

# AGENDA

## LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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

### REGULAR MEETING OF MAY 20, 2026

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

1. Swear in Regular and Alternate City and Special Districts Commissioners
2. [Interview and Select Public Member](#)
3. [Selection of Chair & Vice Chair](#)

#### 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.

4. 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.

5. [Approval of Minutes for Regular Meeting of April 15, 2026](#)
6. [Approval of Executive Officer's Expense Report](#)
7. [Ratify Payments as Reconciled and Note Cash Receipts for the Month of March 2026](#)
8. [Consideration of: \(1\) CEQA Exemption as CEQA Lead Agency for LAFCO SC#557; and \(2\) LAFCO SC#557 – City of Colton Extra-Territorial Sewer Service Agreement \(Assessor Parcel Number 0274-131-59\)](#)
9. [Consideration of: \(1\) CEQA Exemption as CEQA Lead Agency for LAFCO SC#558; and \(2\) LAFCO SC#558 – City of Chino Covenant Agreement to Annex for Sanitary Sewer Connection \(Assessor Parcel Number 1019-272-06\)](#)
10. Consent Items Deferred for Discussion

**PUBLIC HEARING ITEMS:**

11. [Status of Vacancies, Recruitment, and Retention Pursuant to Government Code Section 3502.3](#)
12. [Review and Adoption of Amendments to LAFCO Policy and Procedure Manual Section III \(Human Resources\)](#)
13. [Consideration of: \(1\) CEQA Statutory Exemption for Schedule of Fees, Deposits, and Charges Revisions; and \(2\) Review and Adoption of Schedule of Fees, Deposits, and Charges Effective July 1, 2026](#)
14. [Review and Adoption of Final Budget for Fiscal Year 2026/27 including the Apportionment for Independent Special Districts, Cities and County](#)

**INFORMATION ITEMS:**

15. [Legislative Update Report](#)
16. [Executive Officer's Report](#)
17. [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.

# 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  
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www.sbclafco.org

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #2 – INTERVIEW AND SELECTION OF PUBLIC MEMBER OF THE COMMISSION**

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The term of office for the Public Member of the Commission expires on the first Monday in May 2026. Pursuant to Commission policy, the staff provided a thirty-day period from March 2, 2026 to April 1, 2026 for interested persons to submit an application for the position of Public Member of the Commission. During that period, three applications were received.

Copies of the letters of application are included as attachments to this report and have been received from:

- [Louisa Amis, a resident of the City of Redlands;](#)
- [Jim Bagley, a resident of the City of Twentynine Palms \(incumbent\); and,](#)
- [Rene Guzman, a resident of the City of Ontario.](#)

Staff requested that each of the candidates attend the Commission's May meeting and advised them that each will be asked to provide a brief oral presentation outlining their qualifications and reasons for their interest in this position. The Commission may then make an appointment, with the successful candidate sworn-in at the hearing, or may defer action to the next meeting. The term of office for this position expires on the first Monday in May, 2030.

The Commission process for selection of the successful candidate requires that the candidate must receive four votes and that neither the Public Member nor Alternate Public Member may vote. Further, state law requires that the successful candidate must receive at least one affirmative vote from each of the three other membership categories on the Commission – county, city, and special districts.

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

Attachments

My name is Louisa Amis, and I am a 20-year resident of San Bernardino County.

Please consider me for the San Bernardino County LAFCO position of Public member 2026-2030.

I have a strong desire to continue my service in local government.

From 2020 to 2021, I served on the San Bernardino County Civil Grand Jury.

I served as the LAFCO Alternate Public member from 2018 to 2020.

I learned a great deal about LAFCO in this position which would help me in the expanded role as the public member.

Thank You

Louisa Amis

[REDACTED]

[REDACTED]

Redlands, Ca. 92374

[REDACTED]

[REDACTED]

### Employment:

2017 to present

Part time front office

Arroyo Vista Apts.

Redlands.Ca.

2018-2020

Alternate Public Member

LAFCO of San Bernardino County

2020-2021

Juror

San Bernardino County Grand Jury

2005 to 2015

Research Assistant/ Lab Manager

Dr. Eileen Brantly, PhD

Loma Linda University

Loma Linda Ca.

### Education:

B.S. Chemistry

Tn. State University

Nashville, Tn.

B.A. History  
Converse College  
Spartanburg, S.C.

## References:

Karla Salinas  
Resident Manager  
Arroyo Vista Apts.  
[REDACTED]

Wille Davis, PhD.  
Associate Dean of Student Affairs  
Loma Linda University  
[REDACTED]

Eileen Brantley, PhD  
Associate Professor  
Loma Linda University  
[REDACTED]

Samuel Martinez  
Executive Officer Local Agency Formation Commission  
1601 E. 3rd Street, Suite 102  
San Bernardino, CA 92415-0490

March 16, 2026

**Application for Public Member Reappointment**  
San Bernardino County Local Agency Formation Commission

Dear Commissioners,

I respectfully submit my application for reappointment as the Public Member of the Commission. I value this civic service and bring decades of experience with LAFCO-related matters.

My involvement began in the early 1980s as a water board member during the Lear Annexation to the Twentynine Palms Water District. I was also a signatory to the petition for the incorporation of the City of Twentynine Palms. Please refer to my attached bio for a summary of my public service.

I have the time and commitment to continue serving as a voting Public Member and respectfully request your consideration for reappointment.

Thank you for your consideration.

Sincerely,



Jim Bagley

[REDACTED]  
Twentynine Palms, CA 92277  
[REDACTED]

# Jim Bagley Biography 2026

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## Professional Experience:

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### **Real Estate Broker:** From 1981

Graduate, Realtors Institute of California, (GRI) 1992  
e-Pro, Internet Real Estate Professional 2007  
Owner/Broker Southwest Real Estate:  
1990 to May 2000, I sold the company in 2000.

### **Commercial Pilot:** From May 1998

Certifications and Ratings:

Airline Transport Pilot: (ATP) Multi engine land  
Commercial Privileges: Airplane multi & single engine land, seaplane, and glider  
FAA Certified Flight Instructor: CFI, CFII, MEI, CFIG, AGI

### **Real Estate Specialist for the Department of Defense:** From August 2009 to September 2016

Community Plans and Liaison Office for the Marine Corps Base Twentynine Palms

## Education:

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University of California Los Angeles, BA - Political Science 1979

United State Senate Intern - Washington DC 1977

## Civic Experience:

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### **Local Agency Formation Commission, San Bernardino County:**

Public Member to May 2026  
Chairman 2021-2023, 2004, Vice-chair 2025, 2003, 2002  
Public Member Alternate April 15, 2008, to May 19, 2010  
Elected City Representative 1997 to 2004

### **Airport Commission for San Bernardino County**

September 26, 2006, to January 31, 2030  
Chairman 2024, Chairman 2019 Vice Chairman 2018  
Chairman 2012, Vice Chairman 2011

### **Hi-Desert Medical Center Governing Board**

January 2020 to January 2027  
Chairman of the Governing Board 2025, 2026

**Bureau of Land Management's Desert District**

Mojave National Trails Monument Subgroup Advisory Member  
2022-2023

**Bureau of Land Management's Desert District Advisory Council:**

General Public at Large  
1990-1995, June 2019 to June 2022

**Joshua Tree National Park Council for the Arts**

January 2020 to January 2027

**San Bernardino County Sheriff's Search and Rescue**

Morongo Basin Member sworn in February 2022

**Twentynine Palms City Council:**

November 1992 to 2004  
Mayor 2003, 2000, 1995 - Mayor Pro Tem 1999, 1994

**San Bernardino County Associated Governments:**

President 2001 to 2002, Vice President 2000  
Member, Administrative Committee 1995 to 2004  
Desert/Mountain Area Measure I Committee Chairman 2000 to 2004, Vice-chair 1997 to 2000

**California League of Cities:**

Board of Directors, 1997 to 2002  
Desert Mountain Division President, 1996  
Division Second Vice President, 1995  
Environmental Quality Committee 1992 to 1996  
Taxation and Revenue Committee 1996 to 2000

**Southern California Association of Governments:**

San Bernardino County Desert Cities elected representative, 1995 to 2001.  
Aviation Task Force  
Environmental Quality Committee  
Implementation Committee

**San Bernardino County Planning Commission:**

Desert Area Commissioner, 1986 to 1988

**Twentynine Palms Water District Board of Directors:**

Chairman, Engineering Committee, 1985 to 1986

**Chamber of Commerce of Twentynine Palms:**

President 1985  
Treasurer 1984  
Board of Directors 1983 to 1985  
Morongo Basin Joint Chamber Representative 1985

## Community Activities

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### **Rotary Club:**

President 1989 to 1990  
Paul Harris Fellow 1990  
Foundation Chairman 1990 to 1996  
Board of Directors 1987 to 1991

### **Board of Realtors:**

Vice President 1993  
District 28 Regional Multiple Listing Service Representative 1984 to 1993  
Board of Directors, 1984 to 1985 - 1991 to 1993  
Multiple Listing Service Chairman 1985, 1991 to 1993

### **Twentynine Palms Historical Society:**

Old School House Museum, Chairman 1991 to 1995

### **Mojave Water Agency Legislative Advisory Committee:**

Drafted Assembly Bill 1759 amending the agency law 1989.

### **Hi Desert Memorial Hospital Foundation**

Director 1995

### **Friends of Copper Mountain College**

Individual Large Donor Program Committee 1985

### **San Bernardino County's Citizens Advisory Committee**

Twentynine Palms General Plan Up-date 1986

### **Citizens Committee for Quality Water and Fire Services**

Successful campaign for ballot Proposition J 1983  
Twentynine Palms Water District

### **Selective Service Board Member**

1990 to 2000

Rene Guzman

[REDACTED]  
Ontario, CA 91764  
[REDACTED]  
[REDACTED]

April 01, 2026

LAFCO

Attention Samuel Martinez (Executive Officer)

1601 E. 3rd Street, Suite 102  
San Bernardino, CA 92415-0490

Subject: Application for Public Member Position – Local Agency Formation Commission (LAFCO)

Dear Mr. Martinez,

I am writing to formally express my strong interest in the vacant Public Member position on the San Bernardino County Local Agency Formation Commission (LAFCO). With a career spanning regulatory enforcement, public service, and private-sector consulting, I bring a unique and highly relevant perspective to the Commission's mission of overseeing responsible growth and governance.

My professional background includes serving in supervisory and investigative roles with the California Department of Alcoholic Beverage Control (ABC) and the Department of Motor Vehicles, where I was directly involved in regulatory compliance and enforcement actions. This experience provided me with in-depth knowledge of administrative law, public safety considerations, and the balance required between economic development and regulatory responsibility.

In addition, I served as a Senior Supervising Investigator with the Department of Motor Vehicles (DMV), where I managed complex investigations, ensured compliance with state laws, and supervised personnel in high-stakes regulatory environments. These roles strengthened my ability to evaluate detailed reports, make impartial decisions, and uphold the highest standards of integrity and accountability.

Currently, as the owner and operator of a liquor license consulting firm, I work closely with business owners, municipalities, and state agencies throughout California. My work involves navigating land use constraints, zoning requirements, and licensing approvals—often requiring

coordination with local governments and an understanding of how jurisdictional decisions impact economic development. This hands-on experience gives me a practical, real-world understanding of the issues that frequently come before LAFCO, including boundary changes, service delivery considerations, and the long-term impacts of development decisions.

I am familiar with LAFCO and its history, its mission, roles, and responsibilities formed by the California State legislature in 1963 to:

- Encourage the Orderly Formation of Local Governmental Agencies
- To Preserve Agricultural Land Resources
- To Discourage Urban Sprawl

LAFCOs has authority over:

- Boundary Changes
- Sphere of Influence Studies
- Service Reviews
- Initiation of Special District Consolidations

I hold a bachelor's degree from California State University, Fullerton, which has provided me with a strong academic foundation to complement my professional experience. Additionally, I am fluent in Spanish, allowing me to effectively communicate with and better serve the diverse communities within San Bernardino County.

I am deeply committed to ensuring that growth within San Bernardino County is conducted in a manner that is orderly, efficient, and beneficial to the community as a whole. I understand the importance of preserving open space, supporting infrastructure planning, and maintaining a balance between development and quality of life for residents.

My combined experience in public service and private consulting allows me to approach issues with both regulatory discipline and business-minded practicality. I am confident that I can contribute meaningful insight, sound judgment, and a strong commitment to transparency and fairness as a member of LAFCO.

Thank you for your time and consideration. I welcome the opportunity to further discuss my qualifications and how I can serve the residents of San Bernardino County in this important role.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Rene Guzman', with a stylized flourish at the end.

Rene Guzman

Rene Guzman  
Ontario, CA

**SKILLS & ACCOMPLISHMENTS AND AWARDS**

- Bilingual (Spanish & English)
- Risk Management Experience
- Certificate of Achievement  
“Investigations of Officer Involved Shootings.”
- Customer Service for all government Supervisor positions held
- Lead project manager, Policy, and Procedures (P&P) for the state of California
- Procurement Specialist for California DMV
- Grant writer for the state of California
- Emergency Operation Center Commander representing DMV under Governor Brown and FEMMA
- Supervising Agent for the State of California Alcoholic Beverage Control Department (ABC)
- Supervising Agent for the State of California Department of Motor Vehicles (DMV)
- Certificate of Achievement for completing “DVD Facilitation Skills, Train-the-Trainer.”
- Certificate of Achievement for completing “Instruction Techniques for Trainers.”
- Certificate of Completion “Advanced Interview and Interrogation.”
- Certificate of Attendance and completion of “Leadership Development Program.”
- Certificate “ABC Narcotics Investigations.”
- Multiple commendation letters from DMV and ABC Directors, Governor Brown, Police Chiefs from LAPD, Pomona, Hermosa Beach, Sheriffs, Board of Equalization, and Directors Advisory Committee
- Proficient in Microsoft Office Applications, including Word, Excel, PowerPoint, and Outlook
- Command Staff-Advanced Training the Trainer for FEMA
- Advanced Supervisor Certificate from California

**EDUCATION**

California State University Fullerton, Fullerton, CA

*Bachelor's degree in criminal justice and administration*

- Advanced Supervisory Degree from California POST
- Advanced Police Officer Standard Training (POST) Degree
- Advanced Interview and Interrogations with the FBI
- CPR Certified – American Heart Association

**EXPERIENCE**

**Owner of ABC Liquor License Experts**      2012 to the Present (14 years)

- Prepared applications for business owners desiring to obtain a liquor license
- Conducted all marketing, Advertisement and Training
- Sales
- Risk Management
- Budget

75

**DMV Supervising Agent, San Bernardino, and Riverside Counties**

05/04 – 10/2012

**Supervisor in charge of all investigations in 72 cities**

- Reviewed and decided on thousands of sensitive and complex Investigations conducted by my team.
- Policy and Procedure lead manager to update the entire P&P for DMV Investigations
- Trainer for over 1,900 DMV Employees in detecting fraud and how to best manage Risks
- Trainer in Report Writing
- Managed a budget of over \$400,000 as a procurement manager to purchase the best tools and resources for our Investigative team State- Wide
- Created strong liaisons and MOUs with various cities, counties, state, and federal agencies, including, FBI, DOJ, ATF, Border Patrol, US Marshals, District Attorneys, state, county, and city police
- Conducted investigations and statistical and documentary research to maximize my resources and prioritize accordingly
- Prepared affidavits for attorneys for court records and legal action placement
- Performed administrative duties including, filing, mailings, retrieving reports, and telephone communication
- Maintained the computer database
- Field Officer Training for DMV Agents
- Internal Affairs Investigator
- Media spoke- person for DMV Investigations
- Entry Warrant Special Operations Unit Supervisor

**ABC Supervising Agent, LA County**

06/96 – 05/04

**Supervisor in charge of all investigations in 23 cities**

- Reviewed and decided on thousands of sensitive and complex Investigations conducted by my team.
- Created strong liaisons and MOUs with various, city, county, state and federal agencies including, FBI, DOJ, ATF, Border Patrol, US Marshalls, District Attorneys, state, county, and city police
- Conducted investigations and statistical and documentary research to maximize my resources and prioritize accordingly
- Subpoena review and processing
- Preparation of written reports and case recommendations to government attorneys
- Prepared statements of facts and formal recommendations for attorneys for court cases, and legal action
- dPerform administrative duties including
- , filing, mailing, retrieving reports, and telephone communication
- Field Officer Training for ABC Agents
- Instructor at LAPD Academy
- Internal Affairs Investigator
- Media spoke person for ABC Investigations
- Entry Warrant Special Operation Unit Supervisor
- Member of the elite (only 12 statewide) Investigators in the Special Operations Unit

**LAUSD Teacher Assistant**

1990- 1993

- Assisted with lesson plans
- Instructed half of the students in Math, Science and History
- Multi tasking conducting various administrative and clerical functions
- Football Coach



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #3 – SELECTION OF CHAIR AND VICE-CHAIR**

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Pursuant to the Commission's Rule of Order #2, the Commission elects its Chair and Vice-Chair each year at the May hearing. The terms of office are for one year and the Chair and Vice-Chair may serve no more than two consecutive full terms in those offices.

Any regular voting member of the Commission may be selected to these positions. It should be noted that Chair Farrell and Vice-Chair Bagley are completing their first full term of office and are eligible for reappointment to their positions under current policies.

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

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

**REGULAR MEETING**

**9:00 A.M.**

**April 15, 2026**

**PRESENT:**

**COMMISSIONERS:**

**Regular Member**

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

**Alternate Member**

Rick Denison  
Jim Harvey

**STAFF:**

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

**ABSENT:**

**COMMISSIONERS:**

**Regular Member**

**Alternate Member**

Jesse Armendarez  
Kevin Kenley

**CONVENE REGULAR MEETING OF THE LOCAL AGENCY FORMATION COMMISSION –  
9:01 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 March 18, 2026**
- 3. Approval of Executive Officer's Expense Report**

Recommendation: Approve the Executive Officer's Expense Report for Procurement Card Purchases from February 24, 2026, to March 23, 2026.

**4. Ratify Payments as Reconciled and Note Cash Receipts for the Months of January 2026 (Revision) and February 2026**

Recommendation: Ratify payments as reconciled for the months of January 2026 (Revised) and February 2026 and note revenue receipts for the same period.

**5. Review and Approval of Contract with Davis Farr, LLP for Financial Audit Services for the Period FY 2025-26 through Fiscal Year 2028-29**

Recommendation: Staff recommends that the Commission:

- A. Approve the Agreement with Davis Farr, LLP to provide annual Financial Audit Services in the amount not-to-exceed \$46,140 for the four (4) year term, with an additional one (1) year option, at the discretion of the Commission; and,
- B. Authorize the Executive Officer to sign and execute the agreement with Davis Farr, LLP.

**6. Consent Items Deferred for Discussion**

None.

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

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

**PUBLIC HEARING ITEMS:**

**7. Review of Compensation Study and Consideration of Proposed Salary Range and Salary Equity Adjustments**

Recommendation: It is staff's recommendation that the Commission:

- 1. Approve the proposed salary range adjustments for the Executive Officer from the current salary range to match the salary range for Salary Grade 91B of the County's Exempt Salary Table (Effective 2/21/2026);
- 2. Approve the proposed salary range adjustment for the Assistant Executive Officer from the current salary range to match the salary range for Salary Grade 75D of the County's Exempt Salary Table (Effective 2/21/2026) and return to the Commission in two (2) years to reevaluate the salary range of the Assistant Executive Officer position;

3. Approve the proposed salary equity adjustment for the Assistant Executive Officer's salary, which is being increased by approximately five percent to match Step 9 of Salary Grade 75D of the County's Exempt Salary Table Effective 2/21/2026 and return to the Commission in two (2) years to reevaluate the actual salary of the Assistant Executive Officer; and,
4. Adopt Resolution No. 3433 outlining the proposed salary range adjustment for the Executive Officer and the proposed salary range and salary equity adjustment for the Assistant Executive Officer.

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

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

#### **8. Third Quarter Financial Review for FY 2025/26**

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 \$56,397 as a credit towards paying down LAFCO's share of the Unfunded Actuarial Liability.

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

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

#### **9. Preliminary Budget Review for Fiscal Year 2026/27:**

##### **a. Proposed Schedule of Fees, Deposits, and Charges for Fiscal Year 2026/27**

Recommendation: Staff recommends that the Commission take the following actions related to the Proposed Schedule of Fees, Deposits and Charges for Fiscal Year 2026/27:

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 2026/27 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 20, 2026 hearing.

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

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

**b. Proposed Budget for Fiscal Year 2026/27**

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

1. Adopt the Proposed Budget and Work Plan for FY 2026/27 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 20, 2026 for formal:
  - a. Approval of the amendments to the Policy and Procedure Manual for Salaries and Benefits;
  - b. Adoption of the Final Budget for FY 2026/27.

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

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

**DISCUSSION ITEMS:**

**10. Review and Adoption of Amendments to LAFCO Policy and Procedure Manual Section V – Environmental Review (Administrative Guidelines, Policies, and Procedures) and Environmental Checklist Form (CEQA Appendix G)**

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

1. Provide staff with any additional changes, corrections, or amendments to Section V (Environmental Review) of the Policy and Procedure Manual as presented.
2. Adopt the amendments to Section V of the Policy and Procedure Manual as well as the most current Environmental Checklist Form (CEQA Appendix G).

3. Adopt Resolution No. 3434 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 Jr. moves to approve staff recommendations. Second by Commissioner Warren. The motion passes with the following roll call vote:*

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

**11. Review and Approval of Amended Contract with Samuel Martinez as Executive Officer for the Local Agency Formation Commission for San Bernardino County effective April 15, 2026**

Recommendation: That the Commission approve the Amended Contract with Samuel Martinez as Executive Officer for the Local Agency Formation Commission for San Bernardino effective April 15, 2026.

*Prior to consideration of the item, Legal Counsel de Sousa provided an oral announcement of the proposed changes to the Executive Officer's compensation included in the proposed Amended Contract, noting that the Amended Contract, if approved, would increase the Executive Officer's annual compensation by 5.243% to \$ 217,193.60.*

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

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

**12. Review and Consideration of Rejoining CALAFCO Membership for FY 2026-27**

Recommendation: The Commission may consider the following options:

Option 1:

1. Rejoin CALAFCO for FY 2026-27;
2. Return with a budget adjustment at the mid-year financial review to increase appropriation authority related to the CALAFCO membership cost; and,
3. Return to the Commission on or before June 2027 to reassess continued membership for FY 2027-28.

