

## **RESOLUTION NO. 14-19**

### **A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF RUNNING SPRINGS WATER DISTRICT, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR REORGANIZATION AND FINDING THAT THE REQUESTED REORGANIZATION IS NOT A PROJECT AND, THEREFORE IS, EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the Board of Directors of Running Springs Water District (“District”) proposes a reorganization pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for reorganization; and

**WHEREAS**, the proposal includes annexation of territory to the Running Springs Water District (the “Action”); and

**WHEREAS**, descriptions and maps of the area proposed to be reorganized are included in Exhibits “A” and “B” attached hereto and by this reference incorporated herein; and

**WHEREAS**, the proposed Action would simply re-organize and clarify which agencies are responsible for providing wastewater services to the Green Valley Lake community (“territory”), but do not proposed any new development or any increase in the use of the territory; and

**WHEREAS**, the Running Springs Water District currently provides wastewater treatment services under an Outside Wastewater Treatment Agreement; and

**WHEREAS**, Running Springs Water District desires that the proposed reorganization be subject to the standard terms and conditions imposed by the Local Agency Formation Commission (“LAFCO”) and to the following terms and conditions:

- 1) Running Springs Water District would fix the Green Valley Lake community wastewater rates at their current level for the first five years and account for the area as a separate enterprise fund barring any unforeseen circumstances that would require additional revenue;
- 2) Depending on the timing of the LAFCO process, the Green Valley Lake community wastewater rates may be placed on the San Bernardino County property tax roll;
- 3) After the initial 5 years, a rate study would be conducted and the Green Valley Lake community would be merged with the Running Springs Water District existing wastewater enterprise and it is anticipated there would be a uniform wastewater rate for all wastewater customers at that time;
- 4) Running Springs Water District will not accept taking on any of the County of San Bernardino County Service Area No. 79 (“CSA 79”) pension liability;

- 5) No additional Board of Director seats will be added to the Running Springs Water District;
- 6) All application fees and any other costs associated with the LAFCO reorganization would be paid for by the Second District Supervisors Office;
- 7) The existing CSA 79 reserve funds will be transferred to Running Springs Water District and placed in a separate enterprise fund; and

**WHEREAS**, the reason for the proposed annexation is to permanently provide wastewater services to the territory; and

**WHEREAS**, the District requests that the proceedings be taken for the proposal pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for reorganization; and

**WHEREAS**, the proposed reorganization is consistent with the sphere of influence assigned the Running Springs Water District.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Running Springs Water District as follows:

Section 1. Findings under the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000 et seq.; 14 Cal. Code Regs. §§ 15000 et seq.). The Board of Directors hereby determines that adoption of this Resolution and the approval of the Action is not a “project” under CEQA because no environmental impacts will result. However, to the extent the Action is found to be a CEQA “project,” the Board alternatively determines that the Action is exempt from environmental review under CEQA because it has no environmental impacts that will result under State CEQA Guidelines § 15061(b)(3), and because the Action merely allows for the continued operation of an existing facility without any expansion in use under State CEQA Guidelines § 15301 (the “Existing Facilities” exemption) and because the Action consists of a change in the organization of two local government agencies where the change does not change the geographic area in which previously existing powers are exercised under State CEQA Guidelines § 15320. The Board further finds that none of the “exceptions” to the application of the Existing Facilities under State CEQA Guidelines 15300.2 exist because there are no unusual circumstances present, no sensitive resources will be impacted by the Action, no cumulative impacts or other significant effects are foreseeable from the Action, the Action will not impact visual resources within a scenic highway or historic resources, and because the Action does not involve hazardous waste sites.

Section 2. This Resolution of Application is hereby adopted and approved by the Running Springs Water District Board of Directors and hereby requests the Local Agency Formation Commission for San Bernardino County to take proceedings for the annexation of territory as described above, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 3. Running Springs Water District acknowledges and agrees to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.


Section 4. The General Manager is hereby directed and authorized on behalf of the District to finalize and submit a petition, including but not limited to the reorganization application to include annexation, detachment and reorganization including the preparation and certifying of the Plan for Service and Fiscal Impact Analysis, copies of which are on file in the District office and any and all other necessary and required documents to the San Bernardino County Local Agency Formation Commission initiating the Reorganization as set forth in this Resolution, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section 5. That the Secretary to the Running Springs Water District Board of Directors shall certify to the passage and adoption of this resolution and is hereby authorized and directed to file, or cause to be filed, a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for San Bernardino County.

Section 6. The General Manager shall be the custodian of record for all documents relating to the adoption of this Resolution, which may be reviewed by the public at the District's offices located at 31242 Hilltop Boulevard, Running Springs, CA 92382.

ADOPTED this 18<sup>th</sup> day of September 2019.

<b>Ayes:</b>	Grabow, Mackzum, Terry, Acciani
<b>Noes:</b>	○
<b>Abstentions:</b>	○
<b>Absent:</b>	Conrad

  
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President, Board of Directors  
Running Springs Water District

ATTEST:

  
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Secretary of the Board of Directors  
Running Springs Water District



