

LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF SAN BERNARDINO

SCHEDULE OF FEES AND CHARGES
EFFECTIVE JUNE 1, 2007

The submission of a proposal to the Local Agency Formation Commission (hereinafter LAFCO) is not officially accepted for processing until the filing fees have been received. These fees ordinarily involve the appropriate LAFCO filing fee and deposits for the recovery of the Commission's direct costs, for such items as LAFCO Legal Counsel, environmental review, Registrar of Voters costs, individual notification costs, etc. In addition, certain fees are required at the conclusion of the application process and must be received prior to its official completion.

APPLICATION SUBMISSION:

A. LAFCO Filing Fees for Jurisdictional Changes (see automatic waiver provisions under "Policies Related to Implementation of Fee Schedule" for further information):

1. Annexation, Detachment, Reorganization (involving solely annexations and/or detachments)

	<i>Under 20 acres</i>	<i>20 – 150 acres</i>	<i>Over 150 acres</i>
<i>City *</i>	<i>\$5,000</i>	<i>\$6,000</i>	<i>\$8,000</i>
<i>District</i>	<i>\$4,250</i>	<i>\$5,000</i>	<i>\$6,000</i>

**** City island annexations filed pursuant to Government Code 56375.3 will be assessed one-half of the LAFCO filing fee.***

The fees identified above shall be assessed for each area of consideration within the proposal. A single area means any separate geographical area requiring a legal description. A "single area" does not include two areas that are contiguous only at a point, or two or more areas that are contiguous to an existing boundary of a city or district but not to each other.

2. Reorganization Sum of Component Charges

For a reorganization that involves any combination of changes beyond simply annexations and detachments, the fee will be based upon the components of the reorganization.

3. Sphere of Influence Update/Municipal Service Review:

a. Amendment	\$4,250
b. Update/Service Review Proposing Change	\$4,250
c. Sphere Update/Municipal Service Review with no change requested	\$500

The fee identified above in Items a and b shall be assessed for each area of consideration within the proposal. A single area means any separate geographical area requiring a legal description. A "single area" does not include two areas that are contiguous only at a point, or two or more areas that are contiguous to an existing sphere boundary of a city or district but not to each other.

4. Dissolution, Merger, or Establishment of Subsidiary District(s) \$4,500

SCHEDULE OF FEES
AND CHARGES
FOR FY 2007-08

5.	Formation or Consolidation of Special District(s)	\$5,550
6.	Incorporation or Disincorporation of a City, or Consolidation of Cities	\$8,200
7.	Addition/Deletion of Powers for Special Districts	\$3,750
8.	Request for Reconsideration of LAFCO Decision/Environmental Determination	\$1,000
9.	Verification of Petition Signatures by Registrar of Voters Office	Actual Cost

(A \$200 deposit from the applicants is required at the time of petition submission. This amount will be refunded upon certification of the petition and determination of billable charges. The charges assessed by the Registrar of Voters Office to verify petition signatures shall be payable by the affected entity in the same manner as the verification of initiative petition signatures is billed.)

B. LAFCO Filing Fee for Out-of-Agency Service Contract Review (City or District):

1.	Contracts involving developments such as: subdivisions/ tracts as defined by the Subdivision Map Act (five or more units), Specific Plans	\$3,000
2.	Contracts involving the development of units requiring only a tract map as defined by the Subdivision Map Act (up to four units)	\$500 per connection
3.	Request for Exemption from Govt. Code Section 56133, Subsection (c) (health and safety issue)	\$500
4.	Request for Exemption from Govt. Code Section 56133	\$2,000
5.	Review of Nondevelopment-related Out-of-Agency Service Contract (City or District)	\$250

C. Legal Fee Responsibility:

1.	LAFCO Legal Counsel Representation	Actual Cost
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Legal Fee Deposits are required at the time of application submission identified as follows:

- Jurisdictional Change (applicable to Actions identified under Item A, #1 through #7 except as noted below) \$1,040
- **City island annexations pursuant to Government Code 56375.3** and Service Contracts Item B #1, #2, #4 \$756
- Jurisdictional Change Item A, #3c \$0

(Applicants shall be required to reimburse the Commission for all LAFCO Legal Counsel charges and costs in excess of the fee deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the

Certificate of Completion for jurisdictional changes or issuance of the Commission's resolution for service contracts. If charges billed to LAFCO are less than the amount of deposit, the balance of the fee will be refunded to the applicant or applied to other fee categories where excess charges have been incurred. If Special Counsel is required due to a conflict of interest by LAFCO Legal Counsel, the Commission will determine at a public hearing whether the applicant will be required to pay the full cost of Special Counsel, as authorized by Government Code Section 56384, or the current hourly rate of LAFCO Legal Counsel.)

