

RESOLUTION NO. 171

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING AN AMENDMENT OF THE FRESNO LAFCO FINANCIAL AND ACCOUNTING
PROCEDURES**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contains provisions providing for Local Agency Formation Commissions to seek independence when possible and practical; and

WHEREAS, on December 7, 2011, the Commission established written Financial and Accounting Procedures (Procedures) to provide appropriate internal accounting, maintain proper administrative controls, and establish a uniform and systematic approach to LAFCo's financial and accounting processes; and

WHEREAS, on September 11, 2013, the Procedures were revised to improve the Procedures based on management comments from the 2011-2012 fiscal year audit; and

WHEREAS, the Executive Officer prepared a report recommending amendment of the Procedures for general clarity and overall improvement of the document's organization and, specifically, to clarify the purchasing procedures presented therein which relate to authorization of the Executive Officer to approve service agreements for operational/day-to-day matters, said report having been mailed at least five days before the public hearing; and

WHEREAS, the Commission reviewed and considered the proposed amendments to the Procedures, which were included in the Executive Officer's report to this Commission as presented in Exhibit "A," and

WHEREAS, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said proposed amendments.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission of Fresno County does hereby determine and order as follows:

Section #1. This Commission approves the Amendments of the Fresno LAFCo Financial and Accounting Procedures.

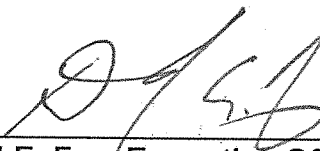
ADOPTED THIS 14th DAY OF JUNE 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, QUINTERO, SANTOYO, SILVA
NOES: NONE
ABSENT: MAGSIG

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation, Commission, Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission at a noticed public hearing held on the 14th day of June 2017.



David E. Fey, Executive Officer
Fresno Local Agency Formation Commission

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-DRAFT-

Exhibit "A"

Fresno LAFCo Financial and Accounting Procedures

Adopted

December 7, 2011

Revised

October 10, 2012

September 11, 2013

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Introduction

~~A.~~

~~Each year, following noticed public hearings, the Commission adopts proposed and final budgets. In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the proposed budget must be adopted by May 1st and the final budget by June 15th. The budget is based on a July 1st to June 30th fiscal year. In order to get an early start on the budget and allow for careful consideration of the budget options, the Executive Officer will present a preliminary budget to the Commission in March of each year in order to obtain advance direction from the Commission.~~

B.A. Purpose

These Financial and Accounting Procedures shall ~~are intended to serve as a guide to the fiscal procedures of the Fresno Local Agency Formation Commission (LAFCo/LAFCo).~~ These procedures ~~are intended to provide good appropriate~~ internal accounting, maintain proper and administrative controls, and establish a uniform and systematic approach to LAFCo's financial and accounting process.

The Executive Officer is responsible for following these procedures.

Financial Audit Policy

It is LAFCo a ~~This policy of the Fresno LAFCo to~~ provides for conduct alternating financial audits and reviews ~~to be conducted every two years, or when there is a change in Executive Officer, or~~ and upon the Commission's direction.

The Executive Officer is responsible for following these procedures.

C.B. LAFCo Funding

Each year, following a noticed public hearing, the Commission adopts an annual budget. In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), the proposed budget must be adopted by May 1st and the final budget by June 15th. The budget is based on a July 1st to June 30th fiscal year. In order to get an early start on the budget and allow for careful consideration of the budget options, the Executive Officer will

present a preliminary budget to the Commission in March and a proposed budget in April, prior to submittal of the final budget in May.

The ~~Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000~~CKH provides that the operational costs of LAFCOs shall be shared one-half by the County and one-half by cities where only the County and cities are represented on the Commission. In the event that special districts choose to be represented on the Commission, LAFCo funding would then be shared one-third by the County, cities, and the independent special districts, or by an alternative method approved pursuant to section 56381(b)(4) of the California Government Code.

