LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY

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www.sbclafco.org

DATE: **NOVEMBER 8, 2023**

FROM: **SAMUEL MARTINEZ, Executive Officer**
MICHAEL TUERPE, Assistant Executive Officer

TO: **LOCAL AGENCY FORMATION COMMISSION**

SUBJECT: **Agenda Item #8: LAFCO 3262 - Annexation to the Helendale Community Services District (Lower Eastern Sphere of Influence)**

INITIATED BY:

Resolution of the Helendale Community Services District

RECOMMENDATION:

Staff recommends that the Commission approve LAFCO 3262 by taking the following actions:

1. For environmental review, certify that LAFCO 3262 is exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days;

2. Approve LAFCO 3262, with the standard LAFCO terms and conditions that include the "hold harmless" clause for potential litigation costs by the applicant and the continuation of fees, charges, and/or assessments currently authorized by the annexing agency; and,

3. Adopt LAFCO Resolution #3387, setting forth the Commission's determinations and conditions of approval concerning this reorganization proposal.

BACKGROUND INFORMATION:

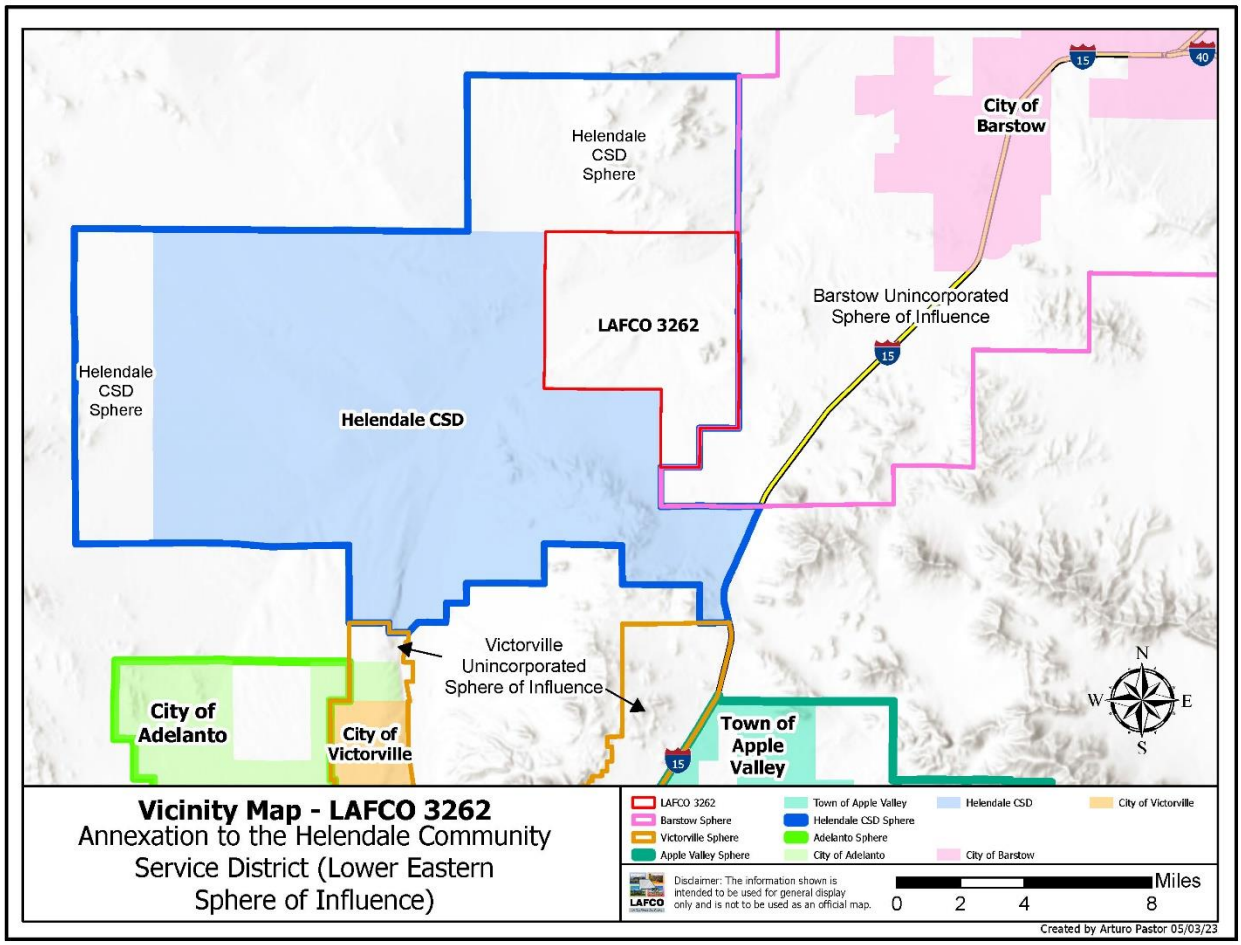
LAFCO 3262 is a proposal initiated by the Helendale Community Services District ("Helendale CSD" or "District") requesting annexation of its lower eastern Sphere of Influence. The District, in its application, identifies its primary justification for its annexation request is that significant growth is anticipated within the western Barstow sphere of influence associated with the Barstow International Gateway project proposed by the BNSF.

The proposed development will extend from Barstow in the northeast to Hinkley Road, north of the proposed Helendale CSD annexation area. The District's application states that by annexing this portion of its sphere of influence, the District can position itself to support the growth as well as eliminate confusion with the Helendale School District's boundary, and wishes to provide its full range of solid waste, and recycling programs and services to this rural residential area of the Helendale community.

LOCATION

The unincorporated community of Helendale/Silver Lakes is in the north desert region of San Bernardino County, generally north of the Victor Valley and southwest of City of Barstow. The proposed annexation area is in Helendale CSD's eastern sphere of influence, abutting the City of Barstow's unincorporated western sphere of influence. The area encompasses approximately 23 square miles.

Below is a vicinity map of the annexation area (outlined in red). Included as Attachment #1 to this report is the vicinity map and official annexation map.



Vicinity Map

AREAS OF CONSIDERATION

This report will provide the Commission with the information related to the four major areas of consideration required for a jurisdictional change: (1) boundaries, (2) land use, (3) service issues and effects on other local governments, and (4) environmental considerations.

1. BOUNDARIES:

The annexation area is generally bordered by: a combination of section lines and Chester Road to the north; a combination of section lines and Lone Start Road along the District and the City of Barstow's adjoining sphere of influence boundaries to the east; a combination of section lines, Panamint Trail, the natural extension of Palomino Road, Frontier Road, and Bonanza Trail along the District and the City of Barstow's adjoining sphere of influence boundaries as well as the District's actual boundary to the south; and a combination of section lines and Ranchito Road along the District's boundary to the west.

As shown on the map above, the spheres of influence of the City of Barstow and Helendale CSD currently abut, creating a clear delineation between the two defined communities. The annexation area abuts the District's current boundaries to the west and south and the City of Barstow's unincorporated sphere of influence to the east and south creating a logical easterly extension for the District.

Moreover, in the initial formation of the Helendale CSD, an area within the Helendale School District boundaries was excluded from the District's formation boundaries due to the existence of Williamson Act contracts (agricultural uses). This exclusion has created confusion for rural residents in the area. While some of the area's residents attend Helendale schools, their trash service is not through the Helendale CSD, whose augmented solid waste and recycling services are not available to them. Annexation would allow for clear and defined boundaries for service delivery for the entire community.

Therefore, LAFCO staff's position is that this annexation proposal provides for a logical boundary for service delivery.

2. LAND USE:

A. Designations and Use

The County's current land use designations for the annexation area are: RC (Resource Conservation); RL (Rural Living); RC-AP (Resource Conservation-Agricultural Preserve); AG (Agriculture), and FL (Floodway).

Most of the annexation area is vacant lands. There is scattered rural residential development, roughly 140 residential properties, within the core of the annexation area -- generally along the Mojave River. There is one dairy operation, Dutch Dairy, and some scattered agricultural uses associated with homes in the area.

B. Agriculture, Open Space, and Mineral Resource Zones

An additional consideration for LAFCO is the issue of agricultural and open space lands. Within the proposed annexation are areas of Williamson Act contract lands and mineral resource zones which require that LAFCO address this issue.

The Agricultural Preserve designations within the area affect the ability for the extension of urban type service. There are five active Williamson Act contracts within the proposed annexation; however, the agricultural operations within four of Williamson Act Contracts have ceased. This occurred following the demolition of all improvements on the properties by permit issued in 2014.

Mineral resources zones within the area are on private land whose land use concerns would be addressed by the County whenever future development is proposed for the area.

3. SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:

The application includes a plan for the extension of services for the annexation area as required by law and Commission policy (included as part of Attachment #2 to this report). The Plan for Service includes a Fiscal Impact Analysis that shows that the annexation proposal will have a positive financial effect for the District. As required by Commission policy and State law, the Plan for Service shows that the extension of the District's services will maintain, and/or exceed, current service levels provided through the County and can be sustained for the foreseeable future. In general, the District's Plan for Service includes the following:

A. Helendale CSD

LAFCO authorizes the District to provide the following functions: water, sewer, streetlighting, refuse collection (solid waste), parks and recreation, and graffiti abatement.

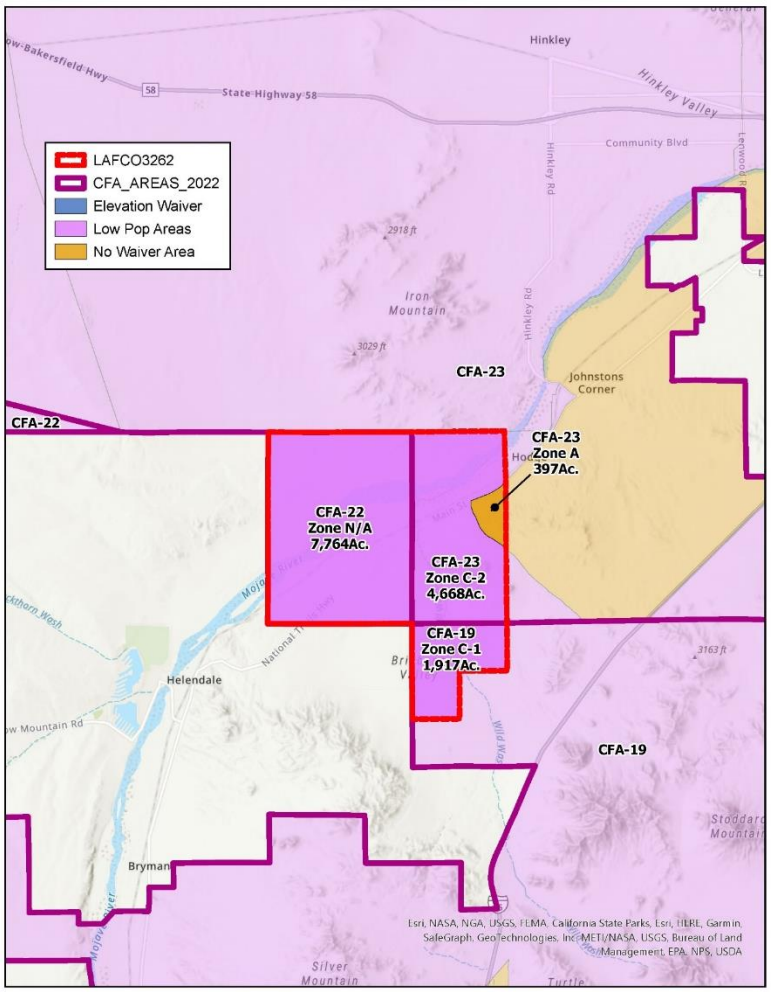
Helendale CSD will be authorized to provide its range of services to the area upon annexation. However, the annexation of the territory to the District is proposed for the extension of: (1) solid waste and recycling services to developed properties, (2) park and recreation programs and services for the residents of the area, and (3) graffiti abatement. The District would extend its additional range of services (water, sewer, and streetlighting) when requested by property owners pursuing development which necessitates these services. This would include the development of the necessary infrastructure and addressing the issues of water availability within the Centro Subarea of the Mojave Basin adjudication. Streetlighting is not anticipated to be extended to the annexing area under the provisions of the San Bernardino County Dark Sky's ordinance.

Solid Waste

The District will assume responsibility for solid waste collection services for the annexation area from the County's Solid Waste Division of its Public Works Department. Upon annexation, the District would assume the existing contract with the County's franchisee, Burrtec. As outlined in the land use discussion above, the area is primarily vacant with scattered rural residential development. There is no mandatory requirement for residential trash pick-up by the County within this area.

For AB 1383 compliance, State approved the District to operate a food waste drop off site in compliance with the new organic materials disposal. The annexation area will be included in these programs upon annexation. In addition, the District offers enhanced services for the community though a bulk item pick up program and a recycling center which includes recycling for electronic waste, green waste, metal, and mattresses.

As for County Solid Waste, this proposal reduces the following County Franchise Areas (CFA) as shown below. The remainder of CFAs would continue to exist and operate through its contract with Burrtec.



Another aspect of Solid Waste will be the transfer of the existing special tax of the County Land Use Solid Waste of $85.14 per parcel (actual receipts would be $84.89 [subtracting the 25 cent per parcel administrative charge]). This will include the administration of the "dump card program".

B. Other Local Governments

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area and the level and range of services currently provided. The following services and agencies will have no change in service provision or jurisdiction following annexation:

Service	Agency
General Government	County of San Bernardino
Law Enforcement	County Sheriff
Animal Control	San Bernardino County Animal Care
Fire Protection & Emergency Medical	San Bernardino County Fire Protection District, its North Desert Service Zone, and its Service Zone FP-5
Ambulance	Desert Ambulance, assigned to
Flood Control and Drainage	SB County Flood Control District
Health and Welfare	SB County Dept. of Public Health
Library	SB County Library
Schools	various
Transportation	SB County Dept of Public Works
Utilities (electricity, gas, cable)	SoCal Edison (private)
Regional Parks	SB County Regional Parks Department
Resource Conservation	Mojave Desert Resource Conservation District
Wholesale Water	Mojave Water Agency

C. Fiscal Impact Analysis

The Plan for Service includes a Fiscal Impact Analysis that shows that the annexation proposal will have a positive financial effect for the District. However, there are no detaching agencies in this annexation; therefore, no share of the ad valorem property taxes will transfer to the District.

4. ENVIRONMENTAL:

As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson from Tom Dodson and Associates, has indicated that the review of LAFCO 3262 is exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the annexation to the District—and the extension of its services that simply replaces existing services already available in the area—has no potential to cause a significant adverse impacts on the environment. Therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA

Guidelines, Section 15061(b)(3). Staff recommends that the Commission adopt the "Common Sense" Exemption for this proposal. A copy of Mr. Dodson's analysis is included as Attachment #3 to this report.

