



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

*We Manage Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

■ Anne Cottrell, Chair ■ Kenneth Leary, Vice Chair ■ Margie Mohler ■ Beth Painter ■ Belia Ramos  
■ Mariam Aboudamous, Alternate ■ Joelle Gallagher, Alternate ■ Eve Kahn, Alternate

**Administrative Office**  
1754 Second Street, Suite C  
Napa, California 94559  
Telephone: 707-259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

### SPECIAL MEETING AGENDA

Monday, December 9, 2024, 10:00 AM  
**County of Napa Administration Building**  
1195 Third Street, Board Chambers, 3<sup>rd</sup> Floor  
Napa, California 94559

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

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF AGENDA**

The Chair will consider approving the Agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members of the Commission or staff.

**4. PUBLIC COMMENTS**

The public may address the Commission concerning any matter not on the Agenda. The Commission is prohibited from discussing or taking action on any item not appearing on the posted Agenda.

**5. CONSENT ITEMS**

**Action Items:**

- a) **Approval of Meeting Minutes:** October 7, 2024 Regular Meeting
- b) **Approval of Meeting Calendar for 2025**
- c) **Establishing Matching Retirement Savings Contributions for the Executive Officer and Assistant Executive Officer in 2025**

**Receive Report for Information Only:**

- d) **Current and Future Proposals**
- e) **First Quarter Budget Report for Fiscal Year 2024-25**
- f) **CALAFCO Annual Conference Report**
- g) **Chair Rotation for 2025**
- h) **Expiring Commissioner Terms in 2025**

**6. ACTION ITEMS**

Items calendared for action do not require a public hearing before consideration by the Commission. Applicants may address the Commission. Any member of the public may provide comments on an item.

**a) Financial Audit for Fiscal Year Ending June 30, 2024**

The Commission will receive and file a financial audit prepared by Brown Armstrong for the fiscal year ending June 30, 2024.

**b) Consider Ad Hoc Subcommittee Appointments**

The Commission will consider the membership of its ad hoc Fiscal Year 2025-26 Budget Committee, ad hoc Legislative Committee, and ad hoc Policy Committee.

**c) Strategic Plan and Work Program Updates and Possible Direction**

The Commission will receive an update from staff on the adopted Strategic Plan 2023-25 and the adopted Work Program for Fiscal Year 2024-25. The Commission will consider providing direction to staff with respect to any desired changes to the Work Program.

**d) California Government Code Sections 56133.5 and 56133.6 Pilot Programs Report to the Legislature**

The Commission will consider providing formal direction to the Executive Officer to submit a report to the Legislature consistent with the California Government Code sections 56133.5 and 56133.6 pilot programs. The report is due before January 1, 2025, and describes the Commission's participation in the pilot programs.

**7. EXECUTIVE OFFICER REPORT**

**8. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

**9. ADJOURNMENT TO NEXT SCHEDULED MEETING**

Monday, February 3, 2025, at 2:00 P.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

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**MEETING INFORMATION**

**AGENDA ITEMS:** The Commission may reschedule items on the Agenda. The Commission will generally hear uncontested matters first, followed by discussions of contested matters, and staff announcements in that order.

**CONDUCT OF HEARINGS:** A contested matter is usually heard as follows: (1) discussion of the staff report and any related environmental document(s); (2) testimony of proponent; (3) public testimony; (4) rebuttal by proponent; (5) provision of additional clarification by staff as required; (6) close of the public hearing; (7) Commission discussion and Commission vote.

**ADDRESSING THE COMMISSION:** The Local Agency Formation Commission (LAFCO) of Napa County welcomes and encourages participation in its meetings. Any person who wishes to address the Commission should move to the front of the chambers when an item is called and, when recognized by the Chair, state their name, address, and affiliation. Please attempt to make your statements concise and to the point. It is most helpful if you can cite facts to support your contentions. Groups of people with similar viewpoints should appoint a spokesperson to represent their views to the Commission. The Commission appreciates your cooperation in this matter.

**PUBLIC COMMENT TIME LIMITS:** The Commission will hear public comment prior to the consideration of any item. (1) A principal proponent will be allowed up to a 5-minute statement; (2) other proponents will be allowed up to a 3-minute statement; (3) opponents are allowed up to a 3-minute statement with the exception of spokespersons for any group who shall be permitted up to 5-minutes; (4) the principal proponent shall have up to a 3-minute rebuttal; (5) staff will provide clarification, as required.

