

HEARING DATE: MAY 16, 2012

**RESOLUTION NO. 3161**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON THE ADOPTION OF A REVISED SCHEDULE OF FEES, DEPOSITS, AND CHARGES FOR FISCAL YEAR 2012-13.**

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

**WHEREAS**, Section 56383 of the California Government Code authorizes a Local Agency Formation Commission to establish a schedule of fees for the filing and processing of applications submitted to the Commission pursuant to the provisions of Government Code Sections 56000 et seq.; and,

**WHEREAS**, the San Bernardino Local Agency Formation Commission adopted the existing Schedule of Fees and Charges on June 15, 2011; and

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by this Commission upon the proposed amendments to the Schedule of Fees, Deposits, and Charges; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Local Agency Formation Commission of the County of San Bernardino does hereby determine, resolve, order, and find as follows:

**DETERMINATIONS:**

**SECTION 1.** 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.

**SECTION 2.** The Local Agency Formation Commission hereby approves the revised Schedule of Fees, Deposits, and Charges, attached hereto as Exhibit "A", effective June 1, 2012.

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**SECTION 3. FINDINGS.** The following findings are noted in conformance with Commission policy and the provisions of State law:

1. Notice of the Commission’s consideration of the Schedule of Fees, Deposits, and Charges amendment has been provided pursuant to the provisions of Government Code Section 66016. To date, no expressions of either opposition to or in support of the proposed revision to the Schedule of Fees, Deposits, and Charges have been received.
2. The Commission determines that the proposed revisions to the Schedule of Fees, Deposits, and Charges are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of CEQA and Section 15273(a), Subsections (1), (2), and (3), of the State CEQA Guidelines. The Commission makes the following findings required by Section 15273(c) of the State CEQA Guidelines:
  - a. Filing and processing fees are authorized by Government Code Section 56383 to cover the estimated reasonable cost of providing the service for which the fee is charged.
  - b. The fees identified in the Schedule of Fees, Deposits, and Charges, attached as Exhibit “A”, are for the purpose of: (1) meeting operating expenses, including employee wage rates and fringe benefits; (2) purchasing or leasing supplies, equipment, or materials; and (3) meeting financial reserve needs and requirements.

LAFCO hereby adopts the Statutory Exemption and directs its Clerk to file a Notice of Exemption within five (5) working days of adoption of the Commission’s action with the San Bernardino Clerk to the Board of Supervisors.

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

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

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

I, KATHLEEN ROLLINGS-McDONALD, Executive Officer of the Local Agency Formation Commission of the County of San Bernardino, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of May 16, 2012.

**DATED:**

\_\_\_\_\_  
**KATHLEEN ROLLINGS-McDONALD**  
 Executive Officer