CONCLUSION:

LAFCO staff's position is that this annexation proposal provides for a logical service-delivery boundary. The Plan for Service includes a Fiscal Impact Analysis showing that the annexation proposal will have a positive financial effect for the District. As required by Commission policy and State law, the Plan for Service shows that the extension of the District's services will maintain, and/or exceed, current service levels provided from the County and can be sustained for the foreseeable future. The existing land uses and land use designations for the project area will not be modified by the extension of these services and San Bernardino County will remain the jurisdiction with control over future land uses within LAFCO 3262.

For these reasons, and those outlined throughout the staff report, staff supports the approval of LAFCO 3262.

DETERMINATIONS:

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal:

1. The County Registrar of Voters Office has determined that the reorganization area is legally inhabited, containing 178 registered voters as of July 5, 2023, as certified by the County Registrar of Voters' Office.

2. The reorganization area is within the sphere of influence assigned the Helendale Community Services District.

3. The assessed value of land and improvements within the annexation area on the secured assessment roll is broken down as follows:

Land:	$ 25,030,367
Improvements:	$ 16,040,470
Total:	$ 41,070,837

4. Legal notice of the Commission's consideration of the proposal has been provided through publication of a 1/8th page legal advertisement in *The Daily Press*, a newspaper of general circulation in the area. In addition, individual notices were provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notification. Comments from affected and interested agencies have been considered by the Commission in making its determination.

5. The County's current land use designations for the annexation area are: RC (Resource Conservation; RL (Rural Living); RC-AP (Resource Conservation-

Agricultural Preserve); AG (Agriculture), and FL (Floodway). This annexation has no direct impact on said land use designations.

6. The Southern California Associated Governments (SCAG) has adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3262 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.

7. The Commission's Environmental Consultant, Tom Dodson and Associates, has recommended that this proposal is exempt from environmental review based on the finding that the Commission's approval of the annexation has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). Mr. Dodson recommends that the Commission adopt the Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days.

8. The local agencies currently serving the area are:
   - County of San Bernardino
   - San Bernardino County Fire Protection District (SBCFPD) and its North Desert Service Zone
   - Mojave Desert Resource Conservation District
   - Mojave Water Agency
   - Barstow Cemetery District
   - County Service Area 60 (Apple Valley Airport)
   - County Service Area 70 (multi-function unincorporated area Countywide)

   None of the local agencies are affected by this annexation as they are either regional in nature or identified for other services to a specific area.

9. A plan was prepared for the extension of services to the annexation area, as required by law. The Plan for Service indicates that the Helendale Community Services District can maintain and/or improve the level and range of services currently available in the area.

   The current annual refuse disposal fee for developed parcels will transfer from the County (shown on the property tax bill as County Land Use-SWMD) to the Helendale Community Services District (Helendale-Refuse Land Use) upon completion of the annexation proposal.

   The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

10. The annexation area can benefit from the availability and extension of municipal services from the Helendale Community Services District.

11. This proposal will not affect the fair share allocation of the regional housing needs assigned to the County of San Bernardino through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process.

12. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the following demographic and income profile was generated using ESRI's Business Analyst within the current Helendale Community Services District territory and within the annexation area:

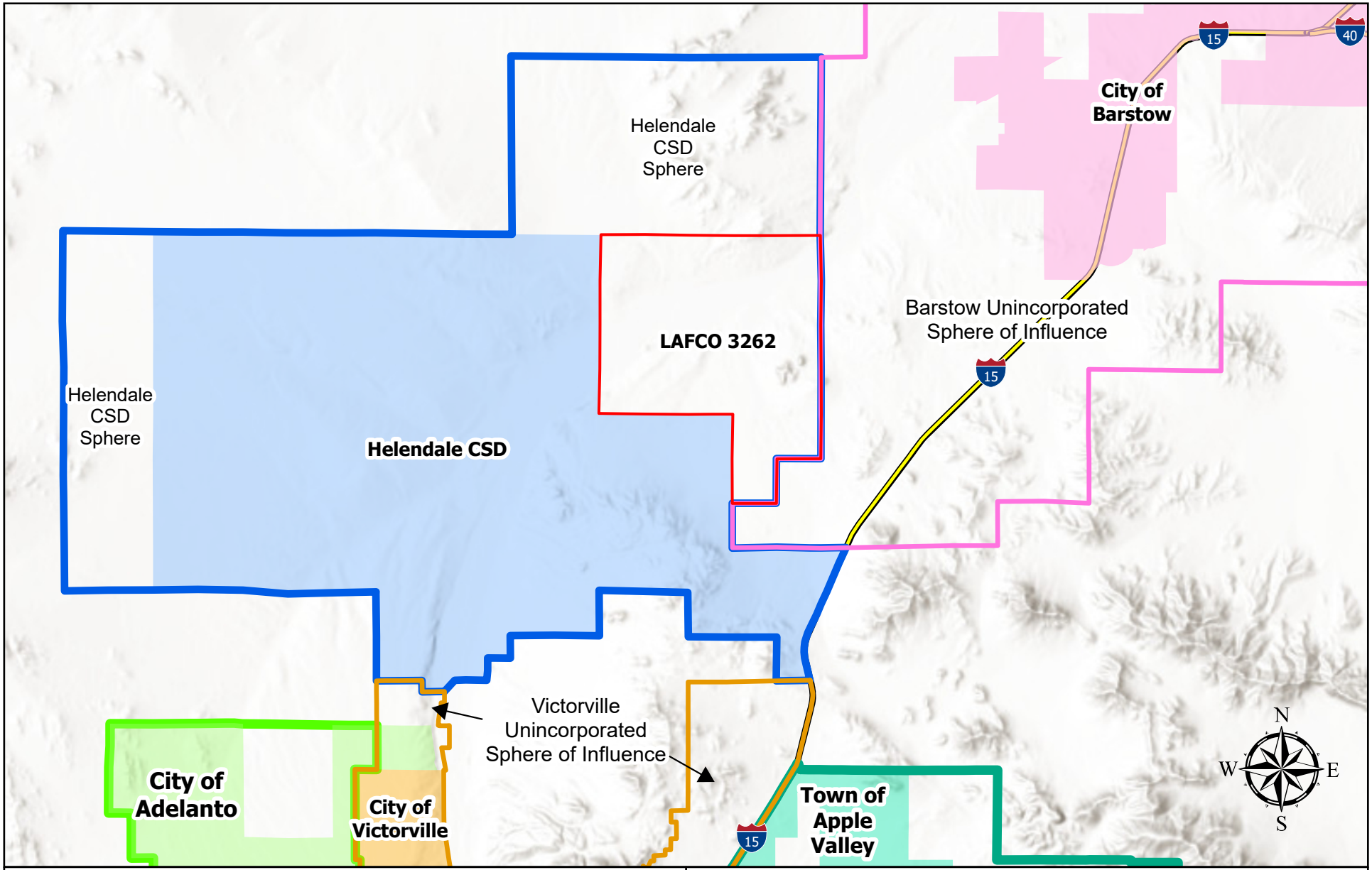
Demographic and Income Comparison	**Helendale CSD**	**Annexation Area**
Race		
• White Alone	47.4%	60.9%
• African American Alone	3.0%	6.8%
• American Indian Alone	3.2%	1.2%
• Asian Alone	1.1%	4.8%
• Pacific Islander Alone	0.0%	0.4%
• Some Other Race Alone	31.0%	12.2%
• Two or More Races	14.3%	13.8%
Ethnicity		
• Hispanic Origin (Any Race)	54.3%	30.5%
Median Household Income	$64,489	$98,068

13. The County of San Bernardino adopted a resolution determining there will be a zero property tax transfer as a result of the reorganization. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.

14. The map and legal description are in substantial compliance with LAFCO and State standards.

Attachments:

1. Vicinity Map and Official Map
2. Application and Plan for Service including Fiscal Impact Analysis
3. Environmental Recommendation
4. Draft Resolution No. 3387



Vicinity Map - LAFCO 3262

Annexation to the Helendale Community Service District (Lower Eastern Sphere of Influence)

LAFCO 3262
Barstow Sphere
Victorville Sphere
Apple Valley Sphere
Town of Apple Valley
Helendale CSD Sphere
Adelanto Sphere
City of Adelanto
Helendale CSD
City of Barstow
City of Victorville

LAFCO

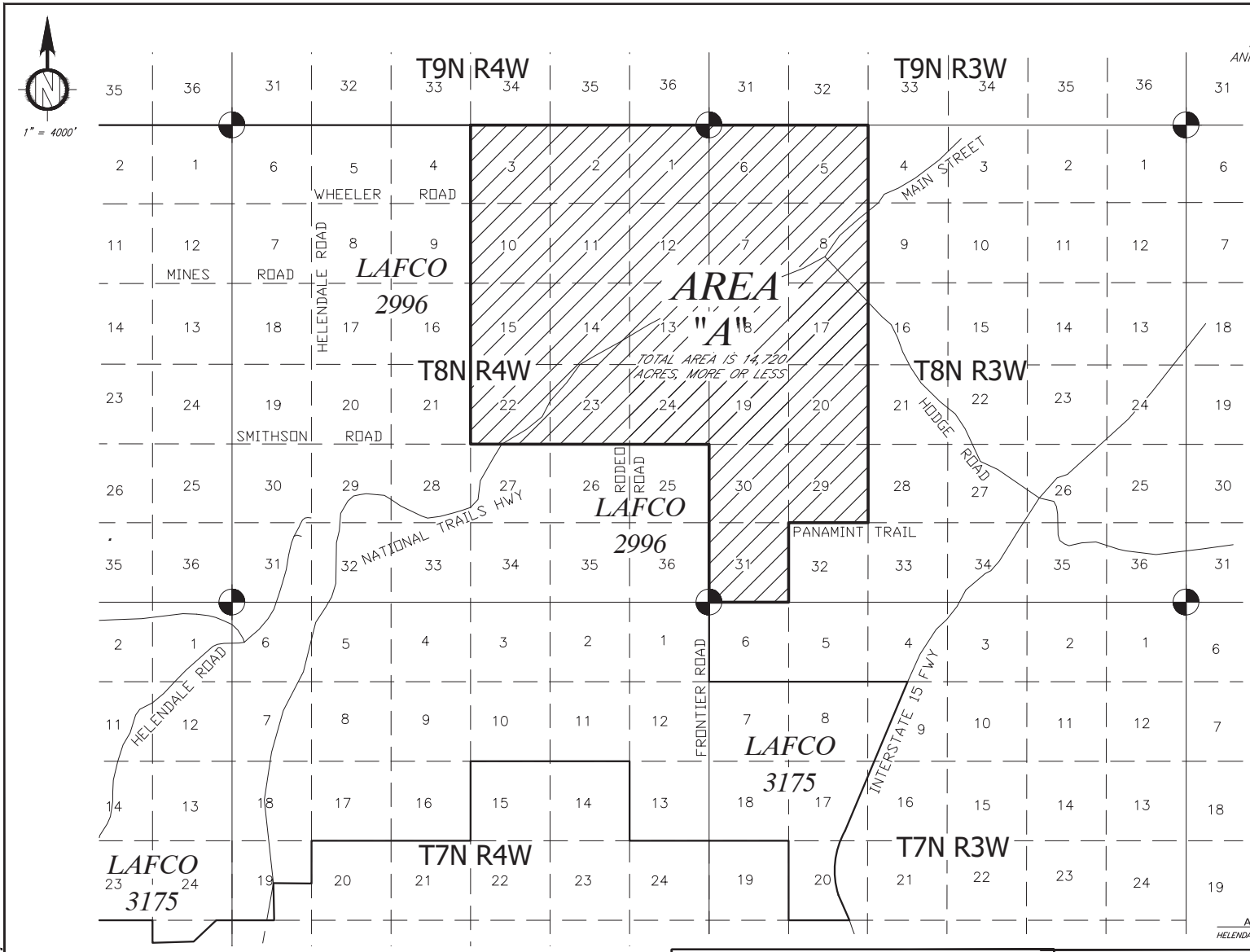
Disclaimer: The information shown is intended to be used for general display only and is not to be used as an official map.

Miles
0 2 4 8

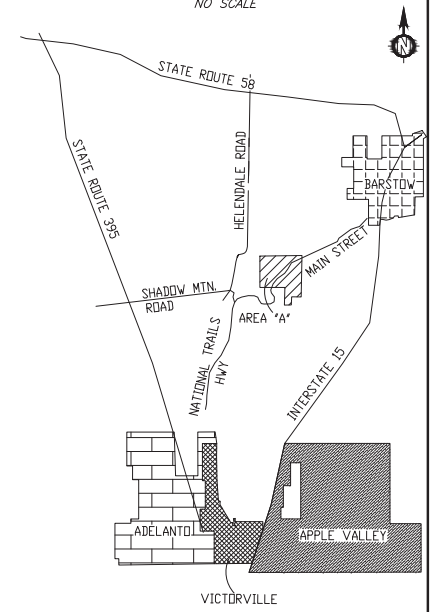
Created by Arturo Pastor 05/03/23

LAFCO # 3262

ANNEXATIONS TO THE HELENDALE COMMUNITY SERVICES DISTRICT



VICINITY MAP
NO SCALE



NOTES:

- INDICATES THE PROPOSED BOUNDARY
- AREA: AREA "A" CONTAINS 23 SQUARE MILES OR 14,720 ACRES, MORE OR LESS
- INDICATES TOWNSHIP CORNER
- INDICATES BARSTOW CITY LIMITS
- INDICATES APPLE VALLEY CITY LIMITS
- INDICATES VICTORVILLE CITY LIMITS
- INDICATES ADELANTO CITY LIMITS

AFFECTED AGENCIES:

HELENDALE COMMUNITY SERVICES DISTRICT

SURVEYOR'S STATEMENT

THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION IN FEBRUARY 2023 AT THE REQUEST OF THE SAN BERNARDINO COUNTY SURVEYOR'S OFFICE

February 3, 2023
DATE

MATTHEW CHRISTIAN EHE, PLS 9410
DEPUTY COUNTY SURVEYOR

PROFESSIONAL LAND SURVEYOR MATTHEW CHRISTIAN EHE No. 9410 STATE OF CALIFORNIA

SAN BERNARDINO COUNTY SURVEYOR
825 E. THIRD STREET, SAN BERNARDINO, CA 92415-0835

DRAWN BY	APPROVED BY	REVISION NO.	HELENDALE COMMUNITY SERVICES DISTRICT
MCE	MCE	2	

THOMAS P. HERRIN
COUNTY SURVEYOR
SAN BERNARDINO COUNTY

AREA A: CONTAINING 14,720 ACRES MORE OR LESS.
TOTAL COMPUTED ACREAGE EQUALING 14,720 ACRES, MORE OR LESS.

JOB/FILE NO.: JLXXXXX LFO

LOCATED: AREA A: PROXIMATE TO NATIONAL TRAILS HWY AND MAIN STREET.

