

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

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**DATE:** JANUARY 8, 2007  
**FROM:** SAMUEL MARTINEZ, LAFCO Analyst  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: Agenda Item #7:** Review and Approval of Application Form Revisions and Amendment to Individual Notice Policy

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**RECOMMENDATION:**

Staff recommends that the Commission:

1. Review and approve the modified policy and procedure as presented in this report related to “Individual Notice of Commission Hearings”;
2. Adopt the revised “Listing of Assessor Parcel Number(s) Within Area Proposed for Change” form;
3. Eliminate the following forms, adopted February 21, 2001, by the Commission:
  - a) Listing of Assessor Parcel Numbers For Areas That Surround the Exterior Boundary of Area Proposed for Change;
  - b) Voter Location List – Area Within Proposed Change; and,
  - c) Voter Location List – Area Surrounding Exterior Boundary.
4. Instruct staff to forward notification of the changes to the County, Cities, and Special Districts, and post the revised information on the LAFCO Website.

**BACKGROUND:**

In February 2001, with the passage of Assembly Bill 2838 (the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000), the Commission made changes to its policy related to “Individual Notice of Commission Hearings to

Landowners and Registered Voters” (Policy #27), as well as adopting four different forms to implement this policy which were included in its Policy and Procedure Manual. Since then, applicants have been submitting the required forms and LAFCO staff has been processing proposals based on the information provided on these forms.

However, staff has encountered several problems with the information provided on the forms. For the Assessor Parcel listing forms, which require submission of parcel numbers both within and surrounding the jurisdictional change, the issues relate to incorrect parcel ranges and inconsistency in the listing of parcels surrounding the proposal area. For the Voter Location List forms, again both within and surrounding, the issue relates to the failure in identifying some of the parcels that do not have any physical addresses. Many times, the listing of address ranges in the odd and even format can be complicated; hence, the forms are routinely filled with errors.

Due to the above-mentioned problems and the sensitive issue of providing individual notice requirements, it has become a standard procedure for staff to generate its own parcel listings (both within and surrounding) for each proposal. In this way, staff can verify that the information provided by the applicants is accurate. Although the verification process has been necessary, it creates a redundancy in the process which defeats the purpose of requiring applicants to submit the parcel listings.

In the staff’s view, generating its own parcel listing is necessary to be certain that the parcel information for a given proposal can be relied on. Based upon this position, staff is requesting that the policy be modified to require that applicants only submit the parcel listing within the proposal area. This requirement will then be used mainly to calculate fee deposits for landowner notification and the Registrar of Voters review costs. The applicants’ parcel listing will also be used to double-check if it matches the parcel listing information generated by staff. Once the parcel listings (within and surrounding) are generated, staff will use the information to generate the mailing lists for individual notifications of property owners utilizing our computer-application process.

LAFCO staff has also discussed the voter location list forms with Mr. David Widdicombe from the Registrar of Voters (ROV). Mr. Widdicombe, who processes the LAFCO’s forms, concurs that the forms submitted to him tend to have numerous errors in the information provided by the applicant. He indicates that it would be sufficient for the ROV to process the registered voter listings if LAFCO provides only the parcel listing within and surrounding the area proposed for change. Therefore, the information generated by LAFCO staff, will also be forwarded to the ROV, for use in preparing the registered voter listings for all proposals.

**RECOMMENDED MODIFICATIONS:**

In order to accommodate the changes outlined above that would require that applicants only submit the parcel listing within the proposal area, staff is proposing to amend the procedure portion of the “Individual Notice of Commission Hearings” policy and procedure, to read as follows:

PROCEDURE:

1. The proponents of a proposal shall be required to submit ~~the a~~ completed **“Assessor Parcel Number Listing” form for the proposal area** forms to address landowners inside and surrounding the proposal area (entitled, “Assessor Parcel Listing” forms) and registered voters inside and surrounding the proposal area (entitled, “voter Location List” forms).

***For questions on preparing the form, please contact LAFCO Staff at (909) 383-9900.***

~~Assistance in preparing the Assessor Parcel Listing forms is available at the County Assessor’s Office, Public Information Section, on the third floor at 172 West Third Street in San Bernardino. Telephone assistance is available at (909) 3867-8307.~~

~~Assistance in preparing the Voter Location List forms is available from the County Registrar of Voters office, Precinct Mapping Division, at 777 Rialto Avenue in San Bernardino. Telephone assistance is available at (909) 387-2045.~~

2. ***LAFCO staff shall utilize the parcel information provided by the applicant to prepare landowner information within and surrounding the proposal area through data included on the most current Assessment Roll prepared by the County Assessor’s office. LAFCO staff shall also utilize the parcel information to coordinate with the Registrar of Voters office to provide information on the registered voters within and surrounding the proposal area.*** The scale identified for surrounding the proposed change ***for preparing the notice for surrounding landowners and registered voters by LAFCO staff*** shall include the distance requirement, or number of parcels, in a linear direction from all points of the proposal boundary.

3. The individual notice of Commission proceedings shall be provided for all changes of organization, reorganization, or sphere of influence change. Exceptions to this requirement are noted in Item #4 below.
4. One-eighth ( $\frac{1}{8}$ ) page display ads shall be provided in a newspaper of general circulation within the area, and a local newspaper, for any incorporation, formation, dissolution, or consolidation proposal. ~~In these instances, the Assessor Parcel Listing and Voter Location List forms for areas surrounding the proposal will not be required.~~ **Regardless of the waiver of individual notice for these actions,** the requirement for completion of the Assessor Parcel **Number** Listing ~~and Voter Location List~~ forms for the actual proposal area will be maintained.
5. All costs associated with complying with these requirements will be paid for by the proponent of the action.

In addition, staff is proposing to revise the “Listing of Assessor Parcel Number(s) Within Area Proposed for Change” form (Attachment #2) to require that the listing of parcels be identified individually, not in parcel ranges as previously required. Not only does this system eliminate the possibility of omitting a parcel from the list, but it also provides an actual count of parcels - which will be used to calculate deposits for landowner notification and Registrar of Voters review fees.

The three other forms: 1) Listing of Assessor Parcel Numbers For Areas That Surround the Exterior Boundary of Area Proposed for Change, 2) Voter Location List – Area Within Proposed Change, and 3) Voter Location List – Area Surrounding Exterior Boundary, are to be eliminated.

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Attachments:

1. Proposed Modified Policy and Procedure for “Individual Notice of Commission Hearings to Landowners and Registered Voters”
2. Revised Listing of Assessor Parcel Number(s) Within Area Proposed for Change Form