**SUBMITTING WRITTEN COMMENTS TO BE READ AT THE MEETING:** Any member of the public may submit a written comment to the Commission before the meeting by email to [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or by mail to Napa LAFCO at 1754 Second Street, Suite C, Napa, CA 94559-2450. If you are commenting on a particular item on the Agenda, please identify the Agenda item number and letter. Any comments of 500 words or less (per person, per item) will be read into the record if: (1) the subject line includes "COMMENT TO COMMISSION – PLEASE READ"; and (2) it is received by the Commission prior to the deadline of **December 6, 2024, at 12:00 P.M.**

**SUBMITTING SUPPLEMENTAL WRITTEN COMMENTS:** Any member of the public may submit supplemental written comments to the Commission, beyond the 500-word limit for comments read into the record, and those supplemental written comments will be made a part of the written record.

**VOTING:** A quorum consists of three members of the Commission. No action or recommendation of the Commission is valid unless a majority of the quorum of the Commission concurs therein.

**OFF AGENDA ITEMS:** Matters under the jurisdiction of the Commission and not on the posted Agenda may be addressed by the public under “Public Comments” on the Agenda. The Commission limits testimony on matters not on the Agenda to 500-words or less for a particular subject. The Commission cannot take action on any unscheduled items.

**SPECIAL NEEDS:** Meetings are accessible to persons with disabilities. Requests for assistive listening devices or other considerations should be made 72 hours in advance through LAFCO staff at (707) 259-8645 or [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov).

**POLITICAL REFORM ACT:** Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contributes \$1,000 or more or expends \$1,000 or more in support of or in opposition to a change of organization or reorganization that will be, or has been, submitted to LAFCO must comply, to the same extent as provided for local initiative measures, with reporting and disclosure requirements of the California Political Reform Act of 1974. Additional information can be obtained by contacting the Fair Political Practices Commission. Pursuant to Government Code Section 84308, if you wish to participate in the proceedings indicated on this Agenda, you or your agent is prohibited from making a campaign contribution of \$250 or more to any Commissioner or Alternate Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 12 months after a final decision is rendered by LAFCO. If you or your agent has made a contribution of \$250 or more to any Commissioner or Alternate Commissioner during the 12 months preceding the decision, that Commissioner or Alternate Commissioner must disqualify themselves from the decision in the proceeding. However, disqualification is not required if the Commissioner or Alternate Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

**MEETING MATERIALS:** Any writings or documents provided to a majority of the members of the Commission regarding any item on this Agenda after the posting of the Agenda and not otherwise exempt from disclosure will be made available for public review at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov) or by contacting LAFCO staff at [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645. If supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov). Staff reports are available online at [www.napa.lafco.ca.gov/staff-reports-2023](http://www.napa.lafco.ca.gov/staff-reports-2023) or upon request to LAFCO staff at [info@napa.lafco.ca.gov](mailto:info@napa.lafco.ca.gov) or call the LAFCO office at (707) 259-8645.

**VIEWING RECORDING OF MEETING:** The Commission’s meeting will be recorded. Members of the public may access the meeting and other archived Commission meetings by going to <https://napa.lafco.ca.gov/2023-agendas-and-minutes>. Please allow up to one week for production time. Meetings are also broadcast on Napa TV on the second and fourth Tuesdays of each month at 8pm and second and fourth Wednesdays at 1pm (<http://napavalleytv.org/channel-28>).

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**Agenda Item 5a (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** December 9, 2024

**SUBJECT:** Approval of Meeting Minutes: October 7, 2024 Regular Meeting

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

The Commission will consider approving the draft meeting minutes prepared by staff for the October 7, 2024 regular meeting, included as Attachment 1.

Staff recommends approval of draft meeting minutes.

**ATTACHMENT**

- 1) Draft Minutes for October 7, 2024 Regular Meeting

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY REGULAR MEETING MINUTES OF MONDAY, OCTOBER 7, 2024

### 1. WELCOME AND CALL TO ORDER; ROLL CALL

Chair Cottrell called a regular meeting of October 7, 2024, to order at 2:03 P.M.

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

Regular Commissioners	Alternate Commissioners	Staff
Anne Cottrell, Chair	Joelle Gallagher	Brendon Freeman, Executive Officer
Kenneth Leary, Vice Chair	Eve Kahn ( <i>Absent</i> )	Dawn Mittleman Longoria, Assistant Executive Officer ( <i>Absent</i> )
Margie Mohler	Mariam Aboudamous ( <i>Absent</i> )	Gary Bell, Commission Counsel
Beth Painter		Stephanie Pratt, Clerk/Jr. Analyst
Belia Ramos		

### 2. PLEDGE OF ALLEGIANCE

Chair Cottrell led the Pledge of Allegiance.

### 3. APPROVAL OF AGENDA

Chair Cottrell asked if there were any requests to remove or rearrange the agenda. There were none.