Option 2:

Do not join CALAFCO for FY 2026-27 and return to the Commission on or before June 2027 to reassess membership for FY 2027-28.

*Commissioner Cox moves to approve Option 2 with a modification not to return to the Commission unless needed or requested. Second by Commissioner Warren. The motion passes with the following roll call vote:*

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

*Noes: None.*

*Abstain: None.*

*Absent: None.*

**INFORMATION ITEMS:**

**13. Legislative Update Report**

Executive Officer Samuel Martinez states that there is no legislative update for this month.

**14. Executive Officer's Report**

Executive Officer Samuel Martinez provides a summary of the staff report.

**15. Commissioner Comments**

There are none.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE MEETING ADJOURNS AT 9:55 A.M.**

ATTEST:

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

LOCAL AGENCY FORMATION COMMISSION

\_\_\_\_\_  
STEVEN FARRELL, Chair

# 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

---

**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

---

**SUBJECT:** AGENDA ITEM #6 – APPROVAL OF EXECUTIVE OFFICER’S  
EXPENSE REPORT

---

**RECOMMENDATION:**

Approve the Executive Officer’s Expense Report for Procurement Card Purchases from March 24, 2026, to April 22, 2026.

**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:

- March 24, 2026 to April 22, 2026

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

SM/GC

Attachment



PROCUREMENT CARD PROGRAM

ATTACHMENT G

MONTHLY PROCUREMENT CARD PURCHASE REPORT

F		Cardholder Samuel Martinez						Travel	Billing Period	
DATE	VENDOR NAME	#	DESCRIPTION	PURPOSE	COST CENTER	G/L ACCOUNT	\$ AMT	TRIP NUMBE	*R/D	SALES TAX INCL
03/24/26	Thomson West	1	Office Supplies	Law Library Updates	8900005012	52002080	\$372.79			
03/27/26	Frontier	2	Phone Service	Communication	8900005012	52002041	\$740.41			
03/29/26	Survey Monkey	3	Office Expense	Commission Meeting	8900005012	52002305	\$468.00			
04/16/26	Panera	4	Office Expense	Commission Meeting	8900005012	52002305	\$42.98			
04/16/26	Golden Star Tech	5	Computer Software	Enterprise for Adobe Acrobat	8900005012	52002115	\$502.43			

The undersigned, under penalty of perjury, states the above information to be true and correct. If an unauthorized purchase has been made, the undersigned authorizes the County Auditor/Controller-Recorder to withhold the appropriate amount from their payroll check after 15 days from the receipt of the cardholder's Statement of Account.

Cardholder (Print & Sign)	Date
Samuel Martinez <i>Samuel Martinez</i>	05/11/26

Approving Official (Print & Sign)	Date
Steven Farrell	05/20/26

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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www.sbclafco.org

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

---

**SUBJECT:** AGENDA ITEM #7 - RATIFY PAYMENTS AS RECONCILED FOR  
THE MONTH OF MARCH 2026 AND NOTE REVENUE RECEIPTS

---

**RECOMMENDATION:**

Ratify payments as reconciled for the month of March 2026 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:

- March 1 through March 31, 2026

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

SM/MT

Attachment

MARCH 2026 PAYMENTS PROCESSED						
Account	Posting Date	Amount	Document Number	Reference	Text	
5200 2031	3/1/2026	\$ 60.08	4104345022	ITD BILLING	FEB 2026 Pavroll System Services (EMACS)	
5200 2031		\$ 60.08				
5200 2037	3/1/2026	\$ 243.36	4104345024	ITD BILLING	FEB 2026 Dial Tone	
5200 2037		\$ 243.36				
5200 2085	3/4/2026	\$ 365.04	1902242371	B4016450	Public Member Announcement	
5200 2085	3/5/2026	\$ 700.32	1902244012	B4014513	NOH March	
5200 2085		\$ 1,065.36				
5200 2090	3/3/2026	\$ 90.00	1902241207	INV2789	Rent & Janitorial March	
5200 2090		\$ 90.00				
5200 2305	3/2/2026	\$ 2.85	4104298903	PUR. / STAPLES	7675737509000001	
5200 2305	3/23/2026	\$ 1.84	4104329788	PUR. / STAPLES	7676941551000001	
5200 2305	3/25/2026	\$ 85.00	1902259737	624962	Paper Shredding	
5200 2305		\$ 175.15				
5200 2310	3/4/2026	\$ 214.70	4200171461	JE UPLOAD	Mail Services DEL	
5200 2310	3/6/2026	\$ 378.15	4200171536	JE UPLOAD	Mail Services HAN	
5200 2310		\$ 592.85				
5200 2315	3/11/2026	\$ 80.34	1902247565	RS7157348	Feb Services	
5200 2315		\$ 80.34				
5200 2323	3/19/2026	\$ 18.52	4200172638	PUR-PRINTING	N36154 - Emacs Reports 3/2/2026	
5200 2323	3/20/2026	\$ 18.52	4200172434	PUR-PRINTING	N36154 - Emacs Reports 3/2/2026	
5200 2323	3/24/2026	\$ 18.52	4200172841	PUR-PRINTING	N36343 - Emacs Reports 3/16/2026	
5200 2323		\$ 55.56				
5200 2400	3/9/2026	\$ 1,007.10	1902245050	1055456	Feb Non-Routine	
5200 2400	3/9/2026	\$ 238.10	1902245053	1055454	Feb- General	
5200 2400	3/9/2026	\$ 1,156.30	1902245054	1055455	Feb labor and emp	
5200 2400		\$ 2,401.50				
5200 2405	3/26/2026	\$ 1,000.00	1902261454	4444	2025 Audit	
5200 2405		\$ 1,000.00				
5200 2420	3/1/2026	\$ 100.22	4104345028	ITD BILLING	FEB 2026 Enterprise Content Management	
5200 2420	3/1/2026	\$ 90.50	4104345028	ITD BILLING	FEB 2026 File Sharing Storage	
5200 2420		\$ 190.72				
5200 2421	3/1/2026	\$ 697.04	4104345029	ITD BILLING	FEB 2026 Desktop Support Services	
5200 2421		\$ 697.04				
5200 2424	3/13/2026	\$ 935.00	1902235878	LA-1095-1	SC553-Malachite	
5200 2424	3/13/2026	\$ 722.50	1902235881	LA-1096-1	SC552-King St	
5200 2424	3/30/2026	\$ 85.00	1902262983	LA-1093-6	BNSF Annexation	
5200 2424		\$ 1,742.50				
5200 2445	3/5/2026	\$ 700.00	1902244182	71	Rebecca Lowery Inv 71	
5200 2445	3/12/2026	\$ 525.00	1902248178	72	Rebecca Lowery Inv 72	
5200 2445	3/19/2026	\$ 700.00	1902254976	73	Rebecca Lowery Inv 73	
5200 2445	3/19/2026	\$ 200.00	1902255021	BACA3-19	March Meeting	
5200 2445	3/19/2026	\$ 200.00	1902255023	BAGLEY3-19	March Meeting-Bagley	
5200 2445	3/19/2026	\$ 200.00	1902255025	COX3-19	March Meeting- Cox	
5200 2445	3/19/2026	\$ 200.00	1902255026	FARRELL3-19	March Meeting-Farrell	
5200 2445	3/19/2026	\$ 200.00	1902255455	HAGMAN3-19	March Meeting-Hagman	
5200 2445	3/19/2026	\$ 200.00	1902255456	HARVEY3-19	March Meeting-Harvey	
5200 2445	3/19/2026	\$ 200.00	1902255458	KENLEY3-19	March Meeting-Kenley	
5200 2445	3/26/2026	\$ 1,200.00	1902261435	3182026	March Meeting	
5200 2445	3/26/2026	\$ 542.50	1902261481	74	Rebecca Lowery Inv 74	
5200 2445	3/30/2026	\$ 1,100.00	1902263004	19MAR2026-SB	Split Cost Politico Consultant	
5200 2445		\$ 6,667.50				

5200	2895		3/4/2026	\$ 364.32	1902242366	48537610	Dec 25 Services
5200	2895		3/4/2026	\$ 31.87	1902242366	48537610	Dec 25 Services
5200	2895		3/26/2026	\$ 399.51	1902261443	48725304A	January Services
5200	2895		3/26/2026	\$ 34.96	1902261443	48725304A	January Services
5200	2895	Rent/Lease Equipment (copier)		\$ 830.66			
5200	2905		3/3/2026	\$ 405.00	1902241192	INV2794	Auditorium use
5200	2905		3/3/2026	\$ 2,509.00	1902241207	INV2789	Rent & Janitorial March
5200	2905	Office/Hearing Chamber Rental		\$ 2,914.00			
5294	2940		3/19/2026	\$ 126.15	1902255023	BAGLEY3-19	March Meeting-Bagley
5294	2940		3/19/2026	\$ 85.55	1902255025	COX3-19	March Meeting- Cox
5294	2940		3/19/2026	\$ 26.53	1902255026	FARRELL3-19	March Meeting-Farrell
5294	2940		3/19/2026	\$ 121.80	1902255456	HARVEY3-19	March Meeting-Harvey
5294	2940		3/19/2026	\$ 35.09	1902255458	KENLEY3-19	March Meeting-Kenley
5294	2940		3/30/2026	\$ 26.53	1902262958	FARRELL3-30	Mileage Reimbursement
5294	2940		3/30/2026	\$ 121.80	1902262959	HARVEY3-30	Mileage Reimbursement
5294	2940	Private Mileage		\$ 543.45			
5294	2941		3/13/2026	\$ 860.00	1902238347	SW3	SW Registration Sam
5294	2941	Conference/Training		\$ 860.00			
5294	2943	Meals		\$ 72.81			
5540	5012		3/2/2026	\$ 23.79	4104298903	PUR. / STAPLES	7675737509000001
5540	5012		3/23/2026	\$ 15.36	4104329788	PUR. / STAPLES	7676941551000001
5540	5012	Transfer to County (Staples & Microsoft)		\$ 39.15			
				\$ 82,967.15			
<b>MARCH 2026 CASH RECEIPTS</b>							
various			3/25/2026	\$ 3,655.00	4104345135	04941050700	SC557 App fee
4070	9545		3/3/2026	\$ 650.00	4104305706	0491050700	SC556-Fontana
				\$ 4,305.00			
<b>MARCH 2026 COUNTY TRANSFERS RECEIVED</b>							
				none			
COMPLETED BY: <i>Michael Tuerpe</i>				APPROVED BY: <i>Samuel Martinez</i>			
MICHAEL TUERPE				SAMUEL MARTINEZ			
Assistant Executive Officer				Executive Officer			
Date:			05/12/26				5/12/2026

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

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
ARTURO PASTOR, Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #8: LAFCO SC#557 – City of Colton Extra-Territorial Sewer Service Agreement (APN 0274-131-59)

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**INITIATED BY:**

City of Colton, on behalf of the property owner/developer.

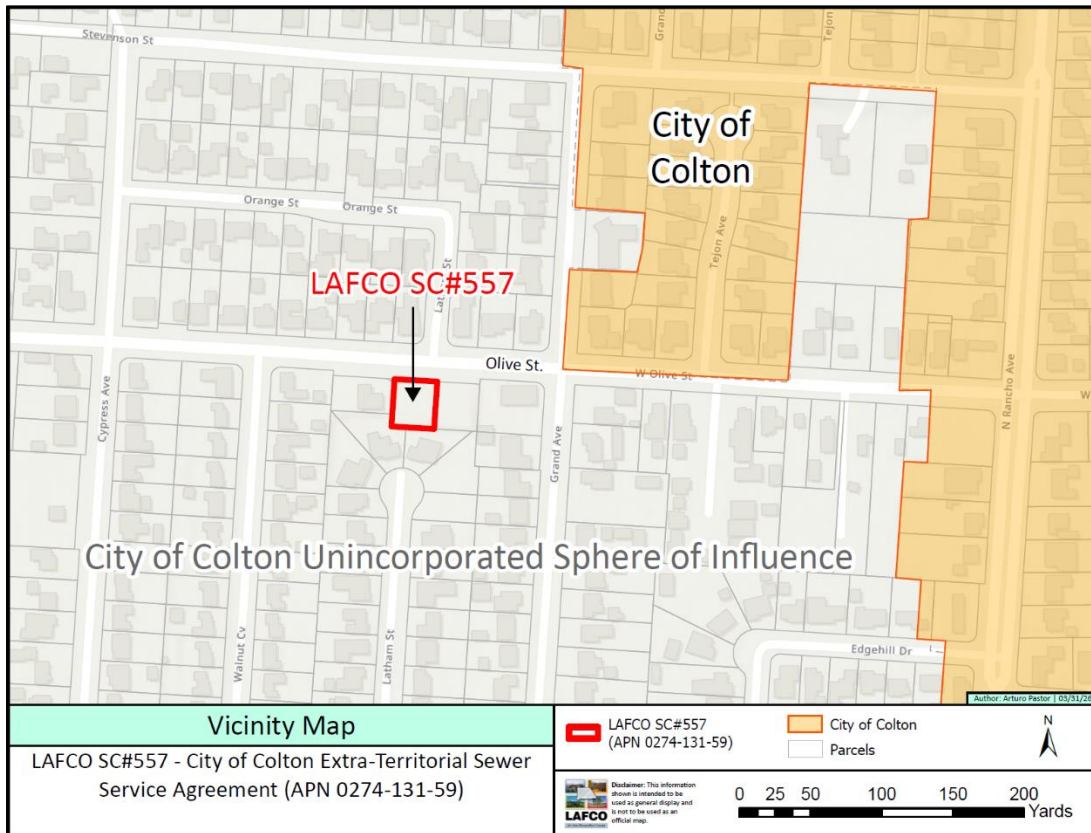
**RECOMMENDATION:**

Staff recommends that the Commission approve LAFCO SC#557 by taking the following actions:

1. Certify that LAFCO SC#557 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#557 authorizing the City of Colton to extend sewer service outside its boundaries to Assessor Parcel Number 0274-131-59.
3. Adopt LAFCO Resolution No. 3435 setting forth the Commission's determinations and approval of the agreement for service outside the City of Colton's boundaries.

**BACKGROUND:**

The City of Colton (hereinafter the "City") has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend sewer service outside its boundaries to a parcel, Assessor Parcel Number (APN) 0274-131-59, generally located on the south side of Olive Street, between Walnut Cove and Grand Avenue (935 W Olive St), within the City of Colton's sphere of influence. The vicinity map below, which is also included as Attachment #1, provides the location of the parcel.



Vicinity Map

The property owner/developer anticipates building a single-family residence along with an accessory dwelling unit (ADU) which requires connection to the City’s sewer facilities.

Note that in March 2025, the Commission confirmed that the provision of water service by the City within the area previously served by Terrace Water Company—which includes APN 0274-131-59—is exempt from further LAFCO review through approval of LAFCO SC#536. Therefore, the provision of water service to the parcel is not considered as part of this authorization request.

However, the extension of sewer service will require a contract with the City for the provision of its sewer service outside its boundaries. Therefore, the City, on behalf of the property owner/developer, has requested that the Commission authorize the extension of sewer service to the parcel pursuant to the provisions of Government Code Section 56133. Authorization of this agreement is required before the City can take final actions to implement the terms of the agreement.

**PLAN FOR SERVICE:**

The City’s application, included as Attachment #2, identifies that sewer service to the parcel would be provided from the existing sewer main in Grand Avenue and extending

an 8-inch sewer main by approximately 265 feet westerly to the property in Olive Street along with a 4-inch service lateral fronting the contract parcel.

Pursuant to the Commission’s application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency’s boundaries. The City estimates a total of \$41,345.75 for the extension of sewer service to the parcel. Following is a table with a breakdown of the fee calculation:

<b>Description of Fees/Charges</b>	<b>Cost</b>	<b>Total Cost</b>
265 LF of 8” Sewer Main	75/LF	\$19,875.00
(1) Sewer Manhole	\$5,500 ea	\$5,500.00
(1) 4” Sewer Lateral	\$2,200 ea	\$2,200.00
City of Colton Capacity & Connection Fee	-	\$13,770.75
<b>Total Costs</b>		<b>\$41,345.75</b>

In addition to the cost outlined above, the property owner/developer will be responsible for the entire cost of the sewer connection from the existing sewer main, extending the sewer main in Olive Street, as well as the lateral extension from the sewer main to the property.

**ENVIRONMENTAL DETERMINATION:**

As the CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson from Dodson and Associates, has reviewed this application and has indicated it is his recommendation that the review of LAFCO SC#557 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission’s authorization of the out-of-agency service agreement has no potential to cause a significant adverse impact on the environment; and therefore, the request is exempt (under the “Common Sense Rule”) from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). A copy of Mr. Dodson’s response is included as Attachment #3 to this report.

**CONCLUSION:**

The development of the single-family residence and ADU requires that it receive sewer service from the City of Colton. The service contract application requests authorization to provide sewer service outside the City’s boundaries.

Staff has reviewed this request for authorization to provide sewer service from the City of Colton outside its corporate boundaries against the criteria established by Commission policy and Government Code Section 56133. The parcel to be served is within the sphere of influence assigned to the City of Colton and is anticipated to become a part of the City sometime in the future. Staff supports the City’s request for authorization to provide sewer service to APN 0274-131-59 since its facilities are near the parcel, and there is no other existing entity available to provide this service within the area.

**DETERMINATIONS:**

1. The parcel, identified as Assessor Parcel Number 0274-131-59, is within the sphere of influence assigned to the City of Colton and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Colton sewer service.

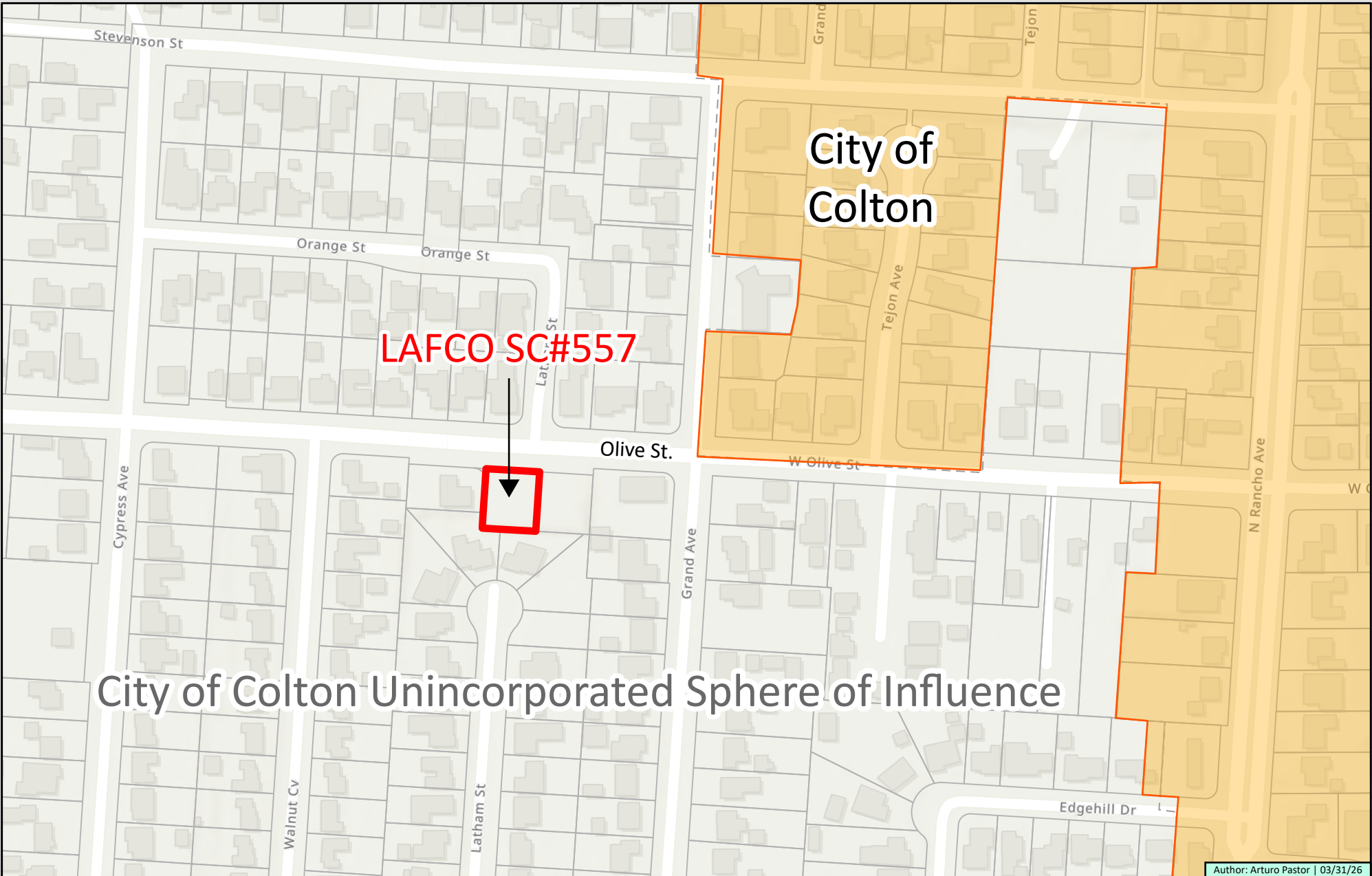
For water service, the Commission has previously confirmed that the provision of water service by the City of Colton within the area previously served by the Terrace Water Company—which includes said parcel—is exempt from LAFCO review (LAFCO SC#536).

Therefore, this application requests authorization to receive City of Colton sewer service only. Approval of the City’s request for authorization to provide sewer service is necessary for the proposed development of the single-family residence and ADU to proceed.

