

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

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DATE: MARCH 5, 2004

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer



TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: Agenda Item #5 — LAFCO 2928 — Service Review and Sphere
Of Influence Update for the City of Loma Linda**

INITIATED BY:

San Bernardino Local Agency Formation Commission

RECOMMENDATION:

1. Determine that LAFCO 2928 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 Loma Linda should be affirmed as presently configured; and,
3. Adopt LAFCO Resolution #2813 setting forth the Commission's findings and determinations on this issue.

BACKGROUND INFORMATION:

This proposal was initiated by the Local Agency Formation 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 rotating five-year schedule. LAFCO 2928, in general, is a routine, non-controversial service review and sphere of influence update for the City of Loma Linda. Included as Attachment #1 to this report are maps which identify the boundaries and sphere of influence for the City of Loma Linda. Attachment

#2 to this report is a summary profile of the City of Loma Linda and a copy of the survey response provided by the City to the factors required by Government Code Section 56430 for a service review.

The major points of consideration within the survey response provided by the City of Loma Linda are outlined as follows:

1. The City is not proposing any changes to its sphere of influence. Unincorporated sphere territory is confined to the eastern portions of the City generally along California Street, and southerly of Beaumont Avenue. The City is currently surrounded by the City of San Bernardino/City of Colton boundary on the west, City of San Bernardino/City of Redlands boundary on the north, City of Redlands boundary on the east, and the Riverside County line on the south.

2. The City of Loma Linda is a full-service city providing the services of general government, fire protection, land use planning, code enforcement, building and safety functions, recreation services, roads, water and sewer services within its corporate limits.

The City currently provides the following services outside its corporate limits through individual contract. These contracts are required to be reviewed and authorized by LAFCO prior to their final implementation pursuant to the provisions of Government Code Section 56133:

| SERVICE | FUNCTIONS |
|-----------------|---|
| Sewer | Collection, transportation, treatment, reclamation, disposal – City typically charges three times in-city rate to individual service recipients |
| Water | Domestic, retail, wholesale, conservation, and agricultural – City typically charges three times in-city rate to individual service recipients |
| Fire Protection | Contract with County Service Area 38 to provide fire protection, rescue, and emergency medical services to the City of Loma Linda sphere of influence area. The City receives an annual payment from CSA 38 for this purpose. |

3. The City currently receives the following services through outside service providers/contractors:

| SERVICE | FUNCTIONS |
|----------------------|---|
| Law Enforcement | County of San Bernardino Sheriff's Department |
| Animal Control | City of San Bernardino through contract with public safety division of City |
| Wastewater Treatment | City is part of joint powers authority with the City of San |

| | |
|-------------------|---|
| | Bernardino for treatment of wastewater at facility – City of Loma Linda succeeded to Loma Linda Sanitation District contractual relationship |
| Refuse Collection | Waste Management has franchise for refuse pick-up within City boundaries |
| Ambulance | Franchise granted by City to American Medical Response as directed by the Inland Counties Emergency Medical Authority (ICEMA) |
| Vector Control | Contracts 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 Loma Linda and its sphere of influence are overlaid by the following public agencies:

County Service Area 110 (for a portion of the area — authorized services are planning, water, streetlighting, sewer, roads, park and recreation, soil conservation and drainage, and fire protection)

San Bernardino Valley Municipal Water District
 San Bernardino Valley Water Conservation District
 East Valley Resource Conservation District

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

County Service Area 38
 County Service Area 70 (multiple authorized services)
 County Service Area SL-1 (portion - streetlighting)

It is noted that none of the adjacent or overlaying agencies have identified any concerns with the existing sphere of influence as established for the City of Loma Linda.

CONCLUSION:

Based on the information outlined above, and the response from the City of Loma Linda, staff recommends that the Commission uphold and affirm the existing sphere of influence for the City. In addition, staff recommends that the Commission adopt Resolution #2813 which sets forth written responses to the statutory factors related to service reviews and sphere of influence studies.

Staff also wishes to thank the City for its thorough replies to the service review and sphere study factors of consideration as well as its cooperation during this review.

KRM\

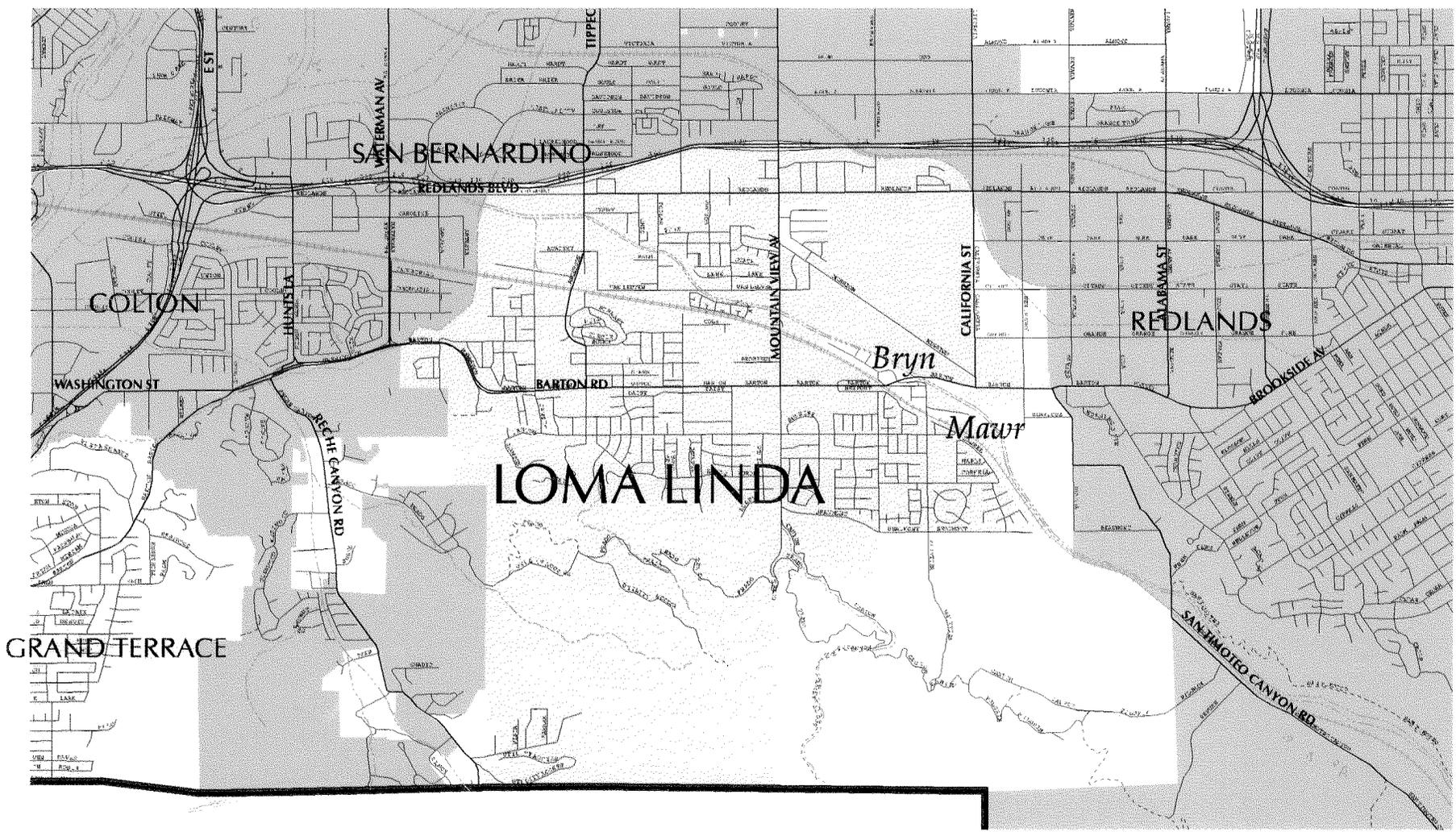
Attachments:

1. Map of the Existing Sphere of Influence of the City of Loma Linda
2. Summary City Profile Sheet and Survey Response Provided by the City of Loma Linda
3. Response from Tom Dodson and Associates
4. Draft Resolution #2813

**Map of Existing
Sphere of Influence of
the City of Loma Linda**

Attachment 1

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Friday, March 05, 2004 4:19 PM
MAPSCALE: 1" = 234.232' (4188)



- | | | |
|--------------------|------------------------|-----------------------|
| City of Loma Linda | City of Colton | City of Grand Terrace |
| Loma Linda Sphere | Colton Sphere | |
| City of Redlands | City of San Bernardino | |

CITY OF LOMA LINDA

City Limits and Sphere of Influence Boundaries

Map Prepared On March 05, 2004



**Summary City Profile Sheet and
Survey Response Provided by
the City of Loma Linda**

Attachment 2

CITY OF LOMA LINDA

CONTACT PERSON: Deborah Woldruff, Director of Community
Development

Dennis Holloway, City Manager

ADDRESS: 25541 Barton Road, Loma Linda, 92354

Website address: www.ci.loma-linda.ca.us

E-MAIL ADDRESS: General – ksorrells@ci.loma-linda.ca.us

DATE OF MUNICIPALITY FORMATION: September 30, 1970
(LAFCO 846)

CHARTER/DATE: June 9, 1981

REDEVELOPMENT AGENCY: XX YES NO

If yes, please indicate name and define area of service: Not provided

GOVERNING BODY: 5-member City Council elected at-large

MEMBERSHIP:

| | |
|---------------------|---------------|
| Floyd Petersen | Mayor |
| Karen L. Hansberger | Mayor Pro Tem |
| Robert Ziprick | Councilmember |
| Stan Brauer | Councilmember |
| Robert H. Christman | Councilmember |

PUBLIC MEETINGS:

2nd and 4th Tuesday of each month, 7:00 p.m.,
Council Chambers, 25541 Barton Road

SERVICES PROVIDED:

AREA SERVED 7.4 Square Miles/4,736 acres approximately within City
Unincorporated Sphere area estimated as 1,900 acres

POPULATION 19,650 (2002 by ECD demographics)
18,681 (Defined by 2000 Census)

DIRECTLY PROVIDED BY CITY (NON-CONTRACTUAL):

Fire protection (with paramedics); land use planning, code enforcement, building and safety; park and recreation; roads; general government (City Council, finance, etc.); water service (retail – domestic, irrigation industrial); sewer service (collection); public landscaping (through City Landscape Maintenance District).

