

**GLENN LOCAL AGENCY FORMATION COMMISSION
GLENN COUNTY CALIFORNIA**

RESOLUTION NO. 2006-02

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**RESOLUTION REPEALING LAFCO RESOLUTION #03-07
BY ADDING CERTAIN FEES AND AMENDING CERTAIN
FEES.**

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WHEREAS, Section 56383 of the California Government Code states that “The commission may, after giving public notice and holding a hearing, establish a schedule of fees for filing and processing applications filed with the commission. . .”; and

WHEREAS, the Executive Officer has reviewed the proposed fee schedule and has prepared a report, including his recommendation thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, the Commission called for and held a Public Hearing on the proposal on July 11, 2006, and at the Hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the Report of the Executive Officer.

NOW, THEREFORE, BE IT DETERMINED by the Glenn Local Agency Formation Commission of the County of Glenn, State of California, as follows:

1. That the fees set forth in Exhibit A are based on the estimated cost of processing each type of application and do not exceed the cost of processing each type of application.
2. That the fees set forth in Exhibit A are necessary in order to assess the beneficiary of the project approval the cost of processing the required application.
3. That the fees set forth in Exhibit A will provide a benefit to Glenn LAFCO by enabling the recovery of all of the cost of processing applications.
4. That filing and processing fees (including deposits) will be deposited with the Glenn Local Agency Formation Commission, 125 South Murdock Avenue, Willows, California, 95988. Checks should be made payable to “GLENN LAFCO.”
5. That Applicants shall bear the total costs of preparing Environmental Impact Reports (EIR’s). In the event the Commission is compelled to prepare an Environmental Report stemming from the submission of an application, the applicant will reimburse the Glenn Local Agency Formation Commission for the actual expenses (including the costs of

GLENN LAFCO FEES

Municipal Service Review/Sphere of Influence Fee

(Collected in addition to the general filing deposit on all applications except as noted below.)	
Annexation	Full Cost Recovery Initial Deposit of \$2,000
Annexation of developed lands initiated as the result of applying for annexation to a city or district in order to obtain sewer service as a result of septic tank failure or domestic water service as a result of well failure.	Full Cost Recovery Initial Deposit of \$1,000
Annexation of developed lands within an existing SOI.	Full Cost Recovery Initial Deposit of \$1,000
Annexation of undeveloped lands or lands with increased development potential within an existing SOI.	Full Cost Recovery Initial Deposit of \$2,000
<i>NOTE: Increased development potential is determined by the Executive Officer based on existing zoning/ pre-zoning and specific site characteristics that may restrict further development potential.</i>	
Exclusions - No sphere fee will be charged for the following changes of organization:	<ul style="list-style-type: none"> • Dissolution of districts or CSA's; or • Permanent Open Space/Conservation Easements.
Waiver of Sphere Fees - The Commission may waive or reduce the fee for proposals where the Commission determines that:	<ul style="list-style-type: none"> • the proposal will not significantly impact sphere update responsibilities;
	<p style="text-align: center;">and</p> <ul style="list-style-type: none"> • the public interest would be served by the waiver.

Pre-application

Staff will provide ½ hour of pre-application assistance at no charge. After ½ hour, staff will require a deposit.	Full Cost Recovery Initial Deposit of \$250
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Annexations

Initiated as the result of a single parcel applying for annexation to a city or district in order to obtain sewer service as a result of septic tank failure or domestic water service as a result of well failure. Must have 100% property owner consent, resolution from affected agency and letter from Environmental Health Department, or licensed contractor, verifying septic or well failure.	Full Cost Recovery Initial Deposit of \$1,000
Consisting of the annexation of an entire 'island' area and initiated by resolution of an agency using the 'island' annexation provisions as defined in Government Code §56375.3.	Full Cost Recovery Initial Deposit of \$2,000
Annexation proposals where LAFCO is a responsible agency for CEQA purposes.	Full Cost Recovery Initial Deposit of \$2,000
Annexation proposals where LAFCO must assume lead agency status for CEQA purposes.	Full Cost Recovery Initial Deposit of \$5,000

Detachments

Detachments that are initiated specifically for the purpose of detaching properties from a city or district and are not a part of a reorganization proposal.	Full Cost Recovery Initial Deposit of \$1,000
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Dissolution of District

