

EXHIBIT 1

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

MAR 08 2022

BY 
JESSICA MORALES, DEPUTY

EXEMPT FROM FILING FEES PURSUANT
TO GOVERNMENT CODE SECTION 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

CITY OF HESPERIA,

Petitioner and Plaintiff,

v.

LAKE ARROWHEAD COMMUNITY
SERVICES DISTRICT, a public body
corporate and politic; BOARD OF
DIRECTORS OF LAKE ARROWHEAD
COMMUNITY SERVICES DISTRICT; DOES
1 through 50, Inclusive,

Respondent and Defendant.

SOUTHERN CALIFORNIA EDISON;
SUNPOWER CORPORATION, SYSTEMS;
and STIFEL, NICOLAUS & COMPANY,
INCORPORATED,

Real Parties in Interest.

Case No. CIVDS2019176

Case filed under California Environmental
Quality Act (CEQA)

**[PROPOSED] JUDGMENT DENYING
PETITION FOR WRIT OF MANDATE
AND CAUSES OF ACTION FOR
DECLARATORY AND INJUNCTIVE
RELIEF**

Judge: Hon. David Cohn
Dept.: S26 (assigned for all purposes)

Action Filed: September 1, 2020
Trial Date: September 3, 2021

1 On September 3, 2021, the Petition for Writ of Mandate (“Petition”) of Petitioner and
2 Plaintiff, City of Hesperia, a municipal corporation, (“City”), came on regularly for hearing
3 before the Honorable David Cohn in Department S26 of the above-captioned court. Petitioner and
4 Plaintiff, City, was represented by Eric L Dunn, June S. Ailin, and Nicholas P. Dwyer of the law
5 firm of Aleshire & Wynder, LLP. Respondents and Defendants, Lake Arrowhead Community
6 Services District, a public body corporate and politic, Board of Directors of Lake Arrowhead
7 Community Services District (collectively referred to as “District”), were represented by
8 Lindsay D. Puckett and Andrew Skanchy of the law firm of Best Best & Krieger LLP. Real party
9 in interest Sunpower Corporation Systems was represented by Emily L. Murray of the law firm
10 Allen Matkins Leck Gamble Mallory & Natsis.

11 The Administrative Record consisting of four bankers boxes and an electronic copy on
12 one thumb drive with the Administrative Index and documents 1-114 (bates range AR 1 – AR
13 9447), along with the certified Administrative Record in the case entitled *City of Hesperia v. Lake*
14 *Arrowhead Community Services District et al.*, San Bernardino County Superior Court Case No.
15 CIVDS1602017, consisting of tabs 1 – 81 (bates ranges AR0001-AR2812), was admitted into
16 evidence. In addition, the City and the District each lodged their own administrative record
17 citation binders.

18 The court having read and considered the Administrative Record, the supporting and
19 opposing points and authorities, declarations and exhibits, and having considered the arguments
20 of counsel, rules as follows:

21 IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

22 1. The City’s Request for Judicial Notice, filed on January 27, 2021, of the following
23 documents was granted: (1) Hesperia Municipal Code section 16.16.060; (2) *City of Hesperia v.*
24 *Lake Arrowhead Community Services District*, San Bernardino County Superior Court Case No.
25 CIVDS1602017, Judgment Nunc Pro Tunc Denying in Part and Granting in Part Petition for Writ
26 of Mandate, filed February 17, 2017; and (3) California Bill Analysis Senate Committee, 2015-
27 2016 Regular Session, Assembly Bill 1773, Hearing Date June 21, 2016. The City’s Request for
28 Judicial Notice of the following documents was denied: (1) Lake Arrowhead Community

1 Services District memoranda regarding contracting with Tidewater Incorporated; and (2) United
2 States Army Corps of Engineers, Los Angeles District, News Release, published November 1,
3 2019, titled Army Corps reclassifies Mojave River Dam Risk Characterization.

4 2. The District's Request for Judicial Notice, filed on March 16, 2021, of the
5 following documents was granted: (1) Resolution No. 3117 – A Resolution of the Local Agency
6 Formation Commission of the County of San Bernardino Making Determinations on LAFCO
7 3110 – A Service Review and Sphere of Influence Update for the Lake Arrowhead Community
8 Services District and (2) the California Natural Resources Agency Final Statement of Reasons for
9 Regulatory Action Amendments to the State CEQA Guidelines OAL Notice File No. Z-2018-
10 0116-12 and the text amendments to the 2018 State CEQA Guidelines, dated November 2018.

11 3. The City's Verified Petition for Writ of Mandate is denied and judgment is entered
12 for the District on the Petition and the derivative causes of action for declaratory and injunctive
13 relief.

14 4. The grounds for the court's decision are set forth in the Ruling on Submitted
15 Matter: Petition for Writ of Mandate Denied ("Final Ruling"), filed and served by mail on
16 September 16, 2021, which is attached to this Judgment as Exhibit 1. The Final Ruling references
17 and attaches the court's Tentative Ruling, dated July 12, 2021, as Exhibit A to the Final Ruling.

18 5. The District shall recover from the City its costs incurred in these proceedings.

19 Dated: 3-8-22
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21 DAVID CUNIN
22 Judge of the Superior Court
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1 APPROVED AS TO FORM:

2 Dated: October 1, 2021

ALESHIRE & WYNDER, LLP

3 By: June Ailin

4 ERIC L. DUNN
5 JUNE S. AILIN
6 NICHOLAS P. DWYER
Attorneys for Petitioner and Plaintiff
CITY OF HESPERIA

7 Dated: October 1, 2021

BEST BEST & KRIEGER LLP

8
9 By: [Signature]

10 LINDSAY D. PUCKETT
11 ANDREW M. SKANCHY
Attorneys for Respondents and Defendants
12 LAKE ARROWHEAD COMMUNITY
13 SERVICES DISTRICT and BOARD OF
DIRECTORS OF LAKE ARROWHEAD
COMMUNITY SERVICES DISTRICT

14 Dated: October 1, 2021

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

15
16
17 By: Emily Murray

18 EMILY L. MURRAY
Attorneys for Real Party In Interest
19 SUNPOWER CORPORATION
20 SYSTEMS
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