CONTRACT:

| SERVICE | PROVIDED BY WHOM | DATE OF CONTRACT | SUNSET DATE |
|---|---|--|---|
| Police Protection (Law Enforcement), Traffic Accident Investigation | County Sheriff | Since Incorporation | None -- termination allowed by action of City and/or County |
| Animal Control | City of San Bernardino | Unknown | None – termination allowed by action of either City |
| Wastewater Treatment | City of San Bernardino Municipal Water Department | Since Incorporation – succeed to Loma Linda Sanitation District contracts? | Perpetual |
| Refuse Collection | Waste Management | (unknown) | Franchise |
| Vector Control | County Vector Control Program | Ordinance 3672 adopted October 29, 1996 | None – termination allowed by action of City and/or County |
| Ambulance | American Medical Response | Unknown | None |

SERVICES PROVIDED OUTSIDE AGENCY BOUNDARIES:

| SERVICE | PROVIDED TO WHOM | DATE OF CONTRACT | SUNSET DATE |
|------------------|--|--------------------------------|---|
| Sewer Collection | Community of Bryn Mawr and various others | Various | Until annexed |
| Water Service | Petersen Tract, Bryn Mawr, various other areas | Various | Until annexed |
| Fire Protection | Sphere of Influence areas | Original 1992; Amended in 1997 | Perpetual until terminated by action of City and/or County pursuant to terms of agreement (one year notice) |

Special Charges for service outside boundaries: Water and Sewer are charged premium rates (1 ½ times in-city rate).

SUBSIDIARY DISTRICTS? YES NO

SPHERE OF INFLUENCE:

ESTABLISHED:

| LAFCO NUMBER | RESOLUTION NO./ DATE ADOPTED | LOCATION |
|--------------|------------------------------|----------------------------------|
| LAFCO 1142 | June 21, 1972 | Coterminous with City boundaries |
| | | |

CHANGES:

| LAFCO NUMBER | RESOLUTION NO./ DATE ADOPTED | TYPE OF CHANGE | LOCATION |
|--------------|------------------------------|--|---|
| LAFCO 1142B | No. 1600 -- 11/14/79 | Expansion (Reduction of City of Redlands sphere) | Two parcels – northern portion of city |
| LAFCO 2287A | No. 1941 -- 11/14/84 | Reduction (Expansion of City of Redlands sphere) | 20+/- acres east of California, north of Railroad, south of I-10 |
| LAFCO 2343 | No. 2009 -- 9/18/85 | Expansion (Reduction of City of Redlands sphere) | Beaumont/Whittier Avenue, southeast Loma Linda area |
| LAFCO 2361 | No. 2030 -- 4/16/86 | Expansion (Reduction of City of Redlands sphere) | 200 +/- acres, south of Redlands Blvd., east of California Street |
| LAFCO 2576 | No. 2268B -- 7/18/90 | Expansion (Reduction of City of Redlands sphere) | San Timoteo Canyon area |
| LAFCO 2706 | No. 2368 -- 3/10/92 | Expansion (Reduction of City of Colton sphere) | Reche Canyon area along Scotch Lane |

TOTALLY SURROUNDED ISLANDS WITHIN BOUNDARY/SPHERE:

YES NO

If Yes, how many 4

How many comply with provisions of Government Code 56375.3. 3

BUDGETARY INFORMATION: Not provided



City Of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160 • (909) 799-2830 • FAX (909) 799-2894

From The Department Of Community Development

RECEIVED
OCT 16 2003

LAFCO
San Bernardino County

October 14, 2003

Ms. Kathleen Rolling-McDonald, Acting Executive Director
San Bernardino County
Local Agency Formation Commission (LAFCO)
175 West Fifth Street, 2nd Floor
San Bernardino, California 92415-0490

RE: SPHERE/SERVICE REVIEW SURVEY – CITY OF LOMA LINDA RESPONSES

Dear Ms. Rollings-McDonald:

The City has reviewed the above survey document and prepared the responses which are outlined below:

SPHERE OF INFLUENCE

1. The present and planned land uses in the area, including agricultural and open space lands

In October 2003, the Community Development Department will begin the pre-zoning process for its two unincorporated county islands, the Petersen Tract and Bryn Mawr area. We anticipate that the applications for annexation will be submitted to LAFCO in late 2003 or early 2004. The Petersen Tract is developed with single-family residential uses and has no agricultural uses or open space lands. The City's draft General Plan designates this area for single-family (low density) residential uses. The Bryn Mawr area has some single-family residential uses and a few scattered non-residential uses such as a church and small business office. The draft General Plan designates this area for single-family and multi-family (medium density) residential uses. There are several acres of vacant lands in the Bryn Mawr area that could be developed with apartments of small lot subdivisions. Both of these two areas contain less than 75 acres of land and will not require protest hearings.

It is also anticipated that two or three annexation requests from developers will be submitted to the City over the next few years. The areas include: 1) the area referred to as the North County area that is located east and adjacent to the City limits between Redlands Boulevard and Barton Road; 2) the San Timoteo Canyon project site that is located east and adjacent to the City limits between Barton Road and Beaumont

Avenue; and, 3) the Cardey property that is located south of Beaumont Avenue and southwest of the San Timoteo Creek Channel and Union Pacific Railroad tracks and right-of-way. Our understanding from LAFCO staff is that the request for annexation of the Cardey property will need to include the remainder of the Sphere area to the south because it is contiguous with that property.

All three of these areas contain existing agricultural uses and provide open spaces to City residents. The draft General Plan identifies business and mixed uses (mixed density residential, commercial retail and service uses) for the North County Area. A conceptual plan of the San Timoteo Canyon project area is also planned for mixed uses that include a light industrial component. This reflected on the draft General Plan Map. The Cardey property is located in an area that is designated on the draft General Plan as the East Hills Area. Allowable uses will include low density residential and open space/recreational uses (hiking and equestrian trails, etc.). Policies will encourage that residential units be clustered to maximize remaining open space areas and ensure that unique landforms and landscape features are conserved and maintained.

The City Redevelopment Agency's Merged Project Area does include the Petersen Tract and Bryn Mawr Areas. It does not include any portions of the North County area, San Timoteo Canyon project area, or the Cardey property or other properties in the remaining East Hills designated area. Portions of the North County area are included in the Inland Valley Development Agency Redevelopment (IVDA) Project Area. There are no plans to expand the existing Merged Project Area into the North County Area, San Timoteo Canyon project area, or the Cardey property or remainder of the southeastern Sphere area.

Please note that the City anticipates the approval and adoption of the draft General Plan by early 2004.

2. The present and probable need for public facilities and services in the area.

The City provides parks, recreation, trails, and open space uses and programs for its residents and assesses the needs for these services on an ongoing basis and as part of the development review process. Major development projects in the Sphere areas will be assessed for parks, recreation, and open space needs. Existing parks in the immediate vicinity of the Petersen Tract and Bryn Mawr area currently provide parks, recreation, and open space uses to the County residents. Trails and trail links to the regional trail system will become available to all of the City's Sphere areas within the next several years with the completion of the flood improvements to the San Timoteo Creek Channel and as development projects in the area are built. The Community Development Department provides staffing to the Parks, Recreation and Beautification and Trails Development Committees. The Public Works Department manages the construction of new facilities, and improvements to and maintenance of existing facilities.

The City anticipates that the two developed areas within the Sphere will be annexed in the near future. The first area, known as the Petersen Tract, will require the construction of a public sanitary sewer system. The second area, known as Bryn Mawr, will require street improvements, including curb, gutter, sidewalk and pavement widening. The City constructed a sewer system for the Bryn Mawr area in two phases during the late 1980s and early 1990s. A copy of the records for the Bryn Mawr Sewer System is contained in Attachment A. Both the Petersen Tract and Bryn Mawr area will require new streetlights. The undeveloped areas in the Sphere will require all facilities, which will be installed as a condition of development.

Some of the public facilities and services that will be needed in the Sphere areas may be financed in part with Agency funds, Community Development Block Grants (CBDG) funds, or some other source of public funds.

The Department of Public Safety, Fire & Rescue Division currently provides fire protection services to the areas included in the City's Sphere under an agreement (contract) with San Bernardino County Service Area 38 (CSA 38). The provision of fire protection services in the Sphere will not change as annexations occur. However, the agreement with CSA 38 may be revised or eliminated. A copy of the agreement is included as Attachment B.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Public Works Department indicates that the present capacity of public facilities and services are 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 streetlights needed in both the Petersen Tract and Bryn Mawr areas. Many services are fee for service type and will continue to be funded this way. The undeveloped areas will require additional facilities and services such as infrastructure, parks and landscaping. The costs for these items will be borne by future development. Annexation of the remainder of the Sphere in the South Hills would necessitate the expanding the capacity of public facilities and services in order to provide adequate coverage of that area.

