

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: SEPTEMBER 12, 2018 
FROM: SAMUEL MARTINEZ, Executive Officer
MICHAEL TUERPE, Project Manager
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #8: LAFCO SC#430 – City of Redlands OSC 18-27, Out-of-Agency Service Agreement for Water and Sewer Services (Tentative Tract 20030)

INITIATED BY:

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

RECOMMENDATION:

Staff recommends that the Commission approve LAFCO SC#430 by taking the following actions:

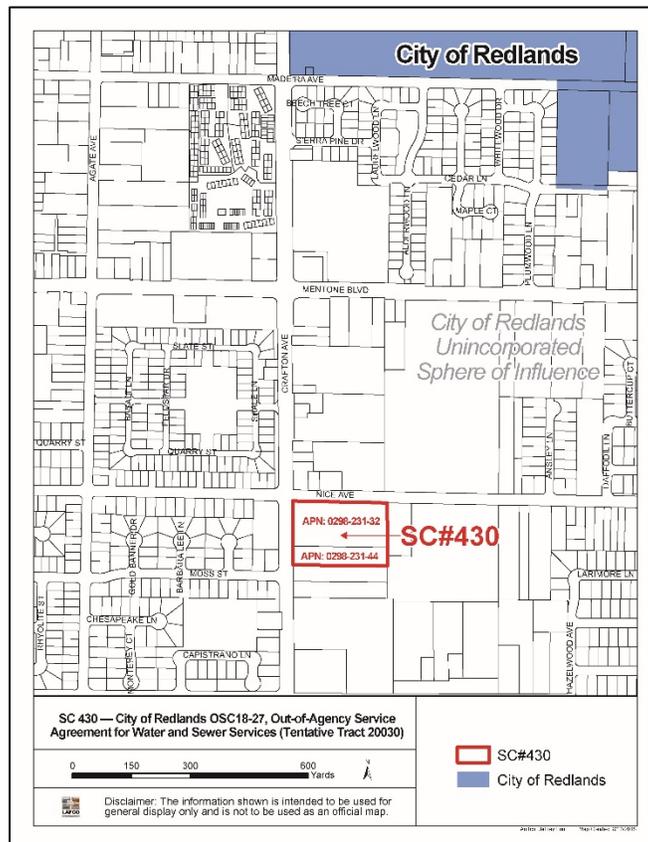
1. For environmental review as a responsible agency:
 - a. Certify that the Commission, its staff, and its Environmental Consultant have reviewed and considered the environmental assessment and Mitigated Negative Declaration prepared by the County of San Bernardino for a Preliminary and Final Development Plan and Tentative Tract Map 20030 to create 30 single-family residential lots and seven lettered lots for a recreation area on approximately 5.48 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#430 authorizing the City of Redlands to extend water and sewer service outside its boundaries to Tentative Tract 20030, proposed for a 30-lot single-family residential subdivision with recreation area, on Assessor Parcel Numbers 0298-231-32 and 44; and,
3. Adopt LAFCO Resolution #3274 setting forth the Commission’s determinations and approval of the agreement for service outside the City of Redlands’ boundaries.

BACKGROUND:

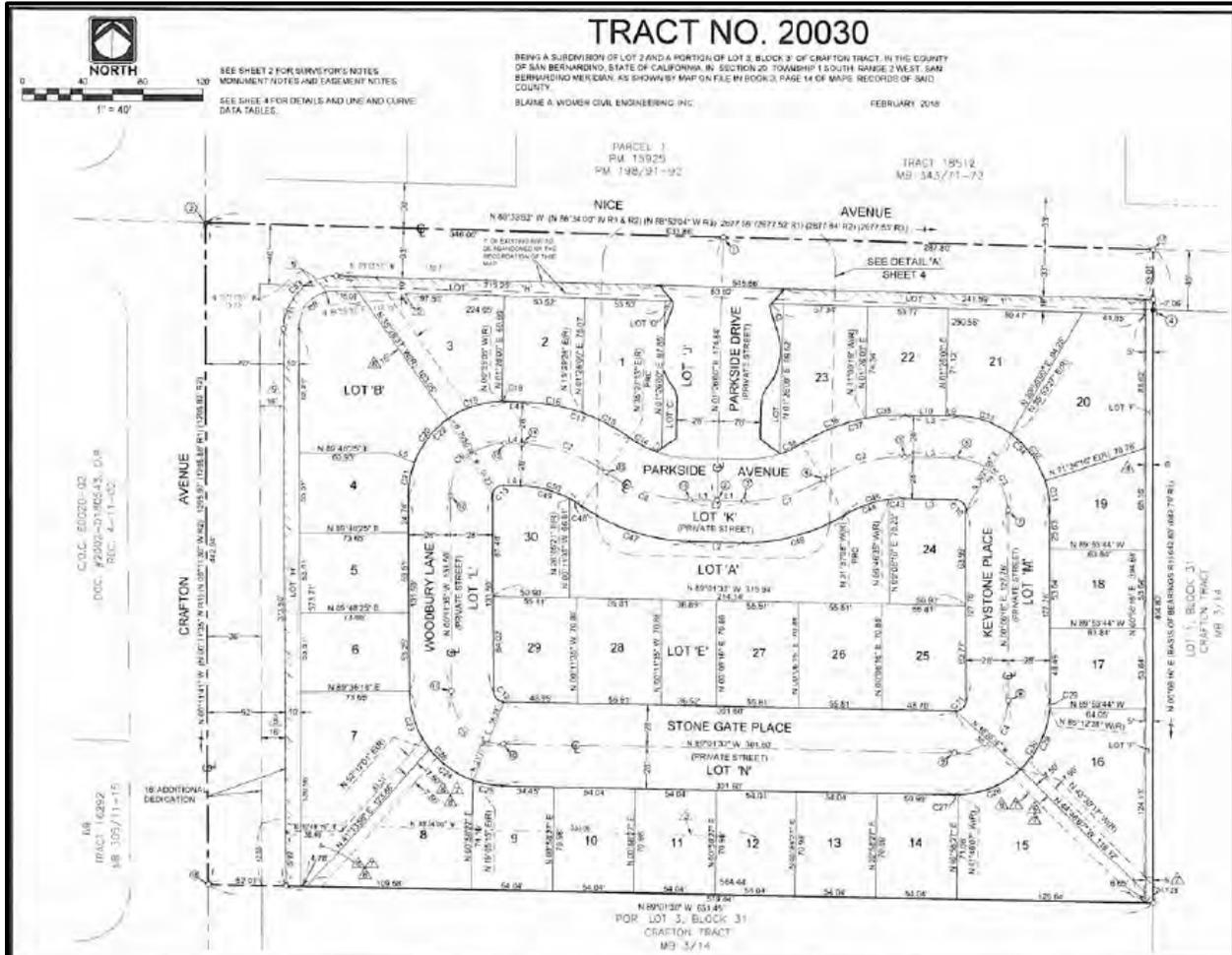
The City of Redlands (hereinafter the “City”) has submitted a request for approval of a out-of-agency service agreement that outlines the terms by which it will extend water and sewer service. The agreement relates to two parcels (Assessor Parcel Numbers 0298-231-32 and 44) comprising approximately 5.48 acres, which are generally located at the northeast corner of Nice and Crafton Avenues within the City of Redlands’ eastern sphere of influence within the community known as “Mentone” (see Figure 1 below). Attachment #1 also provides a location and vicinity map of the contract area along with maps outlining the location of the water and sewer infrastructure to be extended.

FIGURE 1 – Vicinity Map



In August 2017, the County Board of Supervisors conditionally approved Tentative Tract Map 20030 (see Figure 2 below) to create 30 single-family residential lots and recreational area on the 5.48-acre project site.

FIGURE 2 – Site Plan for Tentative Tract 20030



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 60-63) 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/developer, has requested that the Commission authorize the extension of water and sewer service to the parcels 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 20030 by extending the 8-inch water main approximately 892 linear feet along Crafton and Nice Avenues, with 781 feet of that being existing frontage and the remaining 111 linear feet beyond property limits. An additional 1,465 linear feet of water main will be constructed within the tract. For sewer service, 1,220 linear feet of sewer main will be constructed within the tract that will connect to the existing 8-inch sewer main in Nice Avenue.

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 \$522,422 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	\$45,371
Fire	17,312
Government	20,594
Library	7,937
Open Space/Park/Community Facility	118,798
Police	903
Storm Drain	21,000
Total Sums Equivalent to City’s DIF	\$231,916

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

FEES	TOTAL
Sewer Capacity	\$93,900
Water Capacity	143,861
Water Source	25,835
Water Frontage	8,280
Sewer Frontage	18,630
Total Water and Sewer Fees	290,506

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 a Preliminary and Final Development Plan and Tentative Tract Map 20030 to create 30 single-family residential lots and seven lettered lots on approximately 5.48 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 20030, 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 parcels to be served are 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 Numbers 0298-231-32 and 44, 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 20030, a proposed 30-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 20030. 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 Numbers 0298-231-32 and 44, which is generally northeast corner of Nice and Crafton Avenues, 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 \$522,422 (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 January 2017 to August 2017, acting as the CEQA lead agency, the County prepared an environmental assessment for a Preliminary and Final Development Plan and Tentative Tract Map 20030, a project to create 30 single-family residential lots and seven lettered lots on approximately 5.48 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#430, 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.

SM/MT

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 20030](#)
4. [Tom Dodson and Associates' Response Including the County's Mitigated Negative Declaration](#)
5. [Draft Resolution #3274](#)