



## Solano Local Agency Formation Commission

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### Staff Report

DATE: November 21, 2016  
TO: Local Agency Formation Commission  
FROM: Elliot Mulberg, Executive Officer  
SUBJECT: LAFCO Strategic Planning

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Recommendation: That the commission consider the appropriate staffing model for Solano LAFCO and the conclusions of the analysis.

#### Background:

As a result of the EO evaluation and discussion of extension of his contract concerns were expressed over the need for soliciting bids for the EO and Legal Counsel. The chair has requested that LAFCO consider its strategic operating objectives to determine the nature and type of EO and Legal services needed by Solano LAFCO. Among the considerations and questions to be answered are

- 1) What is the appropriate model for Solano LAFCO? Should it be staffed by County employees, LAFCO employees, contract employees or a combination?
- 2) Does Solano have enough activity to warrant a full time LAFCO?
- 3) What level of staffing is required to meet LAFCOs statutory responsibilities?
- 4) Does Solano LAFCO need a full time or part time EO?
- 5) Does Solano LAFCO need a full time analyst or can the analyst also be responsible for the duties of the clerk?
- 6) In order to maintain its independence can LAFCO hire County Counsel or is a private counsel required?
- 7) Are the salaries and benefits listed in the current personnel and salary resolution sufficient to attract and keep qualified individuals?

In venturing into this type of analysis there is always the question of how does Solano LAFCO compare to other LAFCOs. In 2015 CALAFCO sponsored a Survey Monkey survey that received responses from 55 of the 58 LAFCO's. Table 1 shows how Solano LAFCO compares in several categories. The percentage represents the portion of the 55 respondents that had the same response. Those responses that received the highest response in the survey are indicated with an asterisk.

Table 1: Solano LAFCO compared to all LAFCOs (% with same response)

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Fully Independent – 91%*
0-10 cities – 76%*
26-60 independent special districts -60%*
Meet 5-8 times a year – 27%
Budget \$300,000-\$700,000 – 38%*
<10% of revenue from applications- 78%*
Part time EO - 48%
Contract EO and Staff employees- 5%
1-1.9 Staff - 36%
Contract with private legal counsel- 45*

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Source: CALAFCO Survey 2015

The Table shows that Solano LAFCO is like many LAFCOs with the exception that 59% have more than eight meetings a year, 52% have full time EO’s, and 42% have 2-3.9 staff. The major difference is in the staffing model where 32% of LAFCOs have county staff, 27% have LAFCO staff, and 24% have contract staff. Only a few, 3 other LAFCOs, have a combination of contract and LAFCO staffing like Solano LAFCO. In that respect Solano LAFCO is different.

Although we are similar in many respects to LAFCOs statewide there is considerable regional variation. Table 2 identifies general characteristics of Bay Area and neighboring LAFCO’s along with their staffing levels.

Table 2: Bay Area and Neighboring LAFCOs

	<b>Pop 2014</b>	<b>Cities</b>	<b>Districts</b>	<b>Staffing</b>
				<b><u>PY</u></b>
<b>Alameda</b>	1,550,119	14	15	1.5
<b>Contra Costa</b>	1,076,429	19	49	2.5
<b>Marin</b>	254,696	11	30	2.5
<b>Napa</b>	138,754	5	8	1.5
<b>Sacramento</b>	1,442,752	7	67	3
<b>San Mateo</b>	736,647	20	23	1.5
<b>Santa Clara</b>	1,840,895	15	20	3
<b>Sonoma</b>	480,580	9	46	2.5
<b>Yolo</b>	204,953	4	32	2.5
<b>Solano</b>	420,339	7	42	1.6

Solano LAFCO is not alone with less than 2 PY. The Table shows that some of the larger counties with more cities and districts operate with 1.5 PY. In looking at the data there is really no conclusion that can be drawn other than the operative word in LAFCO is “Local”.

We will review each of these questions and provide information for the Commission to consider.

- 1) What is the appropriate model for Solano LAFCO? Should it be staffed by County employees, LAFCO employees, contract employees or a combination?

Table 3 shows how neighboring LAFCOs are staffed and Table 4 shows the advantages and disadvantages of each model.

Table 3: Staffing at neighboring LAFCOs

	<b>PY</b>	<b>Employed by</b>	<b>EO</b>	<b>Analyst</b>	<b>Clerk</b>	<b>Counsel</b>
<b>Alameda</b>	1.5	<b>County – dependent LAFCO</b>	FT	x	PT	County
<b>Contra Costa</b>	2.5	LAFCO/Contractor analyst	FT	PT	FT	County
<b>Marin</b>	2.5	LAFCO	FT	FT	PT	County
<b>Napa</b>	1.5	County	FT	vacant	PT	Private
<b>Sacramento</b>	3	Contract- w city and county	FT	FT	FT	Private
<b>San Mateo</b>	1.5	<b>County – dependent LAFCO</b>	FT	x	PT	County
<b>Santa Clara</b>	3	County	FT	FT	FT	Private
<b>Sonoma</b>	2.5	County	FT	PT -0.8	PT-0.75	County
<b>Yolo</b>	2.5	County	FT	PT	FT	County
<b>Solano</b>	1.6	LAFCO/Contractor	PT	FT	x	Private

Table 3 shows San Mateo and Alameda are not independent and that many of the neighboring LAFCOs have county employees. It also shows that if a LAFCO has a part-time employee it is most often the Clerk position.