The Redevelopment Agency currently provides housing assistance programs in the Petersen Tract and Bryn Mawr areas. The level of services to these two areas will not change upon annexation to the City. The remaining areas of the City's Sphere are not within the Agency's Merged Redevelopment Project Area and there are no plans to expand it into the South Hills area.

Pursuant to the agreement with CSA 38, the Fire & Rescue Division provides the same level of fire protection, emergency medical response, fire prevention (inspection, investigation, cause-and-origin determination) and disaster response planning as that provided to the incorporated areas of the City Of Loma Linda. Fire Protection Planning, new construction plan checking and inspection are not included in the agreement.

On May 5, 1994, the City Council adopted a policy for development in the Sphere of Influence and requests for City services. A copy of the approved minutes from the May 5th City Council meeting is contained in Attachment C. Based on the adopted policy, the City several requests for water service for properties located in the Sphere area. Copies of the Annexation Agreements and related records are contained in Attachment D.

Our records also indicate that there are approximately 268 properties are served with City water mostly in the Petersen Tract and Bryn Mawr area. A list of the properties, which includes some properties in the North County Area of the City's Sphere, is contained in Attachment E. Each property on the list is annotated as to whether or not it is "in" or "out" of the City limits. As previously noted, the Bryn Mawr area has City sewer services available although many of the properties remain on septic systems.

4. The existence of any social or economic communities of interest in the area if they are relevant to the agency.

The Community Development Department anticipates providing planning and building services to the Petersen Tract and Bryn Mawr area in the near future. Both of these areas contain social and economic communities of interest that will benefit from the department's services. These services will also be provided to the remainder of the City's Sphere areas as annexation occurs.

Code Enforcement is a function of the Department of the Public Safety Department. The Petersen Tract and Bryn Mawr area are in need of Code Enforcement programs and activities to help eliminate blight and life safety code violations. The remainder of the Sphere is largely vacant and contains no social or economic communities of interest.

As previously stated, the Redevelopment Agency provides housing assistance programs in the Petersen Tract and Bryn Mawr areas. Both areas are in a state of blight and deterioration and in need of the Agency's assistance. The level of services to these two areas will not change upon annexation to the City. The remaining areas of the City's Sphere are not within the Agency's Merged Redevelopment Project Area and do not contain social or economic communities of interest.

SERVICE REVIEW ISSUES

I. Infrastructure Needs and Deficiencies

1. Capital Improvement Plans / Studies

The City of Loma Linda has a five-year Capital Improvement Plan (CIP). The CIP is approved annually by the City Council. A copy is available upon request.

2. Master Service Plans / Studies

The City has adopted a Sewer Master Plan, Water Master Plan, and Storm Drain Master Plan. At this time, the City is in the process of updating the General Plan, which includes a Transportation/Circulation Element. The Parks Master Plan will be updated and expanded to include several new parks facilities following the adoption of the new General Plan.

3. Water Service Plans / Studies

a) Supply and demand information

The City of Loma Linda provides water to the incorporated area via a series of groundwater wells with emergency interconnects to the Cities of Redlands and San Bernardino and Loma Linda University. The current supply is adequate to meet the demands of the City and the developed sphere of influence. The adopted Water Master Plan includes the sphere of influence. Additional development will require that additional water supply be identified and secured.

4. Sewer Service Plans / Studies

a) Capacity and demand information

The City contracts with the City of San Bernardino to provide sewer treatment services. The City of San Bernardino Waste Water Treatment Plant staff indicates there is adequate capacity for the City of Loma Linda and its' sphere of influence. The adopted Sewer Master Plan includes the Sphere of Influence. Additional information may be requested from the City of San Bernardino.

5. Age and Condition of Facilities

a) Water supply and distribution system

The primary supply is produced by groundwater wells in the Bunker Hill Basin. The wells are all in good working condition. The distribution system installed since 1977, five miles of 12" and larger pipes, is in good working condition. The smaller, older pipelines are being replaced, as funding is made available through the CIP program. See the adopted water master plan for additional information. The developed areas in the Sphere of Influence, the Petersen Tract and Bryn Mawr, have old water distribution systems that need to be replaced.

b) Wastewater collection and treatment

The wastewater collection system is primarily made of vitrified clay pipe and is in good working condition. The Bryn Mawr mainline collection system was installed in 1992. There is no system in the Petersen Tract or the undeveloped sphere of influence. Please refer to the City of San Bernardino for information on the treatment system.

6. Capacity Analysis

- a) Number of service units available
- b) Number of service units currently allocated
- c) Total number of service units within agency boundaries

The City of Loma Linda has the capability to produce 10,650 acre-feet of water per year. In 2001, the City had 4,636 services consume 4,746 acre-feet in metered sales. Build-out condition is projected to demand 10,563 acre-feet of water per year. This is expected after 2025.

For Sewer information please contact the City of San Bernardino.

7. Future Development

- a) What additional infrastructure is needed?
- b) Description of additional facilities
- c) How will they be funded?
- d) Is there a schedule for improvement?

The Petersen Tract will require the installation of a sanitary sewer system. The undeveloped areas will require complete infrastructure. Government regulations on water quality will require wellhead treatment to meet approved standards. The City is proposing to construct a water reclamation plant. These facilities will be funded by a variety of sources. Infrastructure in a developed area may utilize assessment district funding, state and federal grants, and general funds. Infrastructure in undeveloped areas will be developer funded through conditions of approval and Development Impact Fees. These improvements have not been scheduled in the CIP.

8. Reserve Capacity

- a) What is the policy?

The adopted Sewer Master Plan and Water Master Plan have included both the Sphere of Influence and future requirements for areas within the City's corporate limits. Both plans identify needed improvements to meet demand capacities and future expansion as well as addressing current deficiencies. The City has six water reservoirs with a total of 14.9 million gallons of capacity. The Water Master Plan has identified this amount to be adequate for the next several years.

II. Growth and Population

1. Population Information

- a) Existing and projected

The Draft General Plan, Existing Setting Report, completed in June 2002, cites the existing population at 19,418. The document contains the most recent growth projections adopted by the Southern California Association of Governments (SCAG). The City's population projections, which were developed using the SCAG projections, are listed in five-year increments, as follows:

| | |
|------|--------|
| 2005 | 25,400 |
| 2010 | 27,700 |
| 2015 | 30,800 |
| 2020 | 34,900 |
| 2025 | 38,500 |

Based on the potential build out of the draft General Plan, the City's population will be nearly doubled by the year 2025. The annual growth rate is approximately 648 persons annually. The City of Loma Linda is very culturally, ethnically, and religiously diverse. It is anticipated that future populations will continue to be diverse.

2. General Plan

a) Excerpts regarding existing and projected growth

Future population and housing growth in Loma Linda will most likely occur in two areas: 1) The remaining vacant lands that are located east of Mountain View Avenue and north of Lawton Avenue; and, 2) The South Hills, an area comprised of rough, hillside terrain that straddles the eastern wall of Reche Canyon, the western wall of San Timoteo Canyon and extends southward from the City's urban fringe to the Riverside County line.

The draft General Plan calls for mixed-use development in the northeastern portion of the City. The intent is to provide opportunities for medium-density, compact, transit-oriented development of mixed residential densities and commercial retail, office, and service uses. Developers will be required to incorporate livable/walkable community concepts into their projects. The land uses planned for the South Hills area calls for low-density residential, recreational and open space uses that will conserve the hillside areas and preserve keynote ridges.

b) Other – No response necessary

III. Financing Opportunities and Constraints

1. Finance Plans

a) Service upgrades

The City annually updates and adopts a five-year CIP Budget, which outlines the timing and estimated costs of all facilities and improvements.

b) Capacity improvements

The CIP is divided into seven major categories – Fleet, General Buildings, Parks and Recreation, Sewer, Storm Drains, Streets and Street Lights, and Water. A copy of the CIP document is available upon request.

c) Revenue source

The CIP identifies potential sources of funding, which includes special revenues funds (Measure I, CDBG, TEA-21 and others), Development Impact Fees, grants, Redevelopment Agency funds and other general revenue sources.

In response to Items a) through c), the Public Safety Department states that in addition to City-adopted fees for service (fire prevention - new construction plan check and inspection; on-going fire prevention inspection and permit fees) and Development Impact Fees (capital equipment; facilities), there may be opportunities to work with developers of large projects that will have a significant impact on City fire protection services to directly support those services through additional mitigation measures and/or facilities.

2. Bond Rating

The City and Redevelopment Agency have entered into a joint powers agreement and formed the Loma Linda Public Financing Authority. Currently there are two outstanding bond issues, which have been given AAA ratings by Standard & Poor's. The AAA rating is defined as prime or maximum safety for long-term bonds.

3. Joint Financing Projects

a) Does agency participate?

The City currently is participating in a joint project with the City of Redlands and the County of San Bernardino to utilize Environmental Protection Agency (EPA) grant funding for habitat enhancement along the San Timoteo Creek Channel. The three jurisdictions are jointly financing the 45 percent local match requirement for the San Timoteo Creek Habitat Enhancement Project. In the past, the City has participated in other CIP projects with the County of San Bernardino (i.e., street overlay, pavement rehab, bridge construction). In addition, the City participates in a Joint Powers agreement for emergency dispatch services through CONFIRE.

b) What are policies?

There are no City policies on file for joint financing projects. However, staff recognizes the need for the development of such policies at some point in the future.

