension in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and determined that the filings are sufficient; 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 the Commission on this matter; and,

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

WHEREAS, the public hearing by this Commission was called for July 19, 2023 at the time and place specified in the notice of public hearing; and,

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

RESOLUTION NO. 3377

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

DETERMINATIONS:

SECTION 1. The following determinations are noted in conformance with Commission policy:

1. The property, identified as Assessor Parcel Number 0298-295-12, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water service.
2. The City of Redlands' OSC No. 23-09 being considered is for the provision of water service to Assessor Parcel Number 0298-295-12. This contract will remain in force in perpetuity or until such time as the area will be annexed. Approval of this request will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water service.
3. The estimated fees the property owner will be charged by the City of Redlands for the extension of water service are identified as totaling \$5,358 (a breakdown of charges is on file in the LAFCO office). Payment of these fees is required prior to connection to the City's water facilities. In addition, the property owner shall bear all costs to complete improvements needed to extend the water service to the property.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the "Common Sense Rule" since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission's adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

SECTION 2. CONDITION. The City of Redlands shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this service contract, including any reimbursement of legal fees and costs incurred by the Commission.

SECTION 3. The Local Agency Formation Commission for San Bernardino County does hereby determine to approve the service extension contract submitted by the City of Redlands to provide water service to Assessor Parcel Number 0298-295-12.

SECTION 4. The Commission instructs the Executive Officer of this Local Agency Formation Commission to notify the affected agencies that the application identified as LAFCO SC#505 – City of Redlands OSC No. 23-09 for Water Service (APN 0298-295-12), has been approved.

RESOLUTION NO. 3377

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 regular meeting of July 19, 2023.

DATED:

SAMUEL MARTINEZ
Executive Officer

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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DATE: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
MICHAEL TUERPE, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #11: Consideration of Amendments to Chapter 2: Out-of-Agency Service Contracts of Section IV – Application Processing of the Policy and Procedure Manual

RECOMMENDATION:

Staff recommends that the Commission:

1. Provide staff with any additional changes, corrections or amendments to the policies and procedures related to Out-of-Agency Service Contracts as presented; and,
2. Schedule a public hearing for August 16, 2023 for formal approval of the amendments to Chapter 2: Out-of-Agency Service Contracts of Section IV – Application Processing of the Policy and Procedure Manual.

BACKGROUND:

At the April 2023 Commission meeting, staff presented the Commission with proposed changes to its Policy and Procedure Manual, which included—among other changes throughout the entire Manual—amendments to the Out of Agency Service Contracts portion of the Manual pertaining to the Executive Officer's ability to authorize the extension of service(s) outside an agency's boundary.

In addition to cleanup language, staff proposed language that authorizes the Executive Officer to approve or conditionally approve the extension of services outside an agency's boundary to accessory dwelling units (ADUs) where a primary dwelling exists including non-development related service extensions outside an agency's sphere of influence.

At that time, the Commission expressed concern regarding the proposed changes and directed staff to return at a later date to provide the Commission with a more detailed justification on the proposed changes to the Out of Agency Service Contracts portion of the Policy and Procedure Manual.

After further reviewing the initial proposed changes, staff's position is that the authority to extend service or services to ADUs, even though the ADU may be development related, can be designated to the Executive Officer under certain parameters. However, staff is clarifying that all service extensions outside an agency's boundary and sphere of influence—whether development or non-development related—shall remain the authority of the Commission.

Discussion:

The Commission has adopted policies and procedures by which the Commission considers requests for new or extended services pursuant to Government Code Section 56133 including authorizing the Executive Officer to approve, or conditionally approve, requests for service extensions outside an agency's boundary to serve lots with existing dwelling units.

Legislation on Accessory Dwelling Units

Over the years, laws related to ADUs have been revised to improve its effectiveness at creating more housing units. Recent changes to ADU laws further reduce barriers by streamlining the approval processes. The new 2022 ADU bills clarify that within 60 days of receiving a completed application for an ADU, a permitting agency must approve or deny the permit application. If the permitting agency denies the application, it is required to provide a set of comments within the 60-day period with corrections and a description of how the application can be remedied to be approved. Further, if the permitting agency has not approved or denied the completed application within 60 days, then the application shall be deemed approved. This applies to all "Permitting Agencies" as defined in the law. See Attachment #2 for the full copy of Government Code Section 65852.2, which is the entire ADU law.

It is within this context that staff is proposing the ability of the Executive Officer to authorize the extension of service or services to ADUs even though the ADU may be development related. Since the Executive Officer is already authorized to extend service or services to serve existing structures, the Executive Officer should have the authority to extend services to ADUs if the ADU being created is on a lot where a single-family or a multifamily dwelling unit already exists. Such extension of service would require the extension of service not only to the ADU itself but also to the existing dwelling unit. In essence, the Executive Officer is authorizing the extension of service(s) to the ADU by way of the existing structure. Having the Executive Officer authorize such extension of service(s) to ADUs streamlines the approval process.

Staff is also clearly defining the service to be for water and/or sewer service only, and the existing dwelling unit on the lot must be a single-family residence or a multifamily residence.

CONCLUSION:

In addition to clean up changes to the Out of Agency Service Contracts section of the Commission's Policy and Procedure Manual, staff is recommending the additional changes related to the ability of the Executive Officer to authorize service(s), specifically water and/or sewer service, as it relates to new (or existing) ADUs, for as long as the ADU(s) is on a lot where a residence (single-family or multifamily) already exists.

Staff recommends that the Commission provide staff with any additional changes, corrections or amendments to the amendments as presented, and schedule a public hearing for formal approval of the proposed amendments.

Attachments:

1. [Chapter 2 – Out of Agency Service Contracts \(track change format\)](#)
2. [Government Code Section 65852.2](#)

CHAPTER 2: OUT OF AGENCY SERVICE CONTRACTS

BACKGROUND:

Beginning January 1, 1994 the Local Agency Formation Commission was charged with the responsibility for reviewing and taking action on a city or district contract to extend service outside its jurisdiction under the provisions of Government Code Section 56133. These are unique actions not directly related to the processing of other types of proposals as defined in the Cortese-Knox-Hertzberg Local Government Reorganization Act and these policies and procedures will provide guidance on their processing.

POLICIES:

(Adopted May 18, 1994; Amended December 20, 2000, March 16, 2016.)

1. DEFINITIONS

The definition of terms that follow has been developed to assist in the implementation of Government Code Section 56133 since its terminology, in some areas, is not reflective of current statutory definitions or has no statutory definition within Cortese-Knox-Hertzberg:

- A. "New or extended services" shall mean for cities, the provision of those services authorized a city under its enabling legislation; and for special districts, service shall remain as defined in Government Code Section 56074. It is important to note that a district would be precluded from providing a "new service" unless it has been first authorized that service under existing special district regulations regarding activation of latent functions or services.
- B. "Contract or agreement" shall mean a contract, agreement, or other legal instrument, which requires or agrees to the delivery of service to a property or a defined service area.
- C. "Written approval of the Commission" shall mean the adoption of a resolution of the Commission approving the service agreement/contract at a noticed public hearing or the document signed by the Executive Officer authorizing the completion of the contract in cases where the Executive Officer has been authorized to approve the service agreement/contract (see Policy 2 below).
- D. "Affected County" shall be defined in the same manner as Government Code Section 56012 but relating to the area to which contractual service will be delivered.

- E. "Anticipation of a later change of organization." The inclusion of an area to be served within the sphere of influence of the serving agency shall be sufficient to comply with this provision.
- F. "Public Agency" shall be defined in compliance with Government Code Section 56070. The definition of public agency does not include a private or mutual water company. Any contract by a city or district to extend service to these types of service companies would require approval from the Commission prior to contract execution.
- G. "Health and safety concern" shall mean the extension of service to alleviate an immediate health and/or safety problem. Such connections would be limited to the provision of water and/or sewer service to an existing structure, the connection to a failing mutual or private water system requiring auxiliary service, and other similar threats related to health and safety.

