

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

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PROPOSAL NO.: LAFCO 2921

HEARING DATE: NOVEMBER 19, 2003

RESOLUTION NO. 2793

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2921, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE CITY OF RIALTO.

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

WHEREAS, a service review mandated by Government Code Section 56430 and a sphere of influence update mandated by Government Code Section 56425 have been conducted by the Local Agency Formation Commission of the County of San Bernardino (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,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this 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 held upon the date and at the time and place specified in the notice of public hearing and in an order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the review, in evidence presented at the hearing; and,

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that this service review and sphere of influence update are statutorily exempt from CEQA and such exemption is hereby adopted by this Commission. The Clerk is directed to file a Notice of Exemption within five working days of adoption of this resolution; and,

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WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it is determined that the sphere of influence for the City of Rialto should be adjusted to include the County Boundary Exchange approved by the Boards of Supervisors for San Bernardino and Riverside Counties as outlined on the maps and legal descriptions attached as Exhibits "B" through "B-4", and that the balance of the sphere of influence area currently established for the City should be affirmed as it currently exists, as more specifically described on the map attached as Exhibit "A"; and,

WHEREAS, the following findings are made in conformance with Government Code Section 56430 and local Commission policy:

1. **Infrastructure Needs and Deficiencies.** The City of Rialto's five-year Capital Improvement Plan was adopted in December 2002 and outlines the City's current and future capital improvement needs. Capital improvement projects are administered through the City's Public Works, Fire, Police, Recreation and Redevelopment departments. Copies of the City's Capital Improvement Program and Master Service Plans are maintained in City offices and are available for public review.
2. **Growth and Population.** The survey response identifies the current population of the City of Rialto at 95,000. The City's projected ultimate population is 109,000, based on the land use determinations of the City's General Plan adopted in 1992. The City is close to build-out of its vacant single-family residential areas within City boundaries, while it has a relatively large multi-family residential reserve. The City's primary growth will be industrial and commercial development along the I-210 Corridor and within the Agua Mansa Industrial Corridor Specific Plan, located southerly of Interstate 10.
3. **Financing Opportunities and Constraints.** The City revenue sources are identified as: a share of the general levy of property tax revenue, sales tax, PERS Retirement Assessment, sewer fees, development fees, building permit fees, motor vehicle in-lieu fees, grants, redevelopment project area funds and other general revenue sources such as franchise fees. Revenues for the City, as is the case for all other local agencies, are constrained by a variety of state laws that govern revenue generation. A complete list of the sources of City revenues is contained within the City budget, which is on file and available for public review in City offices.
4. **Cost Avoidance Opportunities.** The City of Rialto receives water service primarily from three purveyors: the City of Rialto Water Department, the Fontana Water Company and the West Valley Water District (formerly known as the West San Bernardino County Water District) within its corporate boundaries and sphere area. The City of Rialto also takes a cooperative approach and encourages coordination with other local agencies on a variety of projects. Beyond that, the City of Rialto did not identify any specific cost avoidance opportunities relevant to this review.
5. **Rate Restructuring.** The City of Rialto periodically evaluates its cost of services in order to stay competitive in the market place. Copies of the City's rate structures are maintained in City offices and are available for public review. No relevant issues related to this factor were identified by the City of Rialto.
6. **Opportunities for Shared Facilities.** The City of Rialto indicates it does not currently share facilities for any flood or park facilities; however, the City does share facilities with the West Valley Water District and Rialto Unified School District. The City notes it is constantly reviewing opportunities with the various government agencies to enhance the delivery of municipal services. An example of this would be the contractual relationship between the City of Fontana and the City of Rialto to provide sewer service to the

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area commonly known as the Empire Center within the City of Fontana through the City of Rialto. No other relevant findings related to this factor were identified by the City of Rialto.

