

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

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

SUBJECT: **Agenda Item #9** – LAFCO 2929: Service Review and Sphere Of Influence Update for the City of Redlands

INITIATED BY:

San Bernardino County Local Agency Formation Commission

RECOMMENDATION:

1. Determine that LAFCO 2929 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 the existing sphere of influence for the City of Redlands should be affirmed as presently configured; and,
3. Adopt LAFCO Resolution #2847 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 2929 is a routine, non-controversial service review and sphere of influence update for the City of Redlands.

Included as Attachment #1 to this report is a map which identifies the boundaries and sphere of influence for the City of Redlands. Attachment #2 is

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 Redlands and a copy of the survey response provided by the City to the service review factors required by Government Code Section 56430.

LAFCO staff has reviewed the current City of Redlands sphere of influence against the policies and procedures established 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 circumstance warrant, maintain a coterminous sphere of influence.

Communities included within the existing City sphere of influence include the Mentone and Crafton communities generally located east of existing City boundaries at Wabash Avenue. The common division of these communities, and a definition supported by community leaders, is that the Mentone community is the area northerly of the Zanja (near Colton Avenue) and the Crafton community is the area to the south along the base of the Crafton Hills. The sphere of influence includes the whole of these communities and there are no community-specific districts providing service that are under the jurisdiction of the Commission.

In addition, while not readily recognized as a community, the area commonly identified as the “Doughnut Hole” is a unique area of consideration specifically excluded from the City’s sphere of influence but fully impacted by service delivery by the City. As the Commission will recall, in October 2000 the area of the Doughnut Hole was removed from the City of Redlands sphere of influence pursuant to the provisions of Government Code Section 56429, as amended by Assembly Bill 1544. The requirements of this section indicated that the Commission was obligated to remove the sphere of influence designation upon receipt of a petition signed by property owners owning in excess of 50% of land value. In addition, once removed through this process, Government Code Section 56429(g) requires that any subsequent inclusion within the sphere of influence of the City of Redlands would need to follow the petition and other requirements of the section.

The City has indicated in its response that it does anticipate a sphere of influence amendment within the next five years related to the area identified as the Doughnut Hole. The response identifies that based upon completion of the development process for the area identified as Citrus Plaza and the entering into of a pre-annexation agreement, this sphere amendment would be submitted to LAFCO. As noted above, this sphere of influence amendment

would need to comply with the provisions of Government Code Section 56429(g) requiring a petition and other matters.

When looking at the sphere of influence update for the City of Redlands, it is also important to review some additional new requirements regarding agricultural preserves and Williamson Act contracts. Specifically, Government Code Section 56426.5 indicates that the Commission “shall not approve a change to the sphere of influence of a local agency of territory that is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 if that local government agency provides or would provide facilities or services related to sewers, nonagricultural water, or streets and roads to the territory, unless these facilities or services benefit land uses that are allowed under the contract and the landowner consents to the change to the sphere of influence”.

The majority of the territory within the Crafton community of the City of Redlands eastern sphere of influence and portions of the Mentone community are within Agricultural Preserves as adopted by San Bernardino County, and there are a number of Williamson Act contracts within these areas (Attachment #5 provides maps showing the preserves and existing contracts). These preserves were established in the early 1970’s to address the citrus groves in these communities. While it is presumed by staff that this section was codified to prevent the extension of a sphere of influence into agricultural lands, it also would apply to a change in the sphere of influence for the City of Redlands or other public service provider, should one be contemplated. However, the City has not identified any change for the sphere of influence in this area nor has any application been discussed for possible amendment of the sphere. The outline is provided for information purposes only.

In reference to the service review factors, the City of Redlands response indicates it is a full-service City. The major points of consideration within the survey response provided by the City of Redlands are outlined as follows:

1. As outlined above, the City of Redlands has identified that it does anticipate a sphere of influence change within the next five years, specifically to address the portions of the Doughnut Hole as they complete the development process. The City Council has considered the response to the service review factors in a public hearing, and concurs with the City staff findings that sphere amendments will likely be contemplated in the foreseeable future.

