



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 7c (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer

MEETING DATE: November 18, 2019

SUBJECT: Proposed Policy Amendments

RECOMMENDATION

It is recommended the Commission consider taking the following actions:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending and Combining the *Policy for Budget Contributions and Collection of Funds, Budget Policy, and Policy on Executive Officer Purchasing Authority* (Attachment One);
- 2) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending and Combining the *Policy on Establishing the Officers of the Commission and Policy on Appointment of Chair and Vice Chair* (Attachment Two);
- 3) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy on the Appointment of a Public Member and Alternate Public Member* (Attachment Three);
- 4) Adopt the Resolution of the Local Agency Formation Commission of Napa County Amending the *Policy on Telecommuting* (Attachment Four);

BACKGROUND AND SUMMARY

On February 5, 2018, the Commission adopted *Strategic Plan 2018-2022*, included as Attachment Five. The Strategic Plan includes a set of core guiding principles that underlie Napa LAFCO's activities, which are centered on in-depth, active communication. The Strategic Plan includes a schedule for the Commission's Policy Committee (Mohler and Rodeno) to comprehensively review all local policies.

Kenneth Leary, Vice Chair
Councilmember, City of American Canyon

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

Gregory Rodeno, Chair
Representative of the General Public

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Diane Dillon, Commissioner
County of Napa Supervisor, 3rd 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

On October 23, 2019, the Policy Committee met and agreed to recommend amendments to the following seven existing policies: *Policy on Appointment of Chair and Vice Chair*; *Policy on the Appointment of a Public Member and Alternate Public Member*; *Policy Establishing the Officers of the Commission*; *Budget Policy*; *Policy for Budget Contributions and Collection of Funds*; *Policy on Executive Officer Purchasing Authority*; and *Policy on Telecommuting*.

The Policy Committee's proposed amendments to the referenced policies are included with each respective draft resolution (Attachments One through Four). The proposed amendments showing tracked changes are included as Attachments Six through Nine.

The majority of proposed amendments are considered non-substantive and involve clarification of existing language, enhanced consistency of formatting, and adding hyperlinks to cited statutes and policies. A summary of proposed amendments that are considered substantive follows:

- Combine the *Policy for Budget Contributions and Collection of Funds*, *Budget Policy*, and *Policy on Executive Officer Purchasing Authority*
- Increase Executive Officer purchasing authority to \$5,000 for all categories
- Authorize Executive Officer to make non-substantive budget adjustments mid-year, following Chair review and approval, for administrative corrections and to re-encumber (i.e., carry over) contracts to new fiscal year
- Formally require quarterly budget reports for Commission information
- Combine the *Policy on Establishing the Officers of the Commission* and *Policy on Appointment of Chair and Vice Chair*
- Clarify the process to appoint a Chair and Vice Chair requires formal action
- Simplify public member appointment procedures
- Encourage telecommuting and simplify policy to a one page document

ATTACHMENTS

- 1) Draft Resolution Amending and Combining the *Policy for Budget Contributions and Collection of Funds*, *Budget Policy*, and *Policy on Executive Officer Purchasing Authority*
- 2) Draft Resolution Amending and Combining *Policy on Establishing the Officers of the Commission* and *Policy on Appointment of Chair and Vice Chair*
- 3) Draft Resolution Amending the *Policy on the Appointment of a Public Member and Alternate Public Member*
- 4) Draft Resolution Amending the *Policy on Telecommuting*
- 5) Strategic Plan 2018-2022
- 6) Proposed Amendment: *Budget Policy* (Tracked Changes)
- 7) Proposed Amendment: *Policy on Establishing the Officers of the Commission* (Tracked Changes)
- 8) Proposed Amendment for: *Policy on the Appointment of a Public Member and Alternate Public Member* (Tracked Changes)
- 9) Proposed Amendment for: *Policy on Telecommuting* (Tracked Changes)

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING AND COMBINING ITS POLICY FOR BUDGET CONTRIBUTIONS AND
COLLECTION OF FUNDS, BUDGET POLICY, AND POLICY ON EXECUTIVE
OFFICER PURCHASING AUTHORITY**

WHEREAS, on April 11, 2001, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy for Budget Contributions and Collection of Funds*;

WHEREAS, on August 9, 2001, the Commission adopted a *Budget Policy* and most recently amended said Policy on June 6, 2016;

WHEREAS, on February 26, 2004, the Commission adopted a *Policy on Executive Officer Purchasing Authority* and most recently amended said Policy on October 6, 2014;

WHEREAS, the Commission considered proposed amendments to, and combining of, the *Policy for Budget Contributions and Collection of Funds*, *Budget Policy*, and *Policy on Executive Officer Purchasing Authority* at its special meeting on November 18, 2019, and invited public comment at that meeting;

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends and combines the *Policy for Budget Contributions and Collection of Funds*, *Budget Policy*, and *Policy on Executive Officer Purchasing Authority* as attached hereto.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Local Agency Formation Commission of Napa County at a special meeting held on November 18, 2019, by the following vote:

AYES: Commissioners _____
NOES: Commissioners _____
ABSENT: Commissioners _____
ABSTAIN: Commissioners _____

Gregory Rodeno
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary

DRAFT



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Budget Policy

(Adopted: August 9, 2001; Last Amended: June 6, 2016; Draft Amendment Presented: 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:

- 1) 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.
- 2) 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:

- 1) 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.
- 2) The Executive Officer is authorized to act as the agent for LAFCO in procuring necessary quarters, equipment, supplies, and services.
- 3) 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.
- 4) 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.
- 5) 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.
- 6) 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.