- 2. EXECUTIVE OFFICER AUTHORITY. The Commission has determined that the Executive Officer shall have the authority to approve, or conditionally approve, ~~proposals~~ applications to extend services outside jurisdictional boundaries in cases where the service extension is proposed to remedy a health and safety concern. In addition, the Executive Officer shall have the authority to approve or conditionally approve service extensions where the services in question will not facilitate development or the service is to provide water and/or sewer service to accessory dwelling units or junior accessory dwelling units being created on lots where a single-family or a multifamily dwelling unit already exists. In cases where the Executive Officer recommends denial of a proposed service extension, that ~~proposal~~ application shall be placed on the next agenda for which notice can be provided. After the public hearing, the Commission may approve, conditionally approve, or deny the contract.
- 3. GOVERNMENT CODE SECTION 56133.5. An ~~proposal~~ application by a city or district to provide new or extended services under the provisions of Government Code Section 56133.5, ~~which~~ will require Commission approval at a noticed public hearing prior to the signing of an agreement/contract for the provision of the service.
- 4. In the case where a city or district authorized to provide water service has acquired the system of a private or mutual water company prior to the enactment of this legislation, those agencies shall be authorized to continue such service and provide additional connections within the service area of the private or mutual water company defined by the Public Utilities Commission or other appropriate agency, at the time of acquisition without LAFCO review or approval as outlined in Government Code Section 56133. The continuation of service connections under this policy shall not be constrained by the sphere of influence

of that local agency provided that the area to be served is within the service area of the private or mutual water company previously defined by the PUC or other appropriate agency.

~~Proposals~~ Applications to extend service outside this previously defined area and outside the sphere of influence of the agency providing service would come under the provisions of Government Code Section 56133.5, which will require Commission approval at a noticed public hearing prior to the signing of an agreement/contract for the provision of the service.

5. For a request for exemption pursuant to Government Code Section 56133(e), the Commission shall make the determination that the service(s) to be provided is/are exempt from LAFCO review. The Commission has, in cases where the service extension proposed does not facilitate development or directly affect employees, delegated the authority to make the determination for exemption pursuant to Government Code Section 56133(e) to the Executive Officer.

APPLICATION PROCEDURES FOR GOVERNMENT CODE SECTIONS 56133 and 56133.5:

Unlike the normal initiation process for proposals for jurisdictional change, Government Code Section 56133 provides that only a city or district may request LAFCO review of an out-of-agency service agreement/contract.

Government Code Section 56133 gives LAFCO the authority to review and approve, approve with conditions, or deny an out-of-agency service agreement/contract. For all development-related applications for service, the item will be considered by the Commission at a noticed public hearing. The authority for action for a non-development-related agreement/contract has been delegated to the LAFCO Executive Officer by the Commission, pursuant to policies adopted on December 20, 2000.

In addition, the pilot program for Napa and San Bernardino LAFCOs pursuant to Government Code Section 56133.5, which authorizes a city or district to extend services outside an agency's boundaries and outside its sphere of influence, will also be subject to Commission approval at a noticed public hearing.

1. Application for Review:

The filing requirements for review of an out-of-agency service contract/agreement shall consist of:

- A. Official Request from Applying Agency. A written request signed by the City Manager/District General Manager requesting approval for an out-of-agency service agreement/contract or an adopted resolution from the city/district proposing to serve outside its boundaries must be submitted.

- B. Payment of Appropriate Filing Fees. The applying agency must submit as part of the application the appropriate filing fees as outlined in the LAFCO Schedule of Fees, Deposits, and Charges in effect at the time of application. In addition, these types of applications are also subject to the following deposits: legal counsel, environmental review, and individual notice. Applicants shall be required to reimburse the Commission for all charges and costs in excess of the deposits outlined above or will be refunded the balance at the close of the application.
 - C. A completed application form including the submission of a copy of the proposed agreement/contract that has been signed by the property owner(s) and, if necessary, the agency providing service(s), and maps showing the location of the property to be served, existing agency boundaries, the location of the existing infrastructure, and the proposed location of the infrastructure to be extended.
 - D. Any other information deemed appropriate by the Executive Officer in order to review the service extension request based upon its special circumstances.
2. Environmental Review Requirements:

The review of an out-of-agency service agreement/contract is subject to environmental review procedures as outlined in Section V of this Manual.

REVIEW PROCEDURES FOR GOVERNMENT CODE SECTIONS 56133 and 56133.5:

1. [Commission Review Procedures:](#)

A development-related agreement/contract associated with the development of a tract, a subdivision, a single-family [or multi-family](#) dwelling unit [including accessory dwelling units or junior accessory dwelling units being created in conjunction with a new single-family dwelling or a new multifamily dwelling on the lot](#), a commercial/industrial development and other types of development-related projects or an [an ~~proposal~~-application](#) to provide new or extended services outside an agency's boundaries and outside its sphere of influence will require the following review:

- A. The city or district proposing to provide service(s) outside its boundaries shall submit to LAFCO a completed application, with all its component parts as previously defined, for review and consideration. Within 30 days, the LAFCO Executive Officer shall notify the entity whether or not the

application filing is complete. If incomplete, the applying agency will be notified of the specific insufficiencies within 30 days, as required by law.

- B. The LAFCO staff shall forward a copy of the application to various County departments for their review and comment.
- C. Completion of the CEQA review process will be required prior to placement on the Commission's agenda.
- D. If necessary, a meeting with the applying agency and/or the various County departments may be held dependent upon the circumstances and/or issues related to the service agreement/contract. The determination of whether or not to hold the meeting shall be made by the LAFCO Executive Officer.
- E. Once these required elements have been completed, the item will be placed on a Commission Agenda. Surrounding property owners/registered voters will be notified of the proposed service extension request through individual notification. At a noticed public hearing, the Commission will consider the staff's presentation and presentations, if any, by interested and affected parties, and make a determination.
- F. The Commission has the authority to approve, approve with conditions, or deny the request for authorization of an out-of-agency service agreement/contract. The Commission's determination and any required findings will be set out in a resolution which specifies the property or area to be served, the services to be provided, and the authority of the agency to provide its services outside its boundaries.

2. LAFCO Executive Officer Administrative Review Procedures:

A non-development related agreement/contract ~~(Administrative Review by LAFCO Executive Officer)~~ to provide service(s) to an existing dwelling unit ~~or, a commercial building,~~ to accessory dwelling units or junior accessory dwelling units being created on lots where a single-family or multifamily dwelling unit already exists, an agreement/contract between public agencies for fire protection mutual or automatic aid, or an agreement/contract where the services will not facilitate development, ~~etc.~~ will be processed as follows:

- A. Prior to the execution of an agreement/contract for service outside their boundaries, the city/district proposing to provide the service shall submit to LAFCO a completed application, with all its component parts as previously defined, for review and consideration.

- B. Completion of the CEQA review process will be required prior to action by the Executive Officer.
- C. The Executive Officer's administrative review will include the following determinations:
 - (1) The proposed service extension is either nondevelopment-related, to accessory dwelling units or junior accessory dwelling units being created on lots where a single-family or multifamily dwelling unit already exists, and/or involves health and safety concerns as defined by Commission policy.
 - (2) The area to be served is within the sphere of influence of the agency requesting to provide service outside its boundaries.
 - (3) The environmental analysis/assessment, as required by CEQA, has been completed.
- D. The Executive officer can approve, approve with conditions, or deny the request for service extension. If the Executive Officer's recommendation is denial, that determination will be placed on the next available Commission agenda for which notice can be provided for discussion of the determination.

State of California

GOVERNMENT CODE

Section 65852.2

65852.2. (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:

(A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.

(B) (i) Impose objective standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historical Resources. These standards shall not include requirements on minimum lot size.

(ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.

(C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

(D) Require the accessory dwelling units to comply with all of the following:

(i) Except as provided in Section 65852.26, the accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

(ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.

(iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including detached garages.

(iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.

(v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.

(vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.

(vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.

(viii) Local building code requirements that apply to detached dwellings, except that the construction of an accessory dwelling unit shall not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code (Title 24 of the California Code of Regulations), unless the building official or enforcement agency of the local agency makes a written finding based on substantial evidence in the record that the construction of the accessory dwelling unit could have a specific, adverse impact on public health and safety. Nothing in this clause shall be interpreted to prevent a local agency from changing the occupancy code of a space that was uninhabitable space or was only permitted for nonresidential use and was subsequently converted for residential use pursuant to this section.

(ix) Approval by the local health officer where a private sewage disposal system is being used, if required.

(x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.

(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.

(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).

(xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.

(xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

(2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(3) (A) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance

regulating the issuance of variances or special use permits. The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved. A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.

(B) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to subparagraph (A), the permitting agency shall, within the time period described in subparagraph (A), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(4) The ordinance shall require that a demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time.

(5) The ordinance shall not require, and the applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

(6) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.

(7) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.

(8) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a

proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, except that, subject to subparagraphs (B) and (C), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant.

(B) (i) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit before January 1, 2025.

(ii) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit that was permitted between January 1, 2020, and January 1, 2025.

(C) Notwithstanding subparagraphs (A) and (B), a local agency may require that an accessory dwelling unit be used for rentals of terms longer than 30 days.