~~The LAFCo budget is also augmented by fees established by the Commission in accordance with section 56383 of the California Government Code for services rendered to process applications for annexations, reorganizations, and detachments, as well as other LAFCo actions.~~

The County Auditor is responsible for apportioning the Commission's net operating costs to the County and the cities according to a formula established by CKHGovernment Code Section 56381.

~~If the County or a city does not remit its required payment within 60 days, the Executive Officer shall request that the County Auditor collect an equivalent amount from the property tax, or any fee or eligible revenue owed to that county, city, or district, pursuant to Government Code CKH Section 56381(4)(c).~~

Pursuant to GC sec. 56381(4)(c).

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. Any expenses incurred by the commission or the auditor in collecting late payments or successfully challenging nonpayment shall be added to the payment owed to the commission. Between the beginning of the fiscal year and the time the auditor receives payment from each affected city and district, the board of supervisors shall transmit funds to the commission sufficient to cover the first two months of the commission's operating expenses as specified by the commission.

The LAFCo budget may be augmented by fees established by the Commission in accordance with CKH Section GC sec. 56383 for services rendered to process applications for changes of organization, reorganizations and other LAFCo actions.

D.C. Organization of Accounting System

1. **General:** Financial records shall be maintained in accordance with generally accepted accounting principles (GAAP) and applicable state regulations.
2. **Basis of Accounting:** Financial transactions shall be accounted for by the use of a cash basis of accounting, whereby revenues are recognized when they become available to finance expenditures of the current fiscal period, and expenditures are generally recognized when the related fund liabilities are incurred.
3. **Records:** LAFCo uses financial software (such as Quick-Books) to track deposits and expenses and reconcile bank and accounting records to create the monthly financial reports and the annual budget.
4. **Internal Controls:** the Executive Officer LAFCo shall organize and assign work duties and responsibilities so that a system of checks and balances are in place. This will include utilizing an independent bookkeeper to assist with maintaining financial records such as accounting and bank statements and monthly reports, entering vendor information in QuickBooks, reconciling bank statements, and requiring that proper authorizations be obtained for all budgetary actions taken.

E.D. Accounts Receivable Receipt Accountability

All receipts shall be processed in accordance with the following procedures:

1. The Executive Officer shall immediately be notified of all checks received.
2. If checks cannot immediately be deposited, they will be kept in a secured location until they can be deposited.
3. A receipt shall be issued upon receipt of checks accepted in the office.
4. All checks shall be photocopied and the photocopy attached to the receipt.

5. ~~The Executive Officer or Commission Clerk~~ shall prepare a deposit slip and deposit all checks into the LAFCo bank account authorized by the Commission.
6. The Executive Officer shall ~~first~~ initial the deposit slip acknowledging the deposit.
7. The deposit shall be entered into QuickBooks and reconciled with the bank statements maintained in file.
8. ~~Once each month, LAFCo staff~~ The Executive Officer shall provide the Commission with a monthly financial report showing the Commission's income and expenses for the preceding month.
- 4.9. On a semi-annual basis, the bookkeeper shall provide staff with a list of invoices over six-months old and staff will rebill the party agency to collect payment.

F.E. Expenditures

1. **Payroll:** The Executive Officer shall be responsible for approving the time sheets for all staff. However, the Executive Officer may delegate certain responsibilities related thereto ~~to the Commission Clerk (e.g. approval of LAFCo Technician's time sheets). When applicable, such time sheets shall be forwarded to the County's Payroll Department.~~
2. **Accounts Payable Vendor Invoice Control:** Invoices received shall be given to the Executive Officer for initial approval and assignment of appropriate account that the funds should be drawn from. Invoices shall then be conveyed for approval to the Chair, or in the absence of the Chair, the Chair Pro Tem ~~Vice Chair~~, or in their absence, any other Commissioner.

