

# **AGENDA**

## **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

**NORTON REGIONAL EVENT CENTER  
1601 E. 3<sup>rd</sup> STREET, SAN BERNARDINO, CA**

### **REGULAR MEETING OF APRIL 16, 2025**

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

#### **ANNOUNCEMENT:**

The Political Reform Act requires the disclosure of campaign contributions made to any member of the Commission. Any applicant seeking a change of organization/reorganization or approval of a contract/agreement, any financially interested person who actively supports or opposes any such item, or any agent representing an applicant or interested party on any such item, who has made a contribution of more than \$500 in the past 12 months to any member of the Commission must state for the record the amount and the name of the Commissioner to whom the contribution was made and the item to which they are involved. If you are affected, please contact LAFCO staff prior to consideration of the item.

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 March 19, 2025](#)
3. [Approval of Executive Officer's Expense Report](#)
4. [Ratify Payments as Reconciled and Note Cash Receipts for the Month of February 2025](#)
5. Consent Items Deferred for Discussion

#### **PUBLIC HEARING ITEMS:**

6. [Consideration of \(1\) CEQA Exemption for LAFCO 3271; and 2\) LAFCO 3271 – Annexation to the Barstow Fire Protection District \(Wastewater Treatment Facility Area\)](#)
7. [Third Quarter Financial Review for FY 2024/25](#)
8. Preliminary Budget Review for Fiscal Year 2025/26:
  - a. [Proposed Schedule of Fees, Deposits, and Charges for Fiscal Year 2025/26](#)

b. Proposed Budget for Fiscal Year 2025/26

**DISCUSSION ITEMS:**

9. Review and Approve the Memorandum of Understanding by and between Los Angeles, Orange, San Bernardino, and San Diego Local Agency Formation Commissions

**INFORMATION ITEMS:**

10. Legislative Update Report
11. Executive Officer's Report
12. 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 1601 E. 3rd Street, Suite 102, San Bernardino, during normal business hours, on the LAFCO website at [www.sbclafco.org](http://www.sbclafco.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](http://www.fppc.ca.gov) or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability or with limited English proficiency 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 or language interpretation accommodations, including auxiliary aids or services, 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.**

**March 19, 2025**

**PRESENT:**

**COMMISSIONERS:**

**Regular Member**

Joe Baca Jr.  
Jim Bagley  
Kimberly Cox  
Acquanetta Warren, Chair

**Alternate Member**

Rick Denison  
Jim Harvey  
Kevin Kenley

**STAFF:**

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

**ABSENT:**

**COMMISSIONERS:**

**Regular Member**

Philipp Dupper  
Steven Farrell, Vice Chair  
Curt Hagman

**Alternate Member**

Jesse Armendarez

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –  
9:12 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

**ANNOUNCEMENT OF CONTRIBUTIONS**

**1. Comments from the Public**

There are none.

**CONSENT ITEMS:**

**2. Approval of Minutes for Regular Meeting of January 15, 2025**

**3. Approval of Executive Officer's Expense Report**

Recommendation: Approve the Executive Officer's Expense for Procurement Card Purchases from December 24, 2024 to January 22, 2025, and January 23, 2025 to February 24, 2025.

**4. Ratify Payments as Reconciled for the Months of December 2024 and January 2025 and Note Revenue Receipts**

Recommendation: Ratify payments as reconciled for the months of December 2024 and January 2025 and note revenue receipts for the same period.

**5. Approve One-Year Extension of Contract with Davis Farr, LLP for Financial Audit Services for Fiscal Year 2024-25**

Recommendation: Authorize the Executive Officer to exercise the one-year extension with Davis Farr, LLP to prepare the audit for Fiscal Year 2024-25.

**6. Consent Items Deferred for Discussion (None)**

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

*Ayes: Baca, Bagley, Cox, Denison, Kenley, and Warren.*

*Noes: None.*

*Abstain: None.*

*Absent: Farrell (Kenley voting in his stead), and Dupper (Denison voting in his stead).*

**DISCUSSION ITEMS:**

**7. LAFCO SC#536 - Request for Exemption from Provisions of Government Code Section 56133 for Memorandum of Understanding Between San Bernardino County and the City of Colton for Water Service**

Recommendation: Determine that LAFCO SC#536 complies with the exemption provisions outlined within Government Code Section 56133 (e) and, therefore, does not require Commission approval to proceed.

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

*Ayes: Baca, Bagley, Cox, Denison, Kenley, and Warren.*

*Noes: None.*

*Abstain: None.*

*Absent: Farrell (Kenley voting in his stead), and Dupper (Denison voting in his stead).*

**8. Update of the Barstow Cemetery District**

Recommendation: Receive and file the update of the Barstow Cemetery District.

*Chair Warren states the item is to receive and file.*



**9. Review and Consideration of Amendments to LAFCO Policy and Procedure Manual Section I (Mission Statement and Commission Operations) and Section II (Internal Operations, Accounting, and Financial)**

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. 3413 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 Baca moves to approve staff recommendation. Second by Commissioner Denison. The motion passes with the following roll call vote:*

*Ayes: Baca, Bagley, Cox, Denison, Kenley, and Warren.*

*Noes: None.*

*Abstain: None.*

*Absent: Farrell (Kenley voting in his stead), and Dupper (Denison voting in his stead).*

**INFORMATION ITEMS:**

**10. Update on CALAFCO**

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

*Chair Warren states the item is to receive and file.*

**11. Legislative Update Report**

Executive Officer Samuel Martinez provides a summary of the staff report including the following proposed legislative bills: AB 259, SB 598, SB 634, SB 707, and SB 740 as well as Assembly Concurrent Resolution (ACR) 36.

*Chair Warren states the item is to receive and file.*

**12. Executive Officer's Report**

Executive Officer Samuel Martinez provides a summary of the staff report and reminds Commissioners that Form 700s are due by April 1<sup>st</sup>.

**13. Commissioner Comments**

There are none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 9:44 A.M.**

**ATTEST:**

\_\_\_\_\_  
GAVIN CENTENO  
Project Manager/Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION

\_\_\_\_\_  
ACQUANETTA WARREN, Chair

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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www.sbclafco.org

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DATE : APRIL 16, 2025   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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

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## **RECOMMENDATION:**

Approve the Executive Officer's Expense Report for Procurement Card Purchases from February 24, 2025, to March 24, 2025.

## **BACKGROUND INFORMATION:**

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

- February 24, 2025 to March 24, 2025

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

SM/GC

Attachments

Approving Official (Print & Sign)	Date
Acquanetta Warren	04/16/25

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DATE : APRIL 9, 2025   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #4 - RATIFY PAYMENTS AS RECONCILED FOR  
THE MONTH OF FEBRUARY 2025 AND NOTE REVENUE  
RECEIPTS

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## RECOMMENDATION:

Ratify payments as reconciled for the month of February 2025 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:

- February 1 through February 28, 2025

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

SM/MT

Attachment

FEBRUARY 2025 PAYMENTS PROCESSED						
Document Number	Account	Posting Date	Vendor	Invoice	Reference	Amount
1901972108	52002085	02/26/25	San Bernardino Sun	B3897737	Notice of Hearing March 2025	\$ 355.60
1901957222	52002090	02/04/25	Inland Valley Dev Authority	INV0954	Janitorial services	\$ 90.00
1901953366	52002245	02/12/25	SDRMA	77688	Workers' Comp reconciliation	\$ 47.37
1901969946	52002305	02/24/25	Paper Shredding & Recycle	594707	Recycling and Shredding	\$ 78.00
1901971213	52002305	02/25/25	Crown Printing	120626	Employee Business Cards	\$ 142.46
1901957734	52002315	02/04/25	Corodata	RS7059316	Intake of LAFCO paper files	\$ 1,273.48
1901967507	52002400	02/19/25	Best Best Krieger	1019760	Legal Counsel	\$ 2,043.90
1901967503	52002405	02/19/25	Davis Farr LLP	2664	2024 Audit	\$ 8,800.00
1901964352	52002445	02/13/25	Rebecca Lowery	39	Staff support	\$ 1,181.25
1901964324	52002895	02/13/25	Konica Minolta	46399685	Copier	\$ 365.40
1901957222	52002905	02/04/25	Inland Valley Dev Authority	INV0954	Rent Feb	\$ 2,509.00
1901969068	52942940	02/21/25	Cox	COX02-21	Cox Reimbursements for CALAFCO	\$ 86.80
1901969068	52942944	02/21/25	Cox	COX02-21	Cox Reimbursements for CALAFCO	\$ 59.50
1901969068	52942946	02/21/25	Cox	COX02-21	Cox Reimbursements for CALAFCO	\$ 32.40
						<b>\$ 17,065.16</b>
FEBRUARY 2025 COUNTY TRANSFERS PROCESSED						
4103771124	52002031	02/01/25	IT		JAN 2025 Payroll System Services (EMACS)	\$ 72.70
4103771126	52002032	02/01/25	IT		JAN 2025 Virtual Private Network (VPN)	\$ 10.72
4103771128	52002037	02/01/25	IT		JAN 2025 Dial Tone	\$ 246.24
4103778949	52002305	02/24/25	Purchasing		Staples surcharge	\$ 16.39
4103771136	52002420	02/01/25	IT		JAN 2025 Data Storage and Backup	\$ 73.36
4103771136	52002420	02/01/25	IT		JAN 2025 Enterprise Content Management	\$ 89.44
4103771136	52002420	02/01/25	IT		JAN 2025 File Sharing Storage	\$ 74.34
4103771136	52002420	02/01/25	IT		JAN 2025 Wireless Device (Exchange Active Sync)	\$ 15.75
4103771137	52002421	02/01/25	IT		JAN 2025 Desktop Support Services	\$ 727.84
4103771133	52412410	02/01/25	IT		IT Infrastructure - Period 8	\$ 751.00
4103778949	55405012	02/24/25	Purchasing		Staples	\$ 136.59
4200147689	52002424	02/13/25	Clerk to the Board		NOE - LAFCO SC#534	\$ 50.00
4200147691	52002424	02/13/25	Clerk to the Board		NOE - LAFCO SC#535	\$ 50.00
4200147637	52002445	02/04/25	Payroll		2024 Q4 payroll tax filing	\$ 948.15
4200148905	52002310	45691	Mail		Mail Services FLAT	\$ (21.68)
4200148906	52002310	45691	Mail		Mail Services HAN	\$ (336.60)
4200148908	52002310	45691	Mail		Mail Services DEL	\$ (223.00)
4200148863	52002310	45709	Mail		Mail Services FLAT	\$ 3.99
4200148882	52002310	45709	Mail		Mail Services HAN	\$ 42.12
4200148891	52002310	45709	Mail		Mail Services DEL	\$ 234.15
4200148922	52002310	45709	Mail		Mail Services HAN	\$ 168.30
4200148923	52002310	45709	Mail		Mail Services FLAT	\$ 10.84
4200148925	52002310	45709	Mail		Mail Services DEL	\$ 223.00
4200147629	52002323	45691	Purchasing		2 Year Calendar	\$ 50.10
4200149301	52002323	45716	Purchasing		Emacs Reports 8/5/2024 Printing Job Duplicate refund	\$ (18.65)
4200147861	52002415	45693	Auditor		2024/2025 COWCAP-QTR3	\$ 907.00
<b>TOTAL</b>						<b>\$ 4,302.09</b>



FEBRUARY 2025 CASH RECEIPTS							
			none				
<b>TOTAL</b>							\$ -
FEBRUARY 2025 COUNTY TRANSFERRED RECEIVED							
4200147689	4070	9800	02/19/25	County Admin Office		Service Contract #536	\$ 2,750.00
<b>TOTAL</b>							\$ 2,750.00
COMPLETED BY: MICHAEL TUERPE				APPROVED BY: SAMUEL MARTINEZ			
Assistant Executive Officer				Executive Officer			
Date: 4/7/2025				4/7/2025			

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: APRIL 9, 2025   
FROM: SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Assistant Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: Agenda Item #6: LAFCO 3271 – Annexation to the Barstow Fire Protection District (Wastewater Treatment Facility Area)

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## **INITIATED BY:**

Resolution of the Barstow Fire Protection District

## **RECOMMENDATION:**

Staff recommends that the Commission approve LAFCO 3271 by taking the following actions:

1. For environmental review, certify that LAFCO 3271 is exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3271, with the standard LAFCO terms and conditions that include the “hold harmless” clause for potential litigation costs; and,
3. Adopt LAFCO Resolution No. 3415, setting forth the Commission’s determinations and conditions of approval concerning this annexation proposal.

## **BACKGROUND INFORMATION:**

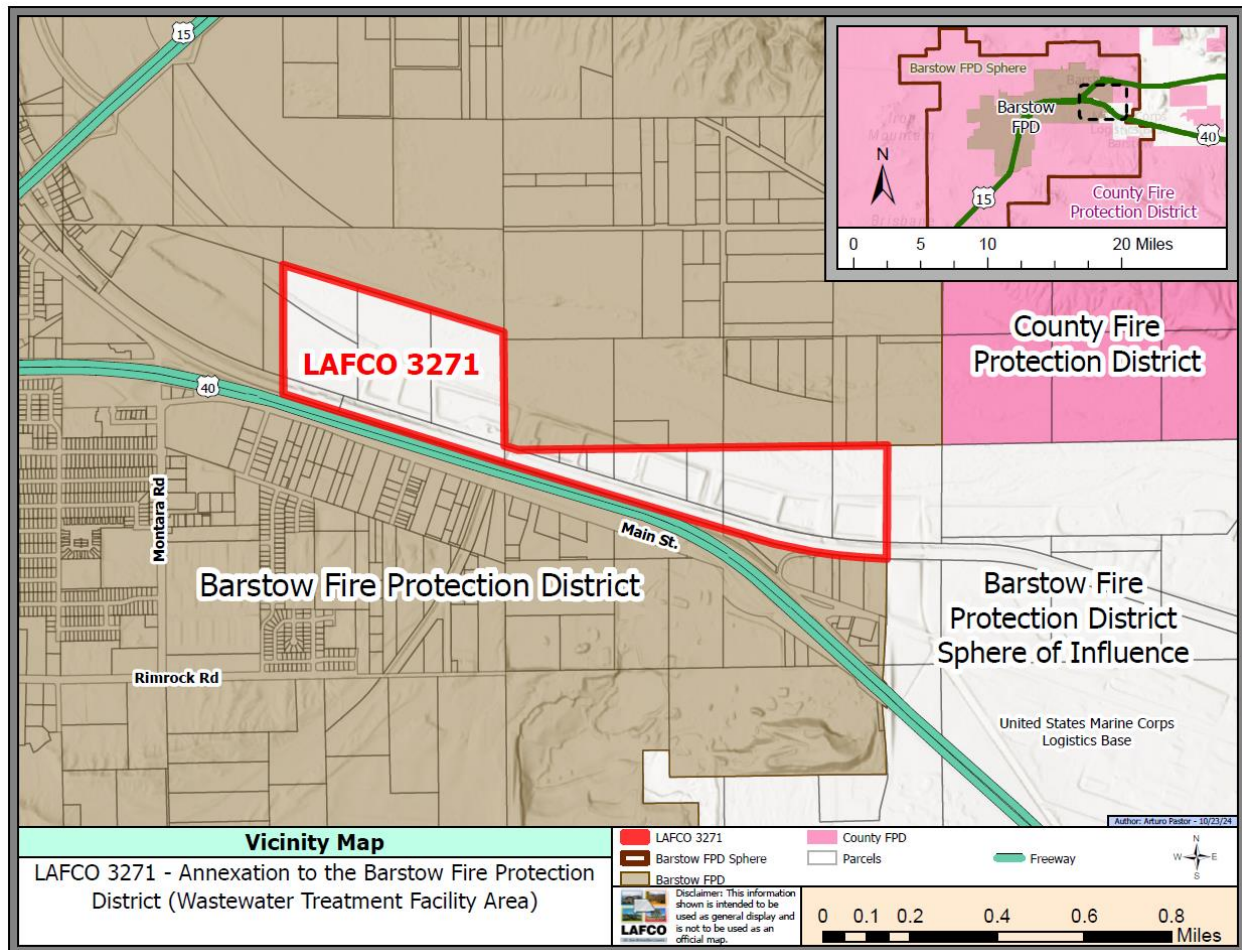
LAFCO 3271 is a proposal initiated by the Barstow Fire Protection District (hereafter the District) requesting annexation of the area into its boundaries. The District, which is a subsidiary of the City of Barstow (City), is the fire service provider for the City and areas around the periphery of the City. The annexation area is within the District’s sphere of influence; however, it is currently not within a fire agency’s boundary. In other words, the area is not within an agency responsible for fire protection and emergency medical services, yet the District is the first to respond to the area.



During the Fire Service Review in 2020, this issue was brought to light as a result of the County Fire Reorganization back in 2008. The area was inadvertently left out due to a technical error in the map and legal description for the fire reorganization that ended up not being placed within a fire agency's boundary. The Commission recommended that staff work with the City of Barstow to get this area annexed into the District's boundary in order to address this discrepancy.

## LOCATION

The proposed annexation area encompasses approximately 187 acres generally located north of the I-40 Freeway and Main Street, and west of the northerly extension of Montara Road. The area includes Assessor Parcel Numbers (APNs) 0424-101-16, 0424-081-16, 0424-081-17, 0424-081-74 (portion), 0424-081-75, 0424-191-01, 0424-191-02, 0424-191-03, 0424-191-04, 0424-191-05, 0424-152-02 & 0424-152-03. Below is a vicinity map of the annexation area (outlined in red). Included as Attachment #1 to this report is the vicinity map and official annexation map.



Vicinity Map

This report will provide the Commission with the information related to the four major areas of consideration required for a jurisdictional change: (1) boundaries, (2) land use, (3) service issues and effects on other local governments, and (4) environmental considerations.

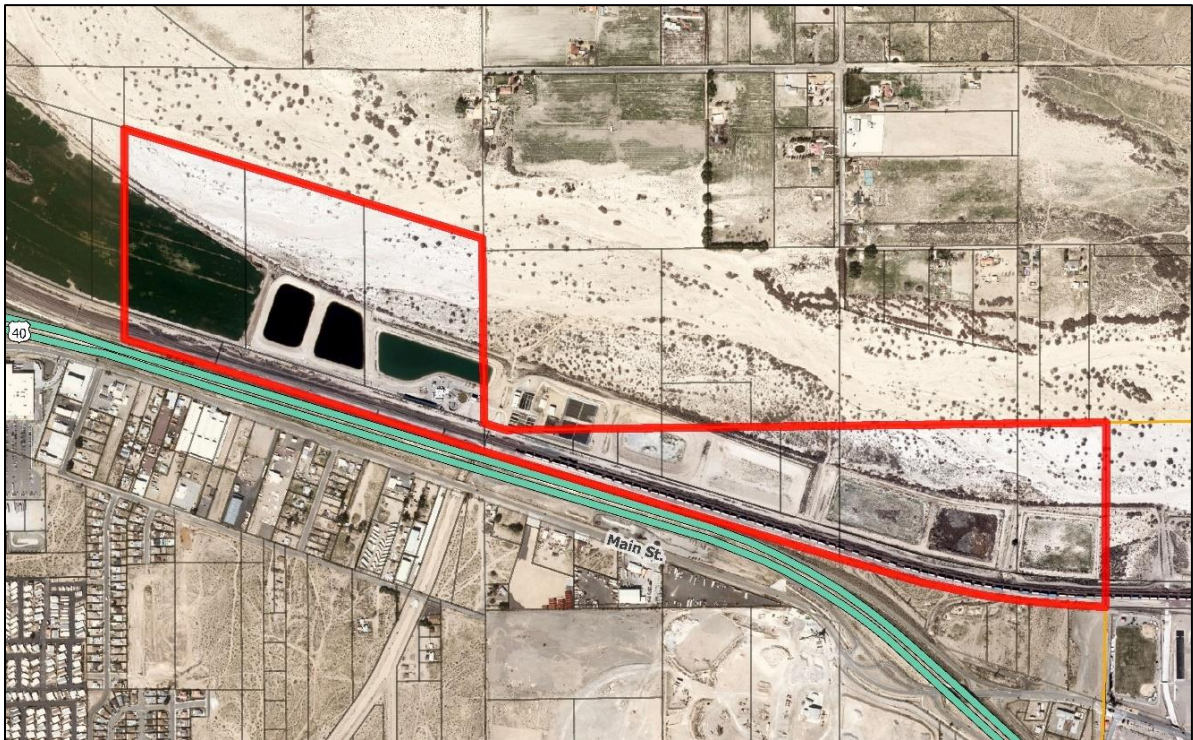
## **AREAS OF CONSIDERATION**

### **1. BOUNDARIES:**

The area is bounded by the Santa Fe Railroad (existing District boundary) to the south, parcel lines along the northerly extension of Mantara Road (existing District boundary) to the west, parcel lines (existing District boundary) to the north, and parcel lines along the Marine Corps Logistics Base to the east. The annexation area includes the remaining area of the District's southern sphere of influence that is not within its boundary. The annexation will place the area into an existing fire service provider; therefore, LAFCO 3271 has no boundary concerns.

### **2. LAND USE:**

The annexation area includes the railroad right-of-way, portion of the Mojave River, and vacant city-owned property utilized by the City for its wastewater treatment facility.



Aerial Map

The City of Barstow's current land use designations for the annexation area are General Industrial, Public/Quasi Public, and Open Space. The City's zoning designations are: Industrial (I), Public Facility (PF), and Open Space (O).

No change in land uses is anticipated as a result of the annexation. In addition, approval of this proposal will have no direct impact on the current land use and zoning designations assigned to the area. Therefore, there are no land use concerns related to this proposal.

### **3. SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:**

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. The service providers within the entire annexation area include the City of Barstow, Odessa Water District (City subsidiary district – water planning), Mojave Water Agency (the State Water Contractor), Barstow Cemetery District, County Service Area 40 (television translator) and Mojave Desert Resource Conservation District. The Golden State Water Company, a private water company that provides retail water service overlays the annexation area.

The application includes a Plan for Service (included as part of Attachment #2 to this report). The Plan identifies that the District already serves the area and that no change in service delivery is anticipated since the area is generally vacant except for the wastewater treatment facility and its associated percolation ponds. Since the District already serves the area, there will also be no additional financial effect to the District.

As required by Commission policy and State law, the Plan for Service shows that the extension of the District's services will maintain, and/or exceed, current service levels.

### **4. ENVIRONMENTAL:**

As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson from Tom Dodson and Associates, has indicated that the review of LAFCO 3271 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the annexation to the District has no potential to cause a significant adverse impact on the environment. Therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). Staff recommends that the Commission adopt the "Common Sense" Exemption for this proposal. A copy of Mr. Dodson's analysis is included as Attachment #3 to this report.

### **CONCLUSION:**

LAFCO 3271 is an area that is currently not within an agency responsible for fire protection and emergency medical services. The area was inadvertently left out during the County Fire Reorganization that ended up not being placed within an existing fire agency's boundary. However, the fire service provider for the area is the Barstow Fire Protection District. Therefore, for these reasons and those outlined throughout the staff report, staff supports the approval of LAFCO 3271.

**DETERMINATIONS:**

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal:

1. The County Registrar of Voters has determined that the annexation area is legally uninhabited, containing zero (0) registered voters as of December 17, 2024.
2. The County Assessor has determined that the value of land and improvements within the annexation area is \$0 since the parcels are tax exempt property.
3. The annexation area is within the sphere of influence assigned the Barstow Fire Protection District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication of a 1/8th page legal advertisement in *The Daily Press*, a newspaper of general circulation in the area. As required by State law, individual notices were provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (12) within the annexation area and landowners (167) and registered voters (113) surrounding the annexation area. Comments from landowners, registered voters, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The City of Barstow's current land use designations for the annexation area are General Industrial, Public/Quasi Public, and Open Space. This annexation has no direct impact on said land use designations.
7. The Southern California Associated Governments (SCAG) has adopted its 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS), referred to as Connect SoCal 2024, pursuant to Government Code Section 65080. LAFCO 3271 has no direct impact on SCAG's Connect SoCal 2024.
8. The Local Agency Formation Commission has determined that this proposal is exempt from environmental review. The basis for this determination is that the Commission's approval of the annexation has no potential to cause a significant adverse impact on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). The Commission adopted the Exemption and directed its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The annexation area is served by the following local agencies: City of Barstow, Odessa Water District, Mojave Water Agency, Barstow Cemetery District, County Service Area 40 (TV translator), and Mojave Desert Resource Conservation District.



None of these agencies are affected by this annexation proposal as they are either regional in nature or identified for other services for the annexation area.

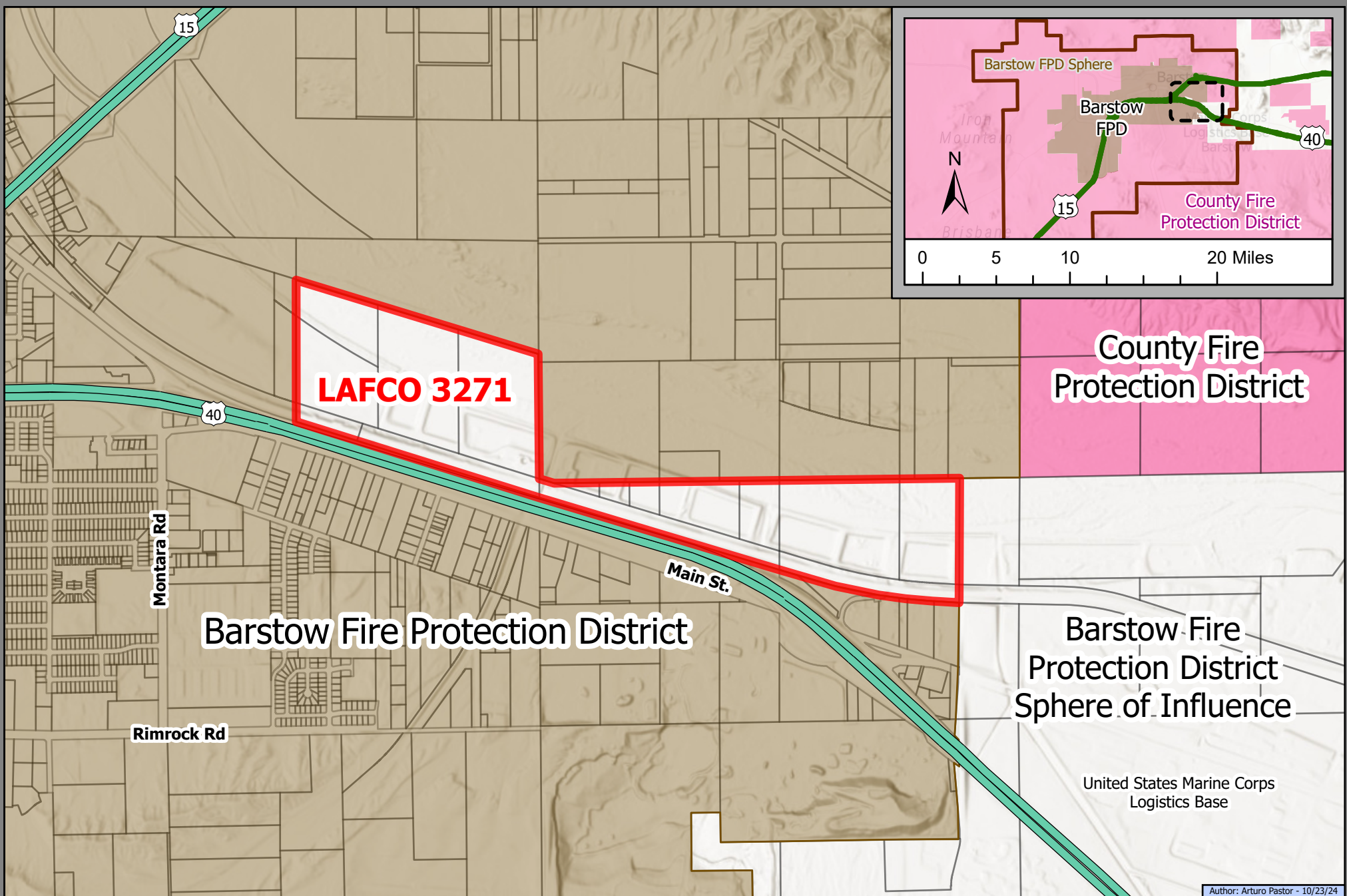
10. A plan was prepared for the extension of services to the annexation area, as required by law. The Plan for Service indicates that the Barstow Fire Protection District currently provides and can continue to provide fire protection and emergency medical service to the area and can maintain and/or exceed the level of said services currently available in the area.

The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service conforms to those adopted standards and requirements.

11. The annexation area can benefit from the availability and extension of fire protection and emergency medical services from the Barstow Fire Protection District.
12. This proposal will not affect the fair share allocation of the regional housing needs assigned to the City of Barstow through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) since the annexation area will remain vacant and used for public facilities.
13. With respect to environmental justice, the annexation proposal—wherein the parcels being annexed into the Barstow Fire Protection District used for public facilities (wastewater treatment facility)—will not result in the unfair treatment of any person based on race, culture or income.
14. The County of San Bernardino, acting on behalf of the Barstow Fire Protection District, adopted a resolution determining there will be a zero property tax transfer as a result of the annexation. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
15. The maps and legal descriptions as revised are in substantial compliance with LAFCO and State standards.

Attachments:

1. [Vicinity Map and Official Map](#)
2. [Application and Plan for Service](#)
3. [Environmental Recommendation](#)
4. [Draft Resolution No. 3415](#)



### Vicinity Map

LAFCO 3271 - Annexation to the Barstow Fire Protection District (Wastewater Treatment Facility Area)

LAFCO 3271

Barstow FPD Sphere

Barstow FPD

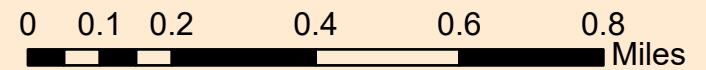
County FPD

Parcels

Freeway



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




Author: Arturo Pastor - 10/23/24





# LAFCO 3271 ANNEXATION TO THE BARSTOW FIRE PROTECTION DISTRICT (WASTEWATER TREATMENT FACILITY AREA)


BEING PORTIONS OF SECTION 9 AND SECTION 10,  
TOWNSHIP 9 NORTH, RANGE 1 WEST, S.B.M.