The City is currently surrounded by the Cities of San Bernardino and Highland on the north, the City of Yucaipa and its sphere of influence on the east, the San Bernardino/Riverside County line to the south, and the

City of Loma Linda and its sphere of influence and the City of San Bernardino on the west.

2. The City of Redlands is a full-service city providing the services of general government, fire protection and paramedics, land use planning, code enforcement, building and safety functions, cemetery services, refuse collection, the operation of a municipal airport, recreation services, roads, water and sewer services within its corporate limits.

The City currently provides water and sewer service outside its corporate limits through individual contract. Many of these contracts were entered into prior to the implementation of Government Code Section 56133; however, the Commission routinely reviews out-of-agency service contracts for the extension of these services within the Mentone and Crafton communities. The general exceptions to this include:

- a. The Commission has reviewed and determined that the extension of water, sewer, law enforcement, and fire protection/paramedic services to the Doughnut Hole are exempt from the provisions of Government Code Section 56133.
 - b. The City provides water and sewer service to the Crafton Hills College and Tract 12222 outside its boundaries and sphere of influence. This is an historic service agreed to or provided prior to the implementation of Government Code Section 56133.
3. The City currently receives the following services through outside service providers/contractors:

SERVICE	PERFORMED BY
Water	Retail water service within the southeastern portion of the City is provided by the Western Heights Mutual Water Company. The Yucaipa Valley Water District sphere includes portions of the City boundary within the Live Oak Canyon area for sewer service.
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 Redlands corporate boundaries are currently overlaid by the following public agencies:

San Bernardino Valley Municipal Water District
East Valley Resource Conservation District
San Bernardino Valley Water Conservation District (portion)
Inland Valley Development Authority (small portion of the Redevelopment Agency for reuse of the former Norton Air Force Base, now known as San Bernardino International Airport)
County Service Area 110 (planning, water, sewer, road, streetlights, park and recreation, fire and soil conservation) area within the East Valley Corridor Specific Plan

The City's sphere of influence is overlaid by the following additional agencies:

County Service Area SL-1 (streetlighting) portions of the Mentone community
County Service Area 38 (fire protection)
County Service Area 70 (multi-function county service area)
CSA 70 Improvement Zone CR (water, sewer, park and recreation, drainage, streetlighting, road improvements) area within the Crafton Hills created for a development project, the majority of which is now known as Hampton Heights
CSA 70 Improvement Zone P-7 (park and recreation) overlays the Mentone and Crafton Communities
CSA 70 Improvement Zone P-10 (park and recreation, landscaping and streetlights) for the development known as Boulder Creek within the Mentone community

The area of the Doughnut Hole is overlaid by the following agencies:

San Bernardino Valley Municipal Water District
East Valley Resource Conservation District
San Bernardino Valley Water Conservation District
County Service Area 38 (fire protection)
County Service Area 70 (multi-function county service area)
CSA 70 Improvement Zone EV-1 (water, sewer, streetlighting, park and recreation, maintenance, drainage control)
County Service Area 110
Inland Valley Development Authority (see description above)

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

CONCLUSION

Based on the information outlined above, and the response provided by the City of Redlands, staff recommends that the Commission uphold and affirm the existing sphere of influence determination for the City. In addition, staff recommends that the Commission adopt Resolution #2847 which sets forth written responses to the statutory factors related to service reviews and sphere of influence studies.

/krm

Attachments:

1. Location Map of the Existing Sphere of Influence of the City of Redlands
2. Outline of a City/Town
3. Summary City Profile Sheet and Survey Response Provided by the City of Redlands
4. Sphere of Influence Policies and Guidelines
5. Maps showing Agricultural Preserves within the Mentone and Crafton communities
6. Response from Tom Dodson and Associates
7. Draft Resolution #2847