



Item No. 2 Town of Atherton

CITY COUNCIL STAFF REPORT – ACTION ITEM

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: MARCH 4, 2020

SUBJECT: REVIEW AND CONSIDERATION OF INITIAL STAFF WORK TOWARD PREPARATION OF A LAFCO APPLICATION FOR DETACHMENT FROM THE MENLO PARK FIRE PROTECTION DISTRICT; AND RECEIPT OF A PRESENTATION AND DISCUSSION BY REPRESENTATIVES OF THE FIRE DISTRICT

RECOMMENDATION

Review and consideration of initial staff work toward preparation of a Local Agency Formation Commission (LAFCo) application for detachment from the Menlo Park Fire Protection District; and receipt of a presentation and discussion with representatives of the Fire District.

BACKGROUND

At the February 19 City Council meeting, the City Council reviewed and considered release of a Special Edition Athertonian Newsletter addressing a review of fire service options. The Council directed further revisions to that Newsletter for consideration at the March 4 Study Session; and asked that an invitation be extended to the Fire District to provide additional information and attend the March 4 Study Session for feedback and discussion on the issue(s). A letter was issued to the Fire District on Monday requesting the Fire Chief and Board President to attend the March 4 Study Session meeting to answer questions of the Council and provide relevant information. A copy of that letter is attached (Attachment 1). Representatives may be present this evening.

At the December 18, 2019 Regular Meeting, the City Council provided direction to staff for next steps for the Fire Services Fiscal Review which included completion of an application before the Local Agency Formation Commission (LAFCo) for possible detachment. Staff advised that such an application would involve additional cost to the Town beyond the costs for submittal of the application. Completion of the application would require a consultant to assist to update the information in the Matrix Study(ies) and provide any additional information LAFCo may require. The Council asked that staff return with an assessment of those costs and the process at a future meeting for Council's consideration.

ANALYSIS

Staff contacted the Martha Poyatos, Executive Officer for LAFCo to assist in compiling the information required to address the Council's inquiry.

Overview of the Town's LAFCo Process

The LAFCo process can be initiated by the Town via a formal Resolution of Application. There is an application filing fee of \$7,250. In the Application, the Town must prepare a plan for providing service, to include a 5-year projected operational and capital budget. The Application must demonstrate that the Town can provide a level of service consistent with services provided in the area; an indication of when that service would commence; and how that service will be provided.

Upon LAFCo's receipt of the Application, a review of the data and affected agencies commences. The LAFCo Application will trigger a letter from the State Controller regarding the required property tax negotiation. The County Board of Supervisors negotiates on behalf of the District after providing notice to and consultation with the District. The County and the Town then begin negotiations for a property tax exchange and that negotiation may take *no longer than 60 days* from the date of the Controller's letter.

During the property tax negotiation, consideration will be given to whether *all* of the District's share of property tax will be transferred to the Town or if some lesser amount would be transferred with the balance being redistributed to remaining tax agencies. Following negotiation, both the Town and the County would adopt a property tax exchange agreement.

Once the property tax exchange agreements are adopted (via resolution by the agencies), LAFCo would issue a Certificate of Filing. The Certificate of Filing starts a 90-day clock for the Commission hearings. At the hearing(s), the Commission considers the Application for Detachment. That process may take up to 70 days.

LAFCo is governed by a 7-member commission elected to 4-year terms. Two commissioners are members of, and appointed by, the County Board of Supervisors. Current appointees are Supervisors Warren Slocum and Don Horsley. Two members are members of City Councils appointed by the Council of Mayors. Current appointees are Rich Garbarino and Mike O'Neill. Two members are members of independent special districts appointed by the presiding officers of the independent special districts. Current appointees are Joshua Cosgrove and Ric Lohman. The final member is a public member appointed by the County, city and special district members. The public member is Ann Draper. There are also 4 alternate members. These are Kati Martin (Special District), Harvey Rarback (City), James O'Neill (Public), and Dave Pine (County).

