

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

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PROPOSAL NO.: LAFCO 3233B

HEARING DATE: February 19, 2020

RESOLUTION NO. 3303

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3233B AND ADOPTING THE SPHERE OF INFLUENCE DESIGNATION FOR THE SPRING VALLEY LAKE COMMUNITY SERVICES DISTRICT (encompassing approximately 2,152 acres).

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

WHEREAS, an application for the proposed sphere of influence establishment was initiated by the Local Agency Formation Commission for San Bernardino County (hereinafter referred to as "the Commission") for the Spring Valley Lake Community Services District 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 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 February 19, 2020 at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written support and opposition; the Commission considered all objections and evidence which were made, presented, or filed; 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 reviewed and considered the Mitigated Negative Declaration prepared by the Commission's Environmental Consultant, Tom Dodson and Associates, prior to reaching a decision on the proposal, finding that the information substantiating the Mitigated Negative Declaration as adequate for its use in making a decision as CEQA lead agency and that it does not intend to adopt alternatives but does intend to adopt a mitigation measure related to the mitigation payment to the County as part of the project, and directed its Executive Officer to file a Notice of Determination within five working days with the San Bernardino County Clerk of the Board of Supervisors; and,

WHEREAS, based on presently existing evidence, facts, and circumstances presented to and considered by this Commission, it is determined that the sphere of influence for the Spring Valley Lake Community Services District should be determined to be Areas 1 and 6 (as outlined in the staff report related to LAFCO 3233 dated February 12, 2020), as more specifically described on the attached Exhibits "A" and "A-1" to this resolution; and,

WHEREAS, the Commission conducted service reviews for County Service Area 64 (Spring Valley Lake), including: a) LAFCO 3024 - Service Review and Sphere of Influence Update for County Service Area 64 (2009); b) LAFCO 3187 - Countywide Service Review for Water (2017); and, c) LAFCO 3190 - Countywide Service Review for Wastewater (2018); and,

WHEREAS, the following determinations are made in conformance with Government Code Section 56425 and local Commission policy:

1. The present and planned land uses in the area, including agricultural and open space lands:

The land area proposed to be included in the sphere of influence for the Spring Valley Lake CSD comprises approximately 2,152 acres (+/- 3.3 square miles). All land use planning and development entitlements within the sphere area are administered through the County of San Bernardino.

The area is predominantly residential and approaching build-out. Currently, there are approximately 3,565 dwelling units in the proposed sphere area. The County's current land use designations include RS (Single-Family Residential), RS-14M (Single-Family Residential with 14,000 square foot minimum lot size), RM (Multiple Residential), CG (General Commercial), IN (Institutional) and FW (Floodway).

The sphere area also includes the 529-acre Mojave Narrows Regional Park, an open space refuge offering varied recreational opportunities, acres of waterways,

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and significant strands of cottonwood and willows. No additional significant development is anticipated for this area in the foreseeable future.

Because a sphere of influence is a planning tool only, no land use changes are anticipated as a result of the proposed sphere establishment.

2. The present and probable need for public facilities and services in the area:

The proposed Spring Valley Lake CSD, if approved as proposed, will assume the water, wastewater and street sweeping services from CSA 64, as well as assume responsibility for solid waste services currently being managed by the County's Solid Waste Division of its Public Works Department. The proposed sphere area has a population of approximately 8,599 residents and is nearing build-out. The proposed CSD will have adequate facilities and remains the logical service provider for this area at this time.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide:

The Spring Valley Lake CSD, as proposed, has the fiscal and operational capabilities to provide its authorized services: water, wastewater collection, street sweeping and solid waste. No expansion of services will result from the proposed sphere of influence establishment.

4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency:

Historically, the Commission has recognized the Spring Valley Lake area as being part of the overall Victorville community. The Commission has long-recognized the boundary between Victorville and the Town of Apple Valley in the Spring Valley Lake area as along the Mojave River. The equestrian area, located in the Town of Apple Valley, south of Sitting Bull Road, is an original part of the Spring Valley Lake planned community and residents continue to strongly identify with that community.

5. Additional Determinations

- Legal notice of the Commission's consideration of the sphere establishment has been provided through publication of a 1/8th page legal advertisement in *The Daily Press*, a newspaper of general circulation in the area.
- Individual notices were provided to all affected and interested agencies, County departments and those individuals and agencies requesting special notice.

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WHEREAS, pursuant to the provisions of Government Code Section 56425(i), the range of services provided by the Spring Valley Lake Community Services District shall be limited to the following:

FUNCTIONS	SERVICES
Water	Supply water for any beneficial use as outlined in the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code.
Sewer	Collection of sewage, wastewater, recycled water, and storm water in the same manner as a sanitary district formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400 of the Health and Safety Code).
Solid Waste and Recycling	Collect, transfer, and dispose of solid waste and refuse and provide solid waste handling service, including, but not limited to, source reduction, recycling, and composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.
Roads	Limited to street sweeping of public streets and roads.

