

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

REGULAR MEETING

9:00 A.M.

JULY 20, 2022

PRESENT:

COMMISSIONERS:

Regular Member	Alternate Member
Jim Bagley, Chair	Rick Denison
Kimberly Cox	Jim Harvey
Phillip Dupper	Kevin Kenley
Steven Farrell	Dawn Rowe

STAFF:

**Samuel Martinez, Executive Officer
Paula de Sousa, Legal Counsel
Michael Tuerpe, Senior Analyst
Hannah Larsen, Analyst
Angela Schell, Commission Clerk**

ABSENT:

COMMISSIONERS:

**Joe Baca
Curt Hagman
Acquanetta Warren, Vice Chair**

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –
9:01 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

ANNOUNCEMENT OF CONTRIBUTIONS

CONSENT ITEMS

1. Approval of Minutes for Regular Meeting of May 18, 2022

2. Approval of Executive Officer's Expense Report

Recommendation: Approve the Executive Officer's Expense Report for Procurement Card Purchases from April 23 to May 23, 2022 and May 24 to June 22, 2022

3. Ratify Payments as Reconciled and Note Cash Receipts for Months of April and May 2022

Recommendation: Ratify payments as reconciled for the months of April and May 2022 and note revenue receipts for the same period.

4. Approval for Fiscal Year 2013-14 Financial Records Destruction Pursuant to Commission Policy

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

1. Destroy the Commission's financial records for Fiscal Year 2013-14 pursuant to the Commission's Records Retention Policy, and
2. Record the items to be destroyed in the Destruction Log along with a copy of the Commission's minute action authorizing destruction.

5. Review and Update the Catalog Enterprise Systems per Government Code Section 6270.5

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

1. Approve the Enterprise Systems Catalog as of July 1, 2022 as identified in this staff report.
2. Direct the Executive Officer to post the Enterprise Systems Catalog as of July 1, 2022 on the LAFCO website.

6. Note Receipt of Proposal Pursuant to Government Code Section 56857 – LAFCO 3256 – Reorganization to Include Annexations to the City of Rancho Cucamonga, Cucamonga Valley Water District, Rancho Cucamonga Fire Protection District, and West Valley Mosquito and Vector Control District, and Detachments from Fontana Fire Protection District and County Service Area 70 (Speedway Commerce Center)

No action is required of the Commission other than to note receipt of the proposal.

7. Review and Approve Retainer Agreement with Colantuono, Highsmith & Whatley, PC for Conflicts Counsel

Recommendation: Staff recommends that the Commission approve the Agreement for Conflicts Counsel Services as presented with Colantuono, Highsmith & Whatley, PC and authorize the Executive Officer to sign.

8. Review and Approve Amendment No. 3 to the Office Space Lease with the San Bernardino County Transportation Authority

Recommendation: Staff recommends that the Commission approve Amendment No. 3 to Lease Agreement Contract No. 16-1001429 and authorize the Commission Chair and Legal Counsel to sign.

9. Consent Items Deferred for Discussion (none)

Executive Officer Sam Martinez provides a correction on page 2 of Item 1, the minutes, stating that Commissioner Kenley's name should not be highlighted and the subscript after his name should not be there either.

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

Ayes: Bagley, Cox, Denison, Dupper, Farrell, and Rowe.
Noes: None.
Abstain: Cox, Denison and Rowe (Abstain from Item 1 and approves Items 2 through 8).
Absent: Baca, Hagman (Rowe voting in their stead), and Warren (Denison voting in her stead).

PUBLIC HEARING ITEMS:

10. Review and Consideration of Amendments to Policy and Procedure Manual Section III – Human Resources

Recommendation: The Commission took the following actions:

1. At the hearing the Commission modified Policy 4B (Eligibility for Step Advancement) of Chapter 2 (Employment) of Section III (Human Resources).
2. Adopt the amendments to the Policy and Procedure Manual, Section III (Human Resources)
3. Adopt Resolution No. 3352 approving the amendment to the Policy and Procedure Manual and direct the Executive Officer to make the document available on the Commission's website.

