



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MEETING MINUTES OF OCTOBER 4, 2021**

1. WELCOME AND CALL TO ORDER; ROLL CALL (*NOTE: Audio recording started 2:50*)

Chair Dillon called the regular meeting of Monday, October 4, 2021 to order at 2:03 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>
Diane Dillon, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Margie Mohler, Vice Chair	Eve Kahn	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht	Beth Painter	Dawn Mittleman Longoria, Analyst II
Mariam Aboudamous		Kathy Mabry, Secretary
Kenneth Leary		

2. PLEDGE OF ALLEGIANCE

Chair Dillon 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 Aboudamous, the Commission unanimously adopted the agenda as submitted.

4. PUBLIC COMMENTS

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

5. CONSENT ITEMS

Action Item:

a) Approval of Meeting Minutes: August 2, 2021 Regular Meeting

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the action item was approved:

VOTE:

AYES: WAGENKNECHT, MOHLER, LEARY, ABOUDAMOUS AND DILLON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Information Items:

a) CALAFCO Annual Conference Cancellation and Update on Achievement Awards and Board Elections – Report received for information only.

b) CALAFCO Quarterly Report – Item pulled for discussion.

Commissioner Mohler reminded everyone that the CALAFCO Awards will be held virtually on October 7th and encouraged all to attend. The Commission has formally nominated Napa LAFCO for the *Mike Gotch Excellence in Public Service – Protection of Agricultural and Open Space Lands and Prevention of Sprawl* award for the Napa Pipe Project.

c) Current and Future Proposals – Report received for information only.

There were no public comments were received on any consent items.

6. PUBLIC HEARING ITEMS

a) Sphere of Influence Reviews for Circle Oaks County Water District, Congress Valley Water District, Los Carneros Water District, Napa County Flood Control and Water Conservation District, and Napa River Reclamation District No. 2109

The Commission reviewed the spheres of influence (SOIs) for Circle Oaks County Water District (COCWD), Congress Valley Water District (CVWD), Los Carneros Water District (LCWD), Napa County Flood Control and Water Conservation District (NCFCWCD), and Napa River Reclamation District No. 2109 (NRRD) based on information in the adopted 2020 *Napa Countywide Water and Wastewater Municipal Service Review*.

The recommended action was for the Commission to adopt a resolution affirming the SOIs for all five districts with no changes and find the SOI reviews are exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3).

The Executive Officer provided an overview of each agency for the Commission and public.

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 adopted the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – SOI reviews for COCWD, CVWD, LCWD, NCFCWCD, and NRRD and making California Environmental Quality Act (CEQA) findings, to include *revised labels* on the maps recommended by the Commission (**Resolution No. 2021-19**):

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON AND WAGENKNECHT

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

7. DISCUSSION ITEMS

a) Countywide Update on Housing and General Plans

The Commission received a presentation on countywide housing and general plan activities. Dawn Mittleman Longoria, Analyst II presented this item and introduced the speakers.

A supplemental item on housing Assembly Bills was also provided to the Commission.

Guest speakers included City of Napa Assistant City Manager Molly Rattigan, City of Napa Housing Manager Lark Ferrell, and Napa Valley Community Housing President/CEO Erica Sklar.

LAFCO's adopted strategic plan includes core guiding principles related to housing and general plans intended to assist the Commission in its future decision-making as it relates to encouraging logical and orderly growth and development throughout Napa County. This information is relevant to the Commission's municipal service reviews, sphere of influence reviews, annexation proposals, and outside service agreement requests.

This item was presented to the Commission for discussion only, and no action was taken.

Due to time constraints, the following agenda items were continued until a later date:

7b) CALAFCO U Course: Fire and Emergency Medical Services

7c) Discussion of Budget Alternative

Upon motion by Commissioner Wagenknecht and second by Commissioner Aboudamous, agenda items 7b and 7c were continued until a later date:

VOTE:

AYES: WAGENKNECHT, ABOUDAMOUS, DILLON, LEARY AND MOHLER

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

8. ACTION ITEMS

a) Proposed Amendment to Policy on CEQA

The Commission considered a proposed amendment to its *Policy on CEQA* as prepared by the ad hoc Policy Committee.

Staff provided an overview of this item, including specific proposed changes to the policy.

