

# LAFCO

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**Santa Barbara Local Agency Formation Commission**

105 East Anapamu Street ♦ Santa Barbara CA 93101

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June 1, 2017 (Agenda)

Local Agency Formation Commission  
105 East Anapamu Street, Room 403  
Santa Barbara CA 93101

## **Proposed Revisions to the Schedule of Processing Fees –Effective July 1, 2017**

Dear Members of the Commission:

### RECOMMENDATION

It is recommended that the Commission Approve the Proposed Revisions to the Schedule of Processing Fees.

### DISCUSSION

The Proposed Revisions to the Schedule of Processing Fees is attached as **Exhibit A**. The Commission last revised the Schedule of Processing Fees on June 4, 2015, effective July 1, 2015 (**Exhibit B**). Processing fees were increased significantly in 2015-16, but have remained unchanged for the last two fiscal years. **Exhibit C** is a strikeout and redline version of the changes in the current Schedule of Process Fees and the Proposed Schedule of Processing Fees. The deletions have a line through them and the proposed new or replacement fees are underlined or have no lines.

Santa Barbara LAFCO averages fee revenues in the 7-10% range of its operating budget. The most recent CALAFCO survey determined that the average LAFCO in the State collects 12.88%, with some larger LAFCO's collecting in the 20-30% range.

In preparing the recommended revisions to the Schedule of Processing Fees, staff considered the Cortese-Knox- Herzberg Act, Government Code Section 56383(b) that states that: *The fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged and shall be imposed pursuant to Section 66016. ..*

The current fee schedule allows the Commission to collect fees from applicants to process boundary changes, sphere modifications and out-of-agency service approvals. However, there are a number of areas that are not included in the current fee schedule that relate to various types of governmental changes of organization, sphere of influence revisions, municipal service reviews,

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**Commissioners:** Roger Aceves, Chair ♦ Craig Geyer ♦ Steve Lavagnino ♦ Jeff Moorhouse ♦ Jim Richardson ♦ Roger Welt  
♦ Janet Wolf ♦ Joan Hartmann ♦ Judith Ishkanian ♦ Shane Stark ♦ Etta Waterfield ♦ **Executive Officer:** Paul Hood

environmental fees, and other fees such as activation of latent powers, study session requests, requests for fiscal analysis, and others.

Staff has again included a fee for Fee Waiver Requests because Government Code Section 56383 establishes that: *The commission may reduce or waive a fee, service charge, or deposit if it finds that payment would be detrimental to the public interest. The reduction or waiver of any fee, service charge, or deposit is limited to the costs incurred by the commission in the proceedings of an application.*

If a fee waiver is requested, the Commission can act on the request pursuant to Government Code Section 56383 on a case-by-case basis, rather than establish criteria that is different from this section.

EXHIBITS

- Exhibit A Proposed Recommended Schedule of Processing Fees – Effective July 1, 2017
- Exhibit B Current Schedule of Processing Fees – Effective July 1, 2015
- Exhibit C Highlighted Changes - Current and Recommended Revised Fee Schedule

Please contact the LAFCO office should you have any questions.

Sincerely,



PAUL HOOD  
Executive Officer

**SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION**  
**SCHEDULE OF PROCESSING FEES**

Effective July 1, 2017

All fees shall be paid prior to the acceptance of an application for processing. All fees should include the appropriate Processing Fee (Minimum \$1,500), Environmental Fees and Public Works Department Fee (\$ 1,100 per application for checking maps and legal descriptions. Please pay this by separate check). Where indicated below, the fees are an initial deposit toward the actual cost of processing a proposal. The applicant shall enter into an agreement to provide for reimbursement to LAFCO for the actual costs of processing an application. A refund shall be issued for any portion of the fee not used for processing. Where fees exceed the required amount indicated below, the applicant shall be notified by the Executive Officer to pay an additional amount equal to the initial deposit. The proposal shall be suspended until such additional funds are deposited with the LAFCO Clerk.

Annexation/Detachment Processing Fees – Where reorganizations involve annexations and detachments, fees will be charged for each change of organization.

