

Guidelines for Evaluating a Plan for Providing Services

I. POLICY PURPOSE

To establish guidelines to assist in the objective review of a Plan for Services in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000 et seq.; the “Act”).

II. BACKGROUND

Government Code §56653 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 states, “If a proposal for a change of organization or reorganization is submitted pursuant to this part, the applicant shall submit a plan for providing services within the affected territory.”

In addition to complying with the Act, this policy is intended to consider existing circumstances unique to Orange County and is primarily directed to improving efficiency and affordability of infrastructure and the delivery of municipal services. These guidelines are designed to provide criteria for evaluating a plan for services. As such, these guidelines are not intended to preclude any Commission action which may conflict with these standards if special circumstances surrounding a specific proposal warrant such action.

III. DEFINITIONS

- A. **“Plan for Providing Services”** is a detailed description that identifies the municipal services that will be provided by agencies within the affected territory. (Government Code §56653)
- B. **“Change of Organization or Reorganization”** is defined by Government Code §56021 to mean any of the following:
- a) A city incorporation.
 - b) A district formation.
 - c) An annexation to a city.
 - d) An annexation to a district.
 - e) A detachment from a city.
 - f) A detachment from a district.
 - g) A disincorporation of a city.
 - h) A district dissolution.
 - i) A consolidation of cities.
 - j) A consolidation of special districts.
 - k) A merger of a city and a district.
 - l) Establishment of a subsidiary district.
 - m) The exercise of new or different function or classes of services, or divestiture of the

power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district as provided in Article 1.5 (commencing with Section 56824.10).

IV. PLAN FOR PROVIDING SERVICES

For proposals for changes of organization or reorganization, applicants shall prepare and submit a plan for providing services within the affected territory. The following guidelines have been adopted by OC LAFCO to assist in the evaluation of a plan for services and to facilitate consistency with OC LAFCO's stated purposes and objectives. Except as otherwise may be required by law, OC LAFCO may determine, on a case-by-case basis, which guidelines shall apply to a proposed plan for services.

- A. In accordance with Government Code §56653 (b), the plan for providing services shall include all of the following information and any additional information required by the Commission or the Executive Officer:
 - 1. An enumeration and description of the services currently provided or to be extended to the affected territory.
 - 2. The level and range of those services.
 - 3. An indication of when those services can feasibly be extended to the affected territory if new services are proposed.
 - 4. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
 - 5. Information with respect to how those services will be financed.
- B. The plan for providing services must be signed and dated by an official representative the applicant. In the case of a plan for providing services submitted by petition, the applicant is encouraged to prepare the document in consultation with the subject agency.
- C. In the case of a proposed annexation, the plan for providing services should demonstrate that the range and level of services currently available within the study area will be maintained or exceeded by the annexing agency.
- D. In the case of a proposed annexation, the plan for providing services should demonstrate that the cost of services to existing residents will not increase as a result of the annexation, unless a corresponding increase in the level of service also occurs.
- E. The plan for providing services should demonstrate that proposed services will not result in any unnecessary duplication of services.
- F. In accordance with Government Code §56121, the plan for providing services shall

include adequate protection for the rights of existing bondholders and other creditors.

- G. The plan for providing services should demonstrate that each service provider represents the most efficient and cost-effective source of service delivery.
- H. In the case of a proposed reorganization consisting of annexations to multiple agencies, the plan for providing services shall address each of the items specified for each annexing agency.

The guidelines in this document do not apply to proposals filed by a city to annex a small unincorporated island. The policy and guidelines for small unincorporated island annexations can be found in the Commission's *"Policy and Procedural Guidelines for Addressing Unincorporated Small Islands."*

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