Table 4: Advantages and Disadvantages of the three models

Model	Advantages	Disadvantages
County Employees	County does the recruitment process and hiring	LAFCO has no say in hiring process or level of benefits and must accept who is available.
	Receive County benefits	LAFCO pays benefits as determined by the County
	County has HR department and policies	Employees accountable to the County and not LAFCO
	LAFCO employees spend less time administering benefits. County responds to state, federal, CALPERS request for information.	Employee and employer subject to civil service process

		Solano LAFCO contract with CALPERS and other agencies will have to be terminated
		County Counsel may have conflict of interest which requires LAFCO to contract with additional legal counsel
LAFCO Employees	Accountable to LAFCO Commission or EO	LAFCO responsible for paying for benefits
	LAFCO determines the qualifications	LAFCO incurs unfunded liability for retirement
	LAFCO establishes salaries and benefits	Requires LAFCO to develop salary and personnel resolution
	LAFCO can offer benefits at lower cost than County	LAFCO may need HR assistance for hiring, benefits, and HR policies
		LAFCO need to establish grievance procedure and a body to hear the grievance
		Difficult to adjust staffing
Contract	LAFCO saves 30% of salaries for benefits	Potential conflict of interest with other clients
	Can be flexible with staff time. LAFCO only pays for work completed	Potential scheduling conflicts with other projects
	Hiring and firing according to contract	
	LAFCO can specify the work load	
	Contractor directly accountable to Commission	
	Still required to follow full disclosure and file FORM 700.	
	Allows for flexibility in staffing.	
	Contracting rate negotiable	

In Table 4 the big advantage of contract employees is that LAFCO saves the cost of benefits including retirement. It also allows flexibility in contracting for services, including contractor’s cost or hourly rate, and the contractor is paid only for work that is performed. Using County staff takes the hiring authority away from LAFCO. Using LAFCO staff requires establishing or contracting with an HR department for establishing policies. It also requires LAFCO to establish grievance procedures and identify a body to hear those grievances. In addition if there is no work it is difficult to reduce staffing.

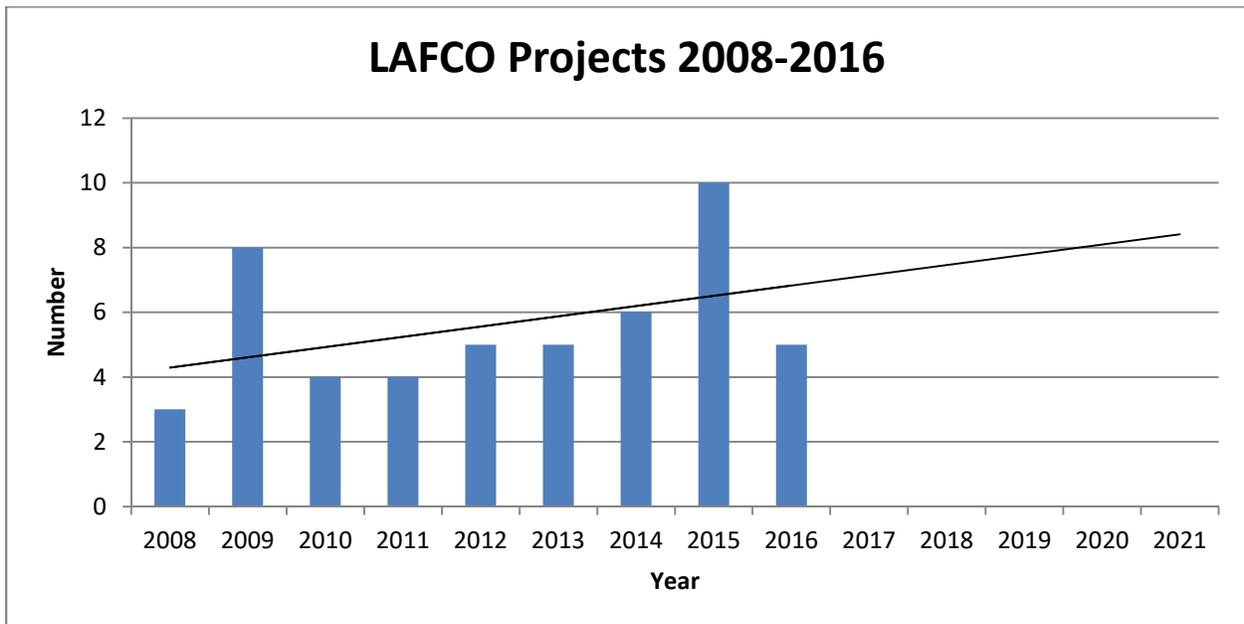
Conclusion: It is more cost effective for LAFCO to hire contract staff.