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING AND COMBINING ITS POLICY ON ESTABLISHING THE OFFICERS OF
THE COMMISSION AND POLICY ON APPOINTMENT OF CHAIR AND VICE CHAIR**

WHEREAS, on August 9, 2001, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy on Establishing the Officers of the Commission* and most recently amended said Policy on August 3, 2004;

WHEREAS, on August 3, 2004, the Commission adopted a *Policy on Appointment of Chair and Vice Chair* and most recently amended said Policy on June 29, 2015;

WHEREAS, the Commission considered proposed amendments to, and combining of, the *Policy on Establishing the Officers of the Commission* and *Policy on Appointment of Chair and Vice Chair* at its special meeting on November 18, 2019, and invited public comment at that meeting;

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends and combines the *Policy on Establishing the Officers of the Commission* and *Policy on Appointment of Chair and Vice Chair* as attached hereto.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Local Agency Formation Commission of Napa County at a special meeting held on November 18, 2019, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSENT:	Commissioners	_____
ABSTAIN:	Commissioners	_____

Gregory Rodeno
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Establishing the Officers of the Commission

(Adopted: August 9, 2001; Amended: August 3, 2004; Draft Amendment Presented: November 18, 2019)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000 includes provisions specifying the composition of the Commission in [Chapter 2 \(commencing with Section 56325\)](#). In addition, these sections specify the procedures to select Commissioners, terms of office, and selection of the Chair of the Commission.

II. Purpose

It is the policy of the Commission to establish policies which provide for the smooth and consistent operations of Commission business. The selection of officers of the Commission is a regular occurrence and therefore should follow adopted policy.

III. Officers of the Commission

- A) The officers of LAFCO shall consist of a Chair, a Vice Chair, and a Clerk.
- B) The Chair and Vice Chair shall be appointed and serve terms in accordance with Section V “Appointment of Chair and Vice Chair”.
- C) The Executive Officer or the Executive Officer’s designee shall serve as the Clerk.

IV. Duties of Officers

- A) Duties of the Chair: The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission according to “Rosenberg’s Rules of Order”. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.
- B) Duties of the Vice Chair: In the absence of the Chair, the Vice Chair shall assume all duties and responsibilities of the Chair's office.
- C) Duties of the Clerk: The Clerk shall call the roll, note approval of the minutes or corrections thereto, maintain record of testimony and action of the Commission on each item, and any other action deemed appropriate and necessary by the Commission to conduct its meetings and business.

V. Appointment of Chair and Vice Chair

A) Term of Office: The terms of office of the Chair and Vice Chair shall be for one year, beginning on the first Monday in May.

B) Rotation: The Chair and Vice Chair shall be appointed according to the following annual rotational system, effective May 4, 2020, unless a temporary change is made pursuant to Section V(C):

<u>Chair Designations</u>	<u>Vice Chair Designations</u>
City Member I	County Member I
County Member I	City Member II
City Member II	County Member II
County Member II	Public Member
Public Member	City Member I

It shall be the responsibility of the Executive Officer to maintain a record of the seat designations and occupants, and to annually inform the Commission prior to the rotation.

C) The Commission may create temporary changes to the rotation as part of an action item placed on a meeting agenda.

VI. Vacancy

The offices of Chair and Vice Chair shall reside with the particular appointing authority assigned to a designated seat. In the event that a Commissioner serving as Chair or Vice Chair is no longer able to serve on the Commission for any reason, the remainder of that Commissioner's term in office shall be fulfilled by the other Commissioner from the same appointing authority (for example, if the Commissioner designated as "City Member I" is removed from the office of Chair in January, the Commissioner designated "City Member II" shall serve as Chair through the day immediately prior to the first Monday in May), subject to the following:

- 1) On the first Monday in May, the established rotation set forth in Section V(B) "Rotation Schedule", above, shall resume.
- 2) Should the office of Chair or Vice Chair be vacated by the Public Member, the Commission shall appoint another Commissioner at its next meeting to fulfill the remainder of the officer's unexpired term.

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING ITS POLICY ON THE APPOINTMENT OF A PUBLIC MEMBER AND
ALTERNATE PUBLIC MEMBER**

WHEREAS, on October 11, 2001, the Local Agency Formation Commission of Napa County (the “Commission”) adopted a *Policy on the Appointment of a Public Member and Alternate Public Member* and last amended said Policy on April 7, 2008;

WHEREAS, the Commission considered proposed amendments to the *Policy on the Appointment of a Public Member and Alternate Public Member* at its special meeting on November 18, 2019, and invited public comment at that meeting;

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends the *Policy on the Appointment of a Public Member and Alternate Public Member* as attached hereto.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Local Agency Formation Commission of Napa County at a special meeting held on November 18, 2019, by the following vote:

AYES:	Commissioners	_____
NOES:	Commissioners	_____
ABSENT:	Commissioners	_____
ABSTAIN:	Commissioners	_____

 Gregory Rodeno
 Commission Chair

ATTEST: _____
 Brendon Freeman
 Executive Officer

Recorded by: Kathy Mabry
 Commission Secretary



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on the Appointment of a Public Member and Alternate Public Member

(Adopted: October 11, 2001; Last Amended: April 7, 2008; Draft Amendment Presented: November 18, 2019)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for the composition of the Commission including the Public Member as follows:

The composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” The Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the appointing authorities ([California Government Code \(G.C.\) §56325\(d\)](#)).

II. Purpose

It is the intent of the Commission to establish a policy for the appointment of a public member and alternate public member which is consistent with CKH. This policy also includes procedures to address a vacancy in the position and other relevant matters.

III. Eligibility

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time he or she is an officer or employee of the County, a city, town or district within Napa County.¹ For purposes of this policy, an officer of a local government agency is a member of a local public board, commission, committee, or council with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

IV. Term of Office

The term of office for Public Member and Alternate Public Member shall be four years and shall end on the first Monday in May of the year in which the term expires. The Public Member and Alternate Public Member shall continue to serve until a successor is appointed.

¹ The term “district” is defined in [G.C. §56036](#).

V. Appointment Procedures

A) New Term for Public Member or Alternate Public Member

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the Public Member or Alternate Public Member, the following procedures will be taken:

At a regular meeting at least 120 days prior to the scheduled expiration of the Public Member or Alternate Public Member's term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take one of the following two actions as set forth in the following subsection 1 or 2 below.

1) Direct the Executive Officer to recruit candidates and schedule a public hearing to consider making an appointment to the position. Tasks of the Executive Officer shall include, but not limited to, the following:

(a) At least 60 days prior to the scheduled hearing for the appointment, issue a notice announcing the vacancy and that the Commission is accepting applications for the position. The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in the newspaper of general circulation.² The notice shall indicate if the incumbent is eligible for reappointment.