Once so approved, all invoices shall be paid once a month. Checks will be issued from LAFCo's two-signature account to pay the invoices.
3. **Travel Reimbursement:** All Commissioners and LAFCo staff shall make reasonable efforts to minimize Commission-related travel costs. The Executive Officer ~~or the Commission Clerk~~ shall review, verify, and initially approve all expense claims for travel. Expense claims shall then be conveyed for approval to the Chair, or in the absence of the Chair, the Vice Chair Pro Tem, or in their absence, any other Commissioner.

- a. **Lodging:** Lodging expenses (including room tax if charged) will be reimbursed at actual cost (single room rate), but not to exceed \$150.00 per night. In addition, when a room tax is charged, an amount equivalent to the room tax will be reimbursed.

Specified maximum reimbursement rates may only be exceeded to allow actual cost when an employee or Commissioner lodges at a "hosting hotel" where meetings, conferences, or training sessions are held so long as such rate is the designated "conference rate."

- b. **Per Diem:** A per diem allowance may be given to employees and Commissioners to cover personal items such as meals and tipping in lieu of requiring receipts for all expenses. The maximum day per diem rate for LAFCo officials and employees is \$60.00, but may be increased to \$75.00 when traveling to high cost cities as defined by the Internal Revenue Service.

If per diem is being claimed, the daily per diem amount will be adjusted by the following meal allowance for each meal provided in the registration charge:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

No reimbursement will be made for alcoholic beverages.

- c. **Transportation:** Prudent judgment shall be exercised in the selections of mode of transportation. Actual costs shall be reimbursed, based upon the supporting documentation. Use of personal vehicles for Commission business shall be reimbursed at the annual mileage reimbursement rate as determined by the Internal Revenue Service ~~(e.g. 57¢ per mile in 2015)~~ based on miles calculated from the LAFCo Office.
- d. **Other:** Proof of incidental expenses including, but not limited to, ~~business related long distance telephone calls,~~ bridge tolls, parking fees, gratuities, and taxis, shall be provided via a credit card statement or receipts.
- e. Upon return from travel, LAFCo Commissioners and staff shall submit required supporting documentation for travel reimbursement to LAFCo administrative

~~staff the Commission Clerk. The Clerk~~Staff will complete a "Travel Reimbursement Request" form for the Executive Officer's approval and signature. The form will be retained at the LAFCo office and form the basis for payment. The Commission Chair or ~~Vice Chair~~ Pro Tem shall approve travel reimbursement for the Executive Officer.

- f. At the end of each month, LAFCo staff shall reconcile travel expenditures and include this information in the next month's financial report.

G.F. Contingency Funds

LAFCo may establish a Contingency ~~Reserve~~ Fund to cover ~~minor emergencies-exigencies~~ and other unforeseen costs not budgeted but deemed necessary for the continued operation of the Commission. Expenditure of Contingency Funds must receive prior approval of the Commission. An emergency expense can be authorized from the Contingency Fund with approval of the Executive Officer and at least one Commissioner for an amount totaling less than \$5,000.00 during a monthly period. Funds not expended at the end of the fiscal year shall be carried over to the next fiscal year.

~~A Special Counsel Reserve legal Reserve Aaccount shall be maintained by LAFCo staff for the purpose of funding non-budgeted legal expenses as may occur from time-to-time. Expenditure of Special Counsel Reserve funds must receive prior approval of the Commission. Disbursement from this fund must be approved by LAFCo Commission action. Funds not expended at the end of the fiscal year shall be carried over to the next fiscal year.~~

All Contingency Funds shall be held in bank accounts approved by the Commission and the balance of these accounts shall be reported in the mid-year budget review report and annual budget report.

H.G. Purchasing

Once the Commission has adopted the annual budget, it shall be considered the controlling plan of expenditure. Purchases and acquisitions shall be processed within the limitations established by the amount of budgeted resources allocated.

The Executive Officer is authorized to approve purchases and shall be responsible for purchases of, and contract execution for, materials, supplies, furnishings, equipment and

professional services required by LAFCo in the performance of daily operations up to \$5,000 per transaction, not to exceed \$5,000 per fiscal year for any one service provider or vendor.00. ~~The Executive Officer may, at his or her discretion, delegate purchasing authority to the Commission Clerk.~~ Types of purchases the Executive Officer is authorized to approve include office supplies and equipment, copy machine leases, rental space, telephones, postage, incidental expenses directly related in support of CALAFCO, and ~~computer~~ administrative services. Supporting documents for said expenses will consist of actual invoices received for services.

