

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

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**DATE: NOVEMBER 7, 2008**

**FROM: SAMUEL MARTINEZ, Senior LAFCO Analyst**

**TO: LOCAL AGENCY FORMATION COMMISSION**

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**SUBJECT: Agenda Item #5: LAFCO SC#340 – City of Redlands Service Agreement  
OSC 08-53 for Water and Sewer Service (APN 0298-181-31)**

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**INITIATED BY:**

City of Redlands, on behalf of the property owner

**RECOMMENDATION:**

Staff recommends that the Commission approve LAFCO SC#340 by taking the following actions:

1. Certify that LAFCO SC #340 is statutorily exempt from environmental review and direct the Clerk to file a Notice of Exemption within five (5) days of this action.
2. Approve LAFCO SC #340 authorizing the City of Redlands to extend water and sewer service outside its boundaries to Assessor Parcel Number (APN) 0298-181-31.
3. Adopt LAFCO Resolution #3044 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 and sewer service. The agreement relates to a single parcel, APN 0298-181-31, which is approximately 1.67+/- acres and is generally located on the west side of Agate Avenue (1259 Agate Avenue) between Mentone Boulevard and Quarry Street. The parcel is within the community known as "Mentone" in the City's northeastern

sphere of influence. Attachment #1 provides a location and vicinity map of the site and Attachment #2 provides the City’s application.

Although a development project has not been submitted to the County for land use approval, the property owner intends to build a religious institution on the vacant parcel. The preliminary proposal includes the development of a sanctuary (church) and a multi-purpose facility, which will require water and sewer service from the City. Therefore, the City (on behalf of the property owner) has requested that the Commission review and authorize the extension of these services pursuant to the provisions of Government Code Section 56133. Upon submission of the project to the County for approval, the property owner would need to provide proof of authorization to connect to the City’s water and sewer facilities. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

**PLAN FOR SERVICE:**

The City’s application indicates that water service to the parcel will be provided through connection to an existing 12-inch water main in Agate Avenue. In addition, the application indicates that sewer service to the parcel will be provided through connection to an existing 8-inch sewer main in Agate Avenue.

Pursuant to the Commission’s application requirements for service contracts, information has been provided regarding all financial obligations for the extension of services outside the agency’s boundaries. The provisions of Measure U for the City of Redlands require that the property owner pay the “sums equivalent to the City’s development impact fees” as a condition for access to city services. The City calculated these amounts based on the preliminary plans that were submitted for its review. The City has indicated that the following estimated amounts are required from the property owner prior to the extension of its water and sewer facilities to the parcel:

Water Source Acquisition Charge	\$2,300.00
Water Capital Improvement Charge	\$15,200.00
Water Main Frontage Charge (50 ft.)	\$2,300.00
Sewer Capital Improvement Charge	\$4,500.00
Sewer Main Frontage Charge (50 ft.)	\$1,500.00
Solid Waste	\$10,800.00
Public Improvement	
Transportation Facilities	\$24,632.40
Fire Facilities	\$5,200.00
General Government Facilities	\$4,784.00
Library Facilities	\$1,144.00
Open Space/Park	\$6,448.00
Police Facilities	\$3,224.00
Storm Drain Facilities	\$1,768.00
<b>TOTAL</b>	<b>\$83,800.40</b>

In addition, the extension of both water and sewer service laterals from the existing water and sewer mains in Agate Avenue shall be the responsibility of the property owner. In the future, the church will be charged approximately 13 percent more than the in-city bi-monthly rate for water service/usage and approximately 8 percent more than the in-city bi-monthly rate for sewer service. The higher rate charged is intended to help offset the costs for service delivery outside the City's corporate boundaries.

**ENVIRONMENTAL DETERMINATION:**

The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the service contract submitted by the City of Redlands and recommended that this application is statutorily exempt from environmental review.

**CONCLUSION:**

Staff has reviewed this request for the provision of water and sewer service from the City of Redlands 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 Redlands (within the Mentone community) and is anticipated to become a part of the City sometime in the future. The property owner intends to build a religious institution on the parcel, which is consistent with the goals and policies of the City's General Plan for the area. Upon submission of the project to the County for approval, the property owner must show proof of its ability to connect to the City's water and sewer facilities - which is the Commission's authorization for the extension of service.

Staff supports the City's request for authorization to provide water and sewer service to the parcel since its facilities are adjacent to the property and there is no other existing entity available to provide this service within the area.

**FINDINGS:**

1. The project area, identified as APN 0298-181-31, 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. The application requests authorization to receive City of Redlands water and sewer 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 Contract, OSC 08-53, being considered is for the provision of water and sewer service to a single parcel (APN 0298-181-31) generally located on the west side of Agate Avenue (1259 Agate Avenue) between Mentone Boulevard and Quarry Street. The agreement for the extension of water and sewer service was signed by the property owner on September 12, 2008 and was subsequently approved by the City of

Redlands City Council on September 16, 2008. This contract will remain in force in perpetuity or until such time as the area is annexed.

3. The estimated fees charged this project by the City of Redlands are identified as totaling \$83,800.40 (for a breakdown of charges, see table on page 2). 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 existing water and sewer mains in Agate Avenue shall be the responsibility of the property owner.
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 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 Map of the Contract Area
2. City of Redlands' Application and Contract
3. Response from Tom Dodson and Associates
4. Draft Resolution #3044