(b) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission at least 14 days prior to the scheduled hearing for the appointment.

(c) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

2) If the incumbent is eligible and has served no more than one four-year term, the Commission may direct the Executive Officer to schedule a public hearing to consider approving reappointment. Tasks of the Executive Officer shall include, but not limited to, the following:

(a) Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted at least 21 days prior to the hearing for which the reappointment has been scheduled.

(b) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

² For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County. Publishing in the newspaper of general circulation shall be conducted by publishing, at minimum, a prominently placed display ad.

B) Mid-Term Vacancies

An appointment to fill an unexpired term for the position of Public Member or Alternate Public Member shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted at least 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term. An appointment to fill an unexpired term will occur as follows:

- 1) Public Member: If the position of Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:
 - (a) Appoint the Alternate Public Member.
 - (b) Fill the position in the manner prescribed in Section V(A) "New Term for Public Member or Alternate Public Member" for the appointment of the Public Member to a new term.
- 2) Alternate Public Member: If the position of Alternate Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term in the manner prescribed in Section V(A) "New Term for Public Member or Alternate Public Member" for the appointment of the Alternate Public Member to a new term.

C) Conducting Public Hearings for Appointing a Public Member or Alternate Public Member

It is the policy of the Commission that a public hearing to appoint either the Public Member or Alternate Public Member shall be conducted as follows:

The Chair shall open the public hearing and first invite candidates to address the Commission. The Chair shall then invite public comments from the audience. Upon the close of the public comment period, the Public Member or Alternate Public Member will be selected based upon a motion and second followed by an affirmative vote.

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
AMENDING ITS POLICY ON TELECOMMUTING**

WHEREAS, on July 8, 1997, the Local Agency Formation Commission of Napa County (the "Commission") adopted a *Policy on Telecommuting*;

WHEREAS, the Commission considered proposed amendments to the *Policy on Telecommuting* at its special meeting on November 18, 2019, and invited public comment at that meeting;

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby amends the *Policy on Telecommuting* as attached hereto.

This Resolution shall take effect immediately.

The foregoing resolution was duly and regularly adopted by the Local Agency Formation Commission of Napa County at a special meeting held on November 18, 2019, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Gregory Rodeno
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Telecommuting

(Adopted: July 8, 1997; Draft Amendment Presented: November 18, 2019)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 is the enabling legislation for LAFCO. The Act includes the legislative intent, powers and composition of the Commission. LAFCO is established as an independent agency although the Commission is comprised of local government representatives. Each LAFCO has the authority to establish standards and policies to reflect local conditions. In order to carry out its legislative mandate, the Commission has the authority to appoint and assign staff personnel and to employ or contract for professional or consulting services to carry out and effect the functions of the commission ([Government Code \(G.C.\) §56375\(k\)](#)).

II. Purpose

LAFCO considers telecommuting to be a viable work option that, when appropriately applied, benefits both the organization and the individual employee. Various studies confirm that telecommuting is cost effective and has a positive environmental impact ([Forbes, July 20, 2017](#)). It is the intent of the Commission to adopt a policy which allows staff to telecommute at the discretion of the Executive Officer.

Telecommuting is defined as allowing designated employees, on a periodic basis and during their scheduled work hours, to fulfill their job responsibilities at a site other than their primary work location. Telecommuting can both accommodate the needs of employees and benefit the community by reducing distractions, interruptions, stress, traffic, greenhouse gas emissions, and parking impacts.

III. Guidelines and Principles

Telecommuting is a cooperative arrangement between the supervisor and employee, not an entitlement, and is based upon the needs of the job as well as the employee's past and present levels of performance. Jobs suitable for telecommuting are characterized by clearly defined tasks and work products. Telecommuting is a tool allowing for flexibility in work options. Telecommuting does not change the basic terms and conditions of employment with LAFCO. Each telecommuting arrangement is jointly agreed between the employee and Executive Officer. Telecommuting is voluntary and may be terminated, at will, at any time either by the Executive Officer or the employee.

IV. Ground Rules

Telecommuting occurs on a part-time basis. Salary, job responsibilities, and benefits do not change as a result of telecommuting. Telecommuters shall have regularly scheduled work hours agreed upon with the Executive Officer. Telecommuters will be as accessible as their on-site counterparts during their agreed upon regular business hours, regardless of work location. Telecommuters will exercise caution to ensure they have a safe work area. Telecommuters working at home will take all precautions necessary to secure privileged information in the home and prevent unauthorized access to the LAFCO shared drive from the home. Telecommuting expenses related to equipment will be dealt with on a case-by-case basis between the employee and the Executive Officer. Telecommuters shall comply with all established employment rules and regulations as set forth by the [County of Napa](#).



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Strategic Plan 2018-2022
(Adopted: February 5, 2018)

Mission Statement

The Local Agency Formation Commission (LAFCO) of Napa County is committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

Focus of Napa LAFCO

The following core guiding principles underlie Napa LAFCO's activities. Each of these principles is centered on Napa LAFCO having in-depth, active communication with respect to all relevant constituents.

- Municipal Service Reviews based on local agency, Napa County, & LAFCO needs
 - Study Schedule for 2018-2022 included as Exhibit A
- Re-writing policies (on a schedule) to be comprehensive, effective, and transparent
 - Policy Review Schedule for 2018-2020 included as Exhibit B
- Forecasting issues relating to local services and boundaries, as well as State legislation
- Active involvement of agency constituents in problem-solving local agency sustainability
- Engagement with local city/town general plan updates
- Active with local agencies in managing housing growth and related issues including transportation



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

STUDY SCHEDULE (2018-2022)

Municipal Service Reviews (Government Code §56430)
Sphere of Influence Updates (Government Code §56425)
Major Boundary Change Projects

Adopted: February 5, 2018

2018

South County Region MSR and SOIs

Municipal Service Review will examine the governmental services provided by the City of American Canyon, American Canyon Fire Protection District, and County Service Area No. 3. The Municipal Service Review will inform Sphere Of Influence Updates for all three local agencies.

City of St. Helena MSR and SOI

Municipal Service Review will examine the governmental services provided by the City of St. Helena. The Municipal Service Review will inform a Sphere Of Influence Update.

