

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

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DATE: AUGUST 7, 2006

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #10 – LAFCO 3048 – REORGANIZATION TO
INCLUDE CITY OF FONTANA ANNEXATION NO. 168 (28 ISLANDS)**

INITIATED BY:

City Council Resolution, City of Fontana

RECOMMENDATION:

The staff recommends that the Commission approve LAFCO 3048 by taking the following actions:

1. Adopt the Statutory Exemption that has been recommended for this proposal, and direct the Clerk to file a Notice of Exemption within five (5) days of this action;
2. Modify Island #3 to include additional territory, encompassing approximately 5.25 +/- acres to resolve an Assessor Parcel split;
3. Approve LAFCO 3048 – Reorganization to include City of Fontana Annexation No. 168 as modified, as island annexations making the required determinations pursuant to the provisions of Government Code Section 56375.3, with the following conditions:
 - a. That the City of Fontana's 5% Utility Users Tax on commercial properties will not be extended to the annexation areas;
 - b. All streetlights currently the responsibility of County Service Area SL-1 within the annexation areas shall be transferred to the City of Fontana upon successful completion of the annexation. The County

Special Districts Department shall prepare the appropriate documentation to transfer the lights, LAFCO staff shall verify the data, and the City of Fontana shall sign the authorization form requesting Southern California Edison to transfer the specific lights to the City of Fontana accounts; and,

- c. The standard terms and conditions of approval that include the “hold harmless” clause for potential litigation.
4. Waive the protest proceedings, as required by Government Code Section 56375.3; and,
5. Adopt LAFCO Resolution #2932 setting forth the Commission’s findings and determinations concerning this proposal.

BACKGROUND:

In December 2005, the City of Fontana initiated and submitted to LAFCO an application to annex 32 separate islands to the City under the special “island annexation” provisions outlined in Government Code Section 56375.3. Upon receipt of the application, LAFCO staff divided the proposal into two separate applications – LAFCO 3048 for 28 of the islands and 3048A for the four islands within the City’s eastern sphere of influence associated with the community of Bloomington.

Therefore, LAFCO 3048, as modified, is a proposal for annexation of 28 individual islands located around the periphery of the City of Fontana. For ease in processing and to clarify their regional requirements, LAFCO staff has identified these areas in four separate regions: Cherry Avenue Area, Citrus Avenue Area, Eastern Area and the Foothill Corridor Area. In total these 28 islands encompass approximately 2,642 acres, as modified by LAFCO staff; include 3,626 registered voters; and 3,091 landowners. Location and vicinity maps and the City’s application are included as Attachments #1 and #3 respectively to this report.

In staff’s view, the proposal before the Commission, while large and complex is still essentially a ministerial action. This position is taken on the basis of Government Code Sections 56375(a) and 56375.3 which requires the Commission to approve the annexation of island territory if several basic findings are made concerning the size of the island, the configuration of city boundaries, the lack of prime agricultural land within the island area, the presence of development in the area, and the ability of the study area to benefit from or use municipal services from the City. Copies of these Code Sections are included for Commission information as Attachment #2 to this report. The Commission is required to evaluate each of the 28 islands against the criteria outlined and make specific determinations regarding

their compliance with these provisions. That specific evaluation criterion is as follows:

- The area does not exceed 150 acres, and constitutes the entire island of unincorporated territory;
- The study area constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands;
- The area is totally or substantially surrounded;
- The study area is substantially developed or developing, based on findings that there is the availability of public services, there is the presence of public improvements in the area, and there are physical improvements on many, if not most, of the properties;
- The study area is not prime agricultural land as such is defined by LAFCO statutes; and,
- The study area will benefit from the annexation or is receiving benefits from the annexing city.

In addition, the Commission has adopted its own additional policies related to the processing and evaluation of island annexations. Those policies, adopted March 31, 2005, are as follows:

1. For the purpose of applying the provisions of Government Code Section 56375.3, the territory of an annexation proposal shall be deemed “substantially surrounded” if 52% of its boundary, as set forth in a boundary description accepted by the Executive Officer, is surrounded by (a) the affected City or (b) the affected City and adjacent Cities, or (c) the affected City and a service impediment boundary as defined by the Commission to include, but not be limited to, a freeway, a flood control channel or forest service land.
2. The Commission determines that no territory within an established County Redevelopment Area shall be included within an island annexation proposal, unless written consent has been received from the County Board of Supervisors and County Redevelopment Agency.
3. The Commission directs that a City proposing to initiate an island annexation proposal shall have conducted a public relations effort within the area prior to the adoption of its resolution of initiation. Such efforts

shall include, but not be limited to, providing information on the grandfathering of existing legal County uses into the City, costs to the resident/taxpayer associated with annexation, and land use determinations. Documentation of these efforts shall be a part of the application submitted for consideration by the Commission.

