

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

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PROPOSAL NO.: LAFCO 2928

HEARING DATE: MARCH 17, 2004

RESOLUTION NO. 2813

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2928, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE CITY OF LOMA LINDA.

On motion of Commissioner Young, duly seconded by Commissioner Bagley, and carried, the Local Agency Formation Commission adopts the following resolution:

WHEREAS, a service review mandated by Government Code Section 56430 and a sphere of influence update mandated by Government Code Section 56425 have been conducted by the Local Agency Formation Commission of the County of San Bernardino (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this Commission on this matter; and,

WHEREAS, the Executive Officer has reviewed available information and prepared a report including her recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

WHEREAS, the public hearing by this Commission was held upon the date and at the time and place specified in the notice of public hearing and in an order or orders continuing the hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the review, in evidence presented at the hearing; and,

WHEREAS, a statutory exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that this service review and sphere of influence update are statutorily exempt from CEQA and such exemption is hereby adopted by this Commission. The Clerk is directed to file a Notice of Exemption within five working days of adoption of this resolution; and,

WHEREAS, based on presently existing evidence, facts, and circumstances filed with the Local Agency Formation Commission and considered by this Commission, it is determined that the sphere of influence established for the City should be affirmed as it currently exists, as more specifically described on the attached map; and,

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WHEREAS, the following findings are made in conformance with Government Code Section 56430 and local Commission policy:

1. **Infrastructure Needs and Deficiencies.** The City of Loma Linda has a Capital Improvement Plan which outlines the City's current and future capital improvement needs, along with master plans for water distribution and sewer collection systems. The City contracts with the City of San Bernardino for sewer treatment services and the San Bernardino City staff has indicated that there is adequate capacity within its facilities for the City of Loma Linda and its sphere of influence. Capital improvement projects are administered through the City's Public Works, Fire, Police, Recreation and Redevelopment departments. Copies of the City's Capital Improvement Program and Master Service Plans are maintained in City offices and are available for public review.
2. **Growth and Population.** The Draft City General Plan, completed in June 2002, estimates the existing population of the City at 19,418. The City's projected ultimate population, based upon SCAG projections, is 38,500 in the year 2025, based on the land use determinations of the City's Draft General Plan. The Draft General Plan indicates that the primary growth areas will most likely be in the Mountain View Avenue/north Lawton Avenue area and in the South Hills. Copies of the City's Draft General Plan are maintained in City offices and are available for public review at this location and on the City's website
3. **Financing Opportunities and Constraints.** The City Capital Improvement Program revenue sources are identified as: a share of the general levy of property tax revenue, sales tax, development impact fees, grants, redevelopment agency funds, and other general revenue sources such as franchise fees. Revenues for the City, as is the case for all other local agencies, are constrained by a variety of state laws that govern revenue generation. A complete list of the sources of City revenues is contained within the City budget, which is on file and available for public review in City offices.
4. **Cost Avoidance Opportunities.** The City of Loma Linda participates in joint capital improvement projects with other local government agencies. The City also takes a cooperative approach and encourages coordination with other local agencies such as its participation with the City of Redlands and County of San Bernardino in the San Timoteo Creek Habitat Enhancement Project. The City's strategy for directing growth is identified in several key areas, listed as:
 - (a) implementation of the General Plan
 - (b) implementation of CIP Projects (street widening, installation of curbs, gutters, storm drain facilities)
 - (c) acquisition of right-of-way to facilitate CIP projects
 - (d) annexation of unincorporated islands within the City's corporate boundaries
 - (e) annexation of the remainder of the City's sphere of influence through cooperation between the City and developer
5. **Rate Restructuring.** The City of Loma Linda annually evaluates its cost of services in order to stay competitive in the market place. Copies of the City's rate structures are maintained in City offices and are available for public review. The City has indicated that it is presently undergoing a comprehensive evaluation of its service fee schedule.
6. **Opportunities for Shared Facilities.** The City of Loma Linda indicates it currently shares a park facility, Leonard Bailey Park, with the Redlands Unified School District located at Bryn Mawr Elementary School. The City notes it is constantly reviewing opportunities with the various government agencies to enhance the delivery of municipal services. An example of this

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would be the contractual relationship between the City of Loma Linda and the City of San Bernardino for animal control services and the County Sheriff for the provision of law enforcement services. No other relevant findings related to this factor were identified by the City of Loma Linda.

