LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN BERNARDINO

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PROPOSAL NO.: LAFCO 3010

HEARING DATE: NOVEMBER 19, 2008

RESOLUTION NO. 3040

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 3010 – A MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE HESPERIA RECREATION AND PARK DISTRICT (reduction/expansion along Bear Valley Road on the north; modifications to expand the eastern sphere of influence south of Bear Valley Road along the Mojave River; reduction to exclude the territory within the Crestline-Lake Arrowhead Water Agency along the south; and affirmation of the remainder of the existing sphere of influence as shown on the attached maps).

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

WHEREAS, a service review mandated by Government Code 56430 and a sphere of influence update mandated by Government Code Section 56425 have been conducted by the Local Agency Formation Commission of the County of San Bernardino (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

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 her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, a public hearing by this Commission was called for October 15, 2008 at the time and place specified in the notice of public hearing and in an order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; 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 given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that this service review and sphere of influence update are statutorily exempt from CEQA and such exemption was adopted by this Commission on October 15, 2008. The Clerk was directed to file a Notice of Exemption within five working days of its adoption; and,

WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it is determined that the following the sphere of influence determinations should be made for the Hesperia Recreation and Park District:

(1) Modify the sphere of influence along the northern boundary to expand and/or reduce the designation to correspond to the realigned centerline of Bear Valley Road;

(2) Modify the sphere of influence along the eastern boundary to expand the territory along the Mojave River south of Bear Valley Road;

(3) Modify the sphere of influence along the southern boundary to exclude the territory within the Crestline-Lake Arrowhead Water Agency, at Silverwood Lake; and,

(4) Affirm the balance of the existing sphere of influence designation.

as more specifically depicted on the maps attached hereto as Exhibit "A" , "A-1" , "A-2", and "A-3"; and,

WHEREAS, the determinations required by Government Code Section 56430 and local Commission policy are included in the report prepared and submitted to the Commission dated October 7, 2008 and received and filed by the Commission on October 15, 2008, a complete copy of which is on file in the LAFCO office. The determinations of the Commission are:

1. <u>Growth and population projections for the affected area.</u>

The District's jurisdiction is larger than the City of Hesperia's jurisdictional boundaries by approximately 11 square miles. The sphere of influence is coterminous with the City's sphere, which includes the unincorporated communities of Oak Hills and Summit Valley. Given that the District's populated areas are generally the same as the City's and both agencies have generally coterminous spheres, the growth and population projections for the City are used for the District and are outlined as follows:

Within the City

According to the State Department of Finance, the City had an estimated population of 85,876 in 2007. The City's population projections, which were developed using the Southern California Association of Government (SCAG) projections, are listed in five-year increments, as follows:

2010 – 95,800	2025 – 159,638
2015 – 117,568	2030 – 179,383
2020 – 139,049	

The City General Plan identifies the build-out population of the City at 253,968 persons. Given current land use designations, the City should not reach build-out by 2030.

Within Sphere of Influence

Located south of the City within its sphere, Summit Valley is an area of significant potential growth. The City's General Plan for this area requires comprehensively planned development. The area has few paved roads and little infrastructure; therefore the preferred method of development is through the specific plan or planned development process. Since the City's incorporation in 1988, three specific plans have been approved in Summit Valley: Rancho Las Flores, Summit Valley Ranch, and Bella Mesa. These plans combine for a total of 20,000 dwelling units. Another specific plan has been submitted, but not yet processed, known as Majestic Hills, which proposes 4,000 dwelling units. Further, the Oak Hills Community Plan sphere area could add an additional 12,000 persons (4,478 dwellings units) by 2030 according to City staff. Together, all four specific plans and Oak Hills could add 28,478 dwelling units. Utilizing the County General Plan's 2.68 persons per household for the Desert region calculates to an additional 76,321 persons.

Additionally, LAFCO staff has received project notices which anticipate General Plan Amendments, tentative tract developments, and Conditional Use Permits for increased residential development in the sphere area. A review of the project notices on file that have been submitted for County Land Use Planning review from 2004 through present indicate the potential for creation of 1,060 lots. The larger of these projects includes the following:

PROJECT NAME	YEAR SUBMITTED	NUMBER OF RESIDENTIAL UNITS/LOTS
Tract 17598	2006	216 lots
Tract 16902	2004	114 lots
Tract 18533	2007	60 lots
Tract 16544	2006	32 lots

Adding the 28,478 dwellings units for the four specific plans and Oak Hills, and the 1,060 lots for the projects submitted for County Land Use Planning review, calculates to 79,162 additional persons within the sphere.

Historical trends indicate moderate to high growth within this area, and significant growth continues within the City's boundaries and its sphere. In addition to residential development in the sphere, new industrial and service-oriented developments are planned, along with a major regional circulation improvement called the "Freeway Corridor". These future projects will increase the need for public services within the existing City boundaries as well as within the unincorporated sphere area.

2. <u>Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.</u>

The primary operating document that the District utilizes for park and recreation planning is the Park and Recreation Master Plan. The Plan was originally implemented in 1988 and is updated every two years with the last update in 2006. The goals of the Plan guide the general direction and intent of the District, and are listed as follows:

- To acquire and reserve land for park and recreation opportunities, facilities, and natural open space use.
- To be in concert with other local agencies, to work toward preservation of significant ecological, scenic, cultural, historical, and natural resources within the District.
- To accompany the Master Plan with financial planning for the timely acquisition, design, development, operation, and maintenance of all facilities.
- To keep flexible the location, size, and design of facilities in order that they may be readily available to the changing requirements of the population.
- To foster satisfying activities for all ages and cultural groups, particularly children, youth, seniors, and family participation.
- Re-contact outlying areas in the sphere of influence of the District. Conduct a public meeting to determine their needs and if a master plan is necessary.