LAFCO staff has responded to each of the above-described and required determinations for each of the islands within the identified regions. In order to aid in the review for the Commission and general public, these determinations have been grouped into the four regions. The determinations required are addressed as follows:

Cherry Avenue Area Region – This area includes Islands 1, 2, 3, 14, 20, 28, and 29. The area is generally defined as including territory southerly of Valley Boulevard, and east and west of Cherry Avenue. The descriptions and determinations for each of these islands are as follows:

- **Island 1** generally located east of Almond Avenue, west of Live Oak Avenue, and north of Jurupa Avenue:
 - The island is 108 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 68% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation to the City of Fontana through the extension of municipal levels of service for such items as law enforcement, code enforcement, sewer service, etc;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

- **Island 2** generally located east of Almond Avenue, south of Slover Avenue, and west of Live Oak Avenue:
 - The island is 120 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;

- The area is substantially surrounded. The island is 55% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation to the City of Fontana through the extension of municipal levels of service for such items as law enforcement, code enforcement, sewer service, etc;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not currently included within an existing County Redevelopment Area. The northern portion of this island was detached from the San Sevaine Redevelopment area effective November 1, 2005.
- **Island 3** generally located east of Mulberry Avenue, west of Almond Avenue, and north of Jurupa Avenue. This Island area has been modified by LAFCO staff to include additional territory due to a parcel split along the northwestern boundary of the annexation, Assessor Parcel Number 236-151-67, and Assessor Parcel 0236-151-29 totally surrounded by the modified parcel:
 - The area is 135 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The modified island is 62% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

- **Island 14** generally located east of Cherry Avenue, south of I-10, west of Beech Avenue, and north of Slover Avenue:
 - The area is 138 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 66% surrounded by existing City of Fontana boundaries as verified by the County Surveyor's Department. However, the island would be considered 100% surrounded utilizing the Commission's policy definition of impediments to service delivery, the northerly boundary of Island 14 is the I-10 right-of-way;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not currently included within an existing County Redevelopment Area. This area was detached from the County's San Sevaine Redevelopment Area effective November 1, 2005.

- **Island 20** consisting of all the unincorporated area generally east of Etiwanda Avenue, south of I-10, west of Mulberry Avenue, and north of the Union Pacific Railroad right-of-way:
 - The area is 29 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 62% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department. However, the island would be considered 100% surrounded utilizing the Commission's policy definition of impediments to service delivery, the northerly boundary of Island 20 is the I-10 right-of-way;
 - The study area is substantially developed or developing, on the basis that public services are available in the area and there are physical improvements on the properties. The City's Supplemental Information document for Island #20 indicates the entire area is vacant land. However, LAFCO staff's review shows that the majority of the property is owned by the Union Carbide Company, which has

- existing leases to Praxair Inc. These attached parcels have improvements owned by Praxair Inc. with a value in excess of \$2,000,000. These factors support the staff's determination that the area is substantially developed;
- The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 28** generally located east of Banana Avenue and its logical extension, south of Valley Boulevard, west of Almond Avenue, and north of the Union Pacific Railroad right-of-way:
 - The area is 41 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 62% surrounded by a combination of existing City of Fontana boundaries and the I-10 freeway right-of-way (an impediment to service defined by Commission policy) as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is within the County's San Sevaine Redevelopment Area. The County Board of Supervisors, on behalf of itself and acting as the governing board of the County Redevelopment Agency, has adopted a resolution consenting to the annexation of this area to the City of Fontana, as required by Commission policy (copy included as Attachment #4).
 - **Island 29** generally located east of Cherry Avenue, south of Valley Boulevard, west of Beech Avenue, and north of I-10:
 - The area is 124 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;

- The area is substantially surrounded. The island is 69% surrounded by a combination of the existing City of Fontana boundaries and the I-10 freeway right-of-way (an impediment to service defined by Commission policy) as verified by the County Surveyor's Department;
- The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
- The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
- The study area will benefit from the annexation or is receiving benefits from the annexing city;
- The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
- The area is within the County's San Sevaine Redevelopment Area. The County Board of Supervisors, on behalf of itself and acting as the governing board of the County Redevelopment Agency, has adopted a resolution consenting to the annexation of this area to the City of Fontana, as required by Commission policy (copy included as Attachment #4).

