

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

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**DATE: JULY 3, 2008**

**FROM: SAMUEL MARTINEZ, Senior LAFCO Analyst**

**TO: LOCAL AGENCY FORMATION COMMISSION**

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**SUBJECT: Agenda Item #6: LAFCO SC#334 – City of Redlands Service Agreement OSC 07-07 for Water Service (APN 0298-331-49)**

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**INITIATED BY:**

City of Redlands, on behalf of the property owner

**RECOMMENDATION:**

Staff recommends that the Commission approve LAFCO SC#334 by taking the following actions:

1. Certify that LAFCO SC #334 is statutorily exempt from environmental review and direct the Clerk to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC #334 authorizing the City of Redlands to extend water service outside its boundaries to Assessor Parcel Number (APN) 0298-331-49.
3. Adopt LAFCO Resolution #3010 setting forth the Commission's findings, determinations and approval of the agreement for service outside the City of Redlands' boundaries.

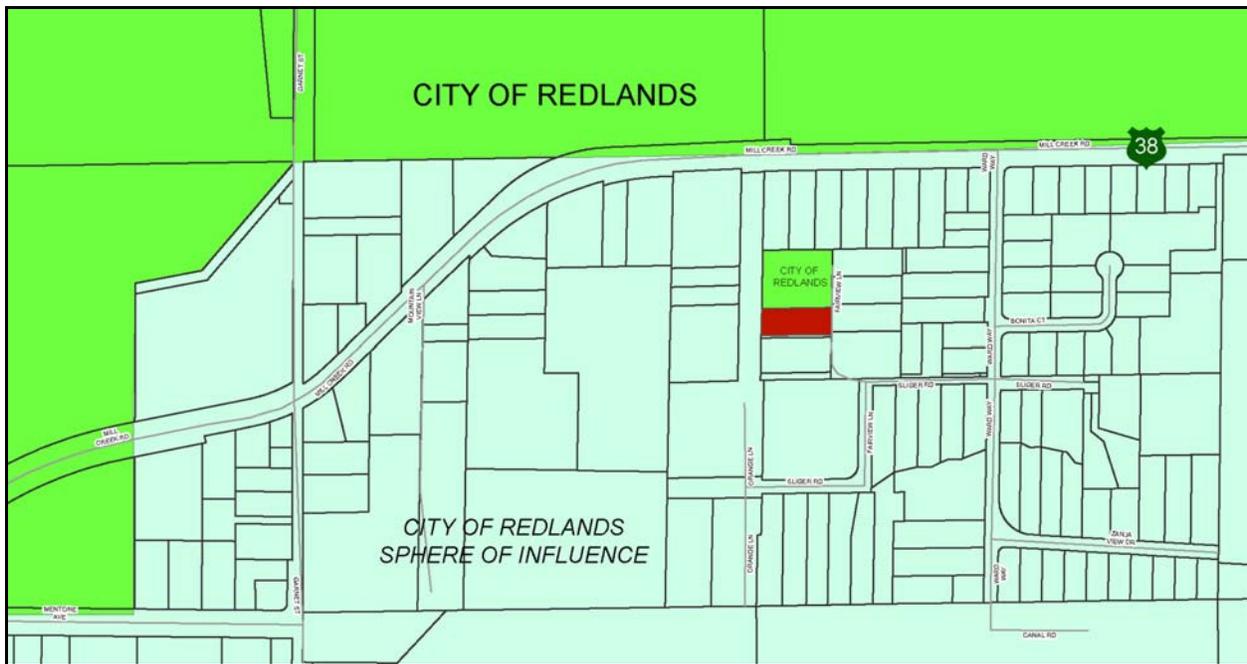
**BACKGROUND:**

The City of Redlands has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water service. The agreement relates to a single parcel, APN 0298-331-49, which is approximately 0.355 acres and is generally located on the west side of Fairview Lane (1359 Fairview Lane) between Mill Creek and Sliger Roads. The parcel is

within the community known as “Mentone” in the City’s northeastern sphere of influence. Attachment #1 provides a location and vicinity map of the site and Attachment #2 provides the City’s application.

The property owner intends to build a single-family residence on the site which will require water service from the City. Therefore, the City (on behalf of the property owner), has requested that the Commission review and authorize the extension of service pursuant to the provisions of Government Code Section 56133. In order to build on the parcel, the property owner would need to provide proof of authorization to connect to the City’s water facilities. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

It is to be noted that the northern boundary of the subject parcel is contiguous to an existing City boundary (see illustration below). This adjacent parcel is currently within the corporate boundaries of the City since it was annexed as a municipally owned and operated property, housing a City water tank.



