

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

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DATE: August 6, 2004
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: **Agenda Item #8:** LAFCO 2927 -- Service Review and Sphere Of Influence Update for the City of Highland

INITIATED BY:

San Bernardino County Local Agency Formation Commission

RECOMMENDATION:

1. Determine that LAFCO 2927 is statutorily exempt from environmental review and direct the Clerk to file a Notice of Exemption within five days;
2. Make the findings related to a service review required by Government Code Section 56430 and determine that:
 - a. The City sphere of influence should be expanded to the north to include the 120 acre parcel currently a part of the East Valley Water District and owned by the East Highlands Ranch Company (APN 288-151-05), and on the east to include 80 acres of privately owned lands within the East Valley Water District boundary and sphere (APNs 297-011-09, 297-011-10, and 297-011-11); and
 - b. the balance of the City of Highland sphere of influence should be affirmed as presently configured.
3. Adopt LAFCO Resolution #2837 setting forth the Commission's findings and determinations on this issue.

BACKGROUND INFORMATION:

This proposal was initiated by the Commission on January 15, 2003 in response to state mandates requiring service reviews and sphere of influence updates for all cities and special districts on a five-year schedule. In general, LAFCO 2927 is a non-controversial service review and sphere of influence update for the City of Highland. Included as Attachment #1 to this report are maps which identify the boundaries and existing/proposed sphere of influence for the City of Highland. Attachment #2 is a general description of what services a City/Town can perform and how it may be expanded. Attachment #3 to this report is a summary profile of the City of Highland along with a copy of the survey response provided by the City to the service review factors required by Government Code Section 56430.

As LAFCO staff began this service review/sphere update, we looked to the policies and procedures adopted by the Commission for its sphere of influence program (copy included as Attachment #4). One of the guiding principles in these documents is that the sphere of influence should be based upon a community-by-community approach and that the family of agencies serving a community should, unless unique circumstances warrant, maintain a coterminous sphere of influence. The family of districts which address municipal service delivery in the general Highland community are the City of Highland and the East Valley Water District (EVWD).

LAFCO staff, City staff and the staff of the EVWD have met on two occasions to discuss the implications of the Commission's community-by-community approach to the sphere of influence of their respective jurisdictions. As LAFCO staff reviewed the eastern sphere of influence of the EVWD and the City, it became clear that changes were appropriate for both agencies. LAFCO staff proposed a minor sphere amendment to expand the City of Highland sphere of influence to include approximately 200 acres within two areas on the north and northeast, and a reduction to the EVWD sphere of influence to exclude approximately 3,000 acres (this amendment will remove National Forest lands not anticipated to require municipal levels of service).

The southern, western, and northern boundaries of the City sphere of influence are impacted by the existing boundaries and spheres of the Cities of Redlands and San Bernardino. City staff did not identify an area of consideration within these boundaries for a possible exchange of territory. However, as has occurred in past exchanges of territory, the Cities will need to negotiate the exchange since State law requires concurrence of the detaching City for the processing of the application. LAFCO staff remains available for assistance in this endeavor.

In addition, LAFCO staff participated in a joint meeting of the City Council of the City of Highland and the Board of Directors of the EVWD to review with them the changes proposed to bring the two spheres of influence into contiguity within the community of Highland along its eastern boundary. No concern was expressed by the City to the minor expansion to coincide with the amended District boundary and/or sphere.

The major points of consideration within the survey response provided by the City of Highland and meetings with City representatives are outlined as follows:

1. The City of Highland concurs with LAFCO staff’s proposal to expand the sphere of influence along the northern boundary to include the 120 acre parcel owned by the East Highlands Ranch Company (currently within the EVWD boundary), and to expand the sphere of influence along the northeastern boundary to include the 80 acres of privately owned lands currently a part of the EVWD boundary and/or sphere. The City Council has considered the survey response to the service review factors in a public hearing.
2. The City is currently surrounded by the City of Redlands and its sphere of influence on its southern boundary, the City of San Bernardino and its sphere of influence boundary on the western and northwestern boundaries, and the National Forest boundary on the north and east. The City’s existing sphere of influence is currently coterminous with its existing boundaries.
3. The City of Highland provides the services of general government, land use planning, code enforcement, building and safety, recreation, roads, fire protection and paramedics within its corporate boundaries. On July 1, 1999, the City of Highland assumed responsibility for the provision of fire protection and rescue (paramedic) service within its corporate boundaries. Following this transition of service, the City signed a contract with the California Department of Forestry and Fire Protection to provide for its structural fire protection services and paramedic service.
4. The City currently receives the following services through outside service providers/contractors:

SERVICE	PERFORMED BY
Fire Protection and Paramedic	Contract for service with the California Department of Forestry and Fire Protection
Law Enforcement	County of San Bernardino Sheriff’s Department

Plan Check/Building Inspection	Contract with Wildan and Associates
Animal Control	Contract with County Public Health Department
Water	Retail water provided by the East Valley Water District. Some domestic water is also provided by small Mutual Water companies within the City's boundaries.
Wastewater Treatment	East Valley Water District provides the collection system for transfer wastewater to the City of San Bernardino for treatment.
Refuse Collection	Jack's Disposal and Cal Disposal – each granted a franchise area by the City.
Ambulance	Inland Counties Emergency Medical Authority (ICEMA) granted exclusive operating area to American Medical Response (AMR).
Vector Control	Contract with the County of San Bernardino Vector Control Program for the provision of service. Area included in the benefit assessment authorized by County Resolution No. 3103.

4. The City of Highland is currently overlaid by the following public agencies:

East Valley Water District
 San Bernardino Valley Municipal Water District
 East Valley Resource Conservation District
 San Bernardino Valley Water Conservation District

The City's existing sphere of influence is coterminous with its boundaries so no additional service providers are identified. Additional service providers within the proposed expansion area are:

County Service Area 38 (fire protection)
 County Service Area 70 (multi-function)

None of the adjacent or overlaying agencies have identified any concerns with the City of Highland sphere of influence as it is presently configured or proposed for expansion.

CONCLUSION

Based on the information outlined above, and the response provided by the City of Highland, staff recommends that the Commission: (a) expand the City sphere of influence to the north to include the parcel currently a part of the East Valley Water District and owned by the East Highlands Ranch Company, and to the east to include the privately-owned parcels within the East Valley Water District boundary and sphere; and (b) the balance of the City of Highland sphere of influence should be affirmed as presently configured. In addition,

staff recommends that the Commission adopt Resolution #2837 which sets forth written responses to the statutory factors related to service reviews and sphere of influence studies.

/krm

Attachments:

1. Location and Vicinity Maps of the Existing and Proposed Sphere of Influence of the City of Highland
2. Outline of a City/Town
3. Summary City Profile Sheet and Survey Response Provided by the City of Highland
4. Sphere of Influence Policies and Guidelines
5. Response from Tom Dodson and Associates
6. Draft Resolution #2837