

AGENDA

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

**NORTON REGIONAL EVENT CENTER
1601 EAST THIRD STREET #1000, SAN BERNARDINO**

REGULAR MEETING OF NOVEMBER 15, 2017

9:00 A.M. – CALL TO ORDER – FLAG SALUTE

ANNOUNCEMENT: Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

CONSENT ITEMS:

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter

1. Approval of Minutes for Regular Meeting of October 18, 2017
2. Approval of Executive Officer's Expense Report
3. Ratify Payments as Reconciled for Month of October 2017 and Note Cash Receipts
4. Consent Items Deferred for Discussion

PUBLIC HEARING ITEMS:

5. Consideration of: (1) CEQA Statutory Exemption for LAFCO 3221; and (2) LAFCO 3221 – Annexation to the Lake Arrowhead Community Services District (APN 0336-111-04)
6. Consideration of: (1) Review of Mitigated Negative Declaration Prepared by the City of Redlands for Annexation No. 94, Zone Change No. 454, Tentative Tract Map No. 19942, and Demolition Permit No. 258; (2) Review of Addendum Prepared by LAFCO Environmental Consultant to Address the inclusion of Additional Right-of-Way, as CEQA Lead Agency for LAFCO 3207; and (3) LAFCO 3207 – Reorganization to include City of Redlands Annexation No. 94 and Detachments from San Bernardino County Fire Protection District, its Valley Service Zone, County Service Area 70 and its Zone P-7 (Sam-Redlands, LLC)

DISCUSSION ITEMS:

7. Six Month Update on the City of Rialto's Initiation of its Five North Rialto Islands
8. Authorize LAFCO Staff to Conduct the Special District Selection for the Membership on the San Bernardino Countywide Oversight Board at the Request of the San Bernardino County Auditor-Controller/Treasurer/Tax Collector

INFORMATION ITEMS:

9. Legislative Oral Report
10. Executive Officer's Oral Report
 - a. New Proposals Received
 - b. Update on Proposals Filed with LAFCO
11. Commissioner Comments
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
12. Comments from the Public
(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed For Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at www.sbclafo.org, and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at www.fppc.ca.gov or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

**DRAFT – ACTION MINUTES OF THE – DRAFT
LOCAL AGENCY FORMATION COMMISSION
HEARING OF OCTOBER 18, 2017**

REGULAR MEETING

9:00 A.M.

OCTOBER 18, 2017

PRESENT:

COMMISSIONERS:	Jim Bagley Kimberly Cox, Chair Jim Curatalo Steve Farrell, Alternate Diane Williams	Acquanetta Warren, Alternate James Ramos, Vice-Chair Robert Lovingood Larry McCallon
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STAFF:

Kathleen Rollings-McDonald, Executive Officer
Clark Alsop, LAFCO Legal Counsel
Samuel Martinez, Assistant Executive Officer
Michael Tuerpe, Project Manager
Jeffrey Lum, LAFCO Analyst
La Trici Jones, Commission Clerk
Bob Aldrich, LAFCO Consultant

ABSENT: **Janice Rutherford, Alternate**

**CONVENE REGULAR SESSION OF THE LOCAL AGENCY FORMATION COMMISSION
– CALL TO ORDER – 9:03 A.M. – NORTON REGIONAL EVENT CENTER**

Chair Cox calls the regular session of the Local Agency Formation Commission to order and leads the flag salute.

ANNOUNCEMENT OF CONTRIBUTIONS

Chair Cox requests those present who are involved with any of the changes of organization to be considered today by the Commission and have made a contribution of more than \$250 within the past 12 months to any member of the Commission to come forward and state for the record their name, the member to whom the contribution was made, and the matter of consideration with which they are involved. There were none.

CONSENT ITEMS:

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

ITEM 1. Approval of Minutes for Regular Meeting of September 20, 2017

ITEM 2. Approval of Executive Officer's Expense Report

ITEM 3. Ratify Payments as Reconciled for Month of September 2017 and Note Cash Receipts

Commissioner Lovingood moves approval of the Consent Calendar, Second by Commissioner Farrell. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Lovingood, McCallon, Williams, and Farrell. Noes: None. Abstain: None. Absent: Curatalo and Ramos.

Commissioner Warren arrives at 9:08 A.M.

ITEM 4. CONSENT ITEMS DEFERRED FOR DISCUSSION:

None

PUBLIC HEARING ITEMS:

ITEM 5. CONSIDERATION OF: (1) CEQA STATUTORY EXEMPTION FOR LAFCO 3220; AND (2) LAFCO 3220 – REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO AND DETACHMENT FROM COUNTY SERVICE AREAS 70 AND SL-1 (PIPELINE ISLAND)

Assistant Executive Officer Samuel Martinez presents the staff report, a complete copy of which is on file in the LAFCO office and is made a part of the record by its reference here. The item has been advertised through publication in a newspaper of general circulation within the service area, the Inland Valley Daily Bulletin. As outlined in Commission policy, in lieu of individual notice, the notice of hearing publication was provided through an eighth page legal ad as well as individual notice required by Commission policy for island annexations.

Commissioner Curatalo arrives at 9:12 A.M.

Mr. Martinez states that the item before the Commission is for a reorganization that was initiated by the City of Chino to annex one of its unincorporated islands, which is referred to as the Pipeline Island.

Mr. Martinez states that the reorganization proposes to annex the island into the City through the Island Annexation provisions and will detach the area from County Service Area 70 and County Service Area SL-1.

Mr. Martinez states that the island is a total of 40 acres and is generally located east of Pipeline Avenue, south of Hacienda Avenue, west of Norton Avenue and North of Chino Avenue. Mr. Martinez states that the City initiated the reorganization in order to allow for the development of Tentative Tract Map 18903 which requires the annexation to the City in order to receive water and sewer services from the City. In order to implement the policy requirements of the City, instead of just annexing the development, the City opted to annex the entire island in order to create a logical boundary for the City along Pipeline Avenue.

Mr. Martinez states that it is the view of staff that LAFCO 3220 is a ministerial action for the Commission per Government Code Section 56975 (a) (4) which requires the Commission to approve the annexation of unincorporated "substantially surrounded" island territory, initiated by resolution of the affected City. Per Government Code Section 56375.3, the Commission is required to approve the annexation island territory without the ability of protest if several findings are made concerning the size of the island, the configuration of city boundaries, the lack of prime agricultural land with the island area, the presence of development in the area, and the ability of the area to benefit from or use municipal services from the city.

Mr. Martinez states that staff believes that these mandatory determinations can be made: the reorganization was initiated on or after January 1, 2000 and is proposed by resolution adopted by the affected city; the territory does not exceed 150 acres and constitutes the entire island of unincorporated territory; the annexation territory is 75% surrounded by the existing City of Chino boundaries; and the territory is substantially developed or developing. He states that this determination is based upon the fact that public utilities are available within the area, there are public improvements present within the area, and there are physical improvements on many of the properties. Mr. Martinez also states that the study area does not contain prime agricultural land as such is defined by LAFCO statutes. In addition, Mr. Martinez notes that the territory will benefit from the reorganization and the developed parcels have benefitted from the receipt of water service from the City and a parcel within the reorganization area currently receives the benefit of sewer service from the City through an out-of-agency service agreement.

Commissioner Ramos arrives at 9:20 A.M.

Mr. Martinez states that it is the staff's position that the mandatory determinations have been met; therefore, the Commission is required by Government Code Section 56375 (a) (4) to approve the proposal as submitted by the City of Chino without the ability for protest from landowners and registered voters within the area as required by Government Code Section 56375.3. Based on the review of the project by LAFCO's environmental consultant, Tom Dodson, Mr. Martinez states that the recommendation is that the Commission adopt a Statutory Exemption for this proposal. This determination is based upon the fact that the Commission has no discretion in approval of the island.

Mr. Martinez states that a letter has been submitted from Mark Weber, attorney representing the Timmons Family Trust, noting that it points out that the Planning Commission denied the Tentative Tract Map associated with this proposal. Mr. Martinez notes, however, that the denial of the Tentative Tract Map was appealed to the City Council. The City Council, which has ultimate discretion on this type of project, ultimately approved the Tentative Tract Map and initiated a general plan amendment and the island annexation. Mr. Martinez states that in conclusion, it is the staff's position that LAFCO 3220 is a ministerial action over which the Commission has no discretion over and must approve. This position is based on the requirements and set forth in Government Code Section 56375 (a) (4) that state, "a Commission shall not disapprove an annexation to a city, initiated by resolution, of contiguous territory that is surrounded or substantially surrounded by the city to which the annexation is proposed or an annexation or reorganization of unincorporated islands meeting the requirements of Section 56375.3." In

addition, the Commission is also required to approve the proposal and waive the protest proceeding since the mandatory findings in Section 56375.3 are easily made.

Mr. Martinez states that staff recommends that the Commission approve LAFCO 3220 by taking the following actions: 1) Adopt the Statutory Exemption that has been recommended for this proposal, and direct the Executive Officer to file a Notice of Exemption within five days of this action; 2) Approve LAFCO 3220, as an island annexation as required by Government Code Section 56375 (a) (4), making the findings and determinations required with the standard terms and conditions that include the "hold harmless" clause for potential litigation; 3) Waive protest proceedings, as required by Government Code Section 56375.3 and 4). Adopt LAFCO Resolution #3251 setting forth the Commission's findings and determinations concerning this proposal.

Chair Cox asks for questions from the Commission regarding staff's presentation. Commissioner Ramos asks Mr. Martinez to elaborate on the "No Protest" proceeding.

Mr. Martinez states that under normal annexation procedures, if there was not 100% consent, staff would go through the standard property landowner and registered voter protest procedures. In this case, however, the statute specifically outlines that if certain determinations are made, then the protest proceedings are waived.

Executive Officer Rollings-McDonald states that part of this is related to the legislature's efforts to provide for an efficient delivery of governmental services that are necessary for these areas and, in those cases where these specific determinations can be made, it is in the best interest of all parties for these annexations to take place. Accordingly, the Legislature has removed the ability of property owners and registered voters ability to terminate these types of proposals.

Commissioner Ramos asks if all the required criteria have been met; to which Mr. Martinez states that the staff believes all the criteria have been met.

Commissioner Bagley states that it is strange that the City is the applicant, but the Planning Commission denied the Tentative Tract Map associated with this proposal. He states that he is assuming the application was filed with the project as the impetus for it. Executive Officer McDonald responds in the affirmative noting that due to the need for water and sewer service; and since this is contiguous to the boundaries to the City of Chino, it is; according to the Municipal Code, a requirement that they annex.

Commissioner Bagley states that the land use questions are beyond the scope of LAFCO due to the Commission's limited role in the land use approval process. He states that in this case, the lack of protest capability is not something he is pleased about, but it's a policy that has been handed to LAFCOs to ease the process of the annexation of substantially surrounded island areas.

Chair Cox calls for further questions from the Commission; there are none.

Chair Cox opens the public hearing and calls the first speaker; Gail Timmons.

Ms. Timmons states that she has owned her property since 1971 and is part of this annexation. She states that this a case where one property owner owns seven parcels comprising approximately 11 acres. The request includes a major change to the master plan, increases the density and results in a major change to the rural quality of this area. She states that this annexation only benefits one property owner and is requesting that the Commission consider that the City's request was limited to the smaller 40 acres instead of utilizing the threshold allowed by law of 150 acres to benefit the proposed development.

Chair Cox calls the next speaker; Mr. Larry Walker, attorney.

Mr. Walker states that he does not represent any particular organization but states to the Commission that staff has slightly mis-led them. He states that the Commission does not have to do this today and has the authority to listen to staff, the speakers, look at the map and come to their own conclusion. Mr. Walker states that he would like the Commission to deny this island annexation.

Commissioner Lovingood leaves the dais at 9:45 a.m.

Chair Cox calls the next speaker; Nicholas Liguori from the City of Chino.

Mr. Liguori states that he is the Community Development Director for the City of Chino and is available if the Commission has questions. He states that the City supports the staff recommendation.

Chair Cox asks Mr. Liguori to state the position of the City of Chino, what were the votes that the Planning Commission and the City Council on this project. Mr. Liguori states that the City's policy and the Subdivision Map Act allows the City to review and approve Tentative Tract Maps that are in its sphere of influence outside the City boundary if the City places specific conditions on the annexation of those tract maps. He states that the entitlement package was bundled together and went to the Planning Commission. He states that the Planning Commission didn't directly opine on the annexation, they thought the logical service boundary was a good idea, however they were opposed to the change in the general plan for the proposed development from a 2 unit per acre designation to 4.5 unit per acre designation. Therefore, they voted in the majority to deny the tentative tract map and recommend that the Council not approve the general plan amendment and pre-zone. Mr. Liguori states that when the tract map was appealed, and the general plan amendment and pre-zone went to City Council, the entitlements were coupled together. The Council overturned the Commission's denial of the tentative tract map and approved the general plan amendment and pre zone and initiated the island annexation.

Chair Cox asks Mr. Liguori to speak to the provisions of services; to which Mr. Liguori states that the area is within the Chino Valley Unified School District and in the Chino Valley Independent Fire District and there will be no change. He states that according to his understanding, the property owners on both sides of Pipeline are served by City of Chino water system.

Chair Cox calls for comment from the public; there being none closes the public hearing and refers the matter for further questions and comments from the Commission.

Discussion by the Commission continues.

Commissioner McCallon moves approval of the staff recommendation, Second by Commissioner Bagley. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, McCallon, Ramos and Williams. Noes: None. Abstain: None. Absent: Lovingood

DISCUSSION ITEMS:

ITEM 6. FIRST QUARTER FINANCIAL REVIEW FOR PERIOD JULY 1 THROUGH SEPTEMBER 30, 2017 – (a) FINANCIAL REVIEW, (b) RECOGNIZE INCREASED REVENUES OF \$32,808 IN CARRYOVER (ACCOUNT 9970)

Project Manager Michael Tuerpe presents the staff report, a complete copy of which is on file in the LAFCO office.

Mr. Tuerpe states that this is the first quarter report for the Fiscal Year 2017-18. He states that today staff will be asking the Commission to recognize increased revenues of roughly \$33,000 carried forward from the prior year.

Mr. Tuerpe states that in regards to salaries and benefits, expenditures are at 26% of the budget authority due to three pay dates in August. He states that the rest of the quarter is tracking as planned.

Mr. Tuerpe states that services and supplies expenditures are currently 33% of approved budget authority due to full-year and one-time payments that occur in the first quarter.

Mr. Tuerpe states that for Contingency and Reserves, no activity has been requested by staff or authorized by the Commission to take place in these accounts during the first quarter.

Mr. Tuerpe states that for revenues, interest rates have increased compared to first quarter last year. He states that 100% of the apportionment payments have been made and fees and deposit accounts have received four percent of its budgeted revenue. He states that in the first quarter the Commission completed the Countywide Service Review for Water, encompassing over 100 water systems across four regions. The remainder of the year anticipates the completion of the Countywide Service Review for Wastewater and the commencement of the Fire Protection/Emergency Medical Response Service Review.

Mr. Tuerpe states that there is a cash in the County Treasury of \$1,317,104 – which is composed of committed funds (net pension liability and compensated absence reserves), and assigned funds which are the contingency and general/litigation reserve funds. He states there is a remaining budget of \$983,249 for expenditures; not including incoming revenues.

Mr. Tuerpe states that staff is recommending that the Commission note receipt of this report, file it, and recognize the increase in cash carryover from last year of \$32,808 by

increasing expenditure account 2090 by \$32,808 to \$111,683 and increasing revenue account 9970 by \$32,808 for a total of \$101,683.

Commissioner Ramos asked where the increase in expenditure account come from to make the adjustment from \$32,808 to \$111,683 to which Mr. Tuerpe responds that this is due to the office furniture purchase not being paid in the prior year. He states that it is also due to the new financial accounting system the County has transitioned to which caused delays in accounting processing during implementation.

Mr. Tuerpe states that as a part of the mid-year review, staff anticipates recommending transfers from the General/Litigation Reserve to account for legal charges.

Chair Cox calls for questions from the Commission; there are none.

Commissioner Ramos moves approval of the staff's recommendation to receive and file this report and recognize the increased carry-over, second by Commissioner Curatalo. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, McCallon, Ramos, and Williams, Noes: None. Abstain: None. Absent: Lovingood

INFORMATION ITEMS:

ITEM 7 LEGISLATIVE REPORT

Executive Officer McDonald states that there is no activity we have to report. She states that we reported last month on the signing of bills concerning LAFCOs.

ITEM 8 EXECUTIVE OFFICER'S ORAL REPORT

Executive Officer McDonald states that the Commission has received two special acknowledgment awards from our insurance and workers comp entity, SDRMA. She states that for the five consecutive years, the Commission has had no paid claims on neither the property insurance nor the worker's compensation programs.

Ms. McDonald states that staff is currently processing the Hesperia Fire District Reorganization which has run into a number of unforeseen issues that will need to be resolved, and its timing for presentation to the Commission may be altered.

ITEM 9 COMMISSIONER'S COMMENTS

Chair Cox states that she would like to congratulate and thank Commissioner Curatalo for his service on the CALAFCO Board.

Commissioner Curatalo states that he would like to thank Executive Officer Rollings-McDonald and Assistant Executive Officer Martinez for everything they have done for CALAFCO.

Executive Officer Rollings-McDonald states that she would like for the Commission to adjourn the hearing in the memory of June Savala who worked for the Los Angeles LAFCO as Deputy Executive Officer and was a long time resident of the Victor Valley.

ITEM 10 COMMENTS FROM THE PUBLIC

Chair Cox asks if there are any comments from the public. There are none.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING IS ADJOURNED AT 10:28 A.M. IN THE MEMORY OF JUNE SAVALA AND TO THE CALAFCO ANNUAL CONFERENCE AT THE BAHIA RESORT IN SAN DIEGO FROM OCTOBER 24, 2017 THROUGH OCTOBER 27, 2017.

ATTEST:


LA TRICI JONES
Clerk to the Commission

LOCAL AGENCY FORMATION COMMISSION

KIMBERLY COX, Chair

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3rd Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : NOVEMBER 6, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #2 – APPROVAL OF EXECUTIVE OFFICER'S
EXPENSE REPORT

RECOMMENDATION:

Approve the Executive Officer's Expense Report for Procurement Card Purchases from September 23, 2017 through October 22, 2017.

BACKGROUND INFORMATION:

The Commission participates in the County of San Bernardino's Procurement Card Program to supply the Executive Officer a credit card to provide for payment of routine official costs of Commission activities as authorized by LAFCO Policy and Procedure Manual Section II – Accounting and Financial Policy #3(H). Staff has prepared an itemized report of purchases that covers the billing period of September 23, 2017 through October 22, 2017

Staff recommends that the Commission approve the Executive Officer's expense report as shown on the attachment.

KRM/LJ

Attachment



PROCUREMENT CARD PROGRAM

ATTACHMENT G

MONTHLY PROCUREMENT CARD PURCHASE REPORT

PAGE 1 OF

[illegible]

The undersigned, under penalty of perjury, states the above information to be true and correct. If an unauthorized purchase has been made, the undersigned authorizes the County Auditor/Controller-Recorder to withhold the appropriate amount from their payroll check after 15 days from the receipt of the cardholder's Statement of Account.

Cardholder (Print & Sign)	Date
Kathleen Rollings-McDonald <i>Kathleen Rollings-McDonald</i>	11/02/17

Approving Official (Print & Sign)	Date
Kimberly Cox	11/15/17

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West 3rd Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
E-mail: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : NOVEMBER 6, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #3 - RATIFY PAYMENTS AS RECONCILED FOR
MONTH OF OCTOBER 2017 AND NOTE REVENUE RECEIPTS**

RECOMMENDATION:

Ratify payments as reconciled for the month of October 2017 and note revenue receipts for the same period as shown on the attached spreadsheet.

BACKGROUND INFORMATION:

Staff has prepared a reconciliation of payments to various vendors, internal transfers for payments to County Departments, cash receipts and internal transfers for payments of deposits or other charges that cover the period of October 1, 2017 through October 31, 2017.

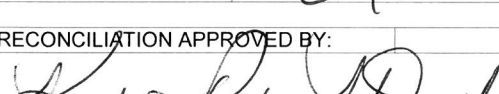
The Commission will note the document attached for review and approval is new. The spreadsheet has been revised to reflect the changes in the County's new financial accounting system, known as the Enterprise Financial Management System or EFMS. This system no longer uses the terminology of "warrants" for payment, instead issuing checks or electronic fund transfers to account for payments. Cash receipts are now direct deposit of funds into a Wells Fargo account. All references to identify the transactions are the "Document Number" listed and the "Posting Date" replaces the warrant date. Cash receipts reflect the date of actual deposit of funds.

Staff is recommending that the Commission ratify the payments and revenue receipts for October as outlined on the attached spreadsheet.

KRM/lj

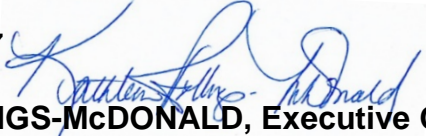
Attachment

MONTH OF OCTOBER 2017 PAYMENTS PROCESSED						
Document Number	Account	Posting Date	Activity	Reference	Vendor	Amount
1900011721	52002085	10/17/2017	Legal Notice of Hearing LAFCO 3220	B3053654	Daily Journal	\$1,054.92
1900016359	52002090	10/24/2017	Custom Shutters for new LAFCO office	LAFCO Shutters	Jackies Custom Draperies	\$5,839.85
1900010901	52002180	10/16/2017	Edison Utility Bill 2-39-945-2309	LAFCO-SC Edison	Edison	\$363.18
1900004433	52002305	10/5/2017	OctoClean Franchising Systems	Invoice 44051	OctoClean	\$205.05
1900009150	52002305	10/12/2017	Petty Cash Reimbursement	LAFCO-Petty Cash	La Trici Jones	\$213.82
1900003645	52002400	10/5/2017	Aldrich & Associates Invoice #47	Invoice #47	Aldrich & Associates	\$3,600.00
1900004456	52002400	10/5/2017	San Antonio Heights CIVDS1715504	Invoice 804066	Best Best & Krieger	\$277.20
1900004458	52002400	10/5/2017	BBK - San Antonio Heights Association	Invoice 804064	Best Best & Krieger	\$2,259.78
1900004459	52002400	10/5/2017	BBK - City of San Bernardino V. EVWD (ultra vires)	Invoice 804065	Best Best & Krieger	\$11,627.35
1900004460	52002400	10/5/2017	BBK - General	Invoice 804063	Best Best & Krieger	\$5,812.60
1900011726	52002400	10/17/2017	BBK - City of San Bernardino V. EVWD (ultra vires)	Invoice 805490	Best Best & Krieger	\$3,878.68
1900011732	52002400	10/17/2017	BBK ADV. San Antonio Heights Assoc. - CIVDS1715504	Invoice 805491	Best Best & Krieger	\$5,929.20
1900011737	52002400	10/17/2017	BBK ADV. San Antonio Heights Association	Invoice 805489	Best Best & Krieger	\$410.02
1900011739	52002400	10/17/2017	BBK General	Invoice 805488	Best Best & Krieger	\$2,842.82
1900001323	52002424	10/3/2017	TOM Dodson & Associates Invoice, LAFCO 17-8	LAFCO 17-8	Tom Dodson & Assoc	\$595.00
1900019631	52002424	10/30/2017	Tom Dodson & Associates Invoice, LAFCO 17-9	LAFCO 17-9	Tom Dodson & Assoc	\$680.00
1900001401	52002445	10/3/2017	Alrich & Associates invoice #48	Invoice #48	Aldrich & Associates	\$3,600.00
1900001408	52002445	10/3/2017	IEMG/City of San Bernardino Videographer	Invoice #2029	City of San Bernardino	\$180.00
1900004435	52002445	10/5/2017	OctoClean Franchising Systems	Invoice 44052	OctoClean	\$110.52
1900004447	52002445	10/5/2017	OctoClean Franchising Systems	Invoice 43764	OctoClean	\$485.00
1900004451	52002445	10/5/2017	Crown Printers Invoice 103452	Invoice 103452	Crown Printers	\$288.09
1900007883	52002445	10/11/2017	Aldrich & Associates Invoice #49	Invoice # 49	Crown Printers	\$3,600.00
1900008480	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Janice Rutherford	\$200.00
1900008489	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Ryan McEachron	\$200.00
1900008491	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Kimberly Cox	\$200.00
1900008493	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Acquanetta Warren	\$200.00
1900008494	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Steven Farrell	\$200.00
1900008497	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Diane Williams	\$200.00
1900008499	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	Jim Bagley	\$200.00
1900008500	52002445	10/12/2017	9/20/2017 Commission Hearing Stipend	LAFCO	James Curatalo	\$200.00
1900011703	52002445	10/17/2017	OctoClean Franchising Systems	Invoice 44124	OctoClean	\$335.77
1900013394	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Jim Bagley	\$200.00
1900013395	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Steven Farrell	\$200.00
1900013397	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Diane Williams	\$200.00
1900013398	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Kimberly Cox	\$200.00
1900013399	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Acquanetta Warren	\$200.00
1900013401	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	James Curatalo	\$200.00
1900013402	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	James Ramos	\$200.00
1900013403	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Robert Lovingood	\$200.00
1900013404	52002445	10/19/2017	10/18/2017 Commission Hearing Stipend	LAFCO	Larry McCallon	\$200.00
1900019628	52002445	10/30/2017	Aldrich & Associates Invoice #50	Invoice #50	Aldrich & Associates	\$3,600.00
1900020473	52002445	10/31/2017	IEMG invoice 2029 Brd Meeting on 8/16/2017	Invoice 2029	City of San Bernardino	\$180.00
1900020474	52002445	10/31/2017	IEMG Invoice 2031 Brd Meeting on 9/20/2017	Invoice 2031	City of San Bernardino	\$270.00
1900008480	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	James Curatalo	\$26.75
1900008489	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	Diane Williams	\$25.26
1900008491	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	Steven Farrell	\$18.41

1900008493	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	Kimberly Cox	\$57.78
1900008494	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	Acquanetta Warren	\$17.12
1900008499	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	McEachron	\$43.13
1900008500	52942940	10/12/2017	9/20/2017 Commission Hearing Mileage	LAFCO	Jim Bagley	\$96.19
1900013394	52942940	10/19/2017	10/18/2017 Commission Hearing Mileage	LAFCO	Jim Bagley	\$96.16
1900013395	52942940	10/19/2017	10/18/2017 Commission Hearing Mileage	LAFCO	Steven Farrell	\$18.41
1900013397	52942940	10/19/2017	10/18/2017 Commission Hearing Mileage	LAFCO	Diane Williams	\$25.26
1900013398	52942940	10/19/2017	10/18/2017 Commission Hearing Mileage	LAFCO	Kimberly Cox	\$57.78
1900013399	52942940	10/19/2017	10/18/2017 Commission Hearing Mileage	LAFCO	Acquanetta Warren	\$17.12
1900013401	52942940	10/19/2017	10/18/2017 Commission Hearing Mileage	LAFCO	James Curatalo	\$26.75
9000015773	40709555	10/24/2017	LAFCO 3195 Reimbursement	Reimbursement	Larry Jacinto	\$38.22
TOTAL						\$62,203.19
MONTH OF OCTOBER 2017 INTERNAL TRANSFERS PROCESSED						
4100018845	52002037	10/1/2017	SEP 2017 DialTone	Phone	ISD	\$295.56
4100020476	52002420	10/1/2017	SEP 2017 Exchange Active Sync	Email Push - phone	ISD	\$17.47
4100020476	52002421	10/1/2017	SEP 2017 Desktop Support	Desktop Support	ISD	\$1,054.79
4200000423	52002310	10/10/2017	Mail Services	County Mail	County Mail	\$1,172.42
4200000426	52002310	10/10/2017	Mail Services	County Mail	County Mail	\$257.84
4200000428	52002310	10/10/2017	Mail Services	County Mail	County Mail	\$188.00
4200000238	52002445	10/11/2017	LAFCO 3220	Invoice 2624	ROV	\$99.11
4200000239	52002445	10/11/2017	LAFCO	Invoice 2626	ROV	\$49.56
4200000422	52002445	10/17/2017	Invoice 2632	Invoice 2632	ROV	\$49.56
4200000563	52002445	10/19/2017	NOE for LAFCO 3220	CEQA Fee	COB	\$50.00
TOTAL						\$3,234.31
MONTH OF OCTOBER 2017 CASH RECEIPTS						
100000453	40308500	10/27/2017	Interest Apportionment	4th Quarter	County Auditor	\$2,289.17
100029826	40709595	10/23/2017	LAFCO 3219			\$1,500.00
100029836	40709655	10/23/2017	LAFCO 3219			\$1,775.00
100029836	40709800	10/24/2017	LAFCO Service Contract #420			\$1,000.00
TOTAL						\$6,564.17
MONTH OF OCTOBER 2017 INTERNAL TRANSFERRED RECEIVED						
4200000511	52002316	10/18/2017	Refund of Disposable Charge to LAFCO	Purchasing	Purchasing	\$2,170.56
TOTAL						\$2,170.56
				11/7/2017		
LA TRICI JONES, Clerk to the Commission				DATE		
RECONCILIATION APPROVED BY:						
				11/7/2017		
KATHLEEN ROLLINGS-McDONALD, Executive Officer				DATE		

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: NOVEMBER 6, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #5: LAFCO 3221 – Annexation to the Lake Arrowhead
Community Services District (APN 0336-111-04)

INITIATED BY:

Resolution of the Board of Directors of the Lake Arrowhead Community Services
District

RECOMMENDATION:

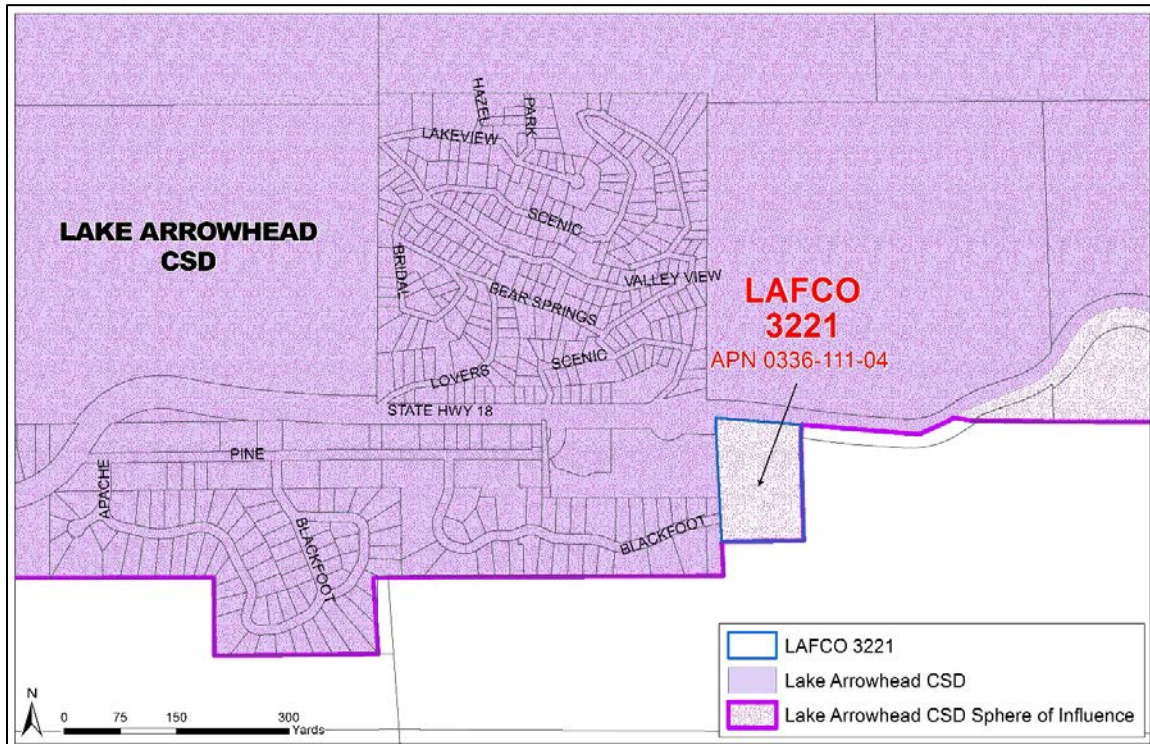
The staff recommends that the Commission approve LAFCO 3221 by taking the
following actions:

1. For environmental review, certify that LAFCO 3221 is statutorily exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3221, with the condition for the “hold harmless” clause for potential litigation costs, continuation of fees, charges, assessments, etc.;
3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the annexation; and,
4. Adopt LAFCO Resolution #3252, setting forth the Commission’s determinations and conditions of approval concerning LAFCO 3221.

BACKGROUND:

In June 2017, the Lake Arrowhead Community Services District (hereinafter the “District”) initiated an annexation application—with 100% landowner consent—to annex

approximately 3.17 acres into the District. The annexation area includes Assessor Parcel Number (APN) 0336-111-04, which is adjacent to the District's boundary generally located on the eastern edge of the community of Rim Forest, within the District's sphere of influence. Location and vicinity maps are included as Attachment #1 to this report. The map below provides a general location of the area to be annexed into the District.



The primary reason for the annexation request is to provide water and wastewater services to Tentative Parcel Map (TPM) 15111, which is a proposal to subdivide the parcel into three (3) single-family residential lots. The conditions of approval placed upon this project include the requirement to connect to the District's water and wastewater facilities prior to recordation of the final map (Conditions 26, 27, 28, and 29). A copy of the County's Conditions of Approval is included as Attachment #3 to this report.

The parcel is currently not within the District's boundary; therefore, annexation to the District is required in order to receive the required services.

This report will provide the Commission with the information related to the four major areas of consideration required for a jurisdictional change – boundaries, land uses, service issues and the effects on other local governments, and environmental considerations.

BOUNDARIES:

As outlined above, the annexation area includes APN 0336-111-04, which is located south of State Highway 18 and is generally bisected by Blackfoot Trail, which comprises approximately 3.17 acres. The annexation area is bounded by the National Forest on the east and south, parcel lines (existing District boundaries) on the west, and by State Highway 18 (existing District boundaries) on the north.

LAFCO 3221 has no boundary concern since annexation into the District is required in order to receive water and wastewater services from the District and completes the inclusion of the District's sphere of influence along its southern boundary.

LAND USE:

The parcel is currently vacant. The County's current General Plan land use designation for the parcel is LA/RS (Lake Arrowhead [community]/Single Residential, four dwelling units/acre), which provides sites for single-family residential uses and other compatible uses on individual lots. An aerial display of the general vicinity is shown below:



No change in land use is anticipated as a result of the annexation. In addition, approval of this proposal will have no direct impact on the current land use designation assigned for the parcel. Therefore, there are no land use concerns related to this proposal.

SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. The only County service provider within the annexation area is County Service Area 70 (multi-function entity). In addition, the following entities overlay the annexation area: Mojave Desert Resource Conservation District, Crestline-Lake Arrowhead Water Agency (State Water Contractor), Rim of the World Park and Recreation District, San Bernardino Mountains Community Healthcare District, San Bernardino County Fire Protection District (SBCFPD), SBCFPD Mountain Service Zone, and SBCFPD Service Zone PM-1 (paramedic).

The application includes a plan for the extension of water and wastewater services to the parcel as required by law and Commission policy (included as part of Attachment #2 to this report). The Plan for Service indicates that water and wastewater services will be provided to the each of the three residential lots through the District's existing water and wastewater facilities in and around Blackfoot Trail.

The District has identified all costs related to the extension of water and wastewater services to TPM 15111. The following is the breakdown of those charges:

Connection fees	\$34,299
Water capacity fees	\$15,625
Wastewater capacity fees	\$25,884
Total fees	\$75,808

In addition, the property owner will be responsible for all costs related to extending water and wastewater to the three lots, estimated to be \$139,300.

As required by Commission policy and State law, the Plan for Service shows that the extension of its services will maintain, and/or exceed, current service levels provided to the parcel.

ENVIRONMENTAL CONSIDERATIONS:

As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson from Tom Dodson and Associates, has indicated that the review of LAFCO 3221 is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the fact that the annexation will not result in any physical impacts on the environment. Therefore, the proposal is exempt from the requirements

of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). It is recommended that the Commission adopt the General Rule Statutory Exemption for this proposal. A copy of Mr. Dodson's analysis is included as Attachment #5 to this report.

WAIVER OF PROTEST PROCEEDINGS:

The annexation area is legally uninhabited and LAFCO staff verified that the study area possesses 100% landowner consent to the annexation (see Attachment #4). Therefore, if the Commission approves LAFCO 3221 and none of the affected agencies have submitted written opposition to a waiver of protest proceedings, staff is recommending pursuant to Government Code Section 56662(d) that protest proceedings be waived and that the Executive Officer be directed to complete the action following completion of the mandatory reconsideration period of 30-days.

CONCLUSION:

LAFCO 3221 was submitted to provide water and wastewater services to APN 0336-111-04, which is proposed to be subdivided into three (3) single-family residential lots. The parcel is not currently within the District's boundary; therefore, annexation to the District is required in order for the receipt of water and wastewater services. For these reasons, and those outlined throughout the staff report, the staff supports the approval of LAFCO 3221.

DETERMINATIONS:

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/annexation proposal:

1. The annexation area is legally uninhabited containing no registered voter as determined by the Registrar of Voters as of September 15, 2017.
2. The County Assessor's Office has determined that the total assessed valuation of land within the annexation area is \$81,600 as of July 21, 2017.
3. The annexation area is within the sphere of influence assigned the Lake Arrowhead Community Services District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Mountain News*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.

5. LAFCO staff has provided individual notice to landowners and registered voters surrounding the reorganization area (totaling 136 notices) in accordance with State law and adopted Commission policies. Comments from landowners and any affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.
6. The County's land use designation for the annexation area LA/RS (Lake Arrowhead/Single Residential). No change in land use is anticipated as a result of the annexation.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3221 has no direct impact on SCAG's Regional Transportation Plan. The Sustainable Communities Strategy includes strategies, among others, that support housing development. Approval of LAFCO 3221 supports this strategy.
8. The Commission's Environmental Consultant, Tom Dodson and Associates, has recommended that this proposal is statutorily exempt from environmental review based on the finding that the Commission's approval of the annexation has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). Mr. Dodson recommends that the Commission adopt the Statutory Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days. A copy of Mr. Dodson's response letter is included as Attachment #5 to this report.
9. The annexation area is served by the following local agencies:
 - County of San Bernardino
 - Mojave Desert Resource Conservation District
 - Crestline-Lake Arrowhead Water Agency (State Water Contractor)
 - Rim of the World Park and Recreation District
 - San Bernardino Mountains Community Healthcare District
 - San Bernardino County Fire Protection District (SBCFPD)
 - SBCFPD Mountain Service Zone
 - SBCFPD Service Zone PM-1
 - County Service Area 70 (unincorporated County-wide multi-function agency)

None of these agencies are affected by this proposal as they are regional in nature.

10. A plan was prepared for the extension of water and wastewater services to the annexation area, as required by law. The Plan for Service indicates that the District can provide water and wastewater services to TPM 15111 and can maintain and/or improve the level of service currently available. A copy of this plan is included as a part of Attachment #2 to this report.

The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service conform to those adopted standards and requirements.

11. The annexation can benefit from the availability and extension of water and wastewater services from the District.
12. With respect to environmental justice, the annexation proposal—which is to provide water and wastewater services to the three lots proposed for development —will not result in the unfair treatment of any person based on race, culture or income since all of the neighboring area already receive water and wastewater services from the District.
13. The County of San Bernardino adopted a resolution determining there will be no transfer of property tax revenues. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
14. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards.

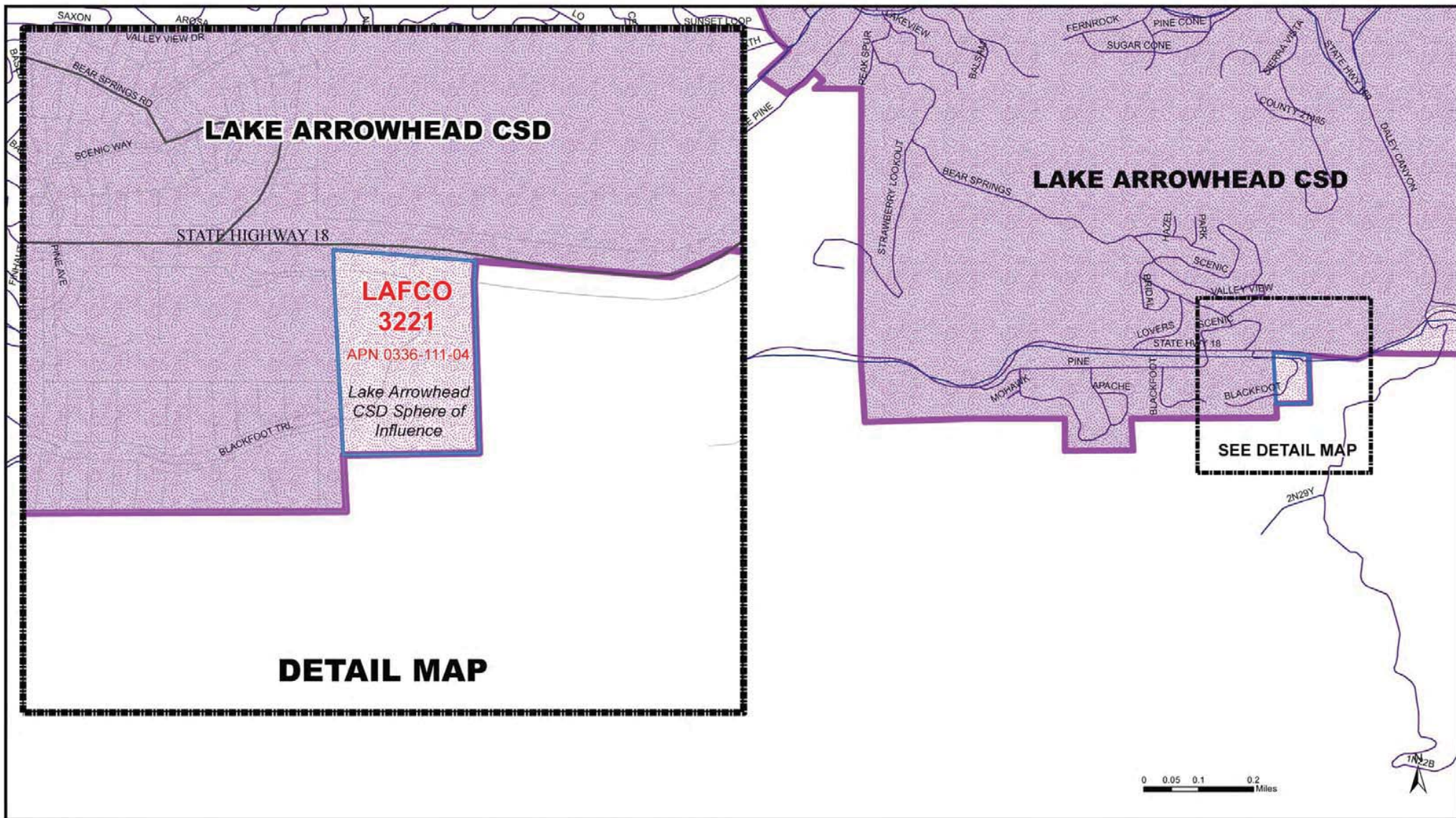
KRM/sm

Attachments:

1. Vicinity Maps for the Annexation Proposal
2. Lake Arrowhead Community Services District Application and Plan for Service
3. County's Conditions of Approval for TPM 15111
4. Landowner Consent Form
5. Tom Dodson's Environmental Response for LAFCO 3221
6. Draft Resolution No. 3252

**Vicinity Maps
for the
Annexation Proposal**

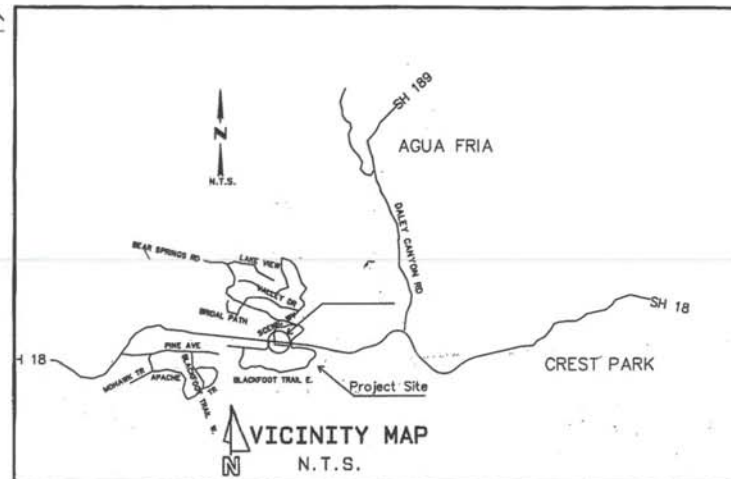
Attachment 1



VICINITY MAP **LAFCO 3221 - Annexation to the Lake Arrowhead Community Services District** **(APN 0336-111-04)**



Legend	
	LAFCO 3221
	LACSD
	LACSD Sphere of Influence



LEGAL DISCRIPTION: BEING A PORTION OF A SUBDIVISION OF GOV. LOT 14
SECTION 29, T2N, R3W, S.B.M., COUNTY OF SAN BERNARADINO, STATE
OF CALIFORNIA

LEGEND

- (#) Course No. per Legal Description
 Proposed Annexation to LAKE ARROWHEAD C.S.D.
 (///) Existing LAKE ARROWHEAD C.S.D. BOUNDARY PER LAFC 2186
 Total area contains 3.17 acres, more or less. EFFECTIVE JULY 1, 1984

#	LINE TABLE
①	S02°53'06"E L=467.43'
②	N89°50'14"W L=337.32'
③	N03°08'40"E L=467.31'
④	S89°52'36"E L=339.43'

GRAPHIC SCALE 1" = 50'



LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT
PO Box 700, LAKE ARROWHEAD, CA 92352

LAFCO 3221
LAKE ARROWHEAD
COMMUNITY SERVICES DISTRICT
ANNEXATION NO. _____
SOUTH OF STATE HIGHWAY 18
RIM FOREST AREA

F.B. REF.	W.O. NO.	SCALE -	SHT. NO.	TOT. SHT'S.
		1" = 50'	1	1



**Lake Arrowhead
Community Services District
Application and Plan for
Service**

Attachment 2

RESOLUTION NO. 2017-14

A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT, REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO INITIATE PROCEEDINGS FOR THE ANNEXATION TO THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT AS MORE SPECIFICALLY DESCRIBED BELOW

RECITALS

WHEREAS, The Board of Directors of the Lake Arrowhead Community Services District ("LACSD") desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code for the annexation to the Lake Arrowhead Community Services District for a total of approximately 3.7 acres; and,

WHEREAS, a description and a map of the area proposed to be annexed to LACSD is attached hereto as Exhibits "A" and "B" and by this reference incorporated herein; and,

WHEREAS, the proposed annexation is consistent with the sphere of influence of LACSD; and,

WHEREAS, LACSD desires that the proposed annexation be subject to the standard terms and conditions imposed by the Local Agency Formation Commission; and,

WHEREAS, the reasons for the proposed annexation is to enable LACSD to provide water and sewer service to Assessor Parcel Map No. ("APN") 0336-111-04, which is located adjacent to but outside of LACSD's service area, and,

WHEREAS, the property owner has requested that LACSD initiate these proceedings and make an application for annexation to the Local Area Formation Commission.

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the Lake Arrowhead Community Services District as follows:

1. The Board of Directors hereby determines that adoption of this Resolution of Application is exempt from environmental review under the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.), pursuant to State CEQA Guidelines (Cal. Code Regs., §§ 15000 et seq.) sections 15319 and 15061(b)(3). The Board of Directors further finds that in the event adoption of this Resolution is not exempt, any direct or indirect environmental impacts of this action were previously analyzed and disclosed in a previously adopted Initial Study/Mitigated Negative Declaration prepared by the County of San Bernardino for "Stehmeier/Green: General Plan Amendment M266-114/02 and Tentative Parcel Map 15111" and dated October 1, 2002.

2. This Resolution of Application is hereby adopted and approved by the Board of Directors of the Lake Arrowhead Community Services District, and the Local Agency Formation Commission for San Bernardino County is hereby requested to take proceedings for the annexation of territory as described above, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

3. The Lake Arrowhead Community Services District acknowledges and agrees to the Local Agency Formation Commission for San Bernardino County's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

4. The General Manager of the Lake Arrowhead Community Services District is hereby directed and authorized to execute, on behalf of the District, the justification for proposal and supplemental form for the annexation which includes the preparation and certifying of the Plan for Service and Fiscal Impact Analysis, copies of which are on file in the District office.

5. That the Secretary to the Board of Directors shall certify to the passage and adoption of this resolution and is hereby authorized and directed to file, or cause to be filed, a certified copy of this Resolution with the Executive Officer of the Local Agency Formation Commission for San Bernardino County.


The foregoing Resolution was adopted at a meeting of the Board of Directors of the Lake Arrowhead Community Services District on June 27, 2017, by the following vote:

AYES: Boydston, Thompson, Wurm

NOES: None


ABSENT: Gross, Keefe

ABSTAIN: None



President, Board of Directors
Lake Arrowhead Community Services District

ATTEST:



Clerk of the Board

EXHIBIT A – LEGAL DESCRIPTION
EXHIBIT B – SURVEY MAP

3221

(FOR LAFCO USE ONLY)

SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. ~~By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal.~~ You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL: Annexation to Lake Arrowhead Community Services District

2. NAME OF APPLICANT: Lake Arrowhead Community Services District
 APPLICANT TYPE: ☐ Landowner ☒ Local Agency
☐ Registered Voter ☐ Other _____
 MAILING ADDRESS:
PO Box 700
Lake Arrowhead, CA 92352
 PHONE: (909) 336-7100
 FAX: (909) 337-6715
 E-MAIL ADDRESS: ahercules@lakearrowheadcsd.com

3. GENERAL LOCATION OF PROPOSAL: Rimforest, San Bernardino County, California

4. Does the application possess 100% written consent of each landowner in the subject territory?
 YES ☐ NO ☒ If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested. Tentative Parcel Map 15111 is in need of sewer and water services. The property abuts the District's service boundary and is within the District Sphere of Influence. The property needs to be within the District's service area to collect sewage flow and provide domestic water and fire flow for the three proposed residential lots.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area of subject territory (defined in acres):
3.7 acres
2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)
Currently vacant
3. Approximate current population within area:
-0-
4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):
The General Plan Land Use Designation was amended on 11/19/2002 from service Commercial (CS) to Single Residential (RS). Refer to attached Conditions of Approval dated 12/10/2002.

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):
Single Residential (RS)

- 5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:
None

- 6. Indicate the existing use of the subject territory.
Vacant land

What is the proposed land use?
Single family residential

- 7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ☒ NO ☐ If YES, please explain.
Sewer and water

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- ☐ Agricultural Land Uses
 ☐ Agricultural Preserve Designation
☐ Williamson Act Contract
 ☐ Area where Special Permits are Required
☐ Any other unusual features of the area or permits required: _____

N/A

9. Provide a narrative response to the following factor of consideration as identified in §56668(p): *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

Proposed development will promote fair treatment of people of all race, cultures, etc.

ENVIRONMENTAL INFORMATION

1. Provide general description of topography. The northwest portion of the property slopes northerly from 5590' to 5520' above msl. The southeaster portion of the property slopes southerly from 5590' to 5400' above msl
2. Describe any existing improvements on the subject territory as % of total area.
- | | |
|--------------------|---------------------|
| Residential _____% | Agricultural _____% |
| Commercial _____% | Vacant <u>100</u> % |
| Industrial _____% | Other _____% |
3. Describe the surrounding land uses:
- | | |
|-------|-------------------------|
| NORTH | <u>State Highway 18</u> |
| EAST | <u>US Forest</u> |
| SOUTH | <u>US Forest</u> |
| WEST | <u>Residential</u> |
4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).
- Necessary grading to construct road and install sewer and water facilities and eventually grading associated with the proposed three residences.

(FOR LAFCO USE ONLY)

5. Will service extensions accomplished by this proposal induce growth on this site? YES ☒ NO ☐ Adjacent sites? YES ☐ NO ☒ Unincorporated ☐ Incorporated ☐

6. Are there any existing out-of-agency service contracts/agreements within the area? YES ☐ NO ☒ If YES, please identify.

7. Is this proposal a part of a larger project or series of projects? YES ☐ NO ☒ If YES, please explain.

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME Charity P. King TELEPHONE NO. 909-863-4030

ADDRESS: PO Box 152, Rimforest, CA 92378-0152

NAME George W. Stehmeler TELEPHONE NO. 909-337-2660

ADDRESS: PO Box 212, Lake Arrowhead, CA 92352

NAME General Manager & District Engineer TELEPHONE NO. 909-336-7100

Attn: Aida Hercules-Dodaro

ADDRESS: PO Box 700, Lake Arrowhead, CA 92352

CERTIFICATION

As a part of this application, the City/Town of _____, or the Lake Arrowhead Community Services District/Agency, _____ (the applicant) and/or the _____ (real party in interest—landowner and/or registered voter of the application-subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action,

(FOR LAFCO USE ONLY)

proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE

6/1/17

SIGNATURE

Catherine Cerri

Printed Name of Applicant or Real Property in Interest
(Landowner/Registered Voter of the Application Subject Property)

General Manager

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

☒
☐
☐
☐
☐

ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
SPHERE OF INFLUENCE CHANGE SUPPLEMENT
CITY INCORPORATION SUPPLEMENT
FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

KRM-Rev. 8/19/2015

3221

(FOR LAFCO USE ONLY)

SUPPLEMENT ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

INTRODUCTION: The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO

DETACHED FROM

Lake Arrowhead Community

Services District

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

a. Has pre-zoning been completed? YES ☒ NO ☐

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES ☐ NO ☐

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

General Plan Land Use designation was amended and approved by the Board of
Supervisors on 11/19/2002 from Service Commercial (CS) to Single Residential (RS) on
3.23 acres.

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES ☐ NO ☐ If YES, please provide a written justification for the proposed boundary configuration.

N/A

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

NO

5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

It appears all taxes and fees will remain with the property. Refer to Attachment 2.

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

NO

7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

Proposed development will add three single family residences

8. **PLAN FOR SERVICES:**

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.

- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

CERTIFICATION

As a part of this application, the City/Town of _____ or the Lake Arrowhead Community Services District/Agency, _____ ~~(the applicant) and/or the _____ (real party in interest—landowner and/or registered voter of the application subject property)~~ agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the City/Town of _____ or the Lake Arrowhead CSD _____ District/Agency may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 6/1/17


SIGNATURE

Catherine Cerri

Printed Name of Applicant or Real Property In Interest
(Landowner/Registered Voter of the Application Subject Property)

General Manager

Title and Affiliation (if applicable)



Plan for Services

APN 0336-111-04

Description of Services

Water and wastewater service provided to three residential lots through the systems currently existing in the Rimforest area. Each of the three residential lots would be supplied with connections typical for domestic uses.

Timing

These services can be extended to the annexed area in less than one year upon approval of final sewer and water plans for the subdivision and request from the property owner.

Improvements

Necessary pipelines to be extended from the existing systems would be installed by the property owner and accepted by the Lake Arrowhead Community Services District (District). No expansion to the existing systems will be necessary.

Fiscal Impact Analysis

This annexation is for three residential lots that are located on the border of the existing District boundary. The current capacity for water and sewer systems is sufficient to serve the additional demand. The cost of extending the water and sewer pipelines will be borne by the property owner who will also pay the required connection and capacity fees. There will be no financial burden placed on the District to add these three lots to the system. The estimated cost to extend the necessary water and sewer pipelines is \$139,300.

The District will be responsible for the delivery and maintenance of water and wastewater services to the annexed area. The District will also provide the governance, oversight and long-term maintenance of the assets related to water and wastewater services after the necessary improvements are accepted by the District. All costs of maintaining the services will be recovered through rates and fees charged monthly to the property owner.

The annexing territory will be included within the existing service boundaries of the District.

Water for the Rimforest area is provided through the state water project provided by the Crestline-Lake Arrowhead Water Agency. While these supplies are constrained, the demand from three additional residential lots will not have a material effect. There is very low chance for additional growth in this remote mountainous area.

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
Estimated cost to extend necessary improvements	139,300				
<u>District Revenue</u>					
Connection fees	34,299				
Water capacity fees	15,625				
Wastewater capacity fees	25,884				
Monthly fixed fees	<u>3,589</u>	<u>3,652</u>	<u>3,717</u>	<u>3,785</u>	<u>3,878</u>
	79,397	3,652	3,717	3,785	3,878
<u>District Expenditures</u>					
Connection costs	34,299				
Administration	350	361	372	383	394
Operations & Maintenance	<u>381</u>	<u>393</u>	<u>405</u>	<u>417</u>	<u>429</u>
	35,030	754	776	799	823

Acknowledged


 Catherine Cerri
 General Manager

**County's Conditions
of Approval for TPM 15111**

Attachment 3



Land Use Services Department Planning

Tom Hudson
Director

October 12, 2016

New Expiration Date: November 19, 2018

Mr. Stehmeier
P.O. Box 120112
Big Bear Lake, CA 92315

RE: EXTENSION OF TIME FOR TENTATIVE TRACT MAP 15111 TO CREATE 3 LOTS
ON 2.09 ACRES. LAKE ARROWHEAD/2nd SUPERVISORIAL DISTRICT; APN: 0336-
111-04/P2001500570

Dear Mr. Stehmeier:

The County of San Bernardino Land Use Services Department, Planning Division Staff has completed the review of your extension of time application. After researching information relative to the original project and the previous extension, the requested extension of time to complete and finalize the project described above is for an additional 36 months in accordance with the County Development Code subsection 86.06.060 (b). The new expiration date is **November 19, 2018**. The original findings for project approval are hereby incorporated by reference as the findings for approval of the extension.

Unless otherwise provided by law or by development agreement, any future development must adhere to and comply with all current construction standards (i.e., California Building Code, Green Building Code, Uniform Fire Code), State law requirements (i.e., State Model Water Efficient Landscape Ordinance), and any current fees (i.e., Transportation Fees), in effect at the time of permitting. These may be in addition to and/or differ from any requirements and fees stated in the updated Conditions of Approval (attached), which remain in effect.

Any construction under permit at the time this extension expires may continue to completion, provided the building permits are maintained as active and valid. The applicant must submit a Revision to an Approved Action application and the required fees for any proposed changes, expansions, or revisions to the originally approved project. County Planning will review any such revision.

Should you have any questions, please contact me at Kevin.White@lus.sbcounty.gov or (909) 387-3067.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin White".

Kevin White, Planner

BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD
Chairman, First District

JANICE RUTHERFORD
Second District

JAMES RAMOS
Third District

CURT HAGMAN
Vice Chairman, Fourth District

JOSIE GONZALES
Fifth District

GREGORY C. DEVEREAUX
Chief Executive Officer

CONDITIONS OF APPROVAL

Stehmeier, George

EXTENSION OF TIME

Revised Tentative Parcel Map 15111

GENERAL REQUIREMENTS

Conditions of Operation and Procedure

LAND USE SERVICES - Planning (909) 387-8311

1. Project Approval Description. Extension of Time for Tentative Parcel Map 15111 for an additional 36. The Parcel Map is approved to be recorded in compliance with the conditions of approval, the approved tentative parcel map, and the Composite Development Plan (CDP) required by this approval. Tentative Parcel Map 15111 is also revised at the request of the property owner to create 3 lots instead of the 4 lots previously approved on 3.23 acres. APN: 0336-111-04.
2. Project Location. The project site is located on both sides of East Blackfoot Trail, west of the intersection of East Blackfoot Trail and State Highway 18 in the Community of Rim Forest, Third Supervisorial District.
3. "Developer" Defined. The term "developer" as used in these conditions of approval for this project and for any development of this project site, includes all of the following: the applicant, the property owner and any lessee, tenant or sub-tenant, operator and/or any other agent or other interested party of the subject project and/or project site and/or any heir or any other successor in interest in the project site or project land use by sale or by lease of all or of a portion of the project site or project land uses and/or any other right given to conduct any land use in any or all of the project structures or any area on the project site.
4. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts

reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees.
6. Project Account. The Job Costing System (JCS) account number is 11298cf1. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
7. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These include:
 - a) FEDERAL: None Identified
 - b) STATE: Regional Water Quality Control Board, California Department of Transportation (Caltrans), and Air Quality Management District (South Coast)
 - c) COUNTY: Land Use Services-Building and Safety/Code Enforcement, County Fire; Public Health-Environmental Health Services, Public Works, County Fire, AND
 - d) LOCAL: LAFCO, LACSD (sewer and water service)

8. Expiration. This conditional approval shall become null and void unless all conditions have been completed and the Tentative Map has been deemed complete by the County Surveyor for purposes of recordation before the expiration date unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The "developer" is responsible for initiation of any extension request.

9. Revisions. Any proposed change to the approved Tentative Tract Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Planning for review and approval.
10. Extension of Time. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Planning may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
11. Condition Compliance. Condition compliance confirmation for purposes of the Final Map recordation will be coordinated by the County Surveyor.
12. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances. Funds must remain in the account to cover the charges during each compliance review.

PRIOR TO RECORDATION OF THE FINAL MAP
THE FOLLOWING CONDITIONS SHALL BE COMPLETED

LAND USE SERVICES - Planning (909) 387-8311

13. Planning/Composite Development Plan (CDP). A Composite Development Plan ("CDP"), complying with the County Development Code, shall be submitted for review and approval by the County Surveyor and filed with County Building & Safety and County Planning prior to recordation of the Parcel Map. The following shall be

delineated and/or noted on the CDP and when developed the project shall comply with these requirements:

A. Delineate Building Setback Lines

LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387–8311

14. Soil Report. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to recordation of the final map.
15. Geology Report. A geologic feasibility report prepared by an engineering geologist shall be submitted for review with appropriate fees and approval obtained from the County Geologist.
16. Lot Sales. The County's Policy for lot sales subdivisions is that prior to recordation, each proposed lot must be demonstrated by geotechnical and/or geologic reports to be buildable. The level of investigation shall include analysis and recommendations for roadways and slopes, driveways, and lot pad locations. Identified geologic hazards shall be mitigated prior to recordation.
17. Building and Safety/Composite Development Plan (CDP). The following notes shall be included on the CDP and the project shall comply with these requirements:
 - A. Erosion. An erosion and sediment control plan and permit shall be submitted to and approved the Building & Safety Division prior to land disturbance.
 - B. Erosion Control Devices. All erosion control planting, landscaping and devices shall be installed at all perimeter openings and slopes. No sediment is to leave the job site.
 - C. Grading Plans. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 50 Cu Yards.
 - D. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.