LAFCO 3262 – ANNEXATION TO THE HELENDALE COMMUNITY SERVICE DISTRICT
(LOWER EASTERN SPHERE OF IFNLUENCE)

LEGAL DESCRIPTION

ALL THOSE PORTIONS LOCATED IN TOWNSHIP 8 NORTH, RANGE 3 WEST AND TOWNSHIP 8 NORTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN (S.B.M.), IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

AREA A: SECTIONS 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24 TOWNSHIP 8 NORTH, RANGE 4 WEST
SECTIONS 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 TOWNSHIP 8 NORTH RANGE 3 WEST;

SHEET 1 OF 1

SCALE 1" = 4000'

DRAWING NO. JLXXXXXLFO2023.DWG

(FOR LAFCO USE ONLY)

SAN BERNARDINO LAFCO
APPLICATION AND PRELIMINARY
ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL: Annexation to the Helendale Community Services District

2. NAME OF APPLICANT: Board of Directors, Helendale Community Services District

APPLICANT TYPE: ☐ Landowner ■ Local Agency

☐ Registered Voter ☐ Other_____

MAILING ADDRESS:

P. O. Box 359, Helendale CA. 92342

PHONE: (760) 951-0006 _____

FAX: (760)951-0046_____

E-MAIL ADDRESS: kcox@helendalecsd.org_____

3. GENERAL LOCATION OF PROPOSAL:

The proposed annexation encompasses 14,720 acres (23 square miles) within its eastern sphere of influence. The area is generally easterly of Ranchito Road (the Helendale CSD boundary), southerly of the natural extension of Wheeler Road, west of the Barstow sphere of influence which includes the community of Hodge, and northerly of Section lines and the existing Helendale CSD boundary.

4. Does the application possess 100% written consent of each landowner in the subject territory?

YES ☐ NO ■ If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested:

Significant growth is anticipated within the western Barstow sphere of influence associated with the Barstow International Gateway project proposed by the BNSF. The district is supportive of the development; however, it wishes to have a voice in support of the project, wishes to eliminate confusion with the Helendale School District boundary, and wishes to provide its full range of solid waste, and recycling programs and services to this rural residential area.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area of subject territory (defined in acres):

   The annexation area is 14,720 acres (23 square miles)

2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)

   There are an estimated 97 residential dwelling units in the area which are single family residential units.

3. Approximate current population within area:

   The estimated population is 175 (there are 175 registered voters within the area as of February 2023)

4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):

   Not applicable

   San Bernardino County General Plan designation(s) and uses permitted by this designation(s):

   Rural Living (RL-5) 1 unit to five acres; Rural Living (RL) range of units from 1 to five acres to 1 unit per 30 acres; Resource Conservation 1 unit to 40 acres; Agriculture/Agriculture Preserve allows for farming, dairy operations, and associated housing for the agricultural operation; Floodway

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:

   The Agricultural Preserve designations within the area affect the ability for the extension of urban type service. There are five active Williamson Act contracts within the proposed annexation; however, the agricultural operations within 4 of Williamson Act Contract has ceased. This occurred following the demolition of all improvements on the properties by permit issued in 2014. Mineral resources zones within the area are on private land whose land use concerns would be addressed by the County whenever future development is proposed for the area.

6. Indicate the existing use of the subject territory.

   The majority of the annexation area is vacant lands. There is scatter rural residential development within the core of the annexation generally along the Mojave River. There is one dairy operation, Dutch Dairy, currently within the area southerly of Wild Road and some scatter agricultural uses associated with homes in the area.

   What is the proposed land use?

   There will be no change in land use authority or land use designation resulting from this annexation.

7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☐ NO ☐ If YES, please explain.

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

■ Agricultural Land Uses ■ Agricultural Preserve Designation

■ Williamson Act Contract ☐ Area where Special Permits are Required

☐ Any other unusual features of the area or permits required: _____

There are currently five active Williamson Act Contracts within the annexation area, with none having an active agricultural operation. Four of the contract areas have ceased operation related to environmental concerns and demolished all buildings associated with the dairy and poultry businesses through permits issued in 2014.

9. Provide a narrative response to the following factor of consideration as identified in §56668(p): *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The annexation of the territory to the Helendale Community Services District is proposed for the extension of Solid Waste and Recycling services to developed properties and the extension of park and recreation programs and services for the residents of the area. These service extensions will not negatively impact any persons or cultures. The district will extend its additional range of services (water, sewer, and streetlighting) when requested by property owners pursuing development which necessitates these services. The district monitors and plans for the service needs within its boundaries to assure that all segments of the population are fairly served.

ENVIRONMENTAL INFORMATION

1. Provide general description of topography.

The annexation area is located along the Mojave River as it travels in a northeastely direction toward the City of Barstow. The area is generally flat with some minor hills and rocks with sandy soils. The natural drainage in the area is from the north and south toward the Mojave River which traverses the central portion of the annexation.

2. Describe any existing improvements on the subject territory as % of total area.

Residential	25%	Agricultural	1%
Commercial	2%	Vacant	70%
Industrial	0%	Other	2(Railroad)%

3. Describe the surrounding land uses:

NORTH	Vacant with some scatter rural residential uses. A number of government owned lands occur in the area.
EAST	The community of Hodge (a rural residential area) and vacant lands within the Barstow sphere of influence
SOUTH	Primarily vacant lands southerly to Interstate 15
WEST	Scattered residential and further to the west along Helendale Road the community of Silver Lakes

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

None

5. Will service extensions accomplished by this proposal induce growth on this site? YES☐ NO ■

Adjacent sites? YES ☐ NO ■ Unincorporated ■ Incorporated ☐

The extension of solid waste and recycling and park and recreation services will not induce growth within the annexation area.

6. Are there any existing out-of-agency service contracts/agreements within the area? YES☐ NO ■. If YES, please identify.

There are no existing out-of-agency service contracts within the area through the Helendale Community Services District.

7. Is this proposal a part of a larger project or series of projects? YES ☐ NO ■ If YES, please explain.

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME : Dr. Kimberly Cox, General Manager TELEPHONE NO. (760) 951-0006

ADDRESS: P. O. Box 359, Helendale CA 92342

NAME: Kathleen Rollings-McDonald TELEPHONE NO. (909) 801-9568

ADDRESS: 1635 Henrietta Street, Redlands, Ca 92373

NAME _____ TELEPHONE NO. _____

ADDRESS:

_____

(FOR LAFCO USE ONLY)

CERTIFICATION

As a part of this application, the Helendale Community Services District, agrees to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release 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, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest 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 and in the attached supplements and exhibits present the data and information required for this initial evaluation 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 4/21/23

SIGNATURE

Dr. Kimberly Cox
Printed Name of Applicant or Real Property in Interest
(Landowner/Registered Voter of the Application Subject Property)

General Manager
Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

☐ ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT SPHERE OF INFLUENCE CHANGE SUPPLEMENT

☐ CITY INCORPORATION SUPPLEMENT

☐ FORMATION OF A SPECIAL DISTRICT SUPPLEMENT

☐ ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL

☐ DISTRICTS SUPPLEMENT

KRM-Rev. 8/19/2015

(FOR LAFCO USE ONLY)

SUPPLEMENT
ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

INTRODUCTION: The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO	DETACHED FROM
Helendale Community Services District	None

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

   a. Has pre-zoning been completed? YES ☐ NO ☒

   b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☒

   Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

   Not applicable

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

   YES ☐ NO ☐ If YES, please provide a written justification for the proposed boundary configuration.

   Not applicable

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

   No

5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

   No

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

While there are existing Williamson Act Contracts within the annexation area there will be no impact on their future. This is not an annexation to a City.

7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

The annexation will change the provider of Solid Waste and Recycling from the County to the District; and provide for park and recreation services not previously provided. As such the annexation will not assist the County of San Bernardino in meeting its regional housing needs.

8. **PLAN FOR SERVICES: SEE ATTACHED DOCUMENT**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

A. A description of the level and range of each service to be provided to the affected territory.

B. An indication of when the service can be feasibly extended to the affected territory.

C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.

D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.

E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.

F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

(FOR LAFCO USE ONLY)

CERTIFICATION

As a part of this application, the Helendale Community Services District agrees to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release 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, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the Helendale Community Services District may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIIIC and XIIID of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form 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 4-21-2023

SIGNATURE

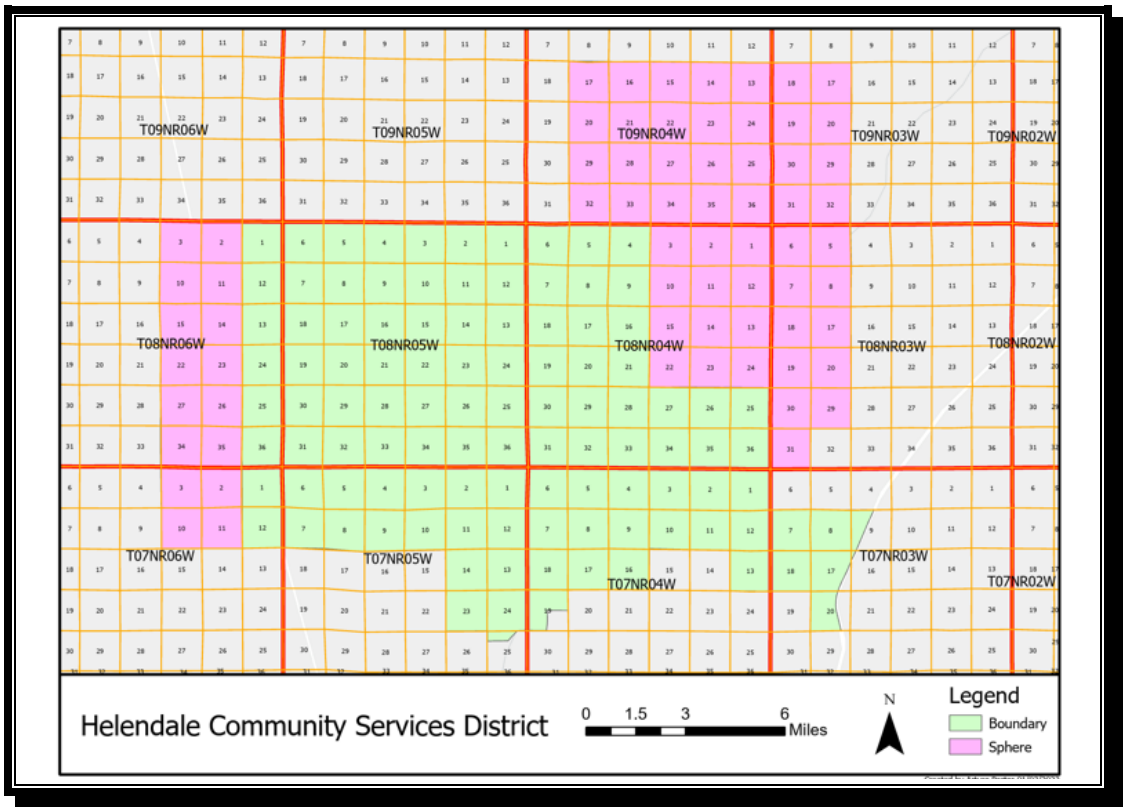
DR. KIMBERLY COX
Printed Name of Applicant

GENERAL MANAGER
Title and Affiliation (if applicable)

/REVISED: krm – 8/19/2015

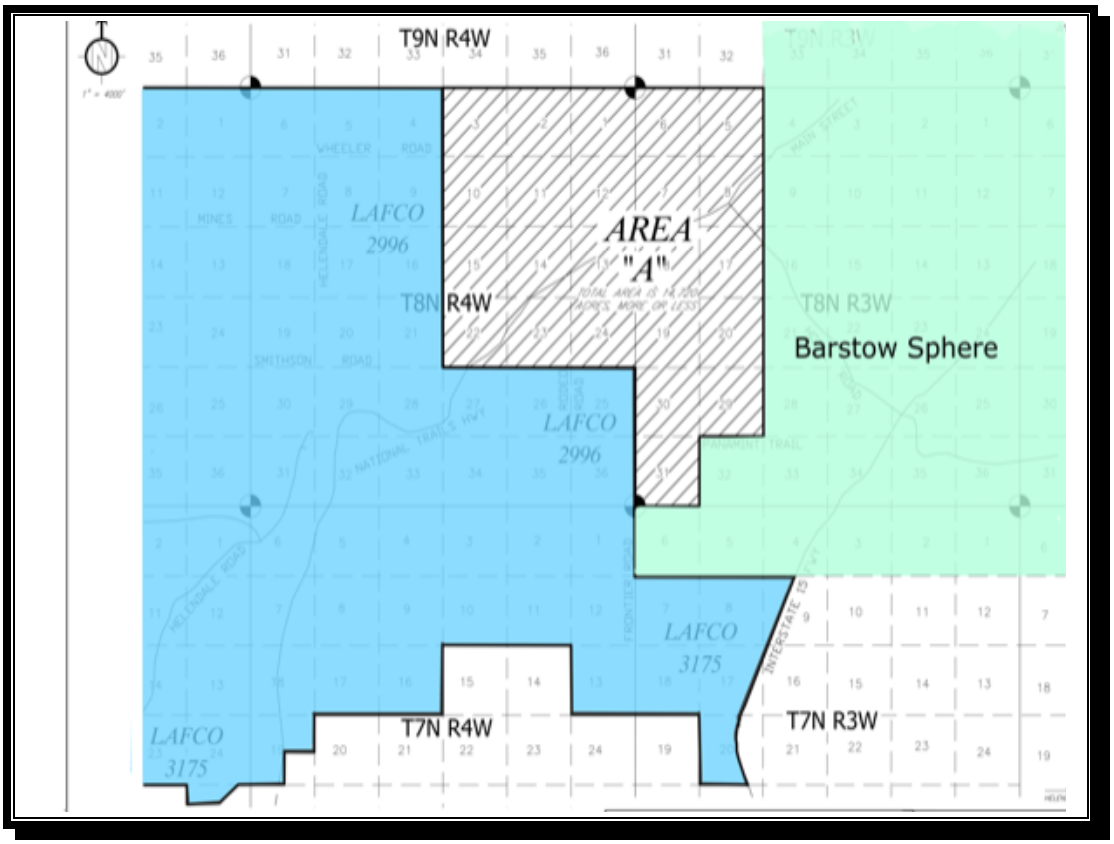
PLAN FOR SERVICE AND FISCAL IMPACT ANALYSIS ANNEXATION TO THE HELENDALE COMMUNITY SERVICES DISTRICT OF ITS EASTERN SPHERE OF INFLUENCE

