

Local Agency Formation Commission of Napa County

Policy for Budget Contributions and Collection of Funds

(Adopted: April 11, 2001)

Government Code §56381 establishes that the Commission shall adopt annually a budget for the purpose of fulfilling its duties under the Cortese-Knox-Hertzberg Local Government Reorganization Act. 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 and each independent special district 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, a city, or an independent special district 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, city, or district. The auditor shall provide written notice to the county, city, or district 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 the provisions of G.C. §56381(c), the policy of the Commission is:

1. If the county, a city, or an independent special district 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 Government Code §56381(c) and this policy, the Auditor is empowered 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, a city, or an independent special district 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.