

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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PROPOSAL NO.: LAFCO 3228

HEARING DATE: MARCH 20, 2019

RESOLUTION NO. 3278

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3228, AS MODIFIED, AND APPROVING THE ANNEXATION TO THE RUNNING SPRINGS WATER DISTRICT. The annexation area generally consists of Assessor Parcel Numbers 0328-031-12, 0328-042-06, -08, -13, -15, -16, and -17, comprising approximately 251 acres, generally located on the east side of Highway 18, north of Nob Hill Drive/Nob Hill Circle.

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

WHEREAS, an application for the proposed annexation in San Bernardino County was filed with 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 the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient; 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 his 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 called for October 17, 2018 and continued to January 16, 2019 and March 20, 2019, at the time and place specified in the original notice of public hearing and in an order or orders continuing the hearing;

WHEREAS, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, and all 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; and,

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WHEREAS, the Commission determines to modify LAFCO 3228 by removing the detachment of the San Bernardino County Fire Protection District and its Mountain Service Zone from the original reorganization proposal;

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

DETERMINATIONS:

SECTION 1. The proposal is approved subject to the terms and conditions hereinafter specified:

CONDITIONS:

Condition No. 1. The boundaries are approved as set forth in Exhibits "A" and "A-1" attached.

Condition No. 2. The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3228.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Running Springs Water District (annexing agency) shall be assumed, as applicable, by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

Condition No. 4. The Running Springs Water District shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

Condition No. 6. The date of issuance of the Certificate of Completion shall be the effective date of this annexation.

SECTION 2. The Commission determines that the San Bernardino County Fire Protection District and its Mountain Service Zone, both of which will continue to overlay the annexation area, will remain the responsible agency for fire protection and emergency medical response.

SECTION 3. The Commission determines that:

- a) this proposal is certified to be legally uninhabited;
- b) it has 100 % landowner consent; and,
- c) no written opposition to a waiver of protest proceedings has been submitted by any subject agency.

Therefore, the Commission does hereby waive the protest proceedings for this action as permitted by Government Code Section 56662(d).

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SECTION 4. DETERMINATIONS. The following determinations are noted in conformance with Commission policy:

1. The annexation area is legally uninhabited containing one registered voter as certified by the County Registrar of Voters as of September 21, 2018.
2. The County Assessor's Office has determined that the total assessed valuation of land within the annexation area is \$10,009,018 as of June 20, 2018 broken down as: \$1,289,207 (land) and \$8,719,811 (improvements).
3. The annexation area is within the sphere of influence assigned the Running Springs Water District.
4. Notice of this hearing has been advertised as required by law through publication in the *Mountain News*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice. Comments from any affected local agency have been reviewed by the Commission.
5. In compliance with the requirements of Government Code Section 56157 and Commission policy, individual notice was mailed to surrounding landowners and registered voters within approximately 1,350 feet of the exterior boundaries of the annexation area (totaling 199 notices). Comments from landowners, registered voters and any affected local agency have been reviewed and considered by the Commission in making its determination.
6. The County's land use designations for the annexation area are Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN). No change in land use is anticipated as a result of the annexation.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3228 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.
8. The Local Agency Formation Commission has determined that this proposal, as modified, is statutorily exempt from environmental review. The basis for this determination is that the Commission's approval of the modified proposal does not contribute to any additional potential for a physical change in the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). 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.
9. The annexation area is served by the following local agencies: County of San Bernardino, County Service Area 70 (unincorporated County-wide multi-function), Crestline-Lake Arrowhead Water Agency (State Water Contractor), Mojave Desert Resource Conservation District, Rim of the World Park and Recreation District, San

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Bernardino Mountains Community Healthcare District, San Bernardino County Fire Protection District and its Mountain Service Zone.

None of the agencies identified above are affected by this proposal as they are regional in nature. Although Running Springs Water District also provides fire protection and emergency medical response, said services will continue to be the responsibility of the San Bernardino County Fire Protection District and its Mountain Service Zone.

10. The Running Springs Water District submitted a Plan for Service as required by Government Code Section 56653, which indicates that the District can, at a minimum, maintain the existing level of service delivery. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements.
11. The annexation area can benefit from the continuation of wastewater and ambulance services, and availability of retail water service from the District.
12. This proposal will not affect the fair share allocation of the regional housing needs through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process. The land use designations [Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN)] do not support residential housing.
13. With respect to environmental justice, the annexation proposal will not result in the unfair treatment of any person based on race, culture or income since the camp area already receives services from the District and the southerly neighboring area already receives water, wastewater, and ambulance services from the District.
14. The County of San Bernardino (on behalf of the Running Springs Water District and the San Bernardino County Fire Protection District) adopted a revised resolution of zero property tax transfer for LAFCO 3228. This renegotiated exchange of property tax transfer fulfills the requirement of Section 99 of the Revenue and Taxation Code.
15. The map and legal description, as revised, are in substantial conformance with LAFCO and State standards.