The District has 15 regular full-time, 30 contract, and 145 temporary, seasonal, or part-time employees. The District provides the full range of park and recreation activities including neighborhood and community parks, sports fields, trails, bicycle track, campgrounds, a community center, gymnasiums, picnic area, and a swimming pool. Combined, it has about 323 acres of parkland. In addition to facilities, the District offers classes and programs such as movies in the park, run/walk events, after school programs, summer camp, and programs and events for seniors.

According the District's 2006 Master Plan Update, it has 323 acres of parkland. Pursuant to the Quimby Act, a minimum of three acres per thousand population should be dedicated for recreational and/or open space purposes. Utilizing the 2007 population and total developed park acreage, the District surpasses the Quimby Act standard. Going beyond the Quimby Act standard, the Plan's major guideline is a developed park standard set at 5 acres per 1,000 residents, which is consistent with the City's General Plan. The District states that the 5 acre standard breaks down to about two acres being neighborhood park and three acres being community or district parks and facilities. The District does not meet its own standard of 5 acres of parkland per 1,000 residents by an estimated 106 acres. Nonetheless, it adequately meets the Quimby Act standard and plans to add additional facilities to meet future growth.

The District indicates that it does not provide services within its sphere of influence; however, some residents within the sphere utilize District facilities and programs, such as ballfields for Little League, etc. Continued population growth in the sphere areas will increasingly stress the District's programs and facilities as non-residents utilize them, driving the need for facilities and services within those areas. The District has identified several projects estimated for completion within the next few years. These projects include the additions of two gymnasiums, six to ten baseball fields, eight to twelve soccer facilities, tennis facilities, and bike areas and walkways. A detailed listing of the planned new facilities and improvements is included in the Park Master Plan Update. The major projects recently completed or close to completion are:

- Hesperia Community Park restroom upgrades – estimated cost of $286,000, anticipated for completion within one year.

- According to City of Hesperia staff, the City owns the land for the last two parks constructed, Malibu Park and Civic Plaza. The land for each park is then leased to the Hesperia Recreation and Park District (District) for one dollar per year.

- Hesperia Civic Plaza Park (Downtown Community Park) – located just west of City Hall, completed in June 2008 in cooperation with the City. The park has an amphitheater, walking paths, a reflection garden, water features, and activity areas. It was constructed with City and District funds and its opening coincided with the 20th Anniversary of the City's incorporation. LAFCO staff is aware that the City and the District are discussing options for the ongoing maintenance of the Park, which include the City maintaining ownership and the District performing maintenance and upkeep.

- Malibu Park – construction completed by the developer of the Mission Crest Project by Empire, which was conditioned by the City as a part of development approval. The park is located between Interstate 15 and Escondido Avenue, south of Main Street.

- Hesperia Lake Community Building construction – currently in process, anticipated for completion by end of 2008. The property where the Community Building is located is owned by the Hesperia Water District, and the Community Building and museum renovation/expansion project is being funded wholly by the District.

Streetlighting

Since its formation the District has operated and maintained the streetlights within the community. The District was formed in 1957 as a county park, recreation, and parkway district. As a county park, recreation, and parkway district, the District was authorized to provide streetlighting services. In 1977, it was reorganized as a park and recreation district providing park and recreation and streetlighting services. In 2001, SB 707 sponsored by the Senate Local Government Committee rewrote Recreation and Park District law (Public Resources Code Section 5780 et seq.), eliminating streetlighting as an authorized service. In order to recognize the service provided by the District, a special provision was included within SB 707, Public Resources Code §5786.7(c), that allows the Hesperia Recreation and Park District to provide streetlighting facilities and services. The District currently comprises approximately 85 square miles and is currently authorized by LAFCO to provide streetlighting and park and recreation services. The District operates 1,449 streetlights which are owned by Southern California Edison. Operations of the streetlights are paid by the District with funding from one or a combination of funding sources – the District's Assessment District #1 and/or Landscape, Lighting and Maintenance Assessment districts.

Currently, the streetlights are adequate to serve the community. The majority of the streetlights are located within the City with some within unincorporated County jurisdiction. The County has a Night Sky Ordinance, which has a purpose to encourage outdoor lighting practices and systems that will minimize light pollution, conserves energy, and curtail the degradation of the nighttime visual environment, minimizing the requirement for streetlighting in the unincorporated area. There are, however, signal lights atop of the traffic signals that illuminate the intersections maintained by County Transportation. Future developments may require public streetlights for major intersections for public safety purposes.

3. Financial ability of agencies to provide services.

A review of the District's financial data, which includes its budgets and audits, indicates that the District receives adequate revenue to support its operations. However, development related fees are anticipated to decrease and property tax revenues are anticipated to remain level or nominally increase. This will affect the purchasing power of the District in acquisition of land or facility building for the future.

