

Colusa Local Agency Formation Commission

Regular Meeting Agenda

Thursday – November 3, 2022

**Board of Supervisors Chambers
546 Jay Street
Colusa, CA.**

3:00 PM

This will be a Physical Meeting
(A Zoom option is available for the public)

(All meeting materials are available on LAFCo's Website: www.colusalafco.org)

In person meeting: Required for all Commissioners. The Colusa LAFCO meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205], masks will be encouraged to be worn by individuals who are not fully vaccinated while inside the County Administration building and while in the Board Chambers.

Oral public comments will be subject to a three-minute time limitation indicated below.

The complete agenda, including backup materials and materials related to items on this Agenda submitted to the Commission after distribution of the Agenda Packet, are available for public inspection on the Colusa LAFCo website at www.colusalafco.org

ZOOM INFORMATION

Topic: Colusa LAFCo

Time: Nov 3, 2022 03:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85323324313?pwd=cmJUSIFuc0xJTzJIRWZRUVU5CZnA0QT09>

Meeting ID: 853 2332 4313

Passcode: 029077

One tap mobile

+16699006833,,85323324313#,,,,*029077# US (San Jose)

+16694449171,,85323324313#,,,,*029077# US

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 853 2332 4313

Passcode: 029077

Find your local number: <https://us02web.zoom.us/j/kdZo66DB6p>

**1. Call to Order/Roll Call
Commissioners**

Vacant, (Williams, City)

Denise Carter (County)
Merced Corona (Chair, County)
Brandon Ash (Public)
Greg Ponciano (Vice-Chair, Colusa,
City)

Alternates

Kent Boes (County Alternate)
Tom Reische (City Alternate)

John Loudon, (Public Member Alternate)

Staff

John Benoit, Executive Officer
P. Scott Browne, Legal Counsel

Lora Ceccon Clerk

2. Minute of Silence for Commissioner Sajit Singh who recently passed away

3. Consider Minutes from September 1, 2022

a. *Consider the September 1st, 2022 LAFCo minutes*

4. Public Comment

This is the time for the public to address the Commission on any matter not on the agenda. Testimony related to an item on the agenda should be presented at the time that item is considered

5. Consent Agenda (two items)

- a. *Payment of claims for the months of September and October 2022*
- b. *Consider Resolution 2022-0011 regarding remote teleconferencing meetings.*

6. Correspondence:

Public Hearing:

7. Consider a revision to LAFCo's fee deposit schedule and application of a cost escalator to the Colusa LAFCO single flat hourly rate for all billable projects based upon the Employment Cost Index for State and Local Governments as published by the United States Department of Labor, Bureau of Labor Statistics or Consumer Price Index (CPI)

Action:

- a. Adopt Resolution No. 2022-10 approving a cost escalator to the Colusa LAFCO single flat hourly rate for all billable projects and updated fee deposit schedule for various LAFCo projects.

Workshop:

8. Comprehensive Bylaw Update

a) *Conduct workshop and schedule for adoption for the next available meeting.*

9. Discussion regarding the Calafco Annual Conference held on October 19, 20 and 21, in Orange County California.

10. Executive Officer's Report:

GCID MSR and SOI

11. Commissioner Reports - Discussion

This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters

12. Next Colusa LAFCo meeting: December 1, 2022

Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority Government Code Section 56331.4

Pursuant to Government Code Section 54954.2, Commission members may make a brief announcement or report on activities. Commission members may also provide a reference to staff or other resources for factual information, request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).
- The total amount of time allotted for receiving public comment may be limited to 15 minutes.
- Any individual's testimony may be limited to 5 minutes. Time to address the Commission will be allocated on the basis of the number of requests received.

Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to 5 minutes. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

Agenda Materials

Materials related to an item on this agenda submitted to the Commission after distribution of the agenda are available for review for public inspection in the Colusa County Clerk's office located at the Colusa County Courthouse 546 Jay Street, Colusa CA. [such documents are also available on the Colusa LAFCO website as noted below to the extent practicable and subject to staff's ability to post the documents prior to the meeting].

Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting. The location of this meeting is wheelchair-accessible.

Disclosure & Disqualification Requirements

Pursuant to Government Code Sections 56100.1, 56300(b), 56700.1, and 81000 et seq., and Colusa LAFCO's Policies and Procedures for the Disclosure of Contributions and Expenditures in Support of and Opposition to Proposals, any person or combination of persons who directly or indirectly contribute \$1000 or more or expend \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to Colusa LAFCO must comply with the disclosure requirements approved by Colusa LAFCO. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information may be obtained at the Colusa County Elections Department 546 Jay Street, Colusa, CA 95932. (530) 458-0500

A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Contact LAFCO Staff LAFCO staff may be contacted at (530) 619-5128 or by mail at Colusa LAFCO P.O. Box 2694, Granite Bay Ca 95746 or by email at lafco@countyofcolusa.com or j.benoit4@icloud.com

Webpage Reports, agendas, minutes and general information about LAFCO are available on the LAFCO Webpage at www.colusalafco.org

LOCAL AGENCY FORMATION COMMISSION
COLUSA COUNTY
MINUTES OF MEETING
September 1, 2022

PRESENT:

DENISE CARTER, County Member
MERCED CORONA, County Member
GREG PONCIANO, City Member
BRANDON ASH, Public Member
SAJIT SINGH, City Member

ALSO PRESENT:

JOHN BENOIT, Ex. Officer
SCOTT BROWNE, Legal Counsel

1. Call to Order/Roll Call

The meeting was called to order at 3:07 p.m. There was a quorum present.

2. Consider Minutes from May 5, 2022, and July 7, 2022

On motion by B. Ash, second by D. Carter, the Commission approved minutes for May 5, 2022, and July 7, 2022, motion carried by roll call vote with S. Singh abstaining.

3. Public Comment - None

4. Consent Agenda

a. Payment of claims for the months of July and August 2022

On motion by B. Ash, second by D. Carter, the Commission approved payment of claims for the months of July and August 2022; motion carried by roll call vote.

b. Consider Resolution 2022-0009 regarding remote teleconferencing meetings

On motion of S. Singh, second by B. Ash, the Commission approved Resolution 2022-0009 regarding remote teleconferencing meetings; motion carried by roll call vote.

5. Correspondence – None

6. Discussion requested from the Assessor’s Office

A request from the Assessor’s Office to discuss the Colusa County/City of Colusa annexation (CIP) that was approved on June 15, 2021 and recorded June 16, 2021.

LAFCo (file 2019-0001 Colusa Industrial Park (CIP) ANNEX) executed the Certificate of Completion (COC) June 15, 2021 and recorded same on June 16, 2021.

The discussion centered around a BOE filing for the CIP annexation in 2021. The Commission amended the proposal at the public hearing on June 15, 2021 to delete the canal at the southernmost portion of the annexation. The filing included the assessor parcels for the original annexation proposal. The assessor parcels in the canal portion of the proposal should have not been included since the canal was deleted from the

annexation. It was concluded the Assessor's office will send LAFCo the revised assessor parcel list and the auditor will send the revised valuations. LAFCo will send the revisions to the Board of Equalization (BOE) and request a new annexation map be provided by the BOE to the Assessor's office.

7. Public Hearing:

Continued Public hearing regarding a MSR and Sphere report prepared for the Cemetery Districts in Colusa County including the Arbuckle, Colusa, Cypress Hill, Grand Island, Maxwell, Princeton, Stonyford-Indian Valley, and the Williams Cemetery Districts.

- a) Open Public hearing and receive comment and close public hearing**
- b) Consider Resolution 2022-0007 adopting a Municipal Service Review for Cemetery Districts in Colusa County.**

The public hearing was opened and there was no public comment. The public hearing was closed. A brief discussion took place regarding the MSR and SOI.