2. The City of Colton Extra-Territorial Sewer Service Agreement being considered is for the provision of sewer service to Assessor Parcel Number 0274-131-59. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request for authorization will allow the property owner/developer and the City of Colton to proceed in finalizing the contract for the extension of sewer service.
3. The City of Colton estimates a total of \$41,345.75 for the extension of sewer service to the project. Payment of these fees are required prior to connection to the City’s sewer facilities.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the “Common Sense Rule” since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission’s adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

Attachments:


1. [Vicinity Map](#)
2. [City of Colton’s Application and Contract](#)
3. [Response from Tom Dodson and Associates](#)
4. [Draft Resolution No. 3435](#)





Author: Arturo Pastor | 03/31/26


**Vicinity Map**

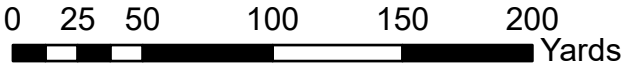
LAFCO SC#557 - City of Colton Extra-Territorial Sewer Service Agreement (APN 0274-131-59)

 LAFCO SC#557 (APN 0274-131-59)

 City of Colton  
 Parcels



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



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

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

### AGENCY TO EXTEND SERVICE:

AGENCY NAME: City of Colton Public Works - Water Wastewater Division

CONTACT PERSON: Jess Sotto, P.E.

ADDRESS: 160 S 10th Street  
Colton, CA 92324

PHONE: (909) 370-5551

EMAIL: jsotto@coltonca.gov

### CONTRACTING PARTY:

NAME OF PROPERTY OWNER: Jay - Gees, LLC

CONTACT PERSON: Tony Jara

MAILING ADDRESS: 5318 El Rivino Road  
Riverside, CA 92509

PHONE: (951) 784-5270

EMAIL: TonyJara9050@gmail.com; office@maliercontractors.com

ADDRESS OF PROPERTY PROPOSED FOR CONTRACT: \_\_\_\_\_  
\_\_\_\_\_

CONTRACT NUMBER/IDENTIFICATION: \_\_\_\_\_

PARCEL NUMBER(S): 0274-131-59

ACREAGE: 0.21

*Extension of Service by Contract  
Application Form*

\_\_\_\_\_  
(FOR LAFCO USE ONLY)

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

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

Sewer Service  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

Sewer service provided by City of Colton for a development of 2,200sf single family residence and 1,200sf Additional Dwelling Unit. (Detached)  
\_\_\_\_\_  
\_\_\_\_\_

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

Information not yet available at this time.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Extension of Service by Contract  
Application Form*

(FOR LAFCO USE ONLY)

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

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

N/A

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

This property is a Vacant Lot.

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

Property owner is planning to construct a Single Family Residence with an  
Additional Dwelling Unit (ADU)

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

Construction of a 2,200sf Single Family Residence with a 1,200 sf ADU.

Proposed plans & plans will be submitted to SB County Land Use Services

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Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

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

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

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

10. Plan for Service:

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

Infrastructure type is a 2,200 sf single family residence

with a detached 1,200sf ADU. An extension of 265 ft of 8" sewer main with one 4" service lateral. The location of the service extension is along the center line of Grand & Olive, and the sewer extension will be 265 ft west of Grand Ave.

The City of Colton will require a Water Wastewater Permit for this utility work.

SEE attached visual.



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

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

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### CERTIFICATION

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

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

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

*Extension of Service by Contract  
Application Form*

\_\_\_\_\_  
(FOR LAFCO USE ONLY)

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

SIGNED



NAME:

JESS C SOTTO

POSITION TITLE:

UTILITIES ENGINEER

DATE:

03/11/2026

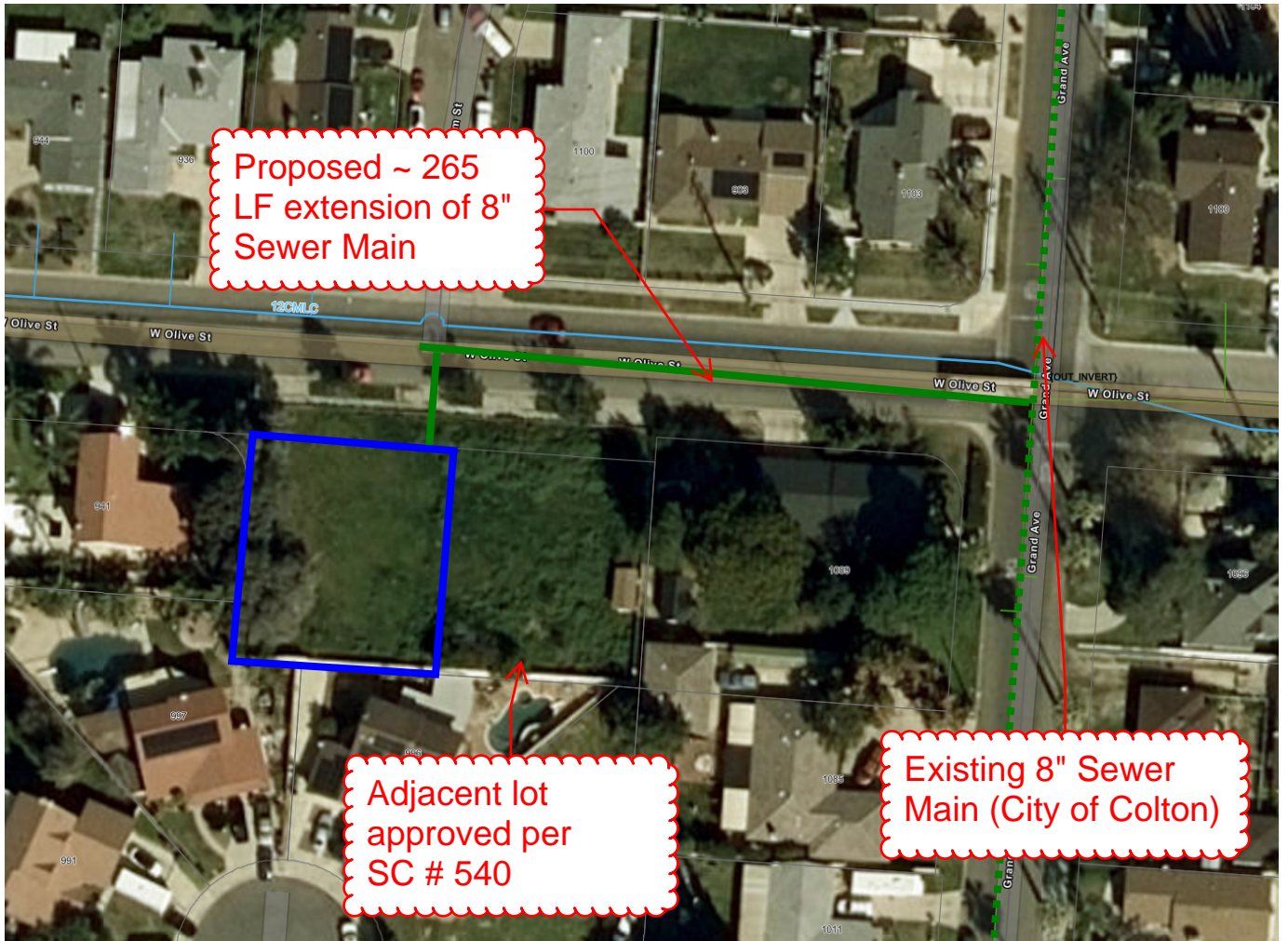
**REQUIRED EXHIBITS TO THIS APPLICATION:**

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

Please forward the completed form and related information to:

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

# Site Location



Proposed ~ 265  
LF extension of 8"  
Sewer Main

Adjacent lot  
approved per  
SC # 540

Existing 8" Sewer  
Main (City of Colton)

Recording Requested By:  
City of Colton )  
)  
When Recorded Mail To: )  
)  
CITY OF COLTON )  
650 North La Cadena Drive )  
Colton, California 92324 )  
Attn: City Clerk )

Exempt from Filing Fees  
Gov't Code Section 6103

(Space Above for Recorder's Use Only)

**EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT  
BY AND BETWEEN  
CITY OF COLTON AND JAY GEES LLC**

**1. PARTIES AND DATE.**

This Extra-Territorial Sewer Service Agreement ("Agreement") is made on this \_\_\_\_ day of \_\_\_\_\_, 2026 by and between the **CITY OF COLTON** ("City") and **JAY GEES LLC** ("Property Owner"). The City and Property Owner are sometimes collectively referred to as "Parties" and individually as "Party" throughout this Agreement.

**2. RECITALS.**

2.1 Property Owner and Property. Property Owner is the legal owner of certain real property described in Exhibit "A" ("Property") attached hereto and incorporated by reference, which is located outside of the City's boundaries.

2.2 Sewer Service. Property Owner wants sewer service to be provided to the Property. The City and Property Owner believe that the City can provide efficient sewer service to the Property.

2.3 Property Outside of City's Boundaries. The Property will remain outside of the City's boundaries.

2.4 Annexation Not Required. Annexation of the Property to the City is not required, so long as sewer service under this Agreement is strictly limited to the Property.

2.5 No Opposition to Future Annexation. Property Owner will not oppose any future annexation proceeding concerning the annexation of the Property to the City.

2.6 LAFCO Approval. City's sewer service to the Property is subject to approval by the Local Agency Formation Commission ("LAFCO") pursuant to California Government Code Section 56133.

2.7 Additional Agreements. City is agreeing to provide sewer service pursuant to this Agreement and thereby subject to certain terms and conditions set forth in additional agreements provided for in Section 3.3 below.

2.8 Terms and Conditions. Property Owner and the Property shall be subject to all terms and conditions of this Agreement, including the additional agreements provided for in Section 3.3 below, as well as all applicable federal, state and local laws, rules and regulations, including, but not limited to, all ordinances and regulations of the City, the County of San Bernardino, and all other public agencies governing properties and sewer service within the City.

2.9 Colton Utility Authority. Property Owner understands that the City has entered into a Utility System Management Agreement, dated as of September 1, 2000, with the Colton Utility Authority ("CUA") for the maintenance, management and operation of its Water Enterprise and Wastewater Enterprise ("CUA Management Agreement"). To the extent that this Agreement is deemed to be a "material contract" under the CUA Management Agreement, City enters into this Agreement on behalf of the CUA and subject to the terms of the CUA Management Agreement.

### 3. TERMS.

3.1 Recitals. The above recitals are incorporated herein by reference.

3.2 Legal Description. The Property (APN 0274-131-59-0000), which is located outside of the City's boundaries, is more fully described in Exhibit "A" attached hereto and incorporated by reference.

3.3 Additional Agreements.

3.3.1 Connection Agreement. The Property shall be connected to the City's public sewer main lines pursuant to terms and conditions provided for in a separate agreement between the City and Property Owner.

3.3.2 Fee Agreement. Property Owner and the City will enter into a separate agreement providing for the payment of all applicable fees, including, but not limited to, an agreement processing fee, an extra-territorial acreage fee, a monthly sewer service fee, a capacity fee and a saddle fee.

3.4 Annexation.

3.4.1 Property Owner Consent. Property Owner hereby irrevocably consents to the annexation of the Property to the City. Property Owner agrees to covenant for herself and her agents, employees, contractors, heirs, successors and assigns who obtain title to the Property

("Successors") to not in any way object to, protest, delay, frustrate or otherwise impede any annexation proceedings concerning the annexation of the Property to the City. Property Owner and her Successors shall cooperate in every reasonable way with the requests of the City, LAFCO or any other public agency in any proceedings to annex the Property to the City. The Property Owner's and the Successors' cooperation shall include, but not be limited to, the filing of all necessary applications, petitions, plans, drawings and any other documentation or information required by the City, LAFCO or other public agency at Property Owner's sole cost and expense. If Property Owner wishes to commence proceedings to annex the Property to the City, Property Owner shall be responsible for all applicable fees, including those fees which may be imposed by LAFCO and the City.

3.4.2 No City Obligation. The City shall not have any obligation to annex the Property to the City at any particular time or at all. The City shall retain, in its sole and absolute discretion, the right to annex the Property when and if the City believes annexation is appropriate.

3.5 City's and Property Owners Obligations. The City shall provide sewer service to the Property when, and as long as, all required agreements are executed, fees are paid and the Property is connected to the City's sewer system.

3.6 Applicable Laws, Rules & Regulations. The intent and purpose of this Agreement is for the Property to enjoy the same benefits and be subject to the same obligations and restrictions as a property located within the City's boundaries which receives sewer service. Therefore, Property Owner, the Property's discharge of sewage into the City's sanitary sewer, shall be subject to all applicable federal, state and local laws, rules and regulations, including, but not limited to, all ordinances and regulations of the City, the County of San Bernardino, and all other public agencies governing properties and sewer service within the City.

3.7 Notices Under Agreement. Notices required under this Agreement shall be sufficient if in writing and either served personally upon the parties to whom they are directed or by deposit in the United States mail, postage prepaid, certified, return receipt requested, addressed to the following:

<b>City:</b>	City Clerk City of Colton 650 N. La Cadena Dr. Colton, CA 92324
<b>Property Owner:</b>	Othoniel Jara <b>Authorized Signatory of Jay Gees LLC</b> <b>5318 El Rivino Rd.</b> <b>Riverside, CA 92509</b>

3.8 Authority; Termination; Colton Utility Authority. This Agreement is entered into pursuant to the authority granted to the City by California Government Code Section 56133(a). This Agreement shall terminate with the written consent of both Parties or in the event the Property is annexed to the City. To the extent that this Agreement is deemed to be a "material contract" under the CUA Management Agreement, Property Owner has no right to terminate this Agreement, either with or without cause, based upon the existence or non-existence of the CUA Management Agreement. Therefore, if the CUA Management Agreement expires or terminates for any reason, Property Owner shall remain fully obligated to perform under this Agreement on behalf of the CUA or another third party contracted by the CUA for the maintenance, management and operation of the Water Enterprise and/or Wastewater Enterprise.

3.9 Recordation; Assignment. This Agreement shall be binding upon the Parties, their heirs, successors and assigns. While this Agreement is intended to be recorded against the Property with the County Recorder, it need not be in order to be effective. This Agreement shall expressly apply only to the Property described herein. Property Owner shall have the right to assign her rights, duties and obligations under this Agreement to Successor owners or legal occupants of the Property.

3.10 No Additional Connections. No additional water or sewer service connections are permitted pursuant to this Agreement, other than those expressly provided for herein.

3.11 Modification. This Agreement may be modified only by a subsequent written amendment duly approved and executed by both Parties.

3.12 Governing Law and Venue. This Agreement shall be governed by and construed under the laws of the State of California. Any action commenced to enforce the terms of this Agreement shall be filed in the County of San Bernardino, State of California.

3.13 Attorneys' Fees. Should the Parties commence litigation and/or arbitration to enforce the provisions of this Agreement, the prevailing Party shall be entitled to receive the costs of such litigation or arbitration, including reasonable attorneys' fees, expert fees and other costs and expenses.

3.14 Further Cooperation. Each Party covenants and agrees to prepare, execute, acknowledge, file, record, publish, deliver to the other Party such other instruments or documents, including, but not limited to, the additional separate agreements referred to herein, as is required and may be reasonably necessary to carry out this Agreement.

3.15 Integration. This Agreement represents the entire understanding between the City and Property Owner as to those matters contained herein, and supersedes and cancels any prior oral or written understandings, promises or representations with respect to those matters covered hereunder.

**[SIGNATURES TO FOLLOW ON NEXT PAGE]**

**SIGNATURE PAGE FOR  
EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT  
BY AND BETWEEN  
CITY OF COLTON AND JAY GEES LLC**

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**CITY OF COLTON**

By: \_\_\_\_\_  
Frank J. Navarro, Mayor

*Attest:* \_\_\_\_\_  
Isaac T. Suchil  
City Clerk

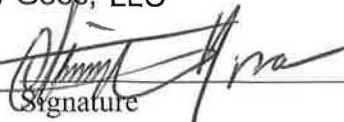
*Recommended for Approval:*

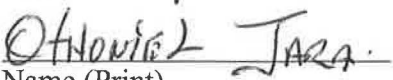
\_\_\_\_\_  
Executive Director  
Colton Utility Authority

*Approved as to Form:*

\_\_\_\_\_  
Carlos Campos  
City Attorney

Othoniel Jara, Authorized Signatory  
of Jay Gees, LLC

By:   
Signature

  
Name (Print)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION AND MAP/DIAGRAM OF PROPERTY**

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

LOT 10, TRACT NO. 11557, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 172, PAGES 20 AND 21 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Assessor's Parcel Numbers(s): **0274-131-59-0000**

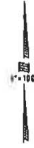
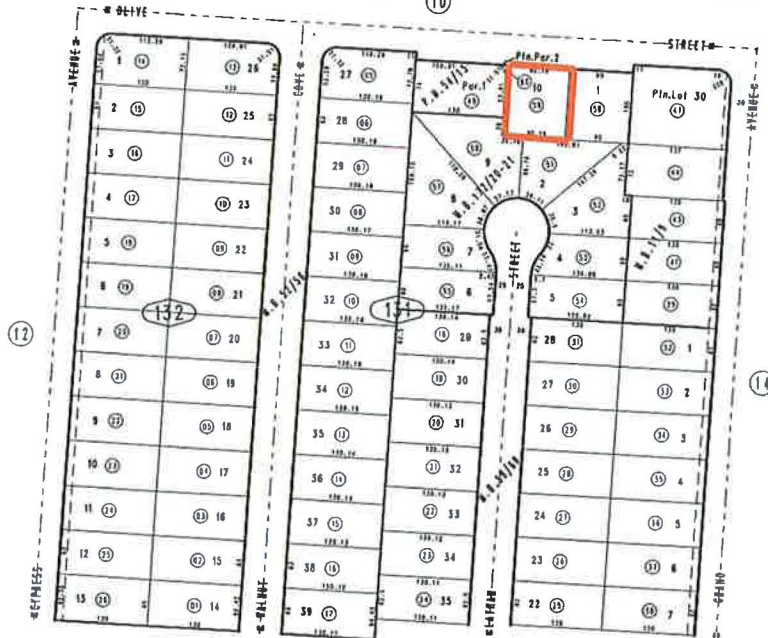
THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.



Ptn. Orange Land & Water Co. Add.  
M.B.11/9

Colton Unified  
Tax Rate Area  
64017

0274-13



October 2003 Ptn. Tract No. 4710, M.B. 59/68 Ptn. Parcel Map No. 5534, P.W. 54/15  
Tract No. 4009, M.B. 52/56 Tract No. 11557, M.B. 172/20-21

Assessor's Map  
Book 0274 Page 13  
San Bernardino County

# ACKNOWLEDGMENT

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

State of California  
County of San Bernardino )

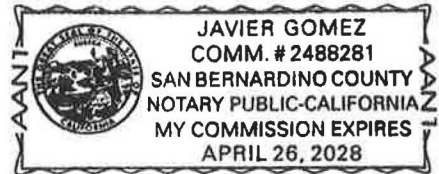
On March 16, 2026 before me, Javier Gomez, Notary Public  
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature  (Seal)



## **TOM DODSON & ASSOCIATES**

---

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

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

Tel: (909) 882-3612 ♦ Email: [tda@tdaenv.com](mailto:tda@tdaenv.com) ♦ Web: [tdaenvironmental.com](http://tdaenvironmental.com)



May 8, 2026

Mr. Samuel Martinez  
Executive Officer  
Local Agency Formation Commission  
1601 East 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

Dear Sam:

LAFCO SC#557 consists of an application for Extension of Service by the City of Colton to serve a 0.21-acre residential parcel of land located in the City's unincorporated western Sphere of Influence (Sphere). The specific action before the Local Agency Formation Commission (LAFCO or Commission) consists of a request by the City of Colton (City) to extend sewer collection and wastewater treatment service to a proposed single family residence and Accessory Dwelling Unit on a single parcel of land (0274-131-59) located just west of the Olive Street and Grand Avenue intersection. If the Commission approves LAFCO SC#557 (Extra-Territorial Sewer Service Agreement), the project can move forward with development of the two unit residential project under San Bernardino County jurisdiction, and then connect to the City's sewer collection system at a sewer main located in the Olive/Grand intersection about 235 lineal feet east of the project site. An 8 inch main will be extended to the parcel and a 4 inch lateral will be extended from the main to the two new residences.

Based on the above proposal and the analysis and findings presented below, I conclude that LAFCO SC#557 can be implemented without causing significant adverse impacts on the environment. The administrative record does not identify any action by the County to comply with the California Environmental Quality Act (CEQA) for this proposed project. Therefore, LAFCO will consider this extension of service as the CEQA lead agency. Based on the proposal to construct up to two residences on this parcel, the previous engineering of the area as part of a tract development, and the available service lines in close proximity to the site, I conclude that this project has no potential to cause a significant adverse impact on the environment. Further, this 0.21-acre project will function essentially as an infill development within the community, even though it is not currently within the City.

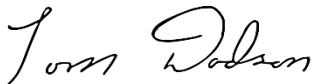
Therefore, I recommend that LAFCO SC#557 does not constitute a project under CEQA and adoption of an exemption (under the "Common Sense" finding in the State CEQA Guidelines) and filing of a Notice of Exemption is the most appropriate determination to

comply with the CEQA. This exemption is found in Section 15061(b)(3) for this action. See the attached definition. The Commission can approve this review and finding for this action based on the preceding analysis, and I recommend that you notice LAFCO SC#557 as exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption (NOE) with the County Clerk of the Board for this action once a decision is made for this out-of-area service agreement.

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

Based on this review of LAFCO SC#557 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the "Common Sense" exemption, as adequate substantiation in accordance with the Commission's CEQA lead agency status. If you have any questions regarding this recommendation, please feel free to give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Tom Dodson".

Tom Dodson  
Attachment

cc: Kaitlyn Dodson-Hamilton

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3rd 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 SC#557**

**HEARING DATE: MAY 20, 2026**

## **RESOLUTION NO. 3435**

### **A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO SC#557 – CITY OF COLTON EXTRA-TERRITORIAL SEWER SERVICE AGREEMENT (APN 0274-131-59)**

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

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

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

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

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

**WHEREAS**, the public hearing by this Commission was called for May 20, 2026 at the time and place specified in the notice of public hearing; and,

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

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

## RESOLUTION NO. 3435

### **DETERMINATIONS:**

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

1. The parcel, identified as Assessor Parcel Number 0274-131-59, is within the sphere of influence assigned to the City of Colton and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Colton sewer service.

