

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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PROPOSAL NO.: LAFCO 3209

HEARING DATE: SEPTEMBER 21, 2016

RESOLUTION NO. 3231

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3209 AND APPROVING THE REORGANIZATION TO INCLUDE ANNEXATIONS TO THE WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT AND ITS ASSESSMENT DISTRICT NO. 2 (ZONE C), AS MODIFIED. The reorganization includes two separate areas encompassing a total of approximately 17,644 acres (27.6 square miles).

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

WHEREAS, an application for the proposed reorganization 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 the Executive Officer has examined the application and executed her 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 her 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 August 17, 2016 and continued to the September 21, 2016 hearing 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; and,

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WHEREAS, the Commission determines to modify the proposal to be a reorganization to include annexation to the West Valley Mosquito and Vector Control District and its Assessment District No. 2 (Zone C).

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 of this change of organization are approved as set forth in Exhibits "A" and "A-1" attached;

Condition No. 2. The following distinctive short-form designation shall be used through this proceeding: LAFCO 3209;

Condition No. 3. The effective date of this reorganization shall be the date of issuance of the Certificate of Completion;

Condition No. 4. Prior to the issuance of the Certificate of Completion for the reorganization to include annexations, pursuant to the provisions outlined in Government Code Section 56886(i), the Commission requires that the Board of Trustees of the West Valley Mosquito and Vector Control District and the County Board of Supervisors provide to the Executive Officer of LAFCO a signed agreement transferring a prorated portion of the County's Vector Control benefit assessment for Fiscal Year 2016-17 to the West Valley Mosquito and Vector Control District said amount to be determined based upon the effective date of LAFCO 3209;

Condition No. 5. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the West Valley Mosquito and Vector Control 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. 6. The West Valley Mosquito and Vector Control 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.

SECTION 2. DETERMINATIONS. The following determinations are noted in conformance with Commission policy and Government Code Section 56668:

1. The reorganization proposal is legally inhabited with 35,911 registered voters as of March 9, 2016.
2. The County Assessor's Office has determined that the total assessed value of land and improvements within the reorganization area is \$8,704,938,158

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(land--\$2,778,134,677; improvements--\$5,926,803,481) as of March 23, 2016. The breakdown of assessed value of land and improvements for both areas are as follows:

Area 1: \$8,644,326,682	(land - \$2,733,274,654; improvements – \$5,911,052,028)
Area 2: \$ 60,611,476	(land - \$44,860,023; improvements – \$15,751,453)

3. Through approval of the companion proposal, LAFCO 3208, the reorganization area will all be within the sphere of influence assigned the West Valley Mosquito and Vector Control District.
4. Notice of this hearing was published as required by law in the *Inland Valley Daily Bulletin*, a newspaper of general circulation within the reorganization area. As required by State law and Commission policy a 1/8th page legal ad was provided in compliance with the provisions of Government Code Section 56157. Individual notices were provided to all affected and interested agencies, County departments and those individuals and agencies requesting special notice. Comments from registered voters and any affected local agency have been reviewed and considered by the Commission in making its determination.
5. In compliance with the requirements of Government Code Section 56125 and Commission policy, individual notice was mailed to landowners within the reorganization area for Assessment District No. 2 (Zone C) totaling 20,471 due to the benefit assessment being extended. Comments from landowners have been considered by the Commission in making its determination.
6. The City of Upland and the County's land use designation for the reorganization area includes a full range of land uses including residential, commercial, industrial, special/institutional, mixed-use, open space, and floodway. LAFCO 3209 has no direct effect on the City's or the County's General Plan land use designations assigned for the area.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3209 has no direct impact on SCAG's Regional Transportation Plan. The Sustainable Community Strategy includes as a goal the need to promote and improve public health which approval of LAFCO 3209 accomplishes.
8. The Local Agency Formation Commission has determined that this proposal is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the proposal has no potential to cause any adverse effect on the environment since the reorganization will transfer the delivery of mosquito and vector control services from one entity to another which will not result in any physical impacts on the environment. The Commission certifies it has reviewed and considered the environmental recommendation and finds that, without any identifiable physical changes, this proposal does not constitute a project and is not subject to environmental review under the provisions of the State CEQA Guidelines Section 15061(b)(3). The Commission adopted the Statutory Exemption