4. Revenue Sources

a) Identify

The City's major operating revenues sources are sales and use taxes, property taxes, motor vehicle in lieu taxes, utility service charges and the redevelopment tax increment. Additional, revenue sources, which can vary from year to year, include Development Impact Fees and grants. Sources of revenue for City-supported fire protection services include the General Fund, fees for services (see above), development-impact mitigation fees, cost recovery, grants.

b) Can they be expanded?

Staff continues to actively pursue grants from various sources. The City will also be updating both its Development Impact Fee Study, and Cost Allocation and Recovery Service Fee Study in fiscal year 2003/04.

Other potential sources include community facilities districts (CFD), additional fees for services (e.g., paramedic charges/cost recovery), additional tax sources (e.g., restricted or unrestricted utility taxes), and various types of grants.

IV. Cost Avoidance Opportunities

1. Overlapping/Duplicative Services

The City's participation in joint capital improvement projects does encourage the coordination with other local government agencies, and the funds from several agencies decreases the need to rely solely on one funding source. However, depending on the size and scope of the project, a duplication of effort (staff time) can occur over the life of the project.

2. Joint Agency Practices

a) Identify

The City participates in joint capital improvement projects with the State of California, County of San Bernardino, and Cities of San Bernardino and Redlands (i.e., pavement rehabilitation, traffic signal interconnect). As previously mentioned, the City is currently participating with the City of Redlands and County of San Bernardino in the San Timoteo Creek Habitat Enhancement Project, which is a CIP project utilizing EPA grant funding with a 45 percent local match requirement.

b) Reduce Costs?

The reduction of costs in joint capital improvement projects may be obtained by carefully monitoring the assignments to staff by the various public agencies, developing

a comprehensive tracking system for the project, and maintaining a monthly meeting schedule to update the various participants of the project.

3. Rely on Other Agencies

a) Administrative functions

The City does rely on the City of San Bernardino for wastewater treatment facilities; however, the City of Loma Linda's conveyance facilities are owned and maintained by Loma Linda. Other than the wastewater treatment, the City does not rely on other agencies for its administrative functions.

b) Grant Management

Individual City departments apply for and manage any grant funds that are received. At this time, the Community Development and Public Works Departments jointly rely on an outside consultant (Riverside Land Conservancy staff, The Dangermond Group) to prepare all planning components of a habitat plan and assist with the grant management for the San Timoteo Creek Habitat Enhancement Project/EPA Grant.

c) In-house cost vs. outside cost

In general, individual City departments apply for and manage any grant funds that are received and as such, the respective departments absorb in-house costs. Outside costs are factored into the grant proposal/budget.

4. Growth Management Strategies

a) Strategies for directing growth

The City's strategies for directing growth are in several key areas: 1) implementation of the new General Plan, pending its adoption in early 2004; 2) implementation of CIP Projects, such as street overlay, street widening, installation of curbs, gutters, sidewalks, street lights, sewer, and storm drain facilities; 3) acquisition of right-of-way to facilitate CIP projects; 4) annexation of unincorporated islands that are within the City's corporate limits through City initiated applications; and, 5) annexation of the remainder of the City's Sphere of Influence through developer sponsored applications.

b) Infill

The City and Redevelopment Agency encourage infill development projects and recycling of vacant lands, particularly in the City's North Central Neighborhood (NCN) and along the Redlands Boulevard corridor. At this time, the Redevelopment Agency is acquiring and consolidating residential properties in the NCN into two large pieces that can be redeveloped with affordable housing units. Similar efforts are being made to encourage compatible commercial infill projects (auto related) on City owned lands in

the Auto Plaza on the north side of Redlands Boulevard. Other types of commercial infill projects along Redlands Boulevard are also being pursued. The City acknowledges that as land in east San Bernardino Valley area becomes more valuable, infill of vacant properties will result as a by product of growth.

c) Conservation

The Conservation Element in the General Plan places a heavy emphasis on the conservation of the City's natural resources, which consist mostly of hillside and canyon landscapes and land forms in the South Hills area. The draft General Plan addresses conservation issues in a similar manner by adhering to the South Hills Initiative, a ballot measure that was passed by Loma Linda voters in 1992.

d) Annexation policies

In the late 1990s through 2001, the City Council directed staff to pursue annexation of all areas in the Sphere of Influence. Due to the trickle down effect of the State Budget crises and the adoption by the State Legislature of Assembly Bill (AB) No. 3138, the City is only pursuing annexation of its two, small islands – the Petersen Tract and Bryn Mawr area. The goals and policies contained in the draft General Plan call for the annexation of the two islands and encourage that the other Sphere areas be annexed as part of the development review processes.

5. Level of Service

a) Meets or exceeds customer needs?

The Public Works Department reports that the current level of service for City utilities (water, sewer, and refuse) meets the current demand. The Water Master and Sewer Master Plans indicate that as the City grows, additional facilities and capacities are needed to maintain the necessary levels of service.

In general, the City receives very few complaints about City services that are delivered as public utilities, maintenance and upkeep of facilities, trash and recycling hauling, or information services available at the public counters in City Hall.

b) Customer satisfaction

Based on the preceding, the City is confident that customer satisfaction with Loma Linda's services is at an acceptable level. However, the City continually strives to improve its programs and services and the City Manager emphasizes the need to provide our customers with excellent services in all categories.

6. Per-Unit Service Costs

a) Identify

At this time, the City is undergoing a comprehensive study of its service fee schedule and per unit costs may be adjusted as a consequence of the study. Staff anticipates completion of the study by the end of 2003.

b) Comparison with others

As stated in Item No. 6., a), the City is currently updating its services fee study which includes comparisons of the fees that are used in other cities.

V. Rate Restructuring

1. Rates

a) Use of consumer price index?

The City's utility rates for water and sewer are based on actual costs for producing the water and paying the City of San Bernardino for wastewater treatment costs. Loma Linda retains 15 percent of the wastewater fee rate for the maintenance and upkeep of the City's facilities. The rate for the City's Landscape Maintenance District is reevaluated each year based in part on the consumer price index and actual costs. The rates for refuse are determined through a contract with Waste Management for trash hauling and recycling.

b) Identify ways to compare rates

The City compares its service fees with other cities of commensurate size and character as part of the annual services fee study.

c) Identify current rates and plans, if any, for rate changes

At this time, the City is undergoing a comprehensive evaluation of the services fee schedule, which most likely will result in changes to many of the fees contained in the fee schedule. Staff anticipates completion of the study by the end of 2003.

VI. Opportunities for Shared Facilities

1. Shared Facilities

a) Existing – flood, parks, groundwater storage, etc.

At this time, the City of Loma Linda shares a public facility with the Redlands Unified School District. The Bryn Mawr Elementary School was jointly constructed with the Leonard Bailey Park on the east side of Whittier Street. The two properties are contiguous and during school hours, the park facilities are used as an extension of the school's outdoor sports and recreation areas. Another example is Hulda Crooks Park,

located at the southern terminus of Mountain View Avenue. The park is somewhat bisected by a County of San Bernardino Flood Control District property which is also utilized as overflow parking for the park.

The City and County of San Bernardino Flood Control District are also considering a shared facilities arrangement in conjunction with the San Timoteo Creek Habitat Enhancement Project/EPA Grant. Some of the District's right-of-way properties under and adjacent to the Barton Road Bridge may be used by the City to establish riparian habitat on a long-term basis.

The Public Safety Department contracts with the City of San Bernardino for animal control services and the County Sheriff's Department for law enforcement services.

b) Future Opportunities/options

The City is continually looking for opportunities to share facilities with other agencies that will benefit all parties and most especially, the public.

2. Duplication of Facilities

- a) Existing duplication?
- b) Planned/future duplication?
- c) Excess capacity available to outside customers
- d) Productivity ratings, if any, for staff

Several areas of the City are served by Bear Valley Water District for non-potable water for irrigation purposes. Other duplicative services include the Loma Linda University (LLU) and LLU Medical Center Security and the Jerry L. Pettis Memorial Veterans Medical Center Security (federal police force).

VII. Government Structure Options

1. Agency Recommendation

a) Government structure options

The City will continue to consider regional solutions to municipal problems and issues such as wastewater treatment and recycling, air quality, transportation, and fire and police protection. In addition, staff will continue to research and explore outsourcing services for potential cost savings and efficiencies.

b) Benefits to customers

The potential benefit to customers of these alternative government structure options would be cost savings and operational efficiencies, which might equate to less government waste and improved customer services.

2. Hurdles to Consolidation/Reorganization

A major hurdle to consolidation and reorganization is the acceptance of unique or innovative structure options or strategies by citizens, labor unions, employees, and other stakeholders. The parochialism that exists between municipal jurisdictions and other agencies is another serious hurdle to using regional approaches for consolidation and reorganization.

3. Recommended Options

a) Benefit to customers

The City of Loma Linda recommends that LAFCO support local jurisdictions in their pursuit of regional solutions to municipal problems and issues.

b) Services to be provided

At this time, the City cannot provide a response to this item.

The City has no recommended options at this time.

VIII. Evaluation of Management Efficiencies

1. Training Opportunities

City departments train employees on a regular basis through the use of workshops, conferences, and memberships in professional associations. In addition, training for general interest courses or mandatory training is coordinated through the City's Personnel Division. Computer and technology-based training are handled by the City's Information Systems Department.

2. Staffing levels

The City's current staffing levels are sufficient to provide high quality public services to the general public. It is in this area that the City anticipates seeing returns in its investment in high technology equipment and systems. Staffing efficiencies are realized and employee productivity is increased through the use of the City's information systems.

