



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

1030 Seminary Street, Suite B
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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
Dawn Mittleman Longoria, Analyst II

MEETING DATE: December 7, 2020

SUBJECT: Subcommittee Appointments

RECOMMENDATION

It is recommended the Commission make appointments or re-appointments to the following four subcommittees: 2021-2022 Budget Committee; Legislative Committee; Policy Committee; and Outreach Committee.

SUMMARY

The Commission will consider making appointments or re-appointments, as appropriate, to one standing subcommittee and three ad hoc subcommittees as part of this item. A summary of the subcommittees and recommended actions follows.

2021-2022 Budget Committee (Ad Hoc)

The Commission establishes an ad hoc Budget Committee at its last meeting of each calendar year consistent with the adopted *Budget Policy*, included as Attachment One. The Budget Committee includes two appointed Commissioners to advise the Executive Officer in preparing a draft budget and a final budget for review by the Commission, the public, and the six affected funding agencies: Napa County; City of American Canyon; City of Calistoga; City of Napa; City of St. Helena; and Town of Yountville. Draft and final budgets are typically presented to the Commission for adoption at its April and June meetings, respectively. The Budget Committee will also consider the Commission's adopted Fee Schedule and Work Program. It is anticipated the Budget Committee will meet with the Executive Officer during the months of February and April. The Budget Committee for 2021-2022 will terminate after adoption of the final budget. Staff recommends the Commission appoint two members to the 2021-2022 Budget Committee.

Margie Mohler, Chair
Councilmember, Town of Yountville

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

Vacant
Representative of the General Public

Vacant
Councilmember, City of American Canyon

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

Eve Kahn, Alternate Commissioner
Representative of the General Public

Scott Sedgley, Alternate Commissioner
Councilmember, City of Napa

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

Brendon Freeman
Executive Officer

Legislative Committee (Standing)

The Commission previously established a standing Legislative Committee consistent with the adopted *Legislative Policy*, included as Attachment Two. Vice Chair Dillon and Commissioner Mohler currently serve on the Legislative Committee. The *Legislative Policy* states the Commission shall appoint or re-appoint two members to the Legislative Committee at the beginning of each two-year legislative session. A new two-year legislative session will begin in 2021. Staff recommends the Commission appoint or re-appoint two members to the Legislative Committee.

Policy Committee (Ad Hoc)

The Commission previously established an ad hoc Policy Committee for purposes of reviewing all existing local policies and recommending amendments or new policies, as appropriate, to the full Commission. The Policy Committee will terminate after completing its review of all local policies and making any appropriate recommendations to the full Commission. A comprehensive policy review schedule is included as part of the Commission's adopted *Strategic Plan 2018-2022*.¹ There are approximately 12 remaining local policies requiring review before the Policy Committee's work is complete. Commissioner Mohler currently serves on the Policy Committee. Former Commissioner Gregory Rodeno recently vacated the other seat on the Policy Committee. Staff recommends the Commission appoint a member to the Policy Committee to fill the seat vacated by Gregory Rodeno.

Outreach Committee (Ad Hoc)

The Commission previously established an ad hoc Outreach Committee for purposes of determining options and resources needed to develop a communications and outreach strategy. The Outreach Committee will terminate after its strategy has been implemented. The Outreach Committee developed a draft Outreach Plan, included as Attachment Three, which was presented to the Commission at the August 3, 2020 meeting. Alternate Commissioner Kahn currently serves on the Outreach Committee. Former Commissioner Ken Leary recently vacated the other seat on the Outreach Committee. Staff recommends the Commission consider appointing a member to the Outreach Committee. However, the Commission may prefer deferring action on the Outreach Committee membership until after the Commission appoints a Public Member as described in item 8b on today's agenda.

ATTACHMENTS

- 1) Budget Policy
- 2) Legislative Policy
- 3) Outreach Plan: *Napa LAFCO at a Glance*

¹ The Commission's adopted *Strategic Plan 2018-2022* is available online at: <https://www.napa.lafco.ca.gov/uploads/documents/StrategicPlan2018-2022.pdf>.



