

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

PROPOSAL NO.: LAFCO 3273

HEARING DATE: MAY 21, 2025

RESOLUTION NO. 3418

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3273 AND APPROVING THE ANNEXATION TO THE TWENTYNINE PALMS WATER DISTRICT (ASSESSOR PARCEL NUMBER 0634-121-15). The annexation area comprises approximately 40 acres generally located at the northwest corner of Chisholm Trail and Bullion Mountain Road.

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

WHEREAS, an application by the Twentynine Palms Water District Board of Directors for the proposed annexation in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox- Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient; and,

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

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

WHEREAS, the public hearing by this Commission was called for May 21, 2025, at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, objections and evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing.

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

DETERMINATIONS:

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

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

Condition No. 2. The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3273.

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

Condition No. 4. Both the Twentynine Palms Water District and the property owner, John D. Rudometkin, shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

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

SECTION 2. The Commission determines that:

- a) this proposal is certified to be legally uninhabited;
- b) it has 100 % landowner consent; and,
- c) no written opposition to a waiver of protest proceedings has been submitted by any subject agency.

Therefore, the Commission does hereby waive the protest proceedings for this action as permitted by Government Code Section 56662(d).

SECTION 3. DETERMINATIONS. The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The annexation area is legally uninhabited containing zero registered voters as certified by the County Registrar of Voters as of April 21, 2025.

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2. The County Assessor has determined that the total assessed value of land within the annexation area is \$42,598.
3. The annexation area is within the sphere of influence assigned the Twentynine Palms Water District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Hi Desert Star*, a newspaper of general circulation within the area. As required by State law, individual notices were provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners and registered voters surrounding the annexation area (totaling 25 notices). Comments from landowners, registered voters, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The County's land use designation for the annexation area is RL-10 (Rural Living, 10 acres minimum). No change in land use is anticipated as a result of the annexation to the Twentynine Palms Water District.
7. The Southern California Associated Governments (SCAG) has adopted its 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS), referred to as Connect SoCal 2024, pursuant to Government Code Section 65080. LAFCO 3273 has no direct impact on SCAG's Connect SoCal 2024.
8. The Local Agency Formation Commission has determined that this proposal is exempt from environmental review. The basis for this determination is that the Commission's approval of the annexation has no potential to cause a significant adverse impact on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). The Commission adopted the Exemption and directed its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The annexation area is served by the following local agencies: County of San Bernardino, Hi-Desert Memorial Healthcare District (dba Morongo Basin Healthcare District), Mojave Desert Resource Conservation District, San Bernardino County Fire Protection District and its South Desert Service Zone and its Zone FP-5, and County Service Area 70 (unincorporated County-wide multi-function agency) and its Zone TV-4.

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

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10. A plan was prepared for the extension of water service to the annexation area, as required by law. The Plan for Service indicates that the Twentynine Palms Water District can provide water service to APN 0631-051-28 and can maintain and/or improve the level of service currently available. A copy of this plan is included as a part of Attachment #2 to this report.

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

11. The annexation area can benefit from the availability and extension of water service from the Twentynine Palms Water District.
12. With respect to environmental justice, the annexation proposal—which is to provide water service to the parcel—will not result in unfair treatment of any person based on race, culture or income.
13. The County of San Bernardino, acting on behalf of the Twentynine Palms Water District, adopted a resolution indicating there will be no transfer of property tax revenues as a result of the annexation. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
14. The maps and legal descriptions are in substantial compliance with LAFCO and State standards.

SECTION 4. The primary reason for this annexation is to provide water service to APN 0631-051-28, to serve a single-family residence proposed to be built on the property. The parcel is currently not within the Twentynine Palms Water District's boundary; therefore, annexation to the District is required in order to receive water service.

SECTION 5. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

SECTION 6. The Commission hereby orders the territory described in Exhibits "A" and "A-1" reorganized. The Commission hereby directs, that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer shall prepare and file a Certificate of Completion, as required by Government Code Section 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

SECTION 7. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

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

AYES: COMMISSIONERS: ARMENDAREZ, BACA, BAGLEY, COX, DUPPER, FARRELL, WARREN.

NOES: COMMISSIONERS: NONE.