- E. Building Envelope. A defined building envelope shall be delineated on the composite development plan for parcel 3. The remainder of the parcel shall be identified as unbuildable, as indicated on the Parcel Map.

COUNTY FIRE – Community Safety (909) 386-8465

18. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department, herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department."
19. Fire/Composite Development Plan (CDP). The following notes shall be included on the CDP and the project shall comply with these requirements:
- A. Fuel Modification. Due to the percent grade on Parcel 3, a 100-foot fuel modification zone is required at the perimeter of the building envelope on Parcel 3, adjacent to the steep slope.
- B. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department, herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department."
- C. Hydrants. Prior to framing construction, approved hydrants and hydrant pavement markers shall be installed. Fire hydrants shall be six (6) inch diameter with a minimum one four (4) inch and two and one-half (2 ½) inch connection. The design of the fire hydrant and fire hydrant pavement marker shall be approved by the Fire District. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post three feet from the hydrant. All fire hydrant spacing shall be three hundred feet with the exception of single residential which may be increased to six hundred (600) feet maximum.
- D. Flammable Vegetation. Prior to any framing construction occurring, all flammable vegetation shall be removed from each building site a minimum distance of thirty (3) to one hundred (100) feet from any flammable building material, including a finished structure.

- E. FS-1. All construction shall adhere to the applicable standards and requirements of the Fire Safety Review Area One (FS1) overlay district, as adopted in the San Bernardino County Development Code. In Fire Hazard Areas, the applicant shall contact the San Bernardino County Building & Safety Division for variances concerning modified one-hour fire resistive construction for exterior walls.
- F. Water System A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300') (as measured along vehicular travel-ways) from the driveway on the address side of the proposed single family structure.

LAND USE SERVICES - Land Development (909) 387-8311

- 20. Non-Vehicular Access. Non-vehicular access shall be required along State Highway 18 at Parcel 3. This requirement shall be delineated on the final map.

PUBLIC WORKS –Surveyor (909) 387-8148

- 21. Fees. Prior to approval for recordation, all fees required under actual cost job number TR. 15111 shall be paid in full.
- 22. Parcel Map. A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
- 23. Non-Interference Letter. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- 24. Easements. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
- 25. Final Monumentation. Final Monumentation, not set prior to recordation, shall be bonded with a cash amount deposited with the office of the county surveyor as established per the county fee schedule 16.0215B (c) (6).

PUBLIC HEALTH – Environmental Health Services [DEHS] 1-800-442-2283

- 26. Water Purveyor. Water purveyor shall be LASCD, or, if not available, EHS approved. Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall

be made available to the project by the water agency. This letter shall reference the Assessor's Parcel Number.

27. Water Improvements. Submit evidence of contractual arrangements or installation of water improvements to the Environmental Health Services (EHS) for prior to recordation. A note shall be placed on the Composite Development Plan (CDP) stating, "Water purveyor shall be LACSD. Proof of installation of water improvements shall be provided prior to the issuance of building permits."
28. Sewage Disposal. Method of sewage disposal shall be the Lake Arrowhead Community Services District or EHS approved.
29. Sewer Verification. Applicant shall procure a verification letter from the sewerage agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall reference the File Index Number and Assessor's Parcel Number.
30. LAFCO. Submit verification of annexation to EHS for any project that requires water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at (909) 383-9900.
31. EHS/Composite Development Plan (CDP). The following notes shall be included on the CDP and the project shall comply with these requirements:
 - A. Water Purveyor. Water purveyor shall be LACSD. Proof of installation of water improvements shall be provided prior to the issuance of building permits.
 - B. Sewage Disposal. Method of sewage disposal shall be the Lake Arrowhead Community Services District.

END OF CONDITIONS –TPM 15111

Landowner Consent Form

Attachment 4

LANDOWNER CONSENT FORM

Local Agency Formation Commission For San Bernardino County

RECEIVED
JUN 29 2017

I (We), Charity P. King, consent to the
annexation/ reorganization of my (our) property located at:

LARCO
San Bernardino County

which is identified as Assessor's Parcel Number(s) 0336-111-04

to the Lake Arrowhead Community Services District
(name of agency)

Signature(s):



Address:

P.O. Box 152

City, State, Zip

Rim Forest, California 92378-0152

Date Signed:

6/20/17

*If a corporation or company owns the property, please provide with
this form authorization from the entity for the signer to sign on its
behalf.*

**Tom Dodson's
Environmental Response for
LAFCO 3221**

Attachment 5

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



November 3, 2017



Ms. Kathleen Rollings-McDonald
Local Agency Formation Commission
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0490

Dear Kathy:

LAFCO 3221 consists of a request for an Annexation by the Lake Arrowhead Community Services District (District) for an approximate 3.17 acre site located within the District's Sphere of Influence. The parcel of land proposed for Annexation is designated Assessor Parcel Number 0336-111-04 and it is located south of State Highway 18 and is generally bisected by Blackfoot Trail. If LAFCO 3221 is approved by the Commission the identified property would be annexed to the District and all services of the District would be available to the property.

Based on the above proposal, the proposed reorganization would allow the District to provide existing services (water and wastewater) within the area to be annexed. After reviewing an Initial Study and Mitigated Negative Declaration prepared for this parcel in 2002 by San Bernardino County, LAFCO has decided to adopt a Statutory Exemption (General Rule) based on the finding that approval of LAFCO 3221 does not appear to have any potential to significantly alter the existing physical environment in any manner.

Therefore, I recommend that the Commission find that a Statutory Exemption (General Rule), as defined in CEQA under Section 15061 (b) (3) of the State CEQA Guidelines, applies to LAFCO 3221. This Section 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 3221.

Based on this review of LAFCO 3221 and the pertinent sections of CEQA and the State CEQA Guidelines, I conclude that the proposed LAFCO action does not constitute a project under CEQA and adoption of the Statutory Exemption and filing of a Notice of Exemption is the most appropriate environmental determination to comply with CEQA for this action. The

Commission can approve the review and findings for this action and I recommend that you notice LAFCO 3221 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 and assuming LAFCO 3221 is approved.

A copy of this exemption recommendation 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,



Tom Dodson

**Draft Resolution
No. 3252**

Attachment 6

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

PROPOSAL NO.: LAFCO 3221

HEARING DATE: NOVEMBER 15, 2017

RESOLUTION NO. 3252

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 3221 AND APPROVING THE ANNEXATION TO THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT (APN 0336-111-04). The annexation area consists of Assessor Parcel Number 0336-111-04, comprising approximately 3.17 acres, generally bounded by the National Forest on the east and south, parcel lines (existing District boundaries) on the west, and by State Highway 18 (existing District boundaries) on the north.

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

WHEREAS, an application for the proposed annexation in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (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 the Executive Officer has examined the application and executed her certificate in accordance with law, determining and certifying that the filings are sufficient; 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 the 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 called for November 15, 2017 at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, and all evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons

RESOLUTION NO. 3252

present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby determine, find, resolve, and order as follows:

DETERMINATIONS:

SECTION 1. The proposal is approved subject to the terms and conditions hereinafter specified:

CONDITIONS:

Condition No. 1. The boundaries are approved as set forth in Exhibits "A" and "A-1" attached.

Condition No. 2. The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3221.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Lake Arrowhead Community Services District (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

Condition No. 4. The Lake Arrowhead Community Services District shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

Condition No. 5. The date of issuance of the Certificate of Completion shall be the effective date of this annexation.

SECTION 2. The Commission determines that:

- a) this proposal is certified to be legally uninhabited;
- b) it has 100 % landowner consent; and,
- c) no written opposition to a waiver of protest proceedings has been submitted by any subject agency.

Therefore, the Commission does hereby waive the protest proceedings for this action as permitted by Government Code Section 56662(d).

SECTION 3. DETERMINATIONS. The following determinations are noted in conformance with Commission policy:

RESOLUTION NO. 3252

1. The annexation area is legally uninhabited containing no registered voter as certified by the County Registrar of Voters as of September 15, 2017.
2. The County Assessor has determined that the total assessed value of land within the annexation area is \$81,600 as of July 21, 2017.
3. The annexation area is within the sphere of influence assigned the Lake Arrowhead Community Services District.
4. Notice of this hearing has been advertised as required by law through publication in the *Mountain News*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice. Comments from any affected local agency have been reviewed by the Commission.
5. In compliance with the requirements of Government Code Section 56157 and Commission policy, individual notice was mailed to surrounding landowners and registered voters within approximately 700 feet of the exterior boundaries of the annexation area (totaling 136 notices). Comments from landowners, registered voters and any affected local agency have been reviewed and considered by the Commission in making its determination.
6. The County's land use designation for the annexation area LA/RS (Lake Arrowhead/ Single Residential). No change in land use is anticipated as a result of the annexation.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3221 has no direct impact on SCAG's Regional Transportation Plan. The Sustainable Communities Strategy includes strategies, among others, that support housing development. Approval of LAFCO 3221 supports this strategy.
8. The Local Agency Formation Commission has determined that this proposal is statutorily exempt from environmental review. The basis for this determination is that the Commission's approval of the annexation has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). The Commission adopted the Statutory Exemption and directed its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The local agencies currently serving the area are: County of San Bernardino, Mojave Desert Resource Conservation District, Crestline-Lake Arrowhead Water Agency (State Water Contractor), Rim of the World Park and Recreation District, San Bernardino Mountains Community Healthcare District, San Bernardino County Fire Protection District (SBCFPD), SBCFPD Mountain Service Zone, SBCFPD Service

RESOLUTION NO. 3252

Zone PM-1 (paramedic), and County Service Area 70 (multi-function unincorporated area Countywide).

None of these agencies are affected by this proposal as they are regional in nature.

10. The Lake Arrowhead Community Services District submitted a plan for the provision of water and wastewater services as required by Government Code Section 56653, which indicates that the District can, at a minimum, maintain the existing level of service delivery. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements.
11. The annexation area can benefit from the availability and extension of water and wastewater services from the District.
12. With respect to environmental justice, the annexation proposal—which is to provide water and wastewater services to the three lots proposed for development—will not result in unfair treatment of any person based on race, culture or income since all of the neighboring area already receive water and wastewater services from the District.
13. The County of San Bernardino, acting on behalf of the Lake Arrowhead Community Services District, adopted a resolution indicating no transfer of property tax revenues would be required. This negotiated agreement fulfills the requirements of Section 99 of the Revenue and Taxation Code.
14. The map and legal description, as revised, are in substantial conformance with LAFCO and State standards.

SECTION 4. The primary reason for this annexation is to provide water and wastewater services to APN 0336-111-04, which is proposed to be subdivided into three (3) single-family residential lots. The parcel is currently not within the District's boundary; therefore, annexation to the District is required in order to receive water and wastewater services.

SECTION 5. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

SECTION 6. The Commission hereby orders the territory described in Exhibits "A" and "A-1" reorganized. The Commission hereby directs, that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer shall prepare and file a Certificate of Completion, as required by Government Code Section 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

SECTION 7. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

RESOLUTION NO. 3252

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County 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 for San Bernardino County, 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 regular meeting of November 15, 2017.

DATED:

KATHLEEN ROLLINGS-MCDONALD
Executive Officer

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: NOVEMBER 7, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #6: LAFCO 3207 – Reorganization to include City of Redlands Annexation No. 94 and Detachments from San Bernardino County Fire Protection District and its Valley Service Zone, and County Service Area 70 and its Zone P-7 (Sam-Redlands, LLC)

INITIATED BY:

Property Owner Petition – Sam Redlands, LLC, property owner

RECOMMENDATION:

The staff recommends that the Commission approve LAFCO 3207 by taking the following actions:

1. Modify LAFCO 3207 to expand the proposed reorganization area to include the full right-of-way easement of Sylvan Boulevard in order to give the City full maintenance responsibility for that portion of Sylvan Boulevard adjacent to Tentative Tract Map 19942;
2. With respect to environmental review:
 - a) Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the City's Initial Study and Mitigated Negative Declaration for Annexation No. 94, Zone Change No. 565, Tentative Tract Map No. 19942, and Demolition Permit No. 258, including the Addendum prepared by LAFCO's Environmental Consultant;
 - b) Determine that the Addendum, together with the City's environmental assessment, are adequate for the Commission's use as a CEQA Lead Agency for its consideration of LAFCO 3207;

- c) Adopt the Addendum, as presented by the Commission's Environmental Consultant, that addresses the inclusion of the entire right-of-way area within Sylvan Boulevard as part of the overall reorganization;
 - d) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the City's environmental document are the responsibility of the City and/or others, not the Commission; and,
 - d) Direct the Executive Officer to file the Notice of Determination within five (5) days and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval of LAFCO 3207 since the City of Redlands has paid said fees for its environmental determination.
- 2. Approve LAFCO 3207, as modified, with the standard LAFCO terms and conditions that include the "hold harmless" clause for potential litigation costs by the applicant, the extension of existing special taxes, and the continuation of fees, charges, and/or assessments currently authorized by the annexing agency.
 - 3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the reorganization; and,
 - 4. Adopt LAFCO Resolution #3253 setting forth the Commission's determinations and conditions of approval concerning the reorganization proposal and issue said resolution upon receipt of the revised map and legal description, prepared in compliance with LAFCO and State standards, that reflects the modified boundary for the reorganization proposal.

BACKGROUND:

In February 2016, Patrick Meyer, representative for the property owner—both the original property owner, The Holy Name of Jesus Catholic Community, Inc. and the current owner, Sam-Redlands, LLC—submitted a property owner petition initiating the change or organization and the application materials requesting annexation to the City of Redlands (hereafter the "City"). The reorganization proposal includes the detachment from the San Bernardino County Fire Protection District (SBCFPD) and its Valley Service Zone as well as detachment from County Service Area (CSA) 70 and CSA 70 Zone P-7. CSA 70 Zone P-7 is an inactive entity that was created by the County in 1991 to provide park and recreation services for the unincorporated Mentone/Crafton community. The processing of the application was held until such time as the pre-zoning and environmental assessment process by the City of Redlands was conducted completing the application submission requirements.

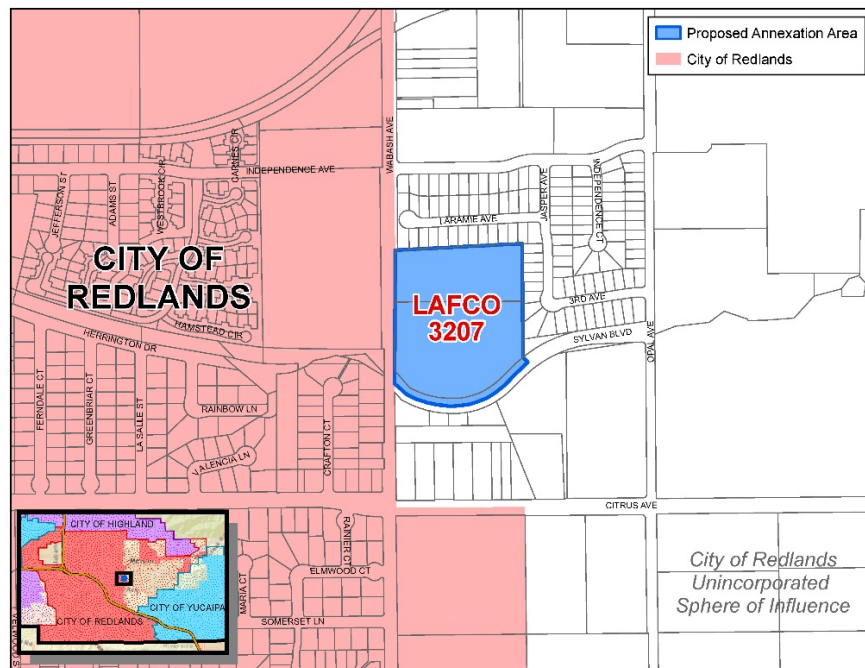
The primary reason for the annexation request, as outlined in the application materials (included as part of Attachment #2), is to receive municipal services, particularly water

and sewer service, from the City for the proposed Tentative Tract Map (TTM) 19942, a proposed development of 34 single-family residences and four lettered lots that is being proposed on the site. Since the property is contiguous to the City along Wabash Avenue, the delivery of water and sewer service to the site is contingent upon annexation. As the Commission is well aware, this is a requirement of the City's "Measure U", which was approved by its voters in 1997 and is outlined in Chapter 13.60.030 of the City's Municipal Code (included as Attachment #3 to this report).

This report will provide the Commission with the information required to make the determinations necessary within the four major areas of consideration required for a jurisdictional change – boundaries, land uses, service issues and the effects on other local governments, and environmental considerations.

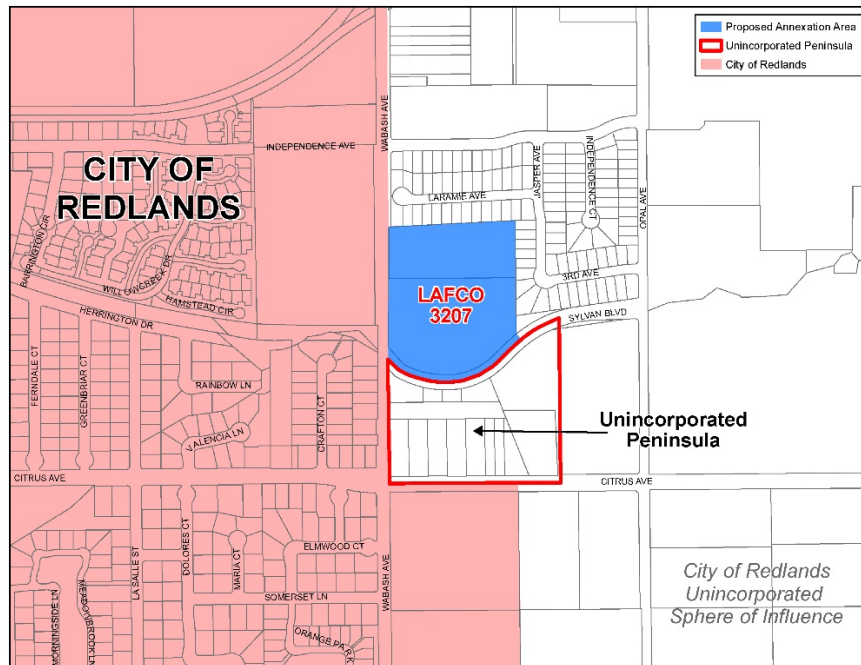
BOUNDARIES:

As shown on the map below, the actual site for development of TTM 19942 includes two parcels, APNs 0299-011-11 and 0299-011-12, encompassing 12 +/- acres, generally located east of Wabash Avenue and north of Sylvan Boulevard. The study area is bounded by parcels lines on the north and east, Sylvan Boulevard on the south, and Wabash Avenue (existing City of Redlands boundary) on the west. The reorganization area is within the City of Redlands' northeastern sphere of influence, which is commonly known as the Mentone community. Location and vicinity maps are included as Attachment #1 to this report.



Boundary Issue:

In the past, the Commission has expressed its concern regarding the piecemeal approach to annexations in the Mentone/Crafton communities caused by the implementation of Measure U and directed staff to review the expansion of any proposal submitted to create a more logical and efficient boundary. For this particular annexation, it was LAFCO staff's position that it would be ideal to expand the proposal to include the unincorporated peninsula located between the current proposal and the area that was recently annexed into the City located south of Citrus Avenue (LAFCO 3195).



In order to gauge if expansion was a viable option, LAFCO staff conducted a survey, sending a letter and survey form (sample letter and survey form included as Attachment #4 to this report), to all property owners (15 total) and registered voters (24 total) within the unincorporated peninsula shown above. All 13 responses that were received responded in the negative to both questions on the survey form.

Therefore, based on the responses received from the survey, staff believes that the reorganization proposal cannot be expanded without risking termination as the inclusion would render it legally inhabited with the voters ultimately deciding the issue. In the event the proposal is terminated, TTM 19942 cannot be developed since Measure "U" requires annexation of contiguous property in order to connect to the City's water and sewer facilities. As a result, approval of the proposal by the Commission will create a peninsula of unincorporated territory between the City's existing boundary and LAFCO 3207. The concern surrounding the creation of the peninsula is somewhat tempered by the understanding that this area already receives water service from the City and the full

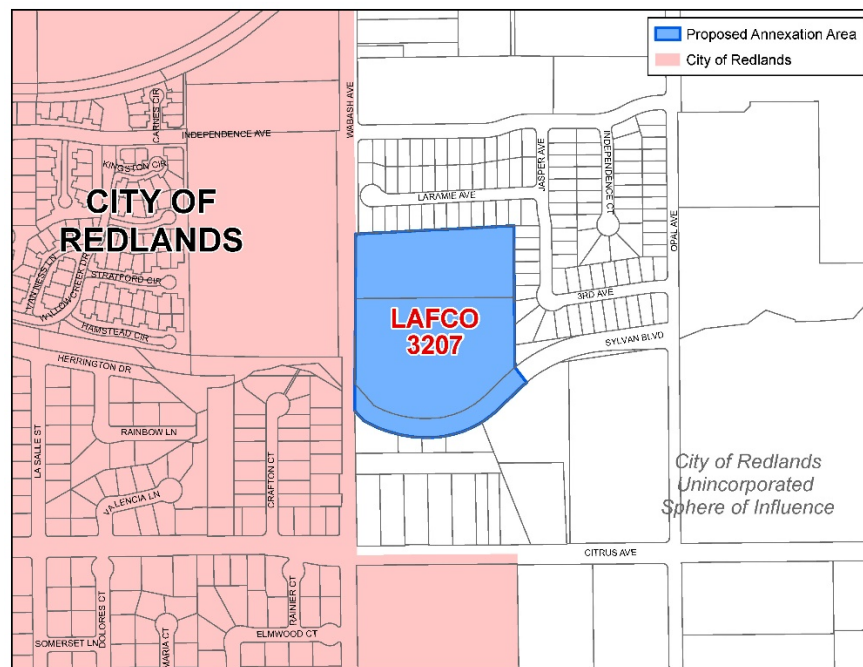
width of Wabash Avenue in within the boundary of the City of Redlands for maintenance as more fully outlined below.

LAFCO Staff's Proposed Modification:

On previous city annexations, the County's Department of Public Works (DPW) has expressed an on-going concern that the piecemeal annexation along Wabash Avenue creates starts and stops in road maintenance that leads to confusion and disruption for service providers.

Since LAFCO 3207 cannot be expanded, in order to respond to the concerns of the County's DPW, staff initially thought of recommending that the Commission expand the reorganization boundary to include the entire road width of Wabash Avenue between Sylvan Boulevard and Citrus Avenue. After reviewing with the County Surveyor's Office the City's boundaries along Wabash Avenue and identifying options to address maintenance responsibilities along Wabash Avenue, it was identified that the actual boundaries of the City already includes the current 30-foot easterly right-of-way area between Sylvan Boulevard and Citrus Avenue resolving the question on maintenance in this area.

However, the County's DPW, in its letter to LAFCO dated November 2, 2017, recommends that the proposal include the full width of the right-of-way easement for Sylvan Boulevard that is adjacent to the proposal area (see Attachment #5 to this report). Therefore, LAFCO staff is modifying the reorganization boundary to include the full width of the right-of-way easement for Sylvan Boulevard adjacent to TTM 19942.



Although not an ideal boundary configuration, it is LAFCO staff's position that the reorganization proposal, as modified, allows a mechanism for TTM 19942 to be annexed for the services it requires and also provides the City full responsibility for the entire easement of Sylvan Boulevard adjacent to TTM 19942, which are easily identifiable boundaries.

LAFCO staff continues to encourage the County and the City to work together to develop a contractual framework for future road maintenance within the City's eastern sphere of influence area where they share a boundary in order to provide a comprehensive approach for this service. Such a contract would allow for the ability to exchange maintenance responsibilities in certain stretches of a roadway in order to alleviate any road maintenance issues in the future.

LAND USE:

The existing use on the properties associated with TTM 19942 is a mix of a couple of structures (proposed to be demolished) some cleared open area and a section with citrus groves. Existing uses directly surrounding the area include single family residential development to the north and east, a combination of Sylvan Boulevard and the Mill Creek Zanja (flood control easement) including a few residential developments to the south, and single-family residential development and an elementary school (Crafton Elementary School) to the west along Wabash Avenue (within the City of Redlands).

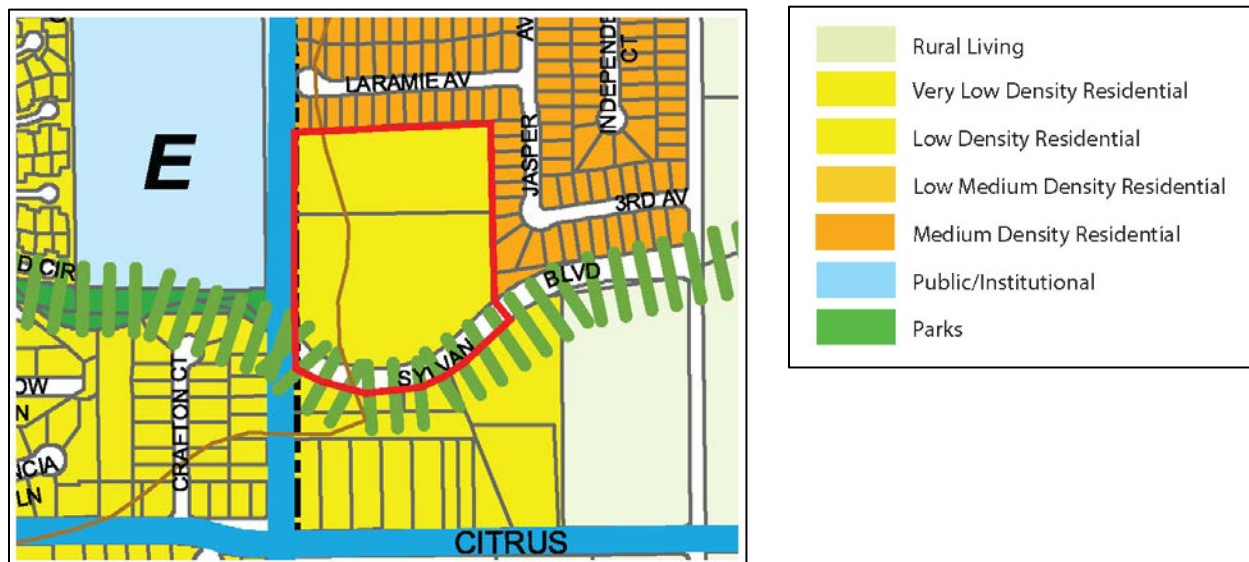


County Land Use Designation:

The County's current land use designation for the reorganization area is RL-5 (Rural Living, 5 acre minimum), which provides sites for rural residential uses and incidental agricultural uses.

City's General Plan:

The City's General Plan land use designation for the reorganization area is Low Density Residential, which allows for single family residential development at 0 – 6.0 units per gross acre. It should also be noted that the portion of Sylvan Boulevard adjacent to the reorganization area has a Linear Park designation assigned to it.



City's Pre-Zone Designation:

The City of Redlands pre-zoned the reorganization area R-1 (Single Family Residential District). This pre-zone designation was determined through the City's consideration of Ordinance No. 2846, which was adopted on April 4, 2017. TTM 19942, which is proposed for development of 34 lots, has a total density below 3.0 dwelling units per acre.



This land use designation is consistent with the City's General Plan Low Density Residential land use classification for the area. Pursuant to the provisions of Government Code Section 56375(e), this zoning designation shall remain in effect for a period of two (2) years following annexation unless the City Council makes the finding at a public hearing that a substantial change has occurred in circumstance that necessitates a departure from the pre-zoning outlined in the application made to the Commission.

Conversion of Agricultural Land

Approximately 5.5 acres of the overall 11.97 acres associated with TTM 19942 remains as a citrus grove. The rest of the area was cleared to establish an equipment yard. The California Department of Conservation designates the portion of the site where groves have been removed for the previous equipment yard as "Urban and Built-Up Land". However, the area to the south where the remaining citrus grove exists is designated as "Prime Farmland."

One of the main tenets of LAFCO Law is the preservation of open-space and prime agricultural lands. The site has an existing agricultural use representing a fragmented citrus grove. Therefore, the proposed development anticipated for LAFCO 3207—which is proposed for 34 single-family residences—is anticipated to convert prime farmland to non-agricultural use.

When considering a proposal with agricultural conversion, Government Code Section 56377 requires that the Commission consider policies and priorities regarding such conversion of existing lands by: 1) steering away from agricultural conversion unless the proposal “would not promote the planned, orderly, efficient development of an area”, and 2) encourage the development of existing vacant or non-prime agricultural lands for urban uses within the existing jurisdiction or within the sphere of influence of the local agency before any proposal is approved that would allow for the development of existing open-space lands for non-open-space uses outside the existing jurisdiction.

First, LAFCO 3207 does promote the planned, orderly efficient development of the area since the proposal area is currently designated for residential development and is surrounded by existing residential development within the City of Redlands and within the unincorporated County area. Secondly, although the development will convert prime farmland to a non-agricultural use, the area is already within the sphere of influence for the City of Redlands, and has been within its sphere of influence for many years. Based upon these determinations, the conversion of prime farmland for the proposed development can be justified based on the San Bernardino LAFCO directives and priorities related to farmland conversion.

In addition, it should be noted that a mitigation measure (Mitigation Measure AGR-1) is included in the City’s approval of TTM 19942 to ensure potential impacts to farmland are reduced to less than significant levels. That mitigation measure reads as follows:

“AGR-1 *The project developer will fund acquisition of farmland or farmland conservation easements at a ratio of 0.50/1. Based on the 5.5 agricultural acre area of the 11.97 acre project site, a total of 2.75 acres of prime agricultural land or conservation easements over 2.75 acres of prime agricultural land shall be acquired and permanently protected. The prime agricultural land or the conservation easement shall be acquired and made available to an existing farmland trust or comparable organization prior to issuance of a grading permit, or a farmland trust or comparable organization shall verify that it has received sufficient funds to acquire prime agricultural land or a conservation easement over such lands. The project developer shall submit verification to the City of Redlands Development Services Department that the acquisition of farmland has been completed. A receipt from the farmland conservation agency will serve as adequate verification.”*

As discussed with the Commission in the past, the implementation of this type of mitigation measure is the responsibility of the City. However, staff’s understanding of

the process is that the acquisition of farmland or a farmland conservation easement will have to be made available to an appropriate farmland trust/mitigation bank. In turn, verification will be submitted to the City from the farmland trust/mitigation bank that lands have been acquired or sufficient funds have been received to acquire said farmland or farmland conservation easement. This is the only way that the mitigation monitoring report will verify the completion and allow the development to proceed.

SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. Current County service providers within the reorganization area include the San Bernardino County Fire Protection District (SBCFPD) and its Valley Service Zone, CSA 70 (multi-function entity) and Zone P-7 of CSA 70 (park and recreation), which are all proposed to be detached as a function of the reorganization. In addition, the following regional entities overlay the reorganization area: Inland Empire Resource Conservation District, the San Bernardino Valley Water Conservation District, and the San Bernardino Valley Municipal Water District (the State Water Contractor), which are unaffected by this action.

The City has prepared a Plan for Service as required by law and Commission policy (included as part of Attachment #2). The Plan for Service also includes a Fiscal Impact Analysis indicating that the project will have a positive financial effect for the City. In general, the Plan identifies the following:

- Fire protection is currently provided by County Fire and its Valley Service Zone and would be replaced by the City of Redlands Fire Department upon annexation.

The City has included LAFCO 3207 in the Automatic Aid Agreement between the City and County Fire (Agreement No. 06-435). The agreement identifies that County Fire will provide “first response” within the area as identified in the amended Agreement (included as part of Attachment #2).

Paramedic services are currently funded within the City through a special paramedic tax assessment. Approval of the reorganization will include the extension of the annual \$40 special tax to the existing parcels and ultimately the proposed 34 residential units.

- Law enforcement responsibilities will shift from the San Bernardino County Sheriff’s Department to the City of Redlands Police Department.
- Sewage collection services will be provided by the City of Redlands. Upon annexation, sewer service will be extended to the proposed development. The developer will be required to construct all new wastewater pipelines within the project and connect to the existing sewer main in Wabash Avenue. In addition,

the developer will pay capital improvement fees (sewer capacity fee) of approximately \$106,420 (see Attachment A to the Plan for Service).

- Water service will be provided by the City of Redlands and has been provided to the existing structures on the site. Upon annexation, water service will be extended to the proposed development. The developer will be required to construct all new water mains within the project and connect to the existing water main in Wabash Avenue. In addition, the developer will be required to pay the water frontage, water source acquisition and water capital improvement fees totaling approximately \$203,010 (see Attachment A to the Plan for Service).
- Solid waste services are currently provided by Empire Disposal (Burrtec Waste Industries) within the reorganization area, which will transfer to the City of Redlands through its Quality of Life Department upon completion of the reorganization.

As required by Commission policy and State law, the Plan for Service shows that the extension of the City's services will maintain, and/or exceed, current service levels provided through the County with the completion of the amendment to the Automatic Aid Agreement.

ENVIRONMENTAL CONSIDERATIONS:

The City of Redlands prepared an environmental assessment and Mitigated Negative Declaration for Annexation No. 94, Zone Change No. 565, Tentative Tract Map No. 19942, and Demolition Permit No. 258. However, LAFCO staff has expanded the reorganization area to now include the full right-of-way easement of Sylvan Boulevard adjacent to the proposal area. In light of this, the Commission's Environmental Consultant, Tom Dodson and Associates, prepared an Addendum to the City's environmental assessment that addresses the additional right-of-way area. Mr. Dodson has determined that if the Commission approves LAFCO 3207, the Addendum, together with the City's environmental assessment, are adequate for the Commission's use as a lead agency under CEQA.

Mr. Dodson has indicated that the necessary environmental actions to be taken by the Commission are as follows:

- a) Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the City's environmental assessment and Mitigated Negative Declaration, including the Addendum prepared by LAFCO's Environmental Consultant;
- b) Determine that the Addendum, together with the City's environmental assessment, are adequate for the Commission's use as a CEQA Lead Agency for its consideration of LAFCO 3207;

- c) Adopt the Addendum, as presented by the Commission's Environmental Consultant, that addresses the inclusion of the entire right-of-way area within Sylvan Boulevard adjacent to TTM 19942 as part of the overall reorganization area;
- d) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the City's environmental document are the responsibility of the City and/or others, not the Commission; and,
- d) Direct the Executive Officer to file the Notice of Determination within five (5) days and find that no further Department of Fish and Wildlife filing fees are required by the Commission's approval of LAFCO 3207 since the City of Redlands has paid said fees for its environmental determination.

WAIVER OF PROTEST PROCEEDINGS:

The reorganization area is legally uninhabited (as determined by the Registrar of Voters office) and LAFCO staff verified that the study area possesses 100% landowner consent to the annexation. Therefore, if the Commission approves LAFCO 3207 and none of the affected agencies have submitted written opposition to a waiver of protest proceedings, staff is recommending that protest proceedings be waived. The actions would include direction to the Executive Officer to complete the reorganization following completion of the mandatory reconsideration period of 30-days.

CONCLUSION:

LAFCO 3207 was submitted in order to allow the property owner, who is proposing development of Tentative Tract Map 19942, a 34 single-family residential community, which requires receipt of municipal services—particularly water and sewer service—which is only available from the City of Redlands. LAFCO staff supports the reorganization proposal since the City's Municipal Code clearly states that all projects that are contiguous to the City's boundaries must annex prior to receiving water and sewer service and the application responds to this requirement.

For these reasons, and those outlined throughout the staff report, the staff supports the approval of LAFCO 3207.

DETERMINATIONS:

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/reorganization proposal.

1. The Registrar of Voters Office has certified that the reorganization area is legally uninhabited, containing no registered voter as of October 11, 2017.
2. The County Assessor has determined that the total assessed value of land and improvements within the reorganization area on the secured assessment roll is \$1,232,377 (land - \$997,848 -- improvements - \$234,529).
3. The reorganization area is within the sphere of influence assigned the City of Redlands, within the Mentone community.
4. Commission review of this proposal has been advertised in *The Sun*, a newspaper of general circulation within the reorganization area. Individual notice has been provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notification.
5. LAFCO has provided individual notices to landowners and registered voters surrounding the reorganization area (totaling 594 notices) in accordance with State law and adopted Commission policies. To date, no written comments in support or opposition have been received regarding the consideration of this proposal. Comments from registered voters and landowners and any affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.
6. The City of Redlands has pre-zoned the reorganization area R-1 (Single Family Residential District). This zoning designation is consistent with the City's General Plan and is generally compatible with the surrounding land uses in the area. Pursuant to the provisions of Government Code Section 56375(e), this zoning designation shall remain in effect for two years following annexation unless specific actions are taken by the City Council.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. The closest highway to LAFCO 3207 is the I-10 Freeway, which is part of the RTP-SCS's State highway improvement (expansion/rehabilitation) program adding express lanes and adding high-occupancy vehicle (HOV) lane in each direction.

The Sustainable Communities Strategy includes strategies, among others, that support housing development. Approval of LAFCO 3207 supports this strategy.

8. The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the City's Initial Study and Mitigated Negative Declaration for Annexation No. 94, Zone Change No. 565, Tentative Tract Map No. 19942, and Demolition Permit No. 258. In addition, Mr. Dodson prepared an Addendum to the City's environmental assessment to address the inclusion of the entire right-of-way areas within Sylvan Boulevard adjacent to TTM 19942 as part of the

overall reorganization area. Mr. Dodson recommends that, if the Commission approves the proposal, the Addendum together with the City's environmental assessment, are adequate for the Commission's review of the reorganization proposal as lead agency. A copy of the Addendum and the City's environmental assessment are included as Attachment #6 to this report.

9. The reorganization area is presently served by the following local agencies:

- County of San Bernardino
- San Bernardino Valley Municipal Water District
- San Bernardino Valley Water Conservation District
- Inland Empire Resource Conservation District
- San Bernardino County Fire Protection District (SBCFPD)
- SBCFPD Valley Service Zone (fire protection)
- County Service Area 70 (multi-function unincorporated area Countywide)
- County Service Area 70 Improvement Zone P-7 (inactive park and recreation district within the Mentone community)

The proposal will detach the territory from the San Bernardino County Fire Protection District and its Valley Service Zone, County Service Area 70 and its Zone P-7 as a function of the reorganization. None of the other agencies are affected by this proposal as they are regional in nature.

10. A plan was prepared for the extension of services to the reorganization area, as required by law. The Plan for Service and the Fiscal Impact Analysis indicates that the City can maintain and/or improve the level and range of services currently available in the area. A copy of this plan is included as a part of Attachment #2 to this report. The Plan for Service and Fiscal Impact Analysis have been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that the Plan for Service and the Fiscal Impact Analysis, conform to those adopted standards and requirements.
11. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained. In addition, the reorganization proposal is a logical conversion of prime farmland to non-agricultural use as the proposal area is currently designated for residential development and is surrounded by existing residential development within the City of Redlands and within the unincorporated County area and has been within the City's sphere of influence for many years.

However, the approval of this proposal will create a peninsula of unincorporated territory between the City's existing boundary and LAFCO 3207. Based on the responses received from property owners and registered voters within the

unincorporated peninsula they do not support their annexation to the City. Since the modification would transition the proposal to legally inhabited, the proposal cannot be expanded to eliminate the peninsula area without the risk of terminating LAFCO 3207.

12. The reorganization area can benefit from the availability and extension of municipal services from the City of Redlands.
13. This proposal will assist in the City's ability to achieve its fair share of the regional housing needs since the reorganization area is being developed with 34 single-family residences.
14. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services, the following demographic and income profile was generated using ESRI's Community Analyst within the City of Redlands and within and around the reorganization area, generally the Crafton and Mentone community (2016 data):

Demographic and Income Comparison	City of Redlands (%)	Subject Area & adjacent Unincorporated Sphere (%)
Race and Ethnicity		
• African American Alone	5.2 %	4.9 %
• American Indian Alone	0.9 %	1.4 %
• Asian Alone	8.8 %	4.4 %
• Pacific Islander Alone	0.4 %	0.4 %
• Hispanic Origin (Any Race)	34.2 %	39.2 %
Median Household Income	\$67,193	\$55,775

Many of the properties within City's unincorporated sphere area already receive water and/or sewer service from the City through out-of-agency service agreements. Therefore, the reorganization area will benefit from the extension of services and facilities from the City and, at the same time, the approval of the reorganization would not result in the deprivation of service or the unfair treatment of any person based on race, culture or income. However, the City's policies require annexation if properties needing services are contiguous to the City's boundary. Therefore, in such case, annexation is the only option before water and/or sewer service can be extended.

15. The County of San Bernardino and the City of Redlands have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.

16. The map and legal description, as proposed for revision, will be prepared in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

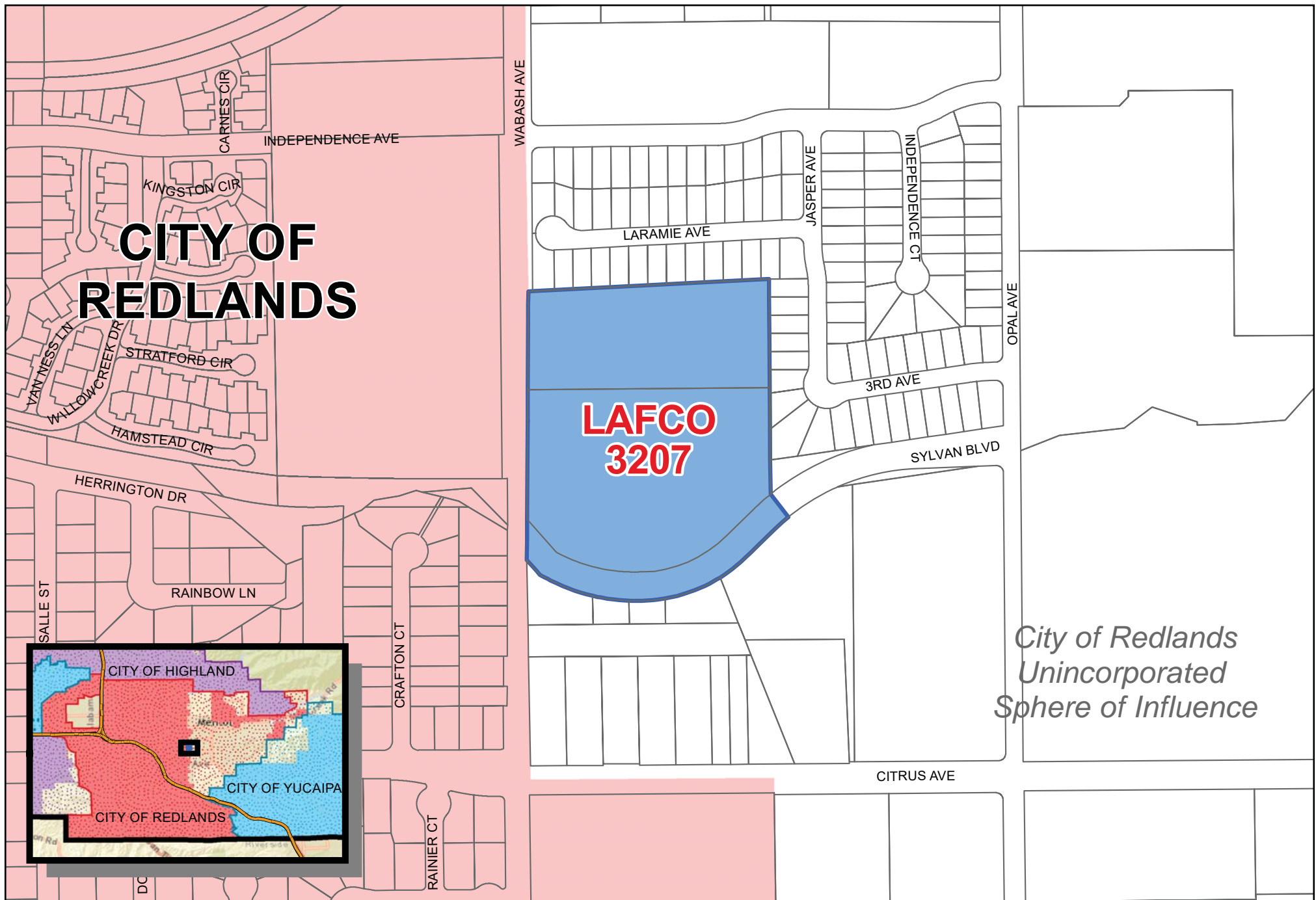
KRM/sm

Attachments:

1. Vicinity Map and Reorganization Area Map
2. Application, Plan for Service and Fiscal Impact Analysis Including Amended Automatic Aid Agreement between the City and the San Bernardino County Fire Protection District
3. Chapter 13.60 of the City Redlands' Municipal Code
4. Sample Letter and Survey Form
5. Letter from the County Public Works Department
6. Addendum prepared by the Commission's Environmental Consultant, Tom Dodson and Associates, including the City's Environmental Assessment and Mitigated Negative Declaration for Annexation No. 94
7. Draft Resolution No. 3253

Vicinity Map and Reorganization Area Map

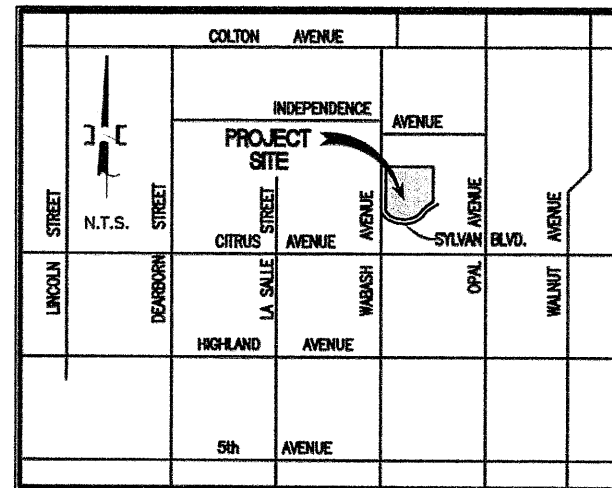
Attachment 1



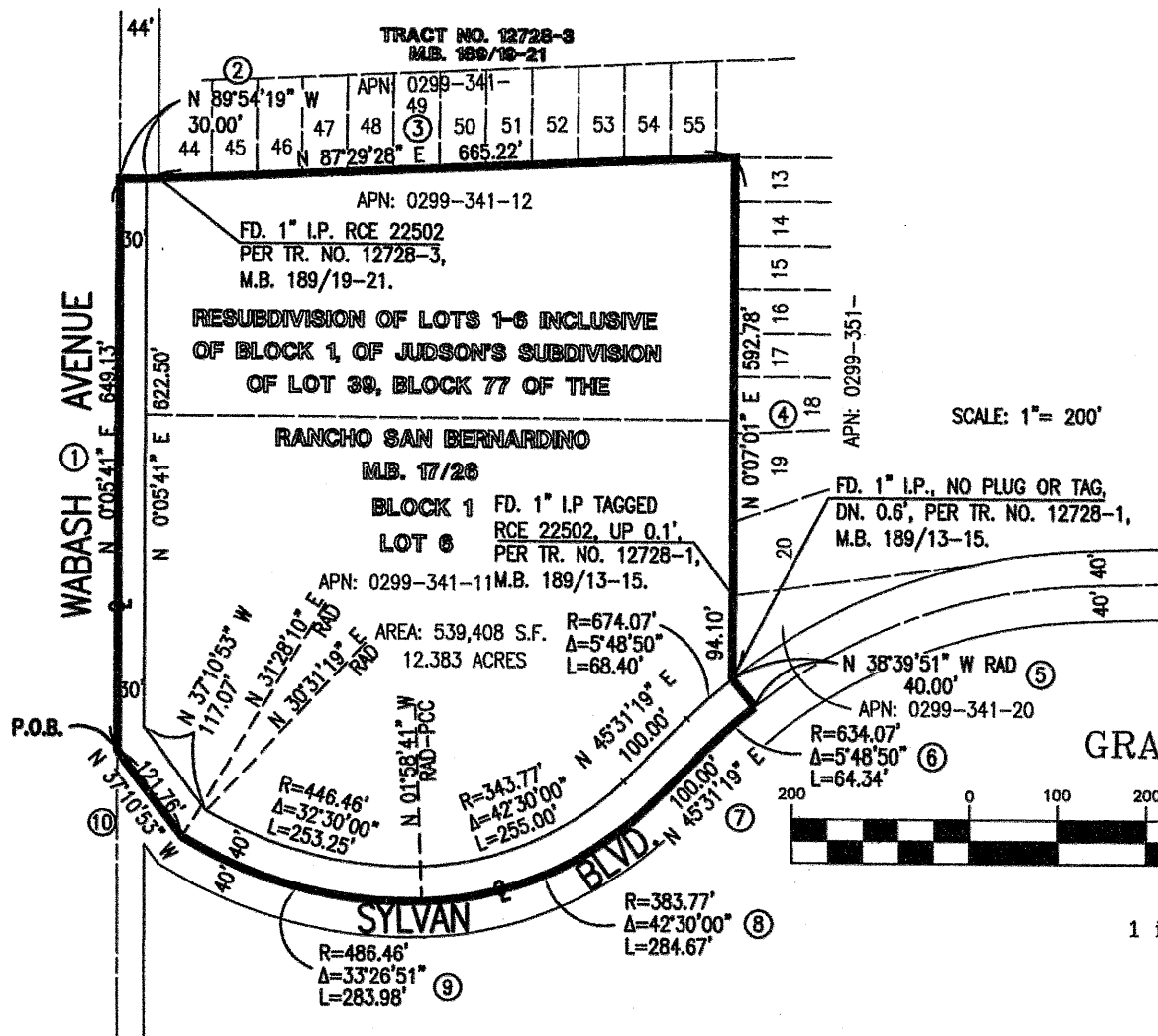
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EXHIBIT A-1

**CITY OF REDLANDS ANNEXATION
LOCATED AT THE NORTHEAST CORNER OF THE
INTERSECTION OF WABASH AVENUE AND SYLVAN BOULEVARD.**



VICINITY MAP
N.T.S.



SCALE: 1" = 200'



(IN FEET)
1 inch = 200 ft.



**Application; Plan for Service
and Fiscal Impact Analysis
Including Amended
Automatic Aid Agreement
between the City and the San
Bernardino County Fire
Protection District**

Attachment 2

SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the proposed project site to allow the San Bernardino LAFCO, its staff and others to adequately assess the project. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your project. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL: ANNEXATION OF APPROXIMATELY
11.24 ACRES INTO THE CITY OF REDLANDS

2. NAME OF APPLICANT: URBAN ENVIRONS PATRICK J. MEYER
MAILING ADDRESS: 1345 FOUNTAIN PLACE
REDLANDS, CA. 92373
PHONE: (909) 778-4446
FAX: (909) 335-9747
E-MAIL ADDRESS: environse@verizon.net

3. GENERAL LOCATION OF PROPOSAL: EAST SIDE OF WABASH AVENUE,
NORTH OF SYLVAN BLVD.

4. Does the application possess 100% written consent of each landowner in the subject territory?
YES ☒ NO ☐ If YES, provide written authorization for change.

5. Indicate the reasons that the proposed action has been requested. IN ORDER TO
RECEIVE MUNICIPAL SERVICES AND UTILITIES FROM THE
CITY OF REDLANDS IN CONJUNCTION WITH A
SINGLE FAMILY RESIDENTIAL DEVELOPMENT.

6. Would the proposal create a totally or substantially surrounded island of unincorporated territory?
YES ☐ NO ☒ If YES, please provide a written justification for the proposed boundary configuration.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area (defined in acres): 11.24 ACRES
2. Current dwelling units in area classified by type (Single Family detached, multi-family (duplex, four-plex, 10-unit), apartments) ONE SINGLE FAMILY DETACHED
3. Approximate current population in area: 3.0
4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):
CITY OF REDLANDS - LOW DENSITY RESIDENTIAL
SINGLE FAMILY RESIDENTIAL

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):

- RL-5 ONE UNIT PER FIVE ACRES
5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:
THE PROPOSED RESIDENTIAL PROJECT IS
CONSISTENT WITH THE CITY GENERAL PLAN AND
THEREFORE THE REGIONAL TRANSPORTATION PLAN.
 6. Indicate the existing land use.
ONE SINGLE FAMILY RESIDENCE, BALANCE IS
CITRUS GROVE.

What is the proposed land use?

- A SINGLE FAMILY DETACHED RESIDENTIAL
DEVELOPMENT CONSISTING OF 40 DWELLING UNITS.
7. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

- a. Has pre-zoning been completed? YES ___ NO X
- b. If the response to "a" is NO, is the area in the process of pre-zoning? YES X NO ___

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

CITY OF REDLANDS ZONING WILL BE R-1, SINGLE
FAMILY RESIDENTIAL

8. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES ___ NO ☒ If YES, please explain.

9. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Agricultural Land Uses | <input type="checkbox"/> Agricultural Preserve Designation |
| <input type="checkbox"/> Williamson Act Contract | <input type="checkbox"/> Area where Special Permits are Required |
| <input type="checkbox"/> Any other unusual features of the area or permits required: _____ | |

10. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

N/A

11. Provide a narrative response to the following factor of consideration as identified in §56668(o):
The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:

THE PROPOSED RESIDENTIAL DEVELOPMENT IS
NOT INTENDED FOR LOW INCOME HOUSING.

ENVIRONMENTAL INFORMATION

1. Provide general description of topography. THE SITE IS GENERALLY FLAT,
WITH NO PHYSICAL LAND FEATURES.

2. Describe any existing improvements on the site as % of total area.

Residential	<u>5</u> %	Agricultural	<u>50</u> %
Commercial	_____ %	Vacant	<u>45</u> %
Industrial	_____ %	Other	_____ %

3. Describe the surrounding land uses:

NORTH	<u>SINGLE FAMILY RESIDENTIAL</u>
EAST	<u>SINGLE FAMILY RESIDENTIAL</u>
SOUTH	<u>SINGLE FAMILY RESIDENTIAL, AGRICULTURE</u>
WEST	<u>ELEMENTARY SCHOOL</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

THE SITE WILL BE DEVELOPED AS A SINGLE FAMILY DETACHED NEIGHBORHOOD WITH A FULL RANGE OF MUNICIPAL UTILITIES EXTENDED INTO THE PROJECT FROM WABASH AVENUE.

5. Will service extensions accomplished by this proposal induce growth on this site? YES ☒ NO ☒ Adjacent sites? YES ___ NO ☒ Unincorporated ___ Incorporated ___

6. Are there any existing out-of-agency service contracts/agreements within the area? YES ___ NO ☒ If YES, please identify.

7. Is this project a part of a larger project or series of projects? YES ___ NO ☒ If YES, please explain.

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

ATTN: RAY DORAME
 NAME MASTERCRAFT HOMES GROUP TELEPHONE NO. (949) 252-1122
 ADDRESS: 20201 SW BIRCH ST., STE. 100, NEWPORT BEACH, CA. 92660
 NAME URBAN ENVIRONS, PATRICK MEYER TELEPHONE NO. (909) 798-4446
 ADDRESS: 1345 FOUNTAIN PLACE, REDLANDS, CA. 92373
 NAME _____ TELEPHONE NO. _____
 ADDRESS: _____

CERTIFICATION

As a part of this application, the city of _____, or the _____ district, SAM-REDLANDS LLC (the applicant) and/or the _____ (real party in interest: subject landowner and/or registered voter) agree to defend, indemnify, hold harmless, and release the San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I/We understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I/We acknowledge that annexation to the city of REDLANDS or the _____ district may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and in the attached supplements and exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 7-11-2016

Patrick J. Meyer
 SIGNATURE OF APPLICANT

PRINTED NAME OF APPLICANT

PATRICK J. MEYER

TITLE

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ☒ ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- ☐ SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- ☐ CITY INCORPORATION SUPPLEMENT
- ☐ FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ☐ ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

KRM-Rev. 8/15/2012

SUPPLEMENT
ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

INTRODUCTION: The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the project. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO

DETACHED FROM

CITY OF REDLANDS

SAN BERNARDINO COUNTY

2. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

CITY OF REDLANDS

3. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

NO

4. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

THE PROPOSED SUBDIVISION WILL PROVIDE
34 SINGLE FAMILY RESIDENCES PROVIDING
MARKET RATE HOUSING OPPORTUNITIES.

5. PLAN FOR SERVICES:

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

1. A description of the level and range of each service to be provided to the affected territory.
2. An indication of when the service can be feasibly extended to the affected territory.
3. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
4. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.
5. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
6. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

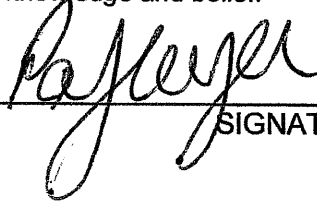
CERTIFICATION

As a part of this application, the city of _____, or the _____ district, SAN-BERNARDINO (the applicant) and/or the _____ (real party in interest: subject landowner and/or registered voter) agree to defend, indemnify, hold harmless, and release the San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I/We understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I/We acknowledge that annexation to the city of REDLANDS or the _____ district may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 1-11-2016



SIGNATURE OF APPLICANT

/REVISED: km - 8/15/2012

CITY OF REDLANDS ANNEXATION NO. 94

LAFCO ANNEXATION NO. 3207

PLAN OF SERVICES

JUNE 2017

Prepared For

City of Redlands
35 Cajon Street
Redlands, CA 92373

County of San Bernardino LAFCO
215 North D Street, STE.204
San Bernardino, CA 92415

Prepared By

Patrick J. Meyer
Urban Environs
1345 Fountain Place
Redlands, CA 92373
(909) 798-4446

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
I. INTRODUCTION	1
II. ANNEXATION AREA & BACKGROUND	6
III. EXISTING AND PROPOSED SERVICES	7
A. LAND USE REGULATION.....	7
B. LOCAL LAW ENFORCEMENT.....	8
C. ROADWAY MAINTENANCE & IMPROVEMENTS.....	9
D. PARKS, LANDSCAPED MEDIANS & PUBLIC RECREATION	11
E. STREET LIGHTING	11
F. ANIMAL REGULATION	12
G. LIBRARY SERVICES.....	12
H. STREET SWEEPING	13
I. FIRE PREVENTION, PROTECTION & EMERGENCY MEDICAL.....	14
J. PUBLIC TRANSIT	15
K. WATER SERVICE	15
L. WASTEWATER COLLECTION & TREATMENT	16
M. VECTOR CONTROL	16
N. SOLID WASTE/TRASH COLLECTION	17
O. REGIONAL FLOOD CONTROL	17
P. LOCAL DRAINAGE AND FLOOD CONTROL	18
Q. CABLE TV FRANCHISE	18
R. SCHOOL DISTRICTS.....	18
IV. CONCLUSIONS	19
V. CERTIFICATION	20

TABLES

Table 1	City of Redlands Population and Housing Growth
Table 2	Land Use Regulation Office Locations
Table 3	City of Redlands Parks
Table 4	County Parks
Table 5	Street Sweeping Schedule

FIGURES

Figure A	Aerial View
Figure B	Tentative Tract Map 19942
Figure C	Assessor's Parcel Map
Figure D	City of Redlands Annexation 94
Figure E	San Bernardino Valley Water Conservation District Zone 3
Figure F	County Flood Control District Zone 3

ATTACHMENTS

Attachment A	Estimated Development Impact Fees
--------------------	-----------------------------------

I. INTRODUCTION

SAM-Redlands, LLC have engaged Urban Environs to provide a Plan of Services report to address the annexation and development of a 34 unit residential subdivision within the City of Redlands. The subject property is located along Wabash Avenue just north of Sylvan Boulevard, and consists of approximately 11.78 acres. The subject property is currently owned by The Holy Name of Jesus Catholic Community, Inc., A California Religious Corporation, and have executed the LAFCO Landowner Consent Form agreeing to the annexation.

The City of Redlands is situated in the San Bernardino Valley of the Inland Empire, 63 miles east of Los Angeles and 110 miles north of San Diego. The Inland Empire has experienced unsurpassed growth since 2000. According to data collected from the *U.S. Census Bureau* and *California State Department of Finance* the City of Redland's population increased by over 9.7% from 1990 to 2004 and by 38.4% from 1980 to 1990 (**Refer to Table 1**). According to the City of Redlands 2015 Community Profile fact sheet, the current population of the City is 69,882, with a daytime population of 74,484. This consistent growth in population and development affects the organization and provision of public services. As it is likely that an incorporated City will be able to expand services to newly developed unincorporated areas, local government reorganization through annexations becomes important.

TABLE 1: City of Redlands Population and Housing Growth				
Year	Population	% Change	Housing	%Change
1970	36,374	--	--	--
1980	43,619	19.00%	--	--
1990	60,394	38.40%	23,362	--
2000	63,591	5.30%	24,790	6.10%
2010	68,747	8.10%	26,634	7.4%
2017	69,851	1.6%	26,903	1.01%

Source: 1970, 1980, 1990, 2010 Census; Department of Finance, California Annual Population and Housing Data, Demographic Research Unit, 2000, 2017.

This Plan of Services ("POS") evaluates the nature and extent of existing municipal services to the Annexation project area as they are currently provided by the City of Redlands, the County of San Bernardino and other agencies. It also outlines proposed services to be provided to the project upon its annexation to the City. This POS has been prepared as one of the documents required for submission by the City to the San Bernardino County Local Agency Formation Commission ("LAFCO") as part of the annexation application. The purpose of the application for annexation is to change the jurisdictional boundaries of these parcels, bringing them within the boundaries of the City, in support of the landowner's petition.

The proposed annexation consists of two contiguous assessor parcels 0299-011-11 and 0299-011-12. Combined with the contiguous San Bernardino County right-of-way of the adjacent streets, the total annexation is approximately 12.383 acres.

Figure A is an aerial view of the subject property. Currently the property consists of a citrus grove with one single family residence located at the northwest corner of the property. Wabash Avenue is located on the westerly property boundary and Sylvan Boulevard is located along the southerly project boundary. Currently, the city limit line is located generally at the centerline of Wabash Avenue.

Figure B is a depiction of Tentative Tract Map No. 19942, a proposed 34 lot residential subdivision. As part of the entitlement process for the project, the applicant has filed the following applications with the City of Redlands:

- A Tentative Subdivision Map application
- A Zone Change to Single Family Residential (R-1)
- A Socio-Cost Benefit Study
- An Environmental Analysis
- A request for Annexation

Figure C is a copy of the Assessor's Map for the subject property. The Assessor's Parcel Numbers are 0299-011-11 and 0299-011-12.



