



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 8d

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Analyst

MEETING DATE: April 6, 2015

SUBJECT: Commissioner Stipends

BACKGROUND / SUMMARY

Members of the Commission have expressed interest in furthering their understanding of existing policies and procedures regarding stipend payments (i.e. “per diems”) associated with their participation in meetings, classes, conferences, and other forms of LAFCO business. In particular, there has been some misunderstanding amongst commissioners with respect to which specific meetings and training opportunities result in the member receiving a stipend. This staff report examines the existing Policy on Conducting Meetings and Business (Attachment One), which describes the specific activities warranting a stipend payment for participating commissioners.

In June 2013, the Commission approved amendments to the aforementioned policy which expanded the scope of commissioner activities that result in a stipend or travel expense reimbursement. The amendment also increased the stipend payment from \$100 to \$125.

ANALYSIS

The current policy 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 activities listed above, commissioners may claim 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.

Joan Bennett, Chair
Councilmember, City of American Canyon

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Peter Banning
Interim Executive Officer

Other meetings and training activities that are not specifically identified in the policy are considered “elective” and do not result in stipends for a commissioner’s time and attendance. If it is the collective preference of the Commission, staff will pursue amendments to the existing policy that would allow for commissioners to receive stipends for time and attendance at other types of meetings and training events such as UC Davis Extension classes relating to LAFCO.

ALTERNATIVES

The Commission is invited to discuss the adopted policy and consider the following alternatives for potential action:

- 1) Retain the existing policy (status quo – no action).
- 2) Direct staff to draft amendments to the Commission’s *Policy on Conducting Meetings and Business* making any desired changes to existing stipend payment procedures and return with draft amendments for formal action at a future Commission meeting.

ATTACHMENTS

- 1) Policy on Conducting Meetings and Business
- 2) Commissioner Stipends Paid Out for Current Fiscal Year



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

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

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 CKH and the Ralph 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, he or she shall cause written notice of adjournment to be given in the same manner as specified in Section 54956 for calling a special meeting. In either instance, he or she shall post a notice of adjournment as specified in Section 54955.
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 provisions of Section 54956.
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 begin 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 on 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 Per Diems

1. Each Commissioner shall receive a per diem 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 Board.
2. A Commissioner shall not receive no more than five per diems per month.

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 and include the following:
 - 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 and events 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 for staff.²

² Refer to the current agreement for staff support services between the Commission and County of Napa.

COMMISSIONER PER DIEMS PAID OUT

(ACCOUNT #51210 \$125/MEETING)

JULY 2014 – PRESENT

MONTH	DESCRIPTION	COMMISSIONERS PAID
August	August 4 Regular Meeting BOS location	BK, BW, GP, JI, ML & GR (6 = \$750)
October	October 6 Regular Meeting NCPTA location	BK, JB, GP, JI, ML & BW (6 = \$750)
	October 15-17 CALAFCO Annual Conference Ontario, CA	BK, JB, JI & BW (4 = \$1,500) (\$125/day x 3days x 4 ppl)
November	November 17 Special Meeting – Re: EO Recruitment NCTPA location	BK, JB, GP, BW, JI, ML & GR (7 = \$875)
December	December 1 Regular Meeting City of Napa location	BK, JB, BW, GP, JI, ML & GR (7 = \$875)
January	January 12 Workshop (aka: retreat) City of Napa location	(BK, JB, BW, GP, DD, JI, KC & GR) (8 = \$1,000)
February	February 2 Regular Meeting American Canyon location	BK, JB, DD, JI, KC & GR (6 = \$750)
	February 27 Special Meeting – Re: EO Recruitment City of Napa location	JB, BK, BW, JI & KC (5 = \$625)
March	March 4 Sub-Committee – Legal Counsel Interviews LAFCO office location	DD & JI (2 = \$250)
	March 12 – Budget Committee Meeting LAFCO office location	BK & JB (2 = \$250)
	March 16 Special Meeting – Re: RGS Contract & Legal City of Napa location	JB, BK, DD, BW, GP, JI, KC & GR (8 = \$1,000)
	March 27 Sub-Committee - MOU Agreement Review LAFCO office location	JB & BW (2 = \$250)

Additionally, per diems totaling \$875 were paid to Commissioner Inman for CALAFCO Board Meetings.