

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

**REGULAR MEETING**

**9:00 A.M.**

**JULY 17, 2024**

**PRESENT:**

**COMMISSIONERS:**

**Regular Member**

Jesse Armendarez

Jim Bagley

Kimberly Cox

Steven Farrell, Vice Chair

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

Angela Schell, Commission Clerk

Tom Dodson, Environmental Consultant

**ABSENT:**

**Regular Member**

Joe Baca

Curt Hagman

Phill Dupper

**Alternate Member**

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –  
9:03 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 May 15, 2024**

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

Recommendation: Approve the Executive Officer's Expense report for Procurement Card Purchases from April 23, 2024 to May 22, 2024 and May 23, 2024 to June 24, 2024.

**4. Ratify Payments as Reconciled for the Months April and May 2024**

Recommendation: Ratify payments as reconciled for the months of April and May 2024 and note revenue receipts for the same period.

**5. Approval of Fiscal Year 2015-16 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 2015-16 pursuant to the Commission's Records Retention Policy, and
2. Record the items to be destroyed in Destruction Log along with a copy of the Commission's minute action authority destruction.

**6. Review and Update the Catalog of Enterprise Systems Per Government Code Section 6270.5**

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

1. Approve the Enterprise Systems Catalog as of July 1, 2024 as identified in this staff report.
2. Direct the Executive Officer to post the Enterprise Systems Catalog as of July 1, 2024 on the LAFCO website.

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

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

*Ayes: Armendarez, Bagley, Cox, Denison, Farrell, and Warren.  
Noes: None.  
Abstain: None.  
Absent: Baca, Hagman (Armendarez voting in his stead), and Dupper (Denison voting in his stead).*

**PUBLIC HEARING ITEMS:**

**8. LAFCO 3268 – Reorganization to include Annexation to the City of Chino and Detachment from County Service Area 70 (East End Annexation)**

Recommendation: Staff recommends that the Commission approve LAFCO 3268 by taking the following actions:

1. With respect to environmental review:
  - a) Certify the Commission, its staff, and its Environmental have independently reviewed and considered the City's Initial Study and Mitigated Negative Declaration

for the Philadelphia Street Industrial Development Site and East End Annexation Project that includes Prezone and Annexation (PL20-0003);

- b) Determine that the City's environmental assessment and Mitigated Negative Declaration are adequate for the Commission's use as CEQA Responsible Agency for its consideration of LAFCO 3268;
  - c) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures for the project; that the mitigation measures identified in the City's environmental document are the responsibility of the City and/or others, not the Commission; and,
  - d) Direct the Executive Officer to file the Notice of Determination within five (5) days.
2. Expand the proposal presented to include the three (3) additional parcels and approve LAFCO 3268, as modified, with the standard terms and conditions that include the "hold harmless" clause for potential litigation; and,
  3. Adopt LAFCO Resolution #3405 setting forth the Commission's findings and determinations concerning this proposal.

*Public Comment: Nora Garcia, Councilmember, 3<sup>rd</sup> District, City of Pomona  
Vinny Tam, Supervising Planner, City of Pomona  
Damiana Aldana, Clean and Green Pomona Board Member  
David Sandrake, Resident, City of Pomona  
Maria Gonzalez, Vice President, Clean & Green Pomona (Translator Louis Gonzalez)  
Lisa Engdahl, President, Clean & Green Pomona Board Member  
Louis Gonzalez, Leader & Board Member, Clean & Green Pomona  
Warren Morelion, City of Chino  
Thomas Sherese, Labors International Union of North America*

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

*Ayes: Armendarez, Bagley, Cox, Denison, Farrell, and Warren.  
Noes: None.  
Abstain: None.  
Absent: Baca, Hagman (Armendarez voting in his stead), and Dupper (Denison voting in his stead).*

## **DISCUSSION ITEMS:**

### **9. Update on Daggett Community Services District Water System**

Recommendation: Staff recommends the Commission:

1. Receive and file this report.
2. Provide staff with direction, if any.

*Chair Warren states the item is to receive and file and return to the Commission with any urgent changes.*