On July 14, 2021 and September 3, 2021, the Policy Committee met to review the *Policy on CEQA* and agreed to recommend significant revisions. The proposed revisions involved restructuring and simplifying the Policy to eliminate confusion for all parties and streamline the review process for projects subject to the California Environmental Quality Act (CEQA). This involves adopting the CEQA Guidelines to determine the appropriate course of Commission action for projects subject to the requirements of CEQA.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the Commission adopted a resolution approving the amendment (**Resolution No. 2021-20**):

VOTE:

AYES: WAGENKNECHT, MOHLER, ABOUDAMOUS, DILLON AND LEARY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

b) Outreach Committee Update

The Commission considered a draft newsletter and accompanying outreach materials as prepared by the ad hoc Outreach Committee. The recommended action was for the Commission to provide direction to staff to circulate the newsletter and outreach materials, with any desired changes, to local government agencies and the public.

Staff provided the Commission a sample of a newsletter with bullet points regarding recent activity. The Commission discussed the newsletter and suggested it be edited to only one page, briefly explaining what LAFCO does (such as MSR/SOI's) in language people will understand, and distribute to Napa elected officials, affected agencies, stakeholders, and members of LAFCO's email subscription list.

Upon motion by Commissioner Mohler and second by Commissioner Gregory, the Commission recommended the Committee take baby steps with a simple introductory letter and sending out a revised newsletter to elected officials via email with associated links:

VOTE:

AYES: MOHLER, GREGORY, DILLON AND LEARY

NOES: NONE

ABSENT: PAINTER AND WAGENKNECHT

ABSTAIN: NONE

8. ACTION ITEMS – continued:

c) Consider Adjustment to the Executive Officer’s Compensation

The Commission considered a proposed adjustment to the Executive Officer’s compensation based on the performance evaluation initiated during the Commission’s June 7, 2021 regular meeting. The proposed annual salary of \$148,179 would be effective July 1, 2021.

The Commission also considered designating a matching \$1,000 contribution to a 401(a) retirement savings account for the Executive Officer in addition to the Executive Officer’s annual salary and regular benefits.

Commission Counsel provided an overview of this agenda item.

Following the Commission’s recent review of the Executive Officer’s performance, it was recommended the Commission adopt a resolution approving the adjustment to the Executive Officer’s compensation, consenting to participation in the County of Napa 401(a) Retirement Savings Plan, and establishing an annual LAFCO match for all future calendar years.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the Commission approved a resolution for an adjustment to the Executive Officer’s Compensation from step 4 to step 5, retroactive to July 1, 2021; Consenting to the Participation of LAFCO Management Staff in the County of Napa 401(a) Retirement Savings Plan; and Establishing the LAFCO Match for all Future Calendar Years (**Resolution No. 2021-21**):

VOTE:

AYES: WAGENKNECHT, MOHLER, ABOUDAMOUS, DILLON AND LEARY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

d) Consider Resolution Approving Continued Remote Teleconference Commission Meetings due to COVID-19 Emergency

The Commission considered approving a resolution declaring its intent to continue remote teleconference only meetings due to the Governor’s Proclamation of State of Emergency and state regulations related to physical distancing due to the threat of COVID-19 consistent with California Assembly Bill 361.

Commission Counsel provided an overview of this agenda item.

The Governor’s Executive Orders on teleconference meetings expired on September 30, 2021.

The Legislature approved as an urgency matter AB 361, signed by the Governor on September 16, 2021, amending the Brown Act to allow continued flexibility for public meetings following the expiration of the Governor’s Executive Orders. AB 361 requires the Commission to continually evaluate the COVID-19 emergency and determine if teleconference only meetings will continue.

Upon motion by Commissioner Mohler and second by Commissioner Wagenknecht, the Commission approved a resolution stating that at the next scheduled Commission meeting on December 6, 2021, the Commission will consider the status of the ongoing emergency and facts related to the health and safety of meeting attendees and provide further direction related to future Commission meetings pursuant to the provisions of AB 361 (**Resolution No. 2021-22**):

VOTE:

AYES: MOHLER, WAGENKNECHT, ABOUDAMOUS, DILLON AND LEARY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

9. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

There was a recommendation by Commissioner Mohler that Napa LAFCO send a proclamation to Pamela Miller, CALAFCO Executive Director, thanking her for all of her years of service on CALAFCO, and authorizing staff to prepare this proclamation. The Commission concurred.

10. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 4:33 PM. The next regular LAFCO meeting is scheduled for Monday, December 6, 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 (09/22/2021 10:54 PST)

Diane Dillon, LAFCO Chair

ATTEST:

Dawn Mittleman Longoria, Analyst II

Prepared by:

K. Mabry

Kathy Mabry, Commission Secretary






10-4-21 Minutes

Final Audit Report

2021-12-22

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