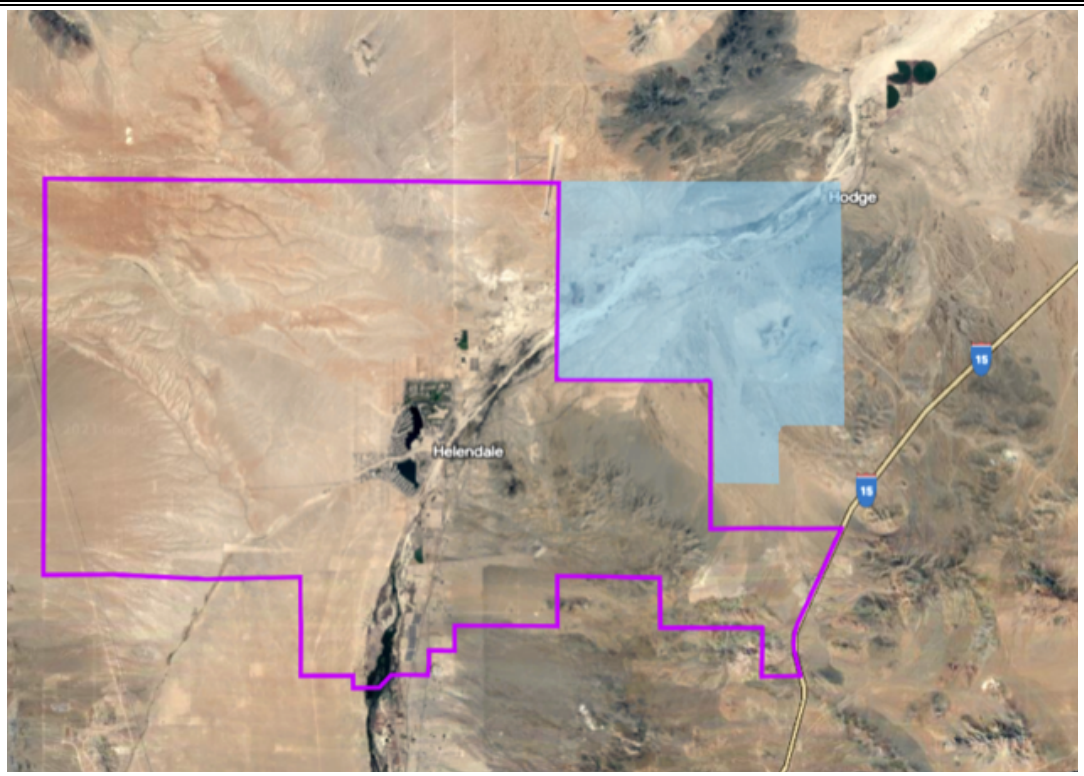
The Helendale Community Services District (hereafter shown as CSD) was formed on December 8, 2006, to provide the community with local control of its services within its 90 square miles: water, sewer, solid waste, park and recreation, streetlighting and graffiti abatement. In addition, it was intended to separate the area for preservation for a potential future city should the residents choose to move down that path at some point in the future. Since its formation, the district has been expanded to the south and west to include an additional 7,762 acres clearly defining the community of Helendale separate from the community of Oro Grande, or the cities of Victorville and Adelanto to the south. A map of the CSD's boundaries is shown below.



The district is now proposing the annexation of an additional 14,720 acres (23 square miles) within its eastern sphere of influence to separate the community of Helendale from the territory assigned to the City of Barstow sphere of influence. This area is bisected by National Trails Highway (Route 66) in north south direction. The maps

which follow outline the annexation area and the topographic map of the area proposed for annexation showing its relationship to the CSD:





Significant development is anticipated to the east of the annexation boundary within the City of Barstow Sphere of Influence. This development, known as Barstow International Gateway, anticipates the construction of a new state-of-the-art master planned integrated rail facility. This facility is proposed on 4,500 acres in the western Barstow sphere of influence and is anticipated to include a rail yard, intermodal facility, and warehouses for the transition of international containers from the ports of Los Angeles to domestic containers for distribution to the rest of the western United States. The proposed development will extend from Barstow in the northeast to Hinkley Road, north of the proposed Helendale annexation area. The district is supportive of the project and the potential growth it will bring to the area. By annexing this portion of its sphere, the district can position itself to support the growth, eliminate confusion with the school district boundary, and the delivery of park and solid waste services.

In the initial formation of the Helendale CSD, an area that is within the Helendale School District Boundaries was excluded from the district's boundaries due to the existence of Williamson Act contracts (agricultural uses). This exclusion has created confusion for rural residents in the area. While some of the area's students attend Helendale schools, their trash service is provided by the County. Augmented solid waste and recycling services that are provided to residents within the Helendale CSD are not available to them. The district has allowed residents to participate in the programs provided by the Parks Department regardless of residential address. In addition, the Helendale Senior

Center and Senor Nutrition Program offered by the district provides services to residents in the proposed annexation area.

The County and various special districts currently provide many services within the area proposed for annexation, including, but not limited to, general government, community development, fire protection, emergency medical and ambulance, police, library, regional parks and recreation, road maintenance, health and welfare and regional flood control. After annexation, these services would continue to be provided by the various County department and special districts. The Helendale CSD would provide a limited range of services to the property owners upon annexation including solid waste disposal, parks and recreation, and graffiti abatement. The remaining services available through the Helendale CSD are not anticipated to be extended, water, sewer, and streetlighting.

Based on a review of the current service delivery capabilities of the Helendale CSD it is equipped to handle the additional demand from the proposed annexation should the residents choose to participate in their programs. The Helendale CSD is projected to cover the annual recurring costs for providing its services with a projected recurring surplus of $8,140.

INTRODUCTION

The following is a summary of the plan for service and projected recurring fiscal impacts for the annexation. This analysis assumes that water and sewer will not be extended into the area upon annexation and would only be extended under the proper development conditions. This would include the development of the necessary infrastructure and addressing the issues of water availability within the Centro Subarea of the Mojave Basin adjudication. Streetlighting is not anticipated to be extended to the annexing area under the provisions of the San Bernardino County Dark Sky's ordinance.

The purpose of this study is to show that the Helendale CSD can provide its range and level of services to the area and can maintain such levels at those currently available in the study area. The Plan must address the components outlined in Government Code Section 56653, as refined by San Bernardino LAFCO policies which are:

A. *A description of the level and range of each service to be provided to the affected territory.*

B. *An indication of when the service can be feasibly extended to the affected territory.*

C. *An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.*

D. *The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)- year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.*

E. *An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.*

F. *If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).*

The area proposed for annexation is not anticipated to have significant growth over the next several years. A review of County records shows that over the past five years only 19 permits for new residential construction have been issued and it is anticipated that for the next five years the same will be true. However, major development is anticipated in the Barstow sphere of influence area, immediately east of the proposal area, associated with the BNSF's Barstow International Gateway project. This major facility is anticipated to be a new state-of-the art master planned rail facility with more than 20,000 direct and indirect jobs. The rationale for the annexation proposal is to provide the district and community with a defined boundary, eliminate confusion with the Helendale School District boundary by including it wholly within the CSD and provide solid waste and park services to the residents in this rural area. Further, the District will be able to provide better representation for the residents in the annexation area for the future and to provide its voice in working with the City of Barstow, the County and railroads related to the future development in the area.

PROJECT DESCRIPTION

EXISITNG DEVELOPMENT:

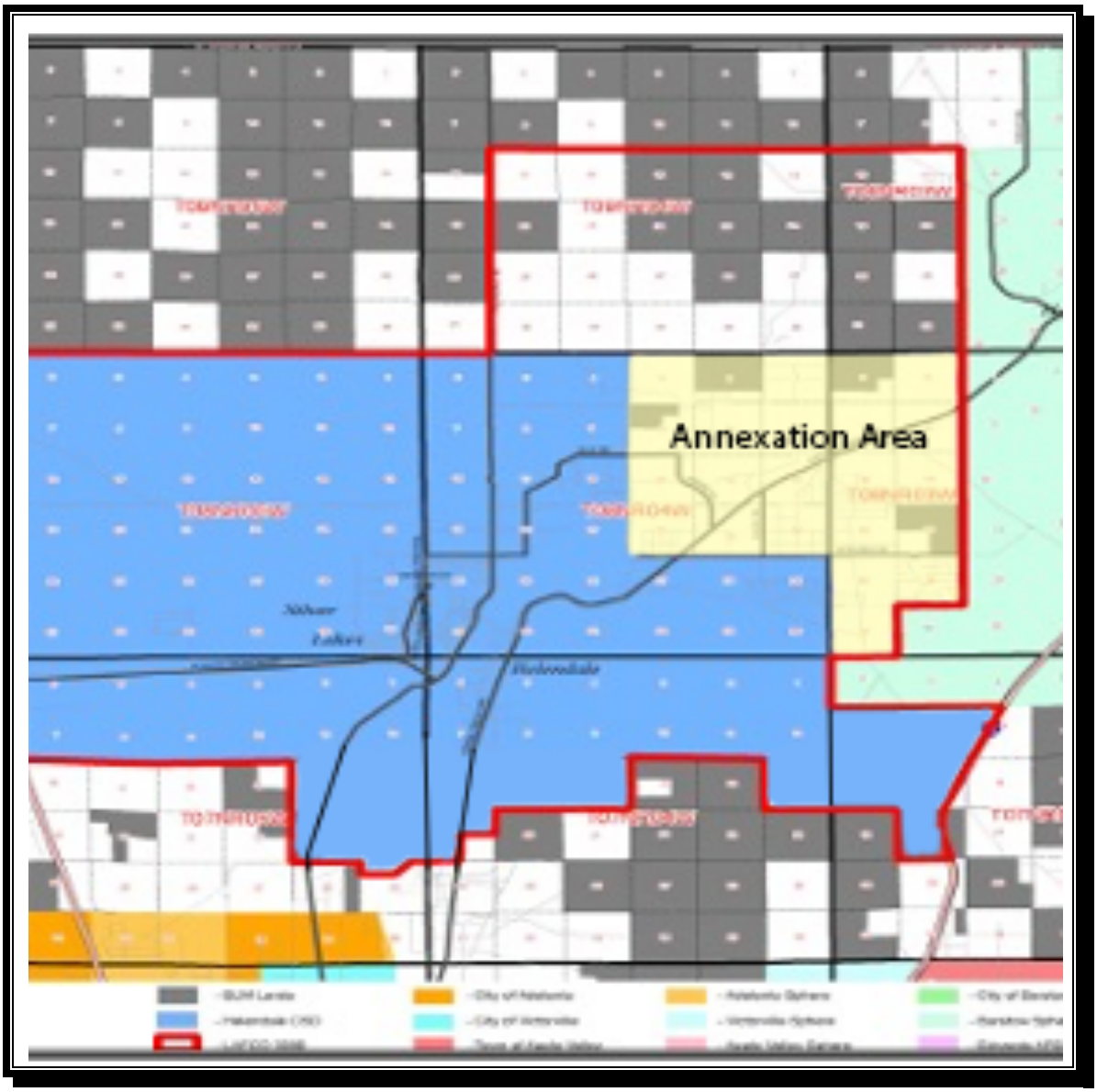
Based upon a review of County Assessor information related to the annexation area, it has limited development. The area is comprised of 1,110 parcels with the bulk of the parcels undeveloped. There are 176 parcels which have improvements, of those 140 are residential properties as identified by their land use code. They are described as follow:

USE CODE		DESCRIPTION		NUMBER OF PARCELS
510		Single-Family Residence		81
511		Recreation Cabin		1
520		Mobilehome on fee land, not subdivision		18
526		Mobilehome on permanent foundation		22
599		Miscellaneous residential structure		6
600		Two single family residences single parcel		12

The total 2022-23 assessed valuation for the area is $41,885,889 ($25,836,514 land; $16,049,375 improvements). There is a single identified commercial operation,

Dutch Diary, operating along Wild Road in the annexation area. It has the largest parcel valuation in the proposal area. The balance of the area is scattered residential and vacant lands.

The map below identifies the land ownership patterns within the proposal area:



The San Bernardino County general plan land use within the area includes:

- RL-5 Rural Living – 1 unit per five acres
- RL Rural Living – range of 1 unit per 5 to 1 unit per 30 acres
- Resource Conservation – 1 unit to 40 acres
- Agriculture/Agriculture Preserve
- Floodway

The properties immediately north and south of the Mojave River flood zone are comprised of the most intense residential uses (RL-5 and RL). Beyond those areas the predominant land use is Resource Conservation. A review of the County of San Bernardino Land Use Services Department shows that for the last 12 months there have been no active residential development permits. There have been permits for solar conversion, remodel and accessory unit development. The 2020 Census has identified the population density for Census Tract 116.02, generally north of the Mojave River, as 1.2 person per square mile (estimated to be 9 square miles for a potential population of 10.8 persons) and Census Tract 117, generally southerly of the Mojave River as 8.8 per square mile (estimated to be 14 square miles for a potential population of 123.2). The San Bernardino County Registrar of Voters has certified that there are 175 registered voters in the area as of February 10, 2023, exceeding Census estimates.

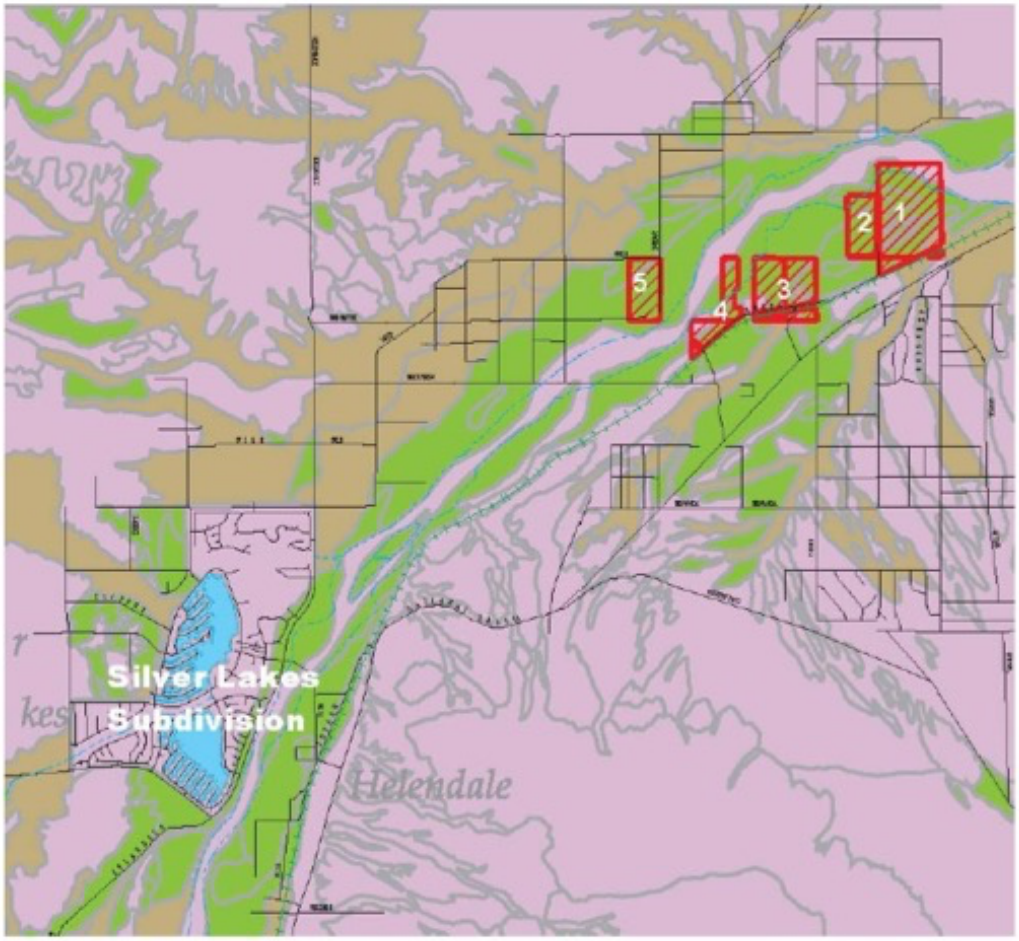
An additional consideration for a Local Agency Formation Commission is the issue of agricultural and open space lands. The statutes require that development, and the units of government which provide for urbanization, be kept at bay from these areas. Within the proposed annexation are areas of Williamson Act contract lands and mineral resource zones requiring addressing this issue.

