

Tulare County Association of Governments

AGENDA ITEM VII-D

July 20, 2009

Prepared by Ted Smalley, TCAG Staff

SUBJECT:

Action: Provide direction for implementing the combination of the Tulare County Local Agency Formation Commission (LAFCO) and Tulare County Association of Governments (TCAG)

BACKGROUND:

Tulare County Association of Governments (TCAG) Board established a Committee in 2005 to evaluate the potential independence of TCAG from the County of Tulare along with a scenario that included combining the TCAG and LAFCO agencies. The study included a preliminary financial analysis. The financial analysis demonstrated the potential for cost savings if LAFCO and TCAG combined. At the time of the report, both the TCAG and LAFCO Boards decided to remain independent but allowed for reconsideration in the future.

The TCAG committee however did recommend implementing a number of changes. The changes were based on the development of TCAG as an agency and the need for clear understanding of TCAG operating as an independent agency.

The following recommendations have been implemented since 2005:

- Full-time Secretary/Clerk for TCAG/LAFCO (2005)
- Reclassify TCAG positions to Regional/Associate/Senior Series (2005)
- Full-time Executive Director for TCAG (2007)
- TCAG established independent from County RMA (2009)

DISCUSSION:

TCAG Staff have been requested to present an agenda item for the potential combination of the LAFCO and TCAG.

There are a number of items to consider for implementing a combined LAFCO and TCAG:

1. TCAG is already established as an independent agency. LAFCO functions would be placed within TCAG. Accounting functions of LAFCO could be absorbed by TCAG Staff. Secretarial services are already shared between LAFCO and TCAG.
2. There will be a need to establish management structure for overseeing LAFCO operations.
3. An implementation date will need to be set.
4. As LAFCO has an independent board, LAFCO board concurrence is required.
5. The TCAG Joint Powers Agreement (JPA) would require amendment. (TCAG counsel is currently working on a proposed amendment as a result of the independence from RMA on July 1, 2009) The LAFCO JPA may require amendment as well.
6. Similar to the 2005 effort, a committee could be established to provide detailed guidance. The 2005 committee included elected officials, City Managers, and TCAG management.

Given the potential desire, elected officials that serve on both TCAG and LAFCO could be part of the committee to facilitate discussions between agencies.

RECOMMENDATIONS:

1. Provide direction to TCAG Staff to prepare implementation plan including amendment to the TCAG JPA
2. Request concurrence with LAFCO Board for implementation
3. Establish an Implementation Committee that will provide recommendations for implementation at the September 21, 2009 TCAG Board meeting
4. Set the implementation date no sooner than October 1, 2009
5. Set a performance review for March 2010 with further proposed changes and/or refinements to be implemented for Fiscal Year 2010/11.

FISCAL IMPACT:

Based on a review of the 2009/10 LAFCO budget, an estimated minimum of \$12,000 would be saved if TCAG managed LAFCO. Additional savings are likely but further analysis is required based on the actual implementation plan and management structure that is approved.