



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
SPECIAL MEETING (*CLOSED SESSION*)
MINUTES OF OCTOBER 6, 2014**

**Location: Board Room
Napa County Transportation and Planning Agency (NCTPA)
625 Burnell Street, Napa, CA 94559**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Kelly called the special meeting of October 6, 2014 to order at 3:00 pm. At the time of roll call, the following Commissioners and staff were present:

<u>Regular Commissioners</u>	<u>Alternate Commissioners</u>	<u>Staff</u>
Brian Kelly, Chair	Juliana Inman	Laura Snideman, Executive Officer
Joan Bennett, Vice-Chair	Mark Luce	Jackie Gong, Commission Counsel
Greg Pitts		
Brad Wagenknecht		
Bill Dodd - <i>Excused</i>	Gregory Rodeno - <i>Excused</i>	

2. PUBLIC COMMENTS

There were no public comments.

3. CLOSED SESSION - Public Employee Performance Evaluation: Executive Officer (Government Code Section 54957(b)(1)).

No reportable action was taken.

4. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 3:59 p.m. The next special LAFCO meeting is scheduled for Monday, October 6, 2014 at 4:00 p.m., in the same location.

Brian Kelly, Chair

ATTEST:

Laura Snideman, Executive Officer

Prepared by:

Jackie Gong (by E-signature)
Commission Counsel
11/13/14



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1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Kelly called the special meeting of October 6, 2014 to order at 4:00 pm.
At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Brian Kelly, Chair	Juliana Inman	Laura Snideman, Executive Officer
Joan Bennett, Vice-Chair	Mark Luce (<i>voting for</i>	Jackie Gong, Commission Counsel
Greg Pitts	<i>Bill Dodd</i>)	Brendon Freeman, Analyst
Brad Wagenknecht		Kathy Mabry, Secretary
Bill Dodd - <i>Excused</i>	Gregory Rodeno - <i>Excused</i>	

2. PLEDGE OF ALLEGIANCE

City of Napa Councilmember, Scott Sedgley, led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Chair Kelly asked if there were any requests to rearrange the agenda. There were no requests.
Upon motion by Commissioner Bennett and second by Commissioner Luce, the Commission unanimously adopted the agenda as submitted:

VOTE:

AYES: **BENNETT, LUCE, KELLY, INMAN, PITTS AND WAGENKNECHT**
NOES: **NONE**
ABSENT: **DODD AND RODENO**
ABSTAIN: **NONE**

4. PUBLIC COMMENTS

Chair Kelly invited members of the audience to provide public comment. No public comments were received.

5. CONSENT ITEMS

a) Current and Future Proposals

b) Approval of Meeting Minutes from August 4, 2014

Upon motion by Commissioner Wagenknecht and second by Commissioner Bennett, the consent items were unanimously approved (Vice-Chair Bennett abstained from agenda item #5b due to her absence at the August 4, 2014 meeting):

VOTE:

AYES: **WAGENKNECHT, INMAN, KELLY, LUCE AND PITTS**
NOES: **NONE**
ABSENT: **DODD AND RODENO**
ABSTAIN: **BENNETT**

6. PUBLIC HEARING ITEM

a) West Pueblo Avenue No. 1 Annexation to the City of Napa and California Environmental Quality Act (CEQA) Findings (Continuation from August 4, 2014)

The Commission considered a proposal filed by landowner petition to annex approximately 3.34 acres of territory to the City of Napa. The territory comprises five entire parcels located within an unincorporated island near West Pueblo Avenue (Assessor Parcel Numbers: 042-171-045, 042-171-044, 042-160-025, 042-160-026, and 042-160-024).

The subject parcels are located at: 2063, 2065, 2075, 2083, and 2091 West Pueblo Avenue. The City of Napa is the lead agency under CEQA and the Commission, the responsible agency under CEQA, reviewed and considered the City's initial study addressing any environmental impacts associated with the proposed annexation.

Staff provided an overview of the report, noting this is a continuation from the August 4, 2014 meeting and included background information and next steps involved in this proposal.

Staff recommends approving the proposed annexation with a condition requiring the Executive Officer to schedule a conducting authority hearing between 21 and 60 days from today's meeting to receive written protests from affected landowners.

Chair Kelly re-opened the public hearing on this item.

Public comments were received from the following residents:

- Tammy Robinette (2023 Morlan Drive) spoke to the Commission in opposition of the proposed annexation.
- Sudie Pollock (2047 Morlan Drive) spoke to the Commission and provided a letter and signed petition from property owners/residents who live on Morlan Drive, adjacent to the proposed annexation, and others who are against the annexation of 2075 and 2083 West Pueblo Avenue.
- Diana Bustamonte (2045 Morlan Drive) spoke to the Commission in opposition of the proposed annexation.
- John Lund (2037 Morlan Drive) spoke to the Commission in opposition of the proposed annexation.
- Jose Miranda (address unknown) spoke to the Commission in opposition of the proposed annexation.
- Susan Beck (2017 Morlan Drive) spoke to the Commission in opposition of the proposed annexation.
- Randy Gularte, Heritage Realty Representative, spoke before the Commission. Mr. Gularte said he was retained by property owner Raymond Canepa to represent the proposal before the Commission, and was here today listening to people's concerns.

