

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

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

PROPOSAL NO.: LAFCO 3258

HEARING DATE: DECEMBER 21, 2022

AMENDED RESOLUTION NO. 3362

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3258 - REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF SAN BERNARDINO, SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE AND ITS ZONE FP-5, AND DETACHMENT FROM CITY OF REDLANDS

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

WHEREAS, an application for the proposed reorganization 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 December 21, 2022 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.

WHEREAS, on December 21, 2022, Resolution No. 3362, as adopted at the December 21, 2022 hearing making determinations on the reorganization proposal, had an

AMENDED RESOLUTION NO. 3362

incorrect LAFCO number identified in the resolution title. Pursuant to Government Code Section 56883, this inadvertent error has been corrected in this amended resolution.

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

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

CONDITIONS:

Condition No. 1. The boundaries of this change of organization 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 3258.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Redlands 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. The Inland Valley Development Agency 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. Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

Condition No. 6. The date of issuance of the Certification of Completion shall be the effective date of the reorganization.

Condition No. 7. The Certificate of Completion shall be held in abeyance for six months subject to County Fire Board action to change the boundaries of its Valley Service Zone and its Service Zone FP-5 to include the reorganization area.

SECTION 2. DETERMINATIONS. The following are the factors to be considered in the review of a proposal pursuant to Government Code Section 56668 and Commission policy:

1. The Registrar of Voters has determined that the reorganization study area is legally uninhabited, containing zero (0) registered voters within LAFCO 3258 as of June 1, 2022.
2. Through approval of the companion proposal, LAFCO 3257, the reorganization will not conflict with the sphere of influence of any other entity.

AMENDED RESOLUTION NO. 3362

3. The County Assessor has determined that the value of land and improvements within the reorganization area is \$0 due to the floodway parcels being tax exempt property.
2. Legal advertisement of the Commission's consideration has been provided through publication in *the Sun*, a newspaper of general circulation within the reorganization area.
3. In accordance with State law and adopted Commission policies, LAFCO staff has provided individual notice to landowners within and surrounding the reorganization area and to affected and interested agencies, County departments, and those individual and agencies having requested such notice.
6. Pre-zoning is not required since the site consists of the Mountain View Avenue bridge and Santa Ana River floodplain and these uses will not be altered.
7. The Southern California Associated Governments (SCAG) recently adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. The Bridge has been an essential element of the area circulation system for approximately ten years. The Bridge fulfills an important role as a major arterial on the San Bernardino General Plan Circulation Element. Installation of the Mtn. View Avenue Bridge, which connects Mtn. View and Central Avenues (over the Santa Ana River), will serve to relieve traffic congestion on Tippecanoe Avenue about one-mile to the west. LAFCO 3258 has no direct impact on SCAG's Sustainable Communities Strategy.
8. The City of San Bernardino adopted an updated Local Hazard Mitigation Plan (LHMP) in October 2016 (Resolution No. 2016-209), which was developed by County Fire, the City's fire service provider. County Fire also has its Multi-Jurisdictional Hazard Mitigation Plan that was approved by FEMA in July 2017.
9. Staff recommends that this proposal is exempt from environmental review based on the finding that the Commission's approval of the reorganization has no potential to cause any adverse effect 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). Staff recommends that the Commission adopt the Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days. A copy of the environmental recommendation is included as Attachment #3 to this report.
10. The local agencies currently serving the area are:
 - City of Redlands
 - County of San Bernardino
 - Inland Empire Resource Conservation District
 - Inland Valley Development Agency
 - San Bernardino Valley Municipal Water District
 - San Bernardino Valley Water Conservation District

The other agencies are not affected by this reorganization as they are either regional in nature or identified for other services to a specific area.

AMENDED RESOLUTION NO. 3362

11. Plans for service were prepared to the reorganization area, as required by law. The Plans for Service indicates that the City of San Bernardino and County Fire can maintain and/or improve the level of service currently available to the area. A copy of these plans are included as a part of Attachment #2 to this report.

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

12. The reorganization proposal complies with Commission policies and directives and State law that indicate the preference for areas proposed for urban intensity development to be included within a City so that the full range of municipal services can be planned, funded, extended, and maintained.
13. The reorganization area can benefit from the availability and extension of municipal services, as evidenced by the Plans for Service.
14. This proposal will not affect the fair share allocation of the regional housing needs assigned to the County of San Bernardino through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process.
15. With respect to environmental justice, the reorganization places the entirety of the bridge under one land use jurisdiction. The reorganization will not result in the unfair treatment of any person based upon race, culture or income.
16. The County of San Bernardino, the City of San Bernardino, and the City of Redlands adopted property tax resolutions, as required by law, outlining there will be no exchange of property tax as a result of the reorganization. This fulfills the requirement of Section 99 of the Revenue and Taxation Code.
17. The maps and legal descriptions are in substantial compliance with LAFCO and State standards.

SECTION 3. 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 4. 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.

SECTION 5. The Commission hereby directs that, following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000) and set the matter for consideration of the protest proceedings, providing notice of hearing pursuant to Government Code Sections 57025 and 57026.

AMENDED RESOLUTION NO. 3362

SECTION 6. Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth his determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

SECTION 7. Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

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

AYES: COMMISSIONERS: BACA, BAGLEY, COX, DENISON, DUPPER FARRELL AND ROWE.

NOES: COMMISSIONERS: NONE.

ABSTAIN: COMMISSIONERS: NONE.

ABSENT: COMMISSIONERS: HAGMAN (Rowe voting in his stead), WARREN (Denison voting in her 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 December 21, 2022.

DATED: DECEMBER 27, 2022



SAMUEL MARTINEZ
Executive Officer



LAFCO 3258 – Reorganization to Include Annexation to the City of San Bernardino, San Bernardino County Fire Protection District, its Valley Service Zone and its Zone FP-5, and Detachment from City of Redlands

That portion of Section 18, Township 1 South, Range 3 West, S.B.M., in the County of San Bernardino, State of California, lying within the following described boundary:

Commencing at the intersection of Mountain View Avenue and the westerly prolongation of the north line of Parcel 1 of Parcel Map 15049 as per map recorded in Book 183 of Parcel Maps, pages 68 through 69 inclusive, records of said County, said point also being on the boundary line of the City of Redlands per LAFCO 2839D – City of Redlands Annexation No. 76D, also being the **Point of Beginning**:

1. Thence leaving said boundary, Northeasterly along a curve, and along the north line of said Parcel 1, a distance of 320.00 feet, more or less to a point that is parallel with and 300.00 feet Easterly, measured at right angles, from the centerline of Mountain View Avenue as shown on said Parcel Map;
2. Thence leaving said north line of Parcel 1, Northerly, parallel with the centerline of Mountain View Avenue, a distance of 940.00 feet, more or less, to the North boundary line of the City of Redlands Per LAFCO 1152 ;
3. Thence Southwesterly along a curve and along said boundary line, a distance of 337.00 feet, more or less, to an intersection with Mountain View Avenue as shown on said Parcel Map;
4. Thence Southerly, along said boundary, a distance of 860.00 feet, more or less, to the **Point of Beginning**.

Containing 6.27 Acres more or less

This legal description was prepared by me or under my direction.



Date

Ryan S. Hunsicker
Deputy County Surveyor
PLS 8302, Expiration; December 31, 2023



