

**LOCAL AGENCY FORMATION COMMISSION
FOR SAN BERNARDINO COUNTY**

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www.sbclafco.org

PROPOSAL NO.: LAFCO 3255

HEARING DATE: January 20, 2021

RESOLUTION NO. 3357

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3255 AND APPROVING THE SPHERE OF INFLUENCE AMENDMENTS FOR THE CITY OF RANCHO CUCAMONGA (EXPANSION), CUCAMONGA VALLEY WATER DISTRICT (EXPANSION), RANCHO CUCAMONGA FIRE PROTECTION DISTRICT (EXPANSION), WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT (EXPANSION), CITY OF FONTANA (REDUCTION), AND FONTANA FIRE PROTECTION DISTRICT (REDUCTION)

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

WHEREAS, an application for the proposed sphere of influence amendments (expansions/reduction) in the County of San Bernardino 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,

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 16, 2022 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 opposition; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be

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heard in respect to any matter relating to the application, in evidence presented at the hearing; and,

WHEREAS, a Complete Final Environmental Impact Report (EIR) was prepared and certified as adequate by the City of Rancho Cucamonga for the Speedway Commerce Development Project (SCH No. 2020090076). This Complete Final EIR addresses environmental impacts of the Project itself including the proposed spheres of influence amendments and the jurisdictional changes associated with said Project. (Copies of the City's Complete Final EIR and all associated documents were previously provided to Commission members). The Commission's staff and its Environmental Consultant have independently reviewed the Complete Final EIR and found them to be adequate for the sphere amendments (LAFCO 3255) decision; and,

The Commission certified that it had reviewed and considered the City's Complete Final EIR and the environmental effects as outlined therein, and as referenced in the environmental Findings of Fact prior to reaching a decision as a CEQA responsible agency. The Commission acknowledged the mitigation measures and Mitigation Monitoring and Reporting Program contained in the City's Complete Final EIR and found that no additional alternatives or mitigation measures would be adopted by the Commission. The Commission found that all changes alterations, and mitigation measures are within the responsibility and jurisdiction of the City and other agencies, not the Commission. The Commission found that it is the responsibility of the City to oversee and implement these measures and the Mitigation Monitoring and Reporting Program; and,

The Commission adopted the Findings of Fact regarding the environmental effects of the sphere of influence amendments, a copy of which is available for review in the LAFCO office. The Commission found that all feasible changes or alterations have been incorporated into the project; that these changes are the responsibility of the City and other agencies identified in the Findings of Fact and the Complete Final EIR.

WHEREAS, the Commission determined that the proposed sphere of influence amendments, submitted under the provisions of Government Code Section 56428, does not require a service review; and,

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

1. *The present and planned land uses in the area, including agricultural and open space lands*

The existing uses within the sphere of influence amendment areas include a mix of vacant land and road right-of-way. The County's General Plan designates the area as Regional Industrial (IR). The City of Fontana's General Plan designates APN 0229-291-46 as General Industrial (GI) and APN 0229-291-23 as Public Utility Corridor (P-UC). The City of Rancho Cucamonga has assigned the area a General Plan and zoning designation of Heavy Industrial (HI).

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Currently, the service need within the area is minimal due to its vacant nature. Upon development of the Speedway Commerce Development Project (Project), the area will remain generally vacant as ancillary to the Project's parking area and access point to the warehouse facilities from Napa Road.

2. The present and probable need for public facilities and services in the area

There will be no change to the public facilities and/or utility services within the area. The sphere of influence amendments and the concurrent reorganization will place the area within the agencies that will serve the Speedway Commerce Development Project; however, the area will remain generally vacant as ancillary to the Project's parking area and access point to the warehouse facilities from Napa Road.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

The City of Rancho Cucamonga provides a full range of municipal services such as law enforcement, solid waste services, and street sweeping. Cucamonga Valley Water District will be providing wastewater collection service only (water service to the area is currently provided by Fontana Water Company). Rancho Cucamonga Fire Protection District, a subsidiary district of the City, will be the responsible agency for fire protection and emergency medical services. Finally, the West Valley Mosquito and Vector Control District provides prevention and control of vector and vector-borne diseases within the west valley region of the County.

The proposed sphere of influence amendment and the concurrent reorganization will place the area within the agencies that will serve the Speedway Commerce Development Project; however, the area will remain generally vacant as ancillary to the Project's parking area and access point to the warehouse facilities from Napa Road.