(9) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(10) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) (1) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create or serve an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall either approve or deny the application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the permitting agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create or serve a new single-family or multifamily dwelling on the lot, the permitting agency may delay approving or denying the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency approves or denies the permit application to create or serve the new single-family or multifamily dwelling, but the application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not approved or denied the completed application within 60 days, the application shall be deemed approved.

(2) If a permitting agency denies an application for an accessory dwelling unit or junior accessory dwelling unit pursuant to paragraph (1), the permitting agency shall, within the time period described in paragraph (1), return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any requirement for a zoning clearance or separate zoning review or any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, front setbacks, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(D) Any height limitation that does not allow at least the following, as applicable:

(i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

(ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. A local agency shall also allow an additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.

(iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

(iv) A height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

(d) Notwithstanding any other law, and whether or not the local agency has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), all of the following shall apply:

(1) The local agency shall not impose any parking standards for an accessory dwelling unit in any of the following instances:

(A) Where the accessory dwelling unit is located within one-half mile walking distance of public transit.

(B) Where the accessory dwelling unit is located within an architecturally and historically significant historic district.

(C) Where the accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(D) When onstreet parking permits are required but not offered to the occupant of the accessory dwelling unit.

(E) When there is a car share vehicle located within one block of the accessory dwelling unit.

(F) When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or a new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other criteria listed in this paragraph.

(2) The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) (i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limitation in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of no more than four feet.

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (8) of subdivision (a).

(5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square

feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, “impact fee” has the same meaning as the term “fee” is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. “Impact fee” does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section shall supersede a conflicting local ordinance. This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency’s ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

- (i) Amend the ordinance to comply with this section.
- (ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department’s findings or does not adopt a resolution with findings explaining the

reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Objective standards" means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

(8) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(9) "Permitting agency" means any entity that is involved in the review of a permit for an accessory dwelling unit or junior accessory dwelling unit and for which there is no substitute, including, but not limited to, applicable planning departments, building departments, utilities, and special districts.

(10) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(11) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(12) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2), a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(Amended (as amended by Stats. 2021, Ch. 343, Sec. 1) by Stats. 2022, Ch. 664, Sec. 2.5. (SB 897) Effective January 1, 2023.)

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: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #12: Appointment of Voting Delegate and Alternate Voting Delegate for the CALAFCO Conference Regional Caucus Elections and the Annual Business Meeting, and Consideration of Nominations for the CALAFCO Board of Directors

RECOMMENDATION:

Staff recommends that the Commission:

1. Select Chair Acquanetta Warren as voting delegate (and Vice Chair Steven Farrell as alternate voting delegate) to cast this Commission's vote for CALAFCO Board Member during the Regional Caucus Elections and for any items during the Annual Business Meeting; and,
2. For CALAFCO Board Member election nomination/selection:
 - a) Nominate Commissioner Kimberly Cox for the District Seat for the CALAFCO Board of Directors;
 - b) Nominate a County Commissioner for the County Seat for the CALAFCO Board of Directors;
 - c) Authorize the Executive Officer to submit to the CALAFCO Board Election Committee the Nomination Form(s) reflecting the Commission's nomination(s) and coordinate with the nominee(s) on completing the Candidate Resume Form; and,
 - d) Direct the voting delegate to select this LAFCO's nominated District member and/or this LAFCO's nominated or supported County member as the Southern Region representative(s) to the CALAFCO Board of Directors.

BACKGROUND:

At the CALAFCO Annual Conference in October 2023, elections will occur for the Southern Region representatives on the Board of Directors. The positions up for election for 2023 are District and County representatives. These positions are for a two-year term.

Voting Delegate for Regional Caucus Elections and the Annual Business Meeting:

Pursuant to CALAFCO bylaws, the member LAFCO's voting delegate (or alternate) designated to cast the Commission's vote for CALAFCO Board Member during the Regional Caucus Elections must be forwarded to the CALAFCO Executive Director prior to the conference.

In addition, the voting delegate (or alternate) may be required to cast this Commission's vote on other matters during the CALAFCO Annual Business Meeting.

LAFCO staff is recommending that the Commission designate:

- Chair Acquanetta Warren as the voting delegate; and,
- Vice Chair Steven Farrell as the alternate voting delegate.

Nomination and Selection of Candidates for Board of Directors:

As outlined in the attached memo from CALAFCO regarding the CALAFCO 2023-24 Nominations for Board of Directors, there are two positions on the Board of Directors representing the Southern Region whose terms are expiring this year. The first position is for the District member, currently occupied by Commissioner Jo MacKenzie from San Diego LAFCO. The second position is for the County member, currently occupied by Commissioner Michael Kelley from Imperial LAFCO.

Commissioner MacKenzie has indicated her desire to continue in her position. However, Commissioner Kelley on the other hand, has indicated that he is stepping down and does not wish to continue in his position. *(As of this writing, Riverside LAFCO nominated one of its County Commissioners, Yxstian Gutierrez, for the County member seat.)*

In the past, the Southern Region LAFCOs (Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego) would generally try to come to a consensus for the nominations. In addition, it should also be noted that it is the Southern Region's practice to also have a secondary nominee as a back-up, in the event of a vacancy so that a replacement candidate can be appointed to the Board of Directors in a timely manner.

The Commission has nominated Commissioner Cox for the District member seat in the past and has been the back-up for the last two election cycles. Dr. Cox has expressed her interest again in being nominated for the District seat. Therefore, LAFCO staff recommends that the Commission nominate Dr. Cox for the District member seat on the CALAFCO Board of Directors.

In addition, if any of this Commission's County members are interested in being nominated for the open County member seat on the CALAFCO Board, LAFCO staff is also recommending that the Commission nominate the interested County Commissioner for the County seat on the CALAFCO Board of Directors; otherwise, the Commission can choose to support the nomination of the only County member nominee known at this time, Yxstian Gutierrez from Riverside LAFCO.

Staff will be happy to answer any questions prior to or at the hearing on the voting delegate information and the proposed nomination(s).

Attachments: 1) [2023 CALAFCO Voting Delegate Form](#)
2) [2023-24 CALAFCO Board of Directors Nomination Packet](#)



1129 Firehouse Alley
Sacramento, CA 95814
(916) 442-6536

2023 CALAFCO VOTING DELEGATE

The Local Agency Formation Commission of the below named county, hereby names and appoints the following Commissioners to be its duly authorized voting delegate and alternate for purposes of the 2023 CALAFCO Board of Directors election to be held on Thursday, October 19, 2023, during the CALAFCO Regional Caucus and Annual Meeting in Monterey, California.

County Name:

Delegate:

Alternate:

Appointment Authorized by:

Name of individual completing form on behalf of the LAFCo:

Will your delegate or alternate be attending the CALAFCO Annual Conference?

Yes:

No:

PLEASE RETURN COMPLETED FORM BY 5:00 PM ON SEPTEMBER 18, 2023

TO: René LaRoche via email to: rlaroch@calafco.org

Late submissions will NOT be accepted.

May 5, 2023

To: Local Agency Formation Commission
Members and Alternate Members

From: Wendy Root Askew, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors

CALAFCO
2023
ELECTIONS

RE: Nomination Period Now Open for 2023/2024 CALAFCO Board of Directors

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	COASTAL REGION	NORTHERN REGION	SOUTHERN REGION
City Member	City Member	County Member	County Member
Public Member	Public Member	District Member	District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

MONDAY, SEPTEMBER 18, 2023 at 5:00 PM

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently held virtually and the rest being held at alternate sites around the state.

Board seats span a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. Elections are conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 19, 2023 at the Hyatt Regency Hotel in Monterey, California.

Should your Commission nominate a candidate, please return a completed Nomination Form and Candidate's Résumé Form by the deadline.



Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than **Monday, September 18, 2023 at 5:00 p.m.**

Returning the completed nomination and resume forms prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received.

Electronic filing of nomination forms is **highly encouraged** to facilitate the recruitment process (please email to info@calafco.org). However, hard copy forms and materials may also be mailed to:

CALAFCO Election Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1129 Firehouse Alley
Sacramento, CA 9581

Nominations received by the September 18th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 5, 2023, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 18, 2023, with completed absentee ballots returned by 5:00 p.m. on Thursday, October 12, 2023.**

NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **May 5** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 18** – Completed Nomination packet due
- **September 18** – Request for an absentee/electronic ballot due
- **September 18** – Voting delegate name due to CALAFCO
- **October 5** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 5** – Distribution of requested absentee/electronic ballots.
- **October 12** – Absentee ballots due to CALAFCO
- **October 19** - Elections

If you have any questions about the election process, please contact CALAFCO Executive Director René LaRoche at rlaroche@calafco.org or by calling 916-442-6536.