Upon motion by Commissioner Mohler and second by Commissioner Painter, the Commission unanimously adopted the agenda as submitted by the following vote:

#### VOTE:

AYES: COTTRELL, LEARY, MOHLER, PAINTER, RAMOS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

### 4. PUBLIC COMMENTS

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

### 5. CONSENT ITEMS

#### Action Items:

- Approval of Meeting Minutes: August 5, 2024, Regular Meeting
- Approval of Resolution Amending Conflict of Interest Code

#### Receive Report for Information Only:

- Current and Future Proposals
- Legislative Report
- Update on Countywide Fire and Emergency Medical Services Municipal Service Review

Chair Cottrell pulled item c) Current and Future Proposals for further discussion regarding Big Ranch Road and asked for public comment. No comments were received. Upon motion by Commissioner Ramos and second by Commissioner Mohler, all consent items except for item in c) Current and Future Proposals, were approved by the following vote:

#### VOTE:

AYES: COTTRELL, LEARY, MOHLER, PAINTER, RAMOS

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

In this discussion it was important to clarify that the City of Napa is merely processing an application from landowners on Big Ranch Road and thus the City is not the applicant. LAFCO does not usually support annexations that creates additional island except in specific circumstances. Logical and orderly development needs cannot be met without the creation of islands, in this exception due to the City’s rural urban limit line and housing needs. A future workshop on Islands addressing the Concept of Orderly Development will be further addressed with Agenda Item 8.

Upon motion by Commissioner Mohler and second by Commissioner Leary, consent item c) was approved by the following vote:

**VOTE:**

**AYES:** COTTRELL, LEARY, MOHLER, PAINTER, RAMOS  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**6. ACTION ITEMS**

**a) Proposed Lynn Drive Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission considered a proposal for the annexation of one parcel totaling 1.67 acres in size to the Napa Sanitation District. The affected territory is located at 25 Lynn Drive in the City of Napa and identified as Assessor Parcel Number 041-560-001. The annexation is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines 14 CCR § 15061(b)(3) (common sense exemption); 14 CCR § 15301 (minor alteration to existing facilities); 14 CCR § 15303 (new construction or conversion of small structures); 14 CCR § 15319(b) (annexations of lots for exempt facilities), and 14 CCR § 15282(k) (installation of pipeline not exceeding one mile).

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

Upon motion by Commissioner Mohler and second by Commissioner Painter the Commission unanimously approved the proposed Lynn Drive Annexation to the Napa Sanitation District and associated CEQA findings by the following vote:

**VOTE:**

**AYES:** COTTRELL, LEARY, MOHLER, PAINTER, RAMOS  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE  
**RECUSAL:** NONE

**a) Consider Establishment of an Ad Hoc Policy Subcommittee**

The Commission considered establishing an Ad Hoc Subcommittee with two appointed members to advise staff in completing a review and update of adopted local policies. It would disband upon completion of the policy review and update. It was decided that this will be on the December Agenda with the addition of the topics to include being budget, finance and independence. Commissioner Ramos and Commissioner Gallagher expressed interest in serving on this Ad Hoc Policy Subcommittee.

**7. EXECUTIVE OFFICER REPORT**

Executive Officer Freeman reported that staff is still limited but continue moving ahead. The Strategic Plan and Work Program update will be addressed at the December Commission Meeting. He was able to share that the upcoming CALAFCO Conference final program was ready to view.

**8. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS**

Commissioner Leary will not be in attendance at the next meeting but expressed his interest in serving on the Legislative Committee or any other committee.

Chair Cottrell thanked Executive Officer Freeman for being the point person for the AP Triton run Fire/EMS MSR. She requested to include the topic of Islands on a future agenda and stated that it should include a map showing the islands throughout the city, unintended consequences when not annexing them and when is land use a factor.

**9. ADJOURNMENT at 2:49 P.M. TO NEXT SCHEDULED MEETING**

Monday, December 9, 2024, at 10:00 A.M. at the Napa County Board of Supervisors Chambers, located at 1195 Third Street, 3rd floor, Napa, CA 94559.

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Anne Cottrell, LAFCO Chair

ATTEST:

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Brendon Freeman, Executive Officer

Prepared by:

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Stephanie Pratt, Clerk/Jr. Analyst



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**Agenda Item 5b (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** December 9, 2024

**SUBJECT:** Approval of Meeting Calendar for 2025

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

It is recommended the Commission approve a meeting calendar for 2025 consisting of the following dates: February 3; April 7; June 2; August 4; October 6; and December 1.

The Commission's *Policy on Scheduling of Commission Meetings* is included as Attachment 1 and states the Commission shall meet on the first Monday of all even-numbered months at 2:00 PM in the Napa County Board of Supervisors Chambers located at 1195 Third Street, Third Floor. Special meetings may also be scheduled as needed.