**LEGEND**

 PROPOSED ANNEXATION AREA

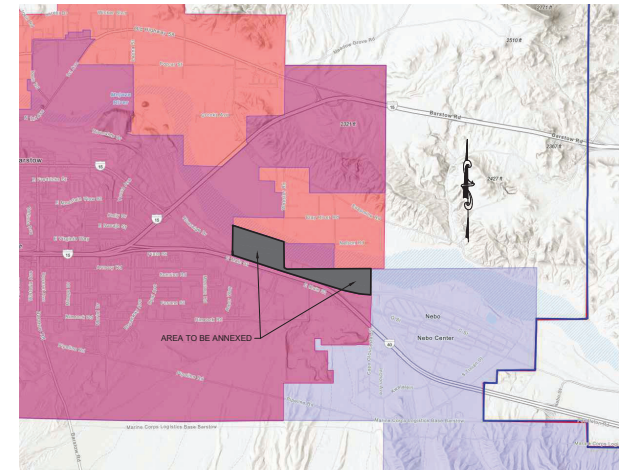
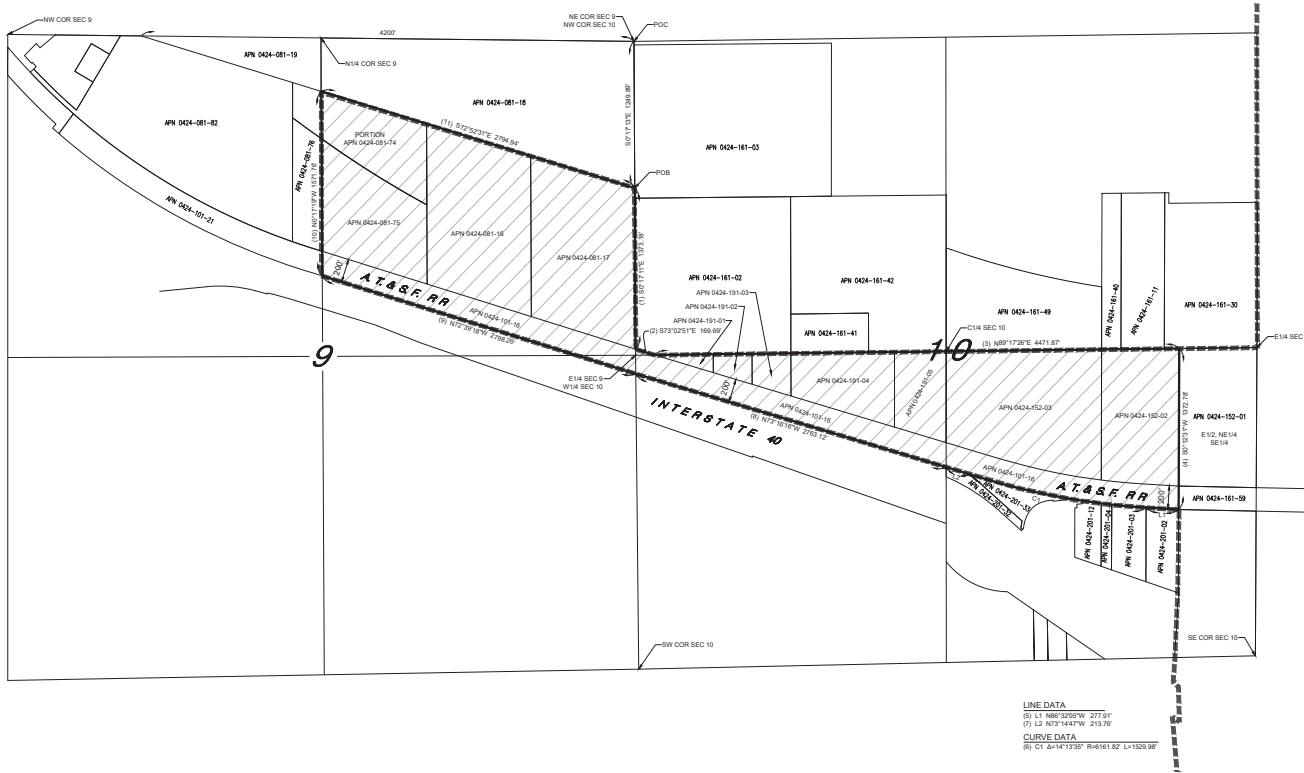
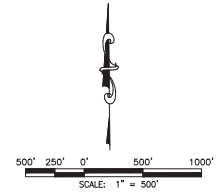
 EXISTING BARSTOW FPD DISTRICT BOUNDARY

 PROPERTY LINE

 POC POINT OF COMMENCEMENT

 POB POINT OF BEGINNING


ANNEXATION AREA = +/-187.5 ACRES



**VICINITY MAP**  
NOT TO SCALE

- Cities/Towns
- Cities/Towns' Spheres of Influence
- Cities/Towns' Boundaries
- Fire Protection District
- Fire Protection District Spheres
- Fire Protection District Boundaries

**PREPARED BY:**  
MERRELL JOHNSON ENGINEERING, INC.  
22221 HIGHWAY 18, APPLE VALLEY, CA 92307

  
DATE 4/8/25  
CRAIG JOHNSON  
L.S. 7562



## SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

**INTRODUCTION:** The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

### GENERAL INFORMATION

1. NAME OF PROPOSAL: Annexation to Barstow Fire Protection District of City-owned property  
(Wastewater Treatment Facility)

2. NAME OF APPLICANT: Barstow Fire Protection District

APPLICANT TYPE: ☐ Landowner ☒ Local Agency  
☐ Registered Voter ☐ Other \_\_\_\_\_

MAILING ADDRESS:

220 E. Mountain View Ave. Barstow CA 92311

PHONE: ( 760 ) 256-3531

FAX: ( 760 ) 256-4472

E-MAIL ADDRESS:

afespinoz@barstowca.org

3. GENERAL LOCATION OF PROPOSAL

East Barstow adjacent to Interstate 40 and abutting the Marine Corps Logistics Base

4. Does the application possess 100% written consent of each landowner in the subject territory?  
YES ☒ NO ☐ If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested. \_\_\_\_\_

To correctly include City's 187-acre wastewater treatment facility in the BFPD service area.



**LAND USE AND DEVELOPMENT POTENTIAL**

1. Total land area of subject territory (defined in acres): Approximately 187 acres
2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)  
N/A
3. Approximate current population within area:  
N/A
4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):  
Public Facility

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):  
N/A

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:  
No change in use.

6. Indicate the existing use of the subject territory. Wastewater Treatment Facility

What is the proposed land use? Continue as a wastewater treatment facility

7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☐ NO ☒ If YES, please explain.

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- |  |  |
|--|--|
| <input type="checkbox"/> Agricultural Land Uses  | <input type="checkbox"/> Agricultural Preserve Designation       |
| <input type="checkbox"/> Williamson Act Contract   | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ |  |

9. Provide a narrative response to the following factor of consideration as identified in §56668(p):  
*The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The City of Barstow's wastewater treatment facility will continue to provide fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public service.

### **ENVIRONMENTAL INFORMATION**

1. Provide general description of topography. The general topography is flat with minimal elevation changes. Some of the northern portion of the property lies within the Mojave River.

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>0</u> %	Agricultural	<u>0</u> %
Commercial	<u>0</u> %	Vacant	(142 acres) <u>72</u> %
Industrial	(8 acres) <u>4</u> %	Other (ponds)	(44 acres) <u>24</u> %

3. Describe the surrounding land uses:

NORTH	<u>Mojave River</u>
EAST	<u>Marine Corps Logistics Base</u>
SOUTH	<u>Interstate 40</u>
WEST	<u>Interstate 15</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

N/A

(FOR LAFCO USE ONLY)

5. Will service extensions accomplished by this proposal induce growth on this site? YES ☐  
NO ☒ Adjacent sites? YES ☐ NO ☒ Unincorporated ☐ Incorporated ☐

6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☐  
NO ☒ If YES, please identify.

7. Is this proposal a part of a larger project or series of projects? YES ☐ NO ☒ If YES, please explain.

### **NOTICES**

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

### **CERTIFICATION**

As a part of this application, the City/Town of \_\_\_\_\_, or the \_\_\_\_\_  
District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in

interest - landowner and/or registered voter of the application subject property) 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.

As the person signing this application, I 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 and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

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

DATE

9/18/24



SIGNATURE

Andrew Espinoza Jr., Interim City Manager

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ☒ ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- ☐ SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- ☐ CITY INCORPORATION SUPPLEMENT
- ☐ FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ☐ ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

## SUPPLEMENT

### ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO

Barstow Fire Protection District

\_\_\_\_\_

\_\_\_\_\_

DETACHED FROM

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

a. Has pre-zoning been completed? YES ☐ NO ☐

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☐

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

Public Facilities

\_\_\_\_\_

\_\_\_\_\_

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES ☐ NO ☐ If YES, please provide a written justification for the proposed boundary configuration.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

No (government owned)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

No

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

No

7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

N/A

8. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.



- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

### **CERTIFICATION**

As a part of this application, the City/Town of Barstow, or the \_\_\_\_\_ District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) 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.

As the person signing this application, I 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 and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the City/Town of Barstow or the \_\_\_\_\_ District/Agency may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE

9/18/24

SIGNATURE

Andrew Espinoza Jr., Interim City Manager  
Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

\_\_\_\_\_  
Title and Affiliation (if applicable)

**Plan of Services:**

The Barstow Fire Protection District already serves the 187-acre Barstow Wastewater Treatment Plant. (See attached Fire Station Information.) There will be no change in service delivery to the property.

This will be certified by the acting Fire Chief.

**Fiscal Impact Analysis:**

This property is government owned and is therefore tax exempt. The Barstow Fire Protection District already serves the area so there will be no additional financial effect to the District.



# Barstow Fire Protection District

## Fire Station Information

Fire Station	Fire Apparatus	Staffing (Daily)	Capability	Safety/Non-Safety
<b>Fire Station 361</b> 881 Barstow Road Barstow, CA. 92311	Engine 361	3	Type-1/Advanced Life Support	Safety
	Medic Squad 361	2	Advanced Life Support	Safety
	Battalion Chief 4710	1	Basic Life Support	Safety
	Investigator 4751	1	Fire Investigator/Prevention	Non-Safety
	Chief 4700	1	Fire Chief	Safety
	Administrative Staff	1	Office Assistant	Non-Safety
	Water Tender 361	0	Type-S3	N/A
	Office of Emergency Services Engine 328	0	Type-1	N/A
	Reserve Engine (328)	0	Type-1	N/A
	Reserve Engine (325)	0	Type-1	N/A
	Utility 361	0	N/A	N/A
	HAZMAT 361	0	DECON	N/A
<b>Fire Station 362</b> 36808 North Marial Drive Barstow, CA. 92311	Water Purification Trailer	0	Water Purification	N/A
	UASI Mass Casualty Trailer	0	Mass Casualty Response	N/A
	CERT Trailer	0	Community Emergency Response	N/A
	FLAG Trailer	0	Flammable Liquids/Gas Trainer	N/A
<b>Fire Station 366</b> 2600 West Main Street Barstow, CA. 92311	Engine 361	3	Type-1/Advanced Life Support	Safety
	Reserve Engine (327)	0	Type-1	N/A
FY23/24 FTE Budgeted Positions (30)				



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# TOM DODSON & ASSOCIATES

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**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



April 5, 2025

Mr. Samuel Martinez  
Local Agency Formation Commission  
1601 E. 3<sup>rd</sup> Street  
San Bernardino, CA 92415-0490

Dear Sam:

LAFCO 3271 consists of an Annexation to the Barstow Fire Protection District (District or BFPD). The proposed Annexation encompasses approximately 187 acres that is generally used by the City of Barstow for its Wastewater Treatment Facility. The proposed Annexation area is located north of the I-40 Freeway Corridor and Main Street, and west of the northerly extension of Montara Road within the District's Sphere of Influence. The BFPD currently serves the area and is the first responder to the site for fire and emergency medical services. This Annexation will extend District boundaries to the area, but it would not result in any specific changes to the physical environment.

Therefore, after careful review, I am recommending that the Commission consider the adoption of a Common Sense Exemption for LAFCO 3271. I recommend that the Commission find that an Exemption applies to LAFCO 3271 under Section 15061 (b) (3) of the State CEQA Guidelines, which states: *"The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing 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."* It is my opinion, and recommendation to the Commission, that this circumstance applies to LAFCO 3271 because the District will simply continue to be the first responder to emergencies within the identified action area.

Based on this review of LAFCO 3271 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3271 does not constitute a project under CEQA and adoption of the Common Sense exemption and filing of a Notice of Exemption is the most appropriate determination to comply with CEQA for this action. The Commission can approve the review and findings for this action and I recommend that you notice LAFCO 3271 as exempt from CEQA for the reasons outlined in the State CEQA Guideline sections cited above. The Commission needs to file a Notice of Exemption with the County Clerk to the Board for this action once the hearing is completed and assuming the project is approved.

A copy of this exemption recommendation should be retained in LAFCO's project file to serve as verification of this evaluation and as the CEQA environmental determination record. If you have any questions, please feel free to give me a call.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Dodson". The signature is written in a cursive, flowing style.

Tom Dodson

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3<sup>rd</sup> Street, Suite 102, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**PROPOSAL NO.: LAFCO 3271**

**HEARING DATE: APRIL 16, 2025**

**RESOLUTION NO. 3415**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3271 AND APPROVING THE ANNEXATION TO THE BARSTOW FIRE PROTECTION DISTRICT (WASTEWATER TREATMENT FACILITY AREA). The annexation area comprises approximately 187 acres generally located north of the I-40 Freeway and Main Street, and west of the northerly extension of Montara Road.**

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

**WHEREAS**, an application by the Barstow Fire Protection District Board of Directors for the proposed annexation in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the 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 executed his certificate in accordance with law, determining and certifying 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 April 16, 2025, 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 support and/or opposition; the Commission considered all plans and proposed changes of organization, objections and evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any

## RESOLUTION NO. 3415

matter relating to the application, in evidence presented at the hearing.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

### **DETERMINATIONS:**

**SECTION 1.** The proposal is approved subject to the terms and conditions hereinafter specified:

**Condition No. 1.** The boundaries are approved as set forth in Exhibits “A” and “A-1” attached.

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3271.

**Condition No. 3.** All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Barstow Fire Protection District (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 4.** The Barstow Fire Protection District 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 proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**Condition No. 5.** The date of issuance of the Certificate of Completion shall be the effective date of this annexation.

**SECTION 2. DETERMINATIONS.** The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The County Registrar of Voters has determined that the annexation area is legally uninhabited, containing zero (0) registered voters as of December 17, 2024.
2. The County Assessor has determined that the value of land and improvements within the annexation area is \$0 since the parcels are tax exempt property.
3. The annexation area is within the sphere of influence assigned the Barstow Fire Protection District.
4. Legal notice of the Commission’s consideration of the proposal has been provided through publication of a 1/8th page legal advertisement in *The Daily Press*, a newspaper of general circulation in the area. As required by State law, individual notices were provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notice.

## RESOLUTION NO. 3415

5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (12) within the annexation area and landowners (167) and registered voters (113) surrounding the annexation area. Comments from landowners, registered voters, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The City of Barstow's current land use designations for the annexation area are General Industrial, Public/Quasi Public, and Open Space. This annexation has no direct impact on said land use designations.
7. The Southern California Associated Governments (SCAG) has adopted its 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS), referred to as Connect SoCal 2024, pursuant to Government Code Section 65080. LAFCO 3271 has no direct impact on SCAG's Connect SoCal 2024.
8. The Local Agency Formation Commission has determined that this proposal is exempt from environmental review. The basis for this determination is that the Commission's approval of the annexation has no potential to cause a significant adverse impact on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). The Commission adopted the Exemption and directed its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The annexation area is served by the following local agencies: City of Barstow, Odessa Water District, Mojave Water Agency, Barstow Cemetery District, County Service Area 40 (TV translator), and Mojave Desert Resource Conservation District.

None of these agencies are affected by this annexation proposal as they are either regional in nature or identified for other services for the annexation area.

10. A plan was prepared for the extension of services to the annexation area, as required by law. The Plan for Service indicates that the Barstow Fire Protection District currently provides and can continue to provide fire protection and emergency medical service to the area and can maintain and/or exceed the level of said services currently available in the area.

The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service conforms to those adopted standards and requirements.

11. The annexation area can benefit from the availability and extension of fire protection and emergency medical services from the Barstow Fire Protection District.
12. This proposal will not affect the fair share allocation of the regional housing needs assigned to the City of Barstow through the Southern California Association of

## RESOLUTION NO. 3415

Government's (SCAG) Regional Housing Needs Allocation (RHNA) since the annexation area will remain vacant and used for public facilities.

13. With respect to environmental justice, the annexation proposal—wherein the parcels being annexed into the Barstow Fire Protection District used for public facilities (wastewater treatment facility)—will not result in the unfair treatment of any person based on race, culture or income.
14. The County of San Bernardino, acting on behalf of the Barstow Fire Protection District, adopted a resolution determining there will be a zero property tax transfer as a result of the annexation. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
15. The maps and legal descriptions as revised are in substantial compliance with LAFCO and State standards.

**SECTION 3.** Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed annexation in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

**SECTION 4.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

**SECTION 5.** The Commission hereby directs that, following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000) and set the matter for consideration of the protest proceedings, providing notice of hearing pursuant to Government Code Sections 57025 and 57026.

**SECTION 6.** Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth his determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

**SECTION 7.** Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

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

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**RESOLUTION NO. 3415**

**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 April 16, 2025.

**DATED:**

\_\_\_\_\_  
**SAMUEL MARTINEZ**  
Executive Officer

LAFCO 3271  
ANNEXATION TO THE BARSTOW FIRE PROTECTION DISTRICT  
(WASTEWATER TREATMENT FACILITY AREA)

PORTION OF SECTIONS 9 & 10, TOWNSHIP 9 NORTH, RANGE 1 WEST, SBM

**COMMENCING** AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 9 NORTH, RANGE 1 WEST, SAN BERNARDINO MERIDIAN

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 9 A DISTANCE OF 1,250 FEET TO THE **POINT OF BEGINNING**;

FROM THE **POINT OF BEGINNING**:

COURSE 1. SOUTH  $01^{\circ} 17' 11''$  EAST A DISTANCE OF 1,373.18' +/- TO THE INTERSECTION WITH THE NORTH BOUNDARY OF THE ATCHISON TOPEKA SANTA FE RAILROAD RIGHT-OF-WAY, BEING 200.00 FEET WIDE, THENCE;

COURSE 2. SOUTH  $73^{\circ} 02' 51''$  EAST A DISTANCE OF 169.69' +/- ALONG SAID NORTHERLY RIGHT-OF-WAY TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF SECTION 10, THENCE;

COURSE 3. NORTH  $89^{\circ} 17' 26''$  EAST A DISTANCE OF 4,471.87' +/- ALONG SAID NORTH LINE OF THE SOUTH ONE-HALF TO THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER, THENCE;

COURSE 4. SOUTH  $0^{\circ} 12' 31''$  WEST A DISTANCE OF 1,372.78' +/- ALONG THE EAST LINE OF SAID WEST ONE-HALF TO A POINT OF INTERSECTION WITH THE SOUTHERLY BOUNDARY OF THE ATCHISON TOPEKA SANTA FE RAILROAD RIGHT-OF-WAY, BEING 200.00 FEET WIDE, THENCE;

COURSE 5. NORTH  $86^{\circ} 32' 05''$  WEST A DISTANCE OF 277.91' +/- ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THENCE;

COURSE 6. ON A CURVE TO THE RIGHT HAVING A RADIUS OF 6,161.82', AN ARC LENGTH OF 1,529.98' THROUGH A CENTRAL ANGLE OF  $14^{\circ} 13' 35''$  ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, THENCE;

COURSE 7. NORTH  $73^{\circ} 14' 47''$  WEST A DISTANCE OF 213.76' +/- TO THE POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE WITH THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 10, THENCE;

COURSE 8. NORTH  $73^{\circ} 16' 16''$  WEST A DISTANCE OF 2,763.12' +/- TO A POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 9, THENCE;

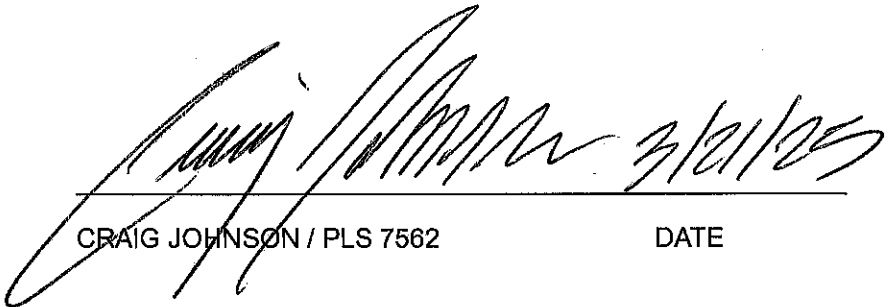
COURSE 9. NORTH  $72^{\circ} 39' 18''$  WEST A DISTANCE OF 2,798.26' +/- TO A POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY AND THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 9, THENCE;



COURSE 10. NORTH 0° 17' 19" WEST A DISTANCE OF 1,571.76' +/- ALONG SAID WESTERLY LINE TO A POINT OF INTERSECTION WITH A LINE THAT ORIGINATES AT THE POINT OF BEGINNING AND TERMINATES ON THE NORTH LINE OF SAID SECTION 9, 4,200 FEET WESTERLY OF THE NORTHEAST CORNER OF SAID SECTION 9, ALSO BEING THE **POINT OF COMMENCEMENT**, THENCE:

COURSE 11. SOUTH 72° 52' 31" EAST ALONG SAID LINE IN COURSE 10 A DISTANCE OF 2794.94' +/- TO THE **POINT OF BEGINNING**.

TOTAL ANNEXATION AREA = 187.45 ACRES +/-



CRAIG JOHNSON / PLS 7562

DATE



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: APRIL 9, 2025   
FROM: SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Assistant Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: Agenda Item #7: Third Quarter Financial Review for FY 2024/25

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions:

1. Note receipt of this report and file.
2. Direct the Executive Officer to issue payment to SBCERA for \$54,968 as a credit towards paying down LAFCO's share of the Unfunded Actuarial Liability.

## **SUMMARY:**

### **1. Budget Markers**

The third quarter of Fiscal Year 2024/25 has concluded and staff is presenting the Commission with its third financial report. This report includes a review of the financial activities and the presentation of a spreadsheet (see Attachment) showing the line-item expenditures and receipts during the period. The table below shows that Total Expenditures are on-track with Third Quarter markers. For Revenues, Applications are at 79%, above the 75% mark. The table below is a snapshot through the third quarter.

Expenditures		Revenues	
Salaries and Benefits	74%	County Treasury	100%
(below appropriations)		(met goal)	
Services and Supplies	63%	Applications	79%
(below appropriations)		(above goal)	
<b>TOTAL</b>	<b>70%</b>	<b>TOTAL</b>	<b>96%</b>

## 2. Applications

The table below identifies the number of proposals and service contracts received. When taking activities that the Commission approves (proposals and one category of service contracts), 10 were budgeted with 8 received.

Activity	Budget	THRU	Q3
		No.	% of Budget
Commission: Proposals	6	5	83%
Commission: Service Contracts	4	3	75%
Administrative: Service Contracts	4	8	200%

## 3. Cash in Treasury

As of March 31, the Commission's cash in the County Treasury was \$1,084,960. A breakdown of this amount is shown below. Currently, staff projects to end the year with a cash surplus.

<b>March 31, 2025 Balance</b>		<b>\$1,084,960</b>
<b>Cash Balance is composed of the following:</b>		
<b><i>Reserves: Committed (constrained to specific purposes)</i></b>		
Compensated Absences (Account 6030)		182,562
Salary for Extra Pay Period: Year 4 of 10 (Account 6035)		12,000
<b><i>Reserves: Assigned (intended for specific purposes)</i></b>		
Contingency (Account 6000)		40,000
Application (Account 6010)		110,000
General (Account 6025)		235,000
<b><i>Remaining Activity</i></b>		
Open Proposals, Deposits on File		35,000
Revenues (shown as negative)		-
Expenditures		389,546
<b>Projected Additional Cash Carryover</b>		<b>\$80,852</b>

## DETAIL:

The following provides a discussion of (1) expenditures, (2) reserves, (3) projects and programs, and (4) revenues.

### 1. Expenditures

Expenditures are composed of two categories of accounts: 1) Salaries and Benefits, and 2) Services and Supplies. Through the third quarter, expenditures were at 70%

of Approved Budget authority. At this time, no request is being presented by staff for authorization to utilize funds maintained in the Contingency or Reserve accounts. A more detailed analysis of the categories is as follows:

**A. Salaries and Benefits (1000 series)**

*(1) Third Quarter Activity*

The Salaries and Benefits series of accounts (1000 series) had expenditures of \$609,034 representing 74% of Approved Budget authority.

*(2) Anticipated Activity*

Currently, no additional activity is anticipated outside of the budget. Included in the budget is the leave cashout due to Angie Shell's retirement.

**B. Services and Supplies (2000 and 5000 series)**

*(1) Third Quarter Activity*

The Services and Supplies series of accounts (2000 and 5000 series) had expenditures of \$284,774, or 63% of the Approved Budget authority.

*(2) Anticipated Activity*

Staff will continue to monitor the Commission's finances closely. No other activity is anticipated to have a significant effect on the budget.

As a part of the FY 2024/25 Budget, the Commission approved payment to SBCERA of \$54,968 as a credit towards paying down LAFCO's share of the Unfunded Actuarial Liability. This staff report includes a recommendation directing the Executive Officer to issue said payment.

**2. Reserves**

No spending activity has been requested by staff or authorized by the Commission to take place in the Reserve accounts. Reserve balances are shown in the Cash Balance figure on page 2.

**3. Projects and Programs**

The following provides an update on expenditures and progress on projects approved by the Commission.

#### A. Service Reviews and Special Studies

The focused service review for the Big River Community Services District was completed in November. In January the Commission reordered the service review schedule as follows:

- Park and Recreation (estimated completion Fall 2025)
- Healthcare Districts
- Streetlighting

#### B. Governance Training Program

LAFCO and CSDA partnered on this year's Governance Training sessions. The first session, *Finance 201 for Special Districts*, is scheduled for April 29. The second session, *Effective Meeting Management Through Parliamentary Procedure*, is scheduled for May 29. Both sessions will be at the Mojave Water Agency in Apple Valley.

#### C. Fiscal Indicators Program

Staff is currently formulating the new application which includes a new design, better mobile accessibility, and replacement of certain indicators with more relevant indicators. Although there are nominal costs related to services and supplies, costs for this program mainly relate to staff time.

### **4. Revenues**

The Commission has received 96% of Adopted Budget revenues through the third quarter. The items below outline the revenue activity:

- Interest (Account 8500 and 9984) – Interest gained from the County Treasury is slightly ahead of projections.
- Apportionment (Account 8842) - 100% of the mandatory apportionment payments from the County, cities, and independent special districts billed by the County Auditor have been received.
- Fees and Deposits (Accounts 9545 – 9800) – The Fees and Deposits series of accounts have received 79% of its budgeted revenue (\$86,592). This amount is made up of a combination of application fees, service contract filing fees, and cost recovery.

### **CONCLUSION:**

Through the third quarter, expenditures are on track, 100% of the apportionment receipts were received, and application activity is as anticipated. Staff will be glad to



answer any questions from the Commission prior to or at the hearing regarding the items presented in this report.