Napa County Regional Park and Open Space District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Napa County Regional Park and Open Space District and inform a Sphere Of Influence Update.

Island Annexation Program

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

2019

Island Annexation Program

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

Countywide Water and Wastewater Services MSR

Municipal Service Review will examine all municipal water and wastewater services provided throughout Napa County and will inform Sphere Of Influence Updates for each agency under review.

2020

Island Annexation Program

The Commission will seek to partner with the City of Napa and the County of Napa to develop an island annexation program.

City of Napa MSR and SOI

Municipal Service Review will examine the governmental services provided by the City of Napa and inform a Sphere Of Influence Update.

Lake Berryessa Resort Improvement District SOI

Sphere Of Influence Update for the Lake Berryessa Resort Improvement District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Napa Berryessa Resort Improvement District SOI

Sphere Of Influence Update for the Napa Berryessa Resort Improvement District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Spanish Flat Water District SOI

Sphere Of Influence Update for the Spanish Flat Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Napa Sanitation District SOI

Sphere Of Influence Update for the Napa Sanitation District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

2021

Napa County Resource Conservation District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Napa County Resource Conservation District and inform a Sphere Of Influence Update.

Napa County Flood Control and Water Conservation District SOI

Sphere Of Influence Update for the Napa County Flood Control and Water Conservation District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Silverado Community Services District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Silverado Community Services District and inform a Sphere Of Influence Update.

Public Cemetery Districts MSR and SOIs

Municipal Service Review will examine the governmental services provided by the Monticello Public Cemetery District and Pope Valley Cemetery District and inform Sphere Of Influence Updates for both agencies.

Los Carneros Water District SOI

Sphere Of Influence Update for the Los Carneros Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Napa River Reclamation District No. 2109 SOI

Sphere Of Influence Update for the Napa River Reclamation District No. 2109 will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

City of Calistoga MSR and SOI

Municipal Service Review will examine the governmental services provided by the City of Calistoga and inform a Sphere Of Influence Update.

2022

Congress Valley Water District SOI

Sphere Of Influence Update for the Congress Valley Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

Circle Oaks County Water District SOI

Sphere Of Influence Update for the Circle Oaks County Water District will be informed by the Countywide Water and Wastewater Services Municipal Service Review.

County Service Area No. 4 MSR and SOI

Municipal Service Review will examine the governmental services provided by County Service Area No. 4 and inform a Sphere Of Influence Update.

Napa County Mosquito Abatement District MSR and SOI

Municipal Service Review will examine the governmental services provided by the Napa County Mosquito Abatement District and inform a Sphere Of Influence Update.

Town of Yountville MSR and SOI

Municipal Service Review will examine the governmental services provided by the Town of Yountville and inform a Sphere Of Influence Update.

Recent MSRs and SOI Updates / Study Schedule 2018-2022				
Local Agencies	Last MSR	Next MSR	Last SOI Update	Next SOI Update
CITIES/TOWN				
American Canyon	June 2009	April 2018	June 2010	April 2018
Calistoga	December 2016	December 2021	December 2016	December 2021
Napa	December 2013	April 2020	February 2014	December 2020
St. Helena	May 2008	October 2018	August 2008	December 2018
Yountville	April 2017	October 2022	April 2017	October 2022
SPECIAL DISTRICTS				
American Canyon Fire Protection District (ACFPD)	June 2009	April 2018	August 2010	April 2018
Circle Oaks County Water District (COCWD)	August 2016	December 2019	August 2016	April 2022
Congress Valley Water District (CVWD)	December 2017	December 2019	December 2017	February 2022
County Service Area No. 3 (CSA 3)	June 2009	April 2018	October 2012	April 2018
County Service Area No. 4 (CSA 4)	December 2017	June 2022	December 2017	June 2022
Lake Berryessa Resort Improvement District (LBRID)	April 2011	December 2019	December 2012	August 2020
Los Carneros Water District (LCWD)	August 2016	December 2019	August 2016	August 2021
Monticello Public Cemetery District (MPCD)	July 2016	June 2021	July 2016	June 2021
Napa Berryessa Resort Improvement District (NBRID)	April 2011	December 2019	April 2013	August 2020
Napa County Flood Control & Water Conservation District (NCFCWCD)	June 2016	December 2019	June 2016	April 2021
Napa County Mosquito Abatement District (NCMAD)	June 2017	June 2022	June 2017	June 2022
Napa County Regional Park and Open Space District (NCRPOSD)	December 2010	December 2018	December 2010	December 2018
Napa County Resource Conservation District (NCRCD)	April 2016	February 2021	April 2016	February 2021
Napa River Reclamation District No. 2109 (NRRD)	December 2016	December 2019	December 2016	October 2021
Napa Sanitation District (NSD)	April 2014	December 2019	October 2015	December 2020
Pope Valley Cemetery District (PVCD)	July 2016	June 2021	July 2016	June 2021
Silverado Community Services District (SCSD)	April 2014	April 2021	October 2015	April 2021
Spanish Flat Water District (SFWD)	April 2011	December 2019	August 2013	August 2020

South County Region MSR and SOI Updates

Public Cemetery Districts MSR and SOI Updates

Countywide Water and Wastewater Services MSR

Policy	Priority	Adopted or Last Amended	Complete Review
Legislation	1	N/A	December 2017
Unincorporated Islands *	1	October 2011	February 2018
Outside Service Agreements	1	April 2016	April 2018
Conflict of Interest Code	1	October 2016	August 2018
Spheres of Influence *	1	October 2011	October 2018
Municipal Service Reviews	1	October 2015	December 2018
Annexations *	2	October 2011	February 2019
Disadvantaged Unincorporated Communities	2	N/A	April 2019
Definitions *	2	October 2011	June 2019
CEQA	3	December 2006	August 2019
Appointment of Public Members	3	April 2008	October 2019
Appointment of Chair and Vice-Chair	3	June 2015	October 2019
Budget	3	June 2016	December 2019
Budget Contributions and Collection of Funds	3	April 2001	December 2019
Establishing Officers of the Commission	3	August 2004	February 2020
Executive Officer Performance Review	3	October 2014	February 2020
Executive Officer Purchasing Authority	3	October 2014	February 2020
Records Retention and Destruction	3	December 2015	April 2020
Social Media	3	October 2011	April 2020
Conducting Meetings and Business	3	December 2015	June 2020
Scheduling of Meetings	3	June 2016	June 2020
Indemnification	3	October 2014	August 2020
Conducting Authority Proceedings	3	December 2008	August 2020
Appointment of Commission Counsel	3	April 2001	October 2020
Work Schedule	3	June 2002	October 2020
Telecommuting	3	July 1997	December 2020
Travel Policy	3	November 2009	December 2020