On motion by B. Ash, second by S. Singh, the Commission approved Resolution 2022-0007 adopting a Municipal Service Review for Cemetery districts in Colusa County; motion carried by roll vote.

- c) Consider Resolution 2022-0008 adopting a Sphere of Influence for Cemetery Districts in Colusa County**

On motion by B. Ash, second by S. Singh, the Commission approved Resolution 2022-0008 adopting a Sphere of Influence for Cemetery Districts in Colusa County; motion carried by roll call vote.

8. Biennial review of LAFCo's Conflict of Interest Code

- a) Review LAFCo's Conflict of Interest Code**
- b) Authorize the Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit to the Code Reviewing Body**

John Benoit presented the Conflict of Interest code for review. Having no changes to the code he recommended the notice of review be signed and sent to the Code reviewing body.

On motion by B. Ash, second by S. Singh, the commission authorized the Executive Officer to sign the Biennial Conflict of Interest Code review form and transmit to the Code Reviewing Body; motion carried by roll call vote.

9. Contract Amendment for LAFCo Counsel and LAFCo Executive Officer as approved in the 2022-2023 LAFCo Budget

- a) Approve 3rd amended Contract for Legal Services**

John Benoit presented the contract amendments to the Commission.
There were no comments regarding this contract amendment.

On motion by S. Singh, second by D. Carter, the Commission approved the amendment of the contract for legal services; motion carried by roll call vote.

b) Approve 4th amended contract for Executive Officer Services

There were no comments regarding this contract amendment.

On motion by S. Singh, second by B. Ash, the Commission approved the amendment of the contract for Executive Officer services; motion carried by roll call vote.

10. Executive Officer's Report

Comprehensive Bylaw Update - *for November 2022 Meeting*

SB 938 Signed by the Governor

GCID MSR and SOI *Almost complete*

Out of Area Service Agreement for wastewater – *Williams Soaring Service*

City of Williams MSR and SOI - *discussion regarding Williams General plan to be completed prior to MSR and SOI*

Calafco Conference – *G. Ponciano and S. Singh attending*

11. Commissioner Reports – Discussion

12. Next Colusa LAFCo meeting: November 3, 2022

Meeting adjourned 4:00 p.m.

RESOLUTION NO. 2022-0011

A RESOLUTION OF THE COLUSA LAFCO OF THE AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE COMMISSION PURSUANT TO GOVERNMENT CODE SECTION 54953(e)

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined, by majority vote, pursuant to option 2, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

WHEREAS, the COLUSA LAFCO desires to hold its public meetings by teleconference consistent with Government Code section 54953(e).

NOW, THEREFORE, THE COLUSA LAFCO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Conditions are Met. The COLUSA LAFCO hereby finds and declares the following, as required by Government Code section 54953(e)(3):

1. The Governor of California proclaimed a state of emergency on March 4, 2020, pursuant to Government Code section 8625, which remains in effect.
2. The reasons for adopting this resolution are one or more of the following:
 - a. State or local officials have imposed or recommended measures to promote social distancing.

- b. The legislative body is holding the meeting for the purpose of determining whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- c. The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

PASSED AND ADOPTED by the Colusa LAFCo, this 3rd day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Merced Corona, Chair

Colusa Local Agency Formation Commission

ATTEST:

John Benoit, Executive Officer

COLUSA LOCAL AGENCY FORMATION COMMISSION,

Colusa Local Agency Formation Commission

CLAIMS

Sept and Oct 2022

Authorize payment of the following claims:

FY 2022-2023 EXPENSES:

FY 22-23 Claims for Sept and Oct 2022:

8.16.22-9.15.22	Legal Svcs. P. Scott Browne	\$ 2,256.00
Oct 1, 2022	Staff Svcs and Exp Sept 22	\$ 6,843.98
Nov 1, 2022	Staff Svcs and Exp. Oct 2022	\$ 8,150.43
9.16-22-10-15.22	Legal Svcs. P. Scott Browne	\$ 2,256.00
Oct 31, 2022	Calafco Reimb John Loudon	\$ 890.71
Oct 31, 2022	Calafco Reimb share John Benoit	\$ 354.92
Oct 1, 2022	CSA Dues for 2022-2023	\$ 500.00
TOTAL:		\$ 21,252.04