Figure A – Aerial View
Source: Google Earth

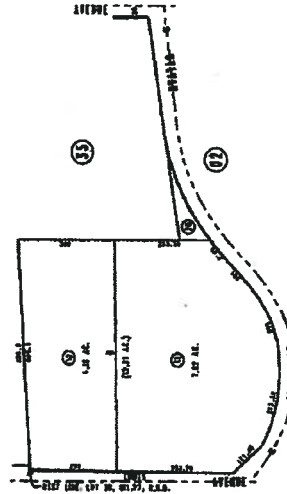
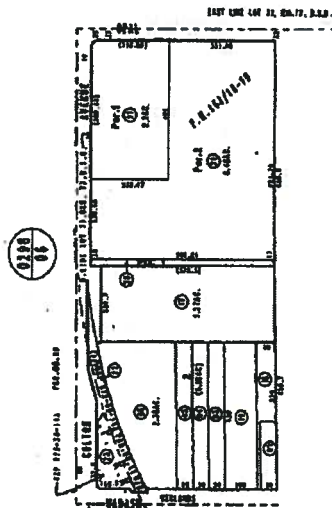
THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.



Pin. Judson Subdivision
M.B.17/26 & 12/15

Redlands Unified
Tax Rate Area
104401

0299-01



October 2005

Parcel Map No. 13687, P.N. 161/10-15

Assessor's Map
Book 0299 Page 01
San Bernardino County

REPLICA
05/25/06 UC

Figure C – Assessor Parcel Map

The following report will provide a comprehensive evaluation of the existing municipal services to the project site, as well as an evaluation of future services upon annexation. Where possible, this report will enumerate and describe the services to be provided, the levels of service (“LOS”) and range of those services, the feasibility of extending such services, any upgrades or additional facilities required by the City, and a description of when services will commence. Unless otherwise stated, all of the parcels being annexed are expected to receive LOS comparable to that currently being provided to City residents.

II. ANNEXATION AREA

The area in which the Project is located is a logical extension of the borders of the City of Redlands. **Figure D** depicts the location of the proposed annexation along the easterly City limits along Wabash Avenue. The property abuts urban development.

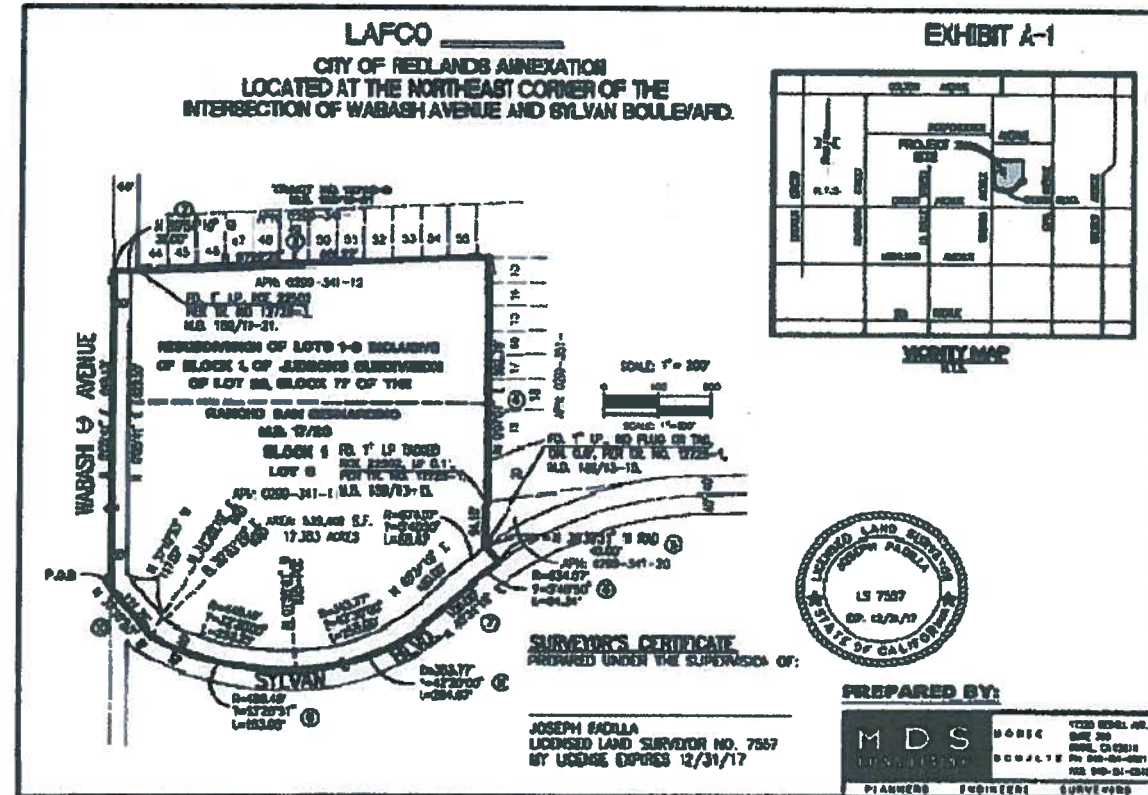


Figure D – Proposed Annexation Area

III. EXISTING AND PROPOSED SERVICES

Below is a summary of the public services currently provided to the annexation area before and after the proposed annexation to the City of Redlands.

A. LAND USE REGULATION

The County Land Use Services Department provides land use planning, building and safety, and code enforcement services to unincorporated areas of San Bernardino County. The Department has two full service offices located in San Bernardino and Victorville. In addition, the Building and Safety Division of the Department staffs regional offices in Barstow, Twin Peaks, Yucca Valley and Big Bear (Refer to Table 2).

TABLE 2: Land Use Regulatory Office Locations

Barstow Office	Big Bear Office	Victorville Office
301 East Mt. View Ave. Barstow, CA 92331	477 Summit Blvd Big Bear Lake, CA 92315	15456 W. Sage St. Victorville, CA 92392
San Bernardino Office	Twin Peaks Office	Yucca Valley Office
385 N. Arrowhead Ave. San Bernardino, CA 92415	26010 State Highway 189 Twin Peaks, CA 92391	57407 Twentynine Palms Outer Hwy S.

Upon annexation, services would be provided by the City of Redlands Development Services Department. Responsibilities of the Development Services Department include long range planning, regional planning and coordination, zoning compliance, environmental review of projects, development review analysis and compliance, historic preservation, and economic development. The Department maintains and implements the General Plan, Zoning Ordinance and Specific Plans for developments in the City of Redlands.

The Redlands Quality of Life Department enforces zoning and public nuisance ordinances to the Project area. Code Enforcement is responsible for enforcing codes which address public health and safety issues, including regulations related to rubbish, garbage, specific nuisances, removal of vegetation, zoning, housing, dangerous buildings, and inoperable and unlicensed vehicles on private property. The Police Department also responds to citizens' requests and complaints. Fees and General Fund revenues will provide funding for these services.

The County Land Use Services Department currently provides building and safety inspection services to unincorporated areas of San Bernardino County.

Upon annexation, the City Building and Safety Division, under the Development Services Department, will be responsible for building plan check, permitting, inspection, and enforcement services. The Building Division regulates construction and occupancy

of all residential, commercial and industrial buildings. Field inspections are performed on all new construction, additions, structural alterations and demolitions for compliance to all structural, safety, health safety and life safety requirements. Inspections also occur on grading and erosion control for commercial buildings, industrial buildings and single family dwelling units. Fees and General Fund revenues will provide funding for these services.

Any new or city services required by this project would be supported by the City of Redlands Development Services Department and Building and Safety Division.

The County of San Bernardino Fire Department currently provides plan check and inspection services through its Community Safety – Construction Planning and Engineering Section. Plans are reviewed for compliance with the applicable fire and life safety regulations, codes and ordinances. The Fire Department is primarily responsible for reviewing all civil improvement plans for fire apparatus access and water supply, as well as all fire protection systems.

Upon annexation, the City's Fire Department will be responsible for plan check and inspection services to ensure the public's safety. Fees and General Fund revenues will provide funding for these services.

Any new or city services required by this project would be supported by the City of Redlands Fire Department Division.

B. LOCAL LAW ENFORCEMENT

Currently, police services are provided through the San Bernardino County Sheriff's Department (SBCSD). The police station serving the Project area is the Yucaipa Station located at 34144 Yucaipa Boulevard. This station has 6 County deputies and 22 City contracted deputy Sheriffs.

After annexation, the City of Redlands Police Department will provide services to the project site. The Redlands Police Department personnel is made up of approximately 100 volunteers, 80 sworn officers and 58 full and part-time civilians, resulting in a service level of 1.12 officers per 1,000 residents. The Police Department contains an Operations Division and an Investigations and Support Services Division. In addition to sworn patrol officers, the Department has several sub-units, including Investigations, the Multiple Enforcement Team, Narcotics, and volunteers. Police services are generally financed through the General Fund. The Redlands Police Department is located at 1270 W. Park Avenue, Building C, Redlands, CA 92373.

Any new or city services required by this project would be supported by the City of Redlands Police Department.

C. ROADWAY MAINTENANCE AND IMPROVEMENTS

The County of San Bernardino Public Works – Transportation/Flood Control department manages operations, maintenance, and improvements of the County Road System which currently comprises approximately 3,000 miles of roadways. Following annexation, the City of Redlands Quality of Life Department will be responsible for the maintenance and operations of the streets surrounding the annexation, including any new streets to be dedicated with the development of the subject property.

Wabash Avenue is master-planned as a four-lane minor arterial roadway. Roadway dedications, improvements and street widening will be provided according to the City's Roadway Master Plan requirements.

Routine maintenance activities of the County Department include: patching and crack filling of approximately 7,000 lane miles of asphalt pavement; grading of 533 miles of unpaved roads; shoulder maintenance; plowing snow on approximately 450 miles of mountain roads; traffic signal maintenance at numerous intersections; roadside weed abatement in urban areas; traffic sign, and pavement striping maintenance throughout the system; storm repairs and clean-up; maintenance of several bridges and thousands of metal pipe and concrete box culverts; and maintenance of drainage facilities such as inlets, ditches, dikes and gutters. Other major activities include administration, planning, design, construction, and traffic operations.

The Transportation/Flood Control department combines with other public agencies such as cities within the County, special districts, federal, state, regional agencies and utility companies, to increase funding, provide 'economy of constructions' and improved public services.

Upon annexation, the City of Redlands Quality of Life and Municipal Utilities and Engineering Departments will provide roadway maintenance to the proposed project, including new roadways to be dedicated with the development. The City of Redlands Quality of Life Department is responsible for street maintenance and operations throughout the City of Redlands, including curbs, gutters, sidewalks, maintenance of approximately 10,000 traffic and street signs, and roadway markings including centerline striping and painted legends. Major activities include an annual street resurfacing program which combines pavement grinding, asphalt overlay and slurry seal programs to prolong the life of City roadways.

Funding for street maintenance and operations comes from numerous sources, including the general fund, Measure I, San Bernardino County's half-cent transportation sales tax, Development Impact Fees, traffic congestion relief fund and gas tax.

Any new or city services required by this project would be supported by the City of Redlands Quality of Life and Municipal Utilities and Engineering Departments.

D. PARKS, LANDSCAPED MEDIANS AND PUBLIC RECREATION

Upon annexation, project residents will have access to both County and City park facilities (**Refer to Tables 3 and 4**). The Redlands Quality of Life Department maintains the City's established parks, civic facilities, medians and traffic islands covering over several hundred acres of land throughout the City. The Department also maintains the grounds surrounding certain City facilities such as the Civic Center. No municipal parks are planned as part of the project. However, the perimeter parkways along Wabash Avenue and Citrus Avenue will be annexed into the Citywide Community Facilities District in order to maintain the landscape medians and parkways. Thus, the future residents of the project area will pay an annual assessment for the maintenance of these areas.

TABLE 3: City of Redlands Parks		
Parks	Location	Description
Brookside	1630 Brookside Avenue	9.3 acre neighborhood park with picnic, playground facilities, and soccer fields
Caroline	206 & 302 W. Sunset Drive	16.8 acre nature park with trails and open space with native California plants and water conservation garden
Community	1535 N. Church Street	18.2 acre park with lighted baseball fields, tennis courts, picnic and playground facilities
Crafton	601 N. Wabash Avenue	7.5 acre neighborhood park with lighted soccer field, picnic and playground facilities
Ed Hales	101 E. State Street	0.7 acre downtown park with picnic facilities
Ford	Redlands boulevard and Ford Street	27 acre park with two ponds for fishing, lighted tennis courts, picnic and playground facilities
Heritage	11126 Iowa Street	18 acres of open space and picnic areas.
Israel Beal	255 Riverview Drive	7.8 acre park with basketball courts, open grassy areas, picnic areas, playground equipment, and trails.
Franklin	Garden Street and Franklin Avenue	0.6 acre natural open space area
Jennie Davis	923 W. Redlands Blvd.	5.2 acre neighborhood park with picnic and playground facilities
Oakmont Park	31212 Sutherland Drive	14.6 acre park with picnic areas and nature trails
Orange Street Alley	50 Orange Street	0.06 acre urban park with picnic facilities
Prospect	352 Prospect Drive	11.4 acre natural park with trails and picnic facilities. The park contains the Avice Meeker Sewall Theater, an outdoor amphitheater with seating for 407. The theater is home to the Redlands Summer Theater Festival
Redlands Sports	1790 N. Dearborn Street	48-acre site with full-sized soccer fields with lighting. The facility is reserved for scheduled soccer activity.
San Timoteo Canyon Nature Preserve	San Timoteo Canyon near Fern Ave	40 acre natural preserve facility
Simond's	Garden Street and Rossmont Drive	0.9 acre neighborhood park

Smiley	168 S. Eureka Street	9.2 acre park at the Redlands Civic Center. This park is home to A.K. Smiley Public Library, a facility listed on the National Register of Historic Places; the Lincoln Shrine, containing the largest collection of Abraham Lincoln memorabilia west of the Mississippi River, and the Redlands Bowl, an outdoor amphitheater with seating for approximately 4,000 persons where summer concerts are performed each Tuesday and Friday evening during July and August
Sylvan	730 Chapel Street	23.3 acre park with softball field, group and individual picnic areas and playground facilities. The historic Mill Creek Zanja flows through the park. Sylvan Park is the home of the Redlands Fourth of July programs
Texonia	1321 Texas Street	10.7 acre neighborhood park with lighted softball field, basketball courts, picnic and playground facilities
The Terrace	106 & 500 E. Colton Avenue	2.5 acre open space with trail

TABLE 4: County Parks	
Park	Description/Location
Calico Ghost Town	Historic silver mining town in the Mojave Desert near Barstow
Moabi	Marina on the Colorado River near Topock Gorge
Prado	Park with golf course, lake and playing fields near Chino
Cucamonga Guasti	Urban park with swim complex east of Ontario
Lake Gregory	Mountain lake with lodge, and water park near Crestline
Glen Helen	Park, lake and entertainment complex at the base of Cajon Pass
Yucaipa	Park with lakes and swim complex in the foothills of San Bernardino mountains near Oak Glen
Mojave Narrows	Park with lakes and wildlife preserve in Victorville
Mojave River Fords	Camp in the Summit Valley near Lake Silverwood

E. STREET LIGHTING

Currently, the unimproved subject property does not have any street lights; therefore, no street light services are provided by the County of San Bernardino to the subject property.

The City of Redlands Quality of Life Department is responsible for maintenance and operation of street lights throughout the City. Following annexation and development of the subject property, maintenance and operations of any new street lights associated with the development of the property will be assumed by the City.

Any new or city services required by this project would be supported by the City of Redlands Quality of Life Department.

F. ANIMAL REGULATION

The San Bernardino County animal Care and Control Program currently offers field services, animal licensing and education for dog owners in the unincorporated areas of the County. The Program operates two animal shelters. Big Bear Animal Shelter is located at Northshore Rd., Big Bear City and Devore Animal Shelter is located at 19777 Shelter Way, Devore.

The Redlands Police Department's Animal Control Unit provides animal control services to City residents seven days a week. The office is located at 504 N. Kansas Street and is open to the public six days a week. Animal Control Officers are on duty seven days a week and respond to a variety of calls for service. Officers enforce municipal codes as well as State and Federal laws pertaining to animals. Officers handle a variety of both domestic and wild animals. They patrol the city streets and pick up or impound dogs running at large, dead animals, injured animals, and aggressive animals, handle reports of animal cruelty or neglect, animal welfare concerns, animals in distress, noisy animals and animal bites. Officers issue citations for violations, write crime reports, handle investigations and write other miscellaneous reports. The shelter provides adoption services for stray and homeless animals as well as a variety of educational programs within the community.

The annexation area will receive services from the City of Redlands, which will be financed by the General Fund and various fees. Any new or city services required by this project would be supported by the City of Redlands Police Departments Animal Control Unit.

G. LIBRARY SERVICES

Currently, Loma Linda and Mentone branches of the San Bernardino County Library are in closest proximity to the Project area. The new Mentone branch and senior center are located at 1331 Opal Ave in Mentone. The Loma Linda branch is located at 25581 Barton Road in Loma Linda and offers an Adopt-A-Book Program and a free English Improvement class.

The City of Redlands A.K. Smiley Public Library is funded through property tax assessments, income from its endowment fund, gifts, and the non-profit Friends of the Library organization. The Library sponsors speakers and programs on cultural issues, history, and literature. The Smiley Library administers the Lincoln Memorial Shrine museum.

Children's programs include Tuesday night story time, Thursday morning story time, Saturday morning craft programs and Camp Read-a-Lot. Teen programs are "Boot Camp 1,2,3,4,...just read! And Young Adult Book Reviews. The Library also holds weekly silent book auctions, Annual Family Day, "One City, One Book" community reading

program, five Adult Reading Book clubs, and Jaws and Open Book Screen Reading software for the blind, and courses on local history.

Any new or city services required by this project would be supported by the City of Redlands A.K. Smiley Public Library.

H. STREET SWEEPING

Currently, the City of Redlands contracts for street sweeping services twice per month for all residential and commercial streets. Some areas of the downtown area are swept on a three times -per week basis.

Street sweeping schedules have been established for each area of the City. It is expected that these services will be provided to the Project area on the second and fourth Thursdays of the month. For a street sweeping schedule, refer to **Table 8** below.

TABLE 5: Street Sweeping Schedule	
Schedule	Location
First & Third Monday	Area generally bounded by Lugonia Avenue, University Street, Interstate 10 and Interstate 210 (State Route 30).
First & Third Tuesday	Area generally bounded by Fern Avenue, Cajon Street, Highland Avenue, Ramona Drive, Crescent Avenue and the Smiley Heights area.
First & Third Wednesday	Area generally bounded by Interstate 10, Highland Avenue, Cajon Street, Brookside Avenue, New York Street, State Street and Texas Street
First & Third Thursday	Area generally bounded by the northerly and easterly city limits, Citrus Avenue, University Street, Grove Street, San Bernardino Avenue and Judson Street
First and Third Friday	Area generally bounded by Brookside Avenue, Barton Road, the westerly and northerly city limits, Interstate 210 (State Route 30), Interstate 10, Texas Street and New York Street
Second and Fourth Monday	Area generally bounded by the northerly city limits, Judson Street, San Bernardino Avenue, Grove Street Lugonia Avenue and Interstate 210 (State Route 30)
Second and Fourth Tuesday	Area generally bounded by the southerly and westerly city limits, Crescent Avenue, Ramona Drive, Highland Avenue, Cajon Street, Garden Street, Mariposa Drive, Wabash Avenue, Palo Alto Drive, and Sunset Drive
Second & Fourth Wednesday	Area generally bounded by Highland Avenue, Redlands Boulevard, Interstate 10, the southerly city limits, Sunset Drive, Palo Alto Drive, Mariposa Drive, Garden Street and Cajon Street
Second and Fourth Thursday	Area generally bounded by Citrus Avenue, Wabash Avenue and Interstate 10
Second and Fourth Friday	Area generally bounded by Barton Road, Brookside Avenue, Citrus Avenue, Cajon Street, Fern Avenue and the westerly city limits

Upon annexation, street sweeping services will be provided to the Project area by the City. Street sweeping operations are a function and under management of the City's Quality of Life Department.

Any new or city services required by this project would be supported by the City of Redlands Quality of Life Department.

I. FIRE PREVENTION, PROTECTION AND EMERGENCY MEDICAL

The annexation area currently receives fire services from the San Bernardino County Fire Protection District and mutual jurisdictional aid dispatch support through Confire JPA, which is staffed by contract through County Fire. ConFire JPA consists of the San Bernardino County Fire Protection District, Colton Fire Department, Loma Linda Fire Department, Redlands Fire Department, and the Rialto Fire Department. The County Fire Protection District manages 75 stations and provides fire and paramedic services to an area of over 16,535 square miles. The District provides service to 60 communities/cities and the majority of the unincorporated areas of the county.

The County of San Bernardino County Fire Protection District (County Fire) currently provides plan check and inspection services through its Community Safety – Construction Planning and Engineering Section. Plans are reviewed for compliance with the applicable fire and life safety regulations, codes and ordinances. County Fire is primarily responsible for reviewing all civil improvement plans for fire apparatus access and water supply, as well as all fire protection systems.

Upon annexation, the City's Fire Department will be responsible for plan check and inspection services to ensure the public's safety. Fees and General Fund revenues will provide funding for these services.

Any new or city services required by this project would be supported by the City of Redlands Fire Department. The City of Redlands Fire Department will provide fire and emergency medical services to the Project. The fire department consists of 55 total sworn personnel and covers an area of 37 square miles. At project buildout, city-wide level of service is expected to be 0.76 firefighters per 1,000 residents. Other services include the household hazardous waste disposal site, CPR classes, sharps container exchange program, blood pressure checks and public education programs.

Today, the Redlands Fire Department has 18 firefighter/paramedics and 37 firefighter/EMTs. The Fire Department operates five paramedic-staffed apparatus. Station No. 261 is in closest proximity to the project site. Services are financed through the General Fund. The City intends to proceed with amending the All-Response agreement, related to this annexation.

Any new or city services required by this project would be supported by the City of Redlands Fire Department.

J. PUBLIC TRANSIT

The County of San Bernardino provides bus service through Omnitrans. Omnitrans provides numerous routes that cover most urban areas of the County. Three routes run through Redlands, and Omnitrans has a policy to stop for anyone along their route who flags them down. Buses run from approximately 6:00 a.m. to 10:00 p.m., with hourly departures on almost every line.

Metrolink is a regional commuter rail system that operates lines serving 44 stations from Union Station/Gateway Center, connecting downtown Los Angeles with Lancaster, Oxnard, San Bernardino, Riverside, and Oceanside. These lines operate only Monday through Friday with the exception of the San Bernardino and Santa Clarita lines, which provide Saturday service as well. Metrolink also operates a line between San Bernardino and Irvine.

Omnitrans offers the following regional bus lines in San Bernardino County: Barstow Area Transport (BAT), Mountain Area Regional Transit (MARTA), Morongo Basin Transit Authority, Needles Area Transit and Victor Valley Commuter.

Following the annexation, these services for public transit services will remain in effect. There will be no charge in funding for these services.

K. WATER SERVICE

Currently, the subject property is utilized as an active citrus grove and is currently served by the Bear Valley Water Company for water service. Following development of the new homes, the City of Redlands will provide water service to the project site. More than 75,000 residents in Redlands, Mentone, parts of Crafton Hills and San Timoteo Canyon depend on Redlands Municipal Utilities and Engineering Department (MUED) for water service. MUED supplies a blend of local groundwater, local surface water, and imported water from the State Water Project. Water supply will be financed through user fees.

The wholesale water supplier for the annexation area is the San Bernardino Valley Municipal Water District ("SBVMWD"). The SBVMWD covers approximately 325 square miles of southwestern San Bernardino County (**Refer to Figure F**). It is responsible for importing supplemental water, monitoring groundwater supplies/basins and recharging groundwater. Legal flow requirements at Riverside Narrows approximately 15,250 acre-feet per year.

The City's Urban Water Management Plan (UWMP), an assessment prepared by the City of Redlands Municipal Utilities Department, concluded that the water supply is sufficient over the next 20 years with regard to reliability as described in the most recently adopted Urban Water Management Plan to meet demand for the project. Furthermore, the San Bernardino Valley 2015 Regional Urban Water Management Plan and the Integrated Regional Water Management Plan (IRWMP) verify the City's capacity to provide water for this development at the proposed density.

The City of Redlands Municipal Utilities and Engineering Department is currently the provider for potable water for the subject property, and no changes will be required. The developer will be required to construct all new water mains within the project boundaries and pay the appropriate water meter installation, water frontage, water source acquisition and water capital improvement fees to the City of Redlands for water service.

L. WASTEWATER COLLECTION & TREATMENT

Currently, the property has no sewage service. A sewer connection point to an existing City of Redlands sewer main will be available on Wabash Avenue. The developer will be required to construct all new sewer mains and private laterals within the project boundaries. The Municipal Utilities and Engineering Department will be responsible for providing wastewater service for the subject property.

The Redlands Wastewater Treatment Facility is located on approximately 50 acres near the terminus of Nevada Street. The facility has the ability to process 9.5 million gallons of wastewater per day, and is currently processing about 6 million gallons per day. In addition, the City of Redlands operates a certified environmental laboratory for monitoring its drinking water supply and wastewater effluent. The laboratory is certified by the State of California, Department of Health Services.

The City's laboratory operates cost-effectively and responsively to meet the joint needs of the City's three Municipal Utilities, waste and wastewater to ensure compliance with regulatory requirements for safe drinking water, for a high degree of wastewater treatment and disposal, and protection of groundwater quality.

The development will be required to construct all new wastewater pipelines and connect to existing pipelines located in the immediate vicinity. In addition, the development will pay capital improvement fees in order to receive service. Following development, the wastewater service will be provided through user fees on an individual home basis.

Any new or city services required by this project would be supported by the City of Redlands Municipal Utilities and Engineering Department.

M. VECTOR CONTROL

The San Bernardino County Vector Control Program office is located at 248 South Sierra Way, Unit E, San Bernardino. The Vector Control Program offers services for public pools, apartments, hotels, schools, water parks and sewage tanks and pump trucks to all cities within the County. Complete services are available to all unincorporated areas. The main functions of the Program are to respond to service requests, monitor vector borne diseases such as the West Nile virus, inspection of poultry ranches and abatement of sewer systems and flood control basins. Upon annexation, all services will continue to be provided by the SB County Vector Control Program. Vector control services are funded by the County through property assessments.

N. SOLID WASTE DISPOSAL/TRASH COLLECTION

The project area is currently served by the Department of Public Works Solid Waste Management Division (SWMD) of San Bernardino County. The office is located at 222 W. Hospitality Lane. SWMD is responsible for the operation and management of the County's solid waste disposal system, consisting of six regional landfills, eight transfer stations and five community collection centers. The County contracts with Burrtec Waste Industries (Empire Disposal) for disposal site operations and maintenance. The Division also handles the franchise program and refuse collection permit program, which authorizes and regulates trash collection by private haulers in the unincorporated area. However, the subject property currently has no solid waste disposal service.

The City of Redlands Quality of Life Department will provide solid waste services to the project area immediately upon annexation and development. Solid waste services in the City are funded through user fees.

Any new or city services required by this project would be supported by the City of Redlands Quality of Life Department.

O. REGIONAL FLOOD CONTROL

Regional and local flood control protection for the annexation areas as well as the City is currently provided by the County Flood Control District Zone 3. The County Flood Control District plans, funds, designs, constructs and maintains main flood control facilities. The District provides dams, conservation basins, channels and storm drains. Zone 3 covers an area of 366 square miles which includes the Cities of Highland, Loma Linda, Redlands and Yucaipa (Refer to Figure G). Flood control services are funded through property tax revenues.

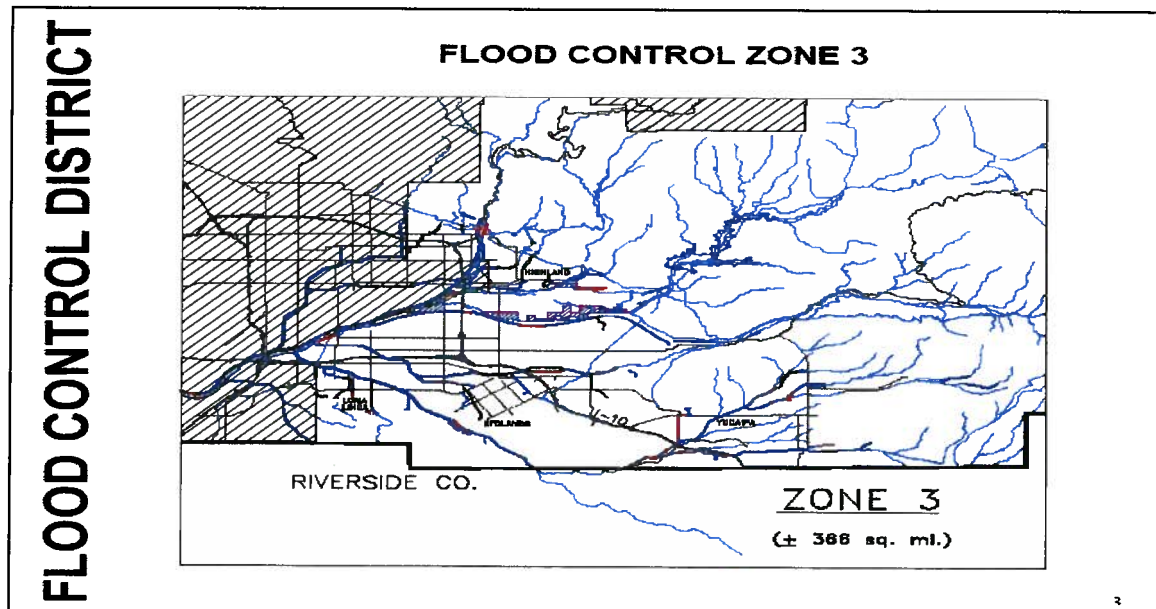


Figure G – County Flood Control District Zone 3

P. LOCAL DRAINAGE AND FLOOD CONTROL

The City's Quality of Life Department will provide drainage services to the Project area upon annexation. City crews offer regular inspection and maintenance of storm drains throughout Redlands and maintains a stock of sandbags for emergency purposes. There are a number of regional and local storm drains that run through the City. Most of these drains flow through enclosed pipes or open channels. The project drains to an existing reinforced concrete pipe along Wabash Avenue. The City maintains all improved storm drains that have dedicated easements for storm drain purposes. All drainage from the City of Redlands ultimately enters the Santa Ana River. Drainage services will be funded by the City General Fund after annexation. The water quality facilities will be maintained by a Community Facilities District.

Maintenance of the best management practices (BMPs) described in the Water Quality Management Plan (WQMP) is included in the CFD 2004-1 annexation. Therefore, funding for maintenance will be paid through property tax assessments on individual homeowners. The City's Quality of Life Department will coordinate the actual maintenance work, using either City staff or an outside contractor. This development, as with all development, pay a variety of Development Impact Fees. An estimate of Development Impact Fees has been calculated and included as Attachment A. These fees are established per Council resolution and are used for funding growth-induced infrastructure.

Any new or city services required by this project would be supported by the City of Redlands Quality of Life and Municipal Utilities and Engineering Departments.

Any new or city services required by this project would be supported by the City of Redlands Quality of Life and Municipal Utilities and Engineering Departments.

Q. CABLE TV FRANCHISE

Currently, the subject property receives no Cable TV services. Following annexation and development, cable television service will be provided by Time Warner. Cable TV services are financed through user fees.

R. SCHOOL DISTRICTS

The entire proposed annexation area is currently situated within the boundaries of the Redlands Unified School District. The District serves communities of Redlands, Loma Linda, Mentone, Forest Falls and portions of San Bernardino and Highland, covering an area of 157 square miles. Current enrollment for grades K-12 is 21,170 students. The District is composed of 15 elementary schools, 4 middle schools (Beattie, Cope, Clement and Moore) and 3 high schools (Redlands, Redlands East Valley and Citrus Valley High Schools). The Project area is served by Mentone and Crafton Elementary schools, Clement Middle School and Redlands East Valley High School. Elementary school

serves grades K-5, middle school grades 6-8 and high school grades 9 -12. The School District is financed through property taxes and the State of California.

The Redlands Unified School District will continue to provide services to the subject property after annexation to the City of Redlands.

K. CONCLUSIONS

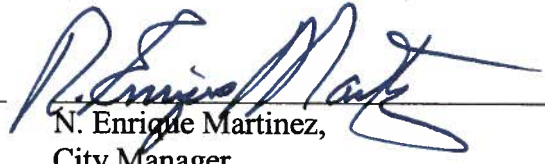
The San Bernardino County Local Agency Formation Commission has previously identified the City of Redlands as the logical service provider for the annexation project area by placing the area within the City's Sphere of Influence. The proposed development is consistent with existing and previously planned development. Residents and employees of the project area will receive a sufficient level of City provided municipal services, especially in the areas of police, fire and land use regulation.

L. CERTIFICATION

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief. I understand that if this proposal is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

Date



N. Enrique Martinez,
City Manager,
City of Redlands

ATTACHMENT "A"

Estimate of Development Impact Fees

Proposed Development

Applicant

Project

Address

Prior project

Project Data:

Date: 4/13/2017

SAM-REDLANDS, LLC**TTM 19942****NEC SYLVAN BLVD./WABASH ST.****NA**

Prepared by: AKC

DIF Preliminary Estimate

DIF Preliminary Credit*

*Credits for either prior use or relinquishment of water rights through submission of water shares are not included in these estimates.

(Include Agriculture if water supplied by City)

PW DIF:

	Fee	Credit	Est. NET DIF
Transportation	\$51,420.24	\$0.00	\$51,420.24
Fire	\$19,620.72	\$0.00	\$19,620.72
Government	\$23,339.30	\$0.00	\$23,339.30
Library	\$8,995.72	\$0.00	\$8,995.72
Open Space/Park/Community Facility	\$134,637.96	\$0.00	\$134,637.96
Police	\$1,023.74	\$0.00	\$1,023.74
Storm Drain	\$23,800.00	\$0.00	\$23,800.00
Subtotal:	\$262,837.68	\$0.00	\$262,837.68

Participation in Wabash Av, pedestrian crossing not included.

TBD

Water and Sewer DIF:

Sewer Capacity	\$106,420.00	\$0.00	\$106,420.00
Recycled Irr	\$0.00	\$0.00	\$0.00
**Water Capacity	\$155,538.00	\$0.00	\$155,538.00
**Water Source	\$28,062.00	\$0.00	\$28,062.00
Solid Waste	\$22,100.00	\$0.00	\$22,100.00
Subtotal:	\$312,120.00		\$312,120.00

**Water DIF for common area landscaping is not included in these estimates.

Frontage Fees:

Frontage Fee 8" Water	\$19,410.00	\$0.00	\$19,410.00
Frontage Fee 12" Water:	\$0.00	\$0.00	\$0.00
Frontage Fee 6" Non-Potable	\$0.00	\$0.00	\$0.00
Frontage Fee 8" Sewer:	\$0.00	\$0.00	\$0.00
Subtotal	\$19,410.00		\$19,410.00

With Credits -

Grand Total: \$594,367.68 Adjusted Total: \$594,367.68

SOCIO-ECONOMIC EVALUATION CHECKLIST FORM

BACKGROUND

1. **Project Title:**
Mastercraft Homes Tract
Annexation No. 94 (LAFCO 3207), Zone Change No. 454, Tentative Tract No. 19942, and Demolition Permit No. 258.
2. **Contact Person and Phone Number:**
Loralee Farris
Principal Planner
Development Services Department
City of Redlands
(909) 798-7555
3. **Project Location:**
The project is located in the unincorporated area of the County of San Bernardino north of Sylvan Boulevard and east of Wabash Avenue. Assessor's Parcel Numbers (APN's): 0299-011-11 and 0299-011-12.
4. **Project Sponsor's Name and Address:**
Sam-Redlands LLC, Mastercraft Homes Group, 20201 Birch Street, Suite 100, Newport Beach, CA. 92660.
5. **General Plan Designation:**
Rural Living (RL) - 5 Acre Minimum Parcel Size (County of San Bernardino General Plan). Proposed - Low Density Residential (LDR) 0-6 dwelling units per acre (City of Redlands General Plan).
6. **Zoning:**
RL-5: Rural Living, 5 acre Minimum Parcel Size (County of San Bernardino); Proposed - R-1 Low Density Residential, 7200 square feet minimum lot size. (City of Redlands).
7. **Description of Project:**
Entitlement actions include: 1) Approval of a proposed annexation of approximately 11.97 acres from the unincorporated area of the County of San Bernardino into the boundaries of the City of Redlands, 2) Approval of a proposed Zone Change to pre-zone approximately 11.97 acres to be annexed from (RL-5) Rural Living (County of San Bernardino) to the Single-Family Residential (R-1) District (City of Redlands), 3) Approval of Tentative Tract Map No. 19942 to subdivide approximately 11.97 acres into thirty four (34) single family residential lots and four (4) lettered lots, and 4) Approval of a Demolition Permit to allow removal of one existing residential

structure on the subject site, two commercial buildings, one carport, and one garage and shed.

Proposed residential lot areas would vary from approximately 7,200 – 16,450 square feet and would average approximately 8,990 square feet in area. The proposed gross density is 2.84 dwelling units (du) per acre, and the proposed net density is 2.89 du/acre. The project will include open space, including public landscape areas and a storm water basin. All streets are proposed to be public streets and the community will not be gated.

Pursuant to Redlands Municipal Code Section 16.60.030, as a condition of receiving water and/or sewer connections to the city's water and sewerage system, unincorporated parcels contiguous to the City of Redlands boundaries are required to annex into the City of Redlands. As the proposed development would need to connect to these systems, the applicant has concurrently submitted a request for annexation into the City of Redlands. To ensure compliance with the Local Agency Formation Commission requirements for annexing unincorporated parcels into the City of Redlands, the project site must be contiguous to the City of Redlands boundaries.

8. Surrounding Land Uses and Setting:

The project site is surrounded by single family residential use to the north and east, to the west by Wabash Avenue and an institutional (school) use, and to the south by the Mill Creek Zanja and Sylvan Boulevard. A mix of rural residential and agricultural uses is located across Sylvan Boulevard to the south and east.

COST BENEFIT FACTORS:

The cost benefit factors are evaluated independently using the cost benefit model. A positive or negative cost/benefit ratio will be derived by evaluating projects. A complete model used to evaluate the project is available in the Development Services Department. A summary of that analysis is provided here:

According to the Cost Benefit Model used by the City, this project will provide the City approximately \$51,027.00 in revenue and costs of \$48,158.00, resulting in a positive balance of \$2,869 with a Cost Benefit Ratio of 1.05 over the period of 2017-2025.

PUBLIC INFRASTRUCTURE AND EFFECT ON THE CITY OF REDLANDS:

Identify the public infrastructure required for development of this project and identify the

source(s) of funding for these improvements. Identify the effects of such development upon the City of Redlands.

List of public infrastructure required for the project:

The applicant will provide the infrastructure as required by the Municipal Utilities and Engineering Department. The developer will be installing all required off-site improvements. Based on the data provided by the applicant's engineer, the proposed development will provide the following:

- 1. 9 street lights**
- 2. 0.30 road lane miles of new streets**
- 3. 1,880 linear feet of water lines**
- 4. 1,860 linear feet of sewer**
- 5. 937 linear feet of storm drain**
- 6. 3,110 linear feet of curb and gutter**
- 7. 17,840 square feet of sidewalk**

The required public improvements will be installed with the development of the subdivision, in accordance with the State Subdivision Map Act, the City's Subdivision Ordinance, the Subdivision Improvement Agreement for the project, and prior to final approval of a building permit for any future home. In addition, the ensure construction of the required public improvements, the subdivision will be required to furnish improvements security, such as a bond, as a guarantee of performance.

Sources of funding for these improvements to include developer installed payment of impact fees, assessment districts, etc.:

The developer will also be required to pay impact fees as required by the Redlands Municipal Code.

The effect of the project upon the City of Redlands relative to public infrastructure is as follows:

This project does impact existing public infrastructure systems. However, this is offset by the payment of Development Impact Fees and construction of improvements adjacent to the project site along Wabash Avenue.

BENEFITS OF THE PROJECT TO THE CITY OF REDLANDS

The following is a list of benefits that can be attributed to the proposed project. The

benefits may fall into the categories identified or a miscellaneous category. Each benefit identified will be described in detail with supporting reasons as to how the item benefits the community.

A. Citrus Enhancements or Preservation. Does the project preserve citrus? The following are accepted ways to enhance or preserve citrus which may be determined to be a benefit to the City of Redlands.

1. Provide conservation easement(s) on citrus groves the City hopes to preserve.
2. Acquire citrus grove(s) and donate all or a portion of the grove to the City.
3. Enhance viability and productivity of existing groves by enhancing irrigation or adding frost water.
4. Maintain a viable buffer of citrus around the project (at least 3 rows).
5. Other ways to preserve citrus.

If this project provides benefit(s) that apply to citrus enhancement or preservation, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project, as designed, does not preserve citrus. Approximately 5.5 acres of the project site is currently occupied with citrus groves that would be removed to accommodate the development of the project. The remainder of the site was, at one time, was occupied by citrus groves as well. Aerial photographs indicate the presence of groves on the property back to at least 1938, however, they also illustrate the removal of grove area on the property between 1980 and 2005, to accommodate the establishment of an equipment yard which presently occupies the remainder of the site.

The area in the vicinity of the project site has changed over time from agricultural to residential uses. The project site is bounded on two sides by residential development and the existing agricultural use represents a fragmented portion of citrus groves, non-contiguous with other citrus orchards located further east in the unincorporated area of Crafton.

B. Cultural Enhancements or Preservation. Does the project enhance or preserve cultural aspects of the community? The following are accepted ways to enhance and/or preserve cultural aspects of the community which may be determined to be a benefit to the City of Redlands.

1. Contributes to “art in public places” concept to a minimum of 1% of total project value.
2. Contributes to the alleviation of problems at cultural sites.
3. Provides an electronic library available to the public.
4. Enhances or contributes to current services or cultural resources.
5. Contribute to performing arts venues.

If this project provides benefit(s) that apply to cultural enhancements or preservation, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project does not propose contributions or enhancements to cultural aspects of the community. The project will pay City established Development Impact Fees and provide additional revenue from increased property tax assessment, business license tax, and other revenue sources that will indirectly provide funding that will contribute to enhancing and/or maintaining some of the cultural facilities within the City.

C. Heritage Enhancements or Preservation. Does the project enhance or preserve heritage aspects of the community? The following are accepted ways to enhance and/or preserve heritage aspects of the community which may be determined to be a benefit to the City of Redlands.

1. Renovates existing historic homes.
2. The project has design features which include garage doors do not face street; 50% wrap around porch on 1-1/2 sides; broad overhangs on roof; driveway located on the side of house or a circular drive; decorative wood, masonry or wrought iron fence.
3. Adaptive reuse of historic structures in appropriate zones.
4. Forming a new or annexing to an existing historic district.
5. Designation of a structure as an individual historic resource.

If this project provides benefit(s) that apply to heritage enhancements or preservation, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The property is not located within a Historic and Scenic District. A report assessing the potential for archaeological and paleontological resources, historical resources, and human remains has been prepared for the proposed project by the firm of Brian F. Smith and Associates. In addition, a Mill Creek Zanja Protection Plan has been

prepared by the firm of Cadre Environmental. The project will enhance the Mill Creek Zanja Trail along the southerly tract boundary, extending the trail system by 795 linear feet. The site does not contain any historical structures, and the site is not considered a Historical Resource under CEQA pursuant to Public Resources Code §5020.1 q and §15064.5. Since no California or Local Register-listed or eligible resources are located within the project site, the project will not cause a substantial adverse change in the significance of a known Historical Resource.

D. Architectural Enhancements. Does the project enhance architectural aspects of the community? The following are accepted ways to enhance architectural aspects of the community which may be determined to be a benefit to the City of Redlands.

1. Provide architectural or decorative enhancements to the project which exceed normal architectural standards.
2. Trees or other landscaping amenities that exceed minimum requirements.
3. Contribution of off-site enhancements in the public right-of-way, such as sidewalk installation and street tree replacement.
4. Assisting in undergrounding of utility lines.

If this project provides benefit(s) that apply to architectural enhancements, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

Proposed residential lot areas are proposed to vary from approximately 7,200 – 16,450 square feet and would average approximately 8,990 square feet in area. The proposed gross density is 2.84 dwelling units (du) per acre, and the proposed net density is 2.89 du/acre. The project includes open space, including public landscape areas and a flood detention basin. Approximately 0.43 acres along Wabash Avenue and along the proposed extension of the Mill Creek Zanja Trail will be landscaped, including 795 linear feet of decomposed granite trail open to the public. In addition, the 0.6 acre water quality detention basin located adjacent to Wabash Avenue will be fully landscaped. Home construction is expected to begin in 2017 and be complete by 2019.

E. Historic Downtown Enhancements or Preservation. Does the project enhance or preserve the historic downtown of the community? The following are accepted ways to enhance and/or preserve the historic downtown of the community which may be determined to be a benefit to the City of Redlands.

1. Contributes financially to viability of core downtown within expanded downtown.

2. Renovate old buildings.
3. Within an expanded downtown extends DRBA streetscape enhancements.
4. Contributing to the restoration of original building facades of existing structures
5. Re-establishing historical “pedestrian oriented” street frontages where original buildings have been removed.
6. Provides unique adaptive use of historic building.
7. Contributes to alternative means of transportation.

If this project provides benefit(s) that apply to historic downtown enhancements or preservation, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project is not located within the historic downtown district. The project will pay City established Development Impact Fees and provide significant additional revenue from increased property tax assessment, business license tax, and other revenue sources that will indirectly provide funding that could be utilized to enhance and/or maintain the downtown district.

F. Job Enhancements. Does the project enhance jobs for the community? The following are accepted ways to enhance jobs for the community which may be determined to be a benefit to the City of Redlands.

1. Provides jobs for the community.
2. Brings in revenue from outside the city.
3. Internship opportunities for students at universities, high school and colleges.

If this project provides benefit(s) that apply to job enhancements, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project is a residential development and will not create jobs other than constructive activities necessary to develop the subdivision.

G. Open Space Enhancements or Preservation. Does the project enhance or preserve open space aspects of the community? The following are accepted ways to enhance and/or preserve open space within the community which may be determined to be a benefit to the City of Redlands.

1. Hardscape feature that enhances wildlife-water/food/ shelter.
2. Enhanced landscape on commercial project which conceals infrastructure.

3. Waterscaping which increases illusion of open space.
4. Provides open space in addition to zoning requirement.
5. Provides a Planned Residential Development
6. Provides a usable conservation easement across open space in perpetuity.
7. Preserves access for wildlife migration corridor.
8. Provides undisturbed refuge area for wildlife.

If this project provides benefit(s) that apply to open space enhancements or preservation, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

Approximately 16% of the project site will be open space, including landscape areas and a storm water basin. Approximately 0.43 acres along Wabash Avenue and 795 linear feet of a decomposed granite trail along the proposed extension of the Mill Creek Zanja Trail will be landscaped. In addition, the 0.6 acre water quality detention basin located adjacent to Wabash Avenue will be fully landscaped.

H. Park Enhancements or Preservation. Does the project enhance or preserve parks of the community? The following are accepted ways to enhance and/or preserve parks within the community which may be determined to be a benefit to the City of Redlands.

1. Adds improved parkland.
2. Adds parkland beyond requirements.
3. Provides pedestrian and/or bike trails to parks or provides extension of existing pedestrian and/or bike trails from the project site.
4. Adds meeting rooms accessible to local groups on a frequent basis.
5. Improves or adds to existing landscape and/or streetscape at or near the project site.

If this project provides benefit(s) that apply to park enhancements or preservation, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project incorporates 795 linear feet of decomposed granite trail along the proposed extension of the Mill Creek Zanja Trail, which will also be landscaped. The City General Plan establishes a park standard of five to six acres of parkland for every 1,000 residents. Currently, the City has approximately 213.3 acres of parkland, and a ratio of 4.1 acres of parkland per 1,000 residents. The proposed project would be limited to the annexation and subdivision of land for residential uses and does not propose plans for neighborhood, community, or city parks.

The City will require the project proponent to pay in lieu park fees to offset potential impacts relative to the provision of park facilities. The project and its future residents will also provide additional revenue to the City, resulting from increased property tax assessment and sales tax revenue which will indirectly benefit City parks.

I. Public Safety Enhancements. Does the project enhance public safety aspects of the community? The following are accepted ways to enhance public safety within the community which may be determined to be a benefit to the City of Redlands.

1. Security infrastructure is provided in an architecturally acceptable manner.
2. Exterior television monitoring on commercial project.
3. Provide a building site or fully equipped fire station or contributes to dedicated City account for future construction.
4. Provides significant additional fire equipment as determined by the Fire Department.
5. Provides for a police substation (subject to City approval).
6. Provides for a building site for a new facility.

If this project provides benefit(s) that apply to public safety enhancements, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project will pay Development Impact Fees which have been established by the City to fund public facilities, including police. The project and its future residents will also provide additional revenue from increased property tax assessment and sales tax revenue which will assist in funding police operations.

J. School Enhancements. Does the project enhance schools or their operations within the community? The following are accepted ways to enhance schools within the community which may be determined to be a benefit to the City of Redlands.

1. Senior citizen development adds revenue but no impact.
2. Provides day care and after school program(s).
3. Project is close to schools serving the project.
4. Contributes equipment or other enhancements to existing day care and after school programs.
5. Assist schools with land or financing (such as Mello Roos).

If this project provides benefit(s) that apply to schools, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project will pay State established School Fees that will assist in funding school facilities.

K. Traffic. Does the project reduce traffic, enhance systems to improve traffic conditions or otherwise improve traffic within the community? The following are accepted ways to improve traffic within the community which may be determined to be a benefit to the City of Redlands.

1. Provide financial mitigation which helps alleviate parking problems in town i.e. by contributing to the parking district.
2. Incorporate “traffic calming” elements into the design of the circulation system.
3. Support for alternative forms of public transportation or public transportation facilities.
4. Add biking and pedestrian access to off campus intellectual or entertainment resources.
5. Have a unique method of product/inventory delivery.

If this project provides benefit(s) that apply to traffic, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The proposed project is small in scale, and is estimated to generate 32 trip ends per day with 26 AM peak trips and 34 PM peak trips, and a total of 324 trips daily. Current traffic levels of service in the project vicinity will remain the same. Staff has conditioned this project to mitigate all traffic impacts to a level of less than significant. All streets within the project area will be dedicated and improved to ultimate right-of-way widths that can safely accommodate the increase in vehicle trips generated by the project. Off-site improvements have been or will be installed in accordance with Redlands General Plan Circulation Element for neighboring streets. The project will also pay Development Impact Fees established by the City as a fair share contribution toward the development’s impacts on the local street system.

L. Wastewater System Enhancements. Does the project enhance the wastewater system within the community? The following are accepted ways to improve the wastewater system within the community which may be determined to be a benefit to the City of Redlands.

1. Provide a dual system to use potable and non-potable water.
2. Provide financial contributions to tertiary facilities at the Wastewater Treatment Plant.

3. Improve water quality.

If this project provides benefit(s) that apply to the wastewater system, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project includes a request for annexation into the City of Redlands to facilitate connection to City provided water and sewer treatment. The project will be required to construct standard public infrastructure. The project does not contain any enhancements to the wastewater system but the project applicant will pay their fair share of development impact fees for wastewater systems. The project has been designed with storm water basins to manage on-site drainage and allow the percolation of storm water.

M. Miscellaneous Preservation or Enhancements. Does the project enhance or preserve elements within the community?

If this project provides benefit(s) that apply to enhancement or preservation of elements that are important to the City, describe in detail the benefit(s) with supporting reasons as to how the item(s) benefits the community.

The project does not provide any additional enhancements or preservation of elements within the community than previously identified.

SOCIAL FACTORS POTENTIALLY AFFECTED:

This project may create unmitigable physical blight or overburden public services for those social factors checked below within the "Potentially Significant," "Potentially Significant Unless Mitigation" or "Less Than Significant" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Agricultural/Citrus Removal	<input checked="" type="checkbox"/> Police Services	<input type="checkbox"/> Recreational Programs
<input checked="" type="checkbox"/> Wildlife/Habitat	<input type="checkbox"/> Downtown Impacts	<input type="checkbox"/> Land Use Compatibility
<input checked="" type="checkbox"/> Traffic	<input type="checkbox"/> Residential Design	<input type="checkbox"/> Schools
<input checked="" type="checkbox"/> Fire Services	<input checked="" type="checkbox"/> Cultural Facilities	
<input checked="" type="checkbox"/> Paramedic Services	<input type="checkbox"/> Park Facilities	

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed.
- ☒ I find that although the proposed project could create unmitigable physical blight or overburden public services in the community, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project by the applicant.
- ☐ I find that the proposed project may create unmitigable physical blight or overburden public services in the community, and additional information or evaluation is needed in the following areas:
- ☐ I find that the proposed project has already been evaluated for socio-economic impacts and the prior evaluation adequately evaluated this project.

Signed:

Loralee Farris
Principal Planner
City of Redlands
December 15, 2016

EVALUATION OF SOCIAL FACTORS

Explanations of all "Potentially Significant," "Potentially Significant Unless Mitigation Incorporated," "Less Than Significant Impact," and "No Impact" answers are provided on the attached sheets.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. **AGRICULTURAL/CITRUS REMOVAL.** Would the proposal:

a) Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)? ✓ →

b) Remove active citrus groves from production? ✓ →

Agricultural/Citrus Removal

1.a,b) The project site is partially occupied by a citrus orchard, which has existed for several decades. Aerial photographs indicate the presence of groves on the property back to at least 1938, however, aerial photographs illustrate the removal of grove area on the property between 1980 and 2005, to accommodate the establishment of an equipment yard. Presently, approximately 5.5 acres of groves on the 11.97 acre site remain on the southern and western areas of the project site. Farmland maps are compiled by the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP). These maps utilize data from the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) soil survey and land use information to inventory agricultural resources. The City contains approximately 1,357 acres of land classified by the FMMP as Prime, Statewide or Local Important, or Unique Farmland, with another 1,837.1 acres located within the City's Sphere of Influence. The FMMP designates the southern and western portion of the site, presently planted with citrus groves, as "Prime Farmland". This area encompasses approximately 5.5 acres of the project site. However, the portion of the project site, located at the north and eastern areas of the site, where groves have been removed for the previous equipment yard use, are designated as "Urban and Built-Up Land". The proposed project will convert this remaining Prime Farmland to non-farmland

use. The project site is currently zoned for residential use, under the Rural Living (RL) 5-Acre Minimum District in the County of San Bernardino and within the Rural Living residential designation of the City of Redlands General Plan. The project includes a Zone Change to pre-zone 11.97 acres to the R-1 (Single Family Residential) zone. Further, the area in the vicinity of the project site has changed over time from agricultural to residential uses. Increasing prices of land, higher water and labor costs, competition from other parts of the state, increased environmental regulations, and the expansion of urbanization have all put considerable pressure on farming as an economically viable use within the area. The project site is bounded on two sides by residential development and the existing agricultural use represents a fragmented portion of citrus groves, non-contiguous with other citrus orchards located further east in the unincorporated area of Crafton. A minor arterial roadway (Wabash Avenue) exists at the west boundary of the project site and a local street (Sylvan Boulevard) at the south boundary of the project site. Thus, this parcel should be considered a small island of agricultural land that does not have long-term viability regardless of the current development proposal. Based on these constraints, Mitigation Measure AGR-1 is adequate to offset the removal of this parcel of land from agricultural productivity. The City of Redlands concludes that implementation of this measure provides reasonable mitigation based on the magnitude of the impact pursuant State CEQA Guidelines Section 15370. :

Mitigation Measure AGR-1: The project developer shall fund acquisition of farmland or farmland conservation easements at a ratio of 0.50/1. Based on the 5.5 agricultural acre area of the 11.97 acre project site, a total of 2.75 acres of prime agricultural land or conservation easements over 2.75 acres of prime agricultural land shall be acquired and permanently protected. The prime agricultural land or the conservation easement shall be acquired and made available to an existing farmland trust or comparable organization prior to issuance of a grading permit, or a farmland trust or comparable organization shall verify that it has received sufficient funds to acquire prime agricultural land or a conservation easement over such lands. The project developer shall submit verification to the City of Redlands Development Services Department that the acquisition of farmland has been completed. A receipt from the farmland conservation agency will serve as adequate verification.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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2. WILDLIFE/HABITAT/OPEN SPACE PRESERVATION. Would the proposal:

- | | | | | |
|--|---|---|---|---|
| a) Eliminate or have negative impact upon wildlife corridors? | — | ✓ | → | — |
| b) Tend to urbanize open space impacting preservation and conservation of natural resources? | — | ✓ | → | — |
| c) Interfere with use of recognized trails used by joggers, hikers, equestrians or bicyclists? | — | — | — | ✓ |
| d) Eliminate, reduce, or have any negative impact upon wildlife habitat areas to include the protection of fringe or buffer areas? | — | ✓ | → | — |

Wildlife/Habitat/Open Space Preservation

- 2.a) The project site is partially occupied by citrus grove, located on the southern and western portions of the project site, and disturbed, developed area located to the north and eastern portion of the site, which contains two commercial buildings and two accessory structures, which was previously utilized as an equipment yard, and a single family residence. No native vegetation communities or undisturbed soils are present on-site. As such, suitable habitat for sensitive plant or wildlife species of any kind is extremely limited to non-existent. Field investigations did not identify any endangered, threatened, candidate, sensitive or special status species present on-

site, although sensitive bat species such as the pallid bat and the western yellow bat may occasionally roost within groves and abandoned farm structures, and mature trees may occasionally serve as nesting sites for some sensitive raptor species, such as Cooper's Hawk. The following mitigation measures will ensure that potential impacts to sensitive bat and raptor species are less than significant and ensure consistency with plans, policies and regulations of the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Mitigation Measure BIO-1: A detailed bat survey shall be conducted by a qualified biologist prior to demolition of the abandoned structures on-site or the removal of mature trees and palms. If a nonbreeding bat colony is detected, all individuals shall be humanely evicted based upon the direction of the monitoring biologist. If a maternity colony is detected on-site, a construction-free buffer shall be established around the buildings and/or mature trees and palms until it has been determined by a qualified biologist that the nursery is no longer active. Removal should preferably be done between March 1 and April 15, or August 15 and October 15, to avoid interfering with the active nursery.

Mitigation Measure BIO-2 : If construction is proposed between February 1 and August 31, a qualified biologist shall conduct a burrowing owl and nesting bird survey(s) no more than three days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the project site. The survey(s) shall focus upon identifying any raptor and/or passerine nests that are directly or indirectly affected by construction activities. If active burrowing owl or other avian nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending upon the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area.

Mitigation Measure BIO-3: A survey report by a qualified biologist verifying that no active raptor and/or passerine nests are present, or that the young have fledged, shall be submitted to the City of Redlands prior to initiation of grading in the nest setback zone. The qualified biologist shall serve as a

construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur.

If an active burrowing owl or other avian nest is discovered during the pre-construction clearance survey, construction activities shall be redirected around the nest. As determined by the City, a qualified biologist shall delineate the boundaries of any such buffer area. The buffer shall be sufficient to ensure that nesting behavior is not adversely affected by the construction activity. Once the qualified biologist has determined that young birds have successfully fledged or the nest has otherwise become inactive, a monitoring report shall be prepared and submitted to the City of Redlands for review and approval prior to reinitiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received from CDFW.

If burrowing owls are observed, the area shall be flagged, and a no-work buffer of 500 feet shall be established by the project biologist in consultation with the California Department of Fish and Wildlife (CDFW). The no-work buffer shall be clearly delineated by the biologist and monitored to ensure avoidance until consultation with the CDFW and applicant results in a plan to avoid or relocate the burrowing owl(s). A monitoring report shall be prepared and submitted to the City, and written authorization by the CDFW shall be received before construction may proceed within the no-work buffer.

- 2.b) The project site abuts single family residential development to the north, south and east and a mix of institutional and commercial uses to the west. The project would not urbanize planned open space as designated on the General Plan Land Use Map.
- 2.c) The project will not interfere with the use of recognized trails used by joggers, hikers, equestrians or bicyclists, and in fact will extend and enhance the Mill Creek Zanja Trail as has been previously described. The project will construct off-site improvements, including sidewalk, which will provide additional connectivity for pedestrian circulation within the area.

2.d) See 2 (a), above.

Issues and Supporting Information Sources:

3. TRAFFIC. Would the proposal:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in increased vehicle trips or congestion?	—	✓	→	—
b.) Create additional traffic so as to be in conflict with the policies of the General Plan?	—	—	✓	—
c.) Does traffic impact livability of a residential neighborhood on streets which, due to design or terrain features, street side development or other factors, have greater than usual sensitivity to increased traffic?	—	—	—	✓
d.) Create additional traffic so as to increase the level of service on roadways that are adjacent to or in the vicinity of the project?	—	—	✓	—

Traffic Impacts.

3.a,b) A *Traffic Impact Analysis* was prepared by *Urban Crossroads* to analyze potential traffic impacts on the site.

The proposed project is small in scale, and is estimated to generate 32 trip ends per day with 26 AM peak trips and 34 PM peak trips, and a total of 324 trips daily. Project construction activities may potentially result in temporary and transient traffic deficiencies related to construction employee commutes, Import of construction materials and soils, and transport and use of heavy construction equipment. To assure that all potential impacts are less than significant, several mitigation measures are included in the initial study.

This level of traffic generation will not conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

Mitigation Measure TRA-1: On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project.

Mitigation Measure TRA-2: Sight distance at the project accesses shall comply with standard California Department of Transportation and City of Redlands sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans must be reviewed by the City and approved as consistent with this measure prior to issue of grading permits.

Mitigation Measure TRA-3: The project shall contribute towards the cost of any necessary area improvements on a fair share or “pro-rata” basis.

Mitigation Measure TRA-4: Participate in the phased construction of off-site traffic signals through payment of traffic signal mitigation fees. The traffic signals within the study area at buildout should specifically include an interconnect of the traffic signals to function in a coordinated system.

Mitigation Measure TRA-5: As is the case for any roadway design, the City of Redlands should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

- 3.c) The project does not abut any streets other than Wabash Avenue. The project includes a General Plan Amendment to change the designation of the property from Rural Living to Low Density Residential and the project complies with the density set forth in this designation. The project site will be accessed from Wabash Avenue. With on- and off-site improvements both implemented through design and required by mitigation measures, the traffic impact will be mitigated to a less than significant level.
- 3.d) See 3(a) and (b) above.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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4. FIRE AND PARAMEDIC SERVICES. Will the proposal result in:

- | | | | | |
|---|---|---|---|---|
| a) Requiring fire and paramedic services that are beyond the current capabilities of the Fire Department? | — | — | ✓ | — |
| b) An increase in response time for essential fire or paramedic services to the remainder of the community? | — | — | ✓ | — |
| c) The need for additional fire or paramedic facilities or equipment? | — | — | ✓ | — |

Fire and paramedic services.

