LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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CERTIFICATE OF COMPLETION

I, **La Trici Jones**, Clerk to the Local Agency Formation Commission for San Bernardino County, hereby certify that the **Local Agency Formation Commission** has completed a change of organization.

The short title of the action is: **LAFCO 3213 – Reorganization to include Annexation to the City of Chino and Detachment from County Service Area 70 (Griffin Homes)**

The name of each city and/or district involved in this change of organization or reorganization and the kind or type of change of organization ordered for each city and/or district are as follows:

City or District	Type of Change of Organization
City of Chino	Annexation to
County Service Area 70	Detachment from

The above-listed city and/or district are located within the following county: County of San Bernardino.

As permitted by Government Code Section 56375.3(a)(1), the protest proceedings for this action have been waived. LAFCO's Resolution No. 3239, attached as LAFCO Exhibit "A", ordering the change of organization was adopted on January 19, 2017. The terms and conditions of the change of organization are set forth in this resolution. The map and legal description of the actions are set forth in Exhibits "A" and "A-1" to Resolution No. 3239.

Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of this Certificate of Completion to make the necessary changes to impacted utility customer accounts.

The area is legally uninhabited.

KATHLEEN ROLLINGS-McDONALD
Executive Officer

By: _____
La Trici Jones
Clerk to the Commission

Dated: February 21, 2017

THE EFFECTIVE DATE OF THIS ACTION IS FEBRUARY 21, 2017

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

215 North D Street, Suite 204, San Bernardino, CA 92415-0490
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PROPOSAL NO.: LAFCO 3213

HEARING DATE: January 18, 2017

RESOLUTION NO. 3239

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3213 AND APPROVING THE REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO AND DETACHMENT FROM COUNTY SERVICE AREA 70 (GRIFFIN HOMES). The reorganization area encompasses approximately seven acres, which is bounded by the northerly right-of-way of the Southern Pacific Railroad (existing City of Chino boundary) on the north, Pipeline Avenue on the east, and parcel lines on the south and west.

On motion of Commissioner McCallon, duly seconded by Commissioner Ramos, 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 January 18, 2017 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, and all 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;

LAFCO EXHIBIT "A"

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:

CONDITIONS:

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 3213.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Chino (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 City of Chino 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. Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

Condition No. 6. The date of issuance of the Certificate of Completion shall be the effective date of this reorganization.

SECTION 2. The Commission determines that:

a) this proposal is certified to be legally uninhabited;

b) it has 100 % landowner consent; and,

c) no written opposition to a waiver of protest proceedings has been submitted by any subject agency.

Therefore, the Commission does hereby waive the protest proceedings for this action as permitted by Government Code Section 56662(d).

SECTION 3. DETERMINATIONS. The following determinations are noted in conformance with Commission policy:

1. The reorganization area is legally uninhabited as certified by the County Registrar of Voters office as of November 29, 2016.

2. The reorganization area is within the sphere of influence of the City of Chino.

3. The County Assessor has determined that the value of land within the reorganization area is $3,850,000 as of September 14, 2016.

4. Notice of this hearing has been advertised as required by law through publication in the *Inland Valley Daily Bulletin*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice. Comments from any affected local agency have been reviewed by the Commission.

5. In compliance with the requirements of Government Code Section 56157 and Commission policy, individual notice was mailed to landowners within the reorganization area (totaling 8 notices) and to surrounding landowners and registered voters within approximately 700 feet of the exterior boundaries of the reorganization area (totaling 463 notices). Comments from landowners and registered voters have been reviewed and considered by the Commission in making its determination. No expression of opposition to this reorganization has been received by the Commission.

6. The City of Chino has pre-zoned the reorganization area to RD8 (Residential, 4.5 to 8 dwelling units/acre). This zoning designation is consistent with the City's General Plan.

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 3213 has no direct impact on SCAG's Regional Transportation Plan.

   The Sustainable Communities Strategy includes, among others, strategies that support compact infill development as well as expanded housing and transportation choices, which approval of LAFCO 3213 will support.