SM/MT

Attachment: Spreadsheet of Expenditures, Reserves, and Revenues

## Attachment #1

## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	AMENDED BUDGET FY 24/25	AMOUNT THRU Q2	JAN	FEB	MARCH	AMOUNT THRU Q3	PERCENT THRU Q3
	<b>Salaries and Benefits:</b>							
1010	Earnable Compensation	529,170	250,253	54,115.36	44,621.86	44,778.72	393,769	74%
1030	Auto and Cell Phone Allowances	9,275	4,550	700.00	700.00	700.00	6,650	72%
1045	Termination Payment	-	-				-	
1110	General Member Retirement	146,892	70,159	14,390.29	12,190.40	12,234.86	108,975	74%
1130	Survivors Benefits	101	48	9.00	9.00	9.00	75	74%
1200	Medical Premium Subsidy	60,784	27,895	5,147.70	5,354.90	5,354.90	43,752	72%
1205	Long-Term Disability	1,515	715	130.92	130.92	130.92	1,108	73%
1207	Vision Care Insurance	674	317	59.90	59.90	59.90	497	74%
1215	Dental Insurance Subsidy	1,112	507	95.44	95.44	95.44	793	71%
1222	Short-Term Disability	5,817	2,657	486.84	486.84	486.84	4,118	71%
1225	Medicare	6,683	2,980	683.13	542.77	544.61	4,751	71%
1240	Life Insurance & Medical Trust Fund	16,483	7,771	1,286.20	1,495.67	1,356.02	11,909	72%
1305	Medical Reimbursement Plan	3,962	1,440	279.62	279.62	279.62	2,279	58%
1314	457/401a Contribution	3,551	1,682	262.00	262.00	287.00	2,493	70%
1315	401k Contribution	38,991	18,906	2,952.96	2,952.96	3,052.96	27,865	71%
	<b>Total Salaries and Benefits</b>	<b>\$ 825,010</b>	<b>\$ 389,881</b>	<b>\$ 80,599.36</b>	<b>\$ 69,182.28</b>	<b>\$ 69,370.79</b>	<b>\$ 609,034</b>	<b>74%</b>
	<b>Services and Supplies:</b>							
2031	Payroll System Services (County IT)	756	349	65.43	72.70	72.70	560	74%
2032	Virtual Private Network (County IT)	129	54	10.72	10.72	10.72	86	67%
2033	Network Labor Services (County IT)	-	-				-	
2037	Dial Tone (County IT)	2,955	1,231	246.24	246.24	246.24	1,970	67%
2041	Data Line	8,400	3,995	2,313.37		1,515.49	7,824	93%
2043	Telecommunications Labor (County IT)	15,000	14,977				14,977	100%
2075	Membership Dues	14,224	14,318				14,318	101%
2076	Tuition Reimbursement	2,000	-				-	0%
2080	Publications	4,064	2,597	690.36		690.36	3,978	98%
2085	Legal Notices	23,500	10,664	1,121.24	355.60		12,141	52%
2090	Building Expense	8,923	2,491	90.00	90.00	90.00	2,761	31%
2115	Software	3,591	1,023		45.17	16.67	1,085	30%
2180	Electricity	7,800	2,431				2,431	31%
2245	Other Insurance	19,265	12,618		47.37		12,666	66%
2305	General Office Expense	2,260	1,136	2,809.90	236.85	116.42	4,299	190%
2308	Credit Card Clearing Account	-	3,694	(4,453.92)	1,314.92	(1,314.92)	(760)	
2310	Mail (County Mail)	8,344	5,151	581.28	101.12	282.12	6,116	73%
2315	Records Storage	1,680	256	2,035.67	1,273.48		3,565	212%
2322	Enterprise Printing (County IT)	72	-				-	0%

## Attachment #1

## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	AMENDED BUDGET FY 24/25	AMOUNT THRU Q2	JAN	FEB	MARCH	AMOUNT THRU Q3	PERCENT THRU Q3
2323	Reproduction Services	500	2,021		31.45		2,053	411%
2335	Temporary Services	-	-				-	
2400	Legal Counsel	37,500	8,429	763.69	2,043.90		11,236	30%
2405	Auditing	11,708	2,427		8,800.00		11,227	96%
2410	IT Infrastructure (County IT)	9,010	4,504	751.00	751.00	751.00	6,757	75%
2414	Application Dev. & Maint. (County IT)	-	-				-	
2415	Countywide Cost Allocation Program	5,981	1,814		907.00		2,721	45%
2416	Enterprise Printing (County IT)	-	-				-	
2417	Inactive Account (County IT)	-	-				-	
2418	Data Storage Services (County IT)	-	-				-	
2420	Enterprise Content Management (County IT)	2,024	1,264	252.89	252.89	252.89	2,023	100%
2421	Desktop Support Services (County IT)	7,642	3,184	701.43	727.84	727.84	5,341	70%
2424	Environmental Consultant	10,950	4,875		100.00		4,975	45%
2444	Security Services	492	583				583	118%
2445	Other Professional Services	118,981	61,030	6,403.76	2,180.03	3,395.01	73,008	61%
2449	Outside Legal (Litigation & Special Counsel)	10,000	-				-	0%
2450	Systems Development Charges (County IT)	1,294	-				-	0%
2460	Aerial Imagery (County IT)	3,000	-			3,000.00	3,000	100%
2895	Rent/Lease Equipment (copier)	5,400	1,394	530.93	365.40		2,291	42%
2905	Office/Hearing Chamber Rental	64,142	33,462	2,914.00	2,509.00	2,914.00	41,799	65%
2940	Private Mileage	7,428	4,023	811.31	86.80	476.98	5,398	73%
2941	Conference/Training	8,680	6,870				6,870	79%
2942	Hotel	11,297	7,335	760.29		786.45	8,881	79%
2943	Meals	1,050	338	33.56			371	35%
2944	Car Rental	-	-		59.50		60	
2945	Air Travel	800	652	359.97		426.96	1,439	180%
2946	Other Travel	300	371		32.40		404	135%
5012	Transfer to County (Staples & Microsoft)	8,697	882	5,158.65	136.59	144.19	6,322	73%
<b>Total Services and Supplies</b>		<b>\$ 449,839</b>	<b>\$ 222,444</b>	<b>\$ 24,951.77</b>	<b>\$ 22,777.97</b>	<b>\$ 14,601.12</b>	<b>\$ 284,774</b>	<b>63%</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 1,274,849</b>	<b>\$ 612,325</b>	<b>\$ 105,551.13</b>	<b>\$ 91,960.25</b>	<b>\$ 83,971.91</b>	<b>\$ 893,808</b>	<b>70%</b>
<b>Trust Transfers:</b>								
9990	SBCERA Additional Payment	54,968					-	0%
<b>TOTAL APPROPRIATION</b>		<b>\$ 1,329,817</b>	<b>\$ 612,325</b>	<b>\$ 105,551.13</b>	<b>\$ 91,960.25</b>	<b>\$ 83,971.91</b>	<b>\$ 893,808</b>	<b>67%</b>

## Attachment #1

## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 23/24	BUDGET INCREASE FY 24/25	Q1	Q2	Q3	Q4	RESERVE BALANCES FY 24/25
	<b>RESERVES</b>							
6000	Contingency (Assigned)	35,000	5,000	-	-	-		40,000
6010	Application (Assigned)	-	110,000	-	-	-		110,000
6025	General (Assigned)	225,000	10,000	-	-	-		235,000
6030	Compensated Absences (Committed)	167,095	15,467	-	-	-		182,562
6035	Salary for Extra Pay Period (Committed)	9,000	3,000	-	-	-		12,000
<b>TOTAL RESERVES (Increases)</b>		<b>\$ 436,095</b>	<b>\$ 143,467</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 579,562</b>

## Attachment #1

## Budget Spreadsheets

ACCT #	ACCOUNT NAME	AMENDED BUDGET FY 24/25	AMOUNT THRU Q1	AMOUNT THRU Q2	JAN	FEB	MARCH	AMOUNT THRU Q3	PERCENT THRU Q3
	County Treasury:								
8500	Interest and Investments	15,000	-	11,242	13,390.59			24,633	164%
9984	Interest Adjustment	15,000	9,176	9,176				9,176	61%
8842	Apportionment	1,172,283	781,522	1,172,283				1,172,283	100%
	<b>Total County Treasury</b>	<b>1,202,283</b>	<b>790,698</b>	<b>1,192,701</b>	<b>13,390.59</b>	<b>-</b>	<b>-</b>	<b>1,206,092</b>	<b>100%</b>
	Applications:								
6010	Application Reserve (Assigned Reserve)	110,000	-	-					
9545	Individual Notice Deposit		-	3,000	1,000.00		3,000.00	7,000	
9555	Legal Services Deposit		-	2,400	2,000.00		6,000.00	10,400	
9595	Protest Hearing Deposit		-	4,500				4,500	
9655	Digital Mapping Fee (no longer used)		-	-				-	
9660	Environmental Deposit		7,710	11,110	1,000.00		3,000.00	15,110	
9800	LAFCO Fee		7,772	11,275	7,382.00	2,750.00	28,175.00	49,582	
	<b>Total Applications</b>	<b>110,000</b>	<b>15,482</b>	<b>32,285</b>	<b>11,382.00</b>	<b>2,750.00</b>	<b>40,175.00</b>	<b>86,592</b>	<b>79%</b>
	Other:								
9910	Prior Year (accounts pay/due, carryover)	51,000	-	-			(2,305.53)	-	
9930	Miscellaneous		-	-				-	
9955	Returned Deposits: Non-Sufficient Funds		(606)	(606)				(606)	
9970	Accrued Payroll Liability		10,774	10,774				10,774	
9973	Returned Checks: Stale-dated		-	-				-	
	<b>Total Other</b>	<b>51,000</b>	<b>10,168</b>	<b>10,168</b>	<b>-</b>	<b>-</b>	<b>(2,305.53)</b>	<b>10,168</b>	<b>20%</b>
	<b>TOTAL REVENUES</b>	<b>\$ 1,363,283</b>	<b>\$ 816,347</b>	<b>\$ 1,235,154</b>	<b>\$ 24,772.59</b>	<b>\$ 2,750.00</b>	<b>\$ 37,869.47</b>	<b>\$ 1,302,851</b>	<b>96%</b>

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** APRIL 9, 2025   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #8a – Proposed Schedule of Fees, Deposits, and Charges for FY 2025/26

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions related to the Proposed Schedule of Fees, Deposits and Charges for Fiscal Year 2025/26:

1. Review the proposed amendments and provide staff with direction on changes, corrections, or modifications to be included.
2. Direct staff to forward the Proposed Schedule of Fees, Deposits, and Charges for FY 2025/26 to the County, all Cities/Towns, and all Independent Special Districts for their review and comments pursuant to Government Code Section 56383.
3. Schedule the final review and adoption of the Schedule of Fees, Deposits, and Charges for the May 21, 2025 hearing.

## **BACKGROUND:**

The Commission has established a schedule of fees, deposits, and charges for the processing of proposals and the conduct of proceedings under its purview as allowed by law. This staff report presents the Commission with recommendations for amendments to its current Schedule of Fees, Deposits, and Charges ("Schedule"). The revised Schedule is included as an attachment to this report with changes shown in red. Based upon the requirements of Government Code Section 56383 (which references Section 66016), any change to the Schedule requires that a review and comment period be provided and that a public hearing be held with the opportunity for comment by the public. Today's review opens this process.



Per the Commission's direction, the revised Schedule has fees for Jurisdictional Changes (page 2 of the attachment) and the fees for Out-of-Agency Service Contracts (page 6) increasing by 2.6% -- in line with the 2024 CPI for the region.<sup>1</sup>

This report does not recommend any changes to Deposits (services provided by consultants) or Charges (e.g. reproduction) because these costs are passed directly onto the applicant and the current deposits and charges are adequate at this time.

### **CONCLUSION:**

At this hearing staff requests the Commission provide staff with any changes, corrections, or additions to the Schedule. Should the Commission have any changes/modifications, staff would then modify the FY 2025/26 Proposed Budget accordingly.

Staff will forward the proposed Schedule to the County, the Cities and Towns, and the Independent Special Districts for their review and comment as required by Govt. Code §56383. Any comments received will be reviewed with the Commission at the final budget hearing scheduled for May 21 when the adoption of the Schedule will be considered.

SM/MT

Attachment:

Draft Schedule of Fees, Deposits, and Charges for FY 2025/26 (changes in red)

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<sup>1</sup>Data derived from the annual (12-month percent change) CPI for All Urban Consumers (CPI-U) for the Riverside-San Bernardino-Ontario Area for 2024 (<https://www.bls.gov/regions/west/factsheet/consumer-price-index-data-tables.htm>).

# **LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY**

## **SCHEDULE OF FEES, DEPOSITS, AND CHARGES EFFECTIVE JULY 1, 2025**

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

### **Financial Policies for Application Processing**

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

#### Indemnification Policy

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

### **Annual Review and Adjustment**

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

### **Table of Contents**

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

## Section 1. Proposals - Application Submission and Processing

### FEE AND DEPOSITS SUMMARY

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

### Annexation/Detachment Chart

Valley and Mountain Region				
	<b>Under 20 acres</b>	<b>20 – 150 acres</b>	<b>151 – 300 acres</b>	<b>Over 300 acres</b>
City	\$ 7,528	\$ 10,037	\$ 12,547	\$ 12,547 plus \$1 per acre over 300 acres
District	\$ 6,273	\$ 8,157	\$ 10,037	\$ 10,037 plus \$1 per acre over 300 acres
Desert Region (North and South Desert)				
	<b>Under 100 acres</b>	<b>100-640 acres</b>	<b>641-1,920 acres</b>	<b>Over 1,920 acres</b>
City	\$ 7,528	\$ 10,037	\$ 12,547	\$ 12,547 plus \$1 per acre over 1,920 acres
District	\$ 6,273	\$ 8,157	\$ 10,037	\$ 10,037 plus \$1 per acre over 1,920 acres

Sphere of Influence Amendment	\$ 6,273	\$ 4,000	\$ 10,273
District: Dissolution, Merger, or Establishment of Subsidiary District(s)	\$ 6,273	\$ 4,000	\$ 10,273
District: Formation or Consolidation	\$ 18,820	\$ 4,000	\$ 22,820
District: Activation/Divestiture of Functions and/or Services	\$ 9,410 each function/service	\$ 4,000	\$ 13,410
City: Consolidation	\$ 25,094	\$ 4,000	\$ 29,094
City: Incorporation or Disincorporation	\$ 25,094	\$ 54,000	\$ 79,094
Reorganization <i>For a reorganization that involves changes other than annexations and detachments, the fee will be based upon the components of the reorganization.</i>	Sum of Components	\$ 4,000	

### \*DEPOSITS BREAKDOWN

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

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

San Bernardino LAFCO  
Schedule of Fess, Deposits, and Charges  
July 1, 2025

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

**ADDITIONAL FEES AND DEPOSITS**

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

## **Section 2.**

### **Proposals - Completion Fees and Charges**

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

Single Area Charges:

Less than 1 acre	\$300
1.00 – 5.99 acres	\$350
6.00 – 10.99 acres	\$500
11.00 – 20.99 acres	\$800
21.00 – 50.99 acres	\$1,200
51.00 – 100.99 acres	\$1,500
101.00 – 500.99 acres	\$2,000
501.00 - 1,000.99 acres	\$2,500
1,001.00 - 2,000.99 acres	\$3,000
2,001.00 acres and above	\$3,500

When notified by LAFCO staff, please make check payable to the State Board of Equalization and reference Tax Area Services Section, MIC:59.

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

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### Section 3. Out-of-Agency Service Contract

FEE AND DEPOSITS SUMMARY			
Type of Service Contract	Fee	Deposits*	Total
Contracts involving developments such as: subdivisions/tracts as defined by the Subdivision Map Act (five or more units), Specific Plans	\$ 6,273	\$2,400	\$ 8,673
Contracts involving the development of units requiring only a parcel map as defined by the Subdivision Map Act (up to four units)	\$ 1,255 per Connection	\$2,400	\$ 3,655 to \$7,419
Any contract for fire protection services outside a public agency's jurisdictional boundaries pursuant to Govt. Code Section 56134	\$ 6,273	\$2,400	\$ 8,673
Contracts to provide services outside a sphere of influence pursuant to Govt. Code Section 56133.5	\$ 1,255	\$2,400	\$ 3,655
Contract Requiring Approval pursuant to Govt. Code Section 56133 (c)	\$ 6,273	\$2,400	\$ 8,673
Development-Related Request for Exemption from Govt. Code Section 56133, requires noticed Commission hearing	\$ 2,822	\$0	\$ 2,822
Non-development-related (Administrative Review from Executive Officer): (1) Out-of-Agency Service Contract (City or District) or (2) Exemption from Govt. Code Section 56133 as Authorized by Commission Policy	\$ 650	\$0	\$ 650

#### \*DEPOSITS BREAKDOWN

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

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

*San Bernardino LAFCO*  
*Schedule of Fess, Deposits, and Charges*  
*July 1, 2025*

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

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## **Section 4.**

### **Reproduction Charges**

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

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

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

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3<sup>rd</sup> Street, Suite 102, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE:** APRIL 9, 2025   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Assistant Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #8b: Proposed Budget and Work Plan for FY 2025/26

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions:

1. Adopt the Proposed Budget and Work Plan for FY 2025/26 as presented by staff.
2. Direct staff to forward the adopted Proposed Budget, as may be modified at this hearing, to all the independent special districts, cities/towns, and the County for their comment pursuant to Government Code Section 56381.
3. Schedule a public hearing for May 21, 2025 for formal:
  - a. Approval of the amendments to the Policy and Procedure Manual for Salaries and Benefits;
  - b. Authorization for the Executive Officer to sign Amendment #2 to the contract with Rebecca Lowery for staff support; and,
  - c. Adoption of the Final Budget for FY 2025/26.

## **SUMMARY:**

Staff's goals for this budget are to: (1) fund statutory regulations, (2) maintain Commission operations, and (3) achieve substantial progress on the Commission's goals from its Strategic Plan. As with prior years, the Executive Officer and the Administrative Committee discussed the budget process, and staff's goals and position. The Proposed Budget includes a 2.6% inflationary increase to Services and Supplies (where not defined by contract or a fee schedule) and Fee Schedule (application fees). A 2.5% inflationary increase is assigned to the apportionment and COLA proposed for Salaries because County Payroll prefers COLA rounded to the quarter point.

Overall, this budget year does not include any personnel or significant services or supplies activities. For application revenues, it is unclear as to how the tariffs and decreased federal grants will affect development activity and annexations. Nonetheless, the housing crises remains which could result in annexations to cities as well as out-of-agency service contracts. All the while, we need to remain cognizant of the local agencies that contribute to LAFCO's net operating costs—specifically the smaller agencies.

## Report Organization

<b>Narratives</b> (staff recommendations, discussions)	
Work Plan	Page 3
Salaries and Benefits	Page 4
Services and Supplies	Page 6
Trust Transfers	Page 9
Reserves	Page 11
Revenues	Page 12
<b>Account Details</b> (detail of each account to include: account description, charge measurement, identification of increase or decrease, and detail cost)	
General Ledger with Prior Year Actuals	Attachment #1
Salaries and Benefits	Attachment #2
Services and Supplies	Attachment #3
Revenues	Attachment #4
Apportionment Schedule	Attachment #5

## WORK PLAN

This is the fifth year where the budget includes a proposed work plan, which would prioritize the work of the Commission and staff and guide the budget. The work plan is shown on the next page. Each item is prioritized as either Continual, High, Medium, or Low. The subsequent columns categorize the item (such as Statutory, Budgetary, or Administrative), identify the program/project, and provide details.

	Priority	Function	Program/Project	Description and Key Issues
1	<b>LAFCO Mission</b>	Statutory	Proposals	LAFCO's core function is to process changes of organization & sphere amendments
2		Statutory	Out-of-Agency Service Contracts	LAFCO's other function is authorizing the provision of services outside an agency
3	<b>High</b>	Statutory & Strategic Plan	Service Reviews & Special Studies	Park and Recreation, Healthcare districts, and special studies that may arise
4		Statutory	Annual Audit	Coordinate independent auditor's review of financial statements
5	<b>Medium</b>	Strategic Plan	Apportionment	Restructure LAFCO special districts apportionment. Target FY 26/27 for implementation
6		Administrative	Update agency mapping	Adjust boundaries to the parcel base map and correct inconsistencies
7		Administrative	Update online agency mapping program	Add new features and make the program more user friendly
8		Administrative	New mapping app	Complete mapping app for water and sewer service lookup
9		Administrative	Policy Manual Update	Legal review and update of the Policy and Procedure Manual
10		Strategic Plan	Policies for Open Space and Agricultural Lands	Consider policies related to open space and agricultural lands
11		Strategic Plan	Unfunded Pension Liability	Fund per Commission direction
12		Strategic Plan	Education and Outreach	LAFCO further its outreach and messaging to the public and other agencies
13		Statutory	Archive Closed Files, Paper	Gov Code 56382 mandates LAFCO to maintain its records in perpetuity
14		Liability	Compensated Absences	Fully fund per Commission policy
15		Liability	Salary Reserve	Fund one-tenth of a pay period per Commission policy
16		Budgetary	General Reserve	Increase General Reserves by \$15,000 to \$250,000
17		Administrative	Review and Comment on Agency Plans	Review and comment on draft changes/updates to general plans & env. documents
18		Administrative	Goverance Training Program	Two sessions are scheduled
19		Administrative	CALAFCO or other regional group	Participate in CALAFCO or other regional group
20	<b>Low</b>	Budgetary	Contingency Reserve	Contribute an additional \$5,000 for a balance of \$45,000
21		Administrative	Fiscal Indicators Program	The program was on hold due to incompatibility with the previous website. A new application is necessary. In addition to a current and viable application, improvements would include new design, better mobile accessibility, and replacement of certain indicators with more representative indicators.
22		Administrative	Internal Databases	Revise proposal log
23		Budgetary	Provide a COLA to Salaries	Propose COLA of 2.5%.

## **SALARIES AND BENEFITS**

The prior budget year included Angela Schell retiring and the hiring of a new clerk with supplemental staffing used for clerical support. The current fiscal year includes the following staffing structure: Executive Officer, Assistant Executive Officer, Project Manager/Clerk to the Commission, and GIS Analyst. Supplemental staff is via contract and is paid under Services and Supplies.

### **Salaries and Benefit Changes**

This budget proposes one policy amendment related to salaries:

- Provide a 2.5% COLA for all employees. Inflation for Calendar Year 2024 was 2.6% for our region.<sup>1</sup> County Payroll prefers COLA rounded to the quarter point; and this budget rounds down to 2.5%.

Should the Commission support this proposed change, then staff would present the related amendment to the Policy and Procedure Manual to the Commission at the May 21 meeting, when it reviews and adopts the final budget.

### **FY 2025/26 Highlights**

Attachment #2 to this report includes a detail of each account to include: account description, charge measurement, identification of increase or decrease, and total cost. The content below contains highlights for FY 2025/26 and forecasts for two years.

Earnable Compensation (Account 1010) totals \$547,695 and includes:

- 2.5% COLA for all employees;
- One-step increase for three eligible employees;
- 3.0% retention pay for those employees with 15 years of service - two employees;
- Leave cashouts as permitted by policy (Note: leave cashouts reduce the compensated absences liability);

The retirement rates approved by the retirement board for FY 25/26 are:

- Tier 1. Decreases 10.73% from 28.34% to 25.30%
- Tier 2. Decreases 14.77% from 23.16% to 19.74%

The rates from the past five years and upcoming year are shown below.

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<sup>1</sup>Data derived from the annual (12-month percent change) CPI for All Urban Consumers (CPI-U) for the Riverside-San Bernardino-Ontario Area for 2024 (<https://www.bls.gov/regions/west/factsheet/consumer-price-index-data-tables.htm>).



<b>Tier 1</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Employer Rate	35.76	39.92	35.30	30.19	28.34	25.30
Change over prior year (% points)	-2.26	4.16	-4.62	-5.11	-1.85	-3.04
Change over prior year (%)	-5.94%	11.63%	-11.57%	-14.48%	-6.13%	-10.73%
<b>Tier 2</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Employer Rate	33.24	34.99	30.30	25.32	23.16	19.74
Change over prior year (% points)	-2.37	1.75	-4.69	-4.98	-2.16	-3.42
Change over prior year (%)	-6.66%	5.26%	-13.40%	-16.44%	-8.53%	-14.77%

### **FY 2026/27 (Year 2) and 2027/28 (Year 3) Forecasts**

Year 2 includes the hiring of an Administrative Assistant, and both years include a COLA for salaries.

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## SERVICES AND SUPPLIES

Generally, services and supplies include payments for: application processing, Commission-approved programs and projects, and costs associated with running a government agency. Attachment #3 to this report includes a detail of each account to include: account description, charge measurement, identification of increase or decrease, and total cost. The remainder of this section contains highlights for FY 2025/26.

### Application Processing

The past four years have seen a return in application submissions. Further, staff has been coordinating with agencies regarding many likely and potential applications for the next fiscal year. The Commission continues to outsource its environmental processing through its contract with Tom Dodson and Associates.

### Programs and Projects

#### Service Reviews and Special Studies

LAFCOs are required by Govt. Code 56430 to conduct reviews of municipal services. This LAFCO chose to conduct its first round by community and its second round by service, countywide, except where a community review or special study is warranted. The second round service reviews and special studies have been:

COMPLETED		
Valley Region (5 districts)	Water Conservation Districts & Municipal Water Districts	2015
Special Study	Daggett, Newberry, and Yermo CSDs	2016
Special Study	Morongo Valley CSD	2016
Countywide	Water (53 systems)	2017
Countywide	Wastewater (44 systems)	2018
One Agency	Wrightwood CSD: One year following formation	2019
Countywide	Fire/Emergency Medical Services/Dispatch (25 agencies)	2020
Countywide	Public Cemetery Districts (4 districts)	2020
Special Study	Morongo Valley CSD	2022
Agency Request	Twentynine Palms (3 agencies)	2022
Special Study	Barstow Cemetery District	2024
Special Study	Big River Community Services District	2024

In January 2025 the Commission revised its service review schedule as follows:

Scheduled		
Countywide Review	Park and Recreation	Est. fall 2025
Countywide Review	Healthcare Districts	Est. spring 2026
Countywide Review	Streetlighting	Est. fall 2026

### Geographic Information System (GIS) Data and Online Mapping

Agency GIS data need updating to ensure spatial accuracy of agency boundaries to the Parcel Base Map. In addition, online GIS mapping interface is being updated and refinements are being made to continue to make the program more user friendly.

### New Online Mapping App

A new online mapping application is being planned to provide the ability to easily find the water and sewer service providers using an address search or parcel lookup tool. This program will assist planning agencies (and the public) a means to accurately identify the water and/or sewer provider(s) for a specific property in the County.

### File Archiving

Gov Code 56382 mandates that LAFCO store its records of proceedings in perpetuity. The paper files are stored offsite under the County's master storage contract. In January 2025 LAFCO staff inventoried the paper files and all cataloged files were present and accounted for.

Said files are also digitally archived as TIFF files. The files were cataloged under a third-party program (Laserfiche) and housed at a County server, both of which charged for their respective services. For a fraction of the cost, the catalog will transfer to a platform accessible under the County's license with the files housed in the cloud under LAFCO's dedicated box and through the County's Microsoft license, which LAFCO already participates.

### Governance Training

The Commission's Governance Training Program provides training opportunities that agencies, namely rural special districts but open to all, do not readily have access. Below are the past year's and coming year's schedules.

- |                |  |
|----------------|--|
| • April 2025   | Special District Finances, Part II                 |
| • May 2025     | Meeting Management Through Parliamentary Procedure |
| • October 2025 | Ethics AB1234 Compliance (webinar)                 |
| • Spring 2026  | Financial Management for Special Districts         |

## Agency Costs

In addition to processing proposals and conducting programs and projects, there are costs associated with running a government agency. The Commission continues to outsource its conduct of the annual audit with an independent auditor, Davis Farr LLP, processing of its accounting operations through the County Auditor's office, and the maintenance of computer systems through the County's IT.

Highlights for the year include:

- Account 2245 Other Insurance. Liability insurance and Workers' Comp coverage are purchased through the Special District Risk Management Authority (SDRMA). The quotes for the year are roughly \$12,000 (3.5% decrease) and \$5,550, respectively.
- Account 2445 Temporary Services. This budget includes a recommendation to amend the contract with Rebecca Lowery, former San Bernardino LAFCO Clerk, for supplemental staffing, to allow for a COLA at the discretion of the Executive Officer. The budget marks \$42,000 for her services. Such services include:
  - Tasks supporting the Clerk.
  - Scanning closed files and input into the digital archive. Gov Code 56382 mandates LAFCO to maintain its records in perpetuity. (Medium priority of Work Plan, Item 13)
  - Reformat one internal database (Low priority of Work Plan, Item 22)
- Account 2405 Auditing. In March the Commission approved a final one-year extension with Davis Farr LLP. The contract cost for the 2024/25 audit is \$9,000.
- Ongoing costs associated with having the LAFCO office and Commission meetings at the San Bernardino Airport, Norton Regional Event Center, are as follows:

<u>Account 2905 Rent.</u>	Office Lease	\$ 31,020
<u>Account 2905 Rent.</u>	Hearing Chambers	\$ 3,645
<u>Account 2041 Data Line.</u>	Fiber Optic	\$ 9,600
<u>Account 2090 Building.</u>	Janitorial	\$ 1,080
<u>Account 2180 Electricity.</u>	Electricity (included in lease)	\$ 0
<u>Account 2444 Security.</u>	Security (included in lease)	\$ 0
<b>Total</b>		<b>\$ 45,345</b>

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## TRUST TRANSFERS

### The Process

This category of accounts isolates the additional payments made to SBCERA, the retirement association, where SBCERA will hold the funds in trust.

### Review of Unfunded Pension Liability

The Commission has been making additional contributions to SBCERA as a credit towards LAFCO's pension liability and credit with earnings based on the Plan's market value investment return every year. Previously the Commission used amortization as its additional payment method. At its February 2022 meeting, the Commission revised its additional payment method to be:

*Budget for additional contributions to SBCERA in order to pay down the Commission's share of the pension plan's net pension liability by a static amount of \$50,000 beginning with the FY 2022-23 budget with annual increases tied to the CPI for the Riverside-San Bernardino-Ontario Region, not to exceed 5%.*

Three audit years prior, you will notice that the NPL decreased from \$1,204,840 to \$117,019. According to SBCERA's Actuarial Valuation, the plan's overall NPL decreased from \$4.01 billion as of June 30, 2020 to \$1.32 billion as of June 30, 2021 primarily due to the 32.61% return on the market value of assets during 2020/21 (that was higher than the assumed return of 7.25%).

This May the Commission is scheduled to contribute an additional \$54,968. Pursuant to Commission direction, the coming year's additional contribution will be 2.6% greater, or \$56,397.

<i>Pay Here      Reflect NPL Here</i>		<b>Net Pension Liability</b>			
<b>Measurement (Budget) Year</b>	<b>Audit Year</b>	<b>Actuary Increase (Decrease)</b>		<b>LAFCO Additional Contribution</b>	<b>End NPL</b>
		<b>Begin NPL</b>			
<b>2012/13</b>	<b>2013/14</b>				581,103
<b>2013/14</b>	<b>2014/15</b>	581,103	3,628		584,731
<b>2014/15</b>	<b>2015/16</b>	584,731	96,716		681,447
<b>2015/16</b>	<b>2016/17</b>	681,447	87,726		769,173
<b>2016/17</b>	<b>2017/18</b>	769,173	95,787		864,960
<b>2017/18</b>	<b>2018/19</b>	864,960	20,287		885,247
<b>2018/19</b>	<b>2019/20</b>	885,247	273,317	(184,963)	973,601
<b>2019/20</b>	<b>2020/21</b>	973,601	273,739	(42,500)	1,204,840
<b>2020/21</b>	<b>2021/22</b>	1,204,840	(1,043,969)	(43,852)	117,019
<b>2021/22</b>	<b>2022/23</b>	117,019	249,842	(50,163)	316,698
<b>2022/23</b>	<b>2023/24</b>	316,698	(78,339)	(50,000)	188,359
<b>2023/24</b>	<b>2024/25</b>	188,359		(52,500)	
<b>2024/25</b>	<b>2025/26</b>			(54,968)	
<b>2025/26</b>	<b>2026/27</b>			(56,397)	

## The Rates

Previous additional payments resulted in LAFCO's contribution rate decreasing for the past four years. This budget year, the rates decreased roughly 13% on average and are the lowest since 2015.

## RESERVES

Currently, the Commission has two Committed Reserves and three Assigned Reserves.

### **Committed Reserves** (constrained to specific purposes)

Compensated Absences – The budget adds an additional \$13,405 to this account to fund the increase in compensated absences. The increase is due to natural increases.

Salaries for Extra Pay Period - Since the County pay schedule is every two weeks, rather than twice a month, the result is an additional pay period every ten years. This reserve funds the next occurrence, which would take place in 2031/32. The annual budget includes a 1/10<sup>th</sup> contribution (\$3,000).

