



AGENDA ITEM 7.B.

MEETING: June 20, 2023
TO: Trinity LAFCo Commissioners
FROM: Colette Santsche, Executive Officer
SUBJECT: Professional Services Contract for Executive Officer Services

BACKGROUND

Local Agency Formation Commissions (LAFCos) are individually responsible under the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 for making their own provisions for personnel and facilities. In making their own provisions, LAFCos may choose to contract with a public or private entity in accordance with Government Code Section 56380. The CKH Act also prescribes personnel requirements for LAFCo under Government Code Section 56384, and marked by appointing an executive officer to conduct and perform the day-to-day business of the agency. This statute also directs LAFCos to appoint additional staff as it deems appropriate in fulfilling its regulatory and planning duties.

DISCUSSION

Trinity LAFCo has no employees and began contracting with Planwest Partners Inc. for Executive Officer services beginning in fiscal year 2019-20, with Amendment No. 1 extending the contract term through the 2020-21 fiscal year and Amendment No. 2 extending the contract term through the 2021-22 and 2022-23 fiscal years. The contract may be renewed or extended by mutual written agreement. The current term for contract extensions is two years. The Commission has the option to extend its current contract or carry out a recruitment process.

RECOMMENDATION

Staff recommends the Commission discuss this item and consider approving Amendment No. 3 to its Professional Services Agreement with Planwest Partners for executive officer services, as included in Exhibit A, thereby extending the term of agreement through the 2023 and 2024 fiscal years.

Attachments:

A. Amendment No. 3 to Contract with Planwest Partners Inc.

AMENDMENT NO. 3

**AGREEMENT BETWEEN
TRINITY LOCAL AGENCY FORMATION COMMISSION
AND
PLANWEST PARTNERS INC.
FOR PROFESSIONAL SERVICES**

THIS AMENDMENT (Amendment No. 3) is made and entered into this 20th day of June 2023, by and between the Trinity Local Agency Formation Commission, hereinafter referred to as "Trinity LAFCo," and Planwest Partners Inc., a planning consulting firm, hereinafter referred to as "Contractor".

RECITALS:

WHEREAS, the original Agreement for Professional Services ("Agreement") provided for services of Contractor through the 2019-20 fiscal year, and was extended by Amendment No. 1 through the 2020-21 fiscal year and Amendment No. 2 through the 2021-22 and 2022-23 fiscal years; and

WHEREAS, Trinity LAFCo wishes to extend the term of the Agreement through the 2023-24 and 2024-25 fiscal years and other particulars of the Agreement.

NOW, THEREFORE, for and in consideration of the agreement made, the parties agree to amend the Agreement as follows:

- I. **SCOPE OF SERVICES:** Contractor agrees to provide all of the services described in Exhibit "A" attached hereto and by this reference made a part hereof.
- IV. **FEES:** The fees for furnishing services under this Contract shall be based on the rate schedule which is attached hereto as Exhibit "B" and by this reference incorporated herein. Said fees shall remain in effect for the entire term of this contract.
- V. **TRINITY LAFCO COSTS:** Notwithstanding any other provision of this contract, in no event will the cost to Trinity LAFCo for the services to be provided herein exceed the adopted budget amounts for staffing services and MSR's and SOI updates, and at-cost travel expenses billed at current IRS rates during any given fiscal year. These amounts are subject to budget amendments during the fiscal year as adopted by Trinity LAFCo.
- XIII. **TERM OF AGREEMENT:** This Agreement shall commence on July 1, 2023 and shall terminate on June 30, 2025 unless amended in writing and approved by both parties.

IN WITNESS WHEREOF, the parties hereunto have executed this Contract on the date written below.

TRINITY LAFCO:

CONTRACTOR:

By: _____

By: _____

Name: Heidi Carpenter-Harris

Name: Colette Santsche, AICP

Title: Chair, Trinity LAFCo

Title: Senior Planner/Partner, Planwest

Date: _____

Date: _____

EXHIBIT “A”

SERVICES TO BE PROVIDED BY CONTRACTOR

Operations and Staffing

Planwest will manage the day-to-day operations of the Commission, including maintaining LAFCo's files and records, prepare technical and administrative reports and written correspondence (including agendas, staff reports, public notices, resolutions, recordings, filings, and minutes), and responding to inquiries from agency representatives and members of the public.

Application Processing Services

Planwest will provide technical and policy guidance to prospective applicants early-on in the proposal development phase to help them with pre-application development and review. When applications are filed, Planwest will notify affected and interested agencies and will work to address issues and concerns prior to hearing. Planwest will coordinate with County departments, including the assessor, auditor, surveyor, public works, environmental health, and planning and building to coordinate review, entitlements, and other matters such as property tax negotiations. When needed, Planwest will work with applicants to identify alternatives that address agency/residential concerns or which may more fully comply with the considerations of the CKH Act.

Commission Meetings and Proceedings

A Planwest representative will attend up to six (6) regular/special Commission meetings during the fiscal year. Planwest will work with Trinity County Legal Counsel on issues related to legislative authority, conflict of interest, complex procedures, and other issues as needed. Planwest will support the Commission and provide staff reports, resolutions and other support materials as needed for Commission decision-making on LAFCo action items.

LAFCo Studies

Planwest will prepare municipal service reviews and sphere of influence updates for agencies under LAFCo's jurisdiction. Anticipated MSR/SOI updates will be identified in an annual work plan prepared during the annual budget review process.

Budgeting

LAFCo funds are held with the Trinity County Auditor-Controller. Planwest will work to ensure timely payments of claims and deposits of revenues, and track costs separately for budget line items and applications. On an annual basis, Planwest will prepare a proposed and final budget for Commission review and will provide periodic budget updates throughout the fiscal year.

Environmental Review Services

Planwest will provide environmental compliance services, consistent with the California Environmental Quality Act, for all discretionary actions that come before Trinity LAFCo.

EXHIBIT "B"
COMPENSATION OR FEES TO BE PAID TO CONTRACTOR

Primary Contract Staff:

Executive Officer:	\$130.00 per hour
Clerk/Analyst:	\$110.00 per hour

Additional Staffing Support:

GIS Manager:	\$110.00 per hour
Services Specialist:	\$95.00 per hour
Services Technician:	\$85.00 per hour
Planning Intern:	\$65.00 per hour

Routine clerical assistance, word processing, and similar administrative functions are normal overhead and included in the staff services hourly rates.

Office Management

Office facilities, printing, postage, telephone, e-mail services and website will be provided at-cost as included in the LAFCo budget. Facilities will include a small meeting room, storage area for LAFCo files, and a space for administrative staff and the LAFCo Executive Officer as needed.

Travel

Travel to and from Weaverville and outlying areas for Commission business such as meeting with LAFCo member entities, conducting public hearings on behalf of LAFCo, etc. shall be billed at then-current IRS rates for auto expense.

Compliance with Budget

The Executive Officer Services include management and administration of the LAFCo budget. If it appears that the contract services may exceed the annual budget, Planwest shall promptly advise LAFCo and shall discuss the potential over-budget expenditure.