Single or multiple district dissolutions submitted as a single application.	Full Cost Recovery Initial Deposit of \$2,000
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EXHIBIT A

Merger or Subsidiary District

If initiated at the request of a single agency or multiple agencies or petitions from affected property owners.	Full Cost Recovery Initial Deposit of \$2,000
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Consolidation

All consolidation requests.	Full Cost Recovery Initial Deposit of \$2,000
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Incorporation

The incorporation fee includes the cost of staff time processing the application, staff processing of the request for State Controller's Review of an incorporation fiscal analysis and the State Controller's review of the fiscal analysis. A separate fee will be charged for the environmental review.	Full Cost Recovery Initial Deposit of \$15,000
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Formation of a Special District (including County Service Areas)

If requested by a governmental agency or affected property owners and LAFCO is acting as a responsible agency for CEQA purposes.	Full Cost Recovery Initial Deposit of \$5,000
If requested by a governmental agency or affected property owners and LAFCO is acting as the Lead Agency for CEQA purposes. NOTE: The increased deposit is to fund retention of a consultant to prepare the environmental documents.	Full Cost Recovery Initial Deposit of \$15,000

Disincorporation

All disincorporation applications.	Full Cost Recovery Initial Deposit of \$5,000
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Outs of Agency Service Contract Requests

Requests to extend Agency services outside of district boundary without annexation.	Full Cost Recovery Initial Deposit of \$700
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Expansion of Powers

If requested by a governmental agency or affected property owners and LAFCO is acting as a responsible agency for CEQA purposes.	Full Cost Recovery Initial Deposit of \$2,000
If requested by a governmental agency or affected property owners and LAFCO is acting as the Lead Agency for CEQA purposes. NOTE: The increased deposit is to fund retention of a consultant to prepare the environmental documents.	Full Cost Recovery Initial Deposit of \$5,000

Sphere of Influence Amendments

All sphere amendments NOT initiated by LAFCO, but requested by a governmental agency or affected property owners and LAFCO is acting as a responsible agency for CEQA purposes.	Full Cost Recovery Initial Deposit of \$5,000
All sphere amendments NOT initiated by LAFCO, but requested by a governmental agency or affected property owners and LAFCO is acting as the LEAD agency for CEQA purposes. NOTE: The increased deposit is to fund retention of a consultant to prepare the environmental documents.	Full Cost Recovery Initial Deposit of \$15,000
<i>Note: Because of the wide variation in size and complexity of sphere amendments, the above quoted deposits may be increased or decreased by the Executive Officer after reviewing the proposal with the applicant. If a consultant is retained to prepare the work product, the deposit must cover the full cost of the consultant's contract as well as the anticipated cost of staff time and direct costs. Additionally, sphere updates requested by an agency outside of normal five-year review sequence shall be charged as a Sphere Amendment.</i>	

Attorney's Fees

A proportion of attorney's fees shall be spread to all project applications at a minimum of one hour per project. If the time on the project exceeds one hour, time shall be billed at the current legal counsel hourly rate.

EXHIBIT A

Request for Commission Review

Request for a Special Meeting.	\$1,000
Request for Extension of Time of the one year time for completion of proceedings.	\$500
Request for Commission review of services outside agency boundaries per Government Code §56133.	Full Cost Recovery Initial Deposit of \$1,000
Request for Reconsideration meeting the provisions of Government Code §56895.	Full Cost Recovery Initial Deposit of \$1,000
Request for Preparation of a Special Study.	Full Cost Recovery Initial Deposit of \$2,000

Research

Request for LAFCO staff to research any particular subject. Staff will provide ½ hour of research assistance at no charge. After ½ hour, staff will require a deposit.	Full Cost Recovery Initial Deposit of \$250
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Petition Check

Petition checks are performed in-house whenever possible; however, some proposals require petition checks be performed by either the Assessor's Office or the Elections Department. These departments will bill LAFCO for the service, which is then passed on to the applicant.	Full Cost Recovery
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Environmental Assessment or Environmental Impact Report

For projects not specifically addressed above, the following shall apply. Simple environmental documents can be performed by LAFCO staff at the staff charge-out rate adopted by the Commission. More complex proposals will be circulated to consultants for bid.	Full Cost Recovery Initial Deposit of \$5,000
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Subscription Service for Mailing

Executive Officer's Reports and Agenda (monthly mailing)	\$100/year
Minutes (monthly mailing)	\$20/year
Agenda (monthly mailing)	\$20/year
Completion Notices (monthly mailing)	\$20/year
NOTE: All the above documents are available for download at no cost from the Commission's website.	