- 4.a) The project site is not located in an area identified as a high fire danger area according to Figure 15.1 of the MEA/EIR. Any future dwellings constructed on the subdivided lots will be required to be equipped with fire sprinklers. As such, no significant impact is anticipated. No mitigation is required.
- 4.b) The project involves creation of thirty-four (34) single family lots. Upon annexation, the City of Redlands Fire Department will provide fire and emergency medical services to the Project. The Fire Department consists of approximately fifty five (55) total sworn personnel, including eighteen (18) firefighter/paramedics and thirty seven (37) firefighter/EMTs and covers an area of thirty seven (37) square miles. At project buildout, city-wide level of service is expected to be 0.76 firefighters per 1,000 residents. Other services include the household hazardous waste disposal site, CPR classes, sharps container exchange program, blood pressure checks and public education programs. Station No. 261 is in the closest proximity to the project site and services are financed through the General Fund. The new city services required by this project would be able to be supported by the City of Redlands Fire Department and will not have a not have a significant impact on fire or paramedic services to the remainder of the community.
- 4.c) Present capabilities of the Fire Department will not be impacted with development of the project. The project will pay Development Impact Fees which have been

established by the City to fund public facilities, including fire stations. These additional revenues to the City, as well as the revenue from increased property tax assessment generated from the future subdivision, will assist in funding fire operations for the area.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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5. POLICE SERVICES. Would the proposal result in:

- | | | | | |
|--|-----|-----|---------|-----|
| a) Requiring police services that are beyond the current capabilities of the Police Department? | ___ | ___ | ___✓___ | ___ |
| b) An increase in response time for essential police services to the remainder of the community? | ___ | ___ | ___✓___ | ___ |
| c) The need for additional police facilities or equipment? | ___ | ___ | ___✓___ | ___ |
| d) Increase in crime as a result of the type of business? | ___ | ___ | ___✓___ | ___ |

Police Services.

5.a-d) After annexation, the City of Redlands Police Department will provide services to the project site. The Redlands Police Department personnel is made up of approximately 100 volunteers, 80 sworn officers and 58 full and part-time civilians, resulting in a service level of 1.12 officers per 1,000 residents. The Police Department contains an Operations Division and an Investigations and Support Services Division. In addition to sworn patrol officers, the Department has several sub-units, including Investigations, the Multiple Enforcement Team, Narcotics, and volunteers. Police services are generally financed through the General Fund. The project will pay Development Impact Fees, which have been established by the City to fund public facilities, including police. The project and its future residents will also provide additional revenue to the City resulting from increased property tax assessment revenue, which will assist in funding police operations. Additionally, the project will be required to provide and implement a site security plan during grading

and construction to ensure that impacts from construction site theft are kept at a less than significant level.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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6. DOWNTOWN IMPACTS. Would the proposal result in:

a) A reduction of the number or types of businesses located in the downtown?	—	—	—	✓
b) An unfair or unreasonable competitive disadvantage to existing businesses downtown?	—	—	—	✓
c) Creation of vacant buildings and the potential for blight?	—	—	—	✓
d) Cause an unreasonable increase in traffic downtown?	—	—	—	✓
e) Economic and social effects of businesses competing with downtown businesses?	—	—	—	✓

Downtown Impacts.

6.a-e) The proposed project includes a residential development within the northern portion of the City and does not have the potential to negative impact the Downtown Business District. The future residents of this subdivision may patronize the downtown area and provide an additional source of revenue to the Downtown Business District.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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7. RESIDENTIAL DESIGN. Would the proposal:

Issues and Supporting Information Sources:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with existing codes and or standards?	—	—	—	✓
b) Meet minimum point standards of the Residential Development Allocation process?	—	—	✓	—

Residential Design.

- 7.a) In addition to a request for annexation, the project includes a request for a General Plan Amendment to amend the General Plan designation from Rural Living to Low Density Residential, and a Zone Change request to pre-zone the property as R-1 Low Density Residential, 7200 square feet minimum lot size. The design of the project will comply with all applicable codes and standards for this General Plan designation and zoning district, including those for density, minimum lot size, lot dimensions, and circulation.
- 7.b) Pursuant to Section 19.08.060 and 19.08.070 of the Redlands Municipal Code, developments constructing more than five dwelling units requires approval of a Residential Development Allocation, prior to the issuance of building permits to construct residences. Pursuant to Section 19.16.010, prior to submittal of a Residential Development Allocation application, a project must be environmentally assessed and tentative approved by the Planning Commission and City Council. As such, a Residential Development Allocation application has not been submitted at this time.

Issues and Supporting Information Sources:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
8. CULTURAL FACILITIES. Would the proposal result in:				
a) Impacts to an historic residential structure, neighborhood, or district?	—	—	—	✓

Issues and Supporting Information Sources:		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b)	Impacts to an historic commercial structure or district?	—	—	—	✓
c)	Impacts to cultural facilities such as the Smiley Library, Redlands Bowl, Lincoln Shrine, Joslyn Center, Community Center, etc?	—	—	—	✓
d)	Have the potential to cause a physical change which would affect unique ethnic cultural values?	—	—	—	✓
e)	Potential to disturb existing religious facilities	—	—	—	✓
f)	Impact or restrict religious or sacred uses	—	—	—	✓

Cultural Facilities.

- 8.a-b) A report assessing the potential for archaeological and paleontological resources, historical resources, and human remains has been prepared for the proposed project by the firm of Brian F. Smith and Associates. In addition, a Mill Creek Zanja Protection Plan has been prepared by the firm of Cadre Environmental. The property is noted as a historic-period agricultural site, however, the investigation notes that the trees on site are modern, indicating that the original citrus trees have been replaced. There are no historic residential or commercial structures on the project site, nor is the project site located within a historic neighborhood or district.
- 8.c) The project will result in the creation of thirty-four (34) single family residential lots and would not impact cultural facilities such as the Smiley Library, Redlands Bowl, Lincoln Shrine, Joslyn Center, Community Center, etc. The development will provide revenue to the City through increased property tax assessment generated by the future homes which may assist in the operation of some cultural facilities. Thus, the project will not have an adverse impact to cultural facilities.
- 8.d) No part of this project has the potential to affect unique ethnic cultural values.

- 8.e-f) No religious facilities are located within or adjacent to the project site. The project will not result in impacts to existing religious facilities or restrict religious uses. Through AB52 Tribal Notification and Consultation, mitigation measures have been implemented into the Initial Study to reduce the potential impact to a less than significant level. These include:

Mitigation Measure CUL- 1: A monitoring biologist experienced in identifying jurisdictional resources regulated by the United States Army Corp of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board shall define the location and monitor the installation of orange silt fencing between the Mill Creek Zanja and the project site as described below:

- a. Install siltation fencing at least 10 ft. north of the Mill Creek Zanja along the entire southern extent of the project site. The fencing shall be buried at least 4 inches in depth and will also be secured in place by a continuous line of sandbags.
- b. Siltation fencing shall be tied into existing bridge crossings currently utilized by residents to allow for continued access to their properties.
- c. No staging of materials or soils shall occur within 50 ft. of the siltation fencing.
- d. Any breaches in the silt fencing shall be repaired immediately.
- e. Any direct/indirect impacts to the Mill Creek Zanja shall be reported immediately to the City of Redlands Planning Division.
- f. Following completion of construction, the monitoring biologist shall provide the City of Redlands Planning Department a letter of compliance describing all conservation and avoidance measures implemented to ensure protection of the Mill Creek Zanja.

Mitigation Measure CUL-2: If any cultural resources of any kind be discovered during grading and site preparation activities, a qualified archaeologist/paleontologist shall be retained to inspect specimens and formulate a Mitigation Monitoring and Reporting Program consistent with CEQA, the policies of the City of Redlands and the County of San Bernardino, as well as specific recommendations contained in the Cultural Resource Assessment prepared for the proposed project.

Mitigation Measure CUL-3: An archaeological monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources.

Mitigation Measure CUL-4: As appropriate, the principal investigator (PI) shall submit a detailed letter to the lead agency during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating previous grading/trenching activities, presence of fossil formations, or native soils is encountered that may reduce or increase the potential for resources to be present.

Mitigation Measure CUL-5: In the event of an archaeological discovery, either historic or prehistoric, the archaeological monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources, and immediately notify the Native American monitor and City of Redlands Planning Department. The monitor shall immediately notify the PI (unless monitor is the PI) of the discovery.

Mitigation Measure CUL-6. The Principal Investigator shall evaluate the significance of the resource. If human remains are involved, the protocol outlined in Mitigation Measures CUL-7 and CUL-8 shall be followed.

- a. The PI shall immediately notify the City of Redlands Planning Department to discuss significance determination and shall also submit a letter indicating whether additional mitigation is required.
- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) that has also been reviewed by the Native American consultant/monitor, and obtain written approval from the City of Redlands Planning Department to implement that program. Impacts to significant resources shall be mitigated before ground-disturbing activities in the area of discovery are allowed to resume.
- c. If the resource is not significant, the PI shall submit a letter to the City of Redlands Planning Department indicating that artifacts will be collected, curated, and documented in a final

monitoring report. The letter shall also indicate that no further work is required.

Mitigation Measure CUL-7: If human remains are discovered, work shall halt in that area until a determination can be made regarding the provenance of the human remains, and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and the State Health and Safety Code (Sec. 7050.5) shall be undertaken.

- a. The archaeological monitor shall notify the PI, if the monitor is not qualified as a PI.
- b. The PI shall notify the medical examiner after consultation with the City, either in person or via telephone.
- c. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the medical examiner in consultation with the PI concerning the provenance of the remains.
- d. The medical examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
- e. If a field examination is not warranted, the medical examiner will determine, with input from the PI, if the remains are or are most likely to be of Native American origin.
- f. If the human remains are determined to be Native American, the medical examiner shall notify the Native American Heritage Commission (NAHC) within 24 hours.
- g. The NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- h. The MLD will contact the PI within 24 hours or sooner after the medical examiner has completed coordination to begin the consultation process in accordance with CEQA Section

15064.5(e), the California Public Resources, and the State Health and Safety Code.

- i. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
- j. Disposition of Native American human remains will be determined between the MLD and the PI, and, if:
 - (1) The NAHC is unable to identify the MLD, OR the MLD failed to the (NAHC) is unable to identify the MLD, or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC; or
 - (2) The City of Redlands and the landowner reject the recommendation of the MLD and mediation in accordance with Public Resources Code 5097.94 (k) by the NAHC fails to provide acceptable measures; then
 - (3) Upon the discovery of multiple Native American human remains during a ground-disturbing land development activity, the City of Redlands and the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery shall be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree upon the appropriate treatment measures, the human remains and grave goods buried with the Native American human remains shall be reinterred with appropriate dignity.

Mitigation Measure CUL-8: If the human remains are determined not to be Native American in origin, the PI shall contact the medical examiner and notify them of the historic era context of the burial.

- a. The medical examiner shall determine the appropriate course of action with the PI and the City of Redlands Planning Division.
- b. If the remains are of historic origin, they shall be appropriately removed and conveyed to the City of Redlands Planning Division. The decision for internment of the human remains shall be made in consultation with the City of Redlands Planning Department, the applicant and/or landowner, and any known descendant group.

Mitigation Measure CUL-9. Post construction, the PI shall submit to the City of Redlands Planning Department a draft monitoring report (even if negative) prepared in accordance with the agency guidelines, which describes the results, analysis, and conclusions of all phases of the archaeological monitoring program

- a. For significant archaeological resources encountered during monitoring, the ADRP shall be included in the draft monitoring report.
- b. Recording sites with the State of California DPR shall be the responsibility of the PI, including recording (on the appropriate forms-DPR 523 A/B) any significant or potentially significant resources encountered during the archaeological monitoring program.
- c. The PI shall submit a revised draft monitoring report to the City of Redlands Planning Department for approval prior to issuance of Building Permits, including any changes or clarifications requested by the City.

Mitigation Measure CUL-10. The PI shall be responsible for ensuring that all cultural remains collected are appropriately cleaned and cataloged.

- a. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate. The cost for curation is the responsibility of the property owner.

Mitigation Measure CUL-11: Appropriate measures for long term curation of any artifacts discovered on the project site shall be determined by the PI to the satisfaction of the City of Redlands Planning Department depending upon the nature of artifacts involved. The PI shall submit the approved final monitoring report to the City of Redlands Planning Department and any interested parties.

- a) For significant archaeological resources encountered during monitoring, the ADRP shall be included in the draft monitoring report.
- b) If more than one Native American Group is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the San Bernardino County Museum by default.
- c) Should reburial of collected cultural items be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Redlands Development Services Department. Should curation be preferred, the developer/permit applicant is responsible for all costs and the repository and curation method shall be described in the Phase IV monitoring report.

Mitigation Measure CUL-12: The Project applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 process (San Manuel Band of Mission Indians, Gabrieleno Band of Mission Indians - Kizh Nation, Morongo Band of Mission Indians, and the Soboba Band of Luiseno Indians). The applicant shall coordinate with these Tribes to develop a Tribal Monitoring Agreement. The tribes must agree upon a coordinated monitoring schedule and the applicant shall submit the agreement to the City of Redlands Development Services Department prior to any clearing and grubbing of the property and prior to the Issuance of a Grading Permit.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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9. PARK FACILITIES AND RECREATIONAL PROGRAMS. Will the proposal result in:

- | | | | | |
|---|---|---|---|---|
| a) Increases in use or demand for park facilities or programs to include manpower, facilities or equipment? | — | — | — | ✓ |
| b) A ratio of parkland to population which exceeds standards and or goals established by the General Plan? | — | — | — | ✓ |

Park Facilities and Recreational Programs.

9.a,b) The proposed project includes a request for annexation into the City of Redlands, a General Plan Amendment to amend the General Plan designation of the property from Rural Living to Low Density Residential, a Zone Change request to pre-zone the property R-1 (Single Family Residential) District, and the subdivision of 11.97 acres into thirty-four (34) residential lots, and four (4) lettered lots for landscaping, storm water basins, and other improvements. The project will not adversely affect existing or planned recreational facilities nor create a significant new demand for additional recreational facilities. The project is projected to accommodate an estimated 106 additional residents to the City of Redlands. The City's Quality of Life Department maintains fourteen (14) established parks, which comprise over 143 acres of land. When compared with the General Plan requirement for one acre of City of Redlands parkland per one thousand residents, the City's park area will continue to greatly exceed this requirement, even with the addition of approximately 106 new residents. The project will also generate additional revenue to the City with increased property tax assessment, which will assist in funding park facilities and services.

Issues and Supporting Information Sources:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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10. LAND USE COMPATIBILITY. Would the proposal result in:

- | | |
|--|---|
| a) Land uses that are not compatible or consistent | ✓ |
|--|---|

Issues and Supporting Information Sources:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
with the General Plan?	—	—		—
b) Economic impacts on businesses and small property owners from a project	—	—	✓	—
c) Physical separation or division of an existing community	—	—	—	✓
d) Loss of jobs for the community?	—	—	—	✓
e) Overcrowding of housing?	—	—	—	✓

Land Use Compatibility.

- 10.a) The project is requesting a General Plan Amendment to amend the General Plan designation from Rural Living to Low Density Residential. The proposed project would be consistent with the density prescribed by the Low Density Residential General Plan designation.
- 10.b) The project includes a request for annexation, a General Plan Amendment to amend the General Plan designation from Rural Living to Low Density Residential, a Zone Change to pre-zone the property to R-1 (Single Family Residential) District, and a single family subdivision for thirty-four (34) residential lots. The project site abuts existing residential development to the north, south, and east. The design of the project includes lot sizes consistent with, or greater than adjacent residential development. No significant economic impact on businesses or small property owners are anticipated.
- 10.c) The project site is surrounded by existing residential neighborhoods to the north, south, and east. As indicated above, the project has been designed to be compatible with the surrounding developments and in no way will physically divide or separate the existing community.
- 10.d) The grading or eventual construction project will create jobs, ultimately not resulting in the loss of jobs to the community.
- 10.e) No part of this project has the potential to result in overcrowding of the current

housing stock within the City.

Issues and Supporting Information Sources:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
11. SCHOOLS. Would the proposal result in:				
a) Creating an overcapacity in schools?	—	—	—	✓
b) The need for additional school facilities or equipment ?	—	—	—	✓
c) Land uses not consistent with or compatible with existing educational facilities in community?	—	—	—	✓
d) Social or academic impacts on students resulting from school closures.	—	—	—	✓

Schools.

- 11.a-d) The project will eventually create additional students within the thirty-four (34) residential lots on the site. Any potential direct impacts attributable to the Redlands Unified School District resulting from this project will be offset through the payment of state established school fees assessed at the time of building permit issuance.

TABLE 1
CITY OF REDLANDS : MODEL
LAND USE SUMMARY:
FISCAL IMPACT ANALYSIS

LAND USE	YEAR 1 2017	YEAR 2 2018	YEAR 3 2019	YEAR 4 2020	YEAR 5 2021	YEAR 6 2022	YEAR 7 2023	YEAR 8 2024	YEAR 9 2025	YEAR 10 2026	TOTAL
RESIDENTIAL UNITS											
RURAL LIVING (0.2 - 0.4 du/acre)	0	0	0	0	0	0	0	0	0	0	0
VERY-LOW-DENSITY RESIDENTIAL (0 - 2.7 du/acre)	0	0	0	0	0	0	0	0	0	0	0
LOW-DENSITY RESIDENTIAL (0 - 6.0 du/acre)	0	13	21	0	0	0	0	0	0	0	34
LOW-MEDIUM-DENSITY RESIDENTIAL (0 - 8.0 du/acre)	0	0	0	0	0	0	0	0	0	0	0
MEDIUM-DENSITY RESIDENTIAL (0 - 15.0 du/acre)	0	0	0	0	0	0	0	0	0	0	0
HIGH DENSITY (0 - 27.0 du/acre)	0	0	0	0	0	0	0	0	0	0	0
TOTAL, RESIDENTIAL UNITS	0	13	21	0	0	0	0	0	0	0	34
CUMULATIVE, RESIDENTIAL UNITS	0	13	34	34	34	34	34	34	34	34	NA
PROJECT RESIDENTS /1											
RURAL LIVING (0.4 - 0.2 du/acre)	0	0	0	0	0	0	0	0	0	0	0
VERY-LOW-DENSITY RESIDENTIAL (0 - 2.7 du/acre)	0	0	0	0	0	0	0	0	0	0	0
LOW-DENSITY RESIDENTIAL (0 - 6.0 du/acre)	0	36	59	0	0	0	0	0	0	0	95
LOW-MEDIUM-DENSITY RESIDENTIAL (0 - 8.0 du/acre)	0	0	0	0	0	0	0	0	0	0	0
MEDIUM-DENSITY RESIDENTIAL (0 - 15.0 du/acre)	0	0	0	0	0	0	0	0	0	0	0
HIGH DENSITY (0 - 27 du/acre)	0	0	0	0	0	0	0	0	0	0	0
TOTAL, PROJECT RESIDENTS	0	36	59	0	0	0	0	0	0	0	95
CUMULATIVE, PROJECT RESIDENTS	0	36	95	95	95	95	95	95	95	95	NA
CUMULATIVE PROJECT ACREAGE /2											
RURAL LIVING (0.4 - 0.2 du/acre)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	NA
VERY-LOW-DENSITY RESIDENTIAL (0 - 2.7 du/acre)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	NA
LOW-DENSITY RESIDENTIAL (0 - 6.0 du/acre)	0.00	4.58	11.97	11.97	11.97	11.97	11.97	11.97	11.97	11.97	NA
LOW-MEDIUM-DENSITY RESIDENTIAL (0 - 8.0 du/acre)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	NA
MEDIUM-DENSITY RESIDENTIAL (0 - 15.0 du/acre)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	NA
HIGH DENSITY (0 - 27 du/acre)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	NA
CUMULATIVE, PROJECT ACREAGE	0.00	4.58	11.97	11.97	11.97	11.97	11.97	11.97	11.97	11.97	NA
LAND NON-RESIDENTIAL ACRES, ANNUAL /3											
RETAIL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
INDUSTRIAL	0.0	0	0	0	0	0	0	0	0	0	0.0
OTHER NON-RESIDENTIAL	0	0	0	0	0	0	0	0	0	0	0.0
ANNUAL TOTAL, NON-RESIDENTIAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
LAND NON-RESIDENTIAL ACRES, CUMULATIVE											
RETAIL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
INDUSTRIAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
OTHER NON-RESIDENTIAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
CUMULATIVE TOTAL, NON-RESIDENTIAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
LAND NON-RESIDENTIAL EDU'S, CUMULATIVE /4											
RETAIL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
INDUSTRIAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
OTHER NON-RESIDENTIAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
CUMULATIVE TOTAL, NON-RESIDENTIAL EDU'S	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	NA
BUILDING NON-RESIDENTIAL SQ.FT., ANNUAL											
RETAIL	0	0	0	0	0	0	0	0	0	0	0
INDUSTRIAL	0	0	0	0	0	0	0	0	0	0	0
OTHER NON-RESIDENTIAL	0	0	0	0	0	0	0	0	0	0	0
ANNUAL TOTAL, NON-RESIDENTIAL	0	0	0	0	0	0	0	0	0	0	0
BUILDING NON-RESIDENTIAL SQ.FT., CUMULATIVE											
RETAIL	0	0	0	0	0	0	0	0	0	0	NA
INDUSTRIAL	0	0	0	0	0	0	0	0	0	0	NA
OTHER NON-RESIDENTIAL	0	0	0	0	0	0	0	0	0	0	NA
CUMULATIVE TOTAL, NON-RESIDENTIAL	0	0	0	0	0	0	0	0	0	0	NA

SHADED CELLS ARE VARIABLE ASSUMPTIONS OR INPUTS UNIQUE TO THE PROJECT.

NOTES:

1. Average number of residents per Dwelling Unit ("DU") provided by the California Department of Finance.
Residents per DU = 2.801 OTHER

2. Assumes residential acreage per unit of the following:

Rural Living (less than 0.2 - 0.4 du/acre)	NA
Very-Low-Density Residential (0 - 2.7 du/acre)	NA
Low-Density Residential (0 - 6.0 du/acre)	0.35
Low-Medium-Density Residential (0 - 8.0 du/acre)	NA
Medium-Density Residential (0 - 15.0 du/acre)	NA
High Density (0 - 27.0 du/acre)	NA

DEVELOPER

3. Assumes average non-residential site coverage of the following (based on the General Plan):

Retail	0.0%
Industrial	0.0%
Other Non-Residential	0.0%

DEVELOPER

4. Assumes non-residential equivalent dwelling units of the following:

EDUs per acre = 6.0 OTHER

GENERAL PLAN BUILDOUT	PROJ. Sq. Ft.*	F.A.R.*	Projected Acreage
RETAIL	8,646,200	0.30	661.63
INDUSTRIAL	10,048,400	0.40	576.70
OTHER NON-RESIDENTIAL	21,641,990	0.45	1,104.07
	40,336,590		2,342.40

*As disclosed in the General Plan

Typical Home Size: 2,835 OTHER
Estimated Equivalency: 6.07

TABLE 2
CITY OF REDLANDS : MODEL
LAND USE SUMMARY:
FISCAL IMPACT ANALYSIS

ASSESSED VALUATION ASSUMPTIONS		SECURED PROPERTY TAX ASSUMPTIONS	
RESIDENTIAL		NET APPORTIONMENT FACTORS AS A FRACTION OF 1.0% TAX RATE	
RURAL LIVING ASSESSED VALUE	\$0	DEVELOPER	PROPERTY TAXES PASSED THROUGH TO CITY /1 20.00% CITY
VERY-LOW-DENSITY ASSESSED VALUE	\$0		
LOW-DENSITY ASSESSED VALUE	\$585,000		
LOW-MEDIUM-DENSITY ASSESSED VALUE	\$0		
MEDIUM-DENSITY ASSESSED VALUE	\$0		
HIGH DENSITY ASSESSED VALUE	\$0		
NON-RESIDENTIAL		1. Based on amount disclosed in the adopted 1998-99 budget.	
RETAIL ASSESSED VALUE		UNSECURED PROPERTY TAX ASSUMPTIONS	
INDUSTRIAL ASSESSED VALUE	\$0.00	RESIDENTIAL:	
OTHER NON-RESIDENTIAL ASSESSED VALUE	\$0.00	UNSECURED TAXES AS A % OF SECURED	2.75% CITY
	N/A	NON-RESIDENTIAL:	
		UNSECURED TAXES AS A % OF SECURED	10.00%

[illegible]

TABLE 3
CITY OF REDLANDS : MODEL
LAND USE SUMMARY:
FISCAL IMPACT ANALYSIS

RESIDENTIAL INDIRECT SALES TAX GENERATION ASSUMPTIONS		BUSINESS DIRECT SALES & USE TAX GENERATION ASSUMPTIONS		PROPERTY TRANSFER TAX ASSUMPTIONS	
AVERAGE HOUSEHOLD INCOME ASSUMPTIONS:		SALES TAXES PASSED THROUGH TO CITY, APPLIED TO COSTS: /1		RESIDENTIAL PROPERTY TURNOVER RATE	
WEIGHTED AVERAGE RESIDENTIAL PRICE	\$585,000	MEASURE 'Y' TAXES PASSED THROUGH TO TRANSIT AUTHORITY	1.00% CITY	BUS & COM PROPERTY TURNOVER RATE	10.00% CITY
AVERAGE RESIDENTIAL MORTGAGE (20% DOWN)	\$468,000	LOCAL TRANSPORTATION SALES TAXES	0.00%	TRANSFER TAX AS A % OF RESALE DOLLAR	5.00%
ANNUAL MORTGAGE PAYMENTS @ 6.50% & 30 YEARS	\$35,497	DISPLACED EXISTING CITY SALES TAX	0.00%	PROPERTY TRANSFER TAX PASSED THROUGH TO CITY	0.11%
AVG. HOUSEHOLD INCOME (3:1 INCOME/PAYMENT RATIO):	\$106,491	PROJECT RETAIL TAXABLE SALES PER SQ. FT.:	33.33%		50.00%
RETAIL TAXABLE EXPENDITURE (% OF INCOME):	25.0%	RETAIL	\$0.00		
PROJECT RESIDENTS' PURCHASES OUTSIDE PROJECT	50.0%	INDUSTRIAL	\$0.00		
AND WITHIN INCORPORATED CITY:		OTHER NON-RESIDENTIAL	0		

1. Based on amount passed through to city in the adopted 1997-98 budget.

FISCAL YEAR	(\$s x1,000)	end of:	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 6	YEAR 7	YEAR 8	YEAR 9	YEAR 10
			2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
SALES & USE TAX REVENUE CALCULATION (CUMULATIVE):												
<u>INDIRECT SALES TAX GENERATION</u>												
RESIDENTIAL TAXABLE EXPENDITURES			\$0	\$346	\$905	\$905	\$905	\$905	\$905	\$905	\$905	\$905
TOTAL TAXABLE PURCHASES WITHIN CITY			\$0	\$173	\$453	\$453	\$453	\$453	\$453	\$453	\$453	\$453
RESIDENTIAL SALES TAX GENERATION			\$0	\$2	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5
<u>DIRECT SALES TAX GENERATION</u>												
RETAIL TAXABLE SALES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
INDUSTRIAL TAXABLE SALES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON-RESIDENTIAL TAXABLE SALES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUB-TOTAL DIRECT TAXABLE SALES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
LESS: DISPLACED EXISTING CITY SALES TAX			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL DIRECT TAXABLE SALES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL DIRECT SALES TAX GENERATION			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PROJECT SALES & USE TAX REVENUES, APPLIED TO COSTS			\$0	\$2	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5
RESIDENTIAL MEASURE 'Y' SALES TAXES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL MEASURE 'Y' SALES TAXES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
RESIDENTIAL LOCAL TRANSPORTATION SALES TAXES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL LOCAL TRANSPORTATION SALES TAXES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PROJECT SALES & USE TAX REVENUES, FOR TRANSPORTATION			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PROPERTY TRANSFER TAX CALCULATION (CUMULATIVE):												
RESIDENTIAL PROPERTY TRANSFER TAXES	\$0.00	\$0.42	\$1.09	\$1.09	\$1.09	\$1.09	\$1.09	\$1.09	\$1.09	\$1.09	\$1.09	\$1.09
NON-RESIDENTIAL PROPERTY TRANSFER TAXES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL ANNUAL PROPERTY TRANSFER TAXES	\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1

SHADED CELLS ARE VARIABLE ASSUMPTIONS OR INPUTS UNIQUE TO THE PROJECT.

TABLE 4
CITY OF REDLANDS : MODEL
LAND USE SUMMARY:
FISCAL IMPACT ANALYSIS

BUSINESS LICENSE FEE REVENUE		FRANCHISE FEES (PER CAPITA)				TRANSIENT OCCUPANCY TAX					
RESIDENTIAL	NA	TOTAL FRANCHISE		RESIDENTIAL	NON-RESIDENTIAL	NUMBER OF AVAILABLE HOTEL ROOMS					
NON-RESIDENTIAL				\$16.71	\$16.71	OCCUPANCY RATE					
BUSINESS LICENSE FEES ARE CHARGED AT A RATE EQUAL						AVERAGE BILLING RATE PER ROOM					
TO \$12 FOR THE FIRST \$5,000 IN GROSS SALES, PLUS \$3						% PASSED THROUGH TO CITY					
FOR EACH ADDITIONAL \$5,000 INCREMENT IN GROSS SALES.						AVERAGE YEARLY OCCUPANCY REVENUES TO CITY					

FISCAL YEAR	(\$s x1,000)	end of:	YEAR 1 2017	YEAR 2 2018	YEAR 3 2019	YEAR 4 2020	YEAR 5 2021	YEAR 6 2022	YEAR 7 2023	YEAR 8 2024	YEAR 9 2025	YEAR 10 2026
BUSINESS LICENSE FEE REVENUE												
RESIDENTIAL												
RURAL LIVING			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
VERY-LOW-DENSITY RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
LOW-DENSITY RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
LOW-MEDIUM-DENSITY RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
MEDIUM-DENSITY RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
HIGH DENSITY RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
TOTAL RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
NON-RESIDENTIAL												
RETAIL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
INDUSTRIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
OTHER NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, BUSINESS LICENSE FEE REVENUE			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FRANCHISE FEE REVENUE												
RESIDENTIAL FRANCHISE FEES			\$0.000	\$0.609	\$1.591	\$1.591	\$1.591	\$1.591	\$1.591	\$1.591	\$1.591	\$1.591
NON-RESIDENTIAL FRANCHISE FEES			\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
TOTAL, FRANCHISE FEE REVENUE			\$0	\$1	\$2	\$2	\$2	\$2	\$2	\$2	\$2	\$2
TRANSIENT OCCUPANCY TAX REVENUE												
TOTAL, TRANSIENT OCCUPANCY TAX REVENUE			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

SHADED CELLS ARE VARIABLE ASSUMPTIONS OR INPUTS UNIQUE TO THE PROJECT.

TABLE 5
CITY OF REDLANDS : MODEL
OTHER REVENUE AND REVENUE SUMMARY
FISCAL IMPACT ANALYSIS

OTHER GENERAL REVENUES (PER CAPITA METHOD) /1			INCOME FROM INVESTMENTS									
OTHER TAXES /2	\$10.86		EFFECTIVE INTEREST		2.50%		OTHER					
OTHER REVENUES	\$6.96											
COMMUNITY DEVELOPMENT	NA											
LIBRARY	NA											
POLICE DEPARTMENT	NA											
POLICE - ANIMAL CONTROL	NA											
POLICE - RECREATION	NA											
POLICE - SENIOR SERVICES	NA											
FIRE	NA											
PUBLIC WORKS	NA											
SUBTOTAL, OTHER REVENUES PER CAPITA:	\$17.83											
1. See Appendix for calculation of per capita multipliers. For items without values, a net cost technique is being employed.												
2. Other Taxes includes Public Safety Sales Tax.												
FISCAL YEAR	(\$s x1,000)	end of:	YEAR 1 2017	YEAR 2 2018	YEAR 3 2019	YEAR 4 2020	YEAR 5 2021	YEAR 6 2022	YEAR 7 2023	YEAR 8 2024	YEAR 9 2025	YEAR 10 2026
PER CAPITA REVENUES												
OTHER TAXES												
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, OTHER TAXES			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1
OTHER REVENUES												
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, OTHER LICENSES, PERMITS & FINES			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1
COMMUNITY DEVELOPMENT												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, STATE REVENUES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
LIBRARY												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, FEDERAL REVENUES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
POLICE DEPARTMENT												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, CITY ATTORNEY			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
POLICE - ANIMAL CONTROL												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, ENGINEERING SERVICES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
POLICE - RECREATION												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, FIRE DEPARTMENT			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
POLICE - SENIOR SERVICES												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, JOSLYN CENTER			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FIRE												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, LIBRARY			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PUBLIC WORKS												
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL, PARKS			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL RESIDENTIAL PER CAPITA REVENUES			\$0	\$1	\$2	\$2	\$2	\$2	\$2	\$2	\$2	\$2
TOTAL NON-RESIDENTIAL PER CAPITA REVENUES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL PER CAPITA REVENUES			\$0	\$1	\$2	\$2	\$2	\$2	\$2	\$2	\$2	\$2
TOTAL RESIDENTIAL CASE STUDY REVENUES			\$0	\$18	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48
TOTAL NON-RESIDENTIAL CASE STUDY REVENUES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL CASE STUDY REVENUES			\$0	\$18	\$48	\$48	\$48	\$48	\$48	\$48	\$48	\$48
RESIDENTIAL REV AVAILABLE FOR INV. INCOME			\$0	\$19	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50
NON-RESIDENTIAL REV AVAILABLE FOR INV. INCOME			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL REVENUES AVAILABLE FOR INVESTMENT INCOME			\$0	\$19	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50
RESIDENTIAL INVESTMENT INCOME			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1
NON-RESIDENTIAL INVESTMENT INCOME			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL INVESTMENT INCOME			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1

SHADED CELLS ARE VARIABLE ASSUMPTIONS OR INPUTS UNIQUE TO THE PROJECT.

POLICE DEPARTMENT COSTS		
RESIDENTIAL CALLS	16,562	CITY
COST PER DWELLING UNIT	\$295	
NON-RESIDENTIAL RETAIL CALLS	9,987	
COST PER BUILDING SQUARE FOOT	\$0.47	
NON-RESIDENTIAL INDUSTRIAL CALLS	344	
COST PER BUILDING SQUARE FOOT	\$0.02	
OTHER NON-RESIDENTIAL CALLS	7,948	
COST PER BUILDING SQUARE FOOT	\$0.42	
MISCELLANEOUS CALLS 1/2	17,628	
TOTAL CALLS	51,469	
<p>1. Based on Net Cost and number of calls to residential or non-residential properties.</p> <p>2. Based on conversations with the Police Chief, these incidences are not related to residences or businesses in the City.</p>		
EXISTING DWELLING UNITS	25,984	CITY
EXISTING NON-RESIDENTIAL SQUARE FOOTAGE	8,824,690	

PUBLIC INFRASTRUCTURE REQUIREMENTS /1	
ROADS (LANE MILES)	0.3
TRAFFIC INTERSECTIONS REQUIRING SIGNALS	0.0
AGGREGATE LANDSCAPING (ACRES)	1.7
PARK ACREAGE (GROSS)	0.0
STREET LIGHTS	9.0
OPEN SPACE (ACRES)	0.4
TRAILS (LINEAL MILE)	0.2
STORM DRAINS (MILES)	0.2

PUBLIC WORKS MAINTENANCE COSTS		
PAVEMENT MAINTENANCE PER LANE MILE /1	\$5,000	CITY
STREET SWEEPING PER CURB MILE - ALL STREETS /1	\$5,500	
TRAFFIC SIGNAL OPERATIONS & MAINTENANCE PER INTERSECTION /1	\$9,500	
LANDSCAPE MAINTENANCE PER ACRE /1	\$17,000	
PARK MAINTENANCE PER ACRE /1	\$7,000	
STREET LIGHT MAINTENANCE COST PER LIGHT /1	\$125	
OPEN SPACE MAINTENANCE PER ACRE /2	\$125	
TRAIL MAINTENANCE PER LINEAL MILE /2	\$600	
STORM DRAIN MAINTENANCE PER MILE /2	\$750	

CITY GENERAL GOVERNMENT COSTS*	
CITY COUNCIL	\$174,090
CITY CLERK	\$285,939
CITY MANAGER	\$314,819
FINANCE	\$605,155
CITY TREASURER	\$2,875,064
<u>CITY ATTORNEY</u>	<u>\$1,159,167</u>
TOTAL, CITY GENERAL GOVERNMENT COSTS	\$5,414,234

CITY GENERAL GOVERNMENT COSTS CONTINUED	
TOTAL CITY OPERATING BUDGET*	#####
*Excludes Debt Service, Utilities and Capital Improvements.	
OVERHEAD AS A % OF OPERATING BUDGET	11.04%
OVERHEAD AS A % OF DIRECT COSTS	12.41%
OVERHEAD BY DEFINITION CAUSING NO COST	0.00%
OVERHEAD AS % OF DIRECT, AVERAGE	6.20%

[illegible]

SHADED CELLS ARE VARIABLE ASSUMPTIONS OR INPUTS UNIQUE TO THE PROJECT.

TABLE 7
CITY OF REDLANDS : MODEL
FISCAL IMPACT ANALYSIS DETAILED SUMMARY

FISCAL YEAR	(\$s x1,000)	end of:	YEAR 1 2016	YEAR 2 2017	YEAR 3 2018	YEAR 4 2019	YEAR 5 2020	YEAR 6 2021	YEAR 7 2022	YEAR 8 2023	YEAR 9 2024	YEAR 10 2025	% OF TOTAL
ONGOING REVENUES													
SECURED PROPERTY TAXES													
RESIDENTIAL			\$0	\$15	\$40	\$40	\$40	\$40	\$40	\$40	\$40	\$40	77.96%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
UNSECURED PROPERTY TAXES													
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	2.14%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
TRANSFER PROPERTY TAXES													
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	2.14%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
SALES TAXES													
RESIDENTIAL			\$0	\$2	\$5	\$5	\$5	\$5	\$5	\$5	\$5	\$5	8.87%
NON-RESIDENTIAL			\$0	\$0	NON-RESIDENTIAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
MEASURE T SALES TAXES													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
LOCAL TRANSPORTATION SALES TAXES													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
TRANSIENT OCCUPANCY TAX													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
FRANCHISE FEE REVENUES													
RESIDENTIAL			\$0	\$1	\$2	\$2	\$2	\$2	\$2	\$2	\$2	\$2	3.12%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
BUSINESS LICENSE REVENUES													
RESIDENTIAL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
OTHER TAXES													
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	2.03%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
OTHER REVENUES													
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	1.30%
NON-RESIDENTIAL			\$0	\$0	NON-RESIDENTIAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
COMMUNITY DEVELOPMENT													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
LIBRARY													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
POLICE DEPARTMENT													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
POLICE - ANIMAL CONTROL													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
POLICE - RECREATION													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
POLICE - SENIOR SERVICES													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
FIRE													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
PUBLIC WORKS													
RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
INVESTMENT INCOME REVENUES													
RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	2.44%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
TOTAL RESIDENTIAL REVENUES													
TOTAL NON-RESIDENTIAL REVENUES			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	100.00%
TOTAL ON-GOING REVENUES													
			\$0	\$20	\$51	\$51	\$51	\$51	\$51	\$51	\$51	\$51	
ONGOING COSTS													
POLICE DEPARTMENT COSTS													
RESIDENTIAL			\$0	\$4	\$10	\$10	\$10	\$10	\$10	\$10	\$10	\$10	20.56%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
FIRE DEPARTMENT COSTS													
RESIDENTIAL			\$0	\$2	\$6	\$6	\$6	\$6	\$6	\$6	\$6	\$6	11.72%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
PUBLIC WORKS DEPARTMENT COST													
RESIDENTIAL			\$0	\$9	\$24	\$24	\$24	\$24	\$24	\$24	\$24	\$24	50.05%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
GENERAL GOVERNMENT COSTS													
RESIDENTIAL			\$0	\$1	\$2	\$2	\$2	\$2	\$2	\$2	\$2	\$2	5.08%
NON-RESIDENTIAL			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	1.28%
COMMUNITY DEVELOPMENT COSTS													
RESIDENTIAL			\$0	\$1	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	5.76%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
LIBRARY COSTS													
RESIDENTIAL			\$0	\$1	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	5.55%
NON-RESIDENTIAL			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
TOTAL RESIDENTIAL COSTS													
TOTAL NON-RESIDENTIAL COSTS			\$0	\$0	\$1	\$1	\$1	\$1	\$1	\$1	\$1	\$1	1.28%
TOTAL ON-GOING COSTS													
			\$0	\$19	\$49	\$49	\$49	\$49	\$49	\$49	\$49	\$49	
ANNUAL RESIDENTIAL ONGOING SURPLUS/(DEFICIT)													
ANNUAL NON-RESIDENTIAL ONGOING SURPLUS/(DEFICIT)			\$0	\$1	\$3	\$3	\$3	\$3	\$3	\$3	\$3	\$3	
TOTAL ANNUAL ONGOING SURPLUS/(DEFICIT)			\$0	(\$0)	(\$1)	(\$1)	(\$1)	(\$1)	(\$1)	(\$1)	(\$1)	(\$1)	
ANNUAL RESIDENTIAL REVENUE/COST RATIO													
ANNUAL NON-RESIDENTIAL REVENUE/COST RATIO			0.00	1.06	1.06	1.06	1.06	1.06	1.06	1.06	1.06	1.06	
TOTAL ANNUAL REVENUE/COST RATIO			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
			0.00	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.05	

TABLE 8a
LAND USE SUMMARY:
FISCAL IMPACT ANALYSIS SUMMARY (Residential Only))

[illegible]

TABLE 8b
LAND USE SUMMARY:
FISCAL IMPACT ANALYSIS SUMMARY (Commercial Only)

[illegible]

[illegible]

TABLE 9
CITY OF REDLANDS : MODEL
SCHOOL FEE MITIGATION (SB 50)
FISCAL IMPACT ANALYSIS

RESIDENTIAL SCHOOL FEE MITIGATION	
DEVELOPER FEE REVENUE PER SINGLE FAMILY DETACHED UNIT /1	\$3,113
DEVELOPER FEE REVENUE PER MULTI-FAMILY ATTACHED UNIT /2	\$1,431
DEVELOPER FEE REVENUE PER MOBILE HOME /3	\$1,212

STUDENT GENERATION FACTORS

ELEMENTARY SCHOOL

SFD	0.2260
MFA	0.1362
Mobile Home	0.1068

MIDDLE SCHOOL

SFD	0.1310
MFA	0.0574
Mobile Home	0.0548

HIGH SCHOOL

SFD	0.1690
MFA	0.0565
Mobile Home	0.0493

	Capacity	Acreage	SBE 50 tees
Elementary	600	10	\$5,200
Middle School	1000	20	\$5,500
High School	2200	50	\$7,200

[illegible]



**SAN BERNARDINO COUNTY
FIRE PROTECTION DISTRICT**

F A S

STANDARD CONTRACT

FOR OFFICIAL USE ONLY

<input type="checkbox"/> New <input checked="" type="checkbox"/> Change <input type="checkbox"/> Cancel	FAS Vendor Code	Dept. SC	CFD A	Contract Number 06-435 A-3																									
ePro Vendor Number				ePro Contract Number																									
SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT			Dept. Orgn.	Contractor's License No.																									
Contract Representative Don Trapp			Telephone (909)387-5779	Total Contract Amount \$0																									
Contract Type <input type="checkbox"/> Revenue <input type="checkbox"/> Encumbered <input type="checkbox"/> Unencumbered <input checked="" type="checkbox"/> Other:																													
If not encumbered or revenue contract type, provide reason: Mutual Aid Agreement																													
Commodity Code		Contract Start Date	Contract End Date	Original Amount \$	Amendment Amount \$																								
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No. Amount \$																								
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No. Amount \$																								
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No. Amount \$																								
Project Name Amendment To Automatic Aid Agreement Between The City Of Redlands & SBCFPD			Estimated Payment Total by Fiscal Year <table border="1"> <thead> <tr> <th>FY</th> <th>Amount</th> <th>I/D</th> <th>FY</th> <th>Amount</th> <th>I/D</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>			FY	Amount	I/D	FY	Amount	I/D																		
FY	Amount	I/D	FY	Amount	I/D																								

THIS CONTRACT is entered into in the State of California by and between the **SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT**, hereinafter called the **SBCFPD**, and

Name
City of Redlands
Address
35 Cajon Street
Redlands, CA 92373
Telephone
(909) 798 - 7600

hereinafter called City

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.)

Agreement No. 06-435, 06-435 A-1 and 06-435 A-2, Section 3 and Exhibit A are hereby amended as follows:

1. Section 3 is amended to read as follows:

3. In addition, the District agrees to provide first response services for all emergency or non-emergency calls within the areas designated as LAFCO 2989, 2990, 3028, 3030, 3093, 3105, 3195 and 3207 which have been annexed by City and identified in revised Exhibit "A," attached hereto and incorporated herein by this reference.

I:\cal\jrm\Agreements\CON-SBCFPD-062717-AMENDMENT NO 3 TO AUTO AID AGREE 06435 BETWEEN SBCFPD AND REDLANDS.doc

Auditor-Controller/Treasurer/Tax Collector Use Only	
<input type="checkbox"/> Contract Database	<input type="checkbox"/> FAS
Input Date	Keyed By

2. Exhibit A is replaced with the attached revised Exhibit A.
3. All other terms of said Agreement remain in full force and effect

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

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

► Robert A. Lovin
Robert Lovin, Chairman, Board of Directors

Dated: JUL 25 2017

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

Laura H. Welch, Secretary

By [Signature]
Deputy



City of Redlands

(Print or type name of corporation, company, contractor, etc.)

By ► [Signature]
(Authorized signature - sign in blue ink)

Name Paul W. Foster
(Print or type name of person signing contract)

Title Mayor
(Print or Type)

Dated: 7/5/17

Address 35 Cajon Street
Redlands, CA 92373

ATTEST: [Signature]
Jeanne Donaldson, City Clerk

Approved as to Legal Form
► [Signature]
Carol Greene, Supervising Deputy County Counsel

Date 7/18/17

Reviewed by Contract Compliance
► _____

Date _____

Presented to Board for Signature
► [Signature]

Mark A. Hartwig, Fire Chief Fire Warden
Date 7-10-17

Chapter 13.60 of the City of Redlands' Municipal Code

Attachment 3

CITY OF REDLANDS MUNICIPAL CODE

Title 13: PUBLIC SERVICES

Chapter 13.60: UTILITY CONNECTIONS FOR RESIDENTIAL DEVELOPMENT OUTSIDE CITY BOUNDARIES

13.60.010: PURPOSE AND INTENT:

The extension of utility services outside the city's boundaries is solely a discretionary decision of the city council taking into account the city's goals and policies relating to land planning, utility infrastructure, and the public health, safety and welfare of its citizens. The purpose of this chapter is to establish a procedure for the application and approval of connections to the city's water system and/or sewerage system for residential development projects within the city's sphere of influence and planning area. (Ord. 2302 § 1, 1996)

13.60.020: DEFINITIONS:

For the purposes of this chapter, the following words shall have the meanings ascribed to them in this section:

APPLICANT: The owner of the property for which a water and/or sewer connection is requested.

AVAILABILITY: The reservation of water and/or sewer connections for the calendar year for which an application is made for a water and/or sewer connection to Redlands' water and/or sewerage system for a residential dwelling unit.

CEQA: The California environmental quality act (Public Resources Code section 21000 et seq.) as amended.

CONNECTION: The approval of an application for a water and/or sewer connection and the physical setting of a water meter and/or the physical connection of a residential dwelling unit to the city's sewerage system.

LAFCO: The local agency formation commission for the county of San Bernardino, California.

MAJOR PROJECT: A project consisting of five (5) or more residential dwelling units.

MINOR PROJECT: A project consisting of four (4) or less residential dwelling units.

PROJECT: Any residential development project, existing or proposed.

RESIDENTIAL DWELLING UNIT: Any single-family residence, apartment, unit of a duplex, triplex, multi-family structure or mobilehome. (Ord. 2302 § 1, 1996)

13.60.030: CONTIGUOUS PROJECTS:

The procedure established by this chapter shall apply only to projects located on property which is not contiguous to the city's boundaries. Unless specific findings are made by the city council that the provision of water and/or sewer service without annexation is in the best interests of the public health, safety and welfare, all projects located on property contiguous to the city's boundaries shall annex to the city of Redlands as a condition of receiving water and/or sewer connections to the city's water and/or sewerage system. (Ord. 2302 § 1, 1996)

Sample Letter and Survey Form

Attachment 4



LAFCO

**Local Agency
Formation Commission**
for San Bernardino County

1170 West 3rd Street, Unit 180
San Bernardino, CA 92415-0490
909 388 0480 | Fax: 909 388 0481
E-mail: lafco@lafco.sbcounty.gov
www.sblafco.org

Established by the State of California
to serve the Citizens, Cities, Special Districts
and the County of San Bernardino

COMMISSIONERS

JIM BAGLEY
Public Member

KIMBERLY COX, Chair
Special District

JAMES V. CURTALO
Special District

ROBERT A. LOVINGOOD
Board of Supervisors

LARRY McALLON
City Member

JAMES RAMOS, Vice Chair
Board of Supervisors

DIANE WILLIAMS
City Member

ALTERNATES

STEVEN FARRELL
Special District

JANICE RUTHERFORD
Board of Supervisors

Vicent
Public Member

ACQUANETTA WARREN
City Member

STAFF

KATHLEEN ROLLINGS-McDONALD
Executive Officer

SAMUEL MARTINEZ
Assistant Executive Officer

MICHAEL TIERPE
Project Manager

LA TRICI JONES
Clerk to the Commission

LEGAL COUNSEL

CLARK M. ALSOP

October 10, 2017

Dear Sir/Madam:

The Local Agency Formation Commission for San Bernardino County (LAFCO or Commission) is considering an action entitled "LAFCO 3207 – Reorganization to include Annexation to the City of Redlands and Detachments from San Bernardino County Fire Protection District and its Valley Service Zone and CSA 70 and its Zone P-7". This annexation proposal was submitted by a property owner requesting that the City annex two (2) parcels, Assessor Parcel Numbers 0299-011-11 and 0299-011-12, totaling 12.38 +/- acres. The area is generally located west of Wabash Avenue and north of Sylvan Boulevard (see map attached to this letter).

In the past, the Commission has expressed its concern regarding a piecemeal approach to annexation in the Mentone/Crafton communities and directed staff to review the expansion of any proposal submitted to create a more logical and efficient boundary. In this case, the proposed annexation creates a peninsula of unincorporated territory between the area proposed for annexation and the City's existing boundary along Wabash Avenue and Citrus Avenue (as shown on the map). As an option to address this boundary concern, LAFCO staff is surveying the property owners and/or registered voters within this unincorporated peninsula area to determine their position on possibly annexing their properties to the City of Redlands. Therefore, the purpose of this letter is to request that you, as a landowner, a registered voter, or both, fill out the attached questionnaire and return it in the enclosed self-addressed stamped envelope. Please return the questionnaire to our office by October 31, 2017 so your position can be conveyed to the Commission as it deliberates on the proposal at its public hearing scheduled for November 15, 2017.

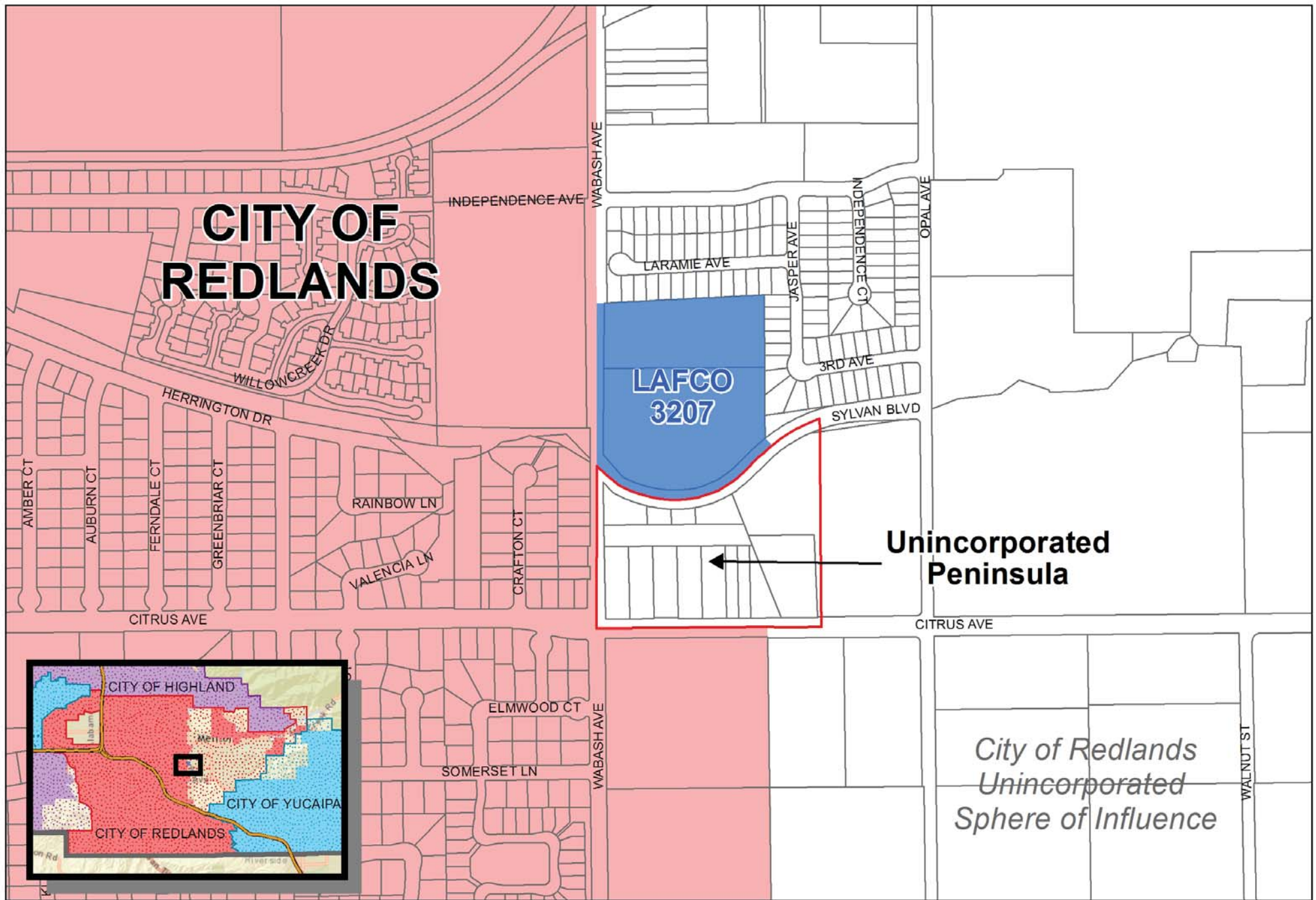
At that time, if there is sufficient support to expand the proposed action to square off the boundary by including the unincorporated peninsula, the Commission can approve the expansion of LAFCO 3207.

If you need clarification on this request, or have any questions regarding the processing of LAFCO 3207, please do not hesitate to contact me or Samuel Martinez, Assistant Executive Office, at (909) 388-0480.

Sincerely,

KATHLEEN ROLLINGS-McDONALD
Executive Officer

Attachments



LAFCO 3207 – Reorganization to Include City of Redlands Annexation No. 94 and Detachment from the San Bernardino County Fire Protection District and its Valley Service Zone, and County Service Area 70 and its Zone P-7



0 50 100 200 300 400 Yards

Date Created: 10/5/2017



- [Blue] Proposed Annexation Area
- [Red Outline] Unincorporated Peninsula
- [Pink] City of Redlands

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490

(909) 388-0480 • Fax (909) 388-0481

lafco@lafco.sbcounty.gov

www.sbclafco.org

SURVEY QUESTIONNAIRE

Name of Property Owner:

Assessor Parcel Number:

Mailing Address:



1. Would you support the annexation of the property that you own and/or the property where you reside into the City of Redlands?

Yes ☐ No ☐

2. Would you support the annexation of the property that you own and/or the property where you reside, if there is no cost to you to annex into the City of Redlands at this time?

Yes ☐ No ☐

COMMENTS:

Print Name and Sign

Date

**Letter from the County
Public Works Department**

Attachment 5



Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Surveyor
- Transportation

Kevin Blakeslee, P.E.
Director

November 2, 2017

LAFCO File No. 3207

Local Agency Formation Commission
For San Bernardino County
1170 W. Third Street, Unit 150
San Bernardino, CA 92415-0490

Attn: Sam Martinez

RE: LAFCO FILE NO. 3207 – ANNEXATION OF APN 0299-341-11 AND APN 0299-341-12

Dear Mr. Martinez:

Regarding LAFCO File No. 3207, the County recommends that the City of Redlands (City) annex Sylvan Boulevard's full width of road right-of-way, from Wabash Avenue eastward 0.11 miles. Since this portion of Sylvan Boulevard is such a very short segment, it would be more pragmatic to have the City maintain this length to full width, rather than dividing maintenance responsibilities between the City and the County.

With regard to whether the City would maintain the Zanja located on the south side of road, maintenance responsibility for the Zanja lies with the Flood Control District and would remain with the District, should the annexation occur.

If you have additional questions, you may contact me at (909) 387-8169 or via email at smartinez@dpw.sbcounty.gov.

Sincerely,

STEPHEN MARTINEZ

Supervising Transportation Analyst
Transportation Planning Division

SPM:dh

ltr - lafco - file no. 3207, sylvan blvd . 11-2-17.docx

BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD
Chairman, First District

JANICE RUTHERFORD
Second District

JAMES RAMOS
Third District

CURT HAGMAN
Vice Chairman, Fourth District

JOSIE GONZALES
Fifth District

DENA M. SMITH
Interim Chief Executive Officer

**Addendum prepared by the
Commission's
Environmental Consultant,
Tom Dodson and
Associates, Including the
City's Environmental
Assessment and Mitigated
Negative Declaration for
Annexation No. 94**

Attachment 6

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



November 3, 2017

Ms. Kathleen Rollings-McDonald
Executive Officer
Local Agency Formation Commission
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0490

RECEIVED
NOV 06 2017

LAFCO
San Bernardino County

Dear Kathy:

LAFCO 3207 consists of a request by the City of Redlands (City) for a Reorganization to include City of Redlands Annexation No. 94 and Detachments from San Bernardino County Fire Protection District, its Valley Service Zone, County Service Area 70 and its Zone P-7 (Jacinto Tract). The proposed Reorganization area consists of two parcels (Assessor Parcel Numbers 0299-011-11 and 0299-011-12) that encompass approximately 12 +/- acres. The Reorganization area is bounded by parcel lines on the north and east, Sylvan Boulevard on the south, and Wabash Avenue (existing City of Redland' s boundary) on the west. The Reorganization area is within the City of Redlands' eastern Sphere of Influence, which is commonly known as the Mentone community. The reorganization area has been modified by LAFCO staff to include the full right-of-way easement of Sylvan Boulevard adjacent to Tentative Tract Map 19942.

The City of Redlands prepared an environmental document, Initial Study to support a Mitigated Negative Declaration (IS/MND) and approved a Zone Change (No. 454), Tentative Tract Map (No. 19942), and adopted the IS/MND on March 21, 2017. The Notice of Determination was filed on March 22, 2017. This document concluded that implementation of the proposed residential subdivision would not result in significant adverse environmental impacts to the environment with implementation of a number of mitigation measures that all fall within the City' s jurisdiction. Subsequent to adoption of the City' s Mitigated Negative Declaration (MND), LAFCO Staff determined that the actual area proposed for Reorganization should be expanded to include the Sylvan Boulevard ROW adjacent to the project site. This raises the actual acreage being considered for annexation under LAFCO 3207, which is slightly larger than the 11.97 acre area considered in City' s MND. Based on the Staff review, the disparity between the City' s MND acreage and the Reorganization acreage is the inclusion of adjacent public Sylvan Boulevard ROW. After reviewing this disparity and utilizing the CEQA requirements for subsequent review (Section 15162 of the State CEQA Guidelines), I recommend that the Commission rely upon the City' s IS/MND

and this letter report which will serve as an Addendum to that document. Thus, the Commission will be utilizing the IS/MND as the base environmental document and this letter Addendum as a CEQA Lead Agency for LAFCO 3207. This is because the addition of the adjacent public right-of-way to the Reorganization, which is an existing paved roadway, will not result in any additional adverse impact on the physical environment.

Environmental Review Process

LAFCO has prepared this Addendum in accordance with the current CEQA Statutes and Guidelines for implementing CEQA. CEQA Section 15164 includes the following procedures for the preparation and use of an Addendum:

- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review, but can be included in or attached to the Final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Note that Section 15164 (a) addresses use of an Addendum in conjunction with a Final EIR, which is not the procedure being used in this document. If changes to a project or its circumstances occur or new information becomes available after certification of an EIR or MND, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)) When only minor technical changes or additions to the certified EIR are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, Section 15164(a))

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
- (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on the change in the expanded Reorganization being considered under LAFCO 3207, LAFCO concludes that an Addendum is the appropriate environmental determination for this second tier environmental review process to comply with CEQA. This is because the addition of the entire right-of-way easement of Sylvan Boulevard adjacent to TTM 19942 to the area being annexed under 3207 has no potential to cause or result in additional adverse impacts (physical changes) to the environment.

This Addendum, combined with the City's original Initial Study, serves as the basis for this second tier environmental review of the City's decision to adopt the IS/MND and approve the residential subdivision. This Addendum modifies the original IS/MND adopted by the City in March 2017 as its California Environmental Quality Act (CEQA) environmental determination for the proposed implementation of the City's rezoning and tract map development. Aside from the inclusion of the Sylvan Boulevard roadway easement, no other changes in the approved project are proposed at this time.

Pursuant to the provisions of CEQA and State and local CEQA Guidelines, LAFCO is the Lead Agency for the LAFCO 3207, and is charged with the responsibility of deciding whether or not to approve the original annexation area and the proposed modifications to the project as described above and this Addendum as a second tier CEQA environmental determination. As part of its decision making process, LAFCO is required to review and consider the potential environmental effects that could result from modifying the original project relative to the previously approved project. LAFCO has compiled this Addendum as the basis for making a new CEQA environmental determination for the modified project, LAFCO 3207.

Under this situation, I recommend that the Commission take the following steps if it chooses to approve LAFCO 3207, acting as a CEQA Lead Agency:

1. Indicate that the Commission staff and environmental consultant have independently reviewed the City's IS/MND and found them adequate for the City's proposed Reorganization.
2. The Commission needs to indicate that it has considered the Mitigated Negative Declaration and environmental effects, as outlined in the Initial Study, and this Addendum prior to reaching a decision on the project and finds the information substantiating the Mitigated Negative Declaration and Addendum adequate for approval of the Reorganization.
3. The Commission should indicate that it does not intend to adopt alternatives or mitigation measures for this project. Mitigation measures were required for this project and they will remain the responsibility of the City to implement.
4. File a Notice of Determination with the County Clerk of the Board as a CEQA Lead Agency for LAFCO 3207.

