



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF DECEMBER 1, 2008

1. **CALL TO ORDER; ROLL CALL**

Vice Chair Kelly called the meeting to order at 4:03 p.m.

Roll was called with Regular Commissioners Gingles and Inman, and Vice Chair Kelly present. Alternate Commissioner Rodeno was also present.

Chair Wagenknecht and Commissioners Coffey, Dodd and Luce were excused.

Staff present: Keene Simonds, Executive Officer; Jackie Gong, Commission Counsel; Brendon Freeman, Analyst; and Kathy Mabry, Commission Secretary.

2. **PLEDGE OF ALLEGIANCE**

Vice Chair Kelly led the Pledge of Allegiance.

3. **APPROVAL OF MINUTES: Minutes of November 3, 2008 Meeting**

The Commission was presented with minutes from the November 3, 2008 meeting for approval. Secretary Mabry announced a correction to the minutes. The change was minor and addressed wording in Agenda Item #7c. The Commission was presented with corrected minutes for approval.

Upon motion by Commissioner Gingles and second by Commissioner Inman, the corrected minutes were approved.

4. **PUBLIC COMMENT**

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

5. **CONSENT ITEMS**

a) **Authorizing Office Closure on December 26, 2008 and January 2, 2009**

The Commission received a report from staff requesting authorization to close the office on Friday, December 26, 2008 and Friday, January 2, 2009.

Upon motion by Commissioner Gingles and second by Commissioner Inman, the Commission approved the office closures with the understanding that staff will cover the affected hours using accumulated leave balances as needed.

6. **PUBLIC HEARING ITEMS**

There were no public hearing items.

7. ACTION ITEMS

a) Silverado Trail Reorganization

The Commission received a report on a proposal from the City of Napa to annex approximately 28.8 acres of unincorporated territory, which consists of three non-contiguous areas located northeast of Silverado Trail's intersection with Soscol Avenue.

Staff proved a summary of the report. Staff also requested the Commission formally invite anyone from the audience to address the Commission. Staff noted the affected territory is inhabited and therefore notice was given to all owners and residents stating protest proceedings would be waived unless written opposition was received prior to Commission action. Vice Chair Kelly expressed a potential conflict of interest with this proposal because he is a shareholder of the Charter Oak Bank, but noted that after review with County Counsel it was determined that the conflict is inconsequential. Vice Chair Kelly invited audience members to address the Commission on the proposal. City of Napa's Assistant City Manager Dana Smith spoke before the Commission about the positive impacts this proposal will have on the City. No other public comments were received. Vice Chair Kelly noted that the public was properly noticed, and there was no public protest to this proposal. Vice Chair Kelly closed the public hearing.

Upon motion by Commissioner Gingles and second by Commissioner Inman, the proposal was approved as submitted (Resolution #08-16).

b) Proposed Amendments to Policy on Conducting Authority Proceedings

The Commission received a report on proposed amendments to its adopted policy on conducting authority proceedings. Staff provided an overview of the amendments, which provide additional guidance to the Commission in administering protest hearings. Staff noted a correction to Section III, Procedures, A. Scheduling, to read: *The Executive Officer shall schedule a protest hearing within 35 days of Commission hearing.* In addition, staff introduced the newly established standard protest form: *Landowner or Registered Voter Protest Form.*

Upon motion by Commissioner Gingles and second by Commissioner Inman, the proposed amendments were adopted as corrected.

c) Proposed Amendments to Policy on Regular Commission Meeting Calendar and Approval of Meeting Calendar for First Half of 2009

The Commission received a report on proposed amendments to its adopted policy on calendaring meetings. Staff provided an overview of the amendments which include specifying the location of the regular meetings and establishing procedures to schedule special meetings, as well as some general formatting changes. The Commission was also presented with a meeting calendar for the first six months of 2009 with dates to include February 2nd, April 6th, May 4th, and June 1st (No meetings are scheduled for January or March 2009).

Upon motion by Commissioner Gingles and second by Commissioner Inman, the amended *Policy on Regular Commission Meeting Calendar* was adopted; and the regular meeting calendar for the first six months of 2009 was approved.

7. ACTION ITEMS ~ continued:

d) Appointments to the 2009-2010 Budget Committee

Staff reported that the Commission's *Policy on the Preparation of the LAFCO Budget* requires it to appoint two members to serve as the budget committee and assist in the preparation of the next fiscal year budget.

Upon motion by Commissioner Inman and second by Commissioner Gingles, the Commission appointed Commissioner Gingles and Commissioner Kelly to serve as the 2008-2009 Budget Committee.

8. DISCUSSION ITEMS

a) New Legislation for 2009

Staff provided a verbal report noting the second year of the 2007-2008 legislative session produced several bills that made substantive changes to LAFCO law or the laws LAFCO helps to administer. Staff summarized the new legislation and invited questions from the Commission.

9. EXECUTIVE OFFICER REPORT

The Executive Officer provided the Commission with a verbal report summarizing current staff activities, communications, studies, and special projects.

- CALAFCO Legislative Committee meeting was attended by the Executive Officer on 11/13/08 in Ontario, CA. He reported that among other items, the committee discussed Legislation to possibly rename LAFCO to LGC (Local Governance Committee).
- Island Annexation Program has begun. The Executive Officer will meet with Napa County Planning Director, Hillary Gitelman regarding the process in early January 2009.

10. INFORMATION ITEMS

a) Designation of Chair and Vice Chair for 2009

The Commission received a report regarding the designation of the Chair and Vice Chair for the 2009 calendar year. The Commission's adopted policy designates Commissioners Kelly and Inman as Chair and Vice Chair, respectively, in 2009.

b) Expiring Commissioner Terms in 2009

The Commission received a report identifying three members with terms scheduled to expire on May 4, 2009: (a) Jack Gingles; (b) Cindy Coffey; and (c) Mark Luce. Staff will notify and request the City Selection Committee and the Board of Supervisors make new four-year appointments for the affected positions.

c) Current and Future Proposals

The Commission received a report from staff regarding current and future proposals. There are currently six active proposals on file with LAFCO of Napa County. These active proposals have been previously discussed. No action was taken.

11. CLOSED SESSION

a) Public Employee Performance Evaluation

Title: Executive Officer

There was no reportable action taken.

12. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

13. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING:

The meeting was adjourned at 5:15p.m. The next regular LAFCO meeting is scheduled for Monday, February 2, 2009 at 4:00 p.m.

Brian Kelly, Vice Chair

ATTEST: Keene Simonds
Executive Officer

Prepared by:

Kathy Mabry
Commission Secretary