

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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PROPOSAL NO.: LAFCO 3270

HEARING DATE: NOVEMBER 20, 2024

RESOLUTION NO. 3410

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3270 AND APPROVING THE ANNEXATION TO THE CUCAMONGA VALLEY WATER DISTRICT (SOUTHEASTERN SPHERE OF INFLUENCE). The annexation area comprises approximately 383.5 acres located entirely within the City of Rancho Cucamonga and is located east and west of Etiwanda Avenue generally north of 6th Street and south of Arrow Route.

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

WHEREAS, an application by the Cucamonga Valley Water 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 20, 2024, 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;

RESOLUTION NO. 3410

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 3270.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Cucamonga Valley Water 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 Cucamonga Valley Water 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 County Registrar of Voters has determined that the annexation area is legally inhabited, containing 33 registered voters as of October 16, 2024.

2. The County Assessor has determined that the total assessed value of land and improvements within the annexation area are as follows:

Land:	\$ 194,177,240
<u>Improvements:</u>	<u>\$ 85,547,718</u>
Total:	\$ 279,724,958

3. The annexation area is within the sphere of influence assigned the Cucamonga Valley Water District.

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 Sun*, a newspaper of general circulation in the area. As required by State law, individual notices were

RESOLUTION NO. 3410

provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notice.

5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (109 total) and registered voters (33 total) within the annexation area. Comments from landowners, registered voters, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The City of Rancho Cucamonga's current General Plan designations for the annexation area are: Neighborhood Center, Neo-Industrial Employment District, and Industrial Employment District. This annexation has no direct impact on said land use designations.
7. 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 3270 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy; however, the Project is close to the I-10 and I-15 Freeways, which are part of the RTP-SCS's regional express lane network that will be adding two express lanes on both freeways in each direction for completion by 2040.
8. The Local Agency Formation Commission has determined that this proposal is exempt from environmental review. The basis for this determination is that the Commission's approval of the annexation has no potential to cause a significant adverse impact 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). The Commission adopted the Exemption and directed its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The annexation area is served by the following local agencies: City of Rancho Cucamonga, Rancho Cucamonga Fire Protection District, Inland Empire Resource Conservation District, West Valley Mosquito and Vector Control District, Inland Empire Utilities Agency and its Improvement Districts, and Metropolitan Water District of Southern California.

None of these agencies are affected by this annexation proposal as they are either regional in nature or identified for other services for the annexation area.
10. A plan was prepared for the extension of services to the annexation area, as required by law. The Plan for Service indicates that the Cucamonga Valley Water District can provide water and/or sewer service to the area and can maintain and/or improve the level of said services currently available in the area.

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

RESOLUTION NO. 3410

and the Fiscal Impact Analysis conform to those adopted standards and requirements.

11. The annexation area can and will continue to benefit from the availability and extension of water and/or sewer services from the Cucamonga Valley Water District.
12. This proposal will not affect the fair share allocation of the regional housing needs assigned to the City of Rancho Cucamonga through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process.
13. 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 Cucamonga Valley Water District territory and within the annexation area.

Demographic and Income Comparison	Cucamonga Valley WD Current Area	Annexation Area
Race		
• White Alone	38.3%	23.9%
• Black Alone	9.5%	13.8%
• American Indian Alone	1.2%	1.8%
• Asian Alone	16.0%	16.5%
• Pacific Islander Alone	0.3%	0.0%
• Some Other Race Alone	17.0%	24.8%
• Two or More Races	17.7%	19.3%
Ethnicity		
• Hispanic Origin (Any Race)	40.7%	50.9%
Median Household Income	\$108,443	\$75,000

As noted in the staff report, properties east of Etiwanda Avenue receive water service from Fontana Water Company. There are several properties within the annexation area that already receive sewer service from the District through an out-of-agency service agreement and/or through direct connection to Inland Empire Utilities Agency's regional transmission lines. The annexation area will continue to benefit from the extension of service(s) and facilities from the District, at the same time, would not result in the deprivation of service or the unfair treatment of any person based on race, culture or income through approval of LAFCO 3270.

14. The County of San Bernardino, acting on behalf of the Cucamonga Valley Water District, determining there will be no transfer of property tax revenues as a result of the annexation. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.

RESOLUTION NO. 3410

15. 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.

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:

YES: COMMISSIONERS: BACA, BAGLEY, DENISON, FARRELL, HAGMAN, KENLEY, WARREN.

