

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

SYNOPSIS

In 1963, the State Legislature created LAFCO. It was established by state law as an independent regulatory agency with county-wide jurisdiction.

The five member board is made up of two County Supervisors, two City Council Members, and one member from the general public.

WHY THE GRAND JURY INVESTIGATED

Public interest

AUTHORITY

California Penal Code Section 925

The Grand Jury shall investigate and report on the operations, accounts, and records of the officers, departments or functions of the county.

METHOD OF INVESTIGATION

The Director of LAFCO appeared before the grand jury for an interview and presented handouts and background facts regarding the operation of LAFCO. LAFCO Municipal Service Reviews were studied and the Grand Jury attended a LAFCO Board meeting.

BACKGROUND AND FACTS

LAFCO is the sole and exclusive authority over the initiation, conduct, and completion of boundary changes proposed by public agencies or individuals through approval or denial. LAFCO does not have the power to initiate boundary changes on its own nor impose any conditions that would directly regulate land use density or intensity, property development or subdivision requirements. However, since July 1994, LAFCO has the power to make proposals involving small island annexations, the dissolution or consolidation of special districts, and the merging of subsidiary districts.

LAFCO is responsible for establishing “spheres of influence.” A “sphere of influence” is plan for the probable physical boundary and service area that a governmental agency is expected to serve. Establishment and updating of this boundary is based on the results of a Municipal Service Review study, and is necessary to determine which governmental agencies can provide services in the most efficient way to the people and property in any given area.

Through special studies, LAFCO encourages governments to evaluate their current operations and options for reorganization. Local agencies often overlap and have the potential of duplicating services.

Cities and districts are required to obtain LAFCO's approval prior to entering into contracts with private individuals to provide services outside of the agencies' boundaries.

Citizens are welcome and are encouraged to attend regular LAFCO meetings and state their views during public hearings on proposals before the Commission. Meetings are held at 3:30 PM on the fourth Wednesday of each month in the Administration Building in the Kings County complex unless there is no agenda. Copies of the minutes, meeting agendas, and staff reports are available by contacting the LAFCO offices, and on LAFCO's web-site at www.kingslafco.com. In checking the website the Grand Jury found it to be out of date.

The Kings County Department of Finance provides accounting services to LAFCO, and this budget is included in the County's budget as a General Fund Program for this purpose. The County's portion of the LAFCO budget is shown under General Fund Program. Each city's portion is shown as Intergovernmental Revenue.

FINDING

The LAFCO web-site is not up to date.

RECOMMENDATION

The web-site should be updated and kept current.

RESPONSE REQUIREMENT

California Penal Code Section 933(c) No later than 90 days after the Grand Jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations.