

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

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DATE: NOVEMBER 10, 2008

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #9 – Municipal Service Reviews and Sphere of Influence Updates for the City of Hesperia, Hesperia Water District and Hesperia Fire Protection District

RECOMMENDATION:

Staff recommends that the Commission:

1. For environmental review certify that each proposal's action is statutorily exempt from environmental review and direct the Clerk to file the Notices of Exemption within five (5) days;
2. Take the actions to update the spheres of influence for the City of Hesperia and its subsidiary Hesperia Fire Protection District and Hesperia Water District; and,
3. Adopt LAFCO Resolutions No. 3041, 3042 and 3043 reflecting the Commissions determinations.

BACKGROUND:

At the October Hearing the Commission reviewed and considered the Municipal Service Reviews/Sphere of Influence Updates for the Hesperia Community. At that hearing, it received and filed the Municipal Service Reviews, made its final determinations for the Hesperia Recreation and Park District MSR and sphere of influence update and continued the consideration of the other three Hesperia community agencies – City of Hesperia, Hesperia Water District and Hesperia Fire Protection District – to the November hearing at the request of the City. The request by City staff was to allow for presentation of the Commission's determinations on the municipal service reviews and sphere of influence updates to the City Council so that its official position could be provided.

The City of Hesperia agendized this matter for consideration on November 4, 2008 and a copy of the Council/Board of Directors staff report is included as Attachment #1. Mr. Scott Priester, Director of Development Services, provided LAFCO staff with the synopsis of the Council/Board of Directors position. It is as follows:

1. Realignment of the sphere of influence boundary with the City of Victorville along Bear Valley Road. The City has no objection to shifting the sphere of influence to the centerline of improvements instead of its current location at the Section/Township lines. However, the City requires that subsequent correspondence and agreement with the City of Victorville will be necessary before a joint application is made to change the corporate boundaries and the shift occurs, including maintenance and repair responsibilities;
2. Reduction of the spheres of influence for the City and its subsidiary districts by approximately 338 acres to be coterminous with the Mojave Water Agency's (MWA) boundary in the Silverwood Lake area – No objection to the recommended change;
3. Modification of the spheres of influence for the City and its subsidiary districts along the Mojave River south of Bear Valley Road to realign the boundary along parcel lines – No objection to the recommended change, but as with Item 1 above, subsequent agreement with the Town of Apple Valley and the Apple Valley Fire Protection District will be necessary before a joint application will be filed;
4. Removal of Sanitation as an authorized power for the Water District, since it no longer provides the service – Because this is a redundant power already exercised by the City of Hesperia in its solid waste operations, the City Council has no objection to the recommended change.

With no expression of opposition provided by the City Council/Board of Directors for the Hesperia based agencies, the Commission can make its final determinations for the sphere of influence updates. Attached to this report are draft resolutions reflecting the Commission's determinations for consideration.

KRM

Attachments:

1. City of Hesperia Staff Report Dated November 4, 2008 on MSR/Sphere of Influence Updates
2. Draft LAFCO Resolution No. 3041 – City of Hesperia
3. Draft LAFCO Resolution No. 3042 – Hesperia Water District
4. Draft LAFCO Resolution No. 3042 – Hesperia Fire Protection District