If you have any questions regarding these recommendations, please feel free to give me a call.

Sincerely,

A handwritten signature in black ink that reads "Tom Dodson". The signature is written in a cursive, slightly slanted style.

Tom Dodson

DATE FILED & POSTED

Posted On:

Removed On:

Receipt No:

Appendix D

Notice of Determination

TO: ☒ Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue
San Bernardino, CA 92415-0130

☒ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

FROM: City of Redlands
Planning Division
P.O. Box 3005
Redlands, CA 92373

SUBJECT: *Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.*

State Clearinghouse Number: 2017011069

Project Title: Sam-Redlands, LLC Tract [Annexation No. 94 (LAFCO 3207), Zone Change No. 454, Tentative Tract No. 19942, and Demolition Permit No. 258.]

Project Applicant: Sam-Redlands LLC

Loralee Farris, Principal Planner
Contact Person

(909) 798-7555
Telephone Number

Project Location: The development project is located on 11.97 acres located on the east side of Wabash Avenue, and the north side of Sylvan Boulevard (APNs: 0299-011-11, 12).

Project Description:

The project includes a request for annexation of contiguous parcels (11.97 acres) into the City of Redlands (as required by Section 16.60.030 of the Redlands Municipal Code to connect to City water and sewerage systems), a zone change application to pre-zone the 11.97 acres as R-1 (Single Family Residential) District, and a Tentative Tract Map to subdivide 11.97 acres into thirty four (34) residential lots, ranging in size from 7,200 square feet to 16,454 square feet in size, and four (4) lettered lots for landscaping, open space and stormwater basins.


This is to advise that the City of Redlands City Council has approved Annexation No. 94, Zone Change No. 454, Tentative Tract Map No. 19942 on March 21, 2017 and made the following determinations:

1. The project will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
☒ A Mitigated Negative Declaration was prepared for this project pursuant to the

provisions of CEQA.

3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were not made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and record of project approval are available to the general public and may be examined at the City of Redlands Development Services Department, Planning Division at 35 Cajon Street, Suite 20, Redlands, CA 92373.



Lorelee Farris
Principal Planner
March 22, 2017

3/22/17

Date Received for Filing

RESPONSES TO COMMENTS
LETTER #1
OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE

- 1-1 This is an acknowledgement letter verifying that the State Clearinghouse submitted the Initial Study and proposed Mitigated Negative Declaration (MND) to selected state agencies for review, and that one state agency (State Department of Fish and Wildlife) submitted comments by the close of the review period, which occurred on February 27, 2017. The State Clearinghouse assigned this project the following tracking number, SCH #2017011069. This letter is for information purposes only.

RESPONSES TO COMMENTS
LETTER #2
STATE DEPARTMENT OF FISH AND WILDLIFE

The lead agency appreciates the State Department of Fish and Wildlife's comments on the proposed project.

- 2-1 The mitigation measures for BIO-1 and BIO-2 have been amended to incorporate the preferred language of the State Department of Fish and Wildlife. See attached response from the research biologist of Cadre Environmental.
- 2-2 The project will be required to adhere to the City's Water Efficient Landscaping Ordinance, to promote the conservation and efficient use of water and to prevent the waste of this valuable resource, which includes the incorporation of drought tolerant landscaping.

RESPONSES TO COMMENTS
LETTER #3
COUNTY OF SAN BERNARDINO DEPARTMENT OF PUBLIC WORKS

- 3-1 The lead agency appreciates the County of San Bernardino Department of Public Works' comments on the proposed project. This comment has been noted.
- 3-2 So noted.
- 3-3 So noted.
- 3-4 The City of Redlands concurs with the County of San Bernardino on the current flood zone designations on-site (Zone X and Zone A-E), which has been clarified in the Initial Study. The applicant has provided a FEMA Zone Exhibit for Tentative Tract No. 19942, which is consistent with this comment.
- 3-5 Please see attached responses from the research biologist with Cadre Environmental. In concurrence, staff has incorporated a condition of approval to require the installation of a Dog Waste Bag Dispenser and Trash Bin at the entrance of the trail, as well as signage urging the proper pick-up and disposal of dog waste.



EDMUND G. BROWN JR.
GOVERNOR

February 28, 2017

Loralee Farris
City of Redlands
PO Box 3005
Redlands, CA 92373

Subject: Sam-Redlands Tract (Annex 94, Zone Change 454, TT 19942, Demolition Permit No. 258)
SCH#: 2017011069

Dear Loralee Farris:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 27, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

RECEIVED

MAR - 2 2017

Development Services Dept



KEN ALEX
DIRECTOR

1-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2017011069
Project Title Sam-Redlands Tract (Annex 94, Zone Change 454, TT 19942, Demolition Permit No. 258)
Lead Agency Redlands, City of

Type MND Mitigated Negative Declaration

Description Entitlement actions include: 1) approval of a proposed annexation of approximately 11.97 acres from the unincorporated area of the county of San Bernardino into the boundaries of the city of Redlands, 2) approval of a proposed zone change to pre-zone approximately 11.97 acres to be annexed from rural-living to single family residential district, 3) approval of tentative tract map no. 19942 to subdivide approximately 11.97 acres into thirty four single family residential lots (7,200-16,450 sf in size) and four lettered lots, and 4) approval of a demolition permit to allow removal of one existing residential structure on the subject site, two commercial buildings, one carport, and one garage and shed.

Lead Agency Contact

Name	Loralee Farris		
Agency	City of Redlands		
Phone	(909) 798-7555	Fax	
email			
Address	PO Box 3005		
City	Redlands	State CA	Zip 92373

Project Location

County	San Bernardino						
City	Redlands						
Region							
Lat / Long	34° 03' 29.8" N / 117° 08' 16.7" W						
Cross Streets	Wabash Ave and Sylvan Blvd						
Parcel No.	0299-011-11, -12						
Township		Range		Section		Base	

Proximity to:

Highways	hwy 38
Airports	Redlands
Railways	
Waterways	Mill Creek Zanja Canal
Schools	Crafton
Land Use	USE: single family residence, contractors yard, citrus groves zoning: rural living GP Des: low density residential

Project Issues Aesthetic/Visual; Agricultural Land; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Water Quality; Landuse

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, Division of Aeronautics; Caltrans, District 8; Native American Heritage Commission; State Water Resources Control Board, Division of Drinking Water, District 13; Regional Water Quality Control Board, Region 8

Date Received 01/27/2017 **Start of Review** 01/27/2017 **End of Review** 02/27/2017



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0167
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



February 27, 2017
Sent via email

Ms. Lorelee Farris
Principal Planner
City of Redlands
Community Development Department
P.O. Box 3005
Redlands, CA 92373
lfarris@cityofredlands.org

Subject: Initial Study and Mitigated Negative Declaration
Sam-Redlands Tract (Annex 94, Zone Change 454, TT 19942,
Demolition Permit No. 258)
State Clearinghouse No.2017011069

Dear Ms. Farris:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Initial Study and Mitigated Negative Declaration (IS/MND) for the Sam-Redlands Tract (project). The Department is responding to the IS/MND as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The project proposes the removal of a citrus grove, two commercial structures, two accessory structures, and a single family residence and construction of thirty four single family residences, four open space lots, an infiltration basin, and associated roadways on approximately 11.97 acres. The project site is located northeast of the intersection of Sylvan Boulevard and Wabash Avenue in Redlands, San Bernardino County; within assessor parcel numbers 0299-011-11 and 0299-011-12.

COMMENTS AND RECOMMENDATIONS

The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for

Conserving California's Wildlife Since 1870

biologically sustainable populations of those species (i.e., biological resources); and administers the Natural Community Conservation Planning Program (NCCP Program). The Department offers the comments and recommendations presented below to assist the City of Redlands (City; the CEQA lead agency) in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. Following review of the IS/MND the Department has concerns related to project-related impacts to bats and nesting birds, and the adequacy and enforceability of mitigation measures proposed by the City. The Department's comments and recommendations on the IS/MND include:

Bats

The Department appreciates that the IS/MND has addressed potential impacts to bats. To increase the specificity and enforceability of Mitigation Measure (MM) BIO-1 the Department recommends that the City revise MM BIO-1 and condition the measure to include the following (edits are in **bold** and ~~strikethrough~~):

Mitigation Measure BIO-1: A detailed bat survey shall be conducted by a qualified **bat** biologist prior to **site preparation or ground-disturbing activities, including, but not limited to** demolition of ~~on-site the abandoned structures on-site~~ and/or the removal or **trimming** of mature trees and palms. **Any locations with potential for roosting or suitable as a maternity roost will be surveyed by the qualified bat biologist using an appropriate combination of structure inspection, exit counts, and acoustic surveys. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of bats. If bats are found using any structures or trees within the project area, the qualified bat biologist shall identify the bats to the species level, and evaluate the colony to determine its size and significance. The bat survey shall include: 1) the exact location of all roosting sites (location shall be adequately described and drawn on a map); 2) the number of bats present at the time of visit (count or estimate); 3) each species of bat present shall be named (include how the species was identified); and 4) the type of roost, i.e., a night roost (rest at night while out feeding) versus a day roost (resting during the day). A report containing the bat survey findings shall be submitted to the City and to the Department of Fish and Wildlife (Department), at the following address: 3602 Inland Empire Blvd., Suite C-220, Ontario, CA 91764.**

If a roosting site and/or maternity colony(s) is detected, and the qualified bat biologist determines that impacts (either direct or indirect, including disturbance from noise, vibration, dust, exhaust) from project-related activities may occur, the Applicant shall consult with the Department to determine the most appropriate type of avoidance, minimization, and mitigation measures to implement. Examples of avoidance and

minimization strategies may include daily work timing restrictions and buffer distances. Work timing restrictions and buffer distances will be determined based on the expert opinion of the qualified bat biologist, as approved by the Department. Mitigation measures may include replacement of impacted roosting sites with alternate roosting structures. Alternate roosting structures shall be designed to ensure use by bats impacted by the project. For example, designs will take into consideration the thermal and crevice/structure roosting requirements of the impacted bats. ~~If a nonbreeding bat colony is detected, all individuals shall be humanely evicted based upon the direction of the monitoring biologist. If a maternity colony is detected on site, a construction-free buffer shall be established around the buildings and/or mature trees and palms until it has been determined by a qualified biologist that the nursery is no longer active. Removal of structures, and/or the removal or trimming of trees, and palms shall~~ **preferably be done not occur during the bat maternity season, typically between March 15 through September 15 and April 15, or August 15 and October 15, to avoid interfering with the active nursery.**

Burrowing Owl and Nesting Birds

Mitigation Measure (MM) BIO-2 provides mitigation measures for impacts to burrowing owl and nesting birds. Please note it is the project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) afford the following protective measures: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA. Because some avian species may not adhere to the nesting dates stated in the IS and proposed MND the Department recommends that the City revise MM BIO-2 to require the completion of nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey.

The Department also recommends that surveys occur over the entirety of the project site, and not be limited to those areas with shrubs and trees, as not all bird species nest in vegetation; some species nest directly on the ground. The

Department recommends that the City revise MM BIO-2 and condition the measure to include the following (edits are in **bold** and ~~strikethrough~~):

Mitigation Measure BIO-2: ~~If construction is proposed between February 1 and August 31, a~~ A qualified biologist shall conduct a burrowing owl and nesting bird survey(s) no more than three days prior to initiation of **grading project-related activities** to document the presence or absence of nesting birds within or directly adjacent (4500 feet) to the project site. The survey(s) shall focus upon identifying any raptor and/or passerine nests that ~~may be~~ **are** directly or indirectly affected by ~~construction~~ **project-related** activities. If active burrowing owl or other avian nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, **grading disturbances** in the vicinity of a nest shall be postponed until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending upon the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area.

Additional Comments and Recommendations

Landscaping

2-2 California is experiencing one of the most severe droughts on record. To ameliorate the water demands of this project, the Department recommends incorporation of water-wise concepts in project landscape design plans. In particular the Department recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <http://saveourwater.com/what-you-can-do/tips/landscaping/>

Department Conclusions and Further Coordination

The Department appreciates the opportunity to comment on the IS/MND for the Sam-Redlands Tract. We recommend that the City address the Department's comments and concerns prior to adoption of the MND.

If you should have any questions pertaining to the comments provided in this letter, and to schedule a meeting, please contact Edith Martinez at (909) 944-0187 or at Edith.Martinez@wildlife.ca.gov.

Mitigated Negative Declaration
Sam-Redlands Tract
SCH No. 2017011069
Page 5 of 5

Sincerely,

For 
Leslie MacNair
Regional Manager



Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Surveyor
- Transportation

Gerry Newcombe
Director

February 23, 2017

City of Redlands
Development Services Department
Loralee Farris, Principal Planner
P.O. Box 3005
Redlands, CA. 92373
lfarris@cityofredlands.org

File: 10(ENV)-4.01

**RE: NOTICE OF AVAILABILITY OF A MITIGATED NEGATIVE DECLARATION FOR
TENTATIVE TRACT 19942 FOR THE CITY OF REDLANDS**

Ms. Farris:

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on January 30, 2017** and pursuant to our review, the following comments are provided:

General Comment

- 3-1 1. Since this project is adjacent to the San Bernardino County Flood Control District's (District) Zanja Creek facility, any work affecting the District right-of-way would need a Flood Control Permit. Also, any work affecting the County of San Bernardino Maintained Road System right-of-way would need a Transportation Permit. For further information, please contact Melissa Walker in the Permits/Operations Support Division at 909-387-7995.
- 3-2 2. We are aware there may be storm drains in and around the site that may be affected by the proposed project. When planning for or altering existing or future storm drains, be advised that the Project is subject to the District's Comprehensive Storm Drain Plan No. 4, dated May 1975, with updated hydrology dated February 2013. The responsible agency should review and approve any changes to the existing drainage. If you have any questions, please contact David Lovell in the Flood Control Planning Division at 909-387-8120.
- 3-3 3. The levee tops, and therefore the proposed project area, may be within the jurisdiction of the California Department of Fish and Wildlife (CDFW). A permit, or documentation, from CDFW stating a permit is not required will be requested prior to the issuance of a District encroachment permit. If you have any questions, please contact Patrick Egle in the Environmental Management Division at 909-387-1865.

BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD
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GREGORY C. DEVEREAUX
Chief Executive Officer

Water Resources Division (Mary Lou Mermilliod, PWE III, 909-387-8213):

- 3-4
1. According to the most recent FEMA Flood Insurance Rate Map, Panel 06071C8717H, dated August 28, 2008, the majority of the project lies within Zone X-shaded, with the southern-most portion within Zone AE and the Regulatory Floodway. This should be stated in the Final IS/MND.

Environmental Management Division (Patrick Egle, Planner III, 909-387-1865):

- 3-5
1. San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*) (SBKR) has been known to occupy and thrive in small isolated patches of orange groves. We believe the Initial Study does not adequately support the conclusion that no suitable habitat for federally endangered or threatened species was documented within the Project site. The Final/Adopted IS/MND should analyze and discuss any impact to this species in detail.
 2. The Biological Resources Study does not identify Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), a state species of concern, as occurring within the region and being potentially impacted by this project. The Final/Adopted IS/MND should address all biological resources impacts and contain any mitigation necessary to reduce impacts to this species to a less than significant level.
 3. We recommend protocol trapping for SBKR, Northwestern San Diego pocket mouse and Los Angeles pocket mouse be conducted to support the Initial Studies determination of no suitable habitat. The Final/Adopted IS/MND should address all biological resources impacts and contain any mitigation necessary to reduce impacts to a less than significant level.
 4. We believe the Initial Study does not adequately address project impacts to burrowing owl. The Final/Adopted IS/MND should address all biological resources impacts and contain mitigation necessary to reduce impacts to a less than significant level. Mitigation Measure BIO-2 identifies a minimum exclusion buffer of 100 feet. The mitigation measure should be revised to include appropriate exclusion buffers as identified in the Staff Report on Burrowing Owl Mitigation which was published by the State of California Natural Resources Agency Department of Fish and Game, March 7, 2012.
 5. Additionally, the document does not address issues associated with potential trail usage by pedestrians with pets. Domesticated dogs and their fecal matter represent one of the largest unregulated sources of aquatic fecal contaminants with zoonotic potential in areas impacted by urban runoff." - Green et. al. *Environ. Sci. Technol.*, **2014**, *48* (19), pp 11453–11461. While the Water Quality Study provides a County pamphlet at the end of the document, the IS/MND lacks necessary discussion and potential mitigation measures to address this impact of trails along waterways.

Please note: If a new avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance impact, the lead agency is required to recirculate the negative declaration accordance with CEQA Guidelines Section 15073.5.

L. Farris, City of Redlands
NOA of a MND for Tentative Tract 19942
February 23, 2017
Page 3 of 3

We respectfully request to be included on the circulation list for all project notices, public reviews, or public hearings. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael R. Perry".

Michael R. Perry
Supervising Planner
Environmental Management

MRP:PE:sr



February 27th, 2017

Mr. Raymond Dorame
Executive Vice President
MasterCraft Homes Group
20201 SW Birch St., Suite 100
Newport Beach, CA 92660

Re: Response to Comments to California Department of Fish and Wildlife and San Bernardino County Department of Public Works Review of Initial Study/Mitigated Negative Declaration – State Clearinghouse No. 2017011069. Tentative Tract 19942 Residential Development Project, City of Redlands Sphere of Influence, Unincorporated San Bernardino County, California:

Dear Mr. Dorame:

The following letter summarizes responses to those biological resources comments submitted by the California Department of Fish and Wildlife (CDFW) "*Initial Study and Mitigated Negative Declaration – Sam-Redlands Tract (Annex 94, Zone Change 454, TT 19942, Demolition Permit No. 258) – State Clearinghouse No. 2017011069*" (February 27th, 2017), and San Bernardino County Department of Public Works "*Notice of Availability of a Mitigated Native Declaration for Tentative Tract 19942 for the City of Redlands*" (February 23rd, 2017) to Ms. Lorelee Farris, City of Redlands.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Comment 1: Bats *"The Department appreciates that the IS/MND has addressed potential impacts to bats. To increase the specificity and enforceability of Mitigation Measure (MM) B10-1 the Department recommends that the City revise MM B10-1 and condition the measure to include the following:"* (CDFW 2017)

Response 1: MM B10-1 will be updated as recommended by CDFW.

Mitigation Measure B10-1: A detailed bat survey shall be conducted by a qualified bat biologist prior to site preparation or ground-disturbing activities, including, but not limited to demolition of on-site structures and/or the removal of trimming of mature trees and palms. Any locations with potential for roosting or suitable as a maternity roost will be surveyed by the qualified bat biologist using an appropriate combination of structure inspection, exit counts, and acoustic surveys. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of bats. If bats are found using any structures or trees within the project area, the qualified bat biologist shall identify the bats to the species level, and evaluate the colony to determine its size and significance. The bat survey shall include: 1) the exact location of all roosting sites (location shall be adequately described and drawn on a map); 2) the number of bats present at the time of visit (count or estimate); 3) each species of bat present shall be named (include how the species was identified); and 4) the type of roost, i.e., a night roost (rest at night while out feeding) versus a day roost (resting during the day). A report containing the bat survey findings shall be submitted to the City and to the Department of Fish and Wildlife (Department), at the following address: 3602 Inland Empire Blvd., Suite C-220, Ontario, CA 91764.

If a roosting site and/or maternity colony(s) is detected, and the qualified bat biologist determines that impacts (either direct or indirect, including disturbance from noise, vibration, dust, exhaust) from project-related activities may occur, the Applicant shall consult with the Department to determine the most appropriate type of avoidance, minimization, and mitigation measures to implement. Examples of avoidance and minimization strategies may include daily work timing restrictions and buffer distances. Work timing restrictions and buffer distances will be determined based on the expert opinion of the qualified bat biologist, as approved by the Department. Mitigation measures may include replacement of impacted roosting sites with alternate roosting structures. Alternate roosting structures shall be designed to ensure use by bats impacted by the project. For example, designs will take into consideration the thermal and crevice/structure roosting requirements of the impacted bats. Removal of structures, and/or the removal or trimming of trees, and palms occupied by bats shall not occur during the bat maternity season, typically March 15 through September 15.

Comment 2: Burrowing Owl and Nesting Birds *"The Department recommends that the City revise MM BIO-2 and condition the measure to include the following:"* (CDFW 2017)

Response 2: MM BIO-2 will be updated as recommended by CDFW.

Mitigation Measure BIO-2: A qualified biologist shall conduct a burrowing owl and nesting bird survey(s) no more than three days prior to initiation of project-related activities to document the presence or absence of nesting birds within or directly adjacent (500 feet) to the project site. The survey(s) shall focus upon identifying any raptor and/or passerine nests that may be directly or indirectly affected by project-related activities. If active burrowing owl or other avian nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, disturbances in the vicinity of a nest shall be postponed until the young have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending upon the species and location. The perimeter of the best setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area.

SAN BERNARDINO COUNTY DEPARTMENT OF PUBLIC WORKS ENVIRONMENTAL MANAGEMENT DIVISION

Comment 1: *"San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*) (SBKR) has been known to occupy and thrive in small isolated patches of orange groves. We believe the Initial Study does not adequately support the conclusion that no suitable habitat for federally endangered or threatened species was documented within the project site. The Final/Adopted IS/MND should analyze and discuss any impact to this species in detail."* (County of San Bernardino Department of Public Works 2017).

Response 1: No characteristic kangaroo rat sign including burrows, scat, dust bowls or tail drags were documented within the project site. The project site was initially surveyed and documentation prepared by Ruben Ramirez who possesses a United States Fish and Wildlife Service (USFWS) and CDFW permit to conduct focused trapping for the San Bernardino kangaroo rat (780566-13, CDFW GSC 002243) (Cadre Environmental 2016).

This San Bernardino kangaroo rat is primarily found on sandy loam substrates, characteristic of alluvial fans and floodplains (USFWS 1994). These habitats are generally dominated by alluvial

scrub vegetation, which consists of chaparral and sage scrub species. No native vegetation or suitable soils were documented within or adjacent (Mill Creek Zanja) to the project site. Although, the San Bernardino kangaroo rat has been documented in small patches of orange groves, these observations are primarily located within the terrace habitats adjacent to occupied floodprone areas (Santa Ana River wash). The project site is located approximately 2 miles south of the Santa Ana River and is not located within USFWS designated critical habitat for the species. The species is not expected to occur onsite.

Comment 2: *"The Biological Resources Study does not identify Los Angeles pocket mouse (Perognathus longimembris brevinasus), a state species of concern, as occurring within the region and being potentially impacted by this project. The Final/Adopted IS/MND should address all biological resources impacts and contain any mitigation necessary to reduce impacts to this species to a less than significant level."* (County of San Bernardino Department of Public Works 2017).

Response 2: The project site was initially surveyed and documentation prepared by Ruben Ramirez who possesses experience and USFWS and CDFW permits to conduct focused trapping for the genus *Perognathus* (780566-13, CDFW GSC 002243) (Cadre Environmental 2016). Specifically, Ruben Ramirez possess a USFWS permit to conduct focused trapping for the federally endangered subspecies Pacific pocket mouse (*Perognathus longimembris pacificus*).

The Los Angeles pocket mouse, described by Osgood in 1900, is a little-known subspecies of the widespread little pocket mouse. The little pocket mouse relies mostly on grass seeds as a food source and prefers to inhabit open ground of finely sandy composition. It is restricted to lower elevation grassland, alluvial sage scrub, and coastal sage scrub in cismontane southern California. No native vegetation or suitable soils were documented within or adjacent (Mill Creek Zanja) to the project site. Based on the fact that no suitable conditions occur onsite for the species and the closest known occurrence to the project site is within the Santa Ana River floodprone area (5.5 miles north west), the species was not addressed. The species is not expected to occur onsite.

Comment 3: *"We recommend protocol trapping for SBKR, Northwestern San Diego pocket mouse and Los Angeles pocket mouse be conducted to support the Initial Studies determination of no suitable habitat. The Final/Adopted IS/MND should address all biological resources impacts and contain any mitigation necessary to reduce impacts to a less than significant level."* (County of San Bernardino Department of Public Works 2017).

Response 3: Based on the initial site assessment conducted by Ruben Ramirez, a USFWS/CDFW permitted biologist for San Bernardino Kangaroo Rat and genus *Perognathus*, the complete lack of suitable habitat (soils and vegetation) for these species including the Northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), a focused trapping effort is not warranted.

Comment 4: *"We believe the Initial Study does not adequately address project impacts to burrowing owl. The Final/Adopted IS/MND should address all biological resources impacts and contain mitigation necessary to reduce impacts to a less than significant level. Mitigation Measure B10-2 identifies a minimum exclusion buffer of 100 feet. The mitigation measure should be revised to include appropriate exclusion buffers as identified in the Staff Report on Burrowing Owl Mitigation which was published by the State of California Natural Resources Agency"*

Department of Fish and Game, March 7, 2012." (County of San Bernardino Department of Public Works 2017).

Response 4: MM BIO-2 will be updated to adequately address the burrowing owl as recommended by CDFW and the County of San Bernardino Department of Public Works.

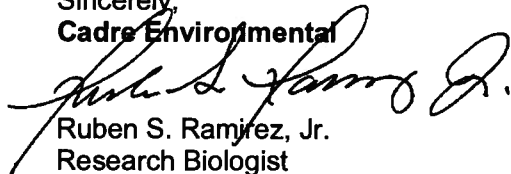
Mitigation Measure BIO-2: A qualified biologist shall conduct a burrowing owl and nesting bird survey(s) no more than three days prior to initiation of project-related activities to document the presence or absence of nesting birds within or directly adjacent (500 feet) to the project site. The survey(s) shall focus upon identifying any raptor and/or passerine nests that may be directly or indirectly affected by project-related activities. If active burrowing owl or other avian nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, disturbances in the vicinity of a nest shall be postponed until the young have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending upon the species and location. The perimeter of the best setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area.

Comment 5: *"Additionally, the document does not address issues associated with potential trail usage by pedestrians with pets. Domesticated dogs and their fecal matter represent one of the largest unregulated sources of aquatic fecal contaminants with zoonotic potential in areas impacted by urban runoff." -Green et. al. Environ. Sci. Technol., 2014, 48 (19), pp 11453-11461. While the Water Quality Study provides a County pamphlet at the end of the document, the IS/MND lacks necessary discussion and potential mitigation measures to address this impact of trails along waterways." (County of San Bernardino Department of Public Works 2017).*

Response 5: The proposed trail will be owned and maintained by the City of Redlands and to help reduce the impact of fecal matter on the Mill Creek Zanja, the City of Redlands should consider the installation of a Dog Waste Bag Dispenser and Trash Bin at the entrance of the trail. The City should also consider installing a dog waste sign urging the proper pick up and disposal of dog fecal matter.

Sincerely,

Cadre Environmental



Ruben S. Ramirez, Jr.
Research Biologist

USFWS Permit 780566-13
CDFW GSC Permit 002243

ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Annexation No. 94 (LAFCO 3207), Zone Change No. 454, Tentative Tract No. 19942, and Demolition Permit No. 258.
2. **Lead Agency Name and Address:**
City of Redlands
Community Development Department
35 Cajon Street, Suite 20
PO Box 3005
Redlands, CA 92373
3. **Contact Person and Phone Number:**
Loralee Farris, Principal Planner
35 Cajon Street, Suite 20
P.O. Box 3005
Redlands, CA 92373
4. **Project Location:** The project is located in the unincorporated area of the County of San Bernardino north of Sylvan Boulevard and east of Wabash Avenue. Assessor's Parcel Numbers (APN's): 0299-011-11 and 0299-011-12.
5. **Project Sponsor's Name and Address:** Sam-Redlands LLC, Mastercraft Homes Group, 20201 Birch Street, Suite 100, Newport Beach, CA. 92660.

Applicant's Representative: Patrick J. Meyer, Urban Environs, 1345 Fountain Place, Redlands, CA. 92373. Phone: 909/798-4446. Email:environs@verizon.net.
6. **General Plan Designation:** **Existing** - Rural Living (RL) - 5 Acre Minimum Parcel Size (County of San Bernardino General Plan). **Proposed** - Low Density Residential (LDR) 0-6 dwelling units per acre (City of Redlands General Plan).
7. **Zoning:** **Existing** - RL-5: Rural Living, 5 acre Minimum Parcel Size (County of San Bernardino); **Proposed** - R-1 Low Density Residential, 7200 square feet minimum lot size. (City of Redlands).
8. **Description of Project:** Entitlement actions include: 1) Approval of a proposed annexation of approximately 11.97 acres from the unincorporated area of the County of San Bernardino into the boundaries of the City of Redlands, 2) Approval of a proposed Zone Change to pre-zone approximately 11.97 acres to be annexed from (RL-5) Rural Living (County of San Bernardino) to the Single-Family Residential (R-1) District (City of Redlands), 3) Approval of Tentative Tract Map No. 19942 to subdivide approximately 11.97 acres into thirty four (34) single family residential lots and four (4) lettered lots, and 4) Approval of a Demolition Permit to allow removal of one existing residential structure on the subject site, two commercial buildings, one carport, and one garage and shed.

Proposed residential lot areas would vary from approximately 7,200 – 16,450 square feet

and would average approximately 8,990 square feet in area. The proposed gross density is 2.84 dwelling units (du) per acre, and the proposed net density is 2.89 du/acre. Approximately 1.97 acres or 16% of the project site will be open space, including public landscape areas and a flood detention basin. All streets are proposed to be public streets and the community will not be gated.

Pursuant to Redlands Municipal Code Section 16.60.030, as a condition of receiving water and/or sewer connections to the city's water and sewerage system, unincorporated parcels contiguous to the City of Redlands boundaries are required to annex into the City of Redlands. As the proposed development would need to connect to these systems, the applicant has concurrently submitted a request for annexation into the City of Redlands. To ensure compliance with the Local Agency Formation Commission requirements for annexing unincorporated parcels into the City of Redlands, the project site must be contiguous to the City of Redlands boundaries.

9. **Surrounding Land Uses and Setting:** The project site is surrounded by single family residential use to the north and east, to the west by Wabash Avenue and an institutional (school) use, and to the south by the Mill Creek Zanja and Sylvan Boulevard. A mix of rural residential and agricultural uses is located across Sylvan Boulevard to the south and east.

10. **Other public agencies whose approval is required:** Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population and Housing |
| <input checked="" type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION:

On the basis of this initial evaluation:

I find that the Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED ☒

NEGATIVE DECLARATION will be prepared.

I find that the Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Project, nothing further is required. ☐



Loralee Farris
Principal Planner
City of Redlands
March 6, 2017

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. <u>AESTHETICS.</u> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	—	—	—	<u>X</u>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	—	—	—	<u>X</u>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	—	—	<u>X</u>	—
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	—	—	<u>X</u>	—

AESTHETICS

- I.a) The proposed project abuts residential development to the north and east and a mix commercial and institutional uses to the west, thus will not significantly stand out from surrounding development. The R-1 (Single Family Residential) District provides for a maximum building height of thirty five feet (35') and two and one half (2½) stories, which is similar to heights of surrounding residential structures. The scenic views of the San Bernardino Mountains to the north and of San Gorgonio mountain to the east, will still be visible above any structures constructed within the proposed project, as the mountain views far exceed the maximum structure height of the proposed zoning district. However, the subdivision will alter views of the citrus groves on the property, which are proposed to

be removed to accommodate the residential tract. Therefore, through implementation of no more than the maximum structure heights and the project's landscaping plan, the impact to scenic vistas would be less than significant.

- I.b) The proposed project will not damage scenic resources, including trees, rock outcroppings, or historic buildings within a state scenic highway. Caltrans identifies two eligible scenic highways within five miles of the proposed project site, the segment of State Route 210 between Interstate 10 and State Route 330, and State Route 330, which begins at the base of the San Bernardino Mountains, and travels through the San Bernardino Mountains. These highways are identified as "eligible, not officially designated. The subject site is not located in proximity to either of these highways.
- I.c) Implementation of the proposed project will alter the current agricultural/rural visual character of the project site to low density single family land use. The project will add 34 single family lots to the area. Single family residential use exists to the north and east of the project site, as well as further to the west. Proposed lot elevations along property lines abutting existing residential development to the north and east vary from approximately 0 feet to 10 feet below the grade of adjacent development. As a result, adjacent residential uses will not experience visual intrusion any greater than already exists with their existing neighbors, although the visual character of "views" from the rear of these properties will be altered. The project site is located immediately adjacent to the easterly corporate boundary of the City of Redlands and represents an extension of the established low density residential pattern in the project vicinity. Consequently, the proposed project will not substantially degrade the existing visual character or affect the quality of the site and its surroundings.
- I.d) Implementation of the proposed project will create new sources of light or glare typical of low density single family development. As has been noted, the surrounding area is currently developed in similar land uses to the north, east and west. Lighting would be used for illumination of new streets for safety purposes. Construction of single family residences also typically involves porch and threshold lighting at entrances, exits, pathways, and parking areas. Such lighting would be similar in nature to surrounding residential ambient day and nighttime illumination from surrounding urbanization in the area. While the proposed project will create new sources of light and glare, impacts are not expected to be significant with compliance to applicable City standards. The City of Redlands Municipal Code requires that outdoor lighting be shielded such that it will minimize light spillage to adjacent properties. The proposed project will also incorporate street trees, decorative landscaping, architectural features, and other streetscape design techniques that will contribute to minimizing light spillage onto neighboring areas. Additionally, through adherence to applicable City standards, the proposed project would not utilize high gloss or reflective materials that would cause glare or reflection or generate excessive light. In consideration of the preceding factors, a less than significant impact would occur. No mitigation is required

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. **AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a). Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

—	<u>X</u>	<u>→</u>	—
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract.

—	—	—	<u>X</u>
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c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?

—	—	—	<u>X</u>
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d) Result in the loss of forest land or conversion of forest land to non-forest use?

—	—	—	<u>X</u>
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e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest

Issues:

land to non-forest use?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
—	—	<u>X</u>	—

AGRICULTURE AND FOREST RESOURCES

- II.a) The project site is partially occupied by a citrus orchard, which has existed for several decades. Aerial photographs indicate the presence of groves on the property back to at least 1938, however, aerial photographs illustrate the removal of grove area on the property between 1980 and 2005, to accommodate the establishment of an equipment yard. Presently, approximately 5.5 acres of groves on the 11.97 acre site remain on the southern and western areas of the project site. Farmland maps are compiled by the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP). These maps utilize data from the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) soil survey and land use information to inventory agricultural resources. The City contains approximately 1,357 acres of land classified by the FMMP as Prime, Statewide or Local Important, or Unique Farmland, with another 1,837.1 acres located within the City's Sphere of Influence. The FMMP designates the southern and western portion of the site, presently planted with citrus groves, as "Prime Farmland". This area encompasses approximately 5.5 acres of the project site. However, the portion of the project site, located at the north and eastern areas of the site, where groves have been removed for the previous equipment yard use, are designated as "Urban and Built-Up Land". The proposed project will convert this remaining Prime Farmland to non-farmland use. The project site is currently zoned for residential use, under the Rural Living (RL) 5-Acre Minimum District in the County of San Bernardino and within the Rural Living residential designation of the City of Redlands General Plan. The project includes a Zone Change to pre-zone 11.97 acres to the R-1 (Single Family Residential) zone. Further, the area in the vicinity of the project site has changed over time from agricultural to residential uses. Increasing prices of land, higher water and labor costs, competition from other parts of the state, increased environmental regulations, and the expansion of urbanization have all put considerable pressure on farming as an economically viable use within the area. The project site is bounded on two sides by residential development and the existing agricultural use represents a fragmented portion of citrus groves, non-contiguous with other citrus orchards located further east in the unincorporated area of Crafton. A minor arterial roadway (Wabash Avenue) exists at the west boundary of the project site and a local street (Sylvan Boulevard) at the south boundary of the project site. Thus, this parcel should be considered a small island of agricultural land that does not have long-term viability regardless of the current development proposal. Based on these constraints, **Mitigation Measure AGR-1** is adequate to offset the removal of this parcel of land from agricultural productivity. The City of Redlands concludes that implementation of this measure provides reasonable mitigation based on the magnitude of the impact pursuant State CEQA Guidelines Section 15370. :

Mitigation Measure AGR-1: The project developer shall fund acquisition of farmland or farmland conservation easements at a ratio of 0.50/1. Based on the

5.5 agricultural acre area of the 11.97 acre project site, a total of 2.75 acres of prime agricultural land or conservation easements over 2.75 acres of prime agricultural land shall be acquired and permanently protected. The prime agricultural land or the conservation easement shall be acquired and made available to an existing farmland trust or comparable organization prior to issuance of a grading permit, or a farmland trust or comparable organization shall verify that it has received sufficient funds to acquire prime agricultural land or a conservation easement over such lands. The project developer shall submit verification to the City of Redlands Development Services Department that the acquisition of farmland has been completed. A receipt from the farmland conservation agency will serve as adequate verification.

- II.b) The Williamson Act is a non-mandated State program, administered by counties and cities, for the preservation of agricultural land. Participation in the program is voluntary on the part of both landowners and local governments, and is implemented through the establishment of Agricultural Preserves and the execution of Williamson Act contracts. The project site is not located within a Williamson Act contract area, pursuant to the 2015/2016 San Bernardino County William Act Map, Sheet 2 of 2, maintained by the California State Department of Conservation, Division of Land Resource Projection; therefore, no impact would occur. No mitigation is required.
- II.c) The proposed project site is not located in an area considered forest land or zoned for any forestry uses. Forest land is defined by the California Public Resources Code (PRC Section 12220[g]) as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The project site abuts existing residential development on the north, and east. No impact would occur and no mitigation is required.
- II.d) There are no forest resources on the project site or in proximity. Consequently, implementation of the proposed project would not result in the loss of forest land or conversion of forest land to non-forest use.
- II.e) The project consists of an annexation of 11.97 acres into the City of Redlands, a Zone Change to pre-zone the property area as R-1 (Single Family Residential) District, and a Tentative Tract Map to subdivide the property into thirty-four residential lots and four lettered lots. Residential use on five acre lots is permitted under the current zoning district, the Rural Living – 5 Acre Minimum District, in the unincorporated county of San Bernardino. One single family residence exists on-site and will be demolished with the proposed project. The proposal would facilitate a density for residential higher under the County of San Bernardino's zoning designation, but consistent with the City of Redlands' current General Plan designation for the property of Low Density Residential (0-6 units per gross acre). The citrus groves on the property represent a fragmented and noncontiguous area of citrus orchards, surrounded by residential development on two sides and by a minor arterial on the west, and a local street on the south. The project site abuts an institutional use to the west.

Subdivision of the subject site into thirty-four residential lots is consistent with the residential context of the adjacent area. The area to the west of the project site has been urbanized and developed into a mix of commercial, institutional and residential uses, and the project will represent an extension of that urbanization. As such, the project would not have a direct impact on the conversion of farmland to non-agricultural use. Any indirect impact, over time, due to the expansion of residential development within area, related to this project, would be less than significant. Any future development proposals in adjacent areas would require a similar analysis under CEQA.

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. <u>AIR QUALITY.</u> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	—	—	<u>X</u>	—
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	—	—	<u>X</u>	—
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	—	—	<u>X</u>	—
d) Expose sensitive receptors to substantial pollutant concentrations?	—	—	<u>X</u>	—
e) Create objectionable odors affecting a substantial number of people?	—	—	<u>X</u>	—

AIR QUALITY

An Air Quality Impact Analysis has been prepared for the proposed project by the firm Urban Crossroads. Findings are summarized in the following sections. Please refer to the Appendix for additional detail including description of study methodology, the air quality setting, air quality standards, regulatory background, and detailed emissions model outputs.

- III.a) Adoption of the proposed project will not conflict or obstruct implementation of the regional Air Quality Management Plan (AQMP). The project would not result in or cause either national air quality standards (NAAQS) or California Air Quality Standards (CAAQS) violations. The project's proposed land use designation is allowed within the Redlands General Plan Land Use Element. The project is therefore considered to be consistent with the AQMP.
- III.b) Land uses such as the proposed project affect air quality through construction-source and operational source emissions. Peak operational-source emissions (without mitigation) from the proposed project have been calculated to not exceed applicable South Coast Air Quality Management District (SCAQMD) regional thresholds of significance. Construction related emissions (without mitigation) have also been calculated to not exceed SCAQMD's localized significance thresholds. In addition, localized impacts (carbon monoxide "hot spots") due project related to mobile-source emissions have been determined to be less than significant. As has been noted, development consistent with the City of Redlands General Plan Update is considered to be consistent with the South Coast Air Quality Management Plan (AQMP). In summary, implementation of the proposed project will not violate any air quality standard or substantially contribute to an existing or projected air quality violation. Please refer to the Appendix for additional discussion.

Project-related long-term air quality impacts, as indicated above, would not be significant and no mitigation measures would be required. Short-term impacts related to construction would be mitigated with compliance with SCAQMD Rule 403 guidelines to ensure that potential short-term air quality impacts on nearby sensitive receptors will be less than significant. Mitigation Measure AQ-1 has been added to reinforce compliance with these requirements.

AQ-1 The project is required to comply with regional rules that assist in reducing short-term air pollutant emissions, including SCAQMD Rule 403, which requires that fugitive dust be controlled with best-available control measures. SCAQMD Rule 403 requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 include watering active sites at least twice daily; covering all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114; and controlling traffic speeds within the property to 15 mph or less.

- III.c) The project site is located in a designated non-attainment area for ozone and particulate matter (PM₁₀ and PM_{2.5}). The SCAQMD has recognized that there is insufficient information to quantitatively evaluate the cumulative contributions of multiple projects because each project applicant has no control over nearby projects. Individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. Implementation of the proposed project will not result in a cumulatively considerable increase of any criteria pollutant within the South Coast Air Basin (SCAB) that

is presently in nonattainment under federal or state ambient air quality standards. Please refer to the Appendix for additional discussion.

- III.d) Implementation of the proposed project will not result in the exposure of sensitive receptors to pollutants. Sensitive receptors can include uses such as long term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, child care centers, and athletic facilities can also be considered as sensitive receptors. Results of the air quality analysis indicate that the proposed project would not exceed the SCAQMD localized significance thresholds during construction. Therefore sensitive receptors would not be subject to a significant air quality impact during project construction. The proposed project has also been determined to not result in a CO “hotspot” as a result of project related traffic during ongoing operations, nor would the project result in a significant adverse health impact as discussed in the Appendix. In consideration of the preceding factors, a less than significant impact to sensitive receptors during long term operational activity is anticipated.
- III.e) Implementation of the proposed project would not result in the creation of objectionable odors that would affect a substantial number of people. The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities as well as temporary storage of typical solid waste (refuse) associated with residential uses.

Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and thus are considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City’s solid waste regulations. The proposed Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed project construction and operations would be less than significant and no mitigation is required.

<u>Issues:</u>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. **BIOLOGICAL RESOURCES.** Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

— X → —

- b) Have a substantial adverse effect on any

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	—	<u>X</u>	→	—
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	—	—	—	<u>X</u>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	—	<u>X</u>	→	—
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	—	—	—	<u>X</u>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	—	—	—	<u>X</u>

BIOLOGICAL RESOURCES

A Biological Resources Habitat Assessment, including a reconnaissance level field investigation, has been prepared for the proposed project by the firm of Cadre Environmental, which details the study methodology, discussion of field investigations, and detailed description of potential biological impacts. Findings are summarized in the following Section.

- IV.a) The project site is partially occupied by citrus grove, located on the southern and western portions of the project site, and disturbed, developed area located to the north and eastern portion of the site, which contains two commercial buildings and two accessory structures, which was previously utilized as an equipment yard, and a single family residence. No native vegetation communities or undisturbed soils are present on-site. As such, suitable habitat for sensitive plant or wildlife species of any kind is extremely limited to non-existent. Field investigations did not identify any endangered, threatened, candidate, sensitive or special status species present on-site, although sensitive bat species such as the pallid bat and the western yellow bat may occasionally roost within groves and

abandoned farm structures, and mature trees may occasionally serve as nesting sites for some sensitive raptor species, such as Cooper's Hawk. The following mitigation measures will ensure that potential impacts to sensitive bat and raptor species are less than significant and ensure consistency with plans, policies and regulations of the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Mitigation Measure BIO-1: A detailed bat survey shall be conducted by a qualified bat biologist prior to site preparation or ground-disturbing activities, including, but not limited to demolition of the on-site structures and/or the removal or trimming of mature trees and palms. Any locations with potential for roosting or suitable as a maternity roost will be surveyed by the qualified bat biologist using an appropriate combination of structure inspection, exit counts, and acoustic surveys. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of bats. If bats are found using any structures or trees within the project area, the qualified bat biologist shall identify the bats to the species level, and evaluate the colony to determine its size and significance. The bat survey shall include: 1) the exact location of all roosting sites (location shall be adequately described and drawn on a map); 2) the number of bats present at the time of visit (count or estimate); 3) each species of bat present shall be named (include how the species was identified); and 4) the type of roost (resting during the day). A report containing the bat survey findings shall be submitted to the City and to the Department of Fish and Wildlife (Department), at the following address: 3602 Inland Empire Blvd., Suite C-220, Ontario, CA 91764.

If a roosting site and/or maternity colony(s) is detected, and the qualified bat biologist determines that impacts (either direct or indirect, including disturbance from noise, vibration, dust, exhaust) from project-related activities may occur, the Applicant shall consult with the Department to determine the most appropriate type of avoidance, minimization, and mitigation measures to implement. Examples of avoidance and minimization strategies may include daily work timing restrictions and buffer distances. Work timing restrictions and buffer distances will be determined based on the expert opinion of the qualified bat biologist, as replacement of impacted roosting sites with alternate roosting structures. Alternate roosting structures shall be designed to ensure use by bats impacted by the project. For example, designs will take into consideration the thermal and crevice/structure roosting requirements of the impacted bats. Removal of structures and/or the removal or trimming of trees, and palms shall not occur during the bat maternity season, typically March 15 through September 15.

Mitigation Measure BIO-2 : A qualified biologist shall conduct a burrowing owl and nesting bird survey(s) no more than three days prior to initiation of project-related activities to document the presence or absence of nesting birds within or directly adjacent (500 feet) to the project site. The survey(s) shall focus upon identifying any raptor and/or passerine nests that may be directly or indirectly affected by construction activities. If active burrowing owl or other avian nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, disturbances in the vicinity of a nest shall be postponed until the young birds have

fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending upon the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area.

Mitigation Measure BIO-3: A survey report by a qualified biologist verifying that no active raptor and/or passerine nests are present, or that the young have fledged, shall be submitted to the City of Redlands prior to initiation of grading in the nest setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur.

- IV.b) There is no riparian habitat located within the project site. However, the Mill Creek Zanja is located immediately south of the project area. Project related storm run-off is proposed to be discharged into an on-site filtration basin. Major flood events (100 year flood or greater) would, however, discharge into the Zanja. In order to ensure that the proposed project will not directly or indirectly impact the Mill Creek Zanja, mitigation measures are recommended. Please refer to Section IX of this Mitigated Negative Declaration for further discussion of hydrology and water quality impacts. In summary, implementation of the proposed project would not have an adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, with recommended mitigation outlined.

Mitigation Measure BIO-4: A monitoring biologist experienced in identifying jurisdictional resources regulated by the United States Army Corp of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board shall define the location and monitor the installation of orange silt fencing between the Mill Creek Zanja and the Project Site as described below:

- a. Install siltation fencing at least 10 ft. north of the Mill Creek Zanja along the entire southern extent of the Project Site. The fencing will be buried at least 4 inches in depth and will also be secured in place by a continuous line of sandbags. The orange silt fencing will serve both as a sediment barrier as well as a highly visible feature between the construction area and Mill Creek Zanja.
- b. Siltation fencing shall be tied into existing bridge crossings currently utilized by residents to allow for continued access to their properties.
- c. No staging of materials or soils shall occur within 50 ft. of the siltation fencing.
- d. Any breaches in the silt fencing will be repaired immediately.

- e. Any direct/indirect impacts to the Mill Creek Zanja would be reported immediately to the City of Redlands.
- f. Following completion of construction, the monitoring biologist will provide the City of Redlands a letter of compliance with all conservation and avoidance measures implemented to ensure protection of the Mill Creek Zanja.

IV.c) There are no wetlands or vernal pools located within the project area. Thus, implementation of the proposed project will not have an adverse effect on federally protected wetlands of any type.

IV.d) The project site does not represent a regional wildlife movement corridor and provides extremely limited cover and food, and no natural, unrestricted water courses that would facilitate regional wildlife movement on-site. The closest regional wildlife movement corridor is located 2.5 miles northeast of the project site within Mill Creek Zanja. Although the Zanja, located immediately south of the project site, may represent a limited local movement route and refuge for wildlife species, this historic irrigation canal does not represent a regional wildlife movement corridor. Consequently, implementation of the proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

IV.e) No regulated plants as outlined in sections 88.01.060(c), 88.01.070(b), 88.01.080(b), or 88.01.050 e(4) of the County of San Bernardino Development Code were documented on-site. However, native sycamore trees documented adjacent to the existing residential structure in the northwest portion of the project site may require a tree removal permit issued in compliance with Section 88.01.50 (Tree or Plant Removal Permits). With any required permits, implementation of the proposed project would not cause a conflict with any local policies or ordinances protecting biological resources.

IV.f) There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plan in the project vicinity.

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?

___	<u> X </u>	<u>→</u>	___
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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

___	<u> X </u>	<u>→</u>	___
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Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	—	<u>X</u>	➔	—
d) Disturb any human remains, including those interred outside of formal cemeteries?	—	<u>X</u>	➔	—
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	—	<u>X</u>	➔	—

CULTURAL RESOURCES

A report assessing the potential for archaeological and paleontological resources, historical resources, and human remains has been prepared for the proposed project by the firm of Brian F. Smith and Associates. In addition, a Mill Creek Zanja Protection Plan has been prepared by the firm of Cadre Environmental.

- V.a) During field investigations no artifacts or cultural resources were discovered, with the exception of the residential structure, which is estimated to have been constructed between 1924 and 1927. The architectural and historical significance of this building has been evaluated in accordance with City of Redlands Nomination and Designation criteria, and identified as the mixture of the Craftsman and Hall-and-Parlor Family architectural styles, but it is not currently listed on the City of Redlands List of Historic Resources (LHR). Despite being containing elements of these styles, the structure does not represent an exemplary form of historical, archaeological, cultural, economic, political, aesthetic, landscape, or architectural development, nor is it associated with any noteworthy individuals. Therefore, the 988 North Wabash Avenue residential structure is determined to be not eligible for listing on the City of Redlands LHR or the California Register of Historical Resources (CRHR). State of California Department of Parks and or the California Register of Historical Resources (CRHR).

The southern portion of the project site includes an existing 80-foot easement where Sylvan Boulevard is located. The Mill Creek Zanja is located immediately south of the easement outside the boundaries of the project site. The Zanja represents a historic irrigation canal that was designated as a California Historic Landmark in 1932 and placed on the National Register of Historic Places in 1977. No construction activities are to occur that would directly affect the Zanja. A ten foot wide pedestrian trail is, however, proposed along the southern boundary but north of the Mill Creek Zanja and the Sylvan Boulevard alignment. In order to ensure the Zanja is not adversely affected by construction in this

vicinity, a number of Mitigation Measures are required. With these measures, any potential direct or indirect impacts to the Zanja would be reduced to a less than significant level.

Mitigation Measure CUL- 1: A monitoring biologist experienced in identifying jurisdictional resources regulated by the United States Army Corp of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board shall define the location and monitor the installation of orange silt fencing between the Mill Creek Zanja and the project site as described below:

- a. Install siltation fencing at least 10 ft. north of the Mill Creek Zanja along the entire southern extent of the project site. The fencing shall be buried at least 4 inches in depth and will also be secured in place by a continuous line of sandbags.
- b. Siltation fencing shall be tied into existing bridge crossings currently utilized by residents to allow for continued access to their properties.
- c. No staging of materials or soils shall occur within 50 ft. of the siltation fencing.
- d. Any breaches in the silt fencing shall be repaired immediately.
- e. Any direct/indirect impacts to the Mill Creek Zanja shall be reported immediately to the City of Redlands Planning Division.
- f. Following completion of construction, the monitoring biologist shall provide the City of Redlands Planning Department a letter of compliance describing all conservation and avoidance measures implemented to ensure protection of the Mill Creek Zanja.

- V.b) An archaeological records search for the project and the surrounding area within a one mile radius was conducted by CSU Fullerton, and did not identify any previously recorded cultural resources on the project site. The records search did, however, identify 44 cultural resources located within a one-mile radius of the project area. The records search also indicated that there have been a total of 28 cultural resource studies conducted within a one-mile radius of the proposed project area but no previous studies have been conducted on the project site. Given the historic and prehistoric settlement of the region, in addition to the frequency of cultural sites known to be surrounding the project area, there is a low potential for archaeological discoveries. Should any cultural resources of any kind be discovered during grading and site preparation activities, the following mitigation shall be implemented, as appropriate to the type of resources involved. With these measures, potential impacts to cultural resources are reduced to a less than significant level.

Mitigation Measure CUL-2: If any cultural resources of any kind be discovered during grading and site preparation activities, a qualified archaeologist/paleontologist shall be retained to inspect specimens and

formulate a Mitigation Monitoring and Reporting Program consistent with CEQA, the policies of the City of Redlands and the County of San Bernardino, as well as specific recommendations contained in the Cultural Resource Assessment prepared for the proposed project.

Mitigation Measure CUL-3: An archaeological monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources.

Mitigation Measure CUL-4: As appropriate, the principal investigator (PI) shall submit a detailed letter to the lead agency during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating previous grading/trenching activities, presence of fossil formations, or native soils is encountered that may reduce or increase the potential for resources to be present.

Mitigation Measure CUL-5: In the event of an archaeological discovery, either historic or prehistoric, the archaeological monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources, and immediately notify the Native American monitor and City of Redlands Planning Department. The monitor shall immediately notify the PI (unless monitor is the PI) of the discovery.

Mitigation Measure CUL-6. The Principal Investigator shall evaluate the significance of the resource. If human remains are involved, the protocol outlined in Mitigation Measures CUL-7 and CUL-8 shall be followed.

- a. The PI shall immediately notify the City of Redlands Planning Department to discuss significance determination and shall also submit a letter indicating whether additional mitigation is required.
- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) that has also been reviewed by the Native American consultant/monitor, and obtain written approval from the City of Redlands Planning Department to implement that program. Impacts to significant resources shall be mitigated before ground-disturbing activities in the area of discovery are allowed to resume.
- c. If the resource is not significant, the PI shall submit a letter to the City of Redlands Planning Department indicating that artifacts will be collected, curated, and documented in a final monitoring report. The letter shall also indicate that no further work is required.

Mitigation Measure CUL-7: If human remains are discovered, work shall halt in that area until a determination can be made regarding the provenance of the human remains, and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and the State Health and Safety Code (Sec. 7050.5) shall be undertaken.

- a. The archaeological monitor shall notify the PI, if the monitor is not qualified as a PI.
- b. The PI shall notify the medical examiner after consultation with the City, either in person or via telephone.
- c.. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the medical examiner in consultation with the PI concerning the provenance of the remains.
- d, The medical examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
- e. If a field examination is not warranted, the medical examiner will determine, with input from the PI, if the remains are or are most likely to be of Native American origin.
- f. If the human remains are determined to be Native American, the medical examiner shall notify the Native American Heritage Commission (NAHC) within 24 hours.
- g. The NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- h. The MLD will contact the PI within 24 hours or sooner after the medical examiner has completed coordination to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources, and the State Health and Safety Code.
- i. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
- j. Disposition of Native American human remains will be determined between the MLD and the PI, and, if:

- (1) The NAHC is unable to identify the MLD, OR the MLD failed to the (NAHC) is unable to identify the MLD, or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC; or
- (2) The City of Redlands and the landowner reject the recommendation of the MLD and mediation in accordance with Public Resources Code 5097.94 (k) by the NAHC fails to provide acceptable measures; then
- (3) Upon the discovery of multiple Native American human remains during a ground-disturbing land development activity, the City of Redlands and the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery shall be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree upon the appropriate treatment measures, the human remains and grave goods buried with the Native American human remains shall be reinterred with appropriate dignity.

Mitigation Measure CUL-8: If the human remains are determined not to be Native American in origin, the PI shall contact the medical examiner and notify them of the historic era context of the burial.

- a. The medical examiner shall determine the appropriate course of action with the PI and the City of Redlands Planning Division.
- b. If the remains are of historic origin, they shall be appropriately removed and conveyed to the City of Redlands Planning Division. The decision for internment of the human remains shall be made in consultation with the City of Redlands Planning Department, the applicant and/or landowner, and any known descendant group.

Mitigation Measure CUL-9. Post construction, the PI shall submit to the City of Redlands Planning Department a draft monitoring report (even if negative) prepared in accordance with the agency guidelines, which describes the results, analysis, and conclusions of all phases of the archaeological monitoring program

- a. For significant archaeological resources encountered during monitoring, the ADRP shall be included in the draft monitoring report.

- b. Recording sites with the State of California DPR shall be the responsibility of the PI, including recording (on the appropriate forms-DPR 523 A/B) any significant or potentially significant resources encountered during the archaeological monitoring program.
- c. The PI shall submit a revised draft monitoring report to the City of Redlands Planning Department for approval prior to issuance of Building Permits, including any changes or clarifications requested by the City.

Mitigation Measure CUL-10. The PI shall be responsible for ensuring that all cultural remains collected are appropriately cleaned and cataloged.

- a. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate. The cost for curation is the responsibility of the property owner.

Mitigation Measure CUL-11: Appropriate measures for long term curation of any artifacts discovered on the project site shall be determined by the PI to the satisfaction of the City of Redlands Planning Department depending upon the nature of artifacts involved. The PI shall submit the approved final monitoring report to the City of Redlands Planning Department and any interested parties.

- V.c) The project site has been highly disturbed, as has been previously described, and there are no unique geologic features present. A field survey of the property did not yield any observable fossils or fossiliferous sediments of any sort. The presence of very old alluvial sediments (early to middle Pleistocene) at depth, however, suggest some possibility of fossil resources, although younger sediments cap these very old sediments to a depth of at least 6 feet. The lack of observable fossils or fossiliferous sediments in the field survey and the lack of any known fossil specimens or fossil locations within several miles of the project site suggest that paleontological monitoring during construction is not warranted. However, if such resources are discovered, appropriate measures are identified in Mitigation Measures CUL-2 through CUL-11 above. With mitigation under these circumstances, any potential adverse impacts to paleontological resources would be reduced to a less than significant level.
- V.d) There are no known human remains interred on the project site. If any are exposed during site preparation activities, mitigation procedures outlined in Mitigation Measures CUL-2 through CUL-11 above will apply. With this mitigation, implementation of the proposed project will result in any significant impacts to any human remains, including those interred outside of formal cemeteries.
- V.e) The records search and literature review conducted suggest that there is a low potential for prehistoric sites to be contained within the boundaries of the property, because the

property does not contain any exposed bedrock, is not associated with any natural drainages, and likely had minimal food resources. The records search, however, identified 44 cultural resources located within a one-mile radius of the project site. In accordance with the recommendations of the NAHC, all Native American consultants listed in the NAHC response letter were contacted. Responses were received from the San Manuel Band of Mission Indians, Gabrieleno Band of Mission Indians - Kizh Nation, Morgono Band of Mission Indians, and the Soboba Band of Luiseno Indians, indicating that the project is located within the tribe's ancestral territory and near the Mill Creek Zanja. Due to the location of the project, the tribe has requested to consult with the lead agency regarding the project. Mitigation Measures CUL-7 through CUL-11, above, and CUL-12, below, incorporate appropriate actions to address tribal cultural resources. With these mitigation measures, impacts to tribal cultural resources would be reduced to a less than significant level.

Mitigation Measure CUL-12: The Project applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 process (San Manuel Band of Mission Indians, Gabrieleno Band of Mission Indians - Kizh Nation, Morgono Band of Mission Indians, and the Soboba Band of Luiseno Indians). The applicant shall coordinate with these Tribes to develop a Tribal Monitoring Agreement. The tribes must agree upon a coordinated monitoring schedule and the applicant shall submit the agreement to the City of Redlands Development Services Department prior to any clearing and grubbing of the property and prior to the Issuance of a Grading Permit.

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. **GEOLOGY AND SOILS.** Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including

—	—	<u>X</u>	—
—	—	<u>X</u>	—

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
liquefaction?	—	—	<u>X</u>	—
iv) Landslides?	—	—	—	<u>X</u>
b) Result in substantial soil erosion or the loss of topsoil?	—	—	<u>X</u>	—
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	—	—	—	<u>X</u>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	—	—	<u>X</u>	—
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	—	—	—	<u>X</u>

Geology and Soils

A Preliminary Geotechnical Investigation has been prepared for the proposed project by the firm of GeoSoils, Inc. Findings of this study are summarized in this section. Please refer to the study within the Appendix for additional information.

- VI.a) i. and ii.-There are no known active faults crossing the site, nor is the site located within an Alquist-Priolo Earthquake Fault Zone (Bryant and Hart, 2007), or a fault hazard zone established by San Bernardino County. Regional seismic shaking, ranging from moderate to severe may, however, occur on the site associated with nearby and/or regional faults, such as the San Jacinto Fault which is located approximately 6.2 miles from the project site and the San Andreas Fault Zone, which is located approximately 4.2 miles from the project site. These faults are estimated to be capable of generating seismic events ranging up to a magnitude from 6.7 to 7.5 on the Richter scale. The project site is not unique, however, with respect to the potential for strong seismic ground shaking, which is typical of all of Southern California.

Based on site specific seismic hazard analysis, seismic design parameters have been recommended by the project engineering geologist, as outlined in the Appendix. With compliance with these engineering recommendations and all requirements of the Uniform Building Code, the risk of loss, injury or death involving strong seismic ground shaking and seismic ground failure including liquefaction, will be reduced to the extent feasible and are considered acceptable.

iii. and iv.- The subject site consists of relatively flat-lying to gently sloping terrain, and no indications of significant mass wasting on the site were observed during geotechnical investigations or during site reconnaissance by the project engineering geologist. Therefore, the potential for mass wasting phenomena to affect the site is considered low. Likewise, the potential for seismically induced landsliding is considered low.

During on-site investigations, GeoSoils, Inc. did not observe any features commonly caused by seismically induced liquefaction, such as dikes, sills, vented sediment, lateral spreads, or soft-sediment deformation. These features would be expected if the site area had been subject to liquefaction in the past. The future performance of the site with respect to liquefaction should be similar to the past, excluding the effects of urbanization (irrigation). The potential for liquefaction and associated adverse effects within the site, after removal and recompaction of low density near-surface soils, is considered very low, even with a future rise in groundwater levels. Consequently, the potential for seismically induced ground failure, liquefaction, and landsliding are considered less than significant. No mitigation measures other than compliance with all engineering recommendations contained in the Appendix and all requirements of the Uniform Building Code are necessary.

