

# LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

175 West Fifth Street, Second Floor, San Bernardino, CA 92415-0490  
• (909) 387-5866 • FAX (909) 387-5871  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

---

**DATE:** JANUARY 9, 2006  
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

---

---

**SUBJECT: ITEM #10 -- INVENTORY OF SERVICES AND FUNCTIONS FOR  
COMMUNITY SERVICES DISTRICTS**

---

---

## **RECOMMENDATION:**

1. Note receipt of staff report and outline of active services of Community Services Districts within San Bernardino County as required by Government Code Section 61002(h).
2. Direct the Executive Officer to include this information in future municipal service review/sphere of influence updates for affected Community Services Districts (CSDs).

## **BACKGROUND:**

In 2004 the Chair of the Senate Local Government Committee, Senator Christine Kehoe, convened a working group of advisors to rewrite Community Services District Law. This working group drafted legislation which became SB 135, which was approved by the Legislature and Governor in 2005 and became effective January 1, 2006. This rewrite of Community Services District law has simplified the over 300 sections of the former law into a comprehensive statute and attempts to synchronize them with other statutory and constitutional provisions, among which is the Cortese-Knox-Hertzberg Local Government Reorganization Act.

One of the new provisions pertains to latent powers for CSDs. Pursuant to Government Code Section 61002(h), the term "latent powers" is described as follows:

*“Latent power” means those services and facilities authorized by Part 3 (commencing with Section 61100) that the local agency formation commission has determined, pursuant to subdivision (h) of Section 56425, that a district did not provide prior to January 1, 2006.*

In order to be able to address the specific requirement listed, staff has contacted each of the nine CSDs in the County and requested that they review the listing of LAFCO authorized functions and services (copy included as Attachment #1) and provide a response as to those which are currently active. Eight of the nine CSDs have responded to this request (copies included as Attachment #2 to this report). As of the preparation of this report, the Big River CSD has not responded to the staff’s letter. Of the eight responding, they have indicated their active powers are as follows:

**BAKER**

ACTIVE: Water, Sewer, Fire Protection, Park and Recreation, Streetlighting, Health Services (should be corrected to list Ambulance), TV Translator, and Solid Waste.

The District has indicated that a Court has indicated that it has the ability to construct and maintain roadways to the “extent necessary to carry out its other purposes”. LAFCO staff will clarify this during the District’s service review/sphere update.

**BARSTOW HEIGHTS**

ACTIVE: Park and Recreation.

District has indicated that Water service currently listed is not active; therefore, it should become a latent power. No further information is identified for the “administering of road assessment”. LAFCO staff will clarify this during the District’s service review/sphere update.

**BIG BEAR CITY**

ACTIVE: Water, Sanitation (Sewer), Streetlighting, Fire Protection, Ambulance, Rubbish (should be identified as Solid Waste), and Park and Recreation.

The District has indicated that the services of Library, Transportation and Mosquito Abatement are not actively provided as of January 1, 2006 and should be identified as latent powers.

Questions raised by LAFCO staff as to whether or not the function of Park and Recreation was actively provided by the District have been responded to by the District. They have noted in their correspondence that the District currently operates three “passive parks” and they are currently in discussions with the County to acquire an active park parcel.

### **BIG RIVER**

The LAFCO Exhibit A identifies that the active functions and services for this agency are: Water, Park and Recreation, and Police. To date no response has been received from the District; if received following publication of the staff report, the information will be handed out at the hearing.

### **DAGGETT**

ACTIVE: Water, Streetlighting, Park and Recreation and Fire Protection.

### **LAKE ARROWHEAD**

ACTIVE: Water and Sewer.

### **MORONGO VALLEY**

ACTIVE: Fire Protection, Park and Recreation, Streetlighting, and Library Services.

The District has indicated that the services of Water, Streets, and Weather Reporting are not actively provided as of January 1, 2006. Water and Streets should be identified as latent powers, while Weather Reporting is not an authorized service under the provisions of CSD law.

### **NEWBERRY SPRINGS**

ACTIVE: Water, Fire Protection, Streetlighting, Park and Recreation and Sewer.

During the District’s upcoming municipal service review/sphere of influence update, clarification on Water and Sewer services as an active function will need to be provided. Staff is not aware of either service being actively provided in the community.

**YERMO**

ACTIVE: Fire Protection, Streetlighting, and Park and Recreation.

The District has indicated that the service of Water is not actively provided as of January 1, 2006 and should be identified as a latent power.

/KRM

Attachments:

1. Excerpt from Exhibit “A” Listing of Special Districts Functions and Services Outlining Community Services Districts
2. Letters Received from Community Services Districts