

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

175 West Fifth Street, Second Floor, San Bernardino, CA 92415-0490

• (909) 387-5866 • FAX (909) 387-5871

E-MAIL: lafco@lafco.sbcounty.gov

www.sbclafco.org

DATE: MARCH 8, 2004

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #15: Executive Officer's Report

Attached is a memorandum from Clark Alsop regarding whether or not the proposed Dissolution of County Service Area 60 (filed as LAFCO 2950) would constitute a "license, permit or other entitlement for use". As the memorandum indicates, it is the opinion of Mr. Alsop that it does not.

However, the final paragraph indicates that this opinion does not immunize Commissioners from possible challenge by the Fair Political Practices Commission (FPPC). The only way to achieve this immunization would be for the Commission to request and receive a written opinion from the FPPC. As indicated, if the Commission wishes to proceed with this request, Counsel Alsop will prepare and process the necessary paperwork.

This is an information item for the Commission. Staff will proceed to take whatever appropriate action following direction by the Commission on this issue.

/krm