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LAFCO  
San Bernardino County

RESOLUTION NO. 12R-15

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BIGHORN-DESERT VIEW WATER AGENCY  
IN SUPPORT OF EXPANSION OF THE AGENCY  
SPHERE OF INFLUENCE OVER "AREA 2" AND ENCOURAGING THE  
LOCAL AREA FORMATION COMMISSION OF THE COUNTY OF SAN  
BERNARDINO TO AMEND ITS RESOLUTION NO. 3155 FOR  
LAFCO NO. 3148 - SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE  
FOR THE BIGHORN-DESERT VIEW WATER AGENCY AS SUCH

**WHEREAS**, a service review mandated by Government Code 56430 and a sphere of influence update mandated by Government Code 56425 have been conducted by the Local Area Formation Commission of the County of San Bernardino (Commission) in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et. seq.; and

**WHEREAS**, a sphere of influence is a planning boundary that sets the "probable physical boundaries and service area" of a special district such as the Bighorn-Desert View Water Agency (Agency); and

**WHEREAS**, a hearing by the Commission was conducted on January 18, 2012, to consider the service review and sphere of influence update for the Agency and voiced its intent not to expand the Agency's sphere of influence into the area of County Service Area (CSA) 70 W-1 identified as Area #2" and other areas on the attached Figure No. 1; and

**WHEREAS**, the January hearing was continued to February 15, 2012; and

**WHEREAS**, on February 15, 2012, Agency staff and a board member presented information to the Commission that there is interest from some landowners within CSA 70 W-1 and the "cross" territory who wish to be included in the Agency's sphere of influence and requested that the "cross" territory be more thoroughly considered; and

**WHEREAS**, the Agency is presently serving a portion of the existing CSA 70 W-1 through an out-of-agency service agreement dated December 16, 1997. This arrangement was instituted when CSA 70 (County Special Districts Department) decided not to repair a failed portion of their distribution system intended to serve these properties; and

**WHEREAS**, given that information, the Commission voted to postpone adoption of the service review and sphere of influence update resolution pending a community outreach meeting to hear from affected residents of the area; and

**WHEREAS**, the Commission held a community meeting on March 12, 2012 in Landers, CA to provide information and seek direct input; and

**WHEREAS**, the Agency distributed a postage-paid "response card" addressed directly to the Commission to the affected properties and registered voters requesting their direct input on the expansion of the sphere of influence over their service area; and

**WHEREAS**, a sphere of influence does not change the property owner's existing water purveyor but is used as a planning boundary; and

**WHEREAS**, the service review and sphere of influence is the most cost-effective means of completing the first step towards possible future changes in water service area boundaries; and

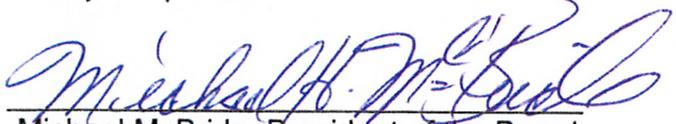
**WHEREAS**, Government Code Section 57000 provides the procedures and requirements allowing affected properties to protest the completion of any reorganization and annexation of additional territories into the Agency.

**NOW, THEREFORE, THE BOARD OF DIRECTORS HEREBY RESOLVES:**

1. To approve and support the expansion of its sphere of influence of "Area 2" as outlined in the LAFCO 3148 Service Review and Sphere of Influence Update report dated January 9, 2012, recommendation No. 2 (p. 74); and
2. To encourage the Commission to acknowledge the value of the service review and sphere of influence process in setting the "planning boundary" for the Homestead Valley community; and
3. To urge the Commission to grant the expansion of the sphere of influence over "Area 2" as recommended by the Commission staff in the January report.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of the Bighorn-Desert View Water Agency this 3rd day of April 2012.

By

  
Michael McBride, President of the Board

ATTEST:



David Larson, Secretary of the Board

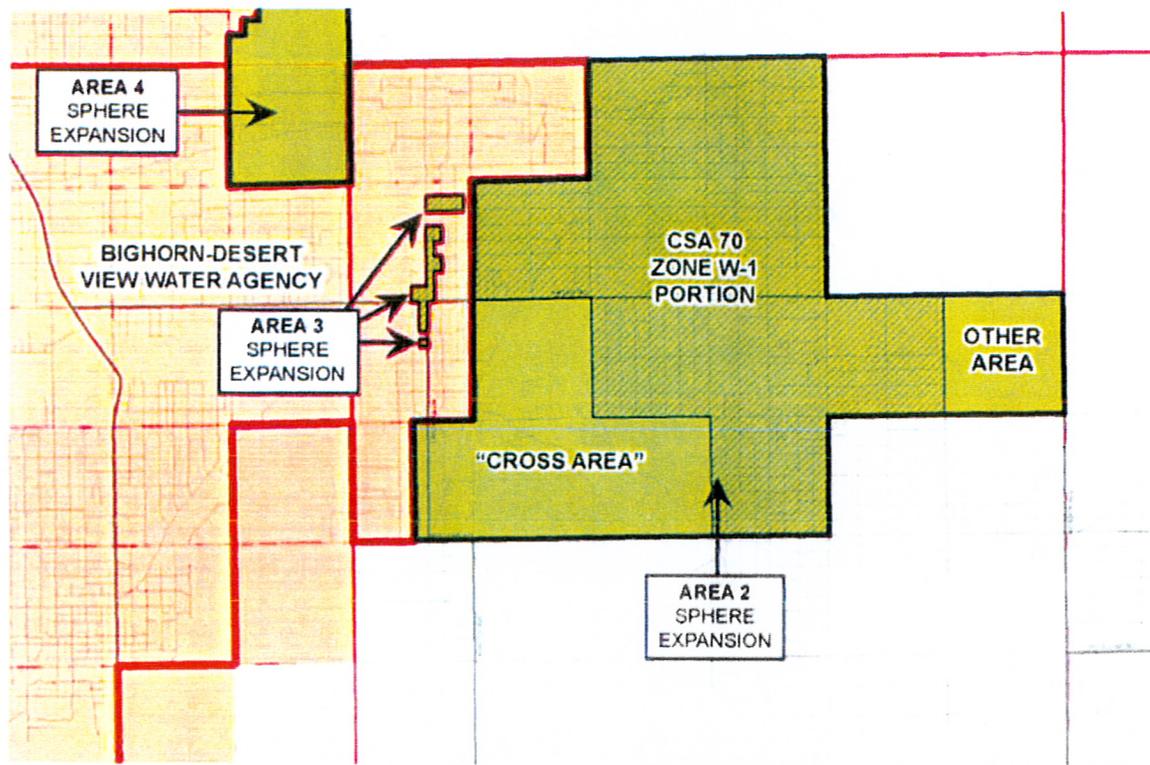


Figure 1 – Depicting the outline of “Area 2” which includes County Service Area 70 W-1 (Landers) service territory and the “cross area” and “other area” which are currently not located within a sphere of influence of a water purveyor.