

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

*Effective 7/1/2021*

## **FEE SCHEDULE OVERVIEW**

In accordance with Government Code Section 56383, the Commission may establish a schedule of fees and a schedule of service charges for the Local Agency Formation Commission of Orange County (LAFCO) proceedings. The submission of an application to LAFCO is not officially accepted for processing until the filing fee deposits have been received by the agency. The fees associated with an application or petition are calculated on a time and materials schedule as detailed in the Fee Schedule.

## **PROVISIONS**

### **1. Additional Deposits:**

- a. The Executive Officer may require an additional deposit from applicants to cover actual costs for review and processing of any application if the Executive Officer determines the project is extraordinary in scope. For example, the Executive Officer may determine 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. Further, LAFCO reserves the right to require reimbursement for additional expenses not listed in the fee schedule but incurred as a result of processing an application.
- b. If the actual charges exceed the amount of the deposit, the applicant or petitioner shall be notified and shall pay the excess within 15 days of receipt of a statement from LAFCO. Failure to pay may be cause for delay and/or denial of the application/petition, and no proceeding or application shall be completed until all fees due have been paid in full.

### **2. Indemnification Agreement Requirement**

As a condition of approval of any change of organization or reorganization, out-of-agency service agreement, sphere of influence or municipal service review by 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.

## ORANGE COUNTY LAFCO FEE SCHEDULE

### LAFCO PROCESSING FEES

TYPE OF ACTION	COST SCHEDULE	INITIAL DEPOSIT
Change of Organization (e.g. annexation or detachment)	Time and Materials	\$4,600
Change of Organization with Sphere of Influence Change	Time and Materials	\$5,600
Reorganization (two or more changes of organization/sphere of influence change)	Time and Materials	\$7,900
District Formations or Consolidations	Time and Materials	\$10,000
District Dissolutions, Mergers, or Establishment of a Subsidiary District	Time and Materials	\$7,900
City Incorporations/Dis-incorporations (Also see <i>additional project completion fees.</i> )	Time and Materials	\$10,000
Activation of Latent Powers	Time and Materials	\$7,900
Request for Municipal Service Review and/or Sphere of Influence Review/Update	Time and Materials	\$7,900
Out-of-Agency Service Agreement	Time and Materials	\$4,600
Request for Reconsideration	Time and Materials	\$3,200
Request for Extension of Time to Complete Proceedings	Time and Materials	\$1,000

### LAFCO STAFF/LEGAL COUNSEL BILLING RATES

LAFCO Staff Rate	Fully Burdened Hourly Rate*
LAFCO Legal Counsel	Actual Costs*

\*See Exhibit B.

## PROJECT COMPLETION FEES AND CHARGES

Public Noticing and Publication Costs	Actual Costs <i>(Based on noticing required by Government Code Section 56661)</i>				
State Board of Equalization Fees	Actual Costs <i>(Payable to the State Board of Equalization and based on their latest fee schedule)</i>				
Compliance with California Environmental Quality Act (CEQA)	Actual Costs <i>(May include LAFCO staff time to prepare environmental documentation, actual consultant costs, and appropriate filing fees. Department of Fish and Wildlife filing fees are required to be paid at the time LAFCO files the Notice of Determination with the Clerk of the Board. The fees listed below include the county's \$50 filing fee and are current as of January 1, 2021)</i>  <div style="margin-left: 40px;"> <table> <tr> <td>a. Negative Declaration</td> <td style="text-align: right;">\$2,480.25</td> </tr> <tr> <td>b. Environmental Impact Report</td> <td style="text-align: right;">\$3,445.25</td> </tr> </table> </div>	a. Negative Declaration	\$2,480.25	b. Environmental Impact Report	\$3,445.25
a. Negative Declaration	\$2,480.25				
b. Environmental Impact Report	\$3,445.25				
Comprehensive Fiscal Analysis for Incorporation or Disincorporation Proposals	Actual Costs <i>(A \$50,000 deposit is required at the time the application is submitted. All excess costs will be the responsibility of the project proponent; any balance will be refunded at the conclusion of the project.)</i>				
State Controller's Fiscal Review for Incorporations	Actual Costs <i>(A \$25,000 deposit is required at the time a Request for State Controller Review is submitted. All excess costs will be the responsibility of the project proponent, any balance will be refunded at the conclusion of the project.)</i>				
Registrar of Voters – Verification of Signatures	Actual Costs				
Special Legal Counsel Costs	Actual Costs				
Consultants	Actual Costs				

## MATERIALS CHARGES

Reproduction and Faxing Costs	Actual Costs*
Postage or Overnight	Actual Costs
Service Agenda Packet (Specific Meeting)	Actual cost of reproductions *
Agenda Packet (subscription)	\$250/year (hard copy)

\*See Exhibit B.

**ORANGE COUNTY LAFCO FEE SCHEDULE**  
**DIRECT COSTS**  
*Effective 7/1/2021*

1. Fully burdened staff hourly rates:

<b>Position</b>	<b>Hourly Rate</b>
Executive Officer	\$ 152
Assistant Executive Officer	\$ 103
Policy Analyst*	\$ 55-62
Commission Clerk	\$ 53

\*Analyst I and Analyst II Class Series

2. Legal Counsel Hourly Rates - \$ 268 for LAFCO-initiated services  
\$ 580 for project applicant-initiated services
3. Reproduction Cost - 0.25 per page
4. Audio Disc Reproduction Cost - \$15.00