

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

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DATE: SEPTEMBER 8, 2006

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #5 – CONSIDERATION OF REQUEST FOR
WITHDRAWAL OF LAFCO 2977 – FORMATION OF COUNTY
SERVICE AREA 120 AND DISSOLUTION OF COUNTY SERVICE
AREA 70 IMPROVEMENT ZONES OS-1 AND OS-3 (NORTH
ETIWANDA OPEN SPACE PRESERVE)**

RECOMMENDATION:

Accept withdrawal request submitted by the applicant, County of San Bernardino, Special Districts Department, for LAFCO 2977.

BACKGROUND INFORMATION:

By letter dated August 10, 2006 (copy attached), the County Special Districts Department Director Tom Sutton has requested withdrawal of the application for formation of County Service Area 120 described above. This request has been prompted by the need for modification in the proposal's boundary, which is anticipated to significantly change the application on file. LAFCO 2977 was originally scheduled for consideration by the Commission in February 2005 and continued to May 2005, but was taken off-calendar due to ongoing negotiations on map revisions, supplemental documentation and the need for additional environmental evaluation.

According to existing Commission policy (copy attached), the applicant is due a refund of deposits for processing of this proposal, less costs related to environmental review (refund of \$525), Registrar of Voters (refund of \$450) and Property Owner notification (refund of \$114.10). No refund of the LAFCO filing fee is attributable to the proposal in accordance with Commission policy on the basis that the proposal has been withdrawn following Commission continuance of the application.

Staff recommends that the Commission accept the applicant's request for withdrawal of this application, direct that the file be closed, and direct that the appropriate refund be transferred back to the County of San Bernardino.

KRM

Attachments:

- 1 -- Location Map
- 2 -- Request for Withdrawal From County Special Districts Department
- 3 -- May 6, 2005 and February 4, 2005 Staff Reports on LAFCO 2977
- 4 -- Refund Policy