

SONOMA LOCAL AGENCY FORMATION COMMISSION

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Approved: Balleger
Superior Court Judge
Date: 10.21.16

Response to Grand Jury Report

Report Title: *Special Districts: Who Is Keeping Track of \$52 Million?*
Report Date: June 29, 2016
Response Date: September 7, 2016
Response From: Efren Carrillo, Chairperson
Agency: Sonoma Local Agency Formation Commission

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA
OCT 24 2016
BY [Signature]
Deputy Clerk

Finding

F1. A complete list of all dependent and independent special districts in Sonoma County is not available, depriving residents of information that would allow them to become involved in this component of local government.

Response: We disagree partially with this finding.

The *Sonoma LAFCO Guide to Special Districts* provides information about the independent and dependent special districts over whose boundaries LAFCO has jurisdiction. This document can be found on the Sonoma LAFCO website: www.sonomalafco.org in the section "Spheres, Studies and Guides/Special Studies, Reports and Guides."

Districts not under LAFCO jurisdiction, such as the Northern Sonoma County Air Pollution Control District, Sonoma County Agricultural Preservation and Open Space District, or lighting districts in various areas of the County, are not included.

F5. The lack of readily available financial information and records prevents citizens from exercising their right of oversight of their local special districts.

Response: We disagree with the finding, in that citizens interested in obtaining financial information and records may contact individual special districts. Citizens can also seek information from the Sonoma County Auditor-Controller-Treasurer-Tax Collector.

F6. The Local Agency Formation Commission does not complete Municipal Service and Sphere of Influence Reviews for special districts every five years as required by Government Code Section 56430.

Response: We disagree partially with the finding.

State law does not require Municipal Service Reviews (MSRs) to be conducted every five years; MSRs are to be conducted "in order to prepare and to update spheres of

influence” (Government Code Section 56430). Government Code Section 56425(g) does require that, every five years, “the commission shall, as necessary, review and update each sphere of influence.”

Sonoma LAFCO has established a sphere of influence for every district under its jurisdiction. With few exceptions, spheres of influence of special districts are coterminous with their boundaries. On a five-year schedule, Sonoma LAFCO determines whether a district’s sphere of influence should be updated, after discussions with the subject district.

If it appears that a sphere update might be warranted, an MSR would be conducted to inform that determination.

When the Commission determines that no change to a district’s sphere is necessary, the Commission takes official action to confirm the sphere as is and that the Commission has determined that no MSR is necessary.

It should be noted that the Commission may direct completion of an MSR for one or more agencies and for any reason at any time.

Recommendations

R1. The Sonoma County Auditor-Controller-Treasurer-Tax Collector, LAFCO and the Sonoma County’s Clerk-Recorder-Assessor cooperate to create and publish a listing of Sonoma County special districts on the County website. The list should include existing websites, names and terms of office of board members and special district contact information.

Response: The recommendation has been partially implemented.

Representatives from the Auditor-Controller-Treasurer-Tax Collector, the Sonoma County Clerk-Recorder-Assessor, and Sonoma LAFCO met in August and determined that information is or will be available on their websites about special districts in the County.

A Guide to Special Districts over whose boundaries Sonoma LAFCO has jurisdiction is available on the Commission’s website (www.sonomalafco.org), under the section “Spheres, Studies and Guides/Special Studies, Reports and Guides.”

Information provided about each district includes: date of formation, area of district, enabling legislation, authorized services, current services, properties and facilities, selection of board members, members’ terms of office, district funding source(s), property tax allocation, special taxes or assessments, district staffing, board meeting schedule and location, office location, website, if any, and contact information. The names of district board members, their terms of office, and individual contact numbers

are not included, The Auditor-Controller-Treasurer-Tax Collector indicates that that office will soon publish a listing that includes the names of district board members.

LAFCO intends to modify its website to provide a description of the types of special districts over which it does and does not have authority and to provide links to other on-line information sources.

R5. The Local Agency Formation Commission complete Municipal Service and Sphere of Influence Reviews for special districts every five years as required by State law.

Response: The recommendation will not be implemented because it is not warranted.

The Grand Jury Report's recommendation implies that "Municipal Service and Sphere of Influence Reviews" is a single action. This is inconsistent with the requirements of state law and with the Commission's interpretation and policy relating to review of spheres of influence and conducting Municipal Service Reviews (MSR).

California Government Code Section 56425 (g) requires LAFCOs to review and update spheres of influence every five years "as necessary." In accordance with this requirement, Sonoma LAFCO reviews special districts' spheres of influence on a general five-year schedule. That process includes LAFCO staff's contacting districts to discuss and receive input and feedback regarding any desired change to the sphere, followed by staff analysis, and recommendation to the Commission, which makes the final determination. It should be noted that district boundaries and their spheres of influence are generally coterminous.

If no update to a district's sphere is desired or needed, the Commission confirms the existing sphere. In such a situation, no MSR is conducted. If a sphere change is determined to be necessary, a service review may be conducted prior to consideration of a sphere change.

The Commission may also direct completion of a MSR at any other time it deems it necessary.



Effen Carrillo, Chair
Sonoma Local Agency Formation Commission

9/12/16

Date