

LAFCO 3193

Notice of Filing Attachments:

Supplement

SUPPLEMENT SPHERE OF INFLUENCE CHANGE

INTRODUCTION: The questions on this form are designed to obtain data about the specific sphere of influence change proposal to allow the Commission, staff and others to adequately assess the project. You may also include any additional information that you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please provide an identification of the agencies involved in the proposed sphere of influence change(s):

SPHERE EXPANSION

Phelan Piñon Hills Community
Services District

SPHERE REDUCTION

2. Provide a narrative description of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)

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

The existing land uses are shown below and no change in use is anticipated. Also, the former agricultural uses will not be continued on the existing parcels.

Dairy – 157 acres
 Field Crops – 240 acres
 Heavy Industrial – 112 acres
 Misc. Residential Structure – 5 acres
 Stable – 5 acres
 Vacant Land – 1,195 acres
Water Well Site – 364 acres
 Total Acres – 2,078 acres

General Plan land uses are:

Agriculture (AG) – 475 acres
 Rural Living (RL) – 842 acres
 Rural Living -5 (RL_5) – 650 acres
Industrial (IR) – 112 acres
 Total Acres – 2,078 acres (total does not add exactly due to rounding)

Currently, the proposed sphere expansion area includes 57 parcels.

The current expectations regarding the projected five-year growth in the proposed sphere expansion area is that no significant change will occur over the next five years, based on discussions with the Phelan Piñon Hills CSD staff. Also, there are no plans to develop the five (5) Phelan Piñon Hills CSD properties, since the recent land acquisitions were intended to expand the CSD's water rights capacity.

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

Current parks and recreation services are provided by Improvement Zone P-6 and solid waste disposal services by Burrtec under contract; these services are provided at the level of service the community is willing to fund. Improvement Zone P-6 (P-6) was formed to provide recreation and park services and called a special tax and appropriations limit election. The election provided for a special tax with an annual rate not to exceed \$9 per parcel for the El Mirage community. In 1991, the voters approved the formation of P-6 by more than the two-thirds required approval. The Phelan Piñon Hills CSD is currently responsible for providing these selected public services within its boundary, including water services; management of collection, transfer, and disposal of solid waste; parks and recreation; and street lighting services. These services would be authorized to be extended by the Phelan Piñon Hills CSD to the sphere expansion area upon annexation under appropriate conditions; however, there is no current need for expansion of such facilities or services.

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

The CSD would be able to provide a higher level of services to the sphere expansion area upon annexation for management of collection, transfer, and disposal of solid waste and parks and recreation, and would extend water service and street lighting service under the appropriate economic conditions only when extension of these services would be sought by the affected properties and determined to be feasible.

The existence of any social or economic communities of interest in the area.

The area is a part of the community identified as EL Mirage. The El Mirage community extends westward to the County line and includes the El Mirage Off-Highway Vehicle Area which is managed by the Bureau of Land Management. The El Mirage community is generally defined by the boundaries of the two overlaying service providers - County Service Area 70, Improvement Zone P-6 for park and recreation and San Bernardino County Fire Protection District (County Fire) Service Zone FP-3 for fire protection and paramedic response. According to the service review, the population of the County Service Area 70, Improvement Zone P-6, had about 1,598 persons in 2010. While the absolute increase in population is nominal, it is projected to grow to 2,455 persons in 2030, or a 54 percent increase. Within the proposed sphere expansion area specifically, there is a limited residential population (6), one (1) industrial property, and a number of vacated agricultural properties.

The present and probable need for public facilities or services related to sewers, municipal and industrial water, or structural fire protection for any disadvantaged unincorporated community, as defined by Govt. Code Section 56033.5, within the existing sphere of influence.

Structural fire protection is provided to the area through the auspices of the San Bernardino County Fire Protection District (SBCFPD), its North Desert Service Zone and Fire Zone FP-3. No effect on this services provider through the sphere of influence change requested is anticipated as SBCFPD is the service provider for the Phelan Pinon Hills community. There is no immediate need for sewers or municipal or industrial water. Residences or businesses within the sphere expansion area rely on individual septic systems for sewer services. The same applies to most residents and businesses within the Phelan Piñon Hills CSD. The Phelan Shopping Center does have several properties in which the tenants have their own

package treatment systems, which are operated and maintained privately. These approaches are expected to be continued upon annexation. The Phelan Piñon Hills CSD provides water services within the CSD boundaries, except for properties within the Sheep Creek Mutual Water Company, which is within the CSD boundaries. Properties outside the CSD boundaries generally rely on underground water wells.

3. If the proposal includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425)

Not applicable

4. If the proposal includes a special district sphere of influence change not considered to be minor, provide a written statement: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Section 56425(i))

The current services authorized for the PPHCSD are:

Phelan Piñon Hills
(District formed 3/18/08;
amended 2/16/12)

Water

Supply water for any beneficial use as outlined in the Municipal Water District law of 1911 (commencing with Section 71000) of the Water Code

Park and Recreation

Acquire, construct, improve, maintain and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law (commencing with Section 5780) of the Public Resources Code

Streetlighting

Acquire, construct, improve, maintain and operate streetlighting and landscaping on public property, public right-of-way, and public easements

Solid Waste and Recycling

Collect, transfer, and dispose of solid waste and provide solid waste handling service, including, but not limited to, source reduction, recycling, composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.

No change is anticipated.

5. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430):

a. Growth and population projections for the affected area.

There is no increase in population or employment anticipated for the next five years.

b. Location and characteristics of disadvantaged unincorporated communities within or contiguous to the sphere of influence.

None identified for the sphere expansion area, which has an estimated four (4) housing units.

c. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies, including those associated with a disadvantaged unincorporated community.

Minimal infrastructure is needed, including no expansion of water service, and orl parks and recreation services.

d. Financial ability of agencies to provide services.

It has been evaluated, based on the separate fiscal impact report, that the Phelan Piñon Hills CSD has financial capacity to provide for services when required.

e. Status of, and opportunities for, shared facilities.

Not applicable.

f. Accountability for community service needs, including governmental structure and operational efficiencies.

Analysis shows a positive fiscal impact to the PPHCSD due to the avoidance of property taxes on owned properties because of the Phelan Piñon Hills CSD's future anticipated property tax exempt status for these properties. No additional operations and maintenance costs are anticipated.

If additional sheet are submitted or a separate document provided to fulfill Item #5, the narrative description shall be signed and certified by an official of the agency(s) involved with the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.

CERTIFICATION

As a part of this application, the Phelan Piñon Hills Community Services District (the applicant) and/or the _____ (real party in interest: subject landowner and/or registered voter) agree to defend, indemnify, hold harmless, and release the San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I/We understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 6/22/2015



SIGNATURE OF APPLICANT

DON BARTZ

PRINTED NAME

GENERAL MANAGER

TITLE