WHEREAS, having reviewed and considered the determinations as outlined above, the Commission determines to establish the sphere of influence for the Spring Valley Lake Community Services District.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission for San Bernardino County, State of California, that this Commission shall consider the territory described in Exhibits "A" and "A-1" as being within the sphere of influence of the Spring Valley Lake Community Services District, it being fully understood that the adoption of such sphere of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

BE IT FURTHER RESOLVED that the Local Agency Formation Commission for San Bernardino County, State of California, does hereby determine that the County of San Bernardino shall indemnify, defend, and hold harmless the Commission 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.

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

AYES: COMMISSIONERS: Bagley, Cox, Curatalo, Lovingood, Denison

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: McCallon (Denison voting in his stead),
Rowe and Warren

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

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, 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 19, 2020.

DATED: February 25, 2020



SAMUEL MARTINEZ
Executive Officer



LAFCO 3233B
Establishment of the Sphere of Influence of the
Spring Valley Lake Community Services District

That portion of Townships 05 North Range 04 West, San Bernardino Meridian in the county of San Bernardino, State of California, described as follows:

Beginning at the intersection of Pahute Road with Ridgecrest Road, said point also being the west quarter corner of Section 35 Township 05 North Range 04 West San Bernardino Meridian, and said point also being on the existing city limit of the City of Victorville;

1. Thence Northerly along the west lines of Sections 35, 26 and 23 Township 05 North Range 04 West San Bernardino Meridian, and along said Victorville city limits a distance of 11926.45 feet to a point on the east line of section 22 Township 05 North Range 04 West San Bernardino Meridian, said point being 1304 feet south of the northeast corner of said section 22 ;
2. Thence leaving said Victorville City limit S 88°13'02" W a distance of 470.50 feet to east line of the Atchison, Topeka and Santa Fe Railroad right-of-way;
3. Thence N 16°22'05" W along said right-of-way a distance of 1360.12 feet to the north line of said section 22;
4. Thence N 89°06'02" E along said North line and said along right-of-way 52.02 feet to a point on the existing city limit of the city of Victorville;

The following six courses are along the said Victorville City limit:

5. Thence N 16°21'07" W along said right-of-way a distance of 2308.76 feet;
6. Thence leaving said right-of-way N 73°40'16" E a distance of 200.07 feet;
7. Thence N 16°21'36" W a distance of 2178.06 feet;
8. Thence S 73°38'12" W a distance of 200.10 feet to the east line of said Atchison, Topeka and Santa Fe Railroad right-of-way;
9. Thence N 16°21'43" W along said right-of-way a distance of 504.15 feet to the beginning of a 2759.60 foot radius tangent curve concave easterly in said right-of-way;
10. Thence northerly along said curve through a central angle of 10°06'27" and an arc length of 486.82 to the intersection of the north line of said section 15;
11. Thence leaving said right-of way and said city limit of the City of Victorville N 89°11'25" E a distance of 867.18 feet to a point on the town limit of the Town of Apple Valley said point also being on the centerline of the Mojave River;
12. Thence southerly along said Town limit and centerline of the Mojave River, following all of its various courses a distance of 21613.00 more or less to a point of intersection of the said Town of Apple Valley and the City limit of the City of Victorville;

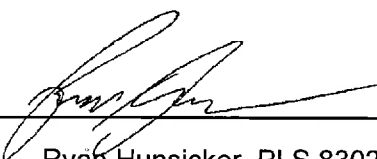
The following thirteen courses are along the said Victorville City limit:

13. Thence leaving said town limit of Apple Valley N 83°55'49" W a distance of 1415.58;
14. Thence S 40°11'37" W a distance of 445.95 feet;
15. Thence N 27°38'13" W a distance of 329.12 feet;
16. Thence S 62°22'34" W a distance of 859.92 feet;
17. Thence S 27°36'16" E a distance of 426.46 feet;

18. Thence S 68°13'11" W a distance of 618.03 feet to the beginning of a 453.12 foot radius tangent curve concave southeasterly;
19. Thence southerly along said curve through a central angle of 25°04'28" and an arc length of 198.30 feet;
20. Thence N 51°49'56" W a distance of 221.94 feet;
21. Thence S 35°51'18" W a distance of 1172.48 feet to the east right-of-way of Spring Valley lake Parkway;
22. Thence N 16-18-54 W along said east right-of-way a distance of 102.78 feet;
23. Thence leaving said east right-of-way S 89°15'49" W a distance of 231.75 feet to a point on the centerline of Huerta Road;
24. Thence leaving said centerline N 00°51'11" W a distance of 747.67 feet to a point on the centerline of Pahute Road;
25. Thence S 89°19'54" W along said centerline of Pahute Road a distance of 2672.84 feet to the **point of Beginning.**