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

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

DISCUSSION ITEMS:

11. Receive and File First Draft for LAFCO 3252 – Service Review for the Twentynine Palms Community

Commissioner Cox moves to not approve staff recommendation with direction to the Executive Officer noted below. Second by Commissioner Denison. The motion passes with the following roll call vote:

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

The Commission did not approve staff's recommendation and instead directed the Executive Officer to:

1. Refund the City of Twentynine Palms 100% of the filing fee and the balance of the deposits that the City submitted for LAFCO 3252.

2. Present a Final Draft of the Service Review for the Twentynine Palms Community (LAFCO 3252) for Commission consideration as a public hearing item at its September 21, 2022 meeting.

12. Update on the Barstow Cemetery District Xeriscape Project

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

Chair Bagley states this is just to receive and file and requires no action from the Commission, Executive Officer Samuel Martinez responds that we will make that notation.

13. Nominations for CALAFCO Board of Directors

Recommendation: Staff recommends that the Commission:

1. Select Commission Chair Jim Bagley as voting delegate (and Vice Chair Acquanetta Warren as alternate voting delegate) to cast this Commission's vote(s) for CALAFCO Board Member during the Regional Caucus Elections and on the matters during the Annual Business Meeting; and,
2. For CALAFCO Board Member nomination/selection process, do the following:
 - Nominate Commissioner Acquanetta Warren, incumbent Board member for the open Southern Region City Member seat that she currently holds on the CALAFCO Board of Directors; and,
 - Direct the voting delegate to select incumbents Acquanetta Warren for the City Member Seat and Derek McGregor (Orange LAFCO) for the Public Member Seat as the Southern Region representatives to the CALAFCO Board of Directors.

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

Ayes: Bagley, Cox, Denison, Dupper, Farrell and Rowe.

Noes: None.

Abstain: None.

Absent: Baca, Hagman (Rowe voting in their stead), and Warren (Denison voting in her stead).

INFORMATION ITEMS:

14. Legislative Update Report

Executive Officer Samuel Martinez states that he has no legislative report for this month. He also states that the Omnibus Bills AB 2957 and SB 938 that the Commission supported and acted on back in March, were both signed by the Governor.

15. Executive Officer's Oral Report

Executive Officer Samuel Martinez reminds the Commission of the Strategic Planning Workshop on August 17, held at the SBCTA Board Room from 9am to 2:30pm.

He comments that the Adhoc Admin and Finance Committee for this year has been formed as noted in the staff report. He announces that Hannah will be leaving LAFCO and moving to Colorado to begin her graduate program and we wish her well.

Lastly, he states that the Governance Training Program on Board Member Best Practices 101 will be held on Aug. 2 at the Mojave Water Agency facility and thanks Commissioner Cox for the use of the facility.

16. Commissioner Comments

Commissioner Farrell thanks Clerk to the Commission for extending employment for another year. He also comments the sad news of the passing of Los Angeles LAFCO Commissioner Jerry Gladbach. Chair Bagley thanks Hannah Larsen for her service and informs the Commission of the passing of former San Bernardino LAFCO Commissioner Tony Sedano, and the meeting is adjourned in honor of his memory.

19. Comments from the Public

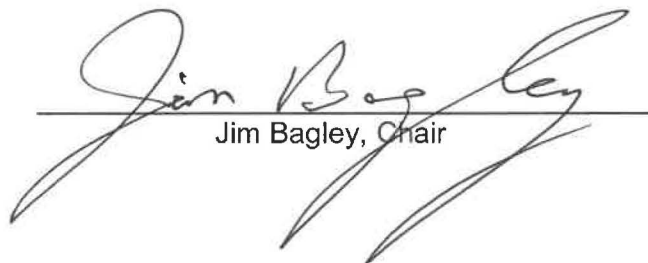
There is none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:33 A.M.

ATTEST:


ANGELA SCHELL, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION


Jim Bagley, Chair