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Budget Policy

(Adopted: August 9, 2001; Last Amended: November 18, 2019)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for establishing a budget and for the receipt of funds. [Government Code \(G.C.\) §56381](#) establishes that the Commission shall annually adopt a budget for the purpose of fulfilling its duties under CKH.

II. Purpose

It is the intent of the Commission to adopt a policy for budget purposes which establishes procedures for compiling, adopting and administering the budget. The Commission is committed to providing transparency of its operations including its fiscal activities. The Commission follows recognized accounting principles and best practices in recognition of its responsibility to the public.

III. Preparation of Annual Budget

- A) An annual budget shall be prepared, adopted and administered in accordance with [\(G.C.\) §56381](#).
- B) The Commission should annually consider the Fee Schedule, including any anticipated changes, and Work Program in conjunction with the budget process.
- C) The Commission is committed to ensuring the agency is appropriately funded each fiscal year to effectively meet its prescribed regulatory and planning responsibilities. The Commission is also committed to controlling operating expenses to reduce the financial obligations on the County of Napa, the cities and town, hereafter referred to as the “funding agencies,” whenever possible and appropriate.
- D) The budget shall include an undesignated/unreserved fund balance equal to a minimum of one-third (i.e., four months) of annually budgeted operating expenses.
- E) The Commission shall establish an ad-hoc budget committee at the last meeting of each calendar year comprising of two Commissioners which will terminate with the adoption of the final budget. Commissioners appointed to a budget committee shall receive a regular per diem payment for each meeting attended.
- F) The adopted final budget should be posted on the Commission’s website for public viewing for a minimum of five years.
- G) The Executive Officer shall provide quarterly budget reports to the Commission for informational purposes.

IV. Budget Contributions and Collection of Funds

[G.C. §56381](#) establishes that the Commission shall adopt annually a budget for the purpose of fulfilling its duties under CKH. It further establishes that the County Auditor shall apportion the operating expenses from this budget in the manner prescribed by [G.C. §56381\(b\)](#), or in a manner mutually agreed upon by the agencies responsible for the funding of the Commission's budget [G.C. §56381\(c\)](#) states that:

After apportioning the costs as required in subdivision (b), the auditor shall request payment from the Board of Supervisors and from each city no later than July 1 of each year for the amount that entity owes and the actual administrative costs incurred by the auditor in apportioning costs and requesting payment from each entity. If the County or a city does not remit its required payment within 60 days, the Commission may determine an appropriate method of collecting the required payment, including a request to the auditor to collect an equivalent amount from the property tax, or any fee or eligible revenue owed to the County or city. The auditor shall provide written notice to the County or city prior to appropriating a share of the property tax or other revenue to the Commission for the payment due the Commission pursuant to this section.

It is the intent of the Commission that all agencies provide the costs apportioned to them from the LAFCO budget. Pursuant to [G.C. §56381\(c\)](#), the policy of the Commission is:

- A) If the County or a city or a town does not remit its required payment within 45 days of the July 1 deadline, the County Auditor shall send written notice to the agency in question that pursuant to [G.C. §56381\(c\)](#) and this policy, the Auditor has the authority to collect the amount of the Commission's operating expenses apportioned to that agency after 60 days from the July 1 deadline.
- B) If the County or a city or a town does not remit its required payment within 60 days of the July 1 deadline, the County Auditor shall collect an amount equivalent to the cost apportioned to that agency from the property tax owed to that agency, or some other eligible revenue deemed appropriate or necessary by the County Auditor. The County Auditor shall send written notice of the action taken to the agency and to the Commission.

V. Executive Officer Purchasing and Budget Adjustment Authority

Pursuant to [G.C. §56380](#), the Commission shall make its own provision for necessary quarters, equipment, supplies, and services. The associated operating costs are provided for through the Commission's adoption of its annual budget in the manner prescribed in [G.C. §56381](#).