7. **Government Structure Options.** The City identifies as its recommendation that efforts should be made to amend the “island provisions” of the Cortese-Knox-Hertzberg Local Government Reorganization Act to revise or delete the acreage limitation on these special annexation provisions. No other options for governmental structure change were identified by the City of Rialto.
8. **Management Efficiencies.** The City of Rialto provides for on-going training of employees through the use of workshops, conferences, seminars and memberships in professional organizations. Staffing levels are also continually reviewed, and the current City policy is to maintain a staffing level that is appropriate to available funding. The City maintains billing systems for sewer, business licensing, weed abatement and miscellaneous receivables. The City shares billing systems with the West Valley Water District for monthly sewer bills.
9. **Local Accountability and Governance.** The City is governed by a City Council elected at large, along with a separately elected Mayor, all of whom serve four-year terms. The City maintains a website, and conforms to the provisions of the Brown Act requiring open meetings. In addition, the City provides surveys, newsletters, complaint tracking services, and the City publishes a quarterly City-wide newsletter through the local newspaper. The City’s budget is adopted every two years during the month of June and is reviewed on a quarterly basis. Progress reports regarding the financial position of the City are periodically presented to the City Council; and,

WHEREAS, the following findings are made in conformance with Government Code Section 56425 and local Commission policy for a sphere of influence update:

1. **PRESENT AND PLANNED LAND USES**

The full range of urban, suburban, and rural land uses are included within the boundaries and current sphere of influence of the City of Rialto. The sphere of influence update and service review have no potential to change present or planned land uses within the City sphere, since the only change proposed would be to accommodate the County Boundary Exchange, approved by the Boards of Supervisors for Riverside and San Bernardino Counties on October 28, 2003. The City of Rialto endorses this approach by indicating that no sphere of influence changes are contemplated within the next five years and the request that the County Boundary Exchange be acknowledged.

2. **PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA**

The change proposed to the City sphere of influence relates to areas currently a part of the Agua Mansa Industrial Corridor Specific Plan and served by the Rubidoux Community Services District, West Valley Water District and others. The City has adopted a master plan for service which addresses public facilities and services for the balance of the City’s sphere of influence, a complete copy of which is on file in the City offices.

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3. **PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES PROVIDED**

The change proposed to the City sphere of influence relates to areas currently a part of the Agua Mansa Industrial Corridor Specific Plan and served by the Rubidoux Community Services District, West Valley Water District and others. No changes to the balance of the City sphere of influence are proposed or contemplated through this review. The City has adopted master plans for service which address this issue, and are on file in the City offices.

4. **COMMUNITIES OF INTEREST IN THE AREA**

The existing sphere of influence assigned the City of Rialto includes the majority of the unincorporated community of Bloomington. No change in this assignment is contemplated at this time. The change proposed to the City sphere of influence relates to areas currently a part of the Agua Mansa Industrial Corridor Specific Plan assigned a commercial/industrial use which does not support a community of interest designation. This area is currently served by the Rubidoux Community Services District, West Valley Water District and others. No changes to the balance of the City sphere of influence are proposed or contemplated through this review. The Commission, therefore, determines that this factor of consideration is not relevant to this review, as permitted by Government Code Section 56425.