If the Commission approves the Application, the Commission delegates protest hearing responsibility to the Executive Officer. A protest hearing is scheduled *no sooner than 21 days* and *no later than 60 days* from the published Notice which can be sent the day after the Commission meeting. Written protest must be submitted by conclusion of the protest hearing.

Review and Consideration of LAFCo Work

March 4, 2020

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Within 30 days of the protest hearing, the Executive Officer sends the protest ballots to the Elections Office for review and finding. Based on the protests submitted, the Executive Officer would either a) finalize the detachment if less than 25% of the registered voters submit a written protest; b) terminate the proceedings based on 50% submission of written protests; or c) order an election if 25% but less than 50% submit a protest ballot. The current registered voters in Atherton as of February 2020 is 4,995.

If an election is required, the Commission would request that the Board of Supervisors call the election on the matter of detachment and a simple majority *yes* vote is required for detachment to be completed.

The Commission retains the authority to approve an application with or without conditions or modifications; or to deny an application. There is no appeal. There are no specific findings that *obligate* or *require* the Commission to approve an application. However, there are *factors* that are considered by the Commission upon reviewing an application. If the Commission denies an application there is a 1-year waiting period to submit a similar application, unless that time period is waived by the Commission.

Attachment 2 is an outline of the process described above from LAFCo.

Attachment 3 – Resolution of Application

This Resolution would be adopted by the City Council. The Resolution formally requests LAFCo to take up proceedings for the detachment of the Town from the Fire District and amending the respective sphere of influence of the District. This is largely a procedural Resolution.

Attachment 4 - Indemnification Agreement to Indemnify the San Mateo LAFCo

This is a formal indemnification agreement releasing the San Mateo LAFCo, its agents, Commissions, Executive Officer, attorneys, and employees from any claim arising from the application and decision. This is a template that would need to be modified for the purposes of the Town's application.

Attachment 5 – Application for Change of Organization or Reorganization

This is the actual application for detachment. The application has been modified by the Executive Officer to accommodate the Town's application. The standard LAFCo application does not contemplate this type of detachment. The application covers the broad and detailed information required by LAFCo in order to consider the Town's application. Completion of the application will require the assistance of a consultant to put together the required information.

Much of the underlying information can be obtained from the Town's Fire Services Fiscal Review; however, that information would need to be updated and specifically curated for the application. In considering an application, the Executive Officer will prepare a staff report that includes the following factors to be considered by the Commission (all from the Government Code):

“56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

(a) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b)(1) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(2) "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) A regional transportation plan adopted pursuant to Section 65080

(h) The proposal's consistency with city or county general and specific plans.

(i) The sphere of influence of any local agency that may be applicable to the proposal being reviewed.

(j) The comments of any affected local agency or other public agency.

(k) The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

(l) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

(m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(n) Any information or comments from the landowner or landowners, voters, or residents of the affected territory.

(o) Any information relating to existing land use designations.

(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

(q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. (Amended by Stats. 2019, Ch. 360)"

The LAFCo Executive Director noted that, in particular, the Commission would consider items (c) and (k):

"(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county."

This factor would prompt the Commission to review the impact of the Town's detachment on surrounding jurisdictions, District jurisdictions, and the District itself. Issues of concern would be the continued viability of the provision of fire services in the area and the economic interests of District jurisdictions, as well as the Town of Atherton.

"(k) The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change."

This factor would prompt the Commission to review the ability of the Town to provide fire services in the future and consider the amount of continuing property taxes to the Town as part of the tax negotiation. This is also part of the LAFCo requirement that there be some assurance of the Town's ability to receive services by contract. The Executive Director advised that, for LAFCo, this is best represented in the form of a letter of intent or memorandum of understanding with a potential service provider.

Lastly, the Commission is reviewing an update to the LAFCo Procedures for Evaluation of Proposals which would impact any future application. This update will include a local factor related to environmental justice. The Commission will evaluate:

"The extent to which the proposal will promote environmental justice. The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services. Environmental justice includes, but is not limited to:

1. *The availability of a healthy environment for all people.*
2. *The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities.*
3. *Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process.*
4. *At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.”*

Attachment 6 – Fee Schedule

The fee for the Town’s application is \$7,250. Additional costs related to the application will be the cost of any required election as well as the cost of any consultant(s) to assist the Town in completing the application.