Members of the 2023/2024 CALAFCO Election Committee are:

Wendy Root Askew, Chair
district4@co.monterey.ca.us

Monterey LAFCo (Coastal Region)
831-883-7570

Rodrigo Espinosa
Rodrigo.Espinosa@countyofmerced.com

Merced LAFCo (Central Region)
209-398-4340

Derek McGregor
dmcgregor@dmceng.com

Orange Co. LAFCo (Southern Region)
530-538-6834

Josh Susman
jsusman@calafco.org

Nevada LAFCo (Northern Region)
530-559-1725

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

I sincerely hope that you will consider joining us!

Enclosures

Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFcos across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

2. ANNOUNCEMENT TO ALL MEMBER LAFcos:

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFco for distribution to each commissioner and alternate. The announcement shall include the following:
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFcos listed by region.
 - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFco marked "Received too late for Election Committee action."
 - iv. The names of the Election Committee members and the name of their LAFco, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
 - v. The email address and physical address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
 - vii. The specific date by which all voting delegate names are due.
 - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

Key Timeframes for Nominations Process

Days*	
120	Nomination announcement
30	Nomination deadline
14	Committee report released

*Days prior to annual membership meeting

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

3. THE ELECTION COMMITTEE:

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned regional officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the regional officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a regional officer from a region other than their own, as assigned by the Executive Director
- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCOs requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCOs voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCOs voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:

- a. The Presiding Officer shall:
 - i. Review the election procedure with the membership of their region.
 - ii. Present the Election Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 - 1. For city member.
 - 2. For county member.
 - 3. For public member.
 - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 - 1. Name the nominees and offices for which they are nominated.
 - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
 - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
 - 1. Poll the LAFCOs in good standing by written ballot.
 - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.

3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
 4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFcos in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
 2. The nominee receiving the majority of votes cast is elected.
 3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
 4. In case of tie votes:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFco may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFco

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

Northern Region

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

CONTACT: Steve Lucas
Butte LAFCo
slucas@buttecounty.net

Southern Region

Orange
Los Angeles
Imperial
Riverside
San Bernardino
San Diego

CONTACT: Gary Thompson
Riverside LAFCo
gthompson@lafco.org

Coastal Region

Alameda
Contra Costa
Marin
Monterey
Napa
San Benito
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Ventura

CONTACT: Dawn Longoria
Napa LAFCo
dlongori@napa.lafco.ca.gov

Central Region

Alpine
Amador
Calaveras
El Dorado
Fresno
Inyo
Kings
Madera
Mariposa
Merced
Mono
Placer
Sacramento
San Joaquin
Stanislaus
Tulare
Tuolumne
Yolo

CONTACT: José Henriquez
Sacramento LAFCo
henriquezj@sacounty.net

CURRENT BOARD MEMBERS AND TERMS

NAME	REGION	TYPE & TERM
Bill Connelly, Chair	Butte <i>Northern</i>	County (2023)
Rodrigo Espinosa	Merced <i>Central</i>	County (2024)
Blake Inscore	Del Norte <i>North</i>	City (2024)
Gay Jones	Sacramento <i>Central</i>	District (2024)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Michael McGill	Contra Costa <i>Coastal</i>	District (2024)
Derek McGregor	Orange <i>Southern</i>	Public (2024)
Margie Mohler, Vice Chair	Napa <i>Coastal</i>	City (2023)
Anita Paque	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Wendy Root Askew	Monterey <i>Coastal</i>	County (2024)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2024)
Acquanetta Warren, Treasurer	San Bernardino <i>Southern</i>	City (2024)

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS**Board of Directors****2023/2024 Nomination Form***(Must accompany the Candidate Résumé Form)****Nomination to the CALAFCO Board of Directors***

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCo of the _____ Region

Nominates _____

for the (check one) ☐ City ☐ County ☐ Special District ☐ PublicPosition on the CALAFCO Board of Directors to be filled by election at the next Annual
Membership Meeting of the Association._____
LAFCo Chair_____
Date**NOTICE OF DEADLINE**Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.**Send completed nominations to**
info@calafco.org

Or, mail to:

CALAFCO Election Committee
CALAFCO
1129 Firehouse Alley
Sacramento, CA 95814

Date Received

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS



Board of Directors
2023/2024 Candidate Résumé Form
(Complete both pages)

Nominated By: _____ LAFCo Date: _____

Region (please check one): ☐ Northern ☐ Coastal ☐ Central ☐ Southern

Category (please check one): ☐ City ☐ County ☐ Special District ☐ Public

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

NOTICE OF DEADLINE

Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to
info@calafco.org

Or, mail to:

CALAFCO Election Committee
CALAFCO
1129 Firehouse Alley
Sacramento, CA 95814

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 : JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #13: Consideration of Candidate Election for Board of Directors to the Special District Risk Management Authority

RECOMMENDATION:

Staff recommends that the Commission:

1. Select Commissioner Acquanetta Warren to serve as Director on the Special District Risk Management Authority Board; and,
2. Authorize the Executive Officer to submit the signed Official Election Ballot reflecting the Commission's selection and vote.

BACKGROUND:

As a member of the Special District Risk Management Authority (SDRMA), the Commission participates in SDRMA's elections for its Board members. Included as attachments to this report is the Official Election Ballot, which includes the Election Ballot Instructions, the Official Election Ballot, and the Candidate's Statements of Qualifications.

The SDRMA Board of Directors is currently composed of seven directors: Of the seven, three of the directors are up for election this year and all three are again running for another term. The three directors seeking another term are: Robert Swan, Director, Groveland Committee Services District; Jesse Claypool, Board Chair, Honey Lake Valley Resource Conservation District; and Sandy Seifert-Raffelson, General Manager, Herlong Public Utility District.

The Commission, at its April 2023 meeting, nominated Commissioner Acquanetta Warren, for the SDRMA Board of Directors representing our LAFCO.

For this election, the Commission may select up to three candidates from a field of four candidates composed of the three incumbents and our very own Commissioner Warren.

Staff recommends that the Commission only select Commissioner Warren as its candidate to serve as Director on the SDRMA Board. Staff will be happy to answer any questions prior to or at the hearing.

Attachment: 2023 SDRMA's Board of Directors Election - Election Ballot Instructions, Official Election Ballot, and Candidates' Statements of Qualifications



SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

2023 BOARD OF DIRECTORS ELECTION

OFFICIAL ELECTION BALLOT ATTACHED

This is an official election packet that contains items that require ACTION by your Agency's governing body for the selection of up to three (3) candidates to the SDRMA Board of Directors.

ELECTION PACKET ENCLOSURES

- ☐ Election Ballot Instructions
- ☐ Official Election Ballot (Action Required)
- ☐ Candidate's Statements of Qualifications (4)



SDRMA'S BOARD OF DIRECTORS ELECTION BALLOT INSTRUCTIONS

Notification of nominations for three (3) seats on the Special District Risk Management Authority's (SDRMA's) Board of Directors was mailed to the membership in January 2023.

On May 11, 2023, SDRMA's Election Committee reviewed the nomination documents submitted by the candidates in accordance with SDRMA's Policy No. 2022-06 Establishing Guidelines for Director Elections. The Election Committee confirmed that (4) candidates met the qualification requirements, and those names are included on the Official Election Ballot.

The Official Election Ballot along with a Statement of Qualifications as submitted by each candidate is posted to the SDRMA MemberPlus portal along with these instructions. Election instructions are as follows:

1. The Official Election Ballot must be used to ensure the integrity of the balloting process.
2. Print a copy of this ballot, then select up to three (3) candidates. Your agency's governing body must approve the Official Election Ballot at a public meeting. **Ballots containing more than four (4) candidate selections will be considered invalid and not counted.**
3. The signed Official Election Ballot **MUST** be sealed and received by mail or hand delivery at SDRMA's office on or before 4:30 p.m. on Tuesday, August 8, 2023 to the address below. Faxes or electronic transmissions are NOT acceptable.

Special District Risk Management Authority
Election Committee
1112 "I" Street, Suite 300
Sacramento, California 95814
4. The four-year terms for newly elected Directors will begin on January 1, 2024, and terminate on December 31, 2027.
5. Important balloting and election dates are:
 - **August 8, 2023: Deadline for members to return the signed Official Election Ballot.**
 - **August 9-11, 2023:** Ballots are opened and counted.
 - **August 10-11, 2023:** Election results are announced, and candidates notified.
 - **November 1-2, 2023:** Newly elected Directors are invited to attend SDRMA board meeting (Sacramento).
 - **January 2024:** Newly elected Directors are seated, and Board officer elections are held.

Please do not hesitate to contact SDRMA's Management Analyst Candice Richardson at crichardson@sdrma.org or 800-537-7790 if you have any questions regarding the election and balloting process.

