

SONOMA LOCAL AGENCY FORMATION COMMISSION 2023-24 PROPOSED FEE SCHEDULE

(TO BE EFFECTIVE: JULY 1, 2023)

Deposits: Where indicated in the Fee Schedule, deposits toward the actual cost of processing applications must be paid at the time an application is submitted. Applicants must sign an At-Cost Fee Agreement, consenting to pay LAFCO for all costs incurred in processing. Staff work time on applications, which includes overhead costs, is tracked on an hourly basis. Periodic invoicing of costs may be provided.

If actual costs exceed the deposit amount, LAFCO will invoice an applicant for the additional costs. Processing of an application may be suspended until payment is received. LAFCO must receive payment for any outstanding fee amount due, prior to the ~~closing of an application file~~ recordation of the Certificate of Completion. Any portion of a deposit not used for processing will be refunded.

Outside Agency Fees: If the Executive Officer determines that the processing of an application requires LAFCO to contract with another agency, private firm or individual for services that are beyond the normal scope of LAFCO staff work (e.g., preparation of an Environmental Impact Report or Comprehensive Fiscal Analysis), the applicant shall be responsible for all costs associated with that contract or service. The applicant shall provide LAFCO with a deposit sufficient to cover the cost of the contract or an amount determined by the Executive Officer to be a reasonable estimate of the costs.

Legal Counsel Fees: Applicants will be charged the actual cost for legal consultation or review, if the Executive Officer determines that significant legal issues with the application require legal counsel involvement. In such cases, the applicant will be assessed the standard LAFCO fee and an additional fee for legal counsel work, with the minimum amount equivalent to two (2) hours of legal counsel time at the rate in place at that time. All legal counsel fees must be paid in full prior to the ~~closing of an application file~~ recordation of the Certificate of Completion.

Pre-Application Review Fee: Prior to the receipt of an application, LAFCO staff will allocate up to two (2) hours of time, via telephone or email, at no additional cost, to discuss the application and/or work with an applicant, an applicant's agent, and/or affected agencies. If the applicant requests a meeting with LAFCO staff, LAFCO staff time will be assessed at actual cost, including overhead, for any time beyond a 30-minute meeting. For flat-fee applications, this fee will be added to the standard cost, with payment required at the time of application. When a deposit toward the actual cost of an application is paid, pre-application review fees will be added to the charges assessed.

Payment of Fees; Refunds: Payment of fees is not a guarantee of approval of a submitted application. Except for unused portions of deposits, all fees paid to Sonoma LAFCO are non-refundable. All outstanding fee amounts due to Sonoma LAFCO must be paid prior to the ~~closing of the application file~~ recordation of the Certificate of Completion.

Waiver of Fees: The Commission may waive or reduce a fee in special circumstances or if it finds that payment would be detrimental to the public interest. Fees may also be waived or reduced for applications filed in response to a condition imposed by, or a recommendation made by, the Commission. A request for waiver, including an explanation for the request, must be submitted in writing to the Commission. Staff will present the request to the Commission, along with analysis and recommendation, for its determination.

APPLICATIONS INVOLVING ANNEXATION, DETACHMENT, OR COMBINATION

With 100% landowner consent - all owners within the affected territory have provided written consent to the proposed action	\$ 5,500 + Environmental document review fee + California Board of Equalization fees + Legal Counsel’s Time and Materials
Without 100% landowner consent and with fewer than 50 registered voters – not all owners within the affected territory provided written consent to the proposed action	\$9,900 + Environmental document review fee + California Board of Equalization fees + Legal Counsel’s Time and Materials
Without 100% landowner consent and with more than 50 registered voters	\$5,000 deposit towards actual costs + California Board of Equalization fees + Legal Counsel’s Time and Materials
Complex application, as determined by EO, including but not limited to, an EIR, the potential for substantial development with 50 or more units, significant effect on the community and/or amendment to the sphere of influence	\$5,000 deposit towards actual costs + California Board of Equalization fees + Legal Counsel’s Time and Materials