2. Legal Defense Actual Cost

As a condition of approval of any action taken by LAFCO, the proponents may be required to defend, indemnify and hold harmless LAFCO or its agents, officers, and employees from any claim, action, or proceeding against LAFCO or its agents, officers, and employees to attack, set aside, void, or annul the approval of LAFCO concerning the proposal or any action relating to, or arising out of, such approval when such action is brought within the applicable statute of limitations. The Commission has adopted a policy and procedure setting out the process by which this charge will be applied. At the discretion of the Commission, a deposit of funds by the proponent may be required in an amount sufficient to cover the anticipated litigation costs.

D. Environmental Review Processing:

1. Environmental Review Deposit:

- a. Jurisdictional Change (applicable to types of actions listed under Item A, #1 through #7 except for Item #3(c)):

\$200 non-refundable LAFCO fee	\$550 Deposit for LAFCO Environmental Consultant costs	\$750 Total Deposit required upon application submission
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- b. Service Contracts (Item B, #1 and #2)

\$150 non-refundable LAFCO fee	\$300 Deposit for LAFCO Environmental Consultant costs	\$450 Total Deposit required upon application submission
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(All applicants shall be required to pay the full costs of the Commission's Environmental Consultant's review regardless whether the Commission is the lead or responsible agency as defined under CEQA. Applicants shall be required to reimburse the Commission for Environmental Consultant charges and costs in excess of the deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion for jurisdictional changes or issuance of the Commission's resolution for service contracts. If charges billed to LAFCO are less than the amount of deposit, the balance of the deposit will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

2. Appeal of Environmental Recommendation \$750

3. Preparation of Environmental Impact Report Actual Cost

(A \$20,000 deposit with LAFCO shall be required before proceeding toward preparation of the required environmental documents.)

4. Department of Fish and Game Fees are required to be paid at the time of filing with the Clerk of the Board of the affected County. These fees are dependent upon the action reviewed. LAFCO staff will notify the applicant of the appropriate charges:

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| a. | Negative Declaration (as lead agency) | \$1,850 |
| b. | Environmental Impact Report (as lead agency) | \$2,550 |
| c. | Notice of Determination (as responsible agency) | \$50 |
| d. | Notice of Exemption | \$50 |

- E. Deposit for Registrar of Voters Review
And Registered Voter Notification Requirements
(Annexations, Detachments, Reorganizations, Sphere of Influence Reviews *and Service Contracts - Item B, #1 and #2*)

\$150 non-refundable LAFCO fee	\$300 Deposit for Registrar of Voters services and notification costs	\$450 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 within the proposal and surrounding the area according to Commission policy) in excess of the fee deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion. If charges billed to LAFCO are less than the amount of deposit, the balance of the deposit will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

- F. Deposit for Landowner Notification
(Annexations, Detachments, Reorganizations, Sphere of Influence Reviews *and Service Contracts - Item B, #1 and #2*)

\$150 non-refundable LAFCO fee	\$300 Deposit for Registrar of Voters services and notification costs	\$450 Total Deposit required upon application submission
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(LAFCO staff shall provide individual notice to all landowners within a proposal and those surrounding the area according to Commission policy. The initiating agency or individual shall be required to reimburse the Commission for direct costs for individual notice in excess of the deposit prior to issuance of the Certificate of Completion. If the charges are less than the amount of the deposit, the balance of the deposit will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

- G. Deposit for Display Ad Required for Incorporation, Formation, Consolidation or Dissolution Proposals **\$1,000**

(Adopted Commission policy waives the requirement for individual landowner and registered voter notice inside and surrounding a proposal for incorporation, formation, consolidation and dissolution proposals. In doing so, the Commission required that a 1/8th page display ad be provided in a newspaper of general circulation within the area and a local newspaper. Applicants shall be required to reimburse the Commission for advertisement charges in excess of the deposit prior to issuance of the Certificate of Completion. 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 fee categories where excess charges have been incurred.)