2) Does Solano have enough activity to warrant a full time LAFCO?

There are very few calls that come in per day. So the real question comes down to whether there are enough applications or studies that would require a full time LAFCO. Figure 1 shows the number of applications that were completed between 2008 and 2015 including those that are expected to be processed in 2016. To date Solano LAFCO has received only one application and one out of area service request in 2016. We were told that SID may be submitting as many as three applications in the remaining part of this year. Much of the period covered in the figure was during the recession so the number of application was usually five or less. Beginning in 2014 the number began to increase so that by 2015 LAFCO processed 10 applications.

There are several projects on the horizon. Vacaville has begun the CEQA process for Robert’s Ranch which will include an update to the MSR and sphere as well as an annexation. Dixon has begun to process development applications along Pedrick Rd. and Suisun City is working on an annexation of their logistics center. In addition the Pacific Flyway educational center is being planned for the secondary marsh area south of Fairfield. On October 13 we received an annexation application for Rural North Vacaville Water District. Most of these projects are anticipated for next year or the year after. To estimate the number of projects in the next five years we fitted a trend line to the data shown in the figure. Based on trends it is anticipated there will be 9 projects to process in 2021.

Figure 1: Applications Processed 2008-2016



In addition to applications staff develops an annual budget and works with contractors for the biannual audit and service reviews.

Conclusion: There is plenty of work for a full time LAFCO.

3) What level of staff is required to meet LAFCOs statutory responsibilities?

LAFCO's core responsibilities are processing applications and the annual budget. In addition CKH requires spheres to be updated every five years or as necessary. Updating the sphere requires a current municipal service review.

As shown in Figure 1 LAFCO has processed five to ten applications per year. No applications have been extended due to LAFCO staff's inability to analyze the application. Staff has interpreted the "as necessary" to mean if there is an anticipated project is on the horizon. Municipal service reviews have a schedule that is included in the work plan which is updated for each Commission meeting. MSR's are typically updated like spheres if there is an anticipated project that will be proposed. In addition LAFCO staff has worked with the cities of Benicia and Suisun City to assist them completing the MSR by offering to complete five of the seven sections required by CKH. So far they have been willing to participate. The City of Rio Vista will also be working with staff under a similar arrangement.

In 2013 LAFCo staff was requested to provide a staffing study. The study reviewed all of LAFCOs activities with respect to the amount of staff time that would be needed. The study assumed that 10 applications would be processed and completed. The conclusion was that it would take 1.6 FT staff to perform those duties. The staffing study is attached for reference.

In the last three years there has been increased activity and applications have increased every year. To date current staff has been able to keep up with the workload. There are times when the analysis of projects is shared between the EO and the Analyst. Fortunately, the current EO has experience processing applications. The FY16/17 budget also includes funding for a part time intern position. It is anticipated that the intern could assist in processing applications should there be the need for extra help.

Conclusion: The MSR, sphere updates, and policy updates are set aside for times when there are no applications to process to keep staff performing meaningful duties. More staff can be used to update MSRs, spheres or policies, but at this time current staff is adequate to perform necessary functions.

4) Does Solano LAFCO need a full time or part time EO?

The current staffing works because we have a clerk who has been trained as an analyst. She processes most of the applications which allows the EO to review staff reports and presentations. If necessary the current EO has the experience to process applications as well and can assist if necessary. Typically the EO has worked on policy updates, some service reviews, and RFPs for contracted services such as the audit and MSRs.

It appears the analyst position requires a full time employee. Typically for other LAFCOs that do not have an analyst the EO performs the analyst duties and the Commission hires a part time clerk. If staffing is such that there is only a clerk then a full time EO is needed. In Solano we are fortunate that the analyst duties can be shared. There has not been sufficient work for a full time EO if only performing the duties described in the staffing study.

Conclusion: With 1.5 or 1.6 PY for Solano LAFCO the agency can adequately function with a full time EO and a part time clerk or a part time EO and a full time Analyst-Clerk.

5) Does Solano LAFCO need a full time analyst or can the analyst also be responsible for the duties of the clerk?

A full time analyst is necessary if there is a significant increase in applications, a significant increase in MSR updates, or a significant increase in SOI updates. Current staff has kept up with the workload of 10 or less applications. If the Commission directed staff to be more active in CALAFCO it is likely that additional staffing to include a full time analyst would be needed. This is particularly true if Solano LAFCO was more active in assisting with the annual conference or staff workshop. The workload appears to support a full time analyst or analyst duties that are shared with the EO or clerk position.

