



Local Agency Formation Commission of Napa County
Subdivision of the State of California

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We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 8c (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: February 7, 2022

SUBJECT: Proposed Amendment to Policy on Conducting Commission Meetings and Business

RECOMMENDATION

It is recommended the Commission adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy on Policy on Conducting Commission Meetings and Business* (“the Policy”), included as Attachment One.

SUMMARY

The Commission’s adopted Strategic Plan includes a schedule for the Commission’s ad hoc Policy Committee (Mohler and Wagenknecht) to comprehensively review all local policies and propose amendments as appropriate.

On January 14, 2022, the Policy Committee met to review the Policy and agreed to recommend an amendment that would add Section III(A)(9) stating the following: “If an applicant would like to speak to the Commission during an item, they will arrange the amount of time allotted in conjunction with the Executive Officer and the Chair prior to the meeting.” The purpose of this proposed amendment is to establish a consistent and transparent procedure for applicants to provide information at Commission meetings beyond the standard three minutes per speaker during the public comment period. The proposed amendment also involves several non-substantive changes.

A clean version of the Policy with the proposed amendment is included as an exhibit to Attachment One. A tracked change version of the Policy is included as Attachment Two.

ATTACHMENTS

- 1) Draft Resolution Amending the *Policy on Conducting Commission Meetings and Business*
- 2) Proposed Amendments to *Policy on Conducting Commission Meetings and Business* (Tracked Changes)

Margie Mohler, Vice Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

Diane Dillon, Chair
County of Napa Supervisor, 3rd District

Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING ITS POLICY ON CONDUCTING COMMISSION MEETINGS AND BUSINESS**

WHEREAS, on August 9, 2001, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy on Conducting Commission Meetings and Business*; and

WHEREAS, the Commission considered a proposed amendment to the *Policy on Conducting Commission Meetings and Business* at its regular meeting on February 7, 2022, and invited public comment at that meeting; and

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends the *Policy on Conducting Commission Meetings and Business* as attached hereto as “Exhibit A”.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on February 7, 2022, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Diane Dillon
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Conducting Commission Meetings and Business

(Adopted: August 9, 2001; Last Amended: February 7, 2022)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), pursuant to California Government Code Section 56300, directs the Commission to exercise its regulatory and planning responsibilities consistent with its written policies and procedures.¹ This includes establishing written rules to help ensure all meetings and related business occurs in an orderly and transparent manner.

II. Purpose

The purpose of this policy is to provide clear and concise direction to Commissioners and staff with regard to conducting Commission meetings and related business involving the preparation of agendas, issuance of per diems, and reimbursement for member expenses.

III. Rules and Procedures in Conducting Business

A. Conducting Meetings

- 1) The Commission acknowledges and affirms the conducting of its meetings and related business are subject to applicable California laws, most notably the provisions of CKH and the Ralph M. Brown Act (“Brown Act”).
- 2) Three members of the Commission constitute a quorum. In the absence of a regular member, their alternate member (city, county, or public member as applicable) may serve and vote. In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place of their choosing. If all members are absent, the Executive Officer or their designee may adjourn the meeting to a stated time and place. In such case, the Executive Officer shall cause written notice of adjournment to be given and shall post a notice of adjournment, consistent with the requirements of the Brown Act.
- 3) A regular and/or special meeting of the Commission may be adjourned to any day prior to the date established for the next succeeding regular meeting of the Commission.
- 4) If there is no business for the Commission's consideration five days before any regular scheduled meeting, the Executive Officer shall have the power to cancel the meeting by notifying the Chair and members there is no business before the Commission and the meeting has been cancelled.

¹ Hereinafter all section references are to the California Government Code unless otherwise noted.

- 5) Special meetings may be called by the Chair at their discretion. Special meetings may also be called upon the written request of a majority of the members of the Commission submitted to the Chair. Notice of special meetings shall be given in accordance with the Ralph M. Brown Act.
- 6) The Commission shall conduct its meetings in accordance with the rules of procedure set forth in the edition of "Rosenberg's Rules of Order" that is most current at the time of the meeting.
- 7) On all roll call votes, the names of the Commissioners shall be called in alphabetical order with the Chair voting last.
- 8) It is the responsibility of the Executive Officer to ensure that adequate staff and related resources are available for all Commission meetings.
- 9) If an applicant would like to speak to the Commission during an item, they will arrange the amount of time allotted in conjunction with the Executive Officer and the Chair prior to the meeting.