* Currently Part of General Policy Determinations



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Budget Policy

(Adopted: August 9, 2001; Last Amended: June 6, 2016; Draft Amendment Presented: 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.) §Section-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 towneities, 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 and the Executive Officer which will terminate each year 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 the entirety of the affected fiscal 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:

- 1) 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.
- 2) 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.

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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:

- 1) 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.
- 2) The Executive Officer is authorized to act as the agent for LAFCO in procuring necessary quarters, equipment, supplies, and services.
- 3) 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.
- 4) The Executive Officer is delegated purchasing authority on behalf of LAFCO for necessary quarters, equipment, supplies, and services not to exceed ~~\$3,000~~ \$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.
- 5) 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.
- 6) 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.

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LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Establishing the Officers of the Commission

(Adopted: August 9, 2001; Amended: August 3, 2004; ~~Draft Amendment Presented: November 18, 2019~~)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000 includes provisions specifying the composition of the Commission in Chapter 2 (commencing with Section 56325). In addition, these sections specify the procedures to select Commissioners, terms of office, and- selection of the Chair of the Commission.

II. Purpose

It is the policy of the Commission to establish policies which provide for the smooth and consistent operations of Commission business. The selection of officers of the Commission is a regular occurrence and therefore should follow adopted policy.

III. Officers of the Commission

A) The officers of LAFCO shall consist of a Chair, a Vice Chair, and a Clerk.

~~—B) -The Chair and Vice Chair shall be appointed and serve terms in accordance with Section V- “Appointment of Chair and Vice Chair”.~~

~~C) The Executive Officer or the Executive Officer’s designee shall serve as the Clerk.~~

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IV. Duties of Officers

A) ~~-Duties of the Chair:-~~ The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission according to ~~—~~ “Rosenberg’s Rules of Order”. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.

B) ~~-Duties of the Vice Chair:~~ In the absence of the Chair, the Vice Chair shall assume all duties and responsibilities of the Chair’s office.

~~C) The Executive Officer or designee shall serve as the Clerk.~~

~~DC) -Duties of the Clerk:~~ The Clerk shall call the roll, note approval of the minutes or corrections thereto, maintain record of testimony and action of the Commission on each item, and any other action deemed appropriate and necessary by the Commission to conduct its meetings and business.

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V. Appointment of Chair and Vice Chair

~~It is the policy of the Commission that:~~

A) ~~-Term of Office:~~ The terms of office of the Chair and Vice Chair shall be for one year, ~~from May 1 to April 30 beginning on the first Monday in May.~~

B) ~~-Rotation Schedule:~~ Pursuant to the chart below the Commission herby establishes The Chair and Vice Chair ~~are automatically shall be~~ appointed according to the following annual rotational system ~~for the appointment of the Chair and Vice Chair~~, effective May ~~1, 2020~~, unless a temporary change is made pursuant to Section ~~V-(C)-(2)~~:

<u>Chair Designations</u>	<u>Vice Chair Designations</u>
City Member I	County Member I
County Member I	City Member II
City Member II	County Member II
County Member II	Public Member
Public Member	City Member I

It shall be the responsibility of the Executive Officer to maintain a record of the seat designations and occupants, and to annually inform the Commission prior to the rotation.

~~C) Pursuant to the table in Section 2 above, the Chair on May 1, 2015, shall be the occupant of the seat designated City Member I.~~

The Commission may create temporary changes to the "Rotation Schedule" rotation as part of an action item placed on a meeting agenda.

VI. - Vacancy

The offices of Chair and Vice Chair shall reside with the particular appointing authority individual assigned to a designated seat. In the event that a Commissioner serving as Chair or Vice Chair is no longer able to serve on the Commission for any reason, the remainder of that Commissioner's term in office shall be fulfilled by the other Commissioner from the same appointing authority (for example, if the Commissioner designated as "City Member I" is removed from the office of Chair in January, the Commissioner designated "City Member II" shall serve as Chair ~~until through the day immediately prior to the first Monday in May April 30~~), subject to the following:

1) ~~-On the first Monday in May May 1~~, the established rotation ~~schedule~~ set forth in Section ~~V-(B) "Rotation Schedule"2~~, above, shall resume.

2) ~~-Should the office of Chair or Vice Chair be vacated by the Public Member, the alternate Public Member shall fulfill the remainder of the officer's unexpired term. In the absence of an alternate Public Member, the Commission shall appoint another Commissioner at its next meeting to fulfill the remainder of the officer's unexpired term.~~

