

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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PROPOSAL NO.: LAFCO 3239

HEARING DATE: JULY 15, 2020

RESOLUTION NO. 3310

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3239 - REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF LOMA LINDA AND DETACHMENT FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE AND ITS ZONE FP-5, AND COUNTY SERVICE AREA 70 (CITY-OWNED PARCELS. The reorganization area encompasses approximately 664 acres, which is generally located south of Beaumont Avenue, west of Whitter Avenue, north of the county line, and east of Mountain View Avenue, within the City of Loma Linda sphere of influence.

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

WHEREAS, an application for the proposed reorganization 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 July 15, 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/or opposition; the Commission considered all plans and proposed changes of organization, objections and 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

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given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing.

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:

Condition No. 1. The boundaries of this change of organization 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 3239.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Loma Linda (annexing agency) shall be assumed 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 City of Loma Linda 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. 5. Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

Condition No. 6. The date of issuance of the Certification of Completion shall be the effective date of the reorganization.

SECTION 2. 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).

SECTION 3. DETERMINATIONS. The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The San Bernardino County Registrar of Voters Office has determined that the reorganization area is legally uninhabited, containing zero (0) registered voters as of June 10, 2020.

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2. The County Assessor has determined that the total assessed value of land and improvements within the reorganization area on the secured assessment roll is \$1,536,008 (land - \$1,536,008 -- improvements - \$0).
3. The reorganization area is within the sphere of influence assigned the City of Loma Linda.
4. Commission review of this proposal has been advertised in *The Sun*, a newspaper of general circulation within the reorganization area. Individual notice has been provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notification.
5. LAFCO staff has provided individual notices to landowners and registered voters surrounding the reorganization area (totaling 58 notices for San Bernardino County and 7 notices for Riverside County) in accordance with State law and adopted Commission policies. Comments from registered voters and landowners and any affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.
6. The City's Pre-Zone is in accordance with Measure V, which established the proposed land use designations within the City's Sphere of Influence including the annexation area. The City of Loma Linda pre-zoned of the annexation area to include approximately:
 - 374 acres of Hillside Conservation (HR-C) - 0 to 1 dwelling unit per 10 acres, for the western two-thirds of the Annexation area, and
 - 290 acres of HR-LD (Low Density Hillside Preservation) - 0 to 1 dwelling unit per 10 acres, for both the eastern one-third of the Annexation area.
7. The Southern California Associated Governments (SCAG) recently adopted Connect SoCal, its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3239 has no direct impact on SCAG's Regional Transportation Plan.
8. The City of Loma Linda adopted a Local Hazard Mitigation Plan (LHMP) in August 2011 (Resolution No. 2714). Said LHMP identifies the South Hills Preserve area as a very high fire hazard zone as well as within existing earthquake fault lines. San Bernardino County Fire Protection District also has its Multi-Jurisdictional Hazard Mitigation Plan that was approved by FEMA in July 2017.
9. The City of Loma Linda, as a function of its review for the Pre-zone (P-19-067) and Annexation (P19-064), prepared an environmental assessment and adopted a Negative Declaration which indicates that approval of the project will not have any adverse impact on the environment.

The Commission certifies that it has reviewed the City's Initial Study and Negative Declaration for this project and finds that the information substantiating the Negative Declaration are adequate for its use in making a decision as a CEQA responsible agency. The Commission further finds that it does not intend to adopt alternatives or mitigation measures for this project and that no mitigation measures were required.

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The Commission directs its Executive Officer to file a Notice of Determination within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.

10. The reorganization areas are served by the following local agencies: County of San Bernardino, San Bernardino County Fire Protection District and its Valley Service Zone and its Zone FP-5, San Bernardino Valley Municipal Water District, Inland Empire Resource Conservation District, and County Service Area 70 (multi-function unincorporated area Countywide)

The San Bernardino County Fire Protection District, its Valley Service Zone and its Zone FP-5, and County Service Area 70 will be detached as a function of the reorganization. None of the other agencies are affected by this proposal as they are regional in nature.

11. A plan was prepared for the extension of services to the reorganization area, as required by law. The Plan for Service indicates that the City can, at a minimum, maintain the existing level of service and/or improve the level and range of services currently available within the reorganization.
12. The reorganization area can benefit from the availability and extension of municipal services from the City of Loma Linda and has benefitted from law enforcement and fire protection/emergency medical response services (through its contract with the County Sheriff and San Bernardino County Fire Protection District, respectively, to provide the service).
13. This proposal will not affect the ability of the City of Loma Linda to achieve its fair share of the regional housing needs since the reorganization only includes parcels/areas that will remain as public facilities.
14. With respect to environmental justice, the reorganization proposal—wherein the parcels being annexed into the City of Loma Linda will remain as public facilities—will not result in the unfair treatment of any person based on race, culture or income.
15. The County of San Bernardino and City of Loma Linda Lake have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
16. The maps and legal descriptions as revised are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

SECTION 4. The primary reason for this reorganization is to bring the remainder of the South Hills Preserve under City jurisdiction for long-term preservation of open space, as well as remove the property tax liability for these parcels.

SECTION 5. The affected territory shall not be taxed for existing bonded indebtedness or contractual obligations of the City of Loma Linda through the reorganization. The regular County assessment rolls are utilized by the City of Loma Linda.

