

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

Effective July 1, 2008

**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 is non-refundable and 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. Written appeal of the fees and/or deposits for staff time, specifying the reason for the appeal, may be submitted to LAFCO prior to submission of an application or prior to submission of additional funds. The appeal will be considered at the next regular meeting of the Commission.
3. The Executive Officer may waive the fees and/or deposits for additional staff time for any proposal submitted if recommended 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. Where the Commission approves an out-of-agency service agreement and an application for the jurisdictional change is filed within one year of the out-of-agency service agreement being approved by the Commission, the LAFCO fee for that jurisdictional change shall be reduced by 50%. After one year from LAFCO approval of the out-of-agency service agreement, the applicant will be required to pay the full application processing fee.

### **ORANGE COUNTY LAFCO FEE SCHEDULE**

| <b>TYPE OF ACTION</b>   | <b>ADMINISTRATIVE FEE<br/>(non-refundable)</b> | <b>INITIAL DEPOSIT REQUIRED</b> | <b>TOTAL INITIAL PAYMENT</b> |
|---|--|---------------------------------|------------------------------|
| One Change of Organization (e.g., annexation or sphere of influence change)                   | \$1,600  | \$3,000                         | \$4,600                      |
| Reorganizations (requires 2 or more Commission actions)                                       | \$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                      |
| Request for Extension of Time to Complete Proceedings   | \$500  | \$500                           | \$1,000                      |
| Request for Reconsideration   | \$1,600  | \$1,600                         | \$3,200                      |

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|--|---|---|------------------------------|
| Request for Municipal Service Review and/or Sphere of Influence Update | \$1,600   | \$6,300   | \$7,900                      |
| Public Noticing and Publication Costs                                  | \$100   | Actual Cost ( <i>Based on noticing required by Government Code Section §56661</i> ) |                              |
| Reproduction and Faxing Costs  | \$0.25 per page<br>Audio Tape \$15.00   |   |                              |
| 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 \$850 to \$2,500 (effective January 1, 2007) 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 Composite Rate | \$95/hour  |
| LAFCO Legal Counsel        | \$173/hour |