It is recommended the Commission schedule six regular meetings in 2025 at 2:00 PM in the Board of Supervisors Chambers on February 3, April 7, June 2, August 4, October 6, and December 1.

**ATTACHMENT**

- 1) Policy on Scheduling of Commission Meetings

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*





## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Policy on Scheduling of Commission Meetings*

(Adopted: June 14, 2001; Last Amended: August 1, 2022)

#### **I. BACKGROUND**

Meetings of the Local Agency Formation Commission (LAFCO) of Napa County will be noticed and conducted in accordance with the Ralph M. Brown Act, [California Government Code \(G.C.\) §54950 et seq.](#) In response to [G.C. §54954](#), this policy establishes the time and place for regular meetings and additionally establishes how a special meeting may be scheduled.

#### **II. PROCEDURES**

##### **A. Regular Meetings**

- 1) The regular meeting day of the Commission is the first Monday of each even-number month (February, April, June, August, October, and December) at 2:00 PM. The location will be the County of Napa Board of Supervisors Chambers located at 1195 Third Street, Third Floor, Napa, California 94559.
- 2) The Chair may cancel a regular meeting if he or she determines the Commission cannot achieve a quorum or there is a lack of business. Regular meetings may also be canceled with the consent of a majority of the regular members of the Commission. For the purpose of this policy, a majority includes at least one member representing the cities and one member representing the county.

##### **B. Special Meetings**

- 1) Special meetings may be scheduled in accordance with the Ralph M. Brown Act which at the time of the adoption of this policy allows the Commission Chair to schedule special meetings as needed. The Chair shall consult with the Executive Officer in scheduling special meetings to ensure a quorum is available at a specified place and time.
- 2) Requests from outside parties for special meetings must be made in writing and submitted to the Executive Officer. If approved and scheduled by the Chair, the affected outside party requesting the special meeting will be responsible for any related charges pursuant to the Commission's *Schedule of Fees and Deposits*.



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**Agenda Item 5c (Consent/Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer B F

**MEETING DATE:** December 9, 2024

**SUBJECT:** Establishing Matching Retirement Savings Contributions for the Executive Officer and Assistant Executive Officer in 2025

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**SUMMARY AND RECOMMENDATION**

This is a consent item for formal action. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair.

It is recommended the Commission adopt the Resolution of the Local Agency Formation Commission of Napa County Consenting to the Participation of LAFCO Management Staff in the County of Napa 401(a) Retirement Savings Plan and Establishing the LAFCO Match for the 2025 Calendar Year, included as Attachment 1, which would establish \$1,800 matching 401(a) retirement contributions for each the Executive Officer and Assistant Executive Officer in calendar year 2025.

Management employees with the County of Napa are eligible for an \$1,800 annual employer contribution to a 401(a) retirement savings account. This amount has already been budgeted for the Executive Officer and Assistant Executive Officer for the current fiscal year. Additionally, the Executive Officer and Assistant Executive Officer have already been authorized to participate in the 401(a) retirement savings plan. Consistent with prior years, the annual contributions need to be designated as matching contributions in calendar year 2025 by way of the Commission adopting a new resolution.

**ATTACHMENT**

- 1) Resolution Consenting to the Participation of LAFCO Management Staff in the County of Napa 401(a) Retirement Savings Plan and Establishing the LAFCO Matches for the 2025 Calendar Year

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**RESOLUTION NO. \_\_\_\_\_**

**THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
CONSENTING TO THE PARTICIPATION OF LAFCO MANAGEMENT STAFF  
IN THE COUNTY OF NAPA 401(a) RETIREMENT SAVINGS PLAN AND  
ESTABLISHING THE LAFCO MATCH FOR THE 2025 CALENDAR YEAR**

**WHEREAS**, the Executive Officer and Assistant Executive Officer of the Napa County Local Agency Formation Commission (hereinafter “LAFCO” and “Employer”) are management employees of the County of Napa whose services are contracted out to LAFCO; and

**WHEREAS**, in 2002 LAFCO consented to the participation of LAFCO in the 401(a) Retirement Savings Plan (hereinafter “Plan”) established by Napa County, which provides in part that LAFCO shall determine, in its sole discretion, the amount of the Employer contribution to be made to the Plan during each Plan year and that the amount of the Employer contribution for each calendar year, if any, shall be established annually on or before January 1<sup>st</sup> of that calendar year by a duly adopted resolution of the Employer, a copy of which shall be delivered to the Napa County Deferred Compensation Board of Control (hereinafter “Board of Control”); and

**WHEREAS**, the Plan also provides that upon the adoption of a resolution identifying the amount of the Employer contribution for the next succeeding calendar year, the Employer shall, during said next succeeding calendar year, make a contribution in an amount equal to the contribution each Management, Confidential, and Non-Classified officer and/or employee who is a Participant in the Plan makes to the Employer's 457 Deferred Compensation Plan during that same calendar year (hereinafter the “Match”); provided, however, the Employer contribution to the 401(a) deferred compensation account of each Management, Confidential, and Non-Classified officer and/or employee who is a Participant in the Plan during any calendar year shall not exceed the amount set forth in said resolution; and

**WHEREAS**, during fiscal year 2024-2025, LAFCO hereby agrees to establish a Match for calendar year 2025 pursuant to section 4.02-1 of the Plan.

