

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

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PROPOSAL NO.: LAFCO 3260

HEARING DATE: JANUARY 17, 2024

RESOLUTION NO. 3386

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3260 AND APPROVING THE ANNEXATION TO THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT (HESPERIA FARMS PROPERTY - DISTRICT OWNED). The annexation area comprises approximately 344 acres generally located along the Mojave River on the east side of Arrowhead Lake Road immediately south of the Hesperia Lake Park, within the Lake Arrowhead Community Services District sphere of influence.

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

WHEREAS, an application by the Lake Arrowhead Community Services 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 January 17, 2024, 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;

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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.

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 3262.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Lake Arrowhead Community Services 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. The Lake Arrowhead Community Services District 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 the 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 County Registrar of Voters Office has determined that the annexation area is legally uninhabited, containing zero registered voters as of October 11, 2023.

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2. The County Assessor's Office has determined that the total assessed value of land within the annexation area is \$531,416 as of December 20, 2022.
3. The annexation area is within the sphere of influence assigned the Lake Arrowhead Community Services District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Alpine Mountaineer News*, a newspaper of general circulation within the Lake Arrowhead community, and *The Daily Press*, a newspaper of general circulation within the annexation area. As required by State law, individual notification was provided to 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 (170) and registered voters (76) surrounding the annexation area (totaling 246 notices). Comments from registered voters, landowners, 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 City of Hesperia's zoning designation for the portion of the area that is in the city is RR-2½ (Rural Residential, 2.5 acres minimum). The County's current land use designations for the annexation area are: FW (Floodway) and RL-10 (Rural Living, 10 acres minimum). This annexation has no direct impact on said land use designations.
7. The Southern California Associated Governments (SCAG) has adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTPSCS) pursuant to Government Code Section 65080. LAFCO 3260 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.
8. The Commission's Environmental Consultant, Tom Dodson and Associates, has recommended that this proposal is exempt from environmental review based on the finding that the Commission's approval of the annexation 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). Mr. Dodson recommends that the Commission adopt the Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days.
9. The annexation area is served by the following local agencies:
 - County of San Bernardino
 - City of Hesperia (portion)
 - Hesperia Water District (portion)
 - Hesperia Park and Recreation District (portion)
 - Mojave Water Agency

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Mojave Desert Resource Conservation District
San Bernardino County Fire Protection District, its North Desert Service
Zone, and its Zone FP-5 (portion)
County Service Area 60 (Apple Valley Airport)
County Service Area 70 (unincorporated County-wide multi-function agency --
portion)

None of the agencies are be detached as a function of this annexation. Said agencies will continue to overlay the annexation area.

10. A plan for service was prepared for the annexation area, as required by law. The The Plan indicates no service are anticipated to change as a result of the annexation. The annexation into the Lake Arrowhead Community Services District is to relieve itself of a recurring annual property tax obligation on the District-owned parcels. As a result, the proposed annexation will have a positive financial effect (savings) for the District. A copy of this plan is included as a part of Attachment #2 to this report.
11. The annexation can benefit from the availability and extension of services provided by any of the underlying agencies. However, the plan for service indicates no service are anticipated to change as a result of the annexation
12. This proposal will not affect the fair share allocation of the regional housing needs assigned the County or the City of Hesperia through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) since the annexation area will remain vacant and used for public facilities (i.e. percolation ponds).
13. With respect to environmental justice, the annexation proposal—wherein the parcels being annexed into the Lake Arrowhead Community Services District will remain vacant and used for public facilities (groundwater recharge)—will not result in the unfair treatment of any person based on race, culture or income.
14. The County of San Bernardino adopted a resolution determining there will be a zero property tax transfer as a result of the annexation. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
15. The maps and legal descriptions as revised are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

SECTION 4. The primary reason the annexation is to relieve Lake Arrowhead Community Services District of a recurring annual property tax obligation on the District-owned parcels, which is a savings that would benefit the ratepayers for the District. A public agency is only exempt from paying property taxes on lands that it owns if the lands are within the agency's boundaries.

SECTION 5. The affected territory shall not be taxed for existing bonded indebtedness or contractual obligations of the Lake Arrowhead Community Services District through the

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annexation. The Lake Arrowhead Community Services District also utilizes the regular County assessment rolls.

SECTION 6. 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 7. The Commission hereby orders the territory described in Exhibits "A" and "A-1" annexed. 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 8. 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.

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, FARRELL, AND HAGMAN.
NOES: COMMISSIONERS: NONE.
ABSENT: COMMISSIONERS: 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 January 17, 2024.

