

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

215 North D Street, Suite 204,
San Bernardino, CA 92415-0490 • (909) 383-9900 • Fax (909) 383-9901
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE: OCTOBER 10, 2006
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: AGENDA ITEM #9 – CONSIDERATION OF REQUEST FOR REDUCTION IN FILING FEES SUBMITTED BY SAN BERNARDINO COUNTY BOARD OF SUPERVISORS FOR LAFCO 3070 – FORMATION OF PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT ET AL.

RECOMMENDATION:

Staff recommends that the Commission approve the reduction in filing fees/deposits to a total of \$17,290 for LAFCO 3070. The calculation of the fees required is:

a.	Formation of Phelan Pinon Hills CSD	\$5,550
b.	Dissolution of CSA 70 Improvement Zone L	\$4,500
c.	Detachment from County Service Area 56	\$4,250

and the deposits for services required are:

a.	Legal Counsel Deposit	\$1,040
b.	Display Ad	\$ 750
c.	Registrar of Voters	\$ 450
d.	Environmental Review	\$ 750

BACKGROUND:

On July 19, 2006, the County submitted a proposal for the formation of the Phelan Pinon Hills Community Services District. While the County is the applicant, having adopted a resolution of initiation, this was done in support of the efforts of the Phelan Pinon Hills CSD Feasibility Committee. The Committee has been working on its efforts to create an independent, self-governed district for their community for well over two years.

A part of the County's application, a request for reduction in the filing fees attributable to the proposal was included (see attached Memorandum from Mr. Norm Kanold, dated September 5, 2006). Specifically, the County is requesting a reduction of fees to include the charges for only the formation and one dissolution, along with payment of the applicable deposits. The total fees and deposits would be \$13,040.

However, the staff's cursory review of the application indicates that the actions required to be taken are those listed below. Staff has provided an identification of the fees/deposits associated with this application:

a.	Formation of the Phelan Pinon Hills CSD	\$ 5,550
b.	Dissolution of CSA 70 Zone L, CSA 9 and CSA 56 F-1 (\$4,500 times 3)	\$13,500
c.	Detachment from CSA 56	\$ 4,250
d.	Deposit for Legal Counsel	\$ 1,040
e.	Deposit for Registrar of Voters	\$ 450
f.	Deposit for Environmental Review	\$ 750
g.	Deposit for Display Ad	\$ 750
TOTAL		\$26,290

In discussions with County staff prior to the initiation of this proposal, LAFCO staff misquoted the filing fees for this proposal by overlooking one of the required dissolution actions resulting in a \$4,500 increase to the required fees. In addition, during this period the Commission's Fee Schedule added the new deposit for Legal Counsel (\$1,040). Therefore, the total fees identified in the County letter are lower than the total identified above.

However, it is the staff's position that the dissolution of the three agencies within the application area, CSA 9, CSA 56 F-1 and CSA 70 Improvement Zone L, can be combined into a single consideration for the Commission. Therefore, staff supports the request for reduction in filing fees for a total of \$17,290 -- \$4,250 more than the County's request.

The staff will be happy to answer any questions of the Commission prior to or at the hearing.

KRM/

Attachment