

Les Baugh
County Member

Larry Farr
City Member

Stan Neutze
City Member Alternate

Francie Sullivan
City Member

Irwin Fust
Special District Member

Mary Rickert
County Member Alternate

Brenda Haynes
Special District Member



Larry Russell
Public Member

David Kehoe
County Member

Patricia A. Clarke
Special District Alternate

Vacant
Public Member Alternate

George Williamson
Executive Officer

James M. Underwood
General Counsel

Kathy Bull
Manager

Agenda Item: 9.b.

Meeting Date: June 7, 2018

From: George Williamson, Executive Officer and Kathy Bull, Office Manager

Subject: Policy and Procedures Chapter 1 Revision

Background

Shasta LAFCO established and adopted written Policies and Procedures March 1, 2001 pursuant to Section 56300(a) of the Cortese-Know-Hertzberg Local Government Reorganization Act of 2000.

In order to keep the Policies and Procedures current, Chapters 1, and 2 of the Policies and Procedures were revised, presented and approved by the Commission on April 6, 2017. On October 5, 2017 Chapters 3 and 4 were revised, presented and approved by the Commission. Chapters 5 and 6 were merged, revised; Chapters 7, 8 and 9 eliminated, presented and approved by the Commission on December 7, 2017 and the finalized Policies and Procedures approved February 1, 2018.

Discussion

The completed Policy and Procedures with revisions was provided for the Commission's consideration in its entirety at the February 1, 2018 Commission Meeting. The finalized Policies and Procedures was approved by Resolution 2018-01, however, the Commission asked for a change in verbiage used for the Commissioners term of office. It was agreed that Mr. Underwood would provide staff the necessary language changes and those changes brought back to the Commission for verification of changes made as seen below and in the attachment.

2.2 Commission Composition/Term of Office

The Shasta LAFCO composition shall be as prescribed in LAFCO statute § 56325, summarized as follows:

- Two regular and one alternate County member appointed by the board of supervisors;
- Two regular and one alternate City member appointed by the city selection committee;
- Two regular and one alternate independent special district member from legislative bodies;
- One regular and one alternate public member, appointed by the other Commission members.

Pursuant to LAFCO statute Section 56334, the term of office of each LAFCO member shall be four years or until the appointment and qualification of his or her successor. Unless a new member appointment is earlier made by the board of supervisors or the city selection committee, or by vote of the independent special districts, the expiration date of the term of office of each member shall be the last Monday in January in the year in which the term of the member expires unless this Commission exercises its statutory authority to specify an alternate expiration date which shall be uniformly applied to all

members; provided, however, that the length of a term of office shall not be extended more than once. Any commission membership vacancy shall be filled for the unexpired term by appointment by that body that originally appointed the member whose office has become vacant. ~~Refer to Commissioner terms adopted by reference.~~

Recommendation

Accept proposed language for inclusion in Policy and Procedures Chapter 1 Revision.

Attachment: Policy and Procedures – Chapter 1 pages 1-2

Shasta LAFCO Policies and Procedures

CHAPTER 1

COMMISSION ORGANIZATION AND OFFICIAL BUSINESS TRANSACTION

Section 1. Introduction

1.1 Statutory Authority

Cortese-Knox-Hertzberg Local Government Reorganization Act (the Act) Section 56300: requires each LAFCO to establish written policies and procedures that discourage urban sprawl, preserve agricultural land resources; encourage orderly formation of local governmental agencies; and facilitate constructive changes in government structure and boundaries. Section 56375 requires each LAFCO's actions on organization change to be consistent with its written policies and procedures.

1.2 Statement of Purpose

The purpose of the policies and procedures set forth in this Chapter is to establish how provisions of the Act, pertaining to commission organization and transaction of official business will be implemented and applied by the Shasta Local Agency Formation Commission hereinafter referred to as "Shasta LAFCO" or "Commission".

Section 2. Commission Organization

2.1 Legislative Charge to Commission

Pursuant to Shasta LAFCO statute Section 56325.1: "While serving on the commission, all commission members shall exercise their independent judgment on behalf of the interests of residents, property owners, and the public as a whole in furthering the purposes of this division. Any member appointed on behalf of local governments shall represent the interests of the public as a whole and not solely the interests of the appointing authority. This section does not require the abstention of any member on any matter, nor does it create a right of action in any person."

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2.3 Commission Compensation

Regular and alternate Shasta LAFCO members shall be eligible for reimbursement for reasonable and necessary expenses pursuant to LAFCO statute Section 56334.

2.4 Disclosure of Contributions and Expenditures

LAFCO statute Section 56100.1 permits a Commission to require disclosure of contributions, as defined in Section 82015, expenditures, as defined in Section 82025, and independent expenditures, as defined in Section 82031, made in support of or opposition of a proposal, through the adoption of written policies. This disclosure is in addition to any disclosure already required by Political Reform Act Section 81000.

It is Shasta LAFCO's position that the public interest would be served by adopting policies and procedures pertaining to disclosure of contributions, expenditures, and independent expenditures, as defined, and that adoption of such policies and procedures will promote the open, objective and impartial conduct of Commission business while maintaining the opportunity of the public to present their views and opinions to Commissioners.

Procedures pertaining to disclosure of contributions, expenditures, and independent expenditures shall apply to any proposed change of organization or reorganization, or sphere of influence adoption or amendment, for which an application has been filed with Commission staff, or a sphere of influence review initiated by the Commission.

2.4.1 Procedures for Disclosure of Contributions and Expenditures: A Commissioners shall make public each contribution, expenditure, and independent expenditure, by disclosure in the following manner:

1. Disclosures shall be reported by a Commissioner on a form approved by the Commission, and such completed form shall be delivered to the Executive Officer within seven (7) days after receipt of a contribution, expenditure, or