

## SUPPLEMENT SPHERE OF INFLUENCE AMENDMENT

**INTRODUCTION:** The questions on this form are designed to obtain data about the specific sphere of influence amendment application to allow the Commission, staff and others to adequately assess the application. You may also include any additional information that you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please provide an identification of the agencies involved in the proposed sphere of influence change(s):

SPHERE EXPANSION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPHERE REDUCTION

County Service Area 120 (zero)

\_\_\_\_\_  
\_\_\_\_\_

2. Provide a narrative description of the following factors of consideration as outlined in Government Code Section 56425. (If additional room for response is necessary, please attach additional sheets to this form.)

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

The present and planned land uses within the boundaries of CSA 120 (its current sphere, excluding the non-contiguous segment within the City of Fontana sphere of influence) include open space uses, some rural residential, and SD-RES (special development residential) under the County General Plan. The boundaries include mitigation lands deeded to CSA 120 with the County of San Bernardino holding the conservation easements. The assignment of a zero sphere of influence will have no impact on these designations; or the general plan designations of the affected cities – Rancho Cucamonga and Fontana.

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

The need for public facilities and services within the territory within CSA 120 is limited. Since CSA 120 has been unable to gain approval of its application for governmental entity designation to acquire additional mitigation properties, the probable need for this service is not present as no new service can be extended. However, there are other agencies which could provide this service in the future. The current service authorized CSA 120 is:

**CSA 120**  
(District formed 7/1/2009)

Open space and habitat  
conservation

Open space and habitat conservation including, but not limited to, the acquisition, preservation, maintenance, and operation of land to protect unique, sensitive, threatened, or endangered species, or historical or culturally significant properties. Any setback or buffer requirements to protect open-space or habitat lands shall be owned by a public agency and maintained by the county service area so as not to infringe on the customary husbandry practices of any neighboring commercially productive agricultural, timber or livestock operations.

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

The sphere of influence amendment proposes to reduce the sphere of influence of CSA 120 to a zero sphere of influence on the basis that the capacity to provide their range of service is not present due to financial constraints. LAFCO Resolution No. 3190 (included as an attachment) outlines the concerns regarding the future adequacy of service and the rationale for that determination. No information subsequent to the issuance of Resolution No. 3190 has altered the determinations made. A zero sphere of influence indicates the Commission position that a future change of organization should occur, transferring the service obligation to another agency. As a part of the sphere of influence amendment process, the Commission directed its staff to convene a stakeholders group to review the options for transfer of this service obligation.

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The existence of any social or economic communities of interest in the area.

CSA 120 provides for the management of mitigation lands within a specific type of habitat; therefore, its community of interest would be the foothill communities of the San Gabriel Mountains which support the endangered species identified by local, state and federal wildlife agencies. This determination is compromised by the lack of authorization for CSA 120 to acquire additional habitat lands.

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The present and probable need for public facilities or services related to sewers, municipal and industrial water, or structural fire protection for any disadvantaged unincorporated community, as defined by Govt. Code Section 56033.5, within the existing sphere of influence.

Not applicable.

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3. If the sphere of influence amendment includes a city sphere of influence change, provide a written statement of whether or not agreement on the sphere change between the city and county was achieved as required by Government Code Section 56425. In addition, provide a written statement of the elements of agreement (such as, development standards, boundaries, zoning agreements, etc.) (See Government Code Section 56425)

Not applicable

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4. If the sphere of influence amendment includes a special district sphere of influence change, provide a written statement: (a) specifying the function or classes of service provided by the district(s) and (b) specifying the nature, location and extent of the functions or classes of service provided by the district(s). (See Government Code Section 56425(i))

The LAFCO Policy and Procedure Manual, Section VI, Special Districts, Chapter 3, Listing of Special Districts within San Bernardino LAFCO Purview – Authorized Functions and Services, identifies the services authorized CSA 120 as follows:

**CSA 120**

(District formed 7/1/2009)

Open space and habitat  
conservation

Open space and habitat conservation including, but not limited to, the acquisition, preservation, maintenance, and operation of land to protect unique, sensitive, threatened, or endangered species, or historical or culturally significant properties. Any setback or buffer requirements to protect open-space or habitat lands shall be owned by a public agency and maintained by the county service area so as not to infringe on the customary husbandry practices of any neighboring commercially productive agricultural, timber or livestock operations.

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5. For any sphere of influence amendment either initiated by an agency or individual, or updated as mandated by Government Code Section 56425, the following service review information is required to be addressed in a narrative discussion, and attached to this supplemental form (See Government Code Section 56430): **(Not Required)**
- a. Growth and population projections for the affected area.
  - b. Location and characteristics of disadvantaged unincorporated communities within or contiguous to the sphere of influence.
  - c. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies, including those associated with a disadvantaged unincorporated community.
  - d. Financial ability of agencies to provide services.
  - e. Status of, and opportunities for, shared facilities.
  - f. Accountability for community service needs, including governmental structure and operational efficiencies.

If additional sheet are submitted or a separate document provided to fulfill Item #5, the narrative description shall be signed and certified by an official of the agency(s) involved with the sphere of influence review as to the accuracy of the information provided. If necessary, attach copies of documents supporting statements.

### **CERTIFICATION**

As a part of this application, the City/Town of N/A, or the N/A District/Agency, \_\_\_\_\_ (the applicant) and/or the \_\_\_\_\_ (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs, imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE January 15, 2019

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Prepared by LAFCO Staff  
SIGNATURE

Prepared by LAFCO Staff

Printed Name of Applicant or Real Property in Interest  
(Landowner/Registered Voter of the Application Subject Property)

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Title and Affiliation (if applicable)

Rev: krm – 8/19/2015