

LAFCO

Santa Barbara Local Agency Formation Commission

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August 2, 2018 (Agenda)

Local Agency Formation Commission

105 East Anapamu Street

Santa Barbara CA 93101

Consider Revisions to the Commission's Schedule of Processing Fees

Dear Members of the Commission

RECOMMENDATION:

It is recommended that the Commission Revise the Schedule of Processing Fees

DISCUSSION

At the Commission's May 3, 2018 and June 7, 2018 meetings, staff was requested to bring back an item that would review the process for charging applicants the actual cost of processing proposal. There was concern that applicants only the initial deposit and are not charged for actual costs beyond the deposit. A comment was made that following the initial deposit the actual staff cost should be determined and billed to the applicant.

There have been a several complex proposals where staff and Commissioners have spent many hours dealing with the pending or current application. Recent examples are:

1. The West Santa Ynez Annexation to the Santa Ynez Community Services District
2. Formation of the Los Olivos Community Services District
3. Formation of the Cuyama Basin Water District
4. Formation of the Isla Vista Community Services District
5. Museum of Natural History Reorganization to the City of Santa Barbara

As a point of information, the Commission's Schedule of Processing Fees was considered and reviewed at the June 1, 2017 meeting, effective July 1, 2017. Extensive revisions to the existing fee schedule were made at the time.

Commissioners: Roger Welt, Chair ♦ Roger Aceves ♦ Craig Geyer ♦ Judith Ishkanian ♦ Steve Lavagnino ♦ Jim Richardson
♦ Janet Wolf ♦ Joan Hartmann ♦ Shane Stark ♦ Etta Waterfield ♦ **Executive Officer:** Paul Hood

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At the June 7, 2018 meeting sections of Schedule of Processing Fees that allow the collection of fees beyond the initial deposit are highlighted. The Commission accepted the staff report and emphasized that whenever possible staff should endeavour to fully recover the cost of processing proposals.

Following the meeting, staff again reviewed the Schedule of Processing Fees and added some minor revisions that will clarify certain sections of the Fee Schedule. These are highlighted in red in Exhibit A.

Exhibits:

Exhibit A Minor Revisions to SBLAFCO Schedule of Processing Fees, Effective July 1, 2017

Please contact the LAFCO office if you have any questions.

Sincerely,



PAUL HOOD
Executive Officer

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
SCHEDULE OF PROCESSING FEES

Effective July 1, 2017

All fees shall be paid prior to the acceptance of an application for processing. All fees should include the appropriate Processing Fee (Minimum \$1,500), Environmental Fees and Public Works Department Fee (\$ 1,100 per application for checking maps and legal descriptions. Please pay this by separate check made out to County Pubic Works/County Surveyor). Where indicated below, the fees are an initial deposit toward the actual cost of processing a proposal. The applicant shall enter into an agreement to provide for reimbursement to LAFCO for the actual costs of processing an application. A refund shall be issued for any portion of the fee not used for processing. Where fees exceed the required amount indicated below, the applicant shall be notified by the Executive Officer to pay an additional amount equal to the initial deposit. The proposal shall be suspended until such additional funds are deposited with the LAFCO Clerk.

Annexation/Detachment Processing Fees – Where reorganizations involve annexations and detachments, fees will be charged for each change of organization.

<u>Acreage</u>	<u>Proposed Fee</u>
0.1 - 4.99	\$1,500 Deposit Toward Project Cost
5.00 - 9.99	\$2,500 Deposit Toward Project Cost
10.00 - 14.99	\$3,500 Deposit Toward Project Cost
15.00 - 19.99	\$4,500 Deposit Toward Project Cost
20.00 +	\$5,000 plus \$10.00/acre Deposit Toward Project Cost

Additional staff hours in excess of Project Costs shall be charged at an hourly rate of \$175. The Commission's Legal Counsel and Clerk services will be billed separately based on actual cost, plus countywide overhead. Such fees shall be received prior to the time the staff records the proposed boundary change.

Incorporations, Formations, Other Actions – Where proposals involve more than one change of organization, fees will be charged for each change of organization.

