

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

175 West Fifth Street, Second Floor, San Bernardino, CA 92415-0490  
• (909) 387-5866 • FAX (909) 387-5871  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

---

**DATE:** JANUARY 7, 2005

**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer

**TO:** LOCAL AGENCY FORMATION COMMISSION

---

**SUBJECT: Agenda Items #7 and #9:** Consideration of Request for Override of Commission Policy Related to Deferral of Applications for Projects Pending Settlement of Litigation and LAFCO 2970A – Consolidated Application for Annexation to City of Rancho Cucamonga, et al.

---

**RECOMMENDATION:**

Continue the Items identified above to the February 16, 2005 hearing.

**BACKGROUND INFORMATION:**

At the November hearing, the Commission considered two items related to annexations filed by the City of Rancho Cucamonga. First was the request to override the Commission's policy related to deferral of applications for projects pending settlement of environmental litigation and second was the consolidation of three applications into a single proposal for further Commission consideration.

The Commission approved the consolidation of the applications into one, now known as LAFCO 2970A -- Reorganization to include Annexations to City of Rancho Cucamonga and West Valley Mosquito and Vector Control District (Etiwanda Creek – DRC 2003-01164, Richland Pinehurst – DRC 2002-00865, and Tracy Development – DRC 2003-01051). However, the Commission continued the consideration of the policy override to the January hearing with the direction that it be discussed along with the consideration of the consolidated reorganization application. The continuance was to allow time for LAFCO Special Counsel to research and

present possible conditional approvals related to the environmental litigation.

In the interim, LAFCO Special Counsel, LAFCO staff and representatives from the City of Rancho Cucamonga have met to review the possible alternatives for a conditional approval to address the concerns expressed at the November hearing. Those concerns were in reference to the transfer of service responsibility and revenues should the litigation be successful and the annexation overturned. However, additional time is necessary to complete that review and prepare the report presenting the information to the Commission. Therefore, staff is recommending that these items be continued to the February 16, 2005 hearing.

City of Rancho Cucamonga staff has been advised of the request for continuance and has indicated its support for continuing the considerations to the February hearing.

KRM/

Attachments