

Section 16 (e)
Allocation of Area-wide Responsibilities

V. ALLOCATION OF AREAWIDE RESPONSIBILITIES

The principles and criteria cited in the first section of this project report are definitive for the allocation of public service responsibilities between local (limited benefit/risk) and State-federal (widespread benefit/risk) levels. Further refinements need to be made in these criteria in order to easily clarify the allocation of public service responsibilities (1) among cities and counties at the local level and (2) to more clearly identify the areawide or multijurisdictional level of public service responsibility which occurs between the local and the State levels.

The Council has contacted two counties which have indicated their desire to conduct countywide studies of local government "alternatives" for the improved performance of local services. It is hoped that one or more of such studies will provide the kinds of information from which general principles and criteria can be developed for use in allocating public services among local units throughout the State. More will be known on this matter within six months to a year from now.

A. Areawide Components of Public Services

The Council has been concerned with the areawide scale of public service responsibilities for

some time. For example, the first Council report in 1965 recognizes areawide problems such as air and water pollution, transportation, sewage and waste disposal, regional parks and parkways, and open space about which most local units can do little, if anything, by acting alone. Such areawide problems, it was stated, arise from two directions: they are extensions of local government problems that must be treated by the joint action of cities and counties; or, they are statewide problems which can only be treated on an areawide or sub-state basis. In either case—the local problems writ large or the statewide problems sliced to a manageable dimension—these areawide problems are separable from the strictly local problems of an individual city or county, such as zoning, local streets and roads, small parks, and the other day-to-day local needs and services.

A significant addition to this evolving understanding of the areawide scale of responsibility was stated by Stanley Scott and John Bollens in a 1968 study published by the Institute of Governmental Studies, U.C., Berkeley:

Chart I—AREAWIDE COMPONENTS OF SELECTED PUBLIC SERVICES

Public Service Responsibilities, Components of which can be provided on an areawide basis	Governor's Comm. on Metro. Area Probs. (1960)	ACIR (1964)	ABAG ¹ Comm. on Goals and Org. (1966)	Joint Comm. on Bay Area Regional Org. (1968)	League of Calif. Cities, Report of Comm. on the Future (1969)	CIR—PSR Project (1970)
Comprehensive Planning	X	X	X	X		X
Air Quality	X	X	X		X	X
Water Quality	X	X	X	X	X	X
Solid Waste Disposal		X	X		X	X
Transportation	X	X	X	X		X
Criminal Justice	X	X	X			
Fire Protection	X	X				X
Open Space Conservation	X	X	X	X		X
Education (Library)		X				X
Public Health		X				X
Housing & Comm. Dev.	X	X				
Land Use Regulation			X ²	X		
Manpower Training and Placement				X		
Taxation				X		

¹ AB 1846 (1969)

² AB 711 (1969)

³ This does not include local zoning as presently exercised by cities and counties.

⁴ Phase I only. Further identification of areawide components to be made in Phase II.

"Actually, few public functions are *exclusively* regional or *exclusively* local. Most can be separated into local and regional *components*. This leads to another important set of choices determining which *components* of certain functions must be treated regionally for effective action . . ."

Those public service responsibilities which have been identified in other study efforts, as well as this Council project, as having components suitable for areawide performance are shown on Chart I.

B. Areawide Organization for Areawide Tasks

At this time, every part of the State is included in at least three and usually five active areawide organizations. Each "urban area" of the State (defined as a city of at least 50,000 population and adjacent related area) has an organization for carrying out at least five public service responsibilities.

1. Continuous, comprehensive transportation planning process—Federal Highway Act of 1962—urban areas.
2. Review of requests for Federal aid—Section 204, Demonstration Cities and Metropolitan Development Act of 1966—urban areas; and Intergovernmental Cooperation Act of 1968—urban and non-urban areas.
3. Comprehensive health planning—Comprehensive Health Planning and Public Health Services Act of 1966—*all* areas.
4. Criminal justice planning—Omnibus Crime Control and Safe Streets Acts of 1968—*all* areas.
5. Regional Water Quality Control Boards, California Water Code—*all* areas.

In particular areas of the State such as the San Francisco and Los Angeles areas, there are additional multi-county agencies for areawide purposes, some performing more than one function. Some examples are: (1) East Bay Municipal Utility District, (2) East Bay Regional Park District, (3) Bay Area Air Pollution Control District, (4) Metropolitan Water District, and (5) the Sacramento Regional Area Planning Commission.

