



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF JUNE 7, 2021**

1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Dillon called the regular meeting of June 7, 2021 to order at 2:00 PM.

At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Diane Dillon, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Margie Mohler, Vice Chair	Eve Kahn	DeeAnne Gillick, Commission Counsel
Mariam Aboudamous	Beth Painter	Dawn Mittleman Longoria, Analyst II
Kenneth Leary		Kathy Mabry, Commission Secretary
Brad Wagenknecht		

2. PLEDGE OF ALLEGIANCE

Executive Officer Brendon Freeman led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

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

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

4. PUBLIC COMMENTS

No public comments were received.

5. CONSENT ITEMS

a) Approval of Meeting Minutes: April 5, 2021 Regular Meeting

b) Third Quarter Budget Report for Fiscal Year 2020-2021

c) Current and Future Proposals

d) CALAFCO Quarterly Report

Upon motion by Commissioner Leary and second by Commissioner Mohler, all consent items were approved:

VOTE:

AYES: LEARY, MOHLER, ABOUDAMOUS, DILLON AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

6. PUBLIC HEARING ITEMS

a) Final Budget for Fiscal Year 2021-2022 and Amendment to the Schedule of Fees and Deposits

The Commission considered a final budget for fiscal year 2021-2022. Proposed operating expenses total \$554,141 and proposed operating revenues total \$540,270 with the remaining shortfall of \$13,871 to be covered by drawing from reserves.

The Commission also considered a proposed amendment to its *Schedule of Fees and Deposits*. The recommended actions are for the Commission to adopt the final budget by resolution, adopt the amendment to the *Schedule of Fees and Deposits* by resolution, and authorize the Executive Officer to sign a five-year lease agreement for office space at 1754 Second Street in Napa.

Staff provided an overview of this agenda item, including expenses, revenue, shortfalls, amended fee schedule and office relocation.

Chair Dillon opened the public hearing.

There were no public comments received via email before or during the meeting.

Chair Dillon closed the public hearing.

Chair Dillon thanked the Executive Officer and the Budget Committee (Commissioners Mohler and Gregory) for their work on the agency’s budget.

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission approved Fiscal Year 2021-22 final budget by resolution (**Resolution No. 2021-08**), and an amendment to the adopted *Schedule of Fees and Deposits* (**Resolution No. 2021-14**):

VOTE:

AYES: MOHLER, ABOUDAMOUS, DILLON, LEARY AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Upon motion by Commissioner Mohler and second by Commissioner Wagenknecht, the Commission also granted authorization to the Executive Officer to sign a five-year lease agreement for office space at 1754 Second Street in Napa:

VOTE:

AYES: MOHLER, WAGENKNECHT, ABOUDAMOUS, DILLON AND LEARY
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

7. ACTION ITEMS

a) Proposed Policy on Spheres of Influence and Amendment to the General Policy Determinations

The Commission considered a fourth draft *Policy on Spheres of Influence*. It was recommended the Commission adopt a resolution adopting the *Policy on Spheres of Influence* and amend the *General Policy Determinations*.

Staff provided an overview of this proposal, noting at the Commission’s February 2021 meeting, the Commission directed staff to prepare and circulate a fourth draft Policy for public review and comment. The fourth draft Policy was made available for review and comment from February 24, 2021 through April 26, 2021. No comments were received, which suggests there are no remaining significant issues that can be addressed through the Policy.

Chair Dillon opened the public hearing. No public comments were received.

Chair Dillon closed the public hearing.

Commissioner Mohler thanked staff for all of their help in getting the policy to this point.

Upon motion by Commissioner Leary and second by Commissioner Wagenknecht, the Commission approved the resolution adopting the *Policy on Spheres of Influence* and amending the *General Policy Determinations* (**Resolution No. 2021-09**):

VOTE:

AYES: LEARY, WAGENKNECHT, ABOUDAMOUS, DILLON AND MOHLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

b) Somky Ranch Annexation to the Napa Sanitation District and Associated CEQA Findings

The Commission considered a proposal from the Napa Sanitation District (NSD) submitted by resolution of application for the annexation of three unincorporated parcels totaling approximately 303.5 acres in size to NSD. The affected territory is located adjacent to the Napa County Airport on the north side (no situs address) and identified by the County Assessor as parcel numbers 057-010-038, 057-010-039, and 046-400-016. The annexation is to reduce NSD’s annual property tax burden through the annexation of property owned by the District. Annexation is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15319(a). The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Staff Analyst Dawn Mittleman Longoria provided an overview of this agenda item.

