

SHASTA LAFCO

POLICIES & PROCEDURES

What is LAFCO?

After World War II, California experienced dramatic growth in population and economic development. With this boom came a demand for housing, jobs, and public services. To accommodate this demand, the State approved the formation of many new local governmental agencies, often with little forethought as to the ultimate governance structures in a given region. The lack of coordination and adequate planning led to a multitude of overlapping, inefficient jurisdictional and service boundaries, and the premature conversion/loss of California's agricultural and open-space lands.

Recognizing this problem, Governor Edmund G. Brown, Sr. established the Commission on Metropolitan Area problems in 1959. The Commission's charge was to study and make recommendations on the "misuse of land resources" and the growing complexity of local governmental jurisdictions. The Commission's recommendations on local governmental reorganization were introduced in the Legislature in 1963, resulted in the creation of Local Agency Formation Commissions (LAFCO) in each California county.

From 1963 to 1985, LAFCOs operated under a complicated series of statutory provisions and three enabling acts: The Knox-Nisbet Act, the Municipal Organization Act, and the District Reorganization Act. Confusion over the application of these acts led to a reform movement that produced the first consolidated LAFCO Act, the Cortese-Knox Local Government Reorganization Act of 1985.

In 1997, a new call for reform in local government resulted in the formation of the Commission on Local Governance for the 21st Century. After many months of canvassing the State, the Commission issued its comprehensive report, Growth Within Bounds, in which the Commission recommended changes to the laws governing LAFCOs. These recommendations became the foundation for the Cortese-Knox-Hertzberg Local Government Reorganization (CKH) act of 2000. The CKH Act mandates greater independence for LAFCOs and further clarifies their purpose and mission.

Objectives

To encourage the orderly formation of local governmental agencies: LAFCOs review proposals for the formation of new local governmental agencies and for changes in organization of existing agencies. There are 58 LAFCOs working with nearly 3,500 local governmental agencies (400+ cities and 3000+ special districts). Agency boundaries are often unrelated to one another and sometimes overlap at random, often leading to higher service costs to the taxpayer and general confusion regarding service area boundaries. LAFCO decisions strive to balance the competing needs in California for efficient services, affordable housing, economic opportunity, and conservation of natural resources.

To preserve agricultural land resources: LAFCO must consider the effect that any proposal will have on existing agricultural lands. By guiding development toward vacant urban land and away from agricultural preserves, LAFCO assists with the preservation of our valuable agricultural resources.

To preserve urban sprawl: Urban sprawl can best be described as irregular and disorganized growth occurring without apparent design or plan. This pattern of development is characterized by the inefficient delivery of urban services (police, fire, water and sanitation) and the unnecessary loss of

agricultural resources and open space lands. By discouraging sprawl, LAFCO limits the misuse of land resources and promotes a more efficient system of local governmental agencies.

Composition

The composition of LAFCO varies from county to county. Some LAFCOs are composed of two members from the Board of Supervisors and two members from the city councils in the county. Many LAFCOs also have two members from the independent special districts in the county. All LAFCOs have a representative of the general public – an individual who is not seated on any elected body. For each category represented on LAFCO there is an alternate member. Alternate members may attend LAFCO meetings and participate in the discussion of items, but they only vote on items when a regular member from their category is absent. Some LAFCOs, including Los Angeles, Sacramento, Santa Clara, and San Diego, have through special legislation, reserved a seat on the Commission for a representative from the county's major city.

Each agency that is eligible to have one of its elected officials seated on the Commission must contribute to the LAFCO cost. The amount of this contribution is determined by statute, and varies in each county.

Responsibilities

LAFCOs are responsible for coordinating logical and timely changes in local governmental boundaries, conducting special studies that review ways to reorganize, simplify, and streamline governmental structure, and preparing a sphere of influence for each city and special district within each county. The Commission's efforts are directed toward seeing that services are provided efficiently and economically while agricultural and open-space lands are protected. To better inform itself and the community as it seeks to exercise its charge; each LAFCO must conduct service reviews to evaluate the provision of municipal services within each county.

Authority

Boundary Changes: LAFCOs regulate, through approval or denial, the boundary changes proposed by other public agencies or individuals. LAFCOs do not have the power to initiate boundary changes on their own, except for proposals involving dissolution or consolidation of special districts and the merging of subsidiary districts.

Typical applicants for a boundary change include:

- Individual homeowners requesting annexation to a sewer district due to a failing septic system;
- Developers seeking annexation to a city in order to obtain urban services for new housing;
- Cities wishing to annex pockets or "islands" of unincorporated land located within their borders in order to avoid duplication of services within the county.