**NOW THEREFORE BE IT RESOLVED** by LAFCO that, for calendar year 2025, it hereby approves up to a \$1,800 “Match” for each Management staff of LAFCO (presently the LAFCO Executive Officer and Assistant Executive Officer) who are or become Participants in the Plan during 2025.

**BE IT FURTHER RESOLVED** that the Clerk of the Commission is directed to deliver a copy of this resolution to the Board of Control.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on December 9, 2024, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES: Commissioners \_\_\_\_\_  
NOES: Commissioners \_\_\_\_\_  
ABSENT: Commissioners \_\_\_\_\_  
ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Anne Cottrell  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Stephanie Pratt  
Clerk/Jr. Analyst

DRAFT



**Agenda Item 5d (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** December 9, 2024

**SUBJECT:** Current and Future Proposals

**SUMMARY**

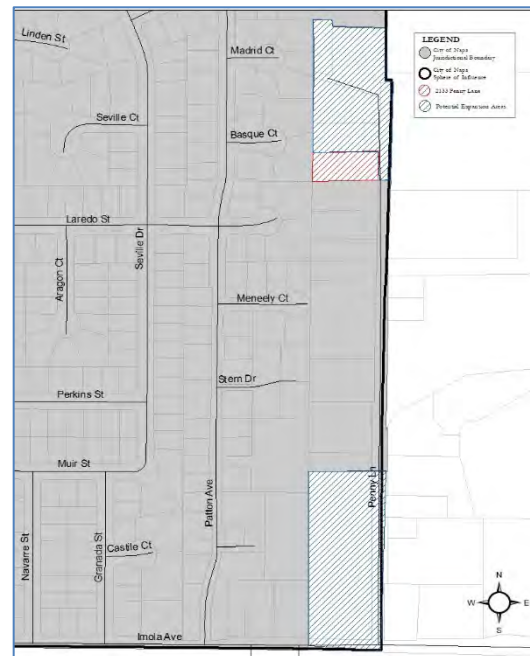
This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

This report summarizes all current and future boundary change proposals. There are currently no active proposals on file and nine anticipated new proposals that are expected to be submitted in the future. A summary follows.

***Anticipated Proposals***

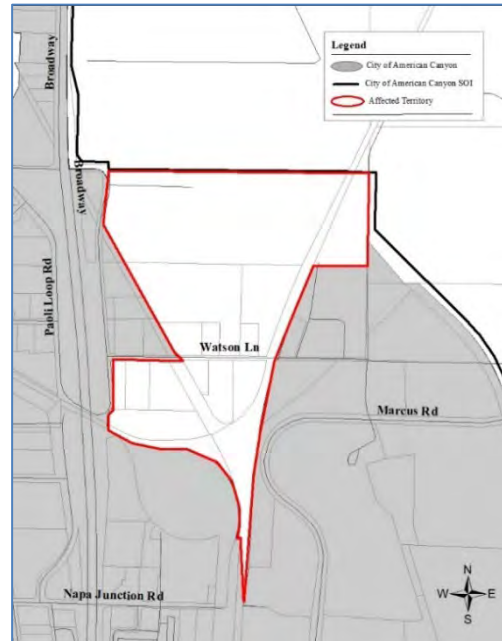
**Penny Lane Annexation to the City of Napa**

The landowner of one unincorporated parcel located at 2133 Penny Lane has inquired about annexation to the City of Napa for purposes of connecting to public water service. The parcel is in the City's sphere of influence (SOI) and rural urban limit (RUL), identified as APN 046-481-028, and is approximately 0.5 acres in size. The interested landowner and LAFCO staff are extending an opportunity for additional properties along Penny Lane to join the annexation to create a more logical and orderly City boundary. An application is expected to be submitted within the next two months.



