

SAN BENITO LOCAL AGENCY FORMATION COMMISSION

March 22, 2007

Minutes

PRESENT: Commissioners Alvarez, Edge, Monaco, Valdivia,

ABSENT: Commissioner De La Cruz

STAFF: Interim Executive Officer (IEO) Art Henriques; Deputy County Counsel (DCC) Shirley Murphy; Clerk Judi Johnson.

Chair Alvarez opened the meeting at 5:16 p.m. by asking all present to join in the pledge of allegiance to the flag. He then reiterated the standing rules of order.

OPPORTUNITY FOR PUBLIC COMMENT

Chair Alvarez opened and then closed the public hearing as there were none present to address matters not on the agenda.

CONSENT AGENDA

1. Acknowledge Certificate of Posting
2. Approval of Minutes of February 22, 2007

COMMISSIONERS MONACO/VALDIVIA MOTIONED TO APPROVE THE CONSENT AGENDA, AS PRESENTED. THE MOTION PASSED (4-0-0-1) WITH THE FOLLOWING VOTE: AYES: ALVAREZ, EDGE, MONACO, VALDIVIA; NOES: NONE; ABSTAIN: NONE; ABSENT: De La CRUZ.

REGULAR AGENDA

Note: IEO Henriques suggested that Item 4 be taken at this time on the Agenda as a representative of the County Administrative Office had been asked to address that issue.

COMMISSIONERS MONACO/ VALDIVIA MOTIONED TO HAVE AGENDA ITEM 4 TAKEN FROM SEQUENCE AND HEARD FIRST UNDER REGULAR AGENDA ITEMS. THE MOTION PASSED (4-0-0-1) WITH THE FOLLOWING VOTE: AYES: ALVAREZ, EDGE, MONACO, VALDIVIA; NOES: NONE; ABSTAIN: NONE; ABSENT: De La CRUZ.

4. Report: Executive Officer recruitment – presentation by Human Resources
- Rich Inman, Director of Internal Services/Assistant CAO told the Commissioners that IEO Henriques had asked his Department to make recommendations for the recruitment process for a new Executive Officer for LAFCO. Mr. Inman explained he had worked on a recruitment package with the following emphasized:
- internal relationships
 - comparative services
 - LAFCO Executive Officer in Monterey County
 - COG Executive Officer
 - County Deputy Director of Public Works
 - Salary: \$45.00 per hour average + \$11.50/hour benefits (so actual salary of \$56.00/hour)
 - Half-time position minimum would allow for half-time benefits (& person could buy other half)
 - Development of job description: minimum qualifications tightened with a recommendation that there be requirement of a (related) degree and 1 year experience in LAFCO or comparable

Commissioners discussed with Mr. Inman:

- Preference to keep recruitment in Tri-County region but may expand to Los Banos and San Luis Obispo areas
- Want a local person ideally but not restricted – a bigger pool may be possible
- Recruitment costs; dependent on job announcement flyer (how extensive); may be \$3,000 – 5,000 for three counties in region or up to \$10,000 if Bay Area included

Commissioners then discussed with IEO Henriques how a determination was made regarding the (half-time) position and how many hours would be required. IEO Henriques responded that staff had performed estimates regarding:

- The functions of EO ‘right now’ also adding the current part-time as-needed LAFCO Planner help
- Determined half time would be adequate to start, recognizing more work would be coming to the position soon
- MSR and Spheres of Influence Study with ‘follow-ups’ requiring more staff time
- By 2008 more annexation requests coming in following lifting of moratorium in Hollister
- 20 – 25 hours per week will be adequate for commencing position
- Based on workload, when demand increases, may have to add back a technician or assistant (Secretarial position would remain also part time)
- Contract Attorney position may need additional hours as well depending on workload.

Commissioner Valdivia commented, “With the lifting of the (Hollister) moratorium, when the EO becomes more busy and they have an opportunity to get their teeth into the issues, the Commissioners can see if modifications would be needed to have modifications to the hours.”

Commissioner Edge told of recent success of a job seeker in working with Monster.Com. "If there is no urgency, let's include that source for advertising to the local area, we can later broaden the area of search."

IEO Henriques said he had the intent to also put the announcement out on the EO Statewide email list serve as well as posting it on the CALAFCO web site.

Commissioner Monaco commented that the projected time (up to 25 hours per week) would equate to \$72,000 annually. Mr. Inman agreed, noting that was 'probably low in the market'. IEO Henriques referenced a recent 'informal survey' regarding salaries by comparison for full time LAFCO EOs in urban areas having full time EOs with larger staff garnering \$105,000 to \$120,000 per year.

Commissioner Edge asked how successful San Benito County may be in seeking a person outside the area to come here? IEO Henriques said there are some consultants who may want half-time as they already work for other LAFCOs or there may be someone who wants to make a switch to the public sector.