4. The existence of any social or economic communities of interest

The City of Rancho Cucamonga and its sphere of influence, which is considered the Rancho Cucamonga community, is served by a number of agencies including Cucamonga Valley Water District, Rancho Cucamonga Fire Protection District, as well as the regional West Valley Mosquito and Vector Control District. The sphere of influence amendments (and ultimately the boundaries) will align all service providers that will serve the Project within the City of Rancho Cucamonga.

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5. The Present and Probable Need for Public Facilities and Services of any Disadvantaged Unincorporated Communities Within the Existing Sphere of Influence for a City/Special District that Provides Public Facilities or Services Related to Sewers, Water, or Fire Protection

There are no disadvantaged unincorporated communities within the City of Rancho Cucamonga’s unincorporated sphere of influence or within the spheres of influence for Cucamonga Valley Water District or Rancho Cucamonga Fire Protection District.

Additional Determinations

- As required by State Law, notice of the Commission’s consideration of this issue has been advertised as required by State law through publication in *Inland Valley Daily Bulletin*, a newspaper of general circulation in the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies wishing mailed notice.
- LAFCO staff has also provided individual notices in conjunction with noticing the proposed reorganization proposal, LAFCO 3255, to landowners and registered voters surrounding the sphere amendment area including the entire reorganization area including (totaling 105) in accordance with state law and adopted Commission policies.
- The map and legal description for these sphere of influence amendments, was certified by the County Surveyor’s office.

WHEREAS, pursuant to the provisions of Government Code Section 56425(i), the range of services provided by the Cucamonga Valley Water District, Rancho Cucamonga Fire Protection District, West Valley Mosquito and Vector Control District, and Fontana Fire Protection District shall be limited to the following:

• **Cucamonga Valley Water District:**

<u>FUNCTION</u>	<u>SERVICES</u>
Water	Wholesale and retail water
Sewer	Sewer collection

• **Rancho Cucamonga Fire Protection District:**

<u>FUNCTION</u>	<u>SERVICES</u>
Fire Protection	Fire protection and emergency medical

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- **West Valley Mosquito and Vector Control District:**

<u>FUNCTION</u>	<u>SERVICES</u>
Vector Extermination	Conduct surveillance and other appropriate studies of vectors and vector-borne diseases; prevention of the occurrence of vectors and vector-borne diseases; abate or control vector and vector-borne diseases

- **Fontana Fire Protection District:**

<u>FUNCTION</u>	<u>SERVICES</u>
Fire Protection	Structural, watershed, prevention, inspection, suppression, weed abatement, hazardous materials services, rescue, first aid, paramedic, emergency response, and disaster preparedness planning

WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it determines to amend the spheres of influence for the City of Rancho Cucamonga (expansion), Cucamonga Valley Water District (expansion), Rancho Cucamonga Fire Protection District (expansion), West Valley Mosquito and Vector Control District (expansion) and the City of Fontana (reduction) and Fontana Fire Protection District (reduction).

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission for San Bernardino County, State of California, that this Commission shall consider the territory described in Exhibits "A" and "A-1" as being within the sphere of influence for the City of Rancho Cucamonga, Cucamonga Valley Water District, Rancho Cucamonga Fire Protection District, West Valley Mosquito and Vector Control District and removed from the sphere of influence for the City of Fontana and Fontana Fire Protection District, it being fully understood that the amendments of such spheres of influence is a policy declaration of this Commission based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

BE IT FURTHER RESOLVED that the Local Agency Formation Commission for San Bernardino County, State of California, does hereby determine that the Speedway Commerce Center Development, LLC, as the applicant, shall indemnify, defend, and hold harmless the Commission 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.

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

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AYES: COMMISSIONERS: BAGLEY, COX, DUPPER, FARRELL
HAGMAN, & WARREN.

NOES: COMMISSIONERS: NONE.

ABSTAIN: COMMISSIONERS: BACA.

ABSENT: COMMISSIONERS: NONE.

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 16, 2022.