Chair Dillon opened the public hearing, and then recused herself from this item due to a conflict.

Vice Chair Mohler conducted the meeting until Chair Dillon returned after this agenda item, and Alternate Commissioner Gregory voted in Chair Dillon’s place.

No public comments were received. Vice Chair Mohler closed the public hearing.

Upon motion by Commissioner Wagenknecht and second by Commissioner Aboudamous, the Commission approved the annexation and resolution adopting the Somky Ranch to the NSD with standard conditions and making CEQA findings (**Resolution No. 2021-10**):

VOTE:

AYES: WAGENKNECHT, ABOUDAMOUS, GREGORY, LEARY AND MOHLER
NOES: NONE
ABSENT: NONE
ABSTAIN: DILLON

7. ACTION ITEMS – continued:

c) Browns Valley Road No. 14 Annexation to the Napa Sanitation District and Associated CEQA Findings

The Commission considered a proposal submitted by landowner petition for the annexation of one incorporated parcel totaling approximately 3.5 acres in size to Napa Sanitation District (NSD). The affected territory is located in the City of Napa at 3084 Browns Valley Road and identified by the County Assessor as 041-170-010. The annexation is intended to eliminate the onsite private septic system for the existing single-family residence. Annexation is exempt from CEQA under CEQA Guidelines Section 15282(k). The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Staff Analyst Dawn Mittleman Longoria provided an overview of this agenda item.

Chair Dillon opened the public hearing.

No public comments were received. Chair Dillon closed the public hearing.

Upon motion by Commissioner Mohler and second by Commissioner Leary, the Commission approved the annexation and resolution adopting Browns Valley Road No. 14 to the NSD with standard conditions and making CEQA findings (**Resolution No. 2021-11**):

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

d) Camilla Drive No. 6 Annexation to the Napa Sanitation District and Associated CEQA Findings

The Commission considered a proposal submitted by landowner petition for the annexation of one incorporated parcel totaling approximately 1.1 acres in size to NSD. The affected territory is located in the City of Napa at 14 Camilla Drive and identified by the County Assessor as 041-121-002. The annexation is intended to eliminate the onsite private septic system for the existing single-family residence. Annexation is exempt from CEQA under CEQA Guidelines Section 15282(k). The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Staff Analyst Dawn Mittleman Longoria provided an overview of this agenda item.

Chair Dillon opened the public hearing.

No public comments were received. Chair Dillon closed the public hearing.

Upon motion by Commissioner Mohler and second by Commissioner Leary, the Commission approved the annexation and resolution adopting Camilla Drive No. 14 to the NSD with standard conditions and making CEQA findings (**Resolution No. 2021-12**):

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

7. ACTION ITEMS – continued:

e) Legislative Report

The Commission received a report on legislative items directly or indirectly affecting LAFCOs. The recommended action was for the Commission to discuss Senate Bill (SB) 13 and any other bills of interest and consider directing the Executive Officer to propose amendments or submit position letters to the Legislature as desired.

Staff provided an overview of this agenda item.

At its April 5, 2021 meeting, the Commission directed staff to do the following: Submit letters to the Legislature in support of Assembly Bills (AB) 959, AB 1581, and SB 13; and to watch AB 1250, SB 273, SB 403, and any proposed amendments to SB 13.

In terms of the bill's schedule, it is anticipated SB 13 as amended will be heard by the Assembly Local Government Committee on June 23. The deadlines for any proposed amendments and position letters are June 14 and June 17, respectively.

Staff recommends the Commission discuss SB 13 as amended and consider taking a formal position. The Commission may wish to discuss the option of proposing amendments to address any significant concerns.

Commissioner comments were received from Commissioners Mohler and Kahn opposing SB13. Commissioner Leary disclosed that he has spoken to Senator Dodd about SB13, and American Canyon and the City of St. Helena staff on SB13.