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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 local agencies currently serving the area are: County of San Bernardino, City of Upland, Monte Vista Water District, Cucamonga Valley Water District, Chino Basin Water Conservation District, Inland Empire Resource Conservation District, Inland Empire Utilities Agency, Metropolitan Water District of Southern California, Rancho Cucamonga Fire Protection District, San Bernardino County Fire Protection District and its Valley Service Zone, County Service Area 120, County Service Area SL-1, and County Service Area 70 (multi-function unincorporated area Countywide)

None of the agencies identified above are affected by this proposal. The only affected agencies are the County, through its Mosquito and Vector Control Program under its Division of Environmental Health Services, and the West Valley Mosquito and Vector Control District.

10. The West Valley Mosquito and Vector Control District submitted a plan for services, as required by law, which provides a general outline of the delivery of services mandated by Government Code Section 56653. This Plan and its Fiscal Impact Analysis indicates that the transfer of service to the West Valley Mosquito and Vector Control District, can, at a minimum, maintain the level of service delivery currently received by the area and will provide for an enhanced level of service in specific categories. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan for Service and Fiscal Impact Analysis submitted conform to those adopted standards and requirements and show that the level of service will be enhanced following annexation.
11. The reorganization area will benefit from the availability of services from the West Valley Mosquito and Vector Control District as evidenced by the Plan for Service.
12. This proposal will not affect the fair share allocation of the regional housing needs assigned to the City of Upland through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process
13. With respect to environmental justice, the reorganization proposal—which is to provide enhanced mosquito and vector control services to the area—will not result in the unfair treatment of any person based on race, culture or income.
14. The County of San Bernardino, acting on behalf of the West Valley Mosquito and Vector Control District as required by Revenue and Taxation Code Section 99 adopted a resolution indicating no transfer of property tax revenues would be required. This negotiated agreement fulfills the requirements of Section 99 of the Revenue and Taxation Code.
15. The map and legal description prepared by the County Surveyor 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 change or organization in a reasonable

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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.

SECTION 6. Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth her 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:	Bagley, Cox, Curatalo, McCallon, Williams
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	Ramos
ABSTAIN:	COMMISSIONERS:	Lovingood

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

I, KATHLEEN ROLLINGS-MCDONALD, 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 September 21, 2016.

DATED: September 21, 2016



KATHLEEN ROLLINGS-MCDONALD
 Executive Officer



LAFCO 3209
Reorganization to Include Annexations to West Valley Mosquito and
Vector Control District and its Assessment District No. 2 (Zone C)

AREA 1

Those portions of the County of San Bernardino, State of California, lying within Sections 19, 20, 29 through 33, Township 1 North, Range 7 West, San Bernardino Meridian, Sections 23 through 26, 35, 36, Township 1 North, Range 8 West, San Bernardino Meridian, Sections 4 through 8, 17, 18, Township 1 South, Range 7 West, San Bernardino Meridian, and Sections 1 through 3, 10 through 13, Township 1 South, Range 8 West, San Bernardino Meridian, described as follows:

Those parcels of land located within the current boundary of the City of Upland, State of California, as of January 21st, 2016, per Records of the City of Upland and the San Bernardino County Local Agency Formation Commission;

Together with the following described parcel of land:

Beginning at the intersection of the north line of Section 24, Township 1 North, Range 8 West, San Bernardino Meridian (S.B.M.), with the boundary line between San Bernardino County and Los Angeles County, being in the unincorporated territory of the County of San Bernardino;