The Commission will approve all other contracts for professional services such as LAFCo Counsel or the preparation of public documents such as municipal service reviews or environmental impact reports.

The procurement of goods, equipment, or services in excess of \$5,000 per transaction, or in excess of \$5,000 per fiscal year for any one service provider or vendor, shall be informed by a competitive bid process such as a request for proposals, and subject to Commission approval.

I.H. Authorizations

1. LAFCo staff may, with the Commission's authorization, ~~may~~ contract with a third party for disbursement of funds relating to staff and LAFCo expenses. Such expenses will be included in the each-monthly's financial report.
2. The Commission authorizes the use of local banks for the purpose of depositing funds received by LAFCo and disbursal of funds as described above.
3. All checks issued by LAFCo for normal business expenses shall have two signatures which shall consist of the Executive Officer and one Commissioner or two Commissioners if the Executive Officer is not available to sign.
4. A sSingle-signature account with a balance of not more than \$500.00 shall be maintained by the Executive Officer for small LAFCo-related expenses.

J.I. Annual Work Plan

Before July 1st, the ~~LAFCo~~ Executive Officer shall prepare for the Commission's review and approval an annual work plan. The work plan is prepared in conjunction with the law and annual budget. The work plan identifies the purposes and programs of State Law and local policy, including requirements for service reviews, sphere of influence updates, and other mandated functions. The work plan will correspond to the adopted fiscal year budget.

K.J. **Budget Preparation and Administration**

The ~~LAFCo~~ Executive Officer shall serve as the budget administrator, to prepare, present, transmit, review, execute, and maintain the LAFCo budget consistent with State Law and Commission policy. The Executive Officer shall provide the Commission with a mid-year periodic budget report ~~updates~~ comparing expenditures to the adopted budget.

L.K. **Capital Asset Management**

1. **Capitalization Policy:** Capital assets include furniture, fixtures, and equipment with a useful life of three or more years and a value of \$5,000 or more. Capital assets owned by LAFCo are accounted for at their historical cost, or estimated historical cost, if actual cost is not available and are subject to depreciation over their estimated useful lives.
2. **Inventory of Capital Assets:** LAFCo will maintain an inventory of capital assets, including equipment and furniture. ~~The inventory will be maintained by staff.~~ New assets will be added to the inventory as acquired and subtracted from the inventory as disposed.
3. **Depreciation of Useful Life:** Capital assets are depreciated using the straight line method over the estimated useful life. Estimated useful lives of fixed assets shall be determined by the Executive Officer. Furniture and fixtures will typically be assigned a useful life of up to 10 years, most office equipment (including computers) will be assigned a useful life of 3-5 years; and leased assets will be designated "life of lease."
4. **Repair of Fixed Assets:** Repair of equipment should not exceed the cost of a new piece of equipment.
5. **Disposition of Fixed Assets:** In the event a capital asset is sold, scrapped, donated, or stolen, adjustments will be made to the capital asset inventory.

a. The Executive Officer may dispose of capital assets with a remaining value up to \$500 in an expedient manner without Commission authorization but shall inform the Commission of the action by memorandum at the next available Commission meeting.

a.b. The Executive Officer may dispose of capital assets with a remaining value of between \$500 and \$1,000 without Commission authorization, or between \$500 and \$1,000 or more shall take place upon Commission approval, by the following process:

i. The Executive Officer shall advise the County and its cities by means of communication that creates a receipt of the availability of the item and each agency will be given 10 days to may place a sealed bid on the form provided by LAFCo with the minimum price being the depreciated value of the item on the LAFCo records.

a. For items with a remaining value of between \$500 and \$1,000 the Executive officer is authorized to use the process above without Commission authorization.