Funds/Budget

The District operates with four major funds:

- General Fund – the District's primary operating fund
- Assessment District #1 Fund (special assessment fund) -- district-wide assessment provides funding for streetlighting and augmented park and recreation services
- Developer Fee Fund (City) – A special assessment fund
- Foundation Fund – a component unit which maintains the activity for various sporting and recreational activities in the City of Hesperia.

Revenue and Expenditures

The District's primary sources of revenue are from its share of the general levy tax, its assessment districts, developer fees, City of Hesperia pass through, and user charges. The District also receives grants to help pay for its capital projects and improvements. For example, the District received a matching grant of $200,000 from the State to add a picnic area with facilities to the Palm Street Park.

The District has two assessment districts:

- Assessment District #1 – This is a district wide assessment of $64 per developed parcel or $30 per vacant parcel for streetlighting and augmented park and recreation services. The distribution of this fund is as follows: For undeveloped parcels $30 to park operations; for developed parcels $60 to park operations, $4 to streetlighting operations.

- Assessment District #2 (a through y1) – There are over 35 individual assessment districts. These individual districts pertain to a specific development project of either the City or County to condition public landscaping, park maintenance or additional streetlights as determined by City or County development standard.

The City of Hesperia collects development fees that are passed through to the District currently set at $5,336 per unit. Development fees, as with other special revenue sources, are not used for uses other than its intended purpose. According to District staff, the County used to collect development fees for parks at $734 per unit. District staff further states that they have not received any Quimby Act Fees from the County in over a year and the County has not been conditioning development proposals for the payment of park development fees. It was confirmed with County Land Use Services staff that the District currently does not, and has not with the past two years, received park development fees.

The Commission recommends that the District work with the County Land Use Services Department, Current Planning, and Building and Safety representatives to remedy this situation.

Pass-through is received from the Victor Valley Economic Development Authority. The amount received has increased sharply over the past few years. The amount received in 2005 was $23,610 and in 2007 was $65,538.

Salaries and Benefits for FY 2008-09 are budgeted at $4.3 million for the District's 15 regular full-time, 30 contract, and 145 temporary, seasonal, or part-time employees.

Reserves

For the FY 2008-09 Budget, total reserves for the Operating fund and Assessment District #1 fund are at 5% and 11% of operating expenses, respectively.

Audit

The District's audits account for the District itself and its component unit, the Hesperia Area Recreation District Foundation. The Fiscal Year 2006-07 Audit indicates that the Hesperia Recreation District Foundation was established for the purpose of providing recreational activities and education to the residents of the City of Hesperia. To this end, the Foundation operates activities at Hesperia Lake, including camping, fishing, and the Lake Store. The District exercises financial control over the Foundation through approval of budgets and appointment of Foundation board members. In conformity with generally accepted accounting principles, the financial statements of the Foundation have been blended with those of the District and presented as combined financial statements.

For FY 2005-06, the District's total net assets increased 17% to $25.6 million. Unrestricted net assets (day-to-day operations) decreased by $518,706 as a result of additional positions budgeted to meet anticipated service requirements, increased fuel cost, and capital improvement cost of $4.1 million. The District made substantial infrastructure improvements without immediate revenue streams, and the revenue streams are anticipated for receipt in FY 2006-07. Total revenues increased 10% over the previous year, attributed to receipt of grant funding ($724,172) and increases in property tax receipts and developer fees ($2.9 million). The most significant expenditure increase was for facility development and improvement ($2.5 million).

Long-Term Debt

The District took out a note payable at a 6.45% interest rate per annum to purchase property for the District (10770 I Avenue). According to District staff, the loan matures in 2010 with annual payments of $71,760 until 2010.

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

The District participates with the City of Hesperia and the Hesperia Unified School District to coordinate joint uses of facilities and projects. The District states that this coordination saves revenue through joint-use of facilities.

The Hesperia Lake is within the boundaries of the Hesperia Water District, which actually owns the Lake. Through agreement, the Hesperia Recreation and Park District is allowed to provide recreation programs at the site which include water classes and summer camp.

According to City of Hesperia staff, the City owns the land for the last two parks constructed, Malibu Park and Civic Plaza. The land for each park is then leased to the Hesperia Recreation and Park District (District) for one dollar per year.

- Hesperia Civic Plaza Park (Downtown Community Park) – located just west of City Hall, completed in June 2008 in cooperation with the City. The park has an amphitheater, walking paths, a reflection garden, water features, and activity areas. It was constructed with City and District funds and its opening coincided with the 20th Anniversary of the City's incorporation. LAFCO staff is aware that the City and the District are discussing options for the ongoing maintenance of the Park, which include the City maintaining ownership and the District performing maintenance and upkeep.

- Malibu Park – construction completed by the developer of the Mission Crest Project by Empire, which was conditioned by the City as a part of development approval. The park is located between Interstate 15 and Escondido Avenue, south of Main Street.

5. <u>Accountability for community service needs, including governmental structure and operational efficiencies.</u>

Local Government Structure and Community Service Needs

The District is an independent special district and is governed by five board members elected at large to four-year staggered terms. District Board meetings are held the second Wednesday of the month at 7:00 p.m. at the Lime Street Park Community Center. Below is the composition of the current board, their positions, and terms of office:

Board Member	Title	Term
Richard Lupton	President	2010
Bob Chandler	Vice President	2008
Jack Hamilton *	Director	2008
Mike Limbaugh	Director	2010
Rebekah Swanson	Director	2010

* Jack Hamilton was appointed by the Board on 1-10-07 to replace Thurston Smith who was elected to the City of Hesperia Council.