Citrus Avenue Area, including Islands 13, 15, 16, 17, 18, 19, 23, 24, 25, 30, 31, and 32, generally includes territory northerly of Jurupa Avenue, and east and west of Citrus Avenue. The descriptions and determinations for each of these islands are as follows:

- **Island 13** consisting of the unincorporated area generally east of Poplar Avenue, south of Santa Ana Avenue, west of Citrus Avenue, and north of Jurupa Avenue:
 - The area is 113 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 56% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;

- The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
- The area is not included within a County Redevelopment Area.

- **Island 15** consisting of the unincorporated area generally east of Oleander Avenue, south of Santa Ana Avenue, west of Sierra Avenue, and north of Jurupa Avenue:
 - The area is 131 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 88% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

- **Island 16** consisting of the unincorporated area generally east of Citrus Avenue, south of Slover Avenue, west of Oleander Avenue, and north of Jurupa Avenue:
 - The area is 122 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 52% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;

- The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
- The area is not included within a County Redevelopment Area.

- **Island 17** encompasses approximately 144 +/- acres generally located east of Citrus Avenue, south of I-10, and west of Juniper Avenue:
 - The area is 144 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 61% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department. However, it would be considered to be approximately 95% surrounded utilizing the Commission's definition of impediments to service delivery as the northerly boundary is the I-10 right-of way;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

- **Island 18** consisting of the unincorporated area generally east of Poplar Avenue, south of Slover Avenue, west of Citrus Avenue, and north of Santa Ana Avenue:
 - The area is 92 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 72% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;

- The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 19** consisting of the unincorporated area generally east of Poplar Avenue, south of I-10, west of Citrus Avenue, and north of Slover Avenue:
 - The area is 92 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 56% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 23** is generally located east of Beech Avenue, west of Poplar Avenue, and north of Slover Avenue:
 - The area is 99 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 83% surrounded by a combination of the existing City of Fontana boundaries and the I-10 freeway right-of-way (an impediment to service defined by Commission policy) as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;

- The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 24** is generally located east of Catawba Avenue, west of Oleander Avenue, and north of the Union Pacific Railroad right-of-way:
 - The area is 118 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded, being 64% surrounded by a combination of the existing City of Fontana boundaries and the I-10 freeway right-of-way (an impediment to service defined by Commission policy) as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 25** consisting of the unincorporated area generally east of Oleander Avenue, south of Mallory Drive, east of Juniper Avenue, and north of the Union Pacific Railroad right-of-way:
 - The area is 90 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 56% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department. However, it would be considered to be approximately 75% surrounded utilizing the Commission's definition of impediments to service delivery as the southerly boundary is the I-10 right-of-way;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public

- improvements in the area, and there are physical improvements on many, if not most, of the properties;
- The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 30** is generally located east of Beech Avenue, south of Fontana Avenue, west of Poplar Avenue, and north of Valley Boulevard:
 - The area is 97 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 65% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department. However, the island would be considered to be approximately 85% surrounded utilizing the Commission's definition of impediments to service delivery as the southerly boundary is the I-10 right-of-way;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
 - **Island 31** is generally located east of Poplar Avenue, south of Merrill Avenue, west of Catawba Avenue, and north of Randall Avenue:
 - The island is 40 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 63% surrounded by existing City of Fontana boundaries in compliance

with Commission policy as verified by the County Surveyor's Department;

- The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 32** encompasses approximately 62 +/- acres consisting of all the unincorporated area generally east of Beech Avenue, south of Valley Boulevard, west of Poplar Avenue, and north of I-10:
 - The area is 62 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 83% surrounded by a combination of existing City of Fontana boundaries and the I-10 freeway right-of-way in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

