

Types and Responsibilities of Local Agencies

www.ca-ilg.org/responsibilities-and-powers

April 2014

Counties

Counties play a dual role in California’s system of government. California is divided into 58 counties.

- **Countywide Services.** Counties provide a variety of important county-wide welfare and social services that serve all residents within a county. Those include services relating to health and welfare, as well as the criminal justice system. In these respects, counties are part of a statewide system that delivers certain kinds of programs and services to Californians.

**For More Information About
Counties and County Issues . . .**

See California State Association of Counties website www.csac.counties.org, including the “California’s Counties” tab.

Counties’ district attorneys work with county sheriffs and city police departments to prosecute crimes.

- **Municipal Services and Regulations.** For those areas that are not within a city (often referred to as the “unincorporated areas” of a county), counties provide law enforcement services through the sheriff’s office. For these areas, counties may also provide such services as fire protection, animal control, parks, recreation, public works, planning and land use, water, waste water, solid waste, and library—services that are similar to those cities provide within their boundaries (known as the incorporated areas). Sometimes counties and cities provide these services collaboratively. Sometimes these services may be provided by a private company or by a special district.

Counties also have regulatory authority within the unincorporated areas (such as land use planning authority and building code enforcement). This includes the power to adopt regulations to promote the public good within those areas.

Cities

California has nearly 500 cities. Within city boundaries, cities have responsibility for such services as police and fire, animal control, parks, public works, water, waste water, solid waste, and library. Sometimes these services may be provided by the city itself or by the county, a special district or a private company.

For More Information about Cities and City Issues . . .

See League of California Cities' website www.cacities.org.

Cities also have authority to adopt regulations that promote the public good within city limits. These include regulations relating to land use and building code enforcement.

Schools

School districts are responsible for educating children from kindergarten through high school. Some school districts provide pre-school services. Unlike some other states, in California public schools and cities/counties have separately elected governing bodies. For example, in New York City, the mayor is responsible for the schools. This is not the case in California.

California's public education system also includes community college districts, the California State University system and the University of California system.

This is perhaps the most important thing to understand about California's public education system—it is indeed a multi-leveled, complex system. There are many state laws that determine how schools operate. The availability of funding for schools is also largely determined by the state, through the budget process. Locally elected school boards are a part of this system, as are county offices of education.

For More Information about Schools and School Issues

See California Association of School Boards' website www.csba.org.

“Charter” Agencies

Some public agencies are “charter” agencies. This means that they have special powers.

- **Charter Cities.** The residents of a city can vote to have their city become a charter city. That means, among other things, that the city’s organization and manner of operation is determined by a charter, as opposed to certain state laws, which apply to “general law cities.”

The charter is a “mini-constitution” for the city and determines how the city is organized, operated, and authorized to provide for municipal functions. It also includes limitations that the residents of that city may legally choose to place on the city. Generally, charter cities have an extra measure of independence from certain kinds of state requirements, such as establishing their own election dates, rules, and procedures, that would otherwise apply as a general law city.

- **Charter Counties.** Like charter cities, charter counties operate according to a charter adopted by county voters. Charter counties have authority relating to the election, compensation, terms, removal, and salary of the governing board; for the election or appointment (except the sheriff, district attorney, and assessor who must be elected), compensation, terms, and removal of all county officers; for the powers and duties of all officers; and for consolidation and segregation of county offices.
- **Charter Schools.** Charter schools are governed by the terms of their charters and by certain state laws, as well as the federal laws that govern public school districts. Charter schools' governance structures vary widely, with some being under the authority of the district's governing board (or the County Office of Education or the State Board of Education), and others operating autonomously. The entity that approved the charter is responsible for certain oversight functions, and has authority to revoke the charter under certain circumstances, but is otherwise not responsible for the charter school's operations.

Special Districts

Special districts are public agencies created to provide one or more specific services to a community, such as water service, sewer service, parks, fire protection and others. California has nearly 3,300 special districts.