- VI.b) Implementation of the proposed project will require grading and site preparation activities. Necessary earthwork is estimated to be 47,474 cubic yards of cut and 57,982 cubic yards of fill, for a net import of approximately 10,509 cubic yards of fill. All site preparation activities must be performed in compliance with the Grading Code of the City of Redlands and must obtain a National Pollutant Discharge Elimination Permit (NPDES) which addresses the control of potential soil erosion. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. No other mitigation than compliance with all engineering recommendations contained in the Appendix and all requirements of applicable codes and regulations are necessary. On this basis, the potential impacts of soil erosion are considered less than significant.
- VI.c) See Response VI.a-iii and iv, pertaining to potential for liquefaction and landslide. Based on the nature of soils on-site, the potential for subsidence is considered low. Review of the available literature indicated that the site area is not subsiding due to down-faulting along bordering fault zones, groundwater withdrawal, or hydrocompaction. Field investigations and review of aerial photographs showed no features generally associated with areal subsidence. Based on this analysis, the potential for on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse is considered less than significant.
- VI.d) Based on laboratory testing conducted by GeoSoils, Inc. for preliminary planning purposes, the expansion potential of the onsite soils is generally very low (Expansion Index [E.I.] from 0 to 20). However, low to medium (E.I. from 20 to 90) expansive soils may not be precluded from occurring onsite. Preliminary foundation recommendations for conventional and post-tension design have been provided by the engineering geologist for the project based on these parameters. Additional expansion potential (E.I.) and plasticity index (P.I.) testing is recommended during, or shortly after, site grading to further evaluate preliminary test results obtained. No other mitigation than compliance with all engineering

recommendations contained in the Appendix and all requirements of applicable codes and regulations are necessary. On this basis, the potential impacts of expansive soils are considered less than significant.

- VI.e) The proposed project will connect to the public sewer system located in Wabash Avenue. Consequently, no impacts related to septic systems or other alternative wastewater disposal methods will occur.

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. GREENHOUSE GAS EMISSIONS. Would the project:

- | | | | | |
|---|---|---|----------|---|
| a) Generate gas emissions, either directly or indirectly, that may have a significant impact on the environment? | — | — | <u>X</u> | — |
| b) Conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases? | — | — | <u>X</u> | — |

Greenhouse Gas Emissions

An analysis of greenhouse gas generation has been prepared for this project by the firm of Urban Crossroads and is contained in the Appendix to this Mitigated Negative Declaration. Findings of this analysis are summarized in this section. Please refer to the Appendix for additional information.

- VII.a) Construction activities associated with the proposed project will result in emissions of CO₂ and CH₄ from construction activities. Operational activities associated with the proposed Project will result in emissions of CO₂, CH₄, and N₂O from the following primary sources: area source emissions, energy source emissions, mobile source emissions, solid waste, and water supply, treatment and distribution. The annual GHG emissions associated with the operation of the proposed project are estimated to be 651.14 MTCO₂e per year. Direct and indirect operational emissions associated with the project are compared with the SCAQMD threshold of significance for small land use projects, which is 3,000 MTCO₂e per year (48). This estimate incorporates construction related activities and well as long term operational activities. As shown, the proposed project would result in a less than significant impact with respect to GHG emissions.
- VII.b) Local metropolitan planning agencies are required to prepare a Sustainable Communities Strategy (SCS) that demonstrates how the region will meet its GHG reduction targets. The SCS for the southern California region, including Riverside, Los Angeles, Orange, and San Bernardino counties was prepared by the Southern California Association of Governments (SCAG). The SCS plans to concentrate future development and provide higher intensity development, including residential development, in proximity to transit hubs in order to reduce vehicle miles traveled and, thereby reduce GHG emissions from personal vehicles.

The growth and land use assumptions for the SCS are to be adopted at the jurisdictions. For Redlands, the SCS's Growth Forecast assumes 24,700 households in 2008, and anticipates 28,300 households in 2020, and 32,500 in 2035. Accordingly, the project fits within this growth allocation. Consequently, implementation of the proposed project would not conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- | | | | | |
|--|---|----------|---|----------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | — | — | — | <u>X</u> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | — | — | — | <u>X</u> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | — | — | — | <u>X</u> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | — | <u>X</u> | → | — |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | — | — | — | <u>X</u> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | — | — | — | <u>X</u> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or | | | | |

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
emergency evacuation plan?	—	—	<u>X</u>	—
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	—	—	—	<u>X</u>

Hazards and Hazardous Materials

A Phase I Environmental Site Assessment and a Limited Phase II Agricultural and Chemical Residue Characterization has been prepared for the proposed project site, and soil testing has been done by the firm of GeoSoils, Inc. These studies are included in the Appendix to the Mitigated Negative Declaration. Although the project site is not a designated hazardous waste site, the findings of these studies are summarized in Section VIII.d which follows. Please refer to the Appendix for additional information on these topics.

- VIII.a) The proposed project is a residential tract, which is not a type of land use that is associated with transport, use, or disposal of hazardous materials other than common household products. The transport, use, and disposal of hazardous materials, such as fuel, asphalt, paint products, lubricants, solvents, etc., during the construction of the project would be conducted in accordance with all applicable State and federal laws. Consequently, no impact related to these activities is anticipated.
- VIII.b) The proposed project is a residential tract, which is not a type of land use that is associated with upset and accident conditions involving the release of hazardous materials into the environment. Consequently, no impact related to these activities is anticipated
- VIII.c) The proposed project is a residential tract, which is not a type of land use that is associated with hazardous emissions or involvement in the handling of hazardous or acutely hazardous materials, substances, or waste. Although there is an existing school within one quarter mile, no impacts from such activities are anticipated.
- VIII.d) The project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5, which are commonly referred to as "Super Fund Sites". Consequently, no impact associated with a designated hazardous waste site would occur.

The project site has, however, been utilized for agricultural purposes for many years which can involve the use of various fertilizers, pesticides, herbicides, fumigants and similar chemicals that can contaminate the soil and leave residues. As a result, in an abundance of caution, Phase I and II Environmental Site Assessments and limited supplemental soil testing has been done to assess potential hazards to the proposed project and surrounding residents during grading and site preparation activities.

Soils tests were conducted by GeoSoils, Inc. in a variety of locations on-site determined to be the most likely to have been affected by past site activities. Based on tests of composited soil samples, levels of organochlorine pesticides were greater than the detection limits for either DDT, DDE, DDD, and/or Dieldren. However, the results of these samples were well below the Regional Screening Levels (RSLs) and/or the California Human Health Screening Levels (CHHSLs) for residential soil. Therefore, based on available data, no adverse environmental impacts are anticipated from the previous application of organochlorine pesticides.

Supplemental testing conducted of stained soils identified within the grove areas, however, indicate that soil removals should be conducted prior to removal of the groves in order to avoid the potential for disturbance. Mitigation measures address this concern and require confirmation testing be performed following the removal of impacted soils.

Soil from one area (wind-machine area) showed greater than the detection limits for hydrocarbons (diesel). These results are, however, below action levels as indicated by the California Regional Water Quality Control Board (CRWQCB). All samples tested for arsenic were non-detect. One soil sample obtained from the floor drain (paint booth area) reported greater than the RSLs and CHHSLs action levels for cobalt and lead, and greater than CRWQCB action levels for hydrocarbons (diesel). Relatively minor to moderate hydrocarbon and oil staining of soils was noted in a number of other areas scattered around the project site. Reported chromium concentrations are considered to be below current action levels.

An underground storage tank (UST) sump for oil/water separation located by the front gate entry area, where supplemental soils testing confirmed that the concentrations of contaminants are below action levels. However, an existing oil/water separator UST and associated drains (including soils within the drains) must be properly disposed offsite, including confirmation sampling during removal. In addition, an existing UST located west of the wind machine should be properly disposed offsite in a similar manner. Mitigation measures address proper disposal methods for all affected areas identified in site investigations.

Based on the relative age of the existing single-family residence, it is unknown if asbestos containing materials (ACMs) or lead containing paints (LCPs) are present in the structure on the subject site. Concrete irrigation pipes may also contain asbestos. Mitigation measures address proper remediation for all affected areas identified in site investigations

Review of the government agency database records search indicated that the subject site is not on any database listings regarding the handling, storage, use, unauthorized releases, or disposal of hazardous materials/waste on the subject site.

Based on GeoSoils investigation, the site is considered acceptable for the proposed residential land use, with compliance with all applicable local, State, and Federal standards. With compliance with Mitigation Measures HAZ-1 through 10, any potential impact will be of a less than significant level.

Mitigation Measure HAZ-1: All trash, debris, and waste materials should be disposed of offsite, in accordance with current local, state, and federal disposal regulations. Any buried trash/debris encountered should be evaluated by an experienced environmental consultant prior to removal.

Mitigation Measure HAZ -2: Any, stained soils or materials containing petroleum residues, encountered during site earthwork, should be evaluated prior to removal and disposal, following proper containment procedures.

Mitigation Measure HAZ -3: All structures to be demolished or removed from the site, shall be assessed for asbestos-containing materials and lead containing paints. If present, asbestos-containing materials and/or lead containing paints should be abated prior to demolition and removal in accordance with current regulations.

Mitigation Measure HAZ -4: If asbestos-cement is encountered in irrigation pipes existing on-site, they shall be assessed for asbestos-containing materials. If present, asbestos-containing materials shall be abated prior to demolition and removal in accordance with current regulations.

Mitigation Measure HAZ-5: The steel underground storage tank (UST) sump located near the entry driveway, the UST and associated drains shall be properly disposed offsite in accordance with all applicable State and local guidelines, including confirmation sampling during removal. In addition, if other underground storage tanks are encountered elsewhere on the site, they shall be properly disposed offsite in accordance with all applicable State and local guidelines, including confirmation sampling during removal.

Mitigation Measure HAZ -6: Confirmation samples from the bottoms and sidewalls of the previous oil and diesel above ground storage tank (AST) excavations shall be collected and analyzed for the corresponding contaminants, and handled accordingly in disposal.

Mitigation Measure HAZ -7: Any old fluorescent light fixtures shall be assessed for Polychlorinated Biphenyls (PCB) materials. If present, PCB materials shall be abated prior to demolition and removal in accordance with current regulations.

Mitigation Measure HAZ -8: Any smudge pots, waste oil, and stained soil should be disposed offsite in accordance with State and local requirements. In addition, any stained soils identified within the grove areas should be disposed offsite in accordance with State and local requirements.

Mitigation Measure HAZ - 9: The soil materials within the floor drain should be properly disposed offsite in accordance with all applicable State and local guidelines. The outlet area of the floor drain (if any) should be determined. If any outlet area is found, soils within the outlet area should be tested for Title 22 metals and hydrocarbons.

Mitigation Measure HAZ -10: Any stained soils identified within the grove areas shall be disposed offsite in accordance with State and local requirements. To avoid the potential for disturbance, stained soil removals shall be conducted prior to removal of the groves. Confirmation testing shall be performed following the removal of impacted soils.

- VIII.e) The project site is located approximately 2 miles southeast of the Redlands Municipal Airport and 5 miles southeast of the San Bernardino International Airport, measured parcel boundary to parcel boundary. The Redlands Airport Compatibility Plan indicates that the proposed project is located outside of the limits of all Compatibility Zones. The project site is also located outside of the San Bernardino International Airport Influence Area. The project site is not within the direct approach or departure paths. The project involves the subdivision of land for residential lots. In consideration of the preceding facts, no air traffic safety hazards would affect this project. No mitigation is required.
- VIII.f) The project site is not located in the vicinity of a private airstrip and thus will not result in a safety hazard for people residing or working in the project area.
- VIII.g) Implementation of the proposed project will not result in the alteration of existing collector street patterns and thus will not create any obstacle to traffic/circulation during any emergencies. There is no known reason that the proposed project would physically interfere with an adopted emergency response plan or emergency evacuation plan.
- VIII.h) The project site is not located within, or near, a designated Wildland Fire Hazard Zone. Consequently, implementation of the proposed project will not expose people or structures to a significant risk of loss, injury or death from wildland fires.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. **HYDROLOGY AND WATER QUALITY.** Would the project::

- | | | | | |
|---|-----|--------------|--------------|--------------|
| a) Violate any water quality standards or waste discharge requirements? | ___ | <u> X </u> | <u> → </u> | ___ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ___ | ___ | ___ | <u> X </u> |
| c) Substantially alter the existing drainage pattern | | | | |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	—	—	<u>X</u>	—
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	—	—	<u>X</u>	—
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	—	—	<u>X</u>	—
f) Otherwise substantially degrade water quality?	—	—	—	<u>X</u>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	—	<u>X</u>	—	—
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	—	<u>X</u>	—	—
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	—	—	<u>X</u>	—
j) Inundation by seiche, tsunami, or mudflow?	—	—	—	<u>X</u>

Hydrology and Water Quality

A preliminary Hydrology report has been prepared for the proposed project by the firm of MDS Consulting, and is contained in the Appendix. The following discussion summarizes the findings of this report. Please refer to the Appendix for further information. In addition, portions of the information outlined below are extracted from the Preliminary Geotechnical Study prepared by the firm of GeoSoils, which is contained in Appendix.

- IX.a) The proposed project will alter current drainage patterns on the subject site through the alteration of topography to create building pads, water, sewer, street and storm drain infrastructure. A water quality/detention basin will also be constructed for water treatment

and detention purposes. The entire site run-off will be conveyed by curb and gutter and the storm drain system. The majority of the run-off will be collected by flow-by and sump condition catch basins at critical points on-site. All drainage facilities must comply with NPDES (National Pollutant Discharge Elimination System) requirements and thus, will not violate any water quality standards or waste discharge requirements.

Mitigation Measures HYD-1, HYD-2, and HYD-3 will be implemented to ensure that the project would not violate water quality standards or waste discharge requirements during grading and construction activities.

HYD-1 Prior to the issuance of a grading permit, the project applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board in order to be in compliance with the State NPDES General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability.

HYD-2 Prior to the issuance of a grading permit, the project applicant shall submit to and receive approval from the City of Redlands of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP will include inspection forms for routine monitoring of the site during construction phase to ensure NPDES compliance and additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP will be kept on site for the entire duration of project construction and will be available to the local RWQCB for inspection at any time. Some the BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction and repairs will be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.

- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences and covered with plastic tarps.
- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the Contractor and reviewed by the City of Redlands and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City of Redlands can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

HYD-3 The project shall be required to comply with the submitted Water Quality Management Plan (WQMP) prepared in accordance with Santa Ana Regional Water Quality Control Board and the City of Redlands. The project shall also provide the appropriate Best Management Practices (BMPs) within the project site to stop “first flush” of accumulated pollutants from entering the City storm drain system. The project-specific BMPs may also incorporate other measures such as bio-swales in planter areas which can also eliminate the “first flush” of accumulated pollutants on street surfaces. BMPs can include onsite bio-swales, infiltration trenches, treatment units and detention basins that will reduce pollutant levels from onsite runoff to meet as defined in Municipal Code section 15.54.160. The specific mix of BMPs will be reviewed and approved by the City.

IX.b) Groundwater was not encountered in any test pits excavated during field work by geologists. Based on review of the California Department of Water Resources Water Data Library by GeoSoils, Inc. in 2014, the depth to groundwater in wells near the project site ranges from approximately ± 120 to ± 370 feet below the ground surface, with the preponderance of groundwater levels ranging from ± 60 to ± 200 feet. Historic high groundwater in the project vicinity ranges between ± 48 to ± 62 feet below grade, and has been locally shallower, and at surface near the drainage channel (Mill Creek Zanja) on the southern margin of the project site.

The proposed project will be serviced by the City of Redlands for domestic water and not draw water from local underground sources. Consequently, implementation of the proposed project will not, however, deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Consequently, impacts to groundwater are considered less than significant.

IX.c) There are no streams or rivers on the project site. The Mill Creek Zanja, which runs along

the southern boundary (but outside the project area) will not be directly affected by drainage from the proposed project, which will be conveyed off-site by curb and gutter and a proposed storm drain system. All drainage facilities must comply with NPDES (National Pollutant Discharge Elimination System) requirements, which incorporate measures to control erosion. In consideration of these factors, the proposed project will not result in the alteration of a stream in a manner that would create substantial erosion or siltation on- or off-site.

- IX.d) According to the hydrology analysis of the proposed project, storm run-off from a 10-Yr storm event will be contained within the street area between curbs while maintaining a 12 foot wide “dry lane” for vehicular movement. 100 year storm run-off will be contained within the Right-of Way. A minor portion (0.5 acres) of run-off will bypass the project site, and will drain into Wabash Avenue and be conveyed by existing curb and gutter into an existing catch basin draining to an existing 24 inch Reinforced Concrete Pipe (RCP) within Wabash Avenue which joins with an existing culvert. This facility ultimately discharges into the Mill Creek Zanja.

A low flow diversion structure will be constructed to divert the 2 Year Storm into a basin located downstream of the project site. A water quality basin to be constructed on-site is designed to address both water treatment and detention. In consideration of the preceding, implementation of the proposed project will not substantially alter the existing drainage pattern of the site or area, nor alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

- IX.e) Please refer to the preceding discussion under items IX-a and d. Implementation of the proposed project will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- IX.f) Please refer to the preceding discussion under IXa–e. Implementation of the proposed project will not substantially degrade water quality.
- IX.g) Based on review of the San Bernardino County - Hazard Overlays (San Bernardino County, 2010), the portions of the project site are located within a 500-Year Flood Plain, and partially located within a 100-Year Flood Plain along the southern boundary near the Zanja drainage channel. A two (2) foot concrete vertical drainage ditch is designed to run along the easterly and southerly boundaries of the project site. Other measures to control storm run-off and prevent flooding are described in items IX-d. above. These measures will address the portion of the site located within a 100 year flood plain.
- IX.h) Implementation of the proposed project will place a portion of the project site within a 100-year flood hazard area. The majority of the project lies within Flood Zone X-shaded, with the southern most prtion within Zone AE and the Regulatory Floodway, as depicted on the FEMA Flood Zone Exhibit, including in the project plans. Flood flows within that area will be redirected as a result of measures designed to protect structures and future project residents. 100 year fold flows would not, however be impeded. Please refer to discussion under Item IX-d and g.above.

- IX.i) Measures to address potential flooding are discussed under Items IX –d and g above. With these design features, Implementation of the proposed project will not expose people or structures to a significant risk of loss, injury or death involving flooding.

The project site is not located within a dam inundation area. Construction and operation of the proposed project would not cause or increase the likelihood of failure of a levee or dam that could result in flooding from inundation. In consideration of the preceding facts, implementation of the proposed project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. No mitigation is required.

- IX.j) No lakes or other enclosed bodies of water are located on-site or in the vicinity of the project site. Consequently, implementation of the proposed project will not expose people to seiche hazards.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	___	___	___	<u>X</u>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	___	___	<u>X</u>	___
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	___	___	___	<u>X</u>

Land Use and Planning

- X.a) The project site is located on the easterly boundary of the City of Redlands. Implementation of the proposed project will not physically divide an established community.
- X.b) In order to implement the proposed project, the following entitlement cations are necessary: 1) Annexation of approximately 11.97 acres from the unincorporated area of the County of San Bernardino into the boundaries of the City of Redlands, 2) Approval of a proposed Zone Change to pre-zone approximately 11.97 acres to be annexed from (RL-5) Rural Living (County of San Bernardino) to the Single-Family Residential (R-1) District (City of Redlands), 3) Approval of Tentative Tract Map No. 19942 to subdivide

approximately 11.97 acres into thirty four (34) single family residential lots and four (4) lettered lots, and 4) Approval of a Demolition Permit to allow removal of one existing residential structure on the subject site, two commercial buildings, and two accessory structures. With these actions, the proposed project will not result in a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

- X.c) There is no habitat conservation plan or natural community conservation plan in the vicinity of the project site. Consequently, no conflicts with any habitat conservation plan or natural community conservation plan are anticipated.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. **MINERAL RESOURCES.** Would the project:

- | | | | | |
|---|---|---|---|----------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | — | — | — | <u>X</u> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | — | — | — | <u>X</u> |

Mineral Resources

- XI.a) There are no known mineral resources located on the project site or in the vicinity. Implementation of the proposed project, thus, will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- XI.b) There are no known mineral resources located on the project site or in the vicinity, and none are designated on any local policy plan. Implementation of the proposed project, thus, will not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. **NOISE.** Would the project:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
local general plan or noise ordinance, or applicable standards of other agencies?	—	<u>X</u>	—	—
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	—	—	—	<u>X</u>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	—	—	<u>X</u>	—
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	—	<u>X</u>	—	—
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	—	—	—	—
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	—	—	—	—

Noise

A Noise Impact Analysis has been prepared for the proposed project by the firm of Urban Crossroads, and is contained in the Appendix. The findings of this analysis are summarized in the following discussion. Please refer to the Appendix for additional information.

- XII.a) An on-site exterior noise impact analysis has been completed to determine the traffic noise exposure and to identify potential necessary noise abatement measures for the proposed project. It is expected that the primary source of noise impacts to the project site will be traffic noise from Wabash Avenue. The project will also experience some background traffic noise impacts from the project's internal streets, however, due to the distance, topography and low traffic volume/speed, traffic noise from these roads will not make a significant contribution to the noise environment. The on-site traffic noise level impacts indicate that the lots adjacent to Wabash Avenue will experience unmitigated exterior noise levels ranging from 56.5 to 60.5 dBA CNEL. To satisfy the City of Redlands 60 dBA CNEL exterior noise level standards for residential land use, the construction of the planned 6-foot high perimeter walls is required for the outdoor living areas (backyards) of lots adjacent to Wabash Avenue. With the planned perimeter walls, the mitigated future exterior noise levels will range from 49.9 to 53.7 dBA CNEL. This noise analysis

concluded that the planned perimeter walls will satisfy the City of Redlands 60 dBA CNEL exterior noise level standards.

To ensure that the interior noise levels comply with the City of Redlands 45 dBA CNEL interior noise standards, future noise levels were calculated at the first and second floor building façades. The interior noise level is the difference between the predicted exterior noise level at the building façade and the noise reduction of the structure. Typical building construction will provide a Noise Reduction (NR) of approximately 12 dBA with "windows open" and a minimum 25 dBA noise reduction with "windows closed."

To provide the necessary interior noise reduction, lots adjacent to Wabash Avenue will require a windows closed condition and a means of mechanical ventilation (e.g. air conditioning). Future unmitigated noise levels at the first floor building façades are expected to range from 49.4 to 52.9 dBA CNEL. The first floor interior noise level analysis shows that the City of Redlands 45 dBA CNEL interior noise level standards for residential land use can be satisfied using standard windows with a minimum STC rating of 27.

Future unmitigated noise levels at the second floor building façades are expected to range from 56.1 to 59.6 dBA CNEL. The second floor interior noise level analysis concluded that the City of Redlands 45 dBA CNEL interior noise level standards for residential land use can be satisfied using standard windows with a minimum STC rating of 27. The interior noise analysis indicates that with the minimum interior noise mitigation measures described below, the proposed Project will satisfy the City of Redlands 45 dBA CNEL interior noise level standards for residential development. Consequently, long term operational noise impacts to the proposed project are considered less than significant with the recommended mitigation outlined below.

The proposed project would generate short-term noise in association with site grading and construction-related vehicle/equipment operation. Noise levels that would be generated on and off-site would depend on the type and number of equipment in use, the time of day, and the amount of time that machinery and equipment are operated. The worst-case construction noise scenario, assuming the use of a grader, dozer, excavator and a dump truck or water truck, all ranging between 50-150 feet from the property line of the nearest sensitive receptor, was calculated using the Federal Highway Administration's Roadway Construction Noise Model (RCNM). The sensitive noise receptors within the vicinity would be the adjacent single family residential developments and educational uses in the area, located to the north, west, and east.

Noise levels during project construction are expected to reach up to 82.1 dBA Leq and 85.0 dBA Lmax at the project property line and nearest sensitive receptors. Mitigation measures NOI-2, NOI-3, and NOI-4 will limit the hours and days of construction and requiring equipment with appropriate mufflers to and acoustical insulation to prevent impacts on adjacent residential uses. With implementation of Mitigation Measures NOI-2, NOI-3, and NOI-4, potential construction related sound impacts will be reduced to a less than significant level.

Mitigation Measure NOI -1: To satisfy the City of Redlands 45 dBA CNEL interior noise level standards, lots adjacent to Wabash Avenue require a Noise Reduction (NR) of up to 14.6 dBA and a windows closed condition requiring a means of mechanical ventilation (e.g. air conditioning). In order to meet the City of Redlands 45 dBA CNEL interior noise standards the Project shall provide the following or equivalent noise mitigation measures:

- **Windows:** All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum sound transmission class (STC) rating of 27.
- **Doors:** All exterior doors shall be well weather-stripped solid core assemblies at least one and three-fourths-inch thick.
- **Roof:** Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one-half inch thick. Ceilings shall be well fitted, well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.
- **Ventilation:** Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use and still receive circulated air. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code.

Mitigation Measure NOI-2 All construction activities shall be limited to the hours of 7:00 a.m. and 6:00 p.m. with no construction activities permitted on Sundays and Federal Holidays.

Mitigation Measure NOI-3 All construction equipment be corrected tuned and operated with appropriate mufflers to ensure noise during construction activities is minimized to the maximum extent feasible.

Mitigation Measure NOI-4 All noise producing equipment shall be acoustically insulated to prevent impacts on adjacent residential uses and/or sensitive receptors.

- XII.b A vibration impact would generally be considered significant if it involves any construction- related or operations-related impacts in excess of 0.05 inches per second RMS vertical velocity at nearby sensitive receptors (0.035 inches per second is considered barely perceptible). Primary sources of vibration during construction would be from bulldozers, vibratory rollers and other vibratory equipment which could be used during installation of pavement. Site excavation would require only standard earthmoving equipment. No ripping or blasting would be necessary to excavate the project site. No piles will need to be driven to reach a stable rock foundation for any structures. The project does not entail the use of machinery and equipment that would result in measurable vibration impacts off site. .

The closest receptor to the project site is the single-family detached neighborhood located adjacent to the north project boundary. It is anticipated that a bulldozer could be used at a distance of 25 feet from the property line and vibratory equipment could be utilized at the property line, resulting in groundborne vibration levels of up to 0.045 PPV for short periods of time at adjacent single-family detached residential dwelling units and may be perceptible for brief periods of time, but not a nuisance. The Caltrans Transportation and Construction Induced Guidance Manual identifies 0.3 PPV as the threshold for potential structural damage to older residential structures. The adjacent neighborhood to the north is relatively new modern construction. Residences to the east are located on minimum 5 acre parcels, resulting in greater separation from the project site. In consideration of the preceding factors, the proposed project will not result in building damage.

- XII.c) Adoption of the proposed project will not result in a permanent increase in ambient noise levels in the project vicinity. Construction of future single family homes would not significantly increase existing noise levels and is forecast to remain within the “normally acceptable” level, as identified in Section 14.0 (Noise) of the MEA/EIR. No mitigation other than mitigation Measures NOI-1 is considered necessary.
- XII.d) Please refer to the response in XII(a-b) above regarding short-term construction impacts. The proposed residential development would not involve temporary activities that would generate significant noise levels. As described above in items XII(a) and (b), no significant short- or long-term noise-related impacts are anticipated from the proposed project. Mitigation Measure NOI-3 through NOI-4 will limit construction activity hours to ensure any potential impact does not exceed a less than significant level.
- XII.e) As discussed earlier in the responses to item VIII(e), the proposed project is not located within an airport land use plan. The project site is located within approximately 2 miles southeast of the Redlands Municipal Airport and 5 miles southeast of the San Bernardino International Airport, measured parcel boundary to parcel boundary. At this distance, no associated impacts are anticipated to occur. The project site is not within the direct approach or departure paths. No mitigation is required.
- XII.f) The proposed project will not expose people residing or working in the project area to excessive noise levels. The project site is not located within the influence area of a private airstrip. The project would therefore have no impact related to exposure of residents or workers to excessive airstrip noise levels, and no mitigation is required

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING. Would the project:

- a) Induce substantial population growth in an area,

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	—	—	—	<u>X</u>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	—	—	—	<u>X</u>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	—	—	—	<u>X</u>

Population and Housing

- XIII.a) The proposed project totals 34 residential and thus does not represent substantial population growth. In addition, Implementation of the proposed project will not require the extension of any major infrastructure. Consequently, no direct or indirect impacts from population growth or the possible inducement of such growth are anticipated..
- XIII.b) One residential structure exists on-site and will be demolished with the proposed project. No impact necessitating the construction of replacement housing elsewhere will occur.
- XIII.c) See Response XIII,b above, The proposed project will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	—	—	<u>X</u>	—

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) Police protection?	—	<u>X</u>	<u>→</u>	—
iii) Schools?	—	—	<u>X</u>	—
iv) Parks?	—	—	<u>X</u>	—
v) Other public facilities?	—	—	<u>X</u>	—

Public Services

XIV.a) Implementation of the proposed project is not expected to significantly impact or result in a need for new or altered public services provided by the City of Redlands, the Redlands Unified School District, or other government agencies. Police and fire protection for the project site will be provided by the City of Redlands. The proposed project is not expected to result in the need for new or additional public facilities. The project will not induce significant residential growth requiring additional school facilities, nor will it generate the need for additional park land. The project will be required to pay development impact fees, school facility fees, and any other City required costs to ensure the new development does not adversely impact City services.

Mitigation Measure PUB-1 will reduce any potential impact on police services to a less than significant level.

PUB-1 A construction site security plan approved by the police department is required, providing adequate security measures such as lights, video cameras, vehicle transponders, locks, alarms, trained security personnel, fencing etc. The nature of the measures will depend on the specific requirements of the site, and may vary with the different stages of construction. The developer shall be responsible for the compliance of all sub-contractors working on the site. Other impacts associated with new development are mitigated with the payment of development impact fees, and State established school fees.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. **RECREATION.** Would the project:

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
the facility would occur or be accelerated?	—	—	<u>X</u>	—
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	—	—	<u>X</u>	—

Recreation

XV.a) The City General Plan establishes a park standard of five to six acres of parkland for every 1,000 residents. Currently, the City has approximately 213.3 acres of parkland, and a ratio of 4.1 acres of parkland per 1,000 residents. The proposed project would be limited to the annexation and subdivision of land for residential uses and does not propose plans for neighborhood, community, or city parks. The City will require the project proponent to pay in lieu park fees to offset potential impacts relative to the provision of park facilities. Payment of required park fees would ensure that a less than significant impact to parks or other recreational facilities would occur, and no mitigation is required.

Issues:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	—	<u>X</u>	<u>→</u>	—
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	—	<u>X</u>	<u>→</u>	—

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	—	—	—	<u>X</u>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	—	—	<u>X</u>	—
e) Result in inadequate emergency access?	—	—	<u>X</u>	—
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	—	—	<u>X</u>	—

Transportation / Traffic

An estimate of Trip Generation has been prepared for the project by the firm of Urban Crossroads, and is contained in the Appendix. Please refer to the Appendix for additional information.

XVI.a) The proposed project is small in scale, and is estimated to generate 32 trip ends per day with 26 AM peak trips and 34 PM peak trips, and a total of 324 trips daily. Project construction activities may potentially result in temporary and transient traffic deficiencies related to construction employee commutes, Import of construction materials and soils, and transport and use of heavy construction equipment. To assure that all potential impacts are less than significant, several mitigation measures are, however, recommended

This level of traffic generation will not conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

TRA-1 On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project.

TRA-2 Sight distance at the project accesses shall comply with standard California Department of Transportation and City of Redlands sight distance

standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans must be reviewed by the City and approved as consistent with this measure prior to issue of grading permits.

TRA-3 The project shall contribute towards the cost of any necessary area improvements on a fair share or “pro-rata” basis.

TRA-4 Participate in the phased construction of off-site traffic signals through payment of traffic signal mitigation fees. The traffic signals within the study area at buildout should specifically include an interconnect of the traffic signals to function in a coordinated system.

XVI.b) The City of Redlands utilizes the San Bernardino County Congestion Management Program (CMP) traffic study guidelines when developing the requirements for traffic studies within the City. The CMP traffic study guidelines indicate that detailed traffic analysis is required if a project generates more than 250 two-way peak hour trips. The proposed project will generate a maximum of 34 two-way peak hour trips. In addition, the proposed project will not contribute 50 or more peak hour trips to adjacent intersections. Implementation of the proposed project will not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Consequently, no detailed CMP traffic analysis is required.

XVI.c) Access to the project site by residents will require ground transportation only. The proposed project would not result in a change in air traffic patterns. No features of the proposed project will interfere in any way with air traffic patterns in the vicinity. No mitigation is required.

VI.d) Street and roadway improvements in and around the project site are designed to satisfy all City requirements for street widths, corner radii, intersection control, and incorporate design standards tailored specifically to site access requirements. Adherence to applicable City requirements would make it unlikely that the proposed development would result in any increase in hazards due to a design feature. The project only includes residential uses, which would not create traffic hazards in the surrounding area. Consequently impacts are considered less than significant.

XVI.e) Traffic associated with project construction may have a temporary effect on existing traffic circulation patterns. Therefore, it may also affect emergency access. The City will require the construction contractor to use standard procedures to minimize the length of time that any driveways would be blocked. No roadways would be closed to through traffic during project construction. Emergency vehicles would be able to pass through the project area without obstruction. Consequently, the project would have less than significant impact on emergency access.

XVI.f) The City provides an extensive network of bicycle paths and sidewalks. Public transportation is provided by Omnitrans, which operates bus routes 8, 9, 15, and 19

within the City and neighboring community of Mentone. Route 19 runs along Wabash Avenue, in front of the project site. The nearest current stop is located on Citrus Avenue at Wabash Avenue. Implementation of the proposed project would not result in permanent modifications to existing alternative transportation facilities. Project roadway improvements would comply with the City Municipal Code and Bicycle Master Plan with regard to providing sidewalks, bicycle lanes, and other alternative transportation facilities. Compliance with existing regulations would ensure that all impacts related to alternative transportation would be less than significant.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	—	—	<u>X</u>	—
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	—	—	<u>X</u>	—
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	—	—	<u>X</u>	—
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	—	—	<u>X</u>	—
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	—	—	<u>X</u>	—
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	—	—	<u>X</u>	—
g) Comply with federal, state, and local statutes and regulations related to solid waste?	—	—	<u>X</u>	—

Utilities and Service Systems

- XVII.a) Implementation of the proposed project will not impact wastewater treatment requirements of the Regional Water Quality Control Board. All sewage generated on-site will be discharged to sanitary sewer lines and conveyed into the City's collection and trunk sewer mains for treatment at the City's wastewater treatment facility. The quality of sewage discharged from indoor plumbing fixtures would be similar to the quality of other residential dwelling units within the project vicinity that currently discharge to the City's sewer system. No exceedances of applicable water treatment standards are forecast as a result of this project.
- XVII.b) Implementation of the proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities which would cause significant environmental effects. The project will connect to City sewer. The City is a sewerage agency that treats approximately 5.6 million gallons of wastewater daily. The Redlands Wastewater Treatment Plant (WWTP) has the capability of treating 9 million gallons a day (MGD) to a secondary level. Of that, 7.2 MGD can be treated to a tertiary level. The proposed project is small in scale. The addition of thirty-four residences will have a negligible impact on the City's wastewater treatment facilities. The sewage system is already designed to accommodate increased treatment needs. The project proponent will be required to pay Development Impact Fees to "purchase" the fair share capacity of the water and wastewater system.
- XVII.c) Implementation of the proposed project may require improvements to the City's storm water drainage system. Any impacts to the storm water drainage system are mitigated with the payment of development impact fees established by the City of Redlands and paid at the time of building permit issuance. This system insures that all impacts to the City's storm water system are self-mitigating. No additional mitigation measures are needed.
- XVII.d) The proposed project would increase the daily demand for potable water supplied by the City of Redlands; however, the City has the capacity to serve the project. Relying upon the City's Urban Water Management Plan (UWMP) an assessment was prepared by the City of Redlands Municipal Utilities Department which concludes that the water supply is sufficient over the next 20 years with regard to reliability as described in the most recently adopted Urban Water Management Plan to meet demand for the proposed project and other projected growth. Furthermore, the San Bernardino Valley 2015 Regional Urban Water Management Plan and the Integrated Regional Water Management Plan (IRWMP) verify the City's capacity to provide water for this development at the proposed density. Local water mains and extensions, or payment of frontage charges, for existing mains are required for the project. Impacts to the water service system are mitigated with the payment of development impact fees paid at the time of applicable approvals. Therefore, impacts to local water supply services would be less than significant, and no additional mitigation measures are needed.
- XVII.e) Implementation of the proposed project will not significantly impact wastewater service. The City is a sewerage agency that treats approximately 5.6 million gallons of wastewater

daily. The Redlands Wastewater Treatment Plant (WWTP) has the capability of treating 9 million gallons a day (MGD) to a secondary level. Of that, 7.2 MGD can be treated to a tertiary level. The addition of 34 dwelling units will have a negligible impact on the City's wastewater treatment facilities. The City's wastewater treatment plant is more than sufficient to handle the proposed project. Local sewer mains and extensions, or payment of frontage charges for existing mains, are required for the project. Impacts to the sewer system are mitigated with the payment of development impact fees paid at the time of applicable approvals. No additional mitigation measures are needed.

XVII.f,g) The City's California Street Landfill is currently being planned and permitted to provide capacity to approximately the year 2031. The remaining capacity of the landfill is estimated to be about 5 million cubic yards/tons. Current average daily tonnage is estimated by the City to be about 300 tons per day, or about 109,500 tons per year. The proposed project would not impact solid waste issues beyond that anticipated in the Redlands General Plan EIR/MEA, and would comply with federal, state and local statutes and regulations related to solid waste. The applicant would also be required by the City's Municipal Utilities Department to pay a development impact fee which would ensure that the project's potential incremental solid waste impacts are reduced to a less than significant level. No mitigation is required.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issues:

XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of

— — X —

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Issues:

probable future projects.)	—	—	<u>X</u>	—
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	<u>X</u>	—

Mandatory Findings of Significance

XVIII.a) No native vegetation communities or undisturbed soils are present on-site. As such, suitable habitat for sensitive plant or wildlife species of any kind is extremely limited to non-existent. Field investigations did not identify any endangered, threatened, candidate, sensitive, or special status species present on-site, although sensitive bat species such as the pallid bat and the western yellow bat may occasionally roost in the orchard and abandoned farm structures, and mature trees may occasionally serve as nesting sites for some sensitive raptor species, such as Cooper's Hawk. Potential impacts to these species or to migratory and nesting bird species would be mitigated to a less than significant level with adherence to **Mitigation Measures BIO-1.** through **BIO-4.**, Development of the proposed project would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species. The proposed project would not affect any threatened or endangered species or habitat.

Development of the proposed project would not result in the elimination of any identified historic or archaeological resource. There are no known unique ethnic or cultural values associated with the site, nor are known religious or sacred uses associated with the site. **Mitigation Measures CUL-1** through **CUL-8** have been identified to address potential impacts if subsurface cultural resources or human remains are encountered during construction operations. Adherence to these measures would reduce potential impacts to a less than significant level.

XVIII.b) As presented in the discussion of environmental Checklist Responses I through XVII, the proposed project has no impact, a less than significant impact, or a less than significant impact with mitigation incorporated with respect to all environmental issues. Due to the limited scope of direct or indirect physical impacts to the environment associated with this development project, the project's impacts are substantially project-specific in nature. The applicant will be required to pay all applicable development impact fees and adhere to all local, state, and federal laws. The project will not significantly impact the environment by itself and with the mitigation measures identified within this document will not generate cumulatively significant impacts.

- XVIII.c) The design of the project, with compliance to all applicable General Plan policies, development standards, and mitigation measures ensures that there would be no substantial adverse effects on human beings, either directly or indirectly,

REFERENCES

Redlands General Plan

County of San Bernardino General Plan

Master Environmental Assessment / Final Environmental Impact Report for Redlands General Plan

California Environmental Quality Act Guidelines

California Environmental Quality Act Air Quality Handbook

California Energy Commission Title 24 Residential Standards

Noise Impact Analysis, Urban Crossroads, September 29, 2015

Preliminary Geotechnical Investigation, GeoSoils, Inc, July 17, 2014

Phase I Environmental Site Assessment and Limited Phase II Agricultural and Chemical Residue Characterization, GeoSoils, Inc., September 10, 2014

Limited Supplemental Phase II Soil Testing and Site Evaluation, GeoSoils, Inc, October 21, 2014

Cultural Resources Study, Brian F. Smith and Associates, Inc., June 27, 2016

Mill Creek Zanja Protection Plan, CADRE Environmental, February 29, 2016

Biological Resources Habitat Assessment, Brian F. Smith and Associates, April 22, 2016

Trip Generation Assessment, Urban Crossroads, May 2, 2016

Air Quality Impact Analysis, Urban Crossroads, April 29, 2016

Greenhouse Gas Analysis, Urban Crossroads, April 29, 2016

County of San Bernardino website, <http://cms.sbcounty.gov/lus/Planning/>

State of California, Department of Conservation website, <http://maps.conservation.ca.gov>

MITIGATION MEASURES AND MITIGATION MONITORING AND REPORTING PROGRAM

Agriculture and Forest Resources:

AGR-1 The project developer shall fund acquisition of farmland or farmland conservation easements at a ratio of 0.50/1. Based on the 5.5 agricultural acre area of the 11.97 acre project site, a total of 2.75 acres of prime agricultural land or conservation easements over 2.75 acres of prime agricultural land shall be acquired and permanently protected. The prime agricultural land or the conservation easement

shall be acquired and made available to an existing farmland trust or comparable organization prior to issuance of a grading permit, or a farmland trust or comparable organization shall verify that it has received sufficient funds to acquire prime agricultural land or a conservation easement over such lands. The project developer shall submit verification to the City of Redlands Development Services Department that the acquisition of farmland has been completed. A receipt from the farmland conservation agency will serve as adequate verification.

To be monitored by the Development Services Department, Planning Division, and satisfied through the receipt of verification of acquisition prior to the issuance of a grading permit.

Air Quality:

AQ-1 The project is required to comply with regional rules that assist in reducing short-term air pollutant emissions, including SCAQMD Rule 403, which requires that fugitive dust be controlled with best-available control measures. SCAQMD Rule 403 requires implementation of dust-suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 include watering active sites at least twice daily; covering all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code (CVC) Section 23114; and controlling traffic speeds within the property to 15 mph or less.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and the Municipal Utilities and Engineering Department through review of project notes on construction plans and verification through inspections in the field during grading and construction..

Biological Resources:

BIO-1: A detailed bat survey shall be conducted by a qualified bat biologist prior to site preparation or ground-disturbing activities, including, but not limited to demolition of the on-site structures and/or the removal or trimming of mature trees and palms. Any locations with potential for roosting or suitable as a maternity roost will be surveyed by the qualified bat biologist using an appropriate combination of structure inspection, exit counts, and acoustic surveys. Surveys shall be conducted during the appropriate season and time of day/night to ensure detection of bats. If bats are found using any structures or trees within the project area, the qualified bat biologist shall identify the bats to the species level, and evaluate the colony to determine its size and significance. The bat survey shall include: 1) the exact location of all roosting sites (location shall be adequately described and drawn on a map); 2) the number of bats present at the time of visit (count or estimate); 3) each species of bat present shall be named (include how the species was identified); and 4) the type of roost (resting during the day). A report containing the bat survey findings shall be submitted to the City and to the Department of Fish and Wildlife (Department), at the following address: 3602 Inland Empire Blvd., Suite C-220, Ontario, CA 91764.

If a roosting site and/or maternity colony(s) is detected, and the qualified bat biologist determines that impacts (either direct or indirect, including disturbance from noise, vibration, dust, exhaust) from project-related activities may occur, the Applicant shall consult with the Department to determine the most appropriate type of avoidance, minimization, and mitigation measures to implement. Examples of avoidance and minimization strategies may include daily work timing restrictions and buffer distances. Work timing restrictions and buffer distances will be determined based on the expert opinion of the qualified bat biologist, as replacement of impacted roosting sites with alternate roosting structures. Alternate roosting structures shall be designed to ensure use by bats impacted by the project. For example, designs will take into consideration the thermal and crevice/structure roosting requirements of the impacted bats. Removal of structures and/or the removal or trimming of trees, and palms shall not occur during the bat maternity season, typically March 15 through September 15.

To be monitored by the Development Services Department, Planning Division, through receipt of a copy of a signed contract between the developer and a qualified biologist, and the documented results as prepared by a qualified bat biologist, prior to issuance of a site preparation or ground-disturbing activities.

BIO-2 : A qualified biologist shall conduct a burrowing owl and nesting bird survey(s) no more than three days prior to initiation of project-related activities to document the presence or absence of nesting birds within or directly adjacent (500 feet) to the project site. The survey(s) shall focus upon identifying any raptor and/or passerine nests that may be directly or indirectly affected by construction activities. If active burrowing owl or other avian nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, disturbances in the vicinity of a nest shall be postponed until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending upon the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area.

To be monitored by the Development Services Department, Planning Division, through receipt of a copy of a signed contract between the developer and a qualified biologist, and the documented results as prepared by a qualified biologist, prior to initiation of project-related activities.

BIO-3: A survey report by a qualified biologist verifying that no active raptor and/or passerine nests are present, or that the young have fledged, shall be submitted to the City of Redlands prior to initiation of grading in the nest setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur.

To be monitored by the Development Services Department, Planning Division, through receipt of a copy of a signed contract between the developer and a qualified biologist, and the documented

results as prepared by a qualified biologist, prior to issuance of a grading permit.

BIO-4: A monitoring biologist experienced in identifying jurisdictional resources regulated by the United States Army Corp of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board shall define the location and monitor the installation of orange silt fencing between the Mill Creek Zanja and the Project Site as described below:

- a. Install siltation fencing at least 10 ft. north of the Mill Creek Zanja along the entire southern extent of the Project Site. The fencing will be buried at least 4 inches in depth and will also be secured in place by a continuous line of sandbags. The orange silt fencing will serve both as a sediment barrier as well as a highly visible feature between the construction area and Mill Creek Zanja.
- b. Siltation fencing shall be tied into existing bridge crossings currently utilized by residents to allow for continued access to their properties.
- c. No staging of materials or soils shall occur within 50 ft. of the siltation fencing.
- d. Any breaches in the silt fencing will be repaired immediately.
- e. Any direct/indirect impacts to the Mill Creek Zanja would be reported immediately to the City of Redlands.
- f. Following completion of construction, the monitoring biologist will provide the City of Redlands a letter of compliance with all conservation and avoidance measures implemented to ensure protection of the Mill Creek Zanja.

Installation of fencing to be verified by the Development Services Department, Planning Division, Building and Safety Division, and Municipal Utilities and Engineering Department prior to issuance of a grading permit and monitored during the course of construction.

Cultural Resources:

CUL- 1: A monitoring biologist experienced in identifying jurisdictional resources regulated by the United States Army Corp of Engineers, California Department of Fish and Wildlife and Regional Water Quality Control Board shall define the location and monitor the installation of orange silt fencing between the Mill Creek Zanja and the project site as described below:

- a. Install siltation fencing at least 10 ft. north of the Mill Creek Zanja along the entire southern extent of the project site. The fencing shall be buried at least 4 inches in depth and will also be secured in place by a continuous line of sandbags.

- b. Siltation fencing shall be tied into existing bridge crossings currently utilized by residents to allow for continued access to their properties.
- c. No staging of materials or soils shall occur within 50 ft. of the siltation fencing.
- g. Any breaches in the silt fencing shall be repaired immediately.
- h. Any direct/indirect impacts to the Mill Creek Zanja shall be reported immediately to the City of Redlands Planning Division.
- i. Following completion of construction, the monitoring biologist shall provide the City of Redlands Planning Department a letter of compliance describing all conservation and avoidance measures implemented to ensure protection of the Mill Creek Zanja.

Installation of fencing to be verified by the Development Services Department, Planning Division, Building and Safety Division, and Municipal Utilities and Engineering Department prior to issuance of a grading permit, and monitored during the course of construction.

CUL-2: If any cultural resources of any kind be discovered during grading and site preparation activities, a qualified archaeologist/paleontologist shall be retained to inspect specimens and formulate a Mitigation Monitoring and Reporting Program consistent with CEQA, the policies of the City of Redlands and the County of San Bernardino, as well as specific recommendations contained in the Cultural Resource Assessment prepared for the proposed project.

To be monitored by the Development Services Department, Planning Division through receipt of a copy of a signed contract between the developer and a qualified archaeologist, prior to clearing and grubbing and issuance of a grading permit, and a final report containing the significance and treatment findings shall be prepared by the archaeologist, in the case of discovery, and submitted to the Development Services Department, Planning Division.

CUL-3: An archaeological monitor shall be present full-time during all soil-disturbing and grading/excavation/trenching activities that could result in impacts to archaeological resources.

To be monitored by the Development Services Department, Planning Division, through receipt of a copy of a signed contract between the developer and a qualified archaeologist, and the documented results as prepared by a qualified archaeologist, prior to clearing and grubbing and prior to issuance of a grading permit. A copy of the monitoring report shall be provided to the City of Redlands Development Services Department and to the Tribes which requested consultation during the AB52 process (San Manuel Band of Mission Indians, Gabrieleno Band of Mission Indians - Kizh Nation, Morongo Band of Mission Indians, and the Soboba Band of Luiseno Indians) prior to approval of the final map.

CUL-4: As appropriate, the principal investigator (PI) shall submit a detailed letter to the lead agency during construction requesting a modification to the monitoring program when a

field condition such as modern disturbance post-dating previous grading/trenching activities, presence of fossil formations, or native soils is encountered that may reduce or increase the potential for resources to be present.

To be monitored by the Development Services Department, Planning Division, during the course of construction.

CUL-5: In the event of an archaeological discovery, either historic or prehistoric, the archaeological monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to, digging, trenching, excavating, or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources, and immediately notify the Native American monitor and City of Redlands Planning Department. The monitor shall immediately notify the PI (unless monitor is the PI) of the discovery.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project.

CUL-6. The Principal Investigator shall evaluate the significance of the resource. If human remains are involved, the protocol outlined in Mitigation Measures CUL-7 and CUL-8 shall be followed.

- a. The PI shall immediately notify the City of Redlands Planning Department to discuss significance determination and shall also submit a letter indicating whether additional mitigation is required.
- b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) that has also been reviewed by the Native American consultant/monitor, and obtain written approval from the City of Redlands Planning Department to implement that program. Impacts to significant resources shall be mitigated before ground-disturbing activities in the area of discovery are allowed to resume.
- c. If the resource is not significant, the PI shall submit a letter to the City of Redlands Planning Department indicating that artifacts will be collected, curated, and documented in a final monitoring report. The letter shall also indicate that no further work is required.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project

CUL-7: If human remains are discovered, work shall halt in that area until a determination can be made regarding the provenance of the human remains, and the following procedures as

set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98), and the State Health and Safety Code (Sec. 7050.5) shall be undertaken.

- a. The archaeological monitor shall notify the PI, if the monitor is not qualified as a PI.
- b. The PI shall notify the medical examiner after consultation with the City, either in person or via telephone.
- c.. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the medical examiner in consultation with the PI concerning the provenance of the remains.
- d, The medical examiner, in consultation with the PI, will determine the need for a field examination to determine the provenance.
- e. If a field examination is not warranted, the medical examiner will determine, with input from the PI, if the remains are or are most likely to be of Native American origin.
- f. If the human remains are determined to be Native American, the medical examiner shall notify the Native American Heritage Commission (NAHC) within 24 hours.
- g. The NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
- h. The MLD will contact the PI within 24 hours or sooner after the medical examiner has completed coordination to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources, and the State Health and Safety Code.
- i. The MLD will have 48 hours to make recommendations to the property owner or representative for the treatment or disposition with proper dignity of the human remains and associated grave goods.
- j. Disposition of Native American human remains will be determined between the MLD and the PI, and, if:
 - (1) The NAHC is unable to identify the MLD, OR the MLD failed to the (NAHC) is unable to identify the MLD, or the MLD failed to make a recommendation within 48 hours after being notified by the NAHC; or

- (2) The City of Redlands and the landowner reject the recommendation of the MLD and mediation in accordance with Public Resources Code 5097.94 (k) by the NAHC fails to provide acceptable measures; then
- (3) Upon the discovery of multiple Native American human remains during a ground-disturbing land development activity, the City of Redlands and the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery shall be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree upon the appropriate treatment measures, the human remains and grave goods buried with the Native American human remains shall be reinterred with appropriate dignity.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project

CUL-8: If the human remains are determined not to be Native American in origin, the PI shall contact the medical examiner and notify them of the historic era context of the burial.

- a. The medical examiner shall determine the appropriate course of action with the PI and the City of Redlands Planning Division.
- b. If the remains are of historic origin, they shall be appropriately removed and conveyed to the City of Redlands Planning Division. The decision for internment of the human remains shall be made in consultation with the City of Redlands Planning Department, the applicant and/or landowner, and any known descendant group.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project

CUL-9: Post construction, the PI shall submit to the City of Redlands Planning Division a draft monitoring report (even if negative) prepared in accordance with the agency guidelines, which describes the results, analysis, and conclusions of all phases of the archaeological monitoring program.

- a. For significant archaeological resources encountered during monitoring, the ADRP shall be included in the draft monitoring report.

- b. Recording sites with the State of California DPR shall be the responsibility of the PI, including recording (on the appropriate forms-DPR 523 A/B) any significant or potentially significant resources encountered during the archaeological monitoring program.
- c. The PI shall submit a revised draft monitoring report to the City of Redlands Planning Department for approval prior to issuance of Building Permits, including any changes or clarifications requested by the City.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project

CUL-10. The PI shall be responsible for ensuring that all cultural remains collected are appropriately cleaned and cataloged.

- a. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate. The cost for curation is the responsibility of the property owner.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project

CUL-11: Appropriate measures for long term curation of any artifacts discovered on the project site shall be determined by the PI to the satisfaction of the City of Redlands Planning Division depending upon the nature of artifacts involved. The PI shall submit the approved final monitoring report to the City of Redlands Planning Division and any interested parties.

To be monitored by the Development Services Department, and Planning Division, and satisfied during construction of the project.

CUL-12: The Project applicant shall contact the consulting Native American Tribe(s) that have requested monitoring through consultation with the City during the AB 52 process (San Manuel Band of Mission Indians, Gabrieleno Band of Mission Indians - Kizh Nation, Morongo Band of Mission Indians, and the Soboba Band of Luiseno Indians). The applicant shall coordinate with these Tribes to develop a Tribal Monitoring Agreement. The tribes must agree upon a coordinated monitoring schedule and the applicant shall submit the agreement to the City of Redlands Development Services Department prior to any clearing and grubbing of the property and prior to the Issuance of a Grading Permit.

To be monitored by the Development Services Department, and Planning Division, and the Municipal Utilities and Engineering Department, and satisfied through receipt of an approved Tribal Monitoring Agreement, prior to clearing and grubbing and issuance of a grading permit.

Hazards and Hazardous Materials

HAZ-1: All trash, debris, and waste materials should be disposed of offsite, in accordance with current local, state, and federal disposal regulations. Any buried trash/debris encountered should be evaluated by an experienced environmental consultant prior to removal.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied during construction of the project.

HAZ -2: Any, stained soils or materials containing petroleum residues, encountered during site earthwork, should be evaluated prior to removal and disposal, following proper containment procedures.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied during site preparation and grading operations.

HAZ -3: All structures to be demolished or removed from the site, shall be assessed for asbestos-containing materials and lead containing paints. If present, asbestos-containing materials and/or lead containing paints should be abated prior to demolition and removal in accordance with current regulations.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, prior to issuance of a Demolition Permit.

HAZ-4: If asbestos-cement is encountered in irrigation pipes existing on-site, they shall be assessed for asbestos-containing materials. If present, asbestos-containing materials shall be abated prior to demolition and removal in accordance with current regulations.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied prior to initiating demolition activities.

HAZ-5: The steel underground storage tank (UST) sump located near the entry driveway, the UST and associated drains shall be properly disposed offsite in accordance with all applicable State and local guidelines, including confirmation sampling during removal. In addition, if other underground storage tanks are encountered elsewhere on the site, they shall be properly disposed offsite in accordance with all applicable State and local guidelines, including confirmation sampling during removal.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied during construction of the project.

HAZ -6: Confirmation samples from the bottoms and sidewalls of the previous oil and diesel above ground storage tank (AST) excavations shall be collected and analyzed for the corresponding contaminants, and handled accordingly in disposal.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied during construction of the project.

HAZ -7: Any old fluorescent light fixtures shall be assessed for Polychlorinated Biphenyls (PCB) materials. If present, PCB materials shall be abated prior to demolition and removal in accordance with current regulations.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, prior to issuance of a Demolition permit.

HAZ -8: Any smudge pots, waste oil, and stained soil should be disposed offsite in accordance with State and local requirements. In addition, any stained soils identified within the grove areas should be disposed offsite in accordance with State and local requirements.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied prior to initiating site preparation and grading activities.

HAZ - 9: The soil materials within the floor drain should be properly disposed offsite in accordance with all applicable State and local guidelines. The outlet area of the floor drain (if any) should be determined. If any outlet area is found, soils within the outlet area should be tested for Title 22 metals and hydrocarbons.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied prior to initiating site preparation and grading activities.

HAZ -10: Any stained soils identified within the grove areas shall be disposed offsite in accordance with State and local requirements. To avoid the potential for disturbance, stained soil removals shall be conducted prior to removal of the groves. Confirmation testing shall be performed following the removal of impacted soils.

To be monitored by the Development Services Department, Building and Safety Division and Planning Division, and satisfied prior to removal of existing groves.

Hydrology and Water Quality

HYD-1 To mitigate the potential impacts identified in IX (a) of the Environmental Checklist, prior to the issuance of a grading permit, the project applicant shall file and obtain a Notice of Intent (NOI) with the Regional Water Quality Control Board in order to be in compliance with the State NPDES General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City for coverage under the NPDES General Construction Permit. The NOI shall address the potential for an extended and discontinuous construction period based on funding availability.

To be monitored by the Municipal Utilities and Engineering Services Department and the Building & Safety Division of the Development Services Department prior to issuance of grading permits.

HYD-2 To mitigate the potential impacts identified in IX (a) of the Environmental Checklist, prior to the issuance of a grading permit, the project applicant shall submit to and receive approval from the City of Redlands of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural Best Management Practices (BMPs) to control sediment and non-visible discharges from the site. The SWPPP will include inspection forms for routine monitoring of the site during construction phase to ensure NPDES compliance and additional BMPs and erosion control measures will be documented in the SWPPP and utilized if necessary. The SWPPP shall address the potential for an extended and discontinuous construction period based on funding availability. The SWPPP will be kept on site for the entire duration of project construction and will be available to the local RWQCB for inspection at any time. Some the BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction and repairs will be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences and covered with plastic tarps.
- In addition, the construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the Contractor and reviewed by the City of Redlands and the representatives of the State Water Resources Control Board. In the event that it is not feasible to implement specific BMPs, the City of Redlands can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

To be monitored by the Municipal Utilities and Engineering Services Department and the Building & Safety Division of the Development Services Department prior to issuance of grading permits.

HYD-3 To mitigate the potential impacts identified in IX (a) of the Environmental Checklist, the project shall be required to comply with the submitted Water Quality Management Plan (WQMP) prepared in accordance with Santa Ana Regional Water Quality Control Board and the City of Redlands. The project shall also provide the appropriate Best Management Practices (BMPs) within the project site to stop “first flush” of accumulated pollutants from entering the City storm drain system. The project-specific BMPs may also incorporate other measures such as bio-swales in planter areas which can also eliminate

the “first flush” of accumulated pollutants on street surfaces. BMPs can include onsite bio-swailes, infiltration trenches, treatment units and detention basins that will reduce pollutant levels from onsite runoff to meet as defined in Municipal Code section 15.54.160. The specific mix of BMPs will be reviewed and approved by the City.

To be monitored by the Municipal Utilities and Engineering Department and verified prior to issuance of Building Permits.

Noise

NOI -1: To satisfy the City of Redlands 45 dBA CNEL interior noise level standards, lots adjacent to Wabash Avenue require a Noise Reduction (NR) of up to 14.6 dBA and a windows closed condition requiring a means of mechanical ventilation (e.g. air conditioning). In order to meet the City of Redlands 45 dBA CNEL interior noise standards the Project shall provide the following or equivalent noise mitigation measures:

- Windows: All windows and sliding glass doors shall be well fitted, well weather-stripped assemblies and shall have a minimum sound transmission class (STC) rating of 27.
- Doors: All exterior doors shall be well weather-stripped solid core assemblies at least one and three-fourths-inch thick.
- Roof: Roof sheathing of wood construction shall be well fitted or caulked plywood of at least one half inch thick. Ceilings shall be well fitted, well sealed gypsum board of at least one-half inch thick. Insulation with at least a rating of R-19 shall be used in the attic space.
- Ventilation: Arrangements for any habitable room shall be such that any exterior door or window can be kept closed when the room is in use and still receive circulated air. A forced air circulation system (e.g. air conditioning) or active ventilation system (e.g. fresh air supply) shall be provided which satisfies the requirements of the Uniform Building Code.

To be monitored by the Development Services Department, Building & Safety Division and Planning Division, and satisfied through notes on the approved construction plans prior to issuance of Building Permits and implementation during construction of the project.

NOI-2 All construction activities shall be limited to the hours of 7:00 a.m. and 6:00 p.m. with no construction activities permitted on Sundays and Federal Holidays.

To be monitored by the Development Services Department, Building & Safety Division and Planning Division, and satisfied through notes on the approved grading and construction plans and implementation during construction of the project.

NOI-3 All construction equipment be correctly tuned and operated with appropriate mufflers to ensure noise during construction activities is minimized to the maximum extent feasible.

To be monitored by the Development Services Department, Building & Safety Division and Planning Division, and satisfied through notes on the approved grading and construction plans and implementation during construction of the project.

NOI-4 All noise producing equipment shall be acoustically insulated to prevent impacts on adjacent residential uses and/or sensitive receptors.

To be monitored by the Development Services Department, Building & Safety Division and Planning Division, and satisfied through notes on the approved grading and construction plans and implementation during construction of the project.

Public Services

PUB-1 To mitigate the potential impacts identified in XIV (a) of the Environmental Checklist, a construction site security plan approved by the Police Department is required, providing adequate security measures such as lights, video cameras, vehicle transponders, locks, alarms, trained security personnel, fencing etc. The nature of the measures will depend on the specific requirements of the site, and may vary with the different stages of construction. The developer shall be responsible for the compliance of all sub-contractors working on the site. Other impacts associated with new development are mitigated with the payment of development impact fees, and State established school fees.

