

LOCAL AGENCY FORMATION COMMISSION COUNTY OF SAN BERNARDINO

215 North D Street, Suite 204, San Bernardino, CA 92415-0490
(909) 383-9900 • Fax (909) 383-9901
E-MAIL: lafco@lafco.sbcounty.gov
www.sbclafco.org

DATE : AUGUST 12, 2010
FROM: KATHLEEN ROLLINGS-McDONALD, Executive Officer
TO: LOCAL AGENCY FORMATION COMMISSION

**SUBJECT: AGENDA ITEM #1 – WORK PLAN AND COMMISSION GOALS FOR
FISCAL YEAR 2010-11**

Today's meeting will establish the Commission's first foray into a work plan analysis and goal setting discussion for the fiscal year outside that which is provided during its annual budget review. This process will identify the challenges and opportunities for the Commission to develop the framework for undertaking its mandates, provide direction to staff for its goals during the fiscal year, and in making its determinations as to the means for communication of these goals to the Commission's stakeholders and constituents. This process is also intended to establish the projects and directions for staff to utilize the Commission's resources for the upcoming year.

MISSION STATEMENT:

As this is the inaugural Work Plan Session, staff has reviewed the strategic planning efforts of both Orange and Riverside Counties to help in establishing the stepping off point for discussion with the Commission. In each of these strategic plans, a mission statement for the agencies has been addressed. San Bernardino LAFCO has historically been of the opinion that the Legislative Findings and Declarations contained within Government Code Section 56001 and the purposes of the Commission in Section 56301 are the mission statement of the Commission. These sections read as follows:

***56001.** The Legislature finds and declares that it is the policy of the state to encourage orderly growth and development which are essential to the social, fiscal, and economic well-being of the state. The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services. The Legislature also recognizes that providing housing for persons and families of all incomes is an important factor in*

promoting orderly development. Therefore, the Legislature further finds and declares that this policy should be effected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.

The Legislature recognizes that urban population densities and intensive residential, commercial, and industrial development necessitate a broad spectrum and high level of community services and controls. The Legislature also recognizes that when areas become urbanized to the extent that they need the full range of community services, priorities are required to be established regarding the type and levels of services that the residents of an urban community need and desire; that community service priorities be established by weighing the total community service needs against the total financial resources available for securing community services; and that those community service priorities are required to reflect local circumstances, conditions, and limited financial resources. The Legislature finds and declares that a single multipurpose governmental agency is accountable for community service needs and financial resources and, therefore, may be the best mechanism for establishing community service priorities especially in urban areas. Nonetheless, the Legislature recognizes the critical role of many limited purpose agencies, especially in rural communities. The Legislature also finds that, whether governmental services are proposed to be provided by a single-purpose agency, several agencies, or a multipurpose agency, responsibility should be given to the agency or agencies that can best provide government services.

56301. *Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities. When the formation of a new government entity is proposed, a commission shall make a determination as to whether existing agencies can feasibly provide the needed service or services in a more efficient and accountable manner. If a new single-purpose agency is deemed necessary, the commission shall consider reorganization with other single-purpose agencies that provide related services.*

The adopted mission statement for Orange and Riverside LAFCOs have taken these statutory directives and simplified them to address the direction of the individual Commissions. Each of these is presented below:

Orange:

“LAFCO serves the citizens of Orange County by facilitating constructive changes in governmental structure and boundaries through special studies, programs, and actions that resolve intergovernmental issues, by fostering orderly development and governance, and by promoting the efficient delivery of services. LAFCO also serves as a resource for local governments and citizens by providing a structure for sharing information among stakeholders in Orange County”.

Riverside:

“The broad mission of the Local Agency Formation Commission of Riverside County is to implement the legislative direction and policies embodied in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in a manner most appropriate to provide an orderly growth pattern that reconciles the varied needs of Riverside County. One of the fundamental principles of LAFCO is to ensure the establishment of an appropriate and logical municipal government structure for the distribution of efficient and appropriate public services. The Commission will encourage and promote communication among public agencies, property owners and residents of Riverside County. These policies shall be carried out in an efficient and courteous manner.”

Should the Commission wish to establish a mission statement other than the language contained in Sections 56001 and 56301, the provision of suggestions and/or direction to staff to return with such a draft statement should be provided.

2010-11 WORK PLAN:

The Commission’s budget adopted for the upcoming fiscal year, addresses the need to do more within the revenue restrictions created by the current recession. Over the last two years, the Commission has reduced its full-time staffing to five (5) with a contract for the provision of Clerk to the Commission duties on a per hour basis. In addition, the Commission has contracted with me to provide for the functions of the Executive Officer position through the balance of this fiscal year. The Commission’s outline of workload factors for the upcoming year include the maintenance of activity at current levels and provide for funding of anticipated litigation costs.

Most important in this year will be the completion of the Service Reviews for the Mountains and South Desert. This action will allow the Commission to begin its second cycle of service reviews as required by law. Staff anticipates that during the winter and spring of 2011, the staff will review the manner in which the second cycle of reviews will be conducted, identifying issues that the Commission has encountered in the first reviews that could be better addressed in the second cycle, discuss a methodology to review the need for sphere update where the information shows that no change in circumstance from the first cycle has

occurred, and a determination as to whether or not the current five regional division would not be better served by a four region description.

The Commission should provide direction to staff on how it wishes to revisit the service review implementation structure during the fiscal year.

LAFCO, as an entity, is reactive to proposals presented to it from property owners, registered voters, or the entities which it serves. As the past two years has shown the Commission, none of the proposals which are presented are easy and all involve challenges in addressing service delivery that is efficient, effective and sustainable. The last determination, sustainability, will be the most important in the upcoming years and is one that is the most speculative. The budget review identified seven (7) proposals for submission. Of those, the following have been submitted or have provided a date for submission:

Island (City of Barstow)	Anticipated to be submitted during October 2010
CSA 42 Annexation	Received
Barstow FPD Subsidiary	Received

Of the four remaining, the sphere of influence establishment for CSA 120 must be determined as it is a requirement of law (Govt. Code Section 56425.5). LAFCO staff continues to work with the County Special Districts Department on the development of the proposed sphere of influence. The balance may or may not come to fruition during the fiscal year.

While state law allows the Commission to initiate proposals for a change of organization which includes consolidation, dissolutions, formations, mergers, and/or the establishment of a subsidiary district, to date the Commission has limited its use of this authority. Such a potential change of jurisdiction would be an outgrowth of the service review studies undertaken by the Commission or a special study commissioned under the auspices of Government Code Section 56378. One limitation on the use of these provisions is that the Commission would become the applicant, responsible for fees and legal costs, which could be a burden on the entities which are obligated to fund the Commission's activities.

As a part of Item #3 on the Workshop Agenda, LAFCO staff will be requesting that the Commission identify areas of its Policy and Procedure Manual for further review and potential update. This should be accomplished during the 2010-11 Fiscal Year so that the incoming Executive Officer has a clear understanding of the direction and platform of the Commission when they begin their term of office.

This outline is intended to provide food for thought for further discussion at the Workshop Session. No recommendation by staff is provided; however, the following questions may prompt a more detailed review

The Commission could provide direction to staff on:

1. Are there areas which the Commission wishes to take a proactive position to work with the County and other entities for the pursuit of governance changes?
2. Are there changes to the Service Review process that are desired or further information needed on the process for evaluation?
3. What policies and procedures need further discussion? (*This is Item # 3 on the Workshop Agenda*)

KRM