

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

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PROPOSAL NO.: LAFCO 2900

HEARING DATE: NOVEMBER 19, 2003

RESOLUTION NO. 2792

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2900, A SERVICE REVIEW AND SPHERE OF INFLUENCE AMENDMENT (EXPANSION) FOR THE WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT. (The expansion includes the area identified as the balance of the City of Montclair and its sphere of influence, the balance of the City of Ontario, and the City of Rancho Cucamonga and its sphere of influence.)

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

WHEREAS, a service review mandated by Government Code Section 56430, a sphere of influence update mandated by Government Code Section 56425 and a sphere of influence amendment as outlined in Government Code Section 56428 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 amendment and update are statutorily exempt from CEQA and such exemption has

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been adopted by this Commission. The Clerk has been directed to file a Notice of Exemption within five working days of adoption of this resolution; and,

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 West Valley Mosquito and Vector Control District (hereinafter referred to as "the District" or "WVMVCD") shall be expanded to include the area of the balance of the City of Montclair and its sphere of influence, the balance of the City of Ontario, and the City of Rancho Cucamonga and its sphere of influence, as more specifically described on the legal description and map attached to this resolution as Exhibits "A" and "A-1" ; and,

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

1. **Infrastructure Needs and Deficiencies.**

The District provides a full range of vector control services to its residents within the District boundary, as well as residents and property owners in the contract cities and other local government agencies. The services offered by the District include monitoring and control of mosquito and fly populations, removal of Africanized honey bees and stinging wasps, trapping and removal of animals that are poisonous or may harbor disease-causing agents, surveillance and prevention of vector-borne diseases, and public outreach activities to raise the public awareness of the association of vectors and vector-borne disease, and the consequences of urbanization leading to growing proximity of urban/rural boundaries, and increasing contacts between humans and wild animals and the risk of contracting vector-borne disease.

The State of California has recognized the value of vector control through the creation in the Health and Safety Code of a special district charged with performing these services. Most cities do not have the specialized expertise in-house, nor is it cost effective for small/medium-sized cities to perform the service in-house. A benefit assessment on benefited properties allows the District to provide the full range of its services.

2. **Growth and Population.**

The District provides service to approximately 123 square miles (approximately 208,000 acres) within its current boundaries which includes all or portions of the incorporated and unincorporated areas of the Cities of Chino, Chino Hills, Montclair and Ontario. The sphere of influence amendment is proposed to include an additional 77 square miles for the balance of the City of Montclair and its sphere of influence, the balance of the City of Ontario, and the City of Rancho Cucamonga and its sphere of influence. The population of the area of the existing district is estimated to be 232,000 in the year 2002. This includes the areas of the former Chino-Ontario Agricultural Preserve whose population is currently estimated to increase, through development of the specific plans for the area, to approximately 160,000 over 20 years. The population of the sphere of influence amendment is estimated to be 222,000 at the present time.

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3. **Financing Opportunities and Constraints.**

The primary funding mechanism for the District is a benefit assessment. The District also has contractual agreements with the City of Montclair, City of Ontario, City of Rancho Cucamonga, Inland Empire Utilities Agency, Chino Institution for Men, Monte Vista Water District and Orange County Water District for limited vector control services. The sphere of influence amendment to expand the District's sphere would allow for the future annexation of these areas which would enable the District to deliver vector control services without the necessity of individual contracts. The services would be seamless as they would be funded through the benefit assessment process. The sphere of influence expansion allows for the development of additional contracts within the area allowable under the provisions of Government Code Section 56133.

4. **Cost Avoidance Opportunities.**

There are no known duplications of service within the District's boundaries. The County Vector Control Program specifically excludes the area of the District from its service delivery. The District maintains mutual aid agreements with other like vector control districts through the Mosquito and Vector Control Association of California to allow for a comprehensive response in the event of a catastrophic outbreak of vector-borne disease, such as the West Nile virus in California.

5. **Rate Restructuring.**

The District's primary funding is derived from a benefit assessment against the properties within its boundaries. The District is divided into two zones for this benefit assessment. Zone A is bounded on the north by Mission Blvd., on the east by Palmetto Avenue, on the south by Phillips Blvd., and on the west by the county line. This Zone has rates set at \$10.25 for a single-family residence and \$17 for commercial and industrial parcels. Zone B is identified as the balance of the territory of the District. This Zone has rates of \$18 for a single-family residence and \$30 for commercial and industrial parcels. These assessment rates are not expected to change in the near future. Annexation of the sphere of influence expansion area would allow for the extension of assessments to these properties following an election required by Proposition 218.