To be monitored by the Police Department, Development Services Department, Building and Safety Division, and Municipal Utilities and Engineering Department and verified prior to issuance of a grading permit and building permits, as appropriate to the phase of construction.

Transportation/Traffic

TRA-1 On-site traffic signing and striping should be implemented in conjunction with detailed construction plans for the project.

To be monitored by the Municipal Utilities and Engineering Department and verified prior to issuance of building permits.

TRA-2 Sight distance at the project access point(s) shall comply with standard California Department of Transportation and City of Redlands sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met.

To be monitored by the Municipal Utilities and Engineering Department and verified prior to issuance of grading permits.

TRA-3 The project shall contribute towards the cost of any necessary area improvements on a fair share or "pro-rata" basis.

To be monitored by the Municipal Utilities and Engineering Department prior to issuance of a Certificate of Occupancy.

TRA-4 Participate in the phased construction of off-site traffic signals through payment of traffic signal mitigation fees. The traffic signals within the study area at buildout should specifically include an interconnect of the traffic signals to function in a coordinated system.

To be monitored by the Municipal Utilities and Engineering Department prior to issuance of a Certificate of Occupancy.

Draft Resolution No. 3253

Attachment 7

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

PROPOSAL NO.: LAFCO 3207

HEARING DATE: November 15, 2017

RESOLUTION NO. 3253

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3207 AND APPROVING THE REORGANIZATION TO INCLUDE CITY OF REDLANDS ANNEXATION NO. 94 AND DETACHMENT FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND ITS VALLEY SERVICE ZONE, AND COUNTY SERVICE AREA 70 AND ITS ZONE P-7 (SAM-REDLANDS, LLC). The reorganization area encompassing 12 +/- acres and is generally bounded by parcels lines on the north and east, Sylvan Boulevard on the south, and Wabash Avenue (existing City of Redlands boundary) on the west.

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

WHEREAS, an application for the proposed reorganization in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (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 the Executive Officer has examined the application and executed her certificate in accordance with law, determining and certifying that the filings are sufficient; 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 the 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 called for November 15, 2017 at the time and place specified in the notice of public hearing; and,

WHEREAS, at the hearing, this Commission heard and received all oral and written

RESOLUTION NO. 3253

support and/or opposition; the Commission considered all plans and proposed changes of organization, and all evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Commission does hereby determine, find, resolve, and order as follows:

DETERMINATIONS:

SECTION 1. The proposal is approved subject to the terms and conditions hereinafter specified:

CONDITIONS:

Condition No. 1. The boundaries are approved as set forth in Exhibits "A" and "A-1" attached.

Condition No. 2. The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3207.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Redlands (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

Condition No. 4. The property owner, Sam-Redlands, LLC, shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

Condition No. 6. Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

Condition No. 7. The date of issuance of the Certificate of Completion shall be the effective date of this reorganization.

SECTION 2. The Commission determines that:

- a) this proposal is certified to be legally uninhabited;
- b) it has 100 % landowner consent; and,
- c) no written opposition to a waiver of protest proceedings has been submitted by any subject agency.

Therefore, the Commission does hereby waive the protest proceedings for this action

RESOLUTION NO. 3253

as permitted by Government Code Section 56662(d).

SECTION 3. DETERMINATIONS. The following determinations are noted in conformance with Commission policy:

1. The reorganization area is legally uninhabited as certified by the County Registrar of Voters office as of October 11, 2017.
2. The County Assessor has determined that the total assessed value of land and improvements within the reorganization area is \$1,232,377 (land - \$997,848 -- improvements - \$234,529).
3. The reorganization area is within the sphere of influence of the City of Redlands.
4. Notice of this hearing has been advertised as required by law through publication in *The Sun*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice. Comments from any affected local agency have been reviewed by the Commission.
5. In compliance with the requirements of Government Code Section 56157 and Commission policy, individual notice was mailed to surrounding landowners and registered voters within approximately 700 feet of the exterior boundaries of the reorganization area (totaling 594 notices). Comments from landowners and registered voters have been reviewed and considered by the Commission in making its determination.
6. The City of Redlands has pre-zoned the reorganization area R-1 (Single Family Residential District). This zoning designation is consistent with the City's General Plan. Pursuant to the provisions of Government Code Section 56375(e), this zoning designation shall remain in effect for two years following annexation unless specific actions are taken by the City Council.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. The closest highway to LAFCO 3207 is the I-10 Freeway, which is part of the RTP-SCS's State highway improvement (expansion/rehabilitation) program adding express lanes and adding high-occupancy vehicle (HOV) lane in each direction.

The Sustainable Communities Strategy includes strategies, among others, that support housing development. Approval of LAFCO 3207 supports this strategy.
8. The City of Redlands, as a function of its review of Annexation No. 94, Zone Change No. 565, Tentative Tract Map No. 19942, and Demolition Permit No. 258 for approximately 11.97 acres, prepared an environmental assessment and adopted a Mitigated Negative Declaration which indicates that approval of the project will not have a significant adverse impact on the environment. In addition, the Commission's Environmental Consultant prepared an Addendum to the City's environmental assessment that addresses the inclusion of the entire right-of-way areas within Sylvan

RESOLUTION NO. 3253

Boulevard adjacent to TTM 19942 as part of the overall reorganization area that provides for the environmental assessment of the entire reorganization area and to substantiate that the additional right-of-way area will not cause physical changes in the environment beyond that identified in the City's adopted Mitigated Negative Declaration and, therefore, will not require the preparation of a new Negative Declaration.

The Commission certifies that it has reviewed and considered the Addendum and the City's Mitigated Negative Declaration and the environmental effects as outlined in the Initial Study prior to reaching a decision on the project and finds the information substantiating the Addendum and the Mitigated Negative Declaration are adequate for its use in making a decision as a CEQA lead agency. The Commission further finds that it does not intend to adopt alternatives or additional mitigation measures for this project as all changes, alterations, and mitigation measures are within the responsibility and jurisdiction of the City and/or other agencies and not the Commission; and finds that it is the responsibility of the City to oversee and implement these measures.

The Commission directs its Executive Officer to file a Notice of Determination within five (5) days with the San Bernardino County Clerk of the Board of Supervisors. The Commission also notes that this proposal is exempt from the California Department of Fish and Wildlife fees because the filing fees were the responsibility of the City of Redlands as the CEQA lead agency to the Initial Study and Mitigated Negative Declaration.

9. The local agencies currently serving the area are: County of San Bernardino, San Bernardino County Fire Protection District and its Valley Service Zone, Inland Empire Resource Conservation District, San Bernardino Valley Water Conservation District, San Bernardino Valley Municipal Water District (the State Water Contractor), County Service Area 70 (multi-function unincorporated area Countywide), and County Service Area 70 Zone P-7 (inactive park and recreation district within the Mentone community).

The proposal will detach the territory from San Bernardino County Fire Protection District and its Valley Service Zone, and County Service Area 70 and its Zone P-7 as a function of the reorganization. None of the other agencies are affected by this proposal as they are regional in nature.

10. The City of Redlands submitted plans for the provision of services as required by Government Code Section 56653, which indicates that the City can, at a minimum, maintain the existing level of service delivery and can improve the level and range of selected services currently available in the area. The financial information presented within the City's Plan for Service indicates that the project will have a positive financial effect for the City. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements.
11. The reorganization area can benefit from the availability and extension of municipal services from the City of Redlands.

RESOLUTION NO. 3253

12. This proposal complies with Commission policies that indicate the preference for areas proposed for future development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained. In addition, the reorganization proposal is a logical conversion of prime farmland to non-agricultural use as the proposal area is currently designated for residential development and is surrounded by existing residential development within the City of Redlands and within the unincorporated County area and has been within the City's sphere of influence for many years.

In addition, the Commission will be creating an unincorporated peninsula in order to fulfill the requirements that the City's Measure "U" imposes on the proposed project, which requires annexation of contiguous property in order to connect to the City's water and sewer facilities. Based on the response from property owners and registered voters within the unincorporated peninsula regarding their support for annexation to the City, the proposal cannot be expanded without the risk of terminating LAFCO 3207.

13. This proposal will assist the City's ability to achieve its fair share of the regional housing needs since the reorganization area is being developed with Tentative Tract Map 19942, a proposed development with 34 single-family residences.
14. With respect to environmental justice, the following demographic and income profile was generated using ESRI's Community Analyst within the City of Redlands and within and around the reorganization area, generally the Crafton and Mentone community (2016 data):

Demographic and Income Comparison	City of Redlands (%)	Subject Area & adjacent Unincorporated Sphere (%)
Race and Ethnicity		
• African American Alone	5.2 %	4.9 %
• American Indian Alone	0.9 %	1.4 %
• Asian Alone	8.8 %	4.4 %
• Pacific Islander Alone	0.4 %	0.4 %
• Hispanic Origin (Any Race)	34.2 %	39.2 %
Median Household Income	\$67,193	\$55,775

Some of the properties within City's unincorporated sphere area already receive water and/or sewer service from the City through out-of-agency service agreements. Therefore, the reorganization area will benefit from the extension of services and facilities from the City and, at the same time, the approval of the reorganization would not result in the deprivation of service or the unfair treatment of any person based on race, culture or income. However, the City's policies require annexation if properties needing services are contiguous to the City's boundary. Therefore, in such case, annexation is the only option before water and/or sewer service can be extended.

15. The City and County have negotiated the transfer of ad valorem taxes as required by

RESOLUTION NO. 3253

State law. Copies of the resolutions adopted by the City Council of the City of Redlands and the San Bernardino County Board of Supervisors are on file in the LAFCO office outlining the exchange of revenues.

16. The map and legal description, as revised, are in substantial conformance with LAFCO and State standards as determined by the County Surveyor's Office.

SECTION 4. The primary reason for this reorganization is to receive municipal services from the City for the proposed development of Tentative Tract Map 19942, a 34-lot single-family residential community. The reorganization area is contiguous to the City and its Municipal Code requires that property contiguous to the City's boundaries must annex in order to receive water and/or sewer service.

SECTION 5. The affected territory shall not be taxed for existing bonded indebtedness or contractual obligations of the City of Redlands through the reorganization. The regular County assessment rolls are utilized by the City of Redlands.

SECTION 6. Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

SECTION 7. The Commission hereby orders the territory described in Exhibits “A” and “A-1” reorganized. The Commission hereby directs, that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer shall prepare and file a Certificate of Completion, as required by Government Code Section 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

SECTION 8. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County 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 for San Bernardino County, California, do hereby

RESOLUTION NO. 3253

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 regular meeting of November 15, 2017.


DATED:

KATHLEEN ROLLINGS-MCDONALD
Executive Officer

DRAFT

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: NOVEMBER 7, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #7 – Update on the City of Rialto’s Initiation of its Five North Rialto Islands

RECOMMENDATION:

Staff recommends that the Commission note receipt of the update and file.

BACKGROUND:

At the May 17, 2017 hearing, LAFCO staff provided the Commission with its second update on the City of Rialto’s compliance with the commitment to initiate the annexation of its five “North Rialto Islands”. The Commission will recall that this was a condition of approval for LAFCO 3201, the annexation of the Lytle Creek Ranch Specific Plan into the City of Rialto (staff report dated May 11, 2017 included as Attachment #1 of this report).

As outlined in the staff report, LAFCO staff attended the City’s Planning Commission meeting on April 26, 2017 regarding its consideration of the five islands. As identified in the staff report, the Planning Commission approved City staff’s recommendations, which were to:

- Receive public comment;
- Direct staff to prepare a written response to all the comments,
- Schedule another community meeting together with LAFCO and the County’s Fifth Supervisorial District in attendance; and,
- Continue the item to its July 12, 2017 Planning Commission meeting.

A month after the City’s Planning Commission meeting, LAFCO staff reached out to the City to determine when it was planning to schedule its next community meeting so that

LAFCO staff could make arrangements to be in attendance and also to allow coordination with the Fifth Supervisorial District staff on their attendance as well. City staff responded that they were still trying to coordinate with the (Rialto) School District staff regarding availability of the Carter High School facility for the community meeting.

The community meeting was eventually scheduled for June 22, 2017. Unfortunately, LAFCO staff was, again, not provided prior notice of the meeting. The circumstances were different between the first and the second community meeting. At the first community meeting, it was City staff's position that the community meeting was to be with City staff only and that the invitation to LAFCO staff was for the more formal meetings (e.g. Planning Commission meeting, City Council meeting) – therefore, LAFCO staff was not given notice of the meeting. For the second community meeting, it was City staff's intent to invite LAFCO staff; however, the meeting notice was only emailed two days prior to the meeting and was actually sent to the previous Commission Clerk, Ms. Lowery, who was no longer employed by LAFCO (having resigned a year earlier at this point). When the email came back undeliverable, the City staff tried to reach out to other LAFCO staff members on the day of the community meeting itself to see if someone could attend. Regrettably, due to such short notice, no one from LAFCO staff could attend the community meeting.

Since then, there has been no communication or coordination from the City regarding its progress on annexing the five North Rialto Islands.

On October 13, 2017, LAFCO staff again reached out to City staff and requested an update and new timeline, if any, in order for the City to accomplish its commitment to annex the five North Rialto Islands. In addition, LAFCO staff also requested, as follow-up to a previous request, information on what transpired during the June 22, 2017 community meeting including any documents or materials made available at the meeting.

City staff responded with a new timeline for the City's processing, outlined below:

Task	Timeline
1. Completion of CEQA compliance for the Industrial request	January 2018
2. Modifications to the Plan for Services	February 2018
3. Community meeting	March 2018
4. Economic Development Committee Meeting	April 2018
5. Planning Commission public hearing	May 2018
6. City Council public hearing	June 2018
7. Submission of Annexation application to LAFCO	July 2018

At the May 2017 update, LAFCO staff indicated its concern on the City's timeline because the Planning Commission's action (continuing its consideration) and the need for a second community meeting would take its 10-point action plan to annex the five North Rialto Islands past the one year mark. However, based on the new timeline, the City is now looking at accomplishing its commitment at the two year mark.

City staff also provided the following documents related to the community meeting held on June 22, 2017: a copy of the community meeting flyer (included as Attachment #2) and a revised Frequently Asked Questions (included as Attachment #3). In addition, a sign-in sheet and some comment cards received at the community meeting were also provided. City staff indicated that an audio/video recording of the community meeting is also available and will be mailed to LAFCO staff at a later date. As of the preparation of this update report, LAFCO staff has not received a copy of the audio/video file.

With regard to the revised Frequently Asked Questions, LAFCO staff's concerns remain the same from the last revision. Some of LAFCO staff's general concerns regarding the statements made on the Frequently Asked Questions are outlined as follows:

- On the City's definition of an island, the document in some instances identifies it as simply substantially surrounded by the City when, in fact, it can also be totally surrounded by the City.
- The FAQ also identifies that an island must be within an urban service area designated by LAFCO; however, San Bernardino LAFCO does not make determinations nor does it have policies related to the designation of urban service areas within San Bernardino County.
- The FAQ implies that it is the City of Rialto who approves an island annexation. This statement is misleading. Just because the Commission has no discretion in approving an island that meets the criteria outlined in State law does not mean the City has the authority to approve an island annexation. The City can initiate an island annexation but it will not become a part of the City unless it goes through LAFCO's approval process.
- The City of Rialto states that LAFCO voted not to include the CEMEX facility as part of the City's annexation when it considered LAFCO 3201. This is incorrect since the CEMEX property was never a part of the City's proposal to annex the Lytle Creek Ranch Specific Plan nor was the CEMEX property a part of its approval process of the specific plan itself;
- The City also makes a number of assertions that the City could choose to withdraw its application to LAFCO. This implies that the City already submitted

an application to LAFCO, which is not the case. The City has not submitted nor officially initiated an application to annex the five North Rialto Islands.

These are just some of the statements contained in the FAQ that are either misleading or simply inaccurate.

CONCLUSION:

In June 2016, the City of Rialto adopted a resolution affirming its commitment to annex the five North Rialto Islands within one year of approval of LAFCO 3201. However, based on the new timeline that the City provided, it will now take at least two years before it will fulfill its commitment to the Commission related to these unincorporated islands. Whether or not the City is really committed to annexing the five North Rialto Islands remains to be seen.

Nevertheless, staff is recommending that the Commission receive and file the update, direct staff to continue to participate and assist in the City's process, and return to the Commission in six months with an update on the actions of the City.

KRM/sm

Attachments:

1. LAFCO Staff Report Dated May 11, 2017 – One Year Update on the City of Rialto's Initiation of its Five North Rialto Islands
2. Community Meeting Notice
3. Revised Annexation Frequently Asked Questions (June 22, 2017 Version)

**LAFCO Staff Report Dated
May 11, 2017 – One Year
Update on the City of Rialto's
Initiation of its Five North
Rialto Islands**

Attachment 1

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

215 North D Street, Suite 204, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 885-8170
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : MAY 11, 2017

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: REVISED AGENDA ITEM #10 – One Year Update on the City of Rialto's Initiation of its five North Rialto Islands

RECOMMENDATION:

Staff recommends that the Commission:

1. Receive and file the update;
2. Direct staff to continue to monitor the City's progress in initiating the annexation of the five North Rialto Islands; and,
3. Provide additional updates as necessary when actions are taken by the City of Rialto.

BACKGROUND:

At the November 16, 2016 LAFCO hearing, LAFCO staff provided the Commission with the first update on the City of Rialto's compliance to initiate the annexation of its five "North Rialto Islands" which was a condition of approval for LAFCO 3201, the reorganization that included the annexation of Lytle Creek Ranch Specific Plan (portion) into the City of Rialto. Part of the condition was to provide status reports to the Commission to outline the progress of the City's commitment to annex the five islands.

It was identified at that hearing that the City of Rialto was taking an action to its City Council on November 22, 2016, to request Council authorization for the commencement of the initiation process, which the City Council approved. The defined process that was a part of that authorization for initiation of the annexation of the five islands had a 10-point action plan/timeline that the City was to accomplish within six months:

Task	Timeline
1. Land Survey to identify parcels and property owners with photographs	Nov. – Dec. 2016
2. Update Plan for Services including Infrastructure Needs Assessment and Fiscal Impact Analysis	January 2017
3. Present Survey, Infrastructure and Plan for Services to Economic Development Committee (EDC), and City Council	January 2017
4. Identify Annexation Task Force members	February 2017
5. Prepare social media information for distribution and web access including an “Annexation Myths” fact sheet	February 2017
6. Host a series of public information meetings throughout the community	March 2017
7. Prepare LAFCO annexation application	March 2017
8. Schedule Pre-Annexation application for review by the EDC and Planning Commission	March 2017
9. Schedule Pre-Annexation application for review by the City Council	April 2017
10. File annexation application with LAFCO	May 2017

At the Update hearing, staff had particular concerns about three of the City’s tasks identified on the timeline: a) the “Annexation Myths” fact sheet, b) the City’s community outreach meeting (Task #6), and c) the preparation of the LAFCO annexation application (Task #7) that included pre-zoning in compliance with CEQA (California Environmental Quality Act). It was clearly outlined in the LAFCO staff report that it was staff’s expectation that the City would provide LAFCO staff the opportunity to review the fact sheet before it was provided to the public and that the City would invite LAFCO staff to participate in its community outreach program. (A copy of the status report is included as Attachment #1 to this report.)

After the six-month update to the Commission, there was no communication from City staff regarding its progress nor was there any coordination with LAFCO staff on its annexation process related to the five North Rialto Islands.

On March 15, 2017, LAFCO staff requested that City staff provide an update on what had been accomplished regarding its commitment to initiate the five North Rialto Islands for an update to be provided to the Commission at the May hearing. No response from the City was received from this request. However, on April 12, 2017, LAFCO staff was made aware that a community meeting had been held by an area resident who called

with questions from the meeting conducted two days prior—April 10, 2017—at Carter High School in Rialto regarding the five island annexations. At the same time, LAFCO staff found the community meeting notice and the Rialto Island Annexation Frequently Asked Questions (FAQ) that was posted on the City’s website (see Attachment #2). While the FAQ identified that the Rialto Planning Commission review of the matter was scheduled for April 12, 2017, the Planning Commission did not consider the item as it was not on the agenda.

In response to further questions from LAFCO staff, City staff responded that its position on the community meeting was that it would only include City staff and that an invitation to LAFCO staff was limited to the more formal meetings that the City was going to have to discuss the islands—the Planning Commission and City Council meetings. LAFCO staff was also provided a copy of a revised FAQ that was handed-out to residents who attended the community meeting (see Attachment #3). City staff the invited LAFCO staff to attend the actual Planning Commission hearing for the five islands, which was set for April 26, 2017 as well as the City Council meeting scheduled for May 9, 2017.

City of Rialto Planning Commission Meeting

The agenda for the Planning Commission meeting on April 26, 2017 included a staff report related to the proposed annexation of the five North Rialto Islands. Attached to the staff report was the environmental assessment (Initial Study/Negative Declaration) that was prepared for the pre-zoning/General Plan Amendment for the five islands, a document that LAFCO staff was not aware of until the Planning Commission agenda materials became available on the City’s website. As a CEQA responsible agency, LAFCO should have been afforded the opportunity to review the Initial Study/Negative Declaration that was prepared for the pre-zoning/General Plan Amendment for the five islands during the public review period for the Notice of Intent to Adopt a Negative Declaration. At this time, LAFCO staff and the Commission’s Environmental Consultant will be reviewing the document and will be providing comments to the City for its consideration. Also attached was another revised FAQ handout that was again different from the one that was handed out at the community meeting since it includes response to additional comments received at the said community meeting. Attachment #4 includes the Planning Commission agenda, staff report, Initial Study/Negative Declaration, and the third iteration of the FAQ.

LAFCO staff attended the Planning Commission meeting and provided comments outlining our concerns regarding the process to date. The Planning Commission action was to approve the recommendations outlined in its staff report, which were to: receive public comment, direct staff to prepare a written response to all the comments, schedule another community meeting together with LAFCO and the County’s Fifth Supervisorial District, and continue the item to its July 12, 2017 Planning Commission meeting.

Based on the recommendations approved by the Planning Commission, there will be a repeat of Task #6—the community meeting—pending the availability of Carter High School; however, the earliest that Tasks #8, #9, and #10 of the City’s 10-point action

plan/timeline can be accomplished would be in the July-August timeframe. Based upon this determination, staff believes that a continued monitoring and presentation of status updates to the Commission is required.

CONCLUSION:

On June 14, 2016, the City of Rialto adopted a resolution, Resolution No. 6966, affirming its commitment presented at the hearing on Lytle Creek Ranch to annex its five North Rialto Islands within one year of approval of LAFCO 3201. However, based on what the City has accomplished so far, it will not be able to fulfill its commitment to the Commission to initiate the annexation of its five North Rialto Islands within the one year approval of LAFCO 3201. In addition, based upon the information provided thus far from the City of Rialto, there remain questions as to whether the City's promise to the Commission will be fulfilled at all.

Staff is recommending that the Commission take the actions outlined on page one of the staff report, which requires staff to continue to monitor the City's progress in initiating the five North Rialto Islands, participate in the process to assist in the completion of the commitments made by the City, and provide additional updates, as necessary.

KRM/SM

Attachments:

1. LAFCO staff report dated November 8, 2016 for Update on the City of Rialto's Compliance with Condition of Approval for LAFCO 3201 to Initiate its Five North Rialto Islands
2. Community Meeting Notice on the City's Website and Rialto Island Annexation Frequently Asked Questions Previously Posted on the City's Website
3. 1st Revised Frequently Asked Questions Handed-out at Community Meeting
4. April 26, 2017 Planning Commission Agenda, Staff Report Related to the Five North Rialto Islands, Location Map, Draft Prezone and GPA Initial Study/Negative Declaration, and 2nd Revised Frequently Asked Questions Handout

Community Meeting Notice

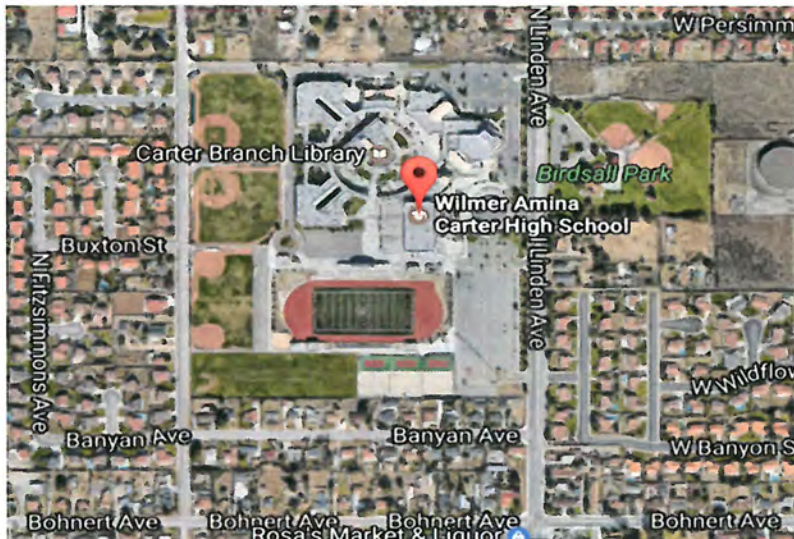
Attachment 2



City of Rialto

Rialto Island Annexation

Community Meeting



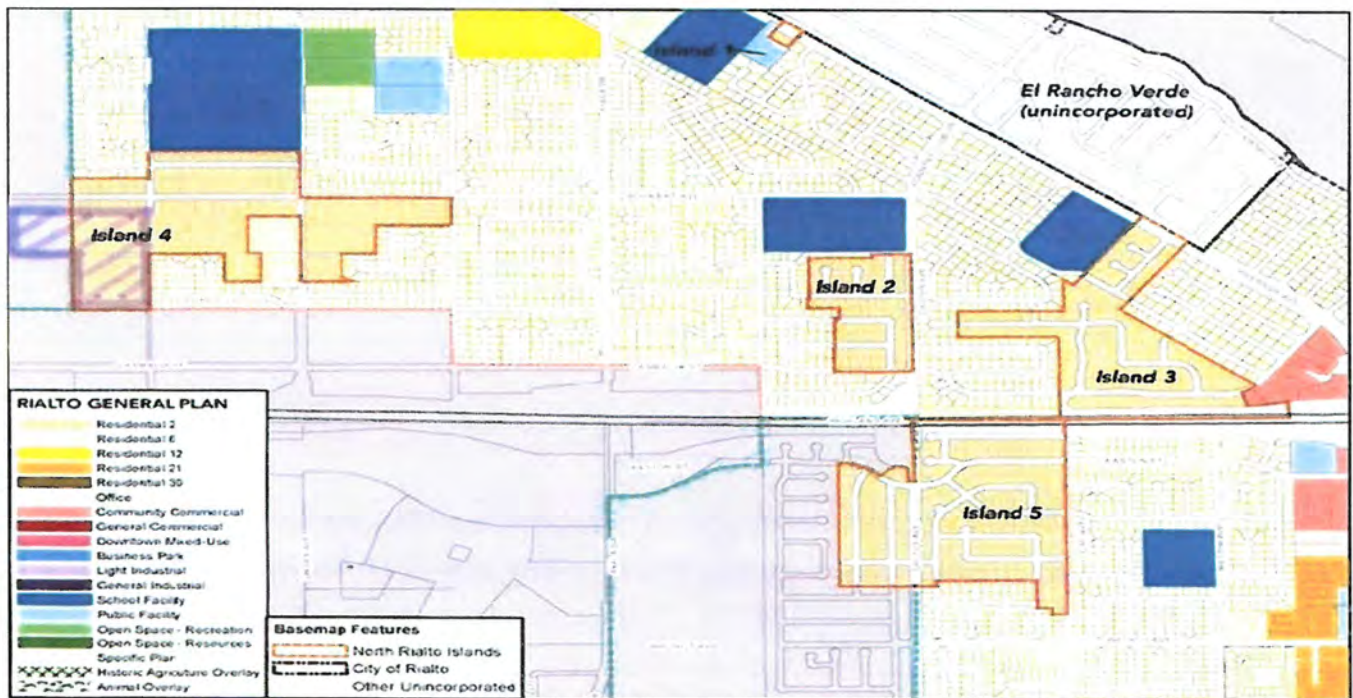
Your Input is Valuable!

Thursday, June 22, 2017

6pm

Location:

Carter High School Theater
2630 N. Linden Ave
Rialto, CA 92377



GENERAL PLAN AMENDMENT
FIVE NORTH RIALTO ISLANDS ANNEXATION

PROPOSED SITE

0 250 500 1,000 1,500 2,000 Feet



RIALTO ISLAND ANNEXATION

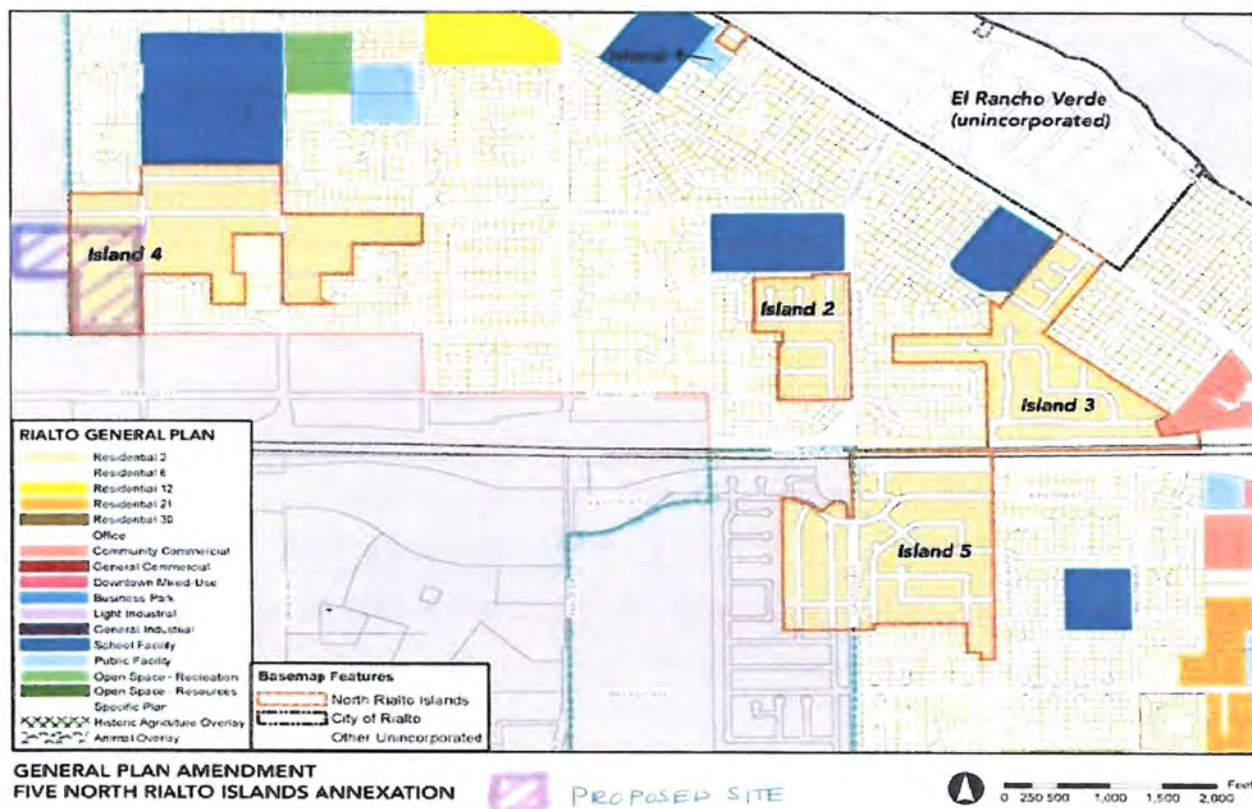
FREQUENTLY ASKED QUESTIONS

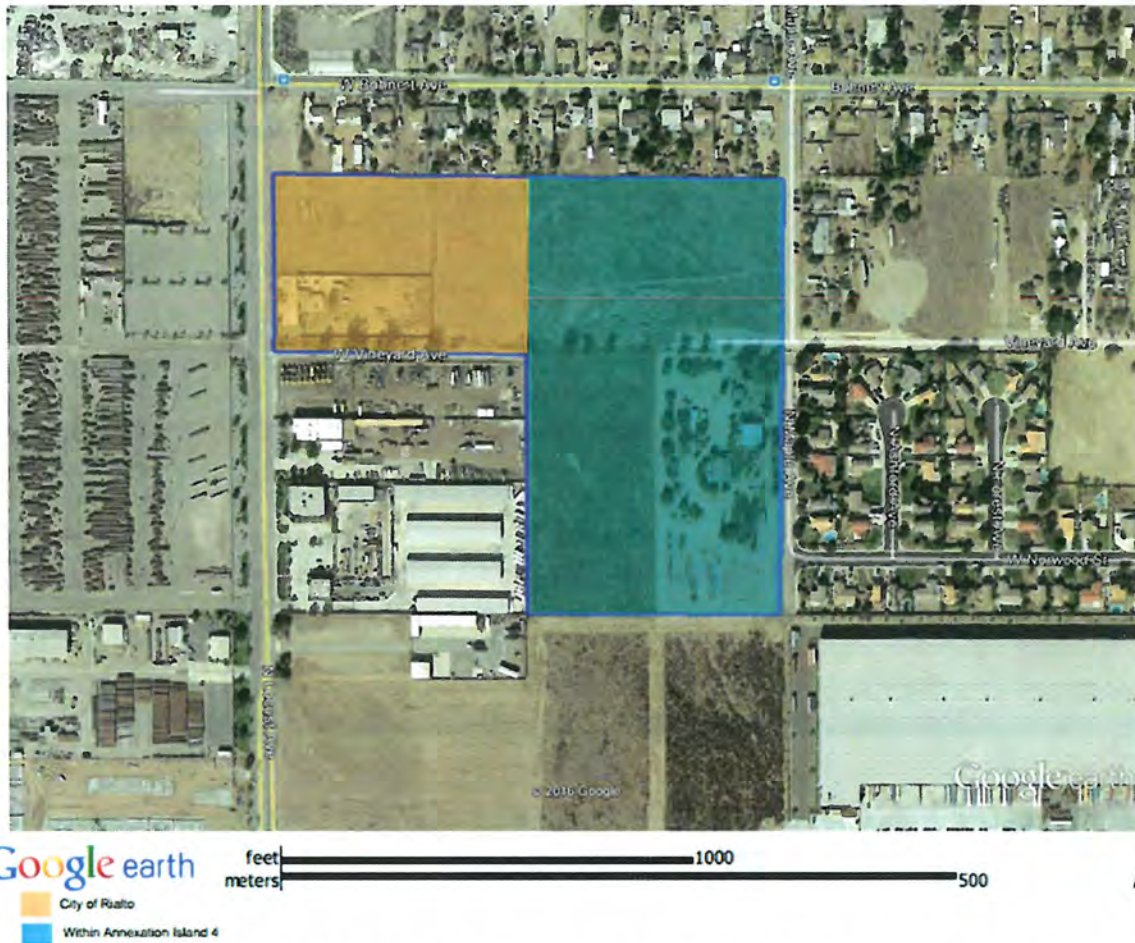
What is an Annexation?

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs annexation of unincorporated areas to a City. Annexation is a reorganization of land from an existing jurisdiction to another. It changes the boundaries of the annexing jurisdiction. The San Bernardino County Local Agency Formation Commission (LAFCO) is the agency responsible for reviewing annexation requests. The City of Rialto initiated the process to annex five county neighborhoods referred to as “islands” on November 22, 2016 (see map below). The North Rialto islands contain approximately 240 acres.

Where is the City of Rialto in the process of annexation?

The Planning Commission considered the Annexation on April 12, 2017. To annex the islands an amendment to the Rialto General Plan and an environmental analysis is required. In June 2017, one of the property owners filed a request to construct an industrial project. A portion of the project site is located within Island No. 4 shown on the maps below. The City must revise the Annexation application to include a Zone Change as a result of the





request. The Environmental analysis must also be modified as a result of the request. The project will be scheduled for review by the Planning Commission when all of the applications and the Environmental Assessment is complete. The Commission will make a recommendation to the City Council to either approve or deny the Annexation request.

Is there a public meeting where I can ask more questions? Yes. The public has an opportunity to give input on the proposed annexation:

- **Thursday, June 22, 2017, Community Meeting at Carter High School at 6 PM**

Where can I find out more information?

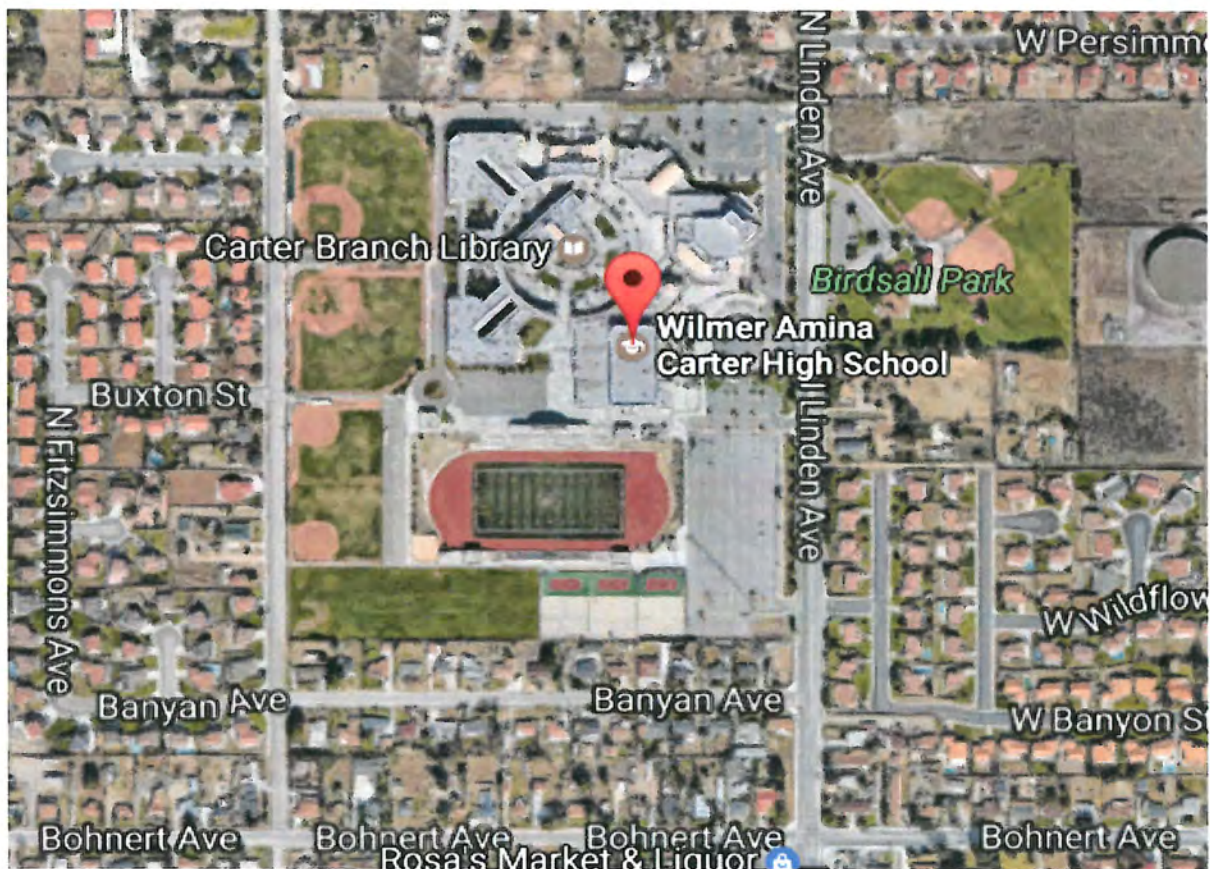
City of Rialto, Development Service Department, Planning Division, 150 S. Palm Ave, Rialto, CA, 92376, M-Th 7 AM – 6 PM, City of Rialto website www.rialtoca.gov

How can I make a comment on the proposed annexation and environmental analysis? You can write to: Gina M. Gibson Williams, Planning Manager, 150 S. Palm Avenue, Rialto, CA 92376 or send an email to ggibson@rialtoca.gov

DATES TO REMEMBER

Thursday, June 22, 2017

**Community Meeting at
Carter High School Theater
6:00 PM**



**Revised Annexation
Frequently Asked Questions
(June 22, 2017 Version)**

Attachment 3



RIALTO ISLAND ANNEXATION FAQ

The City of Rialto updated this FAQ to address many of the questions that arose during the Community Meeting on April 10, 2017 and at the Planning Commission meeting on April 12, 2017. It also incorporates feedback regarding the annexation approval process from LAFCO.

Annexation Process

1. **What is annexation?** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs annexation of unincorporated areas to a City. Annexation is a reorganization that changes the governmental authority from one jurisdiction (the County) to another (the City). The San Bernardino County Local Agency Formation Commission (LAFCO) reviews and approves annexation requests. The annexation process typically takes several months to complete, and can sometimes take longer. For more information regarding LAFCO, please visit the website at www.sbclafco.org or call: 909-388-0480.
2. **What is an island?** In simple terms, an unincorporated “island” is a relatively small pocket of land currently served by the County of San Bernardino but substantially surrounded by the City of Rialto. Generally in accordance with Section 56375.3 of the Government Code, LAFCO characterizes an “island” as follows:
 - a) the land is substantially surrounded by a city, is substantially developed or developing, is not prime agricultural land, is designated for urban growth in the city’s general plan, and is not within the Sphere of Influence of another city, and
 - b) the land is located within an urban service area designated by the LAFCO, is not prime agricultural land, and is designated for urban growth in the city’s general plan, and
 - c) the land area does not exceed 150 acres.

Although islands are completely or substantially surrounded by a city, they remain under the land use and service authority of the County. The State Legislature determined that the continued existence of these islands created problems for cities, counties, island residents, adjacent city residents, and various agencies and special districts responsible for providing services and facilities. Consequently, the State modified the procedures to encourage cities to undertake island annexations by limiting the due process otherwise afforded other types of annexations.



RIALTO ISLAND ANNEXATION FAQ

- 3. Who approves an island annexation?** In this case, the City of Rialto. Although LAFCO is normally the entity responsible for approving or denying annexation requests after hearing and protest proceedings, island annexations are exempt from these stringent procedures. In 1999, the California Legislature adopted AB 1555 (codified in Government Code Section 56375.3) that encouraged cities to annex small unincorporated islands. The law allows cities to annex islands without protest proceedings or elections, provided the island meets special criteria. By law, LAFCO must approve an annexation request submitted by a city if all of the criteria mentioned in Question #2 above are satisfied.

Within 30 days of the LAFCO's resolution approving an island annexation, any person or affected agency may file a written request with the executive officer for reconsideration of the annexation proposal based on new or different facts that were not presented previously (Section 56895 of the CA Government Code).

- 4. Did the City initiate the annexation?** Yes. On November 22, 2016, the City Council adopted a Resolution initiating the filing process for annexing the five North Rialto Islands. The City took this action to fulfill a condition imposed by LAFCO Resolution No. 3222 adopted on May 18, 2016 in conjunction with the City's request to annex the Lytle Creek Ranch. Condition #4 of Resolution No. 3222 required the City of Rialto to initiate annexation of the five North Rialto Islands by May 17, 2017. If the City fails to complete the annexation of the five North Rialto Islands, then LAFCO would deny any future annexation until the City satisfied the condition. The City accepted this obligation when LAFCO allowed the City to annex land within the Lytle Creek Ranch Specific Plan.
- 5. Why did the City approve the Lytle Creek Ranch annexation given this condition?** In 2010, the City Council first approved the Lytle Creek Ranch Specific Plan and entered into a Development Agreement that obligated the City to commence annexation proceedings. The Lytle Creek Ranch Specific Plan originally consisted of 2,447 acres, with 694.2 acres within the City and 1,753.1 acres within the unincorporated County. The City's corporate boundaries meandered through the proposed community of 8,407 homes making efficient service delivery impractical without annexation into Rialto.

On May 18, 2016, the City of Rialto protested the condition obligating the City to annex the five North Rialto Islands, but expressed a willingness to negotiate terms acceptable to all parties. LAFCO imposed Condition #4 and the City conceded in order to complete the Lytle Creek Ranch annexation (LAFCO Proposal No. 3201). The City of Rialto stated that it understood the County arguments for island annexations, but preferred a more balanced



RIALTO ISLAND ANNEXATION FAQ

economic solution for accepting the new service responsibilities. The City also expressed a desire to consider the governmental preferences of island residents.

- 6. Why isn't the El Rancho Verde community included in the island annexation, didn't the Lytle Creek annexation create an island there?** When LAFCO approved the Lytle Creek Ranch annexation, it acknowledged that it created an island of approximately 212 acres. After considering the "historic opposition" by the residents of the community to annexation, and the more arduous procedures associated with a conventional annexation (i.e. larger than 150 acres), LAFCO made a finding that the County retain jurisdiction over this island. LAFCO also voted to retain County jurisdiction over the CEMEX facility surrounded on multiple sides by the City of Rialto and our sphere of influence, claiming that the City does not have policies that protect the mineral resources considered valuable to the region.
- 7. Does the City need to take any future actions?** The City of Rialto still needs to take action to approve certain components of the annexation application, including the following:

 - a) The Planning Commission must consider an amendment to the General Plan and the Rialto Zoning Code to establish land uses for the annexation area. The Planning Commission must also consider an environmental determination in accordance with the California Environmental Quality Act (CEQA). The Planning Commission then forwards its recommendation to the City Council on the General Plan and Zoning Code amendments and environmental determination. The City scheduled this hearing for April 25, 2017.
 - b) The City Council must consider the Planning Commission's recommendation to amend the General Plan and the Rialto Zoning Code to establish land uses for the annexation area and make an environmental determination. The City Council must also approve a property tax allocation agreement between the City of Rialto and the County of San Bernardino. The City has not yet scheduled this hearing.
- 8. Does the City still have the option to reject the annexation?** Yes, the City could choose to withdraw its application to LAFCO. In accordance with LAFCO Resolution No. 3222, LAFCO would thereupon preclude the City from annexing any additional land into the City.
- 9. Who benefits from annexation?** The County of San Bernardino is the primary beneficiary of the annexation. The County of San Bernardino will no longer incur costs to provide services to the islands, thereby realizing a benefit to its operating and capital budgets.



RIALTO ISLAND ANNEXATION FAQ

The County will transfer deferred capital improvement liabilities to the City without compensation to the City of Rialto.

Based upon the Plan for Services prepared by Stanley R Hoffman & Associates last year, the City of Rialto expects to incur annual operating deficits of \$518,000 to \$798,000 per year (depending upon the status of the utility tax) to provide services to the islands at the City's current service standards, and accept another \$20 million in deferred neighborhood and community infrastructure improvements. From a financial perspective, the islands represent a significant burden that Rialto and its existing constituents must absorb. In the short term, the City will address the burden by diluting public services citywide – in effect, covering the added service territory without an incremental increase in police, fire, or public works crews. Over time, with growth in revenues and possibly help from the County, the service standards may normalize.

The islands already receive some City services under mutual aid agreements for Police and Fire. Theoretically, the island residents should receive priority community services, with a nominal increase in costs. Island residents may have more influence regarding service standards for the neighborhoods with elected representation that is more sympathetic to neighborhood concerns. The City understands that many of the residents prefer the status quo.

- 10. Could LAFCO waive Condition #4 and allow the City to withdraw its annexation request – would the City consider that?** The City did not independently initiate the annexation proceedings but LAFCO conditioned the City as part of an unrelated annexation request (Lytle Creek). The City intends to fulfill its commitment to LAFCO to proceed in good faith to annex the North Rialto islands and avoid being prohibited from considering future annexations. If LAFCO proposed a waiver of the condition, the City would consider withdrawing its request.
- 11. What if I do not want to annex?** You may attend the upcoming public hearings and meetings before the City of Rialto to voice your concerns. Once the City of Rialto decides to annex the islands, the scope of the LAFCO hearing will be limited to determining whether the City of Rialto satisfied the statutory criteria for an island annexation. While LAFCO may hear your oral and written protests, it does not have the authority to deny the annexation if the City fulfills all of the statutory conditions. Therefore, your option is to direct your primary protest to the City of Rialto during the various hearings and the appointed and elected representatives will consider your testimony.



RIALTO ISLAND ANNEXATION FAQ

- 12. Will my voice in local government change?** As a City resident, you will be eligible to vote in City elections. City residents may also be eligible to run for City Council and serve on various City commissions and committees.
- 13. How can I become involved in the annexation process?** There are a number of opportunities throughout the annexation process where your voice can be heard:
- a. Community meetings held prior to finalization of the annexation proposal. Based upon the level of interest in the first meeting, the City may schedule additional meetings in the future and invite participation from outside agencies with a role in the annexation, including the County Supervisor's Office and LAFCO.
 - b. Planning Commission (scheduled for April 26th) and City Council meeting to consider zoning, compliance with the General Plan, and compliance with CEQA.
 - c. LAFCO public hearing (TBD).
- 14. How will you notify me of future public hearings on the proposed annexation?** The City will mail all directly affected and surrounding landowners notice via US Mail before the Planning Commission and City Council hearings. For more information regarding LAFCO's procedures, please visit the website at www.sbclafco.org or call: 909-388-0480.
- 15. Who are my elected County representatives in this decision?** Supervisor Josie Gonzales, Fifth District for San Bernardino County, currently represents you. Supervisor Gonzalez can be reached at: San Bernardino County Government Center, 385 N. Arrowhead Ave., Fifth Floor, San Bernardino, CA 92415-0110. Phone: (909) 387-4565 Fax: (909) 387-5392

Taxation & Fees

- 16. Will my property value increase or decrease because of annexation?** The voluntary acts of buyers and sellers in the real estate marketplace establish values, with influence from lenders, realtors, and governmental authorities. Some argue that annexation increases values because of better governmental services and localized control. Others argue that buyers assign value to the lack of governmental authority and services. The City does not have an empirical answer to this question.
- 17. Will my property taxes increase if annexed to the City?** Your property tax will not increase because of the annexation. Under the California Constitution, the County Assessor cannot assess your property at more than 1% of its value. The City does not



RIALTO ISLAND ANNEXATION FAQ

now levy any special assessments that would apply upon annexation to the annexed areas. As properties develop in the future, they may be subject to special assessments for landscaping and lighting, or other services or improvements that may be voter approved. The City will annex some existing lighting and landscaping district responsibilities.

18. **Will there be a reassessment of my property upon annexation?** No. A reassessment would not occur due to an annexation.
19. **Will I have to pay the City's Utility Tax?** The City of Rialto currently levies an 8% tax on all utilities, including electric, gas, sewer, water, phone, and cable TV services. This tax supports general fund services, including police, fire, parks, and public works. The current levy sunsets on July 1, 2018 and the City Council is considering whether to seek a public vote to extend the tax, or replace it with an alternative tax. If annexed, the newly incorporated areas will be subject to the voter-approved tax. New residents would vote on any future tax measure after annexation. The Rialto Finance Division estimates that the UUT will cost \$38.40 per month or \$460.80 annually for a typical utility user without sewer service (the actual tax depends upon your specific utility consumption).

Utility	Typical Monthly Charge	Utility Tax %	Monthly Tax
Water	\$ 80.00	8.0%	\$ 6.40
Sewer	\$ -	8.0%	\$ -
Gas	\$ 100.00	8.0%	\$ 8.00
Electricity	\$ 100.00	8.0%	\$ 8.00
Cable	\$ 70.00	8.0%	\$ 5.60
Telephone	\$ 130.00	8.0%	\$ 10.40
	=====		=====
Monthly Totals	\$ 480.00		\$ 38.40
Annual Totals	\$ 5,760.00		\$ 460.80

20. **Will I have to pay a City Business License Tax?** Yes. If you operate a business within the City of Rialto, you will pay a tax to the City in accordance with established tax schedules:

Gross Receipts	Tax
\$0.00 to \$5,000	\$25
\$5,001 to \$10,000	\$50
Over \$10,000	\$79



RIALTO ISLAND ANNEXATION FAQ

If you have a current license with the County of San Bernardino, the City will not require a City business license until your business license expiration date or one year after annexation, whichever occurs first.

21. **I have a home-based business, what will be required of me after annexation?** A home-based business is subject to a City business license and to the City's zoning requirements for a home-based business. If the County permits the home-based business under County codes, but the City's codes do not permit it, the business would become a legal non-conforming use, subject to the City's non-conforming use regulations. If the home based-business is illegal (does not have county approval or does not comply with county requirements) it is most likely to be illegal under the City's regulations and would have to comply with the Rialto Municipal Code to operate, including by securing a business license if the business is allowed under the Municipal Code. Otherwise, the City could force you to cease operations. A non-conforming use may not be expanded, increased or enlarged. If the use ceases to exist for 1 year or more it may not be re-established.
22. **Are there any other fees that I will have to pay because of annexation?** Other fees that may be applicable are:

Dog Licensing

License Type	One Year	Two Years	Three Years
Regular – dog is not altered	\$48.70	\$95.70	\$143.60
Altered – dog is spayed/neutered	\$12.10	\$23.90	\$35.80
Senior Citizen – dog is not altered	\$24.30	\$47.70	\$71.60
Senior Citizen – dog is altered	\$6.00	\$11.80	\$17.60

Alarm Fees

Residential Annual Permit Fee:	\$18.20
1 st and 2 nd False Alarm:	No Fine
3 rd False Alarm:	\$91.30;
4 th False Alarm:	\$121.80;
5 th False Alarm and above:	\$152.20 each

Commercial Annual Permit Fee:	\$24.30
1 st and 2 nd False Alarm:	No Fine
3 rd False Alarm:	\$121.80;
4 th False Alarm:	\$182.70;
5 th False Alarm and above:	\$243.60 each

Zoning and Land Use



RIALTO ISLAND ANNEXATION FAQ

- 23. How will the zoning on my property change after annexation?** Zoning will conform to the pre-zoning designation, which is Single Family Residential (R-1A) for all parcels except one located within Island No. 4. In June 2017, one of the property owners filed a request to construct an industrial project. A portion of the project site is located within Island No. 4. The City must revise the Annexation application to include a Zone Change as a result of the request. The Environmental analysis must also be modified as a result of the request. The project will be scheduled for review by the Planning Commission when all of the applications and the Environmental Assessment is complete. The Commission will make a recommendation to the City Council to either approve or deny the Annexation request. Structures legally built to the County zoning standards with a permit will be legal in Rialto. Any structure built without a valid County permit will become an illegal non-conforming use after annexation. A map showing the existing County zoning and a matrix comparing the County zoning standards with the City zoning standards is attached to this FAQ.
- 24. How will annexation affect my pets and/or livestock?** The City regulates the keeping of livestock and fowl on residential properties. The City permits cats, dogs, and horses within residential zones with certain restrictions. The keeping of other types of animals permitted under the County zoning designation, but not permitted under the City zoning designation would create a legal non-conforming use. Such uses would exist until the property is sold or the use ceases to exist for 1 year or more. If either occurs, the owner will be expected to achieve conformance with the City's regulations.
- 25. Will the City honor a County of San Bernardino building permit?** Yes, a building permit issued by the County for a property subsequently annexed to the City will remain valid for the life of the building permit, including renewals, if construction starts prior to annexation. If you have a building permit from the County, but have not yet commenced construction, or if your permit has been suspended, revoked, or expired, a new permit would be required from the City of Rialto.
- 26. How do the County and City enforce land use, health, and fire codes to maintain the safety and value of the property?** Both the County and cities operate "code compliance" programs to enforce local ordinances dealing with such issues as weeds, animals, noise, dilapidated structures, and similar property issues. The City will provide code compliance services to the annexed area with an initial focus on health and safety conditions. The City will otherwise respond to resident complaints.
- 27. What happens to my street address after annexation?** The existing addresses may change upon annexation to ensure that emergency responders will locate the property address without unnecessary delay. The City will issue a formal letter to all affected property owners, listing the former address and APN, and specifying the new address because of the annexation that can be used for real estate, banking, and other transactions that require address verification.
- 28. Can the City approve an annexation agreement with the residents that binds future City**



RIALTO ISLAND ANNEXATION FAQ

Councils? No. The City Council may adopt a resolution stating its current commitment to annex an area as a written reference for future City Councils, but cannot bind future City Councils. A future City Council can modify any resolution with a majority vote at a public meeting.

Public Services

29. **Will my service providers change after annexation?** Once annexed to the City, the City will provide municipal services such as police, building inspection, maintenance of public roads and infrastructure, public works, parks and recreation, and sewer. Other services, such as water, gas, & electric, and cable will continue to be provided by your current service providers.
30. **Will there be a change in my garbage collection services?** Burrtec Disposal provides garbage service to Rialto residents. Residential service costs \$84.03 per quarter.
31. **Will annexation change where my children go to school?** The annexation will not affect school district boundaries and your children will go to the same school.
32. **Will I be required to install curbs, gutters, and sidewalks?** The City requires construction of frontage improvements such as curbs, gutters, and sidewalk upon new construction. If you do not seek a permit for new construction, then the City will not require you to construct frontage improvements.
33. **When will the City maintain my streets? Or, will it add sidewalks, streetlights or other basic amenities?** The County will not provide any funding to repair, replace, or install missing or deteriorated improvements. Consequently, the City must budget for these costs after consideration of all community needs. Many existing areas of the City lack basic infrastructure. The City makes no promise or timetable to address these needs in the annexation areas but will consider them annually as part of the Capital Improvement budget.
34. **Do I have to annex to the City sewer service?** The Government Code allows for “out of agency service” so your property can continue with a septic system without connecting to the City sewer system. If there is an existing or impending threat to the health and safety of the public (e.g., failed septic system), the County Environmental Health Department may require you to connect to a sewer system. The City is researching whether a State law overrides our policy in Rialto. If not, Rialto will provide a written letter to all affected property owners that the City of Rialto will not require a sewer connection.
35. **Will I be required to hook up to public sewer and/or water?** You can continue to use a septic system after annexation. The City will allow continued use of an existing septic system unless the County Environmental Health Department detects a health problem. If your property is already connected to a City sewer line, there will be no change in cost



RIALTO ISLAND ANNEXATION FAQ

or service.

The City's Sewer Ordinance requires that a property owner connect to the City's sewer main if the nearest plumbing outlet is within 200 feet of the sewer main. The Ordinance holds this requirement in abeyance so long as the existing septic system continues to function. The County Environmental Health Department makes the determination if the existing septic system is functioning. If the plumbing outlet of the property is more than 200 feet from a sewer main, the County Environmental Health Department will determine whether you may reconstruct your septic system.

36. What does it cost to connect to City sewer and does the city offer any financial assistance? The cost to connect to the City of Rialto sewer system is as follows:

- a. Residential-single family home is \$5,138 per unit;
- b. Multiple dwelling unit is \$4,405 per unit; and
- c. Non-residential charges vary depending upon the volume and quality of discharge.

The connection fees include the costs of extending sewer lines and for treatment at the City wastewater treatment plant. In addition, sewer users must pay a monthly charge of \$61.27 per single family or multi-family unit.

The City would consider establishing a special district that would finance the cost of connecting to the City sewer. Residents would repay the connection fees on their property tax bills.

37. Are cities more prone to financial distress than counties? Because counties are generally larger with more diverse revenue streams, they are arguably less susceptible to financial distress that would result in service reductions. Cities encounter financial stress during recessionary periods and often reduce service levels as a means of balancing the budget. As noted above, this annexation is a financial burden to Rialto that will increase our financial risk.



RIALTO ISLAND ANNEXATION FAQ

ANNEXATION AREA MAP




RIALTO ISLAND ANNEXATION FAQ

ZONING COMPARISON MATRIX

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: NOVEMBER 6, 2017 
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #8: Authorize LAFCO Staff to Conduct the Special District Selection Process for Membership on the San Bernardino County Oversight Board

RECOMMENDATION:

Staff recommends that the Commission take the following actions related to amendment of its Policy and Procedure Manual:

1. Authorize LAFCO staff to conduct the Special District selection process pursuant to Government Code Section 56332 to fill the seat of a regular and alternate member of the San Bernardino County Oversight Board and to bill the San Bernardino County Auditor Controller for all costs of processing;
2. Amend Policy #4 in Section VI – Special Districts, to correct code citation to read as follows:

The business of the Special Districts Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56332(f).

3. Add Policy #5 in Section VI – Special Districts to read as follows:

5. SELECTION OF INDEPENDENT SPECIAL DISTRICT REPRESENTATIVES (REGULAR AND ALTERNATE) TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD

Effective July 1, 2018, the redevelopment oversight boards in each county in the State of California will be consolidated into one seven-member board (Health & Safety Code § 34179(j)). One of the members of the consolidated board “may be

appointed by the independent special district selection committee established under Government Code Section 56332 for the types of special districts that are eligible to receive property tax revenues pursuant to the redevelopment agency (RDA) dissolution law. The Auditor-Controller/Treasurer/Tax Collector for San Bernardino County has requested that such representatives (regular and alternate) be selected.

Only the agencies that receive RDA funding are deemed eligible agencies for the purposes of appointing a special district representative and alternate to the countywide redevelopment oversight board per Health and Safety Code Section 34179(j)(3) and must be members of the Special Districts Selection Committee for San Bernardino County per Government Code Section 56332. In addition, eligibility requires special districts that have territory in the territorial jurisdiction of a former RDA and are eligible to receive property tax residual for the Redevelopment Property Tax Trust Fund (RPTTF) may serve on the new Oversight Board. In San Bernardino County, the committee members for the RPTTF-qualifying districts are:

<i>29 Palms Cemetery District</i>	<i>Inland Empire Utilities Agency</i>
<i>Apple Valley Fire Protection District</i>	<i>Lake Arrowhead Community Services District</i>
<i>Barstow Cemetery District</i>	<i>Mojave Desert RCD</i>
<i>Bear Valley Community Health Care</i>	<i>Mojave Water Agency</i>
<i>Big Bear Airport District</i>	<i>Monte Vista County Water District</i>
<i>Big Bear Municipal Water District</i>	<i>San Bernardino Valley Water Conservation District</i>
<i>Chino Basin Water Conservation District</i>	<i>San Bernardino Mountains Community Healthcare District</i>
<i>Chino Valley Independent FPD</i>	<i>San Bernardino Valley Municipal Water District</i>
<i>Crestline-Lake Arrowhead Water Agency</i>	<i>West Valley Water District</i>
<i>Hesperia Park and Recreation District</i>	<i>Yucaipa Valley Water District</i>
<i>Hi-Desert Water District</i>	<i>Morongo Basin Healthcare District (formerly known as the Hi-Desert Memorial Hospital District)</i>
<i>Inland Empire Resource Conservation District</i>	

The San Bernardino LAFCO Executive Officer is responsible for conducting the business of the Special Districts Selection Committee for the RPTTF-qualifying appointment and pursuant to local procedures the committee's business shall conducted by mail to nominate and appoint a representative and alternate. Elections by mail shall be conducted in accordance with Government Code Section 56332(f). The independent special district members appointed to the consolidated redevelopment oversight board shall be appointed by a majority of those RPTTF-qualifying committee members voting once a quorum has been established. The terms of office for regular and alternate committee members shall be staggered by action of the Oversight Board following its reorganization in July 2018.

