

PROPOSAL NO.: LAFCO 3162

HEARING DATE: FEBRUARY 15, 2012

RESOLUTION NO. 3157

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3162 AND APPROVING THE CONFIRMATION OF SNOW REMOVAL AS AN ACTIVE SERVICE UNDER COUNTY SERVICE AREA 70 ROADS FUNCTION. (The territory encompasses the boundaries of the County Service Area 70 which represents the unincorporated area of the County of San Bernardino.)

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

WHEREAS, an application to confirm snow removal as an active function for County Service Area 70 under its Roads Function was initiated by the Local Agency Formation Commission for San Bernardino County (hereinafter referred to as "the Commission") with the concurrence of the Director of the County Special Districts Department and processed by 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,

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 her 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 held upon the date and at the time and place specified in the notice of public hearing and in any order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; 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;

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

RESOLUTION NO. 3157

DETERMINATIONS:

SECTION 1. The Local Agency Formation Commission for San Bernardino County hereby approves the amendment of the Exhibit "A" of its Rules and Regulations of Special Districts and hereby finds and determines:

1. That the Rules and Regulations affecting the functions and services of Special Districts were originally adopted on November 10, 1976;
2. That the Exhibit "A" of the Rules and Regulations lists each special district and its services and functions pursuant to the requirements of Section 6 of the Rules and Regulations;
3. That the County of San Bernardino, the governing body of County Service Area 70, desires to confirm its service under its Roads function: Snow Removal;
4. That said Commission proposed to consider the proposal without reference to a special district advisory committee; and,
5. That said Commission approves the affirmation of Snow Removal service within the boundaries of County Service Area 70. Approval of this action will amend the Exhibit "A" of the Rules and Regulations to read as follows:

CSA 70

Weed abatement	Weed abatement
Sewer	Sewer distribution and treatment
Water	Water distribution and treatment
Police	Police protection
Extension of Utility Lines	Installation of electric power lines
Streetlighting	Streetlighting
Dam Construction	Dam construction
Roads	Road Maintenance_as defined in Government Code Section 25213(i) which includes snow removal (affirmed February 15, 2012)
Park and Recreation	Development, operation, maintenance
Animal control	Animal control
Pest control	Pest control
TV Translator	Television translation
Flood Control	Flood control

RESOLUTION NO. 3157

Street Sweeping

Street sweeping

Open-space and Habitat Conservation

Acquisition and preservation of land for the purpose of protecting unique, sensitive, threatened, or endangered species, or historical or culturally significant lands that are deemed to be in need of protection by the county board of supervisors (Confirmed November 17, 2004)

SECTION 2. FINDINGS. The following findings are noted in conformance with Commission policy:

1. Notice of the Commission consideration of this application was originally published in a newspaper of general circulation within the area, *The Sun*. The matter was continued to dates certain in March 2011, June 2011, September 2011, and February 15, 2012.
2. The County Special Districts Department has submitted information as a part of the service review for Zones of CSA 70 outlining its historic and ongoing provision of snow removal services within these entities.
3. The Commission's affirmation of this existing service will have no effect on property tax distributions or the special taxes currently in effect and/or proposed for the zones providing this service.
4. The service area for County Service Area 70, as the parent district, is defined as the unincorporated area of the County of San Bernardino. The Commission's affirmation of this service will, therefore, allow for the extension of this service as defined by Government Code Section 25213(i) and 25217 through the creation of zones within the unincorporated area of the County.
5. The Local Agency Formation Commission has determined that this proposal is statutorily exempt from environmental review. The basis for this determination is that this affirmation of snow removal as a service authorized County Service Area 70 will not alter the area in which the service is provided and can be implemented without causing any identifiable physical changes to the environment or any adverse environmental impacts. Without identifiable physical changes in the environment, approval of this proposal is exempt from environmental review under the provisions of the California Environmental Quality Act (CEQA), Section 21080(b), the State CEQA Guidelines, Section 15268, and the Commission's adopted CEQA Guidelines. The Commission adopted the Statutory 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.

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

RESOLUTION NO. 3157

ABSENT: COMMISSIONERS:

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

I, KATHLEEN ROLLINGS-MCDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, 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 February 15, 2012.

DATED:

KATHLEEN ROLLINGS-MCDONALD
Executive Officer

DRAFT