Eastern Area, including Islands 6, 7, 8, 9, 10, and 11, generally includes territory westerly of Maple Avenue and north and south of Arrow Boulevard. The descriptions and determinations for each of these islands are as follows:

- **Island 6** is generally located east of Alder Avenue, south of San Jacinto Avenue and its logical extension, and west of Locust Avenue:
 - The area is 125 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;

- The area is substantially surrounded. The island is 89% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 7** is generally located east of Alder Avenue, west of Grace Avenue, and north of Foothill Boulevard:
 - The area is 43 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 90% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 8** is generally located east of Grace Avenue, south of Miller Avenue, west of Maple Avenue (existing City of Rialto boundary), and north of Barbee Street:

- The area is 45 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 92% surrounded by a combination of existing City of Fontana and City of Rialto boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 9** is generally located east of Alder Avenue, south of Foothill Boulevard, and west of Maple Avenue (City of Rialto boundary):
 - The area is 103 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 96% surrounded by a combination of existing City of Fontana and City of Rialto boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 10** is generally located east of Locust Avenue, south of Arrow Boulevard, west of Maple Avenue (City of Rialto boundary), and north of Bonnie Lane:

- The area is 100 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 94% surrounded by a combination of existing City of Fontana and City of Rialto boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.
- **Island 11** is generally located east of Alder Avenue, south of Arrow Boulevard, west of Locust Avenue, and north of Granada Avenue:
 - The area is 114 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 95% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation and numerous parcels within the boundaries of the island are currently receiving benefits from the City of Fontana through receipt of sewer service provided through out-of-agency sewer agreements;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

Foothill Corridor Area, including Islands 12, 21, and 22, generally includes territory easterly of Cherry Avenue and north and south of Foothill Boulevard. The descriptions and determinations for each of these islands are as follows:

- **Island 12** is the unincorporated area generally east of Almeria Avenue, south of Foothill Boulevard, west of Citrus Avenue, and north of Arrow Boulevard:
 - The area is 91 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 73% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

- **Island 21** is generally located east of Cherry Avenue, south of the logical extension of Hilton Drive, and north of Foothill Boulevard:
 - The area is 20 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 64% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,

- The area is not included within a County Redevelopment Area.
- **Island 22** is generally located south of the Union Pacific Railroad right-of-way, west of Almeria Avenue, and north of Foothill Boulevard:
 - The area is 106 +/- acres in size as verified by the County Surveyor's Department, within the 150 acre threshold, and encompasses the entire substantially surrounded island;
 - The area is substantially surrounded. The island is 57% surrounded by existing City of Fontana boundaries in compliance with Commission policy as verified by the County Surveyor's Department;
 - The study area is substantially developed or developing, on the basis that public services are available in the area, there are public improvements in the area, and there are physical improvements on many, if not most, of the properties;
 - The study area does not contain prime agricultural land as such is defined by LAFCO statutes;
 - The study area will benefit from the annexation or is receiving benefits from the annexing city;
 - The City of Fontana has conducted an extensive outreach program prior to submission of the reorganization application; and,
 - The area is not included within a County Redevelopment Area.

Based upon the determinations outlined above, it is the staff's position that the Commission is required to approve the 28 island annexations as outlined in Government Code Section 56375 and to approve them without the ability of protest from landowners or registered voters as outlined in Government Code Section 56375.3

The following provides abbreviated responses to the balance of the issues which the Commission reviews and considers in all annexation proposals – land use, service effects and the effect on other levels of government and environmental considerations.

LAND USE:

The City of Fontana adopted a General Plan Update in October 2003 and adopted the pre-zoning of its sphere of influence through adoption of an amended Zoning Map on April 15 2004. The City's land use designations for the 28 island areas assigns various designations within the overall classification of residential, commercial, manufacturing and public facilities land uses. These land use designations are identified in the City's application included as a part of Attachment #3. These pre-zone designations area required to be maintained for a two-year period following annexation (Government Code Section 56735 (e)) unless specific determinations are made by the City Council at a public hearing.

In addition, LAFCO staff, members of the City staff and County Land Use Services personnel have met to review issues related to the handling of the transition of land use projects from the County to the City. It has been identified that there are numerous projects currently in process at the County affected by this action; however, as of the date of this report no specific number has been identified. The City, by letter included as Attachment #5 to this report, outlines its position on how it will honor the County's land use approvals for projects and will assume responsibility for assurance of compliance with the County's conditions of approval. The City has reserved, however, the right to require compliance with City design standards and on-site improvement plans.