3. Technology

a) Billing systems

The City Finance Department bills bi-monthly for water, sewer, and refuse. Business License billing occurs once per year in November and December for payment in January.

4. Budget

a) Policies

A copy of the City's Budgetary Policies – Annually, department directors receive budget guidelines and direction from the City Manager. The directors are then asked to update their department policies for the budget and prepare their draft revenue forecasts and expenditures for the draft budget document.

b) Preparation/public involvement

The annual guidelines are used to develop the budget, which first is presented to the City Manager. Secondly, the budget is presented to the Budget Committee for their evaluation and recommendations. After the Budget Committee has made their recommendations to City management, the budget is presented to the City Council for review and adoption. The recommendations of the Budget Committee are usually presented to the Council in a joint public workshop between the two bodies. All of the Budget Committee's meetings and City Council meetings are open to the public for questions and comments.

c) Analysis – revenues/reserves/expenditures

Extensive analysis of revenues and expenditures is done at the annual budget assembly process and at the mid-year budget review. Revenues are initially calculated based on historical and current economic conditions. Expenditures are based on departmental operational and /or capital improvement needs identified by departments in order to maintain current service levels with additional consideration on anticipated revenue availability. In addition, the intent of the budget analysis process is to maintain the existing reserve and if revenues exceed expenditures, to add to the reserve.

5. Joint Powers Agreements

a) Identify and describe

As previously mentioned, the City participates in several joint capital improvements projects with other jurisdictions; however, the City is not involved in any Joint Powers Agreements (JPA) at this time.

IX. Local Accountability and Governance

1. Governing Body

a) Selection process

The members of the City Council are elected every two years for staggered terms of four years. The Mayor is elected by the City Council for a four-year term.

b) Representation (Districts, area-wide)

The City Council positions are at-large.

c) Frequency of meetings

The City Council meets on the second and fourth Tuesday of every month.

d) Brown Act compliance

The City Council and all standing commissions, committees and boards of the City adhere to the requirements of the Brown Act.

e) Number of elections of last decade

From 1993 to the present, the City held eight elections (5 for City Council Members - 1994, 1996, 1998, 2000 and 2002; 1 for the Hillside Initiative, 1993; 1 amending the Hillside Initiative, 1996 – in conjunction with the city council election; 1 regarding re-enacting Utility Users Tax, June 1996; and, 1 regarding uses of the Utility Users Tax, November 1996).

2. Customer Feedback

a) Surveys

In 1999, the City conducted a survey of all residential property owners and a separate survey of the business community. The residential survey responses indicated that City residents were reasonably satisfied with City programs and services. Areas of dissatisfaction or service shortfalls included: 1) the condition of City streets; 2) the need for additional City parks and recreation facilities; 3) need for a Senior Center and a Community Center; 4) the need for short-term and long-term hotel and conference facilities; and, 5) a downtown area with shops, restaurants and entertainment.

Over the last two to three years, all City departments have made strong and determined efforts to improve and enhance public services and programs. While there has not been a formal process for public feedback and/or self-evaluation, the nature and occurrence of complaints has been reduced considerably. It should also be noted that the City conducts at least eight regular public meetings per month that include opportunities for public comments. The fact that very few complaints are received during the public comment sessions of these meetings is indicative that public satisfaction with the City's programs and services has improved.

b) Complaint tracking

All City departments track and respond to complaints as they are filed. Planning, Building, Code Enforcement, and Public Works complaints are entered into the City's permit tracking system for recordation, tracking, and action/abatement.

3. Access

a) Hours

Loma Linda City Hall is open Monday through Thursday from 7:00 a.m. until 5:30 p.m. In an effort to address energy conservation, the City adopted a 4/10-work schedule in 1994. Some City services, such as Building Inspection services, are available on Fridays between the hours of 8:00 a.m. and 5:30 p.m.

b) Newsletters

The City maintains a City website that is updated with meetings notices, agendas, minutes, and other pertinent information on a regular basis. A link to the Employee Newsletter is available on the website. In addition, the Website contains email addresses and links to all City Department Directors and key personnel.

Several City departments prepare news articles for the Loma Linda Chamber of Commerce Newsletter, which is distributed to all Loma Linda residential and business addresses.

c) Website

As stated, the City maintains a website (www.lomalinda-ca.gov) which is regularly updated by the Information Systems Department.

d) Media coverage

Reporters from The San Bernardino Sun and The Press Enterprise newspapers cover the City Council meetings.

e) Cable/public access TV

City Council meetings are broadcast live and video taped on cable television via the City's public access channel. The cable provider is Adelphia.

4. Regular Progress Reports

a) Budget – major projects

The City Budget is adopted annually in late May or early June for the fiscal year and reviewed and adjusted at the mid year. At this time, the Finance Department is preparing the format for a quarterly progress report of the annual budget that will be implemented sometime during this fiscal year. The Demands Register Report is prepared every two weeks or once a month (depending upon Council agendas) for submittal to and approval of the City Council.

b) Operations

Each City department is responsible for submitting a monthly report to the City Manager. The reports generally include statistical information and updates on ongoing tasks and/or projects. In addition, the approved minutes for City commissions, committees, and boards are forwarded to the City Manager and City Council for informational purposes.

c) Voter participation

Loma Linda is very community oriented and has many standing committees whose members are appointed by the City Council. Frequently, issues are forwarded to the committees to study, get public input, and make recommendations back to the City Council. Major projects and issues are regularly identified and updated on the City's website. The City Council, committees, and staff welcome public input at every opportunity.

Please feel free to contact me at (909) 799-2830 if you have any questions or require further information to supplement the City of Loma Linda's responses to the survey.

Sincerely,



Deborah Woldruff, AICP
Director

cc: Dennis R. Halloway, City Manager
Richard Holdaway, City Attorney
Pamela Byrnes-O'Camb, City Clerk
Rolland Crawford, Public Safety Director/Fire Chief
T. Jarb Thaipejr, Public Works Director/City Engineer
Lt. Hector Guerra, San Bernardino County Sheriff's Department
James Hettrick, Information Systems Director
Diana DeAnda, Finance Director
Community Development Department - File

ATTACHMENTS

- A. Bryn Mawr Sewer System Records (Various dates from 1989 through 1992)
- B. Agreement for Fire Protection Services and Automatic Aid (12-16-97)
- C. City Council Minutes – Sphere of Influence Policy for Development (05-10-94)
- D. Annexation Agreements:
 - 1. Gary Fritzsche Property (08-05-94)
 - 2. Loma Linda Indonesian Seventh-day Adventist Church (10-26-94)
 - 3. Brian A. Vura-Weis and Dorothy E. Vura-Weis Property (12-31-98)
 - 4. Barry and Kathy Glendrange Property (08-24-00)
- E. Other Properties Receiving Water Service in the Sphere

I:\Sphere\2003 Sphere Study - CDD & Final.doc

ATTACHMENT A

**Bryn Mawr Sewer System Records (Various dates from 1989
through 1992**

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

CSA 70;
Inc. Cities-Loma Linda

June 15, 1992

FROM: VERNON G. KNOUREK, Assistant Administrative Officer
for Special Districts

SUBJECT: ADVERTISEMENT FOR BIDS FOR CONSTRUCTION OF BRYN
MAWR SEWER SYSTEM IMPROVEMENTS, PHASE II--COUNTY
SERVICE AREA 70

RECOMMENDATION: Acting as the governing body of County Service
Area 70:

1. Approve plans and specifications on file with the Clerk
of the Board for construction of Bryn Mawr sewer system
improvements, Phase II; and,
2. Authorize advertisement for bids.

BACKGROUND: This project involves the second and final phase
of sewer system construction to serve approximately 60
residences in the unincorporated community of Bryn Mawr. Many
of the on-site septic systems have been in use for at least 50
years and present a potential threat to groundwater as a
result of leakages. The sewer improvements will be connected
to the City of Loma Linda collection system for transport to
the City of San Bernardino Treatment Plant. The Office of
Special Districts will be responsible for contract
administration during construction. Upon completion of the
project, the City of Loma Linda, by agreement, will assume
ownership of the system for operation and maintenance.

FINANCIAL DATA: This project is funded by a Community
Development Block Grant (ECD No. 205-11206).

REVIEW: This action has been reviewed by County Counsel
(Charles Duerbeck) and coordinated with the Third
Supervisorial District (Arthur Milian).

NOTE: Specs. sent to Dept. 6/16/92

cc: Special Districts-Knourek
City of Loma Linda
City of San Bernardino
ECD
Co. Counsel-Duerbeck
File

lw

Action of the Board of Supervisors

APPROVED BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO

MOTION AYE AYE SECOND AYE MOTION
2 3 4 5

EARLENE SPROAT, CLERK OF THE BOARD

BY

DATED: JUNE 15, 1992

MINUTES OF THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA

Agree. 92-8;
CSA 70

July 6, 1992

FROM: **VERNON G. KNOUREK, Assistant Administrative Officer
for Special Districts**

SUBJECT: **COMPLETION OF CONSTRUCTION OF BRYN MAWR SEWER
SYSTEM IMPROVEMENTS, PHASE I--COUNTY SERVICE AREA
70**

RECOMMENDATION: Acting as the governing body of County Service
Area 70:

1. Accept the construction of Bryn Mawr sewer system improvements, Phase I, as 100% complete;
2. Authorize final retention payment to Bud Davis Backhoe, Contract No. 92-8; and,
3. Authorize recording of the Notice of Completion.