Conclusion: Unless there is a dramatic increase in workload current staffing has been sufficient. The Commission is encouraged to be sure the EO or the clerk can assume or assist with some of the analyst duties.

6) In order to maintain its independence can LAFCO hire County Counsel or is a private counsel required?

Table 5 shows how neighboring LAFCOs receive legal counsel services. About half the LAFCOs including Solano have private legal counsel. The cost for private legal counsel has ranged from approximately \$250 to \$300/hour. Should these LAFCOs be sued or require extensive legal services costs could be large. Both Solano and Santa Clara have a private counsel on retainer. Santa Clara pays BBK \$5,000 per month while Solano only pays our counsel \$1,800 per month.

Table 5: Legal Counsel

	<u>Counsel</u>
<b>Alameda</b>	County
<b>Contra Costa</b>	County
<b>Marin</b>	County
<b>Napa</b>	Private
<b>Sacramento</b>	Private
<b>San Mateo</b>	County
<b>Santa Clara</b>	Private
<b>Sonoma</b>	County
<b>Yolo</b>	County
<b>Solano</b>	Private

Other LAFCOs retain County counsel. Their costs range from \$120 per hour to \$250 per hour. The concern with County Counsel is that they are often not trained in CKH and at times are conflicted out because they must represent the County, their primary employer. In that case the LAFCO would need to hire private counsel in addition to the county counsel.

Most of the LAFCOs with County Counsel retain their independence because they hire County Counsel through an MOU or a contract. Private counsel is preferable to be sure LAFCO maintains its independence but not necessarily a requirement.

Conclusion: Private counsel is preferable because of familiarity with CKH and potential conflicts that would require private counsel anyway. In terms of maintaining independence either county counsel or private counsel will suffice.

- 7) Are the salaries and benefits listed in the current personnel and salary resolution sufficient to attract and keep qualified individuals?

Table 6 shows the salaries for Executive Officers of neighboring LAFCOs. The Table only shows salaries not total compensation. The table shows the current pay for Solano LAFCO EO is comparable to neighboring LAFCOs, but the pay shown is for a contractor. In 2015 Solano LAFCO

Table 6: EO Salaries of Neighboring LAFCOs

	<b>Actual EO Pay</b>
	<b>(no benefits)</b>
<b>Alameda</b>	\$130,622
<b>Contra Costa</b>	\$139,908
<b>Marin</b>	\$120,000
<b>Napa</b>	\$103,000
<b>Sacramento</b>	\$143,544
<b>San Mateo</b>	\$148,384
<b>Santa Clara</b>	\$132,893
<b>Sonoma</b>	\$112,117
<b>Yolo</b>	\$116,439
<b>Solano</b>	\$120,000

updated its pay scale for the Executive Officer. The initial step would pay \$108,154 annually with a maximum of \$131,462. That pay range is comparable to other LAFCOs although it may have to be adjusted periodically for inflation.

Conclusion: The pay scale is adequate to recruit and retain the EO.

Recruitment Process and Costs

While the above questions help determine the level of service desired by the Commission and the model for staffing LAFCO a key consideration is the process and cost. The recruitment process is a fifteen step process shown in Table 7. According to the County HR staff the recruitment process for the EO alone would require approximately 150-200 hours. The development of the RFP alone would require 100 hours. The RFP for legal counsel would be less time intensive as some of the language could be borrowed from County Counsel’s recruitment efforts.

Table 7: Recruitment Steps

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1. Develop announcement
  2. Post announcement on our website and CALAFCOs website, mail to CALAFCO Associate members, put ad in a couple newspapers
  3. Paper screen applicants
  4. Identify interviewees and schedule interviews
  5. Find location for interviews
  6. Solicit interview questions

7. Establish a scoring rubric
  8. Establish interview panel – the committee plus one LAFCO professional or a committee of technical experts consisting of LAFCO professionals and city planning directors
  9. Solicit interview questions
  10. Hold interviews – rank the candidates
  11. Contact references of top 3 candidates
  12. Schedule a special commission meeting so the commissioners can interview the top 3 followed by a closed session to select the new EO and authorize chair to sign a contract
  13. Make an offer
  14. Negotiate contract – can be a commissioner or legal counsel
  15. Chair signs contract
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We estimate the total time to complete the recruitment as between 4 to 6 months. Kern LAFCO recently recruited for the EO position. They began circulating a brochure at the end of June with one month to respond. The brochure stated the anticipated hiring would be the end of August. However, it wasn't until the end of September that the initial round of interviews were completed. Kern LAFCO was able to extend an employment offer by mid-October.

