

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

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**DATE**           **MARCH 5, 2004**

**FROM**           **KATHLEEN ROLLINGS-MCDONALD, Executive Officer**

**TO**               **LOCAL AGENCY FORMATION COMMISSION**

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**SUBJECT**    **Agenda Item #11: Waiver of Legal Counsel Conflict for LAFCOs  
2923, 2954 and 2955**

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**RECOMMENDATION:**

Authorize the Chair to sign the attached "waiver of conflict" consent forms for LAFCO 2923 - Service Review and Sphere of Influence Update for the City of Colton, LAFCO 2954 - City of Fontana Annexation No. 156 and LAFCO 2955 - Reorganization to Include Annexations to City of Big Bear Lake and Big Bear Lake Fire Protection District and Detachments from County Service Area 53, Improvement Zones A, B and C (Holloway's Marina).

**BACKGROUND INFORMATION:**

At the present time, these proposals are anticipated to be non-controversial. LAFCO Legal Counsel Clark H. Alsop is a partner of the law firm of Best Best and Krieger, which acts as City Attorney for the Cities of Big Bear Lake, Colton and Fontana. Mr. Alsop has provided the Commission with letters indicating his firm's potential dual representation and requesting that the matter of potential conflicts be considered by the Commission.

Given the anticipation that these applications will be non-controversial, staff recommends that the Commission authorize the Chair to sign the consent for each proposal. Absent this consent, staff will need to seek special counsel for representation and ask for a deposit for these services from the applicants.

KRM

Attachments