8. The City of Chino, as a function of its review for the pre-zoning (PL16-0051) for approximately seven acres, prepared an environmental assessment and adopted a Negative Declaration which indicates that approval of the project will not have a significant adverse impact on the environment.

   The Commission certifies that it has reviewed and considered the City's Negative Declaration and the environmental effects as outlined in the Initial Study prior to reaching a decision on the project and finds the information substantiating the Negative Declaration is adequate for its use in making a decision as a CEQA responsible agency. The Commission finds that it does not intend to adopt alternatives or mitigation measures for this project.

The Commission directs its Executive Officer to file a Notice of Determination within five (5) days with the San Bernardino County Clerk of the Board of Supervisors. The Commission, as a responsible agency, also notes that this proposal is exempt from the California Department of Fish and Wildlife fees because the fees were the responsibility of the City of Chino as lead agency.

9. The local agencies currently serving the area are: County of San Bernardino, Chino Valley Independent Fire Protection District, West Valley Mosquito and Vector Control District, Inland Empire Resource Conservation District, Chino Basin Water Conservation District, Inland Empire Utilities Agency and its Improvement District No. C (regional wastewater treatment provider), Metropolitan Water District of Southern California (the State Water Contractor) and County Service Area 70 (multi-function unincorporated area Countywide).

   The proposal will detach the territory from County Service Area 70 as a function of the reorganization. None of the other agencies are affected by this proposal as they are regional in nature.

10. The City of Chino submitted plans for the provision of services as required by Government Code Section 56653, which indicates that the City can, at a minimum, maintain the existing level of service delivery and can improve the level and range of selected services currently available in the area. The financial information presented within the City's Plan for Service indicates that the project will have a positive financial effect for the City. 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 conforms to those adopted standards and requirements.

11. The reorganization area can benefit from the availability and extension of municipal services from the City of Chino, and is benefitting from water and sewer service being provided by the City to the tract that is being developed.

12. This proposal complies with Commission policies that indicate the preference for areas proposed for future development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained. In support of this requirement, the property owner/developer is required to pay all development impact fees to the City of Chino as outlined in the signed Public Improvement Agreement for Tract Map No. 18902 (City of Chino Contract No. 2016-291).

13. This proposal will assist the City's ability to achieve its fair share of the regional housing needs since the reorganization area is being developed with a tract that has 36 single-family residences.

14. With respect to environmental justice, the following demographic and income profile was generated using ESRI's Community Analyst within the City of Chino and within and around the reorganization area (2016 data):

Demographic and Income Comparison	City of Chino (%)	Subject Area & adjacent Unincorporated Sphere (%)
Race and Ethnicity		
• African American Alone	6.7 %	2.9 %
• American Indian Alone	1.0 %	1.1 %
• Asian Alone	11.5 %	9.1 %
• Pacific Islander Alone	0.2 %	0.6 %
• Hispanic Origin (Any Race)	56.9 %	53.7 %
Median Household Income	$75,656	$93,302

The adjacent unincorporated sphere area already receives water service from either the City or Monte Vista Water District. Wastewater service, if required, is also available from the City through an out-of-agency service agreement for sewer service. Fire protection is already provided by the Chino Valley Independent Fire Protection District, which serves both the City and its entire unincorporated sphere. Therefore, the reorganization area will benefit from the extension of services and facilities from the City and, at the same time, the approval of the reorganization would not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.

15. The City and County have negotiated the transfer of ad valorem taxes as required by State law. Copies of the resolutions adopted by the City Council of the City of Chino and the San Bernardino County Board of Supervisors are on file in the LAFCO office outlining the exchange of revenues.

16. The map and legal description, as revised, are in substantial conformance with LAFCO and State standards as determined by the County Surveyor's Office.

SECTION 4. The primary reason for this reorganization is to receive municipal services from the City for the 36-unit planned development. The reorganization area is contiguous to the City and its policy requires that parcels that are contiguous to the City's boundary be required to annex in order to receive services.