The Hesperia Recreation District Foundation is the non-profit arm of the District. The District states that it allows business to operate under the Foundation guidelines and exists to run programs and pay bills more effectively than a government entity. The Foundation operates activities at Hesperia Lake, including camping, fishing, and the Lake Store. The District exercises financial control over the Foundation through approval of budgets and the Foundation is a component unit in the District's audit. Foundation members are appointed by the District's board of directors to a one-year term which expires in December. Below is the composition of the current Foundation Board:

Board Member	Title
Gary Drylie	President
Carol Hill	Vice President
Jeanee Helsley	Member
Percy Bakker	Member
Charlene Peters	Member

Operational Efficiency

The District participates with other agencies to maximize operational efficiencies such as:

- California Association for Park and Recreation Insurance (CAPRI), a liability insurance pool administered by the California Association for Recreation and Park Districts. This organization also coordinates the legislative activities of its members and is the legislative advocate of its members.
- Park and Recreation District Employee Compensation, a worker's compensation insurance program administered by the California Association for Recreation and Park Districts.
- City of Hesperia to plan the new Downtown Community Park. The Park has an amphitheater, walking paths, a reflection garden, water features, and activity areas to address a more urban park need. The park was opened in the summer of 2008.
- The District has been allowed to participate in the County of San Bernardino's retirement program, the San Bernardino County Employees' Retirement Association.
- To reduce labor costs, the District utilizes volunteers for many of its programs, and office and maintenance assistance.

Government Structure Options

There are two types of government structure options:

Out-of-Agency Service Agreements:

The District has indicated that it does not currently provide service outside its boundaries. However, the residents of Oak Hills and Phelan residing outside District boundaries utilize the District's facilities.

Other Government Structure Options:

The District, in the materials provided for this review, indicated no change to its current structure at this time. While the discussion of some government structure options may be theoretical, a service review should address possible options.

- Expansion of the District to encompass the entirety of its sphere. According to the District, non-resident use places strains on current facilities. The expansion of the District to encompass the entire sphere may not provide immediate or short-term future benefits because much of the land proposed for development has not been subdivided (the assessments are by the parcel) and the District would be the

responsible agency to provide park and recreation services. However, expansion to include the residential portions of its sphere would provide benefit to the District and the residents in these areas. The district-wide assessment which would be extended through the annexation process would help alleviate the strain on current facilities.

- Establishment of the Hesperia Recreation and Park District becoming a subsidiary district of the City. In 1994, AB 1335 gave LAFCO the authority to initiate reorganizations of special districts. In response to this new legislative authority, San Bernardino LAFCO drafted a list of 30 potential reorganizations that were possible under these provisions. This option was one of the potential reorganizations discussed at that time. In order for the District to become a subsidiary district of the City, a least 70 % of the registered voters in the District must reside in the City and at least 70% of the District's territory must also be within the boundaries of the City. LAFCO staff has verified that both requirements are currently satisfied. Therefore, the District is eligible for establishment as a subsidiary district of the City. In order for subsidiary status to be established, in addition to the requirement described above, an application would need to be submitted to LAFCO requesting the change and providing for a plan for services.

  According to the materials provided by the City for its service review, at the present time neither the City Council nor the District Board has taken a formal position regarding this possibility. As the City indicates in the materials, similar to the City's water and fire subsidiary districts, the City could provide administrative and other support functions, as well as reduce duplicative administrative efforts. Property taxes collected for the Park District would continue to be used for park acquisition, development and maintenance. This option is viable and would reduce redundancies in planning, as the District and City already coordinate on joint-use of facilities and future park sites, and provide for economies of scale.

- Maintenance of the Status Quo – in this scenario the District would continue to operate as an independent special district. The District recommends that no change in structure take place because the District is responsive to the needs of the community and potentially park services can become a low priority in a municipality.

Based upon its evaluation, the Commission supports the modification of the current sphere of influence determination for the Hesperia Recreation and Park District as identified above.

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

1. <u>Present and Planned Uses</u>

Overall, the District's boundaries and sphere include the full range of densities from high density to non-developable land. Land uses also include the full range which includes open space, rural living, and residential. There are also Williamson Act contracts in the sphere area which restrict the land uses to either open space or agriculture for a minimum period of

ten years. A stated goal of the District is to reserve land for open space and recreational activities. The landownership breakdown of the community is as follows:

Land Owner	Sq Miles	Percentage
Private	109.8	93.4
U.S. Army Corps of Engineers	4.1	3.5
US Bureau of Land Management	3.0	2.6
San Bernardino National Forest	0.5	0.4
California Dept. of Parks and Recreation	0.2	0.2
Total	**117.6**	**100.0**

Oaks Hills

The Oak Hills Community Plan was a joint effort between the County and the City, and the Community Plan recognizes the existence of the Oak Hills community. An Advisory Committee oversaw the development of the Oak Hills Community Plan which consisted of both landowners and residents. The boundaries of the Community Plan were structured around CSA 70 Zone J. The primary intent for this area is to continue to develop homes on 2 ½ acres lots and maintain its rural character. The Oak Hills Community Plan established a Freeway Corridor to be developed with retail and job producing industrial and office uses on the large parcels adjacent to the freeway. The Community Plan also delineates open space areas within the Oro Grande Wash as well as another wash on the east side of the freeway. These washes form buffer zones for the rural area lying outside the freeway corridor. Overall, the Oak Hills area could add an additional 12,000 persons by 2030.