7. **Government Structure Options.** The City identifies that it will continue to consider regional solutions to municipal problems and issues. In addition, the City staff will continue to research and explore outsourcing services for potential cost savings and efficiencies. No other options for governmental structure change were identified by the City of Loma Linda.
8. **Management Efficiencies.** The City of Loma Linda provides for on-going training of employees through the use of workshops, conferences, seminars and memberships in professional organizations. Staffing levels are also continually reviewed, and the current City policy is to maintain a staffing level that is appropriate to available funding. The City indicates that it anticipates the realization of returns on its investment in high technology equipment and systems increasing the productivity of staff. The City maintains billing systems for sewer, business licensing, weed abatement and miscellaneous receivables. The City Finance Department bills bi-monthly for water, sewer, and refuse services.
9. **Local Accountability and Governance.** The City is governed by a City Council elected at-large, all of whom serve four-year terms. The Mayor is elected by the Council to a four (4)-year term. The City maintains a website, and conforms to the provisions of the Brown Act requiring open meetings. In addition, the City provides surveys, newsletters, and complaint tracking services, and the City publishes a quarterly City-wide newsletter through the local newspaper. The City's budget is adopted annually during the month of June and is reviewed on a quarterly basis. Progress reports regarding the financial position of the City are periodically presented to the City Council and a "Demands Register Report" is presented to the Council either at each Council meeting or, at a minimum, monthly; and,

WHEREAS, the following findings are made in conformance with Government Code Section 56425 and local Commission policy for a sphere of influence update:

1. **PRESENT AND PLANNED LAND USES**

The full range of urban, suburban, and rural land uses are included within the boundaries and current sphere of influence of the City of Loma Linda. The sphere of influence update and service review have no potential to change present or planned land uses within the City sphere, as those are currently being identified in the City General Plan Update, anticipated to be completed in early 2004. The City Community Development Department will begin the pre-zoning process for its unincorporated islands identified as the Petersen Tract and the Bryn Mawr area. The City has identified three potential annexation areas to be pursued for development purposes identified as: (a) "North County" area, located adjacent to the eastern City boundaries between Redlands Blvd. and Barton Road; (b) a San Timoteo Canyon project east of existing City boundaries, between Barton Road and Beaumont Avenue; and (c) the "Cardey Property" located southerly of Beaumont Avenue and southwest of San Timoteo Creek Channel and the Union Pacific Railroad Tracks.

2. **PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA**

The City provides for a full range of its services within its boundaries. The City has indicated that it anticipates that the area of the proposed island annexation, identified as the Petersen Tract, will require the construction of a public sanitary sewer system. The Bryn Mawr annexation is anticipated to need street improvements, including curb, gutter, sidewalk and

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pavement widening. Sewer services were previously provided to the Bryn Mawr community through a joint project by the City and County with CDBG funds. The City has adopted a master plan for service which addresses public facilities and services for the balance of the City's sphere of influence, a complete copy of which is on file in the City offices.

3. **PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES PROVIDED**

The City Public Works Department indicates that the present capacity of public facilities and services is adequate to meet the needs of the developed areas within the sphere of influence, with the exception of the public sanitary sewer system needed in the Petersen Tract and streetlight needs in both the Petersen Tract and Bryn Mawr area. Pursuant to the existing agreement between County Service Area 38 (County fire) and the Fire and Rescue Division of the City of Loma Linda, the same level of service provided within the City is provided to the sphere of influence area – including fire protection, emergency medical response, fire prevention (inspection, investigation, cause and origin determination) and disaster response planning. Fire protection planning, new construction plan checking and inspection are not a part of this agreement.

On May 5, 1994, the City adopted a policy for development within its sphere of influence which was in need of City services (water and/or sewer). The City has indicated that in order to receive City services, the applicant will be required to sign an annexation agreement, that it comply with City General Plan, specific plan and/or development standards, and that adequate fire flow be required.

4. **COMMUNITIES OF INTEREST IN THE AREA**

The existing sphere of influence assigned the City of Loma Linda represents the community of Loma Linda and no change in this assignment is contemplated at this time. The Commission, therefore, determines that this factor of consideration is not relevant to this review, as permitted by Government Code Section 56425.

5. **OTHER FINDINGS**

- A. Notice of the original hearing was published as required by law in The Sun and the Loma Linda City News, newspapers of general circulation in the area. As required by state law, individual notification was provided to affected and interested local agencies, County departments, and those individuals wishing mailed notice.
- B. Comments from landowners and any affected local agency have been reviewed and considered by the Commission in making its determination; and,

WHEREAS, having reviewed and considered the findings as outlined above, the Commission affirms and upholds the sphere of influence for the City of Loma Linda as it currently exists, as depicted on the map attached and on file in the office of the San Bernardino Local Agency Formation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Local Agency Formation Commission of the County of San Bernardino, State of California, that this Commission shall consider the territory described on the attached map as being within the sphere of influence of the City of Loma Linda, it being fully understood that establishment of such a sphere of influence is a policy declaration of this Commission, based on existing facts and circumstances which, although not readily changed, may be subject to review and change in the event a future significant change of circumstances so warrants.