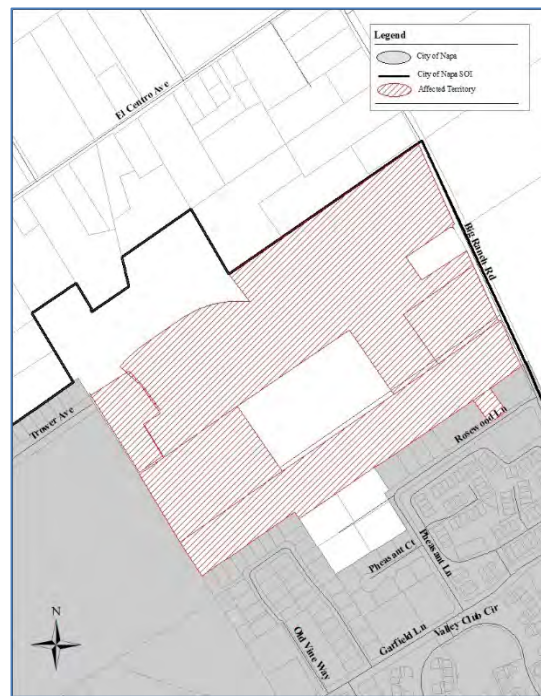
### Paoli Loop/Watson Lane Annexation to the City of American Canyon

A landowner submitted a preliminary application to annex 16 parcels and a portion of railroad totaling approximately 83 acres of territory to the City of American Canyon. Concurrent detachment from County Service Area No. 4 is required under local policy. The area is located within the City’s SOI near Watson Lane and Paoli Loop and identified as APNs 057-120-014, -015, -017, -028, -034, -036, -041, -045, -047, -048, -049, -050, & -051, 057-180-014 & -015, and 059-020-036. The purpose of annexation is to allow development of the area for industrial and residential purposes as well as help facilitate the extension of Newell Drive to South Kelly Road. The City of American Canyon, as lead agency under CEQA, certified a Final Environmental Impact Report for the Paoli/Watson Lane Annexation Project. It is anticipated a complete application for annexation will be submitted in the foreseeable future.



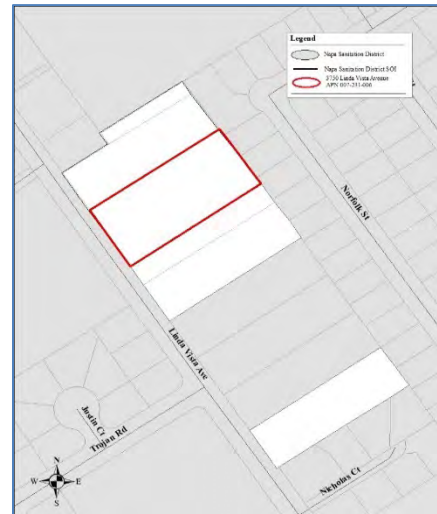
### Big Ranch Road/Rosewood Lane Annexation to the City of Napa

The City of Napa is processing an application from multiple landowners for the annexation of five entire parcels and a portion of a sixth parcel totaling approximately 53.5 acres. The parcels are located within the City’s SOI at 2275 Big Ranch Road, 2285 Big Ranch Road, 2305 Big Ranch Road, 1130 Trower Avenue (portion), and 1438 Rosewood Lane, and identified as APNs 038-240-022, 038-240-005, 038-240-023, 038-240-014, and 038-160-029, respectively. Annexation to the City would allow the parcels to be developed consistent with the City’s adopted Big Ranch Road Specific Plan and a future master plan for the area. Notably, the current configuration of the planned annexation would result in the creation of new unincorporated islands, which is prohibited under state law unless LAFCO makes a specific finding related to the orderly development of the City. It is anticipated an application for annexation will be submitted to LAFCO in the foreseeable future.



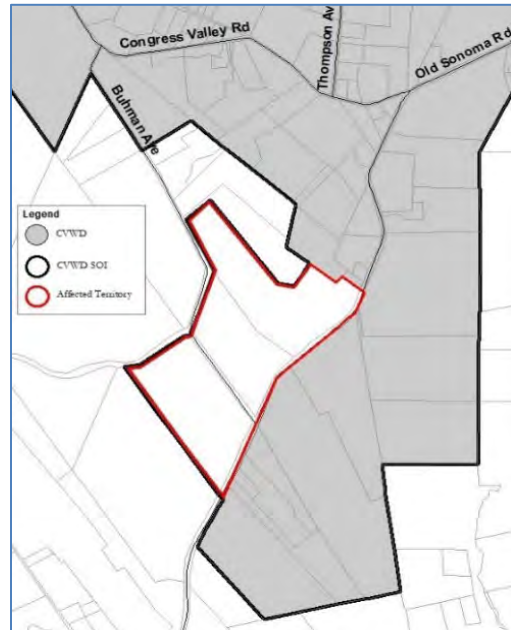
### Linda Vista No. 22 Annexation to NSD

A representative for the landowner of one unincorporated parcel submitted a preliminary application to annex one parcel to NSD. The parcel is in NSD's SOI, identified as APN 007-231-006, located at 3750 Linda Vista Avenue, and is approximately 1.2 acres in size. Annexation to NSD would facilitate an SB9 urban lot split, dividing the one parcel into five and connecting all existing and future structures to NSD. The application is pending analysis of potential environmental impacts.



