San Mateo LAFCo Overview
San Mateo County Civics 101 Academy
September 13, 2023

Cortese–Knox–Hertzberg
Local Government Reorganization Act of 2000
Overview of LAFCo and Powers

Types of Government Agencies

Local Government in San Mateo County

LAFCo and School Districts

Municipal Service Reviews and Spheres of Influence

Recent projects
What is LAFCo

• The Local Agency Formation Commission (LAFCo) is a public agency for each county established by the Cortese-Knox-Hertzberg Local Government Act (State law).

• First created in 1963

• LAFCos are independent from local, county, and state government.

• LAFCo Commission is comprised of 2 County Supervisors, 2 City Council members, 2 Special District members, and 1 public member.

• “All commission members shall exercise their independent judgement on behalf of the interests of the public as a whole and not solely of the appointing agency”
LAFCo Authority and Powers

• With the primary purpose of regulating boundaries of cities and special districts, LAFCo adopts spheres of influence as plans for the boundaries of cities and special districts

• Processes annexation applications and applications for extension of services

• Prepares municipal service reviews of cities and districts in context of State policies promoting logical boundaries, efficient delivery of services and elimination of overlapping service delivery

• There are a number of actions and approvals that LAFCo does not regulate or review
### LAFCo Actions

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<th>Action</th>
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<tr>
<td>Annex land to cities or special districts</td>
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<td>Detach land from cities or special districts (rare)</td>
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<td>Consolidate two or more cities or two or more special districts</td>
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<td>Form new special districts and incorporate new cities (unlikely)</td>
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<td>Dissolve special districts and disincorporate cities (not common)</td>
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<td>Merge cities and special districts</td>
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<td>Allow cities or special districts to provide services outside of their boundaries</td>
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<td>Authorize activation or divestiture of special district powers</td>
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<td>LAFCo can initiate dissolutions and consolidations, but not annexation</td>
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Annexation Process

**Inhabited City Annexation**

**Initiation**
- Annexation area must be in the same county. Area must be contiguous with the city unless it is city-owned property or a state correctional facility
  (GC §56653, §56654, §56741, §56742, §56742.5)

- Resolution of affected county - city - special district - school district
- Petition of registered voter / property owner (5% petition threshold)

**LAFCO meeting/hearing**

**LAFCO approval**
- Conducting authority hearing (LAFCO may waive notice, hearing, and election)
  (GC §56663, 57002)

- Less than 25% protest – order annexation
  (GC §57075)

- 25% or more protest – order election

**LAFCO disapproval**
- Proceedings terminated (One year wait to reapply unless waived by LAFCO)
  (GC §56884)

- 50% or more protest – terminate proceedings
  (GC §57078)

- Majority voter approval – order annexation
  (GC §57176)

- Less than majority voter approval – terminate proceedings
  (GC §57176)
The LAFCo Lens

• Study boundaries/organization in context of State policies promoting logical boundaries, efficient delivery of services and elimination of overlapping agencies

• County distinguished from cities: As subdivision of State, primary role: Health, Human Services, Criminal Justice (State Mandated Programs). Not a municipal service provider by design

• Where feasible, areas needing municipal services should annex to cities, particularly when land use is intensifying

• LAFCo adopts spheres of influence as plans for the boundaries of cities and special districts
LAFCo Administration

• LAFCos can directly hire staff or contract with other government agencies - San Mateo LAFCo contracts with the County of San Mateo.

• Staff works solely for LAFCo

• LAFCo budget is adopted by the Commission and is independent of other agencies

• By State law LAFCo is funded in 1/3 (County, cities, and special districts)
Types of Government Agencies

- State of California
- County
- City
  - General law vs Charter
- Special Districts
  - Dependent vs Independent
  - Enterprise vs non-enterprise
  - Single vs multi-purpose
- Joint Powers Authorities/Agencies (JPAs)
- Regional Government Agencies
Enterprise vs. Non-Enterprise

• Enterprise Districts
  • Similar to business enterprises
  • Charge fees to recover cost of services
  • Examples: Sewer and Water

• Non-Enterprise Districts
  • Provide services that don’t lend themselves to fees
  • Examples: Mosquito & Vector Control District, Fire service, Open Space District
  • Cities and districts may have both “enterprise” and “non-enterprise” functions (e.g., Park & Rec, Harbor District)
Local Government in San Mateo County

• County

• 20 cities
  • Smallest – Colma (Pop. 1,507)
  • Largest – San Mateo (Pop. 105,661)

• 22 independent special districts
  • Including – Water/sewer, fire, healthcare, open space/recreation, harbor, and police districts

• 33 County or city-governed special districts
  • Water/sewer, street lighting, drainage

• 16 Joint Powers Agencies/Authorities
  • County Library, sewage treatment, fire
Common Misconceptions About School Districts and LAFCo

• City and school district boundaries do not align

• Cities can have multiple school districts or districts can cover multiple cities and unincorporated area

• Residents of unincorporated areas want to annex to city so they can change school districts

• Residents of one city want to detach and annex to other city to be included in “better” school district

• LAFCo refers inquiries to San Mateo County Office of Education
  • County Committee on School District Organization
Municipal Service Reviews

• Municipal Service Reviews (MSRs) are state mandated studies conducted by LAFCo

• They analyze governance structures, fiscal health and efficiencies of service providers

• The determinations and recommendations in an MSR are non-binding, but the Commission or other entity could take later action to initiate certain changes

• MSRs are a prerequisite to a Sphere of Influence
Spheres of Influence

- Sphere of Influence (SOI) is a plan for the probable physical boundaries and service area of a local agency
- The MSR helps inform what the SOI could be
- Factors that need to be considered for an SOI include land uses and the need and capacity of public services
- City vs District SOI

Types of SOIs
- Expanded
- Coterminous
- Dissolution (Zero)
REDWOOD CITY SPHERE OF INFLUENCE
Recent LAFCo Projects

• Municipal Service Reviews for:
  • County Service Area 11 (Pescadero)
  • City of East Palo Alto, East Palo Alto Sanitary District, and West Bay Sanitary District
  • City of South San Francisco
  • Westborough Water District
  • Broadmoor Police Protection District – Special Study
  • City of Burlingame
  • Town of Hillsborough

• Applications
  • Belmont annexations
  • Proposal to establish the East Palo Alto Sanitary District an independent special district, as a subsidiary district of the City of East Palo Alto
  • County Service Area 11 (Pescadero) annexation – anticipated
  • Sewer annexations and water extensions
Resources

• Website: https://lafco.smcgov.org/
• Rob Bartoli, Executive Officer, rbartoli@smcgov.org
• https://calafco.org/
• Report: What’s so special about special districts? https://calafco.org/sites/default/files/resources/Whats_So_Special.pdf
• League of California Cities https://www.calcities.org/
• California Special Districts Association https://www.cdsa.net/
• California Association of Counties https://www.counties.org/
Questions?

Guide to the
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