The cost to recruit could be significant since LAFCO does not have the expertise or the ability to do its own recruitment but must rely on a contract with agencies in the public or private sector. Based on our recent contract with County HR the cost for recruitment of the EO position would range between \$18,000 and \$24,000. As for a private sector consultant, the Elk Grove Water District recently hired a consultant to recruit a new general manager for \$24,000. If we assume the cost for Legal Counsel at 100 hours to 150 hours the cost would range between \$12,000 and \$18,000. It has been suggested that city HR departments may charge less and perhaps County HR would charge less as well. More importantly the recruitment would require a contract for services that are not included in this year's budget. Should the Commission decide to go forward with the recruitment process staff will get a more specific cost.

One additional consideration is that if the Commission decided to use the LAFCO staff model the EO would require benefits that are approximately 30% of salary. So hiring an EO at the first step to start in January would cost \$54,000 in salary and \$16,200 in benefits or \$70,200 total through the end of the fiscal year. The current budget allows for \$60,000 for the contract EO for the same period. Adding the recruitment costs even at the low range could cost the Commission approximately \$88,200.

We tried to estimate the costs for new legal counsel but there are too many variables to give a reasonable estimate. The calculation should include the recruitment cost plus the anticipated hourly or retainer rate. Even with County Counsel the Commission should include the cost of backup counsel in case of conflict of interest.

Conclusion: Hiring additional staff could take 4 to 6 months with costs that would exceed the current budget.

Recommendation:

The conclusions can be summarized as follows.

- 1) It is more cost effective to hire contract staff if hourly rates are less than a combination of salary and benefits. Typically public sector employee benefits are 30% of salaries. The cost of benefits for a consultant is included in their hourly rate.
- 2) There is sufficient work for a full time LAFCO.
- 3) The staffing study from 2013 is still a good estimate of workload and staffing needs.
- 4) Solano LAFCO needs at least one full time employee capable of performing the analyst duties.
- 5) Hiring private counsel is preferable to County counsel due to experience with CKH and lack of potential conflict of interest.
- 6) Salaries and benefits are adequate to attract and keep qualified individuals.
- 7) The recruitment costs at this time could exceed the budgeted amounts for professional services. If the Commission desires to recruit new staff it should wait until next fiscal year when sufficient funds can be allocated in the budget.

Attachment 1: 2013 Staffing Analysis



## Solano Local Agency Formation Commission

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### Staff Report

DATE: May 15, 2013  
TO: Members of the Local Agency Formation Commission  
FROM: Elliot Mulberg, Interim Executive Officer  
Michelle McIntyre, Analyst

SUBJECT: **Staffing Analysis Report of Solano LAFCO**

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#### **RECOMMENDATION:**

It is recommended the Commission review the staffing analysis report and provide staff direction.

#### **BACKGROUND:**

At the Commission's April 8, 2013 meeting, the Commission directed staff to schedule a workshop to address issues associated with the operation of LAFCO. It was suggested the agenda for the workshop should include a review the Commission's current staffing level, staff responsibilities, its administrative office location, going to a paperless agenda, and county support services including IT. Also of interest were reorganization options for the fire protection districts. The following report focuses on issues as they relate to staffing.

This staffing analysis provides a brief profile of the Solano Local Agency Formation Commission (LAFCO) documenting key activities, allocation of staff by classifications, assigned responsibilities of staff, current and upcoming workload, and a survey of staffing of comparable LAFCOs. Data used in the profile were developed based on:

- Discussions with the LAFCO Policy and Procedures Subcommittee.
- Collection of various data describing organization and staffing.
- Documentation of key processes as they relate to staff work responsibilities and workload levels.

The staffing analysis document does not attempt to recapitulate all organizational and operational facets of the Commission. It is intended to provide a general overview and provide staffing analysis.

**LAFCO Overview**

Solano LAFCO has jurisdiction over local government boundaries and services provided within Solano County. The Commission is charged with the sole and exclusive authority for approval of changes in organization and reorganization for cities and special districts. This authority includes but is not limited to:

- Municipal incorporations,
- Annexations,
- Detachments,
- Disincorporations,
- Consolidation of cities,
- Consolidation of districts and/or mergers of districts with cities, and
- Establishment of subsidiary districts

The Commission has jurisdiction over 7 cities, 45 independent special districts, and two dependent special districts. Table 1 shows the distribution of the types agencies in LAFCO’s purview.

**Table 1: Cities and Districts in Solano County**

Agency Type	Number of Agencies
<b>Cities</b>	<b>7</b>
Fire Protection Districts	6
Water Districts	2
Sanitation and Sewer Districts	2
Community Service Districts	1
Recreation and Park Districts	1
County Service Areas	1
Mosquito Abatement Districts	1
Cemetery Districts	4
Resource Conservation Districts	3
Levee and Reclamation Districts	26
<b>Total Special Districts</b>	<b>47</b>

The Commission has a number of key responsibilities including:

- **Considering a change of organization** - A change of organization is one of the tools LAFCO uses to meet the legislative intent in establishing LAFCO.
- **Out of Area Service Agreements** -Cities and districts are required to obtain LAFCO’s approval prior to entering into contracts with private individuals or organizations to provide services outside of the agency’s boundaries.