Sphere of Influence Studies: In 1972, LAFCOs were given the power to determine spheres of influence for all local governmental agencies. A sphere of influence is a planning boundary outside an agency's legal boundary that designates the agency's probable future boundary and service area. Factors considered in a sphere of influence review focus on the current and future land use, the current and future need and capacity for services, and any relevant communities of interest. With the passage of the CKH Act, spheres are reviewed every five years.

The purpose of the sphere of influence is to ensure the provision of efficient services while discouraging urban sprawl and the premature conversion of agricultural and open space lands by preventing

overlapping jurisdictions and duplication of services. Commissions cannot tell agencies what their planning goals should be; rather, on a regional level, LAFCOs coordinate the orderly development of a community through reconciling differences between agency plans so that the most efficient urban service arrangements are created for the benefit of area residents and property owners.

Service Reviews: Service reviews were added to LAFCO's mandate with the passage of the CKH Act in 2000. A service review is a comprehensive study designed to better inform LAFCO, local agencies, and the community about the provision of municipal services. Service reviews attempt to capture and analyze information about the governance structures and efficiencies of service providers, and to identify opportunities for greater coordination and cooperation between providers. The service review is a prerequisite to a sphere of influence determination and may also lead a LAFCO to take other actions under its authority.

Initiation of Special District Consolidations: As of July 1, 1994, LAFCOs have the authority to initiate proposals that include the dissolution or consolidation of special districts, or the merging of an existing subsidiary district. Prior to initiating such an action, LAFCO must determine, through a sphere of influence or other special study, that the district's customers would benefit from the proposal.

Out of Agency Service Agreements: Cities and districts are required to obtain LAFCO's approval prior to entering into contracts with private individuals or organizations to provide services outside the agency's boundaries.

Legislative Policies

Adoption of Local Policies: Each LAFCO may adopt local policies to appropriately administer the CKH Act in its county. LAFCOs must act in accordance with any locally adopted policies.

Public Involvement

Citizens are welcome and encouraged to attend regular LAFCO meetings and state their views during public hearings on proposals before the Commission. In addition, the meetings provide an excellent opportunity for citizens to familiarize themselves with the growth, development and inter-jurisdictional issues facing their county.

Meeting notices and agenda are posted on the LAFCO website. The agenda and minutes, as well as related staff reports are also available in the LAFCO office.

CALAFCO

The California Association of Local Agency Formation Commissions, or CALAFCO, was founded in 1971. CALAFCO serves as an organization dedicated to assisting member LAFCOs with technical resources that otherwise would not be available.

CALAFCO provides statewide coordination of LAFCO activities, serves as a resource to the Legislature and other bodies, and offers a structure for sharing information among the various LAFCOs and other governmental agencies.

CALAFCO is governed by an Executive Board composed of fifteen LAFCO Commissioners: four city members, four county members, four special district members, and three public members. Executive Board members are elected at the Annual Conference.

CALAFCO staff consists of an Executive Director, Executive Officer and Legal Counsel, plus a number of other support positions. The membership of CALAFCO consists of 57 of 58 LAFCOs, as well as a number of associate members from agencies and organizations throughout California.

The CALAFCO Newsletter is published quarterly and distributed to all member LAFCOs. CALAFCO maintains a website at calafco.org. CALAFCO has established the following Legislative Policies:

1. CALAFCO supports the enactment of legislation to provide LAFCOs with the authority and powers to perform the duties originally mandated by the Legislature in the 1960s.
2. CALAFCO supports the clarification and redefinition of the sphere of influence concept to provide better planning of growth and development, preserve agricultural and open space resources, and discourage urban sprawl.
3. CALAFCO supports the adoption of state growth and development goals and policies to provide direction and assistance to local decision makers throughout the state.
4. CALAFCO supports requiring LAFCO decisions to be consistent with state and regional goals and plans, rather than merging LAFCO functions with multi-county regional agencies.
5. CALAFCO supports authorizing LAFCOs to identify areas for resource conservation, within which no development could occur.
6. CALAFCO opposes the granting of special status to any individual agency or proposal to circumvent the LAFCO process.
7. CALAFCO supports enhancing LAFCO's ability to mitigate the fiscal impacts of change of organization proposals through tax sharing conditions.
8. CALAFCO opposes attempts to require the recomposition of all LAFCOs without respect to the existing balance of powers that has evolved within each county.
9. CALAFCO supports the provisions of existing law maintaining individual commissioner responsibility by allowing each commissioner to vote his or her conscience on issues affecting their own jurisdiction.

CALAFCO supports efforts to ensure equitable distribution of revenues to local governmental agencies consistent with their service responsibilities.