SECTION 5. The purpose of the annexation is to provide financial relief to the Pali Mountain Retreat/Adventure/Institute campsite (formerly Camp O-ongo). By annexing to the Running Springs Water District, the properties would be relieved from the higher out-of-agency wastewater rates currently charged by the District to the properties.

SECTION 6. The Running Springs Water District has no existing bonded indebtedness or contractual obligations for which the annexation area could be taxed. The regular County assessment rolls are utilized by the Running Springs Water District.

SECTION 7. Approval by the Local Agency Formation Commission indicates that completion

LAFCO 3228, AS MODIFIED

ANNEXATION TO THE RUNNING SPRINGS WATER DISTRICT

IN THE UNINCORPORATED AREA OF RUNNING SPRINGS, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PORTIONS OF THE SOUTH HALF AND NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 30, SAID POINT ALSO BEING THE MOST NORTHERLY CORNER OF THE EXISTING RUNNING SPRINGS WATER DISTRICT;

Course 1: THENCE SOUTH 89°34'00" WEST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 2346.46 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 9070, PAGE 72 OF OFFICIAL RECORDS OF SAID COUNTY;

Course 2: THENCE NORTH 00°26'00" WEST, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 306.94 FEET;

Course 3: THENCE SOUTH 37°23'09" WEST, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL, A DISTANCE OF 203.76 FEET;

Course 4: THENCE SOUTH 00°26'00" EAST, ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 145.98 FEET, MORE OR LESS TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30;

Course 5: THENCE SOUTH 89°34'00" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 183.69 FEET, MORE OR LESS TO THE SOUTH ¼ CORNER OF SAID SECTION 30;

Course 6: THENCE, NORTH 88°37'20" WEST, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 727.26 FEET, MORE OR LESS, TO A POINT OF INTERSECTION WITH CENTERLINE OF STATE HIGHWAY 18, AS SHOWN ON RECORD OF SURVEY # 98-0034, AS RECORDED IN BOOK 113, PAGE 29 OF RECORDS OF SURVEY, RECORDS OF SAID COUNTY, BEING A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 406.11 FEET, AND FROM WHICH A RADIAL LINE BEARS NORTH 54°59'55" EAST;

Course 7: THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10°32'42", AN ARC DISTANCE OF 74.74 FEET;

Course 8: THENCE NORTH 24°37'23" WEST, ALONG SAID CENTERLINE, A DISTANCE OF 783.65 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 500.00 FEET;

Course 9: THENCE NORTHWESTERLY ALONG SAID CENTERLINE CURVE, THROUGH A CENTRAL ANGLE OF 23°15'00", AN ARC DISTANCE OF 202.89 FEET;

Course 10: THENCE NORTH 47°52'23" WEST, ALONG SAID CENTERLINE A DISTANCE OF 110.69 FEET , MORE OR LESS TO A POINT OF INTERSECTION WITH WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 30;

Course 11: THENCE NORTH 01°05'55" EAST ALONG SAID WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER, 1607.11 FEET, MORE OR LESS, TO THE CENTERWEST 1/16 CORNER OF SAID SECTION 30;

Course 12: THENCE SOUTH 89°29'58" EAST, ALONG NORTH LINE OF EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 1302.93 FEET TO THE CENTER OF SAID SECTION 30;

Course 13: THENCE NORTH 00°55'00" EAST, ALONG THE NORTH CENTER SECTION LINE OF SAID SECTION 30, A DISTANCE OF 400.01 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND DESCRIBED IN A CERTIFICATE OF COMPLIANCE RECORDED AS DOCUMENT # 2017-0192172, RECORDS OF SAID COUNTY, BEING THE SOUTH 400 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 30;

Course 14: THENCE SOUTH 89°29'58" EAST, ALONG THE NORTH LINE OF SAID SOUTH 400 FEET, A DISTANCE OF 2602.81 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 400 FEET;

Course 15: THENCE SOUTH 01°52'24" WEST, ALONG THE EAST LINE OF SAID SOUTH 400 FEET, A DISTANCE OF 400.11 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 30;

Course 16: THENCE SOUTH 00°23'00" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 2584.07 FEET, MORE OR LESS TO THE POINT OF BEGINNING

END OF DESCRIPTION.

SAID DESCRIPTION CONTAINS 251.26 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF CALIFORNIA.