The criteria for annexing non-contiguous territory are: 1) it must be municipally owned, and 2) it must be used for a municipal purpose. Pursuant to the provisions of Government Code Section 56742 (c), the City of Redlands cannot annex the subject parcel since it is not municipally owned and is not used for a municipal purpose - even though it is contiguous to a City boundary. Therefore, the provision of the City’s “Measure U” requiring the annexation of territory contiguous to the City in order to receive water and/or sewer service cannot be applied to the subject parcel.

**PLAN FOR SERVICE:**

The City’s application indicates that the parcel will be served through construction of an 8-inch water main from the existing water main in Sliger Road and Fairview Lane extending northerly to the parcel along Fairview Lane (approximately 120 linear feet) and through the parcel’s 15-foot easement located along the property’s eastern boundary (approximately 85 linear feet) totaling approximately 205 linear feet.

Pursuant to the Commission’s application requirements for service contracts, information has been provided regarding all financial obligations for the extension of service outside the agency’s boundaries. The provisions of Measure U within the City of Redlands require that the property owner pay the “sums equivalent to the City’s development impact fees” as a condition for access to city services. The City has indicated that the following amounts are required from the property owner prior to the extension of its water facilities to the parcel:

Water Source Acquisition Charge		
SFR 11,000 – 21,000 sq. ft. lots	\$1,050 x 1 unit	\$1,050
Water Capital Improvement Charge		
SFR 11,000 – 21,000 sq. ft. lots	\$6,910 x 1	\$6,910
Solid Waste	\$650 x 1	\$650
Public Improvement		
Transportation Facilities	\$2,600 x 1	\$2,600
Fire Facilities	\$996 x 1	\$996
General Government Facilities	\$2,644 x 1	\$2,644
Library Facilities	\$764 x 1	\$764
Open Space/Park	\$4,482 x 1	\$4,482
Police Facilities	\$1,806 x 1	\$1,806
Storm Drain Facilities	\$700 x 1	\$700
<b>TOTAL</b>		<b>\$22,602</b>

In addition to the cost outlined above, the property owner will be responsible for the entire cost of the construction and installation of the 8-inch water main extension as discussed earlier. Future occupants of the proposed residential unit will be charged approximately 13 percent more than the in-City bi monthly rate for water service/usage. The higher rate charged is intended to help offset the costs for service delivery outside the City’s corporate boundaries.

**ENVIRONMENTAL DETERMINATION:**

The Commission’s Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is statutorily exempt from environmental review.

**CONCLUSION:**

Staff has reviewed this request for the provision of water service from the City of Redlands outside its corporate boundaries against the criteria established by Commission policy and Government Code Section 56133. The parcel to be served is within the sphere of influence assigned to the City of Redlands (within the Mentone community) and is anticipated to become a part of the City sometime in the future. The property owner intends to build a single-family residence on the parcel, which is consistent with the goals and policies of the City's General Plan for the area. If and when the property owner builds on his parcel, he must show proof of his ability to connect to the City's water system - which is the Commission's authorization for the extension of service.

Staff supports the City's request for authorization to provide water service to the parcel since its facilities are adjacent to the property and there is no other existing entity available to provide this service within the area.

**FINDINGS:**

1. The project area, identified as APN 0298-331-49, is within the sphere of influence assigned the City of Redlands and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Redlands water service. Approval of this application will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water service.
2. The City of Redlands OSC 07-07 being considered is for the provision of water service to a single parcel (APN 0298-331-49) generally located on the west side of Fairview Lane (1359 Fairview Lane) between Mill Creek and Sliger Roads. The agreement for the extension of water service was signed by the property owner and the City of Redlands City Council on May 20, 2008. This contract will remain in force in perpetuity or until such time as the area is annexed.
3. The fees charged this project by the City of Redlands are identified as totaling \$22,602 (for a breakdown of charges, see table on page 2). Payment of these fees is required prior to connection to the City's water facilities. In addition, the property owner will be responsible for the entire costs of the construction and installation of the 8-inch water main extension.
4. As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is statutorily exempt from environmental review. A copy of Mr. Dodson's response is included as Attachment #3 to this report.

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Attachments:

1. Vicinity Map and Map of the Contract Area
2. City of Redlands' Application and Contract
3. Response from Tom Dodson and Associates
4. Draft Resolution #3010