SERVICE ISSUES AND EFFECTS ON OTHER LEVELS OF GOVERNMENT

The City of Fontana has provided a "Plan for Service" for LAFCO 3048 as required by law and as modified by Commission policy. A copy of the Plan is included as part of Attachment #3 to this report. Highlights of the Plan and related information include the following:

- Sewage collection services will become available directly through the City upon completion of the annexation. For those areas which have out-of-agency service contracts for receipt of sewer services currently, the monthly rate will be reduced to in-city charges. The location of these out-of-agency contracts are concentrated in Islands 6, 7, 9, 10, 11, 15, 17, 24, 25 and 31.
- Water service is provided to the island areas by the Fontana Water Company. No change in this service will take place on the basis of the island annexations.
- Law enforcement responsibilities will shift from the County Sheriff's Department, which operates out of the Fontana Substation facility, to the City of Fontana Police Department. The City indicates that its Police Department will absorb this territory into its existing beat system surrounding the sites. The City has indicated that additional police personnel will be required in order to provide its level of service and that they have set in motion the steps necessary to acquire the officers and other employees. The financing of this service will be through the ad valorem property tax received by the City from within the annexation areas.
- Solid waste services are currently provided within the annexation areas by Burrtec Waste Industries. Pursuant to City policy, residents of newly-annexed areas may continue to use their current refuse hauler for up to five years but all City residents and business are required to have mandatory trash pickup. Residents may choose to transition at any time during this

period. The City's current residential rate is \$20.61 per month for pick up which includes the provision of containers for normal, recyclable and green waste. Commercial rates vary depending on the type and frequency of pick up but all services within the City of Fontana are to be provided by its franchised waste collection provider, Burrtec Waste Industries.

- Fire protection and paramedic services are currently the responsibility of the Central Valley Fire Protection District and will be unchanged by these annexations. Ambulance services are currently the responsibility of American Medical Response (AMR) within both the City territory and the unincorporated islands under consideration. No change in this service will take place as a consequence of the annexations.
- Streetlights are currently funded within the majority of the island areas through County Service Area SL-1. While the Plan for Service does not specifically outline the transfer of this responsibility, the City's letter updating that document identifies that 427 lights will be transferred to the City responsibility. The Commission's adopted policy requires documentation of the transfer of this responsibility through verification of lighting facilities to be transferred and requiring the submission by the City of a signed form authorizing the transfer upon completion of the annexation. Staff has included this condition in its recommendation for approval. There are 427 lights to be transferred and it is estimated that the annual cost of operation is \$42,700 (approximately \$100 per year energy costs). The property tax transfer from CSA SL-1 to the City is \$74,641, which exceeds the estimated cost of continuing this service.

As required by Commission policy and State law, the Plan for Service submitted by the City of Fontana shows that the extension of its services will maintain, and/or exceed, current service levels provided through the County.

Effect on the San Sevaine Redevelopment Area:

The territory of Islands #28 and #29 are included in the County's San Sevaine Redevelopment area. Pursuant to the Commission's policy adopted on March 31, 2005, the County and the County RDA have adopted a resolution indicating their consent to the annexation of these islands to the City. However, included in the resolution outlining the consent was provision which stated that:

“Approval of the County (or Redevelopment Agency) is contingent upon the City of Fontana's entering into any required property tax sharing agreement with the County of San Bernardino and the Redevelopment Agency regarding the continued collection of tax increment by the Redevelopment Agency in Island Nos. 28 and 29”.

Concern was expressed to the County by LAFCO staff related to the timing for completion of this supplemental requirement as it would impact the Commission’s ability to move forward to schedule hearings on the proposal. In addition, the City of Fontana expressed its concern that the supplemental agreement was not required as it was a function Redevelopment Law. Subsequent discussion took place between the County and the City of Fontana to resolve this question. Attachment #4 to this report is a jointly signed letter outlining the agreements between the City of Fontana and the County of San Bernardino and confirming the County’s consent to the annexation of the territory within the San Sevine Redevelopment Area.