For water service, the Commission has previously confirmed that the provision of water service by the City of Colton within the area previously served by the Terrace Water Company—which includes said parcel—is exempt from LAFCO review (LAFCO SC#536).

Therefore, this application requests authorization to receive City of Colton sewer service only. Approval of the City's request for authorization to provide sewer service is necessary for the proposed development of the single-family residence and ADU to proceed.

2. The City of Colton Extra-Territorial Sewer Service Agreement being considered is for the provision of sewer service to Assessor Parcel Number 0274-131-59. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request for authorization will allow the property owner/developer and the City of Colton to proceed in finalizing the contract for the extension of sewer service.
3. The City of Colton estimates a total of \$41,345.75 for the extension of sewer service to the project. Payment of these fees are required prior to connection to the City's sewer facilities.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the "Common Sense Rule" since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission's adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

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

**SECTION 3.** The Local Agency Formation Commission for San Bernardino County does hereby determine to authorize the service extension contract submitted by the City of Colton to provide sewer service to the project area, Assessor Parcel Number 0274-131-59.

**RESOLUTION NO. 3435**

**SECTION 4.** The Commission instructs the Executive Officer of this Local Agency Formation Commission to notify the affected agencies that the application identified as LAFCO SC#557 - City of Colton Extra-Territorial Sewer Service Agreement (APN 0274-131-59) has been approved.

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

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN BERNARDINO )

I, **SAMUEL MARTINEZ**, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of May 20, 2026.

**DATED:**

---

**SAMUEL MARTINEZ**  
Executive Officer

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3rd 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:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
ARTURO PASTOR, Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #9: LAFCO SC#558 – City of Chino Covenant Agreement to Annex for Sanitary Sewer Connection (Assessor Parcel Number 1019-272-06)

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**INITIATED BY:**

City of Chino, on behalf of the property owners/developer.

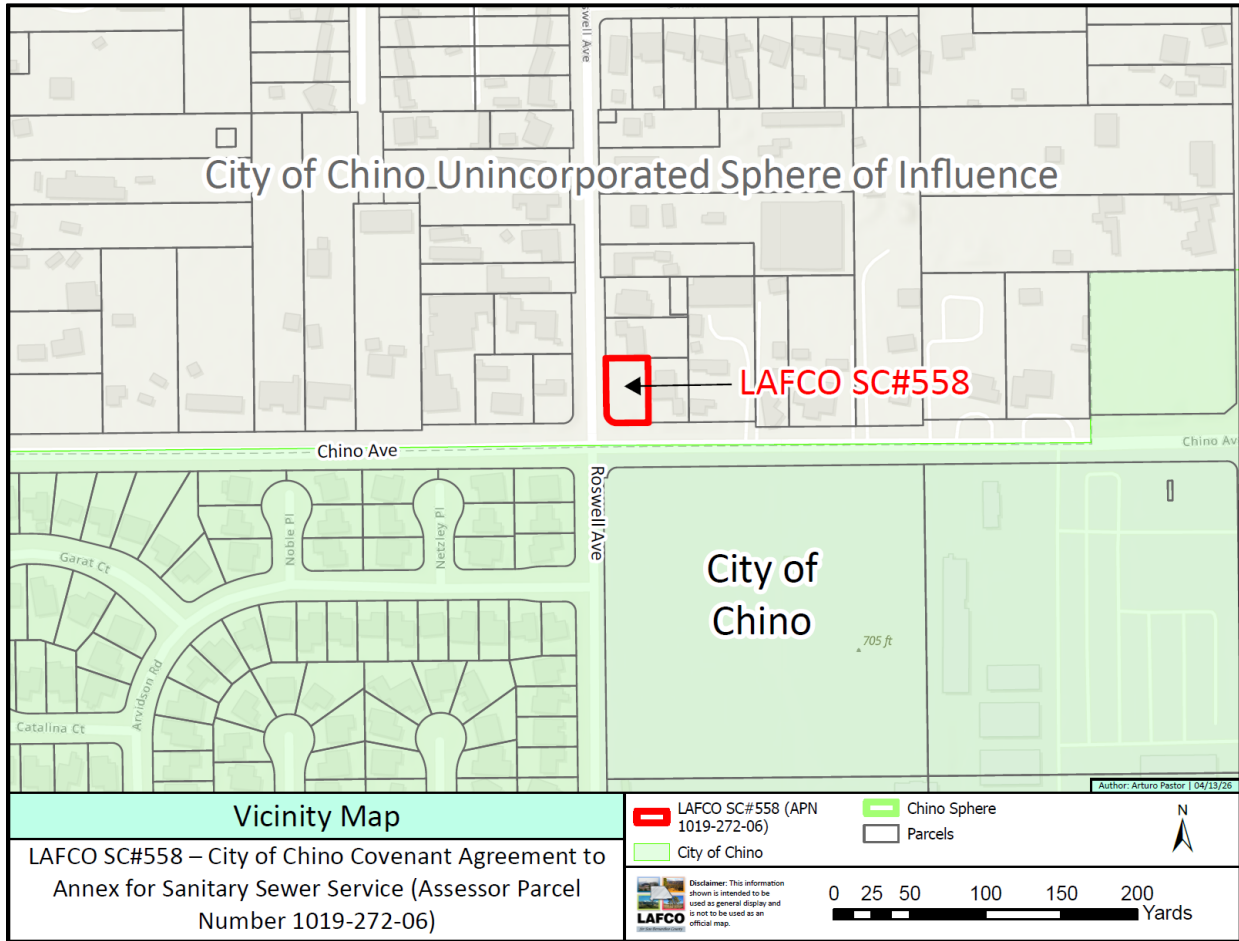
**RECOMMENDATION:**

Staff recommends that the Commission approve LAFCO SC#558 by taking the following actions:

1. Certify that LAFCO SC#558 is exempt from environmental review and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC#558 authorizing the City of Chino to extend sewer service outside its boundaries to Assessor Parcel Number 1019-272-06.
3. Adopt LAFCO Resolution No. 3436 setting forth the Commission's determinations and approval of the agreement for service outside the City of Chino's boundaries.

**BACKGROUND:**

The City of Chino (hereinafter the "City") has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend sewer service outside its boundaries to a parcel, Assessor Parcel Number (APN) 1019-272-06, generally located on the north eastern corner of Chino and Roswell Avenues, within the City of Chino's sphere of influence. The vicinity map below, which is also included as Attachment #1, provides the location of the parcel.



Vicinity Map

The property owners/developer anticipates building a single-family residence along with an attached accessory dwelling unit (ADU) which requires connection to the City’s sewer facilities. Therefore, the City, on behalf of the property owners, is requesting that the Commission authorize the extension of sewer service to the parcel pursuant to the provisions of Government Code Sections 56133. Authorization of this agreement is required before the City can take final actions to implement the terms of the agreement.

**PLAN FOR SERVICE:**

The City’s application, included as Attachment #2, identifies that sewer service to the parcel would be provided from the existing 8-inch sewer main in Roswell Avenue.

Pursuant to the Commission’s application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency’s boundaries. The City estimates a total of \$11,012.92 for the extension of sewer service to the parcel. Following is a table with a breakdown of the fee calculation:

Description of Fees/Charges	Cost	Total Cost
Sewer Development Impact Fee		\$610.98
Sewer Facilities Development		\$8,620.00
Plan Check & Inspection		\$1,500.00
Right-of-Way Permit		\$282.00
<b>Total Costs</b>		<b>\$11,012.98</b>

In addition to the cost outlined above, the property owners/developer will be responsible for the entire cost of the lateral extension from the sewer main to the property.

**ENVIRONMENTAL DETERMINATION:**

As the CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson from Dodson and Associates, has reviewed this application and has indicated it is his recommendation that the review of LAFCO SC#558 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission’s authorization of the out-of-agency service agreement has no potential to cause a significant adverse impact on the environment; and therefore, the request is exempt (under the “Common Sense Rule”) from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). A copy of Mr. Dodson’s response is included as Attachment #3 to this report.

**CONCLUSION:**

The development of the single-family residence and attached ADU requires that it receive sewer service from the City of Chino. The service contract application requests authorization to provide sewer service outside the City’s boundaries.

Staff has reviewed this request for authorization to provide sewer services from the City of Chino outside its corporate boundaries against the criteria established by Commission policy and Government Code Section 56133. The parcel to be served is within the sphere of influence assigned to the City of Chino and is anticipated to become a part of the City sometime in the future. Staff supports the City’s request for authorization to provide sewer service to APN 1019-272-06 since its facilities are near the parcel, and there is no other existing entity available to provide this service within the area.

**DETERMINATIONS:**

1. The parcel, identified as Assessor Parcel Number 1019-272-06, is within the sphere of influence assigned to the City of Chino and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Chino sewer service.

Water service will be provided by the Monte Vista Water District.

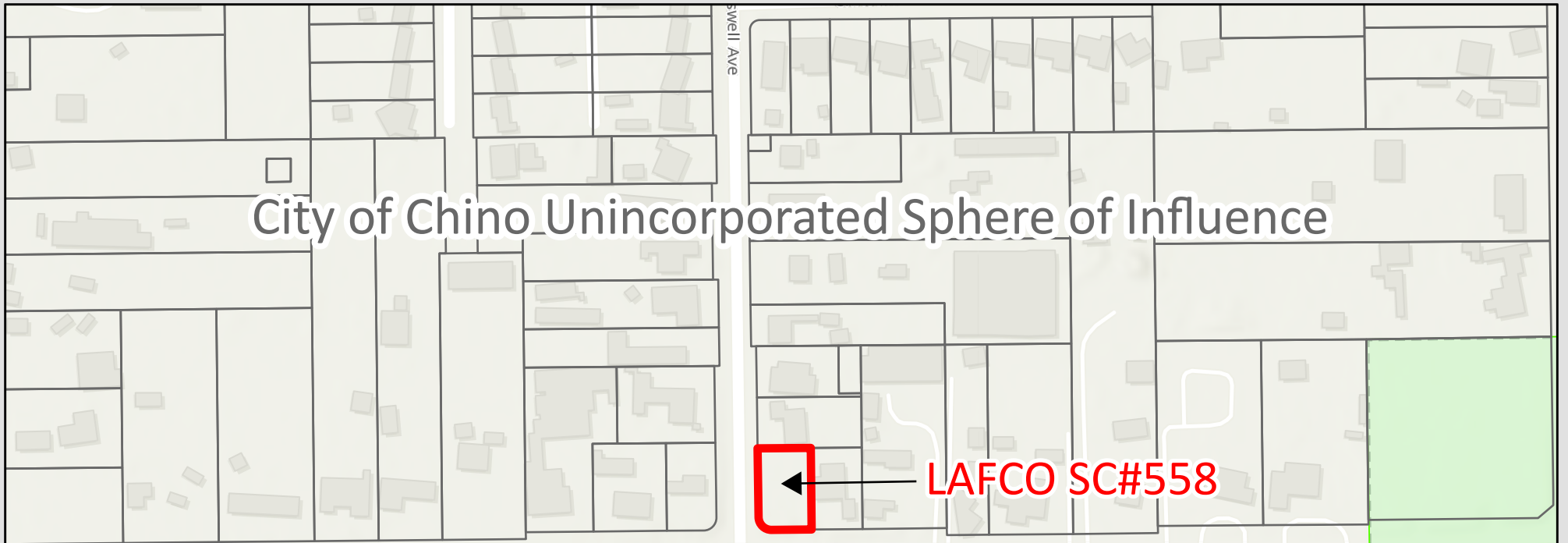
Approval of the City's request for authorization to provide sewer service is necessary for the proposed development of the single-family residence and attached ADU to proceed.

2. The City of Chino Covenant Agreement to Annex being considered is for the provision of sewer service to Assessor Parcel Number 1019-272-06. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request for authorization will allow the property owner/developer and the City of Chino to proceed in finalizing the contract for the extension of sewer service.
3. The City of Chino estimates a total of \$11,012.98 for the extension of sewer service to the project. Payment of these fees are required prior to connection to the City's sewer facilities.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the "Common Sense Rule" since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission's adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

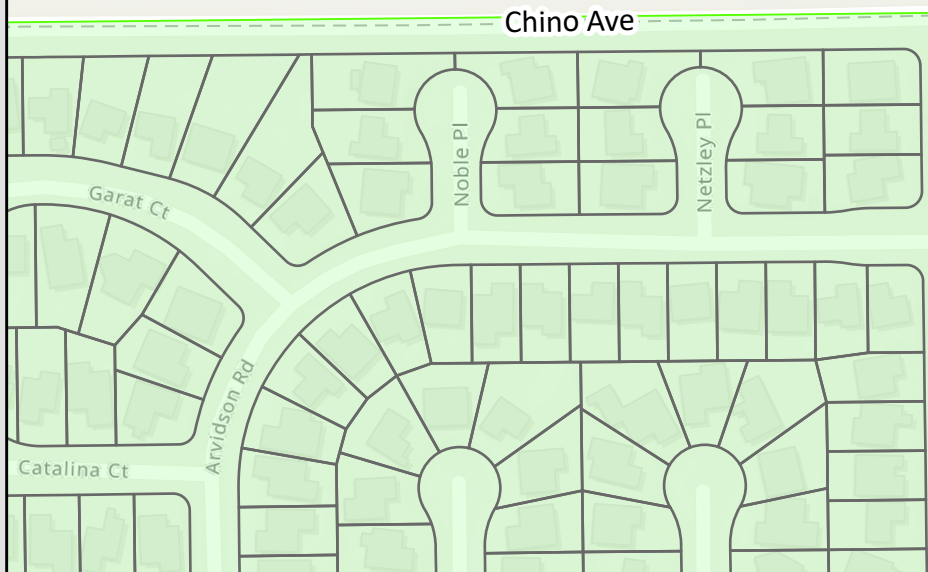
Attachments:

1. [Vicinity Map](#)
2. [City of Chino's Application and Contract](#)
3. [Response from Tom Dodson and Associates](#)
4. [Draft Resolution No. 3436](#)

# City of Chino Unincorporated Sphere of Influence




LAFCO SC#558



Author: Arturo Pastor | 04/13/26

## Vicinity Map

LAFCO SC#558 – City of Chino Covenant Agreement to Annex for Sanitary Sewer Service (Assessor Parcel Number 1019-272-06)


 LAFCO SC#558 (APN 1019-272-06)

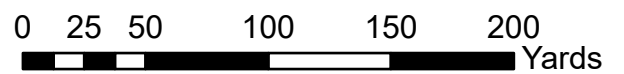
 City of Chino

 Chino Sphere

 Parcels



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



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

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

### AGENCY TO EXTEND SERVICE:

AGENCY NAME: City of Chino

CONTACT PERSON: Jesus Plasencia

ADDRESS: 13220 Central Avenue  
Chino, CA 91710

PHONE: (909) 334-3418


EMAIL: jplasencia@cityofchino.org


### CONTRACTING PARTY:

NAME OF PROPERTY OWNER: Adam Tinh Chung

CONTACT PERSON: Adam Tinh Chung

MAILING ADDRESS: 2262 East Banyan Place  
Anaheim, CA 92806

PHONE: 

EMAIL: 

ADDRESS OF PROPERTY PROPOSED FOR CONTRACT: 3910 Chino Avenue  
Chino, CA 91710

CONTRACT NUMBER/IDENTIFICATION: n/a

PARCEL NUMBER(S): 1019-272-06

ACREAGE: 10,500 SF

Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

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

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

Sewer service for the single-family residence and

Accessory Dwelling Unit (ADU).

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

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

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

The property owner is entering into an irrevocable agreement to annex

the property as a condition of receiving sewer service.

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

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

The financial burden of annexation is not feasible for an  
\_\_\_\_\_  
individual property owner with a single lot.  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Residential (RD 2)  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

n/a  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

10. Plan for Service:

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

An 8-inch sewer main is available within the public right-of-way on Roswell Avenue. There is sufficient capacity to accommodate the proposed service connection. The proposed project is located within 250 feet of the main line.

The property owner will retain a licensed contractor for the construction of the sewer lateral. This work will require a delta revision to the approved plans.

Upon approval of the revised plan, the connection may proceed in accordance with the City's requirements.

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

<i>Description of Fees/Charges</i>	<i>Cost</i>	<i>Total</i>
Sewer Development Impact Fee	\$610.98	\$610.98
Sewage Facilities Development	\$8,620	\$8,620
Estimated Construction Costs	tbd	tbd
Plan Check & Inspection	\$1,500	\$1,500
Right-of-Way Permit	\$282	\$282
Note: Does not include other costs such as		
County permit fees, mobilization, road, repair, etc.		
<b>Total Costs</b>	tbd	tbd

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

n/a

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

n/a

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

Resolution 2025-021

## CERTIFICATION

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

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

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

*Extension of Service by Contract  
Application Form*

\_\_\_\_\_  
(FOR LAFCO USE ONLY)

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

SIGNED

  
\_\_\_\_\_

NAME:

Jesus Plasencia  
\_\_\_\_\_

POSITION TITLE:

Assistant City Engineer  
\_\_\_\_\_

DATE:

4/9/26  
\_\_\_\_\_

**REQUIRED EXHIBITS TO THIS APPLICATION:**

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

Please forward the completed form and related information to:

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

RECORDING REQUESTED BY AND WHEN  
RECORDED MAIL TO:

City of Chino  
City Clerk  
P.O. Box 667  
Chino, CA 91708

Exempt from recording fees according to  
Government Code Section No. 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## COVENANT AGREEMENT TO ANNEX AND FOR SANITARY SEWER CONNECTION

This Covenant Agreement ("**Agreement**") is made this \_\_\_\_ day of \_\_\_\_\_, 2026, by and between the City of Chino, a municipal corporation, hereinafter referred to as "**City**", and Adam Think Chung and Alvin Chung hereinafter referred to as "**Owners**."

### RECITALS

- A. Owners own that certain real property located at 3910 Chino Ave, Chino, in the County of San Bernardino, State of California, and more particularly described in Exhibit "A" attached hereto ("**Property**").
- B. The Property is outside of the City's territorial boundaries but within City's Sphere of Influence.
- C. Owners have requested permission to connect the Property, and existing and/or proposed improvements on the Property, to the City's sanitary sewer system ("**Sewer**").
- D. City is willing to allow Owners to connect the Property to the Sewer on the condition that Owners (i) enter into an irrevocable agreement to annex the Property to the City at such time as the City determines a sufficient number of parcels are assembled for annexation and the number of parcels or area qualifies for annexation in accordance with the Local Agency Formation Commission (LAFCO) policy pertaining to such annexations, and (ii) that Owners agree to develop the Property in accordance with the City's General Plan and in conformance with all City codes and standards pertaining to the Sewer.
- E. As required by Government Code Section 56133, the City has requested and received approval from the Local Agency Formation Commission (LAFCO) of San Bernardino County ("**LAFCO**") to provide Sewer services to the Property.

### AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals are incorporated herein by reference.
2. **Effective Date; Duration.** This Agreement shall be effective ("**Effective Date**") on the date it is recorded in the Official Records of San Bernardino County ("**Official Records**") and shall continue in full force and effect until terminated in accordance with Section 7 below. Owners shall execute and acknowledge this Agreement and deliver it to City for execution after which City shall have it recorded in the Official Records and send a recorded copy to Owner.
3. **Owners' Representations and Warranties.** Owners represents and warrants to the City that, as of the Effective Date, Owners are the fee owners of the Property, that there are no other owners of the Property other than those listed in this Agreement, and that Owners have authority to execute this Agreement which shall be binding on the Property.
4. **Covenants, Restrictions and Obligations.** Owners covenant and agree as follows:
  - (a) **Annexation.**
    - (i) At such time as the City decides to seek annexation of the Property to the City ("**Annexation**"), in the City's sole discretion, Owners shall consent to the Annexation, shall fully cooperate with, and provide all necessary assistance to the City during the Annexation process, and shall take all actions required to effectuate the Annexation. Owners waive all rights to protest or otherwise oppose the Annexation of the Property to the City of Chino. Specifically, Owners shall not present any written or oral protest of or objection to Annexation to LAFCO and shall not object (either orally or in writing) to any proposal by LAFCO to waive protest proceedings concerning the Annexation, whether at a public hearing or otherwise.
    - (ii) Additionally, Owners shall pay all fees and costs, at the time that they become due and payable, as would ordinarily be charged to Owners whose property is being considered for annexation or is annexed to the City, if any.
  - (b) **Development of Property.** Upon and after connecting the Property to the Sewer, Owners shall use and develop the Property only in a manner consistent with the permitted use(s) for the Property as show in the Land Use Element of the City's General Plan ("**General Plan**"), in addition to any other land use and development standards imposed by the County of San Bernardino. Prior to connecting to and receiving Sewer service, Owners shall provide the City with sufficient information and documentation, including plans, drawings, and specifications, if necessary, to demonstrate to the City's reasonable satisfaction that the existing or proposed use of the Property is consistent with the General Plan; provided that any accessory dwelling unit meeting the standards of the County of San Bernardino zoning regulations shall not require conformance with the City's General Plan, Codes or standards. Notwithstanding any other provision of this Agreement, a proposed use that is not consistent with the General Plan will not be permitted to connect to the Sewer.
  - (c) **Sewer Connection.** Owners shall (i) pay all fees, charges, and deposits required by the City for connection to and use of the Sewer including but not limited to fees for Sewer Maintenance and IEUA Sewage Treatment; (ii) shall complete all improvements required to extend the Sewer to the Property, in accordance with City standards (as determined by the City Engineer), at Owners' sole expense; and (iii) shall comply with all City

codes and standards regarding use of the Sewer, including but not limited to, discharge regulations.

5. **Extension of Sewer Services.** City agrees to allow the Property to connect to the Sewer, subject to Owners' compliance with the terms of this Agreement and subject to any conditions imposed by LAFCO in its approval of City's request to extend Sewer services to the Property, if any, which are incorporated herein.

6. **Runs with the Land.** This Agreement shall run with and burden the Property and all future owners, tenants, and occupants of the Property, and shall run in favor of the City in gross as a covenant and equitable servitude and shall benefit all real property owned by the City from time to time.

7. **Release of Covenant.** Provided the Owners are not in default of this Agreement, Owners may request that this Agreement be released by sending written notice to City requesting the release after the Property has been annexed to the City of Chino. Upon confirmation of compliance with the foregoing to the reasonable satisfaction of the City, City shall execute a release in a form approved by the City Attorney, which shall be executed and acknowledged by the City and recorded in the Official Records. The release may be executed by the City Manager.