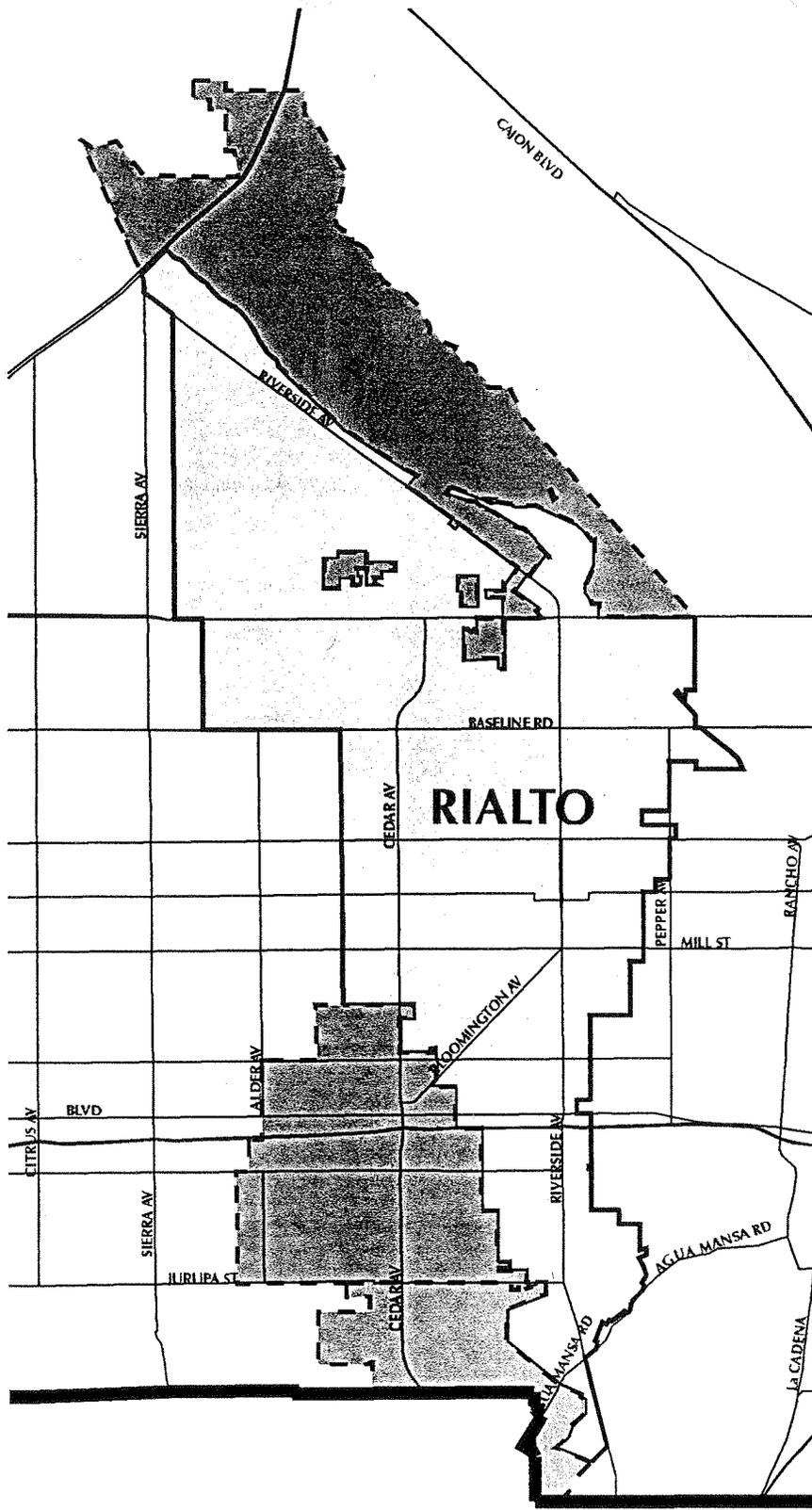
5. **OTHER FINDINGS**

- A. Notice of this hearing has been published as required by law in The Sun and the Rialto Record, newspapers of general circulation in the area. As required by state law, individual notification was provided to affected and interested local agencies, County departments, and those individuals wishing mailed notice.
- B. Comments from landowners and any affected local agency have been reviewed and considered by the Commission in making its determination; and,

WHEREAS, having reviewed and considered the findings as outlined above, the Commission affirms and upholds the sphere of influence for the City of Rialto as it currently exists, as depicted on the map attached as Exhibit "A", and adjusts the sphere of influence to accommodate the County Boundary Exchange between the Counties of San Bernardino and Riverside, as approved on October 28, 2003, and depicted on the maps and legal descriptions attached as Exhibits "B" through "B-4", and on file in the office of the San Bernardino Local Agency Formation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission shall consider the territory described on the maps and legal descriptions attached as Exhibits "A" and "B" through "B-4" as being within the sphere of influence of the City of Rialto, it being fully understood that establishment of such a sphere of influence is a policy declaration of this Commission, based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that the City of Rialto shall indemnify, defend, and hold harmless the Local Agency Formation Commission of the County of San Bernardino from any legal expense, legal



