

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: MAY 7, 2014

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
SAMUEL MARTINEZ, Assistant Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #7 – Consideration of Request for Reduction in Filing Fees Submitted by the Bighorn-Desert View Water Agency for LAFCO 3181 – Reorganization to Include Annexations to Bighorn-Desert View Water Agency, Dissolution of County Service Area 70 Zone W-1 and Formation of Improvement District for Bighorn-Desert View Water Agency

RECOMMENDATION:

Staff recommends that the Commission:

- 1) Approve the request from the Bighorn Desert View Water Agency to reduce its filing fees to a total of \$18,804 for LAFCO 3181. A breakdown of the amended Fees and Deposits is as follows:

a. LAFCO Filing Fees	
• Area 1(5,642 acres)	\$7,500
Additional Fee (\$1 per acre over 1,920 acres)	\$3,704
• Island Areas 2, 3, and 4 (total of approximately 77 acres)	\$5,000
c. Legal Counsel Deposit	\$1,150
d. Environmental Review Deposit	\$ 750
e. Deposit for Individual Notice	\$ 700
TOTAL FILING FEE/DEPOSITS	\$18,804

- 2) Direct the Executive Officer to refund the Bighorn-Desert View Water Agency a total of \$10,000 since the Agency has already paid \$28,804.

BACKGROUND:

On April 28, 2014, the Bighorn-Desert View Water Agency (herein referred to as BDVWA or the "Agency") submitted a proposal for a reorganization which includes annexations to Bighorn-Desert View Water Agency, dissolution of County Service Area 70 Zone W-1 and formation of Improvement District for Bighorn-Desert View Water Agency (LAFCO 3181). The application submission letter is included as Attachment #1 and a map of the changes is included as Attachment #2 to this report.

The Agency submitted payment of \$28,804 at the time the application was submitted. The following provides a breakdown of that payment:

a. Filing Fees	
• Area 1(5,642 acres)	\$7,500
Additional Fee (\$1 per acre over 1,920 acres)	\$3,704
• Island Area 2 (25 acres)	\$5,000
• Island Area 3 (50 acres)	\$5,000
• Island Area 4 (2 acres)	\$5,000
c. Legal Counsel Deposit	\$1,150
d. Environmental Review Deposit	\$ 750
e. Deposit for Individual Notice	\$ 700
TOTAL	\$28,804

Included in the Agency's application letter was a request for reduction in the LAFCO filing fees. Specifically, the Agency is requesting that a single charge be assessed for the three island areas included as part of the overall reorganization, rather than the mandatory individual charge (see reorganization map included as Attachment #2). The basis for the request is that the three island areas are totally surrounded by the Agency and are a part of the larger question for dissolution of Zone W-1 of CSA 70. LAFCO staff supports the reduction of filing fees on the basis that the review of the proposal for dissolution and ultimate transfer of operations from the County Special District's Department to the Agency is the more complex of the considerations and the Agency currently serves these island areas by contract for water service. Based on the Agency's request, the new breakdown of fees/deposits would be as follows:

a. Filing Fees	
• Area 1(5,642 acres)	\$7,500
Additional Fee (\$1 per acre over 1,920 acres)	\$3,704
• Island Area 2 (25 acres)	\$5,000
• Island Area 3 (50 acres) <i>Fee Waived</i>	
• Island Area 4 (2 acres) <i>Fee Waived</i>	
c. Legal Counsel Deposit	\$1,150
d. Environmental Review Deposit	\$ 750
e. Deposit for Individual Notice	\$ 700
TOTAL	\$18,804

The staff will be happy to answer any questions of the Commission prior to or at the hearing.

KRM/sm

Attachment

1. [Letter Dated April 28, 2014 from the Bighorn-Desert View Water Agency](#)
2. [Vicinity Map of LAFCO 3181](#)