SECTION 5. The affected territory shall not be taxed for existing bonded indebtedness or contractual obligations of the City of Chino through the reorganization. The regular County assessment rolls are utilized by the City of Chino.

SECTION 6. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization 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 7. The Commission hereby orders the territory described in Exhibits "A" and "A-1" reorganized. The Commission hereby directs, that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer shall prepare and file a Certificate of Completion, as required by Government Code Section 57176 through

57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

SECTION 8. 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.

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

AYES:	**COMMISSIONERS:**	**Bagley, Cox, Curatalo, Lovingood, McCallon, Ramos, Williams**
NOES:	**COMMISSIONERS:**	**None**
ABSENT:	**COMMISSIONERS:**	**None**

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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 January 18, 2017.

DATED: February 21, 2017

LOCAL AGENCY FORMATION COMMISSION
CO. OF SAN BERNARDINO

KATHLEEN ROLLINGS-MCDONALD
Executive Officer

EXHIBIT A

LAFCO 3213

REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO & DETACHMENT FROM COUNTY SERVICE AREA 70

ALL OF TRACT NO. 18902, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 344, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH A PORTION OF THAT CERTAIN 60 FOOT WIDE RAILROAD RIGHT OF WAY, LYING NORTHEASTERLY AND CONTI-GUOUS WITH THE NORTHEAST BOUNDARY OF SAID TRACT 18902 AND LABELED THEREON AS "S.P.R.R.";

BEING BOUNDED ON THE WEST BY THE NORTHERLY PROLONGATION OF THE WEST BOUNDARY OF SAID TRACT 18902 AS SHOWN ON THE MAP THEREOF; AND

BEING BOUNDED ON THE EAST BY THE NORTHERLY PROLONGATION OF THE EAST BOUNDARY OF SAID TRACT 18902, SAID EAST BOUNDARY BE COINCIDENT WITH THE CENTERLINE OF PIPELINE AVENUE AS SHOWN ON THE MAP OF SAID TRACT 18902.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF PIPELINE AVENUE AND THE CITY OF CHINO BOUNDARY LINE, SAID POINT BEING ON THE NORTHEASTERLY RIGHT OF WAY OF THE S.P.R.R. RAILROAD.

1. THENCE SOUTH 00°06'05" WEST ALONG THE CENTERLINE OF SAID PIPELINE AVENUE, A DISTANCE OF 288.15 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 18902;

2. THENCE NORTH 89°58'05" WEST ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 661.18 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;

3. THENCE NORTH 00°07'24" EAST ALONG THE WESTERLY LINE OF SAID TRACT, A DISTANCE OF 763.17 FEET TO THE NORTHEASTERLY LINE OF SAID RAILROAD RIGHT OF WAY, SAID RIGHT OF WAY ALSO BEING THE CITY OF CHINO BOUNDARY PER CITY OF CHINO ANNEXATION #20, DATED MAY 10, 1960;

4. THENCE SOUTH 54°14'14" EAST ALONG SAID NORTHEASTERLY LINE AND ALONG SAID CITY OF CHINO BOUNDARY, A DISTANCE OF 813.42 FEET TO THE **TRUE POINT OF BEGINNING**.

NOTE: THIS DESCRIPTION IS PREPARED TO ASSIST IN ANNEXING THE ABOVE DESCRIBED LAND TO THE CITY OF CHINO AND IS NOT INTENDED FOR ANY OTHER PURPOSE.

CONTAINING 7.978 ACRES, MORE OR LESS

SEE EXHIBIT "B" ATTACHED HERETO AND MADE APART HEREOF.