DATED: JANUARY 17, 2024


SAMUEL MARTINEZ
Executive Officer



EXHIBIT A

**LAFCO 3260 – ANNEXATION TO THE LAKE ARROWHEAD
COMMUNITY SERVICES DISTRICT
(Hesperia Farms Property – District Owned)**

THOSE PORTIONS OF LAND LOCATED IN THE WEST HALF OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 3 WEST AND IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 6:

COURSE 1. THENCE SOUTH, A DISTANCE OF 3420.35 FEET ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 6, ALSO BEING THE EXISTING CITY OF HESPERIA BOUNDARY PER LAFCO 2581 ANNEXATION, TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 6, ALSO BEING THE NORTHWEST CORNER OF GOVERNMENT LOT 13 OF SAID SECTION 6, AS SHOWN ON PARCEL MAP NO. 1530 IN BOOK 13 OF PARCEL MAPS, PAGE 76, RECORDS OF SAID COUNTY;

COURSE 2. THENCE NORTH 89°36'46" EAST, A DISTANCE OF 1272.30 FEET ALONG TO NORTH LINE OF SAID GOVERNMENT LOT 13, TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 13;

COURSE 3. THENCE SOUTH 00°32'58" EAST, A DISTANCE OF 374.13 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 13;

COURSE 4. THENCE LEAVING SAID EAST LINE, SOUTH 86°32'58" WEST, A DISTANCE OF 968.31 FEET;

COURSE 5. THENCE SOUTH 89°32'07" WEST, A DISTANCE OF 309.22 FEET TO THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 6, ALSO BEING THE EAST LINE OF THE SOUTHEAST ONE-QUARTER SAID SECTION 1, ALSO BEING THE EXISTING CITY OF HESPERIA BOUNDARY PER LAFCO 2581 ANNEXATION;

COURSE 6. THENCE SOUTH, A DISTANCE OF 1609.91 FEET ALONG SAID EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 1 TO THE SOUTHEAST CORNER OF SAID SECTION 1;

COURSE 7. THENCE SOUTH 89°20'02" WEST, A DISTANCE OF 2655.85 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER SAID SECTION 1, ALSO BEING THE EXISTING CITY OF HESPERIA BOUNDARY PER LAFCO 2581 ANNEXATION, TO THE SOUTH QUARTER CORNER OF SAID SECTION 1;

COURSE 8. THENCE NORTH 00°07'12" EAST, A DISTANCE OF 2605.83 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1 TO THE CENTER OF SAID SECTION 1, ALSO BEING THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 OF SAID SECTION 1;

COURSE 9. THENCE CONTINUING NORTH 00°07'12" EAST, A DISTANCE OF 794.26 FEET ALONG THE WEST LINE OF GOVERNMENT LOT 1 OF SAID SECTION 1, ALSO BEING THE CENTERLINE OF ARROWHEAD LAKE ROAD, AS SHOWN ON PARCEL MAP NO. 8762, AS RECORDED IN BOOK 95 OF PARCEL MAPS, PAGES 47 AND 48, RECORDS OF SAID COUNTY, TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY, AND HAVING A RADIUS OF 1100.00 FEET;

COURSE 10. THENCE LEAVING THE WEST LINE OF SAID GOVERNMENT LOT 1, NORTHWESTERLY, ALONG SAID CENTERLINE OF ARROWHEAD ROAD AS FOLLOWS: ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 278.76 FEET THROUGH A CENTRAL ANGLE OF 14°31'12";

COURSE 11. THENCE NORTH 14°24'00" WEST, A DISTANCE OF 311.48 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 950.00 FEET;

COURSE 12. THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 266.40 FEET THROUGH A CENTRAL ANGLE OF 16°04'00";

COURSE 13. THENCE NORTH 30°28'00" WEST, A DISTANCE OF 264.09 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 400.00 FEET;

COURSE 14. THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 230.03 FEET THROUGH A CENTRAL ANGLE OF 32°57'00";

COURSE 15. THENCE NORTH 02°29'00" EAST, A DISTANCE OF 152.36 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 450.00 FEET;

COURSE 16. THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 301.99 FEET THROUGH A CENTRAL ANGLE OF 38°27'00";

COURSE 17. THENCE NORTH 35°58'00" WEST, A DISTANCE OF 211.73 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1;

COURSE 18. THENCE NORTH 89°29'07" EAST, A DISTANCE OF 609.19 FEET, ALONG SAID NORTH LINE TO THE NORTH QUARTER CORNER OF SAID SECTION 1;

COURSE 19. THENCE NORTH 89°29'07" EAST, A DISTANCE OF 2644.71 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, TO THE POINT OF BEGINNING;

END OF DESCRIPTION

DESCRIBED PARCEL CONTAINS 344.39 ACRES, MORE OR LESS.