ii. If no bids or offers are received from the County or its cities within 10 days of the mailing of a notice that such item(s) are available, the Executive Officer shall initiate one or more attempts to sell such items at auction (such as Ebay) and deposit the funds in the LAFCo general checking account.

b. I-

c. -

d.c. In lieu of this process, the Executive Officer may dDonate ion of a surplus item from LAFCo's may be made after authorization by the Commission action at a regularly scheduled Commission meeting contribute, or give a capital asset at no cost to a nonprofit organization, formed under Section 501(c)(3) of the Internal Revenue Code, that serves a public purpose and benefits its community as a whole."

e.d. Smaller items without residual value, that are obsolete or non-functioning may be disposed of with the authorization of by the Executive Officer and a list of such items shall be maintained for one year after the disposal at the LAFCo office.

M.L. Reports to the Commission

~~At each Commission meeting~~I the Executive Officer shall regularly submit a report of LAFCo's financial standing to the Commission, based on the most current information including information from the last available bank balance and reconciled monthly budget. Such information will show the expenses, the balance in the general operating account and balances in reserve and legal reserve accounts in addition to Account Receivable (AR) and Accounts Payable.

All credit card transactions during the reporting month shall be detailed on a separate sheet and attached to the LAFCo Financial Statement and presented to the Commission for acceptance.

~~(Added 10/10/12)~~

N.M. Bank Reconciliation

Reconciliation of bank statements will be performed on a monthly basis. The LAFCo staff person responsible for reconciliations will not be the same person who enters expenditure requests in to the system for the purpose of obtaining checks to pay bills and obligations.

~~The Executive Officer will review all reconciliation and financial reports and shall present such to the Fresno LAFCo Commission on a monthly basis.~~

All checks outstanding for over 180 days shall be investigated and reissued, where possible, or voided.

All financial reports including balances of bank account(s) expenses and balances held in reserve accounts will be retained by LAFCo as a permanent rRecord.

O.N. LAFCo Bank Accounts

~~The Executive Office shall~~ Upon specific authorization by resolution of Fresno LAFCo the Commission, and by resolution the Executive Office shall open on behalf of Fresno LAFCo a Ggeneral Business checking account and a smaller single signature account ~~in addition to bank accounts to hold general reserve funds and contingency legal reserve funds, and a smaller single signature account.~~ The Ggeneral Business checking account shall require at least two signatures on each check: ~~Signatures will be~~ either two LAFCo Commissioners

or one Commissioner and the Executive Officer. The single-signature account is intended for minor day-to-day expenses such as County filings, smaller office expenses, etc., and funds will be dispersed by check with Executive Office's signature. The smaller singleone-signature account for the Executive Officer will not have more than \$500 in an account balance at any one time.

P.O. Cash and Credit Cards

As a policy, Fresno-LAFCo will discourage the use of cash as a payment for applications, fees, and charges. and wWhen cash is used for a payment for fees or charges a receipt will be issued to the person making the payment and a copy will be retained by Fresno-LAFCo and reflected as income in the monthly report. Any cash received by Fresno-LAFCo shall be deposited in the General Business account at the close of the business day in which it was received or not later than 24 hours after it is received.

The Commission has authorized the Executive Officer LAFCo staff to obtain a credit card for the purposes of registration at conferences, purchasing needed office items from the internet, and other related purchases that cannot be reasonably accommodated by the issuance of checks, purchase orders, or other means of payments. Said credit card shall be limited to one card and shall be secured in a safe place by the Executive Officer when not in use for the aforesaid expenditures. The LAFCo credit card shall not be used for any type of personal purchase.

~~(Added 10/10/12)~~

Q.P. Third Party Check Issuance

To insure additional transparency in LAFCo financial matters, Fresno-LAFCo will contract with a qualified third-party firm to prepare payroll checks from the main Fresno-LAFCo LAFCo General Business bank account and perform needed deductions and payments associated with any employee salary checks, as well as keep track of employee vacation and sick leave.