Within Sphere of Influence

Located south of the City within its sphere, Summit Valley is an area of significant potential growth. The City's General Plan for this area requires comprehensively planned development. The area has few paved roads and little infrastructure; therefore the preferred method of development is through the specific plan or planned development process. Since the City's incorporation in 1988, three specific plans have been approved in Summit Valley: Rancho Las Flores, Summit Valley Ranch, and Bella Mesa. These plans combine for a total of 20,000 dwelling units. Another specific plan has been submitted, but not yet processed, known as Majestic Hills, which proposes 4,000 dwelling units. Further, the Oak Hills Community Plan sphere area could add an additional 12,000 persons (4,478 dwelling units) by 2030 according to City staff. Together, all four specific plans and Oak Hills could add 28,478 dwelling units. Utilizing the County General Plan's 2.68 persons per household for the Desert region calculates to an additional 76,321 persons.

The Rancho Las Flores project is anticipated to construct park facilities for the development. A community facilities district and/or Landscape Maintenance District will fund operation of the facilities and open space.

2. Present and Probable Need for Public Facilities and Services

In the unincorporated sphere area, Oak Hills is limited in its growth due to the Oak Hills Community Plan designating a rural character of the area. There is development activity in Summit Valley but the area currently lacks the necessary infrastructure to support growth. The specific plans anticipate urban-type levels of services as the population increases. Given the anticipated growth within the sphere, residential projects will require the development of schools, parks, medical facilities, and police and fire services. Additionally, large scale residential projects will require all municipal level services.

The District indicates that it does not provide services within its sphere of influence; however, some residents within the sphere utilize District facilities and programs. Continued population growth in the sphere areas will increasingly stress the District's programs and facilities as non-residents utilize them, driving the need for facilities and services within those areas.

3. Present Capacity of Public Facilities and Adequacy of Public Services

Overall, current facilities and services delivered are adequate. The District provides the full range of park and recreation activities including neighborhood and community parks, sports fields, trails, bicycle track, campgrounds, a community center, gymnasiums, picnic area, and a swimming pool. Combined, it has about 323 acres of parkland. In addition to facilities, the District offers classes and programs such as movies in the park, run/walk events, after school programs, summer camp, and programs and events for seniors.

According to the District's 2006 Master Plan Update, it has 323 acres of parkland. Pursuant to the Quimby Act, a minimum of three acres per thousand population should be dedicated for recreational and/or open space purposes. Utilizing the 2007 population and total developed park acreage, the District surpasses the Quimby Act standard.

4. Social and Economic Communities of Interest

The City of Hesperia is the core of the social and economic community of interest for the Hesperia community. Within the unincorporated sphere, there are two distinct social communities. The Oak Hills Community Plan recognized the existence of the Oak Hills community through the appointment of an Advisory Committee that oversaw the development of the Community Plan. The other community is Summit Valley and is much smaller. The specific plans for this area will guide development in the future. The majority of the community is within the Hesperia Unified School District with a portion of the area west of Interstate 15 being within the Snowline Joint Unified School District.

In addition, the Mojave River presents an easily definable boundary for service delivery; however, its present location splits parcels. The Commission determines the sphere of influence be amended to realign the sphere of influence/community definition along the parcels recognizing their service relationship.

5. **Additional Determinations**

- The Commission's Environmental Consultant, Tom Dodson and Associates, has determined the changes outlined for the Hesperia Recreation and Park District sphere of influence are statutorily exempt from environmental review

- Legal advertisement of the Commission's consideration has been provided through publication in *The Daily Press* through publication of a 1/8 page legal ad and in *The Hesperia Resorter*, as required by law. In accordance with Commission Policy #27, a 1/8th page legal ad was provided in lieu of individual notice because the Municipal Service Review Sphere of Influence update for the Hesperia Recreation and Park District would have exceeded 1,000 notices.

- As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice.

- Comments from landowners/registered voters and any affected agency were reviewed and considered by the Commission in making its determinations.

WHEREAS, pursuant to the provisions of Government Code Section 56425(h) the range of services provided by Hesperia Recreation and Park District shall be limited to the following:

FUNCTIONS	SERVICES
Park and Recreation	Local park development, operation, recreation
Streetlighting	Streetlighting

WHEREAS, having reviewed and considered the findings as outlined above, the Commission determines to:

(1) Modify the District sphere of influence along the northern boundary to expand and/or reduce the designation to correspond to the realigned centerline of Bear Valley Road;

(2) Modify the sphere of influence along the eastern boundary to expand the territory along the Mojave River south of Bear Valley Road;

(3) Modify the sphere of influence along the southern boundary to exclude the territory within the Crestline-Lake Arrowhead Water Agency, at Silverwood Lake; and,

(4) Affirm the balance of the existing sphere of influence designation.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission shall consider this to be the sphere of influence for the Hesperia Recreation and Park District; it being fully understood that establishment of such a 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;

RESOLUTION NO. 3040

BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that the Hesperia Recreation and Park District shall indemnify, defend, and hold harmless the Local Agency Formation Commission of the County of San Bernardino from any legal expense, legal action, or judgment arising out of the Commission's designation of the modified sphere of influence, including any reimbursement of legal fees and costs incurred by the Commission.