THIS DESCRIPTION WAS PREPARED BY ME, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, PURSUANT TO SECTION 8761 OF THE STATE LAND SURVEYORS ACT.

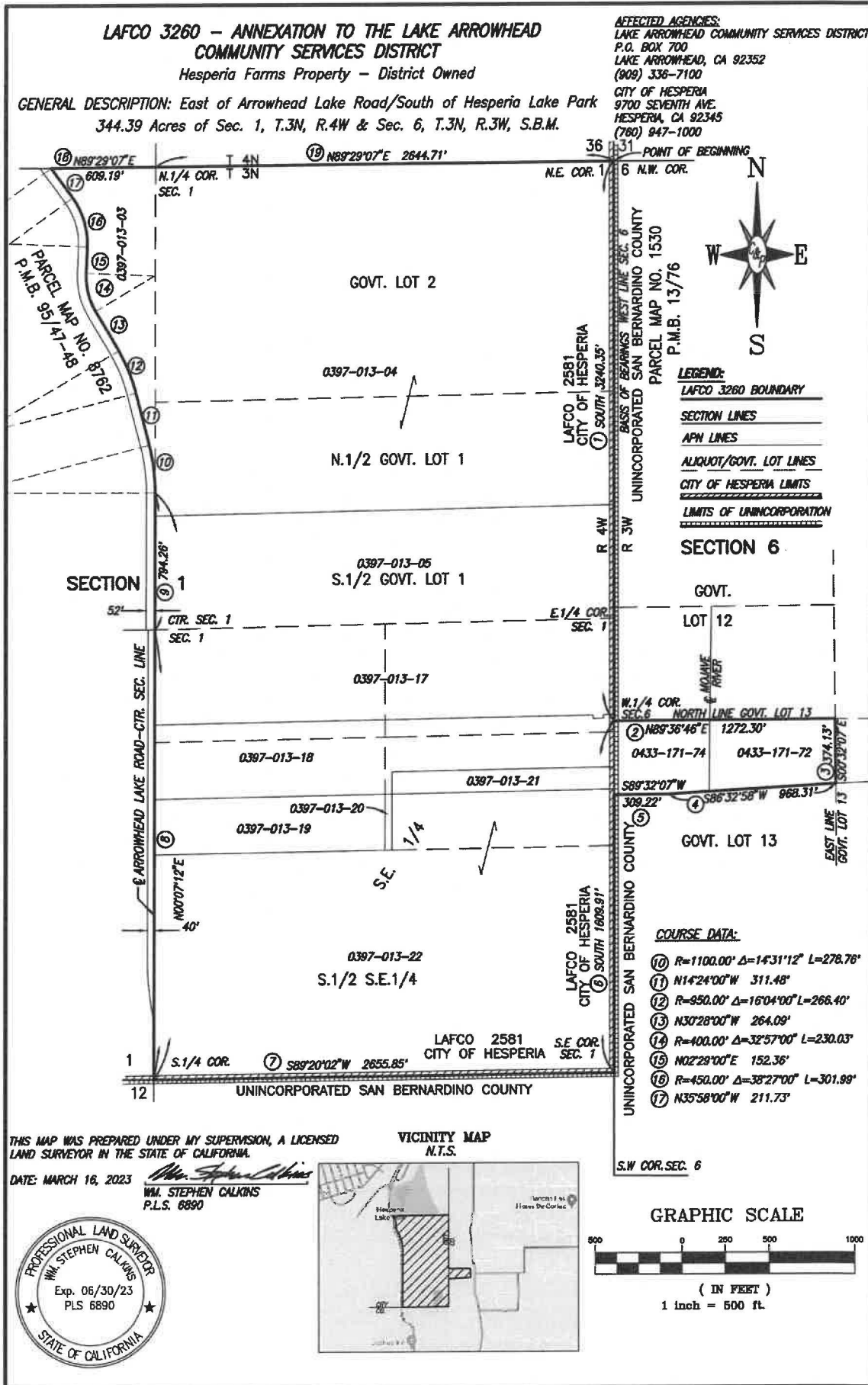
DATE: 03/16/2023



WM. STEPHEN CALKINS, P.L.S. 6890



FOR QUESTIONS REGARDING THIS MAP OR TO OBTAIN A COPY OF THIS MAP IN ELECTRONIC FORM, PLEASE CONTACT LAFCO FOR SAN BERNARDINO COUNTY



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