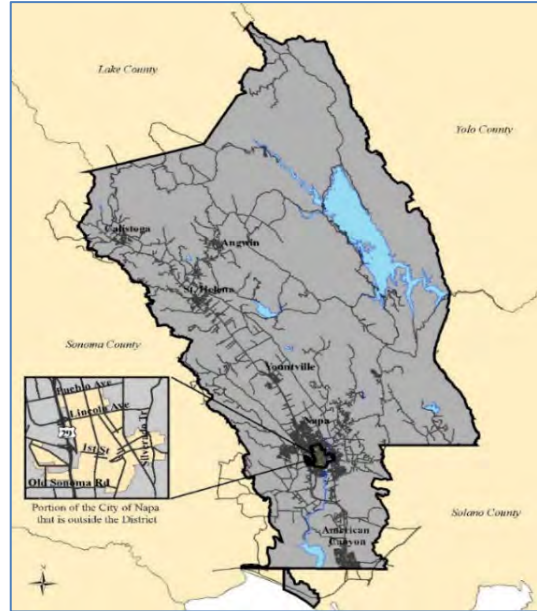
### Old Sonoma Road/Buhman Avenue Annexation to CVWD

A landowner previously submitted a proposal to annex three unincorporated parcels totaling approximately 141.5 acres in size to the Congress Valley Water District (CVWD). The parcels are located in CVWD's SOI along the northwestern side of Old Sonoma Road at its intersection with Buhman Avenue and identified as APNs 047-030-005, 047-030-020, and 047-080-001. Current land uses include two single-family residences and commercial vineyards with auxiliary structures and facilities. Two of the parcels already receive water service through grandfathered outside service agreements. Annexation would establish permanent water service to all three parcels. CVWD has requested, and the landowners have agreed, to postpone LAFCO action. There is no current timetable for the process to be resumed.



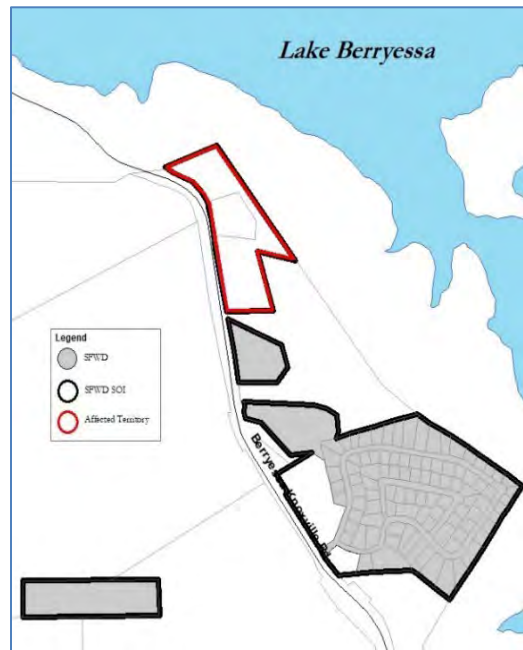
### NCRCDD Donut Hole Annexation

Staff from the Napa County Resource Conservation District (NCRCDD) has inquired about annexation of approximately 1,300 acres of incorporated territory located in the City of Napa. This area comprises the only remaining territory located within NCRCDD’s SOI but outside its jurisdictional boundary and is commonly referred to as a “donut hole”. The purpose of annexation would be to allow NCRCDD to expand its service programs and hold public meetings within the affected territory; activities that are currently prohibited within the area. In February 2020, the Commission approved a request for a waiver of LAFCO’s proposal processing fees. The Commission recently completed a Municipal Service Review for NCRCDD that includes a recommendation for the District to annex the donut hole. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



### 7140 & 7150 Berryessa-Knoxville Road Annexation to SFWD

A landowner has inquired about annexation of one entire unincorporated parcel and a portion of a second unincorporated parcel totaling approximately 7.9 acres in size to the Spanish Flat Water District (SFWD). The parcels were added to SFWD’s SOI in 2021, are located at 7140 and 7150 Berryessa-Knoxville Road, and identified as APNs 019-280-004 (entire) and 019-280-006 (portion). Current land uses within the parcels include a commercial boat and recreational vehicle storage facility (Lakeview Boat Storage), approximately 6,000 square feet of enclosed storage structures, an administrative office, and a detached single-family residence. The parcels are currently dependent on private water and septic systems to support existing uses. Annexation would facilitate the connection of existing uses to SFWD’s water and sewer services. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.