Commissioner Monaco spoke on the budget plan. IEO Henriques said, "Currently to the 'end of this fiscal year, we are fine budget-wise. The preliminary budget will be considered by the Commissioners in April with the final in May.'" He went on to explain the process wherein the County Auditor has said LAFCO must have an 'official budget' by May so that fiscal billing to the Cities and the County can occur. IEO Henriques stressed that the Commission can make a decision for the next year for benefits to be included for staff as part of the County's umbrella benefit so it will not be necessary 'to go out on the market for insurance and benefits for 1 - 2 people'.

Mr. Inman commented that the new E.O. may wish to take all the \$56 in salary.

Commissioner Monaco stressed the need for a performance based contract.

Chair Alvarez said he was agreeable to 'go outside to other counties' and that he felt with the ability of CALAFCO to 'spread the word' would be beneficial. He also said he was 'concerned about a big jump in advertising with the range of \$3,000 - \$10,000. Mr. Inman said the Commissioners could direct that advertising cost not exceed a predetermined amount. Mr. Inman said he has good access through the Statewide Personnel Association and could make the announcement there as well.

COMMISSIONERS MONACO/VALDIVIA MOTIONED TO DIRECT STAFF TO PROCEED IN WORKING WITH MR. INMAN TO CONTINUE WITH THE WORK ON EO RECRUITMENT (AS DISCUSSED WITH A LIMIT FOR OUTREACH [ADVERTISING] OF \$2,500) AND SETTING THE SALARY AT A TOTAL OF \$56/HOUR, WITH THE JOB DESCRIPTION AS PRESENTED AND INCLUSIVE OF THE MODIFICATION OF THE REQUIREMENTS (DEGREE AND EXPERIENCE). THE MOTION PASSED (4-0-0-1) WITH THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COMMISSIONERS PRESENT; COMMISSIONER DE LA CRUZ ABSENT.

The regular order of the Agenda was resumed.

3. Report: RFQs for Municipal Service Review/Sphere of Influence Study

IEO Henriques reported the work being done on the RFQ which had been distributed in February to a group inclusive of five 'bonafide consultants', who are experienced with this type of program. IEO Henriques told of working with Janelle Cox, County Management Analyst, for a determination of the leading candidates with work continuing on reference checks and cost proposals. IEO Henriques told the Commissioners that the process has been somewhat slowed as current staff is only able to work on the project on a part time basis. IEO Henriques said staff is hoping to get a detailed memo out summarizing the persona of the top candidates, as well as a draft contract proposal for the top candidate at the LAFCO retreat or at the April meeting at the latest. IEO Henriques said the leading firms (as thus far identified) both have good overall reputations with one being from the Santa Cruz area and the other from Southern California. "We feel fortunate that we will be able to provide a recommendation within a couple of weeks," IEO Henriques reported. Commissioner Monaco and the full Commission expressed the hope to have the report at the retreat.

5. LAFCO Budget distribution

IEO Henriques explained that he has been working with the LAFCO Clerk and County Auditor Joe Paul Gonzales who has had his staff actively researching how the fund requests are apportioned to the agencies. He stressed the need to have a LAFCO budget finalized in May for the billing to occur as indicated by Government Code. He went on to discuss how {other} Counties are 'beefing up' contingency/emergency funds. IEO Henriques said the challenge with LAFCO is that the Commissioners can't ask for more money half way through the year so it would be advisable to hold over monies for reserve if something unusual should happen.

It was noted that this matter was for information only at the present time, with no action needed.

6. LAFCO Retreat information

IEO Henriques announced that all the arrangements had been made with San Juan Oaks, with existing staff and alternate Commissioners also invited. The retreat, he said, is scheduled for 9:00 a.m. - 1:00 p.m. April 4th. The Executive Officer of CALAFCO will be present and will offer information during a presentation.

Discussion ensued regarding:

- the draft agenda, which was presented
- an overview of the retreat
- feedback on the presentation for the RFQs for MSR and Sphere studies

COMMISSIONERS MONACO/ EDGE MOTIONED APPROVAL OF THE DRAFT AGENDA FOR APRIL 4th RETREAT AS AMENDED (NOTING NO PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA). THE MOTION PASSED (4-0-0-1) WITH THE FOLLOWING VOTE: AYES: ALVAREZ, EDGE, MONACO, VALDIVIA; NOES: NONE; ABSTAIN: NONE; ABSENT: De La CRUZ.

Announcements/comments

IEO Henriques reminded of the regular meeting in April.

Adjournment:

COMMISSIONERS MONACO/VALDIVIA MOTIONED ADJOURNMENT TO THE SPECIAL MEETING – LAFCO RETREAT APRIL 4, 2007 AT 9:00 AM; THE MOTION CARRIED (4-0-0-1) WITH THE FOLLOWING VOTE: AYES: ALVAREZ, EDGE, MONACO, VALDIVIA; NOES: NONE; ABSTAIN: NONE; ABSENT: De La CRUZ. CONSEQUENTLY, CHAIR ALVAREZ ADJOURNED THE MEETING AT 5:45 P.M.

Minutes recorded and transcribed by:

Judi Johnson

Attest:

*Art Henriques
Interim Executive Officer*