### **Assigned Reserves** (intended for specific purposes or general use)

Contingency – The Contingency Reserve is not defined in the Policy and Procedure Manual. Instead, it has been the Commission's practice to fund a Contingency Reserve for unanticipated expenses. The budget includes an additional \$5,000.

Application - Funds at least equal to the amount of application revenues received the prior fiscal year.

General – The General Reserve is for any purpose, but is generally the reserve for special legal matters or special needs. The budget includes an additional \$15,000 towards this reserve.

### **Summary**

Below are the estimated balances on June 30, 2025 and funding summary of the reserve accounts.

Reserve Account	June 30, 2024 (est.)	FY 2024/25	
		Increase	Balance
<b>Compensated Absences</b>	182,562	13,405	<b>195,967</b>
<b>Salary for Extra Pay Period</b>	12,000	3,000	<b>15,000</b>
<b>Contingency</b>	40,000	5,000	<b>45,000</b>
<b>Application</b>	110,000	--	<b>110,000</b>
<b>General</b>	235,000	15,000	<b>250,000</b>



## REVENUES

Attachment #4 to this report includes a detail of each account to include: account description, charge measurement, identification of increase or decrease, and total cost. The remainder of this section contains highlights for FY 2025/26.

### County Treasury

LAFCO participates in the County's interest pool which apportions interest receipts quarterly.

Government Code Section 56381 requires that the net costs for LAFCO be apportioned equally to those seated on the Commission: the County, the 24 Cities, and the 51 Independent Special Districts within the county. The previous years' apportionment to each group has been:

<b>2019/20</b>	\$363,499	<b>2022/23</b>	\$363,499
<b>2020/21</b>	\$373,499	<b>2023/24</b>	\$390,761
<b>2021/22</b>	\$363,399	<b>2024/25</b>	\$390,761

This budget proposes a 2.5% increase to the apportionment for the year. State law requires the County Auditor to apportion this amount by July 1, 2025.

### Applications

Fees, charges, and deposits ordinarily involve the appropriate LAFCO filing fee and deposits for the recovery of the outside costs, for such items as LAFCO Legal Counsel, environmental review, Registrar of Voters, individual notification, etc.

The past four years have seen a return in application submissions. Further, staff has been coordinating with agencies regarding likely and potential applications for the year. The budget anticipates \$80,000 in application revenue, which is covered by same amount from the Application Reserve. Then, towards the end of the fiscal year, staff will recommend that the Commission amend the budget to fill the gap between \$80,000 and application revenue gained for the year, if any.

### Other Revenues

Other revenues are not addressed in the budget because they are unknown.

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#### Attachments:

1. [General Ledger](#)
2. [Salaries and Benefits Detail](#)
3. [Services and Supplies Detail](#)
4. [Revenues Detail](#)
5. [Apportionment](#)

## Attachment #1

## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 21/22	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ESTIMATE YEAR-END FY 24/25	YEAR 1 PROPOSED FY 25/26	YEAR 2 FORECAST FY 26/27	YEAR 3 FORECAST FY 27/28
	<b>Salaries and Benefits:</b>							
1010	Earnable Compensation	426,130	440,201	482,198	532,164	547,695	614,607	634,120
1030	Auto and Cell Phone Allowances	9,100	9,132	9,132	9,161	9,275	9,275	9,275
1045	Termination Payment	-	-	-	-	-	-	-
1110	General Member Retirement	170,502	153,414	144,520	147,587	131,150	144,602	149,168
1130	Survivors Benefits	95	91	96	101	96	121	121
1200	Medical Premium Subsidy	43,461	46,308	50,565	59,438	63,919	80,834	83,259
1205	Long-Term Disability	980	996	1,337	1,502	1,568	1,781	1,834
1207	Vision Care Insurance	621	601	625	671	635	635	635
1215	Dental Insurance Subsidy	738	940	998	1,082	762	1,265	1,265
1222	Short-Term Disability	4,906	4,978	5,054	5,645	5,814	6,540	6,732
1225	Medicare	5,152	5,154	5,674	6,519	7,838	8,905	9,172
1240	Life Insurance & Medical Trust Fund	12,969	13,925	14,907	16,258	16,654	15,115	15,518
1305	Medical Reimbursement Plan	2,474	2,488	2,743	3,371	5,212	6,596	6,596
1314	457/401a Contribution	2,935	2,977	3,230	3,435	3,664	4,051	4,173
1315	401k Contribution	27,835	32,756	36,239	38,309	41,803	42,103	43,366
<b>Total Salaries and Benefits</b>		<b>\$ 707,898</b>	<b>\$ 713,961</b>	<b>\$ 757,318</b>	<b>\$ 825,243</b>	<b>\$ 836,085</b>	<b>\$ 936,428</b>	<b>\$ 965,234</b>
	<b>Services and Supplies:</b>							
2031	Payroll System Services (County IT)	707	655	727	739	832	857	883
2032	Virtual Private Network (County IT)	158	165	216	118	144	148	153
2033	Network Labor Services (County IT)				-	11,538	-	-
2037	Dial Tone (County IT)	2,975	2,721	2,998	2,709	2,976	3,065	3,157
2041	Data Line	8,226	8,144	7,767	9,108	9,600	9,888	10,185
2043	Telecommunications Labor (County IT)	-	-		19,977			
2075	Membership Dues	12,316	12,921	13,936	19,059	13,854	14,270	14,698
2076	Tuition Reimbursement	999	-	-	667	2,000	2,060	2,122
2080	Publications	2,942	3,734	3,507	4,642	4,438	4,571	4,708
2085	Legal Notices	6,018	6,206	12,139	19,974	24,500	25,235	25,992
2090	Building Expense	7,362	9,425	12,344	5,645	1,080	1,112	1,146
2115	Software	1,948	3,058	9,425	2,265	840	865	891
2180	Electricity	4,878	5,941	6,366	5,031	-	-	-
2245	Other Insurance	12,637	12,523	13,220	19,087	17,500	18,025	18,566
2305	General Office Expense	1,787	5,588	5,664	4,936	2,058	2,120	2,183
2308	Credit Card Clearing Account	(323)	679	(312)	555	-	-	-
2310	Mail (County Mail)	6,166	5,290	9,095	8,615	8,568	8,825	9,090
2315	Records Storage	772	1,107	1,397	4,125	840	865	891
2322	Enterprise Printing (County IT)	95	98	34	24	72	74	76

## Attachment #1

## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 21/22	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ESTIMATE YEAR-END FY 24/25	YEAR 1 PROPOSED FY 25/26	YEAR 2 FORECAST FY 26/27	YEAR 3 FORECAST FY 27/28
2323	Reproduction Services	174	283	518	2,219	1,000	1,030	1,061
2335	Temporary Services	240	2,480	393	-	-	-	-
2400	Legal Counsel	137,746	53,938	21,410	23,736	52,000	53,560	55,167
2405	Auditing	10,620	8,450	15,332	15,130	11,500	11,845	12,200
2410	IT Infrastructure (County IT)	6,671	6,839	8,526	9,009	9,000	9,270	9,548
2414	Application Dev. & Maint. (County IT)		8,075	-	-	-	-	-
2415	Countywide Cost Allocation Program	3,454	-	-	4,715	9,182	10,000	10,000
2416	Enterprise Printing (County IT)	3	-	-	-	-	-	-
2417	Inactive Account (County IT)	1,844	-	-	-	-	-	-
2418	Data Storage Services (County IT)	4,117	-	-	-	-	-	-
2420	Enterprise Content Management (County IT)	211	4,986	4,122	2,445	1,200	1,236	1,273
2421	Desktop Support Services (County IT)	12,830	9,477	9,025	7,161	7,620	7,849	8,084
2424	Environmental Consultant	15,906	14,445	12,880	8,625	12,000	12,360	12,731
2444	Security Services	492	692	492	747	-	-	-
2445	Other Professional Services	45,253	138,592	54,203	109,274	88,262	49,800	56,376
2449	Outside Legal (Litigation & Special Counsel)	35	3,063	2,990	3,333	15,000	15,450	15,914
2450	Systems Development Charges (County IT)	5,823	-	-	431	1,300	1,339	1,379
2460	Aerial Imagery (County IT)	3,000	3,000	3,000	1,000	3,000	3,090	3,183
2895	Rent/Lease Equipment (copier)	5,257	4,737	4,204	4,091	5,400	5,562	5,729
2905	Office/Hearing Chamber Rental	101,369	60,462	64,218	60,265	34,665	35,705	36,776
2940	Private Mileage	953	4,866	5,101	7,397	7,700	7,931	8,169
2941	Conference/Training	-	7,989	6,925	9,763	10,680	11,000	11,330
2942	Hotel	-	5,582	7,630	11,861	12,707	13,088	13,481
2943	Meals	-	318	491	721	1,050	1,082	1,114
2944	Car Rental	-	337	1,269	60	-	-	-
2945	Air Travel	-	595	1,538	1,279	800	824	849
2946	Other Travel	-	377	893	504	300	309	318
5012	Transfer to County (Staples & Microsoft)	3,671	4,275	6,876	9,077	7,497	7,722	7,954
<b>Total Services and Supplies</b>		<b>\$ 429,335</b>	<b>\$ 422,113</b>	<b>\$ 330,558</b>	<b>\$ 420,120</b>	<b>\$ 392,703</b>	<b>\$ 352,032</b>	<b>\$ 367,375</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 1,137,233</b>	<b>\$ 1,136,074</b>	<b>\$ 1,087,876</b>	<b>\$ 1,245,363</b>	<b>\$ 1,228,788</b>	<b>\$ 1,288,461</b>	<b>\$ 1,332,609</b>
<b>Trust Transfers:</b>								
9990	SBCERA Additional Payment	50,163	50,000	52,500	54,968	56,397	59,217	62,178
<b>TOTAL APPROPRIATION</b>		<b>\$ 1,187,396</b>	<b>\$ 1,186,074</b>	<b>\$ 1,140,376</b>	<b>\$ 1,300,331</b>	<b>\$ 1,285,185</b>	<b>\$ 1,347,678</b>	<b>\$ 1,394,787</b>

## Attachment #1

## Budget Spreadsheets

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 21/22	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ESTIMATE YEAR-END FY 24/25		YEAR 1 PROPOSED FY 25/26	YEAR 2 FORECAST FY 26/27	YEAR 3 FORECAST FY 27/28
	<b>RESERVES</b>								
6000	Contingency (Assigned)	25,000	30,000	35,000	40,000		45,000	50,000	50,000
6010	Application (Assigned)	-	-	-	110,000		110,000	110,000	110,000
6025	General (Assigned)	175,000	200,000	225,000	235,000		250,000	250,000	250,000
6030	Compensated Absences (Committed)	152,095	157,095	167,095	182,562		195,967	197,927	199,906
6035	Salary for Extra Pay Period (Committed)	3,000	6,000	9,000	12,000		15,000	18,000	21,000
<b>TOTAL RESERVES (Increases)</b>		<b>\$ 355,095</b>	<b>\$ 393,095</b>	<b>\$ 436,095</b>	<b>\$ 579,562</b>		<b>\$ 615,967</b>	<b>\$ 625,927</b>	<b>\$ 630,906</b>

## Attachment #1

## Budget Spreadsheets

ACCT #	ACCOUNT NAME	ACTUAL YEAR-END FY 21/22	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ESTIMATE YEAR-END FY 24/25	YEAR 1 PROPOSED FY 25/26	YEAR 2 FORECAST FY 26/27	YEAR 3 FORECAST FY 27/28
	County Treasury:							
8500	Interest and Investments	6,288	13,634	34,791	24,633	25,000	25,000	25,000
9984	Interest Adjustment		16,582	20,258	9,176	15,000	15,000	20,000
8842	Apportionment	1,090,497	1,090,497	1,172,283	1,172,283	1,201,590	1,237,638	1,274,767
	<b>Total County Treasury</b>	<b>1,096,785</b>	<b>1,120,713</b>	<b>1,227,332</b>	<b>1,206,092</b>	<b>1,241,590</b>	<b>1,277,638</b>	<b>1,319,767</b>
	Applications:							
6010	Application Reserve					80,000	80,000	80,000
8545	Application Fee	75,459	58,600	86,268	46,832			
9655	Digital Mapping Fee (inactive)	740	-	1,830	-			
9555	Application Deposits	30,642	39,874	40,749	32,510			
9595	Protest Hearing Deposit	1,500	-	1,500	4,500			
	<b>Total Applications</b>	<b>108,341</b>	<b>98,474</b>	<b>130,347</b>	<b>83,842</b>	<b>80,000</b>	<b>80,000</b>	<b>80,000</b>
	Other:							
9910	Prior Year Activity (refunds, collections)	(15,421)	(9,443)		-			
9930	Miscellaneous	33,968	109,758	38,198	-			
9955	Returned Deposits: Non-Sufficient Funds				(606)			
9970	Accrued Payroll Liability				10,774			
9973	Returned Checks: Stale-dated		725	726	-			
	<b>Total Other</b>	<b>18,547</b>	<b>101,040</b>	<b>38,924</b>	<b>10,168</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>TOTAL REVENUES</b>	<b>\$ 1,223,673</b>	<b>\$ 1,320,227</b>	<b>\$ 1,396,603</b>	<b>\$ 1,300,101</b>	<b>\$ 1,321,590</b>	<b>\$ 1,357,638</b>	<b>\$ 1,399,767</b>

## Attachment #2

## Salaries and Benefits Detail

	Account	Charge Measurement	Rate Inc/Dec	Total
1010	<b>Earnable Compensation</b>	Per Salary Schedule	Increasing 2.9%	\$ 547,695
	<i>Includes step increases (3 employees), 3% retention pay for those with 15 yrs (2 employees), leave cashouts, 2.5% COLA (all).</i>			
1030	<b>Auto &amp; Phone Allowances</b>	Auto Allowance (\$300 per pay period)	--	\$ 9,275
		Mobile Phone Allowance (\$50 per pay period)	--	
	<i>Executive Officer auto and phone allowances, per Benefit Plan.</i>			
1110	<b>General Member Retirement</b>	Tier 1: Decrease from 28.34% to 25.30%	Decreasing 10.7%	\$ 131,150
		Tier 2: Decrease from 23.16% to 19.74%	Decreasing 14.8%	
	<i>Contributions to retirement plan. Per SBCERA and Retirement Board adopted rates.</i>			
1130	<b>Survivors Benefits</b>	\$0.91 per pay period per employee	Increasing 1.1%	\$ 96
	<i>The survivor benefit is provided by SBCERA in lieu of Social Security's death benefits since members do not participate in Social Security. General members pay a contribution each pay period to fund this benefit.</i>			
1200	<b>Medical Premium Subsidy</b>	\$772.04 per period (employee +2): 2 employees	Increasing 2.5%	\$ 63,919
		\$549.44 per period (employee +1): 1 employee	Increasing 2.5%	
		\$318.52 per period (employee +0): 1 employee	Increasing 2.5%	
	<i>A subsidy is provided to offset employee medical premiums.</i>			
1205	<b>Long-Term Disability</b>	0.30% of Base Pay	Increasing 4.4%	\$ 1,568
	<i>Long-term disability insurance.</i>			
1207	<b>Vision Insurance</b>	\$5.99 per employee per period	--	\$ 635
	<i>Vision insurance.</i>			
1215	<b>Dental Insurance Subsidy</b>	\$9.46 per employee per period	--	\$ 762
	<i>A subsidy is provided to offset employee dental premiums.</i>			
1222	<b>Short-Term Disability</b>	Short-term disability insurance (1.08% of Base Pay)	Decreasing 1.1%	\$ 5,814
		FMLA program charge (\$1.61 per employee per period)	Increasing 0.9%	
	<i>Short-term disability insurance &amp; admin cost for family medical leave.</i>			
1225	<b>Medicare</b>	1.5% of Earnable Compensation	--	\$ 7,838
	<i>Contribution to Social Security Medicare for those entering after 1985 (4 employees).</i>			
1240	<b>Life Insurance &amp; Med Trust Fund</b>	Life Insurance (\$1.75 per employee per period)	Increasing 3.6%	\$ 16,654
		Variable Life Insurance (\$1,458 for 2 employees)	--	
		Retirement Medical Trust Fund (\$15,010 for 3 employees)	Increasing 1.0%	
	(1) Life Insurance is a benefit for all employees.			
	(2) Employees may purchase Variable Life Insurance, which has an employer contribution (2 employees).			
	(3) LAFCO contributes to a Retirement Medical Trust Fund for employees with over 5 years of service (3 employees).			
1305	<b>Medical Reimbursement Plan</b>	Medical Reimbursement (up to \$40 per employee/period)	--	\$ 5,212
		Healthy Lifestyles (gym, \$324 per employee - 3)	--	
1314	<b>457/401a Contribution</b>	1% match for Executive Officer, 0.5% for all others	--	\$ 3,664
	<i>LAFCO matches employee contributions to the 457 savings plan of the County up to 0.5% for Groups B and C, and 1% for Group A (Executive Officer).</i>			
1315	<b>401k Contribution</b>	8% match for Group A & B, 4% match for Group C	--	\$ 41,803
	<i>LAFCO matches employee contributions to the 401(k) savings plan of the County up to 8% for Groups A and B, and up to 4% for Group C (new hires except for EO).</i>			
<b>TOTAL SALARIES AND BENEFITS</b>				\$ 836,085

## Attachment #3

## Services and Supplies Detail

Act. #	Account Name	Charge Measurement	Increase/Decrease	Total
2031	<b>Payroll System Services (County IT)</b>	Average of \$29 per pay period (26)	--	\$ 832.00
	<i>Maintenance, support, and enhancements for County's payroll system and infrastructure.</i>			
2032	<b>Virtual Private Network (County IT)</b>	\$2.68 per month per user (4 users)	No change	\$ 144.00
	<i>Use of the County's VPN for remote data access.</i>			
2033	<b>Network Labor Services (County IT)</b>	switch replacement, scheduled by County IT	--	\$ 11,538.00
	<i>County IT labor for the network.</i>			
2037	<b>Dial Tone (County IT)</b>	\$31 per line (8) per month	No change	\$ 2,976.00
	<i>Phone line. Includes support services.</i>			
2041	<b>Data Line</b>	\$800 per month; more cost at new location	Increasing 14%	\$ 9,600.00
	<i>Fiber optic data line from Frontier.</i>			
2075	<b>Membership Dues</b>	CSDA: \$1,854	Increasing 2.5%	\$ 13,854.00
		CALAFCO or similar: \$12,000	--	
	<i>Membership in Professional Associations.</i>			
2076	<b>Tuition Reimbursement</b>	Two employees at max reimbursement	No change	\$ 2,000.00
	<i>Pursuant to the LAFCO Benefits Plan, employees can be reimbursed for up to \$1,000 for approved tuition, course/seminar or degree related expenses, and membership dues in professional organizations.</i>			
2080	<b>Publications</b>	CA Planning & Development Report	--	\$ 4,438.00
		CA Annotated Code Books: \$350/month	Increasing 6.0%	
	<i>Purchase or subscription to professional publications related to LAFCO study areas.</i>			
2085	<b>Legal Notices</b>	General paper: \$1,000 per hearing (9 meetings)	--	\$ 24,500.00
		Local Paper: \$1,000 per hearing (9 meetings)	--	
		Vacancy notices: \$1,500 each (3 notices)	--	
		Protest hearing: \$1,000 per hearing (2 hearings)	--	
	<i>Legal and policy requirement for notices: hearing, protest hearing, public member vacancy, etc... An eighth-page display ad in general newspapers is required for the countywide service reviews and when advertisement is authorized in-lieu of individual landowner and/or registered voter notice.</i>			
2090	<b>Building Expense</b>	Janitorial: \$90 per month	Decreasing 85%	\$ 1,080.00
	<i>Ongoing maintenance of the staff office.</i>			
2115	<b>Software</b>	Laserfische archiving: \$0 (moved to Microsoft storage)	Decreasing 100%	\$ 840.00
		Adobe license for office, annual, (\$400)	Increasing 14%	
		Survey Monkey: \$200		
		Vimeo subscription for digital archive of meetings (\$240/yr)		
	<i>Purchases, subscriptions, and updates of software and online programs.</i>			
2180	<b>Electricity</b>	\$0 per month	Decreasing 100%	\$ -
	<i>Electricity is included in the new lease, as opposed to former location.</i>			
2245	<b>Other Insurance</b>	Annual Insurance (\$12,000)	Decreasing 3.5%	\$ 17,500.00
		Workers' Compensation (\$5,500)	--	
	<i>Liability insurance (property, general, personal, employment, benefits, auto) errors and omissions, and employee dishonesty coverage, as well as Workers' Comp. Purchased through the Special District Risk Management Authority (SDRMA).</i>			
2305	<b>General Office Expense</b>	Petty Cash Reimbursement: \$250 per quarter (\$1,000)	--	\$ 2,058.00
		Paper shredding: \$468	Increasing 60%	
		Zoom subscription for meetings (\$20 per month)	--	
		Printer cartridges: \$400	--	
		Meeting supplies: \$50 per meeting		
	<i>Niche and random items for the office. See Account 5012 for Office Supplies per contract pricing.</i>			
2308	<b>Credit Card Clearing Account</b>			\$ -
	<i>Clearing account for credit card issued to the Executive Officer. All charges post to this account temporarily with charges then transferred to the appropriate accounts.</i>			
2310	<b>Mail (County Mail)</b>	Months with meetings (9): \$500 per month	Increasing 4.5%	\$ 8,568.00
		Months with no meetings (3): \$300 per month	Increasing 4.5%	
		Mail delivery: \$11.15 per stop (22 per month)	--	



## Attachment #3

## Services and Supplies Detail

Act. #	Account Name	Charge Measurement	Increase/Decrease	Total
	<i>On avg. USPS rates increasing 4.5%. Each year, staff utilizes more digital delivery over paper mail, which genreally offests rate increases.</i>			
2315	<b>Records Storage</b>	\$70 per month	Decrease of 50%	\$ 840.00
	<i>Off-site retention of records. Gov Code 56382 mandates LAFCO to maintain its records in perpetuity.</i>			
2322	<b>Enterprise Printing (County IT)</b>	\$6.00 per month	Decreasing 19%	\$ 72.00
	<i>County printing of payroll documents.</i>			
2323	<b>Reproduction Services</b>	\$1,000 estimate based on prior year		\$ 1,000.00
	<i>Printing activity outside of the LAFCO office (County Printing Services, Kinkos, etc.).</i>			
2335	<b>Temporary Services</b>	No activity	--	\$ -
	<i>Use of temporary services for clerical support.</i>			
2400	<b>Legal Counsel</b>			\$ 52,000.00
		Months with meetings (9): \$4,000 per month	Increasing 2.6%	
		Months with no meetings (3): \$2,000 per month	Increasing 2.6%	
		Non-recoverable specific items (\$10,000)	--	
	<i>Contract with Best, Best, and Krieger for general and special counsel. Costs related to a proposal are recoverable pursuant to Commission policy. Payments received for cost recovery are deposited into Revenue Account 9555.</i>			
2405	<b>Auditing</b>	SBCERA costs for GASB 67 & 68: \$2,500	--	\$ 11,500.00
		Independent auditor: \$9,000	--	
	<i>Contract with Davis Farr LLP for independent auditing services. SBCERA is required to determine the unfunded liability for its participants and by legislative action can charge for that requirement.</i>			
2410	<b>IT Infrastructure (County IT)</b>	\$750 per month for LAFCO access to County network	Increase of 24.7%	\$ 9,000.00
	<i>Support of computer/server systems, email, wide area network, internet access, IT security, virus protection, help desk, and data center.</i>			
2414	<b>Application Dev. &amp; Maint. (County IT)</b>			\$ -
	<i>County IT work on LAFCO and County applications and software</i>			
2415	<b>Countywide Cost Allocation Program</b>	Per the County COWCAP publication	Increasing 153%	\$ 9,182.00
	<i>The County Auditor charges for county-related costs incurred in the prior year.</i>			
2416	<b>Enterprise Printing (County IT)</b>	Per print impression, annual estimate	--	\$ -
	<i>Printing from County's enterprise server related to payroll.</i>			
2417	<b>Inactive Account (County IT)</b>	Activity transferred to Account 2420		\$ -
2418	<b>Data Storage Services (County IT)</b>	Activity transferred to Account 2420		\$ -
2420	<b>Enterprise Content Management (County IT)</b>		--	\$ 1,200.00
	<i>Data Storage &amp; backup (storage on county server)</i>	\$19 per storage unit per month (4 units)	--	
	<i>Enterprise Content Management (File Net - no longer in use)</i>	\$0	Decreasing 100%	
	<i>File Sharing Storage (Laserfiche - no longer in use)</i>	\$0	Decreasing 100%	
	<i>Wireless Device Access (mobile access to County email)</i>	\$5.25 per user/mo (4 users)	--	
2421	<b>Desktop Support Services (County IT)</b>	\$90.98 per month, per computer (5 computers)	Decreasing 5%	\$ 7,620.00
	<i>County tech support &amp; monitoring for computers and applications.</i>			
2424	<b>Environmental Consultant</b>	Consultant work, per contracted rate, 15 reviews	--	\$ 12,000.00
		File with County Clerk, 15 actions, \$50 each	--	
	<i>The Commission contracts with an independent consultant, Tom Dodson and Associates, for the environmental assessment associated with its proposals. Most environmental consultant costs are billable under the Commission's existing fee schedule. Payments received for cost recovery are deposited into Revenues.</i>			
2444	<b>Security Services</b>	\$0, included in new office lease	Decreasing 100%	\$ -
	<i>Maintain and monitor the security system.</i>			
2445	<b>Other Professional Services</b>	Surveyor proposal review: \$450 each proposal (6)	--	\$ 88,262.00
		Commissioner stipend: \$200 per meeting (9)	--	
		Commissioner stipend: \$200 per committee mtg (4)	--	
		ROV: \$101.26 per hour (12)	--	
		Staff support from Rebecca Lowery	--	
		County processing of quarterly taxes: \$1,000/quarter	--	

## Attachment #3

## Services and Supplies Detail

Act. #	Account Name	Charge Measurement	Increase/Decrease	Total
		County work on apportionment: \$5,600	--	
		Video recording of meetings: \$900 per meeting (9)	--	
		Commissioner stipend for SoCal LAFCO: \$0	Decrease of 100%	
		Governance Training Program for Local Agencies	Decreasing 28%	
	<i>This account is for outside services to assist in processing applications and service reviews as well as conducting Commission hearings. Staffing support from Rebecca Lowery will continue. Governance training will include two courses.</i>			
2449	<b>Outside Legal (Litigation &amp; Special Counsel)</b>	Per special counsel rate		\$ 15,000.00
	<i>Legal services conducted through special contract for either litigation or when a conflict of interest waiver is not granted. For proposals not initiated by the Commission, the applicant agrees to indemnify the Commission against legal costs. Payments received for cost recovery are deposited into Revenue Account 9660.</i>			
2450	<b>Systems Development Charges (County IT)</b>	Estimate of 10 hours at \$129.40/hr	Decrease of 50%	\$ 1,300.00
	<i>Maintenance and Support of LAFCO website.</i>			
2460	<b>Aerial Imagery (County IT)</b>	Aerial Imagery \$1,000 per user (3)	--	\$ 3,000.00
	<i>Generation &amp; maintenance of digitized maps &amp; aerial images, access to County's parcel &amp; street layers.</i>			
2895	<b>Rent/Lease Equipment (copier)</b>	\$450 per month	--	\$ 5,400.00
	<i>LAFCO implementing more digital circulation as cost savings.</i>			
2905	<b>Office/Hearing Chamber Rental</b>	Meeting Facility: \$405 per meeting (9)	--	\$ 34,665.00
		Office Lease: \$2,585 monthly	Increasing 3%	
	<i>Use of Norton Conference Center for meetings and office lease.</i>			
2940	<b>Private Mileage</b>	ESRI Conference San Diego	--	\$ 7,700.00
		Employee travel, misc.: \$70	--	
		CALAFCO/Other Conference. (San Diego)	--	
		CALAFCO/Other Staff Workshop (see Air Travel)	--	
		Commissioner So Cal participation, 4 trips: \$268	--	
		Commissioner Meetings (9)	--	
	<i>Commissioners and staff private auto mileage at the IRS rate, excluding the Executive Officer.</i>			
2941	<b>Conference/Training</b>	CALAFCO/Other Staff Workshop (Sacramento) 3 staff	Increasing 21%	\$ 10,680.00
		CALAFCO/Other Conference (San Diego) \$900 each (10)	--	
	<i>The CALAFCO Staff Workshop location is in Sacramento. 3 staff attending</i>			
	<i>The CALAFCO Conference will be held in San Diego, with 7 Commissioners and 3 staff budgeted.</i>			
2942	<b>Hotel</b>	CALAFCO/Other participation: \$200 per night (4)	--	\$ 12,707.00
		ESRI Conference San Diego: (1 staff)	--	
		CALAFCO/Other Conf. \$300/night, 10 people, 3 nights	Decreasing 15.6%	
		CALAFCO/Other Staff Workshop (Sacramento), 3 staff	Decreasing 10.6%	
	<i>Hotel charges for Commissioners and staff on LAFCO business.</i>			
2943	<b>Meals</b>	Staff travel: \$50	--	\$ 1,050.00
		ESRI Conference San Diego (1 staff)	--	
		CALAFCO/Other Conf., \$50 each for 10 people	--	
		CALAFCO/Other Staff Workshop (Sacramento), 3 staff	--	
		Regional LAFCO - Staff: \$50/trip (2)	--	
		Regional LAFCO - Commissioner: \$50/trip (2)	--	
	<i>Meal charges for Commissioners and staff on LAFCO business. Per diem max \$50/day.</i>			
2945	<b>Air Travel</b>	CALAFCO/Other participation: \$200/trip (4)		\$ 800.00
	<i>Airfare on Southwest Airlines for approved travel.</i>			
2946	<b>Other Travel</b>	CALAFCO/Other participation: \$75/trip (4)		\$ 300.00
	<i>Miscellaneous travel charges such as parking and taxi charges.</i>			
5012	<b>Transfer to County (Staples &amp; Microsoft)</b>	Staples supplies: \$200 per month	Decreasing 33%	\$ 7,497.00
		Microsoft Licenses	--	
<b>TOTAL SERVICES AND SUPPLIES</b>				\$ 392,703.00

