

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

215 North D Street, Suite 204, San Bernardino, CA 92415-0490  
(909) 383-9900 • Fax (909) 383-9901  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

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**DATE:** OCTOBER 7, 2013   
**FROM:** SAMUEL MARTINEZ, Assistant Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #6: Consideration of Request for Reduction in Filing Fees Submitted by the Helendale Community Services District for LAFCO 3175 – Reorganization to Include Annexations to the Helendale Community Services District and to Service Zone FP-5 of the San Bernardino County Fire Protection District (As Modified by LAFCO Staff)

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## RECOMMENDATION:

Staff recommends that the Commission:

- 1) Approve the request for the reduction in filing fees for LAFCO 3175. The breakdown of the fees/deposits required is shown below:

### LAFCO Filing Fees

- |  |            |
|--|------------|
| • Area 1 - Flat rate (additional \$1 per acre over 275 acres - waived) | \$7,500.00 |
| • Area 2 - Flat rate (additional \$1 per acre over 275 acres - waived) | \$7,500.00 |
| • Area 3 - <i>Additional Annexation Area per LAFCO staff</i>           | <i>n/a</i> |

### Deposits

- |                                |            |
|--------------------------------|------------|
| • Legal Counsel Deposit        | \$1,150.00 |
| • Environmental Review Deposit | \$750.00   |
| • Individual Notice Deposit    | \$700.00   |

Total Filing Fees/Deposits	<b>\$17,600.00</b>
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- 2) Direct the Executive Officer to refund the Helendale Community Services District a total of \$8,283 since the District has already paid the filing fee of \$25,883.

**BACKGROUND:**

On September 23, 2013, the Helendale Community Services District (hereafter the “District”) submitted a reorganization proposal that proposes the annexation of two areas into the District (a map of the areas is included as Attachment #1). The application also included a request for reduction in the filing fees for the reorganization proposal. The fees/deposits that apply to the reorganization proposal submitted by the District are identified as follows:

<b>LAFCO Filing Fees</b>	
Area 1 (South of Silver Lakes) = 5,133 acres	
• \$7,500 for areas up to 275 acres	\$7,500.00
• \$1 per acre over 275 acres	\$4,858.00
Area 2 (Wild Wash area) = 3,699 acres	
• \$7,500 for areas up to 275 acres	\$7,500.00
• \$1 per acre over 275 acres	\$3,424.00
<b>Deposits</b>	
• Legal Counsel Deposit	\$1,150.00
• Environmental Review Deposit	\$750.00
• Individual Notice Deposit	\$700.00
<b>Total Filing Fees/Deposits</b>	<b>\$25,883.00</b>

The District is requesting that the additional filing fee of \$1 for every acre over 275 acres, for each of the areas it is proposing to annex, be waived. A copy of the letter from the District is included as Attachment #2 to this report.

LAFCO staff supports the District’s request for reduction in filing fees since the two areas proposed for annexation into the District are primarily vacant land, which will not require an extensive review. In addition, no specific development is tied to this proposal and the service requirements within these two areas will be limited to solid waste for the foreseeable future.

In addition, after receiving the application proposal from the District, LAFCO staff determined that the eastern boundary for the San Bernardino County Fire Protection District’s Service Zone FP-5 (Helendale) splits a parcel along its existing boundary near the Wild Wash Road Interchange. Therefore in order to fix this boundary discrepancy with Service Zone FP-5, which serves the general Helendale community (and in some way, its boundaries generally correlates with the District’s sphere of influence boundaries), LAFCO staff is expanding the District’s proposal to include the annexation of the area of discrepancy into the Service Zone’s boundary.

Based on the District's request and the changes LAFCO staff has included as part of the overall reorganization, the new breakdown of fees/deposits is as follows:

<b>LAFCO Filing Fees</b>	
Area 1 – Annexation to the Helendale CSD (5,133 acres) <ul style="list-style-type: none"> <li>• \$7,500 for areas up to 275 acres</li> </ul>	\$7,500.00
Area 2 – Annexation to the Helendale CSD (3,699 acres) <ul style="list-style-type: none"> <li>• \$7,500 for areas up to 275 acres</li> </ul>	\$7,500.00
Area 3 – Annexation to SBCFPD Service Zone FP-5 (+/-240 acres) <ul style="list-style-type: none"> <li>• As modified by LAFCO Staff</li> </ul>	n/a
<b>Deposits</b>	
<ul style="list-style-type: none"> <li>• Legal Counsel Deposit</li> </ul>	\$1,150.00
<ul style="list-style-type: none"> <li>• Environmental Review Deposit</li> </ul>	\$750.00
<ul style="list-style-type: none"> <li>• Individual Notice Deposit</li> </ul>	\$700.00
<b>Revised Total Filing Fees/Deposits</b>	<b>\$17,600.00</b>

If the Commission supports this position, \$8,283 would be returned to the District.

For the reasons identified in this report, LAFCO staff supports the District's request for reduction in filing fees.

KRM/SM

Attachments:

1. [Vicinity Map of Reorganization Area](#)
2. [Helendale Community Services District Letter Requesting Reduction of Fees](#)