- **Sphere of Influence Studies** - Establishment of the sphere is necessary to determine which governmental agencies can provide services in the most efficient way to the people and property in any given area, and, thereby, avoid overlapping jurisdictions, duplication of services, while discouraging urban sprawl.
- **Municipal Service Review Studies** - Information required for spheres of influence and changes in organization are provided by Municipal Service Reviews (MSR). Like the spheres of influence, MSR's need to be updated every five years.
- **Special Studies** – LAFCO's may conduct studies to assist in making determinations for changes of organization.

### **Staff Responsibilities**

An analysis of staffing levels is both qualitative and quantitative. The qualitative portion reviews what tasks need to be performed. The quantitative portion will assess how many hours and staffing needed to complete the current and anticipated workload. More specifically it might be useful to look at staff's role in accomplishing an organization's foremost activities, staff roles and responsibilities for each classification, current staffing levels, as well as the workload.

### **Processing Change of Organizations and Reorganizations**

It is important to note every change of organization and reorganization is unique. Additionally, processing a change of organizations is a public process and as such, staff receives inquiries from other agencies and the general public requesting updates, information, and making comments.

In its most basic form, processing a change of organization can be considered a four-part procedure.

#### **1) Pre-Application**

In Solano County, most are initiated by resolution of an affected agency. In this stage of the proposal, LAFCO staff will meet with affected agency staff to provide advice and review LAFCO policies and procedures; application requirements including maps, legal boundary description, fees, special studies; CEQA review; Sphere of Influence/Municipal Service requirements; and other project specific issues.

#### **2) Application Filing**

In this second stage of the process, staff's role is to review the application including CEQA, map and legal description, plan for providing service, compliance with other requirements; issue a Certificate of Filing, noticing affected; agencies, landowners, and registered voters; and initiate the tax exchange process. Solano County and the seven cities have a Master Tax Sharing Agreement, however, the County and affected agency can negotiate an alternative agreement. Staff acts as a liaison during this process.

### 3) Analysis and Consideration by the Commission

Processing an application requires a review of the application relative to the 14 considerations in 56668, consistency with the sphere of influence, local policies, and standards. Sometimes an application requires a concurrent MSR update or sphere of influence amendment. As part of the analysis staff will prepare the necessary amendments so that the application can be heard and acted upon by the commission. In this third stage, staff's role is to receive written comments, complete reports, make recommendations which may include amendments and conditions, notice the LAFCO hearing, distribute board packets, and make presentations before the Commission.

### 4) Protest Proceedings

If the application is approved there is a reconsideration period which would allow LAFCO to receive and address new information that was not available at the time of the hearing. The reconsideration period is followed by a protest hearing. The protest hearing can be conducted by the Commission or delegated to the Executive Officer. Often this involves duly re-noticing the project, accepting filings, confirming protests, and announcing the outcome. Historically, proposals before Solano LAFCO have not received sufficient protests to exceed the threshold for calling an election or for terminating the proposal.

### **Policy Development**

CKH requires each LAFCO to adopt local policies to implement CKH. In the past, Solano LAFCO has not allocated significant time to the development of policies. This oversight has been corrected through the formation of the Policy and Procedures Subcommittee. Staff has been working closely with this subcommittee and expending a significant amount of time to ensure that the Commission's policies are updated. In the future, once the Commission's existing policies are up to date, the Subcommittee could remain a standing subcommittee that provides staff with direction for additions or amendments to the Commission policies.

### **MSR/SOI Preparation and Updates**

On occasion staff may be required to prepare or update a municipal service review or sphere of influence. A current municipal service review is required to update or amend the sphere of influence, which is required to complete a change of organization. CKH requires MSRs and SOIs to be reviewed and updated every five years.

For an MSR, the staff analysis would need to address and make determinations in seven areas. They include 1) growth and population projections for the affected area; 2) the location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence; 3) present and planned capacity of public facilities and adequacy of public services; 4) financial ability of agencies to provide services; 5) status of and opportunities for

shared facilities; 6) accountability for community service needs, including government structure and operational efficiencies; and 7) matters related to effective or efficient service delivery required by commission policy.

A sphere amendment or update requires sufficient analysis so the commission can make determinations in the following areas. 1) the present and planned land uses in the area, including agricultural and open-space lands; 2) the present and probable need for public facilities and service in the area; 3) the present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide; 4) the existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency; and 5) the present and probable need for public facilities and services to disadvantaged unincorporated communities.