BACKGROUND: This project consisted of the construction of sewer mains and related improvements to serve 60 residences in the unincorporated community of Bryn Mawr. The new system will replace the use of septic tanks that have been in service for many years and, through deterioration, pose a threat to ground water.

The second and final phase of the project will be to construct a lift station and connect the new system to the City of Loma Linda collector mains. On June 23, 1992, the final inspection of the project was made by Special Districts' staff members and found to be 100% complete and in accordance with the plans and specifications.

FINANCIAL DATA: The project has been funded by a Community Development Block Grant (ECD No. 205-11206). The total contract cost was \$305,373.67, including one change order.

REVIEW: This action has been reviewed by County Counsel (Charles S. Scolastico) and coordinated with the Third Supervisorial District (Art Milian).

cc: Special Districts-Knourek
Contractor c/o Special Dist
ECD
Co. Counsel-Scolastico
Auditor
City of Loma Linda
File

lw

Action of the Board of Supervisors

APPROVED BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO

| MOTION | Aye | Second | Aye | Aye | Motion |
|--------|-----|--------|-----|-----|--------|
| | 1 | 2 | B | 4 | 5 |

EARLENE SPROAT, CLERK OF THE BOARD
BY _____
DATED: JUL 06 1992

ATTACHMENT B

**Agreement for Fire Protection Services and Automatic Aid
(12-16-97)**

REPORT RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION

Agree. 97-1055

December 16, 1997

FROM: PAT M. QUICK, Interim Fire Chief/Fire Warden
San Bernardino County Consolidated Fire District

SUBJECT: AGREEMENT BETWEEN COUNTY SERVICE AREA 38 AND THE CITY OF
LOMA LINDA FOR FIRE PROTECTION SERVICES AND AUTOMATIC AID

RECOMMENDATION: Acting as the governing body of County Service Area 38, approve Agreement No. 97-1055, with the City of Loma Linda to provide fire, rescue, and emergency medical services to County Service Area 38, in the areas depicted in the Agreement.

BACKGROUND INFORMATION: The City of Loma Linda, under contract with County Service Area 38, has provided fire, rescue and emergency medical response to the areas covered by this Agreement since January 1992. This Agreement will provide for continued fire, rescue and medical response to these areas.

This Agreement will terminate on December 31, 2001 or on June 30 of any year with notice given between January 1 through March 1.

REVIEW BY OTHERS: This action has been reviewed by County Counsel (Daniel B. Haueter) and coordinated with the appropriate Supervisorial district.

FINANCIAL IMPACT: County Service Area 38 shall pay the City of Loma Linda \$5,232 each year for fire, rescue, and medical aid response. Funds have been identified in the County Service Area 38 budget.

SUPERVISORIAL DISTRICT(S): Third

PRESENTER: PAT M. QUICK

cc: SBCCFD-Gettman w/agree.
Contractor c/o SBCCFD
w/agree.
Auditor w/agree.
Contract Compl. w/agree.
Co. Counsels-Haueter/
Krahelski
File w/agree.

IW

Record of Action of the Board of Supervisors

AGREEMENT 97-1055

APPROVED BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO

MOTION MOVE AYE SECOND AYE AYE
1 3 4 5

EARLENE SPROAT, CLERK OF THE BOARD

BY

DATED : December 16, 1997



FOR COUNTY USE ONLY

| | | | | | | | | | | |
|---|--------|--------------|-------|----------------|--|---------------------|---------|--------------------------|--------|-----|
| E | New | Vendor Code | | | Dept. | Contract Number | | | | |
| M | Change | | | | SC | A | 97-1055 | | | |
| X | Cancel | | | | | | | | | |
| County Department | | | | | County Service | Dept. | Orgn. | | | |
| Area 38, Consolidated Fire District | | | | | | | | Contractor's License No. | | |
| County Department Contract Representative | | | | | Ph. Ext. | | | Amount of Contract | | |
| Carolyn Gettman | | | | | 387-5944 | | | | | |
| Fund | Dept. | Organization | Appr. | Obj/Rev Source | Activity | GRC/PROJ/JOB Number | | | | |
| SGP | 290 | A62 | | 2445 | | | | | | |
| Commodity Code | | | | | Estimated Payment Total by Fiscal Year | | | | | |
| Project Name | | | | | FY | Amount | I/D | FY | Amount | I/D |
| Fire Protection | | | | | | | | | | |
| Services Agreement | | | | | | | | | | |

County of San Bernardino
F A S
STANDARD CONTRACT

THIS CONTRACT is entered into in the State of California by and between the County of San Bernardino, hereinafter called the County, and

Name
CITY OF LOMA LINDA
Address
25541 BARTON ROAD

hereinafter called CITY

LOMA LINDA CA 92354
Phone Birth Date
796-2531
Federal ID No. or Social Security No.
95-2662323

IT IS HEREBY AGREED AS FOLLOWS:

(Use space below and additional bond sheets. Set forth service to be rendered, amount to be paid, manner of payment, time for performance or completion, determination of satisfactory performance and cause for termination, other terms and conditions, and attach plans, specifications, and addenda, if any.)

**FIRE PROTECTION SERVICES AGREEMENT
BETWEEN
COUNTY SERVICE AREA 38
AND
CITY OF LOMA LINDA**

This AGREEMENT is made and entered into by and between COUNTY SERVICE AREA 38, (hereinafter referred to as "CSA 38"), and the CITY OF LOMA LINDA (hereinafter referred to as "CITY").

WITNESSETH:

WHEREAS, it is the intent of the parties hereto that the fire services in a portion of CSA 38, depicted as "Area A" on attached map, be furnished to CSA 38 by CITY subject to the terms and conditions contained herein; and,

WHEREAS, it is the intent of the parties hereto that CITY provide fire protection services to "Area A" (as noted above) and that CSA 38 pay CITY for these services.

NOW, THEREFORE, I agreed as follows:

1. CITY will furnish to "Area A" the same level and quality of fire protection services, including emergency medical response, which it furnishes within its own boundaries.
2. CITY will furnish to "Area A" the same level and quality of fire prevention services, including investigations, pre-fire planning inspections, and cause and origin determination which it furnishes within its own boundaries.
3. CITY will include "Area A" in fire department disaster response planning at the same level CITY furnishes within its own boundaries.
4. CITY is authorized to collect fire prevention inspection fees, in "Area A" consistent with County Ordinance 3442 and the San Bernardino Code Section 16.0211 A (c).
5. CSA 38 will continue to provide fire protection planning and engineering services to "Area A" and agrees to provide CITY with copies of commercial and industrial project conditions upon final approval of the projects by the County.
6. CITY shall submit to CSA 38 a yearly report of all fire services provided in "Area A."
7. Term and Termination - This Agreement shall be come effective January 1, 1997 and continue in effect for five years from the effective date unless canceled by either party. Either party may cancel effective on June 30th of any year during the term hereof by giving written notice thereof to the other party not later than March 31st of that year.
8. CSA 38 shall pay the sum of \$5,232.00 during the term of this Agreement. Such payment by CSA 38 to CITY will be made semiannually in arrears on or before June 30 and December 31 of each year. Should CITY annex all or any portion of "Area A," or otherwise become legally obligated to provide fire protection services to any or all of "Area A" at any time during the effective period of the Agreement, CITY and CSA 38 agree to pro-rate the actual reimbursement to CITY for those services covered by this Agreement.
9. Indemnification - CSA 38 and the County agree to indemnify and hold harmless the CITY, its officers, agents, employees or volunteers from any and all claims, actions or losses, damages, and/or liability resulting from CSA 38's or the County's negligent acts or omissions which arise from CSA 38's or the County's performance of its obligations under this agreement.

The CITY agrees to indemnify and hold harmless CSA 38 and the County and their officers, employees, agents and volunteers from any and all claims, actions losses or damages and/or liability arising out of the CITY's obligations under this agreement.

In the event CSA 38 and the County and/or CITY is found to be comparatively at fault for any claim, action, loss, or damage which results from their respective obligations under the agreement, CSA 38 and the County and/or CITY shall indemnify the other to the extent of its comparative fault.

Furthermore, if CSA 38 and the County or CITY attempts to seek recovery from the other for Workers Compensation benefits paid to an employee, CSA 38 and the County and CITY agree that any alleged negligence of the employee shall not be construed against the employer of that employee.

10. Insurance - Without in anyway affecting the indemnity herein provided and in addition thereto, the CITY shall secure and maintain throughout the contract the following types of insurance or self-insurance with limits as shown:

Workers' Compensation - A program of Workers' Compensation Insurance or a state-approved Self-Insurance Program in an amount and form to meet all applicable requirements of the Labor Code of the State and California, including Employer's Liability with \$250,000 limits covering all persons providing services on behalf of the City and all risks to such persons under this Agreement.

Comprehensive General and Automobile Liability Insurance or Self-Insurance - This coverage to include contractual coverage and automobile liability coverage for owned, hired, and non-owned vehicles. The policy or self-insurance shall have combined single limits for bodily injury and property damage of not less than one million dollars (\$1,000,000).

Additional Named Insured - All policies or self-insurance, except for the Workers' Compensation, Errors and Omissions and Professional Liability policies, shall contain additional endorsements naming the County and its officers, employees, agents and volunteers as additional named insureds with respect to liabilities arising out of the performance of services hereunder.

Waiver of Subrogation Rights - CITY shall require the carriers or self-insurance of the above required coverages to waive all rights of subrogation against CSA 38 and the County, their officers, employees, agents, volunteers, contractors and subcontractors.