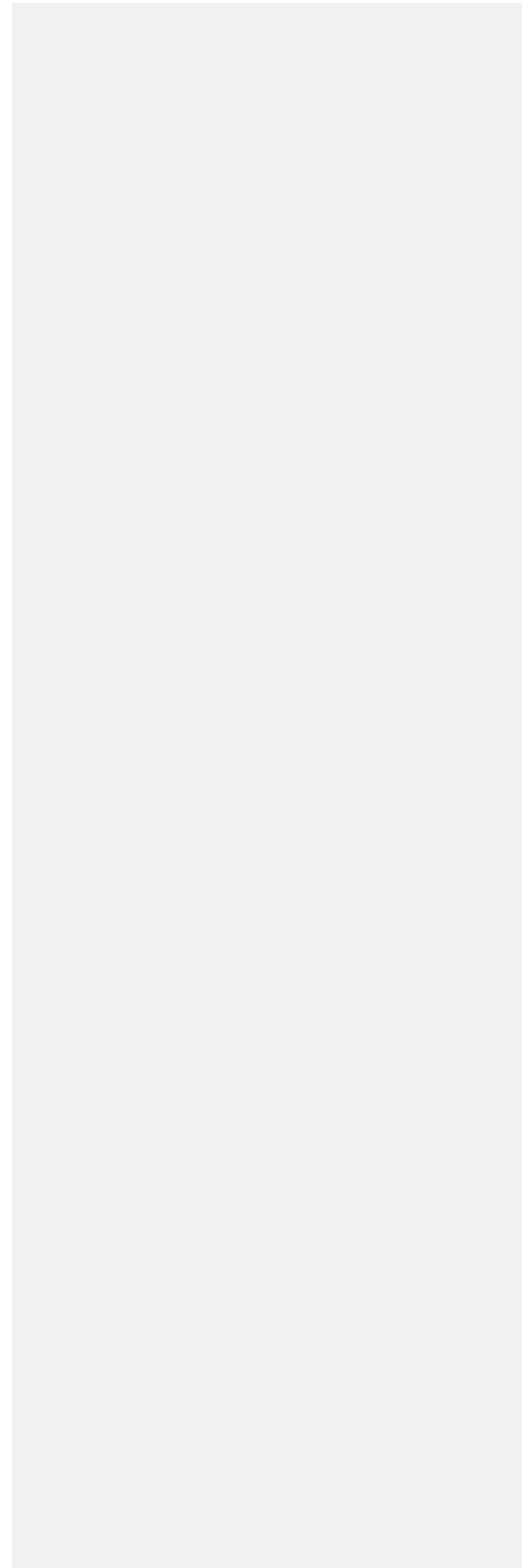
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[Policy on Establishing the Officers of the Commission](#)
[Page 2 of 2](#)

The Commission may create temporary changes to the schedule in Section 2 as part of an action item placed on a meeting agenda.





LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on the Appointment of a Public Member and Alternate Public Member

(Adopted: October 11, 2001; Last Amended: April 7, 2008; [Draft Amendment Presented: November 18, 2019](#))

I. Background Authority

I.

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for the composition of the Commission including the Public Member as follows:

The composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” The Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the appointing authorities (California Government Code (G.C.) §56325(d)).

II. Purpose

It is the intent of the Commission to establish a policy for the appointment of a public member and alternate public member which is consistent with CKH. This policy also includes procedures to address a vacancy in the position and other relevant matters.

III. Eligibility

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time he or she is an officer or employee of the County, a city, town or district within Napa County. ~~1 a local public government agency. No person may also serve as public member or alternate public member if he or she~~ For purposes of this policy, an officer of a local government agency is a member of a local public board, commission, ~~or~~ committee, or council with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

IV. Term of Office

The term of office for Public Member and Alternate Public Member shall be four years and shall end on the first Monday in May of the year in which the term expires. The Public Member and Alternate Public Member shall continue to serve until ~~his or her~~ a successor is appointed.

¹ The term “district” is defined in G.C. §56036.

V. Appointment Procedures

A.7 New Term for Public Member or Alternate Public Member

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the Public Member or Alternate Public Member, the following procedures will be taken:

At a regular meeting ~~no less than at least~~ 120 days prior to the scheduled expiration of the Public Member or Alternate Public Member's term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take either one of the following two actions as set forth in the following subsection 1 or 2 below.

1) Direct the Executive Officer to recruit candidates and schedule a public hearing date to consider making an appointment to the position. Tasks of the Executive Officer shall include, but not limited to, the following:

(a) At least 60 days prior to the scheduled hearing for the appointment, ~~Issue~~ a notice announcing the vacancy and that the Commission is accepting applications for the position ~~no less than 60 days prior to the scheduled hearing for the appointment.~~ The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in the newspaper of general circulation, the Napa Valley Register.² The notice shall indicate if the incumbent is eligible for reappointment.

(b) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission ~~no less than~~ at least 14 days prior to the scheduled hearing for the appointment.

(c) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

2) If the incumbent is eligible and has served no more than ~~all or a portion of one~~ four-year term, the Commission may direct the Executive Officer to schedule a public

² For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County. Publishing in the newspaper of general circulation-Napa Valley Register shall be conducted by publishing, at minimum, a prominently placed display ad.

hearing to consider approving reappointment. Tasks of the Executive Officer shall include, but not limited to, the following:

~~(a) a.~~ Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted ~~no less than~~ at least 21 days prior to the hearing for which the reappointment has been scheduled.

~~b(b).~~ If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

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B.) Mid-Term Vacancies for Public Member

An appointment to fill an unexpired term for the position of Public Member or Alternate Public Member shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted at least 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term. An appointment to fill an unexpired term will occur as follows:

1) Public Member: If the position of Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:

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~~1. Choose from among the remaining applicants candidates for the position if no more than 12 months have passed since the appointment of the public member.~~

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(a) Appoint the Alternate Public Member.

(b) Fill the position in the manner prescribed in Section V-(A) "New Term for Public Member or Alternate Public Member" for the appointment ~~for of the~~ Public Member to a new term.

~~An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.~~

Mid-Term Vacancy for Alternate Public Membe2))
Alternate Public Member:

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If the position of Alternate Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term in the manner prescribed in the preceding sSection V-(A) "New Term for Public Member or Alternate Public Member" for the appointment of the Alternate Public Member to a new term through one of the following:

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~~4. Choose from among the remaining applicants/candidates for the position if no more than 12 months have passed since the appointment of the alternate public member.~~

~~Fill the position in the manner prescribed in the preceding section for the appointment of an Alternate Public Member to a new term.~~

~~An appointment to fill an unexpired term shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted no less than 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term.~~

C) Conducting Public Hearings for Appointing a Public Member or Alternate Public Member

It is the policy of the Commission that a public hearing to appoint either the Public Member or Alternate Public Member shall be conducted as follows:

~~4. The Chair shall open the public hearing and first invite candidates to address the Commission. The Chair shall then invite public comments from the audience. Upon the close of the public comment period, the Public Member or Alternate Public Member will be selected based upon a motion and second followed by an affirmative vote. ~~the Chair shall ask each commissioner to make one nomination. Commissioners may nominate anyone from the applicant candidate pool, and an applicant candidate may receive more than one nomination.~~~~

