

LAFCO

Santa Barbara Local Agency Formation Commission
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March 6, 2003 (Agenda)

Local Agency Formation Commission
105 East Anapamu Street, Room 403
Santa Barbara CA 93101

City of Goleta Sphere of Influence

Dear Members of the Commission:

This is a revised staff report, continued from December 5, 2002.

RECOMMENDATIONS

It is recommended the Commission, after accepting any public testimony, defer adopting a sphere of influence for the City of Goleta until Municipal Service Reviews for the Goleta Valley are prepared and considered by the Commission.

If the Commission wishes to adopt a sphere immediately it should direct the staff to schedule a public hearing to consider a sphere that is conterminous with the existing City boundary.

DISCUSSION

Introduction

Procedures to plan and manage local government boundaries in California are contained in the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.). Many responsibilities are assigned to LAFCO; others to local agencies.

The interdependent nature of these decisions is illustrated by the fact that cities must develop general plans of land uses. LAFCOs must develop and adopt spheres of influences. Locations of sphere lines, in turn, affect the city's ability to carry out and implement its adopted general plan.

Given this intergovernmental framework, it is reasonable to expect differences between LAFCOs and individual cities and special districts. LAFCOs exercises their responsibilities from a regional,

Countywide perspective, which may differ from positions taken by individual cities and districts. It is a part of the "checks and balances" contained with the boundary change process in California.

Orderly Boundaries and Spheres of Influence

The Legislature in Section 56001 declares it is State policy 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."

Section 56076 defines a sphere of influence as ". . . a plan for the probable ultimate physical boundaries and service area of a local agency, as determined by the commission."

Adopting and updating spheres of influence cannot be separated from the Commission's overall purposes which, as stated in Section 56301, are ". . . the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies based upon local conditions and circumstances."

The requirement for spheres of influence is set forth in Section 56425(a):

"In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency within the county."

In determining a sphere of influence LAFCO is required to ". . . consider and prepare a written statement of its determinations with respect to each of the following:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency."

In addition to reviewing sphere changes when requested by local agencies or individuals, Section 56425 (c) requires LAFCO to review, and update as necessary adopted spheres not less than once every five years. The five year review cycle is a new legislative requirement.

Municipal Service Reviews Inform Sphere of Influence Decisions

One of the changes resulting from enactment of AB 2838 (Hertzberg) affects the preparation and adoption of spheres of influence. New Section 56430 requires that:

In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission.

The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:

1. Infrastructure needs or deficiencies.
2. Growth and population projections for the affected area.
3. Financing constraints and opportunities.
4. Cost avoidance opportunities.
5. Opportunities for rate restructuring.
6. Opportunities for shared facilities.
7. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers.
8. Evaluation of management efficiencies.
9. Local accountability and governance.

In conducting a service review, the commission shall comprehensively review all of the agencies that provide the identified service or services within the designated geographic area.

The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence . . . or to update a sphere of influence. . .”

The legislature directs LAFCOs to conduct municipal service reviews prior to adopting or updating spheres, which supports the staff recommendation that the Commission defer adopting a sphere for the City of Goleta until Municipal Service Reviews are completed for the area.

Sphere of Influence for New Cities

Section 56426.5 directs LAFCOs to determine a sphere of influence for newly incorporated cities within a year of the date of incorporation. For the City of Goleta this date was February 1, 2003.

Section 56430 requires LAFCO to conduct a review of municipal services prior to adopting or updating a sphere of influence. There was insufficient time to prepare a municipal service review for the Goleta Valley by February 1, 2003.

The Commission’s legal counsel advises that determining a sphere for the City of Goleta can be postponed based on Section 56106, which states,

Any provision in this division governing the time within which an official or the commission is to act shall in all instances, except for notice requirements and the requirements of subdivision (i) or Section 56658 [governing the time for the staff to schedule an application for hearing], be deemed directory, rather than mandatory.

Therefore, the Commission can delay adopting the City’s sphere until Municipal Service Reviews have been completed for the Goleta area.

Adopting a City Sphere Coterminous with the City Boundary

Notwithstanding the requirement for a Municipal Service Review, if the Commission wishes to immediately adopt a sphere for the City of Goleta it can probably do so if the sphere is restricted to the current City boundaries.

Since the City has not adopted a general plan it is unknown what areas, if any, the City intends to plan for. It is difficult for LAFCO to make the written determinations needed to adopt a sphere of influence without the benefit of knowing the City’s planning goals and intentions.

Local Agency Formation Commission

March 6, 2003 (Agenda)

Page 5 of 6

A sphere restricted to the City boundaries could allow reuse of the Negative Declaration that the Commission prepared for its approval of the incorporation itself.

Local Agency Formation Commission
March 6, 2003 (Agenda)
Page 6 of 6

Summary

The issue before the Commission is whether to immediately adopt a sphere of influence for the City of Goleta or defer adopting the sphere until Municipal Service Reviews for local agencies in the Goleta Valley is completed.

Please contact me if you have questions regarding this matter.

Very truly yours,

BOB BRAITMAN
Executive Officer

cc: Fred Stouder, City Manager, City of Goleta