The estimated cost for the scope of work to assist in the completion of the application would range from \$25,000 to \$35,000. Matrix Consulting has expressed an interest in assisting the Town with moving forward in the process. The Town would also need to engage a legal consultant to complete a legal analysis as to how the Town’s proportional share of the District’s liabilities would be calculated and if the Town, as a successor agency, would be eligible for a proportional share of the District’s reserves.

Summary

To move forward, staff is seeking specific direction from the Council to move forward and engage a consultant to assist the Town with completion of the application. If the Town can amend the current agreement with Matrix Consulting to accommodate this Scope of Work, such an amendment will be created and provided to Council for approval. If that Scope cannot be amended, staff will prepare a formal Request for Proposal (RFP). Any RFP would also need to be approved by the Council prior to release. Staff would return to the Council with a budget amendment to cover the potential costs involved in completing the application. Staff estimates that a budget amendment of \$50,000 would cover the cost of the application (\$7,250), consultant (\$25,000-\$35,000), and associated legal costs (\$7,750). These are solely estimates of costs and do not include the cost of a potential election.

Lastly, any final application via Resolution would need to be approved by the City Council prior to its submittal to LAFCo. Staff would also recommend that there be a City Council Subcommittee directed to assist staff as needed with the process (tax negotiations, meetings with the consultant, etc.). That Subcommittee does not need to be identified at this time; and, it may be the current Fire Services Subcommittee that serves in that capacity.

If the Council desires to move forward in the manner described above, staff recommends the following motion:

“I move that staff pursue engagement of a consultant to assist the Town with preparation of an application to LAFCo for detachment from the Menlo Park Fire Protection District and direct staff to return to the Council with the associated formal approvals and a budget amendment for related costs.”

POLICY FOCUS

While the City Council is not formally approving an application for detachment to LAFCo at this time, the Council would be directing staff in support of doing so. An application for detachment may or may not be approved by LAFCo; but, preparation and submittal of an application will result in the expenditure of Town funds.

Whether or not to move forward is a policy decision for the Council.

FISCAL IMPACT

None at this time.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ___ has or X has not been before a Town Committee or Commission.

- ___ Audit/Finance Committee (meets every other month)
- ___ Bicycle/Pedestrian Committee (meets as needed)
- ___ Civic Center Advisory Committee (meets as needed)
- ___ Environmental Programs Committee (meets every other month)
- ___ Park and Recreation Committee (meets each month)
- ___ Planning Commission (meets each month)
- ___ Rail Committee (meets every other month)
- ___ Transportation Committee (meets every other month)

ATTACHMENTS

1. Letter to Menlo Park Fire Protection District

2. Outline of Process from LAFCo
3. Resolution of Application
4. Indemnification Agreement
5. Application for Detachment
6. Fee Schedule



TOWN OF ATHERTON

OFFICE OF THE MAYOR
 150 WATKINS AVENUE
 ATHERTON, CALIFORNIA 94027
 (650) 752-0500
 FAX (650) 688-6528

February 24, 2020

Robert Jones, President
 Menlo Park Fire Protection District
 170 Middlefield Road
 Menlo Park, CA 94025

RE: Meeting Request, Town of Atherton

Dear Board President Jones,

The Town of Atherton would like to formally invite you and Chief Schapelhoman to attend the Atherton City Council meeting on March 4, 2020. We would like to have a dialogue and a question and answer session with the Menlo Park Fire Protection District (MFPD) leadership on the follow topics;

- Any and all service calls for the Town of Atherton and the nature and outcome of those calls including;
 - Ambulatory and Emergency Medical Technicians;
 - Fire Services
- The costs of providing any and all services to the Town of Atherton
- The total number of documented fires within the jurisdiction of the Town of Atherton in the year 2019, 2018, 2017, 2016, and 2015.

It is our intention to have a progressive conversation with the MPFPD in a public setting.

If you have any questions please contact City Manager, George Rodericks directly at 650.752.0504 or grodericks@ci.atherton.ca.us.

Sincerely,

Rick DeGolia
 Mayor

District Detachment Steps

ACTIVITY
1. Town Prepares Plan for Providing Service, Application, Resolution (Plan for Service includes 5 year projected operations and capital budget, demonstration that Town will be able to provide a level of service consistent with services provided in the area, indication of when service will commence, how service will be provided, if by contract a letter of intent to enter into an agreement for service and other information as determined by the Executive Officer.) LAFCo is in the process of preparing a more detailed description of application contents.
2. LAFCo Receipt of Application
3. Referral by LAFCo to Affected Agencies/Data Collection
4. LAFCo application triggers letter from controller regarding property tax negotiation which may take no longer than 60 days from date of Controller's letter. County Board of Supervisors negotiates on behalf of the special district after providing notice to and consulting with special district.
5. City and County negotiate tax exchange. Consideration will need to be given to whether all of the District's property tax share would be transferred to the Town or if a lesser amount would be transferred to the town with the balance being redistributed to remaining agencies.
6. City and County adopt property tax exchange
7. Issue Certificate of Filing (May only be issued if property tax resolutions have been adopted and application is deemed complete (starts 90 day clock for LAFCo Hearing) Or issue certificate of Incomplete application, LAFCo shall not schedule hearing on the application if both agencies have not adopted property tax exchange resolutions.
8. San Mateo LAFCo Hearing to consider application May be continued for up to 70 days
9. If approved, and LAFCo delegates protest hearing responsibility to Executive Officer
10. Protest Hearing scheduled no sooner than 21 days and no later than 60 days from Notice which can be sent day after LAFCo meeting (<u>Written protest</u> must be submitted by conclusion of protest hearing.)
11. Within 30 days from Protest Hearing, Executive Officer shall cause the protests to be reviewed by Elections Office and make a finding about the protests. Based on protests submitted, the Executive Officer shall either a) finalize the detachment if less than 25% of the registered voters submit written protest, b) terminate proceedings based on 50% submit written protest, c) order an election if 25% but less than 50% submit protest.
12. If an election is required, the Commission shall request the Board of Supervisors to call an election on the matter of detachment and a simple majority yes vote is required for detachment to be completed.

*Effective date is either date set in conditions of approval (end of fiscal year or fiscal quarter) or date of recordation. LAFCo can stipulate an effective date that is the beginning of a fiscal quarter or year.

Current registered voter count in Atherton is 4,995 as 2/18/20

2/18/20

Resolution No.

City of , County of San Mateo

State of California

A Resolution of Application by the City of _____ Requesting the Local Agency Formation Commission to Take Proceedings for the detachment of () from the () District, amending the sphere of influence of the () district

RESOLVED, by the City Council of the City of , County of San Mateo, State of California, that

WHEREAS, the City of to desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 1985, commencing with Section 56000 of the California Government Code, for the Proposed; and

WHEREAS, notice of intent to adopt this Resolution of application (*has / has not*) been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be detached is *inhabited*, and a description of the boundaries of the territory is set forth in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, the proposal is not consistent with the sphere of influence of the () district and amendment of the sphere is hereby requested; and

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

cite conditions here

WHEREAS, the reasons for the proposed annexation are as follows: ; and

WHEREAS, this Council certifies that this proposal is exempt from the provisions of the California Environmental Quality Act under Section 15320 of the State CEQA Guidelines. (consult with legal counsel on ceqa exemption)

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the City Council of the City of , and the Local Agency Formation Commission of San Mateo County is hereby requested to take proceedings for the Sphere Amendment and detachment of territory in the Town of Atherton from the () District, subject to the terms and conditions set forth above and in the manner provided by the Cortese-Knox-Hertzber Local Government Reorganization Act of 2000.

Addendum to Application Requesting Annexation of Lands of
(List Applicant, Owners names and assessor parcel numbers)

to the
(Name of City or District)

As part of above noted application submitted by petition, the Chief Applicants, _____ as Applicants and subject landowner(s), real parties in interest, agree to defend, indemnify, hold harmless, and release the San Mateo LAFCO, its agents, Commissioners, Executive Officer, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this addendum to above noted application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications.