Copies

Copies of documents on file in the office of the Commission.	10¢ per page plus any mailing costs.
Color copies.	Rate set by the company or agency making the copy.
Publications on file in the office of the Commission.	Rate set by the company or agency making the copy.
Maps on file.	Rate set by the company or agency making the copy.
NOTE: If research is required as a part of this request, the research fee listed above shall apply.	

Request for Tape/CD of Meeting

Cost per tape/CD.	\$5
Request to Prepare verbatim meeting transcript.	Full Cost Recovery \$500 deposit

EXHIBIT A

State Board of Equalization Fees

State Board of Equalization Fees are established by the State of California. Fees will be charged based on the SBE fee schedule in effect at the time of filing with the State Board. LAFCo cannot reduce or waive these fees. SBE fees shall be paid before staff forwards application to SBE.	See current SBE fee schedule.
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General

All deposits are initial payments toward the total cost of processing ("project cost"). Project cost is defined as staff time plus materials. Staff charge out rates are established through the County of Glenn A-87 plan. Materials include, but are not limited to, charges for advertisement of hearings, petition reviews, as well as fees charged for projects reviews by affected agencies.
Applicants are also responsible for payment of appropriate State Board of Equalization fees, City, County and Special District fees, EIR preparation fees, Fish and Game fees, and County Recording fees.
Staff time will be monitored against the deposit on file with LAFCo. If the cost of processing an application begins to exceed the deposited amount, additional deposits will be required. Any hearing on the application may be continued pending receipt of the additional deposit.
If extensive staff assistance is required prior to receipt of an application, a deposit will be required at the time the work is requested.
The Commission retains the power to waive or reduce processing fees for a proposal under extraordinary circumstances. The request for waiver must be in written form and provide an explanation for the request by the proponents. Staff will present the request, along with a staff recommendation, and an analysis to the Commission for its waiver determination. Absent compelling circumstances, the Commission will not normally adjust or waive deposits and/or fees.
All final bills must be paid by the applicant prior to filing of the Certificate of Completion or during other times of the LAFCo process as deemed appropriate by the Executive Officer.
Charges for Reconsideration of a LAFCo determination are the responsibility of the requesting party.
Deposits on file with LAFCo that exceed the cost of processing the application by \$25 or more will be refunded after LAFCo completes its final filings.

outside consultants) of preparing any Environmental Impact Report or related documents. The EIR charges will be in addition to other fees.

6. The fees listed in Exhibit A shall be considered deposits. Processing charges will be based on the actual time and materials used to process the applications. Personnel costs will be based on time spent by Local Agency Formation Commission staff members and County employees in reviewing the application and related documents and preparing the required reports, documents and correspondence. Hourly rate schedules for these personnel are available for inspection in the Office of the Local Agency Formation Commission and are prepared by the County Auditor. These rate schedules are based on full personnel costs (salaries, benefits, and overhead).

NOW BE IT RESOLVED, the GLENN Local Agency Formation Commission of the County of Glenn, State of California, adopts Exhibit A: Glenn LAFCo Fees, which was introduced at a Regular Meeting of the GLENN LOCAL AGENCY FORMATION COMMISSION on the 11th day of July, 2006 by Commissioner Mike Yalow, seconded by Commissioner Terry H. Allen, and adopted by the following vote of the Commission:

AYES: Terry H. Allen, Denny Bungarz, Mike Yalow, Mike Murray

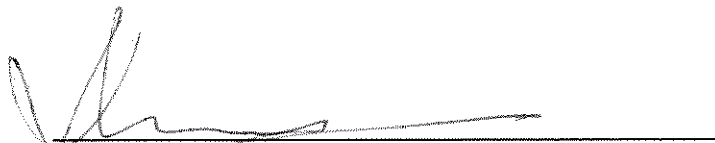
NOES:

ABSENT OR ABSTAIN: Tom McGowan



Mike Murray, Chairman
Glenn Local Agency Formation Commission
Glenn County, California

ATTEST:



Daniel A. Obermeyer, Executive Officer
Glenn Local Agency Formation Commission
Glenn County, California