DATED: Nov 3, 2022

APPROVED: Nov 3, 2022

Merced Corona, Chair
Colusa Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

C/O John Benoit, Executive Officer - P.O. Box 2694, Granite Bay, CA. 95746 530.619.5128
ph.

j.benoit4@icloud.com www.colusalafco.org

Acct 520-500

City Expenditure titles Expenditure Category City Coding	Ex Officer Cont Executive Off. Co 7338	Clerical Support Clerical Suppt 7320	Workers Co Workers Com 7016	Contactural Contactural 7321	Liability Insurance 7315	Office Exp Office Suppl 7339	Postage and Postage 7322	Copies Copies 7322	Dues-Subs Memberships 7319
	\$51,072.00	\$3,657.00	\$50.00	\$25,536.00	\$2,847.00	\$375.00	\$500.00	\$750.00	\$1,872.00
Calafco Dues 2022-2023 (2022-06)									
SDRMA Insurance 22-23 #72123					-2,824.92				-1,372.00
REVENUE OASA William Savings Center									
Browne ending 7.15.22				-2,000.00					
Staff Svcs July 2022	-4,000.00	-175.00				-58.30		-10.00	
Staff Svcs Aug 2022	-4,000.00							-15.00	
Browne ending 8.15.22	-2,000.00								
Calafco Conf. GPoncianoS Singh Pioneer Review Fee Update notice									
Browne ending 9.15.22				-2,256.00					
Staff Svcs Sept, 2022	-4,768.00	-175.00				-13.99		-15.00	
Staff Svcs Oct 2022	-4,256.00							-10.00	
Browne ending 10.15.22				-2,256.00					
CSDA Dues 10-1.22-23									-500.00
John Loudon Conf reimb									
JB conf share reimb									

Total Expended in FY 21-22	-\$19,024.00	-\$350.00	\$0.00	-\$6,512.00	-\$2,824.92	-\$72.29	\$0.00	-\$50.00	-\$1,872.00
Total Remaining in FY 21-22	\$32,048.00	\$3,307.00	\$50.00	\$19,024.00	\$22.08	\$302.71	\$500.00	\$700.00	\$0.00

M E M O R A N D U M

TO: Local Agency Formation Commission

FROM: John Benoit, Executive Officer

SUBJECT: Amendment to LAFCo's Fee Schedule: Hourly Charge-out Rates Based Upon the Employment Cost Index

DATE: November 3, 2022

Summary

During the Budget Hearings for FY 2022-2023, the Commission reviews the current staff charge-out rates, which are the hourly charge-out rates established for LAFCo. The Commission has expressed a desire to review and amend the hourly charge out rates based on the Employment Cost Index and to review LAFCo charge out rates for LAFCo Actions.

The current fee schedule and hourly charge-out rates were adopted in March 2010 and are:

Executive Officer \$ 177.91/hour
LAFCo Counsel \$ 260.00/hr.

The Commission wishes to implement application of an annual cost escalator ensuring that the hourly charge-out rate be continuously adjusted for inflation or deflation on July 1st of each calendar year based on the latest released data from the Employment Cost Index for the first quarter of each year as published by the U.S. Department of Labor, Bureau of Labor Statistics.

On Friday, July 29, 2022, the latest data from the Employment Cost Index (ECI) (Not Seasonally Adjusted, State and Local Government Employees, Index Workers, All Employees), as published by the U.S. Department of Labor, Bureau of Labor Statistics was released and is as follows:

Employment Cost Index U.S. Department of Labor, Bureau of Statistics (Data Released on July 29, 2022)		
Year	First Quarter (July 29, 2022)	% Increase
2022	154.0	4.1

In pursuing the Commission's direction, staff has determined based on the Employment Cost Index that the Index' percentage between the Second Quarter of 2021 and the Second Quarter of 2022 resulted in an annual 4.1% increase. The ECI is indexed into a 2005 base you which equals 100.00 points. The table below reflects LAFCo's current hourly charge-out rates, along with a calculated percentage increase of 4.1% (rounded to the nearest dollar), as reflected within the Employment Cost Index. Note the currently hourly rates were established in 2010.

