



# LAFCO

## Local Agency Formation Commission *for San Bernardino County*

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Established by the State of California  
to serve the Citizens, Cities, Special Districts  
and the County of San Bernardino

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### LEGAL COUNSEL

**CLARK H. ALSOP**

Sent Via Fax (909) 370-5183 and Mail

October 23, 2017

William R. Smith, City Manager  
City of Colton  
650 N. La Cadena Drive  
Colton, CA 92324

Dear Mr. Smith:

RE: City of Colton Extra-Territorial Water Service Agreement  
(APN 1167-121-11)

LAFCO has received the proposed out-of-agency service agreement for sewer service from the City of Colton. The area to be served is located at 12190 La Crosse Avenue (APN 1167-121-11), located within the City of Grand Terrace. The application submitted is determined to be complete and has been assigned the following identification number: LAFCO SC#420.

Pursuant to the provisions within Government Code Section 56133.5 and policies adopted by the Local Agency Formation Commission, our review of the application submitted by the City of Colton shows that an administrative approval by the Executive Officer can be provided. The determinations related to the agreement are:

1. The agreement is non-development related and meets the criteria outlined within the Commission's guidelines. The agreement proposes to provide water service to a single parcel comprising 0.91+/- acres located on the north side of La Crosse Avenue (12190 La Crosse Avenue) between Barton Road and De Berry Street, developed with an existing auto body repair shop.
2. The agreement has been determined to be categorically exempt from environmental review. It has been determined that the agreement falls under the Class 3 Categorical Exemption, Section 15303(d) of the California Environmental Quality Act Guidelines as it relates to the connection of existing structure(s) to existing infrastructure. A Notice of Exemption has been filed.
3. The area to be served by agreement is not within the City of Colton nor is it within the sphere of influence assigned the City of Colton. However, this agreement is in compliance

Government Code Section 56133.5 and Commission policy. The following determinations have been made related to the water service agreement:

- a. The extension of water service by the City of Colton to the parcel was identified and evaluated in a service review, LAFCO 3187 - Countywide Water Service Review (Retail, Wholesale, Recycled), prepared pursuant to Government Code Section 56430;
  - b. The extension of water service will not result in adverse impacts on open space/agricultural lands or have growth inducing impacts; and,
  - c. A sphere of influence change is not feasible since the parcel is within the sphere of influence (and boundary) of another jurisdiction, the City of Grand Terrace.
4. The LAFCO filing fee of \$1,000 for this review has been paid.

In keeping with the determinations outlined above, the City of Colton is hereby authorized to proceed to provide the requested water service through final action on the service agreement.

Should you have questions concerning this correspondence, please do not hesitate to contact our office at the number listed above.

Sincerely,



KATHLEEN ROLLINGS-McDONALD  
Executive Officer

KRM/sm  
Encs.

cc: Jess Sotto, Utilities Engineer, City of Colton w/encs.  
Victor Ortiz, City Engineer, City of Colton  
Terry and Sally Lambert, property owners

**Excerpt from LAFCO 3187  
(Countywide Service Review for  
Water Services)**

**H. ADDRESSING EXTENSIONS OF SERVICE OUTSIDE A SPHERE OF INFLUENCE:  
CITY OF COLTON**

The City of Colton is in discussion with Riverside Highland Water Company to provide water and sewer service outside of its boundary and sphere (within the Riverside Highland Water Company service area in the City of Grand Terrace). The reason for the potential agreement is that it is more feasible for the City to serve these parcels rather than the Water Company.

Government Code §56133.5 (Assembly Bill 402 effective 2016) establishes a pilot program, through 2020, for Napa and San Bernardino LAFCOs to authorize a city or district to extend services outside of a sphere for additional purposes beyond responding to threat to public health or safety, based upon specific criteria. This process requires that the Commission make the following determinations regarding the area to be served outside the agency's sphere of influence, at a noticed public hearing:

1. That the proposed service extension was identified and evaluated in a service review;
2. That the proposed service extension will not have an adverse impact on open space/agricultural lands and/or is not growth inducing; and,
3. That inclusion of the area to be served into the agency's sphere of influence is not feasible or desirable based on adopted commission policies.

Particular to Item 1 above, this service review identifies the proposed service extension, as outlined above and shown in the map below. To evaluate the proposed service extension, LAFCO staff has reviewed the documentation provided by the City of Colton and the Water Company, on file at the LAFCO office, which identifies that the City is the most logical agency to provide the service. Due to the recently completed Caltrans Bridge/Freeway construction, Riverside Highland Water would like to transfer a water main and five service connections along La Crosse Ave. south of Barton Rd. to the City of Colton. There is already an existing interconnection between Colton and the Water Company. This transfer does not require water main extension since the proposed improvement is to remove the interconnect and cap the end of the water main at Barton road.

Further, Appendix B-1 provides service review information, on a regional basis, which includes the proposed service extension area.

Should this arrangement be amenable to all parties, then pursuant to LAFCO Policy 3 of Section IV, Chapter 2 of its *Policy and Procedure Manual*:

A proposal by a city or district to provide new or extended services outside the agency's boundaries and outside the agency's sphere of influence would come under the provisions of Government Code Section 56133.5, which will require Commission approval at a noticed public hearing **prior** to the signing of an agreement/contract for the provision of the service.

**Figure 3-5:  
Colton/Riverside Highland Proposed Service Extension**