ABSENT: COMMISSIONERS: HAGMAN (Armendarez voting in his stead).

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 21, 2025.

DATED:



SAMUEL MARTINEZ
Executive Officer



LAFCO 3273

ANNEXATION TO THE TWENTYNINE PALMS WATER DISTRICT (APN 0634-121-15)

BEING THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 2 NORTH, RANGE 9 EAST, SAN BERNARDINO BASE MERIDIAN, IN SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID EAST HALF AND BEING THE SOUTHEAST CORNER OF SAID SECTION 35, SAID CORNER ALSO BEING A POINT ON THE EXISTING TWENTYNINE PALMS WATER DISTRICT "LAFCO 2444" BOUNDARY;

COURSE 1, THENCE ALONG THE SOUTHERLY LINE OF SAID EAST HALF, AND ALSO ALONG THE EXISTING LAFCO 2444 BOUNDARY, SAID LINE ALSO BEING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, SOUTH 89° 13' 00" WEST A DISTANCE OF 661.16 FEET TO THE SOUTHWEST CORNER OF SAID EAST HALF;

COURSE 2, THENCE LEAVING SAID SECTION LINE ALONG THE WESTERLY LINE OF SAID EAST HALF, NORTH 00° 12' 15" WEST A DISTANCE OF 1486.19 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE SOUTH 1/2, OF THE SOUTH 1/2, OF THE NORTH 1/2, OF THE SOUTH 1/2, OF SAID SECTION;

COURSE 3, THENCE LEAVING THE EXISTING LAFCO 2444 BOUNDARY ALONG THE WESTERLY LINE OF SAID EAST HALF, NORTH 0° 12' 15" WEST A DISTANCE OF 1155.92 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF;

COURSE 4, THENCE ALONG THE NORTHERLY LINE OF SAID EAST HALF, NORTH 89° 24' 00" EAST A DISTANCE OF 661.33 FEET TO A POINT ON THE EASTERLY LINE OF SAID EAST HALF;

COURSE 5, THENCE ALONG THE EASTERLY LINE OF SAID EAST HALF, SOUTH 0° 12' 00" EAST A DISTANCE OF 2640.00 THE **POINT OF BEGINNING**.

SAID ABOVE DESCRIBED AREA CONTAINS 40.09 ACRES, MORE OR LESS.

THIS DOCUMENT WAS PREPARED BY
ME OR UNDER MY DIRECTION,
BASED ON RECORD INFORMATION.


PHILLIP K. FOMOTOR, P.L.S.

