

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

AGENDA ITEM No. 9

DATE: September 10, 2014

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Request – Waive LAFCo Filing Fees for the Sierra Resource Conservation District. A request to waive filing fees for a sphere of influence revision to remove the District's territory from Tulare County

Petitioner: Steve Haze, Program Manager, Sierra Resource Conservation District

RECOMMENDATION: Approve Fee Waiver Request (Requires a Four-Fifths Vote)

Background

The Sierra Resource Conservation District is located in the eastern portion of Fresno County and extends for a short distance into Tulare County to the south.

The District enables landowners within its boundary to receive technical assistance services from the USDA Natural Resources Conservation Service related to land improvement techniques, conservation of resources, and soil erosion control and prevention. The District also provides public education about resource conservation issues.

The District has no physical infrastructure or assets. The District has no regular funding source and does not receive any property taxes or assessments.

The Commission must waive any processing fee by a four-fifths affirmative vote per LAFCo policies.

Discussion

Terry Sandridge, Board President of the Sierra Resource Conservation District (RCD) submitted a request asking LAFCo to waive the filing fee for a sphere of influence revision (SOI) that would adjust the SOI between the Sierra RCD and Tulare County Resource Conservation District to conform to the legal division and shared boundaries between Fresno and Tulare Counties. LAFCo's filing fees are based on the acreage of an annexation proposal. In this case, the fee would be \$16,800.

Section 101 03 of the Commission's Policies, Standards and Procedures states:
"Reorganization of overlapping and competing agencies or illogical boundaries dividing agency service areas is recommended. The Commission encourages implementation of reorganizations, such as consolidations, mergers, dissolutions, where the result will be better service, reduced cost, and/or more efficient and visible administration of services to the citizens."

Analysis

The Sierra RCD is a non-taxing authority and maintains a very small budget with limited financial resources.

Section 350-08 of the LAFCo Policies, Standards, and Procedures sets forth standards for the waiver of fees. The adopted policies state:

The Commission may waive any processing fee by a four-fifths affirmative vote if the imposition of such fee would be detrimental to the public interest, as determined by the Commission. Any change specifically recommended by the Commission in a study approved by the Commission may not require a fee (350-08)

LAFCo's fees have been established to help off-set the State mandated annual contribution by the County of Fresno and the Cities of Fresno County that fund LAFCo operations. The special districts that operate within Fresno County also have a right to participate as LAFCo Commission members and provide one-third of the operating costs of the agency. The Districts, however, have not indicated their desire to participate.

Staff believes that the District has provided sufficient justification to support a fee waiver and that such action is in the public interest.

Sierra Resource Conservation District

August 26, 2014

David Fey
Executive Officer
Fresno LAFCo
2607 Fresno Street, Suite B
Fresno, CA 93721



Subject: Sierra Resource Conservation District Request for Waiver of Fees

Reference: Pre-Application Review No. PA-14-8 – “Sphere of Influence (SOI) Realignment”,
dated August 7, 2014

Dear Mr. Fey,

The Sierra Resource Conservation District is requesting that Fresno LAFCo take into consideration the waiving of fees associated with this Pre-Application Review as referenced. Sierra RCD is a non-taxing authority, and therefore does not have a parcel tax based assessment on any and all properties deemed within and outside of the requested SOI Realignment”.

Thus, to the best of our knowledge there is no material, nor financial impact to the County of Fresno in respect to the SOI Realignment, or otherwise. We hope that you will look upon this request as being reasonable and with merit.

Please let us know if there may be other aspects that this request should be taking into account, or for additional assistance. I may be reached at: (559) 855-2255 / Teryle.Sandridge@sce.com – or you may contact our District Manager, Steve Haze at: (559) 855-5840 / SteveHaze007@gmail.com.

Sincerely,

Terry Sandridge
President

cc: Board of Directors