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

AYES:	**COMMISSIONERS:**	**Biane, Colven, Cox, Hansberger, McCallon, Nuaimi, Pearson**
NOES:	**COMMISSIONERS:**	**None**
ABSENT:	**COMMISSIONERS:**	**None**

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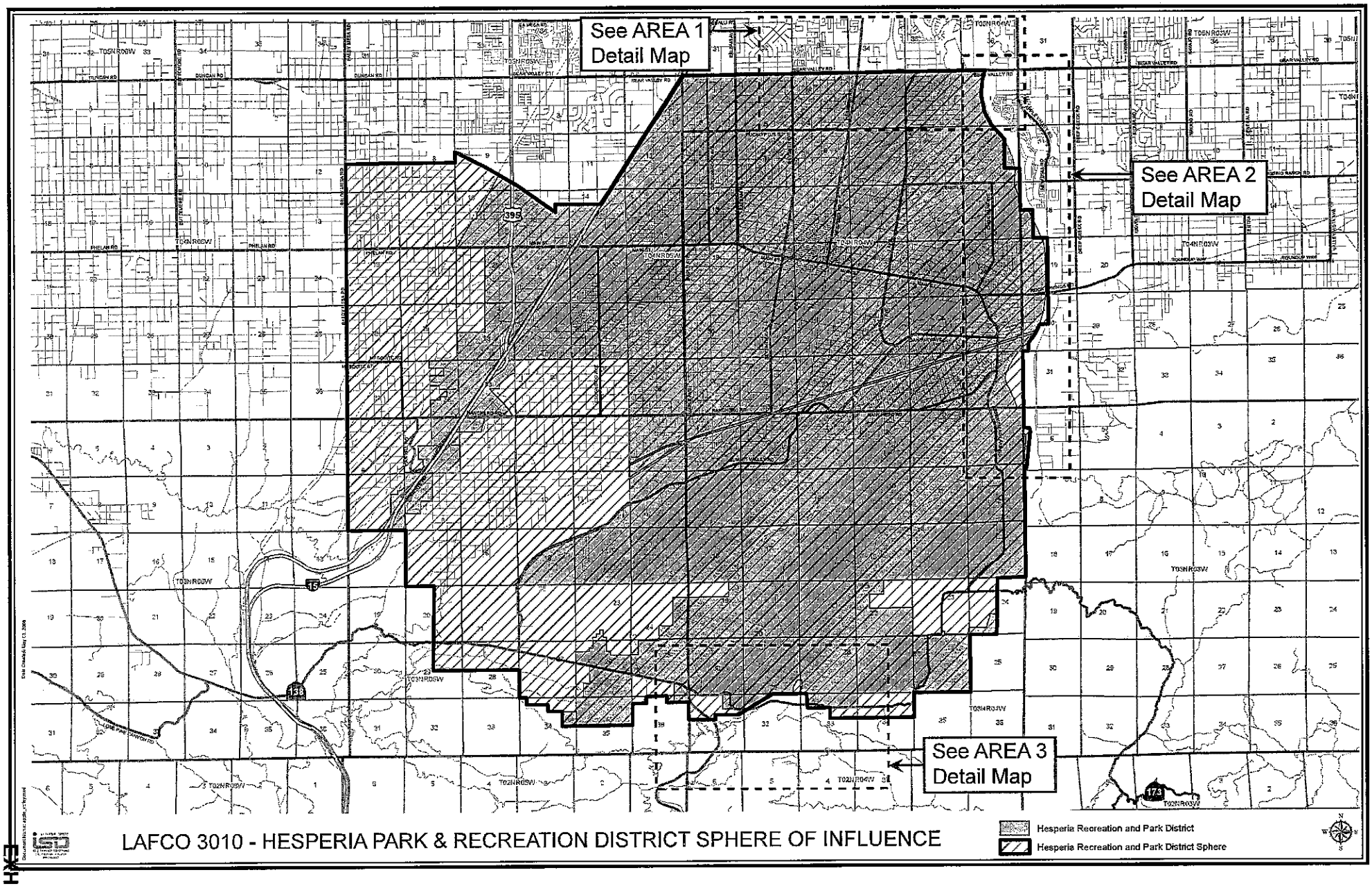
STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, 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 meeting of November 19, 2008.