## Attachment #4

## Revenues Detail

	Account	Charge Measurement	Rate Inc/Dec	Total
6010	Application Reserve	Beginning balance		\$ 80,000
	A reserve in place of application revenues			
8500 & 9984	Interest	County Interest Pool returns	Variable	\$ 40,000
	LAFCO participates in the County's interest pool and is apportioned interest receipts quarterly.			
8842	Apportionment		--	\$ 1,201,590
	Govt Code §56381 requires that the net costs for LAFCO be apportioned equally to those seated on the Commission: the County, the 24 Cities, and the 51 Independent Special Districts within the County of San Bernardino. The County Auditor will be required to apportion this amount on July 1, 2024 pursuant to the requirements of law and Commission policies.			
8545	Application Fee	LAFCO Fee Schedule, based on region and acreage		\$ -
	Revenues in this account are based on anticipated activity and conservatively calculated at the median annexation filing fee for the activity identified above.			
9555	Application Deposits	\$4,000 for proposals; \$2,400 for applicable service contracts	--	\$ -
	This account is for deposits for outside services which are calculated at \$2,000 for proposals and \$700 for service contracts requiring a hearing.			
9595	Protest Hearing Deposit	\$1,500 each	--	\$ -
	The account is for deposits related to the processing of the protest hearing which are calculated at \$1,500 each. Should a proposal require individual notice due to the extension of a special tax, then the proponent will be required to submit a deposit for the direct costs to produce and mail the individual notices.			
9560	Indemnification Recovery		--	\$ -
	This accounts segregates legal cost recovery.			
9910	Prior Year Activity		--	\$ -
	This account refunds deposits submitted by applicants less costs incurred for activity which carry over from one year to another.			
9930	Miscellaneous Revenue		--	\$ -
	This account is for revenues received for duplication of CDs, DVDs, paper copies, and other miscellaneous receipts.			
9973	Stale-dated Checks			\$ -
	Uncashed checks that are credited			
TOTAL REVENUES				\$ 1,321,590

**ATTACHMENT #5****LAFCO Cost Allocation  
County of San Bernardino Allocation  
PY 2025-2026**

	<b>Amount</b>	<b>Percentage of Total Cost</b>
<b>County of San Bernardino</b>		
Total LAFCO Cost	\$ 1,201,590.00	100.00%
County of San Bernardino Allocation (1/3)*	\$ 400,530.00	33.33%
<b>Total San Bernardino County Allocation</b>	<b>\$ 400,530.00</b>	<b>33.33%</b>

**Note:**

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

\* Total LAFCO Apportionment for FY 2025-26 is \$1,201,590.00 (by letter dated March 13, 2025)

# ATTACHMENT #5

## LAFCO Cost Allocation Cities Allocation PY 2025-2026

City	Total Revenues FY 22-23	LAFCO Allocation	Allocation Percentage
Adelanto	\$ 24,821,666.00	\$ 2,377.26	0.59%
Apple Valley	\$ 106,483,940.00	\$ 10,198.37	2.55%
Barstow	\$ 61,918,740.00 *	\$ 5,930.19	1.48%
Big Bear Lake	\$ 62,593,319.00 *	\$ 5,994.78	1.50%
Chino	\$ 285,830,018.00	\$ 27,375.01	6.83%
Chino Hills	\$ 146,461,698.00	\$ 14,027.19	3.50%
Colton	\$ 172,934,090.00	\$ 16,562.55	4.14%
Fontana	\$ 362,408,870.00 *	\$ 34,709.25	8.67%
Grand Terrace	\$ 13,292,039.00	\$ 1,273.03	0.32%
Hesperia	\$ 118,474,305.00 *	\$ 11,346.73	2.83%
Highland	\$ 44,165,340.00	\$ 4,229.88	1.06%
Loma Linda	\$ 47,132,376.00	\$ 4,514.04	1.13%
Montclair	\$ 74,232,971.00	\$ 7,109.57	1.78%
Needles	\$ 50,391,939.00	\$ 4,826.22	1.20%
Ontario	\$ 793,802,862.00	\$ 76,025.47	18.98%
Rancho Cucamonga	\$ 291,066,286.00 *	\$ 27,876.51	6.96%
Redlands	\$ 219,968,132.00	\$ 21,067.17	5.26%
Rialto	\$ 252,556,661.00	\$ 24,188.30	6.04%
San Bernardino	\$ 410,258,775.00	\$ 39,292.02	9.81%
Twentynine Palms	\$ 24,024,740.00	\$ 2,300.94	0.57%
Upland	\$ 148,423,628.00	\$ 14,215.09	3.55%
Victorville	\$ 381,358,959.00 *	\$ 36,524.18	9.12%
Yucaipa	\$ 55,967,914.00	\$ 5,360.26	1.34%
Yucca Valley	\$ 33,474,616.00	\$ 3,205.99	0.80%
	<b>\$ 4,182,043,884.00</b>	<b>\$ 400,530.00</b>	<b>100.00%</b>

Allocation is based on Cities revenues extracted from Fiscal Year 2022-23 tables published on the State Controller's website ([www.sco.ca.gov](http://www.sco.ca.gov)).

\* Cities with subsidiary districts. Subsidiary districts are excluded from the special district distribution and their revenues are included in the cities' revenues. Blended Component Units are below:

- Barstow Fire Protection District (City of Barstow)
- Big Bear Lake Fire Protection District (City of Big Bear Lake)
- Fontana Fire Protection District (City of Fontana)
- Hesperia County Water District (City of Hesperia)
- Hesperia Fire Protection District (City of Hesperia) - inactive as of 11/01/2018
- Rancho Cucamonga Fire Protection District (City of Rancho Cucamonga)
- Victorville Water District (City of Victorville)

# ATTACHMENT #5

## LAFCO Cost Allocation Special Districts Allocation PY 2025-2026

District Name	Total Revenues*	LAFCO Cost	Allocation
	FY 22-23	Allocation	Percentage
Apple Valley Fire Protection	\$ 15,468,873.00	\$ 10,000.00	2.50%
Apple Valley Foothill County Water	\$ 280,559.00	\$ 79.47	0.02%
Apple Valley Heights County Water	\$ 406,746.00	\$ 115.22	0.03%
Arrowbear Park County Water	\$ 1,497,926.00	\$ 424.31	0.11%
Baker Community Services	\$ 694,299.00	\$ 196.67	0.05%
Barstow Cemetery	\$ 507,645.00	\$ 143.80	0.04%
Barstow Heights Community Services	\$ 91,572.00	\$ 25.94	0.01%
Bear Valley Community Healthcare	\$ (2,481,635.00)	\$ -	0.00%
Big Bear Airport	\$ 2,873,104.00	\$ 813.84	0.20%
Big Bear City Community Services	\$ 19,052,663.00	\$ 10,000.00	2.50%
Big Bear Municipal Water	\$ 7,259,693.00	\$ 10,000.00	2.50%
Big River Community Services	\$ 158,706.00	\$ 44.96	0.01%
Bighorn-Desert View Water Agency	\$ 2,359,833.00	\$ 668.45	0.17%
Chino Basin Water Conservation	\$ 4,569,530.00	\$ 1,294.38	0.32%
Chino Valley Independent Fire	\$ 54,655,222.00	\$ 30,000.00	7.49%
Crestline Lake Arrowhead Water Agency	\$ 10,675,722.00	\$ 10,000.00	2.50%
Crestline Sanitation District	\$ 5,340,411.00	\$ 10,000.00	2.50%
Crestline Village Water	\$ 4,029,983.00	\$ 1,141.54	0.29%
Cucamonga Valley Water District	\$ 100,492,390.00	\$ 30,000.00	7.49%
Daggett Community Services	\$ 398,921.00	\$ 113.00	0.03%
East Valley Water	\$ 44,154,543.00	\$ 20,000.00	4.99%
Helendale Community Services District	\$ 6,980,838.00	\$ 10,000.00	2.50%
Hesperia Recreation and Park	\$ 11,319,455.00	\$ 10,000.00	2.50%
Morongo Basin Healthcare District	\$ 14,572,489.00	\$ 1,500.00	0.37%
Hi-Desert Water District	\$ 21,238,734.00	\$ 20,000.00	4.99%
Inland Empire Resource Conservation	\$ 4,338,030.00	\$ 1,228.80	0.31%
Inland Empire Utilities Agency	\$ 252,855,640.00	\$ 30,000.00	7.49%
Joshua Basin Water	\$ 10,139,410.00	\$ 10,000.00	2.50%
Juniper-Riviera County Water	\$ 378,240.00	\$ 107.14	0.03%
Lake Arrowhead Community Services	\$ 21,536,922.00	\$ 20,000.00	4.99%
Mariana Ranchos County Water	\$ 660,237.00	\$ 187.02	0.05%
Mojave Desert Resource Conservation	\$ 187,284.00	\$ 53.05	0.01%
Mojave Water Agency	\$ 81,327,717.00	\$ 30,000.00	7.49%
Monte Vista Water	\$ 22,006,582.00	\$ 20,000.00	4.99%
Morongo Valley Community Services	\$ 1,227,151.00	\$ 347.61	0.09%
Newberry Community Services	\$ 385,089.00	\$ 109.08	0.03%
Phelan Pinon Hills Community Services District	\$ 12,710,394.00	\$ 10,000.00	2.50%
Rim of the World Recreation and Park	\$ 1,259,825.00	\$ 356.86	0.09%
Running Springs Water	\$ 9,246,326.00	\$ 10,000.00	2.50%
San Bernardino Mountains Community Hospital	\$ (2,491,374.00)	\$ -	0.00%
San Bernardino Valley Municipal Water	\$ 159,829,775.00	\$ 30,000.00	7.49%
San Bernardino Valley Water Conservation	\$ 5,212,205.00	\$ 10,000.00	2.50%
Thunderbird County Water	\$ 321,891.00	\$ 91.18	0.02%
Twentynine Palms Cemetery	\$ 339,392.00	\$ 96.14	0.02%
Twentynine Palms Water District	\$ 6,818,941.00	\$ 10,000.00	2.50%
West Valley Mosquito and Vector Control	\$ 3,803,762.00	\$ 1,077.46	0.27%
West Valley Water District	\$ 49,112,393.00	\$ 20,000.00	4.99%
Wrightwood Community Services District	\$ 769,784.00	\$ 218.05	0.05%
Yermo Community Services	\$ 197,015.00	\$ 55.81	0.01%
Yucaipa Valley Water	\$ 33,712,883.00	\$ 20,000.00	4.99%
Yucca Valley Airport	\$ 142,000.00	\$ 40.22	0.01%
<b>Totals</b>	<b>\$ 1,002,625,736.00</b>	<b>\$ 400,530.00</b>	<b>100.00%</b>

All data in this worksheet are extracted from Fiscal Year 2022-23 Special Districts revenues published on the State Controller's website.

Exception: Data used for Bear Valley Community Healthcare and San Bernardino Mountains Community Hospital is 'Net from Operations' from FY 2022-23, published by the Office of Statewide Health Planning and Development

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3<sup>rd</sup> Street, Suite 102, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE:** APRIL 9, 2025   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #9: Review and Approve the Memorandum of Understanding by and between Los Angeles, Orange, San Bernardino, and San Diego Local Agency Formation Commissions

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions:

1. Approve the Memorandum of Understanding by and between Los Angeles, Orange, San Bernardino, and San Diego Local Agency Formation Commissions; and,
2. Authorize the Executive Officer to sign the Memorandum of Understanding.

## **BACKGROUND:**

At the November 2024 meeting, the Commission unanimously decided not to renew its membership to CALAFCO starting FY 2025-26. Since that time, three other southern region LAFCOs—Los Angeles, Orange, and San Diego—have also taken the same direction of not renewing their membership to CALAFCO starting FY 2025-26.

Staff has been coordinating with these southern region LAFCOs regarding collaborative efforts on providing continued education and training for staff and commissioners, including possibly engaging the assistance of a consultant for legislative advocacy.

The group has decided to formalize this effort through this Memorandum of Understanding (MOU) that outlines this proposed collaboration and partnership among the LAFCOs on providing and receiving services and programs including, but not limited to, educational opportunities, training, networking, and/or legislative advocacy.

A MOU Committee, composed of the Executive Officers from each of the four LAFCOs, will be responsible for organizing the services and programs to be provided through the MOU.



The MOU also outlines a cost-sharing as well as a commitment of up to \$10,000 towards the services/programs to be provided through the MOU.

This MOU may be amended from time to time as the group continues to explore other opportunities for collaboration and/or when other LAFCOs decide to join the group in the future.

**CONCLUSION:**

Staff recommends that the Commission support moving forward with the MOU by take the actions outlined above. Staff will be happy to answer any questions from the Commission prior to or at the hearing.

Attachment: Draft Memorandum of Understanding

## **MEMORANDUM OF UNDERSTANDING**

### **LOS ANGELES, ORANGE, SAN BERNADINO, and SAN DIEGO LOCAL AGENCY FORMATION COMMISSIONS**

This Memorandum of Understanding ("MOU") is made and entered into as of July 1, 2025 ("Effective Date") by and between the Los Angeles, Orange, San Bernadino, and San Diego Local Agency Formation Commissions ("LAFCOs") and are sometimes individually referred to as "Party" and collectively as "Parties."

#### **RECITALS**

- A. Los Angeles, Orange, San Bernardino, and San Diego LAFCOs are local subdivisions of public agencies in the State of California and are periodically in need of services that can be provided more efficiently or conveniently through collaboration or partnership of the Parties.
- B. The Parties desire by this MOU to establish the terms for each Party to provide and receive the services described herein.

#### **AGREEMENT**

#### **NOW, THEREFORE, IT IS AGREED AS FOLLOWS:**

1. MOU Composition. The Parties agree the composition of the MOU is limited to Los Angeles, Orange, San Bernardino, and San Diego LAFCOs. Additional LAFCOs may be added to the MOU composition by amendment if unanimously approved by the MOU Committee as provided in Section 3.
2. Services. The Parties will work together to identify potential services that could be delivered more efficiently through collaboration or partnership. Some of the potential services to be provided include:
  - Information exchanges.
  - Continuing education involving LAFCO statutes.
  - Training on best practices in local government.
  - Professional networking.
  - Legislative advocacy.

3. Decision-Making. The Parties agree to an MOU Committee consisting of each Party's Executive Officer responsible for organizing all related services herein. Decision-making will be based on Committee consensus - whether by majority or unanimity of the members. The MOU Committee will hold quarterly meetings to discuss and plan services as needed. An Executive Officer may appoint a delegate from their respective LAFCO to serve as the Executive Officer's Alternate on the MOU Committee in the event the Executive Officer is unavailable.
4. Cost-Sharing. The Parties agree to equally contribute to all costs associated with services provided through the MOU. Costs will be appropriated among the Parties for their direct payments to any outside vendors and consultants and/or through reimbursements paid between the Parties.
5. Cost-Commitment. To help inform decision-making, each Party agrees to budget and otherwise make reasonably available \$10,000 annually to contribute towards services provided under this MOU. All reasonable efforts shall be made by the MOU Committee to achieve unanimous decisions in providing services and generating associated costs to the Parties.
6. Sponsoring Outside Vendors. The Parties understand it may be necessary for one Party to sponsor an outside vendor (e.g., consultant, conference center, etc.) on behalf of all Parties in securing services provided under this MOU. The Parties agree to reasonably share these sponsorship needs while also making good-faith efforts to expedite reimbursement payments.
7. Maintenance of Records. Any books, documents, papers, and other evidence pertaining to costs incurred in implementing this MOU and associated services shall be maintained by each Party in line with the respective Party's appropriate local policy.
8. Retention of Employee Status. Any Party providing MOU services through their own employees shall remain employees of that Party at all times.
9. Compensation. No Party shall receive any compensation associated with implementing this MOU other than reimbursements involving the services described herein.
10. Performance of Services. The MOU Committee shall be solely responsible for determining the scope and timing of services provided through this MOU.
11. Term. The MOU shall become effective on July 1, 2025 and shall continue until termination as provided below.
  - a) Any Party may terminate their participation in this MOU with or without cause upon thirty (30) calendar days' written notice to the other Parties.

b) Notwithstanding the above provision, the Parties agree to good-faith efforts to time any decision to terminate their participation in this MOU to coincide with the end of the fiscal year – June 30<sup>th</sup>.

12. Compliance with Law. Each Party shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government as applicable in implementing this MOU.

13. Notice. Any notice to be given or delivered by this MOU shall be done whenever possible by e-mail to the following Party representatives:

Los Angeles LAFCO  
Paul Novak, Executive Officer  
80 South Lake Ave, Suite 870  
Pasadena, CA 91101  
[pnovak@lalaftco.org](mailto:pnovak@lalaftco.org)

Orange LAFCO  
Luis Tapia, Interim Executive Officer  
2677 North Main, Suite 1050  
Santa Ana, CA 92705  
[ltapia@oclaftco.org](mailto:ltapia@oclaftco.org)

San Bernardino LAFCO  
Samuel Martinez, Executive Officer  
1601 E. 3<sup>rd</sup> Street, Suite 102  
San Bernardino, CA 92415  
[sam.martinez@sbcountry.ca.gov](mailto:sam.martinez@sbcountry.ca.gov)

San Diego LAFCO  
Keene Simonds, Executive Officer  
2550 Fifth Avenue, Suite 725  
San Diego, CA 92103  
[keene.simonds@sdcountry.ca.gov](mailto:keene.simonds@sdcountry.ca.gov)

**IN WITNESS WHEREOF,** the Parties agree to this MOU.

\_\_\_\_\_  
Los Angeles LAFCO  
Paul Novak, Executive Officer

Date:

\_\_\_\_\_  
Orange LAFCO  
Luis Tapia, Interim Executive Officer

Date:

\_\_\_\_\_  
San Bernardino LAFCO  
Samuel Martinez, Executive Officer

Date:

\_\_\_\_\_  
San Diego LAFCO  
Keene Simonds, Executive Officer

Date:

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: APRIL 9, 2025   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #10: LEGISLATIVE UPDATE REPORT

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## **RECOMMENDATION:**

Staff recommends that the Commission:

1. Receive and file the Legislative Report; and,
2. Provide direction to staff on legislation of interest or future actions, if any.

## **BACKGROUND:**

In March, LAFCO staff provided the Commission with a list of bills that may be of interest to this LAFCO. Below is an update on those bills as well as a new bill that may potentially impact LAFCOs throughout the State.

### **• AB 259 (Rubio) -- Open meetings: local agencies: teleconferences.**

As identified in March, this bill authorizes local agencies to use teleconferenced meetings with some flexibility including when a member participates remotely using the alternative teleconferencing provisions, no more than twice a year, due to emergency circumstances. The bill also eliminates the sunset provisions related to the teleconferencing provisions.

This bill is being sponsored by CSDA and has not change since the last update. The bill has been referred to the Assembly Local Government Committee and the committee is scheduled to hear this on April 9, 2025.

Conclusion: While this Commission does not utilize any teleconferencing provisions, this provides local agencies options to conduct meetings using the teleconferencing provisions, if they elect to do so, as well as having some additional flexibility in utilizing such meetings since the sunset clause is being removed.

- **SB 707 (Durazo) -- Open meetings: meeting and teleconference requirements.**

SB 707 makes numerous changes to the Brown Act including modifying existing and adding new types of teleconferencing flexibility, increasing public access, and expanding language access. The bill also requires city councils and county board of supervisors additional meeting requirements including requirements related to interpretation services.

The bill requires all legislative bodies to provide meeting agendas in all accessible language (language spoken jointly by 20% of the population in the county in which the local agency is located). Then, it requires city councils and boards of supervisors to have a system for requesting and receiving interpretation services for public meetings, including public comment. It is required to publicize the online system and instructions to request certified interpretation services.

This bill has a sunset date of January 1, 2030. The bill has been amended since its introduction (copy of revised bill is attached). The bill is now with the Senate Judiciary Committee and will be heard April 22, 2025.

Conclusion: As noted previously, this Commission does not utilize any teleconferencing provisions. However, since this requires additional mandates for cities and counties, staff is keeping a watch on this bill.

- **SB 777 (Richardson) -- Abandoned endowment care cemeteries: local agency possession and responsibility (\*\*NEW BILL \*\*)**

This bill, when it was introduced on February 21, 2025, placed the responsibility for the care and maintenance of an abandoned endowment care cemetery to the county. The author has since revised the language to now require the LAFCO in which an abandoned endowment care cemetery is located to identify the local agency to succeed to said abandoned cemetery and be responsible for such care and maintenance as well as take possession of the property and take title to any endowment care funds as well as take possession of all books, records, assets of said abandoned cemetery (copy of revised bill is attached).

The California State Associate of Counties (CSAC), the California Special Districts Association (CSDA), and the League of California Cities (League) all oppose SB 777.

The bill is now with the Senate Appropriations Committee.

Conclusion: Staff will keep a watch on this bill.

- **SB 740 (Rubio) -- Municipal wastewater agency: new agreement or amendment.**

This bill extends the filing requirement for municipal wastewater agencies, who enter into agreements or amendments with entities responsible for stormwater management, from 30 to 40 days after the effective date of the agreement/amendment.

The bill is now with the Committee on Local Government and Environmental Quality.

Conclusion: Staff will continue to keep a watch on this bill.

- **SB 598 (Durazo) and SB 634 (Pérez)**

In March, it was identified that these bills referred to existing provisions of CKH and were noted that the bills might end up gut-and-amend bills. As anticipated, these bills now have nothing to do with CKH. SB 598 now relates to public contracts and SB 634 now relates to homelessness.

Conclusion: These bills will be removed from the list moving forward.

## **CONCLUSION:**

If there are other pieces of legislation that Commissioners are aware of that should be brought to the Commission's attention or you wish staff to review in more detail, please provide the bill number and we will be happy to bring it back to the Commission for review.

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

Attachments:

1. [SB 707](#)
2. [SB 777](#)



AMENDED IN SENATE APRIL 7, 2025

**SENATE BILL**

**No. 707**

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**Introduced by Senator Durazo**

February 21, 2025

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An act to amend Sections 54952, 54952.7, 54953, 54953.5, 54953.7, 54954.2, ~~and 54954.3~~ 54954.3, 54956, 54956.5, 54957.1, 54957.6, 54960, and 54960.2 of, *to amend and repeal Section 54952.2 of*, to add Sections 54953.8, 54953.8.1, and 54953.8.2 to, and to add and repeal Sections 54953.8.3, 54953.8.4, 54953.8.5, 54953.8.6, 54953.8.7, and 54953.9 of, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 707, as amended, Durazo. Open meetings: meeting and teleconference requirements.

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate.

This bill would, until January 1, 2030, require a city council or a county board of supervisors to comply with additional meeting requirements, including that all open and public meetings include an opportunity for members of the public to attend via a ~~two-way~~ 2-way telephonic ~~option~~ service or a ~~two-way~~ 2-way audiovisual platform, as defined, that a system is in place for requesting and receiving interpretation services for public meetings, as specified, and that ~~good faith efforts are made to the city council or county board of supervisors~~ encourage residents to participate in public meetings, as specified. ~~By imposing additional meeting requirements on city councils and county~~

~~boards of supervisors, this bill would impose a state-mandated local program.~~

(2)

*(2) Existing law defines “legislative body” for these purposes to mean, among other things, a commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. Existing law specifies that “legislative body” does not include advisory committees, composed solely of the members of the legislative body that are less than a quorum of the legislative body, except for specified standing committees of a legislative bodies.*

*This bill would revise and recast the above-described definition of a legislative body and would specify that bodies with certain subject matter jurisdiction, including elections, and advisory committees with a continuing subject matter jurisdiction or a fixed meeting schedule, as specified, are legislative bodies.*

*Existing law prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. Existing law defines “meetings” for these purposes to mean any congregation of a majority of the members of a legislative body at the same time and location, as specified, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body. Until January 1, 2026, existing law excepts from the prohibition a member engaging in separate conversations or communications outside of a meeting with any other person using an internet-based social media platform for specified purposes, provided, among other things, that a majority of the members do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.*

*This bill would also include as a “meeting” any conversation between members of a legislative body regarding, among other things, boundary lines of the districts of the legislative body. The bill would make the above-described exception related to communications on an internet-based social media platform applicable indefinitely.*

*(3) Existing law requires a legislative body of a local agency or its designee, at least 72 hours before a regular meeting, to post an agenda*

that meets specified requirements, including that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, as specified.

This bill would also require the agenda to be provided in English and in all other languages spoken jointly by 20% or more of the population in the county in which the local agency is located that, among other things, speaks English less than “very well,” as specified. ~~By imposing additional agenda requirements on legislative bodies of local agencies, this bill would impose a state-mandated local program. specified, and except as provided.~~

Existing law requires every agenda for regular meetings to provide an opportunity for members of the public to directly address the legislative body on any item of interest of the public, as specified. Existing law specifies that the agenda is not required to provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, as specified.

This bill would remove the provision related to an item that has already been considered by a committee.

(3)

*(4) Existing law authorizes a legislative body of a local agency to require a copy of the act to be given to each member of the legislative body and specified persons elected to serve as a member of the legislative body, and authorizes an elected legislative body member to require a copy to be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.*

*This bill would instead require a legislative body of a local agency to provide a copy of the act to each member of the legislative body and specified persons elected or appointed to serve as a member of the legislative body, as described above.*

*Existing law authorizes legislative bodies of local agencies to impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in the act, and authorizes an elected legislative body of a local agency to also impose those requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.*

*This bill would remove the above-described requirement that members of an appointed legislative body of a local agency must be appointed*

*by or under the authority of the elected legislative body of a local agency in order for the elected legislative body to impose the above-described requirements on the appointed legislative body.*

*(5) Existing law requires the legislative body of any local agency to publicly report any action taken in closed session and the vote or abstention on that action of every member present pursuant to specified requirements, including that action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session held under specified provisions is reported at the public meeting during that closed session and that the report identifies the title of the position.*

*This bill would require any report subject to the above-described requirement to also include an estimate of the fiscal impact of the action taken.*

*Existing law authorizes a court in its discretion to order a legislative body, upon a judgment of a violation of specified closed session provisions, to audio record closed sessions and preserve the audio recordings for the period and under specified terms the court deems appropriate. Existing law authorizes a district attorney or any interested person to file an action to determine the applicability of the act to past actions of the legislative body pursuant to specified provisions relating to violations of the act if specified conditions are met, including that the district attorney or interested person first submits a cease and desist letter to the clerk or secretary of the legislative body being accused of the violation, as specified, within 9 months of the alleged violation.*

*This bill would expand the violations for specified closed sessions described above to instead include a violation of any provision under the act authorizing a closed session. The bill would instead require that a cease and desist letter described above be submitted within 12 months of the alleged violation.*

*(6) Existing law provides any person attending an open and public meeting of a legislative body of a local agency with the right to record the proceedings with an audio or visual recorder or a still or motion picture camera, as specified.*

*This bill would remove the reference to an audio or visual recorder or a still or motion picture camera for purposes of recording the proceedings, as described above.*

*(7) Existing law authorizes ~~the~~ a legislative body of a local agency to use teleconferencing, as specified, and requires a legislative body of a local agency that elects to use teleconferencing to comply with*

specified general requirements, including that the local agency post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified.

Existing law authorizes members who are outside the jurisdiction of a health authority, as defined, that conducts a teleconferencing meeting to, notwithstanding the above-described general teleconference provisions, count towards the establishment of a quorum when participating in the teleconference if, among other things, at least ~~50 percent~~ 50% of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction.

Existing ~~law~~, law authorizes, in certain circumstances, the legislative body of a local agency to use specified alternative teleconferencing which include provisions related to, among others, notice of the means by which members of the public may access the meeting and offer public comment and identifying and including an opportunity for all persons to attend via a call-in option or an internet-based service option. Those circumstances in which the legislative body of a local agency is authorized to use the alternative teleconferencing provisions include specified circumstances relating to a state of emergency, as defined, and, until January 1, 2026, subject to specified limitations, a member's need to participate remotely due to just cause or emergency circumstances, as defined.

Existing law also authorizes certain eligible legislative bodies, including neighborhood councils and student body associations and student-run community college organizations to, until January 1, 2026, use alternate teleconferencing if, among other requirements, the city council or board of trustees, as applicable, has adopted an authorizing resolution and  $\frac{2}{3}$  of the neighborhood city council or specified student organization, as applicable, votes to use alternate teleconference provisions, as specified.

This bill would revise and recast the above-specified alternative teleconferencing provisions to uniformly apply certain noticing, accessibility, and public commenting provisions. The bill would require a legislative body of a local agency that elects to use teleconferencing

pursuant to these alternative teleconferencing provisions to comply with specified requirements, including that the legislative body provides at least either ~~two-way~~ 2-way audiovisual platform or ~~two-way~~ 2-way telephonic service and a live webcasting of the meeting as a means by which the public may, among other things, remotely hear and visually observe the meeting, and that a member of the legislative body who participates in a teleconference meeting from a remote location is listed in the minutes of the meeting. The bill would require the local agency to identify and make available to legislative bodies a list of meeting locations that the legislative bodies may use to conduct their meetings.

The bill would instead authorize a health authority, as defined, to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in a state of emergency, as defined. The bill would also include a local emergency, as defined, as a circumstance in which a legislative body of a local agency is authorized to use the alternative teleconferencing provisions.

The bill would revise and recast the alternative teleconferencing provisions applicable in cases of a member's need to participate remotely due to just cause or emergency circumstances, as defined, to remove the provision applicable to emergency circumstances and to broaden the definition of just cause to include a physical or family medical emergency that prevents a member from attending in person. The bill would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would revise and recast the alternative teleconferencing provisions applicable to neighborhood councils and student body associations and student-run community college organizations and would extend the authorization to use the alternative teleconferencing provision until January 1, 2030.

The bill would, until January 1, 2030, also authorize specified subsidiary bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the subsidiary body designates a primary physical meeting location where members of the public may physically attend, observe, hear, and participate in the meeting, as specified.

The bill would, until January 1, 2030, also authorize specified multijurisdictional bodies of local agencies to conduct a teleconference meeting pursuant to the above-described alternative teleconferencing provisions, provided that it complies with the requirements for alternative teleconferencing described above and additional requirements, including that the eligible multijurisdictional body has adopted a resolution that authorizes the multijurisdictional body to use teleconferencing at a regular meeting in open session.