_____ Date _____

_____ Date _____

_____ Date _____

_____ Date _____

APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization or reorganization.

2. An application for a change of organization or reorganization may be submitted by individuals in the form of a petition or by an affected public agency in the form of a certified resolution. This application is submitted by (check one):

- Landowners or registered voters, by petition
- An affected public agency, by resolution

(If this application is submitted by petition of landowners or registered voters in the affected territory, complete the petition form.)

3. What are the reasons for the proposal?

4. Does this application have 100% consent of landowners in the affected area?

Yes No

5. Estimated acreage:

B. SERVICES

1. List the name or names of all existing cities and special districts whose service area or service responsibility would be altered by the proposed change of organization or reorganization.

2. List all changes to the pattern of delivery of local services to the affected area. For each service affected by the proposed change(s) of organization, list the present source of service (state "none" if service is not now provided), the proposed source of service and the source of funding for

construction of necessary facilities (if any) and operation. Example is given on the first two lines of the space provided for your response.

SERVICE	PRESENT SOURCE	PROPOSED SOURCE	FUNDING SOURCE	
			CONSTRUCTION	OPERATING
<i>Fire Protection</i> <i>Emergency Medical Response</i> <i>Dispatch via jpa</i> <i>Emergency Preparedness</i> <i>Hazmat/Rescue</i> <i>Public Education</i> <i>Ambulance</i>	<i>MPFPD</i> <i>Property tax & fees</i>			<i>Property Tax/fees</i>

C. PROJECT PROPOSAL INFORMATION

1. Please describe the general location of the territory which is the subject of this proposal. Refer to major highways, roads and topographical features.

2. Describe the present land use(s) in the subject territory.

3. How are adjacent lands used?

North: _____

South: _____

East: _____

West: _____

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed?

5. What is the general plan designation of the subject territory?

6. What is the existing zoning designation of the subject territory?

7. What rezoning, environmental review or development approvals have already been obtained for development in the subject territory?

8. What additional approvals will be required to proceed?

9. Does any portion of the subject territory contain any of the following --agricultural preserves, sewer or other service moratorium or wetlands subject to the State Lands Commission jurisdiction?

10. If no specific development projects are associated with this proposal, will the proposal increase the potential for development of the property? If so, how?

* * * * *

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: _____

ADDRESS: _____

TELEPHONE: _____

ATTN: _____

Signature of Proponent

D. **AFFECTED PUBLIC AGENCIES**

Please complete this section if this application is submitted by resolution of one or more affected public agencies. Certified copies of resolutions listed below must accompany this application.

- 1. The names and resolutions of agencies applying for the change of organization or reorganization described above are as follows:

AFFECTED AGENCY	RESOLUTION NO.	DATE ADOPTED

- 2. Does this application have 100% consent of landowners in the affected area?

_____ Yes _____ No (If Yes, include proof of consent.)

E. **PLAN FOR PROVIDING SERVICES**

- 1. Enumerate and describe the services to be extended to the affected territory.

- 2. Describe the level and range of those services including estimated response times to areas to be served. Whether by Contract or Town Fire Department and provide staffing level including fulltime positions and shift staffing.

- 3. Indicate when those services can feasibly be extended to the affected territory. Provide a timeline for contract staffing or establishment of town fire department. For contract provide a letter of intent/memorandum of understanding by/with proposed contracting agency.

- 4. Indicate any improvements or upgrading of structures including fire stations, roads, sewer or water facilities, or other conditions to be imposed or required within the affected territory.

- 5. Provide inventory of apparatus and equipment required, cost and funding source.

- 6. Describe financial arrangements for construction and operation of services extended to the affected territory. (Attach proposed 5 year operation and capital budget) Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

- 6. List the joint powers agreements that would require amendment to include the Town or contracting service provider.

- 7. Provide an analysis of the impacts to the fire district related to closure of station(s), positions eliminated, proportional share of liabilities to be transferred to the successor agency (Town) as well as any reserves that might be eligible for transfer to the successor agency.