He reminded everyone that there are two steps: annexation of the property into the City limits; as well as approval of a proposed project by the City of Napa's Planning Department.

Commissioner Inman read a letter from resident Robert Lockhart, 2065 West Pueblo Avenue, where he cast his vote in favor of the annexation.

Laura Snideman affirmed that usually annexations are 100%, however, this proposal is being contested and only people in the affected territory get to vote on the matter at a protest hearing. Counsel Gong reminded the Commission and public that today's action is for a boundary change only. The Commission discussed the state's intention to bring these islands into the City limits, and encouraged the public to attend the planning & development meetings regarding project details.

Chair Kelly closed the public hearing.

Upon motion by Commissioner Luce and second by Commissioner Bennett, the Commission unanimously approved the annexation subject to separate protest proceedings absent consent from all landowners (**Resolution No. 2014-17**).

VOTE:

AYES: **LUCE, BENNETT, INMAN, KELLY PITTS AND WAGENKNECHT**
NOES: **NONE**
ABSENT: **DODD AND RODENO**
ABSTAIN: **NONE**

7. ACTION ITEMS

a) Wyatt Avenue No. 1 Annexation to the City of Napa and California Environmental Quality Act (CEQA) Findings

The Commission considered a landowner petition to annex two unincorporated parcels totaling 15.15 acres to the City of Napa (Assessor Parcel Numbers: 046-083-028 and 046-122-024). The subject parcels are located at 1060 and 1066 Wyatt Avenue. The purpose of the proposed annexation is to allow the landowner to develop the parcels under the City's land use authority. The City is the lead agency under CEQA and the Commission, as responsible agency under CEQA, reviewed and considered the City's initial study addressing any environmental impacts associated with the proposed annexation.

Staff provided a brief overview of the proposal, noting local policy states that when an annexation proposal includes territory within a developed island, the Commission shall invite the affected city to amend the boundary of the proposed annexation to include the entire island. The City as well as the landowner's representative each provided assurances that the remaining landowners within the island are opposed to joining the annexation. Therefore, expanding the annexation boundary to include any additional parcels is not recommended. On August 19, 2014, the City Council adopted a resolution in support of the annexation of 1060 and 1066 Wyatt Avenue as proposed. The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions.

Upon motion by Commissioner Wagenknecht and second by Commissioner Luce, the Commission unanimously approved the annexation as submitted (**Resolution No. 2014-18**).

VOTE:

AYES: **WAGENKNECHT, LUCE, INMAN, KELLY AND PITTS**
NOES: **NONE**
ABSENT: **DODD AND RODENO**
ABSTAIN: **NONE**

b) Government Code Section 56133: Impact on Trucked Water

The Executive Officer provided a brief report to the Commission stating that this new topic may be added into LAFCO's existing Outside Service Agreement policy. Following discussion, the Commission unanimously authorized the Executive Officer to continue to work on this matter.

c) Commission Policies Update: Appointment of Chair and Vice-Chair; Budget Policy; Commission Meetings; Disclosure of Political Expenditures for Change of Organization or Reorganization Proposals; Executive Officer Performance Review; Executive Officer Purchasing Authority; Fees and Deposits; Indemnification

The Executive Officer provided a brief report on the agency’s policies highlighting the proposed policy amendments.

Upon motion by Commissioner Wagenknecht and second by Commissioner Pitts, the Commission unanimously approved the Commission’s policies update with the recommendation to review the rotating locations of the Commission meetings in one year:

VOTE:

AYES: WAGENKNECHT, PITTS, LUCE, INMAN AND KELLY
NOES: NONE
ABSENT: DODD AND RODENO
ABSTAIN: NONE

d) Request for Proposals for On-Call California Environmental Quality Act Consulting Services

The Executive Officer provided a brief report on this item, noting the need for a consultant in this area of expertise as it relates to LAFCO’s.

Upon motion by Commissioner Wagenknecht and second by Commissioner Bennett, the Commission unanimously approved the request to send out RFP’s for a CEQA Consultant.

VOTE:

AYES: WAGENKNECHT, BENNETT, INMAN, LUCE, PITTS AND KELLY
NOES: NONE
ABSENT: DODD AND RODENO
ABSTAIN: NONE

8. EXECUTIVE OFFICER REPORT

The Executive Officer reported that 4 Commissioners and the Executive Officer are scheduled to attend this year’s CALAFCO Conference in Ontario, CA on October 15-17, 2014.

9. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

Chair Kelly thanked NCTPA for allowing the Commission use the Board Room for today’s meeting.

10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 5:25 p.m. The next regular LAFCO meeting is scheduled for Monday, December 1, 2014 at 4:00 p.m. at the City of Napa’s City Hall Chambers, 955 School St., Napa, CA.

Brian Kelly, Chair

Prepared by:

Kathy Mabry, Commission Secretary