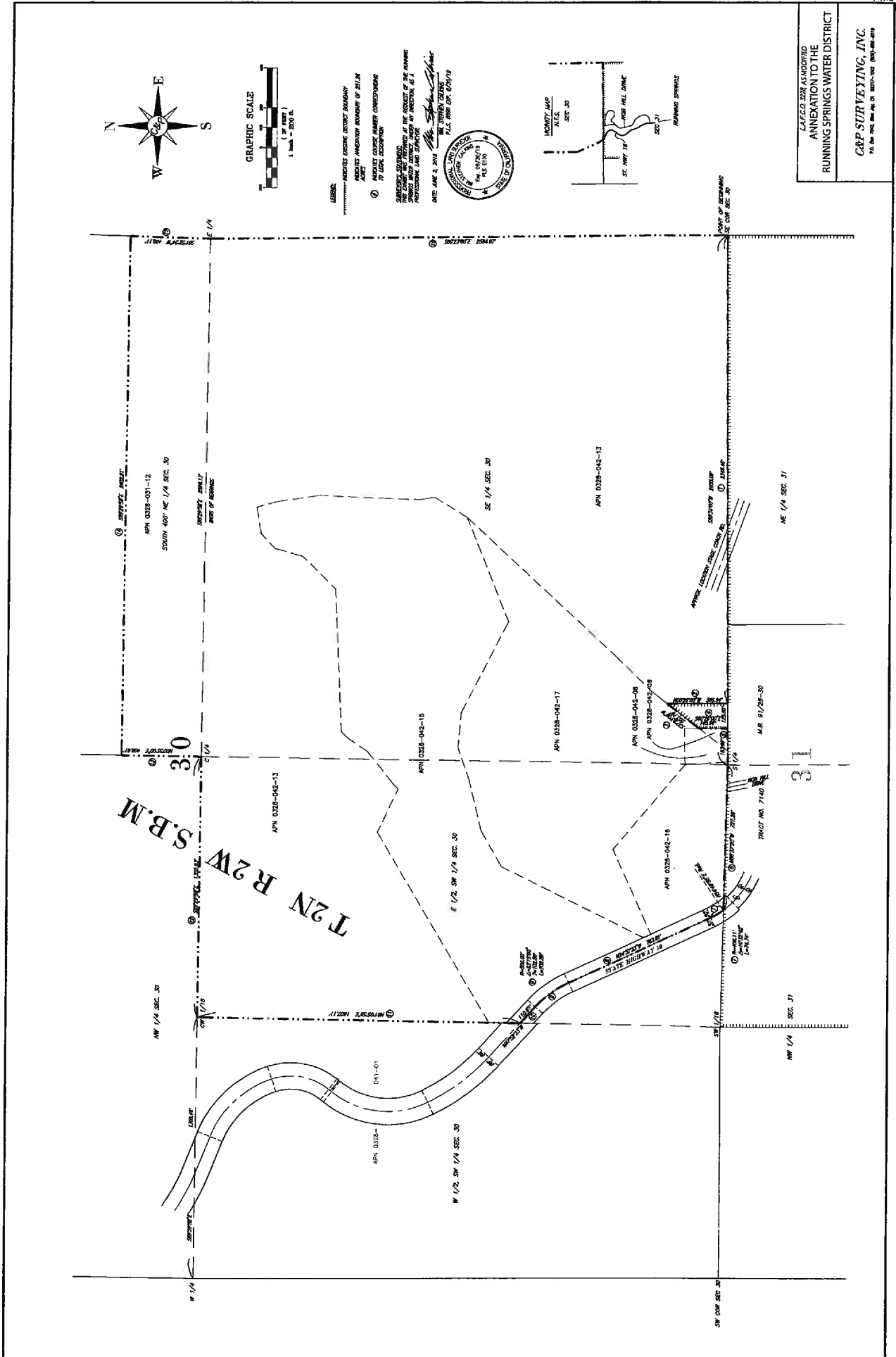
DATED: JUNE 2, 2018



WM. STEPHEN CALKINS, P.L.S. 6890
RENEWAL DATE: 6/30/19



FOR QUESTIONS REGARDING THIS MAP OR TO OBTAIN A COPY OF THIS MAP IN ELECTRONIC FORM, PLEASE CONTACT LAFCO FOR SAN BERNARDINO COUNTY



LAFCO IS AN UNINCORPORATED
ANNEXATION TO THE
RUNNING SPRINGS WATER DISTRICT

C&P SURVEYING, INC.
P.O. BOX 502, SAN BERN CO. 92477-0502 (951) 885-8879

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