

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

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PROPOSAL NO.: LAFCO 2923

HEARING DATE: JUNE 16, 2004

RESOLUTION NO. 2824

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 2923, A SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE CITY OF COLTON.

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

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

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

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

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

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

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

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

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

1. **Infrastructure Needs and Deficiencies.** The City of Colton 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 provides sewer treatment services to the City of Grand Terrace and may provide sewage treatment to developments within the Highgrove area of the County of Riverside. City staff has indicated that there is adequate capacity within its facilities for the City of Colton and its sphere of influence and the City of Grand Terrace. 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 City General Plan, completed in June 1985, estimates the future build-out population of the City at 78,000, anticipated to occur between 2010 and 2015. The City's projected ultimate population, based upon land use designations, is projected at 70,633. Copies of the City's General Plan are maintained in City offices and are available for public review at that location.
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 Colton participates in joint capital improvement projects with other local government agencies, where feasible. The City also takes a cooperative approach and encourages coordination with other local agencies.
5. **Rate Restructuring.** The City of Colton annually evaluates its cost of services in order to stay competitive in the market place. The City utilizes the consumer price index for some City rates. Copies of the City's rate structures are maintained in City offices and are available for public review.
6. **Opportunities for Shared Facilities.** The City has noted that it reviews opportunities with the various government agencies to enhance the delivery of municipal services. No other relevant findings related to this factor were identified by the City of Colton.
7. **Government Structure Options.** The City identifies that it will continue to consider regional solutions to municipal problems and issues. No other options for governmental structure change were identified by the City of Colton.
8. **Management Efficiencies.** The City of Colton periodically provides training opportunities in various areas for City employees. Each respective City Department provides opportunities to staff through the use of workshops, seminars, conferences, etc. Staffing levels are also continually reviewed, and the current City policy is to maintain a staffing level that is appropriate to available funding.
9. **Local Accountability and Governance.** The City is governed by an elected Mayor (at-large) and six City Council members elected from divisions, all of whom serve four-year terms. 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.

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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 Colton. 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. The City has submitted proposals addressing five of its nine island areas identified as: (a) "South 50" area includes four subareas generally along the La Cadena corridor and (b) "South 51" area includes an island area within the Reche Canyon area of the City's southeastern sphere of influence.

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 annexations, identified as "South 50", has adequate utilities and service systems to provide the needed level of service. "South 51" receives its water service either through individual wells, the City of Colton, or Sullivan Mutual Water Company. The City has adopted master plans for service which address public facilities and services for the balance of the City's sphere of influence, a complete copy of which is on file in the City offices.

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

All City Departments have indicated that the present capacity of public facilities and services is adequate to meet the needs of the developed areas within the sphere of influence. Pursuant to the existing agreement between County Service Area 38 (County Fire) and the Fire Department for the City of Colton, the same level of service provided within the City is provided to the sphere of influence area – emergency medical response and paramedic services.

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

The existing sphere of influence assigned the City of Colton represents the community of Colton 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 this hearing was published as required by law in The Sun and the Colton Courier, 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 Colton as it currently exists, as depicted on the map attached and on file in the office of the San Bernardino Local Agency Formation Commission.