SECTION 6. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local

LAFCO 3239
**REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF
LOMA LINDA AND DETACHMENT FROM THE SAN BERNARDINO COUNTY
FIRE PROTECTION DISTRICT, ITS VALLEY SERVICE ZONE AND ITS
ZONE FP-5, AND COUNTY SERVICE AREA 70 (CITY OWNED PARCELS)**

THAT PORTION OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF THE EXISTING CITY OF LOMA LINDA BOUNDARY PER "ANNEXATION NO. 12 (LAFCO 2216)" AND ALSO BEING A POINT ON THE RIVERSIDE COUNTY BOUNDARY;

COURSE 1: THENCE, LEAVING SAID POINT ON THE COUNTY OF RIVERSIDE BOUNDARY, NORTH 02°06'24" EAST A DISTANCE OF 5,694.92 FEET ALONG THE WEST LINE OF SAID SECTION 6 AND THE EXISTING EASTERLY BOUNDARY LINE OF THE CITY OF LOMA LINDA PER SAID "ANNEXATION NO. 12 (LAFCO 2216)," TO THE NORTHWEST CORNER OF SAID SECTION 6, TOWNSHIP 2 SOUTH, RANGE 3 WEST, ALSO BEING A CORNER OF SAID "ANNEXATION NO. 12 (LAFCO 2216)," ALSO BEING A CORNER OF EXISTING CITY OF LOMA LINDA BOUNDARY PER "ANNEXATION NO. 9 (LAFCO 2033A)," AND ALSO BEING A CORNER OF EXISTING CITY OF LOMA LINDA BOUNDARY "ANNEXATION NO. 1 (LAFCO NO. 1101)";

COURSE 2: THENCE, LEAVING THE BOUNDARY OF SAID "ANNEXATION NO. 12 (LAFCO 2216)" AND THE BOUNDARY OF SAID "ANNEXATION NO. 9 (LAFCO 2033A)," SOUTH 89°17'40" EAST A DISTANCE OF 2,668.84 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, TOWNSHIP 2 SOUTH, RANGE 3 WEST, AND THE MOST SOUTHERLY BOUNDARY LINE OF SAID "ANNEXATION NO. 1 (LAFCO NO. 1101) TO THE NORTH QUARTER CORNER OF SAID SECTION 6 AND A CORNER OF SAID EXISTING CITY OF LOMA LINDA BOUNDARY "ANNEXATION NO. 1 (LAFCO NO. 1101)";

COURSE 3: THENCE, LEAVING THE EXISTING CITY OF LOMA LINDA BOUNDARY OF SAID "ANNEXATION NO. 1 (LAFCO NO. 1101)," SOUTH 89°30'15" EAST A DISTANCE OF 658.46 FEET CONTINUING ALONG THE NORTH LINE OF SAID SECTION 6 TO THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED AS PARCEL NO. 2 IN THE DOCUMENT RECORDED JUNE 23, 1995 AS DOCUMENT NO. 1995-215717, OFFICIAL RECORDS OF SAID COUNTY;

COURSE 4: THENCE, SOUTH 01°12'59" EAST A DISTANCE OF 366.05 FEET ALONG THE WEST LINE OF SAID PARCEL NO. 2, TO THE SOUTHWEST CORNER OF SAID PARCEL NO. 2;

COURSE 5: THENCE, SOUTH 89°30'15" EAST A DISTANCE OF 686.00 FEET ALONG THE SOUTH LINE OF SAID PARCEL NO. 2, TO THE SOUTHEAST CORNER OF SAID PARCEL NO. 2, SAID POINT ALSO BEING A POINT ON THE EAST LINE OF GOVERNMENT LOT 2 OF SAID SECTION 6;

COURSE 6: THENCE, SOUTH 01°12'59" EAST A DISTANCE OF 1,413.89 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2, TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 OF SAID SECTION 6;

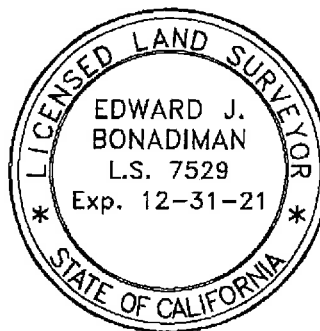
COURSE 7: THENCE, SOUTH 88°42'15" EAST A DISTANCE OF 1,347.90 FEET ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 1, TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1, SAID POINT BEING ON THE EAST LINE OF SAID SECTION 6;

COURSE 8: THENCE, SOUTH 01°15'48" EAST A DISTANCE OF 3,966.34 FEET ALONG SAID EAST LINE OF SECTION 6, TO THE SOUTHEAST CORNER OF SAID SECTION 6, SAID CORNER ALSO BEING A CORNER ON THE EXISTING CITY OF REDLANDS BOUNDARY "ANNEXATION NO. 72 (LAFCO NO. 2572)" AND ALSO BEING A CORNER ON THE EXISTING BOUNDARY OF RIVERSIDE COUNTY;

COURSE 9: THENCE, LEAVING THE EXISTING CITY OF REDLANDS BOUNDARY "ANNEXATION NO. 72 (LAFCO NO. 2572)," NORTH 88°42'15" WEST A DISTANCE OF 5,696.64 FEET ALONG THE SOUTH LINE OF SAID SECTION 6 AND THE EXISTING BOUNDARY OF RIVERSIDE COUNTY, TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 665 ACRES.

Prepared July 16, 2020



7-16-20
Date

Edward J. Bonadiman, PLS

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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