

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: JANUARY 8, 2018 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #7: LAFCO SC#421 – City of Redlands Pre-Annexation Agreement 17-01 for Water and Sewer Service to Tentative Tract 19991 (Assessor Parcel Number 0298-261-46)

INITIATED BY:

City of Redlands, on behalf of the property owner/developer

RECOMMENDATION:

Staff recommends that the Commission approve LAFCO SC#421 by taking the following actions:

1. For environmental review as a responsible agency:
 - a. Certify that the Commission, its staff, and its Environmental Consultant have reviewed and considered the environmental assessment and Mitigated Negative Declaration prepared by the County of San Bernardino for Tentative Tract Map 19991 to create 62 single-family residential lots and two lettered lots for an infiltration basin and water well on approximately 16.88 acres, and found them to be adequate for Commission use;
 - b. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for this project; that all mitigation measures are the responsibility of the County of San Bernardino and/or others, not the Commission, and are self-mitigating through implementation of the Conditions of Approval; and,
 - c. Note that this proposal is exempt from Department of Fish and Wildlife fees because the filing fee was the responsibility of the County as CEQA

lead agency, and direct the Executive Officer to file a Notice of Determination within five (5) days of this action.

2. Approve LAFCO SC#421 authorizing the City of Redlands to extend water and sewer service outside its boundaries to Tentative Tract 19991, proposed for a 62-lot single-family residential subdivision, on Assessor Parcel Number 0298-261-46; and,
3. Adopt LAFCO Resolution #3260 setting forth the Commission’s determinations and approval of the agreement for service outside the City of Redlands’ boundaries.

BACKGROUND:

The City of Redlands (hereinafter the “City”) has submitted a request for approval of a Pre-annexation Agreement that outlines the terms by which it will extend water and sewer service. The agreement relates to a single parcel (Assessor Parcel Number 0298-261-46) comprising approximately 16.88 acres, which is generally located at the northeast corner of Nice Avenue and Sapphire Street within the City of Redlands’ eastern sphere of influence within the community known as “Mentone”. Figure 1 below outlines the location of the contract area and Attachment #1 also provides a location and vicinity map of the site along with maps outlining the location of the infrastructure to be extended.