ENVIRONMENTAL CONSIDERATIONS:

The Commission’s Environmental Consultant, Tom Dodson and Associates, has reviewed this proposal and has indicated that it is his recommendation that this reorganization including 28 island annexations is statutorily exempt from the California Environmental Quality Act (CEQA). This determination is based on the fact that the Commission has no discretion in its review of this proposal and must approve the proposal. Such a “ministerial action” is exempt from environmental review pursuant to Section 15268 of the State CEQA Guidelines. A copy of Mr. Dodson’s analysis is included as Attachment #6 to this report. It is recommended that the Commission adopt the Statutory Exemption for this proposal and direct the Clerk of the Commission to file a Notice of Exemption with the appropriate agency within five days.

FINDINGS:

The following findings are required to be provided by Commission policy and Government Code Section 56668 for all proposals considered:

1. The Registrar of Voters Office has determined that the 28 study areas are legally inhabited, containing 3,562 registered voters as certified on April 10, 2006. The breakdown of Registered Voters by island area is as follows:

Island 1	3 voters	Island 17	99 voters
Island 2	18 voters	Island 18	129 voters
Island 3	73 voters	Island 19	68 voters
Island 6	527 voters	Island 20	0 voters
Island 7	101 voters	Island 21	33 voters
Island 8	143 voters	Island 22	27 voters
Island 9	412 voters	Island 23	31 voters
Island 10	413 voters	Island 24	185 voters
Island 11	300 voters	Island 25	160 voters
Island 12	139 voters	Island 28	18 voters
Island 13	85 voters	Island 29	129 voters

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Island 14 62 voters	Island 30 222 voters
Island 15 68 voters	Island 31 55 voters
Island 16 58 voters	Island 32 4 voters

The number of registered voters as of the date of mailing of the individual notices, July 7, 2006 shows a total of 3,606 registered voters within the entirety of the 28 islands. No supplemental breakdown was provided by individual island.

2. The study area is within the sphere of influence assigned the City of Fontana.
3. The County Assessor’s Office has determined that the assessed valuation of land and improvements for the entirety of the 28 islands is \$495,457,775 (\$199,452,997 land; \$296,004,778 improvements). The values by individual island are identified as follows:

ISLAND IDENTIFICATION	TAX RATE AREA	LAND VALUE	IMPROVEMENT VALUE	TOTAL VALUE
#1	74025	\$1,408,222.00	\$1,197,885.00	\$2,606,107.00
	74032	\$9,931,972.00	\$4,678,690.00	\$14,610,662.00
Total for Island #1				\$17,216,769.00
#2	74049	\$9,799,931.00	\$5,907,952.00	\$15,707,883.00
	74032	\$4,121,567.00	\$3,619,818.00	\$7,741,385.00
Total for Island #2				\$23,449,268.00
#3	74025	\$10,573,343.00	\$10,072,820.00	\$20,646,163.00
#6	74010	\$12,935,152.00	\$35,276,388.00	\$48,211,540.00
#7	74010	\$5,583,648.00	\$7,239,120.00	\$12,822,768.00
#8	74010	\$3,895,441.00	\$8,994,276.00	\$12,889,717.00
#9	74010	\$9,702,581.00	\$26,820,279.00	\$36,522,860.00
#10	74010	\$8,032,214.00	\$21,151,779.00	\$29,183,993.00
#11	74010	\$8,667,785.00	\$22,071,325.00	\$30,739,110.00
#12	74031	\$8,732,779.00	\$17,039,626.00	\$25,772,405.00
#13	74031	\$6,475,752.00	\$5,878,052.00	\$12,353,804.00
#14	74050	\$6,730,056.00	\$8,875,034.00	\$15,605,090.00