<u>Acreage</u>	<u>Proposed Fee</u>
0.1 - 4.99	\$1,500 Deposit Toward Project Cost
5.00 - 9.99	\$2,500 Deposit Toward Project Cost
10.00 - 14.99	\$3,500 Deposit Toward Project Cost
15.00 - 19.99	\$4,500 Deposit Toward Project Cost
20.00 +	\$5,000 plus \$10.00/acre Deposit Toward Project Cost

Additional staff hours in excess of Project Costs shall be charged at an hourly rate of \$175. The Commission’s Legal Counsel and Clerk services will be billed separately based on actual cost, plus countywide overhead. Such fees shall be received prior to the time the staff records the proposed boundary change.

Incorporations, Formations, Other Actions – Where reorganizations involve annexations and detachments, fees will be charged for each change of organization.

Formation of a Special District	\$5,000 Deposit Toward Project Cost
Incorporation of a City	\$15,000 Deposit Toward Project Cost
Dissolution of one or more Districts	\$2,500 Deposit Toward Project Cost
Disincorporation of a City	\$5,000 Deposit Toward Project Cost

Processing Fee Schedule Adopted by LAFCO on June 1 2017-Effective July 1, 2017

Consolidation of Districts	\$3,000 Deposit Toward Project Cost
Merger of Districts	\$3,000 Deposit Toward Project Cost
Establishment of Subsidiary Districts	\$3,000 Deposit Toward Project Cost
Reorganization of City or District (Two or more of the above changes of organization, excluding incorporation of a city.)	\$7,500 Deposit Toward Project Cost
Out-of-Agency Service Agreements	The same fee as for an annexation

Sphere of Influence Fees

Acreage

<u>4.99 acres or less</u>	<u>\$1,500 Deposit Toward Project Cost</u>
<u>5 - 9.99 acres</u>	<u>\$2,500 Deposit Toward Project Cost</u>
<u>10+ acres</u>	<u>\$3,500 Deposit Toward Project Cost</u>
<u>Agency Request for Comprehensive SOI</u>	<u>\$5,000 Deposit Toward Project Cost</u>

Update or Municipal Service Review

Environmental Fees

Initial Study Fee	\$500 Deposit Toward Project Cost
Negative Declaration Fee	\$1,000 Deposit Toward Project Cost
EIR Review-Responsible Agency	\$1,000 Deposit Toward Project Cost
Categorical Exemption	\$500 Deposit Toward Project Cost
EIR Appeal Fee	\$1,000 Deposit Toward Project Cost
EIR required and LAFCO is Lead Agency	Minimum \$5,000 deposit to be increased to equal 25% of the cost of the report

Other Fees

Activation of Latent District Powers (for each power)	\$2,500 Deposit Toward Project Cost
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Request for Reconsideration	\$1,500 Deposit Toward Project Cost
Fee Waiver Request	\$500 Deposit Toward Project Cost
Request for Time Extension	\$500 Deposit Toward Project Cost
Study Session Request	\$2,500 Deposit Toward Project Cost
Request for Fiscal Analysis or Other Studies	\$2,500 Deposit Toward Project Cost
Pre-application Review	Limited to three (3) hours of staff time, then actual cost
Petition Verification Fee	Minimum filing fee of \$10 + \$1.00 per signature
Processing request for the State Controller's review of an incorporation fiscal analysis	
	\$1,500
Annual Agenda Mailing List Fee	\$25
Executive Officer's Report (monthly mailings for 12 months)	\$100
Copying Fee	\$.10 per page

<u>Documents</u>	1-50 pages is \$0.25 a page; 50+ is \$0.10 page
<u>DVDs of LAFCO meetings</u>	\$16

**Fee Policies:**

1. Fees may not be charged for proposals that result from LAFCO orders.
2. Fees must be received at the time application materials are submitted.
3. Allowed refunds are based on staff effort that has been expended prior to the withdrawal of the application as follows:

After staff requests reportbacks	80% of the fee
After Certificate of Filing has been issued	50% of the fee
4. If an annexation occurs within one year of the date the affected property receives an out-of-agency service approval the annexation fee shall be reduced by fifty percent.
5. A supplemental fee shall be charged for proposals that require LAFCO to conduct protest hearings. The fee shall include out-of-pocket costs to publish and mail notices of hearing to landowners and registered voters as required by law.
6. A supplemental fee shall be charged when a Commission meeting, that would not otherwise be held, is held at the request of an applicant. The fee includes Commissioner

per diem stipends and mileage reimbursement and out-of-pocket costs to copy and mail the notice of hearing and agenda packet for the meeting.