1. Thence easterly along the north line of said Section 24 a distance of 4344.77 feet, more or less, to the northwest corner of Section 19, Township 1 North, Range 7 West, S.B.M.;
2. Thence easterly along the north line of said Section 19 a distance of 5453.88 feet, more or less, to the northwest corner of Section 20, Township 1 North, Range 7 West, S.B.M.;
3. Thence easterly along the north line of said Section 20 a distance of 2631.39 feet, more or less, to the north quarter corner of said Section 20;
4. Thence southerly along the east line of the west half of said Section 20, said east line also being the east line of the east half of Government Lot 2 of said Section 20, a distance of 1185.78 feet, more or less, to the southeast corner of said Government Lot 2;
5. Thence westerly along the south line of said Government Lot 2 a distance of 335.75 feet, more or less, to the west line of the Cucamonga Homestead, being the boundary line of the City of Rancho Cucamonga per LAFCO 1608 dated November 30, 1977;
6. Thence southerly along said west line and said LAFCO 1608 a distance of 2656.48 feet, more or less, to an angle point in said west line;
7. Thence southerly along said west line and said LAFCO 1608 a distance of 1472.88 feet, more or less, to the north line of City of Upland Annexation #1, also being the extension of the centerline of 24th Street;

8. Thence leaving said LAFCO 1608, westerly along the centerline of 24th Street and said Annexation #1 a distance of 7274.07 feet, more or less, to the centerline of San Antonio Avenue;
9. Thence southerly along the centerline of San Antonio Avenue and said Annexation #1 a distance of 1320.81 feet, more or less, to the centerline of 23rd Street;
10. Thence westerly along the centerline of 23rd Street and said Annexation #1 a distance of 2848.95 feet, more or less, to the centerline of Mountain Avenue;
11. Thence northerly along the centerline of Mountain Avenue and said Annexation #1 a distance of 1319.86 feet, more or less, to the north line of said Annexation #1, said line also being the south line of the City of Upland Annexation #18;
12. Thence leaving said Annexation #1, northerly along the centerline of Mountain Avenue and said Annexation #18 a distance of 659.87 feet, more or less, to the north line of said Annexation #18;
13. Thence westerly along said Annexation #18 a distance of 1075.24 feet, more or less, to the centerline of Forman Street;
14. Thence southerly along the centerline of Forman Street and said Annexation #18 a distance of 659.45 feet, more or less, to the centerline of 24th Street and to the north line of said Annexation #1;
15. Thence leaving said Annexation #18, westerly along the centerline of 24th Street and said Annexation #1 a distance of 1109.40 feet, more or less, to the west line of the said Annexation #1, said line also being the east line of City of Upland Annexation #46, LAFCO 2086A, dated September 28, 1981;
16. Thence leaving said Annexation #1, westerly along the centerline of 24th Street and said Annexation #46 a distance of 1704.14 feet, more or less, to the west line of the City of Upland, said west line also being the boundary line between the County of San Bernardino and the County of Los Angeles;
17. Thence northerly along said County boundary line a distance of 5630.63 feet, more or less, to the **Point of Beginning**.

Area 1 - Containing 11,695.63 acres (18.30 sq. miles), more or less.

AREA 2

Those portions of the County of San Bernardino, State of California, lying within Sections 15 through 19, 22, 30, Township 1 North, Range 6 West, San Bernardino Meridian and Sections 13 through 16, Township 1 North, Range 7 West, San Bernardino Meridian, described as follows:

Beginning at the northwest corner of Section 16, Township 1 North, Range 7 West, San Bernardino Meridian (S.B.M.), being in the unincorporated territory of the County of San Bernardino;