Policies Primary and Non-Contributory - All policies required above are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the County.

Proof of Coverage - CITY shall immediately furnish certificates of insurance or self-insurance to the County Department administering the contract evidencing the insurance coverage, including endorsements, above required prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department, and CITY shall maintain such insurance from the time CITY commences performance of services hereunder until the completion of such services. Within sixty (60) days of the commencement of this Agreement, the CITY shall furnish certified copies of the policies and all endorsements.

Insurance Review - The above insurance requirements are subject to periodic review by the County. The County's Risk Manager is authorized, but not required, to reduce or waive any of the above insurance requirements whenever the Risk Manager determines that any of the above insurance is not available, is unreasonably priced, or is not needed to protect the interest of the County.

In addition, if the Risk Manager determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Risk Manager is authorized, but not required, to change the above insurance requirements to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the County, inflation, or any other item reasonably related to the County's risk.

Any such reduction or waiver for the entire term of the Agreement and any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this Agreement. CITY agrees to execute any such amendment within thirty (30) days of receipt.

11. IN WITNESS WHEREOF, this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

COUNTY OF SAN BERNARDINO

▶ *Jerry Evans*
Chairman, Board of Supervisors

Dated DEC 16 1997 #97-1055

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD.

Clerk of the Board of Supervisors of the County of San Bernardino.

By *[Signature]*

Approved as to Legal Form

County Counsel

Date 5/27/97

Reviewed as to Affirmative Action

Date 5-27-97

CITY OF LOMA LINDA

(State if corporation, company, etc.)

By ▶ *[Signature]*
Floyd Petersen (Authorized Signature)

Dated September 23, 1997

Title Mayor

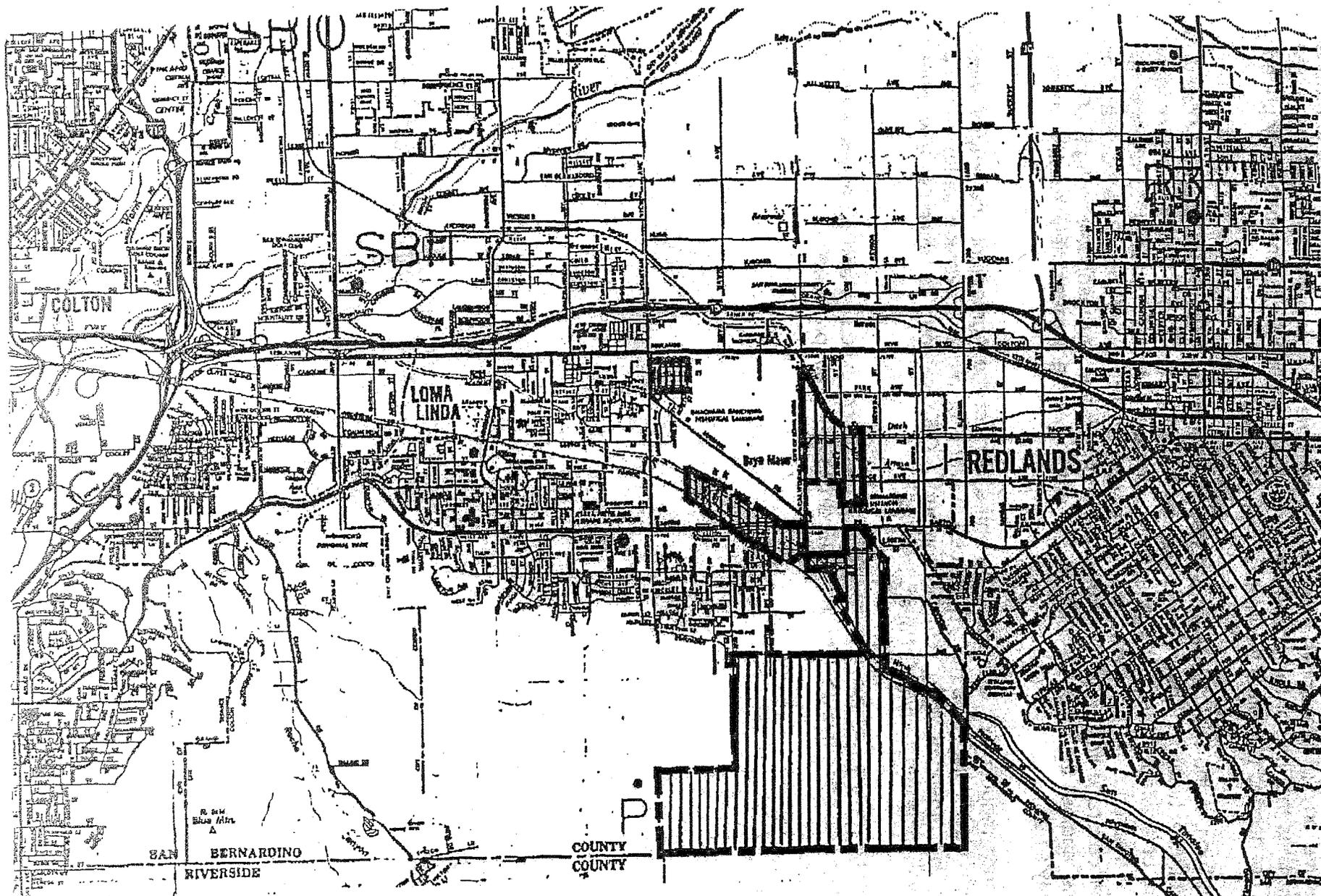
Address 25541 BARTON ROAD

LOMA LINDA CA 92354

Reviewed for Processing

Agency Administrator/CAO

Date 5-27-97



**FIRE SERVICES AGREEMENT BETWEEN
CSA - 38 AND LOMA LINDA CITY**

"AREA A"



ATTACHMENT C

**City Council Minutes – Sphere of Influence Policy for
Development (01-10-94)**

He also noted that the County was responsible for administering the funds, processing the environmental review and various verifications; that should litigation occur, the inconsistency between the hold harmless language in last year's agreement and subject agreement could be beneficial to the City.

Motion by Nichols, seconded by Petersen and unanimously carried to approve the 1994-97 Community Development Block Grant (CDBG) City/County Delegate Agency Agreement as presented by the County.

New Business

CC-94-092 - Quarterly Report from the Chamber of Commerce and request for disbursement of funds pursuant to Agreement with the City

Executive Director Karsick commented on the Business Expo and expressed appreciation for the City's support. Mayor Christman acknowledged the work of the Chamber and the concise reports.

Dr. Reinhold Trupp, 11441 Anderson Street, asked about the City charging the Chamber rent for its office space within the Civic Center. Mayor Christman replied that the Agreement between the Chamber and the City called for a specific budget and appropriation in return for certain services to be provided by the Chamber; that rent was considered to be a cost of business and it was clear as to the amount of the City's subsidy.

Motion by Petersen, seconded by Nichols and unanimously carried to receive for filing the Quarterly Report from the Chamber and authorize disbursement of funds pursuant to the Agreement with the City.

CC-94-093 - Reimbursement Agreement relating to oversizing of waterline on California Street - Indonesian Church

Interim City Manager Hills introduced the item and stated that the Indonesian Church was outside the City Limits but within Loma Linda's Sphere of Influence, and that the church had been raising funds for several years in order to begin construction. He then called upon Director of Public Works Director Cablay, who responded to questions and stated that the reimbursement agreement provided for reimbursement of \$42,644.00 for the originally required 10-inch waterline from the church's property on California Street to Redlands Boulevard (the area outside the property lines of the church but necessary to provide water to the church); in addition, it provided for reimbursement of the cost difference between the 10-inch waterline originally required and the 12-inch waterline which was required as a result of the water master plan update, which indicated that a 12-inch main would be required to serve the area and future development. He went on to explain that reimbursement for the waterline outside the jurisdiction of the church would occur as other development occurred; however, the City would immediately reimburse the church for the difference between the 10-inch and the 12-inch line in front of the church's property (26,545.00), and would in turn collect the funds from any future development along California Street.

Motion by Petersen, seconded by Brauer and unanimously carried to approve the reimbursement agreement and authorize its execution by the appropriate City officials.

In response to questions, Cablay indicated that the waterline in Mission Road would eventually be connected to the California Street line.

Councilman Brauer asked about requesting the church to annex to the City and possibly initiating the request to annex for processing through the Local Agency Formation Commission. Interim City Manager Hills stated that a policy pertaining to receiving City services and annexation was the topic of the next item. He added that because of the new waterline in California Street and new hydrants in the vicinity, fire protection for the Mission School was upgraded.

CC-94-094 -

- a. Policy for development in the Sphere of Influence and request for City services
- b. County referral for development in the City's Sphere of Influence - Office and garage facility for non-emergency wheelchair vans (northeast corner of Citrus and New Jersey, east of California Street and south of Redlands Boulevard)

Director of Community Development Smith introduced the items. He stated that the first item dealt with the Sphere of Influence adopted by the Local Agency Formation Commission (LAFC), which

designated certain areas around cities which would become part of the City at a future date through annexation procedures; that the two primary issues considered by the LAFC were land use and delivery of services. He elaborated that although property was within the City's Sphere of Influence, it was within the jurisdiction of the County; that although the County informed the City of development occurring within its Sphere of Influence, it was at the sole discretion of the County whether to implement recommendations made by the City; that the City was not obligated to provide services and if the City was not willing to provide services, the County was then responsible to regulate the land use so that services could be provided by the County.

