

What City Council-Members need to know . . .
about LAFCO



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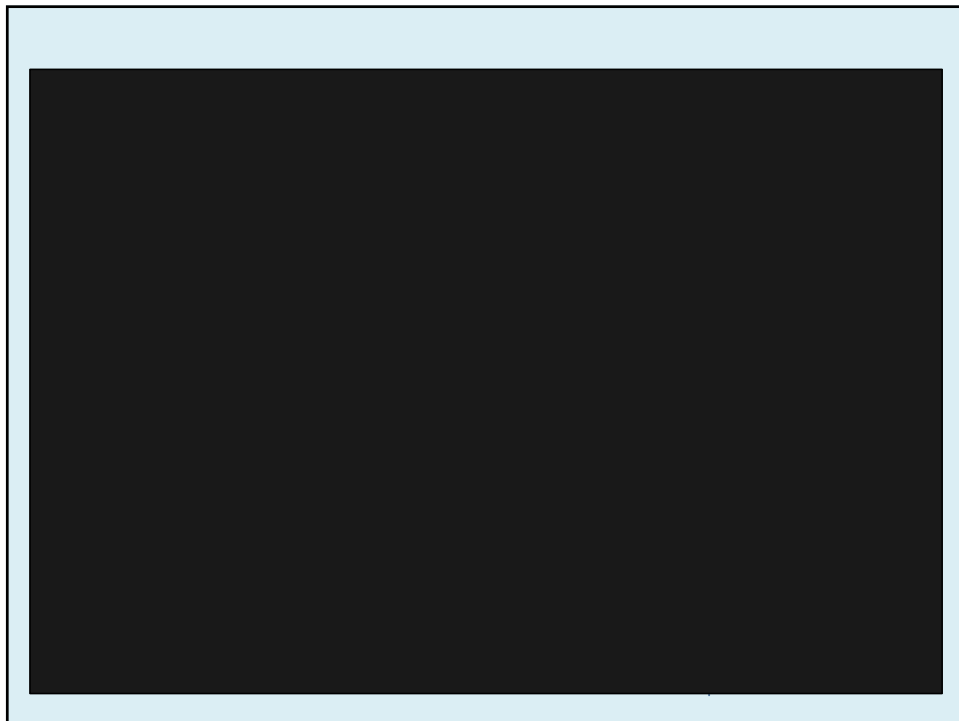


A Biblical Explanation of LAFCO



**In the beginning darkness
covered everything**

**And there was chaos upon the
land**





**And out of the darkness came
light, and**

Out of chaos came order





And that's LAFCO's job



LAFCO in a Nutshell

A public agency that plans and regulates boundaries and service areas of cities and special districts



Why LAFCOs Came About

Conditions that led to the creation of LAFCOs:

- Post World War II population and housing boom in California
- End of street car suburbs; scramble to finance and extend services
- City annexation "wars," proliferation of limited purpose special districts
- Governor Pat Brown's Blue Ribbon Commission on Urban Problems and its rational focus on the need to encourage orderly boundaries



Overview of Legislative History

- 1963 Knox-Nisbet Act – creates LAFCOs
- 1965 District Reorganization Act (DRA) – Uniform special district procedures
- 1971 Amendment requires Spheres of Influence – LAFCOs must plan too
- 1972 Authorization to add special district members to the Commission
- 1977 Municipal Organization Act (MORGA) – Uniform city procedures; reforms
- 1983 Deadlines to prepare spheres of influence
- 1985 Cortese-Knox Local Government Reorganization Act – Recodify laws
- 1993 AB 1335 (Gotch) – Several LAFCO reforms
- 2000 AB 2838 (Hertzberg) – Significant LAFCO and planning reforms
- 2011 AB 54 (Solorio) – Mutual Water Companies
- 2011 SB 244 (Wolk) - Disadvantaged Unincorporated Communities (DUCs)



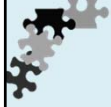
Forces Driving Local Boundary Changes

- Post World War Growth and/or shifts in population lead to need for new houses and jobs
- Individual desires for land use entitlements
- Public desire for improved community services or to capture local revenues
- Public desire for greater local control of land use and public services
- Desire to establish, preserve or protect community identity
- Establishment of contract cities (“Lakewood Plan”)
- The Hidden Hand on the Tiller -- State tax policies create incentives and disincentives



The Courts Have Ruled That . . .

- State laws fully occupy the field of managing local boundary changes
- LAFCO is quasi-legislative; limited legal challenge to LAFCO decisions
- LAFCO exercises a constitutional delegation of authority
- LAFCO is engaged in the pursuit of an overriding State purpose
- LAFCO is an independent agency, not part of the County; no appeal of LAFCO decision
- LAFCO is the Legislature’s “watch dog” for governmental efficiency
- LAFCO cannot directly regulate land use, but. . .



LAFCO Powers and Duties

The State Legislature directs LAFCO to

- Encourage orderly boundaries and discourage urban sprawl
- Conserve agricultural and open space lands
- Promote efficient public services
- Consider many issues including regional housing needs, adequate water supply



As a Planning Agency

LAFCO:

- Prepares Municipal Service Reviews
- Develops and routinely updates Spheres of Influence



As a Regulatory Agency

LAFCO:

- Decides on City and District Boundary Changes
- Creates New Agencies
- Modifies Existing Agencies
- Approves Extension of Public Services Outside of City or District Boundaries
- Approves “Island” Annexations



Within LAFCO’s Jurisdiction

LAFCO plans and regulates the boundaries of:


Cities and many types of special districts such as Cemetery Districts, Community Service Districts (“CSDs”), County Service Areas (“CSAs”), Fire Protection Districts, Hospital and Health Care Districts, Library Districts, Park & Recreation Districts, Water Districts, Sanitation Districts

Not Within LAFCO’s Jurisdiction

County boundary changes


Boundaries of various local agencies such as school districts, community college districts, air pollution control districts, flood control districts, special assessment districts and transit and transportation districts

State law prohibits LAFCOs from imposing terms and conditions which “directly regulate land use, property development, or subdivision requirements”



LAFCO Composition and Administration

- **Unique, composite membership**
- **Staff is accountable to the Commission**
- **Independent budgetary and funding authority**
- **Subject to the Political Reform Act**
- **Subject to the Public Records Act**
- **Subject to California Environmental Quality Act**



Questions and Comments