8. **Violations; Remedies.**

(a) **Breach of Annexation Covenant.**

(i) Owners' breach of Section 4(a)(i) of this Agreement will cause substantial injury to the City, including but not limited to delaying and potentially preventing City's ability to annex the Property and other properties to the City, which is the City's primary aim and intent in entering into this Agreement. Since the determination of actual damages caused by a breach of Section 4(a)(i) would be difficult or impractical to determine, City and Owners agree that if Owners breach Section 4(a)(i) either by making a protest or objection as described in Section 4(a)(i) or refusing to take any actions required to effectuate the Annexation, Owners shall be liable for and shall pay to the City the sum of Ten Thousand Dollars (\$10,000), and shall also reimburse the City for all costs (including legal fees) incurred by the City as a result of Owners' breach, all of which shall be due upon demand by the City, and shall be due whether or not Owners' breach prevents Annexation. City may also seek any other remedy for such breach available under law.

(ii) If Owners refuse or fails to timely make any payment described in Section 4(a)(ii), Owners authorize City to make such payment on Owners' behalf and Owners shall reimburse City for such payment within (30) days of a written demand by the City.

(b) **Breach of Sewer Regulations.** If the City believes Owner have violated Section 4(c) of this Agreement, City may provide written notice of breach and demand that Owners remedy the breach within thirty (30) days of receipt of the notice. If Owners fail to remedy the breach in the specified time period and provide proof thereof to the reasonable satisfaction of the City, Owners shall be liable for and shall pay to the City One Hundred Dollars (\$100.00) per day until the breach is cured to the City's reasonable satisfaction.

(c) **Rights and Remedies are Cumulative.** The rights and remedies of the City listed in this Section 8 are cumulative and the exercise by City of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by Owners.

(d) **Lien.** If any amount due to the City under this Section 8 is not paid within thirty (30) days of a written demand by the City, City shall have the right to record a lien against the Property for such amount.

9. **Amendment or Modification.** This Agreement may not be amended or modified except (i) in writing executed by the then current owner(s) of the Property and the City, and (ii) recorded in the Official Records.

10. **Notices.** Any notice to be given under this Agreement shall be given by personal delivery or by depositing the same in the United States Mail, certified or registered, postage prepaid, at the following addresses:

City: City of Chino  
13220 Central Avenue  
Chino, CA 91710  
Attn: Director of Development Services

With Copy to: City of Chino  
13220 Central Avenue  
Chino, CA 91710  
Attn: City Attorney

Owners: Adam Thinh Chung  
Alvin Chung  
2262 East Banyan Place  
Anaheim, CA 92806

Any notice delivered personally shall be effective upon delivery. Any notice given by mail as above provided shall be effective forty-eight (48) hours after deposit in the mail. Any party may change address for notice by giving written notice of such change to the other party.

11. **Miscellaneous.**

(a) **Severability.** If any term of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then this Agreement, including all of the remaining terms, will remain in full force and effect as if such invalid or unenforceable term had never been included.

(b) **Governing Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of California and any legal action shall be brought in a court of competent jurisdiction in San Bernardino County.

(c) **Attorney's Fees.** In the event of any litigation or other legal proceeding arising from this Agreement, the prevailing party will be entitled to recover, in addition to any other relief awarded or granted, its reasonable costs and expenses, including attorney's fees, incurred in the proceeding.

(d) **Final Agreement.** This Agreement contains the entire understanding and agreement with respect to the subject matter of this Agreement and all prior or contemporaneous documents, communications, understandings, representations, and statements shall be of no force or effect.

(e) **Construction.** This Agreement shall be construed according to its fair meaning as if prepared by all parties to this Agreement. Headings used in this Agreement are provided for convenience only and shall not be used to construe meaning or intent.

(f) **No Waiver.** The failure to enforce any term, covenant, or condition of this Agreement shall not be construed as a waiver of the right to enforce this, or any other, term, covenant, or condition of this Agreement.

(g) **Counterparts.** This Agreement may be executed in any number of counterparts each of which shall be an original but all of which shall constitute one and the same document.

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their respective officials thereunto duly authorized.

**CITY:**

**CITY OF CHINO, a municipal corporation**

\_\_\_\_\_  
Linda Reich, City Manager

**ATTEST:**

\_\_\_\_\_  
Natalie Gonzaga, City Clerk

**APPROVED AS TO FORM:  
ALESHIRE & WYNDER, LLP**

\_\_\_\_\_  
Fred Galante, City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Hye Jin Lee  
Director of Public Works

**OWNERS:**

By: \_\_\_\_\_  


By: \_\_\_\_\_  


Name: Adam Thinh Chung

Name: Alvin Chung

**[OWNER'S SIGNATURE SHALL BE NOTARIZED]**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California )

County of Orange )

On 4/6/26 before me, Date

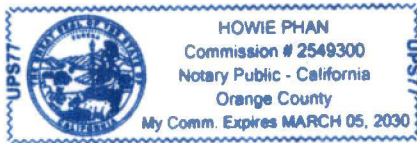
Howie Phan, Notary Public, Here Insert Name and Title of the Officer

Personally appeared Adam Thinh Chung and Alvin Chung Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature [Handwritten Signature] Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document Agreement to Annex

Title or Type of Document Covenant Annex HP Document Date 4/6/26

Number of Pages Signer(s) Other Than Named Above

Capacity(ies) Claimed by Signer(s)

- Signer's Name
Corporate Officer—Title(s)
Partner Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other

- Signer's Name
Corporate Officer—Title(s)
Partner Limited General
Individual Attorney in Fact
Trustee Guardian or Conservator
Other

Signer Is Representing

Signer Is Representing

**EXHIBIT A**

**PROPERTY DESCRIPTION**

That certain real property in the County of San Bernardino, State of California, legally described as follows:

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

LOCATED ON THAT CERTAIN PART OF LOT 31, SECTION 9. TOWNSHIP 2 SOUTH, RANGE 8 WEST, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO DEL CHINO, RECORDED IN BOOK OF MAPS, PAGE 15, RECORDS OF SAID COUNTY.

EXPECTING AT THE SOUTHWEST CORNER OF LOT 31;  
THENCE NORTH 170 FEET TO A POINT;  
THENCE EASTERLY 118 FEET TO A POINT;  
THENCE SOUTHERLY 170 FEET TO A POINT;  
THENCE WEST 118 FEET TO THE POINT OF BEGINNING  
EXCEPTING THEREFORM THAT PORTION THEREOF CONVEYED TO THE COUNTY OF SAN BERNARDINO BY DEED RECORDED JANUARY 7, 1960, IN BOOK 5026, PAGE 389 OF OFFICLA RECORDS.

AREAS AND DISTANCES OF THE ABOVE DESRIVED PROPERTY ARE COMUTED TO THE CENTER OF THE ADJOINING STREETS.

APN: 1019-272-06

## TOM DODSON & ASSOCIATES

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

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

Tel: (909) 882-3612 ♦ Email: [tda@tdaenv.com](mailto:tda@tdaenv.com) ♦ Web: [tdaenvironmental.com](http://tdaenvironmental.com)



May 8, 2026

Mr. Samuel Martinez  
Executive Officer  
Local Agency Formation Commission  
1601 East 3<sup>rd</sup> Street, Unit 150  
San Bernardino, CA 92415-0490

Dear Sam:

LAFCO SC#558 consists of an application for Extension of Service by the City of Chino to a approximate 0.24-acre residential parcel of land located in the City's unincorporated northern Sphere of Influence (Sphere). The specific action before the Local Agency Formation Commission (LAFCO or Commission) consists of a request by the City of Chino (City) to extend sewer collection to a proposed single family residence and Accessory Dwelling Unit on a single parcel of land (1019-272-06) located on the north side of Chino Avenue, west of the Roswell Avenue. If the Commission approves LAFCO SC#558 (Extra-Territorial Sewer Service Agreement), the project can move forward with development of the two unit residential project under San Bernardino County jurisdiction, and then connect to the City's sewer collection system at a sewer main located in Roswell Avenue, about 250 lineal feet west of the project site. An 8 inch main will be tapped and a 4 inch lateral will be extended to the two new residences.

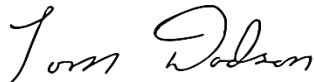
Based on the above proposal and the analysis and findings presented below, I conclude that LAFCO SC#558 can be implemented without causing significant adverse impacts on the environment. As noted, the administrative record does not identify any action by the County to comply with the California Environmental Quality Act (CEQA) for this proposed project. Therefore, LAFCO will consider this extension of service as the CEQA lead agency. Based on the proposal to construct up to two residences on this parcel, the previous engineering of the area as part of a tract development, and the available sewer service lines in close proximity to the site, I conclude that this project has no potential to cause a significant adverse impact on the environment. Further, this 0.24-acre project will function essentially as an infill development within the community, even though it is not currently within the City.

Therefore, I recommend that LAFCO SC#558 does not constitute a project under CEQA and adoption of an exemption (under the "Common Sense" finding in the State CEQA Guidelines) and filing of a Notice of Exemption is the most appropriate determination to comply with the CEQA. This exemption is found in Section 15061(b)(3) for this action.

See the attached definition. The Commission can approve this review and finding for this action based on the preceding analysis, and I recommend that you notice LAFCO SC#558 as exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission needs to file a Notice of Exemption (NOE) with the County Clerk of the Board for this action once a decision is made for this out-of-area service agreement.

Based on this review of LAFCO SC#558 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the "Common Sense" exemption, as adequate substantiation in accordance with the Commission's CEQA lead agency status. If you have any questions regarding this recommendation, please feel free to give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Tom Dodson".

Tom Dodson  
Attachment

cc: Kaitlyn Dodson-Hamilton

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3rd 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 SC#558**

**HEARING DATE: MAY 20, 2026**

**RESOLUTION NO. 3436**

## **A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO SC#558 – CITY OF CHINO COVENANT AGREEMENT TO ANNEX FOR SANITARY SEWER CONNECTION (APN 1019-272-06)**

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

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

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

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

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

**WHEREAS**, the public hearing by this Commission was called for May 20, 2026 at the time and place specified in the notice of public hearing; and,

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

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

## RESOLUTION NO. 3436

### **DETERMINATIONS:**

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

1. The parcel, identified as Assessor Parcel Number 1019-272-06, is within the sphere of influence assigned to the City of Chino and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Chino sewer service.

Water service will be provided by the Monte Vista Water District.

Approval of the City's request for authorization to provide sewer service is necessary for the proposed development of the single-family residence and attached ADU to proceed.

2. The City of Chino Covenant Agreement to Annex being considered is for the provision of sewer service to Assessor Parcel Number 1019-272-06. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this request for authorization will allow the property owner/developer and the City of Chino to proceed in finalizing the contract for the extension of sewer service.
3. The City of Chino estimates a total of \$11,012.98 for the extension of sewer service to the project. Payment of these fees are required prior to connection to the City's sewer facilities.
4. The Local Agency Formation Commission for San Bernardino County has determined that this service contract is exempt from environmental review under the "Common Sense Rule" since it has no potential to cause a significant adverse impact on the environment (Section 15061[b] [3] of the State California Environmental Quality Act Guidelines). Therefore, this proposal is not subject to environmental review under the provisions of the State CEQA Guidelines section cited above or the Commission's adopted CEQA Guidelines. The Commission hereby adopts the Exemption and directs its Executive Officer to file a Notice of Exemption within five (5) working days with the San Bernardino County Clerk of the Board of Supervisors.

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

**SECTION 3.** The Local Agency Formation Commission for San Bernardino County does hereby determine to authorize the service extension contract submitted by the City of Chino to provide sewer service to the project area, Assessor Parcel Number 1019-272-06.

**SECTION 4.** The Commission instructs the Executive Officer of this Local Agency Formation Commission to notify the affected agencies that the application identified as LAFCO SC#558 - City of Chino Covenant Agreement to Annex for Sanitary Sewer Connection (Assessor Parcel

**RESOLUTION NO. 3436**

Number 1019-272-06).

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

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN BERNARDINO )

**I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of May 20, 2026.**

**DATED:**

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

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1601 E. 3<sup>rd</sup> Street, Suite 102, San Bernardino, CA 92415-0490  
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www.sbclafco.org

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #11 – Status of Vacancies, Recruitment, and Retention Pursuant to Government Code Section 3502.3 (AB 2561)

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## **RECOMMENDATION:**

Staff recommends that the Commission receive and file the report.

## **BACKGROUND:**

The purpose of this report is to provide an overview of the Commission's vacancies, recruitment, and retention of its staff positions in compliance with the requirements of Assembly Bill (AB) 2561, McKinnor (2024). AB 2561 amended the Meyers-Milias-Brown Act to require public agencies to publicly disclose and discuss the status of job vacancies and related recruitment and retention efforts. The legislation was enacted in response to statewide concerns regarding prolonged staffing vacancies in the public sector and their impact on service delivery, employee workload, and organizational effectiveness.

Government Code Section 3502.3(a)(2) requires that the status of such vacancies, recruitment, and retention occur prior to adoption of the final budget.

As part of the FY 2026-27 Proposed Budget, the Commission approved a total of seven (7) positions, five (5) are currently filled<sup>1</sup>, and a total of six (6) will be filled at the beginning of FY 2026-27. The following are the statuses of the two (2) vacant positions:

- Senior Analyst (vacant)  
*There are no plans to fill the Senior Analyst position at this time.*

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<sup>1</sup> Two positions, Commission Clerk/Office Manager and Project Manager, are currently filled by a single employee through a dual-role position.

- Administrative Assistant (currently vacant)  
*The Commission authorized the hiring of the Administrative Assistant position for FY 2026/27. The recruitment process has been completed, and the position will be filled effective July 11, 2026.*

No changes in policies and procedures, and/or recruitment activities are necessary at this time.

Compliance with AB 2561 promotes transparency and accountability by requiring agencies to publicly review and address staffing vacancies. Staff will be happy to answer any questions from the Commission prior to or at the hearing. Staff recommends that the Commission receive and file this report.

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Assistant Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #12 – REVIEW AND ADOPTION OF AMENDMENTS TO  
POLICY AND PROCEDURE MANUAL: SECTION III (HUMAN RESOURCES)

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## **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, Section III (Human Resources) and notify County Payroll of the Commission's resetting of its salary schedule (as well as elimination of all salary grade numbers associated with each position) and the established formula for future adjustments; and,
3. Adopt Resolution No. 3437 approving the amendments to the Policy and Procedure Manual and direct the Executive Officer to publish the amended Manual on the Commission's website.

## **BACKGROUND:**

The two items below address amending the salary schedule for all employees, which are in Section III of the Policy and Procedure Manual.

### **A. COLA**

In April, the Commission approved the Proposed Budget, which included a 3.25% COLA to salaries. The proposed amendment to the Policy and Procedure Manual is recommended for formal adoption at this hearing.

Attachment #1 includes the existing policy with revisions in track-change format.

**B. Resetting the Commission’s Salary Schedule**

Issue #1:

Historically, LAFCO mirrored the County’s salary schedule because we matched the County’s annual COLA. Five years ago, LAFCO began to approve its own annual COLA based on the CPI, which has been different than the County’s COLA that is set through labor negotiations. As a result, LAFCO’s salary schedule does not match any of the County’s salary schedule and County Payroll suggests that the Commission can adopt its own salary schedule.

Solution: Formally decouple the LAFCO salary schedule from the County’s, utilizing the County’s data only as a reference rather than a direct mirror.

Procedure: Since LAFCO only has a few employees (one for each position), the LAFCO salary schedule does not need to identify a salary grade. As shown in the sample image below, the County assigns a job code (specific to LAFCO) but the need for a salary grade is unnecessary since the position title of Project Manager is sufficient for LAFCO’s purposes as well as simplifying administrative tracking for County Payroll.

<b>Step 1</b>	
<b>Project Manager (Job Code 32409, Grade-62)</b>	
Effective 7/12/25	
Hourly	39.83
Approximate Bi-weekly	3,186.51
Approximate Annual	82,849.32

Therefore, all salary grades associated with all LAFCO positions will be eliminated.

Issue #2:

LAFCO submission of the annual salary schedule generally includes the annual increases (e.g. a 3.25% COLA for FY 26-27) but the calculation produces excess digits. In the example above, \$39.83 with a 3.25% COLA produces a new hourly rate of \$41.124475. The County’s salary schedule on paper rounds to the cent but the payroll program does not. These hidden decimals create discrepancies not only when calculating COLAs but also when calculating the salary range steps for each position.

Solution: Round to the hundredth digit and remove excess digits.

Procedure: Step 1 will always be the base number when calculating the COLA increases, which will then be rounded to the hundredth digit and any excess digits will be physically removed. Each additional step within the salary range will then be increased by 2.50% per LAFCO policy using the base step (Step 1), with the result

again rounded to the hundredth digit and any excess digits will also be physically removed.

This formula will reduce any confusion and increase accuracy.

Staff is resetting the salary schedule for FY2026-27 that includes the 3.25% COLA. The proposed resetting of the salary schedule would not alter the current pay approved by the Commission.

Upon approval by the Commission, staff will inform County Payroll of the said resetting of the salary schedule for all LAFCO positions and the formula moving forward.

**CONCLUSION:**

Staff requests that the Commission provide any additional changes or corrections to the proposed amendments to the Policy and Procedure Manual for staff to include in the document. Staff recommends that the Commission take the actions outlined on page 1 of this report to approve the changes.

Attachment:

1. [Proposed Section III \(Human Resources\) Amendments in Track Change Format](#)
2. [Draft LAFCO Resolution No. 3437](#)

San Bernardino LAFCO Policy and Procedure Manual

Section III – HUMAN RESOURCES

...

**CHAPTER 2: EMPLOYMENT**

...

**2. COMPENSATION**

...

A. SALARY RANGES

The following shall be the salary ranges for LAFCO positions.

Effective ~~July 12, 2025~~ July 11, 2026, the following shall be the salary ranges for LAFCO positions (~~2.5~~ 3.25% increase):

Position	Hourly Range
Executive Officer	<del>\$86.68</del> <u>88.48</u> to <del>\$123.36</del> <u>128.15</u>
Assistant Executive Officer	<del>\$56.29</del> <u>57.80</u> to <del>\$80.82</del> <u>83.71</u>
Senior Analyst	<del>\$44.71</del> <u>46.16</u> to <del>\$63.73</del> <u>66.85</u>
Project Manager	<del>\$39.83</del> <u>40.78</u> to <del>\$56.70</del> <u>59.06</u>
LAFCO Analyst – GIS/Database Manager	<del>\$33.85</del> <u>34.80</u> to <del>\$48.29</del> <u>50.40</u>
Clerk to the Commission/Office Manager	<del>\$30.33</del> <u>31.32</u> to <del>\$42.87</del> <u>45.36</u>
Administrative Assistant	<del>\$25.39</del> <u>26.22</u> to <del>\$36.69</del> <u>37.97</u>

Effective July 15, 2023, each salary range shall have 16 steps. The spread between steps shall be approximately two and one-half percent (2.5%). The salary schedule shows the hourly rate for each step in the salary range.

...

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**HEARING DATE: MAY 20, 2026**

## **RESOLUTION NO. 3437**

### **A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, AMENDING SECTION III (HUMAN RESOURCES) OF ITS POLICY AND PROCEDURE MANUAL**

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

**SECTION 1.** The Local Agency Formation Commission for San Bernardino County, State of California (hereafter shown as "LAFCO"), hereby finds and determines that it wishes to amend its Policy and Procedure Manual.

**SECTION 2.** The Local Agency Formation Commission for San Bernardino County therefore determines, resolves and orders that:

1. The Policy and Procedure Manual, Section III (Human Resources), Chapter 2 (Employment), Policy 2 (Compensation), is amended.
2. The amended policy of Section III (Human Resources) of the Policy and Procedure Manual, attached to this resolution as Exhibit "A" and incorporated herein by reference, is adopted and approved.

**SECTION 3.** The Executive Officer of LAFCO is ordered to certify the passage of this resolution and to cause a copy of the amended Policy and Procedure Manual to be posted on the LAFCO Website, and a certified copy of this resolution to be forwarded to the County Human Resources Department for implementation.

**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. 3437

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 meeting of May 20, 2026.

DATED:

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

DRAFT

**San Bernardino LAFCO Policy and Procedure Manual**

**Section III – HUMAN RESOURCES**

...

**CHAPTER 2: EMPLOYMENT**

...

**2. COMPENSATION**

...

**A. SALARY RANGES**

The following shall be the salary ranges for LAFCO positions.

Effective July 11, 2026, the following shall be the salary ranges for LAFCO positions (3.25% increase):

Position	Hourly Range
Executive Officer	\$88.48 to \$128.15
Assistant Executive Officer	\$57.80 to \$83.71
Senior Analyst	\$46.16 to \$66.85
Project Manager	\$40.78 to \$59.06
LAFCO Analyst – GIS/Database Manager	\$34.80 to \$50.40
Clerk to the Commission/Office Manager	\$31.32 to \$45.36
Administrative Assistant	\$26.22 to \$37.97

Effective July 15, 2023, each salary range shall have 16 steps. The spread between steps shall be approximately two and one-half percent (2.5%). The salary schedule shows the hourly rate for each step in the salary range.

...

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**DATE:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #13 – REVIEW AND ADOPTION OF SCHEDULE OF FEES, DEPOSITS, AND CHARGES EFFECTIVE JULY 1, 2026

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## RECOMMENDATION:

Staff recommends that the Commission take the following actions:

1. For Environmental review:
  - a. Make the findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines as follows:
    - i. Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service; and,
    - ii. The rates and charges identified in the Schedule are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.
  - b. Certify that the proposed revisions to the Schedule of Fees, Deposits, and Charges are statutorily exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file a Notice of Exemption within five (5) days of this action.
2. Adopt the Schedule of Fees, Deposits, and Charges, as revised, to be effective July 1, 2026.
3. Adopt LAFCO Resolution No. 3438 reflecting the Commission's determinations related to the Schedule.