~~After each commissioner has made a nomination, the Chair shall ask if there is a second to any of the nominations. If there is a second, the Chair shall call for a vote on that nomination. If the vote is in the affirmative, the appointment is made. If the vote is not in the affirmative, the Chair shall call for a second to another of the nominations. This process shall continue until an appointment is made or all of the nominations are exhausted.~~

~~If all of the nominations are exhausted, the Chair shall begin the entire procedure again by calling for one nomination from each commissioner. This shall continue until a candidate is selected.~~

~~If all of the nominations are exhausted, the Chair may 1) shall begin the entire procedure again by calling for one nomination from each commissioner or 2) call for the use of the ballot system as described in Paragraph 5. This shall continue until a candidate is selected.~~

~~If the Chair calls for use of a ballot system, then the Clerk shall provide each commissioner with a ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of a candidate from among the applicants. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate.~~

~~If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and shall provide each commissioner with a second ballot that has been preformatted to label their printed name. Each commissioner shall mark the ballot with the name of candidate from among those candidates that received votes in the previous round of voting. The ballots are then submitted to the Clerk for tabulation. The Clerk determines the number of votes for each candidate. If a candidate receives at least three votes, the Clerk announces the name of the candidate and the number votes. The Commission then formally votes to appoint that candidate. If no candidate receives at least three votes, the Clerk shall announce which candidates received votes and the Commission shall engage in another round of voting. This shall continue until a candidate is sele~~



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Telecommuting

(Adopted: July 8, 1997; ~~Draft Amendment Presented: November 18, 2019~~)

I. Background:

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 is the enabling legislation for LAFCO. The Act includes the legislative intent, powers and composition of the Commission. LAFCO is established as an independent agency although the Commission is comprised of local government representatives. Each LAFCO has the authority to establish standards and policies to reflect local conditions. In order to carry out its legislative mandate, the Commission has the authority to ~~appoint or contract for staff as follows:~~

~~To appoint and assign staff personnel and to employ or contract for professional or consulting services to carry out and effect the functions of the commission (Government Code (G.C.) §56375(k).~~

II. ~~Introduction and Purpose~~

LAFCO considers telecommuting to be a viable work option that, when appropriately applied, benefits both the organization and the individual employee. Various studies confirm that telecommuting is cost effective and has a positive environmental impact (Forbes, July 20, 2017). It is the intent of the Commission to adopt a policy which allows staff to telecommute at the discretion of the Executive Officer.

~~Telecommuting is defined as allowing designated employees, on a periodic basis and during their scheduled work hours, to fulfill their job responsibilities at a site other than their primary work location. Telecommuting or allowing some employees to work at home during a part of their scheduled hours, can both accommodate the needs of the employees and benefit the County community by reducing distractions, interruptions, stress, traffic, greenhouse gas emissions, and parking impacts. The County LAFCO considers telecommuting to be a viable work option that, when appropriately applied, benefits both the organization and the individual employee.~~

~~Telecommuting is defined as allowing designated employees, on a periodic basis and during their scheduled work hours, to fulfill their job responsibilities at a site other than their primary work location.~~

I.III. Telecommuting Guidelines and Principles

Telecommuting is a cooperative arrangement between the supervisor and employee, not an entitlement, and is based upon the needs of the job, ~~work group and County as well as~~ the employee's past and present levels of performance. Jobs suitable for telecommuting are characterized by clearly defined tasks and work products. ~~A telecommuter's performance is measured by output, not work location.~~ Telecommuting is a tool allowing for flexibility in work options. Telecommuting does not change the basic terms and conditions of employment with ~~the County~~LAFCO. Each telecommuting arrangement is jointly agreed between the employee and ~~supervisor~~Executive Officer, ~~and approved by the Department Head.~~ Telecommuting is voluntary and may be terminated, at will, at any time either by the ~~County~~Executive Officer or the employee.

~~County provided equipment at home is not an entitlement on telecommuting. Depending on the job, equipment needs for telecommuters will vary from as little as phone, paper and pencil to as much as a computer, modem, printer, data line and fax machine. Some equipment may be provided at the County's option and availability.~~

- ~~• Work products generated while telecommuting shall be transferable and/or compatible with County equipment and software.~~

H.IV. Ground Rules

~~Telecommuting occurs on a part-time basis. Salary, job responsibilities, and benefits and County-sponsored insurance coverages do not change as a result of telecommuting. Telecommuters shall have regularly scheduled work hours agreed upon with their supervisor the Executive Officer and Department Head and remain obligated to comply with all County rules, policies and procedures. Telecommuters will be as accessible as their on-site counterparts during their agreed upon regular business hours, regardless of work location. Telecommuters will exercise caution to ensure they have a safe work area. ~~Telecommuters who work at home will have a designated work space agreed to by the County and maintained by the employee, and subject to supervisor and/or Department Head visit to the designated work area to ensure that safe work conditions exist. The County shall not be responsible for any costs related to remodeling and initial set up (e.g. furniture, fixtures) of the designated work space. Telecommuters working at home will take all precautions necessary to secure privileged information in the home and prevent unauthorized access to any County the LAFCO shared drive system from the home. Telecommuters may be expected to provide telecommuting equipment such as a computer, appropriate software applications, modem, printer and telephone access line at their own expense. The County, at its discretion, may assist employees in such purchases. Telecommuter's tax implications related to the home work space are the responsibility of the employee. Telecommuting expenses not covered in this policy related to equipment will be dealt with on a case-by-case basis between the employee and the Department Head Executive Officer. Telecommuters who work at home will manage dependent care and personal responsibilities in a manner that allows them to successfully fulfill job responsibilities. Telecommuters, their supervisor and the Department Head will jointly sign a Telecommuting Agreement that can be terminated at any time by either the County or the employee. Telecommuters shall comply with all established employment rules and regulations as set forth by the County of Napa.~~~~

Selection Criteria

~~Criteria to be considered when assessing the feasibility of telecommuting are:~~

~~Job Characteristics~~

~~Clear and definable tasks and work products exist or can be identified, and work activities are measurable, including objectives with identifiable time frames and check points.~~