6. **Opportunities for Shared Facilities.**

No opportunities for shared facilities were identified.

7. **Government Structure Options.**

The State Legislature through the California Health and Safety Code recognizes the value of vector control by way of the creation of mosquito and vector control districts. The District currently overlays multiple cities and other local agencies, is a special function district, and is a cost-effective and efficient mechanism to deliver vector controls services over a large geographic area.

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8. Management Efficiencies.

The District currently maintains a small, but efficient field staff (10 employees) and administrative staff (3 employees) to serve the District territory as well as contracted vector control services. Expansion of staff will be considered if additional territories are annexed. District staff works closely with the Board of Trustees in the annual budget process to identify the anticipated operating and capital expenditures, as well as the forecasted revenue structure for a five-year time period. The District is a member of the Vector Control Joint Power Association whereby liability insurance, auto insurance, and workers' compensation insurance are pooled with other like member vector control districts for maximum coverage and security.

9. Local Accountability and Governance.

The District is governed by a five-member Board of Trustees appointed by each of the member cities and the County Board of Supervisors. Representation will be expanded for any newly-annexed city to allow for a representative on the Board. The District conforms to the provisions of the Brown Act requiring open meetings. The District board meeting is held at 1:30 p.m. on the fourth Wednesday of each month; and,

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

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

The area included within the existing sphere of influence and the proposed expansion includes vast areas of urban, suburban and rural land uses. The area represents one of the most rapidly urbanizing areas of the County. The transition from an agricultural-based area to an urbanized one increases the threat of existing and new vector-borne diseases and of nuisance vectors. The services provided by the WVMVCD are not development related; therefore, they have no direct impact on the present or planned land uses. However, the land uses have a direct impact on the service needs of the District.

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

Within the proposed sphere of influence expansion, only limited vector control services are provided through agreement between the respective city governments and the WVMVCD. As these areas develop, transitioning from their agricultural past to urbanization, the threat of existing and new vector-borne diseases increases. An enhanced mosquito and vector control program is needed to protect the health and safety of the current and future residents of the area.

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

Within its boundaries, the WVMVCD provides high levels of mosquito and vector control services to its constituents. With the sphere of influence expansion, planning can commence for the expansion of facilities to provide this level of service to a broader area.

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

The sphere of influence expansion is proposed to include the balance of the City of Montclair and its sphere of influence and the City of Ontario within the planning jurisdiction of the District and provide for a comprehensive planning unit. The inclusion of the City of Rancho Cucamonga and its sphere of influence will allow for the District to plan for the ultimate community of Rancho Cucamonga as currently identified by the Commission and to ultimately provide the City with representation on the Board of Trustees.

5. **OTHER FINDINGS**

- A. Notice of this hearing has been published as required by law and directed by the Commission in waiving individual notice to include: The Sun, the Chino Champion, the Inland Valley Daily Bulletin, and the Los Angeles Daily News, newspapers of general circulation in the area. In addition, copies of the Notice of Hearing were forwarded to the cities and special districts for posting and distribution to members of their councils or boards. 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, the following functions and services are provided by the District and are as outlined in the Rules and Regulations affecting the functions and services of Special Districts (originally adopted on November 10, 1976); and Exhibit "A" of the Rules and Regulations lists each special district and its services and functions pursuant to the requirements of Section 6 of the Rules and Regulations; and,

WHEREAS, the Local Agency Formation Commission of the County of San Bernardino is required to review and update the Exhibit "A" of the Rules and Regulations of Special Districts to outline the services provided:

SERVICE	FUNCTIONS
Mosquito and Vector Control	Conduct surveillance and other appropriate studies of vectors and vector-borne diseases; prevention of the occurrence of vectors and vector-borne diseases; abate or control vectors and vector-borne diseases

WHEREAS, pursuant to the provisions of Government Code Section 56425(h) the range of services provided by the West Valley Mosquito and Vector Control District is limited to those identified above, and such range of services shall not be changed unless approved by this Commission; and,

WHEREAS, having reviewed and considered the findings as outlined above, the Commission expands the sphere of influence of the West Valley Mosquito and Vector Control District to include the area as outlined on the attached Exhibits "A" and "A-1", and upholds

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the balance of the sphere of influence for the West Valley Mosquito and Vector Control District as it currently exists, and is depicted on the map attached as Exhibit "B" to this resolution.