- H. Comprehensive Fiscal Analysis for Incorporation Proposal Actual Cost

(A **\$50,000** deposit is required at the time the application is submitted. Applicants shall be required to reimburse the Commission for all costs associated with the preparation of the Comprehensive Fiscal Analysis in excess of the deposit prior to the scheduling of the Commission hearing. If the charges billed to LAFCO for the preparation of the required document are less than the amount of the deposit, the balance will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

COMPLETION FEES AND CHARGES:

Following Commission approval of an action, the following fees may be required. LAFCO staff will notify the applicant at the time the Commission's resolution is forwarded which of the following fees is applicable to the proposal:

- A. Deposit for Protest Proceeding: **\$1,000**

(Deposit required within 30 days of Commission approval of action – Protest Hearing will not be set until deposit has been paid)

(Applicants shall be required to reimburse the Commission for any protest proceeding costs in excess of the deposit outlined above. Reimbursement to LAFCO shall be required prior to issuance of the Certificate of Completion. If charges billed to LAFCO are less than the amount of the deposit, the balance of the fee will be refunded to the applicant or applied to other fee categories where excess charges have been incurred.)

B. Geographic Information Management System (GIMS) Processing, required at the time the Certificate of Completion is prepared:

1. Changes requiring an update to current sphere or boundaries of participating agencies

(Fees identified below will be assessed for each area of consideration. The definition of area is provided under Application Submission on Page 1.)

<u>Acreage</u>	<u>Primary Charge</u>	<u>Additional Agency</u>
0 to 100 acres	\$ 350	\$ 75
101 to 640 acres	\$ 500	\$100
641 to 2,560 acres	\$ 750	\$125
over 2,560 acres	\$1,000	\$150

2. Incorporation, Formation, or placement of a new agency boundary or sphere into the LAFCO-maintained GIMS system \$3,000

(The fees for incorporations or formations can be deferred until the new City/Town or District receives its first revenues. A request for deferral shall be made to the Executive Officer.)

C. At the time the Certificate of Completion is forwarded to the State Board of Equalization (SBE), application types listed under Item A - LAFCO Filing Fees Subsections 1 through 6 (except for Spheres of Influence), are charged a processing fee pursuant to SBE's adopted Fee Schedule (Government Code Section 54902.5). The standard area charge is listed below:

Single Area Charges:

Less than 1 acre	\$300
1-5 acres	\$350
6-10 acres	\$500
11-20 acres	\$800
21-50 acres	\$1,200
51-100 acres	\$1,500
101-500 acres	\$2,000
501-1,000 acres	\$2,500
1,001-2,000 acres	\$3,000
2,001 acres and above	\$3,500

(Additional types of charges are outlined in the State Board of Equalization Fee Schedule. LAFCO staff will notify the applicant of the appropriate fees.)

MISCELLANEOUS CHARGES:

The following miscellaneous charges may occur at different times within the processing of an application by LAFCO, or thereafter:

- A. State Controller's Fiscal Review for Incorporations Actual Cost
- (A \$7,500 deposit is required at the time a Request for State Controller Review is submitted. All costs in excess of this amount will be the responsibility of the Requestor for payment. Any balance remaining after payments are made to the State will be refunded to the Requestor of Review.)
- B. Workshop Fees Actual Cost
- Proponents of actions pending Commission review may request that a Commission workshop be held in their area. If the Commission agrees to conduct such a workshop session, the Commission may require reimbursement of all costs associated with that session by the proponents.
- C. Charge for Purchase of Copies:
- a. Copies from paper materials (requests in excess of 10 pages) 10 cents per page
 - b. Copies from **digital data** (requests in excess of 20 pages) 5 cents per page
- D. Copy of Commission Hearing**
- a. Tape/CD \$10 per tape/CD**
 - b. DVD (available if production services are utilized for hearings) \$25 per DVD**
- E. Preparation of Transcript of Hearing \$53 per hour
- (Those requesting a transcript of a Commission hearing will be notified of the estimated cost for preparation. The Requestor will be required to provide a deposit in the amount of the estimated cost. All costs in excess of the deposit amount will be the responsibility of the Requestor for payment. Any balance remaining after final charges are determined will be refunded to the Requestor.)

Approved and adopted by the Local Agency Formation Commission on XX.

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