

## RESOLUTION NO. 21R-11

### A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR THE ANNEXATION OF ASSESSOR PARCEL NUMBER 0631-051-28 (550 LANDERS LANE, LANDERS, CA) TO THE BIGHORN-DESERT VIEW WATER AGENCY AS MORE SPECIFICALLY DESCRIBED BELOW

#### RECITALS

**WHEREAS**, the Board of Directors of the Bighorn-Desert View Water Agency desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code for the annexation of Assessor Parcel Number (APN) 0631-051-28 to the Bighorn-Desert View Water Agency for a total of approximately 10 acres; and,

**WHEREAS**, a description of the area proposed to be annexed to Bighorn-Desert View Water Agency is attached hereto as Exhibit "A" and by this reference incorporated herein; and

**WHEREAS**, Bighorn-Desert View Water Agency is a special district of the State of California operating under the Bighorn-Desert View Water Agency Law, water appendix 112; and

**WHEREAS**, the proposed annexation is consistent with the sphere of influence assigned the Bighorn Desert View Water Agency; and

**WHEREAS**, Bighorn-Desert View Water Agency requests that the proposed annexation be subject to the standard terms and conditions imposed by the Local Agency Formation Commission; and

**WHEREAS**, the reason for the proposed annexation is to enable Bighorn-Desert View Water Agency to provide water service to APN 0631-051-28, which is located adjacent to the Bighorn-Desert View Water Agency's boundary but within its Sphere of Influence; and

**WHEREAS**, the property owner has requested that Bighorn-Desert View Water Agency initiate these proceedings and make an application for annexation to the Local Area Formation Commission on their behalf.

**WHEREAS**, the Bighorn Desert View Water Agency desires that the proposed annexation be subject to the following terms and conditions including the following:

1. Assignment of Assessor Parcel Map No. ("APN") 0631-051-28 any allowable share of the 1% General Ad Valorem property tax to Bighorn-Desert View Water Agency;
2. That the other standard terms and conditions be imposed by the Local Agency Formation Commission regarding annexation to Bighorn-Desert View Water Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY AS FOLLOWS:

Section 1. This Resolution of Application is hereby adopted and approved by the Board of Directors of the Bighorn-Desert View Water Agency, and the Local Agency Formation Commission for San Bernardino County is hereby requested to undertake 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 2. The Bighorn-Desert View Water Agency 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 3. The General Manager of the Bighorn-Desert View Water Agency is hereby directed and authorized to execute, on behalf of the District, the justification for proposal and supplemental form for the annexation which includes the preparation and certification of the Plan for Service and Fiscal Impact Analysis, complete copies of which are on file in the District office.

Section 4. That the Secretary to the 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.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of Bighorn-Desert View Water Agency this 11<sup>th</sup> day of May 2021.

By   
John R. Burkhart, President of the Board

ATTEST,  
By   
JoMarie McKenzie, Board Secretary

Official Seal

