

RESOLUTION NO. 2023-00RMD
RESOLUTION OF THE LOCAL AGENCY FORMATION
COMMISSION FOR THE COUNTY OF LOS ANGELES
MAKING DETERMINATIONS ADOPTING A FILING FEE SCHEDULE

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (commencing with Government Code § 56000) authorizes the Local Agency Formation Commission for the County of Los Angeles (Commission or LAFCO) to establish a schedule of fees and a schedule of service charges, pursuant to Government Code § 56383;

WHEREAS, LAFCO enacted a filing fee schedule in January, 2006; and

WHEREAS, applicants who submit a proposal to LAFCO pay filing fees consistent with the schedule of fees implemented in 2006; and

WHEREAS, the current filing fees do not cover the costs for LAFCO staff to process, review, and analyze each proposal, as documented in the February 8th staff report and attachments associated with this resolution making determinations, and as further documented in the January 11th staff report and attachments presented to and considered by the Commission; and

WHEREAS, the Commission considered a written staff report and an oral presentation by staff at the January 11, 2023 Meeting, and directed staff to provide notice for a public hearing;

WHEREAS, staff provided a copy of the proposed filing fee schedule to representatives of the County of Los Angeles, the eighty-eight (88) cities in Los Angeles County, and the fifty-three (53) independent special districts in Los Angeles County, immediately after the Commission's January 11th Meeting; and

WHEREAS, staff compiled comments from public agency representatives, provided copies to the Commission, and the Commission has considered those comments; and

WHEREAS, the Commission set the public hearing for February 8, 2023 at 9:00 a.m., at the Los Angeles County Board of Supervisors Hearing Room, Kenneth Hahn Hall of Administration Room 381-B, located at 500 West Temple Street, Los Angeles, California, 90012;

WHEREAS, the Executive Officer has given notice of the public hearing pursuant to Government Code §§ 56153, 56154, 56383, and 66016, wherein the public hearing notice was published in a newspaper of general circulation in the County of Los Angeles on Tuesday, January 17, 2023, which is at least 21 days prior to the February 8th public hearing; and

WHEREAS, the February 8, 2023 Commission Meeting was canceled, and this agenda item was rescheduled for the March 8, 2023 Commission Meeting;

WHEREAS, at the time and place fixed in the notice, and as continued to March 8, 2023, the hearing was held, and any and all oral or written comments, objections, objections, and evidence were received and considered; and

WHEREAS, staff has prepared a time and materials study documenting the cost to LAFCO to process, review, and analyze a proposal, a copy of which is attached to the staff report associated with this resolution making determinations;

WHEREAS, the time and materials study demonstrates that the proposed filing fees are at amounts which do not exceed the estimated amount required to provide the service for which the fee or service charge is levied, as required by Government Code § 66016; and

WHEREAS, staff posted the time and materials study to the Commission website on January 23, 2023, in compliance with Government Code § 66016; and

WHEREAS, staff has prepared a chart which compares the existing fees that are currently being charged pursuant to the filing fee schedule implemented in 2006, as well as the proposed filing fee schedule, a copy of which is attached to the staff report associated with this resolution making determinations;

WHEREAS, and in the interest of affording potential applicants adequate time in which to file a proposal (or proposals) with LAFCO in advance of the new filing fees being enacted, this filing fee schedule will take effect on July 1, 2023; and

WHEREAS, and to account for annual increased costs for LAFCO staff to process, review, and analyze proposals (applications), the Commission hereby authorizes staff to adjust fees annually, on July 1st of each year, in an amount (percentage) equal to the amount of the increase in the Consumer Price Index (for Urban Wage Earners and Clerical Workers published by the U.S. Bureau of Labor Statistics for the Los Angeles-Long Beach-Anaheim Area), with further direction that staff provide notice, in advance of the annual adjustment, to representatives of the County, the cities and special districts in Los Angeles County, of the revised fees, and that staff update the filing fee schedule on the LAFCO website accordingly;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Commission hereby adopts this schedule of filing fees:

PART ONE: FIXED FEES (Proposals Submitted to LAFCO)

Change of Organization (Annexation or Detachment)

Affected Territory Acreage

9.99 Acres or less	\$5,600	All fees include GIS Tech review of one (1) polygon of affected territory. For any proposal with more than one polygon of affected territory, the fee shall be increased by \$750/polygon
10.00 to 24.99 Acres	\$7,500	
25.00 to 49.99 Acres	\$9,500	
50.00 to 99.99 Acres	\$11,500	
100.00 Acres or more	\$14,000	