**BACKGROUND:**

At the April 15 hearing, LAFCO staff presented the Commission with its recommended changes to the existing Schedule of Fees, Deposits and Charges (“Schedule”), and the Commission adopted the proposed Schedule (Attachment #1). On April 16, a copy of the proposed Schedule was forwarded to the County, the cities/towns, and the independent special districts for review and comment with a response requested by May 7. As of the date of this report, no comments have been received. However, if staff receive comments prior to the hearing, they will be provided to the Commission along with staff’s response at the hearing.

**ENVIRONMENTAL REVIEW:**

As for environmental review, the California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide a statutory exemption for the review and modification of fee and rate schedules. Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines require that the Commission make findings regarding such an exemption indicating specifically the basis for the claim of exemption. Staff recommends that the Commission make the findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines as follows:

- a) Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service; and,
- b) The rates and charges identified in the Schedule are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.

Staff recommends that the Commission determine this action is statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission is required to file a Notice of Exemption with the Clerk to the Board within five working days of its action to approve the Schedule modifications. The environmental determination is included as Attachment #2.

**CONCLUSION:**

Staff recommends that the Commission adopt the revised Schedule, as presented, with an effective date of July 1, 2026, by taking the recommended actions outlined on page 1.

Attachments:

- 1. [Revised Schedule of Fees, Deposits, and Charges](#)
- 2. [Environmental Determination](#)
- 3. [Draft Resolution No. 3438 without Exhibit A \(Attachment #1\)](#)

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

## SCHEDULE OF FEES, DEPOSITS, AND CHARGES EFFECTIVE JULY 1, 2026

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

<b>FEE AND DEPOSITS SUMMARY</b>			
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

<i>Valley and Mountain Region</i>				
	<b>Under 20 acres</b>	<b>20 – 150 acres</b>	<b>151 – 300 acres</b>	<b>Over 300 acres</b>
<i>City</i>	\$ 7,776	\$ 10,368	\$ 12,961	\$ 12,961 plus \$1 per acre over 300 acres
<i>District</i>	\$ 6,480	\$ 8,426	\$ 10,368	\$ 10,368 plus \$1 per acre over 300 acres
<i>Desert Region (North and South Desert)</i>				
	<b>Under 100 acres</b>	<b>100-640 acres</b>	<b>641-1,920 acres</b>	<b>Over 1,920 acres</b>
<i>City</i>	\$ 7,776	\$ 10,368	\$ 12,961	\$ 12,961 plus \$1 per acre over 1,920 acres
<i>District</i>	\$ 6,480	\$ 8,426	\$ 10,368	\$ 10,368 plus \$1 per acre over 1,920 acres

Sphere of Influence Amendment	\$ 6,480	\$ 4,000	\$ 10,612
District: Dissolution, Merger, or Establishment of Subsidiary District(s)	\$ 6,480	\$ 4,000	\$ 10,612
District: Formation, Consolidation, or Overlay <sup>1</sup>	\$ 19,441	\$ 4,000	\$ 23,573
District: Activation/Divestiture of Functions and/or Services	\$ 9,720 each function/service	\$ 4,000	\$ 13,852
City: Consolidation	\$ 25,922	\$ 4,000	\$ 30,054
City: Incorporation or Disincorporation	\$ 25,922	\$ 54,000	\$ 81,704
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	

<sup>1</sup> Overlay is when a district annexes over the entirety of another agency and assumes service responsibility.

**\*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</b> (\$250 non-refundable, \$1,750 deposit)	<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</b> (\$250 non-refundable, \$750 deposit)	<b>\$1,000</b>
<p>(1) Individual Mailed Notice or (2) Publication of Display Ad in lieu of Individual Notice</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>	<p><b>Actual Cost</b></p>
<b>Environmental Review</b> (\$250 non-refundable, \$750 deposit)	<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	Additional \$15,000
Preparation of an Environmental Impact Report (EIR)	Additional \$25,000
<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, 2026

<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>	
Proposals Extending an Existing Special Tax <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>	Actual Cost

**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	\$ 6,480	\$2,400	\$ 8,880
Contracts involving the development of units requiring only a parcel map as defined by the Subdivision Map Act (up to four units)	\$ 1,296 per Connection	\$2,400	\$ 3,696 to \$7,584
Any contract for fire protection services outside a public agency's jurisdictional boundaries pursuant to Govt. Code Section 56134	\$ 6,480	\$2,400	\$ 8,880
Contracts to provide services outside a sphere of influence pursuant to Govt. Code Section 56133.5	\$ 1,296	\$2,400	\$ 3,696
Contract Requiring Approval pursuant to Govt. Code Section 56133 (c)	\$ 6,480	\$2,400	\$ 8,880
Development-Related Request for Exemption from Govt. Code Section 56133, requires noticed Commission hearing	\$ 2,915	\$0	\$ 2,915
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	\$ 500	\$0	\$ 500

#### \*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>
<i>(1) Individual Mailed Notice or (2) Publication of Display Ad in lieu of Individual Notice                      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>
<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.	

### **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<br>(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.)

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

## **CHAPTER 2: APPLICATION PROCESSING**

1. **LAFCO FEE WAIVER/REDUCTION PROVISIONS** *(Adopted June 10, 1981 (effective July 1, 1981); Amended March 20, 1996, July 18, 2001, May 17, 2006, May 16, 2007, and November 20, 2013)*

A. AUTOMATIC WAIVERS

For proposals that correct a boundary alignment problem (i.e., a divided assessor's parcel or inadvertent exclusion), the Annexation, Detachment, or Reorganization filing fee will be automatically waived. All required deposits (anticipated direct costs for legal counsel, environmental review, and registered voter/landowner notification) including any completion fees/deposits applicable will be charged at full cost.

For reorganization proposals that require a concurrent sphere of influence amendment (expansion and/or reduction) and reorganization (annexation and/or detachment) for the same area, the Sphere of Influence Update/Service Review filing fee will be automatically waived. The Annexation, Detachment, or Reorganization filing fee including all required deposits and any completion fees/deposits applicable will be charged at full cost.

Compliance with any of these automatic waiver conditions is to be determined by the LAFCO Executive Officer, who is authorized to notify the applicant(s) involved.

B. AUTOMATIC REDUCTIONS

City annexations of island areas that comply with Government Code Section 56375.3 will be assessed one-half of the LAFCO filing fee for each area of consideration. All required deposits and any completion fees/deposits applicable will be charged at full cost.

The readjustment of agency boundaries as a result of the realignment of a roadway will be reduced to a single Annexation, Detachment, or Reorganization filing fee per entity involved no matter how many changes or separate areas are included in the proposal. All required deposits and any completion fees/deposits applicable will be charged.

Compliance with any of the automatic reduction conditions is to be determined by the LAFCO Executive Officer, who is authorized to notify the applicant(s) involved.

C. REQUEST FOR WAIVER OR REDUCTION OF FEES (to be reviewed and approved by the Commission):

Any applicant may submit a request for a waiver or reduction of the LAFCO filing fee to be charged. The request must be submitted in writing and accompany the submission of the application to the LAFCO Executive Officer. The request shall include a justification for the request and the fee(s) requested to be waived or the dollar amount of fees being reduced. The Executive Officer shall present the waiver/reduction request for Commission review on the consent calendar at the next regular hearing. The Commission may waive/reduce the filing fee if it determines that payment would be detrimental to the public interest pursuant to Government Code Section 56383(d). A waiver/reduction of fees is limited to those costs incurred by the Commission in processing the proposal. The Commission may authorize a waiver or reduction of the LAFCO filing fee based upon the special circumstances of the proposal, if any. Processing of the application shall be held in abeyance until a decision is rendered by the Commission regarding the request for fee waiver/reduction.

2. **LAFCO FILING FEE REFUND** (*Originally Adopted May 21, 1991 as part of the Fee Schedule; Added to Policy Manual on May 17, 2006; Amended August 21, 2013; August 17, 2016; April 15, 2020*)

If withdrawal of an application is requested, the LAFCO Filing Fee paid for processing will be refunded in the following manner:

- A. Following issuance of the Notice of Filing: 50% refund.
- B. Following issuance of the Certificate of Filing (change of organization/reorganization) or staff's Technical Application Review process (sphere of influence amendment): no refund.

**PROCEDURES:**

Deposits are subject to individual refund procedures outlined in the Schedule of Fees, Deposits, and Charges.

3. **INDEMNIFICATION** (*Adopted May 19, 1993; effective June 1, 1993; Amended May 17, 2006, Amended August 19, 2015; August 17, 2016*)

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

*San Bernardino LAFCO Policy and Procedure Manual*  
*Section II – Internal Operations, Accounting, and Financial Policies*

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 arising from or related to such application. A real party in interest includes the landowner and/or a registered voter of an application subject property.

PROCEDURES:

- A. Acknowledgement of LAFCO Indemnification Requirement:
1. When a public agency adopts a resolution of application to initiate an application for a change of organization or reorganization, a sphere of influence amendment, or an out-of-agency service contract/agreement, the resolution shall include a provision acknowledging the Commission's requirement for indemnification as outlined in this Manual.
  2. When a state agency or a real party in interest initiates an application for a change of organization or reorganization, a sphere of influence amendment, or an out-of-agency service contract/agreement, the written request shall include a statement acknowledging the Commission's requirement for indemnification as outlined in this Manual.
- B. In signing the certification on the Application form, on any of the supplement forms or on the Application for Extension of Service by Contract form, the person signing, and the entity on whose behalf the person is signing, if applicable, acknowledges the Commission's requirement for indemnification as outlined in this Manual.
- C. The Commission shall impose a condition within its resolution of approval that requires the applicant and/or the real party **in** interest to defend, indemnify, and hold harmless the Commission, its agents, officers, attorneys, and its employees from any claims, actions or proceedings against them to attack, set aside, void, or annul such approval.
- D. The Executive Officer shall promptly notify the applicant or real party **in** interest of any legal action brought challenging the Commission's action, and the Commission, its agents, officers, attorneys, and employees shall cooperate fully in the defense of that action.
- E. The applicant may provide their own counsel in the defense of the action taken, or the applicant may elect to use the services of San Bernardino LAFCO Counsel in that defense. In the latter case, the Executive Officer may require a deposit of funds sufficient to cover the anticipated expense of the litigation.

**4. RESPONSIBILITY FOR PAYMENT OF SPECIAL LEGAL COUNSEL COSTS**  
*(Adopted May 17, 2006, Amended August 19, 2015)*

It is the policy of this Commission that the costs for Special Counsel shall be the responsibility of the applicant subject to the following determinations:

- A. If Special Counsel is required due to a representation conflict with the applicant of the proposal, the applicant shall be responsible for all Special Counsel charges.
- B. If Special Counsel is required due to a representation conflict outside the control of the applicant, the applicant shall be responsible for paying the regular San Bernardino LAFCO Legal Counsel hourly rate. The balance of Special Counsel costs will be the responsibility of the Commission.

**PROCEDURES:**

The adopted procedure for the Responsibility for Payment of Special Legal Counsel Costs Policy is as follows:

Once a determination has been made pursuant to Commission Policy for Waiver of LAFCO Legal Counsel Conflicts of Interest that Special Counsel is required, the following procedure shall be followed:

- A. The Executive Officer shall promptly notify the proponents of the proposal that Special Counsel is required.
- B. An item shall be placed on the next available Commission Agenda to approve the contract for Special Counsel and to determine the method for apportioning the cost to the applicant. This procedure may be waived if San Bernardino LAFCO has entered into a retainer agreement with a legal counsel to act as special counsel and said legal counsel is chosen and available as special counsel for the matter.
- C. Once a determination is made regarding the apportionment of the cost, the Executive Officer may require a deposit of the estimated costs for Special Counsel.
- D. All Special Counsel costs that are the responsibility of the applicant shall be paid prior to issuance of the Certificate of Completion.

# 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:** MAY 13, 2026   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Environmental Determination – Revision of LAFCO for San Bernardino Schedule of Fees, Deposits, and Charges

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The Local Agency Formation Commission is currently considering the revision of its “Schedule of Fees, Deposits, and Charges” which help support the services it provides to the County, cities/towns, special districts, and citizens of San Bernardino County. The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide a statutory exemption for the review and modification of fee and rate schedules. Specifically, Section 21080(b)(8) of the CEQA and Section 15273(a) of the CEQA Guidelines provide for such statutory exemptions if such rates or charges are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements, etc.

Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines require that the Commission make findings regarding such an exemption indicating specifically the basis for the claim of exemption. Staff recommends that the Commission make the findings required by Section 21080(b)(8) of the CEQA and Section 15273(c) of the CEQA Guidelines as follows:

- a) Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service; and,
- b) The rates and charges identified in the Schedule of Fees, Deposits, and Charges are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.

Staff recommends that the Commission determine this action is statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline section cited above. The Commission is required to file a Notice of Exemption with the Clerk to the Board within five working days of its action to approve the Schedule modifications. A copy of this exemption shall be retained in the LAFCO file to serve as verification of this evaluation and as the CEQA environmental determination record.

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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HEARING DATE: MAY 20, 2026

## RESOLUTION NO. 3438

### A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON THE ADOPTION OF A REVISED SCHEDULE OF FEES, DEPOSITS, AND CHARGES FOR FISCAL YEAR 2026/27.

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

**WHEREAS**, Section 56383 of the California Government Code authorizes a Local Agency Formation Commission to establish a schedule of fees for the filing and processing of applications submitted to the Commission pursuant to the provisions of Government Code Sections 56000 et seq.; and,

**WHEREAS**, the Local Agency Formation Commission for San Bernardino County (hereinafter referred to as the "Commission") adopted the existing Schedule of Fees, Deposits, and Charges on May 21, 2025; 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 this Commission upon the proposed amendments to the Schedule of Fees, Deposits, and Charges; and,

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

**WHEREAS**, the public hearing by this Commission was held upon the date and at the time and place specified in the notice of public hearing and in any order or orders continuing such hearing; and,

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

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



**RESOLUTION NO. 3438**

**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 May 20, 2026.**

**DATED:**

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**SAMUEL MARTINEZ**  
**Executive Officer**

DRAFT

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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---

DATE: MAY 13, 2026   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #14 – REVIEW AND ADOPTION OF FINAL BUDGET  
FOR FISCAL YEAR 2026/27

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## **RECOMMENDATION:**

Staff recommends that the Commission take the following actions:

1. Adopt the Fiscal Year 2026/27 Final Budget with the apportionment of net LAFCO costs based upon the Auditor's information attached to this report; and,
2. Direct the Executive Officer to submit to the County Auditor-Controller the adopted Final Budget and request the apportionment of the Commission's net costs to the County, Cities/Towns and Independent Special Districts pursuant to the provisions of Government Code Section 56381 as shown in the approved Final Budget.

## **BACKGROUND:**

The Commission's annual budget process began at the April 15 hearing through adoption of the Proposed Budget for Fiscal Year 2026/27. The Proposed Budget included an outline of the anticipated expenditures, revenues, and reserves, and a policy item for Commission consideration related to a 3.25% Cost-of-Living Adjustment (COLA).

On April 16, as required by Government Code Section 56381, staff distributed the Proposed Budget for review and comment to the County, each city/town, and each independent special districts with the request to submit comments by May 7 for inclusion in the final report. As of the date of this report, no comments or concerns have been provided regarding the Proposed Budget as adopted at the April hearing. If concerns are received following the publication of this report, staff will provide those to the Commission at the hearing along with an oral response.

In conclusion, LAFCO staff has provided copies of the Final Budget Spreadsheet recommended for adoption (Attachment #1 to this report). The apportionment for the County, Cities/Towns and Special Districts for Fiscal Year 2026/27 to be billed as of July 1, 2026 is included as Attachment #2. Also attached are the detailed spreadsheets for Salaries and Benefits (Attachment #3), Services and Supplies (Attachment #4), and Revenues (Attachment #5).

Staff will be happy to answer any questions from the Commission prior to or at the hearing regarding any of the items within the budget documents or this report. Staff recommends that the Commission take the actions identified on page 1 of this report.

Attachments:

1. [Final Budget Spreadsheet](#)
2. [Auditor's Apportionment Distribution for the County, Cities and Towns, and Independent Special Districts](#)
3. [Salaries and Benefits Detail](#)
4. [Services and Supplies Detail](#)
5. [Revenue Detail](#)

**Attachment #1**

**Budget Spreadsheets**

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ACTUAL YEAR-END FY 24/25	ESTIMATE YEAR-END FY 25/26	YEAR 1 ADOPTED FY 26/27	YEAR 2 FORECAST FY 27/28	YEAR 3 FORECAST FY 28/29
	<b>Salaries and Benefits:</b>							
1010	Earnable Compensation	440,201	482,198	564,253	545,554	638,637	659,089	678,857
1030	Auto and Cell Phone Allowances	9,132	9,132	9,132	9,373	9,205	9,205	9,205
1045	Termination Payment	-	-	11,086	-	-	-	-
1110	General Member Retirement	153,414	144,520	153,837	131,152	139,030	154,840	159,505
1130	Survivors Benefits	91	96	107	97	120	120	120
1200	Medical Premium Subsidy	46,308	50,565	63,348	68,956	81,449	83,892	86,409
1205	Long-Term Disability	996	1,337	1,580	1,544	1,860	1,916	1,974
1207	Vision Care Insurance	601	625	711	642	788	788	788
1215	Dental Insurance Subsidy	940	998	1,134	1,311	1,005	1,255	1,255
1222	Short-Term Disability	4,978	5,054	5,874	5,481	6,909	7,026	7,233
1225	Medicare	5,154	5,674	6,802	7,728	9,302	9,581	9,869
1240	Life Insurance & Medical Trust Fund	13,925	14,907	16,736	15,509	17,998	17,766	18,250
1305	Medical Reimbursement Plan	2,488	2,743	3,294	2,821	6,880	6,880	6,880
1314	457/401a Contribution	2,977	3,230	3,520	3,520	4,231	4,358	4,488
1315	401k Contribution	32,756	36,239	39,037	36,700	44,196	48,501	49,956
	<b>Total Salaries and Benefits</b>	<b>\$ 713,961</b>	<b>\$ 757,318</b>	<b>\$ 880,451</b>	<b>\$ 830,388</b>	<b>\$ 961,609</b>	<b>\$ 1,005,216</b>	<b>\$ 1,034,787</b>
	<b>Services and Supplies:</b>							
2031	Payroll System Services (County IT)	655	727	851	736	1,040	1,071	1,103
2032	Virtual Private Network (County IT)	165	216	129	-	-	-	-
2033	Network Labor Services (County IT)			-	747	-	-	-
2037	Dial Tone (County IT)	2,721	2,998	2,955	2,434	2,604	2,682	2,763
2041	Data Line	8,144	7,767	9,339	7,574	9,600	9,888	10,185
2043	Telecommunications Labor (County IT)	-		14,977	-			
2075	Membership Dues	12,921	13,936	14,318	3,744	1,934	1,992	2,052
2076	Tuition Reimbursement	-	-	-	-	1,000	1,030	1,061
2080	Publications	3,734	3,507	4,668	3,591	245	252	260
2085	Legal Notices	6,206	12,139	15,792	5,990	15,500	15,965	16,444
2090	Building Expense	9,425	12,344	3,031	1,080	1,116	1,149	1,184
2115	Software	3,058	9,425	2,138	600	900	927	955
2180	Electricity	5,941	6,366	2,431	-	-	-	-
2245	Other Insurance	12,523	13,220	12,666	28,533	17,500	18,025	18,566
2305	General Office Expense	5,588	5,664	5,850	7,477	3,102	3,195	3,291
2308	Credit Card Clearing Account	679	(312)	3,449	5,231	-	-	-
2310	Mail (County Mail)	5,290	9,095	9,430	5,744	8,568	8,825	9,090
2315	Records Storage	1,107	1,397	3,707	847	960	989	1,018

**Attachment #1**

**Budget Spreadsheets**

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ACTUAL YEAR-END FY 24/25	ESTIMATE YEAR-END FY 25/26	YEAR 1 ADOPTED FY 26/27	YEAR 2 FORECAST FY 27/28	YEAR 3 FORECAST FY 28/29
2316	Surplus Handling (County IT)			172	-			
2322	Enterprise Printing (County IT)	98	34	-	-	72	74	76
2323	Reproduction Services	283	518	2,760	527	500	515	530
2335	Temporary Services	2,480	393	-	-	-	-	-
2400	Legal Counsel	53,938	21,410	20,561	30,918	36,500	37,595	38,723
2405	Auditing	8,450	15,332	11,227	4,926	21,000	21,630	22,279
2410	IT Infrastructure (County IT)	6,839	8,526	9,010	-	-	-	-
2414	Application Dev. & Maint. (County IT)	8,075	-	-	-	-	-	-
2415	Countywide Cost Allocation Program	-	-	3,628	9,182	13,820	10,000	10,000
2420	Enterprise Content Management (County IT)	4,986	4,122	3,035	9,054	2,289	2,357	2,428
2421	Desktop Support Services (County IT)	9,477	9,025	8,329	6,970	5,228	5,385	5,546
2424	Environmental Consultant	14,445	12,880	6,528	32,387	25,750	26,523	27,318
2444	Security Services (inactive)	692	492	583	-	-	-	-
2445	Other Professional Services	138,592	54,203	104,137	39,841	94,034	100,748	106,942
2449	Outside Legal (Litigation & Special Counsel)	3,063	2,990	-	-	4,000	4,120	4,244
2460	Aerial Imagery (County IT)	3,000	3,000	3,000	-	3,000	3,090	3,183
2895	Rent/Lease Equipment (copier)	4,737	4,204	3,175	4,929	5,400	5,562	5,729
2905	Office/Hearing Chamber Rental	60,462	64,218	49,802	33,348	34,773	35,816	36,891
2940	Private Mileage	4,866	5,101	6,772	4,715	3,760	3,873	3,989
2941	Conference/Training	7,989	6,925	8,490	8,400	11,100	11,433	11,776
2942	Hotel	5,582	7,630	8,881	2,480	10,650	10,970	11,299
2943	Meals	318	491	438	460	1,550	1,597	1,644
2944	Car Rental	337	1,269	182	-	-	-	-
2945	Air Travel	595	1,538	1,555	-	1,800	1,854	1,910
2946	Other Travel	377	893	464	-	675	695	716
5012	Transfer to County (Staples & Microsoft)	4,275	6,876	6,698	736	8,334	8,584	8,842
<b>Total Services and Supplies</b>		<b>\$ 422,113</b>	<b>\$ 330,558</b>	<b>\$ 365,154</b>	<b>\$ 263,199</b>	<b>\$ 348,304</b>	<b>\$ 358,412</b>	<b>\$ 372,035</b>
<b>TOTAL EXPENDITURES</b>		<b>\$ 1,136,074</b>	<b>\$ 1,087,876</b>	<b>\$ 1,245,605</b>		<b>\$ 1,309,913</b>	<b>\$ 1,363,628</b>	<b>\$ 1,406,822</b>
<b>Trust Transfers:</b>								
9990	SBCERA Additional Payment	50,000	52,500	54,968	56,397	58,258	60,006	61,806
<b>TOTAL APPROPRIATION</b>		<b>\$ 1,186,074</b>	<b>\$ 1,140,376</b>	<b>\$ 1,300,573</b>	<b>\$ 1,149,984</b>	<b>\$ 1,368,171</b>	<b>\$ 1,423,633</b>	<b>\$ 1,468,628</b>