The map below shows the location of the Williamson Act contract lands in the proposal as taken from the staff report for LAFCO 3089 (sphere expansion for the district) in 2010. No change to the designation for tax purposes has taken place; however, only one parcel has improvements on it, #5 shown on the map below. Contract areas 1, 2,3 and 4 had all improvements demolished by permit in 2014 and their agricultural use stopped. This action was related to environmental issues for discharge into the Mojave River causing contamination. The existing dairy operation, Dutch Dairy, operates on the parcel immediately adjacent to contract area #5 shown below without a Williamson Act Contract.

Table 2-1
Agricultural Parcels with Existing Williamson Act Contracts
Proposed Helendale Sphere of Influence

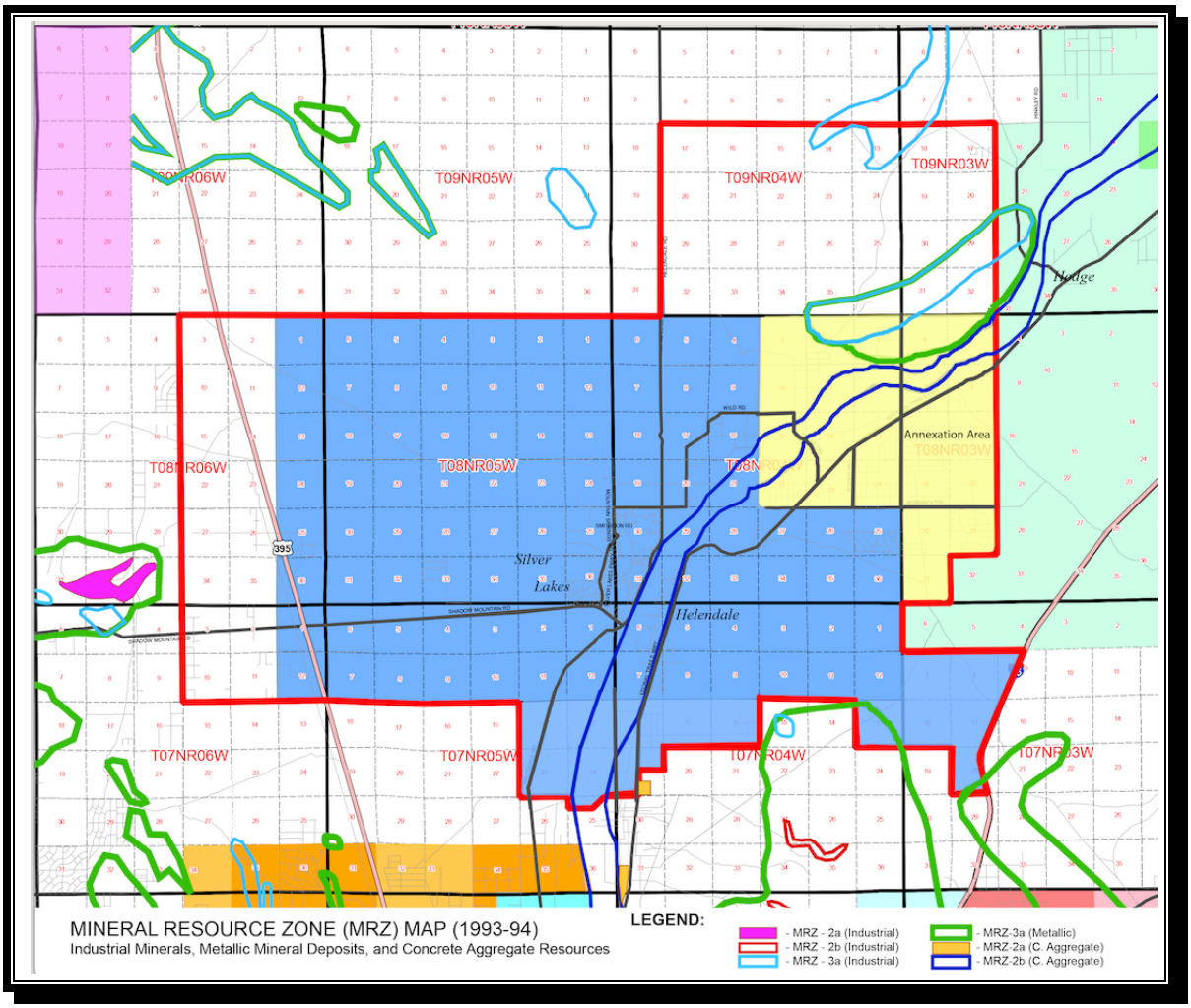
Map Number	Williamson Act Number	GIS Acreage	APN	Contract Began	Contract Status
1	84-577a	237.33	04-66-041-23 04-66-111-02	2/10/1984	Active
2	84-577c, 68-60	76.23	04-66-041-17	2/10/1984	Active
3	83-566	74.55 74.60	04-66-101-07 04-66-101-06	2/7/1983	Active
4	84-580	38.73 32.64	04-66-101-04 04-66-121-25	1/1/1984	Active
5	84-577b	80.78	04-66-091-17	2/10/1984	Active

Source: Stanley R. Hoffman Associates, Inc.
County of San Bernardino Parcel Data
Christney Barilla; Senior Planner, Current Planning, County of San Bernardino



Taken from the staff report for LAFCO 3089

Government Code Section 56301 guides a LAFCO to preserve open-space and agricultural lands, which Government Code Section 65560 defines as "…*and areas containing major mineral deposits including those in short supply."* The map which follows shows that within the annexation proposal are areas designated with significant mineral resources as identified by the State Department of Conservation and the County General Plan. The resources identified are defined as MRZ-2 and various industrial and aggregate resources.



The bulk of the mineral resources are on lands which are privately owned. Those parcels, some of which contain Mojave River lands, have an easement for flood control purposes, but no lands in this area are owned by the San Bernardino County Flood Control District. Land use authority within this area is retained by San Bernardino County Land Use Services Department as to the preservation of this resource.

Roadway patterns in the area for regional connectivity use National Trails Highway (Route 66) in a general north south pattern. The annexation area uses this roadway to gain access to other major urban areas such as the Silver Lakes community and the Cities of Barstow and Victorville. Access to Interstate 15 is available from Hodge Road (unpaved roadway) in a southeasterly direction from the northern portion of the annexation area.

PUBLIC FACILITIES AND SERVICES BEFORE AND AFTER ANNEXATION

In response to the requirements for a Plan for Service, this document must provide:

> *"A description of the level and range of each service to be provided to the affected territory; an indication of when the service can be feasibly extended to the affected territory; and an identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory."*

San Bernardino County general government and its board governed special districts provide several services to the Helendale community within and surrounding the CSD. Many of these services will continue to be provided by San Bernardino County upon successful completion of the proposed annexation. Helendale CSD will be authorized to provide its range of services to the area upon annexation. Some of the services available from the Helendale CSD will not be provided immediately upon annexation and could extended on an as needed basis and/or upon future development with appropriate infrastructure.

There are three broad categories of service providers, which are summarized below and on the table which follows. The table provides an identification of the transfer of service and the source of funding:

1. **County Government/Board-Governed Special Districts/Independent Special District**
   - General Government Services
   - Law Enforcement – Sheriff
   - Animal Control
   - Fire and Paramedic
   - Ambulance
   - Library
   - Flood Control and Drainage
   - Health and Welfare
   - Schools
   - Transportation
   - State Water Contractor
   - Regional Park and Recreation

2. **Private Utilities**

- Cable/internet Provider
- Power
- Telephone
- Natural Gas

3. Helendale Community Services District

- CSD Administration
- Sewer
- Water
- Solid Waste Management/Recycling
- Park and Recreation
- Streetlighting
- Graffiti Abatement

	SERVICES PROVIDERS FOR PROPOSAL ANNEXATION			
CATEGORY OF SERVICE	BEFORE ANNEXATION	AFTER ANNEXATION		FUNDING SOURCE AFTER ANNEXATION
General Government - Administrative Services:				
Finance Division	County of San Bernardino	County of San Bernardino		General Ad Valorem Tax
Human Resources	County of San Bernardino	County of San Bernardino		General Ad Valorem Tax
Community Development				
Planning	County of San Bernardino	County of San Bernardino		Fees/Charges
Building and Safety	County of San Bernardino	County of San Bernardino		Fees/Charges
Code Enforcement	County of San Bernardino	County of San Bernardino		General Ad Valorem Tax and Fees/Charges
Law Enforcement - Sheriff	County of San Bernardino	County of San Bernardino		General Ad Valorem Tax
Animal Control	County of San Bernardino	County of San Bernardino		General Ad Valorem Tax
Fire	San Bernardino County Fire Protection District, North Desert Service Zone	San Bernardino County Fire Protection District, North Desert Service Zone		General Ad Valorem Tax, Service Zone FP-5 special assessment, County General Fund Support
Paramedic	San Bernardino County Fire Protection District, North Desert Service Zone	San Bernardino County Fire Protection District, North Desert Service Zone		General Ad Valorem Tax, Service Zone FP-5 special assessment, County General Fund Support
Fire Hazard Abatement	San Bernardino County Fire Protection District, North Desert Service Zone	San Bernardino County Fire Protection District, North Desert Service Zone		General Ad Valorem Tax and Fees/Charges
Flood Control and Drainage				
Local Facilities	San Bernardino County Flood Control District	San Bernardino County Flood Control District		General Ad Valorem Tax
Regional Facilities	San Bernardino County Flood Control District	San Bernardino County Flood Control District		General Ad Valorem Tax
Health and Welfare	San Bernardino County Department of Public Health	San Bernardino County Department of Public Health		General Ad Valorem Tax
Library	San Bernardino County Library	San Bernardino County Library		
Schools	Helendale Unified School District (southern portion) Barstow Unified School District (northerly portion)	Helendale Unified School District (southern portion) Barstow Unified School District (northerly portion)		General Ad Valorem Tax
Transportation				
Freeway and Interchanges	Caltrans	Caltrans		Taxes
Arterials and Collectors	San Bernardino County Public Works	San Bernardino County Public Works		General Ad Valorem/State Tax
Local Road Maintenance	San Bernardino County Public Works	San Bernardino County Public Works		General Ad Valorem/State Tax
Utilities				
Power	Southern California Edison	Southern California Edison		Fees/Charges
Telephone	Verizon/Spectrum	Verizon/Spectrum		
Natural Gas	Southwest Gas Corporation	Southwest Gas Corporation		Fees/Charges
Helendale Community Services District (CSD)				
District Administration		Helendale CSD		
Sewer	Septic System	Septic System/Helendale CSD upon future development need		Fees/charges upon future installation of service
Water				
Domestic Water	Private Wells	Private Wells/ Helendale CSD upon future development need		Fees/charges upon future installation of service
Recycled Water	none	Helendale CSD upon future development need/availability		Fees/charges upon future installation of service
Water Quality	Private Wells	Private Wells/ Helendale CSD upon future development need		Fees/charges upon future installation of service
Solid Waste Management				
Collection	San Bernardino County under contract with Burrtec	Helendale CSD under contract with Burrtec		Fees/charges and ESFR special assessment
Recycling	San Bernardino County under contract with Burrtec	Helendale CSD under contract with Burrtec		Fees/Charges
Parks and Recreation				
Local Facilities	San Bernardino County Regional Parks	Helendale CSD		Fees/Charges
Regional Facilities	San Bernardino County Regional Parks	San Bernardino County Regional Parks		General Ad Valorem Tax
Streetlighting	County of San Bernardino	Helendale CSD		Not provided due to Dark Sky Ordinance
Graffiti Abatement	San Bernardino County Public Works	Helendale CSD		

The following agencies will have no change in service provision following annexation. They are:

1. General Government: The County of San Bernardino currently provides and will continue to provide all regional administrative services, Community Development services and economic development services to the CSD and annexation area.

2. County Sheriff: The San Bernardino County Sheriff/Coroner's office currently provides and will continue to provide public safety services to the Helendale CSD and annexation area. The California Highway Patrol currently provides and will continue to provide traffic patrol and highway within the unincorporated area. This includes the territory of the CSD and the proposed annexation area. The Highway Patrol can also provide emergency response backup to the County Sheriff upon request.

3. Animal Control: San Bernardino County Animal Care (formerly known as Animal Control) currently provides and will continue to provide animal control services to the Helendale CSD and annexation area. Animal Care is responsible for animal licensing, dead animal pickup, loose animal investigations, animal shelter management and other services. The closest Animal Care Shelter operated by the County is the Devore Animal Shelter located approximately 48 miles away.