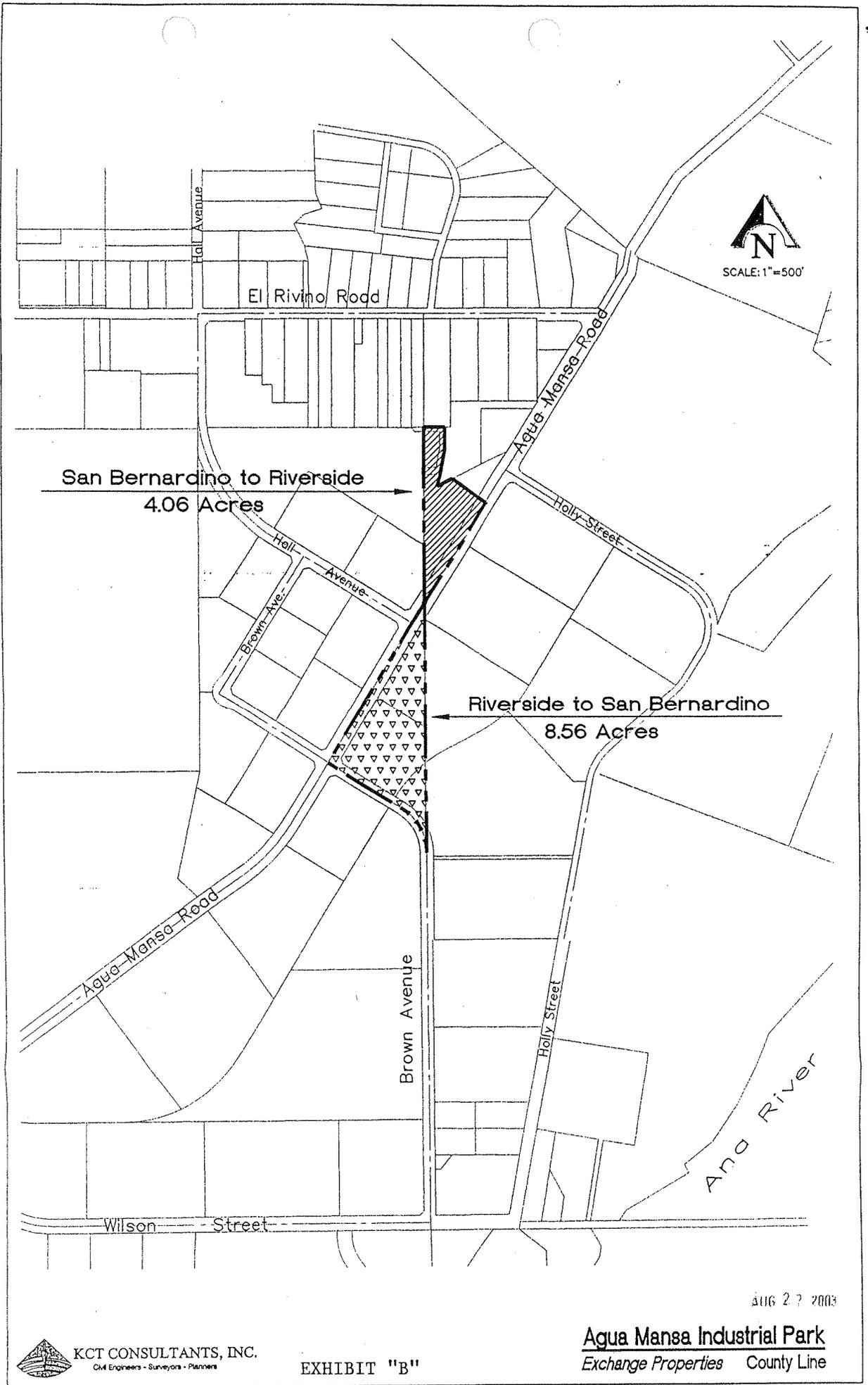
-  City of Rialto
-  Rialto Sphere of Influence



EXHIBIT "A"

Map Prepared On November 06, 2003





March 6, 2003

ANNEXATION TO SAN BERNARDINO COUNTY
COUNTY LINE ADJUSTMENT
BETWEEN
RIVERSIDE AND SAN BERNARDINO COUNTIES

That portion of the Southwest one-quarter of Section 2, Township 2 South, Range 5 West, San Bernardino Meridian, State of California, located in the County of Riverside, and being more particularly described as follows:

BEGINNING at the centerline intersection of Agua Mansa Road and Hall Avenue, as shown by Parcel Map No. 24088, on file in Book 177 of Parcel Maps, Pages 37 through 41 thereof, Records of said Riverside County;

Course 1: Thence N.31°54'55"E. along centerline of said Agua Mansa Road, a distance of 142.08 feet, to the East line of said Southwest one-quarter of Section 2, being the existing County Line between Riverside County and San Bernardino County;

Course 2: Thence S.0°08'04"E. along said East line, a distance of 962.80 feet, to an angle point therein as shown on said Parcel Map No. 24088;

Course 3: Thence S.0°07'49"E., continuing along said East line and the southerly prolongation thereof, a distance of 483.52 feet, to the beginning of curve on the centerline of Brown Avenue as shown on Parcel Map No. 24088-1, on file in Book 177 of Parcel Maps, Pages 37 through 41 thereof, Records of Riverside County, California;

Course 4: Thence northwesterly along said centerline, along a non-tangent curve, concave southwesterly, having a radius of 300.00 feet, through an angle of 57°57'16" and an arc length of 303.45 feet (the initial radial line bears N.89°52'11"E.);

Course 5: Thence N.58°05'05"W. along said centerline of Brown Avenue, a distance of 513.17 feet, to the intersection of the centerline of said Agua Mansa Road;

Course 6: Thence N.31°54'55"E., along the centerline of said Agua Mansa Road, a distance of 943.00 feet, to the Point of Beginning.