DATED: November 20, 2008

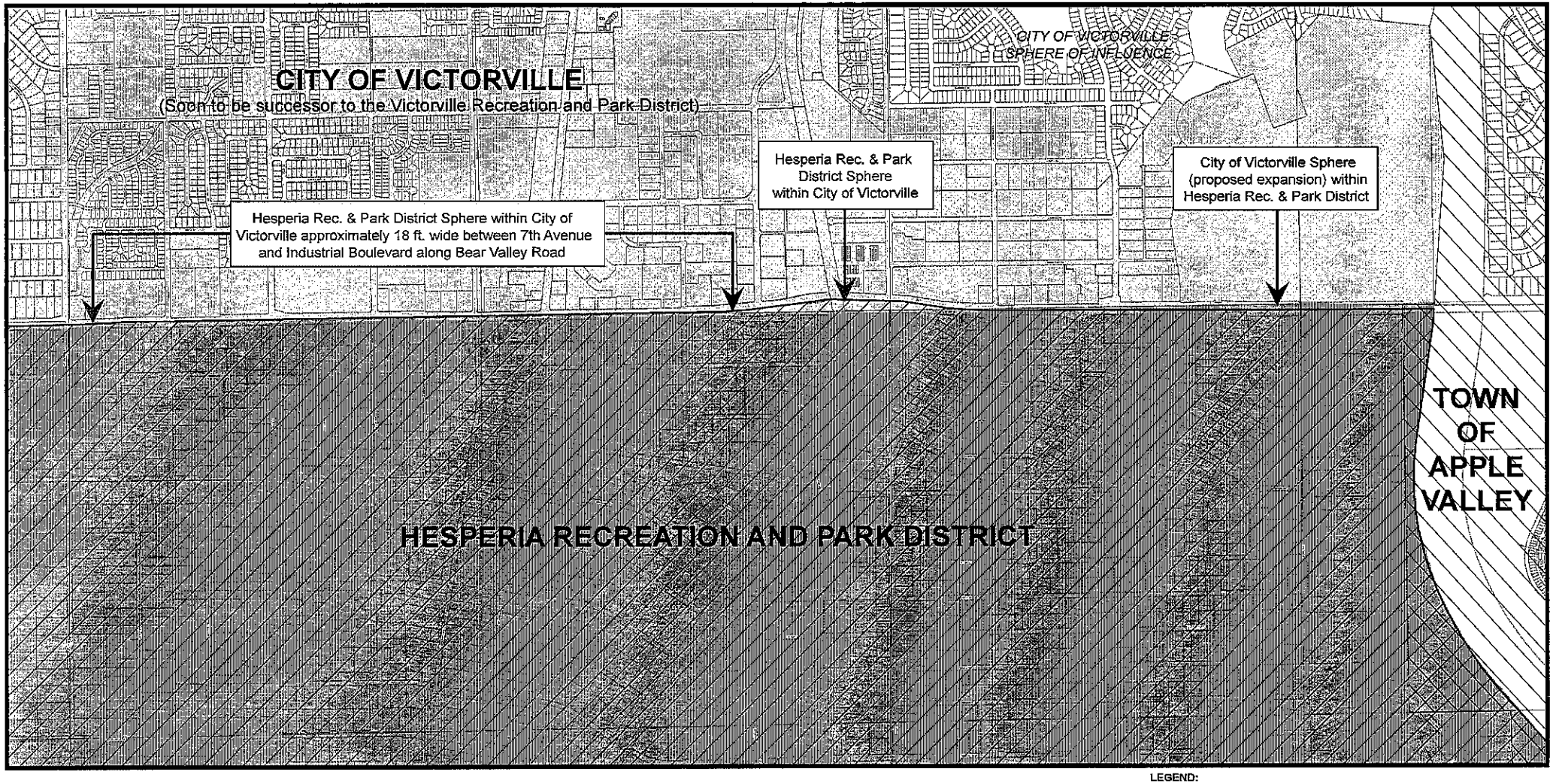
KATHLEEN ROLLINGS-McDONALD
Executive Officer



LAFCO 3010 - HESPERIA PARK & RECREATION DISTRICT SPHERE OF INFLUENCE

EXHIBIT A

EXHIBIT A



LAFCO 3010 - AREA 1 DETAIL MAP

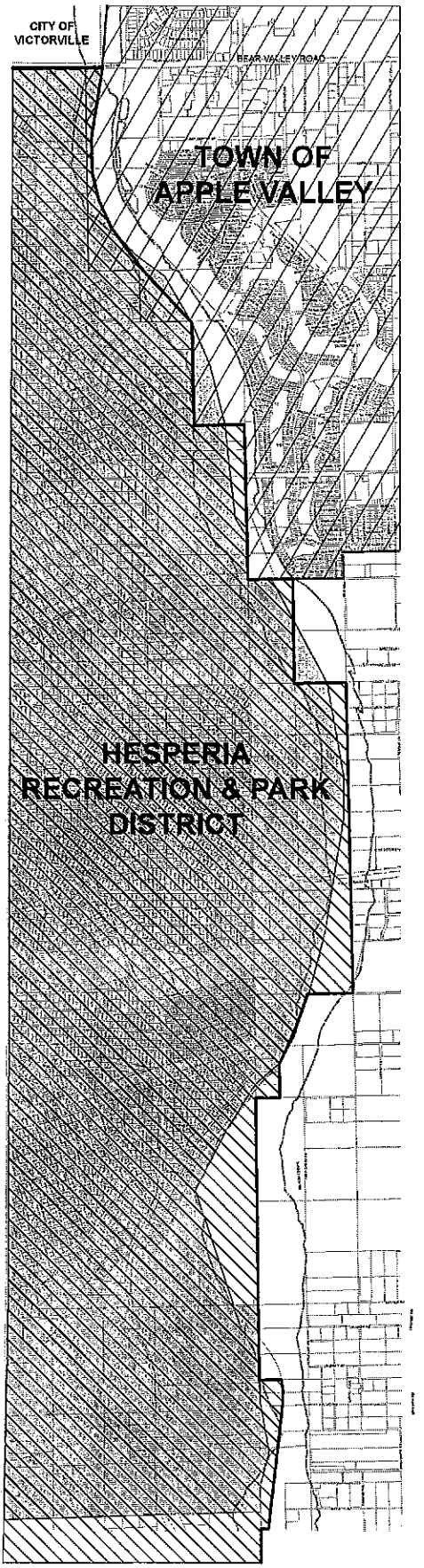
HESPERIA RECREATION AND PARK DISTRICT'S NORTHERN SPHERE OF INFLUENCE BOUNDARY

(Hesperia Rec. & Park District sphere designation is along the new centerline of Bear Valley Road)