DATED: NOVEMBER 16, 2022



SAMUEL MARTINEZ
Executive Officer



LAFCO 3255

SPHERES OF INFLUENCE AMENDMENTS FOR THE CITY OF RANCHO CUCAMONGA (EXPANSION), CUCAMONGA VALLEY WATER DISTRICT (EXPANSION), RANCHO CUCAMONGA FIRE PROTECTION DISTRICT (EXPANSION), WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT (EXPANSION), CITY OF FONTANA (REDUCTION), AND FONTANA FIRE PROTECTION DISTRICT (REDUCTION)

A PORTION THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16, SAID CORNER ALSO BEING ON THE CENTERLINE OF ETIWANDA AVENUE;

COURSE 1. THENCE SOUTH $00^{\circ}17'58''$ WEST ALONG THE WESTERLY LINE OF SAID SECTION 16 AND SAID CENTERLINE OF ETIWANDA AVENUE, A DISTANCE OF 662.77 FEET TO AN ANGLE POINT IN THE EXISTING CITY OF RANCHO CUCAMONGA BOUNDARY PER LAFCO 1608 AND THE **TRUE POINT OF BEGINNING**;

COURSE 2. THENCE SOUTH $89^{\circ}45'18''$ EAST ALONG SAID BOUNDARY, A DISTANCE OF 2647.88 FEET TO AN ANGLE POINT THEREON, SAID POINT BEING ON THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 16;

COURSE 3. THENCE SOUTH $00^{\circ}06'53''$ WEST ALONG SAID EASTERLY LINE, A DISTANCE OF 180.99 FEET TO A POINT ON THE CENTERLINE OF NAPA STREET (66.00 FEET IN FULL WIDTH) AS DESCRIBED IN THAT CERTAIN GRANT OF EASEMENT TO THE COUNTY OF SAN BERNARDINO, RECORDED NOVEMBER 22, 1995 AS DOCUMENT NO. 19950404553, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 850.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH $12^{\circ}33'53''$ EAST;

COURSE 4. THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG SAID CENTERLINE AND SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF $38^{\circ}12'45''$, AN ARC DISTANCE OF 566.89 FEET AND A CHORD DISTANCE OF 556.45 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 850.00 FEET;

COURSE 5. THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CENTERLINE AND SAID CURVE, TO THE LEFT, THROUGH A CENTRAL ANGLE OF $25^{\circ}22'43''$, AN ARC DISTANCE OF 376.50 FEET AND A CHORD DISTANCE OF 373.43 FEET;

COURSE 6. THENCE ALONG SAID CENTERLINE NORTH $89^{\circ}43'51''$ WEST, A DISTANCE OF 518.47 FEET AND TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1000.00 FEET;

COURSE 7. THENCE WESTERLY ALONG SAID CENTERLINE AND SAID CURVE, TO THE LEFT, THROUGH A CENTRAL ANGLE OF 10°25'48", AN ARC DISTANCE OF 182.04 FEET AND A CHORD DISTANCE OF 181.79 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1000.00 FEET;

COURSE 8. THENCE WESTERLY ALONG SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 10°27'29", AN ARC DISTANCE OF 182.53 FEET AND A CHORD DISTANCE OF 182.28 FEET;

COURSE 9. THENCE NORTH 89°42'10" WEST, A DISTANCE OF 305.07 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 820.00 FEET;

COURSE 10. THENCE WESTERLY ALONG SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 12°08'36", AN ARC DISTANCE OF 173.79 FEET AND A CHORD DISTANCE OF 173.47 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 820.00 FEET;

COURSE 11. THENCE WESTERLY ALONG SAID CURVE, TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°08'15", AN ARC DISTANCE OF 173.71 FEET AND A CHORD DISTANCE OF 173.38 FEET;

COURSE 12. THENCE NORTH 89°41'49" WEST, A DISTANCE OF 199.97 FEET TO A POINT ON SAID CENTERLINE OF ETIWANDA AVENUE AND THE BOUNDARY LINE OF CITY OF RANCHO CUCAMONGA;

COURSE 13. THENCE NORTH 00°17'09" EAST ALONG SAID WESTERLY LINE AND SAID CENTERLINE, A DISTANCE OF 32.96 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 4.80 ACRES, MORE OR LESS.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.
PREPARED UNDER MY SUPERVISION