OFFICIAL 2023 ELECTION BALLOT
SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
BOARD OF DIRECTORS

VOTE FOR ONLY THREE (3) CANDIDATES

Mark each selection directly onto the ballot, voting for no more than three (3) candidates. Each candidate may receive only one (1) vote per ballot. A ballot received with more than three (3) candidates selected will be considered invalid and not counted. All ballots must be sealed and received by mail or hand delivery at SDRMA on or before 4:30 p.m., Tuesday August 8, 2023. Faxes or electronic transmissions are NOT acceptable.

- ☐ **ROBERT SWAN** (INCUMBENT)
Director, Groveland Community Services District
- ☐ **ACQUANETTA WARREN**
Vice Chair, Local Agency Formation Commission for San Bernardino County
- ☐ **JESSE CLAYPOOL** (INCUMBENT)
Board Chair, Honey Lake Valley Resource Conservation District
- ☐ **SANDY SEIFERT-RAFFELSON** (INCUMBENT)
General Manager, Herlong Public Utility District

ADOPTED this ____ day of _____, 2023 by the:

at a public meeting by the following votes:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

APPROVED:

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates
– no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Bob Swan
District/Agency Groveland Community Services District (GCSD)
Work Address P.O. Box 350, Groveland CA 95321
Work Phone (209) 962-7131 Cell Phone (408) 398-4731

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I have been a member of the SDRMA Board for two terms. I would like to be elected to a third term because:

1. As a board member of Groveland CSD, I am very aware of the great value that smaller districts get from their membership in SDRMA, and I'd like to continue to support the Authority's great member services.
2. While the organization continues to operate well, thanks to its experienced and motivated staff, we are once again going through a period of management change. I believe that Board continuity is particularly important at such a time.
3. The California re-insurance market continues to be challenging. I believe that my eight years of board experience will be helpful as we negotiate the potentially tricky economic future.
4. Personally, I feel that we have a very well-functioning and collegial Board, and I find it both challenging and enjoyable to be part of it.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

1. SDRMA Board: Member since 2016, presently Vice President. I am our representative on the CSDA Legislative Committee (and a member in my own right), and on the Alliance Executive Council.
2. Groveland CSD Board: Member since appointment in June 2013. I was Board President 2014-2018.
3. Member of Board of Southside Community Connections, which is a 501(c)(3) nonprofit in Groveland that provides transportation, educational, social and recreational services to seniors and differently-abled folks in the Groveland area. I was on this Board from 2018 through 2022, mostly as Treasurer.
4. Board Member (Treasurer) of Pine Cone Performers, a local community choral and acting group, since 2010.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

Background: BS Physics, MS Computer Science. 3 years in USAF. 30 years in the semiconductor industry as engineer, engineering manager, business unit director.

Skills, etc.: Very familiar with financial reports and cost accounting. Working knowledge of computer and communications technology. In my work life, I managed geographically distributed organizations with up to 150 technical personnel and up to \$120 million in annual sales. I'm pretty good at helping groups work together to achieve consensus (or, failing that, acceptable compromise).

In recent years, most of my volunteer work has been in driving folks (who can't drive themselves) to medical appointments, shopping, and the like. This is one of the services of Southside Community Connections.

I'm also a pretty decent choral singer, but that's not relevant to this application.

What is your overall vision for SDRMA? (Response Required)

Our vision statement is "To be the exemplary public agency risk pool of choice for California special districts and other public agencies". To achieve this vision, I believe we must focus on:

(1) maintaining long-term financial stability, by ensuring that there is a fair allocation of cost versus risk across the membership, continuously evaluating the appropriate level of risk retention, and using creative ideas like our "captive" reinsurance agency to enhance our cash position.

(2) continue to expand our risk management training and assistance services. We have made significant improvements in this area by bring it internal to the Authority.

(3) continue to emphasize services to our core membership: small to mid-sized districts with limited options for insurance.

(4) ensure that SDRMA remains a desirable workplace, and maintain our highly-qualified and responsive staff.

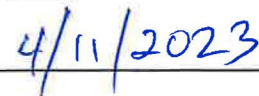
Above all, remember that this is an insurance pool, owned by its member agencies, and maintain an overarching focus on member service and support. Make certain that we will be here for our members.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date



Special District Risk Management Authority Board of Directors Candidate's Statement of Qualifications

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – **no attachments will be accepted**. No statements are endorsed by SDRMA.

Candidate* **ACQUANETTA WARREN**
 District/Agency **Local Agency Formation Commission (LAFCO) for San Bernardino County**
 Work Address **1170 W. Third Street, Unit 150, San Bernardino, CA 92415-0490**
 Work Phone **(909)388-0480** Home Phone

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? **(Response Required)**

As a City Mayor I have been fortunate to serve on regional boards that include special district representation: San Bernardino Countywide Oversight Board and Southern California Water Coalition's Board of Trustees. I realize that special districts, especially the smaller districts, are not included in the conversation for a variety of matters. Currently, I serve on San Bernardino LAFCO and the California Association of LAFCOs, which do have robust special district representation. I believe that my skills, experience, and understanding can contribute to SDRMA. Specifically, I want to contribute by developing programs that would help member agencies maximize their protection and minimize their risks.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) **(Response Required)**

I currently serve as mayor for the City of Fontana. This is my fourth term, and my focus has been bolstering economic development, creating educational opportunities, improving public safety, and advocating for a healthier community. As mayor, I have been fortunate to serve on:

- San Bernardino LAFCO since 2014, serving currently as Vice Chair of the Commission. I am also a Board Member of the statewide organization of LAFCOs, CALAFCO, serving as Treasurer
- San Bernardino County Transportation Authority: Board of Directors, General Policy Committee, and Transit Committee
- San Bernardino County Racial Equity Committee for the San Bernardino Council of Governments
- San Bernardino Countywide Oversight Board

In addition, I am the current Chair for the Southern California Water Coalition's Board of Trustees as well as Co-Chair of its Task Force for Water Equity, Access, and Affordability.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**

Aside from being Mayor for the City of Fontana, I am currently the District Director for the Second Supervisorial District for San Bernardino County and I coordinate district services and communications with constituents, I oversee community outreach efforts, as well as supervise district staff.

In addition to local-level involvement, I have served on the State Park Commission and as a trustee of the United States Conference of Mayors, an official non-partisan organization of cities in the United States with populations of 30,000 or more. I have also served in community organizations such as Water/Recycled Water Projects and Development Processing for New Communities, Casa Colina Rehabilitation Hospital Board of Directors, and the Upland YMCA Board of Directors.

What is your overall vision for SDRMA? (Response Required)

My vision for SDRMA is to ensure that it continues to be the best risk management agency, who will continue to listen and communicate with its member agencies. I would strive to make sure SDRMA continues to provide excellent service, provide educational and training programs that are beneficial to its member agencies, and offer more resources that add value to its members. Lastly, I want to make sure SDRMA operates in the highest ethical manner with complete transparency.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4/25/2023

Special District Risk Management Authority Board of Directors Candidate's Statement of Qualifications

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Jesse D. Claypool

District/Agency Honey Lake Valley Resource Conservation District

Work Address USDA Service Center 170 Russell Avenue, Suite C, Susanville, CA 96130

Work Phone 530-257-7271 Cell Phone 530-310-0232

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

My interest for being on the SDRMA Board of Directors is because I believe it is imperative for there to be a knowledgeable and experienced voice on the Board with the perspective of the small to mid-size special district. In addition, I am eager to continue working with SDRMA staff and fellow Board members, providing relevant and affordable solutions, available to all special districts.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

The vast amount of understanding and experience that I've gained as a current member of the SDRMA Board of Directors will undoubtedly aide as I continually strive to be an increasingly effective member of the SDRMA Board of Directors going forward.

In addition to being a current SDRMA Board member, I am currently Chairman of the Board for the Honey Lake Valley Resource Conversation District and a board member of a Regional Water Managment Group. Previously I have served on the following, Lassen County's Civil Grand Jury, two terms, CSDA Professional Development committee, two terms, Janesville Union School District trustee, Technical Advisory Committee for the prevention of violence against schools K-12, two terms, and CSDA Member Services committee, two terms.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

I have attended various board member trainings and completed leadership and governance classes, including the following; CSDA's Extraordinary Leadership Training and CSDA's Special District Leadership Academy. I have received CSDA's Recognition in Special District Governance certificate and successfully completed Executive Education in Public Policy at University of Southern California, Sol Price School of Public Policy.

What is your overall vision for SDRMA? (Response Required)

My continued vision for SDRMA is to be effective within the communities they serve. With focused attention to affordable solutions, administered by a team of highly dedicated professional staff, SDRMA will continue to be an industry leader providing affordable solutions to its members.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date 4/20/2023

Special District Risk Management Authority Board of Directors Candidate's Statement of Qualifications

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates
– **no attachments will be accepted.** No statements are endorsed by SDRMA.

