



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF APRIL 6, 2015**

**Yountville Town Hall – Council Chambers
6550 Yount Street, Yountville, CA 94599**

1) WELCOME AND CALL TO ORDER; ROLL CALL

Chair Bennett called the regular meeting of April 6, 2015 to order at 4:00 PM.
At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Joan Bennett, Chair	Juliana Inman (<i>voting for</i>	Peter Banning, Interim Executive Officer
Diane Dillon, Vice-Chair	<i>Pitts</i>)	Brendon Freeman, Analyst
Brian Kelly	Keith Caldwell	Kathy Mabry, Secretary
Brad Wagenknecht	Gregory Rodeno	Jennifer Gore, LAFCO Legal Counsel
Greg Pitts (<i>Excused</i>)		

2. PLEDGE OF ALLEGIANCE

Special Guest, Jacqueline Gong, former LAFCO Counsel, led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Chair Bennett asked if there were any requests to rearrange the agenda.

A request was made by the Interim Executive Officer to remove the minutes of February 2 and March 16, 2015 from the agenda in order to make a correction in the votes.

Upon motion by Commissioner Wagenknecht and second by Commissioner Dillon, the minutes of February 2 and March 16, 2015 were removed from the agenda:

VOTE:

AYES: WAGENKNECHT, DILLON, BENNETT, INMAN AND KELLY
NOES: NONE
ABSENT: PITTS
ABSTAIN: NONE

4. PUBLIC COMMENTS

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

5. RECOGNITION OF SERVICE: Jacqueline Gong

Chair Bennett presented a plaque of appreciation to Ms. Jacqueline Gong, County Counsel, for her many years of service to the LAFCO Commission, as she has retired effective March 31, 2015. Ms. Gong addressed the Commission and fondly spoke of her years on LAFCO, and expressed gratitude to the Commission and staff for the plaque of appreciation.

6. CONSENT ITEMS

a) Approval of Meeting Minutes: February 2, 2015 and March 16, 2015 meetings

(Note: Removed from the agenda during item #3).

b) Current and Future Proposals

c) Amendments to Support Services Agreement with the County of Napa (Information Technology Services) Amendment No. 9 to Napa County Agreement No. 4433, LAFCO Agreement No. 03-02, effective July 1, 2015)

Upon motion by Commissioner Wagenknecht and second by Commissioner Inman, consent items 6b and 6c were approved, however item #6a was removed from the agenda for correction:

VOTE:

AYES: WAGENKNECHT, INMAN, DILLON, BENNETT AND KELLY
NOES: NONE
ABSENT: PITTS
ABSTAIN: NONE

7. PUBLIC HEARING ITEMS

a) Proposed Budget for Fiscal Year 2015-2016

The Commission considered adopting a resolution to approve a proposed budget for 2015-2016. Proposed operating expenses total \$498,684 and represent a 3.0% decrease over the current fiscal year. Proposed operating revenues total \$481,444 with the remaining shortfall (\$17,239) to be covered by drawing down on agency reserves.

Staff provided a review of the Budget Committee's report (Commissioners Bennett and Kelly). Importantly, the proposed budget report includes a one-time allotment of \$25,000 to hire a professional consultant to perform work associated with the agency's electronic document management system. The Commission will hire ECS Imaging, Inc., effective July 1, 2015, to perform back-scanning of LAFCO records for storage in the agency's Laserfiche database. This allotment will draw its funding from the Consulting Services account #52310).

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

Chair Bennett closed the public hearing.

Upon motion by Commissioner Kelly and second by Commissioner Inman, the Commission unanimously approved the budget (**Resolution No. 2015-01**) as follows:

- 1) Adopted the proposed budget for FY 2015-2016 as modified to include \$25,000 for the back-scanning project by ECS Imaging, Inc.;
- 2) Directed the Committee to circulate the adopted proposed budget to funding agencies as well as make available to the general public for review and comment; and
- 3) Directed the Committee to return with recommendations for a final budget for adoption at a noticed public hearing on June 1, 2015.