4. County Fire: The San Bernardino County Fire Protection District (SBCFPD), its North Desert Regional Service Zone and Service Zone FP-5 currently provide and will continue to provide for the fire protection and emergency medical response for the community of Helendale and the annexation area. Shown below is a map excerpt from the Countywide Municipal Service Review for Fire Protection/Emergency Medical Response (LAFCO 3231 adopted in February 2020) showing the area of the North Desert Regional Service Zone:

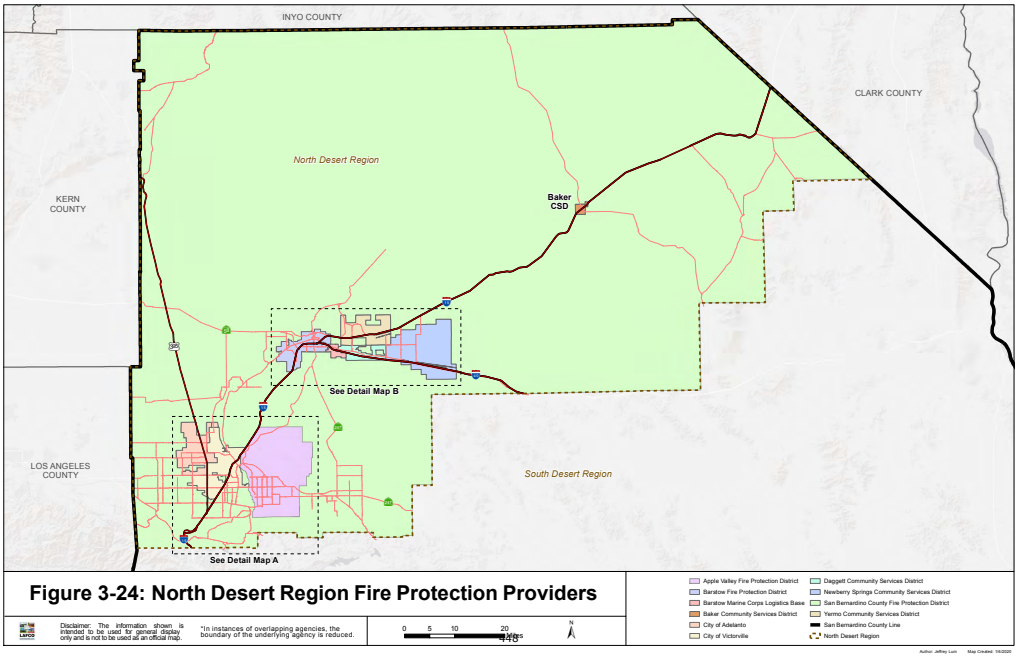


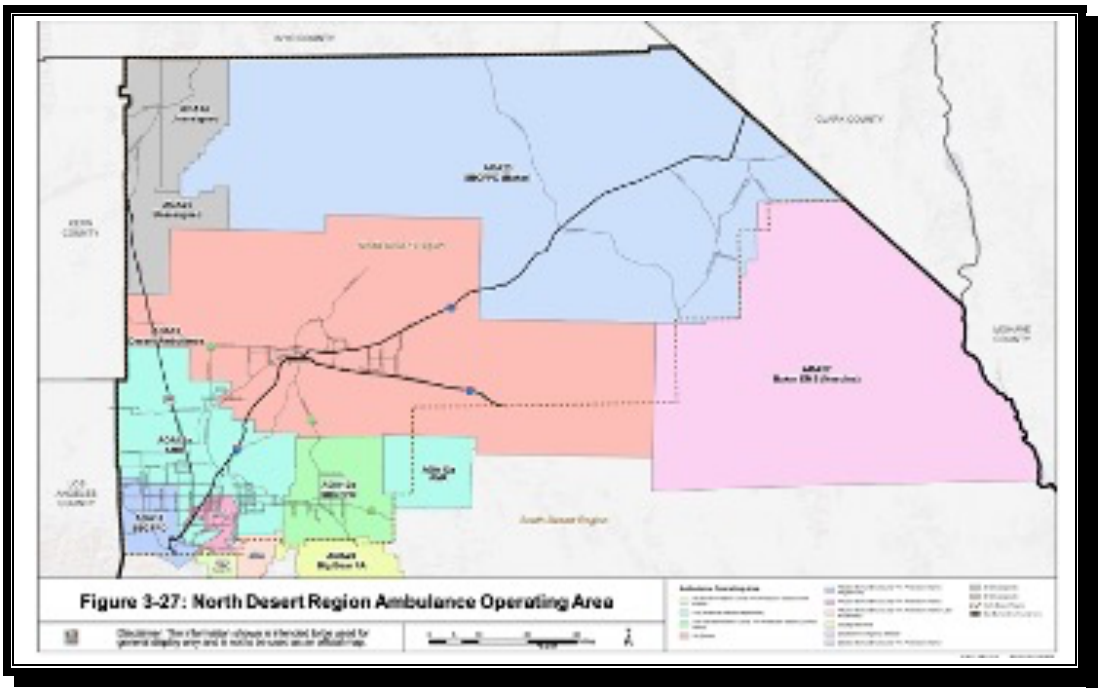
Figure 3-24: North Desert Region Fire Protection Providers

As shown on the Tax Rate Area Allocations Chart, included in the financial portion of this Plan, most of the annexation area has not been assigned to the parent district for property tax purposes by the State Board of Equalization and/or the Auditor Controller. One tax rate area has not been assigned to the North Desert Service Zone, the actual service provider for fire protection and emergency medical response. However, as a function of the reorganization process included in LAFCO 3000 (the reorganization which crafted the new county governed fire entity this territory should have been included in the full range of County Fire taxing entities.

The Helendale community (including the annexation area) is serviced by SBCFPD Fire Station Number 4 (Silver Lakes/Helendale Station located at 27089 Helendale Road). General Ad Valorem property tax is provided through the SBCFPD (under its administrative category) and the North Desert Service zone. Zone FP-5, a special tax zone, was approved in 2006 and expanded in 2018. The special tax for FY 2022-23 is $166.84 per parcel.

5. Ambulance: Ambulance emergency response is currently provided and will continue to be provided by designated providers under the ambulance operating areas (AOAs) assigned by the Inland Counties Emergency Medical Authority (ICEMA). The area is currently divided between two operating areas: AOA 12(a) is assigned to AMR and AOA 13 is assigned to Desert Ambulance. Shown below is a map excerpt from the Countywide Municipal Service Review for Fire Protection/Emergency Medical Response (LAFCO 3231 adopted in February

2020) outlining the designation of Operating Areas in the north desert portion of the County. Users of ambulance services are billed on a per trip basis by the respective providers to the individual and/or their health insurance provider.



6. Flood Control and Drainage: The San Bernardino County Flood Control District operates on a regional level and intercepts and manages flood flow through and away from developed areas throughout the County. There will be no change in this service provision following annexation.

7. Health and Welfare: The San Bernardino County Department of Public Health currently serves the Helendale CSD and the annexation for the general public's health and welfare services. The department provides a variety of programs and services that informs and educates the public about health issues and provides public assistance welfare and healthcare needs for all residents within San Bernardino County. There will be no changes in the service providers for these services following annexation.

8. Library: The San Bernardino County Library system serves the households within the Helendale CSD and the annexation area. The nearest County library is in the City of Adelanto approximately 20 miles away. The Adelanto Branch Library is located a 11497 Bartlett Avenue in Adelanto. There will be no change in this service provider following annexation.

9. Schools: The School Districts serving the annexation area are unaffected by this process and will not change upon annexation. The districts include the Barstow Unified School District for the northeastern portion of the annexation; the Helendale Elementary School District, charter high school, and Victor Valley Union High School District for the central portion, and the Oro Grande Elementary School District and Victor Valley Union High School District for the southern portion. The Victor Valley Community College District serves the entirety of the area.

10. Transportation: Current transportation services in the Helendale CSD area and the proposed annexation include freeways, highways, and interchanges serviced by Caltrans; arterials and collectors serviced by the Public Works Department of San Bernardino County; and local public roads also serviced by the Public Works Department of San Bernardino County. There will be no change in these services or their providers after annexation.

11. Utilities: Current utility providers within the Helendale CSD and the proposed annexation area are: Southern California Edison for electricity and power; Southwest Gas Corporation for natural gas; and Verizon and Spectrum for internet/cable and telephone. There will be no change in these services or their providers after annexation.

Helendale Community Services District:

The range of services the Helendale CSD is authorized to provide is outlined below. This description identifies those that will be extended and those that would be available in the future should future development be proposed.

1. District Administration: Following annexation the administrative services offered by the Helendale CSD Board of Directors and staff will be extended to the new territory. These services include regulatory compliance, CSD personnel, budgeting, and management services, monthly billing for solid waste services and the Recycling Center and thrift store. In addition, meetings of the Board of Directors provide a local forum for the gathering of information and discussion of issues affecting the CSD as a whole and will provide for a conduit for discussions with other regional/local entities related to issues affecting the area. At present the area is only provided governmental representation by its representative on the County Board of Supervisors to address concerns.

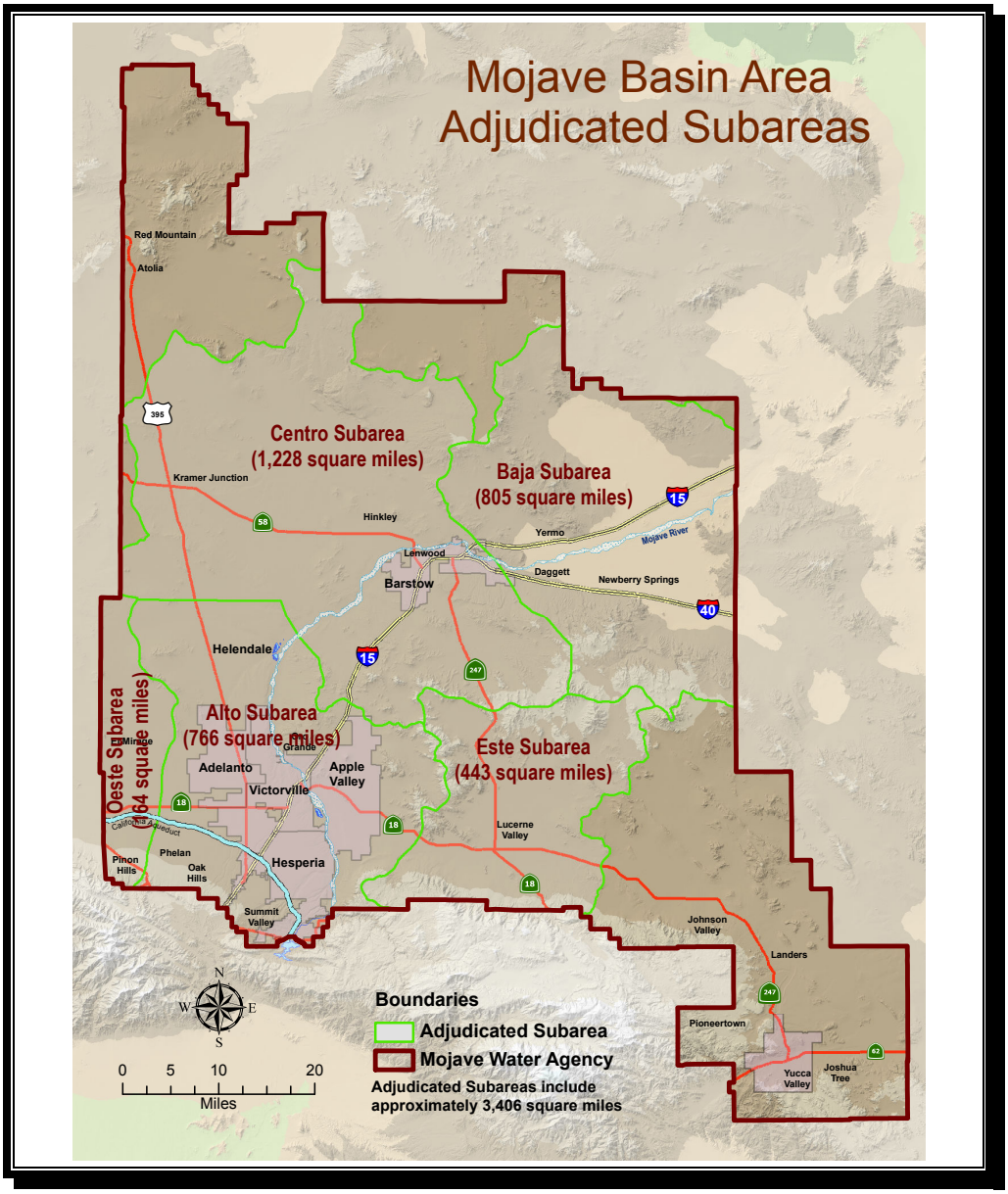
2. Sewer: Residences or businesses within the annexation area currently rely upon on-site septic systems for their wastewater disposal service. After annexation this will not change. The CSD currently operates the sanitary sewer collection system and treatment plant. This includes 36 miles of

sewer line, 560 manholes, 2 pump stations, 1 lift stations, and percolations ponds. New development would be evaluated as to the feasibility of connecting to the existing treatment plant or whether to build new facilities should the density demand such service. The cost of new sewer service would be the responsibility of the property owners requesting the extension and the future residents would pay the monthly service charges. The wastewater plant currently operates with a flow of 50% of permitted capacity ensuring room for growth. However, depending upon where the sewer need within the annexation was located, a small package plant rather than line extension would be evaluated for efficient service delivery.

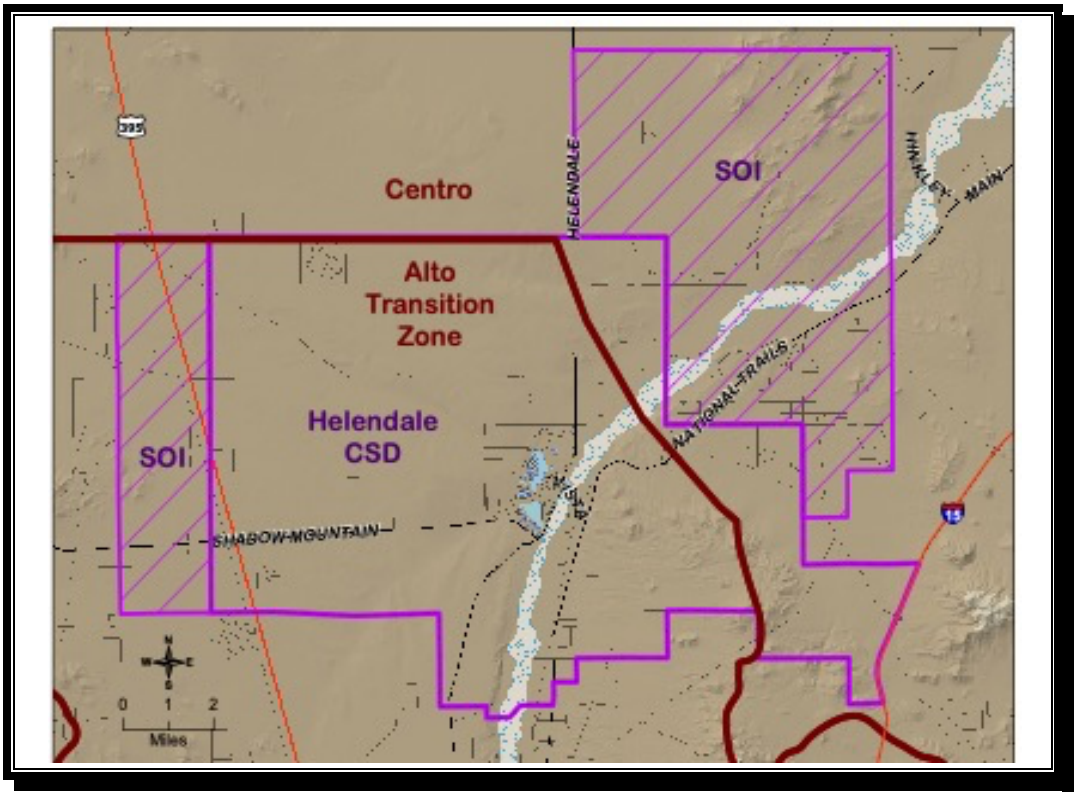
3. Water: Residences or businesses within the annexation area currently rely upon underground wells for their drinking water needs. After annexation this will not change. The CSD has the power "to supply water for any beneficial use" as outlined in Community Services District law. This service was authorized at the time of the formation of the district, and it currently provides for domestic water and water quality service for those connected to its system.

