



Board Agenda Item 32

DATE: December 17, 2024

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Professional Services Agreement with Fresno Local Agency Formation Commission

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a Professional Services Agreement between the County of Fresno and the Fresno Local Agency Formation Commission for County professional services, effective upon execution, which includes a three-year base contract, and automatic one-year extensions until either party exercises its right to terminate by giving six-month advance written notice (estimated revenue to County of \$60,000 per year).

Approval of the recommended action will authorize the execution of a professional services agreement with the Fresno Local Agency Formation Commission (LAFCo). The recommended agreement establishes reimbursement terms for professional services provided by County staff to LAFCo, at the request of LAFCo. The actual reimbursement amounts will depend on the use of County services by the LAFCo team. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may direct Administrative Office staff to negotiate alternate terms for providing services to LAFCo; the current agreement expires on December 31, 2024, which would cause a lapse in service.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The recommended agreement allows County departments to be reimbursed for costs to perform professional services for LAFCo. The recommended agreement establishes the reimbursement rate as those provided for in the County's Master Schedule of Fees (MSF), as amended from time to time. The total value of the reimbursement will be dependent on the amount of work performed by County staff at the request of LAFCo. The total reimbursements from the last five-year (FYs 2020-21 to FY 2024-25) agreement were \$300,190.28. Sufficient revenues are budgeted in the FY 2024-25 Adopted Budgets of the impacted departments.

DISCUSSION:

The recommended agreement will succeed the agreement that will expire December 31, 2024. The recommended agreement identifies specific services to be provided by the Auditor-Controller/Treasurer-Tax Collector. Other County departments that may provide services include, but are not limited to Assessor-Recorder, Internal Services, County Clerk-Elections, Human Resources (related to LAFCo's participation in health insurance benefit plans), Public Works and Planning, and the Clerk of the Board. In each instance, costs incurred by the County are reimbursed by LAFCo at rates established in the

then-current MSF.

The recommended agreement contains a non-standard mutual indemnification provision, which is common in agreements between public agencies. It also does not require insurance from LAFCo. However, Risk Management has reviewed the recommended agreement, and does not find it necessary to include insurance requirements in this agreement.

OTHER REVIEWING AGENCIES:

LAFCo's Executive Officer and Counsel have reviewed the recommended agreement. On November 13, 2024, during a regularly scheduled Meeting, the LAFCo Commission Members approved the recommended agreement.

REFERENCE MATERIAL:

BAI #29, October 8, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - LAFCo Agreement

CAO ANALYST:

Salvador Espino