**Attachment #1**

**Budget Spreadsheets**

ACCT. #	ACCOUNT NAME	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ACTUAL YEAR-END FY 24/25	ESTIMATE YEAR-END FY 25/26		YEAR 1 ADOPTED FY 26/27	YEAR 2 FORECAST FY 27/28	YEAR 3 FORECAST FY 28/29
	<b>RESERVES</b>								
6000	Contingency (Assigned)	30,000	35,000	40,000	45,000		50,000	50,000	50,000
6010	Application (Assigned)	-	-	150,000	150,000		150,000	150,000	150,000
6025	General (Assigned)	200,000	225,000	260,000	275,000		275,000	280,000	285,000
6030	Compensated Absences (Committed)	157,095	167,095	164,562	177,967		189,038	194,709	200,550
6035	Salary for Extra Pay Period (Committed)	6,000	9,000	12,000	15,000		19,000	23,000	27,000
<b>TOTAL RESERVES (Increases)</b>		<b>\$ 393,095</b>	<b>\$ 436,095</b>	<b>\$ 626,562</b>	<b>\$ 662,967</b>		<b>\$ 683,038</b>	<b>\$ 697,709</b>	<b>\$ 712,550</b>

Attachment #1

Budget Spreadsheets

ACCT #	ACCOUNT NAME	ACTUAL YEAR-END FY 22/23	ACTUAL YEAR-END FY 23/24	ACTUAL YEAR-END FY 24/25	ESTIMATE YEAR-END FY 25/26	YEAR 1 ADOPTED FY 26/27	YEAR 2 FORECAST FY 27/28	YEAR 3 FORECAST FY 28/29
	<b>County Treasury:</b>							
8500	Interest and Investments	13,634	34,791	37,572		30,000	25,000	25,000
9984	Interest Adjustment	16,582	20,258	9,176		17,000	10,000	10,000
8842	Apportionment	1,090,497	1,172,283	1,172,283		1,241,243	1,303,305	1,368,470
	<b>Total County Treasury</b>	<b>1,120,713</b>	<b>1,227,332</b>	<b>1,219,031</b>	<b>-</b>	<b>1,288,243</b>	<b>1,338,305</b>	<b>1,403,470</b>
	<b>Applications:</b>							
6010	Application Reserve				-	100,000	100,000	80,000
9545	Application Fee	58,600	86,268	56,964				
9655	Digital Mapping Fee (inactive)	-	1,830					
9555	Application Deposits	39,874	40,749	44,507				
9595	Protest Hearing Deposit	-	1,500	4,500				
	<b>Total Applications</b>	<b>98,474</b>	<b>130,347</b>	<b>105,971</b>	<b>-</b>	<b>100,000</b>	<b>100,000</b>	<b>80,000</b>
	<b>Other:</b>							
9910	Prior Year Activity (refunds, collections)	(9,443)		(2,306)				
9930	Miscellaneous	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>101,040</b>	<b>38,924</b>	<b>7,862</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>TOTAL REVENUES</b>	<b>\$ 1,320,227</b>	<b>\$ 1,396,603</b>	<b>\$ 1,332,863</b>	<b>\$ -</b>	<b>\$ 1,388,243</b>	<b>\$ 1,438,305</b>	<b>\$ 1,483,470</b>

**ATTACHMENT #2**

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

	<u>Amount</u>	<u>Percentage of Total Cost</u>
<b>County of San Bernardino</b>		
Total LAFCO Cost	\$ 1,241,243.00	100.00%
County of San Bernardino Allocation (1/3)*	\$ 413,747.67	33.33%
<b>Total San Bernardino County Allocation</b>	<b>\$ 413,747.67</b>	<b>33.33%</b>

**Note:**

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

\* Total LAFCO Apportionment for FY 2026-27 is \$1,241,243.00 (by letter dated March 11, 2026)

**ATTACHMENT #2**

**LAFCO Cost Allocation  
Cities Allocation  
PY 2026-2027**

<b>City</b>	<b>Total Revenues FY 23-24</b>	<b>LAFCO Allocation</b>	<b>Allocation Percentage</b>
Adelanto	\$ 24,457,824.00	\$ 2,265.33	0.55%
Apple Valley	\$ 104,660,852.00	\$ 9,693.89	2.34%
Barstow	\$ 63,708,138.00 (1)	\$ 5,900.77	1.43%
Big Bear Lake	\$ 66,166,394.00 (1)	\$ 6,128.46	1.48%
Chino	\$ 285,280,431.00	\$ 26,423.23	6.39%
Chino Hills	\$ 141,271,583.00	\$ 13,084.85	3.16%
Colton	\$ 209,527,558.00	\$ 19,406.85	4.69%
Fontana	\$ 410,043,314.00 (1)	\$ 37,979.01	9.18%
Grand Terrace	\$ 13,666,129.00	\$ 1,265.78	0.31%
Hesperia	\$ 124,252,674.00 (1)	\$ 11,508.52	2.78%
Highland	\$ 55,785,880.00	\$ 5,167.00	1.25%
Loma Linda	\$ 49,426,093.00	\$ 4,577.94	1.11%
Montclair	\$ 76,465,344.00	\$ 7,082.37	1.71%
Needles	\$ 63,228,979.00	\$ 5,856.39	1.42%
Ontario	\$ 871,873,351.00	\$ 80,754.58	19.52%
Rancho Cucamonga	\$ 304,132,531.00 (1)	\$ 28,169.34	6.81%
Redlands	\$ 244,411,817.00	\$ 22,637.90	5.47%
Rialto	\$ 284,972,556.00	\$ 26,394.71	6.38%
San Bernardino	\$ 430,710,350.00	\$ 39,893.23	9.64%
Twentynine Palms	\$ 18,114,282.00	\$ 1,677.78	0.41%
Upland	\$ 158,375,926.00	\$ 14,669.08	3.55%
Victorville	\$ 370,760,404.00 (1)	\$ 34,340.55	8.30%
Yucaipa	\$ 62,635,236.00	\$ 5,801.40	1.40%
Yucca Valley	\$ 33,131,440.00	\$ 3,068.70	0.74%
	<b>\$ 4,467,059,086.00</b>	<b>\$ 413,747.66</b>	<b>100.00%</b>

Allocation is based on Cities revenues extracted from Fiscal Year 2023-24 tables published on the State Controller's website ([www.sco.ca.gov](http://www.sco.ca.gov)).

**ATTACHMENT #2**

**LAFCO Cost Allocation  
Special Districts Allocation  
PY 2026-2027**

<b>District Name</b>	<b>(1) Total Revenues FY 23-24</b>	<b>LAFCO Cost Allocation</b>	<b>Allocation Percentage</b>
Apple Valley Fire Protection	\$ 16,485,209.00	\$ 10,000.00	2.42%
Apple Valley Foothill County Water	\$ 351,529.00	\$ 152.44	0.04%
Apple Valley Heights County Water	\$ 390,997.00	\$ 169.55	0.04%
Arrowbear Park County Water	\$ 1,679,593.00	\$ 728.33	0.18%
Baker Community Services	\$ 929,327.00	\$ 402.99	0.10%
Barstow Cemetery	\$ 379,593.00	\$ 164.60	0.04%
Barstow Heights Community Services	\$ 99,665.00	\$ 43.22	0.01%
Bear Valley Community Healthcare	\$ (170,878.00)	\$ -	0.00%
Big Bear Airport	\$ 3,497,229.00	\$ 1,516.52	0.37%
Big Bear City Community Services	\$ 18,355,341.00	\$ 10,000.00	2.42%
Big Bear Municipal Water	\$ 7,867,902.00	\$ 10,000.00	2.42%
Big River Community Services	\$ 144,899.00	\$ 62.83	0.02%
Bighorn-Desert View Water Agency	\$ 2,663,956.00	\$ 1,155.18	0.28%
Chino Basin Water Conservation	\$ 5,533,958.00	\$ 10,000.00	2.42%
Chino Valley Independent Fire	\$ 61,639,619.00	\$ 30,000.00	7.25%
Crestline Lake Arrowhead Water Agency	\$ 11,561,193.00	\$ 10,000.00	2.42%
Crestline Sanitation District	\$ 6,088,387.00	\$ 10,000.00	2.42%
Crestline Village Water	\$ 4,145,642.00	\$ 1,797.69	0.43%
Cucamonga Valley Water District	\$ 117,091,472.00	\$ 30,000.00	7.25%
Daggett Community Services	\$ 486,901.00	\$ 211.14	0.05%
East Valley Water	\$ 47,236,317.00	\$ 20,000.00	4.83%
Helendale Community Services District	\$ 7,406,411.00	\$ 10,000.00	2.42%
Hesperia Recreation and Park	\$ 11,329,430.00	\$ 10,000.00	2.42%
Hi-Desert Memorial Hospital District (DBA: Morongo Basin Healthcare)	\$ 17,517,759.00	\$ 1,500.00	0.36%
Hi-Desert Water District	\$ 21,987,411.00	\$ 20,000.00	4.83%
Inland Empire Resource Conservation	\$ 3,589,566.00	\$ 1,556.56	0.38%
Inland Empire Utilities Agency	\$ 289,066,170.00	\$ 30,000.00	7.25%
Joshua Basin Water	\$ 11,350,170.00	\$ 10,000.00	2.42%
Juniper-Riviera County Water	\$ 380,468.00	\$ 164.98	0.04%
Lake Arrowhead Community Services	\$ 24,338,088.00	\$ 20,000.00	4.83%
Mariana Ranchos County Water	\$ 660,237.00	\$ 286.30	0.07%
Mojave Desert Resource Conservation	\$ 217,707.00	\$ 94.41	0.02%
Mojave Water Agency	\$ 84,659,490.00	\$ 30,000.00	7.25%
Monte Vista Water	\$ 28,811,111.00	\$ 20,000.00	4.83%
Morongo Valley Community Services	\$ 1,370,809.00	\$ 594.43	0.14%
Newberry Community Services	\$ 323,259.00	\$ 140.18	0.03%
Phelan Pinon Hills Community Services District	\$ 14,944,365.00	\$ 10,000.00	2.42%
Rim of the World Recreation and Park	\$ 1,406,799.00	\$ 610.04	0.15%
Running Springs Water	\$ 10,242,354.00	\$ 10,000.00	2.42%
San Bernardino Mountains Community Hospital	\$ (2,037,565.00)	\$ -	0.00%
San Bernardino Valley Municipal Water	\$ 196,089,533.00	\$ 30,000.00	7.25%
San Bernardino Valley Water Conservation	\$ 5,931,224.00	\$ 10,000.00	2.42%
Thunderbird County Water	\$ 308,484.00	\$ 133.77	0.03%
Twentynine Palms Cemetery	\$ 386,566.00	\$ 167.63	0.04%
Twentynine Palms Water District	\$ 7,727,719.00	\$ 10,000.00	2.42%
West Valley Mosquito and Vector Control	\$ 3,929,479.00	\$ 1,703.96	0.41%
West Valley Water District	\$ 44,538,907.00	\$ 20,000.00	4.83%
Wrightwood Community Services District	\$ 593,354.00	\$ 257.30	0.06%
Yermo Community Services	\$ 166,363.00	\$ 72.14	0.02%
Yucaipa Valley Water	\$ 35,775,818.00	\$ 20,000.00	4.83%
Yucca Valley Airport	\$ 141,780.00	\$ 61.48	0.01%
<b>Totals</b>	<b>\$ 1,129,611,117.00</b>	<b>\$ 413,747.67</b>	<b>100.00%</b>

(1) All data in this worksheet are extracted from Fiscal Year 2023-24 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 2023-24, published by the Office of Statewide Health Planning and Development

## Attachment #3

## Salaries and Benefits Detail

<b>1010</b>	<b>Earnable Compensation</b>	Per Salary Schedule	Increasing 16%	<b>\$ 638,637</b>
	<i>Includes: new hire (increase to 5), step increases (3 employees), 3% retention pay for those with 15 yrs (2 employees), leave cashouts, 3.25% COLA (all).</i>			
<b>1030</b>	<b>Auto &amp; Phone Allowances</b>	Auto Allowance (\$300 per pay period)	--	<b>\$ 9,205</b>
		Mobile Phone Allowance (\$50 per pay period)	--	
	<i>Executive Officer auto and phone allowances, per Benefit Plan.</i>			
<b>1110</b>	<b>General Member Retirement</b>	Tier 1: Decrease from 25.30% to 23.53%	Decreasing 7.0%	<b>\$ 139,030</b>
		Tier 2: Decrease from 19.74% to 18.11%	Decreasing 8.3%	
	<i>Contributions to retirement plan. Per SBCERA and Retirement Board adopted rates.</i>			
<b>1130</b>	<b>Survivors Benefits</b>	\$0.91 per pay period per employee	--	<b>\$ 120</b>
	<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>			
<b>1200</b>	<b>Medical Premium Subsidy</b>	\$797.13 per period (employee +2): 2 employees	Increasing 5.0%	<b>\$ 81,449</b>
		\$567.30 per period (employee +1): 1 employee	Increasing 5.0%	
		\$328.87 per period (employee +0): 2 employee	Increasing 5.0%	
	<i>A subsidy is provided to offset employee medical premiums.</i>			
<b>1205</b>	<b>Long-Term Disability</b>	0.30% of Base Pay	Increasing 3.3%	<b>\$ 1,860</b>
	<i>Long-term disability insurance.</i>			
<b>1207</b>	<b>Vision Insurance</b>	\$5.99 per employee per period	--	<b>\$ 788</b>
	<i>Vision insurance.</i>			
<b>1215</b>	<b>Dental Insurance Subsidy</b>	\$9.46 per employee per period	--	<b>\$ 1,005</b>
	<i>A subsidy is provided to offset employee dental premiums.</i>			
<b>1222</b>	<b>Short-Term Disability</b>	Short-term disability insurance (1.08% of Base Pay)	Decreasing 1.1%	<b>\$ 6,909</b>
		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>			
<b>1225</b>	<b>Medicare</b>	1.5% of Earnable Compensation	--	<b>\$ 9,302</b>
	<i>Contribution to Social Security Medicare for those entering after 1985 (4 employees).</i>			
<b>1240</b>	<b>Life Insurance &amp; Med Trust Fund</b>	Life Insurance (\$1.75 per employee per period)	Increasing 3.3%	<b>\$ 17,998</b>
		Variable Life Insurance (\$1,458 for 2 employees)	--	
		Retirement Medical Trust Fund (\$15,010 for 3 employees)	Increasing 4.2%	
	<i>(1) Life Insurance is a benefit for all employees.</i>			
	<i>(2) Employees may purchase Variable Life Insurance, which has an employer contribution (2 employees).</i>			
	<i>(3) LAFCO contributes to a Retirement Medical Trust Fund for employees with over 5 years of service (3 employees).</i>			
<b>1305</b>	<b>Medical Reimbursement Plan</b>	Medical Reimbursement (up to \$40 per employee/period)	--	<b>\$ 6,880</b>
		Healthy Lifestyles (gym, \$324 per employee)	--	
<b>1314</b>	<b>457/401a Contribution</b>	1% match for Executive Officer, 0.5% for all others	--	<b>\$ 4,231</b>
	<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>			
<b>1315</b>	<b>401k Contribution</b>	8% match for Group A & B, 4% match for Group C	--	<b>\$ 44,196</b>
	<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>				<b>\$ 961,609</b>

## Attachment #4

## Services and Supplies Detail

<b>2031</b>	<b>Payroll System Services (County IT)</b> <i>Maintenance, support, and enhancements for County's payroll system and infrastructure.</i>	Average of \$40 per pay period (26)	--	\$ 1,040.00
<b>2032</b>	<b>Virtual Private Network (County IT)</b> <i>Use of the County's VPN for remote data access.</i>	costs absorbed into Microsoft license	Decrease 100%	\$ -
<b>2033</b>	<b>Network Labor Services (County IT)</b> <i>County IT labor for the network.</i>	No activity anticipated	--	\$ -
<b>2037</b>	<b>Dial Tone (County IT)</b> <i>Phone line. Includes support services.</i>	\$31 per line (7) per month	No change	\$ 2,604.00
<b>2041</b>	<b>Data Line</b> <i>Fiber optic data line from Frontier.</i>	\$800 per month	--	\$ 9,600.00
<b>2043</b>	<b>Telecommunications Labor (County IT)</b>	no charges anticipated	--	\$ -
<b>2075</b>	<b>Membership Dues</b> <i>Membership in Professional Associations.</i>	CSDA: \$1,934	Increasing 3.3%	\$ 1,934.00
<b>2076</b>	<b>Tuition Reimbursement</b> <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>	Two employees at max reimbursement	No change	\$ 1,000.00
<b>2080</b>	<b>Publications</b> <i>Purchase or subscription to professional publications related to LAFCO study areas.</i>	CA Planning & Development Report CA Annotated Code Books: \$400/month	Increasing 3.3% Decreasing 100%	\$ 245.00
<b>2085</b>	<b>Legal Notices</b> <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>	General paper: \$750 per hearing (9 meetings) Local Paper: \$750 per hearing (9 meetings) Vacancy notices: none this year Protest hearing: \$1,000 per hearing (2 hearings)	-- -- -- --	\$ 15,500.00
<b>2090</b>	<b>Building Expense</b> <i>Ongoing maintenance of the staff office.</i>	Janitorial: \$93 per month	Increasing 3.3%	\$ 1,116.00
<b>2115</b>	<b>Software</b> <i>Purchases, subscriptions, and updates of software and online programs.</i>	Adobe license for office, annual, (\$400) Survey Monkey: \$200 Vimeo subscription for digital archive of meetings (\$300/yr)	Increasing 14% --	\$ 900.00
<b>2180</b>	<b>Electricity</b> <i>Electricity is included in the new lease, as opposed to former location.</i>	\$0 per month	--	\$ -
<b>2245</b>	<b>Other Insurance</b> <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>	Annual Insurance (\$12,000) Workers' Compensation (\$5,500)	Increasing 3.3% --	\$ 17,500.00
<b>2305</b>	<b>General Office Expense</b> <i>Niche and random items for the office. See Account 5012 for Office Supplies per contract pricing.</i>	Petty Cash Reimbursement: \$500 Paper shredding: \$312 Zoom subscription for meetings (\$20 per month) Office Supplies not Staples: \$100 per month Printer cartridges :\$400 Meeting supplies: \$50 per meeting	-- -- -- --	\$ 3,102.00
<b>2308</b>	<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>			\$ -
<b>2310</b>	<b>Mail (County Mail)</b>	Months with meetings (9): \$500 per month	Increasing 3.3%	\$ 8,568.00

## Attachment #4

## Services and Supplies Detail

		Months with no meetings (3): \$300 per month	Increasing 3.3%	
		Mail delivery: \$11.15 per stop (22 per month)	--	
	<i>Each year, staff utilizes more digital delivery over paper mail, which generally offsets rate increases.</i>			
<b>2315</b>	<b>Records Storage</b>	\$80 per month	Increasing 3.3%	<b>\$ 960.00</b>
	<i>Off-site retention of records. Gov Code 56382 mandates LAFCO to maintain its records in perpetuity.</i>			
<b>2322</b>	<b>Enterprise Printing (County IT)</b>	\$6.00 per month	--	<b>\$ 72.00</b>
	<i>County printing of payroll documents.</i>			
<b>2323</b>	<b>Reproduction Services</b>	\$500 estimate		<b>\$ 500.00</b>
	<i>Printing activity outside of the LAFCO office (County Printing Services, Kinkos, etc.).</i>			
<b>2335</b>	<b>Temporary Services</b>	No activity	--	<b>\$ -</b>
	<i>Use of temporary services for clerical support.</i>			
<b>2400</b>	<b>Legal Counsel</b>			<b>\$ 36,500.00</b>
		Months with meetings (9): \$2,500 per month	Increasing 3.3%	
		Months with no meetings (3): \$1,000 per month	Increasing 3.3%	
		Non-recoverable specific items (\$5,000)	--	
	<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>			
<b>2405</b>	<b>Auditing</b>	SBCERA costs for GASB 67 & 68: \$2,500	--	<b>\$ 21,000.00</b>
		Bookkeeper: \$7,500		
		Independent auditor: \$11,000	--	
	<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>			
<b>2410</b>	<b>IT Infrastructure (County IT)</b>	no longer needed, costs absorbed into Microsoft contract	Decreasing 100%	<b>\$ -</b>
	<i>Support of computer/server systems, email, wide area network, internet access, IT security, virus protection, help desk, and data center.</i>			
<b>2414</b>	<b>Application Dev. &amp; Maint. (County IT)</b>			<b>\$ -</b>
	<i>County IT work on LAFCO and County applications and software</i>			
<b>2415</b>	<b>Countywide Cost Allocation Program</b>	Per the County COWCAP publication	Increasing 51%	<b>\$ 13,820.00</b>
	<i>The County Auditor charges for county-related costs incurred in the prior year.</i>			
<b>2420</b>	<b>Enterprise Content Management (County IT)</b>		--	<b>\$ 2,288.69</b>
	<i>Enterprise Content Management</i>	\$100.22 for 13.31 units per month	--	
	<i>File Sharing Storage (Laserfiche - no longer in use)</i>	\$0	Decreasing 100%	
	<i>File Sharing Storage (Shared Drive)</i>	\$90.50 for two units of storage per month	--	
<b>2421</b>	<b>Desktop Support Services (County IT)</b>	\$87.13 per month, per computer (5 computers)	Decreasing 5%	<b>\$ 5,227.80</b>
	<i>County tech support &amp; monitoring for computers and applications.</i>			
<b>2424</b>	<b>Environmental Consultant</b>	Consultant work, per contracted rate, 15 reviews	--	<b>\$ 25,750.00</b>
		File with County Clerk, 15 actions, \$50 each	--	
		Proposals with EIR	--	
	<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>			
<b>2444</b>	<b>Security Services (inactive)</b>	\$0, included in new office lease	Decreasing 100%	<b>\$ -</b>
	<i>Maintain and monitor the security system.</i>			
<b>2445</b>	<b>Other Professional Services</b>	Surveyor proposal review: \$450 each proposal (6)	--	<b>\$ 94,034.04</b>
		Commissioner stipend: \$200 per meeting (9)	--	
		Alliance: \$10,000		
		Commissioner stipend: \$200 per committee mtg (3)		
		ROV: \$137.42 per hour (12)	--	
		Website & accessibility		
		County processing of quarterly taxes: \$1,000/quarter	--	

