



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 7c (Action)**

**TO:** Local Agency Formation Commission

**FROM:** Dawn Mittleman Longoria, Assistant Executive Officer *DML*

**MEETING DATE:** December 4, 2023

**SUBJECT:** Consider Options to Amend the Agreement for the Provision of Support Services

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**RECOMMENDATION**

It is recommended the Commission provide formal direction to staff with respect to pursuing any amendments to the Agreement for the Provision of Support Services (“the Agreement”) with representatives of the County of Napa. It is also recommended the Commission consider giving direction to the ad hoc subcommittee which is composed of two appointed Commission members.

**BACKGROUND AND SUMMARY**

*Recent Background*

The Commission has recognized the need for LAFCO to become more independent. The Commission has discussed and recognized the limitations of the current Support Services Agreement (SSA) with the County. Issues leading to this need include the inability of the Commission to hire necessary staff and inability to provide appropriate benefits to staff. The Commission took action on these matters, including allocation of budget funds for these purposes. It has been recognized that the original 2003 SSA clearly anticipated regular review, but review has not occurred with the exception of regular amendments for adjusting the rates charged by County Information Technology Services.

The Commission conducted a Strategic Planning workshop as part of a special meeting on July 10, 2023. The Plan was adopted October 2, 2023. One of the goals of that plan is LAFCO’s independence from the County. An ad hoc committee was established to work with staff and County representatives to resolve the SSA issue. Staff was given direction to research alternatives.

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Councilmember, Town of Yountville

Anne Cottrell, Vice Chair  
County of Napa Supervisor, 3rd District

Kenneth Leary, Commissioner  
Representative of the General Public

Beth Painter, Commissioner  
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Brendon Freeman  
*Executive Officer*

***Alternatives for the provision of administrative services***

LAFCO staff has researched the approach used by various LAFCOs to address the functions that allow them to be independent. Also, staff researched the approach taken by independent special districts. The focus has been determining the most efficient and cost-effective methods to comply with all necessary legal requirements in the administration of an agency.

Essentially, there are two acceptable methods. One method is a short-term solution while the other method is long-term. The short-term method addresses some of the existing personnel issues but does not address other issues in the existing SSA.

**Short-term solution:**

Commission actions regarding staff and related budget approvals do not comply with County Personnel rules. It has been difficult for staff to obtain clear guidance from the County regarding the nature of the Personnel rules and budgeting requirements as it relates to staff compensation. Although the Commission has approved staff salary increases and adopted a budget supporting these actions, County staff rejected the Commission's actions.

One option would be for LAFCO staff to be placed in a separate bargaining unit. It would be expected that with this change the Commission would have the authority over LAFCO staff. The goal would be for the Commission's approved actions to move through the County system without opposition and delays.

This option is considered temporary because interpretation of the SSA changes as administration and staff changes occur at the County. The current Agreement states that LAFCO is an independent agency, that the County is required to provide the staff that the Commission approves and allocates appropriate funds to cover. However, the last approved LAFCO staff additions took nearly a year of meetings with County staff to resolve. The transition of County staff required starting over on numerous occasions. LAFCO has significant responsibilities, an expanding role with limited staff time to accomplish these goals.

It is understandable that the size of the County's operations and number of employees requires robust auditing and employee systems to address these increased needs. It is also understandable that it is difficult for County staff to consider the needs of a small independent agency such as LAFCO.

**Long-term solution:**

Various LAFCOs and independent agencies have established systems that address their needs. These agencies have worked with legal counsel to develop their own employee handbook with job descriptions, salary scales, rules, and regulations. Employee benefits are available through various state organizations. Insurance coverage is also available through state organizations.

Bookkeeping and auditing functions are achieved with recognized firms. These functions are designed to comply with all legal requirements. The Commission would have the authority to establish and amend, as necessary, their budget policies.

**ATTACHMENT**

- 1) Agreement for the Provision of Support Services with County of Napa and 10 Amendments