

# NOTICE OF PROTEST HEARING

## LAFCO 3244 – Reorganization to Include Annexation to the Town of Apple Valley and Detachment from County Service Area 70 (Annexation No. 2019-001)

### **WHY AM I RECEIVING THIS NOTICE?**

You are a registered voter, a landowner, or both, within the area for LAFCO 3244 and by law, you have the opportunity to protest this proposal that the Local Agency Formation Commission (“LAFCO”) approved on January 20, 2021. The proposed terms and conditions for the proposal are set forth in LAFCO Resolution No. 3326.

### **WHAT IS LAFCO 3244?**

LAFCO 3244 is a reorganization proposal initiated by the Town of Apple Valley (“Town”). The reorganization area includes annexation of approximately 1,424 acres to the Town and detachment from County Service Area 70. The reorganization area generally includes the remaining Town of Apple Valley unincorporated island located in the Town’s northwestern sphere of influence.

This Notice and all related documents (staff report, resolution, maps, etc.) are available on the LAFCO website at: [www.sbclafco.org/Proposals/ProposalsAvailable/SignificantProposals/LAFCO3244.aspx](http://www.sbclafco.org/Proposals/ProposalsAvailable/SignificantProposals/LAFCO3244.aspx)  
*If you have issues accessing information on the LAFCO website, please contact LAFCO at (909) 388-0480.*

### **WHAT WILL HAPPEN AT THE PROTEST HEARING AND WHAT ARE THE NEXT STEPS?**

The Executive Officer of LAFCO will conduct the Protest Hearing for LAFCO 3244, which will take place:

**Wednesday, March 31, 2021 at 6:00 p.m.**

Due to the Coronavirus (COVID-19) pandemic, the Protest Hearing will be conducted virtually by videoconference and teleconference in compliance with the Governor’s Executive Order N-29-20. The public may participate in the Protest Hearing by:

- Joining the virtual Protest Hearing on Zoom using the following link: <https://zoom.us/j/86465563647>
- Listening to the virtual Protest Hearing by calling **(669) 900-9128** and entering the Meeting ID: **86465563647#**

The public may provide oral objections:

- On the Zoom video conference via the web or the Zoom App, by clicking the ‘Raise Hand’ button.
- On Zoom via phone, by raising hand by pressing \*9.

### **WHO CAN FILE A PROTEST:**

Any registered voter or landowner within the proposal area may file a written protest using the official LAFCO Protest Form, usable for both landowners and registered voters. Registered voter protest must include the name of the voter, signature and address as they appear on the affidavit of voter registration. Landowner protest must include the name of landowner, the address of the land owned within the proposal area and/or the Assessor Parcel Number. Agents submitting protest on behalf of landowners must attach proper authorization. This may include written consent of the landowner, written consent from a trustee of property placed into a trust, signature authorization or majority shareholder consent of a corporation or LLC, or other suitable documentation. See Government Code sections 56704, 56708 and 56710 for more information.

## **WHERE TO GET A PROTEST FORM:**

If you wish to protest LAFCO 3244, you first need to obtain a Protest Form by:

- Downloading the form from the LAFCO website:  
[www.sbcounty.gov/uploads/lafco/protest/ProtestForm.pdf](http://www.sbcounty.gov/uploads/lafco/protest/ProtestForm.pdf)
- Calling the LAFCO office at (909) 388-0480 or emailing LAFCO at [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov) to have a form mailed to you. *You will need to provide your name and mailing address for delivery.*

## **HOW TO SUBMIT PROTEST:**

Because the Protest Hearing is being conducted virtually, written protests cannot be submitted or presented at the virtual hearing. Therefore, all protest must be made by filling out a Protest Form and submitted:

- In person at the LAFCO office located at **1170 West 3rd Street, Unit 150, San Bernardino, CA**, prior to the conclusion of the Protest Hearing on March 31, 2021.
- By mail addressed to LAFCO, **1170 West 3rd Street, Unit 150, San Bernardino, CA 92415-0490**. *If your mailed protest is postmarked by March 31, 2021 and received by LAFCO within three (3) business days of a March 31, 2021 postmark, we will process, verify, and count that protest.*

**The written protest must be signed and dated during the official protest period, which begins on March 1, 2021 and ends on March 31, 2021. Any protest without a date, bearing a date prior to March 1, 2021, received in-person after the conclusion of the Protest Hearing, or postmarked after March 31, 2021 and not received by LAFCO within three (3) business days of a March 31, 2021 postmark, shall be disregarded for purposes of determining the value of any written protests. Protest cannot be accepted by fax or email.**

## **HOW PROTEST IS EVALUATED:**

Within 30 days following the conclusion of the Protest Hearing, the Executive Officer will make a determination on whether LAFCO 3244 is terminated or approved, as follows:

- **Terminate** LAFCO 3244 if written protest is received from 50% or more of the registered voters within the reorganization area;
- **Call an election** if written protest is received from at least 25% but less than 50% of the registered voters or if at least 25% of the landowners—who own at least 25% of the total land value—submit written protest; or,
- **Approve** LAFCO 3244 without an election if written protest is submitted from less than 25% of the voters or less than 25% of the landowners—who own less than 25% of the total land value—within the reorganization area.

If you have any questions regarding this Notice, please contact the LAFCO office at (909) 388-0480 or by email at: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)

Dated: March 1, 2021

LOCAL AGENCY FORMATION COMMISSION  
SAMUEL MARTINEZ, Executive Officer

BY: ANGELA SCHELL, Clerk to the Commission