

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

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PROPOSAL NO.: LAFCO 2904

HEARING DATE: NOVEMBER 20, 2002

RESOLUTION NO. 2755

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2904, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE RANCHO CUCAMONGA FIRE PROTECTION DISTRICT.

On motion of Commissioner Pearson, duly seconded by Commissioner Colven 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 his 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 Rancho Cucamonga Fire Protection District should be determined to be coterminous with the sphere of influence of the City of Rancho Cucamonga, as it currently exists, and is more specifically described in maps and legal descriptions on file in the LAFCO staff office; and,

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

1. **Infrastructure Needs and Deficiencies.** A master plan for fire protection is included as an element of the Master Plan for the City of Rancho Cucamonga, since the City Council is the governing body of the District. A copy of this plan is maintained in City and District offices.
2. **Growth and Population.** The District provides fire protection and emergency medical services within the entire sphere of influence of the City of Rancho Cucamonga, which is coterminous to the sphere of influence of the District. The estimated population within the City of Rancho Cucamonga is 137,120.
3. **Financing Opportunities and Constraints.** The District receives a share of the general levy of property tax revenue. As a city subsidiary district, financing opportunities and constraints are considered by the City Council of Rancho Cucamonga as part of its budget considerations. No other relevant information related to this factor have been provided.
4. **Cost Avoidance Opportunities.** The District is already participating in cost avoidance programs through its establishment as a subsidiary district of the City of Rancho Cucamonga, and through mutual aid agreements with other fire protection agencies.
5. **Rate Restructuring.** Service rates for District services are determined by the City Council of the City of Rancho Cucamonga through its budget process. No relevant issues related to this factor have been identified.
6. **Opportunities for Shared Facilities.** The District shares office space for management/administrative staff in the City Hall. No other information related to this factor is relevant to this review.
7. **Government Structure Options.** The District has been established as a subsidiary district of the City of Rancho Cucamonga. There are no other meaningful governmental structure options available for consideration.
8. **Management Efficiencies.** Management efficiency is maximized through establishment of the District as a City subsidiary district, and through training, periodic review of staff levels, applications of technology, and so forth. No other information relevant to this factor has been identified.
9. **Local Accountability and Governance.** The District essentially functions as a "department" of the City of Rancho Cucamonga, thereby making clear that the City is accountable for District functions and services. No other information is relevant to this factor of consideration.

WHEREAS, pursuant to the provisions of Government Code Section 56425(h) the range of services provided by the Rancho Cucamonga Fire Protection District shall be limited to fire protection and emergency medical services, and such range of services shall not be changed unless approved by this Commission; and,

WHEREAS, the following findings are made in conformance with Government Code Section 56425 and local Commission policy:

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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 Rancho Cucamonga Fire Protection District. This sphere of influence update and service review have no potential whatsoever to change present or planned land uses within the District sphere, since no changes to the sphere of influence are contemplated.

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

No changes to the District sphere of influence are proposed or contemplated through this review. The District, through action by the Rancho Cucamonga City Council, has adopted a master plan for service which addresses this issue, and is on file in the District office.

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

No changes to the District sphere of influence are proposed or contemplated through this review. As the governing body, the Rancho Cucamonga City Council is responsible for ensuring the adequacy of public service facilities and the adequacy of those services within District boundaries.

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

No changes to the District sphere of influence are proposed or contemplated through this review. The Commission therefore determines that this factor of determination 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 Inland Valley Daily Bulletin, 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.

WHEREAS, having reviewed and considered the findings as outlined above, the Commission affirms and upholds the sphere of influence for the Rancho Cucamonga Fire Protection District as it currently exists, and is depicted on maps and legal descriptions 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 maps and legal descriptions on file in the LAFCO office, as being within the sphere of influence of the Rancho Cucamonga Fire Protection District, 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.

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BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that the Rancho Cucamonga Fire Protection District shall indemnify, defend, and hold harmless the Local Agency Formation Commission of the County of San Bernardino from any legal expense, legal action, or judgment arising out of the Commission's affirmation of this sphere of influence, including any reimbursement of legal fees and costs incurred by the Commission.

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

AYES: COMMISSIONERS: Bagley, Colven, Pearson, Smith, Williams

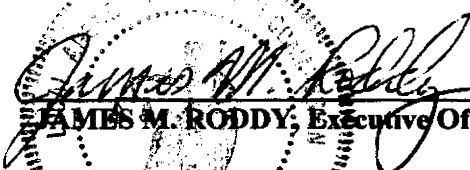
NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Mikels, Postmus

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, JAMES M. RODDY, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of November 20, 2002.

DATED: November 20, 2002


JAMES M. RODDY, Executive Officer