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#15	74031	\$3,744,763.00	\$3,330,287.00	\$7,075,050.00
#16	74031	\$3,888,696.00	\$4,136,333.00	\$8,025,029.00
#17	74031	\$6,668,001.00	\$7,199,050.00	\$13,867,051.00
#18	74031	\$7,682,118.00	\$12,736,680.00	\$20,418,798.00
#19	74031	\$5,587,634.00	\$5,987,723.00	\$11,575,357.00
#20	67016	\$216,350.00	\$2,106,551.00	\$2,322,901.00
#21	74025	\$1,733,018.00	\$1,447,626.00	\$3,180,644.00
#22	74025	\$6,582,453.00	\$4,798,039.00	\$11,380,492.00
	74040	\$3,041,318.00	\$211,875.00	\$3,253,193.00
Total for Island #22				\$14,663,685.00
#23	74031	\$6,724,033.00	\$9,527,683.00	\$16,251,716.00
#24	74031	\$10,551,883.00	\$16,387,454.00	\$26,939,337.00
#25	74031	\$6,933,355.00	\$10,072,029.00	\$17,005,384.00
#28	74049	\$4,068,253.00	\$2,819,577.00	\$6,887,830.00
	74043	\$2,130,053.00	\$2,346,429.00	\$4,476,482.00
Total for Island #28				\$11,364,312.00
#29	74050	\$4,902,247.00	\$7,309,381.00	\$12,211,628.00
#30	74031	\$9,498,002.00	\$17,495,389.00	\$26,993,391.00
#31	74031	\$2,361,397.00	\$3,846,479.00	\$6,207,876.00
#32	74031	\$6,548,980.00	\$5,423,149.00	\$11,972,129.00
TOTALS		\$199,452,997.00	\$296,004,778.00	\$495,457,775.00

4. LAFCO staff has provided individual notice to landowners (totaling 3,123 notices) and registered voters (totaling 3,626 notices) within the annexation area and to landowners (9,067) and registered voters (6,731) surrounding the study area dated July 25, 2006. The total number of notices provided, in accordance with State law and adopted Commission policies, is 22,547. To

date verbal expression of opposition has been received in the LAFCO staff office expressing concern regarding road maintenance and upgrade and development standards; but only one written expression opposition has been received.

5. Legal advertisement of the Commission's consideration has been provided through publication in *The Sun*, and *The Herald News*, newspapers of general circulation within the study areas. Individual notice has been provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notification.
6. The City of Fontana pre-zoned its sphere of influence through adoption of its General Plan Update in October 2003 and its Zoning Map was updated to include the pre-zoning of its sphere of influence on April 15, 2004. The land use designations to be applied within the reorganization area upon annexation are varied, ranging from: residential zoning including designations of R-1, R-2, and R-PC; commercial zoning classifications of C-1 and C-2; manufacturing zoning classifications of M-1 and M-2, and public facilities under the PF zone designation. Pursuant to the provisions of Government Code Section 56375(e), these zoning designations shall remain in effect for two years following annexation unless specific actions are taken by the City Council at a public hearing.
7. The Commission's Environmental Consultant, Tom Dodson and Associates, has indicated that the review of this island area reorganization is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the finding that the Commission's approval of this application is ministerial, in that based upon the findings required by Government Code Section 56375(a), the Commission has no discretion in its action on the proposal other than approval. Therefore, a statutory exemption as authorized under Section 15268 of the State CEQA Guidelines is appropriate. A copy of Mr. Dodson's response is included for the Commission's review as Attachment #6 to this report.
8. Upon annexation, the City of Fontana will extend its services as required by the existing and anticipated land use. The City has submitted a "Plan for Service" as required by law which indicates that revenues are anticipated to be sufficient to provide the level of services identified by the City for such items as law enforcement, planning, street maintenance, etc. The Plan notes that additional personnel will be required for provision of law enforcement services and other services to the annexation area. Water service to the island areas is currently provided by the Fontana Water Company, fire protection/paramedics services are currently provided by the Central Valley Fire Protection District and ambulance service is provide by American Medical Response. All of these service providers will remain unchanged. A

copy of the City's Plan and updated information on the Plan is included for the Commission's review as a part of Attachment #2.

The City of Fontana has indicated in its application and Plan for Service that its 5% Utility Users Tax on commercial properties will not be extended to this area upon annexation. In addition, LAFCO staff has included a condition in its recommendation for approval that indicates that the utility tax will not be applied to the island annexation areas.

9. The area in question is presently served by the following public agencies:

County of San Bernardino
Inland Empire Resource Conservation District
Inland Empire Utilities Agency
Central Valley Fire Protection District
County Service Area SL-1 (portion)
County Service Area 70
San Sevaine Redevelopment Area (Islands 28 and 29)

CSA SL-1 and CSA 70 will be detached through successful completion of this annexation as required by Government Code Section 25210.90. None of the other agencies will be directly affected by the completion of this proposal through an adjustment in their boundaries as they are regional in nature.

