



## AGENDA ITEM 6B

**MEETING:** September 18, 2019  
**TO:** Humboldt LAFCo Commissioners  
**FROM:** Colette Metz, Executive Officer  
**SUBJECT: Request to Waive Fees – Garberville Sanitary District Out of Agency Water Service Connection Application**  
The Commission will consider approval for a request to waive fees for the Garberville Sanitary District (GSD) Out of Agency Service Connection Application

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### BACKGROUND

Applications submitted to the Commission are accompanied by deposit, as determined by the 2019 Fee Schedule. Per the Commission's Administrative Policies and Procedures, "the Commission may waive a fee in special circumstances or if it finds that payment is detrimental to, or contrary to the public interest. Fees may be waived or reduced for applications filed in response to a condition imposed by or a recommendation made by the Commission. A request for waiver, including an explanation for the request, must be submitted in writing to the Commission. The Executive Officer will present the request to the Commission, along with analysis and recommendation, for its determination".

The Garberville Sanitary District (GSD) has submitted an application to extend water service to the Southern Humboldt Community Park (SHCP) property at 1144 Sprowel Creek Rd (APN 222-091-015) located outside the District's boundary. The Commission will consider approval of this application in a public hearing at today's September 18, 2019 meeting, see *Agenda Item 7A*. Regardless of the action the Commission takes pertaining to the subject application, the applicant is responsible for all application processing costs incurred to date unless otherwise designated by the Commission.

### FEE WAIVER REQUEST

This application was submitted by GSD at the request of the SHCP. GSD has required SHCP to cover all costs associated with providing the connection, including LAFCo application fees. As a part of the application, GSD has submitted a request to waive fees on behalf of SHCP, see Attachment A. This fee request letter was presented as an informational item At the July 17, 2019, LAFCo Commission meeting, to be brought back before the Commission for consideration at this September 18th meeting.

Per the 2019 Fee Schedule, the Garberville Sanitary District Out of Agency Service (OAS) Application is subject to an initial \$2,000 application fee, plus any additional application processing costs exceeding the initial deposit. Based upon expenses to date, final application costs are estimated to be approximately \$8,500. Application costs have included staff time to process the application, legal noticing, environmental analysis

documentation & noticing (CEQA Addendum), response to public records act requests and inquiries, legal counsel review, and coordination and communication with GSD.

### **RECOMMENDATION**

Staff recommends the Commission reduce the final application fees by \$3,000 associated with costs to prepare the CEQA Addendum. This would reduce the application's estimated final cost to approximately \$5,500, of which \$2,000 has been covered by the application deposit. GSD as the applicant is the responsible party to cover remaining cost, which is assumed to be passed through to SHCP at the District's discretion.

### **PROCEDURES FOR CONSIDERATION**

This item has been agenized for consideration as a Business Item. The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Receive verbal report from staff
- 2) Open the item to Public Comment and invite testimony.
- 3) Discuss item and – if appropriate –consider action on recommendation:

"I move to (approve/deny) a fee waiver reduction in the amount of \$3,000 for the Garberville Sanitary District Out of Agency Service Extension Application."

### **Attachments:**

Attachment A: SHCP Fee Waiver Letter



## Agenda Item 6B Attachment A

Date: June 13, 2019

To: Humboldt Local Agency Formation Commission

From: Carolyn Hino-Bourassa  
Southern Humboldt Community Park (SHCP), Board of Directors Treasurer and  
Laura Cochrane, SHCP Executive Director

Re: GSD Outside Agency Service – Request for Waiver of Fees

As stated in our letter to you dated October 25<sup>th</sup>, 2018, the SHCP serves our community in multiple ways and continues to be a critical and needed asset in promoting the health and welfare of not only community members but visitors as well.

**Unfortunately, the submission of the park's environmental impact report and successful rezoning has left the park in serious debt. To date, we owe two lenders a total of approximately \$475,000. Our dedicated and committed all-volunteer board is working hard to minimize expenditures and pay down our debt.** But bills from this process continue to trickle in as last month, we received a bill from the County Building and Planning Department for time and services dated in 2014 totaling \$9,000. Fortunately, the planning and building department has offered a reasonable payback schedule.

We understand from your website link to 'schedule of fees and deposits' that the commission may waive a fee in special circumstances or if it finds that payment would be detrimental or contrary to the public interest. Fees may be waived or reduced for application filed in response to a condition imposed by or a recommendation made by the Commission.

**With the help of generous donors and supporters, deferred maintenance is being tended to and projects are moving forward to help the park remain a viable community asset and financially sustain itself.**

With your help and consideration of our request, we are confident that the SHCP will remain a community treasure now and for generations to come.

We look forward to hearing from you.

Carolyn Hino-Bourassa

Laura Cochrane