



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

1700 Second Street, Suite 268  
Napa, California 94559  
Telephone: (707) 259-8645  
Facsimile: (707) 251-1053  
<http://napa.lafco.ca.gov>

**February 6, 2012**  
**Agenda Item No. 5b (Consent/Action)**

January 30, 2012

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer

**SUBJECT: Amendments to Adopted Fee Schedule**

The Commission will consider minor amendments to its adopted fee schedule to reflect new filing charges for the California Department of Fish and Game for lead agencies under the California Environmental Quality Act.

California Government Code Section 56383 authorizes Local Agency Formation Commissions (LAFCOs) to establish a schedule of fees for the costs of administering its prescribed regulatory and planning responsibilities. This includes establishing fees to process change of organization proposals, outside service requests, and sphere of influence amendments. The fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged.

**A. Discussion**

LAFCO of Napa County's ("Commission") fee schedule was last amended in December 2011. The fee schedule generally assigns fixed application fees based on a pre-calculated estimate of the number of hours needed to process a specific type of proposal and multiplied by the current staff hourly rate of \$113.00. The fee schedule also identifies several other charges the Commission collects on behalf of other agencies in the course of processing applications. This includes fees required of the California Department of Fish and Game (DFG) to file notices pursuant to California Environmental Quality Act (CEQA).

DFG has increased its filing fees to file notices of determinations by 2.8% effective January 1, 2012. These increases effect notices associated with (a) negative declarations, (b) mitigated negative declarations, and (c) environmental impact reports as listed below.

Filing Fee Type	Old	New
Negative Declaration	\$2,044.00	\$2,101.50
Mitigated Negative Declaration	\$2,044.00	\$2,919.00
Environmental Impact Report	\$2,839.25	\$2,919.00

Lewis Chilton, Chair  
Councilmember, Town of Yountville

Joan Bennett, Commissioner  
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

Brad Wagenknecht, Vice Chair  
County of Napa Supervisor, 1st District

Bill Dodd, Commissioner  
County of Napa Supervisor, 4th District

Mark Luce, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
Executive Officer

## **B. Analysis**

The new fees associated with filing notices of determination with DFG will be passed on directly to applicants as needed. Accordingly, there is no new impact on the Commission with the exception of the limited instances when it serves as lead agency and initiates an action not exempt from further review under CEQA.

## **C. Alternatives for Action**

The following two alternatives are available to the Commission:

**Alternative One:** Approve the draft amendment to the adopted fee schedule as provided in Attachment One.

**Alternative Two:** Continue consideration of the staff report to a future meeting and provide direction for more information as needed.

## **D. Recommendation**

It is recommended the Commission proceed with Alternative One as outlined in the preceding section.

## **E. Procedures for Consideration**

This item has been agendaized as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

Respectfully submitted,

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Keene Simonds  
Executive Officer

Attachments:

- 1) Draft Amendment to the Adopted Fee Schedule (track changes)
- 2) Notice of Increase in Fish and Game Filing Fees



## Local Agency Formation Commission of Napa County

### *Schedule of Fees and Deposits*

Effective Date: ~~December 5, 2011~~ January 1, 2012

The policy of the Commission is:

1. This fee schedule shall be administered in accordance with the provisions of California Government Code Section 56383.
2. Applications submitted to the Commission shall be accompanied by a non-refundable initial fee as detailed in this schedule.
3. Applicants are responsible for any fees or charges incurred by the Commission or required by other agencies in the course of the processing of an application.
4. Initial fees include a fixed number of staff hours as detailed in the fee schedule or are designated as “at cost.”
5. Additional Commission staff time shall be charged to the applicant at an hourly rate of \$113.00.
6. Applicants are responsible for any extraordinary administrative costs as determined by the Executive Officer and detailed for the applicant in a written statement.
7. Additional Commission staff time and administrative costs shall not be charged for city annexation applications that are comprised solely of one, entire unincorporated island.
8. If the Executive Officer estimates a proposal will require more than 20 hours staff time to complete, he or she shall provide a written statement to that effect to the applicant and request a deposit in an amount sufficient to cover anticipated costs. If this or any subsequent deposit proves insufficient, the Executive Officer shall provide an accounting of expenditures and request deposit of additional funds.
9. If the processing of an application requires the Commission contract from another agency or from a private firm or individual for services that are beyond the normal scope of staff work (such as the drafting of an Environmental Impact Report or Comprehensive Fiscal Analysis), the applicant shall be responsible for all costs associated with that contract. The applicant will provide the Commission with a deposit sufficient to cover the cost of the contract.
10. The Executive Officer may stop work on any proposal until the applicant submits a requested deposit.

11. Written appeal of fees and/or deposits, specifying the reason for the appeal, may be submitted to the Commission prior to the submission of an application or prior to the submission of a deposit requested by the Executive Officer. The appeal will be considered at the next regular meeting of the Commission.
12. Upon completion of a project, the Executive Officer shall issue to the applicant a statement detailing all expenditures from a deposit for additional time and materials and shall have a refund for any remaining funds issued to the applicant.