**10. Move LAFCO Office from the San Bernardino Santa Fe Depot to the Norton Regional Event Center**

- A. Review and Approve Amendment No. 4 (Surrender of Lease) with the San Bernardino County Transportation Authority (Contract No.: 16-1001429)
- B. Review and Approve Lease Agreement with the Inland Valley Development Agency (Office Space)
- C. Review and Approve Facility Use and License Agreement with the Inland Valley Development Agency (Auditorium)
- D. Authorize the Expenditure of the Costs Related to the Move

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

- 1. Approve Amendment No. 4 (Surrender of Lease) to Contract No. 16-1001429 with San Bernardino County Transportation Authority and authorize the Chair to sign and execute the amendment.
- 2. Approve the lease agreement with Inland Valley Development Agency for office space and authorize the Chair to sign and execute the agreement.
- 3. Approve the updated Facility Use and License Agreement with Inland Valley Development Agency for use of the auditorium for Commission meetings and authorize the Executive Officer to sign and execute the agreement.
- 4. Approve the costs related to the move and authorize the Executive Officer to sign the quote with G/M Business Interiors and the cost estimate with County Innovation and Technology Department.

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

*Ayes: Armendarez, Bagley, Cox, Denison, Farrell, and Warren.  
Noes: None.  
Abstain: None.  
Absent: Baca, Hagman (Armendarez voting in his stead), and Dupper (Denison voting in his stead).*

**11. Unaudited Year-End Financial Report for Fiscal Year 2023/2024**

Recommendation: Staff recommends that the Commission:

- 1. Note receipt of this report and file.
- 2. Transfer appropriation of \$3,000 as follows:
  - a. From Expenditure Account 2400 (Legal Counsel), Services and Supplies
  - b. To Expenditure Account 1200 (Medical Premium Subsidy), Salaries and Benefits.

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

*Ayes: Armendarez, Bagley, Cox, Denison, Farrell, and Warren.  
Noes: None.  
Abstain: None.  
Absent: Baca, Hagman (Armendarez voting in his stead), and Dupper (Denison voting in his stead).*

**12. Appointment of Voting Delegate for the CALAFCO Conference Regional Caucus Elections and for the Annual Business Meeting and Nominations for CALAFCO Board of Directors**

Recommendation: Staff recommends that the Commission:

1. Select Chair Acquanetta Warren as voting delegate (and Vice Chair Steven Farrell as alternate voting delegate) to cast this Commission's vote for CALAFCO Board Member during the Regional Caucus Elections and for any items during the Annual Business Meeting; and,
2. For CALAFCO Board Member election nomination/selection:
  - a) Nominate Acquanetta Warren for the Southern Region City Member seat that she currently holds on the CALAFCO Board of Directors; and,
  - b) 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 representative to the CALAFCO Board of Directors.

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

*Ayes: Armendarez, Bagley, Cox, Denison, Farrell, and Warren.  
Noes: None.  
Abstain: None.  
Absent: Baca, Hagman (Armendarez voting in his stead), and Dupper (Denison voting in his stead).*

**INFORMATION ITEMS:**

**13. Legislative Oral Report**

Executive Officer Samuel Martinez gives the Commission a summary on the Commission supported bills, the stand alone CALAFCO Bill, AB 3277, was signed by the Governor last month and the LAFCO Indemnification Bill, SB 1209, which has since been revised, is scheduled for its third reading. He concludes his report mentioning the Senate Concurrence Resolution (SCR) 163, was denied unanimously.

**14. Executive Officer's Oral Report**

Executive Officer Samuel Martinez states he is canceling the August hearing to facilitate the upcoming move and the next meeting will be September 18. He states that the Ad Hoc Admin & Finance Committee has been formed and also reminded the Commission to inform staff if anyone else wants to register for the CALAFCO Conference. He concludes his report stating that the Southern Region LAFCOs group is meeting at the end of August. Commissioner Denison comments to correct the August meeting date that is reflected on the staff report.

**15. Commissioner Comments**

*There is none.*

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:50 A.M**

ATTEST:



ANGELA SCHELL, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



ACQUANNETTA WARREN, Chair