Containing 2154 Acres more or less

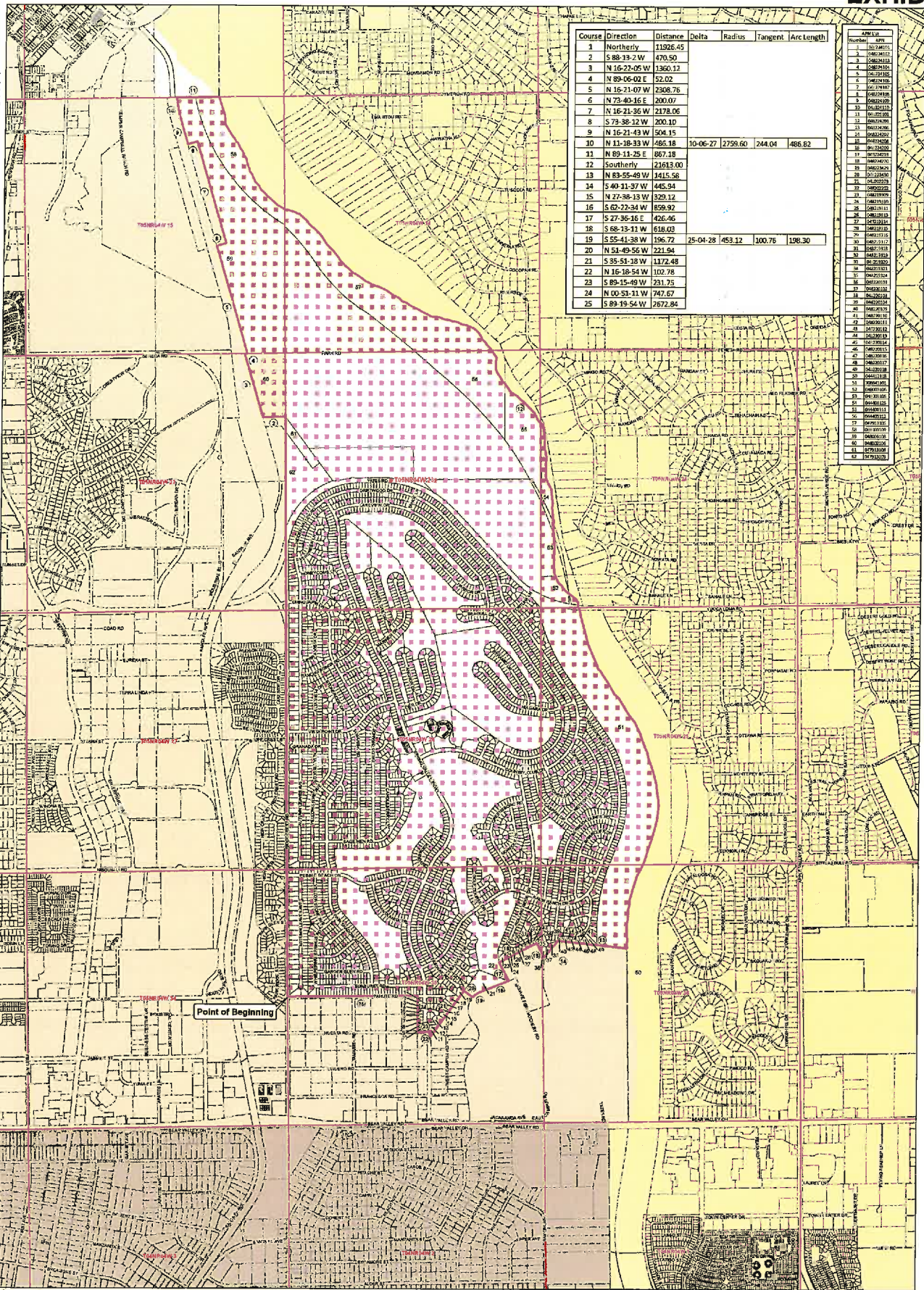
This legal description was prepared by me or under my direction.

by:  02/24/2020
Ryan Hunsicker, PLS 8302 Date
Deputy County Surveyor



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

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- Legend**
- Sections
 - Parcels
 - City of Hesperia
 - Town of Apple Valley
 - Spring Valley Lake CSD Sphere
 - City of Victorville
 - Course Number
 - APN List Number

LAFCO 3233B
 Establishment of the Sphere of Influence of the
 Spring Valley Lake Community Services District

0 0.25 0.5 1 Miles

Affected Agency's
 City of Victorville
 Town of Apple Valley
 County Service Area 64