VOTE:

AYES: KELLY, INMAN, BENNETT, DILLON AND WAGENKNECHT
NOES: NONE
ABSENT: PITTS
ABSTAIN: NONE

8. ACTION ITEMS

a) Buhman Court No. 1 Annexation to the Napa Sanitation District

The Commission considered a landowner petition to annex a 13.9 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 38 Buhman Court in the City of Napa. The purpose of the annexation is to facilitate the residential development of the subject parcel as contemplated in the applicant's tentatively approved development project. The proposal is exempt from CEQA under Public Resources Code Section 15319(b). The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions. Staff provided an overview of the proposed annexation.

Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the proposed annexation and resolution were unanimously approved by the Commission as submitted (**Resolution #2015-02**):

VOTE:

AYES: **KELLY, WAGENKNECHT, INMAN, BENNETT AND DILLON**
NOES: **NONE**
ABSENT: **PITTS**
ABSTAIN: **NONE**

b) Redwood Road No. 5 Annexation to the Napa Sanitation District

The Commission considered a landowner petition to annex a 1.7 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 2990 Redwood Road in the City of Napa. The purpose of the proposed annexation is to facilitate the residential development of the subject parcel as contemplated in the applicant's tentatively approved development project. The proposal is exempt from CEQA under Public Resources Code Section 15319(b). The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions.

Staff provided an overview of the proposed annexation.

During Commission discussion, it was discovered by staff that the proposal will require an amendment to include an adjacent segment of public right-of-way on Redwood Road.

Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the annexation and resolution was approved with a modification to include an adjacent portion of public right-of-way (**Resolution #2015-03**):

VOTE:

AYES: **KELLY, INMAN, BENNETT, DILLON AND WAGENKNECHT**
NOES: **NONE**
ABSENT: **PITTS**
ABSTAIN: **NONE**

8. ACTION ITEMS – continued:

c) Commission Policy Update: Appointment of Chair and Vice-Chair

The Commission considered adopting a proposed amendment to its policy on the appointment of Chair and Vice-Chair. The proposed policy amendment would change the commencement dates for the Chair and Vice-Chair positions from January 1st to May 1st each calendar year to be in alignment with the Napa County City Selection Committee’s process for making membership appointments to the Commission.

Staff provided the Commission with proposed amendments to the policy on the appointment of the Commission’s Chair and Vice-Chair. The proposed amendments were presented in response to the Commission expressing dissatisfaction with the current policy, which automatically rotates the Chair and Vice-Chair positions each year on January 1st. However, the proposed amendments did not satisfactorily address the issue of vacancies in the Chair and Vice-Chair membership.

The Commission directed staff to work with legal counsel in drafting new proposed amendments to the policy for appointment of the Chair and Vice-Chair to also define and address membership vacancies.

The Commission unanimously agreed to continue this matter. No action was taken.

VOTE:

AYES: **BENNETT, KELLY, INMAN, DILLON AND WAGENKNECHT**
NOES: **NONE**
ABSENT: **PITTS**
ABSTAIN: **NONE**

d) Commissioner Stipends

The Commission considered making changes to its policy regarding stipend payments for commissioners to attend meetings.

Staff provided an overview of the staff report.

Members of the Commission have expressed interest in furthering their understanding of existing policies and procedures regarding stipends (i.e. “per diems”) associated with their participation in meetings, classes, conferences, and other forms of LAFCO business. In particular, there has been some misunderstanding amongst commissioners with respect to which specific meetings and training opportunities result in the member receiving a stipend.

Following discussion, the Commission suggested amendments to the Commission’s Policy on Conducting Meetings and Business to add a new category of LAFCO-related activities that result in commissioners receiving a stipend for their participation, as well as amend the policy to provide up to four stipends per year per commissioner for attending other trainings, classes, or other activities which are mandated or related to LAFCO business.

Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, the Commission directed staff to make the above-mentioned policy amendments.

VOTE:

AYES: **DILLON, WAGENKNECHT, BENNETT, INMAN AND KELLY**
NOES: **NONE**
ABSENT: **NONE**
ABSTAIN: **NONE**

9. DISCUSSION ITEMS

a) Draft Sphere of Influence Update for the Napa Sanitation District

The Commission reviewed a draft sphere of influence update for the Napa Sanitation District. The draft was submitted for discussion, comment, and direction to staff for its further development prior to public hearing and formal action at the June 1, 2015 meeting.

The draft sphere of influence update for the Napa Sanitation District (NSD) contemplates adding two study areas to the existing sphere as well as removing one study area from the sphere.

Staff provided an overview of the staff report.

The following public comments were received:

- Brian Russell, Representative for the owner of property on Solano Avenue, spoke to the Commission regarding some discrepancies in the draft report and noting them in a comment letter provided to the Commission.
- Scott Klingbeil, City of Napa Senior Planner, commented on the Timberhill Park area and Buhman Avenue property (discussed in agenda item #8a) and suggested keeping that area within the NSD's sphere of influence.
- Renee Carter, Owner of property adjacent to the proposed County Jail Site, provided comments stating she supports this area being in the sphere.
- Scott Sedgley, City of Napa Councilmember, agreed with Ms. Carter by saying the sphere of influence update should include the property adjacent to the proposed County Jail Site, and also agreed with Mr. Klingbeil to not remove Timberhill Park from the sphere.

Several other specific areas, such as Monticello Park were discussed by the Commission and staff.

A number of comments received to date suggest that LAFCO should expand NSD's sphere. However, any amendments to NSD's sphere would represent a project under the California Environmental Quality Act (CEQA). Absent an existing environmental determination made by another agency or an available exemption, LAFCO would be required to serve as lead agency and make the appropriate environmental determinations for any potential amendment to NSD's sphere. This would likely involve the preparation of an environmental impact report for the majority of the study areas that would be added to NSD's sphere. It should be noted that the Commission has not included the necessary funding within the agency's budget to prepare this type of environmental review and analysis.

Following discussion, the Commission directed staff to re-assess the study areas within the draft sphere of influence update.

Staff will initiate a 30-day public comment period on the draft report with the expectation of returning with a complete and final section for approval by the Commission at its next regular meeting on June 1, 2015. No action was taken by the Commission.

b) Memorandum of Understanding with the County of Napa

The Commission received an update regarding the agency's memorandum of understanding (MOU) with the County of Napa.

The Interim Executive Officer, and Jennifer Gore, LAFCO Legal Counsel, provided an overview of the staff report to the Commission.

Members of the MOU sub-committee recommended that the Commission review and comment on the revised Agreement for the Provision of Support Services and directed staff to discuss the amendments with representatives of the County.

Various comments were received by the Commission and sections of the Memorandum of Understanding were reviewed; however, it is still in the process of being revised.

No action was taken.

10. EXECUTIVE OFFICER REPORT

The Interim Executive Officer provided an update on the recruitment of the Executive Officer position and the efforts by the recruiter, RGS. The recruitment period ends April 20, 2015.

11. COMMISSIONER COMMENTS

Commissioner Inman provided an oral report on the CALAFCO Legislative Committee, and stated a written report will be provided to the Commission on California Code 56133 at the next regular meeting. The Commission may be asked to write letters in support of matters currently going through the legislature.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 6:38 PM. The next regular LAFCO meeting is scheduled for **Monday, June 1, 2015** at 4:00 PM at the **Napa County of Board of Supervisors Chambers**, located at 1195 Third Street, Suite 310 (3rd Floor), Napa, CA 94559.

Joan Bennett, Chair

ATTEST:

Peter Banning, Interim Executive Officer

Prepared by:

Kathy Mabry
Commission Secretary