It is the intent of the Commission to charge the LAFCO Executive Officer with the responsibility and authority for coordinating and managing the procurement of necessary quarters, equipment, supplies, and services, and to adjust the annual budget as necessary under certain circumstances. The policy of the Commission is:

- A) The Executive Officer is charged with the responsibility and authority for coordinating and managing the procurement of necessary quarters, equipment, supplies, and services in accordance with applicable laws, regulations and policies.
- B) The Executive Officer is authorized to act as the agent for LAFCO in procuring necessary quarters, equipment, supplies, and services.
- C) Only the Commission itself or the Executive Officer may commit LAFCO funds for the purchase of any necessary quarters, equipment, supplies, or services for LAFCO use.
- D) The Executive Officer is delegated purchasing authority on behalf of LAFCO for necessary quarters, equipment, supplies, and services not to exceed \$5,000 per transaction. The Commission must approve any purchase of necessary quarters, equipment, supplies, and services that exceed the monetary limits set forth in this policy.
- E) Following review and approval by the Chair, the Executive Office is authorized to make adjustments and administrative corrections to the budget without Commission action provided the adjustments and corrections are within the total budget allocations adopted by the Commission.
- F) Following review and approval by the Chair, the Executive Officer is authorized to adjust the budget for purposes of carrying over to the new fiscal year any encumbered funds that have been approved by the Commission in a prior fiscal year and involve unspent balances. Said funds include committed contracts for services that were not completed in the prior fiscal year and must be re-encumbered by way of a budget adjustment in the new fiscal year.



LOCAL AGENCY FORMATION COMMISSION OF NAPA

Legislative Policy

(Adopted: December 4, 2017)

- 1) The Local Agency Formation Commission (LAFCO) of Napa County (“the Commission”) shall establish a standing committee to review proposed legislation (“Legislative Committee”). At the beginning of each two-year legislative session, the Commission shall appoint (or re-appoint) two members to the Legislative Committee, in addition to LAFCO’s Executive Officer. Meetings of the Legislative Committee must be noticed in accordance with the Ralph M. Brown Act.
- 2) The Legislative Committee shall, at least annually, review the California Association of LAFCOs’ legislative platform as well as the Commission’s adopted legislative platform if applicable and determine what action is needed in terms of adopting or amending a local legislative platform. The Legislative Committee shall present recommendations to the full Commission with respect to actions related to the local legislative platform.
- 3) The Legislative Committee shall, at least annually, review proposed legislation affecting LAFCO. The Executive Officer shall continue monitoring proposed legislation and present recommendations to the full Commission with respect to formal positions on proposed legislation.
- 4) In the event that proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer is authorized to submit written correspondence to the legislation’s author regarding the Commission’s position if the position is consistent with the adopted legislative platform of the Commission. The Chair, or the Vice-Chair if the Chair is unavailable, shall review and approve the written correspondence prior to it being submitted by the Executive Officer.
- 5) All submitted correspondence pursuant to this policy will be included on the next available Commission agenda.



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Napa LAFCO at a Glance

Program Status: Pilot Program

Goals:

1. Build trust in the community
2. Provide transparency – it is our duty to tell people what we do
3. Make Napa LAFCO more visible and less obscure
4. Provide reliable, consistent information and facts

Target Audience:

1. Elected officials (especially newly elected)
2. Local agencies
3. Real estate and land use professionals
4. Agricultural industry
5. Hospitality industry
6. Miscellaneous interest groups and organizations
7. News media
8. General public

Principles:

1. Factual and neutral information
2. Environmentally sensitive outreach program
3. Cost effective
4. Leverage efforts

Implementation Strategy

The following are examples of outreach strategies discussed by the Committee. The Commission is invited to discuss these strategies and potential alternative strategies. With respect to available financial resources, it is important to note the Commission's adopted budget for fiscal year 2020-2021 does not include any dedicated funds for outreach efforts.