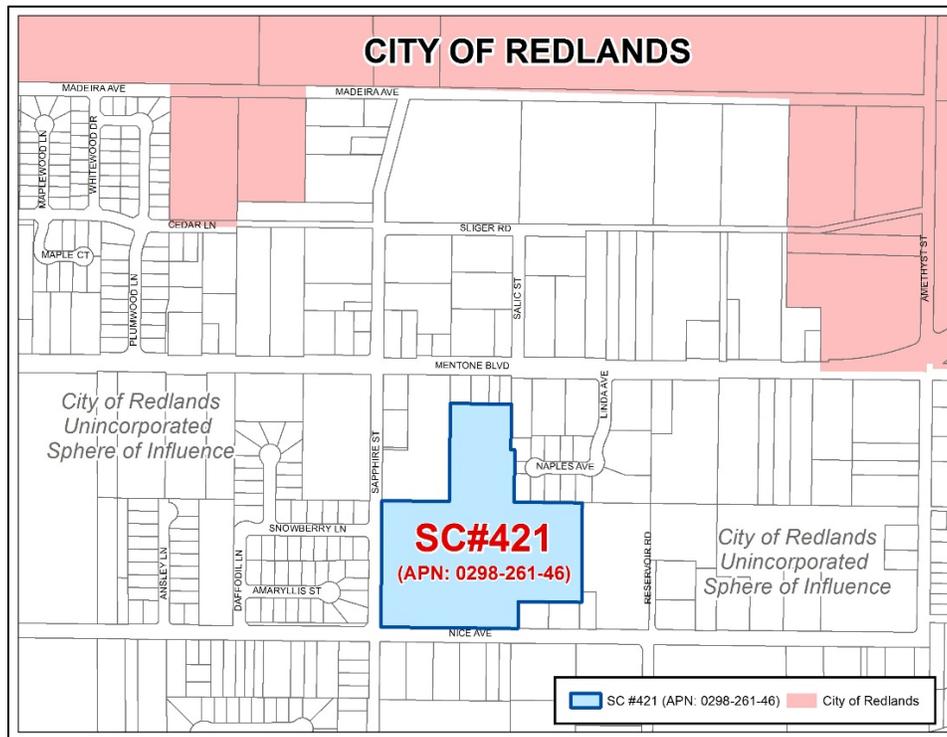


FIGURE 1 – Vicinity Map

In July 2017, the County Land Use Services Department processed and approved Tentative Tract Map 19991 (see Figure 2 below) to create 62 single-family residential lots on the 16.88-acre project site.