NOES: COMMISSIONERS: NONE.

ABSENT: COMMISSIONERS: COX (Kenley voting in her stead), DUPPER (Denison voting in his stead).

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

RESOLUTION NO. 3410

the members present as the same appears in the Official Minutes of said Commission at its regular meeting of November 20, 2024.

DATED: NOVEMBER 20, 2024



SAMUEL MARTINEZ
Executive Officer



EXHIBIT "A"

LAFCO 3270

Annexation to Cucamonga Valley Water District (Southeastern Sphere of Influence)

LEGAL DESCRIPTION

A PORTION OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 1 SOUTH, RANGE 6 WEST, S.B.M., IN THE CITY OF RANCHO CUCAMONGA, SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF 6TH STREET AND ETIWANDA AVENUE, SAID POINT BEING THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST 1/4 OF SAID SECTION 17, SAID POINT ALSO BEING ON THE CITY OF RANCHO CUCAMONGA BOUNDARY AND ALSO BEING ON THE EXISTING CUCAMONGA VALLEY WATER DISTRICT BOUNDARY ESTABLISHED PER LAFCO 185;

1) THENCE, LEAVING SAID CITY BOUNDARY, ALONG THE CENTERLINE OF 6TH STREET AND ALONG SAID SOUTHERLY SECTION LINE AS ESTABLISHED PER LAFCO 185 THROUGH ITS VARIOUS COURSES IN A GENERALLY WESTERLY, EASTERLY AND NORTHERLY DIRECTION TO THE WEST QUARTER CORNER OF SAID SECTION 9, SAID POINT ALSO BEING THE CENTERLINE INTERSECTION OF SAID ETIWANDA AVENUE AND ARROW ROUTE, AND SAID POINT ALSO BEING ON THE EXISTING CUCAMONGA VALLEY WATER DISTRICT BOUNDARY ESTABLISHED PER LAFCO 1685;

2) THENCE, LEAVING SAID LAFCO 185 BOUNDARY, ALONG THE CENTERLINE OF ARROW ROUTE AND THE NORTHERLY LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, AS ESTABLISHED PER LAFCO 1685 TO THE CENTER QUARTER CORNER OF SAID SECTION 9, SAID POINT ALSO BEING THE CENTERLINE INTERSECTION OF SAID ARROW ROUTE AND HICKORY AVENUE, SAID POINT ALSO BEING ON THE EXISTING CITY OF RANCHO CUCAMONGA BOUNDARY;

3) THENCE, LEAVING SAID LAFCO 1685 BOUNDARY, ALONG THE CENTERLINE OF HICKORY AVENUE AND THE EASTERLY LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9, AND ALSO ALONG SAID CITY BOUNDARY, SOUTH 00°04'00" WEST, A DISTANCE OF 2217.51 FEET TO THE SOUTHERLY LINE OF THE SBCTA RAIL CORRIDOR;

4) THENCE, ALONG THE SOUTHERLY LINE OF THE SBCTA RAIL CORRIDOR AND SAID CITY BOUNDARY, SOUTH 88°10'30" WEST A DISTANCE OF 17.15 FEET TO SAID EASTERLY LINE OF THE SOUTHWEST ¼ OF SAID SECTION 9;

5) THENCE, ALONG SAID EASTERLY LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 9 AND SAID CITY BOUNDARY, SOUTH 00°29'35" WEST A DISTANCE OF 415.71 FEET;

6) THENCE, LEAVING SAID CITY BOUNDARY, ALONG SAID LAFCO 3256 BOUNDARY THROUGH ITS VARIOUS COURSES IN A GENERALLY NORTHERLY, WESTERLY AND SOUTHWESTERLY DIRECTION TO THE CENTERLINE INTERSECTION OF SAID ETIWANDA AVENUE AND NAPA STREET, SAID POINT ALSO BEING ON THE EXISTING CITY OF RANCHO CUCAMONGA BOUNDARY;

EXHIBIT A

7) THENCE, LEAVING SAID LAFCO 3256 BOUNDARY, SOUTHERLY ALONG THE CENTERLINE OF SAID ETIWANDA AVENUE, AND ALSO ALONG THE EXISTING CITY OF RANCHO CUCAMONGA BOUNDARY, SOUTH 00°32'46" WEST, A DISTANCE OF 1292.82 FEET TO THE **POINT OF BEGINNING**.

SAID AREA CONTAINING 383.50 AC., MORE OR LESS.



08/28/2024