*(8) Existing law authorizes a special meeting to be called any time by, among other persons, the presiding officer of the legislative body of a local agency, by delivering specified written notices and posting a notice on the local agency's internet website, if the local agency has one. Existing law requires specified legislative bodies to comply with the internet website posting requirement. Existing law prohibits a legislative body of a local agency from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined.*

*The bill would remove the requirement that only specified legislative bodies comply with the internet website posting requirement, thereby imposing that requirement on all legislative bodies.*

*The bill would also prohibit a legislative body of a local agency from calling a special meeting regarding the evaluation of performance, discipline, or dismissal of a local agency executive, or a member of the legislative body. The bill would prohibit a legislative body from, among other things, considering the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee, at a special meeting, unless the item is properly before the legislative body, as specified, and certain criteria are met, including that at least 4 /5 of the legislative body vote at the start of the meeting to proceed with the meeting.*

*(9) Existing law authorizes a legislative body of a local agency to hold an emergency meeting without complying with specified notice and posting requirements in the case of specified emergency circumstances, as specified, and imposes various requirements under these provisions applicable to either legislative bodies generally or legislative bodies which are a school board.*

*This bill would remove the school board distinction from the above-described provisions, thereby imposing the same requirements to hold an emergency meeting on all legislative bodies of local agencies.*



*By imposing additional duties on legislative bodies of local agencies, the bill would impose a state-mandated local program.*

(4)

(10) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(5)

(11) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(6)

(12) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(7)

(13) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 *SECTION 1. Section 54952 of the Government Code is*  
2 *amended to read:*

3 54952. As used in this chapter, “legislative body” means:

4 (a) The governing body of a local agency or any other local  
5 body created by state or federal statute.

6 (b) A commission, committee, board, or other body of a local  
7 agency, whether permanent or temporary, decisionmaking or  
8 advisory, created by charter, ordinance, resolution, or formal action

1 of a legislative body. ~~However, advisory committees, composed~~  
2 ~~solely of the members of the legislative body that are less than a~~  
3 ~~quorum of the legislative body are not legislative bodies, except~~  
4 ~~that standing committees of a legislative body, irrespective of their~~  
5 ~~composition, which have a continuing subject matter jurisdiction,~~  
6 ~~or a meeting schedule fixed by charter, ordinance, resolution, or~~  
7 ~~formal action of a legislative body are legislative bodies for~~  
8 ~~purposes of this chapter.~~

9 (c) (1) A board, commission, committee, or other multimember  
10 body that governs a private corporation, limited liability company,  
11 or other entity that either:

12 (A) Is created by the elected legislative body in order to exercise  
13 authority that may lawfully be delegated by the elected governing  
14 body to a private corporation, limited liability company, or other  
15 entity.

16 (B) Receives funds from a local agency and the membership of  
17 whose governing body includes a member of the legislative body  
18 of the local agency appointed to that governing body as a full  
19 voting member by the legislative body of the local agency.

20 (2) Notwithstanding subparagraph (B) of paragraph (1), no  
21 board, commission, committee, or other multimember body that  
22 governs a private corporation, limited liability company, or other  
23 entity that receives funds from a local agency and, as of February  
24 9, 1996, has a member of the legislative body of the local agency  
25 as a full voting member of the governing body of that private  
26 corporation, limited liability company, or other entity shall be  
27 relieved from the public meeting requirements of this chapter by  
28 virtue of a change in status of the full voting member to a  
29 nonvoting member.

30 (d) The lessee of any hospital the whole or part of which is first  
31 leased pursuant to subdivision (p) of Section 32121 of the Health  
32 and Safety Code after January 1, 1994, where the lessee exercises  
33 any material authority of a legislative body of a local agency  
34 delegated to it by that legislative body whether the lessee is  
35 organized and operated by the local agency or by a delegated  
36 authority.

37 (e) (1) *An advisory or standing committee of a legislative body,*  
38 *irrespective of its composition, which has a continuing subject*  
39 *matter jurisdiction, or a meeting schedule fixed by charter,*  
40 *ordinance, resolution, or formal action of a legislative body.*

1 (2) *However, advisory committees, composed solely of the*  
2 *members of the legislative body that are less than a quorum of the*  
3 *legislative body are not legislative bodies.*

4 (3) *Notwithstanding paragraph (2), any commission, committee,*  
5 *board, or other body of a local agency, decisionmaking or*  
6 *advisory, with subject matter jurisdiction over elections, budgets,*  
7 *police oversight, or removing materials from, or restricting access*  
8 *to, facilities of the legislative body that created it is a legislative*  
9 *body.*

10 SEC. 2. *Section 54952.2 of the Government Code, as amended*  
11 *by Section 1 of Chapter 89 of the Statutes of 2020, is amended to*  
12 *read:*

13 54952.2. (a) As used in this chapter, “meeting” means ~~any~~  
14 *either of the following:*

15 (1) *Any congregation of a majority of the members of a*  
16 *legislative body at the same time and location, including*  
17 *teleconference location as permitted by Section 54953, to hear,*  
18 *discuss, deliberate, or take action on any item that is within the*  
19 *subject matter jurisdiction of the legislative body.*

20 (2) *Any conversation between members of the legislative body*  
21 *regarding any of the following:*

22 (A) *Boundary lines of the districts of the legislative body.*

23 (B) *Compensation of members of the legislative body or a local*  
24 *agency executive, as defined in subdivision (d) of Section 3511.1.*

25 (C) *The appointment, employment, evaluation of performance,*  
26 *discipline, or dismissal of a public employee.*

27 (b) (1) *A majority of the members of a legislative body shall*  
28 *not, outside a meeting authorized by this chapter, use a series of*  
29 *communications of any kind, directly or through intermediaries,*  
30 *to discuss, deliberate, or take action on any item of business that*  
31 *is within the subject matter jurisdiction of the legislative body.*

32 (2) *Paragraph (1) shall not be construed as preventing an*  
33 *employee or official of a local agency, from engaging in separate*  
34 *conversations or communications outside of a meeting authorized*  
35 *by this chapter with members of a legislative body in order to*  
36 *answer questions or provide information regarding a matter that*  
37 *is within the subject matter jurisdiction of the local agency, if that*  
38 *person does not communicate to members of the legislative body*  
39 *the comments or position of any other member or members of the*  
40 *legislative body.*

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) “Discuss among themselves” means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) “Internet-based social media platform” means an online service that is open and accessible to the public.

(iii) “Open and accessible to the public” means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or

1 to public agencies of the type represented by the legislative body,  
2 provided that a majority of the members do not discuss among  
3 themselves, other than as part of the scheduled program, business  
4 of a specified nature that is within the subject matter jurisdiction  
5 of the local agency. Nothing in this paragraph is intended to allow  
6 members of the public free admission to a conference or similar  
7 gathering at which the organizers have required other participants  
8 or registrants to pay fees or charges as a condition of attendance.

9 (3) The attendance of a majority of the members of a legislative  
10 body at an open and publicized meeting organized to address a  
11 topic of local community concern by a person or organization other  
12 than the local agency, provided that a majority of the members do  
13 not discuss among themselves, other than as part of the scheduled  
14 program, business of a specific nature that is within the subject  
15 matter jurisdiction of the legislative body of the local agency.

16 (4) The attendance of a majority of the members of a legislative  
17 body at an open and noticed meeting of another body of the local  
18 agency, or at an open and noticed meeting of a legislative body of  
19 another local agency, provided that a majority of the members do  
20 not discuss among themselves, other than as part of the scheduled  
21 meeting, business of a specific nature that is within the subject  
22 matter jurisdiction of the legislative body of the local agency.

23 (5) The attendance of a majority of the members of a legislative  
24 body at a purely social or ceremonial occasion, provided that a  
25 majority of the members do not discuss among themselves business  
26 of a specific nature that is within the subject matter jurisdiction of  
27 the legislative body of the local agency.

28 (6) The attendance of a majority of the members of a legislative  
29 body at an open and noticed meeting of a standing committee of  
30 that body, provided that the members of the legislative body who  
31 are not members of the standing committee attend only as  
32 observers.

33 ~~(d) This section shall remain in effect only until January 1, 2026,~~  
34 ~~and as of that date is repealed.~~

35 *SEC. 3. Section 54952.2 of the Government Code, as added*  
36 *by Section 2 of Chapter 89 of the Statutes of 2020, is repealed.*

37 ~~54952.2. (a) As used in this chapter, “meeting” means any~~  
38 ~~congregation of a majority of the members of a legislative body~~  
39 ~~at the same time and location, including teleconference location~~  
40 ~~as permitted by Section 54953, to hear, discuss, deliberate, or take~~

1 action on any item that is within the subject matter jurisdiction of  
2 the legislative body.

3 ~~(b) (1) A majority of the members of a legislative body shall~~  
4 ~~not, outside a meeting authorized by this chapter, use a series of~~  
5 ~~communications of any kind, directly or through intermediaries,~~  
6 ~~to discuss, deliberate, or take action on any item of business that~~  
7 ~~is within the subject matter jurisdiction of the legislative body.~~

8 ~~(2) Paragraph (1) shall not be construed as preventing an~~  
9 ~~employee or official of a local agency, from engaging in separate~~  
10 ~~conversations or communications outside of a meeting authorized~~  
11 ~~by this chapter with members of a legislative body in order to~~  
12 ~~answer questions or provide information regarding a matter that~~  
13 ~~is within the subject matter jurisdiction of the local agency, if that~~  
14 ~~person does not communicate to members of the legislative body~~  
15 ~~the comments or position of any other member or members of the~~  
16 ~~legislative body.~~

17 ~~(c) Nothing in this section shall impose the requirements of this~~  
18 ~~chapter upon any of the following:~~

19 ~~(1) Individual contacts or conversations between a member of~~  
20 ~~a legislative body and any other person that do not violate~~  
21 ~~subdivision (b).~~

22 ~~(2) The attendance of a majority of the members of a legislative~~  
23 ~~body at a conference or similar gathering open to the public that~~  
24 ~~involves a discussion of issues of general interest to the public or~~  
25 ~~to public agencies of the type represented by the legislative body,~~  
26 ~~provided that a majority of the members do not discuss among~~  
27 ~~themselves, other than as part of the scheduled program, business~~  
28 ~~of a specified nature that is within the subject matter jurisdiction~~  
29 ~~of the local agency. Nothing in this paragraph is intended to allow~~  
30 ~~members of the public free admission to a conference or similar~~  
31 ~~gathering at which the organizers have required other participants~~  
32 ~~or registrants to pay fees or charges as a condition of attendance.~~

33 ~~(3) The attendance of a majority of the members of a legislative~~  
34 ~~body at an open and publicized meeting organized to address a~~  
35 ~~topic of local community concern by a person or organization other~~  
36 ~~than the local agency, provided that a majority of the members do~~  
37 ~~not discuss among themselves, other than as part of the scheduled~~  
38 ~~program, business of a specific nature that is within the subject~~  
39 ~~matter jurisdiction of the legislative body of the local agency.~~

~~(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.~~

~~(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.~~

~~(6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.~~

~~(d) This section shall become operative on January 1, 2026.~~

*SEC. 4. Section 54952.7 of the Government Code is amended to read:*

*54952.7. A legislative body of a local agency may require that shall provide a copy of this chapter be given to each member of the legislative body and any person elected or appointed to serve as a member of the legislative body who has not assumed the duties of office. An elected legislative body of a local agency may require that a copy of this chapter be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.*

**SECTION 1.**

*SEC. 5. Section 54953 of the Government Code, as amended by Section 2 of Chapter 534 of the Statutes of 2023, is amended to read:*

*54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.*

*(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law.*



1 The teleconferenced meeting or proceeding shall comply with all  
2 otherwise applicable requirements of this chapter and all otherwise  
3 applicable provisions of law relating to a specific type of meeting  
4 or proceeding.

5 (2) Teleconferencing, as authorized by this section, may be used  
6 for all purposes in connection with any meeting within the subject  
7 matter jurisdiction of the legislative body. If the legislative body  
8 of a local agency elects to use teleconferencing, the legislative  
9 body of a local agency shall comply with all of the following:

10 (A) All votes taken during a teleconferenced meeting shall be  
11 by rollcall.

12 (B) The teleconferenced meetings shall be conducted in a  
13 manner that protects the statutory and constitutional rights of the  
14 parties or the public appearing before the legislative body of a  
15 local agency.

16 (C) The legislative body shall give notice of the meeting and  
17 post agendas as otherwise required by this chapter.

18 (D) The legislative body shall allow members of the public to  
19 access the meeting and the agenda shall provide an opportunity  
20 for members of the public to address the legislative body directly  
21 pursuant to Section 54954.3.

22 (3) If the legislative body of a local agency elects to use  
23 teleconferencing, it shall post agendas at all teleconference  
24 locations. Each teleconference location shall be identified in the  
25 notice and agenda of the meeting or proceeding, and each  
26 teleconference location shall be accessible to the public. During  
27 the teleconference, at least a quorum of the members of the  
28 legislative body shall participate from locations within the  
29 boundaries of the territory over which the local agency exercises  
30 jurisdiction, except as provided in subdivisions (d) and (e).

31 (c) (1) No legislative body shall take action by secret ballot,  
32 whether preliminary or final.

33 (2) The legislative body of a local agency shall publicly report  
34 any action taken and the vote or abstention on that action of each  
35 member present for the action.

36 (3) Prior to taking final action, the legislative body shall orally  
37 report a summary of a recommendation for a final action on the  
38 salaries, salary schedules, or compensation paid in the form of  
39 fringe benefits of a local agency executive, as defined in  
40 subdivision (d) of Section 3511.1, during the open meeting in

1 which the final action is to be taken. This paragraph shall not affect  
2 the public's right under the California Public Records Act (Division  
3 10 (commencing with Section 7920.000) of Title 1) to inspect or  
4 copy records created or received in the process of developing the  
5 recommendation.

6 (d) "Teleconference" means a meeting of a legislative body,  
7 the members of which are in different locations, connected by  
8 electronic means, through either audio or video, or both.

9 *SEC. 6. Section 54953.5 of the Government Code is amended*  
10 *to read:*

11 54953.5. (a) Any person attending an open and public meeting  
12 of a legislative body of a local agency shall have the right to record  
13 the proceedings ~~with an audio or video recorder or a still or motion~~  
14 ~~picture camera~~ in the absence of a reasonable finding by the  
15 legislative body of the local agency that the recording cannot  
16 continue without noise, illumination, or obstruction of view that  
17 constitutes, or would constitute, a persistent disruption of the  
18 proceedings.

19 (b) ~~Any audio or video~~ recording of an open and public meeting  
20 made for whatever purpose by or at the direction of the local  
21 agency shall be subject to inspection pursuant to the California  
22 Public Records Act (Division 10 (commencing with Section  
23 7920.000) of Title 1), but, notwithstanding Section 34090, may  
24 be erased or destroyed 30 days after the recording. Any inspection  
25 of an audio or video recording shall be provided without charge  
26 on equipment made available by the local agency.

27 *SEC. 7. Section 54953.7 of the Government Code is amended*  
28 *to read:*

29 54953.7. Notwithstanding any other provision of law,  
30 legislative bodies of local agencies may impose requirements upon  
31 themselves which allow greater access to their meetings than  
32 prescribed by the minimal standards set forth in this chapter. In  
33 addition thereto, an elected legislative body of a local agency may  
34 impose ~~such those~~ requirements on ~~those~~ appointed legislative  
35 bodies of the local agency of which all or a majority of the  
36 ~~members are appointed by or under the authority of the elected~~  
37 ~~legislative body.~~ agency.

38 ~~SEC. 2.~~

39 *SEC. 8. Section 54953.8 is added to the Government Code, to*  
40 *read:*

1 54953.8. (a) The legislative body of a local agency may use  
2 teleconferencing as authorized by subdivision (b) of Section 54953  
3 without complying with the requirements of paragraph (3) of  
4 subdivision (b) of Section 54953 in any of the circumstances  
5 described in Sections 54953.8.1 to 54953.8.7, inclusive.

6 (b) A legislative body that holds a meeting pursuant to this  
7 section shall comply with all of the following:

8 (1) The legislative body shall provide at least one of the  
9 following as a means by which the public may remotely hear and  
10 visually observe the meeting, and remotely address the legislative  
11 body:

12 (A) A two-way audiovisual platform.

13 (B) A two-way telephonic service and a live webcasting of the  
14 meeting.

15 (2) In each instance in which notice of the time of the  
16 teleconferenced meeting is otherwise given or the agenda for the  
17 meeting is otherwise posted, the legislative body shall also give  
18 notice of the means by which members of the public may access  
19 the meeting and offer public comment. The agenda shall identify  
20 and include an opportunity for all persons to attend via a call-in  
21 option or an internet-based service option.

22 (3) In the event of a disruption that prevents the legislative body  
23 from broadcasting the meeting to members of the public using the  
24 call-in option or internet-based service option, or in the event of  
25 a disruption within the local agency's control that prevents  
26 members of the public from offering public comments using the  
27 call-in option or internet-based service option, the legislative body  
28 shall take no further action on items appearing on the meeting  
29 agenda until public access to the meeting via the call-in option or  
30 internet-based service option is restored. Actions taken on agenda  
31 items during a disruption that prevents the legislative body from  
32 broadcasting the meeting may be challenged pursuant to Section  
33 54960.1.

34 (4) The legislative body shall not require public comments to  
35 be submitted in advance of the meeting and must provide an  
36 opportunity for the public to address the legislative body and offer  
37 comment in real time.

38 (5) Notwithstanding Section 54953.3, an individual desiring to  
39 provide public comment through the use of an internet website, or  
40 other online platform, not under the control of the local legislative

1 body, that requires registration to log in to a teleconference may  
2 be required to register as required by the third-party internet  
3 website or online platform to participate.

4 (6) (A) A legislative body that provides a timed public comment  
5 period for each agenda item shall not close the public comment  
6 period for the agenda item, or the opportunity to register, pursuant  
7 to paragraph (5), to provide public comment until that timed public  
8 comment period has elapsed.

9 (B) A legislative body that does not provide a timed public  
10 comment period, but takes public comment separately on each  
11 agenda item, shall allow a reasonable amount of time per agenda  
12 item to allow public members the opportunity to provide public  
13 comment, including time for members of the public to register  
14 pursuant to paragraph (5), or otherwise be recognized for the  
15 purpose of providing public comment.

16 (C) A legislative body that provides a timed general public  
17 comment period that does not correspond to a specific agenda item  
18 shall not close the public comment period or the opportunity to  
19 register, pursuant to paragraph (5), until the timed general public  
20 comment period has elapsed.

21 (7) Any member of the legislative body who participates in a  
22 teleconference meeting from a remote location shall be listed in  
23 the minutes of the meeting.

24 (8) The legislative body shall have and implement a procedure  
25 for receiving and swiftly resolving requests for reasonable  
26 accommodation for individuals with disabilities, consistent with  
27 the federal Americans with Disabilities Act of 1990 (42 U.S.C.  
28 Sec. 12132), and resolving any doubt in favor of accessibility. In  
29 each instance in which notice of the time of the meeting is  
30 otherwise given or the agenda for the meeting is otherwise posted,  
31 the legislative body shall also give notice of the procedure for  
32 receiving and resolving requests for accommodation.

33 (9) The legislative body shall conduct meetings subject to this  
34 chapter consistent with applicable civil rights and  
35 nondiscrimination laws.

36 (10) Instructions on joining the meeting by the telephonic or  
37 internet-based service option, including any requirements for  
38 registration for public comment, shall be made available in English  
39 and in all other languages spoken jointly by 20 percent or more of  
40 the population in the county in which the local agency is located

1 that speaks English less than “very well” and jointly speaks a  
2 language other than English according to data from the most recent  
3 American Community Survey or data from an equally reliable  
4 source.

5 ~~(11) If the meeting is outside regular business hours, the~~  
6 ~~legislative body shall make reasonable efforts to accommodate~~  
7 ~~any member of the public that requests an accommodation to~~  
8 ~~participate in the meeting, including, but not limited to, providing~~  
9 ~~access to a computer.~~

10 (c) A local agency shall identify and make available to  
11 legislative bodies a list of meeting locations that the legislative  
12 bodies may use to conduct their meetings.

13 (d) (1) Nothing in this section shall prohibit a legislative body  
14 from providing the public with additional teleconference locations.

15 (2) Nothing in this section shall prohibit a legislative body from  
16 providing the public with additional physical locations in which  
17 the public may observe and address the legislative body by  
18 electronic means

19 (e) For purposes of this section, the following definitions apply:

20 (1) “Remote location” means a location from which a member  
21 of a legislative body participates in a meeting pursuant to paragraph  
22 (7) of subdivision (b), other than any physical meeting location  
23 designated in the notice of the meeting. Remote locations need not  
24 be accessible to the public.

25 (2) “Remote participation” means participation in a meeting by  
26 teleconference at a location other than any physical meeting  
27 location designated in the notice of the meeting. Watching or  
28 listening to a meeting via webcasting or another similar electronic  
29 medium that does not permit members to interactively hear,  
30 discuss, or deliberate on matters, does not constitute remote  
31 participation.

32 (3) “Teleconference” means a meeting of a legislative body,  
33 the members of which are in different locations, connected by  
34 electronic means, through either audio or video, or both.

35 (4) “Two-way audiovisual platform” means an online platform  
36 that provides participants with the ability to participate in a meeting  
37 via both an interactive video conference and a two-way telephonic  
38 ~~function.~~ service.

39 (5) “Two-way telephonic service” means a telephone service  
40 that does not require internet access, ~~is not provided as part of a~~

1 ~~two-way audiovisual platform~~, *access* and allows participants to  
2 dial a telephone number to listen and verbally participate.

3 (6) “Webcasting” means a streaming video broadcast online or  
4 on television, using streaming media technology to distribute a  
5 single content source to many simultaneous listeners and viewers.

6 ~~SEC. 3.~~

7 *SEC. 9.* Section 54953.8.1 is added to the Government Code,  
8 to read:

9 54953.8.1. (a) A health authority may conduct a teleconference  
10 meeting pursuant to Section 54953.8, provided that it complies  
11 with the requirements of that section.

12 (b) Nothing in this section or Section 54953.8 shall be construed  
13 as discouraging health authority members from regularly meeting  
14 at a common physical site within the jurisdiction of the authority  
15 or from using teleconference locations within or near the  
16 jurisdiction of the authority.

17 (c) For purposes of this section, a health authority means any  
18 entity created pursuant to Sections 14018.7, 14087.31, 14087.35,  
19 14087.36, 14087.38, and 14087.9605 of the Welfare and  
20 Institutions Code, any joint powers authority created pursuant to  
21 Article 1 (commencing with Section 6500) of Chapter 5 of Division  
22 7 for the purpose of contracting pursuant to Section 14087.3 of  
23 the Welfare and Institutions Code, and any advisory committee to  
24 a county-sponsored health plan licensed pursuant to Chapter 2.2  
25 (commencing with Section 1340) of Division 2 of the Health and  
26 Safety Code if the advisory committee has 12 or more members.

27 ~~SEC. 4.~~

28 *SEC. 10.* Section 54953.8.2 is added to the Government Code,  
29 to read:

30 54953.8.2. (a) A legislative body of a local agency may  
31 conduct a teleconference meeting pursuant to Section 54953.8  
32 during a proclaimed state of emergency or local emergency,  
33 provided that it complies with the requirements of that section and  
34 the teleconferencing is used in either of the following  
35 circumstances:

36 (1) For the purpose of determining, by majority vote, whether  
37 as a result of the emergency, meeting in person would present  
38 imminent risks to the health or safety of attendees.

(2) After a determination described in paragraph (1) is made that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(b) If the state of emergency or local emergency remains active, in order to continue to teleconference pursuant to this section, the legislative body shall, no later than 45 days after teleconferencing for the first time pursuant to this section, and every 45 days thereafter, make the following findings by majority vote:

(1) The legislative body has reconsidered the circumstances of the state of emergency or local emergency.

(2) The state of emergency or local emergency continues to directly impact the ability of the members to meet safely in person.

(c) This section shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

~~(d)~~

*(d) Notwithstanding paragraph (1) of subdivision (b) of Section 54953.8, a legislative body conducting a teleconference meeting pursuant to this section may elect to use a two-way telephonic service without a live webcasting of the meeting.*

(e) For purposes of this section, the following definitions apply:

(1) “Local emergency” means a condition of extreme peril to persons or property proclaimed by the governing body of the local agency affected, in accordance with Section 8630 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), as defined in Section 8680.9, or a local health emergency declared pursuant to Section 101080 of the Health and Safety Code. Local emergency, as used in this section, refers only to local emergencies in the jurisdiction in which the legislative body is located.

(2) “State of emergency” means state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2).

~~SEC. 5.~~

*SEC. 11.* Section 54953.8.3 is added to the Government Code, to read:

54953.8.3. (a) (1) A legislative body of a local agency may conduct a teleconference meeting pursuant to Section 54953.8 if, during the teleconference meeting, at least a quorum of the



1 members of the legislative body participates in person from a  
2 singular physical location clearly identified on the agenda, which  
3 location shall be open to the public and situated within the  
4 boundaries of the territory over which the local agency exercises  
5 jurisdiction, provided that the legislative body complies with the  
6 requirements of Section 54953.8 and all of the following additional  
7 requirements:

8 (2) A member of the legislative body notifies the legislative  
9 body at the earliest opportunity possible, including at the start of  
10 a regular meeting, of their need to participate remotely for just  
11 cause, including a general description of the circumstances relating  
12 to their need to appear remotely at the given meeting. ~~The~~  
13 ~~provisions of this clause shall not be used by any member of the~~  
14 ~~legislative body for more than two meetings per calendar year.~~

15 (3) The member shall publicly disclose at the meeting before  
16 any action is taken, whether any other individuals 18 years of age  
17 or older are present in the room at the remote location with the  
18 member, and the general nature of the member's relationship with  
19 those individuals.

20 (4) The member shall participate through both audio and visual  
21 technology.

22 (5) (A) The provisions of this subdivision shall not serve as a  
23 means for any member of a legislative body to participate in  
24 meetings of the legislative body solely by teleconference from a  
25 remote location for more than the following number of meetings,  
26 as applicable:

27 (i) Two meetings per year, if the legislative body regularly meets  
28 once per month or less.

29 (ii) Five meetings per year, if the legislative body regularly  
30 meets twice per month.

31 (iii) Seven meetings per year, if the legislative body regularly  
32 meets three or more times per month.

33 (B) For the purpose of counting meetings attended by  
34 teleconference under this paragraph, a "meeting" shall be defined  
35 as any number of meetings of the legislative body of a local agency  
36 that begin on the same calendar day.

37 (b) For purposes of this section, "just cause" means any of the  
38 following:

39 (1) Childcare or caregiving need of a child, parent, grandparent,  
40 grandchild, sibling, spouse, or domestic partner that requires them

1 to participate remotely. “Child,” “parent,” “grandparent,”  
2 “grandchild,” and “sibling” have the same meaning as those terms  
3 do in Section 12945.2.

4 (2) A contagious illness that prevents a member from attending  
5 in person.

6 (3) A need related to a physical or mental disability, as defined  
7 in Sections 12926 and 12926.1, not otherwise accommodated by  
8 any reasonable accommodations provided.

9 (4) Travel while on official business of the legislative body or  
10 another state or local agency.

11 (5) An immunocompromised child, parent, grandparent,  
12 grandchild, sibling, spouse, or domestic partner of the member  
13 that requires the member to participate remotely.

14 (6) A physical or family medical emergency that prevents a  
15 member from attending in person.

16 (c) This section shall not be construed to limit the ability of a  
17 legislative body to use alternative teleconferencing provisions.

18 (d) This section shall remain in effect only until January 1, 2030,  
19 and as of that date is repealed.

20 ~~SEC. 6:~~

21 *SEC. 12.* Section 54953.8.4 is added to the Government Code,  
22 to read:

23 54953.8.4. (a) An eligible neighborhood council may conduct  
24 a teleconference meeting pursuant to Section 54953.8, provided  
25 that it complies with the requirements of that section and all of the  
26 following have occurred:

27 (1) (A) The city council for a city described in paragraph (2)  
28 of subdivision (b) considers whether to adopt a resolution to  
29 authorize eligible neighborhood councils to use teleconferencing  
30 as described in this section at an open and regular meeting.

31 (B) If the city council adopts a resolution described in  
32 subparagraph (A), an eligible neighborhood council may elect to  
33 use teleconferencing pursuant to this section if a majority of the  
34 eligible neighborhood council votes to do so. The eligible  
35 neighborhood council shall notify the city council if it elects to  
36 use teleconferencing pursuant to this section and its justification  
37 for doing so.

38 (C) Upon receiving notification from an eligible neighborhood  
39 council described in subparagraph (B), the city council may adopt

1 a resolution to prohibit the eligible neighborhood council from  
2 using teleconferencing pursuant to this section.

3 (2) After completing the requirements of subparagraph (A) of  
4 paragraph (1), an eligible neighborhood council that holds a  
5 meeting pursuant to this subdivision shall do all of the following:

6 (A) At least a quorum of the members of the eligible  
7 neighborhood council shall participate from locations within the  
8 boundaries of the city in which the eligible neighborhood council  
9 is established.

10 (B) At least once per year, at least a quorum of the members of  
11 the eligible neighborhood council shall participate in person from  
12 a singular physical location that is open to the public and within  
13 the boundaries of the eligible neighborhood council.

14 (3) If the meeting is during regular business hours of the offices  
15 of the city council member that represents the area that includes  
16 the eligible neighborhood council, the eligible neighborhood  
17 council shall provide a publicly accessible physical location from  
18 which the public may attend or comment, which shall be the offices  
19 of the city council member who represents the area where the  
20 eligible neighborhood council is located, unless the eligible  
21 neighborhood council identifies an alternative location.

22 (b) For purposes of this section, the following definitions apply:

23 (1) “Accommodation” means providing a publicly accessible  
24 physical location for the member of the public to participate from,  
25 providing access to technology necessary to participate in the  
26 meeting, or identifying locations or resources available that could  
27 provide the member of the public with an opportunity to participate  
28 in the meeting.

29 (2) “Eligible neighborhood council” means a neighborhood  
30 council that is an advisory body with the purpose to promote more  
31 citizen participation in government and make government more  
32 responsive to local needs that is established pursuant to the charter  
33 of a city with a population of more than 3,000,000 people that is  
34 subject to this chapter.