SPHERE OF INFLUENCE UPDATES OR AMENDMENTS

Standard Update or Amendment (with or without a Municipal Service Review)	\$5,000 deposit towards actual costs
Sphere Amendment concurrent with annexation, detachment, or reorganization	\$775

APPLICATIONS INVOLVING

District Formation, Dissolution, Consolidation	\$10,000 deposit towards actual costs
City Incorporation	\$10,000 deposit towards actual costs
Fire Protection Contract	\$5,000 deposit towards actual costs

OUTSIDE SERVICE AREA AUTHORIZATIONS (OSAA)

Application Fee - Administrative Determination	\$2,200 + Environmental document review + Legal Counsel’s Time and Materials
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Application Fee - Commission Determination	\$ 4,300 + Environmental document review + Legal Counsel's Time and Materials
Appeal Fee of Administrative Determination	\$2,300

REVIEW OF ENVIRONMENTAL DOCUMENTS RELATED TO APPLICATION

Categorical Exemption	\$ 335
Initial Study and Negative Declaration/ Mitigated Negative Declaration	\$1,175 <u>1,500</u>
Initial Study and Environmental Impact Report	\$ 2,400 <u>2,700</u>
Preparation of environmental documents when LAFCO is the Lead Agency	\$4,000 <u>5,000</u> deposit towards actual costs

OTHER FEES

Pre-Application Review Fee	No fee for up to a total of two (2) hours of staff time via telephone and/or email; beyond that, staff time is charged at actual cost, including overhead, and added to application fee
Pre-Application Meeting	No fee for up to 30 minutes; beyond that, staff time is charged at actual cost, including overhead, and added to application fee
Request for Reconsideration	\$2,300 <u>2,500</u>
Special or Supplemental Studies	Actual cost of staff and consultant services
Request for Activation or Expansion of District Latent Powers	\$1,000 <u>2,500</u> deposit towards actual costs
Special Meeting or Hearing	\$1,000 <u>2,500</u> deposit towards actual cost
Municipal Service Review (not initiated by Commission)	\$ 5,000 <u>10,000</u> deposit towards actual cost of staff and consultant
Application Referral to Legal Counsel	Equivalent of two hours of legal counsel time at the current rate plus actual costs above the minimum

MISCELLANEOUS

Petition Signature Verification	Costs assessed by Registrar of Voters
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Copies of documents	\$.10 per page (after 10 pages)
Copy of audio recording of meeting	\$20
Annual Agenda Mailing Fee	\$25
Archive Retrieval Fee	Actual cost of staff time
County Clerk Environmental Document Processing Fee (<i>All Applications</i>)	\$ 50.00
Note: Check should be made payable to the County Clerk. If the application is denied, the check will be returned to the applicant	

CALIFORNIA FISH AND WILDLIFE DEPARTMENT FEES

A California Department of Fish and Wildlife fee may be charged when LAFCO is the lead agency for environmental review or when LAFCO determines that such a fee has not been paid previously during consideration of the application. The CA Department of Fish and Wildlife fees are subject to change. 2020 fees are as follows:	
Negative Declaration/ Mitigated Negative Declaration	\$ 2,764.00
Environmental Impact Report	\$ 3,839.25

CALIFORNIA BOARD OF EQUALIZATION FEES

If an application for a change of organization or reorganization contains more than one area, applicant will be charged a fee for each area based on the total number of acres within that area. Fees are subject to change.	
Less than 1 acre	\$300
At least 1 acre up to including 5 acres	\$350
At least 6 acres up to including 10 acres	\$500
At least 11 acres up to including 20 acres	\$800
At least 21 acres up to including 50 acres	\$1,200
At least 51 acres up to including 100 acres	\$1,500
At least 101 acres up to including 500 acres	\$2,000
At least 501 acres up to including 1000 acres	\$2,500
At least 1001 acres up to including 2000 acres	\$3,000
At least 2001 acres and above	\$3,500