Candidate* Sandy Seifert-Raffelson
District/Agency Herlong Public Utility District
Work Address P O Box 115, Herlong CA 96113
Work Phone (530)827-3150 Cell Phone (530)310-4320

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I am a current Board member of SDRMA and feel that I have added my financial and general manager background to make a better-informed decision for SDRMA members. As a Board member, I continue to improve my education of insurance issues and look forward to representing small District's and Northern California as a voice on the SDRMA Board. I feel I am an asset to the Board with my degree in Business and my 35 plus years' experience in accounting and special districts.

I understand the challenges that small District face every day when it comes to managing liability insurance, worker's compensation and health insurance for a few employees with limited revenue and staff. My experience in small districts give me an appreciation of the importance of risk management services and programs, especially for smaller District that lack expertise within.

I feel I am an asset to this Board, and would love a chance to stay on 4 more years!

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

While serving on the SDRMA Board, I have been privileged to be Secretary of the Board, Vice-President and currently President. I have served on CSDA's Audit and Financial committee's for several years; I have served on the SRLF Board and current President; Northeastern Rural Health Clinic Board; Fair Board; School and Church boards; 4-H Council and leader for 18 years; and UC Davis Equine Board. In the past 30 years, I have learned that there is no "I" in Board and it can be very rewarding to part of a team that makes a difference for others.

As part of my many duties working for Herlong PUD, I worked to form the District and was directly involved with LAFCo, Lassen County Board of Supervisors and County Clerk to establish the initial Board of Directors and first policies for HPUD. I have administered the financial portion of 2 large capital improvement projects with USDA as well as worked on the first ever successful water utility privatization project with the US Army and Department of Defense. I am currently in the middle of a 14 million infrastructure project with SRF monies. I am also the primary administrator of two federal contracts for utility services.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

I have my Bachelor's Degree in Business with a minor in Sociology. I have audit small districts and worked for a small district for almost 18 years. I am a good communicator and organizer. I have served on several Boards and feel I work well within groups or special committee. I am willing to go that extra mile to see things get completed.

I believe in recognition for jobs well done. I encourage incentive programs that get members motivated to participate and strive to do their very best to keep all losses at a minimum and reward those with no losses.

With HPUD and with SDRMA both boards and employees have worked hard to receive their District of Distinction and their District of Transparency.

I feel I am a good leader with people skills that can accomplish what is necessary to keep a District or JPA moving forward.

What is your overall vision for SDRMA? (Response Required)

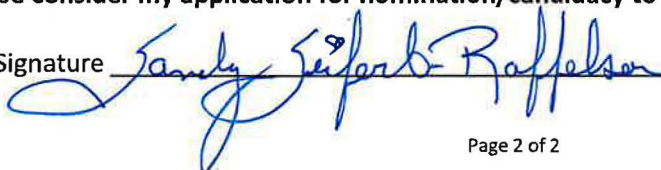
SDRMA Staff and Board work together to bring Special Districts affordable insurance for the pool they serve. By

listening to the needs of all California Special Districts and meeting those needs at a reasonable price that Special Districts can afford. I would continue advocating for these continued efforts and rewarding continue education for all Districts and employees.

I see SDRMA pool continuing for centuries and serving those needs.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date

4/17/2023

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: JULY 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #15: EXECUTIVE OFFICER'S REPORT

LAFCO REMINDER – MEETING SCHEDULE:

Please note that the next Commission meeting will be on August 16, 2023. The August 16 meeting will include, among other items, an annexation proposal to the City of Loma Linda, LAFCO 3259.

CALAFCO NEWS:

- **Annual CALAFCO Conference**

Early Registration for the 2023 CALAFCO Conference is now open! This year, the conference will be held in Monterey from October 18-20.

LAFCO staff will coordinate with Commissioners shortly regarding attendance.

- **CALAFCO Achievement Awards**

CALAFCO also issued a memo for the 2023 Achievement Awards nominations (included as an attachment). Every year, CALAFCO recognizes outstanding achievements throughout the State at the CALAFCO Conference. The categories include:

- 1) Outstanding CALAFCO Volunteer,
- 2) Outstanding CALAFCO Associate Member,
- 3) Outstanding Commissioner,
- 4) Outstanding LAFCO Professional,
- 5) Lifetime Achievement Award,
- 6) Legislator of the Year,
- 7) Mike Gotch Excellence in Public Service

- *Protection of agricultural and open space lands and prevention of sprawl, and*
- *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

It is requested that the Commission provide direction, if any, on items which they wish to nominate for these awards.

SOUTHERN REGION LAFCOs

The Southern Region LAFCOs will be meeting virtually next week, July 25, 2023 at 10 am. The Chair and LAFCO staff are anticipated to attend the meeting. If any of the other Commissioners wish to attend the meeting, please let staff know so that the agenda (and log-in information) can be forwarded once it is made available.

STAFF SITE VISITS:

- **City of Chino**

Staff attended the City of Chino's City Council meeting on July 5 regarding the City's initiation of the Romona/Francis Annexation area.

- **Big River CSD**

Staff traveled to Big River on June 28 and met with CSD representatives regarding the service review of the CSD.

- **Barstow Cemetery District**

Staff attended the Barstow Cemetery District's July 12 board meeting and provided comment on LAFCO's purview over the District's boundary and service provision. Staff will return to Barstow and interview District staff and board members shortly and provide the Commission with an update on the challenges of the District.

Attachment: CALAFCO Memo Regarding 2023 CALAFCO Achievement Award Nominations

Date: May 9, 2023

To: CALAFCO Members
LAFCo Commissioners and Staff
Other Interested Organizations

From: Anita Paque, Committee Chair
CALAFCO Achievement Awards Committee
CALAFCO Board of Directors



Subject: 2023 CALAFCO Achievement Award Nominations Period Open

Deadline: 5:00 p.m., Friday, August 18, 2023

On behalf of the Association, I am pleased to announce that the nomination period for the 2023 CALAFCO Achievement Awards is now open!

Each year, CALAFCO is honored to recognize outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at its Annual Conference Achievement Awards Ceremony. This year's ceremony will be held on October 19 at the Hyatt Regency Monterey, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who have gone ***above and beyond*** over the last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined.

Before submitting a nomination, ***please carefully review the nomination instructions and the criteria for each award as incomplete nominations, and nominations that do not adhere to the submission guidelines, will not be considered by the Committee.***

ACHIEVEMENT AWARDS NOMINATION PROCEDURE:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations ***will not be considered by the Committee.***
3. Nominations ***must be submitted with a completed nomination form.*** Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be ***limited to no more than 250 words in length.*** Nomination *Summaries* must be ***limited to no more than 1,000 words or 2 pages in length maximum.*** You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount ***will not be considered by the Committee.***

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. ***Limit supporting documentation to no more than 3 pages.*** If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount ***will not be considered by the Committee.***
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, August 18, 2023.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer
slucas@buttecounty.net

You may contact Steve Lucas, CALAFCO Executive Officer, at slucas@buttecounty.net or (530) 538-7784 with any questions.

Members of the 2023 CALAFCO Board of Directors Awards Committee

Board Members:

<i>Anita Paque</i> , Committee Chair (Calaveras LAFCo, Central Region)	apaque@calafco.org
<i>Michael Kelley</i> (Imperial LAFCo, Southern Region)	mkelley@calafco.org
<i>Debra Lake</i> (Humboldt LAFCo, Northern Region)	dlake@calafco.org
<i>Margie Mohler</i> (Napa LAFCo, Coastal Region)	mmohler@calafco.org
<i>Shane Stark</i> (Santa Barbara LAFCo, Coastal Region)	sstark@calafco.org

Regional Officer Members:

<i>Steve Lucas</i> , CALAFCO Executive Officer (Northern Region)	slucas@buttecounty.net
<i>José Henriquez</i> , CALAFCO Deputy Executive Officer (Central Region)	henriquezj@saccounty.net
<i>Dawn Longoria</i> , CALAFCO Deputy Executive Officer (Coastal Region)	dlongoria@napa.lafco.ca.gov
<i>Gary Thompson</i> , CALAFCO Deputy Executive Officer (Southern Region)	gthompson@lafco.org

Attachments:

- 2023 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients





CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are now open and being accepted until **5:00 p.m., Friday, August 18, 2023** in the following categories:

OUTSTANDING CALAFCO VOLUNTEER

Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING CALAFCO ASSOCIATE MEMBER

Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and

solutions that affect LAFCo statewide as an Associate Member.