**CEQA and LAFCO Staff’s Role**

LAFCO actions are subject to CEQA. Generally LAFCO acts as the responsible agency. Even as the responsible agency, there is still a significant amount of time dedicated to environmental review. In some cases, such as an incorporation or changes of organization initiated by LAFCO, LAFCO acts as the lead agency. As the lead agency LAFCO is responsible for the environmental analysis which may be completed in house or through an independent contractor.

**Current Staffing and Responsibilities**

The preceding discussion describe staff’s role in bringing an application forward to the Commission. In Solano LAFCO, the process is completed by the Executive Officer and Analyst who also performs the duties of the Clerk to the Commission. Solano LAFCO is funded for a full time Executive Officer and a full time Analyst for a total of 2 FTE. Table 2 identifies their specific responsibilities.

***Table 2. Solano LAFCO Staff Responsibilities***

Position	Description of Responsibilities
Executive Officer	<ul style="list-style-type: none"> <li>• Statutory responsibilities described in CKH.</li> <li>• Develops and implements Commission policies.</li> <li>• Manages the staff operations.</li> <li>• Completes staff reports requiring the approval of the Commission.</li> <li>• Develops and monitors budgets for the Commission.</li> <li>• Develops goals and objectives for the Commission, and monitors performance.</li> </ul>

Position	Description of Responsibilities
	<ul style="list-style-type: none"> <li>• Represents the Commission before governmental agencies and community groups.</li> <li>• Reviews and comments on regional plans, city general plans, and environmental reviews.</li> <li>• Reviews, reports, and makes recommendations on state legislation</li> <li>• Coordinates with LAFCO Counsel on legal issues and other matters that may require an oral or written interpretation or opinion from legal counsel.</li> <li>• Determines legal acceptability for filings.</li> <li>• Checks and certifies petitions.</li> <li>• Conducts complex analysis and prepares written reports and recommendations.</li> <li>• Attends all LAFCO Commission meetings.</li> <li>• Provides technical assistance as necessary, especially with regard to preparation of applicant proposals.</li> <li>• Provides orientation for new commissioners.</li> <li>• Prepares the annual budget.</li> </ul>
Analyst	<ul style="list-style-type: none"> <li>• Performs and coordinates analytical studies, such as Municipal Service Reviews and Sphere of Influence changes.</li> <li>• Represents the Commission as the initial contact for most applicants.</li> <li>• Reviews applications for accuracy of information, works with applicants to perfect an application, prepares staff reports.</li> <li>• Reviews and prepares comments for environmental documents</li> <li>• Assists in preparation of the budget for the Commission.</li> <li>• Assists in monitoring the budget.</li> <li>• Develops and recommends the adoption of improved management practices through research and analysis, including development of LAFCO Policies and Procedures.</li> <li>• Maintains close contact with county departments and agencies and confers with departmental officials in order to secure necessary information.</li> <li>• Represents the Commission to governmental agencies; may serve as staff for committees (CALAFCO).</li> <li>• Develops the fee schedule.</li> <li>• Assists in mapping and GIS development.</li> </ul>

Position	Description of Responsibilities
	<ul style="list-style-type: none"> <li>• Acts as Executive Officer when the Executive Office is unavailable</li> <li>• Manages projects as directed by Executive Officer.</li> </ul>
Clerk	<ul style="list-style-type: none"> <li>• Clerk to the Commission -               <ul style="list-style-type: none"> <li>○ Organizes and schedules public hearings, committee meetings, and other group meetings</li> <li>○ Prepares and distributes legal notices, agendas, and Commission packets</li> </ul> </li> <li>• Maintains payroll records.</li> <li>• Works with consultant to maintain website.</li> <li>• Researches and retrieves public records for public inspection.</li> </ul>

**Survey of Comparable LAFCOs**

In considering staffing levels, it might be useful to see how other comparable LAFCOs are staffed. Staff focused the survey on the eight other Bay Area LAFCOs and other three other LAFCOs with similar population, number of cities, and number of special districts. Important points to recognize concerning the data contained in the table are:

- Some of the LAFCOs rely on consultants to provide professional services on an as needed basis.
- Without factoring in consultants, it is common for LAFCOs to operate with 2 to 3 employees.
- Santa Barbara LAFCO with a similar population and number of agencies is somewhat unique in that it contracts all of its staffing needs to a consulting firm for a flat fee. That means the contractor provides whatever time is needed to complete tasks.

