

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

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DATE: NOVEMBER 8, 2005
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: CONTINUED AGENDA ITEMS #5 and #6 – City of Redlands
Annexations No. 81 (LAFCO 2989) and No. 83 (LAFCO 2990)**

BACKGROUND:

At the October 19th hearing the Commission continued the consideration of the two City of Redlands Annexations (LAFCOs 2989 and 2990) with the request that staff and Legal Counsel respond to two questions:

1. Can an agreement be reached regarding a contractual relationship between the County and City of Redlands related to the continued provision of fire protection and law enforcement services by the County to the annexation areas?
2. Can the City limit the extension of these services outside its boundaries?

Prior to the consideration for the two continued applications for annexation, identified above, staff is providing a response to the questions.

As to Question #1, Supervisor, and LAFCO Commissioner, Hansberger has initiated discussions between City of Redlands staff, County staff and LAFCO staff. The first meeting took place on November 7th and the discussions centered on the possibilities of a contractual service relationship, primarily for police and fire response, with the County following annexation by the City. This concept would apply to any annexations that occur within the eastern portion of the Mentone community, but the precise area is to be determined as a part of the agreement. The specifics of such an agreement still need to be worked out; but, based upon the discussions at the meeting, the concept appears to be acceptable to the parties to alleviate service problems. Staff will

update the Commission at the hearing on any new information on this service question received following report publication. The individual staff reports for LAFCOs 2989 and 2990 that follow address the specifics of this concept appropriate to each application.

As to Question #2, LAFCO Legal Counsel has provided a response to the question of whether or not a City is required to extend its services outside its boundaries (a copy is included as an attachment to this report). The short answer, as listed in the response, is that there is no requirement that a City provides such services outside its boundaries and it may choose the policies on how such services would be extended upon receipt of the required approvals. Most important to the process outlined above is the requirement of Government Code Section 56133 for review and approval by the Commission prior to provision of those services outside the agency. The opinion does outline certain circumstances that would compel a City to provide service once it has taken on a responsibility through a specific, separate action.

As noted above, staff will provide additional information on the continued City/County service issue at the hearing. Staff and LAFCO Legal Counsel will be happy to respond to any questions regarding the service extension issue prior to or at the hearing.

KRM/

Attachment:

LAFCO Legal Counsel Response, Dated November 2, 2005, Regarding the Provision of Municipal Services Outside of a City's Boundaries