

Proposed Changes to the Fee Waiver/Reduction Provisions

Attachment 1

8. **LAFCO FILING FEE WAIVER/REDUCTION PROVISIONS** (Adopted June 10, 1981 (effective July 1, 1981); Amended March 20, 1996, July 18, 2001, May 17, 2006, ~~and~~ May 16, 2007, and November 20, 2013)

a. Automatic Waivers:

~~The LAFCO filing fee f~~For proposals that correct a boundary alignment problem (i.e., a divided assessor's parcel or inadvertent exclusion), the LAFCO Filing Fee will be automatically waived. ~~provided, however, that a deposit will be required for the~~ All required deposits (anticipated direct costs for legal counsel, environmental review, and ~~the required~~ registered voter/~~and~~ landowner notification) including any completion fees/deposits applicable will be charged at full cost.

For reorganization proposals that require a concurrent sphere of influence amendment (expansion and/or reduction) and reorganization (annexation and/or detachment) for the same area, the Sphere of Influence Update/ Service Review filing fee will be automatically waived – provided the reorganization/sphere proposal does not exceed 100 acres for areas within the Valley or Mountain region or 640 acres for areas within the Desert region (North or South Desert). The Annexation, Detachment, or Reorganization filing fee including all other deposits and any completion fees/deposits applicable will be charged at full cost.

~~Compliance with these conditions is to be determined by the LAFCO Executive Officer.~~

b. Automatic Reductions:

City annexations of island areas that comply with Government Code Section 56375.3 will be assessed one-half of the LAFCO filing fee for each area of consideration within the proposal. All ~~other required deposits and any completion~~ fees ~~and/~~ deposits applicable will be ~~assessed charged~~ at full cost.

The ~~realignment of city or special district~~ readjustment of agency boundaries ~~required by~~ as a result of the realignment of a roadway will be reduced to a single ~~change of organization~~ Annexation, Detachment, or Reorganization fee per entity involved no matter how many changes or separate areas are included in the proposal. All required deposits and any completion fees/deposits applicable will be charged at full cost.

~~The Executive Officer is authorized to notify the entities involved and no further action is required for this reduction.~~

- c. Request for Waiver or Reduction of Fees (to be reviewed and approved by the Commission):

Any applicant may appeal for a waiver or reduction of the LAFCO filing fee to be charged. ~~An appeal~~The request must be submitted in writing and accompany the submission of the application to the LAFCO Executive Officer. The request shall include a justification for the request and the fee(s) it is requesting to be waived or the dollar amount of fees being reduced.- The Executive Officer shall present the waiver/reduction request for Commission review on the consent calendar at the next regular hearing ~~for Commission consideration on the consent calendar~~. The Commission may waive or reduce the filing fee if it ~~first~~ determines that payment would be detrimental to the public interest (~~required by~~pursuant to Government Code Section 56383(d)). A waiver or reduction of fees is limited to those costs incurred by the Commission in processing the proposal. The Commission may authorize a waiver or reduction in the LAFCO filing fee based upon the special circumstances of the proposal, if any. Processing of the application shall be held in abeyance until a decision is rendered by the Commission regarding the ~~appeal of~~request for fees waiver/reduction.