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 legal description and maps attached as Exhibits "A", "A-1", and "B" as being within the sphere of influence of the West Valley Mosquito and Vector Control 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.

BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that the West Valley Mosquito and Vector Control 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, Biane, Colven, Pearson, Postmus, Smith, Williams


NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

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

I, KATHLEEN ROLLINGS-McDONALD, 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 19, 2003.

DATED: November 19, 2003



KATHLEEN ROLLINGS-McDONALD
Executive Officer

LAFCO No. 2900 Date 11/18/03
Sphere of Influence Expansion for the
West Valley Mosquito and Vector Control District

That portion of the Southwest corner of the County of San Bernardino, State of California bounded as follows:

On the South by the Northerly boundary of the existing West Valley Mosquito and Vector Control District and the San Bernardino County Line;

On the West by the San Bernardino County line and the Westerly boundary of the Sphere of Influence of the City of Rancho Cucamonga;

On the North by the Northerly boundaries of the Sphere of Influence of the Cities of Montclair, Ontario and Rancho Cucamonga;

On the East by the Easterly boundaries of the Sphere of Influence of the Cities of Rancho Cucamonga and Ontario;

Said boundary more particularly described as follows:

BEGINNING at the Northeasterly corner of the existing West Valley Mosquito and Vector Control Sphere of Influence Boundary, said point also being the Northeast corner of Section 1, Township 2 South, Range 7 West, San Bernardino Meridian, and also being the intersection of the center lines of Philadelphia Avenue and Milliken Avenue;

1. Thence Westerly along said existing West Valley Mosquito and Vector Control Sphere of Influence Boundaries and following it's various courses to the San Bernardino County line, also being the Northwest corner of said Sphere Boundary;
2. Thence Northerly, leaving said existing sphere boundary, along the Westerly San Bernardino County line to the centerline of the Pacific Electric Railroad right of way, in Section 10, Township 1 South, Range 8 West, said point also being on the Northerly boundary of the City of Montclair;
3. Thence Easterly, leaving said County line, along the various courses of said City of Montclair boundary to the centerline intersection of Benson Avenue and the extension of the Southerly Right of way line of the Interstate 10 Freeway, said point also being the Northwest corner of the City of Ontario;
4. Thence Easterly, leaving said City of Montclair boundary, along the various courses of said City of Ontario boundary to the center line intersection of Grove Avenue and the extension of the Northerly Right of way line of Burlington

EXHIBIT "A"

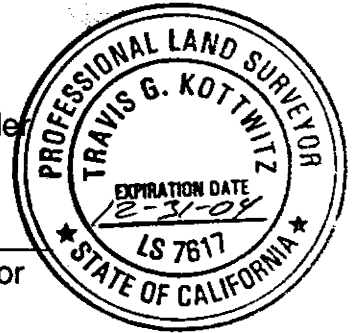
Northern & Santa Fe Railroad, said point also being the Southwesterly corner of the Sphere of Influence boundary for the City of Rancho Cucamonga;

5. Thence leaving said City of Ontario boundary, Northerly, Easterly & Southerly along the various courses of said City of Rancho Cucamonga sphere boundary to the centerline intersection of Fourth Street and Etiwanda Avenue, said point also being the Northeast corner of the City of Ontario boundary;
6. Thence leaving said City of Rancho Cucamonga sphere boundary, Southerly & Westerly along said City of Ontario boundary and continuing along said boundary, following all it's various courses, to the **POINT OF BEGINNING**.

Expansion contains approximately 53,322 acres or \pm 83 square miles.

This legal description was prepared by me or under my direction.

By: *Travis G. Kottwitz*
Travis G. Kottwitz, Deputy County Surveyor
Date: 11/18/03 L. S. #: 7617



Job No. 00133LF0
Prepared by V.H.C.