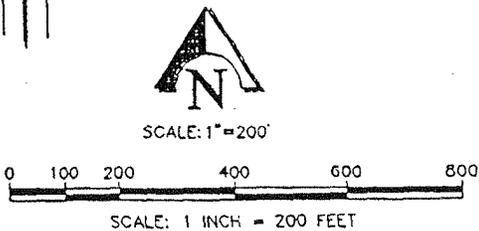
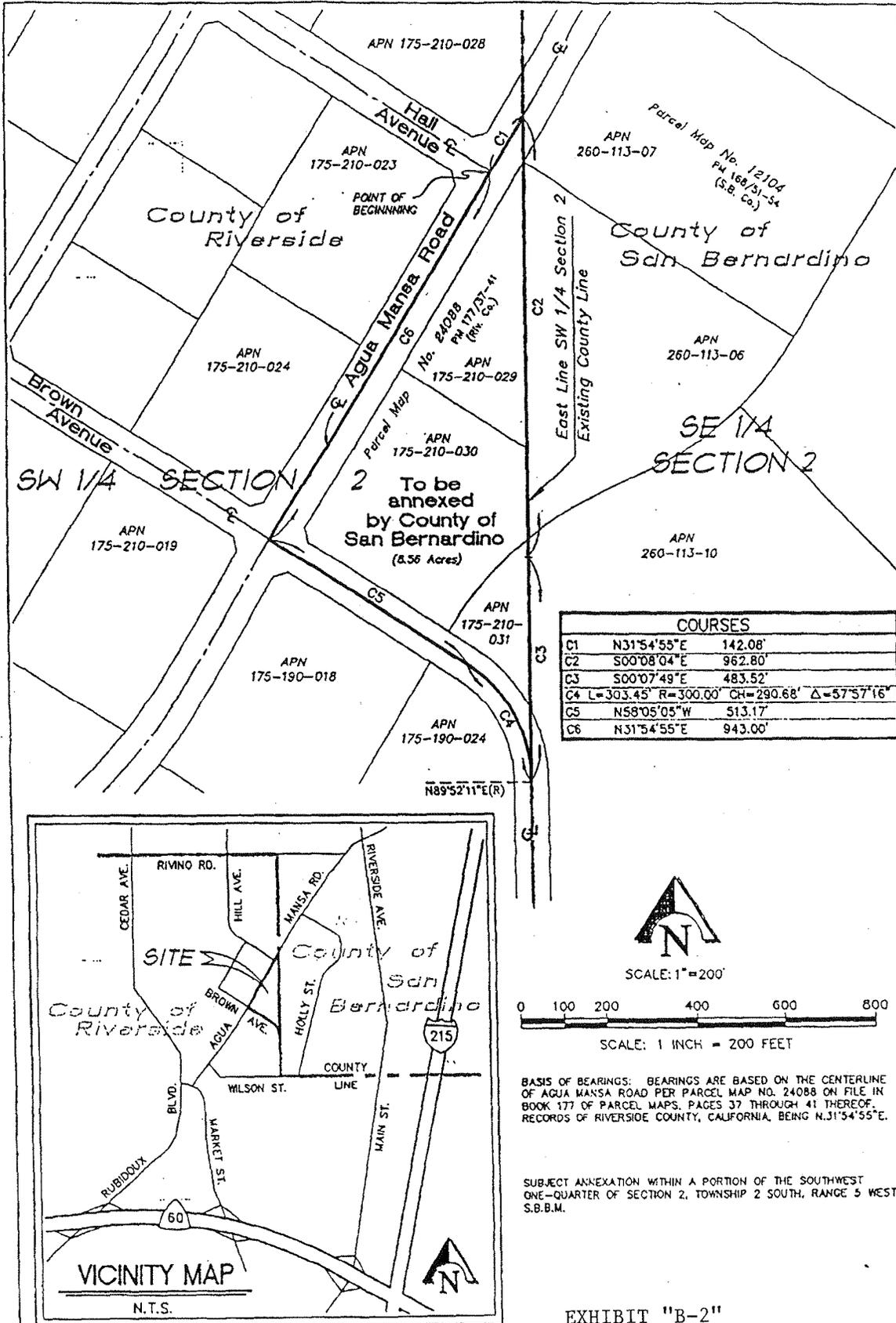
The above described parcel of land contains 8.56 acres, more or less.