18. Thence easterly along the north line of said Section 16 a distance of 5329.23 feet, more or less, to the northwest corner of Section 15, Township 1 North, Range 7 West, S.B.M.;
19. Thence easterly along the north line of said Section 15 a distance of 2654.04 feet, more or less, to the north quarter corner of said Section 15;
20. Thence easterly along the north line of said Section 15 a distance of 2437.22 feet, more or less, to the northwest corner of Section 14, Township 1 North, Range 7 West, S.B.M.;
21. Thence southerly along the west line of said Section 14 a distance of 1457.68 feet, more or less, to the south line of the northwest quarter of the northwest quarter of said Section 14;
22. Thence easterly along said south line a distance of 1323.27 feet, more or less, to the east line of the northwest quarter of the northwest quarter of said Section 14;
23. Thence northerly along said east line a distance of 1400.24 feet, more or less, to the north line of said Section 14;
24. Thence easterly along the north line of said Section 14 a distance of 1335.84 feet, more or less, to the west line of the northwest quarter of the northeast quarter of said Section 14;
25. Thence southerly along the said west line a distance of 1342.85 feet, more or less, to the south line of the northwest quarter of the northeast quarter of said Section 14;
26. Thence easterly along said south line a distance of 1430.10 feet, more or less, to the east line of the northwest quarter of the northeast quarter of said Section 14;
27. Thence northerly along said east line a distance of 1331.50 feet, more or less, to the north line of Section 14;
28. Thence easterly along the north line of said Section 14 a distance of 1516.18 feet, more or less, to the northwest corner of Section 13, Township 1 North, Range 7 West, S.B.M.;
29. Thence easterly along the north line of said Section 13 a distance of 4968.74 feet, more or less, to the northwest corner of Section 18, Township 1 North, Range 6 West, S.B.M.;
30. Thence southerly along the west line of said Section 18 a distance of 2606.83 feet, more or less, to the south line of the north half of said Section 18;
31. Thence easterly along said south line a distance of 1377.66 feet, more or less, to the east line of the west half of the northwest quarter of said Section 18;
32. Thence northerly along said east line a distance of 2546.38 feet, more or less, to the north line of said Section 18;
33. Thence easterly along the north line of said Section 18 a distance of 3993.94 feet, more or less, to the northwest corner of Section 17, Township 1 North, Range 6 West, S.B.M.;

34. Thence easterly along the north line of said Section 17 a distance of 5283.25 feet, more or less, to the northwest corner of Section 16, Township 1 North, Range 6 West, S.B.M.;
35. Thence easterly along the north line of said Section 16 a distance of 5362.66 feet, more or less, to the northwest corner of Section 15, Township 1 North, Range 6 West, S.B.M.;
36. Thence easterly along the north line of said Section 15 a distance of 5285.08 feet, more or less, to the northwest corner of Section 14, Township 1 North, Range 6 West, S.B.M., said corner also being the west line of the City of Fontana and LAFCO 2281 dated May 14, 1985;
37. Thence southerly along the west line of said Section 14 and the City of Fontana boundary a distance of 5252.42 feet, more or less, to the northwest corner of Section 23, Township 1 North, Range 6 West, S.B.M.;
38. Thence southerly along the west line of said Section 23 and the City of Fontana Boundary a distance of 5255.75 feet, more or less, to the southeast corner of Section 22, Township 1 North, Range 6 West, S.B.M. and the City of Rancho Cucamonga boundary and LAFCO 1608 dated November 30, 1977;
39. Thence leaving the City of Fontana boundary westerly along the south line of said Section 22 and LAFCO 1608 a distance of 1326.58 feet, more or less, to the west line of the east half of the east half of said Section 22 and LAFCO 2505 dated January 30, 1989;
40. Thence leaving LAFCO 1608 northerly along said west line and LAFCO 2505 a distance of 5217.79 feet, more or less, to the north line of said Section 22;
41. Thence South 76°41'37" West along LAFCO 2505 a distance of 1263.14 feet;
42. Thence South 89°32'26" West along LAFCO 2505 a distance of 1420.60, more or less, to the east line of the west half of said Section 22 and LAFCO 2964 dated December 20, 2004;
43. Thence leaving LAFCO 2505 northerly along said east line and LAFCO 2964 a distance of 329.99 feet, more or less, to the north line of said Section 22;
44. Thence westerly along the north line of said Section 22 and LAFCO 2964 a distance of 1324.95 feet, more or less, to the northeast corner of Section 21, Township 1 North, Range 6 West, S.B.M.;
45. Thence westerly along the north line of said Section 21 and LAFCO 2964 a distance of 1324.95 feet, more or less, to the northwest corner the northeast quarter of the northeast quarter of said Section 21 and LAFCO 2970A dated April 18, 2005;
46. Thence leaving LAFCO 2964 westerly along the north line of said Section 21 and LAFCO 2970A a distance of 3975.49 feet, more or less, to the northeast corner of Section 20, Township 1 North, Range 6 West, S.B.M. and LAFCO 2879 dated February 1, 2002;