- 8. In as much detail as required to give a clear explanation, explain why this proposal is necessary at this time.

This section completed by _____ (Name) _____ (Title)

2_21_20

SAN MATEO LAFCo FEE SCHEDULE
Effective for Applications Accepted for Filing
On or After July 16, 2019

PROCESSING FEES

(CA Government Code Sections 56383, 56654, and 56428)

Annexation or Detachment (City, District, or County Service Area)	Minor Applications (100% consent of property owners and exempt from CEQA)	Major Applications (Less than 100% consent of property owners or is not exempt from CEQA)
<u>Acres</u>		
1 or less	\$1,480	\$2,176
1.1 - 4.9	\$2,474	\$3,638
5 - 9.9	\$2,724	\$4,006
10 – 19.9	\$3,053	\$4,490
20 – 29.9	\$3,724	\$5,476
30 – 49.9	\$4,305	\$6,331
50 +	\$4,930	\$7,250

OTHER ACTIONS

Outside Service Agreement	Same as acreage fees above
Consolidation/Merger/Dissolution/Subsidiary District (Excludes legal notice and election costs)	\$1,557
District Formation	Actual Cost
Municipal Service Review (Not initiated by LAFCo)	Actual Cost
Application for Addition of Special District Powers	Actual Cost Plus Environmental Fees
Dissolution for Inactivity	\$650
Incorporation/Disincorporation	Actual Cost
State Controller's Review of Comprehensive Fiscal Analysis	Actual Cost
Reorganization (two or more changes of organization included in one proposal)	Sum of Fees for Individual Actions, less 20%
Noticed public hearing (if required)	Actual Preparation Publication Cost
Sphere of Influence Revision/Municipal Service Review	Actual Cost
Reconsideration pursuant to Section 56857	Actual cost/Deposit of \$650
Request for time extension	\$300
Request to hold special meeting	Actual Cost
Outside/Special Legal Fee	Actual Cost
Petition Verification	Actual Cost

ENVIRONMENTAL REVIEW
(P.R.C. Section 21089)

CEQA Exemption	No Charge
Review of Lead Agency’s Negative Declaration or Environmental Impact or determination that preparation of Negative Declaration or Environmental Impact Report is required	\$325 plus Publication Cost
Preparation of a Negative Declaration or Environmental Impact Report	Actual Cost

STATE FEES

The following fees are charged by State and County agencies and are listed below as public information to applicants. May be amended by State/County.

Department of Fish and Wildlife Fees (Fish and Game Code Sec. 711.4): (set by State/County)	
County Clerk - Document Handling Fee	\$50.00
Department of Fish and Wildlife CEQA Filing Fees	For specific information regarding filing fees for Negative Declarations or Environment Impact Reports, please refer to California Department of Fish and Wildlife https://www.wildlife.ca.gov/Conservation/CEQA
The above fees may be required where LAFCo is the lead agency for environmental review and will be collected by LAFCo for transmittal to the County Clerk.	
Where LAFCo is responsible agency, copies of original Notice of Determination and receipt by Lead Agency is required.	
State Board of Equalization Fees (Government Code Section 54902.5)	
The conducting agency (city, county or district) may collect a State Board of Equalization filing fee for submittal to LAFCo with final proposal documents. The fee is based on acreage. Please refer to the State Board of Equalization (http://www.boe.ca.gov/) fee schedule and consult LAFCo staff for details. Checks of this fee should be made to the State Board of Equalization Fees and submitted to San Mateo LAFCo for filing.	

ADMINISTRATIVE FEES

Photocopies	\$0.10 per page
Publications	Will be set for each publication
Conforming Copy	10.00 check payable to San Mateo County Recorder
Duplication of Meeting Record	Actual Cost

EXCEPTIONS: LAFCo processing fees may be waived by the Commission if financial hardship is demonstrated OR if the application is in response to a LAFCo condition or recommendation. State and County Clerk fees may not be waived.

Revised 5/15/19, effective July 16, 2019