- **Dependent Special Districts.** Sometimes the governing board of either a city or county will also serve as decision-makers for a special district. These kinds of special districts are called “dependent special districts.” About one third of special districts are dependent.

For More Information about Special Districts and Special District Issues

See California Special Districts
Association website www.csda.net.

- **Independent Special Districts.** Other special districts operate under a locally elected, independent board of directors, which oversees district functions. These kinds of special districts are called “independent special districts.” About two thirds of special districts are independent.

Most special districts perform a single function, such as water service, parks and recreation, fire protection, pest abatement or cemetery management. Other districts have multiple functions, such as community service districts. Some special districts provide services for residents in both cities and counties, while others provide services only for residents who live outside city boundaries in the unincorporated areas.

In California, cities must be located in one county, and city boundaries may not cross county lines. On the other hand, special districts may cross city and county boundaries. For example, the Metropolitan Water District of Southern California serves residents in six different counties and most of the cities within those counties.

Special districts generate revenue from several sources including property taxes, special assessments, and fees. “Enterprise” special districts provide more specific services and are primarily funded by fees for those services. “Non-Enterprise” special districts provide more general governmental services and are funded primarily from property taxes.

Other Kinds of Local Agencies

- **Joint Powers Authorities.** (JPAs) Local agencies will sometimes enter into agreements to exercise shared powers to provide more effective or efficient government services or to solve a service delivery problem. One common form of joint powers authority is one that serves as a form of insurance company for local agencies.

Through the joint powers agreement, these agencies pool their resources to promote activities to reduce risk and pool their assets to pay claims against member entities (for example, workers compensation claims).

Joint powers authorities typically have their own board of directors (typically public officials appointed by each participating public entity), their own policy development system, and their own management structure.

- **Councils of Government.** A council of government is a particular form of joint powers authority created to engage in certain policy-making activities. The exact combination of duties varies from region to region.

For More Information about JPAs and JPA Issues

See California Association of Joint Powers Authorities:
www.cajpa.org

See Senate Local Government Committee Publication: “[A Citizen’s Guide to JPAs.](#)”

For More Information about COGs and COG Issues

See California Association of Councils of Governments:
www.calcog.org.

The two most prevalent duties are:

1. Planning-related activities relating to affordable housing and
2. Transportation on a regional level.

Some councils of government cover one county; others cover multiple counties. Some councils of governments cover such a large area (as in the Southern California area) that local agencies also participate in sub-regional council of government activities as well.

- **Local Agency Formation Commissions (LAFCOs).** A 1963 law created local agency formation commissions with three purposes:
 - To encourage the orderly formation of local government agencies,
 - To preserve agricultural land resources, and
 - To discourage urban sprawl.

For More Information about LAFCOs and LAFCO Issues

See California Association of Local Agency Formation Commissions: www.calafco.org.

Each county has a local agency formation commission. The composition of each commission varies, but at a minimum each has two representatives from the county board of supervisors, two representatives who serve as city council member from cities within the county, and one representative from the public. Local agency formation commissions make important boundary decisions that affect resident services.

In addition, local agencies will sometimes create nonprofit corporations to perform certain functions for the community. These nonprofits are governed by a board of directors according to an adopted set of bylaws. As with public agencies, there are certain transparency requirements for nonprofit corporations because of their special status.

About This Resource

This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on Local Government Basics, go to www.ca-ilg.org/local-government-basics.

The Institute welcomes feedback and suggestions on enhancing this resource:

- *Email:* info@ca-ilg.org Subject: Types and Responsibilities of Local Agencies

Fax: 916.444.7535

- *Mail:* 1400 K Street, Suite 205 ▪ Sacramento, CA ▪ 95814

G:\INSTITUTE\Local Government Basics\Basics of Local Agency Decision-Making\2014\Who Does What April 2014.docx