Deleted: reorganizations

Deleted: annexations and detachments

Formation of a Special District	\$5,000 Deposit Toward Project Cost
Incorporation of a City	\$15,000 Deposit Toward Project Cost
Dissolution of one or more Districts	\$2,500 Deposit Toward Project Cost
Disincorporation of a City	\$5,000 Deposit Toward Project Cost
Consolidation of Districts	\$3,000 Deposit Toward Project Cost

Processing Fee Schedule Adopted by LAFCO on June 1 2017-Effective July 1, 2017

Merger of Districts	\$3,000 Deposit Toward Project Cost
Establishment of Subsidiary Districts	\$3,000 Deposit Toward Project Cost
Reorganization of City or District (Two or more of the above changes of organization, excluding incorporation of a city.)	\$7,500 Deposit Toward Project Cost
Out-of-Agency Service Agreements	The same fee as for an annexation

Sphere of Influence Fees

<u>Acreage</u>	
<u>4.99 acres or less</u>	<u>\$1,500 Deposit Toward Project Cost</u>
<u>5 - 9.99 acres</u>	<u>\$2,500 Deposit Toward Project Cost</u>
<u>10+ acres</u>	<u>\$3,500 Deposit Toward Project Cost</u>
<u>Agency Request for Comprehensive SOI</u>	<u>\$5,000 Deposit Toward Project Cost</u>
<u>Update or Municipal Service Review</u>	

Environmental Fees

Initial Study Fee	\$500 Deposit Toward Project Cost
Negative Declaration Fee	\$1,000 Deposit Toward Project Cost
EIR Review-Responsible Agency	\$1,000 Deposit Toward Project Cost
Categorical Exemption	\$500 Deposit Toward Project Cost
EIR Appeal Fee	\$1,000 Deposit Toward Project Cost
EIR required and LAFCO is Lead Agency	Minimum \$5,000 deposit to be increased to equal 25% of the cost of the report

Other Fees

Activation of Latent District Powers (for each power)	\$2,500 Deposit Toward Project Cost
Request for Reconsideration	\$1,500 Deposit Toward Project Cost
Fee Waiver Request	\$500 Deposit Toward Project Cost
Request for Time Extension	\$500 Deposit Toward Project Cost
Study Session Request	\$2,500 Deposit Toward Project Cost
Request for Fiscal Analysis or Other Studies	\$2,500 Deposit Toward Project Cost

Assessor Office and Election Office costs Actual Cost
billed to LAFCO necessary for public notice,
 reviewing and validating protests, and
 elections proceedings

Deleted: proceedings

Processing Fee Schedule Adopted by LAFCO on June 1 2017-Effective July 1, 2017

Pre-application Review	Limited to three (3) hours of staff time, then actual cost
Petition Verification Fee	Minimum filing fee of \$10 + \$1.00 per signature
Processing request for the State Controller's review of an incorporation fiscal analysis	\$1,500
Annual Agenda Mailing List Fee	\$25
Executive Officer's Report (monthly mailings for 12 months)	\$100
Copying Fee	\$.10 per page
<u>Documents</u>	1-50 pages is \$0.25 a page; 50+ is \$0.10 page
<u>DVDs of LAFCO meetings</u>	\$16

Fee Policies:

1. Fees may not be charged for proposals that result from LAFCO orders.
2. Fees must be received at the time application materials are submitted.
3. Allowed refunds are based on staff effort that has been expended prior to the withdrawal of the application as follows:

After staff requests reportbacks	80% of the fee
After Certificate of Filing has been issued	50% of the fee
4. If an annexation occurs within one year of the date the affected property receives an out-of-agency service approval the annexation fee shall be reduced by fifty percent.
5. A supplemental fee shall be charged for proposals that require LAFCO to conduct protest hearings. The fee shall include out-of-pocket costs to publish and mail notices of hearing to landowners and registered voters as required by law.
6. A supplemental fee shall be charged when a Commission meeting, that would not otherwise be held, is held at the request of an applicant. The fee includes Commissioner per diem stipends and mileage reimbursement and out-of-pocket costs to copy and mail the notice of hearing and agenda packet for the meeting.
7. A supplemental fee shall be charged to recover actual costs for preparing environmental documents when LAFCO is the lead agency. The fee shall include out-of-pocket costs to prepare, copy and distribute the environmental document.

Processing Fee Schedule Adopted by LAFCO on June 1 2017-Effective July 1, 2017

8. A supplemental fee shall be charged to recover out-of-pocket costs to copy documents submitted by local or state agencies, applicants or members of the public that exceed 100 pages for distribution to the members of the Commission.
9. As mentioned in the first paragraph, an \$1,100 deposit payable to “County of Santa Barbara/County Surveyor” for reviewing maps and legal descriptions must be submitted with proposals that include maps and legals. Addition charges may be collected by the County Surveyor based on the actual time to finalize the maps and legals. Boundary changes will be completed and filed with the County Recorder’s Office only when obligations to the County Surveyor are satisfied.
10. The processing fee to file a request for reconsideration is 50% of the original processing fee amount. The fee shall be returned to the applicant if the Commission determines that the reconsideration is required to correct a procedural defect in its earlier action.
11. The cost for the State to review the Comprehensive Fiscal Analysis for an incorporation shall be the responsibility of those requesting the review.

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