B. Meeting Agendas

- 1) It is the responsibility of the Executive Officer to prepare an agenda and all supporting documents for the Commission, and to distribute these materials to the Commission and all affected and interested parties not less than five days prior to a scheduled regular meeting.
- 2) Meeting agenda items, except for consent items, shall concisely list the various items being considered and include a formal title along with a brief description of the underlying action or discussion and the Executive Officer's recommendation, if applicable.
- 3) The Executive Officer shall ensure items are agendized in an appropriate and timely manner relative to the Commission meeting its regulatory and planning responsibilities under CKH.
- 4) Each meeting agenda shall provide an opportunity for Commissioners to identify and request a matter for future discussion or action with the concurrence of the majority of the voting membership present. The Chair shall also have discretion to direct the Executive Officer to agendize a matter for the next available meeting to address an urgent or otherwise time-sensitive issue in which applicable legal notice can be provided.
- 5) It is the responsibility of the Executive Officer to see that legal notice for all agenda items to be considered by the Commission is given in accordance with the provisions of CKH and all other applicable laws.

C. Commissioner Stipends

- 1) Each Commissioner shall receive a stipend of \$150.00 per day for time and attendance at the following meetings:
 - a) Regular and special meetings of the Commission.
 - b) Meetings of standing or ad hoc committees of the Commission.
 - c) Attendance at the annual conference held by the California Association of Local Agency Formation Commissions (CALAFCO).
 - d) Meetings of CALAFCO when a Commissioner is a member of the CALAFCO Board of Directors.
 - e) Up to four days per year for other trainings, classes, or activities that are mandated or related to LAFCO business, with prior authorization from the Commission or Chair.
- 2) A Commissioner shall receive no more than five stipends per month pursuant to this policy.

D. Commissioner Reimbursement for Expenses

- 1) Each Commissioner may claim reimbursement for the actual amount of reasonable and necessary expenses incurred in performing the duties of their office, to be approved by the Executive Officer in accordance with Section D.2., below, and the Commission's approved budget for such expenses, including:
 - a) Attending conferences, workshops, and training programs of CALAFCO.
 - b) Attending CALAFCO meetings if the member is on the Board.
 - c) Attending other Commission related meetings, trainings, classes, or activities that are mandated or related to LAFCO business, with prior authorization from the Commission or Chair.
- 2) All reimbursement of expenses for Commissioners shall be provided in accordance with the same rules and manner as provided for Commission staff.²

² Refer to the current agreement for staff support services between the Commission and County of Napa, calling for reimbursement pursuant to the travel expense policy approved by the County Board of Supervisors in effect on the date of travel.



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Conducting Commission Meetings and Business

(Adopted: August 9, 2001; Last Amended: June 4, 2018; Proposed Amendment: February 7, 2022)

I. Background

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The purpose of this policy is to provide clear and concise direction to Commissioners and staff with regard to conducting Commission meetings and related business involving the preparation of agendas, issuance of per diems, and reimbursement for member expenses.

III. Rules and Procedures in Conducting Business

A. Conducting Meetings

1.1) The Commission acknowledges and affirms the conducting of its meetings and related business are subject to applicable California laws, most notably the provisions of ~~Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”)~~ and the Ralph M. Brown Act (“Brown Act”).

2.2) Three members of the Commission constitute a quorum. In the absence of a regular member, ~~his or her~~their alternate member (city, county, or public member as applicable) may serve and vote. In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place of their choosing. If all members are absent, the Executive Officer or ~~his or her~~their designee may adjourn the meeting to a stated time and place. In such case, the Executive Officer shall cause written notice of adjournment to be given and shall post a notice of adjournment, consistent with the requirements of the Brown Act.

3.3) A regular and/or special meeting of the Commission may be adjourned to any day prior to the date established for the next succeeding regular meeting of the Commission.

4.4) If there is no business for the Commission's consideration five days before any regular scheduled meeting, the Executive Officer shall have the power to cancel the meeting by notifying the Chair and members there is no business before the Commission and the meeting has been cancelled.

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- ~~5.5)~~ Special meetings may be called by the Chair at ~~his or her~~their discretion. Special meetings may also be called upon the written request of a majority of the members of the Commission submitted to the Chair. Notice of special meetings shall be given in accordance with the Ralph M. Brown Act.
- ~~6.6)~~ The Commission shall conduct its meetings in accordance with the rules of procedure set forth in the edition of “Rosenberg’s Rules of Order” that is most current at the time of the meeting.
- ~~7.7)~~ On all roll call votes, the names of the Commissioners shall be called in alphabetical order with the Chair voting last.
- 8) It is the responsibility of the Executive Officer to ensure that adequate staff and related resources are available for all Commission meetings.
- ~~8.9)~~ If an applicant would like to speak to the Commission during an item, they will arrange the amount of time allotted in conjunction with the Executive Officer and the Chair prior to the meeting.

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