Addressing the County referral, he stated that the most conservative viewpoint was that if City services were not going to be provided to the unincorporated area of the County, the area should remain rural or agricultural because those land uses did not traditionally require City services.

He stated that the current referral pertained to a development to house a wheelchair van service; the applicant was requesting City water services which the City was already providing to the area; no other City services were being requested; that the project was in conformance to the East Valley Corridor Specific Plan; however, it did not comply with all aspects of the EVCSF standards.

He elaborated that development fees were collected for future infrastructure such as bridges, roads, fire facilities, equipment, water, sewer and drainage facilities; however, development within the City's Sphere of Influence, but within the County area, did not pay development fees to the City it would eventually be annexed to; that City services oftentimes were provided without funding of the capital improvements needed to provide the service.

Smith then suggested a policy be established that when urbanization and need for services was apparent, the applicant be required to pursue annexation to the City.

Mr. Gary Fritzsche, 11816 Briarwood Court, applicant, stated that he owned and operated Healthlink Transportation, currently housed at the Stater Brothers complex at Mt. View Avenue and Barton Road; the purpose of the development was to provide office space and a garage facility for non-emergency wheelchair vans to include light maintenance. He stated that the property was not contiguous to Loma Linda's incorporated area and that many of the residents had expressed the desire to remain within the County area and not be a part of any city.

Director of Community Development Smith stated that when property was contiguous to an incorporated area, annexation could be ordered; however when the property was not contiguous, it was his recommendation that the property owner make every effort to annex; that another alternative would be to request the County to approve only land uses that were agricultural or rural, so there wouldn't be a demand for City services.

Councilman Nichols asked if there were any recommendations the City could make to the County pertaining to subject development so that the infrastructure improvements could be installed. Smith stated that the City would require adequate fire flow and adequate hydrants and that it conform to the East Valley Corridor Specific Plan.

Motion by Nichols, seconded by Petersen to recommend to the County that the development be approved, subject to the conditions that adequate fire flow was provided and that it meet the standards of the East Valley Corridor Specific Plan.

The City Attorney suggested a condition that applicant would agree not to protest annexation, and elaborated that when the City provided services outside of the City boundaries, that the City require property owners to sign an annexation agreement, so that when annexation was to occur, it would not be protested.

Motion by Nichols, seconded by Petersen to amend the previous motion to include the requirement to execute an annexation agreement.

The Mayor called for a vote which carried unanimously.

Mr. Fritzsche agreed to sign an annexation agreement.

Councilman Brauer asked that the County be requested to require contiguous property to be annexed and that the properties not contiguous be limited to agricultural or non-employee intensive land uses.

The City Attorney explained that usually the annexation agreement to not protest was obtained when City services were applied for. He also indicated that in some instances an assessment district could be

formed to provide services; however, because the City was a participant in mutual aid agreements, an assessment district for services could not be formed.

Director of Community Development Smith stated that since there was no request for sewer services, the implication was that the City was not going to serve the property with sewer; therefore, the County would be expected to take reasonable precautions to ensure come capability for a septic tank.

Director of Public Works Cablay suggested that the City also recommend that the County confirm soil capability for a septic tank.

Motion by Nichols, seconded by Brauer and unanimously carried to reconsider the previous actions.

Dr. Reinhold Trupp, 11441 Anderson Street, asked about availability of sewer facilities. Cablay responded that a line sized for the area was available.

In response to questions, Director of Community Development Smith stated that the recommendation would include a request that the County document soil capability for septic tanks because the City was not intending to provide sewer service to the subject development.

Motion by Nichols, seconded by Brauer and unanimously carried to recommend to the County that the development be approved, subject to the conditions that adequate fire flow was provided; that it meet the standards of the East Valley Corridor Specific Plan; that an annexation agreement and documentation as to soil capability for septic tanks be required.

Councilman Brauer requested annexation of the Indonesian Church property be pursued. Interim City Manager Hills stated that if the church agreed, then the City could initiate the annexation process. He also stated that if the County determined that there was inadequate fire flow for Mr. Fritzsche's development, then the County would require the applicant to install improvements to that adequate fire flow standards were met.

The City Council recessed at 6:54 p.m. and reconvened at 7:24 p.m. with all members present.

Scheduled and Related Items (Continued)

CC-94-095 - Presentation by MSI pertaining to user fee software

Rick Kermer, representing MSI, addressed the City Council, stating that the City had contracted with MSI in the mid-1980's to conduct a cost service study; the purpose of the cost service study was to comply with Proposition 4 adopted by the voters; as a result of the study, an ordinance was adopted which established the process for reviewing City services, a cost for those services, and also a schedule for reviewing the services and costs for modification; an update to the cost service study was conducted in 1989.

He elaborated that the process was complicated, even with the assistance of a software package; that his goal was to establish the initial framework for staff to maintain; internal staff possessed more insight than consultants as to the needs of the organization. He added that Riverside, Rialto and Highland were in the process of completing the updates to their studies in-house, and noted that MSI provided a complete system and a commitment to the process in that the software was updated each year and provided to the members of the user group, who were required to attend annual group meetings. The cost of the software program was \$10,000, which included training.

In response to questions, he indicated that if MSI were to conduct the update, the cost would be in the range of \$17,000 to \$20,000; that if the update were accomplished in-house, it was advisable to produce the same type of report as MSI had prepared, including all backup documentation. He stated that Loma Linda's Municipal Code required the fees to be reviewed on an annual basis, and that pursuant to Proposition 4, the fees were to address the "cost reasonably borne" and were to be based on the actual cost of providing the service.

Interim City Manager Hills stated that although some fees had been updated periodically, not all fees had been reviewed within the same time period, and therefore, as part of the Mid-year Budget Review Process, he recommended the study be addressed and updated.

Motion by Elssmann, seconded by Petersen to authorize purchase of the MSI software to update the user fees in-house.

ATTACHMENT D

Annexation Agreements

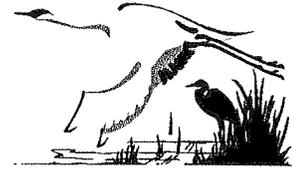
- D.1 Gary Fritzsche Property (08-05-94)**
- D.2 Loma Linda Indonesian Seventh-day Adventist Church (10-26-94)**
- D.3 Brian A. Vura-Weis and Dorothy E. Vura-Weis Property (12-31-98)**
- D.4 Barry and Kathy Glendrange Property (08-24-00)**

COPIES OF THE ABOVE DOCUMENTS ARE AVAILABLE FOR REVIEW IN THE LAFCO OFFICE

**Tom Dodson and
Associates Response**

Attachment 3

TOM DODSON & ASSOCIATES
2150 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92405
TEL (909) 882-3612 • FAX (909) 882-7015
E-MAIL tda@tstonramp.com



March 3, 2004

RECEIVED
MAR 05 2004

LAFCO
San Bernardino County

Ms. Kathleen Rollings-McDonald
Local Agency Formation Commission
175 West Fifth Street, Second Floor
San Bernardino, CA 92415-0490

Dear Kathy:

LAFCO 2928 consists of a service review for the City of Loma Linda (City) pursuant to Government Code Section 56430 and Sphere of Influence Study Pursuant to Government Code 56425. If approved by the Commission, the service and Sphere review would not result in any change to the services or the Sphere of Influence for the City. Based on the above proposal, it appears that LAFCO 2928 can be implemented without causing any physical changes to the environment or any adverse environmental impacts. The service and Sphere review does not appear to have any potential to alter the existing physical environment in any manner. Since no projects are pending or will occur as a result of approving this review, no physical changes in the environment are forecast to result from approving the action before the Commission.

Without a potential for causing physical changes in the environment, I recommend that the Commission find that a Statutory Exemption applies to LAFCO 2928 under the Section 15061 (b) (3) which states: "A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." It is my opinion, and recommendation to the Commission, that this circumstance applies to LAFCO 2928.

Based on a review of LAFCO 2928 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that LAFCO 2928 does not constitute a project under CEQA and adoption of the Statutory Exemption and filing of a Notice of Exemption is the most appropriate determination to comply with the CEQA process for this action. The Commission can approve the review and findings for this action and I recommend that you notice LAFCO 2928 as statutorily exempt from CEQA for the reasons outlined in the State CEQA Guideline sections cited above. The Commission needs to file a Notice of Exemption with the County Clerk to the Board for this action once the hearing is completed.

A copy of this exemption should be retained in LAFCO's project file to serve as verification of this evaluation and as the CEQA environmental determination record. If you have any questions, please feel free to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Dodson". The signature is written in a cursive style with a large, looped initial "T".

Tom Dodson

Draft Resolution No. 2813

Attachment 4

DRAFT

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 _____, duly seconded by Commissioner _____, 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,

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

RESOLUTION NO. 2813

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 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

RESOLUTION NO. 2813

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 Beamont 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 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.

RESOLUTION NO. 2813

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.

BE IT FURTHER RESOLVED that the Local Agency Formation Commission of the County of San Bernardino, State of California, does hereby determine that the City of Loma Linda shall indemnify, defend, and hold harmless the Local Agency Formation Commission of the County of San Bernardino from any legal expense, legal action, or judgment arising out of the Commission's affirmation of this sphere of influence, including any reimbursement of legal fees and costs incurred by the Commission.

RESOLUTION NO. 2813

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission of the County of San Bernardino by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN BERNARDINO)

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission, by vote of the members present, as the same appears in the Official Minutes of said Commission at its meeting of March 17, 2004.

DATED:

KATHLEEN ROLLINGS-McDONALD
Executive Officer