

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

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DATE: APRIL 13, 2011

FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Item #8: Proposed Schedule of Fees, Deposits, and Charges for Fiscal Year 2011-12

RECOMMENDATION:

Staff is recommending that the Commission take the following actions for the LAFCO Schedule of Fees, Deposits, and Charges for FY 2011-12:

- a. Review the proposed modifications and provide staff with direction on changes, corrections, or amendments to be included;
- b. Direct staff to forward the Proposed Schedule of Fees, Deposits, and Charges for FY 2011-12 to the County, all Cities/Towns, and all Independent Special Districts for their review and comments pursuant to Government Code Section 66016;
- c. Schedule the final review and adoption of the Schedule of Fees, Deposits, and Charges for the May 18, 2011 hearing.

BACKGROUND:

Pursuant to Government Code Section 56383, the Commission has established a schedule of fees, deposits, and service charges to recoup the costs of proceedings. Section 56383 includes the stipulation that the fees shall not exceed the estimated reasonable cost of providing the service for which it is charged. For Fiscal Year 2011-12 the only monetary change staff is proposing is to increase the charge for purchase of DVDs from \$20 to \$25. The other change relates to clarifying the language for charging for individual notice. It is important to note that no major fee increase is being proposed.

Staff is recommending changes to the Fee Schedule related to the language regarding implementation of Commission policies on providing Individual Notice. The language change is shown as:

E. Individual Notice

1. Deposit for Individual Notice (Registrar of Voters Review, and Registered Voter and Landowner Notification Requirements)

[Applicable to actions listed under Items A1, A2, A3, (except for Item 3c), B1 and B2]

\$250 non-refundable LAFCO fee	\$450 Deposit for Individual Notification costs	\$700 Total Deposit required upon application submission
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(Applicants shall be required to reimburse the Commission for Registrar of Voters charges and notification costs (notice to all registered voters and landowners within the proposal and surrounding the area according to Commission policy) in excess of the deposit prior to issuance of the Certificate of Completion or issuance of the Commission’s resolution for service contracts or sphere of influence changes. If charges billed to LAFCO are less than the amount of deposit, the balance will be refunded to the applicant or applied to other categories where excess charges have been incurred.

In cases where the change would involve mailing more than 1,000 notices, the Commission may waive the individual notice requirement and direct its staff to publish a 1/8th page display ad in a newspaper of general circulation within the area. Please contact the LAFCO office if the proposal would require mailing of more than 1,000 notices for further information. By policy, individual notice to landowners and registered voters shall not be waived for City Island annexations filed pursuant to Government Code Section 56375.3, even if it includes more than 1,000 notices.)

2. Deposit for Publication of Display Ad in lieu of Individual Notice \$1,000

[Applicable to actions listed under Items A4 - A7, and those actions where individual notice has been waived by the Commission.]

(Adopted Commission policy automatically waives the requirement for individual landowner and registered voter notice inside and surrounding a proposal for dissolution, merger, or establishment of subsidiary district; formation or consolidation of special districts; activation of divestiture of powers for special districts; consolidation of cities; or incorporation or disincorporation of a city proposal. In doing so, the Commission required that a 1/8th page display ad be provided in a newspaper of general circulation within the area. Applicants shall be required to reimburse the Commission for advertisement charges in excess of the deposit prior to issuance of the Certificate of Completion or issuance of the Commission’s resolution for service contracts or sphere

of influence changes. If the charges billed to LAFCO are less than the amount of the deposit, the balance will be refunded to the applicant or applied to other categories where excess charges have been incurred.

CONCLUSION:

At this hearing, the Commission is requested to provide staff with any changes, corrections, or additions to be included in the Schedule of Fees, Deposits, and Charges. The Schedule, as amended, will be forwarded to the County, the Cities and Towns, and the Independent Special Districts for their review and comment as required by statute. Any comments received will be reviewed with the Commission at the final hearing scheduled for May 18, 2011.

KRM/

Attachment – Proposed Schedule of Fees, Deposits, and Charges For FY 2011-12