Reorganizations

Affected Territory Acreage

9.99 Acres or less	\$6,720	All fees include GIS Tech review of one (1) polygon of affected territory. For any proposal with more than one polygon of affected territory, the fee shall be increased by \$750/polygon
10.00 to 24.99 Acres	\$9,000	
25.00 to 49.99 Acres	\$11,400	
50.00 to 99.99 Acres	\$13,800	
100.00 Acres or more	\$16,800	

Sphere of Influence Amendments/Updates/Changes

With associated change of organization or reorganization \$2,500

Without other action

9.99 Acres or less	\$3,000
10.00 to 24.99 Acres	\$3,500
25.00 to 49.99 Acres	\$5,000
50.00 to 99.99 Acres	\$6,000
100.00 Acres or more	\$7,000

Multiple County Proposal

Any proposal involving two or more counties \$2,000 per additional County

Out-of-Agency Service

56133(b) & (c) Service Requests and 56133(e) Exemption Requests \$5,700

PART TWO: FIXED FEES (SPECIAL REQUESTS)

Request for Reconsideration Fifty-Percent (50%) of initial filing fee

Request to schedule a "special meeting" of the Commission	\$5,000
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Request to schedule a "special meeting" conducted by the Executive Officer	\$3,500
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Request transfer of jurisdiction to/from another Commission (LAFCO)	\$1,500
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CEQA Lead Agency Request for NOD/NOE	\$1,000
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PART THREE: ACTUAL COST AND/OR VARIABLE FEES

Out-of-Agency Request Pursuant to 56134	Actual Cost of Staff, Consultant, and Legal Counsel
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Appeal CFA to State Controller's Office (SCO)	Actual Cost, as determined by SCO
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CEQA Lead Agency Request for Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report	Actual Cost of Staff, Consultant, and Legal Counsel
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Special Reorganization	Actual Cost of Staff, Consultant, and Legal Counsel
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Request for non-scheduled Municipal Service Review (MSR)	Actual Cost of Staff, Consultant, and Legal Counsel
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Incorporation, Dissolution, or Consolidation	Actual Cost of Staff, Consultant, and Legal Counsel
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District Formation	Actual Cost of Staff, Consultant, and Legal Counsel
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District Dissolution, Consolidation, or Merger	Actual Cost of Staff, Consultant, and Legal Counsel
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Establish Subsidiary District	Actual Cost of Staff, Consultant, and Legal Counsel
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PART FOUR: FEES COLLECTED BY LAFCO FOR OTHER PUBLIC AGENCIES

Los Angeles County Registrar-Recorder/County Clerk (RRCC) to record a Certificate of Completion (C of C)	Fee/Charge assessed by RRCC (with no mark-up)
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Los Angeles County Registrar-Recorder/County Clerk (RRCC) to post Notice of Determination (NOD) or Notice of Exemption (NOE) for a California Environmental Quality Act (CEQA) Action	Fee/Charge assessed by RRCC (with no mark-up)
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State of California Board of Equalization
(BOE) for LAFCO's filing of a Statement of
Boundary Change

Fee/Charge assessed by
BOE (with no mark-up)

2. The fee schedule herein shall take effect on July 1, 2023.

3. The Commission directs staff to adjust fees annually, on July 1st of each year, in an amount (percentage) equal to the amount of the increase in the Consumer Price Index (for Urban Wage Earners and Clerical Workers published by the U.S. Bureau of Labor Statistics for the Los Angeles-Long Beach-Anaheim Area), and directs staff to provide notice, in advance of the annual adjustment, to representatives of the County, the cities and special districts in Los Angeles County, of the revised fees, and that staff update the filing fee schedule on the LAFCO website accordingly.

4. Direct staff to conduct a thorough review and analysis of the existing calculations of tasks, hours expended, and burdened labor rates, to identify the then-current costs beyond the increases tied to the CPI Index, and make a recommendation to the commission if any changes to the filing fee schedule are warranted, every five years, beginning in July-August of 2028.

5. Pursuant to Government Code § 56883, the Executive Officer may make non-substantive corrections to this resolution to address any technical defect, error, irregularity, or

omission.

PASSED AND ADOPTED this 8th day of March, 2023.

MOTION:

SECOND:

AYES:

NOES:

ABSTAIN:

ABSENT:

MOTION PASSES: 0/0/0

**LOCAL AGENCY FORMATION COMMISSION
FOR THE COUNTY OF LOS ANGELES**

**Paul A. Novak, AICP
Executive Officer**