35 (c) This section shall remain in effect only until January 1, 2030,  
36 and as of that date is repealed.

37 ~~SEC. 7.~~

38 *SEC. 13.* Section 54953.8.5 is added to the Government Code,  
39 to read:

1 54953.8.5. (a) An eligible community college student  
2 organization may conduct a teleconference meeting pursuant to  
3 the Section 54953.8, provided that it complies with the  
4 requirements of that section and all of the following additional  
5 requirements:

6 (1) An eligible community college student organization may  
7 only use teleconferencing as described in Section 54953.8 after  
8 all the following have occurred:

9 (A) The board of trustees for a community college district  
10 considers whether to adopt a resolution to authorize eligible  
11 community college student organizations to use teleconferencing  
12 as described in this section at an open and regular meeting.

13 (B) If the board of trustees for a community college district  
14 adopts a resolution described in subparagraph (A), an eligible  
15 community college student organization may elect to use  
16 teleconferencing pursuant to this section if a majority of the eligible  
17 community college student organization votes to do so. The eligible  
18 community college student organization shall notify the board of  
19 trustees if it elects to use teleconferencing pursuant to this section  
20 and its justification for doing so.

21 (C) Upon receiving notification from an eligible community  
22 college student organization as described in subparagraph (B), the  
23 board of trustees may adopt a resolution to prohibit the eligible  
24 community college student organization from using  
25 teleconferencing pursuant to this section.

26 (D) (i) At least a quorum of the members of the eligible  
27 community college student organization shall participate from a  
28 singular physical location that is accessible to the public and is  
29 within the community college district in which the eligible  
30 community college student organization is established.

31 (ii) Notwithstanding the requirements of clause (i), a person  
32 may count toward the establishment of a quorum pursuant to clause  
33 (i) regardless of whether the person is participating at the in-person  
34 location of the meeting or remotely if the person meets any of the  
35 following criteria:

36 (I) The person has a disability that requires accommodation  
37 pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.  
38 Sec. 12132).

39 (II) The person is under 18 years of age.

40 (III) The person is incarcerated.

1 (IV) The person is unable to disclose the location that they are  
2 participating from because of either of the following circumstances:

3 (ia) The person has been issued a protective court order,  
4 including, but not limited to, a domestic violence restraining order.

5 (ib) The person is participating in a program that has to remain  
6 confidential, including, but not limited to, an independent living  
7 program.

8 (V) The person provides childcare or caregiving to a child,  
9 parent, grandparent, grandchild, sibling, spouse, or domestic partner  
10 that requires them to participate remotely. For purposes of this  
11 subclause, “child,” “parent,” “grandparent,” “grandchild,” and  
12 “sibling” have the same meaning as those terms are defined in  
13 Section 12945.2.

14 (2) An eligible community college student organization that  
15 holds a meeting by teleconference as described in Section 54953.8  
16 shall do the following, as applicable:

17 (A) If the meeting is during regular business hours of the offices  
18 of the board of trustees of the community college district, the  
19 eligible community college student organization shall provide a  
20 publicly accessible physical location from which the public may  
21 attend or comment, which shall be the offices of the board of  
22 trustees of the community college district, unless the eligible  
23 community college student organization identifies an alternative  
24 location.

25 (B) If the meeting is outside regular business hours, the eligible  
26 community college student organization shall make reasonable  
27 efforts to accommodate any member of the public that requests an  
28 accommodation to participate in the meeting. For the purposes of  
29 this subparagraph, “accommodation” means providing a publicly  
30 accessible physical location for the member of the public to  
31 participate from, providing access to technology necessary to  
32 participate in the meeting, or identifying locations or resources  
33 available that could provide the member of the public with an  
34 opportunity to participate in the meeting.

35 (b) For purposes of this section, “eligible community college  
36 student organization” means a student body association organized  
37 pursuant to Section 76060 of the Education Code, or any other  
38 student-run community college organization that is required to  
39 comply with the meeting requirements of this chapter.

(c) This section shall remain in effect only until January 1, 2030, and as of that date is repealed.

~~SEC. 8.~~

*SEC. 14.* Section 54953.8.6 is added to the Government Code, to read:

54953.8.6. (a) An eligible subsidiary body may conduct a teleconference meeting pursuant to Section 54953.8, provided that it complies with the requirements of that section and all of the following additional requirements:

(1) The eligible subsidiary body shall designate a primary physical meeting location where members of the public may physically attend, observe, hear, and participate in the meeting. At least one staff member of the local agency of the subsidiary body shall be present at the primary physical meeting location during the meeting. The local agency of the subsidiary body shall post the agenda at the primary physical meeting location, but need not post the agenda at a remote location.

(2) (A) The members of the eligible subsidiary body shall visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform.

(B) The visual appearance of a member of the eligible subsidiary body on camera may cease only when the appearance would be technologically impracticable, including, but not limited to, when the member experiences a lack of reliable broadband or internet connectivity that would be remedied by joining without video, or when the visual display of meeting materials, information, or speakers on the internet or other online platform requires the visual appearance of a member of a subsidiary body on camera to cease.

(C) If a member of the eligible subsidiary body does not appear on camera due to challenges with internet connectivity, the member shall announce the reason for their nonappearance when they turn off their camera.

(3) Any member who receives compensation for their service on the subsidiary body shall not ~~participate in a teleconference meeting from a remote location pursuant to this section.~~ *receive compensation if they participate in a teleconference meeting from a remote location pursuant to this section.* For purposes of this paragraph, “compensation” does not include reimbursement for actual and necessary expenses.

(4) A quorum of the eligible subsidiary body cannot be established solely by members of the legislative body that created it or its staff.

(5) (A) At least a quorum of the members of the eligible subsidiary body shall participate from a singular physical location that is accessible to the public and is within the jurisdiction in which the eligible subsidiary body is established.

(B) Notwithstanding the requirements of subparagraph (A), a person may count toward the establishment of a quorum pursuant to subparagraph (A) regardless of whether the person is participating at the in-person location of the meeting or remotely if ~~the person meets any~~ *either* of the following ~~criteria; criteria is met:~~

~~(i)~~

*(i) The person meets any of the following criteria:*

*(I)* The person has a disability that requires accommodation pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132).

~~(ii)~~

*(II)* The person is under 18 years of age.

~~(iii)~~

*(III)* The person is incarcerated.

~~(iv)~~

*(IV)* The person is unable to disclose the location that they are participating from because of either of the following circumstances:

~~(i)~~

*(ia)* The person has been issued a protective court order, including, but not limited to, a domestic violence restraining order.

~~(ii)~~

*(ib)* The person is participating in a program that has to remain confidential, including, but not limited to, an independent living program.

~~(v)~~

*(V)* The person provides childcare or caregiving to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. For purposes of this clause, “child,” “parent,” “grandparent,” “grandchild,” and “sibling” have the same meaning as those terms are defined in Section 12945.2.



1     (ii) *The local agency that created the subsidiary body has*  
2 *determined by a majority vote of the legislative body to include*  
3 *one or more of the following criteria for persons to count toward*  
4 *the establishment of a quorum as described in this subparagraph,*  
5 *and the person meets any of the applicable criteria:*

6     (I) *The person has an immunocompromised child, parent,*  
7 *grandparent, grandchild, sibling, spouse, or domestic partner with*  
8 *whom the person has regular contact with that requires the person*  
9 *to participate remotely.*

10    (II) *The person provides a doctor's note before the*  
11 *commencement of the meeting documenting that the person has a*  
12 *contagious illness and that the person is recommended to avoid*  
13 *in-person contact with other individuals.*

14    (III) *The person is coming to the meeting from an area where*  
15 *the local agency that created the subsidiary body has notified the*  
16 *subsidiary body before the commencement of the meeting that*  
17 *inclement weather events have compelled the local agency to issue*  
18 *a local advisory, including, but not limited to, tire chain control,*  
19 *flood danger, or risk of landslide, and that the local agency does*  
20 *not recommend travel to an in-person meeting unless any members*  
21 *of the legislative body can identify an alternative route that allows*  
22 *them to attend the meeting in person.*

23    (IV) *The person plans to commute to the meeting via public*  
24 *transportation and the local agency has notified the subsidiary*  
25 *body of an unforeseen closure or failure of public transportation*  
26 *that may prevent members of the subsidiary body from attending*  
27 *the meeting in person.*

28    (6) *The eligible subsidiary body shall submit its*  
29 *recommendations in writing to the legislative body that created it.*

30    (A) *The eligible subsidiary body shall present its*  
31 *recommendations to the legislative body that created it at a regular*  
32 *meeting in open session of that legislative body.*

33    (B) *The legislative body shall hold the discussion of the*  
34 *recommendations at its next regular meeting, unless it determines*  
35 *it is infeasible, and then shall hold it at the following regular*  
36 *meeting.*

37    (C) *The legislative body shall not place discussions of the*  
38 *recommendations on a consent calendar.*

39    (7) (A) *In order to use teleconferencing pursuant to this section,*  
40 *the legislative body that established the eligible subsidiary body*

1 by charter, ordinance, resolution, or other formal action shall make  
2 the following findings by majority vote before the eligible  
3 subsidiary body uses teleconferencing pursuant to this section for  
4 the first time, and every 12 months thereafter:

5 (i) The legislative body has considered the circumstances of the  
6 eligible subsidiary body.

7 (ii) Teleconference meetings of the eligible subsidiary body  
8 would enhance public access to meetings of the eligible subsidiary  
9 body.

10 (iii) Teleconference meetings of the eligible subsidiary body  
11 would promote the attraction, retention, and diversity of eligible  
12 subsidiary body members.

13 (B) After the legislative body makes the findings described in  
14 subparagraph (A), the eligible subsidiary body shall approve the  
15 use of teleconferencing by majority vote before using  
16 teleconference pursuant to this section.

17 (C) The legislative body that created the eligible subsidiary  
18 body may elect to prohibit the eligible subsidiary body from using  
19 teleconferencing pursuant this section at any time.

20 (b) For purposes of this section, “eligible subsidiary body”  
21 means a legislative body that meets all of the following:

22 (1) Is described in subdivision (b) of Section 54952.

23 (2) Serves exclusively in an advisory capacity.

24 (3) Is not authorized to take final action on legislation,  
25 regulations, contracts, licenses, permits, or any other entitlements,  
26 grants, or allocations of funds.

27 (4) One-half of the members or more of the eligible subsidiary  
28 body are not members of the legislative body that created it or its  
29 staff.

30 (5) Does not have subject matter jurisdiction over elections,  
31 budgets, police oversight, or removing materials from, or restricting  
32 access to, facilities of the legislative body that created it.

33 (c) This section shall remain in effect only until January 1, 2030,  
34 and as of that date is repealed.

35 ~~SEC. 9.~~

36 *SEC. 15.* Section 54953.8.7 is added to the Government Code,  
37 to read:

38 54953.8.7. (a) An eligible multijurisdictional body may  
39 conduct a teleconference meeting pursuant to Section 54953.8,

1 provided that it complies with the requirements of that section and  
2 all of the following additional requirements:

3 (1) The eligible multijurisdictional body has adopted a resolution  
4 that authorizes the eligible multijurisdictional body to use  
5 teleconferencing pursuant to this section at a regular meeting in  
6 open session.

7 (2) At least a quorum of the members of the eligible  
8 multijurisdictional body shall participate from one or more physical  
9 locations that are open to the public and within the boundaries of  
10 the territory over which the local agency exercises jurisdiction.

11 (3) A member of the eligible multijurisdictional body who  
12 receives compensation for their service on the eligible  
13 multijurisdictional body shall participate from a physical location  
14 that is open to the public. For purposes of this paragraph,  
15 “compensation” does not include reimbursement for actual and  
16 necessary expenses.

17 (4) The eligible multijurisdictional body shall identify each  
18 member of the eligible multijurisdictional body who plans to  
19 participate remotely in the agenda.

20 (5) A member of the eligible multijurisdictional body shall not  
21 participate in a meeting remotely pursuant to this section, unless  
22 the location from which the member participates is more than 20  
23 miles round trip from the in-person location of the meeting.

24 (b) For the purposes of this section, both of the following  
25 definitions apply:

26 (1) “Eligible multijurisdictional body” means a board,  
27 commission, or advisory body of a multijurisdictional, cross-county  
28 agency, the membership of which board, commission, or advisory  
29 body is appointed, and the board, commission, or advisory body  
30 is otherwise subject to this chapter.

31 (2) “Multijurisdictional” means a legislative body that includes  
32 representatives from more than one county, city, city and county,  
33 special district, or a joint powers entity formed pursuant to an  
34 agreement entered into in accordance with Article 1 (commencing  
35 with Section 6500) of Chapter 5 of Division 7 of Title 1.

36 (c) This section shall remain in effect only until January 1, 2030,  
37 and as of that date is repealed.

38 ~~SEC. 10.~~

39 *SEC. 16.* Section 54953.9 is added to the Government Code,  
40 to read:

1 54953.9. (a) In addition to any other applicable requirements  
2 of this chapter, a city council or a county board of supervisors shall  
3 comply with the following requirements:

4 (1) (A) All open and public meetings shall include an  
5 opportunity for members of the public to attend via a two-way  
6 telephonic ~~option~~ *service* or a two-way audiovisual platform.

7 (B) If a city council or a county board of supervisors elects to  
8 provide a two-way audiovisual platform, the city council or a  
9 county board of supervisors shall publicly post and provide a call-in  
10 option, and activate any automatic captioning function during the  
11 meeting if an automatic captioning function is included with the  
12 system.

13 ~~(2) If a city council or county board of supervisors has provided~~  
14 ~~video streaming for at least one open and public meeting on or~~  
15 ~~before January 1, 2026, the city council or county board of~~  
16 ~~supervisors shall continue to provide video streaming consistent~~  
17 ~~with the previously provided video streaming.~~

18 ~~(3)~~  
19 (2) All open and public meetings shall provide the public with  
20 an opportunity to comment on ~~proposed legislation~~ *agenda items*  
21 via a two-way telephonic or two-way audiovisual platform, and  
22 ensure the opportunity for the members of the public participating  
23 via a two-way telephonic or two-way audiovisual platform to  
24 comment on agenda items with the same time allotment as a person  
25 attending a meeting in person.

26 (b) ~~(1) A city council or a county board of supervisors described~~  
27 ~~in subdivision (a) shall have in place a system for requesting and~~  
28 ~~receiving interpretation services for public meetings, including the~~  
29 ~~public comment period. The city council or a county board of~~  
30 ~~supervisors shall publicize the online system described in this~~  
31 ~~paragraph and any instructions on how to request—certified~~  
32 ~~interpretation services for public meetings online.~~

33 ~~(2) If interpretation services are requested for a public meeting~~  
34 ~~and public comment period, the city council or a county board of~~  
35 ~~supervisors shall make reasonable efforts to accommodate any~~  
36 ~~member of the public that requests the interpretation services.~~

37 (c) A city council or a county board of supervisors ~~described in~~  
38 ~~subdivision (a) shall make a good faith effort to~~ *shall* encourage  
39 residents, including those in underrepresented communities and  
40 non-English-speaking communities, to participate in public

1 ~~meetings, which shall include,~~ *meetings by*, at a minimum, *doing*  
2 all of the following:

3 (1) ~~Making a good faith effort to provide~~ *Providing* public  
4 meeting information to all of the following:

5 (A) Media organizations that provide news coverage in the  
6 jurisdiction of the city council or a county board of supervisors,  
7 including media organizations that serve non-English-speaking  
8 communities.

9 (B) Good government, civil rights, civic engagement,  
10 neighborhood, and community group organizations, or other  
11 organizations that are active in the jurisdiction of the city council  
12 or a county board of supervisors, including organizations active  
13 in non-English-speaking communities.

14 (C) Any person that has requested to be notified concerning the  
15 city council's or a county board of supervisors' public meetings.  
16 The city council or a county board of supervisors shall maintain  
17 a contact list for all people requesting notification and provide  
18 them with regular updates regarding public meetings, including,  
19 at minimum, notices of upcoming public meetings.

20 (2) Creating and maintaining an accessible internet webpage  
21 dedicated to public meetings, in which a prominent link on the  
22 webpage is included on the homepage of the city council's or a  
23 county board of supervisors' internet website, and that includes,  
24 or provides a link to, all of the following information:

25 (A) A general explanation of the public meeting process for the  
26 city council or a county board of supervisors that is provided in  
27 English and any other applicable languages.

28 (B) An explanation of the procedures for a member of the public  
29 to provide in-person or remote oral public comment during a public  
30 meeting or to submit written public comment that is provided in  
31 English and any other applicable languages.

32 (C) A calendar of all public meeting dates with calendar listings  
33 that include the date, time, and location of each public meeting.

34 (D) A notice of the applicable languages in which the city  
35 council or a county board of supervisors will provide live  
36 translation of a public meeting upon request and instructions for  
37 making the request that is provided in English and any other  
38 applicable languages.

39 (E) Instructions and a method for a person to sign up to receive  
40 regular notices regarding public meetings, including notices of

1 public meetings that are provided in English and any other  
2 applicable languages.

3 (F) A notice and agenda for each public meeting.

4 (G) Any available recordings of each public meeting, to the  
5 extent applicable.

6 (d) For purposes of this section, the following definitions apply:

7 (1) “Applicable language” means languages spoken jointly by  
8 20 percent or more of the population in the county in which the  
9 city council or a county board of supervisors is located that speaks  
10 English less than “very well” and jointly speaks a language other  
11 than English according to data from the most recent American  
12 Community Survey or data from an equally reliable source.

13 (2) “Two-way audiovisual platform” means an online platform  
14 that provides participants with the ability to participate in a meeting  
15 via both an interactive video conference and a two-way telephonic  
16 ~~function.~~ *service*.

17 (3) “Two-way telephonic service” means a telephone service  
18 that does not require internet access, ~~is not provided as part of a~~  
19 ~~two-way audiovisual platform,~~ *access* and allows participants to  
20 dial a telephone number to listen and verbally participate.

21 (4) “Video streaming” means media in which the data from a  
22 live filming or a video file is continuously delivered via the internet  
23 to a remote user, allowing a video to be viewed online by the public  
24 without being downloaded on a host computer or device.

25 (e) This section shall remain in effect only until January 1, 2030,  
26 and as of that date is repealed.

27 ~~SEC. 11.~~

28 *SEC. 17.* Section 54954.2 of the Government Code, as amended  
29 by Section 92 of Chapter 131 of the Statutes of 2023, is amended  
30 to read:

31 54954.2. (a) (1) At least 72 hours before a regular meeting,  
32 the legislative body of the local agency, or its designee, shall post  
33 an agenda that meets all of the following requirements:

34 (A) The agenda shall contain a brief general description of each  
35 item of business to be transacted or discussed at the meeting,  
36 including items to be discussed in closed session. A brief general  
37 description of an item generally need not exceed 20 words.

38 (B) The agenda shall specify the time and location of the regular  
39 meeting and shall be posted in a location that is freely accessible

1 to members of the public and on the local agency's internet website,  
2 if the local agency has one.

3 (C) (i) If requested, the agenda shall be made available in  
4 appropriate alternative formats to persons with a disability, as  
5 required by Section 202 of the Americans with Disabilities Act of  
6 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations  
7 adopted in implementation thereof.

8 (ii) The agenda shall include information regarding how, to  
9 whom, and when a request for disability-related modification or  
10 accommodation, including auxiliary aids or services, may be made  
11 by a person with a disability who requires a modification or  
12 accommodation in order to participate in the public meeting.

13 (D) (i) The agenda shall be provided in English and in all other  
14 languages spoken jointly by 20 percent or more of the population  
15 in the county in which the local agency is located that speaks  
16 English less than "very well" and jointly speaks a language other  
17 than English according to data from the most recent American  
18 Community Survey or data from an equally reliable source.

19 (ii) *A legislative body may use a digital translation service to*  
20 *translate its agenda for purposes of clause (i).*

21 (ii) (I) *A legislative body shall be exempt from the requirements*  
22 *described in clause (i) if the legislative body, pursuant to a majority*  
23 *vote of its legislative body at a regular meeting, adopts a resolution*  
24 *declaring its determination that a hardship exists that prevents*  
25 *the legislative body from translating the agenda into any languages*  
26 *other than English.*

27 (II) *A resolution adopted pursuant to this clause shall include*  
28 *detailed findings, based upon evidence set forth in the minutes of*  
29 *the meeting, supporting the legislative body's determination that*  
30 *a hardship prevents it from translating the agenda into any*  
31 *languages other than English. The findings may include, but shall*  
32 *not be limited to, significantly limited financial resources or*  
33 *insufficient staff resources.*

34 (III) *A resolution adopted pursuant to this clause shall be valid*  
35 *for one year. A legislative body shall, in order to continue to be*  
36 *exempt from the requirements described in clause (i), annually*  
37 *adopt a resolution that meets the requirements of this clause so*  
38 *long as the hardship exists.*

39 (2) For a meeting occurring on and after January 1, 2019, of a  
40 legislative body of a city, county, city and county, special district,

1 school district, or political subdivision established by the state that  
2 has an internet website, the following provisions shall apply:

3 (A) An online posting of an agenda shall be posted on the  
4 primary internet website home page of a city, county, city and  
5 county, special district, school district, or political subdivision  
6 established by the state that is accessible through a prominent,  
7 direct link to the current agenda. The direct link to the agenda shall  
8 not be in a contextual menu; however, a link in addition to the  
9 direct link to the agenda may be accessible through a contextual  
10 menu.

11 (B) An online posting of an agenda, including, but not limited  
12 to, an agenda posted in an integrated agenda management platform,  
13 shall be posted in an open format that meets all of the following  
14 requirements:

15 (i) Retrievable, downloadable, indexable, and electronically  
16 searchable by commonly used internet search applications.

17 (ii) Platform independent and machine readable.

18 (iii) Available to the public free of charge and without any  
19 restriction that would impede the reuse or redistribution of the  
20 agenda.

21 (C) A legislative body of a city, county, city and county, special  
22 district, school district, or political subdivision established by the  
23 state that has an internet website and an integrated agenda  
24 management platform shall not be required to comply with  
25 subparagraph (A) if all of the following are met:

26 (i) A direct link to the integrated agenda management platform  
27 shall be posted on the primary internet website home page of a  
28 city, county, city and county, special district, school district, or  
29 political subdivision established by the state. The direct link to the  
30 integrated agenda management platform shall not be in a contextual  
31 menu. When a person clicks on the direct link to the integrated  
32 agenda management platform, the direct link shall take the person  
33 directly to an internet website with the agendas of the legislative  
34 body of a city, county, city and county, special district, school  
35 district, or political subdivision established by the state.

36 (ii) The integrated agenda management platform may contain  
37 the prior agendas of a legislative body of a city, county, city and  
38 county, special district, school district, or political subdivision  
39 established by the state for all meetings occurring on or after  
40 January 1, 2019.



1 (iii) The current agenda of the legislative body of a city, county,  
2 city and county, special district, school district, or political  
3 subdivision established by the state shall be the first agenda  
4 available at the top of the integrated agenda management platform.

5 (iv) All agendas posted in the integrated agenda management  
6 platform shall comply with the requirements in clauses (i), (ii),  
7 and (iii) of subparagraph (B).

8 (D) For the purposes of this paragraph, both of the following  
9 definitions shall apply:

10 (i) “Integrated agenda management platform” means an internet  
11 website of a city, county, city and county, special district, school  
12 district, or political subdivision established by the state dedicated  
13 to providing the entirety of the agenda information for the  
14 legislative body of the city, county, city and county, special district,  
15 school district, or political subdivision established by the state to  
16 the public.

17 (ii) “Legislative body” has the same meaning as that term is  
18 used in subdivision (a) of Section 54952.

19 (E) The provisions of this paragraph shall not apply to a political  
20 subdivision of a local agency that was established by the legislative  
21 body of the city, county, city and county, special district, school  
22 district, or political subdivision established by the state.

23 (3) No action or discussion shall be undertaken on any item not  
24 appearing on the posted agenda, except that members of a  
25 legislative body or its staff may briefly respond to statements made  
26 or questions posed by persons exercising their public testimony  
27 rights under Section 54954.3. In addition, on their own initiative  
28 or in response to questions posed by the public, a member of a  
29 legislative body or its staff may ask a question for clarification,  
30 make a brief announcement, or make a brief report on their own  
31 activities. Furthermore, a member of a legislative body, or the  
32 body itself, subject to rules or procedures of the legislative body,  
33 may provide a reference to staff or other resources for factual  
34 information, request staff to report back to the body at a subsequent  
35 meeting concerning any matter, or take action to direct staff to  
36 place a matter of business on a future agenda.

37 (b) Notwithstanding subdivision (a), the legislative body may  
38 take action on items of business not appearing on the posted agenda  
39 under any of the conditions stated below. Prior to discussing any

1 item pursuant to this subdivision, the legislative body shall publicly  
2 identify the item.

3 (1) Upon a determination by a majority vote of the legislative  
4 body that an emergency situation exists, as defined in Section  
5 54956.5.

6 (2) Upon a determination by a two-thirds vote of the members  
7 of the legislative body present at the meeting, or, if less than  
8 two-thirds of the members are present, a unanimous vote of those  
9 members present, that there is a need to take immediate action and  
10 that the need for action came to the attention of the local agency  
11 subsequent to the agenda being posted as specified in subdivision  
12 (a).

13 (3) The item was posted pursuant to subdivision (a) for a prior  
14 meeting of the legislative body occurring not more than five  
15 calendar days prior to the date action is taken on the item, and at  
16 the prior meeting the item was continued to the meeting at which  
17 action is being taken.

18 (c) This section is necessary to implement and reasonably within  
19 the scope of paragraph (1) of subdivision (b) of Section 3 of Article  
20 I of the California Constitution.

21 (d) For purposes of subdivision (a), the requirement that the  
22 agenda be posted on the local agency's internet website, if the  
23 local agency has one, shall only apply to a legislative body that  
24 meets either of the following standards:

25 (1) A legislative body as that term is defined by subdivision (a)  
26 of Section 54952.

27 (2) A legislative body as that term is defined by subdivision (b)  
28 of Section 54952, if the members of the legislative body are  
29 compensated for their appearance, and if one or more of the  
30 members of the legislative body are also members of a legislative  
31 body as that term is defined by subdivision (a) of Section 54952.

32 ~~SEC. 12.~~

33 *SEC. 18.* Section 54954.3 of the Government Code is amended  
34 to read:

35 54954.3. (a) (1) Every agenda for regular meetings shall  
36 provide an opportunity for members of the public to directly  
37 address the legislative body on any item of interest to the public,  
38 before or during the legislative body's consideration of the item,  
39 that is within the subject matter jurisdiction of the legislative body,  
40 provided that no action shall be taken on any item not appearing

1 on the agenda unless the action is otherwise authorized by  
2 subdivision (b) of Section 54954.2

3 (2) Every notice for a special meeting shall provide an  
4 opportunity for members of the public to directly address the  
5 legislative body concerning any item that has been described in  
6 the notice for the meeting before or during consideration of that  
7 item.

8 (b) (1) The legislative body of a local agency may adopt  
9 reasonable regulations to ensure that the intent of subdivision (a)  
10 is carried out, including, but not limited to, regulations limiting  
11 the total amount of time allocated for public testimony on particular  
12 issues and for each individual speaker.

13 (2) Notwithstanding paragraph (1), when the legislative body  
14 of a local agency limits time for public comment, the legislative  
15 body of a local agency shall provide at least twice the allotted time  
16 to a member of the public who utilizes a translator to ensure that  
17 non-English speakers receive the same opportunity to directly  
18 address the legislative body of a local agency.

19 (3) Paragraph (2) shall not apply if the legislative body of a  
20 local agency utilizes simultaneous translation equipment in a  
21 manner that allows the legislative body of a local agency to hear  
22 the translated public testimony simultaneously.

23 (c) The legislative body of a local agency shall not prohibit  
24 public criticism of the policies, procedures, programs, or services  
25 of the agency, or of the acts or omissions of the legislative body.  
26 Nothing in this subdivision shall confer any privilege or protection  
27 for expression beyond that otherwise provided by law.

28 *SEC. 19. Section 54956 of the Government Code is amended*  
29 *to read:*

30 54956. (a) A special meeting may be called at any time by the  
31 presiding officer of the legislative body of a local agency, or by a  
32 majority of the members of the legislative body, by delivering  
33 written notice to each member of the legislative body and to each  
34 local newspaper of general circulation and radio or television  
35 station requesting notice in writing and posting a notice on the  
36 local agency's ~~Internet Web site~~, *internet website*, if the local  
37 agency has one. The notice shall be delivered personally or by any  
38 other means and shall be received at least 24 hours before the time  
39 of the meeting as specified in the notice. The call and notice shall  
40 specify the time and place of the special meeting and the business

1 to be transacted or discussed. No other business shall be considered  
2 at these meetings by the legislative body. The written notice may  
3 be dispensed with as to any member who at or prior to the time  
4 the meeting convenes files with the clerk or secretary of the  
5 legislative body a written waiver of notice. The waiver may be  
6 given by telegram. The written notice may also be dispensed with  
7 as to any member who is actually present at the meeting at the  
8 time it convenes.

9 The call and notice shall be posted at least 24 hours prior to the  
10 special meeting in a location that is freely accessible to members  
11 of the public.

12 (b) Notwithstanding any other law, a legislative body shall not  
13 call a special meeting regarding the salaries, salary schedules, ~~or~~  
14 compensation paid in the form of fringe benefits, *evaluation of*  
15 *performance, discipline, or dismissal of the members of the*  
16 *legislative body* or of a local agency executive, as defined in  
17 subdivision (d) of Section 3511.1. However, this subdivision does  
18 not apply to a local agency calling a special meeting to discuss the  
19 local agency's budget.