Current Hourly Rate*	2021/22 (First Quarter)	
	Percentage	Adjusted Rate
Executive Officer \$ 177.91	4.1	185.20
Counsel \$260.00	4.1	270.66

Note: The Hourly rates charged are lower. Based on the Calculations for 2010, the charge out rate for LAFCo staff was

\$251.40 and for Counsel was \$473.53 per hour, however, these were reduced to \$177.91 and 260.00 respectively

Proposed Hourly Rate	January 3 rd 2022	
	Percentage	Adjusted Rate
Executive Officer \$ 291.89		
Counsel \$436.43		

ACTION REQUESTED:

Adopt Resolution No. 2022-10 approving an amendment to the fee schedule to reflect current hourly charge-out rates as noted above and authorizing an annual increase to be determined based on the second quarter (ending on June 30th 2023) in which an increase is to take effect on July 1st each year thereafter based on the Employment Cost Index.

Many of the fee deposits have been updated to reflect new legislative requirements since 2010 and the cost of doing business. See the Fee update matrix explaining the basis for the Staff Rates at \$291.89 and \$436.43. These rates are the maximum LAFCo may charge. The Commission has discretion to adopt lower rates.

- Attachment: Resolution No. 2022-10
Fee update matrix
Proposed Updated LAFCo Fee Schedule

Part 1 - Calculate Administrative Overhead

Formula: Adjusted Administrative Overhead = Budget - specific project processing costs - 1/2 of Long Term Planning Costs

		\$ 139,709	2022-2023 Expenditures	
Assistance	Staff			Assumed Staff Time Allocatir 2022-2023
	54,729	Exec. Officer and Staff	27,365	50% Exec. Officer/Staff Cost allocated to direct projects
	25,526	Legal Counsel	-	
\$ -	\$ 80,255	Total Annual Personnel Cost	\$ 46,509	75% Attorney Costs allocated to direct projects

\$ 16,000 1/2 Long-Term Planning Costs

\$ 137

\$ 77,200 Adjusted Admin. Overhead

Part 2 - Correct Administrative Overhead for Public Service Costs

Formula: Target Administrative Overhead = Adjusted Administrative Overhead - Unrecoverable Public Service Costs
 Maximum Recovery Amount - total overhead less 10% general public
 100% of Maximum Recoverable Amount

Part 3 - Calculate Staff Rate

Formula: Staff Rate = Target Administrative Overhead / Billable LAFCo Personnel Costs

Target Admin. O.H.	69480	Rate Factor
Billable LAFCO Personnel Costs	46509	1.49

Staff	Annual Hrs	Public Time (percentage)	Admin. Time	Billable Time	Max Annual Billable Hours	Hourly Cost	staff rate @ 100% a.o. recovery	Recommended Staff Rate
LAFCO Staff	400.00	0.10	0.40	0.50	200.00	117.04	291.89	
Counsel	120.00	0.00	0.25	0.75	90.00	175.00	436.43	

MSR/SOI Prep Costs \$ 32,000.00

290.00 110.34

RESOLUTION # 2022-10

A RESOLUTION OF THE COLUSA LOCAL AGENCY FORMATION
COMMISSION IMPLEMENTING AN ANNUAL ADJUSTMENT
TO LAFCO STAFF HOURLY CHARGE-OUT RATES
BASED UPON THE EMPLOYMENT COST INDEX AND
UPDATED FEE DEPOSIT SCHEDULE

RESOLVED, by the Colusa Local Agency Formation Commission, that

WHEREAS, the Colusa Local Agency Formation Commission is an independent agency under the provisions of Government Code §56000 et seq.; and