LEGEND:
- Hesperia Rec. & Park District Sphere
- Hesperia Rec. & Park District
- City of Victorville
- Town of Apple Valley
- Section Lines

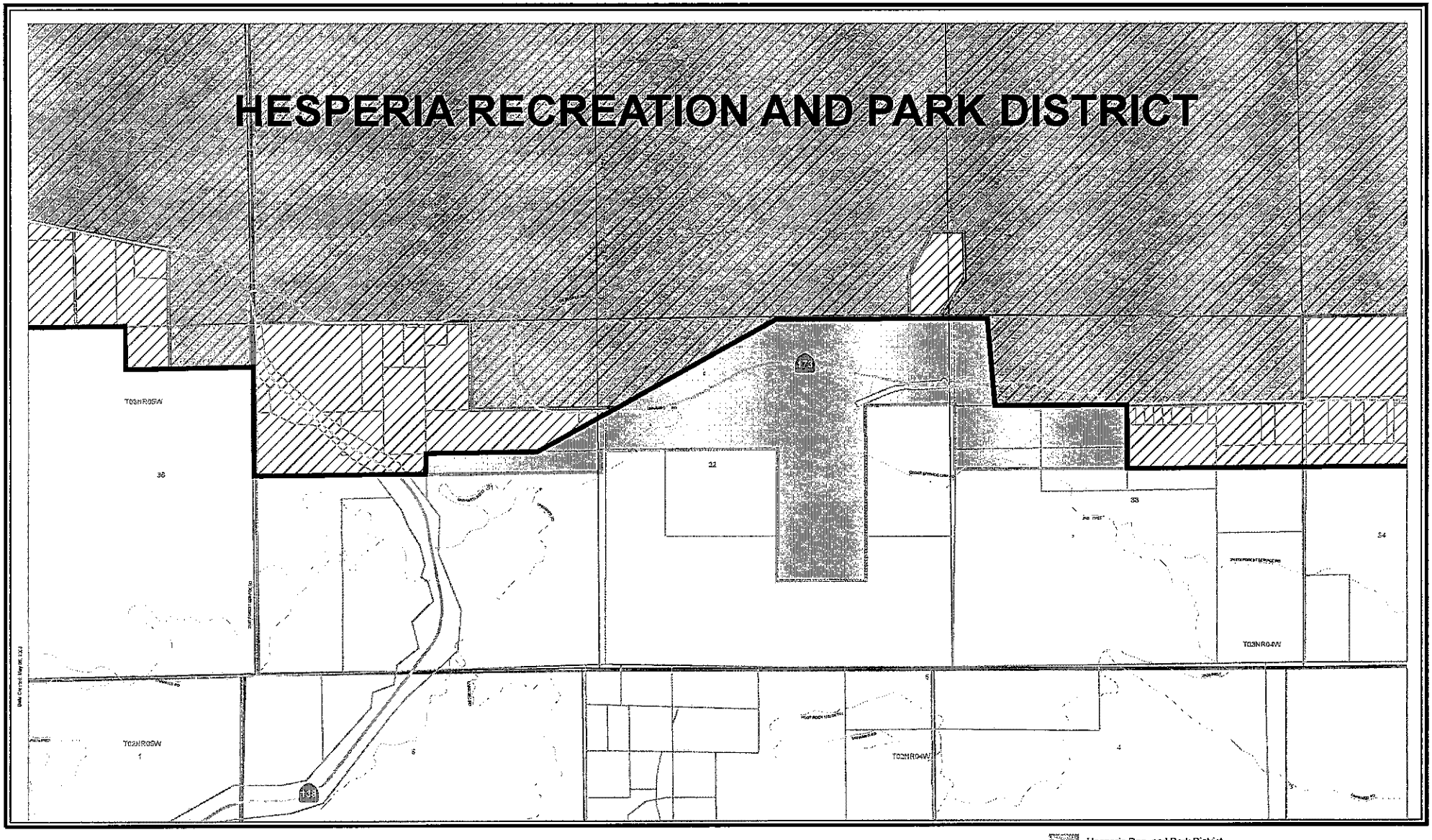
EXHIBIT A-1

EXHIBIT A-1



LAFCO 3010 - AREA 2 DETAIL MAP
HESPERIA RECREATION & PARK DISTRICT'S EASTERN SPHERE OF INFLUENCE BOUNDARY
(Hesperia RPD's sphere boundary is along parcel boundaries along the Mojave River)

LEGEND:
Hesperia RPD Sphere
Hesperia Rec. & Park District
Town of Apple Valley



LAFCO 3010 - AREA 3 DETAIL MAP

HESPERIA RECREATION AND PARK DISTRICT'S SOUTHERN SPHERE OF INFLUENCE BOUNDARY

(Hesperia Rec.and Park District's sphere boundary is along the existing boundary of the Mojave Water Agency)

Hesperia Rec. and Park District

Hesperia Rec. and Park District's Sphere

Sphere Area Removed (Area within the existing boundary of the Crestline-Lake Arrowhead Water Agency)

EXHIBIT A-3

EXHIBIT A-3