~~Minimal face-to-face communication requirements (communication can be handled over the telephone, voice mail, or electronic mail)~~

~~Position already works independently in the handling of information, such as writing, reading, telephoning, planning, computer programming, and word processing.~~

~~Minimal requirements for special equipment exist.~~

Employee Characteristics

~~Demonstrated ability to perform and high job knowledge.~~

~~Not in a probationary status.~~

~~Self motivated, self disciplined, and self directed.~~

~~Skilled in planning, organizing, managing time, and meeting clear standards and objectives, and in achieving results and working independently.~~

Supervisory Characteristics

~~Ability to establish clear objectives and job measurements.~~

~~Provides regular feedback on employee's perfor~~

~~Facilitates open communication and ongoing interaction with telecommuter.~~

Equipment Considerations

~~The need for telecommuting equipment shall be determined on a case by case basis by the employee and supervisor. Generally, employees will be required to provide telecommuting equipment with County compatible software programs unless justified by the needs of the County and the nature of the work assignment. The Department Head shall have final determination of the employee need of County equipment for telecommuting purposes. Once approved, the installation, repair and maintenance of telecommuting equipment becomes the responsibility of the County; the supervisor shall track the use of equipment to ensure it is used for business purposes and in meeting the goals of the department.~~

~~The County, at its sole discretion, may choose to provide equipment and related supplies for use by the employee while telecommuting or may permit the use of employee owned equipment subject to County rules and limitations. The decision as to the type, function, and/or quality of electronic hardware, modems, systems access, data and phone lines shall rest entirely with the County. The employee agrees that the use of equipment, software, data and supplies provided by the County for use by the employee is limited to authorized persons and for purposes related to County business only.~~

~~Should the County determine that the employee's job no longer necessitates or requires in-home equipment services, or the employee terminates employment, the employee shall return all County owned equipment, software, data and supplies. The decision to remove or discontinue use of such equipment rests solely with the County.~~

~~The employee agrees to designate an appropriate work space within his/her remote work location for placement and installation of any County provided equipment. When employee owned equipment is used, it may be inspected prior to initiation of the telecommuting agreement. Repairs to employee owned equipment will remain the~~

~~responsibility of the employee. The County does not assume any liability for loss, damage or wear of employee-owned equipment.~~

~~The County may at any time change any and all of the conditions under which employees are permitted to telecommute, and the County will not be liable for employees' costs, including but not limited to any investment in furniture or equipment for the designated work space. Any telecommuting expenses not specifically covered in this policy will be dealt with on a case-by-case basis between the employee and the Department Head.~~

~~A successful performance evaluation process requires that supervisors and employees jointly set clear and measurable performance objectives, including:~~

- ~~• Identifying the specific tasks and behavior objectives to be accomplished during a performance cycle.~~
- ~~• Establishing how to measure the objectives.~~
- ~~• Prioritizing work by identifying those results most crucial and those that can be deferred.~~
- ~~• Analyzing how objectives support work goals.~~

~~Management Guidelines~~

~~Supervisors and managers shall define tasks as much as possible in terms of output. Having measurable results and, if possible, milestones built into the job makes remote supervising much easier. Supervisors of telecommuters must focus on the employee's expected work product.~~

~~Frequent communication between the supervisor and the telecommuter is important to ensure that tasks and performance expectations are clearly defined. Electronic and voice mail access for the telecommuter facilitates daily contact with the supervisor and other County personnel. Telecommuters should be easy to reach within a reasonable amount of time.~~

~~Timekeeping/Reporting and Liability~~

~~All County policies and Memoranda of Understanding regarding attendance and hours worked shall apply to telecommuting employees. The telecommuter and his/her supervisor shall agree upon a schedule of regular work hours, to be approved by the Department Head. Unless a different work schedule is designated, telecommuter's work hours are assumed to be 8:00 a.m. to 5:00 p.m., Monday through Friday, with scheduled break periods and lunch period that are considered off-duty time. Any changes of work hours or work location shall be reviewed and approved by the supervisor and Department Head.~~

~~Telecommuters are generally expected to spend the entire telecommuting day at the same remote work location. Only travel specifically authorized by the telecommuter's supervisor and Department Head will be considered business travel. Establishing a remote work location does not make the telecommuter's regular commute to his/her primary work location a business trip or subject to compensation.~~

~~The telecommuter remains liable for injuries to third parties and/or members of the employee's family on the telecommuter's premises.~~

OVERTIME

~~It is expected that employees who telecommute may be required to work beyond the customary work week to ensure successful completion of job responsibilities. Existing policies, laws, and Memoranda of Understanding are applicable to these situations, and as for all employees, overtime work shall be pre-authorized by the supervisor.~~

INFORMATION SECURITY

~~The Napa County Computer Information Use and Security Policy that applies to on-site employees shall apply to telecommuters. The telecommuting employee is responsible for ensuring compliance with the Computer Use Policy and security of information at their home work site.~~

SAFETY AND ON-SITE INSPECTIONS

~~The employee has the responsibility to maintain his/her home work space in a safe condition, free from hazards or other dangers. The employee shall allow the County to visit the employee's home work space for the purpose of determining that it is safe and free from hazards. The County does not assume any liability for loss, damage, or wear of employee-owned equipment, furniture, etc.~~

SECURITY

~~The information provided by the County for telecommuter use, generated in the course of telecommuting, and/or used by the telecommuter for approved County purposes is owned and an asset of the County and must be protected from unauthorized, incorrect or accidental access, use, modification, destruction or disclosure.~~

~~The County has an unrestricted right of access to and disclosure of all data and software on any County equipment or media, at the request of the appropriate County official(s). Information generated or placed into personally owned personal computers being used on County time, as well as work undertaken on behalf of the County during or outside of any County worksite and/or work hours shall be made available for review at the request of appropriate County officials. Such access and disclosure shall be in accordance with, and subject to any controls or restrictions imposed by applicable statutes or licenses.~~

~~Employees shall be accountable for securing information by taking reasonable and prudent measures to safeguard information on a routine basis. Information will be protected by the employee in a manner consistent with its value, in all forms (e.g. written, oral, video, computer) throughout its life cycle~~