Prepared under the supervision of:
KCT CONSULTANTS, INC.


 Marissa Crowther, PLS 6152

Date: 7-25-03





BASIS OF BEARINGS: BEARINGS ARE BASED ON THE CENTERLINE OF AGUA MANSÁ ROAD PER PARCEL MAP NO. 24088 ON FILE IN BOOK 177 OF PARCEL MAPS, PAGES 37 THROUGH 41 THEREOF, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, BEING N.31°54'55"E.

SUBJECT ANNEXATION WITHIN A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 5 WEST, S.B.B.M.

EXHIBIT "B-2"

PROFESSIONAL LAND SURVEYOR
MARISSA CROWTHER
Exp. No. 0152
STATE OF CALIFORNIA

Prepared under the supervision of:
Marissa Crowther 7-25-03
MARISSA CROWTHER, PLS 6152 DATE

COUNTY LINE ADJUSTMENT
BETWEEN
RIVERSIDE AND SAN BERNARDINO COUNTIES
KCT CONSULTANTS, INC.
CIVI Engineers - Surveyors - Planners

Sheet 1 of 1
Scale: 1"=200'
March 6, 2003
WO 1251-02

March 6, 2003
Revised July 22, 2003

ANNEXATION TO RIVERSIDE COUNTY
COUNTY LINE ADJUSTMENT
BETWEEN
RIVERSIDE AND SAN BERNARDINO COUNTIES

That portion of Northeast one-quarter of Section 2, Township 2 South, Range 5 West, San Bernardino Meridian, State of California, located in the County of San Bernardino, and being more particularly described as follows:

COMMENCING at the centerline intersection of Agua Mansa Road and Hall Avenue, as shown by Parcel Map No. 24088, on file in Book 177 of Parcel Maps, Pages 37 through 41 thereof, Records of Riverside County, California;

Thence $N.31^{\circ}54'55''E.$ along the centerline of said Agua Mansa Road, a distance of 142.08 feet, to the West line of said Northeast one-quarter of Section 2, being the existing County Line between Riverside County and San Bernardino County, and being the **POINT OF BEGINNING**;

- Course 1: Thence $N.0^{\circ}07'52''W.$ along said East line, a distance of 1020.96 feet, to the northerly line of Crest Avenue as shown by map of Record of Survey on file in Book 84 of Record of Surveys, Pages 30 through 34 thereof, Records of Riverside County, California;
- Course 2: Thence $N.86^{\circ}51'39''E.$ along said northerly line, a distance of 121.01 feet, to the northwest corner of said Crest Avenue
- Course 3: Thence $S.05^{\circ}18'15''E.$ along the easterly line of said Crest Avenue, a distance of 100.01 feet, to an angle point therein;
- Course 4: Thence $S.08^{\circ}47'45''W.$ continuing along said easterly line, a distance of 156.01 feet, to an angle point therein;
- Course 5: Thence $S.16^{\circ}12'23''W.$ continuing along said easterly line, also being along the northeasterly line of Parcel 9 of Parcel Map No. 12104, on file in Book 168 of Parcel Maps, Pages 51 through 54 thereof, Records of San Bernardino County, California, a distance of 99.97, to an angle point in said northeasterly line;
- Course 6: Thence $N.63^{\circ}46'46''E.$ continuing along said northeasterly line, a distance of 99.55 feet, to the northeasterly corner thereof;



Annexation to Riverside County
County Line Adjustment
Riverside and San Bernardino Counties

Course 5: Thence S.55°17'05"E. continuing along the northeasterly line of said Parcel 9,
a distance of 211.39 feet;

Course 6: Thence S.58°05'05"E., a distance of 30.00 feet, to the centerline of said Agua
Mansa Road, as shown by said Parcel Map No. 12104;

Course 7: Thence S.31°54'55"W. along said centerline, a distance of 689.48 feet, to the
Point of Beginning.

The above described parcel of land 4.06 acres, more or less.

Prepared under the supervision of:
KCT CONSULTANTS, INC.

Marissa Crowther
Marissa Crowther, PLS 6152

Date: 7-25-03