Revised Map #1 1/18/03 L.A.C.D. 0900

PROPOSED WEST VALLEY VECTOR SPHERE INFLUENCE

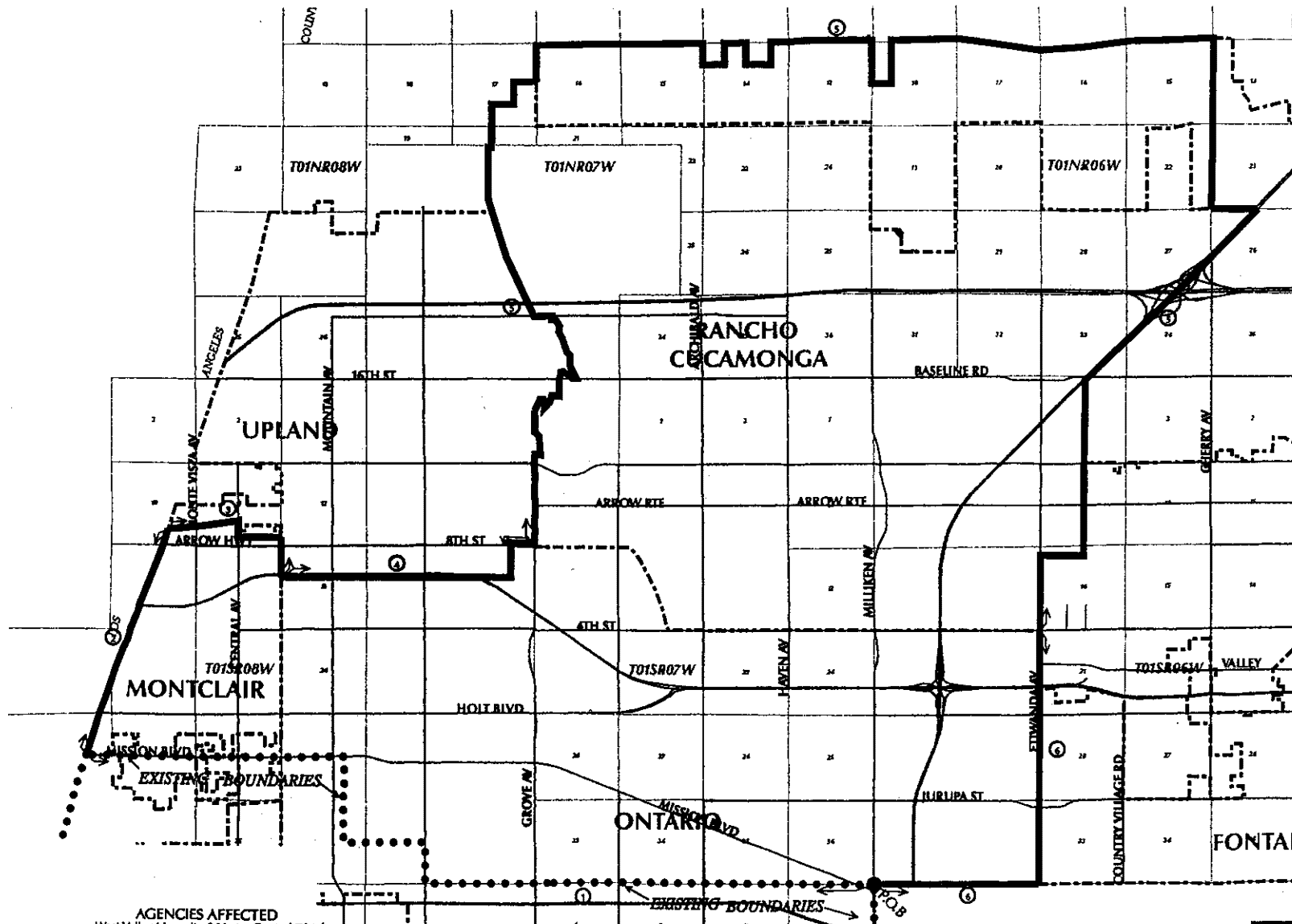
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MAPSCALE 1" = 1 MILE

Monday November 17, 2008 4:42 PM

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AGENCIES AFFECTED
 West Valley Mosquito & Vector Control Dist.
 City of Rancho Cucamonga
 City of Ontario
 City of Montclair

Total Acres: 53,322.3
 Total Sq. Miles: 83.3

PROPOSED SPHERE OF INFLUENCE EXPANSION FOR THE WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT

- Proposed Sphere of Influence
- - - Expansion Boundary
- - - City Limits
- Existing West Valley Vector Control Dist. & Sphere Boundary

EXHIBIT "A-1"