10. The annexation proposal complies with Commission policies and directives and State law that indicate the preference for all island areas to be included within the boundaries of the City surrounding them to provide for a more efficient and effective service delivery system.
11. All notices required by State law and local Commission policies have been provided. Comments from landowners and any affected local agency have been reviewed and considered by the Commission in making its determinations. To date, verbal and written expressions of protest or opposition to these annexations and the island annexation provisions has been received.
12. The study area can benefit from the availability of municipal-level services from the City of Fontana and numerous parcels within the areas of annexation have benefited in the past from the receipt of out-of-agency sewer service from the City of Fontana.
13. This proposal will have minimal effect on the City of Fontana's ability to achieve its fair share of the regional housing needs as it is primarily built-out residential uses. The undeveloped residential lands represent less than 5% of the territory.

14. The County of San Bernardino and the City of Fontana have successfully negotiated a transfer of property tax revenues that will take effect upon completion of this annexation. This negotiated agreement fulfills the requirements of Section 99 of the Revenue and Taxation Code. However, the modification in area for Island #3 will require renegotiation of the property tax distribution as outlined in Revenue and Taxation Code Section 99(b)(7).
15. The maps and legal descriptions, as revised, are in substantial compliance with LAFCO and state standards through certification by the County Surveyor's Office.

CONCLUSION:

It is the staff's determination that LAFCO 3048 must be approved by the Commission without protest by landowners and registered voters. This determination is based upon the factors outlined in Government Code Section 56375(a). In addition, is it the staff's position that the Commission is required to make the mandatory determinations outlined in Section 56375.3. Staff believes these determinations are easily made for each of the 28 islands as follows:

- The 28 annexation areas individually are less than 150 acres each, meeting the defined statutory threshold of less than the 150 acres;
- Each area is substantially surrounded by City boundaries as defined by Commission policy and State law;
- Each area is within the City of Fontana sphere of influence;
- Each is substantially developed or developing;
- None contains prime agricultural land as defined by LAFCO statutes; and,
- Each has benefited and/or can benefit from the availability of municipal services from the City of Fontana.

In addition, this proposal also represents the compliance of the City of Fontana with the stated policies and directives of the State and the Commission that urbanized areas should be included, wherever and whenever possible, within a single multi-purpose jurisdiction to provide the needed levels of service. Approval of this proposal will provide a clear delineation of law enforcement responsibility, will provide for ease in response to needs of residents and landowners to receive sewer service without the added burden required to complete out-of-agency service contracts, and will define the responsible agency for needed road improvements.

All in all, it is a good government approach to the determination of municipal service boundaries for these areas.

If the Commission concurs with the staff determinations related to the statutorily required factors, then it is required to approve this proposal, regardless of any protest that might be submitted at the hearing. State law also requires the Commission to waive the protest hearing on this proposal, and staff's recommendation includes that action as part of its approval of this proposal.

KRM

Attachments:

- 1 -- Maps – Vicinity and Individual Islands
- 2 -- Government Code Section 56375 and 56375.3
- 3 -- City of Fontana Application, Plan for Service, Update to Plan for Service and Outreach Materials including Information on the Regional Areas as follows:
 - Cherry Avenue Vicinity Map and Supplement Form for each Island within Region – Islands 1, 2, 3, 14, 20, 28, and 29
 - Citrus Avenue Vicinity Map and Supplement Form for each Island within Region – Islands 13, 15, 16, 17, 18, 19, 23, 24, 25, 30, 31, and 32
 - Eastern Area Vicinity Map and Supplement Form for each Island within Region – Islands 6, 7, 8, 9, 10, and 11
 - Foothill Corridor Vicinity Map and Supplement Form for each Island within Region – Island 12, 21, and 22
- 4 -- Joint letter from the County of San Bernardino Public and Support Services Group and the City of Fontana dated July 27, 2006 Outlining Consent to Annexation of San Sevaive Redevelopment Agency Territory
- 5 -- Letter from City of Fontana dated August 7, 2006 Outlining Position on Assumption of Land Use Review Approvals and Code Enforcement Issues
- 6 -- Letter from Tom Dodson and Associates
- 7 -- Draft Resolution No. 2932