   The Helendale CSD currently depends on two wells to produce potable water supplies, with four wells on standby that are not currently in service. A new production well is scheduled to be on-line in June 2023. The CSD has two reservoirs with a combined storage capacity of 5 million gallons. The CSD provides for approximately 2,830 service connections and 348 fire hydrants within the community. The majority of the CSD water service area is located within the Alto subarea of the Mojave Basin Area adjudication and operates under the court's judgment that governs water pumping. The CSD owns sufficient water rights to provide for the needs of the community which includes excess water rights in both the Alto and Centro basins. Approximately 10% of the district's existing service area is in the Centro subarea.

   The annexation area is located within Centro subarea and service would need to draw from this groundwater basin. The CSD is well positioned to work with property owners in need of an organized water system for future development in the area. A map of the adjudication subareas taken from LAFCO 3187 Countywide Municipal Service Review for Water and Wastewater completed in July 2017 is included as an attachment and shown below:



The map which follows outlines the relationship of the Helendale CSD and the annexation area to the boundaries of the Alto and Centro adjudication subareas:



4. Solid Waste Management: The proposed annexation area currently receives its solid waste disposal service through the San Bernardino County Solid Waste Management Division (SWMD) under contract with Burrtec. As outlined in the land use discussion above, the area is primarily vacant with scattered rural residential development. There is no mandatory requirement for residential trash pick-up by the County within this area. However, the proposed annexation includes portions of County Collection Franchise Areas (CFA) 19, 22 and 23 all under contract with Burrtec. For Fiscal Year 2023-24 the monthly service charge for residential properties under the County Burrtec contract in this area is $35.28 per month.

   The Helendale CSD assumed responsibility for the residential solid waste disposal services (trash and recycling) within its boundaries from the SWMD in 2010-11 along with the collection of the ESFR special assessment ($85.14 per parcel). This assessment pays for the tipping fee and rate fee at the San Bernardino County landfill for the contract trash hauler and for access to the dump by individual CSD residents with a dump pass. The Helendale CSD will provides this service through its contract with Burrtec. The district provides the billing support for residential solid waste disposal service.

For AB1383 compliance, the district was able to gain approval from the State to operate a food waste drop off site in compliance with the new organic materials disposal. This cost savings approach has saved residents several dollars per month in disposal and processing costs compared to other communities. The annexation area will be included in these programs upon successful annexation.

The Helendale CSD solid waste charge for Fiscal Year 2023-24 is $27.85 per month for residential service. The difference between the Helendale CSD solid waste contract and the County's contract is a residential cost savings of $7.43 per month or $89.16 a year.

In addition, the district offers enhanced services for the community though a bulky item pick up program which provides residential pick-up service for up to ten large items each year, such as appliances, mattresses, furniture, etc. The district maximizes recycling for the rural community through its recycling center operation which accepts any broken appliance or electronic for recycling and provides mattress collection and recycling. These services were offered in an effort to provide a free location for unwanted items and reduce the dumping in the rural desert area. The district offers green waste disposal to the community and provides a centralized drop-off location at the Community Center for the green waste that is taken to a compost facility.

In addition, the Helendale CSD operates the award-winning Recycling Center located in Suite A at the Community Center on Vista Road under its Solid Waste authority. The district offers a variety of recycling programs such as green waste, electronic waste, metal, and mattress recycling. Residents can also donate their unwanted items to the recycling center for re-purposing rather than throwing the items away. This service encourages recycling and diverts waste from going into the landfill

5. Parks and Recreation: The County Regional Parks Department provides regional park services for all the residents in the county, including those within the proposed annexation. The closest County Regional Park is Mojave Narrows Regional Park located approximately 30 miles away. Neither the County nor a local special district provides for local park services for the residents in the annexation area.

   After annexation, the area will have access to local park services provided

by the Helendale CSD through its park and recreation department officially. The district provides youth sports programs, an annual concert-in-the-park series, adult recreational programs including an adult softball league, corn-hole league and basketball. In addition, enrichment programs are offered that include arts and crafts, exercise and informational topics. The weekly farmers market with seasonal activities and provides a weekly gathering place for Helendale and the outlying communities of Oro Grande, Hodge and Hinkley. The district partners with the San Bernardino County Sheriff's Department and other community stakeholders to host National Night Out, an event to bring the police and community together. The Community Center is made available to residents for parties, meetings and other occasions. In addition, two churches hold services at the Community Center on Saturday night and Sunday morning for the rural residents. In addition, the district hosts the Helendale Senior Center and contracts through the County for a daily senior lunch program that is served at the Helendale Community Center. It is anticipated that the residents of the annexation area currently partake in the services and classes offered by the CSD due to its proximity to the area and the district's position to welcome all.

6. Streetlighting: Because of the rural nature of the area and the County's Dark Sky Ordinance, there are no known publicly operated streetlights in the area. Streetlights along Route 66 are operated by Caltrans as a highway protection. The district provides streetlighting on public rights-of-way generally in and around the Silver Lakes subdivision paid through the general ad valorem taxes the CSD receives. This service would be provided to the annexation area under the proper economic and development conditions in compliance with Dark Sky Ordinance requirements with future residents of the area subject to any applicable one-time development impact fee or ongoing user charges.

7. Graffiti Abatement: San Bernardino County Public Works department currently provides and will continue to provide graffiti abatement for road signs and bridges in the area. After annexation, graffiti abatement would be available through the CSD based upon availability of resources and request for service from the residents of the annexation area.

FISCAL IMPACT ANALYSIS

San Bernadino LAFCO policies require that the Fiscal Impact Analysis provide for a five-year projection of expense and revenues which identifies how the service will be financed and that the revenues are sufficient to provide for the service for the foreseeable future. Several of the District's services are not anticipated to be

extended, water, sewer, and streetlighting so no revenue or cost projections are provided. Should such services be needed in the future the requesting parties would be required to pay their pro rata share for extension and ongoing operations. While authorized to provide graffiti abatement, this service is not currently actively provided. It is proposed that the district's services for administration, solid waste management, and park and recreation can or will be extended into the area and the fiscal analysis which follows outlines the first five years following annexation.

The area proposed for annexation is not anticipated to receive a share of the general ad valorem taxes from the area. This is based upon established policies of San Bernardino County which provides that for a special district annexation the only portion of the general ad valorem property tax subject to exchange pursuant to Revenue and Taxation Code Section 99 would be a detaching special district. There are no detaching agencies in this annexation; therefore, no share of the ad valorem property taxes will come to the district. The table which follows shows the existing tax entities within the affected Tax Rate Areas of the proposed annexation and their shares of the general ad valorem tax.

TAX RATE AREA (TRA) ALLOCATIONS SAN BERNARDINO COUNTY

AGENCY CODE	AGENCY	TRA 56017 ALLOCATION	TRA 56095 ALLOCATION	TRA 56101 ALLOCATION	TRA 56134 ALLOCATION	TRA 78010 ALLOCATION	TRA 78011 ALLOCATION	TRA 99003 ALLOCATION	TRA 99026 ALLOCATION
AB01 GA01	COUNTY GENERAL FUND	17.719649	15.489247	17.709399	18.001735	14.779060	14.786244	16.695367	14.701145
AB02 GA01	AUGMENTATION FUND	26.849919	23.470300	26.834171	27.277369	22.394182	22.405047	25.297883	22.276079
BF04 GA01	SAN BNDO COUNTY FLOOD CONTROL ZONE 4	2.801543	2.448926	2.803804		2.336317	2.337531		
BF06 GA01	SAN BNDO COUNTY FLOOD CONTROL ZONE 6				1.420205			1.317094	1.159623
BF08 GA01	SAN BNDO COUNTY FLOOD Admin 3-6	0.107179	0.093712	0.107526	0.108892	0.089342	0.089445	0.100984	0.088914
BL01 GA01	COUNTY FREE LIBRARY	1.717032	1.501156	1.715567	1.744369	1.431910	1.432824	1.617651	1.424177
BS01 GA01	SUPERINTENDENT OF SCHOOL	0.608415	0.531834	0.607879	0.618116	0.507491	0.507707	0.573263	0.504771
BS01 GA03	SUPERINTENDENT OF SCHOOL PHY HAND	0.239394	0.209230	0.238829	0.243159	0.199577	0.199710	0.225496	0.198525
BS01 GAO2	SUPERINTENDENT OF SCHOOL- ROP	0.104385	0.091186	0.104284	0.105973	0.087035	0.087044	0.098291	0.08654
BS01 GA05	SUPERINTENDENT OF SCHOOL -DEV CENTER	0.062796	0.054855	0.062679	0.063734	0.052371	0.052350	0.059100	0.052042
BS01 GA04	SUPERINTENDENT OF SCHOOL -MENT RET					0.160232	0.160362	0.181056	0.159429
SC10 GA01	BARSTOW COMMUNITY COLLEGE DISTRICT	10.374298	9.068153	10.380937	10.537595				
SC66 GA01	VICTOR VALLEY COMMUNITY COLLEGE DISTRICT					6.645343	6.648932	7.506918	6.609619
SE46 GA01	ORO GRANDE ELEMENTARY SCHOOL DISTRICT							21.040015	18.524605
SU10 GAO1	BARSTOW UNIFIED SCHOOL	34.782384	30.403289	34.802507	35.329736				
SE30 GA01	HELENDALE ELEMENTARY SCHOOL DISTRICT					16.922153	16.931168		
SH66 GA01	VICTOR VALLEY UNION HIGH SCHOOL					18.109238	18.118923	20.456911	18.011339
UD44 GA01	CSA 60					1.025157	1.025686	1.158042	1.019558
UD50 GA01	CSA 70	0	0	0	0	0	0	0	0
UF01 GA01	SBCFPD	0							
UF01 GA05	SBCFPD ADMIN	3.195404	2.792679	3.198366	3.245302	2.664152	2.665736	3.009710	2.649776
UF01 GA03	SBCFPD NORTH DESERT SERVICE ZONE		12.599479	0	0	12.019687	12.026435	0	11.95501
VB01 GA01	BARSTOW CEMETERY DISTRICT	0.745699	0.651772	0.746204	0.757402				
WR03 GA01	MOJAVE DESERT RESOURCE CONSERVATION DISTRICT	0.059797	0.041636	0.055114	0.019770	0.049657	0.025887	0.066759	0.054565
WY20 GAO1	MOJAVE WATER AGENCY	0.632106	0.552546	0.632734	0.526673	0.527096	0.498969	0.595460	0.524283
		100	100	100	100	100	100	100	100

BLUE HIGHLIGHT IDENTIFIES AREAS NOT A PART OF THE AGENCY BUT WHO SHOULD HAVE BEEN INCLUDED BY THE STATE BOARD OF EQUALIZATION PURSUANT TO LAFCO 3000

A review of audit and budget data for the Helendale CSD provides the background information for development of the costs for service extension and anticipated revenues. In the case of the annexation area, the CSD's revenues are projected on a developed parcel basis. Of the 1,110 parcels within the annexation area, 178 have

improvements. Of those 140 have identified land use codes identifying residential development. However, of these 140 parcels only 103 have an improvement valuation which would be presumed to be a residential use with the potential for service needs (above $50,000 in improvement valuation). The importance of this data is that the range of revenues to be provided to the Helendale CSD are directly related to residentially developed properties. In addition, there are no known participants in the Burrtec residential solid waste service at the present time. Therefore, the calculation below for solid waste billing is presented as the potential future revenue/cost for this service. These calculation factors are shown on the table which follows:

CATEGORY		PROJECTION FACTOR - PER HOUSEHOLD COST	2023-24	PROJECTION FACTOR	2024-25 THROUGH 2029-30
RECURRING REVENUES					
Property Tax			$ -		$ -
Franchise Fees	115 residential developed parcels	$ 28.68	$ 3,298	8.7% increase over prior year	$ 3,585
Solid Waste Billing				8.7% increase over prior year	
Single Family Residential	103 parcels	$ 287.64	$ 29,627		$ 32,204
Two SFR on a single parcel	12 parcels	$ 547.68	$ 6,572		$ 7,144
Solid Waste ESFR Assessment:*				No Change Allowed	
Single Family Residence	81 parcels	$ 84.89	$ 6,876		$ 6,876
Mobile Home:					
On Fee Land no Subdivision	18 parcels	$ 84.89	$ 1,528		$ 1,528
On Permanent Foundation	22 parcels	$ 84.89	$ 1,868		$ 1,868
Two SFR on a single parcel	12 parcels	$ 170.03	$ 2,040		$ 2,040
Recreation Cabin	1 parcel	$ 42.22	$ 42		$ 42
Miscellaneous Residential	6 parcels	$ 84.89	$ 509		$ 509
Park and Recreation Fees	115 residentially developed parcels	$ 21.00	$ 2,415	No Change	$ 2,415
TOTAL ESTIMATED REVENUES			$ 54,776		$ 58,212
RECURRING COSTS					
Administration	103 developed parcels	$ 86.70	$ 8,930	3% increase over prior year	$ 9,198
Park and Recreation	115 developed parcels	$ 57.00	$ 6,555	3% increase over prior year	$ 6,752
Solid Waste:				8.7% Increase over prior year	
Single Family Residential	103 developed parcels	$ 247.20	$ 25,461.60		$ 27,677
Two SFR on a single parcel	12 developed parcels	$ 494.40	$ 5,932.80		$ 6,449
TOTAL ESTIMATED EXPENSES			$ 46,880		$ 50,075
**Assessment shown is the amount levied less the $0.25 County administrative charge*					

The table which follows outlines the revenue and expenditure categories associated with the annexation area should the services of solid waste and park and recreation be provided. These calculations are being proposed to represent conservative revenue projections and liberal expense projections. The current year column makes its projections using the district's Fiscal Year 2023-24 Budget with additional questions reviewed with the district. Since the past five years has seen limited residential permits within the annexation area in general, no increase in number of households has been included in the projection table. The revenue categories of solid waste billing and Franchise Fees and expense category for Solid Waste Disposal have been increased by 8.7% for the following years based a review with District to accommodate all state requirements related to solid waste disposal. The ESFR being transferred to the district is a flat rate set out by vote with no allowance for inflationary increase and the projection corresponds with that requirement.

CATEGORY	2023-24	2024-25 THROUGH 2029-30
RECURRING REVENUES		
Property Tax	$ -	$ -
Franchise Fees	$ 3,298	$ 3,585
Solid Waste Billing		
Single Family Residential	$ 29,627	$ 32,204
Two SFR on a single parcel	$ 6,572	$ 7,144
Solid Waste ESFR Assessment	$ 12,864	$ 12,864
Park and Recreation Fees	$ 2,415	$ 2,415
TOTAL ESTIMATED REVENUES	$ 54,776	$ 58,212
RECURRING COSTS		
Administration	$ 8,930	$ 9,198
Park and Recreation	$ 6,555	$ 6,752
Solid Waste:		
Single Family Residential	$ 25,461.60	$ 27,677
Two SFR on a single parcel	$ 5,932.80	$ 6,449
TOTAL ESTIMATED EXPENSES	$ 46,880	$ 50,075

The information outlined above shows that the district can extend the range of its services identified in the application to the area and can sustain those services at existing levels, improving those levels through the introduction of solid waste disposal and park and recreation services, for the foreseeable future.

