

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

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DATE: JANUARY 8, 2010
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #12: STATUS REPORT FOR LAFCO 3082 – SPHERE OF INFLUENCE REVIEW (EXPANSION) FOR CITY OF VICTORVILLE AND VICTORVILLE WATER DISTRICT AND LAFCO 3089 – SPHERE OF INFLUENCE ESTABLISHMENT FOR THE HELENDALE COMMUNITY SERVICES DISTRICT

BACKGROUND:

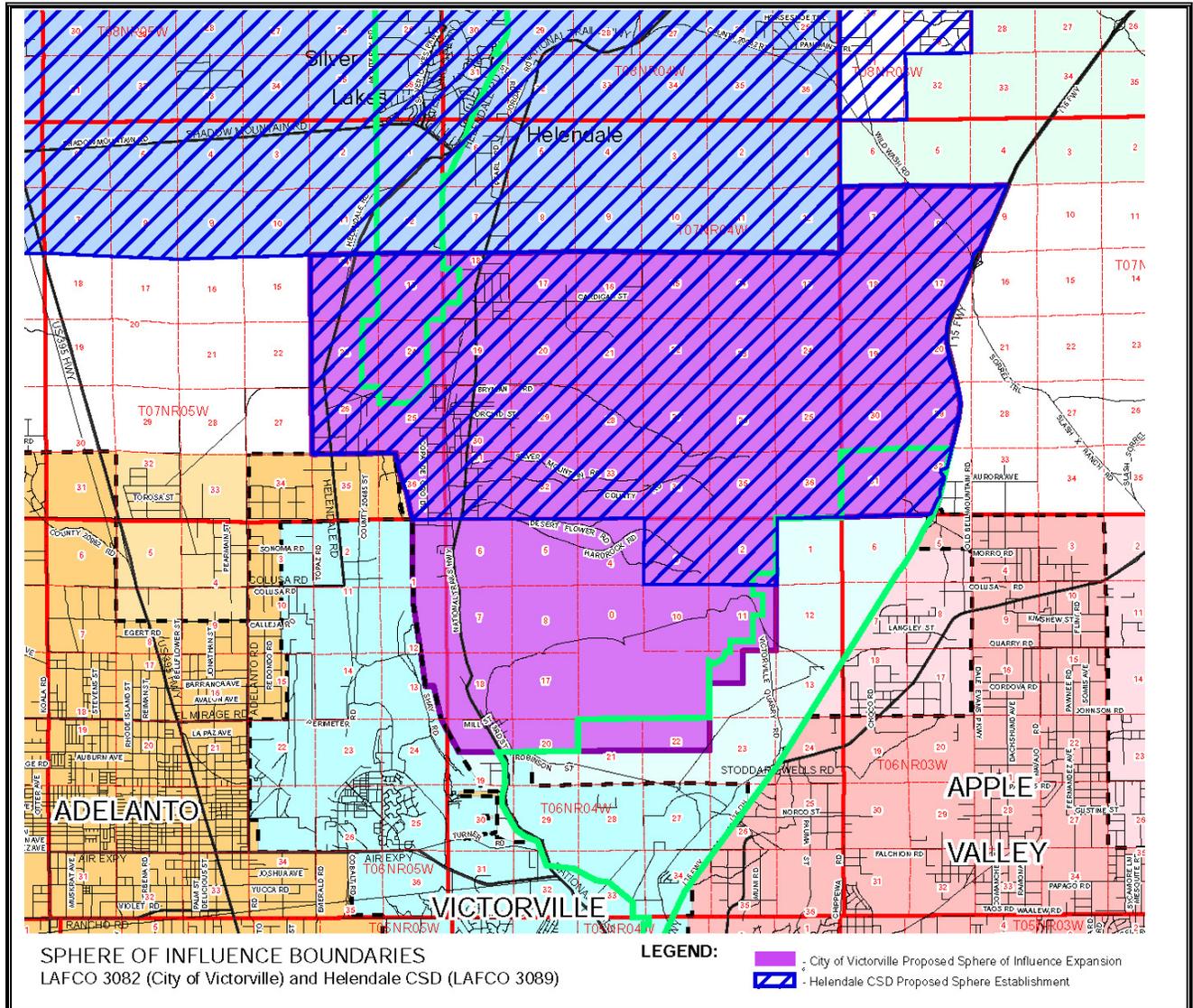
At the March 21, 2007 hearing the Commission separated the northern sphere of influence expansion for the City of Victorville from the consolidation of the Water Districts proposal and companion Service Review for the Victorville community and directed staff to await completion of the City's General Plan Update to commence consideration. The sphere of influence proposal from the City of Victorville was to expand the City sphere by 37,139 +/- acres which is slightly more than 58 square miles. Also, at the March 2007 hearing the Commission expanded that consideration to include a concurrent sphere of influence expansion for the newly consolidated Victorville Water District, which became known as LAFCO 3082.