8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

OUTSTANDING COMMISSIONER

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING LAFCo PROFESSIONAL

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.

4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

LIFETIME ACHIEVEMENT AWARD

Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

LEGISLATOR OF THE YEAR

Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARD

Award Summary:

Awarded to an individual, group or agency for actions that rise above expected or common functions or

actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCos or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has two distinct categories, each focusing on a specific area:

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

Award categories:

• **Protection of agricultural and open space lands and prevention of sprawl**

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

• **Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services**

Includes the development and implementation of innovative support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.



PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS

2022

Outstanding Commissioner	Don Saylor , Yolo LAFCo
Outstanding LAFCo Professional	Carolyn Emery , Orange LAFCo
Mike Gotch Award - Innovation, Collaboration, And Outreach	Two-Way Tie: Yolo LAFCo , and El Dorado LAFCo & South Fork Consulting, LLC

2020 – 2021 (2 year period due to the pandemic)

Outstanding Associate Member	Planwest Partners
Outstanding Commissioner	Olin Woods , Yolo LAFCo
Outstanding LAFCo Professional	Crystal Craig , Riverside LAFCo
Mike Gotch Protection of Ag and Open Space Lands & Prevention of Urban Sprawl	Napa LAFCo
Mike Gotch Courage & Innovation in Local Government Leadership Award	Yolo LAFCo
Lifetime Achievement Award	Jerry Glabach , Los Angeles LAFCo

2019

Distinguished Service Award	Charley Wilson , Orange LAFCo
Most Effective Commission	Contra Costa LAFCo
Outstanding Commissioner	Jim DeMartini , Stanislaus LAFCo
Outstanding LAFCo Professional	David Church , San Luis Obispo LAFCo
Project of the Year	Orange LAFCo , for <i>San Juan Capistrano Utilities MSR</i>
Government Leadership Award	CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo , for <i>Sativa Water District</i>
Mike Gotch Courage & Innovation in Local Government Leadership Award	Butte LAFCo
Legislator of the Year	Assembly Member Mike Gipson
Lifetime Achievement Award	John Benoit , various LAFCos, Jurg Heuberger , Imperial LAFCo

2018

Distinguished Service Award	John Withers , Orange LAFCo
Most Effective Commission	Santa Clara LAFCo
Outstanding Commissioner	Margie Mohler , Napa LAFCo
Outstanding LAFCo Professional	George Williamson , Del Norte LAFCo
Outstanding LAFCo Clerk	Elizabeth Valdez , Riverside LAFCo
Outstanding CALAFCO Associate Member	Best Best & Krieger
Project of the Year	Lake LAFCo , water services consolidation
Government Leadership Award	City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board,

Mike Gotch Courage & Innovation in Local Government Leadership Award	Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center for East Porterville water supply project Mike Ott , San Diego LAFCo
Legislator of the Year	Assembly Member Anna Caballero
Lifetime Achievement Award	Pat McCormick , Santa Cruz LAFCo, George Spiliotis , Riverside LAFCo

2017

Most Effective Commission	Los Angeles LAFCo
Outstanding CALAFCo Member	Sblend Sblendorio , Alameda LAFCo
Outstanding Commissioner	John Marchand , Alameda LAFCo
Outstanding LAFCo Professional	Paul Novak , Los Angeles LAFCo
Outstanding LAFCo Clerk	Richelle Beltran , Ventura LAFCo
Outstanding CALAFCo Associate Member	Policy Consulting Associates
Project of the Year	County Services MSR , Butte LAFCo, and Santa Rosa Annexation , Sonoma LAFCo
Government Leadership Award	San Luis Obispo County Public Works Dept.
Lifetime Achievement Award	Kathy Rollings McDonald (San Bernardino)

2016

Distinguished Service Award	Peter Brundage , Sacramento LAFCo
Most Effective Commission	San Luis Obispo LAFCo
Outstanding CALAFCo Member	John Leopold , Santa Cruz LAFCo
Outstanding Commissioner	Don Tatzin , Contra Costa LAFCo
Outstanding LAFCo Professional	Steve Lucas , Butte LAFCo
Outstanding LAFCo Clerk	Cheryl Carter-Benjamin , Orange LAFCo
Project of the Year	Countywide Water Study , (Marin LAFCo)
Government Leadership Award	Southern Region of CALAFCo
Lifetime Achievement Award	Bob Braitman (retired Executive Officer)

2015

Mike Gotch Courage & Innovation in Local Government Leadership Award	Yuba County Water Agency
Distinguished Service Award	Mary Jane Griego , Yuba LAFCo
Most Effective Commission	Butte LAFCo
Outstanding CALAFCo Member	Marjorie Blom , formerly of Stanislaus LAFCo
Outstanding Commissioner	Matthew Beekman , formerly of Stanislaus LAFCo
Outstanding LAFCo Professional	Sam Martinez , San Bernardino LAFCo
Outstanding LAFCo Clerk	Terri Tuck , Yolo LAFCo
Project of the Year	Formation of the Ventura County Waterworks District No. 38 (Ventura LAFCo) and 2015 San Diego County Health Care Services five-year sphere of influence and service review report (San Diego LAFCo)

Government Leadership Award

The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency

CALAFCO Associate Member of the Year
Legislators of the Year Award

Michael Colantuono of Colantuono, Highsmith & Whatley

Lifetime Achievement Award

Assembly member Chad Mayes

Jim Chapman (Lassen LAFCo) and **Chris Tooker** (formerly of Sacramento LAFCo)

2014

Mike Gotch Courage & Innovation in
Local Government Leadership Award

David Church, San Luis Obispo LAFCo

Distinguished Service Award

Kate McKenna, Monterey LAFCo

Most Effective Commission

Santa Clara LAFCo

Outstanding CALAFCO Member

Stephen Lucas, Butte LAFCo

Outstanding Commissioner

Paul Norsell, Nevada LAFCo

Outstanding LAFCo Professional

Kate McKenna, Monterey LAFCo

Outstanding LAFCo Clerk

Paige Hensley, Yuba LAFCo

Project of the Year

LAFCo Procedures Guide: 50th Year Special Edition,
San Diego LAFCo

Government Leadership Award

Orange County Water District, City of Anaheim, Irvine Ranch Water District, and Yorba Linda Water District

Legislators of the Year Award

Assembly member Katcho Achadjian

Lifetime Achievement Award

Susan Wilson, Orange LAFCo

2013

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Simón Salinas, Commissioner, Monterey LAFCo

Distinguished Service Award

Roseanne Chamberlain, Amador LAFCo

Most Effective Commission

Stanislaus LAFCo

Outstanding CALAFCO Member

Harry Ehrlich, San Diego LAFCo

Outstanding Commissioner

Jerry Gladbach, Los Angeles LAFCo

Outstanding LAFCo Professional

Lou Ann Texeira, Contra Costa

LAFCo Outstanding LAFCo Clerk

Kate Sibley, Contra Costa LAFCo

Project of the Year

Plan for Agricultural Preservation, Stanislaus LAFCo

Government Leadership Award

Orange County LAFCo Community Islands Taskforce,
Orange LAFCo

Legislators of the Year Award

Senators Bill Emmerson and Richard Roth

Lifetime Achievement Award

H. Peter Faye, Yolo LAFCo; **Henry Pellissier**, Los Angeles LAFCo; **Carl Leverenz**, Butte LAFCo; **Susan Vicklund-Wilson**, Santa Clara LAFCo.

2012

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Bill Chiat, CALAFCO Executive Director

Distinguished Service Award

Marty McClelland, Commissioner, Humboldt LAFCo

Most Effective Commission

Sonoma LAFCo

Outstanding CALAFCO Member

Stephen A. Souza, Commissioner, Yolo LAFCo and
CALAFCO Board of Directors

Outstanding Commissioner
LAFCo Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year

Government Leadership Award
Lifetime Achievement Award

Sherwood Darington, Monterey
Carole Cooper, Sonoma LAFCo
Gwenna MacDonald, Lassen LAFCo
Countywide Service Review & SOI Update, Santa Clara LAFCo
North Orange County Coalition of Cities, Orange LAFCo
P. Scott Browne, Legal Counsel LAFCos

2011

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
LAFCo Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Martin Tuttle, Deputy Director for Planning, Caltrans
Mike McKeever, Executive Director, SACOG
Carl Leverenz, Commissioner and Chair, Butte
San Bernardino LAFCo
Keene Simonds, Executive Officer, Napa LAFCo
Louis R. Calcagno, Monterey LAFCo
June Savala, Deputy Executive Officer, Los Angeles LAFCo
Debbie Shubert, Ventura LAFCo

Cortese-Knox-Hertzberg Definitions Revision
Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper,
and George Spiliotis
Contra Costa Sanitary District
**Elsinore Water District and Elsinore Valley Municipal Water
District**