MICHAEL E. JOHNSON, L.S. 7673

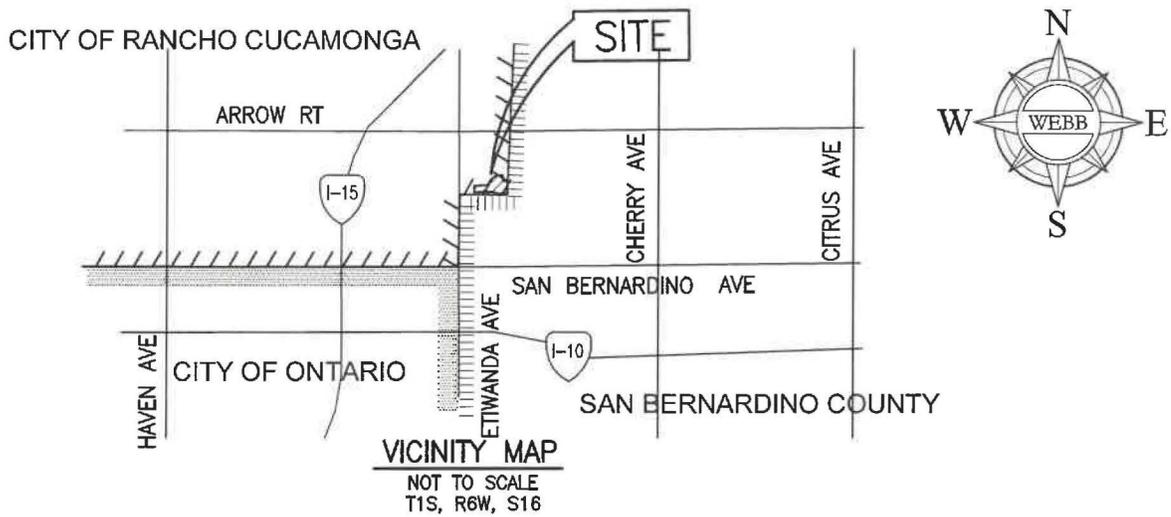
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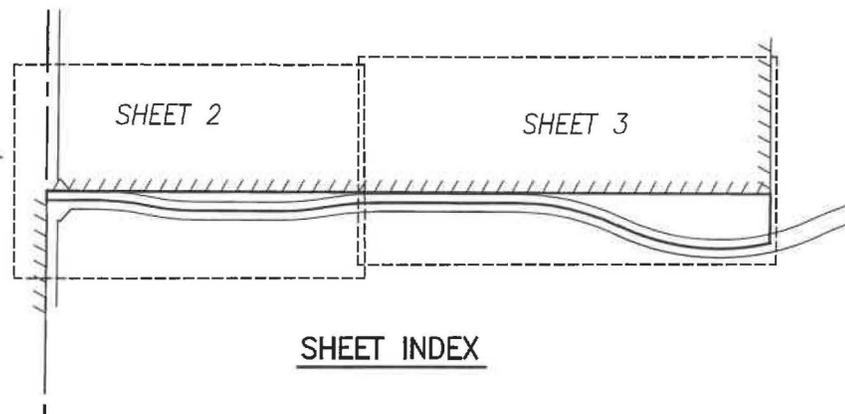
PREPARED BY: ZB
CHECKED BY: mg