In September of 2007, the Commission initiated the sphere of influence establishment for the Helendale Community Services District (CSD) noting that the practice of the Commission was to establish a coterminous sphere of influence. The CSD responded by letter, dated December 10, 2007, that a request was to be submitted requesting that its sphere of influence be established beyond its current boundaries to, in general, correspond with the boundaries of Service Zone FP-5 (Helendale) of the San Bernardino County Fire Protection District. In August 2008, the District submitted its proposed sphere of influence boundary which included approximately 21 ½ square miles of the territory proposed for inclusion in the City of Victorville sphere expansion request.

The City of Victorville completed processing of its General Plan Update in October 2008. Thereafter, LAFCO staff meet with representatives of the City of Victorville and its subsidiary Victorville Water District to outline the updated materials needed to complete the processing of LAFCO 3082.

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 STATUS REPORT – LAFCO 3082 -VICTORVILLE SPHERE
 AND LAFCO 3089 – HELENDALE SPHERE
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So the Commission has been presented with conflicting proposals addressing the same 36.5 square miles (approximately 23,360 +/- acres). The map below identifies the area which is in conflict, a copy of which is included as Attachment #1 to this report.



Government Code Section 56655 indicates that when presented with conflicting proposals, the Commission is required to determine the priority of the applications. Therefore, LAFCO staff has maintained a concurrent hearing schedule for the proposals so that the conflict can be addressed and a Commission determination rendered.

LAFCO staff had previously indicated to the Commission that consideration of both items would be placed on the January 20, 2010 Agenda. This hearing determination was conveyed to the City of Victorville, Victorville Water District, and the Helendale CSD as well. However,

on December 17, 2009, staff received a request from Supervisor Brad Mitzelfelt for continuance of the proposal until the April 21, 2010 hearing (copy included as Attachment #2). As staff understands the position of the Supervisor, he continues to work with the applicants – the City of Victorville/Victorville Water District and Helendale CSD – to present additional information on this proposal. The Commission’s standard practice has been to accept such a request from a Commission member. Therefore, staff modified the Notice of Hearing to remove the consideration of these items from the public hearing section, instead providing for a status report.

As of the date of this report, LAFCO staff has not received two key elements from the City of Victorville:

1. At the January 5, 2010 City Council meeting, the City, by unanimous vote, indicated support for a compromise boundary between the City of Victorville, Helendale CSD and the City of Adelanto. The City of Adelanto discussion was new information for LAFCO staff. This position is based upon the receipt of the letter, dated July 27, 2009, from the City Manager for the City of Adelanto (copy included as Attachment #3) rescinding support for a change but noting further negotiations. LAFCO staff will need to receive the information regarding this change immediately in order to include such a discussion in the upcoming April hearing. The material needed includes the map and legal description of the change, MSR and Sphere Amendment forms and plans, and the payment of appropriate fees. The primary element of concern is the requirement that LAFCO staff process the environmental assessment of the sphere change in order for Commission consideration to take place in April.
2. The update of MSR materials for the City to reflect 2009-10 data rather than 2004-05 data and the forms for the Victorville Water District MSR consideration. Financial data and infrastructure plans have been provided by the City and Water District.

In addition, LAFCO staff has not received material related to the transfer of the County Solid Waste Management Assessment to the Helendale CSD from the County, which was to be an element of the consideration. Therefore, the continuance will allow for the submission of this information by the City, Water District, CSD, and County. However, should any of these materials not be provided during the interim, LAFCO staff will move forward to present a full consideration of these items at the April 21, 2010 hearing based upon the materials on file at that time.

No action is required nor can be taken by the Commission at this hearing. Staff will be happy to answer any questions regarding this proposal prior to or at the hearing.

KRM

Attachments:

1. [Map of Sphere of Influence Boundaries in Conflict](#)
2. [Letter Dated December 17, 2009 from Supervisor Brad Mitzelfelt](#)
3. [Letter Dated July 27, 2009 from Dr. D. James Hart, City Manager, City of Adelanto](#)