

**ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION
SCHEDULE OF FILING AND PROCESSING FEES**

Effective 2/13/2013

LEGAL AUTHORITY: (Government Code Section 56383)

PROVISIONS

1. Each application or petition to LAFCO must be accompanied by payment of the Administrative Fee and the Initial Deposit set forth below. The administrative fee covers routine office procedures including file setup, preliminary project review, and issuance of a status letter and preliminary staff report. All additional LAFCO staff time and legal counsel time spent on the proposal shall be billed to the applicant or petitioner at the hourly rates set forth below, and shall be paid from the initial deposit. If the hourly charges exceed the amount of the deposit, the applicant or petitioner shall pay the excess within 15 days of receipt of a statement from LAFCO. Failure to pay may be cause for denial of the application/petition, and no proceeding or proposal shall be completed until all fees due have been paid in full.

The Executive Officer may require an additional deposit from applicants to cover actual costs for review and processing of any application where the Executive Officer determines the project is extraordinary in scope and that the processing of the proposal will require advice and counsel from LAFCO's General Counsel beyond routine review of the Executive Officer's report, Commission resolutions, and agenda materials.

2. A written request for a waiver of the fees and/or deposits for staff time, specifying the reason for the request, may be submitted to LAFCO prior to submission of an application or prior to submission of additional funds. The request will be considered at the next regular meeting of the Commission. For detailed information on fee waivers and refunds, see the Commission's "Fee Waiver and Refund Policy."
3. The Executive Officer may waive the fees and/or deposits for additional staff time for any proposal submitted if approved by the LAFCO Commission.
4. As a condition of approval of any change of organization, sphere of influence or municipal service review by the Local Agency Formation Commission (LAFCO), the applicant(s) and real party(ies) in interest are required to defend, indemnify, hold harmless, and release LAFCO and its agents, officers, attorneys, and employees from any claim, action, or proceeding against LAFCO, and its agents, officers, attorneys, 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. In accordance with the Commission's Policy for Indemnification of LAFCO by Applicants (adopted March

8, 2000), the applicant(s) and real party (ies) in interest are required to submit a signed indemnification agreement as part of the application. LAFCO reserves the right to require reimbursement for additional expenses not listed but incurred as a result of processing a proposal.

5. If the Commission approves an out of agency service agreement, and an application for annexation of that territory is filed and approved by the Commission within one year, LAFCO shall reduce the administrative filing fee and initial deposit for the annexation application by 50%. After one year from LAFCO approval of an out of area service agreement, the applicant will be required to pay the full application processing fee (including administrative fee and initial deposit) for the annexation.

ORANGE COUNTY LAFCO FEE SCHEDULE

TYPE OF ACTION	ADMINISTRATIVE FEE	INITIAL DEPOSIT REQUIRED	TOTAL INITIAL PAYMENT
One Change of Organization (e.g., annexation)	\$1,600	\$3,000	\$4,600
One Change of Organization (e.g. annexation) with Sphere of Influence Change	\$1,600	\$4,000	\$5,600
Reorganizations (requires 2 or more changes of organization)	\$1,600	\$6,300	\$7,900
District Formations	\$1,600	\$6,300	\$7,900
District Dissolutions, Mergers, Consolidations and /or Establishment of a Subsidiary District	\$1,600	\$ 6,300	\$7,900
City Incorporations/Dis-incorporations	\$2,000	\$6,300	\$8,300
Out-of Agency Service Agreements	\$1,600	\$3,000	\$4,600
Activation of Latent Powers	\$1,600	\$2,300	\$3,900

TYPE OF ACTION	ADMINISTRATIVE FEE	INITIAL DEPOSIT REQUIRED	TOTAL INITIAL PAYMENT
Request for Extension of Time to Complete Proceedings	\$500	\$500	\$1,000
Request for Reconsideration	\$1,600	\$1,600	\$3,200
Request for Municipal Service Review and/or Sphere of Influence Update	\$1,600	\$6,300	\$7,900
Public Noticing and Publication Costs		Actual Cost (<i>Based on noticing required by Government Code Section §56661</i>)	
Reproduction and Faxing Costs	\$0.25 per page Audio Tape \$15.00 (via Dropbox – no charge)		
Overnight Service	Actual costs		
Agenda Packet (specific meeting)	Actual cost of reproductions @ \$0.25 per page		
Agenda Packet (subscription)	\$250/year (hard copy)		
State Board of Equalization Fees	Actual costs. (<i>Payable to the State Board of Equalization and based on their latest fee schedule. LAFCO collects prior to filing of proposal</i>)		
Compliance with California Environmental Quality Act	Actual Costs (<i>May include LAFCO staff time to prepare environmental documentation, actual consultant costs and appropriate filing fees. Department of Fish and Game filing fees for Notices of Determination (NOD) range from \$965 to \$2,839 (effective January 1, 2011) unless the project will have “no effect” on fish and wildlife. These fees are the responsibility of the project proponent.</i>)		
California State Controller Costs	Actual Costs (<i>Payable to the State Board of Equalization based on their latest fee schedule. LAFCO collects prior to submittal to State Board of Equalization</i>)		
Special Legal Counsel Costs	Actual Costs		
Consultants	Actual Costs		

LAFCO TIME BILLING RATES

LAFCO Staff Rate	Fully Burdened Hourly Rate
LAFCO Legal Counsel	\$213/hour

- Administrative fees cover initial project meetings, pre-filing meetings, file set up, and preparation and distribution of the preliminary staff report.