

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

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DATE: MARCH 4, 2005
FROM: SAMUEL MARTINEZ, LAFCO Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #5: LAFCO SC#248 – City of Loma Linda Irrevocable Agreement to Annex for Water and Sewer Service (APN 0293-032-01)

INITIATED BY:

City of Loma Linda, on behalf of property owners

RECOMMENDATION:

1. Certify that SC#248 is statutorily exempt from environmental review and direct the Clerk to file a Notice of Exemption within five days.
2. Approve SC#248 authorizing the City of Loma Linda to extend water and sewer service outside its boundaries to Assessor Parcel Number (APN) 0293-032-01.
3. Adopt LAFCO Resolution #2865 setting forth the Commission's findings, determinations and approval of the agreement for service outside the City of Loma Linda's boundaries.

BACKGROUND:

The City of Loma Linda has submitted a request for approval of an Irrevocable Agreement to Annex that outlines the terms by which it will extend water and sewer service. The agreement relates to a single parcel generally located on the south side of First Street (26325 First Street), approximately 142 feet east of Whittier Avenue. The parcel, which is currently vacant, is in the City's sphere of influence - within the community of "Bryn Mawr". Attachment #1 provides a location and vicinity map of the site along with a map outlining the location of the infrastructure to be extended.

The City, on behalf of the property owners, has requested that the Commission review and approve the extension of water and sewer service pursuant to the provisions of Government Code Section 56133. Though the parcel proposed to be served is contiguous to the City’s boundaries on the south and west sides of the property, annexation of this parcel is not an option due to past and ongoing opposition for annexation from the community of Bryn Mawr. However, a contractual relationship was entered into between the County, the City of Loma Linda (water and sewer) and City of San Bernardino (sewer service only) allowing for block grant funding for the extension of water lines and sewer lines into the overall Bryn Mawr community. This has provided the community the ability to have access to water and sewer service from the City of Loma Linda.

The property owners are currently processing a building permit through the County’s Building and Safety Division for the construction of a single-family residential unit on the parcel. Prior to occupancy, the property owners will need to provide proof of authorization to connect to the City’s water and sewer facilities. Authorization of this agreement by the Commission is required before the City can take the final actions to implement the terms of the agreement. The City’s application indicates that water and sewer service will be provided to the proposed residential unit through existing water and sewer mains within First Street. These facilities front the parcel proposed for development.

Pursuant to the Commission’s application requirements for service contracts, information must be provided regarding all financial obligations for the extension of services outside an agency’s boundaries. The City of Loma Linda has submitted an estimated total cost of approximately \$4,295.00 for water and sewer service to the parcel. Following is the breakdown of the calculation:

Water Fees		
Meter Installation and Material Cost	Meter \$85 Material \$194	\$279.00
Water Service Deposit	\$100 x 1 du	\$100.00
Sewer Fees		
Sewer Capacity – Paid to the City of San Bernardino	\$3,500 x 1 du	\$3,500.00
Sewer Connection (permit)	\$312 x 1 du	\$312.00
Street Cut (permit)	\$104 x 1 du	\$104.00
Street Cut	\$1.30/sq. ft. of cut	-
	TOTAL	\$4,295.00

In addition, the extension of both water and sewer service laterals from the existing water and sewer mains in First Street shall be the responsibility of the property owners. Future users of the City’s water service will be charged 1.15 times the in-city monthly rate (to help offset the costs for service delivery

outside the City’s corporate boundaries). However, the charges for City sewer service will be the same as the in-city monthly rate.

Staff has reviewed this request for the provision of water and sewer service from the City of Loma Linda 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 Loma Linda within the Bryn Mawr community, and is anticipated to become a part of the City sometime in the future. In order for the proposed residential development to proceed, it requires that the property owners receive water and sewer service from the City of Loma Linda. Staff supports the City’s request for authorization to provide water and sewer service to the proposed residential development since its facilities are adjacent to the anticipated development, and there is no other existing entity available to provide this service within the area.

FINDINGS:

1. The project area, identified as APN 0293-032-01, is within the sphere of influence assigned the City of Loma Linda and is anticipated to become a part of that City sometime in the future. This application requests authorization to receive water and sewer service from the City.
2. The Irrevocable Agreement to Annex being considered is for the provision of water and sewer service to a single parcel (26325 First Street) located on the south side of First Street, approximately 142 feet east of Whittier Avenue. This contract will remain in force in perpetuity or until such time as the area is annexed. Approval of this application will allow the property owner and the City of Loma Linda to proceed in finalizing the contract for the extension of water and sewer service.

In addition, the County Land Use Services Department – Building and Safety Division is processing a building permit for the construction of a single-family residential unit on the property. A requirement placed upon the project by Building and Safety is the connection to the water and sewer facilities of the City of Loma Linda. Approval of the City’s request for authorization to provide water and sewer service will satisfy this requirement.

3. The fees charged this project by the City of Loma Linda are identified as totaling approximately \$4,295.00 (see page 2 for breakdown of water and sewer fees). Payment of these fees is required prior to connection to the City’s water and sewer facilities. In addition, the installation of both water and sewer laterals from the water and sewer mains within First Street shall be the responsibility of the property owners.

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 Loma Linda 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 Maps of the Contract Area
2. City of Loma Linda's Application and Contract
3. Response from Tom Dodson and Associates
4. Draft Resolution #2865