

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO**

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**DATE:** AUGUST 5, 2004  
**FROM:** KATHLEEN ROLLINGS-McDONALD, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** **Agenda Item #13** – Request for Waiver of Filing Fees for LAFCO 2963 – Reorganization to include Consolidation of Inland Empire West and East Valley Resource Conservation Districts and Annexations to the East Valley Resource Conservation District

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**RECOMMENDATION:**

Approve a reduction in filing fees to include the payment of direct costs for legal advertising, notification, map preparation and reproduction, and environmental review and require the submission of a deposit of \$1,700.

**BACKGROUND:**

Attached for Commission review is a request submitted by both the Inland Empire West and East Valley Resource Conservation Districts for waiver of the LAFCO filing fees in connection with their proposed consolidation. This consolidation proposal is in response to direction from the Commission during its sphere of influence update and service review for these agencies.

The fees which would apply to this reorganization proposal are identified as follows:

LAFCO Reorganization Filing Fees:		
-- Consolidation	\$ 4,250	--
Annexations (2 areas)	\$ 8,000	
Environmental review deposit	\$ 750	
Registrar of Voters deposit	\$ 450	
Display Ad deposit (individual Notice waived; 1/8 <sup>th</sup> page legal ad required	\$ 500	
<b>TOTAL CHARGE:</b>	<b>\$13,950</b>	

It is important for the Commission to note that the actual costs for services provided for environmental assessment, Registrar of Voter services and the display ad are applied against the deposits identified above. If charges are less than the deposits, the amounts are refunded. If charges exceed the deposits, the proponents are billed for the additional costs.

As outlined in the correspondence submitted by the Districts, it is their position that the application presented is a response to directives of the Commission; therefore, they should not be required to pay the filing fees attributable to the application processing. Staff concurs with the Districts' position that the proposal is in response to directives of the Commission; and, if initiated by the Commission, no filing fees would be received. However, there are costs to be incurred by the Commission in processing this application through the various levels of review. It is staff's position that the Districts will benefit from the increased efficiencies to be achieved through this consolidation and, therefore, should participate in paying the processing costs. To waive the fees in their entirety would require that the other elements of government required to fund LAFCO (the County, the Cities and other independent special districts) would be responsible for these costs. Therefore, the staff recommendation is that the Commission reduce the filing fee requirements for this application to include the payment of all direct costs for processing – this would include all legal advertising costs, notification, reproduction, map preparation and environmental processing costs. The Districts will be required to submit a deposit of \$1,700 before processing of the application will commence.

/krm

Attachments:

- 1 -- Vicinity and location maps
- 2 -- Inland Empire West and East Valley Resource Conservation Districts waiver request
- 3 -- Commission policy related to fee waivers