7. A supplemental fee shall be charged to recover actual costs for preparing environmental documents when LAFCO is the lead agency. The fee shall include out-of-pocket costs to prepare, copy and distribute the environmental document.
8. A supplemental fee shall be charged to recover out-of-pocket costs to copy documents submitted by local or state agencies, applicants or members of the public that exceed 100 pages for distribution to the members of the Commission.
9. A \$1,100 deposit payable to “County of Santa Barbara” for reviewing maps and legal descriptions must be submitted with proposals that include maps and legals. Addition charges may be collected by the County Surveyor based on the actual time to finalize the maps and legals. Boundary changes will be completed and filed with the County Recorder’s Office only when obligations to the County Surveyor are satisfied.
10. The processing fee to file a request for reconsideration is 50% of the original processing fee amount. The fee shall be returned to the applicant if the Commission determines that the reconsideration is required to correct a procedural defect in its earlier action.
11. The cost for the State to review the Comprehensive Fiscal Analysis for an incorporation shall be the responsibility of those requesting the review.

**SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION**  
**SCHEDULE OF PROCESSING FEES**

Effective July 1, 2015

Annexation/Detachment Processing Fees

<u>Acreage</u>	<u>Proposed Fee</u>
0.1 - 4.99	\$1,500 Deposit Toward Project Cost
5.00 - 9.99	\$2,500 Deposit Toward Project Cost
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15.00 - 19.99	\$4,500 Deposit Toward Project Cost
20.00 +	\$5,000 plus \$10.00/acre Deposit Toward Project Cost

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Formation of a Special District	\$5,000 Deposit Toward Project Cost
Incorporation of a City	\$15,000 Deposit Toward Project Cost
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Disincorporation of a City	\$5,000 Deposit Toward Project Cost
Consolidation of Districts	\$3,000 Deposit Toward Project Cost
Merger of Districts	\$3,000 Deposit Toward Project Cost
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Reorganization of City or District (Two or more of the above changes of organization, excluding incorporation of a city.)	\$7,500 Deposit Toward Project Cost
Out-of-Agency Service Agreements	The same fee as for an annexation

Sphere of Influence Fees

Acreage

4.99 acres or less

\$1,500 Deposit Toward Project Cost

5 - 9.99 acres

\$2,500 Deposit Toward Project Cost

10+ acres

\$3,500 Deposit Toward Project Cost

Agency Request for Comprehensive SOI

\$5,000 Deposit Toward Project Cost

Update or Municipal Service Review

Environmental Fees

Initial Study Fee

\$500 Deposit Toward Project Cost

Negative Declaration Fee

\$1,000 Deposit Toward Project Cost

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Categorical Exemption

\$500 Deposit Toward Project Cost

EIR Appeal Fee

\$1,000 Deposit Toward Project Cost

EIR required and LAFCO is Lead Agency

Minimum \$5,000 deposit to be increased to equal 25% of the cost of the report

Other Fees

Activation of Latent District Powers

\$2,500 Deposit Toward Project Cost

Request for Reconsideration

\$1,500 Deposit Toward Project Cost

Fee Waiver Request

\$500 Deposit Toward Project Cost

Request for Time Extension

\$500 Deposit Toward Project Cost

Study Session Request

\$2,500 Deposit Toward Project Cost

Request for Fiscal Analysis or Other Studies

\$2,500 Deposit Toward Project Cost

Outside User Agreement

\$2,500 Deposit Toward Project Cost

Pre-application Review

Limited to three (3) hours of staff time, then actual cost

Petition Verification Fee

Minimum filing fee of \$10 + \$1.00 per signature

Processing request for the State Controller's review of an incorporation fiscal analysis

\$1,500

Annual Agenda Mailing List Fee

\$25

Executive Officer's Report

(monthly mailings for 12 months)

\$100

Copying Fee

\$.10 per page

Processing Fee Schedule Adopted by LAFCO on June 4, 2015-Effective July 1, 2015



Documents

1-50 pages is \$0.25 a page; 50+ is \$0.10 page

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\$16

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9. A \$1,100 deposit payable to “County of Santa Barbara” for reviewing maps and legal descriptions must be submitted with proposals that include maps and legals. Boundary changes will be completed only when obligations to the County Surveyor are satisfied.
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