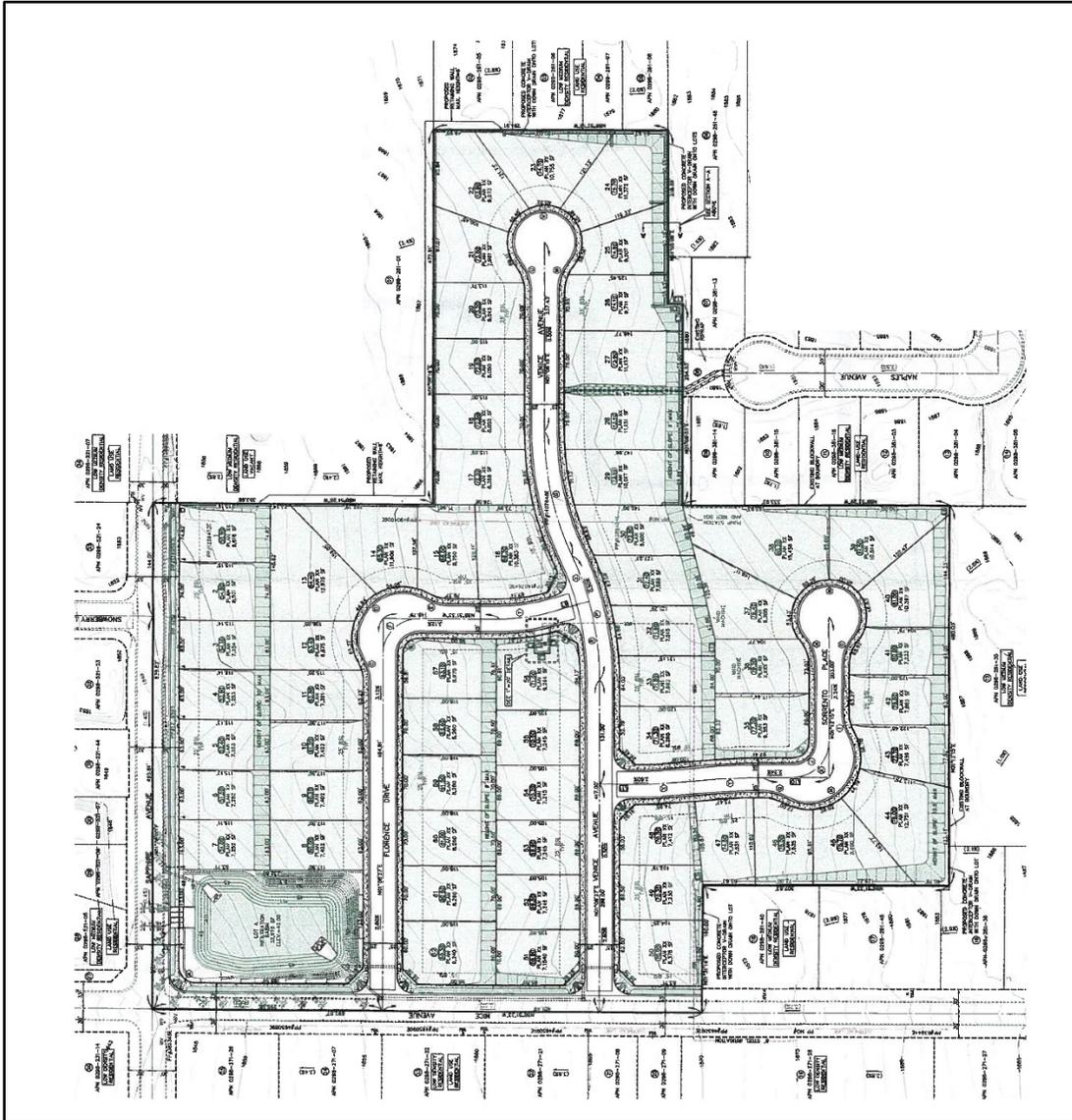


FIGURE 2 – Site Plan for Tentative Tract 19991

The Conditions of Approval placed upon this project included the requirement to connect to the City of Redlands' water and sewer facilities prior to recordation of the final map (see Conditions 57, 58, 59, and 60) and requires LAFCO approval of said out-of-agency connection (Condition 64). A copy of the Conditions of Approval for the project is included as Attachment #3 to this report.

Therefore, the City, on behalf of the property owner/develop, has requested that the Commission authorize the extension of water and sewer service to the parcel pursuant to the provisions of Government Code Section 56133. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

PLAN FOR SERVICE:

The City’s application (included as Attachment #2 to this report) indicates that water service will be provided to Tentative Tract 19991 through connection to the existing 8-inch water main in Nice Avenue. Water laterals will be extended from the existing main to the project. Sewer service will be provided by extending the 8-inch sewer main approximately 670 feet in Nice Avenue from Daffodil Lane to the intersection of Sapphire Street and approximately 80 feet easterly in Snowberry Lane to allow for the extensions to serve the project. Sewer laterals will also be extended into the project.

Pursuant to the Commission’s application requirements for service contracts, information must be provided regarding all financial obligations for the extension of service outside an agency’s boundaries. The provisions of Measure U within the City of Redlands require that the property owner/developer pay the “sums equivalent to the City’s development impact fees” as a condition for access to water and sewer service. The City of Redlands has identified an estimated cost \$1,061,798.24 in sums equivalent in development impact fees as well as water and sewer fees for the extension of water and sewer service to the tentative tract. The following table shows the cost to the applicant to fulfill this requirement:

| FEES | TOTAL |
|--|---------------------|
| Transportation | \$93,766.32 |
| Fire | \$35,778.96 |
| Government | \$42,559.90 |
| Library | \$16,403.96 |
| Open Space/Park/Community Facility | \$245,516.28 |
| Police | \$1,866.82 |
| Storm Drain | \$43,400.00 |
| Solid Waste | \$40,300.00 |
| Total Sums Equivalent to City’s DIF | \$519,592.24 |

The table below is the City’s water and sewer related fees:

| FEES | TOTAL |
|-----------------------------------|---------------------|
| Sewer Capacity | \$194,060.00 |
| Water Capacity | \$269,700.00 |
| Water Source | \$48,546.00 |
| Water Frontage | \$29,900.00 |
| Total Water and Sewer Fees | \$542,206.00 |

In addition, the property owner/developer will be responsible for the entire cost of the construction and installation of the water and sewer improvements for the project. The City has indicated that there is no rate difference for providing service outside the City's boundaries; therefore, the proposed single-family residences will be charged the normal in-City monthly rate for water and sewer service.

ENVIRONMENTAL DETERMINATION:

The County prepared an Initial Study and Mitigated Negative Declaration for Tentative Tract Map 19991 to create 62 single-family residential lots and two lettered lots for an infiltration basin and water well on approximately 16.88 acres.