The question is no longer the general one of whether or not there is or should be an areawide allocation of public service responsibilities. All levels of government—*local, state, and federal*—are engaged in such efforts and *are* creating, proposing, or inducing other efforts. There is a mass of areawide organization activity using several methods. These activities have no direction or guideline either in the shape, structure, governing body, or relationship between governmental units.

Possible Approaches—There are five basic alternatives in approaching multi-jurisdictional problems. Each of these approaches is under study, actively being proposed, or in some state of existence presently.

1. *Continue as usual*—This means, on the basis of present patterns, react to each areawide problem as it approaches crisis conditions on a single function basis following a two-year study of the situation.
2. *Create wholly new areawide agencies*—These would be limited function though general purpose with a directly elected (partially or wholly) governing board as an additional layer of government.
3. *Establish by State law, and expand, powers exercised by existing regional agencies*. This would be limited function though general purpose with a governing board composed of locally elected officials.
4. *Modify the powers of local units*—This would involve the reallocation of service responsibilities. It is possible that some services now performed at the local level should be shifted to areawide agencies or State government and that certain state services could be transferred to local government. Reallocation of services between cities, counties, and districts is also possible.
5. *Modify the structure of local units*—This would consolidate counties, merge cities with counties, consolidate some cities, reduce and remove special districts.
6. *Modify jurisdictional relationships*—Establish areawide cooperation and coordination via existing units and levels of government. This leaves the units essentially as they are, but organizes them for joint action on mutual problems.

All but one of these six approaches has problems with regard to its immediate acceptability, applicability to specific areas, and legal availability. That approach which has the least problems is number six, concerning areawide organization on the basis of joint agreements by existing units. Applicability is demonstrated to the extent that any powers which can be performed by each of the respective units can be exercised jointly over all the area subject under the agreement; and, a legal means for creating such organizations does exist—the Joint Exercise of Powers Act (Government Code, Section 6500–6583).

State Policy Position on Areawide Planning Organizations—Based on background information and recommendations developed by the Council on Intergovernmental Relations and deliberations by the

Governor's Cabinet, Governor Reagan endorsed the following policy position on May 21, 1970:

This Administration believes that government governs best when it is kept closest to the people.

Throughout California's history, we have maintained a strong tradition of "home rule", whereby a high degree of governmental authority has been reserved to cities and counties.

This Administration recognizes and seeks to strengthen the role of local government as a vital force in our society. The cities and counties of California daily fulfill the most essential needs of the people by providing public protection, education, streets and highways, parks and recreation, health and welfare facilities and other vital services. These functions, kept at the local level, give our citizens the greatest opportunity to exert strong and constructive influences on their government.

We encourage areawide solutions to areawide problems by the joint cooperative action of cities and counties. Effective intergovernmental action by cities and counties as general purpose units of government is vital to the performance of those public responsibilities which must be coordinated on an areawide basis.

Areawide organizations shall be based upon cooperative agreements between existing cities and counties and not be an additional layer of government.

The planning body should be composed primarily of local elected officials (mayors, city councilmen, and county supervisors) and secondarily of appropriate representation of the State and federal governments.

Areawide Planning Districts—The Council on Intergovernmental Relations has the responsibility to divide the State into planning districts (California Government Code, Section 34216—"The Council shall divide the State into regional planning districts."). This authority was transferred to the Council from the former State Planning Advisory Committee (PAC) by Governor's Reorganization Plan Number 1 of 1969. That reorganization plan also dissolved the PAC. The Council, in receiving this new responsibility, resurveyed those planning districts originally established by the PAC in 1965 and, based on the response from city and county officials and a series of special hearings held in conjunction with the State Health Planning Council, established nine areawide planning districts on February 11, 1970. A map showing those district boundaries is included as Appendix B of this report.

Appendix A
Criteria for Policy Choice, Providing Funds, and
Administration of Public Services

APPENDIX A

CRITERIA FOR POLICY CHOICE, PROVIDING FUNDS, AND ADMINISTRATION OF PUBLIC SERVICES

CRITERIA FOR DETERMINING AT WHICH LEVEL OF GOVERNMENT POLICY CHOICE REGARDING PUBLIC SERVICES SHOULD BE MADE

Policy choice is the determination of the kind and extent of public purposes to be pursued. Policy choice regarding public programs should be at that level of government which largely encompasses the source and solution of the public problem (benefits from the service consumed mostly within its boundaries).

