

**County Solid Waste Management  
Department Position on Continuation of  
Land use Refuse Disposal Fee within the  
area of LAFCO 3169**

**Attachment 4**

# DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL • LAND DEVELOPMENT & CONSTRUCTION • OPERATIONS  
SOLID WASTE MANAGEMENT • SURVEYOR • TRANSPORTATION



COUNTY OF SAN BERNARDINO

SOLID WASTE MANAGEMENT DIVISION

222 West Hospitality Lane, Second Floor • San Bernardino, CA 92415-0017 • (909) 386-8701  
Administration/Engineering Fax (909) 386-8900

GRANVILLE M. "BOW" BOWMAN, P.E., P.L.S.  
Director of Public Works

February 7, 2012

RECEIVED  
FEB 07 2012

LAFCO  
San Bernardino County

Kathleen Rollings-McDonald  
Local Agency Formation Commission  
215 North "D" Street, Ste. 204  
San Bernardino, CA 92415-0490

**RE: LAFCO 3169 – ANNEXATION TO THE TOWN OF APPLE VALLEY**

Dear Ms. Rollings-McDonald:

In response to the Town of Apple Valley's annexation application to LAFCO, Solid Waste Management Division (SWMD) staff has reviewed the Town's proposal for the contracting with the County for the continuation of the solid waste voucher (Land Use Pass) program. Of the 46 parcels listed by the Town of Apple Valley, only 39 are subject to our land use fees. The total annual amount of land use revenue generated from these parcels is \$3,490.74.

County Counsel determined that the County's ordinance, Division 4, Chapter 4, Section 14, Refuse Disposal Land Use Fees, allows for the imposition of the land use fee. However, this ordinance has not been amended to allow for the imposition of a land use fee on land in an incorporated area. Amending the County ordinance will likely implicate both Prop. 26 and Prop. 218 concerns. Therefore, we have concluded that the Town should implement its own ordinance to allow them to impose a land use fee and do its own Land Use Pass program.

Additionally, SWMD staff contacted the Auditor-Controller/Treasurer/Tax Collector's (ATC) Property Tax Division regarding the "trigger date" for when the parcels currently being annexed by the Town would be converted on the secured tax roll to incorporated parcels. According to the ATC, the LAFCO resolution for this annexation would have needed to be approved prior to January 1<sup>st</sup> in order for the TRA code on the parcel to be change from unincorporated to incorporated for the upcoming fiscal year. Therefore, these parcels will still reflect the Unincorporated Area TRA codes for the secured tax roll for the FY 2012-13 tax bills. The parcels will be automatically converted to the Town's incorporated parcels, effective FY 2013-14. This delay in the parcels being converted will allow the Town ample time to implement its own ordinance and program. SWMD will work with the Town to assist them on how to implement a program.

Board of Supervisors

GREGORY C. DEVEREAUX  
Chief Executive Officer

BRAD MITZELFELT ..... First District  
JANICE RUTHERFORD ..... Second District

NEIL DERRY ..... Third District  
GARY C. OVITT ..... Fourth District

JOSIE GONZALES ..... Fifth District

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Should you have any questions, please do not hesitate to contact me at (909) 386-8701.

Sincerely,



**GERRY NEWCOMBE**

Deputy Executive Officer/Division Manager

GN:mp

c: Claudia Rozzi, DPW Admin. Services  
Lori Cram, DPW Admin. Services  
Rex Richardson, SWMD  
Lori Lamson, Town of Apple Valley

## Existing Developed Single-Family Residences at Time of Annexation

APN #	Owner	Land Use Fees
0472241110000	Jack Bleyker	\$85.14
0472242120000	Johnny & Ella Maiden	\$85.14
0472242170000	Overby Family Trust	\$85.14
0472242280000	Stanley Robinson & Castella Ysaguirre	\$85.14
0472242320000	Krieg A Garrison	\$85.14
0472243070000	Wilshire Holding Group Inc	\$85.14
0472243110000	Manuel Garcia & Brenda Gonzalez	\$0.00
0472253040000	Jose De Castro c/o Season's Land Co	\$0.00
0472253070000	Thomas Gallegos	\$0.00
0472273030000	Ralph & Kitty Cruz	\$85.14
0472273280000	Jimmie & Valeeta Wilson	\$255.42
0472273450000	Mark & Helen Drummond	\$85.14
0472273470000	James & Kathleen Blackburn	\$85.14
0472281010000	Charles & Melody Herrick	\$85.14
0472283060000	Ana Cota	\$85.14
0472283070000	Liborio Alvarez	\$85.14
0472284040000	Emmanuel Sanhllan	\$85.14
0472284080000	Don McAfee	\$85.14
0472284110000	George & Suzan Moheit	\$85.14
0472284120000	Roy & Naomi Hansen Living Trust	\$85.14
0472285040000	Lawrence & Mary Williams	\$85.14
0472285110000	Delia Contreras	\$85.14
0472292040000	James & Leona Griner	\$85.14
0472292060000	Warren, James, & Donald Rosemond c/o Najee Khaahm	\$0.00
0472292080000	Rachel Brown	\$85.14
0472292110000	Watson Trust c/ o Roy & Carrie Watson	\$85.14
0472292240000	Milbry Spicer Living Trust & Marshall Steward	\$85.14
0472292250000	Federal Nahonal Mortgage Associahon c/o Recontrust Co.	\$85.14
0472292280000	Steven Vu & Tina Tran	\$0.00
0472292320000	Betty Di Sante	\$85.14
0472292330000	Jose Mejia & Margarita Diaz	\$85.14
0472292350000	Rita & Anna Johnson	\$85.14
0472292370000	Rita Johnson	\$0.00
0472292400000	Rajani Family Real Estate Partnership	\$85.14
0472292420000	Stephen & Renae Smith Family Trust & William Beaulieu	\$85.14
0472292440000	Sabrina Vaughn	\$85.14
0472292450000	Donald Bradbury	\$85.14
0472292460000	Leona Griner	\$85.14
0472292480000	Ramona Boyton	\$85.14
0472292520000	Leonard Thomas	\$85.14
0472292560000	Gerhard & Eileen Schultz	\$85.14
0472292750000	Robin & Liane Moore	\$85.14
0472362350000	Carolyn Villa	\$0.00
0472362430000	Harry & Karen Brink	\$85.14
0472362440000	Robert Killen	\$85.14
0472362530000	Lee Parks	\$85.14
	Total SWMD LU Fees	\$3,490.74