

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: JULY 8, 2020 
FROM: SAMUEL MARTINEZ, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #11 – Consideration of Approval of Impartial Analysis for LAFCO 3233A – Reorganization to Include Dissolution of County Service Area 64 and Formation of the Spring Valley Lake Community Services District Together with Formation of Zone A for Solid Waste and Street Sweeping

RECOMMENDATION:

That the Commission approve the Impartial Analysis for LAFCO 3233A – Reorganization to include Dissolution of County Service Area 64 and Formation of the Spring Valley Lake Community Services District together with Formation of Zone A for Solid Waste and Street Sweeping

BACKGROUND:

At the February 19, 2020 LAFCO meeting, the Commission approved the proposed reorganization to include formation of the Spring Valley Lake Community Services District and dissolution of County Service Area 64, LAFCO 3233A.

On May 14, 2020, the protest hearing for LAFCO 3233A was held, which resulted in insufficient protest to terminate the proposed reorganization. On May 18, 2020, the Executive Officer issued LAFCO Resolution No. 3309 determining approval of LAFCO 3233A subject to confirmation of the voters at the November 3, 2020 election. The question to be submitted to the voters shall read as follows:

“Shall the order adopted on February 19, 2020, by the Local Agency Formation Commission for San Bernardino County ordering the reorganization to include formation of the Spring Valley Lake Community Services District together with the formation of Zone A for solid waste and street sweeping and the Dissolution of County Service Area 64, known as LAFCO 3233A, be approved subject to the terms and conditions as more particularly described in the order?”

A simple majority of ballots cast in favor of the measure is required to confirm the order for the reorganization proposal, LAFCO 3233A. The election to be held shall include a call for election of a five-member board of directors to be elected at-large pursuant to the provisions of the Uniform Election Law, Part 4 (commencing with Section 10500) of the Elections Code.

Government Code Section 56898 requires the Executive Officer to prepare an Impartial Analysis of a ballot measure. Further, state law requires the Commission to review, modify if necessary, and approve the Impartial Analysis, with the final copy to be forwarded to the Registrar of Voters for inclusion within the ballot pamphlet. State law limits the Impartial Analysis to 500 words or less.

Attached is the draft Impartial Analysis for LAFCO 3233A, coming in at 463 words excluding the title. It is the staff's recommendation that the Commission review the Impartial Analysis, make changes, as appropriate, keeping under the 500-word limit, and approve said Impartial Analysis for inclusion in the November 3, 2020 ballot pamphlet.

SM/JL

Attachment – Draft Impartial Analysis for LAFCO 3233A

IMPARTIAL ANALYSIS FOR THE PROPOSED FORMATION OF THE SPRING VALLEY LAKE COMMUNITY SERVICES DISTRICT TOGETHER WITH THE FORMATION OF ZONE A FOR SOLID WASTE AND STREET SWEEPING AND THE DISSOLUTION OF COUNTY SERVICE AREA 64 (LAFCO 3233A)

This is a ballot measure to determine if the voters within the Spring Valley Lake community, including those limited portions within the City of Victorville and the Town of Apple Valley, wish to create a locally-governed community services district authorized to provide water, sewer collection, solid waste and recycling, and street sweeping services.

The area proposed for formation of the Spring Valley Lake Community Services District (SVLCSD) encompasses approximately 3.79 square miles located east of the City of Victorville, north of the City of Hesperia, and southwest of the Town of Apple Valley. The area is bound by Ridgecrest Road on the west, Bear Valley Road on the south, and a combination of Apple Valley Road, Sitting Bull Road, and parcel lines within the Town of Apple Valley and the Mojave Narrows Regional Park on the east and northeast. The map and legal description of the proposed District boundaries are on file in the Local Agency Formation Commission for San Bernardino County (LAFCO) office and on its website at www.sbclafco.org.

The essence of this formation proposal is to:

1. Create the SVLCSD, an independent special district governed by a five-member Board of Directors, to assume the responsibilities, functions, obligations, assets, liabilities, and equipment of the former agency County Service Area 64 (CSA 64); and,
2. Transfer responsibility for existing operations of water, sewer collection and street sweeping services of CSA 64 as well as assume responsibility for solid waste services currently managed by the County to the new District, the SVLCSD.

No change in property tax rates will occur from approval of this measure. Revenues for the new District will accrue primarily from the receipt of the existing property tax previously distributed to CSA 64 including the fees and existing charges for service (water, sewer, and street sweeping services) as well as solid waste franchise fees and the existing special tax administered by the County for solid waste services to the area. LAFCO has reviewed these revenues and the anticipated expenditures for the first five years of the new District's existence determining that, based upon the information available, the formation of the SVLCSD is financially feasible.

Voters who believe that this new independent District should form should vote "yes" on this measure. Voters who believe that the governmental structure for the identified services should remain unchanged should vote "no" on this measure.

Regardless of voter position on the basic question of formation, voters should select five persons to serve on the new District's Board of Directors. If this formation receives a

majority of “yes” votes, the five candidates receiving the most votes will take office as the new Board of Directors.

The Local Agency Formation Commission approved this impartial analysis on July 15, 2020.

LOCAL AGENCY FORMATION COMMISSION

SAMUEL MARTINEZ
Executive Officer