LAFCO 3255

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09/29/22



SEC. 16, T1S, R6W, SBM



LAFCO 3255

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

SHEET 1 OF 3
W.O. 20-0066

SCALE: N.T.S. DRWN BY LB DATE 2/26/22
CHKD BY MJ DATE 09/29/22 SUBJECT: LAFCO 3255

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

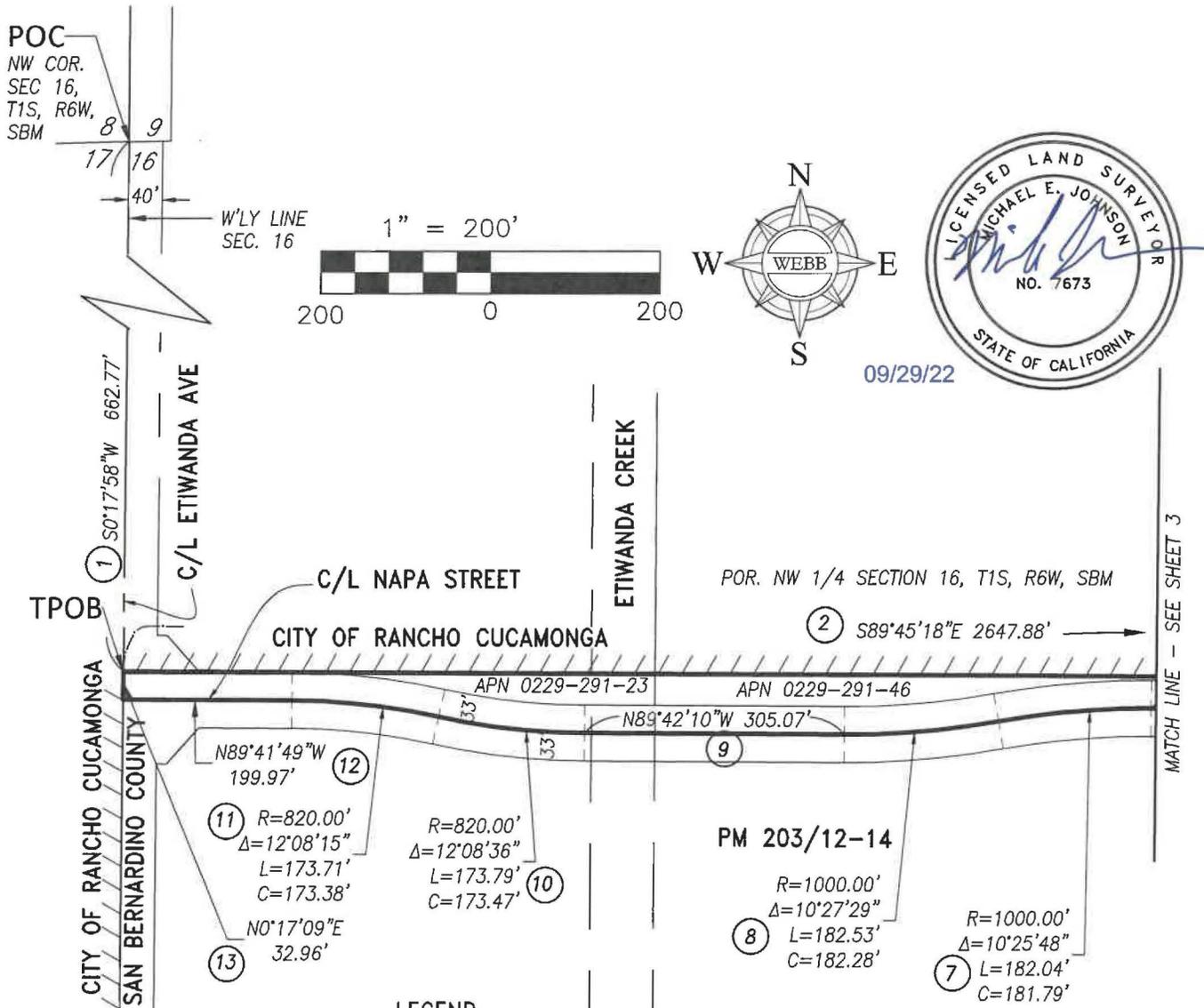
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LEGEND

EXISTING CITY BOUNDARY

EXPANSION BOUNDARY (4.80 ACRES)

SEC. 16, T1S, R6W, SBM

ALBERT A.
WEBB
ASSOCIATES

LAFCO 3255

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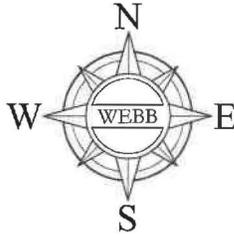
SHEET 2 OF 3

W.O.
20-0066

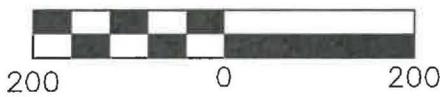
SCALE: 1"=200' DRWN BY LB DATE 2/26/22
CHKD BY MJ DATE 09/29/22 SUBJECT: LAFCO 3255

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1" = 200'



09/29/22

MATCH LINE - SEE SHEET 2

CITY OF RANCHO CUCAMONGA
SAN BERNARDINO COUNTY

POR. NW 1/4 SECTION 16, T1S, R6W, SBM

E'LY LINE NW 1/4 SEC. 16

② S89°45'18"E 2647.88'

CITY OF RANCHO CUCAMONGA

33' 33" N89°43'51"W 518.47'

SAN BERNARDINO COUNTY

⑥

APN 0229-291-46

⑤ R=850.00'
Δ=25°22'43"
L=376.50'
C=373.43'

③ S12°33'53"E(R)
S0°06'53"W
180.99'

PM 194/28-32

C/L NAPA STREET

④ R=850.00'
Δ=38°12'45"
L=566.89'
C=556.45'

PM 210/38-39

LEGEND



EXISTING CITY BOUNDARY



EXPANSION BOUNDARY (4.80 ACRES)

SEC. 16, T1S, R6W, SBM



LAFCO 3255

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SHEET 3 OF 3

W.O.
20-0066

SCALE: 1"=200'

DRWN BY LB
CHKD BY MJ

DATE 2/26/22
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