LUDWIG ENGINEERING ASSOCIATES, INC.
PREPARED BY ME OR UNDER MY SUPERVISION

11-18-16

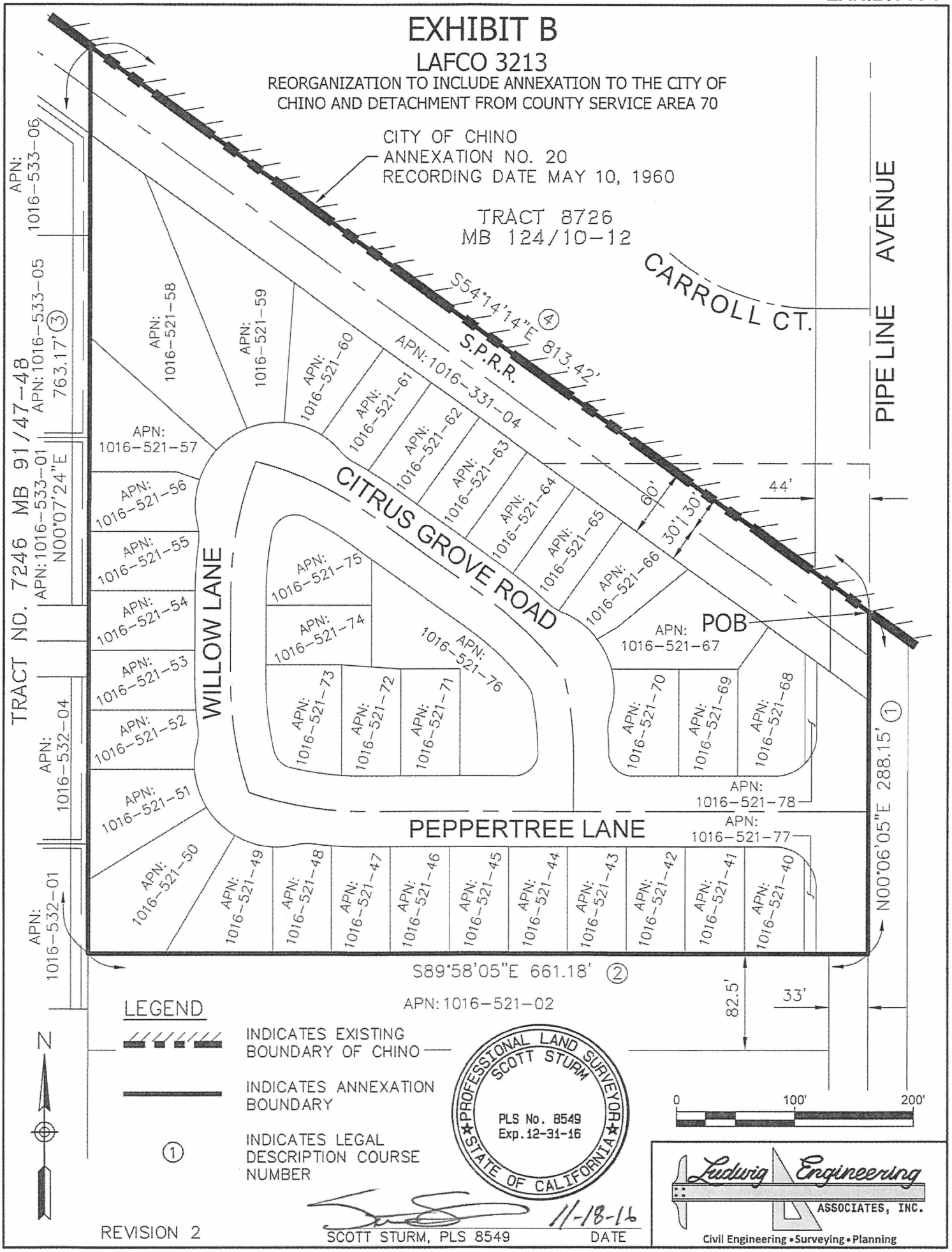
Scott Sturm, PLS 8549 Date
REVISION 2

PROFESSIONAL LAND SURVEYOR
SCOTT STURM
PLS No. 8549
Exp. 12-31-16
STATE OF CALIFORNIA

EXHIBIT B

LAFCO 3213

REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO AND DETACHMENT FROM COUNTY SERVICE AREA 70



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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