1. Geographic coverage of problem area.
2. Fiscal ability to assist in if not solve the problem to the level approved by the public through their representatives.
3. Responsive to public attitudes in determining public policy.
4. In a position to make priority choices among wide-range of public problems confronting that level of government (General Purpose Government).
5. Administrative ability to implement policy choices either through contract or direct provision of services.
6. Legal authority to make policy and perform services or contract for them.

CRITERIA FOR DETERMINING WHICH LEVEL OF GOVERNMENT SHOULD FINANCE PUBLIC SERVICES

The level of government which determines the kind and extent of public purposes to be pursued is the one which should be able to and should assume major responsibility for adequately and equitably *providing funds*.

1. Where it is practical to identify the beneficiaries of government services, user fees for the total cost of the service should be made. Services hav-

ing easily identified benefit recipients are power, water, subdivision roads, and refuse collection.

2. Where individual actions cause collective hazards, the burden for preventing and controlling such hazards should be paid for by those causing the problem. For example, the cost of air pollution control should be paid for by those causing the pollution; the cost of sanitary disposal of sewage and refuse should be assumed by those producing the waste. Court costs for traffic control could well be paid for out of fines to violators.
3. Where widespread as well as individual benefits result from a service, it should be financed, at least in part, by the larger governmental bodies. Such services include education, planning, welfare, housing, and health services for indigents.
4. When public services benefit a limited jurisdiction and user charges are impractical, revenues should be collected from the local political jurisdiction which closest approximates the benefit area. Examples of such services are local roads, local land use and local planning, libraries, police and fire protection, some large and most small parks, and enrichment of statewide programs.

CRITERIA FOR DETERMINING WHICH LEVEL OF GOVERNMENT SHOULD ADMINISTER PUBLIC SERVICES

Government services should be *administered* at that level which is legally and administratively capable of providing services within a price range and at a level of effectiveness acceptable to the public representatives determining policy.

1. Capable of close contacts with client group and solution of public problems related to these groups.
2. Sufficient size for administrative efficiency and effective delivery of services.

Appendix B
Planning Districts as Adopted by the Council on
Intergovernmental Relations

Appendix C
Intergovernmental Program Structure

APPENDIX C

INTERGOVERNMENTAL PROGRAM STRUCTURE

The following program structure is intended to include all public services provided by any public agency. It is in an elementary stage of development, and will be made more explicit and useful as a common reference for all units and levels of government as this Council project progresses. One of the benefits of an intergovernmental program structure is the ability it affords each jurisdiction to make its budget decisions in the light of the program activities being undertaken by other units of government. This will become more important as more jurisdictions move towards the program budgeting process.

The Council on Intergovernmental Relations first used this program framework as an aid to analyze "who does what" in its project on *Alternative Fiscal*

Models for Tax and Revenue Sharing, January 1969. It is evolved from an "Illustrative PPB System Government Program Structure" developed for the U.S. Senate Subcommittee on Intergovernmental Relations and published in *Criteria for Evaluation in Planning State and Local Programs*, July 21, 1967. In some program areas, such as law enforcement and fire protection, the experience of State and local officials in California are reflected in significant changes in the illustrative program structure.

This overall program structure is included in this project report to stimulate the development of an intergovernmental framework for decision-making in California as an aid in the coordinated achievement of public objectives.

INTERGOVERNMENTAL PROGRAM STRUCTURE

I. Personal Safety

A. Criminal Law Enforcement

1. Adults

- a. Crime prevention
- b. Crime investigation
- c. Prehearing detention
- d. Legal defense
- e. Court activities
- f. Punishment and safekeeping of criminals
- g. Rehabilitation—criminals

- (1) probation
- (2) parole
- (3) in confinement

2. Juveniles

- a. Delinquency prevention
- b. Juvenile investigation
- c. Legal defense
- d. Prehearing detention
- e. Court activities
- f. Detention after disposition
- g. Rehabilitation of juveniles

B. Traffic Safety

1. Control
2. Court activities
3. Accident prevention

C. Civil Law Enforcement

1. Personal civil actions
 - a. probate and guardianship
 - b. domestic relations
 - c. personal and property damage
 - d. other contested and uncontested actions
2. Governmental civil actions
 - a. eminent domain
 - b. insanity commitments
 - c. dependent juveniles
 - d. anti-trust
 - e. restraint of trade

D. Public Protection (licensing and certification)

E. Fire Prevention and Control

1. Fire prevention
 - a. fire research and information
 - b. fire prevention education
 - c. fire law enforcement
 - d. fire prevention engineering
2. Fire control
 - a. detection
 - b. dispatch and communications
 - c. fire attack (ground, air)
3. Fire operations support
 - a. administration
 - b. fire defense facilities and equipment
 - c. training