- Islands Education and Outreach: New Page on Website (Budget Impact: \$49.50)
The Committee recommends performing dedicated education and outreach efforts related to annexation of unincorporated islands. Toward this end, staff recently authorized the Commission's website host, Planeteria, to add a new page dedicated to island annexation information on the agency's website. Staff expeditiously

proceeded with this activity given the timely nature of island annexation discussions with City of Napa staff. The next step is for staff to add content to the new page. The Committee recommends additional outreach efforts including, but not limited to, conducting virtual public workshops, updating the Commission's informational flyer on island annexation, and potentially mailing a copy of the flyer to all landowners and residents within the islands. Staff will be contacting agencies that have conducted island workshops and developed informational documents.

- Social Media Engagement (Budget Impact: \$0)
Staff and interested members of the Commission would collectively allocate up to three hours per week creating social media content and engaging with the public. Examples of content include short videos of staff or members of the Commissioner explaining why LAFCOs are important and can provide a forum for discussion of local governmental issues. A student intern could be a valuable resource in the development a social media program.
- Informational Handouts (Budget Impact: \$0)
Staff has been attending regular teleconference meetings hosted by CALAFCO and the Commission's Executive Officer expressed concern that LAFCO's relevance would be scrutinized in response to COVID-19's impact on the economy. Several other LAFCOs shared the same concern and agreed to form a committee to focus on the right messaging for LAFCOs throughout the state to demonstrate the importance and potential of LAFCOs. The Commission's Executive Officer and Analyst II both served on the CALAFCO committee, which held several meetings and produced high quality informational handouts that are currently in draft form. Once finalized, the Outreach Committee recommends electronically disseminating CALAFCO's handouts as part of the Commission's outreach efforts.
- Utilize LAFCO's Neutral Role (Budget Impact: \$0)
LAFCO is uniquely positioned to collaborate with other local government agencies and look outside the typical silos. In this role LAFCO can facilitate cooperation, sharing of resources, and dissemination of information. The Countywide Water and Wastewater Municipal Service Review (MSR) has identified various agencies, some with robust resources and others struggling to survive. Implementation of the MSR can include identifying "warning signs" that an agency is in crisis. Although LAFCO does not have the authority to resolve all issues, it does have the mandate to shine a light on these issues. LAFCO can serve as a "clearinghouse" of information, studies, and solutions from across the state and across agency silos. The Commission may consider building on this recent success by scheduling more countywide MSRs for specific services as opposed to MSRs for individual agencies. This can be accomplished in the annual Work Program or through a future strategic planning workshop. The Commission is also invited to discuss preferences and strategies to disseminate information about MSRs and other relevant LAFCO activities to the target audience groups.

- Leveraging Efforts (Budget Impact: \$0)

The Committee determined leveraging efforts of other agencies and organizations would be both cost effective and provide an opportunity to reach a wider audience. Methods to accomplish this include:

1. Dedicated efforts to proactively schedule Executive Officer presentations (virtual) to various organizations such as service clubs and local groups
2. Interviews and/or press releases to local media (e.g., Napa Valley Register, Napa Valley Marketplace Magazine)
3. Request other agencies to include a link to the LAFCO website on their websites

- Additional Outreach Methods (Budget: \$0):

The Committee recognized that outreach regarding LAFCO has several challenges. The first challenge is making people aware that LAFCO exists. The next challenge is explaining what LAFCO does and why. Generally, an individual would not know to visit the LAFCO website. With this in mind, proactive methods of outreach were discussed by the Committee. The following provides a list of possible actions:

1. Biannual Napa LAFCO open house for newly elected officials (when physical gatherings are allowed)
2. Electronic distribution of the LAFCO Directory of Local Agencies
3. Develop and electronically distribute a Napa LAFCO newsletter (annually or quarterly)