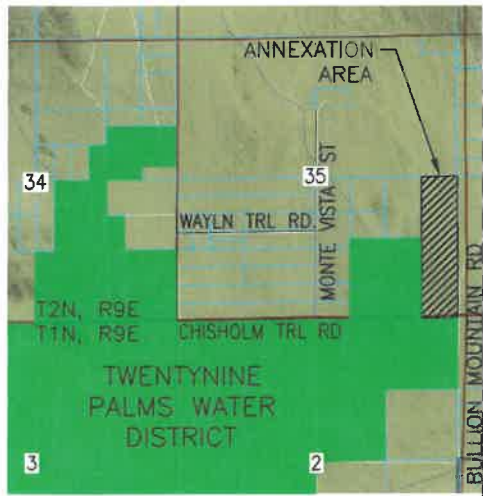
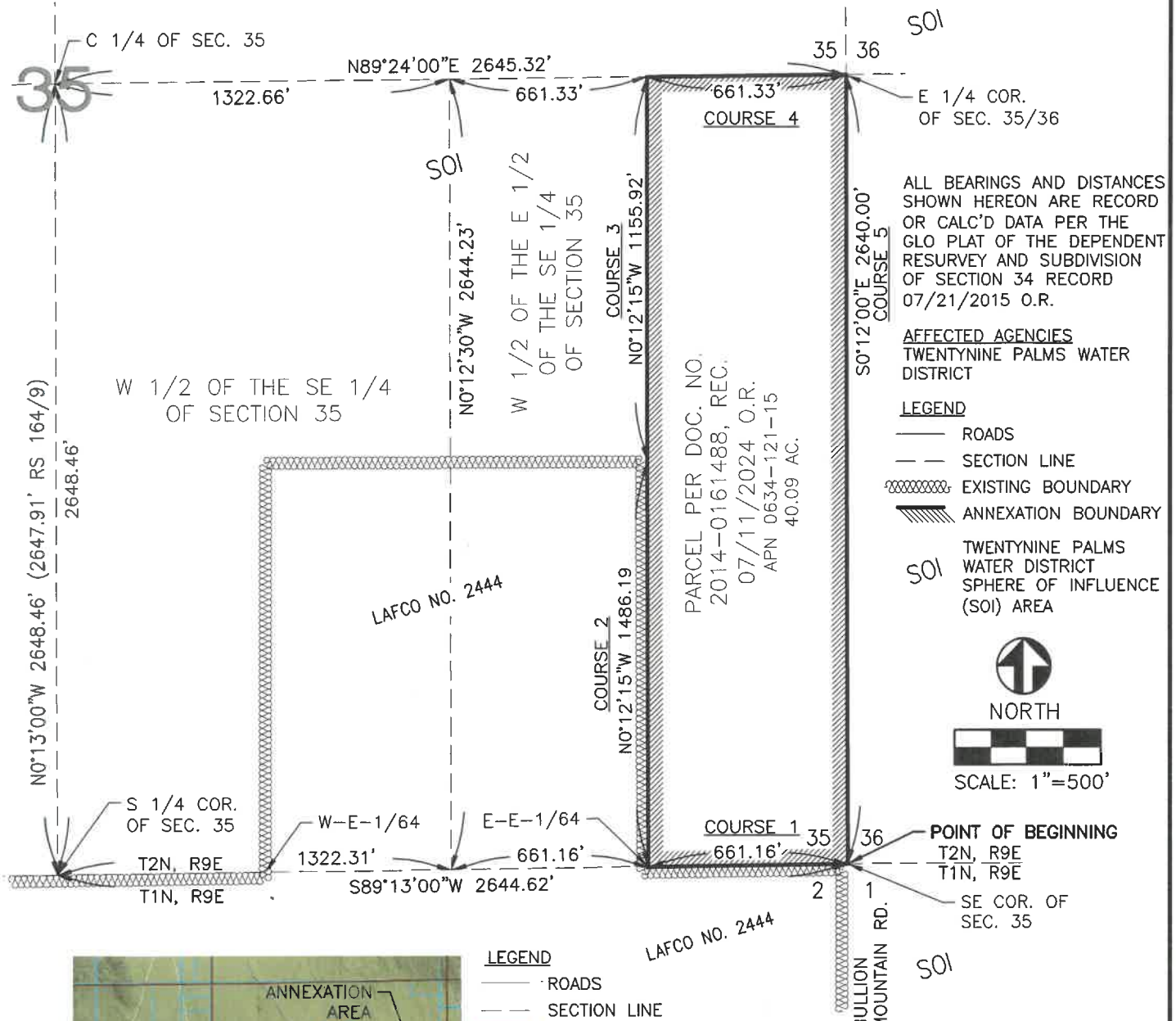
DATE 5/12/2025



LAFCO 3273

ANNEXATION TO TWENTYNINE PALMS WATER DISTRICT (APN 0634-121-15)

E 1/2 OF THE E 1/2 OF SE 1/4 OF SECTION 35
TOWNSHIP 2 NORTH, RANGE 9 EAST

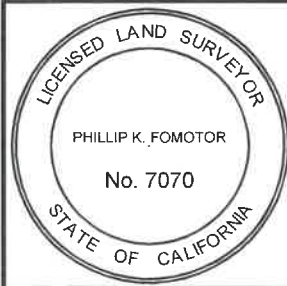


- LEGEND**
- ROADS
 - SECTION LINE
 - EXISTING BOUNDARY
 - SOI AREA
 - ANNEXATION BOUNDARY

FOMOTOR ENGINEERING

225 S. CIVIC DRIVE, SUITE 1-5
PALM SPRINGS, CA. 92262
PH. (760) 323-1842

DATE: 5/12/2025



THIS DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECTION, BASED ON RECORD INFORMATION.

Phillip K. Fomotor
PHILLIP K. FOMOTOR, P.L.S.