

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

**REGULAR MEETING**

**9:00 A.M.**

**SEPTEMBER 18, 2024**

**PRESENT:**

**COMMISSIONERS:**

**Regular Member**

Joe Baca  
Jim Bagley  
Kimberly Cox  
Phill Dupper  
Steven Farrell  
Acquanetta Warren

**Alternate Member**

Jesse Armendarez  
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  
Tom Dodson, Environmental Consultant

**ABSENT:**

**Regular Member**

Curt Hagman

**Alternate Member**

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –  
9:06 A.M. – CALL TO ORDER – FLAG SALUTE AND ROLL CALL**

**ANNOUNCEMENT OF CONTRIBUTIONS**

**1. Comments from the Public**

Joe Gomez, Former Mayor, City of Barstow

**CONSENT ITEMS:**

**2. Approval of Minutes for Regular Meeting of July 17, 2024**

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

Recommendation: Approve the Executive Officer's Expense report for Procurement Card Purchases from June 25, 2024 to July 22, 2024 and July 23, 2024 to August 22, 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. Consent Items Deferred for Discussion (None)**

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

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

**PUBLIC HEARING ITEMS:**

**6. LAFCO SC#529 – City of Rialto Extraterritorial Wastewater Service Agreement (Shorecliff Capital, LLC)**

Recommendation: Staff recommends that the Commission approve LAFCO SC#529 by taking the following actions:

1. For environmental review as a responsible agency:
  - a) Certify that the Commission, its staff, and its Environmental Consultant have reviewed and considered the environmental assessment and Mitigated Negative Declaration prepared by the County of San Bernardino for a Zoning Amendment from RL-5 (Rural Living 5 Acres Minimum) to CG (General Commercial) and a Conditional Use Permit to construct a gas station with a convenience store, car wash, restaurant, and a two-story multi-tenant commercial building on approximately 3.97 acres and found them to be adequate for Commission use;
  - b) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for this project; that the mitigation measures are the responsibility of the County of San Bernardino and/or others, not the Commission, and are self-mitigating through implementation of the Conditions of Approval; and,
  - c) Direct the Executive Officer to file the Notice of Determination within five (5) days of this action.
2. Approve LAFCO SC#529 authorizing the City of Rialto to extend sewer service outside its boundaries to Assessor Parcel Number 0250-101-76.
3. Adopt LAFCO Resolution No. 3406 setting forth the Commission's determinations and approval of the agreement for service outside the City of Rialto's boundaries.

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

*Ayes: Armendarez, Baca, Bagley, Cox, Dupper, Farrell, and Warren.*

Noes: None.  
Abstain: None.  
Absent: Hagman (Armendarez voting in his stead).

**7. LAFCO 3269 – Reorganization to Include Annexation to the City of Chino and Detachment from County Service Area 70 and County Service Area SL-1 (Ramona Francis Annexation)**

Recommendation: Staff recommends that the Commission approve LAFCO 3269 by taking the following actions:

1. With respect to environmental review:
  - a) Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the City of Chino’s Addendum to the City’s General Plan Update Environmental Impact report (SCH #2008091064) for the Ramona Francis Annexation;
  - b) Determine that the City of Chino’s environmental assessment and Mitigated Negative Declaration, as outlined in the Addendum, are adequate for the Commission’s use as a CEQA Responsible Agency for its consideration of LAFCO 3269;
  - c) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the City’s environmental documents 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. Amend LAFCO 3269 to include the detachment from County Service Area SL-1;
3. Approve LAFCO 3269, as modified, with the standard terms and conditions that include the “hold harmless” clause for potential litigation; and,
4. Adopt LAFCO Resolution No. 3407 setting for the Commission’s findings and determinations concerning this proposal.

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

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

**INFORMATION ITEMS:**

**8. Update on Barstow Cemetery District**

Recommendation: Staff recommends the Commission take the following actions:

1. Receive and file the update of the Barstow Cemetery District.
2. Direct staff to return to the Commission at its March 19, 2025 meeting with an update.

*Presenters: David R. Maya*

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

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

#### **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 that staff return in November and provide update to the Commission.*

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

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

#### **10. Legislative Update**

Staff recommends that the Commission take the following actions:

1. Ratify the action of the Commission Chair in submitting a letter dated August 29, 2024, requesting the Governor to sign SB 1209; and,
2. Receive the Legislative Report and file.

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

*Ayes: Armendarez, Baca, Bagley, Cox, Dupper, Farrell, and Warren.*

Noes: None.  
Abstain: None.  
Absent: Hagman (Armendarez voting in his stead).

**11. Executive Officer's Report**

Executive Officer Sam Martinez reminds the Commission that there will be no October hearing due to the conference. He also states that LAFCO has officially moved into the building and thanks staff for their patience with the move.

**12. Commissioner Comments**

There is none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 10:08 A.M**

ATTEST:



ANGELA SCHELL, Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION



ACQUANETTA WARREN, Chair