Attachments and Additional Information:

1. Map and Legal Description of the Proposal Area
2. Barstow International Gateway Project Information
3. Map of Mojave Water Agency Adjudication Subarea Basins

CERTIFICATION

I hereby certify that the statements furnished above, and the documents attached to this form 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.

/s/ KIMBERLY COX _____ AUGUST 14, 2023 _____

DR. KIMBERLY COX, General Manager **DATE**
Helendale Community Services District

TOM DODSON & ASSOCIATES

Mailing Address: **PO Box 2307, San Bernardino, CA 92406-2307**
Physical Address: **2150 N. Arrowhead Avenue, San Bernardino, CA 92405**
Tel: (909) 882-3612 ✦ Fax: (909) 882-7015 ✦ Email: tda@tdaenv.com
Web: tdaenvironmental.com

November 6, 2023

Mr. Samuel Martinez
Local Agency Formation Commission
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0490

Dear Sam:

LAFCO 3262 consists of Annexation to the Helendale Community Services District) of an estimated 14,720 acres (23 square miles) of territory with the specific goal of extending Solid Waste and Recycling services to the developed properties and the extension of park and recreation programs and services for the residents of the area. The proposed Annexation area is located within or adjacent to the District's eastern Sphere of Influence as shown on the attached map. The existing land uses and land use designations for the project area will not be modified by the extension of these services and San Bernardino County will remain the jurisdiction with control over future land uses within the Annexation area under LAFCO 3262.

Therefore, after careful review, I am recommending that the Commission consider the adoption of a Common Sense Exemption for LA 3262. I recommend that the Commission find that an exemption (as defined in CEQA applies to LAFCO 3262 under Section 15061 (b) (3) of the State CEQA Guidelines, which states: "*The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA*." It is my opinion, and recommendation to the Commission, that this circumstance applies to LAFCO 3262 because the District will simply replace existing solid waste, recycling and recreation activities that exist within the identified Annexation area with District provided services.

Based on this review of LAFCO 3262 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 3262 does not constitute a project under CEQA and adoption of the common sense exemption and filing of a Notice of Exemption is the most appropriate determination to comply with CEQA for this action. The Commission can approve the review and findings for this action and I recommend that you notice LAFCO 3262 as exempt from CEQA for the reasons outlined in the State CEQA Guideline sections cited above. The Commission needs to file a Notice of Exemption with the County Clerk to the Board for this action once the hearing is completed and assuming the project is approved.

A copy of this exemption recommendation should be retained in LAFCO's project file to serve as verification of this evaluation and as the CEQA environmental determination record. If you have any questions, please feel free to give me a call.

Sincerely,

Tom Dodson

TD/cmc

Attachment

LA3262 CS Exemption

LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

PROPOSAL NO.: LAFCO 3262

HEARING DATE: NOVEMBER 15, 2023

RESOLUTION NO. 3387

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3262 AND APPROVING THE ANNEXATION TO THE HELENDALE COMMUNITY SERVICES DISTRICT (LOWER EASTERN SPHERE OF INFLUENCE). The annexation area comprises approximately 23+/- square miles that generally includes lower eastern portion of the Helendale Community Services District's sphere of influence.

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

WHEREAS, an application by the Helendale Community Services District Board of Directors for the proposed annexation in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission (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 the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient;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 his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, the public hearing by this Commission was called for November 15, 2023, at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written support and/or opposition; 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.

NOW, **THEREFORE**, **BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

DETERMINATIONS:

SECTION 1. The proposal is approved subject to the terms and conditions hereinafter specified:

Condition No. 1. The boundaries are approved as set forth in Exhibits "A" and "A-1" attached.

Condition No. 2. The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3262.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Helendale Community Services District (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

Condition No. 4. The Helendale Community Services District shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

Condition No. 5. The date of issuance of the Certificate of Completion shall be the effective date of this annexation.

SECTION 2. **DETERMINATIONS.** The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The Registrar of Voters has determined that the annexation area is legally inhabited, containing 178 registered voters as of July 5, 2023, as certified by the County Registrar of Voters.

2. The annexation area is within the sphere of influence assigned the Helendale Community Services District.

3. The assessed value of land and improvements within the annexation area on the secured assessment roll is broken down as follows:

Land:	$ 25,030,367
Improvements:	$ 16,040,470
Total:	$ 41,070,837

4. Legal notice of the Commission's consideration of the proposal has been provided through publication of a 1/8th page legal advertisement in *The Daily Press*, a

newspaper of general circulation in the area. In addition, individual notices were provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notification. Comments from affected and interested agencies have been considered by the Commission in making its determination.

5. The County's current land use designations for the annexation area are: RC (Resource Conservation; RL (Rural Living); RC-AP (Resource Conservation-Agricultural Preserve); AG (Agriculture), and FL (Floodway). This annexation has no direct impact on said land use designations.

6. The Southern California Associated Governments (SCAG) has adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3262 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.

7. The Commission's Environmental Consultant, Tom Dodson and Associates, has recommended that this proposal is exempt from environmental review based on the finding that the Commission's approval of the annexation has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). Mr. Dodson recommends that the Commission adopt the Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days.

8. The local agencies currently serving the area are:
   - County of San Bernardino
   - San Bernardino County Fire Protection District (SBCFPD) and its North Desert Service Zone
   - Mojave Desert Resource Conservation District
   - Mojave Water Agency
   - Barstow Cemetery District
   - County Service Area 60 (Apple Valley Airport)
   - County Service Area 70 (multi-function unincorporated area Countywide)

   None of the local agencies are affected by this annexation as they are either regional in nature or identified for other services to a specific area.

9. A plan was prepared for the extension of services to the annexation area, as required by law. The Plan for Service indicates that the Helendale Community Services District can maintain and/or improve the level and range of services currently available in the area.

   The current annual refuse disposal fee for developed parcels will transfer from the County (shown on the property tax bill as County Land Use-SWMD) to the Helendale CSD (Helendale-Refuse Land Use) upon completion of the annexation proposal.

DRAFT

The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

10. The annexation area can benefit from the availability and extension of municipal services from the Helendale Community Services District.

11. This proposal will not affect the fair share allocation of the regional housing needs assigned to the County of San Bernardino through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process.

12. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the following demographic and income profile was generated using ESRI's Business Analyst within the current Helendale Community Services District territory and within the annexation area.

Demographic and Income Comparison	**Helendale CSD**	**Annexation Area**
Race		
• White Alone	47.4%	60.9%
• African American Alone	3.0%	6.8%
• American Indian Alone	3.2%	1.2%
• Asian Alone	1.1%	4.8%
• Pacific Islander Alone	0.0%	0.4%
• Some Other Race Alone	31.0%	12.2%
• Two or More Races	14.3%	13.8%
Ethnicity		
• Hispanic Origin (Any Race)	54.3%	30.5%
Median Household Income	$64,489	$98,068

13. The County of San Bernardino adopted a resolution determining there will be a zero property tax transfer as a result of the annexation. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.

14. The maps and legal descriptions are in substantial compliance with LAFCO and State standards.

SECTION 3. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed annexation in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

DRAFT

SECTION 4. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

SECTION 5. The Commission hereby directs that, following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000) and set the matter for consideration of the protest proceedings, providing notice of hearing pursuant to Government Code Sections 57025 and 57026.

SECTION 6. Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth his determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

SECTION 7. Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

****

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

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, 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 regular meeting of November 15, 2023.

DATED:

_____

SAMUEL MARTINEZ
Executive Officer

DRAFT

LAFCO # 3262

ANNEXATION TO THE HELENDALE COMMUNITY SERVICE DISTRICT (LOWER EASTERN SPHERE OF INFLUENCE)

(AREA "A" ANNEXATION)

All those portions located in Township 8 North, Range 4 West and Township 8 North, Range 3 West, San Bernardino Meridian (S.B.M.), in the County of San Bernardino, State of California, more particularly described as follows:

Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23 and 24, Township 8 North, Range 4 West and Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30 and 31 Township 8 North, Range 3 West.

The above described area contains 23 square miles or 14,720 acres, more or less.

This legal description was prepared by me or under my direction.

By: _____ February 2, 2023

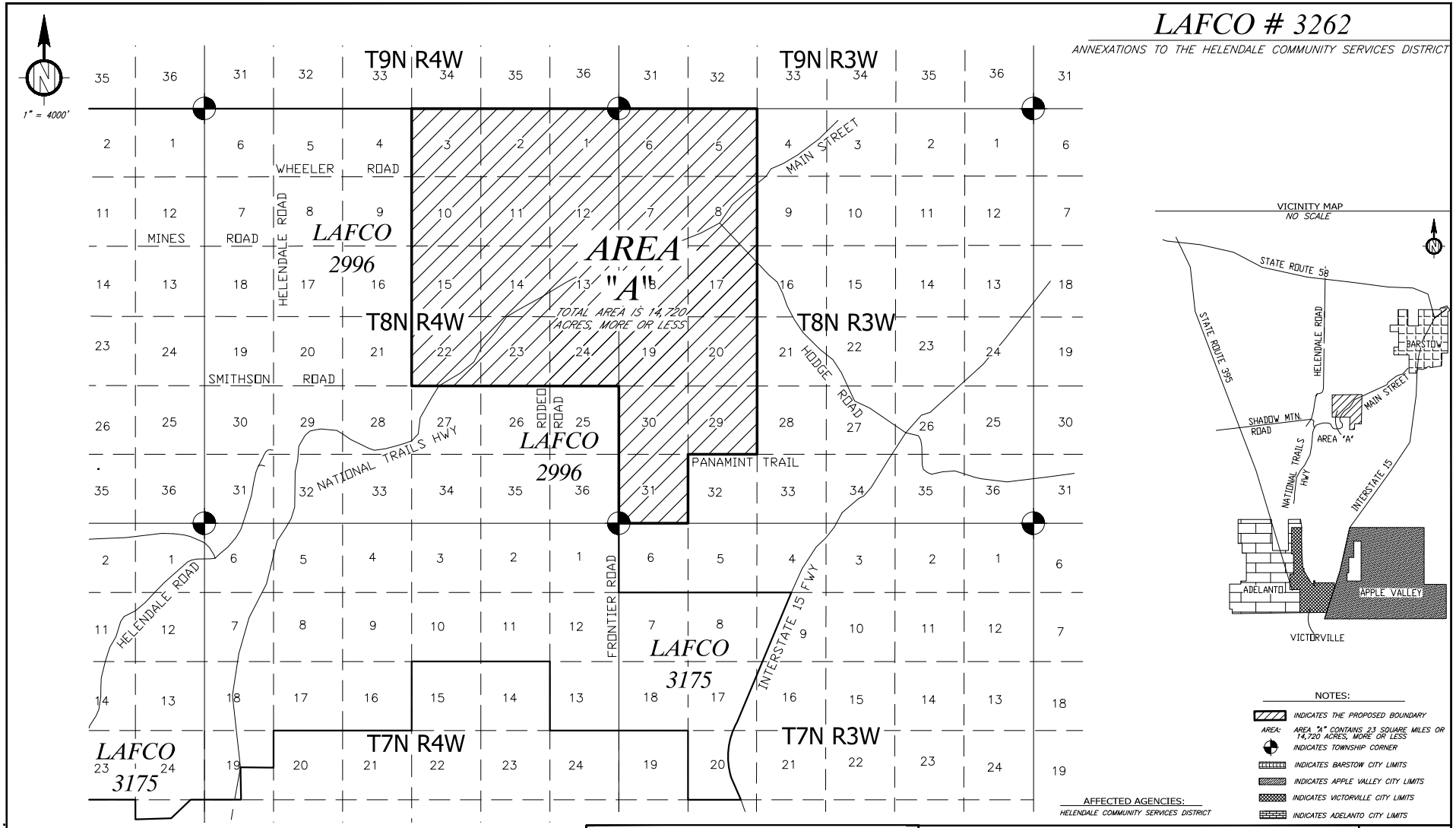
Matthew C. Ehe, PLS 9410 Date
Deputy County Surveyor

PROFESSIONAL LAND SURVEYOR
MATTHEW CHRISTIAN EHE
PLS No. 9410
STATE OF CALIFORNIA

EXHIBIT A

LAFCO # 3262

ANNEXATIONS TO THE HELENDALE COMMUNITY SERVICES DISTRICT



SURVEYOR'S STATEMENT

THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION IN FEBRUARY 2023 AT THE REQUEST OF THE SAN BERNARDINO COUNTY SURVEYOR'S OFFICE

February 3, 2023
DATE

MATTHEW CHRISTIAN EHE, PLS 9410
DEPUTY COUNTY SURVEYOR

PROFESSIONAL LAND SURVEYOR MATTHEW CHRISTIAN EHE No. 9410 STATE OF CALIFORNIA

SAN BERNARDINO COUNTY SURVEYOR 825 E. THIRD STREET, SAN BERNARDINO, CA 92415-0835			
DRAWN BY: MCE	APPROVED BY: MCE	REVISION NO. 2	HELENDALE COMMUNITY SERVICES DISTRICT
THOMAS P. HERRIN COUNTY SURVEYOR SAN BERNARDINO COUNTY			AREA A: CONTAINING 14,720 ACRES MORE OR LESS. TOTAL COMPUTED ACREAGE EQUALING 14,720 ACRES, MORE OR LESS.
		JOB/FILE NO. JLXXXXX LFO	LOCATED AREA A: PROXIMATE TO NATIONAL TRAILS HWY AND MAIN STREET.

LAFCO 3262 – ANNEXATION TO THE HELENDALE COMMUNITY SERVICE DISTRICT
(LOWER EASTERN SPHERE OF IFNLUENCE)

LEGAL DESCRIPTION

ALL THOSE PORTIONS LOCATED IN TOWNSHIP 8 NORTH, RANGE 3 WEST AND TOWNSHIP 8 NORTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN (S.B.M.), IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

AREA A: SECTIONS 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24 TOWNSHIP 8 NORTH, RANGE 4 WEST
SECTIONS 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 TOWNSHIP 8 NORTH RANGE 3 WEST.

SHEET	1
OF	1
SCALE	1" = 4000'
DRAWING NO.	JLXXXXXLFO2023.DWG

EXHIBIT A-1

FOR QUESTIONS REGARDING THIS MAP OR TO OBTAIN A COPY OF THIS MAP IN ELECTRONIC FORM, PLEASE CONTACT LAFCO FOR SAN BERNARDINO COUNTY

EXHIBIT A-1