F. Safety from Animals

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- G. Protection from and Control of Disasters, and Repair of Damage Resulting from Disasters
 1. Civil defense
 2. Flood prevention
 3. Beach erosion control
 4. Earthquake damage control
 5. Emergency assistance
 6. Miscellaneous
 - a. National Guard
 - b. Rescue Squads
 - c. other
- H. Prevention of Food and Drug and Occupational Hazards
- II. Protect and Promote Health
 - A. Promote a healthful environment including protection of consumer health
 1. Protect the public from food, drugs, and consumer products detrimental to health
 2. Assure air sanitation
 3. Assure water sanitation, including sanitary sewage disposal, sanitation and safety of recreation areas and swimming pools, and shellfish sanitation as well as domestic water supplies
 4. Control vectors, including healthful management of solid waste
 5. Protect the public from radiological hazards
 6. Minimize occupational health disabilities
 7. Minimize environmental health hazards (accident prevention, poison control)
 8. Assure healthful housing conditions
 - B. Promote personal health (prevention and control, research, education of public, and provision of medical services)
 1. Communicable disease (tuberculosis, venereal disease and others)
 2. Chronic disease
 3. Mental health
 - a. mental illness
 - b. mental retardation
 4. Maternal and child care
 5. Crippled children
 6. Family planning
 7. Nutrition
 8. Alcoholism and drug abuse
 9. Dental health
 10. Special services to assist high risk groups (migrant, Indian and poverty groups)
 - C. Assure the availability of medical and related services
 1. Assure adequate number and quality of medical and para-medical personnel
 2. Assure adequate regional systems of hospital and health facilities, including nursing homes
 3. Assure health care services for indigents, including special groups such as mentally handicapped, mentally disturbed, crippled children, etc.
- III. Intellectual Development
 - A. Preschool Education
 - B. Primary Education
 1. Education for special groups (handicapped, culturally deprived, etc.)
 2. General education
 - C. Secondary Education
 - D. Higher Education
 1. Junior college
 2. Other
 - E. Vocation Education (Non-Adult)
 - F. Adult Education
 - G. Public Library Systems
 - H. Museums and Historical Sites
 - I. Other
- IV. Satisfactory Home and Community Environment
 - A. Provision of Satisfactory Homes for Dependent Persons (aged, children, etc.)
 - B. Provision of Satisfactory Homes for Others (e.g., upgrading existing housing, enforcement of standards, etc.)
 - C. Maintenance of Satisfactory Water Supply
 - D. Solid Waste Collection and Disposal
 - E. Maintenance of Satisfactory Air Environment
 - F. Pest Control
 - G. Noise Abatement
 - H. Local Beautification
 - I. Intra-community Relations
 - J. Homemaking Aid and Information
 - K. Other
- V. Maintain Economic Support and Promote Satisfactory Job Opportunities
 - A. Assistance to Individuals
 1. Aid to the permanently dependent (atd, oas, ab)
 2. Aid to the temporarily dependent (primarily children)
 3. Aid to the unemployed (other than above)
 4. Social services for needy
 - B. Assistance in Preparing for and Securing Suitable Employment
 1. Pre-vocational assistance
 2. Job training
 3. Placement
 4. Job creation
 - C. Protection of Employees
 1. Minimize occupational health hazards
 2. Assure minimum level of wages, hours and working conditions
 3. Minimize discrimination in employment
 - D. Aid to Individual as a Businessman
 - E. Protection of Individual as a Consumer of Goods and Services (other than food and drug hazards)
 - F. Judicial Activities for Protection of Consumers and Businessmen Alike
 - G. Other

VI. Satisfactory Leisure Time Opportunities

- A. Provision of Outdoor Recreational Opportunities
 - 1. Parks and open space
 - 2. Other
- B. Provision of Indoor Recreational Opportunities
- C. Cultural Activities
- D. Leisure Time Activities for Senior Citizens
- E. Other

VII. Transportation, Communication, Location

- A. Motor Vehicle Transport
 - 1. Highways and streets
 - 2. Traffic safety

B. Urban Transit System

- C. Pedestrian
- D. Railroads (inter-urban)
- E. Water Transport
- F. Air Transport
- G. Location Programs
- H. Communications Substitute for Transportation

VIII. General Administration and Support

- A. General Government Management
- B. Financial
- C. Other