## Attachment #4

## Services and Supplies Detail

		County work on apportionment: \$5,600	--	
		Video recording of meetings: \$1,200 per meeting (9)	--	
		Commissioner stipend for Alliance: \$200 per meeting	--	
		Governance Training Program for Local Agencies	Increasing 30%	
		Strategic Planning Workshop: \$8,000		
	<i>This account is for outside services to assist in processing applications and service reviews as well as conducting Commission hearings. Governance training will include two courses.</i>			
<b>2449</b>	<b>Outside Legal (Litigation &amp; Special Counsel)</b>	Per special counsel rate		<b>\$ 4,000.00</b>
	<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>			
<b>2460</b>	<b>Aerial Imagery (County IT)</b>	Aerial Imagery \$1,000 per user (3)	--	<b>\$ 3,000.00</b>
	<i>Generation &amp; maintenance of digitized maps &amp; aerial images, access to County's parcel &amp; street layers.</i>			
<b>2895</b>	<b>Rent/Lease Equipment (copier)</b>	\$450 per month	--	<b>\$ 5,400.00</b>
	<i>LAFCO implementing more digital circulation as cost savings.</i>			
<b>2905</b>	<b>Office/Hearing Chamber Rental</b>	Meeting Facility: \$417 per meeting (9)	Increasing 3%	<b>\$ 34,773.00</b>
		Office Lease: \$2,585 monthly	Increasing 3%	
	<i>Use of Norton Conference Center for meetings and office lease.</i>			
<b>2940</b>	<b>Private Mileage</b>	ESRI Conference San Diego	--	<b>\$ 3,760.40</b>
		Employee travel, misc.: \$70	--	
		CALAFCO Conference (Sacramento), see Air Travel	--	
		CALAFCO Staff Workshop	--	
		Commissioner Alliance participation, 4 trips: \$268	--	
		Commissioner Meetings (9)	--	
	<i>Commissioners and staff private auto mileage at the IRS rate, excluding the Executive Officer.</i>			
<b>2941</b>	<b>Conference/Training</b>	CALAFCO Staff Workshop, 3 staff	--	<b>\$ 11,100.00</b>
		CALAFCO Conference (Sacramento) \$900 each (10)	--	
	<i>CALAFCO Staff Workshop. 3 staff attending</i>			
	<i>The CALAFCO Conference will be held in Sacramento, with 7 Commissioners and 3 staff budgeted.</i>			
<b>2942</b>	<b>Hotel</b>			<b>\$ 10,650.00</b>
		ESRI Conference San Diego: (1 staff)	--	
		CALAFCO Conf. \$250/night, 10 people, 3 nights	--	
		CALAFCO Staff Workshop, 3 staff	--	
	<i>Hotel charges for Commissioners and staff on LAFCO business.</i>			
<b>2943</b>	<b>Meals</b>	Staff travel: \$50	--	<b>\$ 1,550.00</b>
		ESRI Conference San Diego (1 staff)	--	
		CALAFCO Conf., \$50 each for 10 people	--	
		CALAFCO Staff Workshop, 3 staff	--	
		Alliance - Commissioners/Staff: \$50/trip (10)	--	
		Alliance - Staff Only Workshop: \$50/trip (5)	--	
	<i>Meal charges for Commissioners and staff on LAFCO business. Per diem max \$50/day.</i>			
<b>2945</b>	<b>Air Travel</b>	CALAFCO Conference: \$200/trip (9)		<b>\$ 1,800.00</b>
	<i>Airfare on Southwest Airlines for approved travel.</i>			
<b>2946</b>	<b>Other Travel</b>	CALAFCO Conference: \$75/trip (9)		<b>\$ 675.00</b>
	<i>Miscellaneous travel charges such as parking and taxi charges.</i>			
<b>5012</b>	<b>Transfer to County (Staples &amp; Microsoft)</b>	Staples supplies: \$200 per month	--	<b>\$ 8,334.24</b>
		Microsoft Licenses	increasing 16%	
<b>TOTAL SERVICES AND SUPPLIES</b>				<b>\$ 348,304.17</b>

## Attachment #5

## Revenues Detail

	Account	Charge Measurement	Rate Inc/Dec	Total
6010	<b>Application Reserve</b>	Beginning balance		\$ 100,000
	<i>A reserve in place of application revenues</i>			
8500 &	<b>Interest</b>	County Interest Pool returns	Variable	\$ 47,000
9984	<i>LAFCO participates in the County's interest pool and is apportioned interest receipts quarterly.</i>			
8842	<b>Apportionment</b>		--	\$ 1,241,243
	<i>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.</i>			
8545	<b>Application Fee</b>	LAFCO Fee Schedule, based on region and acreage		\$ -
	<i>Revenues in this account are based on anticipated activity and conservatively calculated at the median annexation filing fee for the activity identified above.</i>			
9555	<b>Application Deposits</b>	\$4,000 for proposals; \$2,400 for applicable service contracts	--	\$ -
	<i>This account is for deposits for outside services which are calculated at \$2,000 for proposals and \$700 for service contracts requiring a hearing.</i>			
9595	<b>Protest Hearing Deposit</b>	\$1,500 each	--	\$ -
	<i>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.</i>			
9560	<b>Indemnification Recovery</b>		--	\$ -
	<i>This accounts segregates legal cost recovery.</i>			
9910	<b>Prior Year Activity</b>		--	\$ -
	<i>This account refunds deposits submitted by applicants less costs incurred for activity which carry over from one year to another.</i>			
9930	<b>Miscellaneous Revenue</b>		--	\$ -
	<i>This account is for revenues received for duplication of CDs, DVDs, paper copies, and other miscellaneous receipts.</i>			
9973	<b>Stale-dated Checks</b>			\$ -
	<i>Uncashed checks that are credited</i>			
<b>TOTAL REVENUES</b>				<b>\$ 1,388,243</b>

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: MAY 13, 2026   
FROM: SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Assistant Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

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SUBJECT: AGENDA ITEM #15: 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 couple of bills that may be of interest to this LAFCO. Below is an update on those bills as well as a new bill that the Commission should be aware of:

- **AB 1821 (Pacheco D) -- California Public Records Act: agency response time.**

The California Public Records Act requires each state or local agency, upon a public records request, to promptly make said records available. Existing law requires each agency, within 10 days of a request for a copy of records, to respond or notify whether the agency is in possession of said records. Existing law also authorizes that time limit to be extended by no more than 14 days under unusual circumstances, as defined. This bill would change the existing timelines for public agencies to respond to public records requests, requiring agencies to respond within 10 business days instead of calendar days and allowing extensions of up to 14 business days.

Conclusion: Staff recommends a watch position on this bill.

- **AB 2512 (Valencia)**

In March, it was identified that this bill referred to existing provisions of CKH and was noted that the bill might end up gut-and-amend bill. As anticipated, this bill now has

nothing to do with CKH. AB 2512 now relates to the disposition of surplus/exempt surplus land under the Surplus Land Act.

Conclusion: This bill will be removed from the list moving forward.

- **SB 992 (Niello) -- County auditors: special districts: annual audit exceptions.**

There haven't been any changes to this bill. Current law authorizes a special district to replace this annual audit with a financial review, or, until January 1, 2027, an agreed upon procedures engagement or an annual financial compilation of the special district, if specified conditions are met, including that the special district's annual revenues do not exceed \$150,000. Until January 1, 2027, upon receipt of the financial review, agreed-upon procedures engagement, or financial compilation, current law authorizes a county auditor to appoint a certified public accountant or a public accountant to conduct an audit of the special district, as specified. This bill would remove the January 1, 2027, repeal date referenced above and would increase the revenue cap described above to \$250,000.

Conclusion: Staff still recommends a watch position on this bill.

#### **AMICUS BRIEF UPDATE:**

On September 17, 2025, the Commission approved this LAFCO's participation as a party to filing an amicus brief in the Monterey Peninsula Water Management District (MPWMD) v. Monterey LAFCO, involving Monterey LAFCO's denial of the MPWMD's request to activate latent powers to provide retail water service. The District challenged this denial in court and, as discussed previously, Monterey LAFCO had asked LAFCOs to file amicus briefs in support of its pending appeal.

As of now, Monterey LAFCO requested and was granted an extension to file its reply brief (response to MPWMD Cross-Appeal), moving the deadline from March 6, 2026 to April 7, 2026. Subsequently, MPWMD requested and was granted an extension to file its reply brief (response to Monterey LAFCO reply brief), extending the deadline to June 26, 2026.

As a result of these extensions, the amicus brief is now due on July 10, 2026. Bill Pellman of Nossaman LLP is expected to submit the amicus brief on behalf of San Bernardino LAFCO and the seven (7) other participating LAFCOs as well as CALAFCO, sometime before the July deadline.

#### **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: AB 1821

AMENDED IN ASSEMBLY APRIL 6, 2026  
AMENDED IN ASSEMBLY MARCH 16, 2026  
CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1821**

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**Introduced by Assembly Member Pacheco**

February 11, 2026

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An act to amend ~~Sections 7922.530 and~~ *Section 7922.535* of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1821, as amended, Pacheco. California Public Records Act: fees and agency response time.

Existing law, the California Public Records Act, requires each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, to make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable, except with respect to public records exempt from disclosure by express provisions of law.

~~This bill would require, if a single request exceeds 2 hours of search time, or if the total requests by a requestor exceed 10 hours of search time in one month, the requestor to also submit to the agency a payment of fees in an amount determined by the agency as reasonable to compensate the agency for the administrative time of completing the requests. The bill would exempt from that requirement a journalist, a newspaper, and an educational or nonecommercial scientific institution, as specified. The bill would define "search" for purposes of that requirement to mean to review, either manually or by automated means,~~

agency records for the purpose of locating those records that are responsive to a request.

Existing law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Existing law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, as defined.

This bill would instead require each agency to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person as described above within 10 business days of a request for a copy of records. The bill would instead authorize the time period for each agency to respond to be extended by no more than 14 business days.

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.

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.

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

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

- 1 SECTION 1. ~~Section 7922.530 of the Government Code is~~
- 2 ~~amended to read:~~
- 3 ~~7922.530. (a) (1) Except with respect to public records exempt~~
- 4 ~~from disclosure by express provisions of law, each state or local~~
- 5 ~~agency, upon a request for a copy of records that reasonably~~
- 6 ~~describes an identifiable record or records, shall make the records~~
- 7 ~~promptly available to any person upon payment of fees covering~~
- 8 ~~direct costs of duplication, or a statutory fee if applicable. Upon~~

1 request, an exact copy shall be provided unless impracticable to  
2 do so.

3 ~~(2) (A) If a single request exceeds 2 hours of search time, or if~~  
4 ~~the total requests by a requestor exceed 10 hours of search time in~~  
5 ~~one month, the requestor shall submit to the agency a payment of~~  
6 ~~fees in an amount determined by the agency as reasonable to~~  
7 ~~compensate the agency for the administrative time of completing~~  
8 ~~the requests.~~

9 ~~(B) Subparagraph (A) shall not apply to any of the following:~~

10 ~~(i) A journalist.~~

11 ~~(ii) A newspaper.~~

12 ~~(iii) An educational or noncommercial scientific institution~~  
13 ~~whose purpose is scholarly or scientific research.~~

14 ~~(C) For purposes of subparagraph (A), “search” means to review,~~  
15 ~~either manually or by automated means, agency records for the~~  
16 ~~purpose of locating those records that are responsive to a request.~~

17 ~~(b) A requester who inspects a disclosable record on the~~  
18 ~~premises of the agency has the right to use the requester’s~~  
19 ~~equipment on those premises, without being charged any fees or~~  
20 ~~costs, to photograph or otherwise copy or reproduce the record in~~  
21 ~~a manner that does not require the equipment to make physical~~  
22 ~~contact with the record, unless the means of copy or reproduction~~  
23 ~~would result in either of the following:~~

24 ~~(1) Damage to the record.~~

25 ~~(2) Unauthorized access to the agency’s computer systems or~~  
26 ~~secured networks by using software, equipment, or any other~~  
27 ~~technology capable of accessing, altering, or compromising the~~  
28 ~~agency’s electronic records.~~

29 ~~(e) The agency may impose any reasonable limits on the use of~~  
30 ~~the requester’s equipment that are necessary to protect the safety~~  
31 ~~of the records or to prevent the copying of records from being an~~  
32 ~~unreasonable burden to the orderly function of the agency and its~~  
33 ~~employees. In addition, the agency may impose any limit that is~~  
34 ~~necessary to maintain the integrity of, or ensure the long-term~~  
35 ~~preservation of, historic or high-value records.~~

36 ~~SEC. 2.~~

37 *SECTION 1.* Section 7922.535 of the Government Code is  
38 amended to read:

39 7922.535. (a) Each agency, upon a request for a copy of  
40 records, shall, within 10 business days from receipt of the request,

1 determine whether the request, in whole or in part, seeks copies  
2 of disclosable public records in the possession of the agency and  
3 shall promptly notify the person making the request of the  
4 determination and the reasons therefor. If the agency determines  
5 that the request seeks disclosable public records, the agency shall  
6 also state the estimated date and time when the records will be  
7 made available.

8 (b) In unusual circumstances, the time limit prescribed in this  
9 article and Article 1 (commencing with Section 7922.500) may  
10 be extended by written notice from the head of the agency or a  
11 designee to the person making the request, setting forth the reasons  
12 for the extension and the date on which a determination is expected  
13 to be dispatched. The notice shall not specify a date that would  
14 result in an extension for more than 14 business days.

15 (c) As used in this section, “unusual circumstances” means the  
16 following, but only to the extent reasonably necessary to the proper  
17 processing of the particular request:

18 (1) The need to search for and collect the requested records  
19 from field facilities or other establishments that are separate from  
20 the office processing the request.

21 (2) The need to search for, collect, and appropriately examine  
22 a voluminous amount of separate and distinct records that are  
23 demanded in a single request.

24 (3) The need for consultation, which shall be conducted with  
25 all practicable speed, with another agency having substantial  
26 interest in the determination of the request or among two or more  
27 components of the agency having substantial subject matter interest  
28 therein.

29 (4) The need to compile data, to write programming language  
30 or a computer program, or to construct a computer report to extract  
31 data.

32 (5) The inability of the agency, because of a cyberattack, to  
33 access its electronic servers or systems in order to search for and  
34 obtain a record that the agency believes is responsive to a request  
35 and is maintained on the servers or systems in an electronic format.

36 (A) This paragraph does not relieve the agency of its obligation  
37 to comply with subdivision (a) when the requested record is  
38 maintained in a location other than on the electronic server or  
39 system affected by the cyberattack, or maintained in a nonelectronic  
40 format.

1 (B) This paragraph applies only until the agency regains its  
2 ability to access its electronic servers or systems and search for  
3 and obtain electronic records that may be responsive to a request.

4 (6) The need to search for, collect, and appropriately examine  
5 records during a state of emergency proclaimed by the Governor  
6 in the jurisdiction where the agency is located when the state of  
7 emergency currently and directly affects, due to the state of  
8 emergency, the agency’s ability to timely respond to requests due  
9 to staffing shortages or closure of facilities where the requested  
10 records are located.

11 (A) This paragraph shall not apply to a request for records  
12 created during and related to the state of emergency proclaimed  
13 by the Governor.

14 (B) For purposes of this paragraph, “state of emergency” means  
15 a state of emergency proclaimed pursuant to Section 8625 of the  
16 California Emergency Services Act (Chapter 7 (commencing with  
17 Section 8550) of Division 1 of Title 2).

18 ~~SEC. 3.~~

19 ~~SEC. 2.~~ The Legislature finds and declares that Section 1 of  
20 ~~this act, which amends Section 7922.530 of the Government Code,~~  
21 ~~and Section 2 of this act, which amends Section 7922.535 of the~~  
22 ~~Government Code, further, furthers, within the meaning of~~  
23 ~~paragraph (7) of subdivision (b) of Section 3 of Article I of the~~  
24 ~~California Constitution, the purposes of that constitutional section~~  
25 ~~as it relates to the right of public access to the meetings of local~~  
26 ~~public bodies or the writings of local public officials and local~~  
27 ~~agencies. Pursuant to paragraph (7) of subdivision (b) of Section~~  
28 ~~3 of Article I of the California Constitution, the Legislature makes~~  
29 ~~the following findings:~~

30 This act balances the right of the public to access public records  
31 in a timely manner while ~~providing public agencies proper~~  
32 ~~compensation and protection from convoluted requests.~~  
33 *acknowledging that state and local agencies provide a variety of*  
34 *public services and may need additional time to properly respond*  
35 *to requests.*

36 ~~SEC. 4.~~

37 ~~SEC. 3.~~ The Legislature finds and declares that Section 1 of  
38 ~~this act, which amends Section 7922.530 of the Government Code,~~  
39 ~~and Section 2 of this act, which amends Section 7922.535 of the~~  
40 ~~Government Code, impose imposes a limitation on the public’s~~

1 right of access to the meetings of public bodies or the writings of  
2 public officials and agencies within the meaning of Section 3 of  
3 Article I of the California Constitution. Pursuant to that  
4 constitutional provision, the Legislature makes the following  
5 findings to demonstrate the interest protected by this limitation  
6 and the need for protecting that interest:

7 This act balances the right of the public to access public records  
8 in a timely manner while ~~providing public agencies proper~~  
9 ~~compensation and protection from convoluted requests.~~  
10 *acknowledging that state and local agencies provide a variety of*  
11 *public services and may need additional time to properly respond*  
12 *to requests.*

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DATE: MAY 13, 2026   
FROM: SAMUEL MARTINEZ, Executive Officer  
TO: LOCAL AGENCY FORMATION COMMISSION

---

SUBJECT: AGENDA ITEM #16: EXECUTIVE OFFICER'S REPORT

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## REMINDER:

The Commission will be dark in June. Please note that the next Commission meeting will be on July 15, 2026.

## UPDATES ON PROPOSALS INCLUDING SERVICE REVIEWS/SPECIAL STUDIES, AND SPHERE OF INFLUENCE AMENDMENTS/UPDATES

- **LAFCO 3275** – Reorganization to Include Annexation to the City of San Bernardino and Detachment from County Service Area 70 (26-Acre Island)

*Reconsideration period ended. Protest Hearing scheduled for May 21, 2026, beginning at 6 p.m., at the Norton Regional Event Center main auditorium.*

- **LAFCOs 3278 & 3279** (City of Adelanto Fire Reorganization):
  - LAFCO 3278 – Sphere of Influence Amendment (Expansion) for the San Bernardino County Fire Protection District
  - LAFCO 3279 – Reorganization to Include Annexation to the San Bernardino County Fire Protection District, its North Desert Service Zone, and its Zone FP-5

*LAFCO 3279 property tax exchange/transfer process extended per the allowed additional 30-day negotiation period at the request of the County, which ends June 4, 2026. Both items have not been scheduled for Commission consideration at this time.*

- **LAFCO 3282** – Countywide Service Review for Local Park and Recreation

*Staff continues to receive comments back from agencies that were provided with working draft copies of their portions of the report for their technical review. The next phase, once agencies have reviewed and provided feedback, will be distributing the actual draft service review for agency and public review and comment.*

#### **UPDATES ON OUT-OF-AGENCY SERVICE CONTRACT DELEGATED TO THE EO:**

- LAFCO SC #559 – City of Rialto Extraterritorial Wastewater Service Agreement Between the City of Rialto and Cedar Village Mobile Home Park Partners (APNs 0257-041-12 & 0257-041-23)

*The City of Rialto submitted a request for authorization to provide sewer service to an existing mobile home park that sit on two adjacent parcels. The EO authorized this request on 4/30/2026.*

#### **UPCOMING PROJECTS**

- City of Barstow Proposed General Plan Update and Barstow International Gateway Project

*On Saturday, May 16, 2026, the City of Barstow will be having a special Planning Commission meeting about the City's General Plan Update and its Barstow International Gateway Project, which will require a reorganization to include:*

- *Annexation to the City and Odessa Water District (subsidiary district of the City) and detachment from CSA 70 of approximately 2,686 acres, and*
- *Annexation to the Barstow Fire Protection District (subsidiary district of the City) and detachment from County Fire, its North Desert Service Zone and its Zone FP-5 of approximately 2,605 acres.*

*Staff plans to attend said Planning Commission meeting.*

#### **ALLIANCE of LAFCOs:**

The Alliance of LAFCOs (Alliance) will be having a Zoom meeting next Thursday, May 21.

**CALAFCO NEWS:**

LAFCO staff Mike Tuerpe and Art Pastor attended the 2026 CALAFCO Staff Workshop last week in Pismo Beach, CA.

**LAFCO Website:**

As the Commission is aware, Streamline is currently building the Commission's new website that will be launched in the near future. One issue that was identified is that the new website will not be able to host (store) the Commission's audio files (MP3 files) of its meetings. Although MP3 files are generally considered an accessible format for audio, they are not considered fully accessible content on their own since they must be accompanied by a text transcript to meet ADA accessibility standards for users with hearing limitations.

Therefore, the new website will only be including the video files (MP4 files) of the Commission's meetings (accessible through Vimeo) that provides closed captioning accessibility for users with hearing disability.