WHEREAS, the Colusa Local Agency Formation Commission, pursuant to Government Code §56383 and Government Code §66016 adopted Resolution 2010-04 establishing hourly charge-out rates consistent with an approved Hourly Fee Study; and

WHEREAS, the Colusa Local Agency Formation Commission determined at their meeting of September 1, 2022, that LAFCO staff hourly charge-out rates should be adjusted annually to keep pace with inflationary movements of the economy; and

WHEREAS, the Colusa Local Agency Formation Commission at their meeting of November 3, 2022 desires to implement an annual adjustment beginning each fiscal year to the staff hourly charge-out rate based on the latest released data from the Employment Cost Index (Not Seasonally Adjusted, State and Local Government Employees, Index Workers, All Employees), as published by the U.S. Department of Labor's Bureau of Labor Statistics and review and consider amendments to LAFCO's fee deposit schedule: and

WHEREAS, the Colusa Local Agency Formation Commission desires to implement an initial annual Employment Cost Index adjustment to be applied beginning on July 1st, 2023 and each fiscal year thereafter and revisions to the adopted fee deposit schedule 60 days from November 3, 2022 both of which will be based on the latest released data from the Employment Cost Index for the previous March (Not Seasonally Adjusted, State and Local Government Employees, Index Workers, All Employees), as published by the U.S. Department of Labor's Bureau of Labor Statistics; and

WHEREAS, the increase in the flat hourly charge-out rates do not exceed the estimated reasonable costs of providing the services in accordance with Government Code §66013 and 66014; and

WHEREAS, the proposed increase in the flat hourly charge-out rates do not constitute a project as defined by §15378(b)(4) of the California Environmental Quality Act Guidelines; and

WHEREAS, the proposed increase in the flat hourly charge-out rates was duly noticed.

WHEREAS, the Commission held a public hearing on amending the flat hourly charge-out rates and fee deposit amounts on November 3, 2022; and

WHEREAS, the Commission considered written and verbal comments from the public and made amendments to the fee schedule as deemed appropriate by the Commission.

NOW, THEREFORE, BE IT RESOLVED that the Colusa Local Agency Formation Commission, amend the flat hourly charge-out rates based on latest released data from the Employment Cost Index (Not Seasonally Adjusted, State and Local Government Employees, Index Workers, All Employees), as published by the U.S. Department of Labor's Bureau of Labor Statistics as well as update its fee deposit schedule (see Exhibit A LAFCo's Fee Deposit Schedule).

BE IT FURTHER RESOLVED, that the LAFCO staff hourly charge-out rates be rounded to the nearest dollar and become effective sixty (60) days from the date of adoption of this Resolution:

Current Hourly Rate	Adopted Adjusted Rate
Executive Officer \$ 177.91	291.89
Counsel \$260.00	436.43

BE IT FURTHER RESOLVED, that the LAFCo Schedule of Fees and Deposits are amended as shown in Exhibit A to this resolution.

PASSED AND ADOPTED at a regular meeting of the Colusa Local Agency Formation Commission, on the 3rd day of November 2022 by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

