

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

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DATE: OCTOBER 4, 2006
FROM: MICHAEL TUERPE, LAFCO Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #4: LAFCO SC#289 – City of Redlands OSC No. 06-01 for Water Service (APN 0299-211-27)

INITIATED BY:

City of Redlands, on behalf of property owner

RECOMMENDATION:

1. Adopt the Statutory Exemption that has been recommended for this proposal, and direct the Clerk to file a Notice of Exemption within five days of this action.
2. Approve SC#289 authorizing the City of Redlands to extend water service outside its boundaries to Assessor Parcel Number (APN) 0299-211-27.
3. Adopt LAFCO Resolution #2940 setting forth the Commission's findings, determinations, and approval of the agreement for service outside the City of Redlands' boundaries.

BACKGROUND:

The City of Redlands has submitted a request for approval of an out-of-agency service agreement that outlines the terms by which it will extend water service. The agreement relates to a single parcel (825 Wabash Avenue), which is approximately 2.71 acres and is generally located on the east side of Wabash Avenue between 7th Street and Panorama Drive. The parcel is currently undeveloped and is located within the City's southeastern sphere of influence within the community known as "Crafton". Attachment #1 provides a location

of the site along with a map outlining the location of the infrastructure to be extended.

The City, on behalf of the property owner, has requested that the Commission review and approve the extension of service pursuant to the provisions of Government Code Section 56133.

The City originally submitted this application in July 2006 on behalf of Mark and Suzannah Buoye, the property owners at that time. In August 2006, Marlin Feenstra purchased the property and expressed his desire to continue the processing of this application. Currently, the parcel to be served is undeveloped, and the current owner plans to build a single-family residence.

Building plans for a single-family residence have been reviewed and approved by the County's Building and Safety Division of the Land Use Services Department. A grading permit has been pulled for the single-family residence; however, there is no building permit issued at this time. Authorization of the pre-annexation agreement between the City and the owner is required before the City can take the final actions to implement the terms of the agreement once development is contemplated through the County's Land Use Services Department.

The parcel proposed to be served by the City of Redlands is within the sphere of influence assigned to the City and is anticipated to become a part of it in the future. This determination is made on the basis that this area has been confirmed as a part of the City of Redlands sphere of influence in its recent service review and mandatory update conducted through LAFCO 2929 and considered and affirmed by the Commission on September 15, 2004. Therefore, it is the staff's position that this contract complies with the directives of Government Code Section 56133 to be "in anticipation of a future change of organization".

SERVICE CONSIDERATIONS:

The City's application indicates that water service will be provided to the proposed residential unit through a lateral extension from an existing six-inch water main in Wabash Avenue. Wastewater disposal will be through an onsite septic system. The property owner will pay for all the costs of the improvements. Environmental Health Services Division of the Department of Public Health for the County supports the extension of water service to this property to prevent well drilling.

FINANCIAL CONSIDERATIONS:

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 property owners are required to pay charges for water access and the provisions of the City’s Municipal Code implementing Measure U require that a property owner outside City boundaries pay the “sums equivalent to the City’s development impact fees” as a condition for access to City services. The City has submitted an estimated total cost of \$25,668 (\$13,806 - Water Access and \$11,862 – Sums Equivalent Amount) for water service to the parcel. Following is the breakdown of the calculation:

Water Access		\$13,806
Water Source Acquisition Charge		
SFR more than one acre	\$1,760 x 1 unit	\$1,760
Water Capital Improvement Charge		
SFR more than one acre	\$10,850 x 1	\$10,850
Water Main Frontage Charge (per foot)	\$26 x 46 feet	\$1,196
Sums Equivalent Amount Required by Agreement		\$11,862
Solid Waste	\$650 x 1	\$650
Public Improvement		
Storm Drain	\$1,592 x 1	\$1,592
Street Improvement	\$3,852 x 1	\$3,852
Traffic Signal	\$261 x 1	\$261
Public Facilities	\$3,538 x 1	\$3,538
Parks	\$1,969 x 1	\$1,969
TOTAL		\$25,668

In addition to the costs outlined above, the property owner will be required to install fire hydrants as required by the County Fire Marshal, at his own expense. The City’s current out-of-city rate for water is \$.99 cents per cubic foot, compared to the in-city rate of \$.96 per cubic foot. The higher rate charged to outside customers is intended to help offset the costs for service delivery outside the City’s corporate boundaries.

As outlined on the City’s form identified as “Requirements and Approvals for OSC 06-01” (a part of Attachment #2), the fees outlined above must be paid and meters installed by December 31, 2006 to retain the availability of water connections.

ENVIRONMENTAL CONSIDERATIONS:

The Commission’s environmental consultant, Tom Dodson and Associates, has reviewed this service contract and recommends that it is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on his understanding that, “...no potential significant physical changes in the environment are forecast to result from this action”.

Therefore, this action is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061(b)(3). A copy of Mr. Dodson’s recommendation is included for the Commission’s review as Attachment #3.

CONCLUSION:

Staff supports the City’s request for authorization to provide water service to the proposed residential development since its facilities are adjacent to the anticipated development, there is no other existing entity available to provide this service within the area, and is consistent with the City’s goals and policies of its General Plan.

FINDINGS:

1. The project area, identified as APN 0299-211-27, 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. This application requests authorization to receive City of Redlands water service. Approval of this application will allow the property owner and the City of Redlands to proceed in finalizing the contract for the extension of water service.
2. The City of Redlands OSC 06-01 being considered is for the provision of water service to a single parcel (825 Wabash Avenue) generally located on the east side of Wabash Avenue between 7th Street and Panorama Drive. This contract will remain in force in perpetuity or until such time as the area is annexed.

Although the owner plans to build a single-family residential home, there is no building permit on file at this time with the County Land Use Services Department – Building and Safety Division. Authorization of the agreement is required by the Commission before the City can take the final actions to implement the terms of the agreement.

3. The fees to be charged this project by the City of Redlands for water service are identified as totaling \$25,668 (refer to page 3 for a breakdown of the charges). Payment of these fees is required prior to connection to the City’s water facilities. In addition, the property owner will be required to install fire hydrants as required by the County Fire Marshal

and extend the water lateral to the residential building at his own expense.

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 Redlands and recommended that it is statutorily exempt from environmental review. A copy of Mr. Dodson's response is included as Attachment #3 to this report.

MT/

Attachments:

1. Vicinity Map and Map of the Contract Area
2. City of Redlands' Application and Contract
3. Response from Tom Dodson and Associates
4. Draft Resolution #2940