2010

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award

Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Special Achievement

Helen Thompson, Commissioner, Yolo LAFCo

Kathleen Rollings-McDonald, Executive Officer, San
Bernardino LAFCo
Bob Braitman, Executive Officer, Santa Barbara LAFCo
Tulare LAFCo
Roger Anderson, Ph.D., CALAFCO Chair, Santa Cruz LAFCo
George Lange, Ventura LAFCo
Harry Ehrlich, Government Consultant, San Diego LAFCo

Candie Fleming, Fresno LAFCo

Butte LAFCo
Sewer Commission - Oroville Region Municipal Service
Review
Nipomo Community Services District and the **County of San
Luis Obispo**
Chris Tooker, Sacramento LAFCo and CALAFCO Board of
Directors

2009

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Paul Hood, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member

Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year
Government Leadership Award

Legislator of the Year Award

William Zumwalt, Executive Officer, Kings LAFCo
Napa LAFCo

Susan Vicklund Wilson, CALAFCO Vice Chair
Jerry Gladbach, CALAFCO Treasurer

Larry M. Fortune, Fresno LAFCo

Pat McCormick, Santa Cruz LAFCo Executive Officer

Emmanuel Abello, Santa Clara LAFCo

Orange LAFCo Boundary Report

Cities of Amador City, Jackson, Ione, Plymouth & Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD – Countywide MSR Project

Assembly Member Jim Silva

2008

Distinguished Service Award

Peter M. Detwiler, Senate Local Government Committee
Chief Consultant

Most Effective Commission

Yuba LAFCo

Outstanding Commissioner

Dennis Hansberger, San Bernardino LAFCo

Outstanding LAFCo Professional

Michael Ott, San Diego LAFCo Executive Officer
Martha Poyatos, San Mateo Executive Officer

Outstanding LAFCo Clerk

Wilda Turner, Los Angeles LAFCo

Project of the Year

Kings LAFCo

City and Community District MSR and SOI Update

Government Leadership Award

San Bernardino Board of Supervisors

Legislator of the Year Award

Assembly Member Anna M. Caballero

2007

Outstanding CALAFCO Member

Kathy Long, Board Chair, Ventura LAFCo

Distinguished Service Award

William D. Smith, San Diego Legal

Counsel Most Effective Commission

Santa Clara LAFCo

Outstanding Commissioner

Gayle Uilkema, Contra Costa LAFCo

Outstanding LAFCo Professional

Joyce Crosthwaite, Orange LAFCo Executive Officer

Outstanding LAFCo Clerk

Debby Chamberlin, San Bernardino LAFCo

Project of the Year

San Bernardino LAFCo and City of Fontana
Islands Annexation Program

Government Leadership Award

City of Fontana - Islands Annexation Program

Lifetime Achievement

John T. "Jack" Knox

2006

Outstanding CALAFCO Member

Everett Millais, CALAFCO Executive Officer and Executive
Officer of Ventura LAFCo

Distinguished Service Award

Clark Alsop, CALAFCO Legal Counsel

Most Effective Commission Award

Alameda LAFCo

Outstanding Commissioner Award

Ted Grandsen, Ventura LAFCo

Chris Tooker, Sacramento LAFCo

Outstanding LAFCo Professional Award

Larry Calemene, Los Angeles LAFCo Executive Officer

Outstanding LAFCo Clerk Award

Janice Bryson, San Diego LAFCo

Marilyn Flemmer, Sacramento LAFCo

Project of the Year Award	Sacramento Municipal Utility District Sphere of Influence Amendment and Annexation; Sacramento LAFCo
Outstanding Government Leadership Award	Cities of Porterville, Tulare, and Visalia and Tulare LAFCo Island Annexation Program
Legislator of the Year Award	Senator Christine Kehoe

2005

Outstanding CALAFCO Member	Peter Herzog , CALAFCO Board, Orange LAFCo
Distinguished Service Award	Elizabeth Castro Kemper , Yolo LAFCo
Most Effective Commission Award	Ventura LAFCo
Outstanding Commissioner Award	Art Aseltine , Yuba LAFCo Henri Pellissier , Los Angeles LAFCo
Outstanding LAFCo Professional Award	Bruce Baracco , San Joaquin LAFCo
Outstanding LAFCo Clerk Award	Danielle Ball , Orange LAFCo
Project of the Year Award	San Diego LAFCo MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	Sacramento Area Council of Governments (SACOG)

2004

Outstanding CALAFCO Member	Scott Harvey , CALAFCO Executive Director
Distinguished Service Award	Julie Howard , Shasta LAFCo
Most Effective Commission Award	San Diego LAFCo
Outstanding Commissioner Award	Edith Johnsen , Monterey LAFCo
Outstanding LAFCo Professional Award	David Kindig , Santa Cruz LAFCo
Project of the Year Award	San Luis Obispo LAFCo Nipomo CSD SOI Update, MSR, and EIR

2003

Outstanding CALAFCO Member	Michael P. Ryan , CALAFCO Board Member
Distinguished Service Award	Henri F. Pellissier , Los Angeles LAFCo
Most Effective Commission Award	San Luis Obispo LAFCo
Outstanding Commissioner Award	Bob Salazar , El Dorado LAFCo
Outstanding LAFCo Professional Award	Shirley Anderson , San Diego LAFCo
Outstanding LAFCo Clerk Award	Lori Fleck , Siskiyou LAFCo
Project of the Year Award	Napa LAFCo Comprehensive Water Service Study
Special Achievement Award	James M. Roddy

2002

Outstanding CALAFCO Member	Ken Lee , CALAFCo Legislative Committee Chair
Most Effective Commission Award	San Diego LAFCo Outstanding
Commissioner Award	Ed Snively , Imperial LAFCo
Outstanding LAFCo Professional Award	Paul Hood , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	Danielle Ball , Orange LAFCo
Project of the Year Award	San Luis Obispo LAFCo
Outstanding Government Leadership Award	Napa LAFCo , Napa County Farm Bureau , Napa Valley Vintners Association , Napa Valley Housing Authority , Napa County Agricultural Commissioner's Office , Napa County Counsel Office , and Assembly Member Patricia Wiggins

2001

Outstanding CALAFCO Member	SR Jones , CALAFCO Executive Officer
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Distinguished Service Award	David Martin , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	H. Peter Faye , Yolo LAFCo
Outstanding LAFCo Professional Award	Ingrid Hansen , San Diego LAFCo
Project of the Year Award	Santa Barbara LAFCo
Outstanding Government Leadership Award	Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council
Legislator of the Year Award	Senator Jack O'Connell

2000

Outstanding CALAFCO Member	Ron Wootton , CALAFCO Board Chair
Distinguished Service Award	Ben Williams , Commission on Local Governance for the 21st Century
Most Effective Commission Award	Yolo LAFCo
Outstanding Commissioner	Rich Gordon , San Mateo LAFCo
Outstanding LAFCo Professional Award	Annamaria Perrella , Contra Costa LAFCo
Outstanding LAFCo Clerk Award	Susan Stahmann , El Dorado LAFCo
Project of the Year Award	San Diego LAFCo
Legislator of the Year Award	Robert Hertzberg , Assembly Member

1999

Distinguished Service Award	Marilyn Ann Flemmer-Rodgers , Sacramento LAFCo
Most Effective Commission Award	Orange LAFCo
Outstanding Executive Officer Award	Don Graff , Alameda LAFCo
Outstanding LAFCo Clerk Award	Dory Adams , Marin LAFCo
Most Creative Solution to a Multi-Jurisdictional Problem	San Diego LAFCo
Outstanding Government Leadership Award	Assembly Member John Longville
Legislator of the Year Award	Assembly Member Robert Hertzberg

1998

Outstanding CALAFCO Member	Dana Smith , Orange LAFCo
Distinguished Service Award	Marvin Panter , Fresno LAFCo
Most Effective Commission Award	San Diego LAFCo
Outstanding Executive Officer Award	George Spiliotis , Riverside LAFCo
Outstanding Staff Analysis	Joe Convery , San Diego LAFCo Joyce Crosthwaite , Orange LAFCo
Outstanding Government Leadership Award	Santa Clara County Planning Department

1997

Most Effective Commission Award	Orange LAFCo
Outstanding Executive Officer Award	George Finney , Tulare LAFCo
Outstanding Staff Analysis	Annamaria Perrella , Contra Costa LAFCo
Outstanding Government Leadership Award	South County Issues Discussion Group
Most Creative Solution to a Multi-Jurisdictional Problem	Alameda LAFCo and Contra Costa LAFCo
Legislator of the Year Award	Assembly Member Tom Torlakson