**Table 3: LAFCO Staffing - Bay Area LAFCOs and Other Comparable LAFCOs**

LAFCO	Total County Population <sup>1</sup>	Cities	Special Districts <sup>2</sup>	EO	Asst E.O.	Analyst	Clerk	FTE
<b>Bay Area</b>								
Alameda	1,510,271	14	35	1		Contract	1	2.00 +
Contra Costa	1,049,025	19	78	1		Contract	1	2.00 +
San Francisco	805,235	1	2	Contract		1	Contract	1.00 +
San Mateo	718,451	20	56	1			Contract	1.00 +
Santa Clara	1,781,642	15	29	1		1	1	3.00
Sonoma	483,878	9	54	1	1		1	3.00
Marin	250,500	11	36	1			0.75	1.75
Napa	136,000	5	18	1		1	0.5	2.50
<b>Solano</b>	<b>413,344</b>	<b>7</b>	<b>48</b>	<b>1</b>		<b>1</b>		<b>2.00</b>
<b>Other</b>								
Placer	348,432	6	42	1			0.8	1.80
San Luis Obispo	269,637	7	46	1		1	1	3.00
Santa Barbara	423,895	8	52	Contract			Contract	2.00

Source: <sup>1</sup>CDOF 2010, <sup>2</sup>CALAFCO Survey 2009

**Summary of Workloads**

Having previously described the qualitative aspects of staffing it is important to estimate the time required to complete those activities. When taken in context with the proposed work plan the analysis will provide an estimate of staffing for the coming fiscal year.

The time required to process an application can be estimated based on the time spent in recent years. In 2012 staff processed 10 applications including 5 annexations, 2 detachments, and 3 reorganizations. Time spent averaged 67 hours per application, with a range of 20 hours for a single property annexation to the Rural North Vacaville Water District to 150 hours for the Canon Station Annexation to Fairfield. Staff spent an additional 200 hours on MSR/SOI studies.

In addition to processing applications and MSR/SOI activities much of staff time is spent on administrative functions. Our best estimate for administrative functions is based on time spent in the last six months. It is assumed activities during this period are typical and can then be doubled for a complete fiscal year. Table 3 on the following page shows the time spent with current staffing levels, a full time analyst and a part time EO. It should be noted that since December 2012, staff has spent a considerable amount of time working with the Policy and Procedures Subcommittee to update and create various policies. Staff anticipates this trend will continue in the upcoming fiscal year as many of LAFCO’s policies require updating. Table 3

captures approximately 900 hours of staff’s time for the six month duration. It is not meant to be all encompassing. For a full year the estimate is approximately 1800 hours.

**Table 4: Staff Hours for Administrative Activities January to June 2013**

Description	Est. Hours EO	Est. Hours Analyst
Budget preparation & distribution	80	48
Budget monitoring	24	24
Vendor Claims Processing	6	39
Payroll	6	12
Filing and other support services	12	24
Filing notices, deposits with treasurer, 700 forms, scheduling meeting rooms	0	24
Policy and Procedures development	160	40
Contract administration and management	3	8
Commission Meetings – Including preparation	12	18
Preparation of the Agenda packet – Not including hours for project proposals	96	72
Outside office meetings	30	24
Staff meetings	24	24

Description	Est. Hours EO	Est. Hours Analyst
CALAFCO Conferences and Workshops – EO attends Conferences and Workshops, however does not bill LAFCO for time	0	12
CALAFCO Planning Committees –staff provides support to various committees for Workshop/Conference Planning. EO provides support to CALAFCO but does not bill LAFCO for time	0	8
Bay Area LAFCO Groups	6	12
Education & Training	0	16
Website development and maintenance	0	4
GIS – Mapping not including maps for reorganizations. Includes review of maps, working with GIS, research, etc.	6	12
Respond to public records requests and other miscellaneous requests for records	6	16
<b>Total hours 6 months</b>	471	437
<b>Total hours 12 months</b>	<b>942</b>	<b>874</b>

**Anticipated Staffing Needs**

Table 5 is a summary of hours needed to complete the FY 2013-14 workplan. The time estimated for city applications, special district applications, and MSR/SOI updates is based on anticipated applications considered in the adopted work plan. Time estimated for administrative tasks comes from Table 3.

Table 5 shows the estimated time for the next fiscal year would be approximately 2,656 hours. That total is split between the executive officer and the analyst. Since most of the time spent processing applications is by the analyst, the portion of time spent by the executive officer on this task was estimated as 20% of the total time.

Table 5 also shows FTE or full time equivalents. That figure is based on the total estimated hours divided by the number of hours available annually. The total available hours accounts for vacation, administrative leave, sick leave, and holidays. The Table shows the anticipated work load can be completed with a full time analyst and a part time EO.

**Table 5: Estimated Hours FY 2013-14 Based on the Workplan**

Task	Estimated Hours EO	Estimated Hours Analyst	Estimated Hours Total
City Applications	42	168	210
Special District Applications	64	256	320
MSR/SOI Updates	62	248	310
Administrative	942	874	1816
<b>Total Hours</b>	<b>1110</b>	<b>1546</b>	<b>2656</b>
<b>Full Time Equivalents</b>	<b>0.70</b>	<b>0.97</b>	<b>1.67</b>

**Conclusions**

1. Anticipated workload for FY 13/14 can be completed with a full time analyst and a part time executive officer.
2. Should the workload increase dramatically the commission has the option of extending the executive officer position.