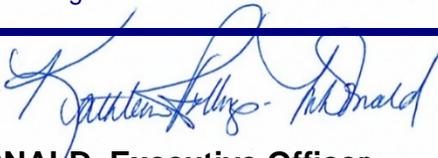


# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** SEPTEMBER 8, 2015   
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #4 – Consideration of Fee Reduction Requested by the Twentynine Palms Water District for its Reorganization Proposal to Annex its Territory to the San Bernardino County Fire Protection District (et al)

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## **RECOMMENDATION:**

Staff recommends that the Commission approve a reduction in application fees for the Twentynine Palms Water District request to transfer its fire responsibility to the San Bernardino County Fire Protection District to a total of \$22,900 (fees and deposits).

## **BACKGROUND:**

On August 25, 2015, the Board of Directors of the Twentynine Palms Water District (hereinafter shown as "TPWD") adopted a resolution to initiate a proposed reorganization to transfer its fire and emergency medical response obligations to the San Bernardino County Fire Protection District (hereinafter shown as "SBCFPD"). The change anticipates a sphere of influence amendment for SBCFPD along with the annexation to the SBCFPD, its South Desert Service Zone, its Service Zone FP-5 and the divestiture of the TPWD of its fire function. As the service review for the Twentynine Palms community identified in 2012, the solvency of the provision of fire service was in question. The purpose of this change of organization is to provide for a means to continue fire protection and emergency medical response in a financially sustainable manner. In the letter from the TPWD it requests that due to the financially precarious nature of the agency and the need to identifying a means to resolve its retirement obligations a reduction in filing fees be provided.

LAFCO staff's review identifies that based on the Commission's adopted fee schedule, the total filing fee for the sphere of influence change and reorganization is \$69,770. The breakdown below shows all the required fees/deposits for the sphere and reorganization proposal:

**LAFCO Filing Fees:**

a. Sphere of Influence Amendment	\$ 5,000
b. Reorganization (\$7,500 plus \$1 per acre over 1,920 acres)	\$56,870
c. Divestiture	\$ 5,000
d. Deposit – Legal Counsel	\$ 1,150
e. Deposit – Environmental	\$ 750
f. Deposit – Legal Ad In Lieu of Individual Notice	<u>\$ 1,000</u>
<b>TOTAL</b>	<b>\$69,770</b>

With the understanding of the financial position of the TPWD as well as the proposals addressing the whole of the area of the TPWD, staff supports a reduction in the fee. The reduction would be based on the Commission's adopted fee schedule, broken down as follows:

a. Sphere of Influence Amendment	\$ 5,000
b. Reorganization	\$10,000
c. Divestiture	\$ 5,000
d. Deposit – Legal Counsel	\$ 1,150
e. Deposit – Environmental	\$ 750
f. Deposit – Legal Ad In Lieu of Individual Notice	<u>\$ 1,000</u>
<b>TOTAL</b>	<b>\$22,900</b>

Staff is recommending that the Commission make the determination to reduce the total LAFCO filing fee to \$20,000 (sphere, annexation and divestiture) along with the balance of the required deposits. Staff will be happy to answer any questions of the Commission prior to or at the hearing.

KRM

Attachment

1. [Letter Dated August 13, 2015 from the Twentynine Palms Water District](#)
2. [Vicinity Map of the Reorganization Proposal \(LAFCO 3196\)](#)