The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the County's environmental assessment and the Mitigated Negative Declaration for the proposed project. Mr. Dodson's analysis indicates that the County's Initial Study and Mitigated Negative Declaration are adequate for the Commission's use as a CEQA responsible agency.

Mr. Dodson has indicated that the necessary environmental actions to be taken by the Commission are as follows:

- a) Certify that the Commission, its staff and its Environmental Consultant, have independently reviewed and considered the County's environmental assessment and Mitigated Negative Declaration;
- b) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the County's environmental documents are the responsibility of the County and/or others, not the Commission; and,
- c) Direct the Executive Officer to file the Notice of Determination within five (5) days and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval since the County, as lead agency, has paid said fees for its environmental determination.

CONCLUSION:

The development of Tentative Tract 19991, approved by the County of San Bernardino, requires that it receive water and sewer service from the City of Redlands. In order for the project to proceed to record the Final Tract Map, the property owner/developer must show proof of his ability to connect to the City of Redlands' water and sewer infrastructure – which is the Commission's authorization for the agreement pursuant to Government Code Section 56133.

Staff has reviewed this request for the provision of water and sewer 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 the City of Redlands within the Mentone community, and is anticipated to become a part of the City sometime in the future. Staff supports the City's request for authorization to provide water and sewer service to the proposed residential development since its facilities are either adjacent to or in close proximity to the anticipated development, and there is no other existing entity available to provide the level of service required by the approved residential development within the area.

DETERMINATIONS:

1. The project area, identified as Assessor Parcel Number 0298-261-46, 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 and sewer service for Tentative Tract 19991, a proposed 62-lot single-family residential development. The requirements for water and sewer connection are conditions of approval as identified in the County's approval of Tentative Tract 19991. Therefore, approval of the City of Redlands' request for authorization to provide water and sewer service is necessary in order to satisfy the conditions of approval for the project.

2. The City of Redlands' Pre-Annexation Agreement being considered is for the provision of water and sewer service by the City of Redlands to the project site, identified as Assessor Parcel Number 0298-261-46, which is generally located at the northeast corner of Nice Avenue and Sapphire Street, within the City of Redlands' eastern sphere of influence. This contract will remain in force in perpetuity for the proposed residential development or until such time as the area is annexed. Approval of this application will allow the property owner/developer and the City of Redlands to proceed in finalizing the contract for the extension of the water and sewer service.
3. The fees charged by the City of Redlands for water and sewer service are identified as totaling \$1,061,798.24 (for a breakdown of fees, see tables on pages 3 and 4). Payment of these fees is required prior to connection to the City's water and sewer facilities. In addition, the property owner shall bear all costs to complete improvements needed to extend both water and sewer service to the proposed residential development.
4. During the period from March 2017 to July 2017, acting as the CEQA lead agency, the County prepared an environmental assessment for Tentative Tract Map 19991 to create 62 single-family residential lots and two lettered lots for an infiltration basin and water well on approximately 16.88 acres. The County's environmental assessment indicates that the project would not have a significant

effect on the environment through its development under the Conditions of Approval that has been prepared for the proposed project.

LAFCO's environmental consultant, Tom Dodson and Associates, has reviewed the County's environmental assessment and recommends that, if the Commission approves LAFCO SC#421, the County's Initial Study and Mitigated Negative Declaration are adequate for the Commission's use as CEQA responsible agency. The Commission will not be adopting alternatives or additional mitigation measures, as these are the responsibility of the County and/or others and are considered self-mitigating through implementation of the Conditions of Approval. Attachment #4 to this report includes a copy of Mr. Dodson's response and recommendation regarding the Commission's environmental review and the necessary actions to be taken.

KRM/sm

Attachments:

1. Vicinity Map and Maps of the Contract Area
2. City of Redlands' Application and Signed Contract
3. County's Conditions of Approval for Tentative Tract Map 19991
4. Tom Dodson and Associates' Response Including the County's Mitigated Negative Declaration
5. Draft Resolution #3260