St. Helena City Manager, Mark Prestwich spoke to the Commission about SB13, however, said he was limited in what he could discuss due to current litigation.

Upon motion by Commissioner Wagenknecht and second by Commissioner Dillon, the Commission voted to support SB13 as amended:

VOTE:

AYES: WAGENKNECHT, DILLON AND ABOUDAMOUS
NOES: LEARY AND MOHLER
ABSENT: NONE
ABSTAIN: NONE

f) Work Program for Fiscal Year 2021-2022

The Commission considered a draft Work Program for fiscal year 2021-2022 prepared by staff. The recommended action was for the Commission to adopt the Work Program by resolution.

Staff provided a summary of scheduled MSRs and SOI updates along with a possible island annexation program coming up in the next year.

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission adopted the proposed 2021-2022 Work Program (**Resolution No. 2021-13**):

VOTE:

AYES: MOHLER, ABOUDAMOUS, DILLON, LEARY AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

7. ACTION ITEMS – continued:

g) CALAFCO Nominations and Annual Conference Items

The Commission considered appointing voting delegates to represent the agency at CALAFCO’s Annual Conference scheduled for October 6th to 8th at the Hyatt Regency Newport Beach John Wayne Airport. The Commission also considered making nominations for the CALAFCO Board of Directors and achievement awards. The deadline to submit nominations to CALAFCO is August 13, 2021.

Staff Analyst Dawn Mittleman Longoria provided an overview of this agenda item.

Staff recommended the Commission take the following actions:

- 1) Appoint one voting delegate and one alternate voting delegate for the 2021 California Association of Local Agency Formation Commissions (CALAFCO) Annual Conference;
- 2) If interested, nominate a City and/or Public Member for the CALAFCO Board of Directors;
- 3) If interested, nominate a person and/or project for an achievement award; and
- 4) Authorize the Chair to make any final decisions related to nominations for the CALAFCO Board of Directors or achievement awards.

Commissioner Leary left the meeting at this time, and Commissioner Kahn voted in his place. Upon motion by Commissioner Wagenknecht and second by Commissioner Aboudamous, the Commission formally appointed Chair Dillon to serve as Napa’s as voting delegate and Vice Chair Mohler as alternate voting delegate, respectively, for the Board elections at the annual CALAFCO Conference in Newport Beach:

VOTE:

AYES: WAGENKNECHT, ABOUDAMOUS, DILLON, KAHN, AND MOHLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Upon motion by Commissioner Wagenknecht and second by Commissioner Aboudamous, the Commission formally nominated Commissioner Mohler to the CALAFCO Board of Directors as the Coastal City Member:

VOTE:

AYES: WAGENKNECHT, ABOUDAMOUS, DILLON, KAHN, AND MOHLER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

No nomination was made for an achievement award at this time; however, the Commission may nominate the Napa County Water & Wastewater Municipal Services Study prior to the deadline, which happens to be a later deadline than the other CALAFCO Nominations.

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the Commission directed staff to bring back item #3 if the Commission is interested in a nomination for an achievement award, and to delete #4 of the staff recommendations noted in the staff report:

VOTE:

AYES: MOHLER, ABOUDAMOUS DILLON, KAHN AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

8. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

9. CLOSED SESSION: CONTINUED. This item was continued to the next commission meeting due to lack of time.

a) Public Employee Performance Evaluation – (Government Code Section 54957(b)(1))

Employee: Executive Officer

b) Conference with Labor Negotiators – (Government Code Section 54957.6)

Agency Designated Representative: Commission Chair

Unrepresented Employee: Executive Officer

Upon motion by Commissioner Wagenknecht and second by Commissioner Aboudamous, the Commission agreed to continue this item until the next meeting scheduled for August 2, 2021:

VOTE:

AYES: WAGENKNECHT, ABOUDAMOUS, DILLON, KAHN AND MOHLER

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 4:19 PM. The next regular LAFCO meeting is scheduled for Monday, August 2, 2021, at 2:00 PM. **It is anticipated the meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.**

Diane Dillon

Diane Dillon, LAFCO Chair

ATTEST:

Dawn Mittleman Longoria, Analyst II

Prepared by:

K. Mabry

Kathy Mabry, Commission Secretary