4. Adopt Resolution No. 3254 approving the changes to Section VI – Special Districts, Chapter 1 – Introduction and Policies of the Policy and Procedure Manual and direct the Executive Officer to make the amended document available on the Commission’s website and circulate as required.

BACKGROUND:

On September 25, 2017 LAFCO staff received a letter from Mr. Oscar Valdez, Auditor-Controller/Treasurer/Tax Collector for San Bernardino County, requesting that LAFCO conduct the selection process for the independent special district representative for the San Bernardino County Oversight Board (copy included as Attachment #1). As the letter outlines, SB 107, adopted in 2015, amended the parameters for managing the dissolved Redevelopment Agencies in California. In this instance, it specified that as of July 1, 2018 the 26 separate Oversight Boards within San Bernardino County will be consolidated into a single Oversight Board. Following the 2016 CALAFCO Annual Conference, LAFCO staff distributed and reviewed with the Commission the White Paper collaboratively developed between the California Special Districts Association and CALAFCO outlining the changes SB 107 required for Oversight Boards (copy included as Attachment #2).

As the letter indicates, staff participated in a meeting on August 14, 2017 to review the request of the County to set the process in motion, the questions of staff on how to proceed and the need to identify policies and procedures to implement the request. At that time, staff indicated that an official letter from the County was needed to begin the process. That process is outlined in the proposed new policy outlined as follows:

Effective July 1, 2018, the redevelopment oversight boards in each county in the State of California will be consolidated into one seven-member board (Health & Safety Code § 34179(j)). One of the members of the consolidated board “may be appointed by the independent special district selection committee established under Government Code Section 56332 for the types of special districts that are eligible to receive property tax revenues pursuant to the redevelopment agency (RDA) dissolution law. The Auditor-Controller/Treasurer/Tax Collector for San Bernardino County has requested that such representatives (regular and alternate) be selected.

Only the agencies that receive RDA funding are deemed eligible agencies for the purposes of appointing a special district representative and alternate to the countywide redevelopment oversight board per Health and Safety Code Section 34179(j)(3) and must be members of the Special Districts Selection Committee for San Bernardino County per Government Code Section 56332. In addition, eligibility requires special districts that have territory in the territorial jurisdiction of a former RDA and are eligible to receive property tax residual for the Redevelopment Property Tax Trust Fund (RPTTF) may serve on the new

Oversight Board. In San Bernardino County, the committee members for the RPTTF-qualifying districts are:

<i>29 Palms Cemetery District</i>	<i>Inland Empire Utilities Agency</i>
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<i>Hesperia Park and Recreation District</i>	<i>West Valley Water District</i>
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<i>Inland Empire Resource Conservation District</i>	<i>Morongo Basin Healthcare District (formerly known as the Hi-Desert Memorial Hospital District)</i>

The San Bernardino LAFCO Executive Officer is responsible for conducting the business of the Special Districts Selection Committee for the RPTTF-qualifying appointment and pursuant to local procedures the committee's business shall be conducted by mail to nominate and appoint a representative and alternate. Elections by mail shall be conducted in accordance with Government Code Section 56332(f). The independent special district members appointed to the consolidated redevelopment oversight board shall be appointed by a majority of those RPTTF-qualifying committee members voting once a quorum has been established. The terms of office for regular and alternate committee members shall be staggered by action of the Oversight Board following its reorganization in July 2018.

LAFCO staff anticipates conducting the selection process for the Oversight Board at the same time we conduct the selection process for the Independent Special District representatives for the Commission. That timeline and the standard procedures for processing were forwarded to the County representatives for review and comment; as of the preparation of this report no comment had been received. The process is outlined as follows:

1. The nomination period is anticipated to be opened the last week of January 2018 through the delivery of a certified mailed request. The law requires that the period be a minimum of 30 days. We allow for the submission of faxed or emailed copies of the nomination form to be accepted within the 30-day period but the original must be filed with 5 working days after the close of the period otherwise the nomination will be excluded.

2. LAFCO staff will prepare a ballot form based upon the submitted nominations and provide the mailing by certified mail as required by law.
3. It is anticipated that by mid-March the official ballot will be mailed by certified mail which requires that the selection be made at a Board hearing by roll call vote. This period will also be for a minimum of 30 days (however, LAFCO staff has typically provided 32-35 days so that meeting schedules can be accommodated). Submission would be sometime in April.
4. A quorum is required for selection. In the case of the Oversight Board that will be the submission of ballots from the listing provided outlined above which excludes the Riverside Corona RCD and Metropolitan Water District as San Bernardino LAFCO is not the principal county for those agencies, and they have no standing in the San Bernardino County Special District Selection Committee; so there are 23 districts and 12 will be a quorum.
5. Should a quorum not be achieved during the balloting process, LAFCO staff will extend the voting period an additional 30 days before declaring the appointment for regular and alternate members of the Oversight Board.

In addition, while staff was reviewing the policies it was noted that Policy #4 of Section VI- Special Districts, Chapter 1 Introduction and Policies contained an incorrect code citation. As a part of this review, staff is recommending that Policy #4 be amended as follows:

The business of the Special Districts Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56332(e)(1)(f).

CONCLUSION:

At this hearing, staff is requesting authorization to conduct the required election, adopt policies and procedures as outlined above, and request that the County reimburse the Commission for the cost of conducting the election. As noted above, staff has reviewed these questions with representatives of the Auditor-Controller's office, the County's Community Development and Housing Department and County Counsel. Therefore, staff is recommending that the Commission approve the amendment to the Policy and Procedure Manual setting forth the operations for selection of the Independent Special District member of the County Oversight Board. LAFCO staff will be happy to answer any questions on this item prior to or at the hearing.

KRM/

Attachments:

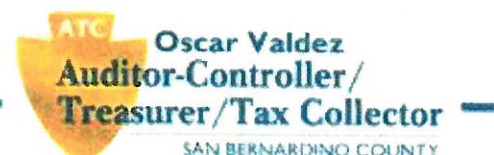
1. Letter from Oscar Valdez, Auditor-Controller/Treasurer/Tax Collector including listing of eligible participants
2. White Paper Entitled "*Countywide RDA Oversight Board Special District Appointments*"
3. Draft LAFCO Resolution No. 3254 Approving Amendments to Policy and Procedure Manual

**Letter from
Oscar Valdez, Auditor-
Controller/Treasurer/Tax
Collector including listing of
eligible participants**

Attachment 1

AUDITOR-CONTROLLER/ TREASURER/TAX COLLECTOR

- ☒ 268 West Hospitality Lane, Fourth Floor
San Bernardino, CA 92415-0018 • (909) 387-8322 • Fax (909) 890-4045
- ☐ 268 West Hospitality Lane, First Floor
San Bernardino, CA 92415-0360 • (909) 387-8308 • Fax (909) 890-5797



Matt Brown
Assistant Auditor-Controller/Treasurer/Tax Collector

John Johnson
Assistant Auditor-Controller/Treasurer/Tax Collector

September 25, 2017

Kathleen Rollings-McDonald, Executive Officer
Local Agency Formation Commission
1170 West Third Street, Unit 150
San Bernardino, CA 92415-0490

RE: INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE APPOINTMENT TO
THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD

Dear Ms. Rollings-McDonald:

In accordance with Senate Bill No. 107 (SB 107), Health and Safety Code (HSC) Section 34179(j), the 26 oversight boards currently in place in San Bernardino County will consolidate into one San Bernardino Countywide Oversight Board effective July 1, 2018. Pursuant to HSC Section 34179(j)(3), one member of the San Bernardino Countywide Oversight Board may be appointed by the Independent Special District Selection Committee established pursuant to Government Code Section 56332, for the types of special districts that are eligible to receive property tax revenues pursuant to HSC Section 34188.

Pursuant to Government Code Section 56332(b), the LAFCO Executive Officer is responsible for calling and giving written notice of all meetings of the members of the selection committee when a vacancy exists. This letter serves as a formal request for you to conduct the notification and election process for the San Bernardino Countywide Oversight Board seat that needs to be appointed by the Independent Special District Selection Committee.

It is our desire to have all appointments in place by February 1, 2018 to allow sufficient time to perform training and finalize procedures prior to July 1, 2018; however, we understand, per our meeting on August 14, 2017, and previous discussions, that you anticipate performing the election concurrently with the Commissioners election. Please provide us with a draft of the notification and election timeline once it is available so we can plan accordingly.

To ensure a quorum for each meeting, we also recommend the Independent Special District Selection Committee select an alternate appointee to serve on the San Bernardino Countywide Oversight Board in the event the primary appointee is not available. Please review and take into consideration the Committee's bylaws along with HSC Section 34179(a)(11) to see if this option is feasible.

HSC Section 34179(a)(11) states: Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.

My office prepared the attached spreadsheet that identifies the independent special districts that are eligible to receive property tax revenues pursuant to HSC Section 34188 for your reference.

I have selected the Community Development and Housing Agency to staff the San Bernardino Countywide Oversight Board under the oversight of the Auditor-Controller/Treasurer/Tax Collector; however, both departments will be working closely together during the implementation phase and are available to address any concerns you may have.

Please forward an invoice for any costs you incur directly to:

Community Development and Housing Agency
ATTN: Rebecca Wynn, IOM Code #0043
385 N. Arrowhead Avenue, Third Floor
San Bernardino, CA 92415-0043

If you have any questions, please feel free to contact Gary Hallen, Director, Community Development and Housing, at (909) 387-4411 or Linda Santillano, Property Tax Manager, Auditor-Controller/Treasurer/Tax Collector's office at (909) 382-3189. All questions pertaining to the property tax distributions to independent special districts should be directed to the attention of Ms. Santillano or her staff at the Auditor-Controller/Treasurer/Tax Collector's office.

Thank you for your cooperation in this matter.

Sincerely,



Oscar Valdez
Auditor-Controller/Treasurer/Tax Collector
San Bernardino County

OV:JMJ:LS:ap

cc: Dena Fuentes, Deputy Executive Officer, Community Development and Housing
Gary Hallen, Director, Community Development and Housing
Rebecca Wynn, Housing Project Manager, Community Development and Housing
Robert Messinger, Principal Assistant County Counsel
Phebe Chu, Deputy County Counsel

Attachment

SAN BERNARDINO COUNTY AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR
REDEVELOPMENT PROPERTY TAX TRUST FUND (RPTTF) DISTRIBUTIONS TO SELF GOVERNED SPECIAL DISTRICTS
FISCAL YEAR 2011-12 thru 2016-17

AGENCY	PASS-THRU PAYMENTS	RESIDUAL PAYMENTS	DUE DILIGENCE REVIEW (DDR) PAYMENTS *	ASSET LIQUIDATION PAYMENTS *	TOTAL
29 PALMS CEMETERY DISTRICT	\$ 143,972.51	\$ 9,859.99	\$ 37,358.43	\$ -	\$ 191,190.93
APPLE VALLEY FIRE PROTECTION DISTRICT	3,232.819	244,572	1,093,902	-	4,571,293
BARSTOW CEMETERY DISTRICT	13,995	59,489	19,330	1,207	94,022
BEAR VALLEY COMMUNITY HOSPITAL DISTRICT	528,344	85,137	162,248	-	775,729
BIG BEAR CITY AIRPORT DISTRICT	73,575	442,769	210,965	-	727,309
BIG BEAR MUNICIPAL WATER DISTRICT	412,395	1,035,814	549,877	-	1,998,086
CHINO BASIN WATER CONSERVATION DISTRICT	469,749	2,976,883	1,417,996	20,570	4,885,198
CHINO VALLEY INDEPENDENT FIRE DISTRICT	225,009	4,194,520	543,582	-	4,963,111
CRESTLINE-LAKE ARROWHEAD WATER AGENCY	28,594	29,115	11,847	41	69,597
HESPERIA PARK DISTRICT	4,234,446	80,458	184,467	-	4,499,372
HI-DESERT COUNTY WATER DISTRICT	921,196	79	39,908	-	961,183
HI-DESERT MEMORIAL HOSPITAL DISTRICT	151,036	71,055	47,051	-	269,142
INLAND EMPIRE JOINT RESOURCE CONSERVATION DISTRICT	1,031,238	1,451,094	663,881	17,494	3,163,706
INLAND EMPIRE UTILITIES AGENCY	53,726,187	8,101,138	13,614,437	222,824	75,664,586
LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT	57,370	41,934	91,992	342	191,639
METROPOLITAN WATER AGENCY	508,958	1,916,452	-	-	2,425,410
MOJAVE DESERT RESOURCE CONSERVATION DISTRICT	101,115	23,547	21,043	107	145,812
MOJAVE WATER AGENCY	1,677,209	132,522	168,161	1,004	1,978,896
MONTI VISTA COUNTY WATER DISTRICT	458,522	1,295,973	590,072	-	2,344,567
RIVERSIDE CORONA RESOURCE CONSERVATION DISTRICT	51,058	28,129	16,820	3,714	99,721
SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT	23,787	162,683	21,760	77	208,308
SAN BERNARDINO MOUNTAINS COMMUNITY HOSPITAL DISTRICT	14,845	10,852	23,797	89	49,582
SAN BERNARDINO VALLEY MUNICIPAL WATER	79,311,425	28,784,910	1,303,498	190,143	109,589,977
WEST VALLEY WATER DISTRICT	1,390,900	946,837	297,717	69,385	2,704,839
YUCAIPA VALLEY WATER DISTRICT	-	197,915	14,851	-	212,766
TOTAL	\$ 148,787,745	\$ 52,323,736	\$ 21,146,563	\$ 526,997	\$ 222,785,042

Note:
 * Due Diligence Review (DDR) and Asset Liquidation remittances represent one time monies whereas pass-thru and residual payments, if sufficient funds are available, will continue until the RDA Successor Agency has paid off all enforceable obligations and is officially dissolved.

**White Paper Entitled
“Countywide RDA Oversight
Board Special District
Appointments”**

Attachment 2



**California Special
Districts Association**
Districts Stronger Together



COUNTYWIDE RDA OVERSIGHT BOARD SPECIAL DISTRICT APPOINTMENTS

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS
Last Updated: September 27, 2016



**California Special
Districts Association**
Districts Stronger Together



DISCLAIMER:

This publication is provided for general information only and is not offered or intended as legal advice. Readers should seek the advice of an attorney when confronted with legal issues and attorneys should perform an independent evaluation of the issues raised in these materials.

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ACKNOWLEDGEMENTS:

In preparing this paper, CSDA and CALAFCO greatly benefited from individuals who were generous with their time and insightful with their views. Members of our working group held background experience as special district general managers and directors of finance, local agency formation commission executive officers, RDA oversight board representatives, and attorneys.

CSDA and CALAFCO extend sincere appreciation to the individuals on our joint working group, who significantly contributed to the development of this guide. The contributions of the following people were invaluable:

Gary Bell
Attorney at Law
Colantuono, Highsmith & Whatley, PC

José C. Henríquez,
Executive Officer
El Dorado County Local Agency Formation Commission

Shane McAfee
General Manager
Greater Vallejo Recreation and Park District

Keene Simonds
Executive Officer
Marin County Local Agency Formation Commission

Charles Turner
Director of Finance
Eastern Municipal Water District



On July 1, 2018, more than 400 redevelopment agency (RDA) oversight boards will be consolidated into just one oversight board per county (and five oversight boards in Los Angeles County). When this occurs, each county's Independent Special Districts Selection Committee will be granted the authority to appoint one special district representative to that county's respective oversight board.

If the Independent Special District Selection Committee in a county fails to act by July 15, 2018, the governor will make the appointment on its behalf. Therefore, it is important that the special districts in each affected county, and the Local Agency Formation Commissions (LAFcos) that administer the operations of the Independent Special Districts Selection Committees, take proactive steps to ensure a successful locally-controlled appointment process.

Much is at stake in the decisions that go before oversight boards. In fiscal years 2015-16 and 2016-17 combined, the governor's 2016 May Revise estimated special districts will receive \$316 million in property tax restoration due to the continued wind down of RDAs. Oversight board actions could affect the amount and speed of future property tax restorations to special districts and other local agencies.

Due to the newness and uniqueness of the statute providing for countywide oversight boards, the many cross-references within the statute, and the lack of familiarity most LAFcos and special districts have with the Health and Safety Code in which the statute is included, the authorizing language for special district appointments may be challenging to some local officials.

For these reasons, the California Special Districts Association (CSDA) and California Local Agency Formation Commission (CALAFCO) convened a working group to outline the process for appointing special district representatives to countywide oversight boards, and to provide guidance on potential questions related to that process.

COUNTIES REQUIRING A COUNTYWIDE OVERSIGHT BOARD

The following thirty-seven counties have two or more oversight boards that will be consolidated into one countywide oversight board on July 1, 2018 (except for Los Angeles County, which will be consolidated into five oversight boards):

- | | | |
|--|-------------------|-----------------|
| • Alameda | • Monterey | • Santa Barbara |
| • Butte | • Mendocino | • Santa Clara |
| • Contra Costa | • Merced | • Santa Cruz |
| • Fresno | • Nevada | • Shasta |
| • Humboldt | • Orange | • Solano |
| • Imperial | • Placer | • Sonoma |
| • Kern | • Riverside | • Stanislaus |
| • Kings | • Sacramento | • Sutter |
| • Lake | • San Bernardino | • Tulare |
| • Los Angeles (five
oversight boards) | • San Diego | • Ventura |
| • Madera | • San Joaquin | • Yolo |
| • Marin | • San Luis Obispo | • Yuba |
| | • San Mateo | |

Of the counties noted above, the following eleven counties do not currently have an Independent Special Districts Selection Committee in place. Therefore, the special districts and LAFco in each of these counties will need to form an Independent Special Districts Selection Committee in order to facilitate the appointment of a special district representative to the new countywide RDA oversight board:

- | | | |
|------------|---------------|----------|
| • Fresno | • Merced | • Tulare |
| • Imperial | • San Joaquin | • Yolo |
| • Kings | • Solano | • Yuba |
| • Madera | • Stanislaus | |



SPECIAL DISTRICT REPRESENTATIVE APPOINTMENT PROCESS

The statutory authorization for appointing the special district representative to a countywide oversight board is found in Health and Safety Code 34179, which can be found in the appendix. This publication overviews the application of this authority in conjunction with the relevant code sections cross-referenced to the Cortese-Knox-Hertzberg Act or "LAFCo Law" in the Government Code.

On July 1, 2018, counties with 2 – 39 individual RDA oversight boards will be consolidated into one countywide oversight board. Upon consolidation, the county's Independent Special District Selection Committee is responsible for appointing the special district representative to the new countywide oversight board. The Independent Special District Selection Committee consists of the presiding officer of the legislative body of each independent special district or district-appointed alternate (Government Code Section 56332(a)).

Procedures

The LAFCo Executive Officer/Designee is responsible for calling and giving written notice of meetings of the Independent Special District Selection Committee, at which a representative may be appointed to the countywide RDA oversight board. (Government Code Section 56332(b)).

- A majority of the Independent Special District Selection Committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot (Government Code Section 56332(e)).

If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer/designee determines that a meeting of the special district selection committee, for the purpose of selecting the special district members or filling vacancies, is not feasible, the executive officer/designee shall conduct the business of the committee by mail. Elections by mail shall be conducted as follows (Government Code Section 56332(f)):

- 1) The executive officer/designee shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.
- 2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer/designee shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the executive officer/designee by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer/designee mailed the ballot to the eligible district.
- 3) The call for nominations, ballot, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer/designee, with prior concurrence of the presiding officer or his or her alternate as designated by the governing body, may transmit materials by electronic mail.
- 4) If the executive officer/designee has transmitted the call for nominations or ballot by electronic mail, the presiding officer, or his or her alternate as designated by the governing body, may respond to the executive officer/designee by electronic mail.



- 5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.
- 6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer/designee after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer/designee shall extend the date to submit ballots by 60 days and notify all districts of the extension. The executive officer/designee shall announce the results of the election within seven days of the date specified.
 - A quorum is the majority of members representing eligible districts (Government Code Section 56332(a))
- 7) All election materials shall be retained by the executive officer/designee for a period of at least six months after the announcement of the election results

Eligibility Requirements

Members appointed by the independent special district selection committee shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county (Government Code Section 56332(c)).

- Special district appointees to current individual oversight boards (pre consolidation into countywide oversight boards) are not restricted to members of the legislative body of the district.

There is no clear indication that the members appointed by the selection committee must be located in a former RDA. However, it could be implied by Health and Safety Code Section 34179(j)(3).

- Current individual oversight boards (prior to consolidation into countywide oversight boards) limit eligibility to special districts that have territory in the territorial jurisdiction of the former RDA and are eligible to receive property tax residual from the RPTTF: "One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188" (Health and Safety Code Section 34179(a)(3)(A)).

Based on Health and Safety Code Section 34179(j)(3), the committee should appoint a representative from a special district that receives property tax residual from the Redevelopment Property Tax Trust Fund (RPTTF).

- Health and Safety Code Section 34179(j)(3) reads in full: "One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188."

Deadlines and Vacancies

If no one is appointed by July 15, 2018, the governor may appoint an individual on behalf of the Independent Special District Selection Committee. The governor may also appoint individuals for any member position that remains vacant for more than 60 days (Health and Safety Code Section 34179(k)).



Notification Requirements

Health and Safety Code Section 34179(j) does not include notification requirements of the selected special district appointee. However, the current individual oversight boards (prior to consolidation into countywide oversight boards) were required to elect one of their members as the chairperson and report the name of the chairperson and other members to the Department of Finance (Health and Safety Code Section 34179(a)). Additionally, the LAFCo Executive Officer/Designee must announce the results of an Independent Special District Selection Committee election within seven days (Government Code Section 56332(f)(6)).

Counties with Only One Individual Oversight Board

In each county where only one individual RDA oversight board exists, as of July 1, 2018, there will be no consolidation into a countywide oversight board and no change to the composition of the existing oversight board (Health and Safety Code Section 34179(l)).

Counties with 40 or More Individual Oversight Boards

In each county where 40 or more individual oversight boards exist (Los Angeles County), as of July 1, 2018, there will be a consolidation into five oversight boards. The special district membership of each oversight board shall be selected as outlined in Health and Safety Code Section 34179(j)(3) via the Independent Special District Selection Committee process (Health and Safety Code Section 34179(q)(1)).

The consolidated oversight boards in this county shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Each oversight board shall have jurisdiction over each successor agency located within its borders (Health and Safety Code Section 34179(q)(2)).

- If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date (Health and Safety Code Section 34179(q)(3)).

Health and Safety Code Section 34179(q) does not specify if the city and special district appointees must be from an agency located in the respective supervisorial seat.

POTENTIAL QUESTIONS

What if my county does not currently have an Independent Special District Selection Committee?

In the case where more than one successor agency exists within the county, an Independent Special District Selection Committee shall be created pursuant to Government Code Section 56332. Each independent special district shall appoint a member representative to the committee and notify the LAFCo of the appointed member. The LAFCo shall then call and conduct a meeting of the committee, pursuant to Section 56332, for purposes of appointing a representative to the countywide RDA oversight board.



Does the Independent Special District Selection Committee also select an alternate, as it does with LAFCo commissioners? How should a vacancy be addressed?

The strictest interpretation of the statute only authorizes the appointment of one person, but a reasonable argument can be made for the appointment of an alternate. The Legislature expressly incorporated Government Code Section 56332 without elaboration, and that section allows for alternates.

Health and Safety Code Section 34179 does not mention alternates for the countywide oversight boards, but does allow each appointing authority to appoint an alternate for the current individual oversight boards (prior to the consolidation into a countywide oversight board) (Health and Safety Code Section 34179(a)(11)). The selection process outlined in Government Code Section 56332(c) includes the selection of an alternate for the commission.

To resolve any ambiguity, the Independent Special District Selection Committee may choose to adopt local policies, pursuant to its authority in Government Code section 56332, expressly authorizing the appointment of an alternate.

If the LAFCo Executive Officer/Designee anticipates a vacancy will occur – or if an actual vacancy occurs – an election may be held for a representative to the countywide oversight board (Government Code section 56332(b)).

What is the term of an appointment to the countywide RDA oversight board?

Nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that “Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.”

Can an appointee be replaced mid-term?

Yes; nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that “Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.”

Can the Independent Special District Selection Committee replace a special district representative appointed by the governor due to a vacancy?

While not clearly outlined within the relevant statutes, the intent of having locally appointed representatives on the oversight board is undermined if the law is interpreted such that seats could become, essentially, permanent representatives of the governor.

That being said, Independent Special District Selection Committees are strongly encouraged to appoint a representative no later than July 15, 2018, and within 60 days of any vacancy thereafter, in order to avoid this potential question.

What should a LAFCo do where the law is not explicit as to the process for appointments to the countywide RDA oversight board?

LAFCOs should adopt local commission policies. Government Code Section 56300 allows LAFCOs to adopt local policies either to clarify requirements or specify how a LAFCo will implement State law taking into account the local conditions. Case law has also indicated that these policies are allowed so long as they are not in conflict with State law.



**California Special
Districts Association**
Districts Stronger Together



For example, Government Code 56325(d) indicates that, notwithstanding any other provision of the Cortese-Knox-Hertzberg Act, each LAFCo can appoint one member and one alternate member who represents the public at large. The same section goes on to specify that the appointment of the public and alternate members must be subject to an affirmative vote of at least one of the members from the other appointed authorities; and it also specifies the noticing requirements to announce the vacancy in this position. Section 56325(d) does not contain any direction for the process of appointing public members, nor does it have an indication of the vetting process for candidates eligible to be appointed to this position. With this unclear in the law, some LAFCOs have adopted policies to clarify and indicate the basic appointment process.

LAFCOs may establish local policies for appointing special district representatives to the countywide RDA oversight board, so long as they are not in conflict with State law.

DEFINITIONS

Taxing entities

Cities, counties, a city and county, special districts, and school entities, as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code, that receive passthrough payments and distributions of property taxes pursuant to the provisions of this part (Health and Safety Code Section 34171(k)).

Executive officer

The executive officer or designee as authorized by the Local Agency Formation Commission (Government Code Section 56332(g)).



APPENDIX

HEALTH AND SAFETY CODE

DIVISION 24. COMMUNITY DEVELOPMENT AND HOUSING [33000 - 37964] (*Heading of Division 24 amended by Stats. 1975, Ch. 1137.)*

PART 1.85. DISSOLUTION OF REDEVELOPMENT AGENCIES AND DESIGNATION OF SUCCESSOR AGENCIES [34170 - 34191.6] (*Part 1.85 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)*

CHAPTER 4. Oversight Boards [34179 - 34181] (*Chapter 4 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)*

34179. (a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

(1) One member appointed by the county board of supervisors.

(2) One member appointed by the mayor for the city that formed the redevelopment agency.

(3) (A) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.

(B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.

(4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public appointed by the county board of supervisors.

(7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time. In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor agency or community for purposes of Section 1090 of the Government Code.

(8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.

(9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.



(10) If a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, if that appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city if that appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(11) Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.

(b) The governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's and the successor agency's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight board members shall serve without compensation or reimbursement for expenses.

(d) Oversight board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974. All actions taken by the oversight board shall be adopted by resolution.

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) (1) The department may review an oversight board action taken pursuant to this part. Written notice and information about all actions taken by an oversight board shall be provided to the department as an approved resolution by electronic means and in a manner of the department's choosing. Without abrogating the department's authority to review all matters related to the Recognized Obligation Payment Schedule pursuant to Section 34177, oversight boards are not required to submit the following oversight board actions for department approval:

(A) Meeting minutes and agendas.

(B) Administrative budgets.

(C) Changes in oversight board members, or the selection of an oversight board chair or vice chair.

(D) Transfers of governmental property pursuant to an approved long-range property management plan.



(E) Transfers of property to be retained by the sponsoring entity for future development pursuant to an approved long-range property management plan.

(2) An oversight board action submitted in a manner specified by the department shall become effective five business days after submission, unless the department requests a review of the action. Each oversight board shall designate an official to whom the department may make those requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. Except as otherwise provided in this part, in the event that the department requests a review of a given oversight board action, it shall have 40 days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and the oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future Recognized Obligation Payment Schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Except as specified in subdivision (q), commencing on and after July 1, 2018, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board, which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. Pursuant to Section 34183, the county auditor-controller may recover directly from the Redevelopment Property Tax Trust Fund, and distribute to the appropriate city or county entity, reimbursement for all costs incurred by it or by the city or county pursuant to this subdivision, which shall include any associated startup costs. However, if only one successor agency exists within the county, the county auditor-controller may designate the successor agency to staff the oversight board. The oversight board is appointed as follows:

- (1) One member may be appointed by the county board of supervisors.
- (2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.
- (3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.
- (4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.
- (5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.
- (6) One member of the public may be appointed by the county board of supervisors.



(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2018, or any member position that remains vacant for more than 60 days.

(l) Commencing on and after July 1, 2018, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (j).

(m) Any oversight board for a given successor agency, with the exception of countywide oversight boards, shall cease to exist when the successor agency has been formally dissolved pursuant to Section 34187. A county oversight board shall cease to exist when all successor agencies subject to its oversight have been formally dissolved pursuant to Section 34187.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

(q) (1) Commencing on and after July 1, 2018, in each county where more than 40 oversight boards were created by operation of the act adding this part, there shall be five oversight boards, which shall each be staffed in the same manner as specified in subdivision (j). The membership of each oversight board shall be as specified in paragraphs (1) through (7), inclusive, of subdivision (j).

(2) The oversight boards shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Except as specified in paragraph (3), each oversight board shall have jurisdiction over each successor agency located within its borders.

(3) If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date.

(4) The successor agency to the former redevelopment agency created by a county where more than 40 oversight boards were created by operation of the act adding this part, shall be under the jurisdiction of the oversight board with the fewest successor agencies under its jurisdiction.

(Amended by Stats. 2015, Ch. 325, Sec. 11. Effective September 22, 2015.)

Draft LAFCO
Resolution No. 3254
Approving Amendments to
Policy and Procedure Manual

Attachment 3

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

RESOLUTION NO. 3254

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ADDING TO AND AMENDING ITS POLICY AND PROCEDURE MANUAL

On Wednesday, November 15, 2017, on motion of Commissioner _____, duly seconded by Commissioner _____, and carried, the Local Agency Formation Commission adopts the following resolution:

SECTION 1. The Local Agency Formation Commission for San Bernardino County, State of California (hereafter shown as "LAFCO"), hereby finds and determines that it wishes to amend its Policy and Procedure Manual approved by the Commission at its November 15, 2017 hearing. The amendments include non-substantive changes.

SECTION 2. The Local Agency Formation Commission for San Bernardino County therefore resolves and orders that the following changes to the Policy and Procedure Manual are approved:

1. **Section VI (Special Districts), Chapter 1 (Introduction and Policies), Policy 4 (CONVERSION TO ALL MAIL BALLOTING FOR SPECIAL DISTRICT SELECTION COMMITTEE BUSINESS) is amended to read as follows:**

The business of the Special Districts Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56332(f).

2. **Section VI (Special Districts), Chapter 1 (Introduction and Policies), Policy 5 (SELECTION OF INDEPENDENT SPECIAL DISTRICT REPRESENTATIVES (REGULAR AND ALTERNATE) TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD) is added to read as follows:**

Effective July 1, 2018, the redevelopment oversight boards in each county in the State of California will be consolidated into one seven-member board (Health & Safety Code § 34179(j)). One of the members of the consolidated board "may be appointed by the independent special district selection committee established under Government Code Section 56332 for the types of special districts that

RESOLUTION NO. 3254

are eligible to receive property tax revenues pursuant to the redevelopment agency (RDA) dissolution law. The Auditor-Controller/Treasurer/Tax Collector for San Bernardino County has requested that such representatives (regular and alternate) be selected.

Only the agencies that receive RDA funding are deemed eligible agencies for the purposes of appointing a special district representative and alternate to the countywide redevelopment oversight board per Health and Safety Code Section 34179(j)(3) and must be members of the Special Districts Selection Committee for San Bernardino County per Government Code Section 56332. In addition, eligibility requires special districts that have territory in the territorial jurisdiction of a former RDA and are eligible to receive property tax residual for the Redevelopment Property Tax Trust Fund (RPTTF) may serve on the new Oversight Board. In San Bernardino County, the committee members for the RPTTF-qualifying districts are:

29 Palms Cemetery District
Apple Valley Fire Protection District
Barstow Cemetery District
Bear Valley Community Health Care
Big Bear Airport District
Big Bear Municipal Water District

Chino Basin Water Conservation District
Chino Valley Independent FPD
Crestline-Lake Arrowhead Water Agency

Hesperia Park and Recreation District
Hi-Desert Water District
Inland Empire Resource Conservation
District

Inland Empire Utilities Agency
Lake Arrowhead Community Services District
Mojave Desert RCD
Mojave Water Agency
Monte Vista County Water District
San Bernardino Valley Water Conservation
District
San Bernardino Mountains Community
Healthcare District
San Bernardino Valley Municipal Water
District
West Valley Water District
Yucaipa Valley Water District
Morongo Basin Healthcare District (formerly
known as the Hi-Desert Memorial Hospital
District)

The San Bernardino LAFCO Executive Officer is responsible for conducting the business of the Special Districts Selection Committee for the RPTTF-qualifying appointment and pursuant to local procedures the committee's business shall be conducted by mail to nominate and appoint a representative and alternate. Elections by mail shall be conducted in accordance with Government Code Section 56332(f). The independent special district members appointed to the consolidated redevelopment oversight board shall be appointed by a majority of those RPTTF-qualifying committee members voting once a quorum has been established. The terms of office for regular and alternate committee members shall be staggered by action of the Oversight Board following its reorganization in July 2018.

SECTION 3. The Executive Officer of LAFCO is ordered to certify the passage of this resolution and to cause a copy of the amended Policy and Procedure Manual to be posted on the LAFCO Website, and a certified copy of this resolution to be forwarded to the County Administrative Office, each City/Town, and Independent Special District in the County and to affected County Departments for implementation.

THIS ACTION APPROVED AND ADOPTED BY THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY BY THE FOLLOWING VOTE:

RESOLUTION NO. 3254

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 for San Bernardino County, 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 November 15, 2017.

DATED:

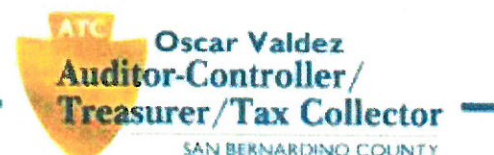
KATHLEEN ROLLINGS-McDONALD
Executive Officer

**Letter from
Oscar Valdez, Auditor-
Controller/Treasurer/Tax
Collector including listing of
eligible participants**

Attachment 1

AUDITOR-CONTROLLER/ TREASURER/TAX COLLECTOR

- ☒ 268 West Hospitality Lane, Fourth Floor
San Bernardino, CA 92415-0018 • (909) 387-8322 • Fax (909) 890-4045
- ☐ 268 West Hospitality Lane, First Floor
San Bernardino, CA 92415-0360 • (909) 387-8308 • Fax (909) 890-5797



Matt Brown
Assistant Auditor-Controller/Treasurer/Tax Collector

John Johnson
Assistant Auditor-Controller/Treasurer/Tax Collector

September 25, 2017

Kathleen Rollings-McDonald, Executive Officer
Local Agency Formation Commission
1170 West Third Street, Unit 150
San Bernardino, CA 92415-0490

RE: INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE APPOINTMENT TO
THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD

Dear Ms. Rollings-McDonald:

In accordance with Senate Bill No. 107 (SB 107), Health and Safety Code (HSC) Section 34179(j), the 26 oversight boards currently in place in San Bernardino County will consolidate into one San Bernardino Countywide Oversight Board effective July 1, 2018. Pursuant to HSC Section 34179(j)(3), one member of the San Bernardino Countywide Oversight Board may be appointed by the Independent Special District Selection Committee established pursuant to Government Code Section 56332, for the types of special districts that are eligible to receive property tax revenues pursuant to HSC Section 34188.

Pursuant to Government Code Section 56332(b), the LAFCO Executive Officer is responsible for calling and giving written notice of all meetings of the members of the selection committee when a vacancy exists. This letter serves as a formal request for you to conduct the notification and election process for the San Bernardino Countywide Oversight Board seat that needs to be appointed by the Independent Special District Selection Committee.

It is our desire to have all appointments in place by February 1, 2018 to allow sufficient time to perform training and finalize procedures prior to July 1, 2018; however, we understand, per our meeting on August 14, 2017, and previous discussions, that you anticipate performing the election concurrently with the Commissioners election. Please provide us with a draft of the notification and election timeline once it is available so we can plan accordingly.

To ensure a quorum for each meeting, we also recommend the Independent Special District Selection Committee select an alternate appointee to serve on the San Bernardino Countywide Oversight Board in the event the primary appointee is not available. Please review and take into consideration the Committee's bylaws along with HSC Section 34179(a)(11) to see if this option is feasible.

HSC Section 34179(a)(11) states: Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.

My office prepared the attached spreadsheet that identifies the independent special districts that are eligible to receive property tax revenues pursuant to HSC Section 34188 for your reference.

I have selected the Community Development and Housing Agency to staff the San Bernardino Countywide Oversight Board under the oversight of the Auditor-Controller/Treasurer/Tax Collector; however, both departments will be working closely together during the implementation phase and are available to address any concerns you may have.

Please forward an invoice for any costs you incur directly to:

Community Development and Housing Agency
ATTN: Rebecca Wynn, IOM Code #0043
385 N. Arrowhead Avenue, Third Floor
San Bernardino, CA 92415-0043

If you have any questions, please feel free to contact Gary Hallen, Director, Community Development and Housing, at (909) 387-4411 or Linda Santillano, Property Tax Manager, Auditor-Controller/Treasurer/Tax Collector's office at (909) 382-3189. All questions pertaining to the property tax distributions to independent special districts should be directed to the attention of Ms. Santillano or her staff at the Auditor-Controller/Treasurer/Tax Collector's office.

Thank you for your cooperation in this matter.

Sincerely,



Oscar Valdez
Auditor-Controller/Treasurer/Tax Collector
San Bernardino County

OV:JMJ:LS:ap

cc: Dena Fuentes, Deputy Executive Officer, Community Development and Housing
Gary Hallen, Director, Community Development and Housing
Rebecca Wynn, Housing Project Manager, Community Development and Housing
Robert Messinger, Principal Assistant County Counsel
Phebe Chu, Deputy County Counsel

Attachment

SAN BERNARDINO COUNTY AUDITOR-CONTROLLER/TREASURER/TAX COLLECTOR
REDEVELOPMENT PROPERTY TAX TRUST FUND (RPTTF) DISTRIBUTIONS TO SELF GOVERNED SPECIAL DISTRICTS
FISCAL YEAR 2011-12 thru 2016-17

AGENCY	PASS-THRU PAYMENTS	RESIDUAL PAYMENTS	DUE DILIGENCE REVIEW (DDR) PAYMENTS *	ASSET LIQUIDATION PAYMENTS *	TOTAL
29 PALMS CEMETERY DISTRICT	\$ 143,972.51	\$ 9,859.99	\$ 37,358.43	\$ -	\$ 191,190.93
APPLE VALLEY FIRE PROTECTION DISTRICT	3,232.819	244,572	1,093,902	-	4,571,293
BARSTOW CEMETERY DISTRICT	13,995	59,489	19,330	1,207	94,022
BEAR VALLEY COMMUNITY HOSPITAL DISTRICT	528,344	85,137	162,248	-	775,729
BIG BEAR CITY AIRPORT DISTRICT	73,575	442,769	210,965	-	727,309
BIG BEAR MUNICIPAL WATER DISTRICT	412,395	1,035,814	549,877	-	1,998,086
CHINO BASIN WATER CONSERVATION DISTRICT	469,749	2,976,883	1,417,996	20,570	4,885,198
CHINO VALLEY INDEPENDENT FIRE DISTRICT	225,009	4,194,520	543,582	-	4,963,111
CRESTLINE-LAKE ARROWHEAD WATER AGENCY	28,594	29,115	11,847	41	69,597
HESPERIA PARK DISTRICT	4,234,446	80,458	184,467	-	4,499,372
HI-DESERT COUNTY WATER DISTRICT	921,196	79	39,908	-	961,183
HI-DESERT MEMORIAL HOSPITAL DISTRICT	151,036	71,055	47,051	-	269,142
INLAND EMPIRE JOINT RESOURCE CONSERVATION DISTRICT	1,031,238	1,451,094	663,881	17,494	3,163,706
INLAND EMPIRE UTILITIES AGENCY	53,726,187	8,101,138	13,614,437	222,824	75,664,586
LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT	57,370	41,934	91,992	342	191,639
METROPOLITAN WATER AGENCY	508,958	1,916,452	-	-	2,425,410
MOJAVE DESERT RESOURCE CONSERVATION DISTRICT	101,115	23,547	21,043	107	145,812
MOJAVE WATER AGENCY	1,677,209	132,522	168,161	1,004	1,978,896
MONTI VISTA COUNTY WATER DISTRICT	458,522	1,295,973	590,072	-	2,344,567
RIVERSIDE CORONA RESOURCE CONSERVATION DISTRICT	51,058	28,129	16,820	3,714	99,721
SAN BERNARDINO VALLEY WATER CONSERVATION DISTRICT	23,787	162,683	21,760	77	208,308
SAN BERNARDINO MOUNTAINS COMMUNITY HOSPITAL DISTRICT	14,845	10,852	23,797	89	49,582
SAN BERNARDINO VALLEY MUNICIPAL WATER	79,311,425	28,784,910	1,303,498	190,143	109,589,977
WEST VALLEY WATER DISTRICT	1,390,900	946,837	297,717	69,385	2,704,839
YUCAIPA VALLEY WATER DISTRICT	-	197,915	14,851	-	212,766
TOTAL	\$ 148,787,745	\$ 52,323,736	\$ 21,146,563	\$ 526,997	\$ 222,785,042

Note:
 * Due Diligence Review (DDR) and Asset Liquidation remittances represent one time monies whereas pass-thru and residual payments, if sufficient funds are available, will continue until the RDA Successor Agency has paid off all enforceable obligations and is officially dissolved.

**White Paper Entitled
“Countywide RDA Oversight
Board Special District
Appointments”**

Attachment 2



**California Special
Districts Association**
Districts Stronger Together



COUNTYWIDE RDA OVERSIGHT BOARD SPECIAL DISTRICT APPOINTMENTS

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS
Last Updated: September 27, 2016



**California Special
Districts Association**
Districts Stronger Together



DISCLAIMER:

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In preparing this paper, CSDA and CALAFCO greatly benefited from individuals who were generous with their time and insightful with their views. Members of our working group held background experience as special district general managers and directors of finance, local agency formation commission executive officers, RDA oversight board representatives, and attorneys.

CSDA and CALAFCO extend sincere appreciation to the individuals on our joint working group, who significantly contributed to the development of this guide. The contributions of the following people were invaluable:

Gary Bell
Attorney at Law
Colantuono, Highsmith & Whatley, PC

José C. Henríquez,
Executive Officer
El Dorado County Local Agency Formation Commission

Shane McAfee
General Manager
Greater Vallejo Recreation and Park District

Keene Simonds
Executive Officer
Marin County Local Agency Formation Commission

Charles Turner
Director of Finance
Eastern Municipal Water District



On July 1, 2018, more than 400 redevelopment agency (RDA) oversight boards will be consolidated into just one oversight board per county (and five oversight boards in Los Angeles County). When this occurs, each county's Independent Special Districts Selection Committee will be granted the authority to appoint one special district representative to that county's respective oversight board.

If the Independent Special District Selection Committee in a county fails to act by July 15, 2018, the governor will make the appointment on its behalf. Therefore, it is important that the special districts in each affected county, and the Local Agency Formation Commissions (LAFcos) that administer the operations of the Independent Special Districts Selection Committees, take proactive steps to ensure a successful locally-controlled appointment process.

Much is at stake in the decisions that go before oversight boards. In fiscal years 2015-16 and 2016-17 combined, the governor's 2016 May Revise estimated special districts will receive \$316 million in property tax restoration due to the continued wind down of RDAs. Oversight board actions could affect the amount and speed of future property tax restorations to special districts and other local agencies.

Due to the newness and uniqueness of the statute providing for countywide oversight boards, the many cross-references within the statute, and the lack of familiarity most LAFcos and special districts have with the Health and Safety Code in which the statute is included, the authorizing language for special district appointments may be challenging to some local officials.

For these reasons, the California Special Districts Association (CSDA) and California Local Agency Formation Commission (CALAFCO) convened a working group to outline the process for appointing special district representatives to countywide oversight boards, and to provide guidance on potential questions related to that process.

COUNTIES REQUIRING A COUNTYWIDE OVERSIGHT BOARD

The following thirty-seven counties have two or more oversight boards that will be consolidated into one countywide oversight board on July 1, 2018 (except for Los Angeles County, which will be consolidated into five oversight boards):

- | | | |
|--|-------------------|-----------------|
| • Alameda | • Monterey | • Santa Barbara |
| • Butte | • Mendocino | • Santa Clara |
| • Contra Costa | • Merced | • Santa Cruz |
| • Fresno | • Nevada | • Shasta |
| • Humboldt | • Orange | • Solano |
| • Imperial | • Placer | • Sonoma |
| • Kern | • Riverside | • Stanislaus |
| • Kings | • Sacramento | • Sutter |
| • Lake | • San Bernardino | • Tulare |
| • Los Angeles (five
oversight boards) | • San Diego | • Ventura |
| • Madera | • San Joaquin | • Yolo |
| • Marin | • San Luis Obispo | • Yuba |
| | • San Mateo | |

Of the counties noted above, the following eleven counties do not currently have an Independent Special Districts Selection Committee in place. Therefore, the special districts and LAFco in each of these counties will need to form an Independent Special Districts Selection Committee in order to facilitate the appointment of a special district representative to the new countywide RDA oversight board:

- | | | |
|------------|---------------|----------|
| • Fresno | • Merced | • Tulare |
| • Imperial | • San Joaquin | • Yolo |
| • Kings | • Solano | • Yuba |
| • Madera | • Stanislaus | |



SPECIAL DISTRICT REPRESENTATIVE APPOINTMENT PROCESS

The statutory authorization for appointing the special district representative to a countywide oversight board is found in Health and Safety Code 34179, which can be found in the appendix. This publication overviews the application of this authority in conjunction with the relevant code sections cross-referenced to the Cortese-Knox-Hertzberg Act or "LAFCo Law" in the Government Code.

On July 1, 2018, counties with 2 – 39 individual RDA oversight boards will be consolidated into one countywide oversight board. Upon consolidation, the county's Independent Special District Selection Committee is responsible for appointing the special district representative to the new countywide oversight board. The Independent Special District Selection Committee consists of the presiding officer of the legislative body of each independent special district or district-appointed alternate (Government Code Section 56332(a)).

Procedures

The LAFCo Executive Officer/Designee is responsible for calling and giving written notice of meetings of the Independent Special District Selection Committee, at which a representative may be appointed to the countywide RDA oversight board. (Government Code Section 56332(b)).

- A majority of the Independent Special District Selection Committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot (Government Code Section 56332(e)).

If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer/designee determines that a meeting of the special district selection committee, for the purpose of selecting the special district members or filling vacancies, is not feasible, the executive officer/designee shall conduct the business of the committee by mail. Elections by mail shall be conducted as follows (Government Code Section 56332(f)):

- 1) The executive officer/designee shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.
- 2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer/designee shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the executive officer/designee by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer/designee mailed the ballot to the eligible district.
- 3) The call for nominations, ballot, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer/designee, with prior concurrence of the presiding officer or his or her alternate as designated by the governing body, may transmit materials by electronic mail.
- 4) If the executive officer/designee has transmitted the call for nominations or ballot by electronic mail, the presiding officer, or his or her alternate as designated by the governing body, may respond to the executive officer/designee by electronic mail.



- 5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.
- 6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer/designee after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer/designee shall extend the date to submit ballots by 60 days and notify all districts of the extension. The executive officer/designee shall announce the results of the election within seven days of the date specified.
 - A quorum is the majority of members representing eligible districts (Government Code Section 56332(a))
- 7) All election materials shall be retained by the executive officer/designee for a period of at least six months after the announcement of the election results

Eligibility Requirements

Members appointed by the independent special district selection committee shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county (Government Code Section 56332(c)).

- Special district appointees to current individual oversight boards (pre consolidation into countywide oversight boards) are not restricted to members of the legislative body of the district.

There is no clear indication that the members appointed by the selection committee must be located in a former RDA. However, it could be implied by Health and Safety Code Section 34179(j)(3).

- Current individual oversight boards (prior to consolidation into countywide oversight boards) limit eligibility to special districts that have territory in the territorial jurisdiction of the former RDA and are eligible to receive property tax residual from the RPTTF: "One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188" (Health and Safety Code Section 34179(a)(3)(A)).

Based on Health and Safety Code Section 34179(j)(3), the committee should appoint a representative from a special district that receives property tax residual from the Redevelopment Property Tax Trust Fund (RPTTF).

- Health and Safety Code Section 34179(j)(3) reads in full: "One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188."

Deadlines and Vacancies

If no one is appointed by July 15, 2018, the governor may appoint an individual on behalf of the Independent Special District Selection Committee. The governor may also appoint individuals for any member position that remains vacant for more than 60 days (Health and Safety Code Section 34179(k)).



Notification Requirements

Health and Safety Code Section 34179(j) does not include notification requirements of the selected special district appointee. However, the current individual oversight boards (prior to consolidation into countywide oversight boards) were required to elect one of their members as the chairperson and report the name of the chairperson and other members to the Department of Finance (Health and Safety Code Section 34179(a)). Additionally, the LAFCo Executive Officer/Designee must announce the results of an Independent Special District Selection Committee election within seven days (Government Code Section 56332(f)(6)).

Counties with Only One Individual Oversight Board

In each county where only one individual RDA oversight board exists, as of July 1, 2018, there will be no consolidation into a countywide oversight board and no change to the composition of the existing oversight board (Health and Safety Code Section 34179(l)).

Counties with 40 or More Individual Oversight Boards

In each county where 40 or more individual oversight boards exist (Los Angeles County), as of July 1, 2018, there will be a consolidation into five oversight boards. The special district membership of each oversight board shall be selected as outlined in Health and Safety Code Section 34179(j)(3) via the Independent Special District Selection Committee process (Health and Safety Code Section 34179(q)(1)).

The consolidated oversight boards in this county shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Each oversight board shall have jurisdiction over each successor agency located within its borders (Health and Safety Code Section 34179(q)(2)).

- If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date (Health and Safety Code Section 34179(q)(3)).

Health and Safety Code Section 34179(q) does not specify if the city and special district appointees must be from an agency located in the respective supervisorial seat.

POTENTIAL QUESTIONS

What if my county does not currently have an Independent Special District Selection Committee?

In the case where more than one successor agency exists within the county, an Independent Special District Selection Committee shall be created pursuant to Government Code Section 56332. Each independent special district shall appoint a member representative to the committee and notify the LAFCo of the appointed member. The LAFCo shall then call and conduct a meeting of the committee, pursuant to Section 56332, for purposes of appointing a representative to the countywide RDA oversight board.



Does the Independent Special District Selection Committee also select an alternate, as it does with LAFCo commissioners? How should a vacancy be addressed?

The strictest interpretation of the statute only authorizes the appointment of one person, but a reasonable argument can be made for the appointment of an alternate. The Legislature expressly incorporated Government Code Section 56332 without elaboration, and that section allows for alternates.

Health and Safety Code Section 34179 does not mention alternates for the countywide oversight boards, but does allow each appointing authority to appoint an alternate for the current individual oversight boards (prior to the consolidation into a countywide oversight board) (Health and Safety Code Section 34179(a)(11)). The selection process outlined in Government Code Section 56332(c) includes the selection of an alternate for the commission.

To resolve any ambiguity, the Independent Special District Selection Committee may choose to adopt local policies, pursuant to its authority in Government Code section 56332, expressly authorizing the appointment of an alternate.

If the LAFCo Executive Officer/Designee anticipates a vacancy will occur – or if an actual vacancy occurs – an election may be held for a representative to the countywide oversight board (Government Code section 56332(b)).

What is the term of an appointment to the countywide RDA oversight board?

Nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that “Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.”

Can an appointee be replaced mid-term?

Yes; nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that “Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.”

Can the Independent Special District Selection Committee replace a special district representative appointed by the governor due to a vacancy?

While not clearly outlined within the relevant statutes, the intent of having locally appointed representatives on the oversight board is undermined if the law is interpreted such that seats could become, essentially, permanent representatives of the governor.

That being said, Independent Special District Selection Committees are strongly encouraged to appoint a representative no later than July 15, 2018, and within 60 days of any vacancy thereafter, in order to avoid this potential question.

What should a LAFCo do where the law is not explicit as to the process for appointments to the countywide RDA oversight board?

LAFCOs should adopt local commission policies. Government Code Section 56300 allows LAFCOs to adopt local policies either to clarify requirements or specify how a LAFCo will implement State law taking into account the local conditions. Case law has also indicated that these policies are allowed so long as they are not in conflict with State law.



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For example, Government Code 56325(d) indicates that, notwithstanding any other provision of the Cortese-Knox-Hertzberg Act, each LAFCo can appoint one member and one alternate member who represents the public at large. The same section goes on to specify that the appointment of the public and alternate members must be subject to an affirmative vote of at least one of the members from the other appointed authorities; and it also specifies the noticing requirements to announce the vacancy in this position. Section 56325(d) does not contain any direction for the process of appointing public members, nor does it have an indication of the vetting process for candidates eligible to be appointed to this position. With this unclear in the law, some LAFCOs have adopted policies to clarify and indicate the basic appointment process.

LAFCOs may establish local policies for appointing special district representatives to the countywide RDA oversight board, so long as they are not in conflict with State law.

DEFINITIONS

Taxing entities

Cities, counties, a city and county, special districts, and school entities, as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code, that receive passthrough payments and distributions of property taxes pursuant to the provisions of this part (Health and Safety Code Section 34171(k)).

Executive officer

The executive officer or designee as authorized by the Local Agency Formation Commission (Government Code Section 56332(g)).



APPENDIX

HEALTH AND SAFETY CODE

DIVISION 24. COMMUNITY DEVELOPMENT AND HOUSING [33000 - 37964] (*Heading of Division 24 amended by Stats. 1975, Ch. 1137.)*

PART 1.85. DISSOLUTION OF REDEVELOPMENT AGENCIES AND DESIGNATION OF SUCCESSOR AGENCIES [34170 - 34191.6] (*Part 1.85 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)*

CHAPTER 4. Oversight Boards [34179 - 34181] (*Chapter 4 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)*

34179. (a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

(1) One member appointed by the county board of supervisors.

(2) One member appointed by the mayor for the city that formed the redevelopment agency.

(3) (A) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.

(B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.

(4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public appointed by the county board of supervisors.

(7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time. In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor agency or community for purposes of Section 1090 of the Government Code.

(8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.

(9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.



(10) If a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, if that appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city if that appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(11) Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.

(b) The governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's and the successor agency's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight board members shall serve without compensation or reimbursement for expenses.

(d) Oversight board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974. All actions taken by the oversight board shall be adopted by resolution.

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) (1) The department may review an oversight board action taken pursuant to this part. Written notice and information about all actions taken by an oversight board shall be provided to the department as an approved resolution by electronic means and in a manner of the department's choosing. Without abrogating the department's authority to review all matters related to the Recognized Obligation Payment Schedule pursuant to Section 34177, oversight boards are not required to submit the following oversight board actions for department approval:

(A) Meeting minutes and agendas.

(B) Administrative budgets.

(C) Changes in oversight board members, or the selection of an oversight board chair or vice chair.

(D) Transfers of governmental property pursuant to an approved long-range property management plan.



(E) Transfers of property to be retained by the sponsoring entity for future development pursuant to an approved long-range property management plan.

(2) An oversight board action submitted in a manner specified by the department shall become effective five business days after submission, unless the department requests a review of the action. Each oversight board shall designate an official to whom the department may make those requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. Except as otherwise provided in this part, in the event that the department requests a review of a given oversight board action, it shall have 40 days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and the oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future Recognized Obligation Payment Schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Except as specified in subdivision (q), commencing on and after July 1, 2018, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board, which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. Pursuant to Section 34183, the county auditor-controller may recover directly from the Redevelopment Property Tax Trust Fund, and distribute to the appropriate city or county entity, reimbursement for all costs incurred by it or by the city or county pursuant to this subdivision, which shall include any associated startup costs. However, if only one successor agency exists within the county, the county auditor-controller may designate the successor agency to staff the oversight board. The oversight board is appointed as follows:

- (1) One member may be appointed by the county board of supervisors.
- (2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.
- (3) One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.
- (4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.
- (5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.
- (6) One member of the public may be appointed by the county board of supervisors.



(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2018, or any member position that remains vacant for more than 60 days.

(l) Commencing on and after July 1, 2018, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (j).

(m) Any oversight board for a given successor agency, with the exception of countywide oversight boards, shall cease to exist when the successor agency has been formally dissolved pursuant to Section 34187. A county oversight board shall cease to exist when all successor agencies subject to its oversight have been formally dissolved pursuant to Section 34187.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

(q) (1) Commencing on and after July 1, 2018, in each county where more than 40 oversight boards were created by operation of the act adding this part, there shall be five oversight boards, which shall each be staffed in the same manner as specified in subdivision (j). The membership of each oversight board shall be as specified in paragraphs (1) through (7), inclusive, of subdivision (j).

(2) The oversight boards shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Except as specified in paragraph (3), each oversight board shall have jurisdiction over each successor agency located within its borders.

(3) If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date.

(4) The successor agency to the former redevelopment agency created by a county where more than 40 oversight boards were created by operation of the act adding this part, shall be under the jurisdiction of the oversight board with the fewest successor agencies under its jurisdiction.

(Amended by Stats. 2015, Ch. 325, Sec. 11. Effective September 22, 2015.)

Draft LAFCO
Resolution No. 3254
Approving Amendments to
Policy and Procedure Manual

Attachment 3

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490
(909) 388-0480 • Fax (909) 388-0481
lafco@lafco.sbcounty.gov
www.sbclafco.org

RESOLUTION NO. 3254

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ADDING TO AND AMENDING ITS POLICY AND PROCEDURE MANUAL

On Wednesday, November 15, 2017, on motion of Commissioner _____, duly seconded by Commissioner _____, and carried, the Local Agency Formation Commission adopts the following resolution:

SECTION 1. The Local Agency Formation Commission for San Bernardino County, State of California (hereafter shown as "LAFCO"), hereby finds and determines that it wishes to amend its Policy and Procedure Manual approved by the Commission at its November 15, 2017 hearing. The amendments include non-substantive changes.

SECTION 2. The Local Agency Formation Commission for San Bernardino County therefore resolves and orders that the following changes to the Policy and Procedure Manual are approved:

- 1. Section VI (Special Districts), Chapter 1 (Introduction and Policies), Policy 4 (CONVERSION TO ALL MAIL BALLOTING FOR SPECIAL DISTRICT SELECTION COMMITTEE BUSINESS) is amended to read as follows:**

The business of the Special Districts Selection Committee shall be routinely conducted by mail. The procedures for such processing are outlined in Government Code Section 56332(f).

- 2. Section VI (Special Districts), Chapter 1 (Introduction and Policies), Policy 5 (SELECTION OF INDEPENDENT SPECIAL DISTRICT REPRESENTATIVES (REGULAR AND ALTERNATE) TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD) is added to read as follows:**

Effective July 1, 2018, the redevelopment oversight boards in each county in the State of California will be consolidated into one seven-member board (Health & Safety Code § 34179(j)). One of the members of the consolidated board "may be appointed by the independent special district selection committee established under Government Code Section 56332 for the types of special districts that

RESOLUTION NO. 3254

are eligible to receive property tax revenues pursuant to the redevelopment agency (RDA) dissolution law. The Auditor-Controller/Treasurer/Tax Collector for San Bernardino County has requested that such representatives (regular and alternate) be selected.

Only the agencies that receive RDA funding are deemed eligible agencies for the purposes of appointing a special district representative and alternate to the countywide redevelopment oversight board per Health and Safety Code Section 34179(j)(3) and must be members of the Special Districts Selection Committee for San Bernardino County per Government Code Section 56332. In addition, eligibility requires special districts that have territory in the territorial jurisdiction of a former RDA and are eligible to receive property tax residual for the Redevelopment Property Tax Trust Fund (RPTTF) may serve on the new Oversight Board. In San Bernardino County, the committee members for the RPTTF-qualifying districts are:

29 Palms Cemetery District
Apple Valley Fire Protection District
Barstow Cemetery District
Bear Valley Community Health Care
Big Bear Airport District
Big Bear Municipal Water District

Chino Basin Water Conservation District
Chino Valley Independent FPD
Crestline-Lake Arrowhead Water Agency

Hesperia Park and Recreation District
Hi-Desert Water District
Inland Empire Resource Conservation District

Inland Empire Utilities Agency
Lake Arrowhead Community Services District
Mojave Desert RCD
Mojave Water Agency
Monte Vista County Water District
San Bernardino Valley Water Conservation District
San Bernardino Mountains Community Healthcare District
San Bernardino Valley Municipal Water District
West Valley Water District
Yucaipa Valley Water District
Morongo Basin Healthcare District (formerly known as the Hi-Desert Memorial Hospital District)

The San Bernardino LAFCO Executive Officer is responsible for conducting the business of the Special Districts Selection Committee for the RPTTF-qualifying appointment and pursuant to local procedures the committee's business shall be conducted by mail to nominate and appoint a representative and alternate. Elections by mail shall be conducted in accordance with Government Code Section 56332(f). The independent special district members appointed to the consolidated redevelopment oversight board shall be appointed by a majority of those RPTTF-qualifying committee members voting once a quorum has been established. The terms of office for regular and alternate committee members shall be staggered by action of the Oversight Board following its reorganization in July 2018.

SECTION 3. The Executive Officer of LAFCO is ordered to certify the passage of this resolution and to cause a copy of the amended Policy and Procedure Manual to be posted on the LAFCO Website, and a certified copy of this resolution to be forwarded to the County Administrative Office, each City/Town, and Independent Special District in the County and to affected County Departments for implementation.

THIS ACTION APPROVED AND ADOPTED BY THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY BY THE FOLLOWING VOTE:

AYES: **COMMISSIONERS:**
NOES: **COMMISSIONERS:**
ABSENT: **COMMISSIONERS:**

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission for San Bernardino County, 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 November 15, 2017.

KATHLEEN ROLLINGS-McDONALD
Executive Officer