20 ~~(c) For purposes of subdivision (a), the requirement that the~~  
21 ~~agenda be posted on the local agency's Internet Web site, if the~~  
22 ~~local agency has one, shall only apply to a legislative body that~~  
23 ~~meets either of the following standards:~~

24 ~~(1) A legislative body as that term is defined by subdivision (a)~~  
25 ~~of Section 54952.~~

26 ~~(2) A legislative body as that term is defined by subdivision (b)~~  
27 ~~of Section 54952, if the members of the legislative body are~~  
28 ~~compensated for their appearance, and if one or more of the~~  
29 ~~members of the legislative body are also members of a legislative~~  
30 ~~body as that term is defined by subdivision (a) of Section 54952.~~

31 *(c) A legislative body shall not consider the appointment,*  
32 *employment, evaluation of performance, discipline, or dismissal*  
33 *of a public employee or hear complaints or charges brought*  
34 *against the employee by another person or employee at a special*  
35 *meeting, unless the item is properly before the legislative body, as*  
36 *specified in Section 54954.2, and both of the following are met:*

37 *(1) At the start of the meeting, at least four-fifths of the*  
38 *legislative body votes to proceed with the meeting.*

39 *(2) Any discussion related to the topics described in this*  
40 *subdivision is held during open session.*

1     *SEC. 20. Section 54956.5 of the Government Code is amended*  
2     *to read:*

3     54956.5. (a) For purposes of this section, “emergency  
4     situation” means both of the following:

5         (1) An emergency, which shall be defined as a work stoppage,  
6     crippling activity, or other activity that severely impairs public  
7     health, safety, or both, as determined by a majority of the members  
8     of the legislative body.

9         (2) A dire emergency, which shall be defined as a crippling  
10    disaster, mass destruction, terrorist act, or threatened terrorist  
11    activity that poses peril so immediate and significant that requiring  
12    a legislative body to provide one-hour notice before holding an  
13    emergency meeting under this section may endanger the public  
14    health, safety, or both, as determined by a majority of the members  
15    of the legislative body.

16         (b) (1) Subject to paragraph (2), in the case of an emergency  
17    situation involving matters upon which prompt action is necessary  
18    due to the disruption or threatened disruption of public facilities,  
19    a legislative body may hold an emergency meeting without  
20    complying with either the 24-hour notice requirement or the  
21    24-hour posting requirement of Section 54956 or both of the notice  
22    and posting requirements.

23         (2) Each local newspaper of general circulation and radio or  
24    television station that has requested notice of special meetings  
25    pursuant to Section 54956 shall be notified by the presiding officer  
26    of the legislative body, or designee thereof, one hour prior to the  
27    emergency meeting, or, in the case of a dire emergency, at or near  
28    the time that the presiding officer or designee notifies the members  
29    of the legislative body of the emergency meeting.

30         (A) Except as provided in subparagraph (B), the notice required  
31    by this paragraph shall be given by telephone and all telephone  
32    numbers provided in the most recent request of a newspaper or  
33    station for notification of special meetings shall be exhausted. In  
34    the event that telephone services are ~~not functioning and the~~  
35    ~~legislative body is not a school board,~~ *functioning*, the notice  
36    requirements of this paragraph shall be deemed waived, and the  
37    legislative body, or designee of the legislative body, shall notify  
38    those newspapers, radio stations, or television stations of the fact  
39    of the holding of the emergency meeting, the purpose of the

1 meeting, and any action taken at the meeting as soon after the  
2 meeting as possible.

3 (B) For an emergency meeting held ~~by a school board~~ pursuant  
4 to this section, the presiding officer of the ~~school board~~, *legislative*  
5 *body*, or designee thereof, may send the notifications required by  
6 this paragraph by email instead of by telephone, as provided in  
7 subparagraph (A), to all local newspapers of general circulation,  
8 and radio or television stations, that have requested those  
9 notifications by email, and all email addresses provided by  
10 representatives of those newspapers or stations shall be exhausted.  
11 In the event that internet services and telephone services are not  
12 functioning, the notice requirements of this paragraph shall be  
13 deemed waived, and the ~~school board~~, *legislative body*, or designee  
14 of the ~~school board~~, *legislative body*, shall notify those newspapers,  
15 radio stations, or television stations of the fact of the holding of  
16 the emergency meeting, the purpose of the meeting, and any action  
17 taken at the meeting as soon after the meeting as possible.

18 (c) During a meeting held pursuant to this section, the legislative  
19 body may meet in closed session pursuant to Section 54957 if  
20 agreed to by a two-thirds vote of the members of the legislative  
21 body present, or, if less than two-thirds of the members are present,  
22 by a unanimous vote of the members present.

23 (d) All special meeting requirements, as prescribed in Section  
24 54956 shall be applicable to a meeting called pursuant to this  
25 section, with the exception of the 24-hour notice requirement.

26 (e) The minutes of a meeting called pursuant to this section, a  
27 list of persons who the presiding officer of the legislative body,  
28 or designee of the legislative body, notified or attempted to notify,  
29 a copy of the rollcall vote, and any actions taken at the meeting  
30 shall be posted for a minimum of 10 days in a public place as soon  
31 after the meeting as possible.

32 *SEC. 21. Section 54957.1 of the Government Code is amended*  
33 *to read:*

34 54957.1. (a) The legislative body of any local agency shall  
35 publicly report any action taken in closed session and the vote or  
36 abstention on that action of every member present, as follows:

37 (1) Approval of an agreement concluding real estate negotiations  
38 pursuant to Section 54956.8 shall be reported after the agreement  
39 is final, as follows:

1 (A) If its own approval renders the agreement final, the body  
2 shall report that approval and the substance of the agreement in  
3 open session at the public meeting during which the closed session  
4 is held.

5 (B) If final approval rests with the other party to the negotiations,  
6 the local agency shall disclose the fact of that approval and the  
7 substance of the agreement upon inquiry by any person, as soon  
8 as the other party or its agent has informed the local agency of its  
9 approval.

10 (2) Approval given to its legal counsel to defend, or seek or  
11 refrain from seeking appellate review or relief, or to enter as an  
12 amicus curiae in any form of litigation as the result of a  
13 consultation under Section 54956.9 shall be reported in open  
14 session at the public meeting during which the closed session is  
15 held. The report shall identify, if known, the adverse party or  
16 parties and the substance of the litigation. In the case of approval  
17 given to initiate or intervene in an action, the announcement need  
18 not identify the action, the defendants, or other particulars, but  
19 shall specify that the direction to initiate or intervene in an action  
20 has been given and that the action, the defendants, and the other  
21 particulars shall, once formally commenced, be disclosed to any  
22 person upon inquiry, unless to do so would jeopardize the agency's  
23 ability to effectuate service of process on one or more unserved  
24 parties, or that to do so would jeopardize its ability to conclude  
25 existing settlement negotiations to its advantage.

26 (3) Approval given to its legal counsel of a settlement of pending  
27 litigation, as defined in Section 54956.9, at any stage prior to or  
28 during a judicial or quasi-judicial proceeding shall be reported  
29 after the settlement is final, as follows:

30 (A) If the legislative body accepts a settlement offer signed by  
31 the opposing party, the body shall report its acceptance and identify  
32 the substance of the agreement in open session at the public  
33 meeting during which the closed session is held.

34 (B) If final approval rests with some other party to the litigation  
35 or with the court, then as soon as the settlement becomes final,  
36 and upon inquiry by any person, the local agency shall disclose  
37 the fact of that approval, and identify the substance of the  
38 agreement.

39 (4) Disposition reached as to claims discussed in closed session  
40 pursuant to Section 54956.95 shall be reported as soon as reached

1 in a manner that identifies the name of the claimant, the name of  
2 the local agency claimed against, the substance of the claim, and  
3 any monetary amount approved for payment and agreed upon by  
4 the claimant.

5 (5) Action taken to appoint, employ, dismiss, accept the  
6 resignation of, or otherwise affect the employment status of a  
7 public employee in closed session pursuant to Section 54957 shall  
8 be reported at the public meeting during which the closed session  
9 is held. Any report required by this paragraph shall identify the  
10 title of the ~~position~~ *position and an estimate of the fiscal impact*  
11 *of the action taken*. The general requirement of this paragraph  
12 notwithstanding, the report of a dismissal or of the nonrenewal of  
13 an employment contract shall be deferred until the first public  
14 meeting following the exhaustion of administrative remedies, if  
15 any.

16 (6) Approval of an agreement concluding labor negotiations  
17 with represented employees pursuant to Section 54957.6 shall be  
18 reported after the agreement is final and has been accepted or  
19 ratified by the other party. The report shall identify the item  
20 approved and the other party or parties to the negotiation.

21 (7) Pension fund investment transaction decisions made pursuant  
22 to Section 54956.81 shall be disclosed at the first open meeting of  
23 the legislative body held after the earlier of the close of the  
24 investment transaction or the transfer of pension fund assets for  
25 the investment transaction.

26 (b) Reports that are required to be made pursuant to this section  
27 may be made orally or in writing. The legislative body shall provide  
28 to any person who has submitted a written request to the legislative  
29 body within 24 hours of the posting of the agenda, or to any person  
30 who has made a standing request for all documentation as part of  
31 a request for notice of meetings pursuant to Section 54954.1 or  
32 54956, if the requester is present at the time the closed session  
33 ends, copies of any contracts, settlement agreements, or other  
34 documents that were finally approved or adopted in the closed  
35 session. If the action taken results in one or more substantive  
36 amendments to the related documents requiring retyping, the  
37 documents need not be released until the retyping is completed  
38 during normal business hours, provided that the presiding officer  
39 of the legislative body or ~~his or her~~ *their* designee orally  
40 summarizes the substance of the amendments for the benefit of



1 the document requester or any other person present and requesting  
2 the information.

3 (c) The documentation referred to in subdivision (b) shall be  
4 available to any person on the next business day following the  
5 meeting in which the action referred to is taken or, in the case of  
6 substantial amendments, when any necessary retyping is complete.

7 (d) Nothing in this section shall be construed to require that the  
8 legislative body approve actions not otherwise subject to legislative  
9 body approval.

10 (e) No action for injury to a reputational, liberty, or other  
11 personal interest may be commenced by or on behalf of any  
12 employee or former employee with respect to whom a disclosure  
13 is made by a legislative body in an effort to comply with this  
14 section.

15 (f) This section is necessary to implement, and reasonably within  
16 the scope of, paragraph (1) of subdivision (b) of Section 3 of  
17 Article I of the California Constitution.

18 *SEC. 22. Section 54957.6 of the Government Code is amended*  
19 *to read:*

20 54957.6. (a) Notwithstanding any other provision of law, a  
21 legislative body of a local agency may hold closed sessions with  
22 the local agency's designated representatives regarding the salaries,  
23 salary schedules, or compensation paid in the form of fringe  
24 benefits of its represented and unrepresented employees, and, for  
25 represented employees, any other matter within the statutorily  
26 provided scope of representation. ~~However, prior representation,~~  
27 *subject to all of the following conditions:*

28 (1) Prior to the closed session, the legislative body of the local  
29 agency shall hold an open and public session in which it identifies  
30 its designated representatives.

31 ~~Closed sessions of a legislative body of a local agency, as~~  
32 ~~permitted in this section;~~

33 (2) The closed session shall be for the purpose of reviewing its  
34 position and instructing the local agency's designated  
35 representatives.

36 ~~Closed sessions, as permitted in this section~~

37 (3) The closed session may take place prior to and during  
38 consultations and discussions with representatives of employee  
39 organizations and unrepresented employees.

40 ~~Closed sessions~~

1 (4) *Any closed session* with the local agency's designated  
2 representative regarding the salaries, salary schedules, or  
3 compensation paid in the form of fringe benefits may include  
4 discussion of an agency's available funds and funding priorities,  
5 but only insofar as these discussions relate to providing instructions  
6 to the local agency's designated representative.

7 ~~Closed sessions held pursuant to this section~~

8 (5) *The closed session* shall not include final action on the  
9 proposed compensation of one or more unrepresented employees.

10 ~~For~~

11 (6) *For* the purposes enumerated in this section, a legislative  
12 body of a local agency may also meet with a state conciliator who  
13 has intervened in the proceedings.

14 (b) For the purposes of this section, the term "employee" shall  
15 include an officer or an independent contractor who functions as  
16 an officer or an employee, but shall not include any elected official,  
17 member of a legislative body, or other independent contractors.

18 SEC. 23. *Section 54960 of the Government Code is amended*  
19 *to read:*

20 54960. (a) The district attorney or any interested person may  
21 commence an action by mandamus, injunction, or declaratory relief  
22 for the purpose of stopping or preventing violations or threatened  
23 violations of this chapter by members of the legislative body of a  
24 local agency or to determine the applicability of this chapter to  
25 ongoing actions or threatened future actions of the legislative body,  
26 or to determine the applicability of this chapter to past actions of  
27 the legislative body, subject to Section 54960.2, or to determine  
28 whether any rule or action by the legislative body to penalize or  
29 otherwise discourage the expression of one or more of its members  
30 is valid or invalid under the laws of this state or of the United  
31 States, or to compel the legislative body to audio record its closed  
32 sessions as hereinafter provided.

33 (b) The court in its discretion may, upon a judgment of a  
34 violation of ~~Section 54956.7, 54956.8, 54956.9, 54956.95, 54957,~~  
35 ~~or 54957.6,~~ *any provision of this chapter authorizing a closed*  
36 *session*, order the legislative body to audio record its closed  
37 sessions and preserve the audio recordings for the period and under  
38 the terms of security and confidentiality the court deems  
39 appropriate.

1 (c) (1) Each recording so kept shall be immediately labeled  
2 with the date of the closed session recorded and the title of the  
3 clerk or other officer who shall be custodian of the recording.

4 (2) The audio recordings shall be subject to the following  
5 discovery procedures:

6 (A) In any case in which discovery or disclosure of the audio  
7 recording is sought by either the district attorney or the plaintiff  
8 in a civil action pursuant to Section 54959, 54960, or 54960.1  
9 alleging that a violation of this chapter has occurred in a closed  
10 session that has been recorded pursuant to this section, the party  
11 seeking discovery or disclosure shall file a written notice of motion  
12 with the appropriate court with notice to the governmental agency  
13 that has custody and control of the audio recording. The notice  
14 shall be given pursuant to subdivision (b) of Section 1005 of the  
15 Code of Civil Procedure.

16 (B) The notice shall include, in addition to the items required  
17 by Section 1010 of the Code of Civil Procedure, all of the  
18 following:

19 (i) Identification of the proceeding in which discovery or  
20 disclosure is sought, the party seeking discovery or disclosure, the  
21 date and time of the meeting recorded, and the governmental  
22 agency that has custody and control of the recording.

23 (ii) An affidavit that contains specific facts indicating that a  
24 violation of the act occurred in the closed session.

25 (3) If the court, following a review of the motion, finds that  
26 there is good cause to believe that a violation has occurred, the  
27 court may review, in camera, the recording of that portion of the  
28 closed session alleged to have violated the act.

29 (4) If, following the in camera review, the court concludes that  
30 disclosure of a portion of the recording would be likely to  
31 materially assist in the resolution of the litigation alleging violation  
32 of this chapter, the court shall, in its discretion, make a certified  
33 transcript of the portion of the recording a public exhibit in the  
34 proceeding.

35 (5) This section shall not permit discovery of communications  
36 that are protected by the attorney-client privilege.

37 *SEC. 24. Section 54960.2 of the Government Code is amended*  
38 *to read:*

39 54960.2. (a) The district attorney or any interested person may  
40 file an action to determine the applicability of this chapter to past

actions of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met:

(1) The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter by postal mail or facsimile transmission to the clerk or secretary of the legislative body being accused of the violation, as designated in the statement pertaining to that public agency on file pursuant to Section 53051, or if the agency does not have a statement on file designating a clerk or a secretary, to the chief executive officer of that agency, clearly describing the past action of the legislative body and nature of the alleged violation.

(2) The cease and desist letter required under paragraph (1) is submitted to the legislative body within ~~nine~~ 12 months of the alleged violation.

(3) The time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b) has expired and the legislative body has not provided an unconditional commitment pursuant to subdivision (c).

(4) Within 60 days of receipt of the legislative body's response to the cease and desist letter, other than an unconditional commitment pursuant to subdivision (c), or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter pursuant to subdivision (b), whichever is earlier, the party submitting the cease and desist letter shall commence the action pursuant to subdivision (a) of Section 54960 or thereafter be barred from commencing the action.

(b) The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

(c) (1) If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To \_\_\_\_\_:

1  
2 The [name of legislative body] has received your cease and desist  
3 letter dated [date] alleging that the following described past action  
4 of the legislative body violates the Ralph M. Brown Act:

5  
6 [Describe alleged past action, as set forth in the cease and desist  
7 letter submitted pursuant to subdivision (a)]  
8

9 In order to avoid unnecessary litigation and without admitting  
10 any violation of the Ralph M. Brown Act, the [name of legislative  
11 body] hereby unconditionally commits that it will cease, desist  
12 from, and not repeat the challenged past action as described above.  
13

14 The [name of legislative body] may rescind this commitment  
15 only by a majority vote of its membership taken in open session  
16 at a regular meeting and noticed on its posted agenda as  
17 “Rescission of Brown Act Commitment.” You will be provided  
18 with written notice, sent by any means or media you provide in  
19 response to this message, to whatever address or addresses you  
20 specify, of any intention to consider rescinding this commitment  
21 at least 30 days before any such regular meeting. In the event that  
22 this commitment is rescinded, you will have the right to commence  
23 legal action pursuant to subdivision (a) of Section 54960 of the  
24 Government Code. That notice will be delivered to you by the  
25 same means as this commitment, or may be mailed to an address  
26 that you have designated in writing.  
27

28 Very truly yours,

29  
30 \_\_\_\_\_  
31 [Chairperson or acting chairperson of the legislative body]

32 (2) An unconditional commitment pursuant to this subdivision  
33 shall be approved by the legislative body in open session at a  
34 regular or special meeting as a separate item of business, and not  
35 on its consent agenda.

36 (3) An action shall not be commenced to determine the  
37 applicability of this chapter to any past action of the legislative  
38 body for which the legislative body has provided an unconditional  
39 commitment pursuant to this subdivision. During any action  
40 seeking a judicial determination regarding the applicability of this

chapter to any past action of the legislative body pursuant to subdivision (a), if the court determines that the legislative body has provided an unconditional commitment pursuant to this subdivision, the action shall be dismissed with prejudice. Nothing in this subdivision shall be construed to modify or limit the existing ability of the district attorney or any interested person to commence an action to determine the applicability of this chapter to ongoing actions or threatened future actions of the legislative body.

(4) Except as provided in subdivision (d), the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter.

(d) If the legislative body provides an unconditional commitment as set forth in subdivision (c), the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter, except as provided in subdivision (e). Violation of this subdivision shall constitute an independent violation of this chapter, without regard to whether the challenged action would otherwise violate this chapter. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

(e) The legislative body may resolve to rescind an unconditional commitment made pursuant to subdivision (c) by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as “Rescission of Brown Act Commitment,” provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. An action under this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section.

~~SEC. 13.~~

~~SEC. 25.~~ The Legislature finds and declares that Section 4 5 of this act, which amends Section 54953 of the Government Code, and Sections 2 to 9, of, Sections 8 to 15, inclusive, of this act,

which add Sections 54953.8 to 54953.8.7, respectively, ~~to to, and~~  
*Section 20 of this act, which amends Section 54956.5 of, the*  
 Government Code, impose a limitation on the public's right of  
 access to the meetings of public bodies or the writings of public  
 officials and agencies within the meaning of Section 3 of Article  
 I of the California Constitution. Pursuant to that constitutional  
 provision, the Legislature makes the following findings to  
 demonstrate the interest protected by this limitation and the need  
 for protecting that interest:

(a) This act is necessary to provide opportunities for public  
 participation in meetings of specified public agencies and to  
 promote the recruitment and retention of members of those  
 agencies.

(b) This act is necessary to ensure minimum standards for public  
 participation and notice requirements allowing for greater public  
 participation in meetings.

(c) This act is necessary to modernize the Ralph M. Brown Act  
 to reflect recent technological changes that can promote greater  
 public access to local officials.

~~SEC. 14.~~

*SEC. 26.* The Legislature finds and declares that Section 1 of  
 this act, which amends Section 54952 of, *Sections 2 and 3 of this*  
*act, which amend and repeal Section 54952.2, respectively, of,*  
*Section 4 of this act, which amends Section 54952.7 of, Section 5*  
*of this act, which amends Section 54953 of the Government Code,*  
~~Sections 2 to 9, of, Section 6 of this act, which amends Section~~  
~~54953.5 of, Section 7 of this act, which amends Section 54953.7~~  
~~of, Sections 8 to 15, inclusive, of this act, which add Sections~~  
~~54953.8 to 54953.8.7, respectively, to the Government Code,~~  
~~Section 10 to, Section 16 of this act, which adds Section 54953.9~~  
~~to the Government Code, and Sections 11 to 12, to, Sections 17 to~~  
~~18, inclusive, of this act, which amend Sections 54954.2 and~~  
~~54954.3, respectively, of of, Section 19 of this act, which amends~~  
~~Section 54956 of, Section 20 of this act, which amends Section~~  
~~54956.5 of, Section 21 of this act, which amends Section 54957.1~~  
~~of, Section 22 of this act, which amends Section 54957.6 of, Section~~  
~~23 of this act, which amends Section 54960 of, and Section 24 of~~  
~~this act, which amends Section 54960.2 of, the Government Code,~~  
 further, within the meaning of paragraph (7) of subdivision (b) of  
 Section 3 of Article I of the California Constitution, the purposes

1 of that constitutional section as it relates to the right of public  
2 access to the meetings of local public bodies or the writings of  
3 local public officials and local agencies. Pursuant to paragraph (7)  
4 of subdivision (b) of Section 3 of Article I of the California  
5 Constitution, the Legislature makes the following findings:

6 (a) This act is necessary to provide opportunities for public  
7 participation in meetings of specified public agencies and to  
8 promote the recruitment and retention of members of those  
9 agencies.

10 (b) This act is necessary to ensure minimum standards for public  
11 participation and notice requirements allowing for greater public  
12 participation in meetings.

13 (c) This act is necessary to modernize the Ralph M. Brown Act  
14 to reflect recent technological changes that can promote greater  
15 public access to local officials.

16 ~~SEC. 15.~~

17 *SEC. 27.* The Legislature finds and declares that adequate  
18 public access to meetings is a matter of statewide concern and is  
19 not a municipal affair as that term is used in Section 5 of Article  
20 XI of the California Constitution. Therefore, ~~Section 10 of this act~~  
21 ~~adding Section 54953.9 to, and Section 11 of this act amending~~  
22 ~~Section 54954.2 of, the Government Code~~ *this bill would apply*  
23 *to all cities, including charter cities.*

24 ~~SEC. 16.~~

25 *SEC. 28.* No reimbursement is required by this act pursuant to  
26 Section 6 of Article XIII B of the California Constitution because  
27 the only costs that may be incurred by a local agency or school  
28 district under this act would result from a legislative mandate that  
29 is within the scope of paragraph (7) of subdivision (b) of Section  
30 3 of Article I of the California Constitution.



AMENDED IN SENATE MARCH 26, 2025

**SENATE BILL**

**No. 777**

---

**Introduced by Senator Richardson**

February 21, 2025

---

An act to amend the heading of Chapter 7 (commencing with Section 8825) of *Part 3 of Division 8 of, to add Section 8749 to,* and to add Chapter 6 (commencing with Section 8800) to Part 3 of Division 8 of, the Health and Safety Code, relating to cemeteries.

LEGISLATIVE COUNSEL'S DIGEST

SB 777, as amended, Richardson. Abandoned endowment care cemeteries: ~~county~~ *local agency* possession and responsibility.

Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of, among others, cemeteries and cemetery authorities, which includes cemetery associations, corporations sole, limited liability companies, and other persons owning or controlling cemetery lands or property. Existing law authorizes a cemetery authority that maintains a cemetery to place its cemetery under endowment care and to establish, maintain, and operate an endowment care fund. Ninety days following the cancellation, surrender, or revocation of a certificate of authority, existing law gives the bureau title to any endowment care funds of a cemetery authority and possession of all necessary books, records, property, real and personal, and assets, and requires the bureau to act as conservator over the management of the endowment care funds.

This bill would ~~make the~~ *require a local agency formation commission for the county* in which an abandoned endowment care cemetery is located *to identify a local agency to be* responsible for the care,

maintenance, and embellishment of the ~~cemetery~~; *cemetery, as specified.* The bill would vest fee title of the cemetery in the ~~county~~; *local agency* and would restrict the ~~county's local agency's~~ use of the property to *uses consistent with cemetery purposes, and would exempt the county from various provisions related to the care of active cemeteries.* *purposes.* The bill would give the ~~county~~ *local agency* title to any endowment care funds of the prior cemetery authority held by the bureau, and would require the ~~county~~ *local agency* to take possession of all necessary books, records, real property, personal property, and assets of the fund. The bill would require the assets to be liquidated, and the proceeds placed in a special fund ~~within the county treasury~~ to be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. The bill would define an abandoned endowment care cemetery and would make conforming changes. *By imposing additional duties on local agencies, this bill would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. Section 8749 is added to the Health and Safety~~
- 2     ~~Code, to read:~~
- 3     ~~8749. This article shall not apply to a county that takes title to~~
- 4     ~~an abandoned endowment care cemetery pursuant to Chapter 6~~
- 5     ~~(commencing with Section 8800).~~
- 6     ~~SEC. 2.~~
- 7     ~~SECTION 1.~~ Chapter 6 (commencing with Section 8800) is
- 8     added to Part 3 of Division 8 of the Health and Safety Code, to
- 9     read:

CHAPTER 6. ABANDONMENT OF ENDOWMENT CARE CEMETERIES

8800. For purposes of this chapter, “abandoned endowment care cemetery” means a cemetery for which an endowment care fund was maintained, that was formerly licensed by the bureau, and for which the certificate of authority has been canceled, surrendered, or revoked and ownership has not been transferred pursuant to Section 8585 within one year of the cancellation, surrender, or revocation.

8801. (a) Upon the expiration of the one-year period described in Section 8800, ~~fee title of an abandoned care cemetery shall vest in the county in which the cemetery is located and shall be recorded with the county.~~ *the bureau shall notify the local agency formation commission for the county in which the abandoned endowment care cemetery is located that there is an abandoned endowment care cemetery in that county.*

(b) *No later than 30 days following the notification from the bureau described in subdivision (a), the local agency formation commission shall commence proceedings to identify a local agency take over the care, maintenance, and embellishment of the abandoned endowment care cemetery. The local agency formation commission shall complete its proceedings and identify the receiving local agency within six months of receiving the notification from the bureau.*

(c) *Upon completion of the proceeding described in subdivision (b), fee title of an abandoned endowment care cemetery shall vest in, and be recorded with, the local agency identified by the local agency formation commission.*

~~(b)~~

(d) ~~Any county~~ *local agency* acquiring fee title to a cemetery pursuant to this section shall be responsible for the care, maintenance, and embellishment of the abandoned endowment care cemetery, and shall only use the property for *uses consistent with* cemetery purposes.

8802. (a) Upon the transfer of title described in Section 8801, ~~the county~~ *local agency* shall also take title of any endowment care funds of the prior cemetery authority held by the bureau pursuant to Section 7613.11 of the Business and Professions Code, and shall take possession of all necessary books, records, real property, personal property, and assets of the fund.

(b) The assets of the fund described in subdivision (a) shall be liquidated, and the proceeds shall be placed in a special fund within the county treasury. *fund.* The moneys within the special fund shall only be expended on care, maintenance, or embellishment of the abandoned endowment care cemetery. *cemetery acquired by the local agency pursuant to this chapter and for which the endowment care funds were maintained.*

8803. A county local agency that acquires title to an abandoned endowment care cemetery shall keep a record of, and honor, all remaining contracts for burial executed by the prior cemetery authority.

~~SEC. 3.~~

SEC. 2. The heading of Chapter 7 (commencing with Section 8825) of Part 3 of Division 8 of the Health and Safety Code is amended to read:

CHAPTER 7. ABANDONED NONENDOWMENT CARE CEMETERIES

~~SEC. 4.~~

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: APRIL 9, 2025   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #11: EXECUTIVE OFFICER'S REPORT

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## REMINDER:

The Commission's next meeting will be on May 21, 2025.

## UPDATES ON PROPOSALS INCLUDING SERVICE REVIEWS/SPECIAL STUDIES, AND SPHERE OF INFLUENCE AMENDMENTS/UPDATES

- LAFCO 3271 – Annexation to the Barstow Fire Protection District (Wastewater Treatment Facility Area)

*LAFCO 3271 is scheduled for consideration at the April 16, 2025 LAFCO meeting.*

- LAFCO 3273 – Annexation to the Twentynine Palms Water District (Assessor Parcel Numbers 0634-121-15)

*LAFCO 3273 is tentatively scheduled for consideration at the May 21, 2025 LAFCO meeting.*

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

*LAFCO staff issued the Notice of Filing for LAFCO 3274 on March 21, 2025.*

- LAFCO 3275 – Reorganization to Include Annexation to the City of San Bernardino and Detachment from County Service Area 70 (26-Acre Island)

*LAFCO staff issued the Notice of Filing for LAFCO 3275 on March 21, 2025.*

- LAFCOs 3276 & 3277:
  - LAFCO 3276 – Sphere of Influence Amendment (Expansion) for the Hi-Desert Water District
  - LAFCO 3277 – Annexation to the Hi-Desert Water District (Assessor Parcel Number 0585-273-04)

*Both LAFCO 3276 and LAFCO 3277 are currently going through the Notice of Filing period. The property tax transfer process for LAFCO 3277 has not started; therefore, both items have not been tentatively scheduled for consideration.*

#### **UPDATES ON OUT-OF-AGENCY SERVICE CONTRACT DELEGATED TO THE EO:**

- LAFCO SC #537 - City of Colton Extra-Territorial Water Service Agreement (APN 1178-371-12)

*The City of Colton submitted a request for authorization to provide water service to an existing single-family residence located in the Reche Canyon area.*

#### **LAFCO NEWS:**

##### **Educational Tour**

LAFCO staff attended a water tour sponsored by CSDA that included a visit to Cucamonga Valley Water District's water treatment facility, the Inland Empire Utilities Agency's regional water recycling plant (RP-4) and its regional composting facility all located in Rancho Cucamonga, as well as the Chino Basin Water Conservation District's percolation basin and its Waterwise Community Center and Demonstration Garden located in Montclair.

##### **Governance Training Program**

Registration for the Commission's Governance Training sessions are now open. The first session, Finance 201, is scheduled for April 29, from 1-3pm. The second session, Effective Meeting Management Through Parliamentary Procedures, is scheduled for May 29, from 10am-noon. Both training sessions will be held at the Mojave Water Agency in Apple Valley.