47. Thence leaving LAFCO 2970A westerly along the north line of said Section 20 and LAFCO 2879 a distance of 5314.98 feet, more or less, to the northeast corner of Section 19, Township 1 North, Range 6 West, S.B.M.;
48. Thence southerly along the east line of said Section 19 and LAFCO 2879 a distance of 2636.15 feet, more or less, to the east quarter corner of said Section 19 and LAFCO 2864 dated December 4, 2000;
49. Thence leaving LAFCO 2879 southerly along the east line of said Section 19 and LAFCO 2684 a distance of 2636.09 feet, more or less, to the northeast corner of Section 30, Township 1 North, Range 6 West, S.B.M.;
50. Thence southerly along the east line of said Section 30 and LAFCO 2864 a distance of 2656.91 feet, more or less, to the east quarter corner of said Section 30;
51. Thence westerly along the south line of the north half of said Section 30 and LAFCO 2864 a distance of 1326.91 feet, more or less, to the west line of the east half of the northeast quarter of said Section 30 and LAFCO 2317 dated April 3, 1985;
52. Thence leaving LAFCO 2864 westerly along the south line of the north half of said Section 30 and LAFCO 2317 a distance of 2138.31 feet to LAFCO 2872 dated March 27, 2001;
53. Thence leaving LAFCO 2317 North 00°00'00" West along LAFCO 2872 a distance of 1084.98 feet;
54. Thence North 36°17'27" West along LAFCO 2872 a distance of 420.69 feet;
55. Thence North 89°15'48" West along LAFCO 2872 a distance of 1656.33 feet, more or less, to the west line of said Section 30 and said LAFCO 1608;
56. Thence leaving LAFCO 2872 northerly along the west line of said Section 30 and LAFCO 1608 a distance of 1251.50 feet, more or less, to the southeast corner of Section 24, Township 1 North, Range 7 West, S.B.M.;
57. Thence northerly along the east line of said Section 24 and LAFCO 1608 a distance of 5235.94 feet, more or less, to the northeast corner of Section 24, Township 1 North, Range 7 West, S.B.M.;
58. Thence westerly along the north line of said Section 24 and LAFCO 1608 a distance of 5130.18 feet, more or less, to the northeast corner of Section 23, Township 1 North, Range 7 West, S.B.M.;
59. Thence westerly along the north line of said Section 23 and LAFCO 1608 a distance of 5311.14 feet, more or less, to the northeast corner of Section 22, Township 1 North, Range 7 West, S.B.M.;
60. Thence westerly along the north line of said Section 22 and LAFCO 1608 a distance of 5235.50 feet, more or less, to the northeast corner of Section 21, Township 1 North, Range 7 West, S.B.M.;

- 61. Thence westerly along the north line of said Section 21 and LAFCO 1608 a distance of 5292.21 feet, more or less, to the southwest corner of Section 16, Township 1 North, Range 7 West, S.B.M.;
- 62. Thence northerly along the west line of said Section 16 and LAFCO 1608 a distance of 2643.38 feet, more or less, to the west quarter corner of said Section 16;
- 63. Thence leaving LAFCO 1608 northerly along the west line of said Section 16 a distance of 2619.51 feet, more or less, to the **Point of Beginning**.

Area 2 - Containing 5,948.73 acres (9.30 sq. miles), more or less.

Area 1 + 2 – Containing 17,644.36 acres (27.60 sq. miles), more or less.

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



01/22/2016

James I. Stone

Date

Deputy County Surveyor

PLS 9075, Expiration: March 31, 2016



