

KATE McKENNA, AICP
Executive Officer

PROCESSING AND FILING FEES
 Adopted by Commission on 5-20-2024

Applicants will be charged fees that equal the actual cost of preparation for all applications submitted to the Local Agency Formation Commission (LAFCO) of Monterey County according to the following processing and filing fee schedule. A check for the initial deposit made out to LAFCO shall be provided to the Executive Officer with the filing of an application. No action shall be taken and no Certificate of Filing will be issued for any proposal until the deposit is provided to LAFCO. Pass through fees intended for other agencies will be collected upon approval of the application by the Commission.

For requests that include multiple actions or multiple changes in organization, a deposit for each requested change of organization or Sphere of Influence amendment will be provided to LAFCO.

Application Deposits: The following is a schedule of deposits that will be credited toward the total fee which will be the actual cost of preparation.

A.	Annexation, or detachment, or reorganization involving only annexation and detachment:	
	o Under 3 acres	\$1,125
	o 3 to 25 acres	\$3,100
	o Greater than 25 acres	\$5,500
B.	Formation	\$4,450
C.	Consolidation, merger, or establishment of subsidiary district	\$1,475
D.	Dissolution	\$1,475
E.	Incorporation.....	\$23,675
F.	Sphere of Influence Update.....	\$4,450
G.	Minor Sphere of Influence Amendment.....	\$1,125
H.	Out of Jurisdiction Service Extension.....	\$2,950
I.	Comment Letters for New Water Systems.....	\$350
J.	Motion for reconsideration or Appeal pursuant to LAFCO’s Policy for Preservation of Open-Space and Agricultural Lands	\$1,175

- K. Activation Latent Powers..... \$3,550
- L. Special Studies or Municipal Service Reviews initiated by a City or District \$3,550
- M. Extension..... \$600
- N. If LAFCO acts as the Lead Agency, the Environmental Impact Report (EIR) Preparation will be charged at the actual consultant cost of the EIR plus a 15% administrative fee.
- O. Negative Declaration Preparation Fee will be charged at the actual consultant cost of Negative Declaration plus a 15% administrative fee, or the actual cost of staff preparation, as applicable.
- P. Petition Certification Fees, State Board of Equalization Filing Fees, Fish & Game Environmental Review Fees, and State Controller's Fees for Review of Fiscal Analysis will be charged in accordance with the fee schedules of the respective agencies.
- Q. Duplication Fees: \$0.12 per page for photocopies of documents; \$5.00 per diskette, CD, or tape, extraordinary copy requests will be charges on a time and materials basis.

Procedures for Cost Tracking, Monthly Invoices and Replenishment of Deposits:

LAFCO will track staff time spent on each application and send monthly invoices for the actual cost of all staff, legal, consultant and other expenses incurred in processing the application from the time of formally receiving the application and initial deposit through to completion. LAFCO's current hourly rate is \$186 per hour, based on salaries, benefits and overhead. The hourly rate includes Analyst time, routine Executive Officer and secretarial support, routine legal review and GIS support services, and routine copy services. Consultant costs, legal notices published in newspapers, any legal time in excess of one hour, any GIS time in excess of one hour, and any extraordinary copying or other miscellaneous processing charges will be billed directly to the applicant in addition to staff time. LAFCO will also collect pass-through fees for other agencies, including the County Recorder, State Board of Equalization, and State Department of Fish and Game.

Requests will be made for additional payments if necessary to replenish the application's account and keep payments current with the remaining work required for an application. Work will stop if payments stop. If an application has been deemed complete and set for a public hearing, and payments have stopped, a denial recommendation will be prepared for the application. Any balances due must be current before LAFCO issues a Certificate of Filing or a Certificate of Completion.

The Executive Officer may exercise discretion in adjusting monthly or final invoices to reflect administrative credits for staff training and similar circumstances that warrant a reduction in billable costs. Any excess funds not needed to cover the actual cost of preparation will be refunded to applicant at the end of the process.

Waiver:

The Commission may waive or reduce LAFCO fees upon a finding that the proposed action would be in the public's best interest and/or is necessary for public health and safety reasons. A request for waiver must be submitted in writing to the Commission. Fees may also be waived for applications filed in response to a condition imposed by the Commission or in response to a recommendation made by the Commission.

State Board of Equalization Filing Fees:

The fees for single area boundary changes, as of May 2024, are listed below. If a boundary change includes multiple, separate or non-contiguous areas, the fee shall be calculated for each area separately.

Acreage:	Fee:
Less than 1 acre	\$ 300
1.00 - 5.99	\$ 350
6.00 - 10.99	\$ 500
11.00 - 20.99	\$ 800
21.00 - 50.99	\$1,200
51.00 - 100.99	\$1,500
101.00 - 500.99	\$2,000
501.00 - 1,000.99	\$2,500
1,001.00 - 2,000.99	\$3,000
2001.00 and above	\$3,500

Additional County, per transaction	\$300
Consolidation per resolution or ordinance	\$300
Entire district transaction	\$300
Coterminous transaction	\$300
District dissolution or name change	\$ 0

The application of the State Board of Equalization Filing Fees is more fully described in the State Board’s *“Change of Jurisdictional Boundary: Requirements for Statements, Geographic Descriptions, Maps and Fees.”*

Definitions:

Actual Cost of Preparation – All costs of staff, legal, consultant, and other expenses incurred in filing, processing, analyzing, reviewing, and hearing a proposal, as allowed through Government Code Section 56383, beginning when LAFCO receives the deposit and the application through the issuance of the Certificate of Completion and the receipt of acknowledgement from the State Board of Equalization, or through the completion of the process for applications that do not involve a change in organization or reorganization.

Certificate of Completion – the document prepared by the Executive Officer and recorded with the County Recorder that confirms the final successful resolution of a change of organization or reorganization. (Government Code Section 56020.5)

Certificate of Filing – a document issued by the Executive Officer when it has been determined that the application contains all materials needed to complete the analysis for the Commission’s action, in accord with Government Code Section 56658.

Extension – an application for additional time beyond the one year limitation to meet all conditions of approval of a change of organization or reorganization so that LAFCO may file a Certificate of Completion, as allowed for by Government Code Section 57001.