## **INITIAL APPLICATION FEES**

### **Change of Organization or Reorganizations: Annexations and Detachments**

Exempt from the California Environmental Quality Act

- With 100% consent of property owners and affected agencies: \$4,068 (30 hours)
- Without 100% consent of property owners and affected agencies: \$5,424 (40 hours)

Not exempt from the California Environmental Quality Act  
(The Commission is a Responsible Agency; Negative Declaration)

- With 100% consent of property owners and affected agencies: \$4,746(35 hours)
- Without 100% consent of property owners and affected agencies: \$6,102 (45 hours)

Not exempt from the California Environmental Quality Act  
(The Commission is a Responsible Agency; Environmental Impact Report)

- With 100% consent of property owners and affected agencies: \$5,424(40 hours)
- Without 100% consent of property owners and affected agencies: \$6,780 (50 hours)

- \* All initial application fees for annexation and detachment proposals include a 20% surcharge to contribute to the costs in preparing municipal service reviews.
- \* Annexation or detachment proposals that involve boundary changes for more than two agencies and qualify as reorganizations will be charged an additional fee of \$565 (5 hours).
- \* City annexations involving entire unincorporated islands and subject to California Government Code Section 56375.3 will be charged a flat fee of \$500.
- \* If the Commission is the Lead Agency and an Initial Study is needed to determine whether a Negative Declaration or Environmental Impact Report is appropriate, applicants will be charged at the hourly staff rate.

### **Change of Organizations or Reorganizations: Other**

- Special District Formations, Consolidations, Mergers, and Dissolutions: Actual Cost
- City Incorporations or Dissolutions: Actual Cost

### **Special Studies**

- Municipal Service Review: Actual Cost
- Sphere of Influence Review: Actual Cost  
(Establishment, Amendment, or Update)

**Request to Activate Latent Power** \$5,424 (40 hours)

\* The initial application fee for the activation of a latent power includes a 20% surcharge to contribute to the costs in preparing municipal service reviews.

**Request for an Extension of Time** \$565 (5 hours)

**Request to Approve an Outside Service Agreement** \$2,712 (20 hours)

\* The initial application fee to approve an outside service agreement includes a 20% surcharge to contribute to the costs in preparing municipal service reviews.

**Request for Reconsideration** \$2,260 (20 hours)

**Special Meeting Fee** \$800

**Alternate Legal Counsel Fee** Actual Cost

**OTHER APPLICATION FEES**

**Assessor Mapping Service** \$125  
(Made payable to the "County of Napa")

**Map and Geographic Description Review** \$495 (3 hours)  
(Made payable to the "County of Napa")

\* If needed, additional review time will be billed at \$165 per hour

**Registered Voter List for Public Hearing Notice** \$55 (1 hour)  
(Made payable to the "County of Napa")

**Geographic Information Service** \$125 (1 hour)  
(Made payable to "LAFCO of Napa County")

**California Department of Fish and Game Environmental Filing Fees**  
(Made payable to the "County of Napa Clerk Recorder")

Commission as Lead Agency

- Environmental Impact Report:  
[\\$2,839,252,919.00](#)
- Negative Declaration:  
[\\$2,044,002,101.50](#)
- Mitigated Negative Declaration  
[\\$2,044,002,101.50](#)
- Clerk-Recorder Filing Fee:  
\$50.00

Commission as Responsible Agency

- Notice of Determination (Represents Clerk Filing Fee): \$50.00
- Notice of Exemption (Represents Clerk Filing Fee): \$50.00

**Filing of Change to Jurisdictional Boundary**

(Made payable to the “State Board of Equalization”)

<u>Acre Amount</u>	<u>Fee</u>	<u>Acre Amount</u>	<u>Fee</u>
Less than 1:	\$300	51 to 100:	\$1,500
1 to 5:	\$350	101 to 500:	\$2,000
6 to 10:	\$500	500 to 1,000:	\$2,500
11 to 20:	\$800	1,000 to 2,000:	\$3,000
21 to 50:	\$1,200	2,000 and above:	\$3,500

**ADMINISTRATIVE SERVICE FEES**

The following are charges to be assessed to persons or entities other than the applicant.

- Copying (no color): \$0.10 per page
- Copying (color): \$0.40 per page
- Faxing: \$1.00 service charge, plus \$0.15 per page
- Mailing: Actual Cost
- Audio Tape Recording of Meeting: Actual Cost
- Research/Achieve Retrieval: \$97 per hour (minimum of one hour)



A Tradition of Stewardship  
A Commitment to Service

## ATTACHMENT TWO

Assessor-Recorder-County Clerk  
Recorder-Clerk Division

900 Coombs Street, Suite 116  
Napa, CA 94559-2931  
PO Box 298  
Napa, CA 94559-0298

(707) 299-1371  
Fax: (707) 259-8149

**JOHN TUTEUR**  
ASSESSOR-RECORDER-COUNTY CLERK



November 15, 2011

LAFCO NAPA COUNTY  
1700 2ND ST STE 268  
NAPA, CA 94559

RE: INCREASE IN FISH & GAME FILING FEES EFFECTIVE 01/01/2012

We are taking this opportunity to inform lead agencies of a fee increase by the Department of Fish and Game for California Environmental Quality Act filings effective January 1, 2012.

The Department of Fish and Game adjusts the fees annually pursuant to Fish & Game Code §711.4 and 713. Please note the new fees:

Environmental Impact Report	\$2919.00
Negative Declaration	\$2101.50

The County Clerk processing fee of \$50 remains the same.

Thank you for sharing this information with everyone in your organization who may submit Notices of Determination and/or Notices of Exemption to the County Clerk's Office for processing.

Feel free to contact me either by telephone or by e-mail as shown below.

Sincerely,

A handwritten signature in blue ink that reads "N. Turner".

Nancy Turner  
Senior Assessment Records Assistant  
707-299-1371  
[nancy.turner@countyofnapa.org](mailto:nancy.turner@countyofnapa.org)

Representing John Tuteur, Assessor-Recorder-County Clerk