Merced Corona, CHAIR

COLUSA LOCAL AGENCY

FORMATION COMMISSION

ATTEST: JOHN BENOIT

EXECUTIVE OFFICER

Exhibit A

Colusa Local Agency Formation Commission

Schedule of Fees and Deposits

1. Action

Annexation of single-family residence for reasons of public health or safety	\$ 1,000 (\$1,500) Initial Deposit toward Project Cost
Annexation/Detachment/Reorganization	\$ 3,500 (\$4,500) Initial Deposit toward Project Cost
Consolidation	\$ 2,000 Initial Deposit toward Project Cost
Dissolution	\$ 2,000 Initial Deposit toward Project Cost
District Formation	\$ 5,000 Initial Deposit toward Project Cost
Out of Agency Service Contract Requests	\$ 1,000 (\$1,500) Initial Deposit toward Project Cost
Disincorporation	\$ 5,000 Initial Deposit toward Project Cost
Incorporation	\$15,000 \$25,000 Initial Deposit toward Project Cost
Reconsideration of a LAFCo Determination	\$ 1,000 (\$2,500) Initial Deposit toward Project Cost
Sphere of Influence Amendment	\$ 2,500 Initial Deposit toward Project Cost
Activation of Latent Powers New and Different services request	\$ 3,000 Initial Deposit toward Project Cost
Municipal Service Review (for SOI Updates)	\$ 5,000 (\$7,500) Initial Deposit toward Project Cost
Sphere of Influence Update	\$ 4,000 (7,500) Initial Deposit toward Project Cost
Establishment of a Sphere of Influence for new agencies	\$ 4,000 (\$5,000) Initial Deposit toward Project Cost
GIS Mapping Fee Deposit Required for all applications excepting Out of Agency Service Contracts	\$ 200.00 Initial Deposit toward Project Cost
All other services provided by LAFCo	To be charged at the current hourly charge out rate.

Note: All deposit amounts are subject to increase, if the Executive Officer determines that the magnitude of the project justifies the increase.

A) 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 listed below, and include personnel costs plus a percentage of Colusa LAFCO’s administrative overhead costs and municipal service review and sphere of influence update costs. In addition, materials include, but are not limited to, charges for advertisement of hearings, mapping, petition reviews, contract staff and consultants as needed, as well as fees charged for project reviews by affected agencies.

B) Applicants are also responsible for payment of appropriate State Board of Equalization fees, County Surveyor fees, Public Noticing, County Elections Department costs, Mailing Labels, EIR or environmental review preparation fees,

Exhibit A

Mapping, Fish and Game fees, and County Recording Fees. A schedule of processing fees for the State Board of Equalization is included in the LAFCo application packet.

- C) Staff time *and materials* will be monitored against the deposit on file with LAFCO; if the cost of processing reaches 80% ~~90%~~ of the deposited amount, additional deposits will be required. Any hearing or action on the application may be continued pending receipt of the additional deposit.
- D) If extensive staff assistance is required prior to receipt of an application, a deposit will be required at the time the work is requested.
- E) Absent compelling circumstances, the Commission will not normally adjust or waive deposits and/or fees. Staff will not waive fees for any reason.
- F) All final bills must be paid by the applicant prior to filing of the Certificate of Completion or during other times during the LAFCo process as deemed appropriate by the Executive Officer.
- G) Charges for Reconsideration of a LAFCo determination are the responsibility of the requesting party.
- H) Deposits on file with LAFCo, which exceed the cost of processing the application by \$25 or more will be refunded after LAFCo completes its final filings.
- I) Pre-Application Expenses: LAFCo will also charge its pre-application staff time spent reviewing environmental and other documents and participating in the process as the lead agency, as part of the processing costs.
- J) If LAFCO is required to act as lead agency and an Environmental Impact Report is required as part of an Environmental Review, the applicant is also responsible for an additional \$7,500 deposit toward the Total Project Cost plus actual costs or 115% of the consultant fee.
- K) If a LAFCO application is withdrawn any time prior to the completion of proceedings, the unused portion of the initial fee deposit (s) received by LAFCO (deposit less any expended staff time and project expenses) will be returned to the persons paying the initial fee deposit upon receipt of a letter of withdrawal.

2. LAFCo Staff Charge-Out Rates:

Executive Officer \$ 291.89/hr
LAFCO Counsel \$ 436.43/hr

3. Miscellaneous Costs

- A) Special Meetings \$1,000 Deposit toward Total Cost
The total cost includes staff administrative time and materials.
- B) Staff Research and Studies Project Cost
Charges for staff time begin after the first half-hour.

Exhibit A

C) Agenda Subscription..... \$12/year
(e-mailed agendas provided free of charge upon request.)

D) Copies of Staff Reports & other documents (no charge for electronic copies... 15 cents/page

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