



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

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
Fax: (707) 251-1053
www.napa.lafco.ca.gov

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

Agenda Item 7e

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: December 7, 2015

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

RECOMMENDATION

Staff recommends the Commission approve the proposed amendment to the *Policy on Conducting Commission Meetings and Business* (clean version included as Attachment One) with any desired changes.

BACKGROUND

Members of the Commission have expressed interest in furthering their understanding of existing policies and procedures regarding stipends (i.e. “per diems”) associated with their participation in meetings, classes, conferences, and other forms of LAFCO business. In particular, there has been some confusion with respect to which specific meetings and training opportunities result in commissioners receiving a stipend.

At its June 1st meeting, the Commission considered approving a proposed amendment to the *Policy on Conducting Commission Meetings and Business*. Action on the proposed policy amendment was continued to allow staff additional time to compare the Commission’s existing policy with similar policies from other LAFCOs and local public agencies. Staff has verified that the Commission’s existing *Policy on Conducting Commission Meetings and Business*, coupled with the amendments proposed at the June 1st meeting, adequately addresses all perceived shortcomings. Accordingly, staff has returned with a proposed amendment that is substantially similar to the version presented at the June 1st meeting. For purposes of maximizing clarity and transparency, a clean version of the proposed amended policy is included as Attachment One and a tracked change version is included as Attachment Two.

Juliana Inman, Chair
Councilmember, City of Napa

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Joan Bennett, Alternate Commissioner
Councilmember, City of American Canyon

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

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

Keith Caldwell, Alternate Commissioner
County of Napa Supervisor, 5th District

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

SUMMARY

The Commission's current *Policy on Conducting Commission Meetings and Business* states that commissioners shall receive a \$125 stipend for attendance at the following LAFCO-related events and meetings:

- 1) Regular and special meetings of the Commission
- 2) Standing or ad hoc committee meetings of the Commission
- 3) Each day of attendance at the annual conference held by the California Association of Local Agency Formation Commissions (CALAFCO)
- 4) CALAFCO meetings when a Commissioner is a member of the CALAFCO Board

In addition to the stipend for attendance, Commissioners may claim travel expense reimbursement for (1) attending conferences, workshops, and training programs of CALAFCO; (2) attending CALAFCO meetings if the member is on the Board; and (3) attending other Commission related meetings and events with prior authorization from the Commission or Chair.

Historically, other meetings and training activities not specifically identified in the policy were considered "elective" and did not result in stipends for a Commissioner's time and attendance. This has resulted in some misunderstanding regarding which specific activities warrant a stipend, such as LAFCO-related training offered by an entity other than CALAFCO. As a result, the Commission directed staff to add a new category of LAFCO-related activities that result in Commissioners receiving a stipend for their participation. The amended policy includes a new section C(1)(e) that would provide up to four stipends per year per Commissioner for attending other trainings, classes, or other activities that are mandated or related to LAFCO business. The amendments also reflect that travel-related expenses for LAFCO-related activities shall be approved by LAFCO's Executive Officer and shall be consistent with LAFCO's approved annual budget. Other proposed changes are primarily non-substantive and involve minor clarifications as well as grammatical corrections.

ATTACHMENTS

- 1) Proposed Amended *Policy on Conducting Commission Meetings and Business* (Clean Version)
- 2) Proposed Amended *Policy on Conducting Commission Meetings and Business* (Tracked Changes)



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
Policy on Conducting Commission Meetings and Business

Adopted on August 9, 2001
 Amended on June 3, 2013
 Amended on December 2, 2013
 Last Amended on December 7, 2015

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000, 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 Cortese-Knox-Hertzberg Act of 2000 (“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, his or her alternate member (city, county, 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 designee may adjourn the meeting to a stated time and place. In such a 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.

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

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.
5. Special meetings may be called by the Chair at his or her 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 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.

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 agendas 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 exercise his or her judgment to help 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 \$125.00 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) Each day of 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.
 - 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 his or her 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.



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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.

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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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- ~~d)e)~~ Up to four days per year for other trainings, classes, or other activities that are mandated or related to LAFCO business, as pre-approved by the with prior authorization from the Chair or Commission or Chair.

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