

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

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DATE : **NOVEMBER 9, 2009**

FROM: **KATHLEEN ROLLINGS-McDONALD, Executive Officer**

TO: **LOCAL AGENCY FORMATION COMMISSION**

**SUBJECT: AGENDA ITEM #4 – REVIEW AND ADOPTION OF CONTRACT WITH THE
 COUNTY OF SAN BERNARDINO AND COUNTY AUDITOR/ CONTROLLER-
 RECORDER FOR COLLECTION OF OUTSTANDING AGENCY PAYMENTS**

RECOMMENDATION:

1. Adopt the Agreement between the County of San Bernardino, County Auditor/Controller-Recorder and the Commission related to collection of agency payments and,
2. Direct the Executive Officer to sign the Agreement and file it with the County Auditor/Controller-Recorder and County Administrative Office.

BACKGROUND:

As the Commission is aware, Government Code Section 56381 requires that the net operating expenses of LAFCO be apportioned in thirds to the County, the Cities and the Independent Special Districts by the County Auditor Controller. Each year the payments are required to be submitted to the County Auditor/Controller-Recorder by September 1. For those entities that do not remit their apportionment the Commission annually makes a determination as to how to collect the amount owed.

This year, the County Auditor/Controller-Recorder has requested that an agreement be signed between LAFCO, the County, and the Auditor/Controller-Recorder outlining the obligations of each party in this collection process. Attached to this report is the agreement proposed which has been reviewed by LAFCO staff and Legal Counsel.

The actions recommended are that the Commission approve the Agreement and instruct the Executive Officer to sign it and provide copies to the appropriate parties within County government for further action.

/krm