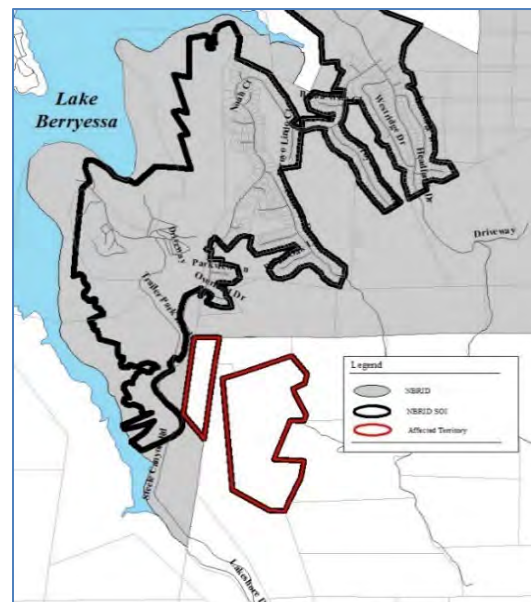
## Materials Diversion Facility Annexation to the City of Napa

Staff from the City of Napa has inquired about annexation of approximately 2.9 acres of unincorporated territory comprising a portion of a parcel owned by the Napa-Vallejo Waste Management Authority. The APN of the entire parcel is 057-090-060. A property sale and a lot line adjustment are planned to create new parcels. The purpose of the property acquisition and future annexation is to expand the City's existing materials diversion facility operations. The property is located outside the City of Napa's SOI near the City of American Canyon. Annexation to the City of Napa is allowed given the property is owned by the City and soon will be used by the City for municipal purposes.<sup>1</sup> It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



## Wastewater Treatment Plant Annexation to NBRID

Staff from the Napa Berryessa Resort Improvement District (NBRID) has inquired about annexation of two unincorporated parcels totaling approximately 101 acres in size that serve as the location of the District's wastewater treatment plant facilities. The parcels were added to NBRID's SOI in 2021, are owned by NBRID, and are identified as APNs 019-220-028 & -038. Annexation would be for purposes of reducing NBRID's annual property tax burden. It is anticipated a proposal for annexation will be submitted in the future, but there is no current timetable.



<sup>1</sup> See [California Government Code §56742](#).



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

1754 Second Street, Suite C  
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Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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**Agenda Item 5e (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** December 9, 2024

**SUBJECT:** First Quarter Budget Report for Fiscal Year 2024-25

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

Consistent with local policy, the Commission will receive a first quarter budget report that shows all budgeted and actual operating revenue and expenditure accounts for the 2024-25 fiscal year through September 30, 2024, included as Attachment 1.

When the year is closed, all year-end numbers will be finalized and presented to the Commission at its December 1, 2025 regular meeting as part of the annual audit report.

**ATTACHMENT**

- 1) FY 2024-25 Revenue & Expense Report through September 30, 2024

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



# Statement of Revenues and Expenses Budget vs. Actual

Fiscal Year: 2025 Through Period: 03

Fund: 8400 - Local Agency Formation Comm

Division: 84000 - LAFCO - Administration

Org: 8400000 - LAFCO - Administration

Object	Budget			Encumbrances	Actuals	Available Budget	% of Budget
	Adopted	Adjustments	Revised				
<b>License, Permits and Franchises</b>							
42690 - Permits Other/Application Fees	25,000.00	-	25,000.00	-	6,026.92	18,973.08	24.11 %
<b>Total License, Permits and Franchises</b>	<b>25,000.00</b>	<b>-</b>	<b>25,000.00</b>	<b>-</b>	<b>6,026.92</b>	<b>18,973.08</b>	<b>24.11 %</b>
<b>Intergovernmental Revenues</b>							
43910 - County of Napa	368,975.00	-	368,975.00	-	368,975.00	-	100.00 %
43950 - Other - Governmental Agencies	368,975.00	-	368,975.00	-	127,946.00	241,029.00	34.68 %
<b>Total Intergovernmental Revenues</b>	<b>737,950.00</b>	<b>-</b>	<b>737,950.00</b>	<b>-</b>	<b>496,921.00</b>	<b>241,029.00</b>	<b>67.34 %</b>
<b>Revenue from Use of Money and Property</b>							
45100 - Interest	7,000.00	-	7,000.00	-	9,679.82	(2,679.82)	138.28 %
<b>Total Revenue from Use of Money and Property</b>	<b>7,000.00</b>	<b>-</b>	<b>7,000.00</b>	<b>-</b>	<b>9,679.82</b>	<b>(2,679.82)</b>	<b>138.28 %</b>
<b>Charges for Services</b>							
46800 - Charges for Services	1,000.00	-	1,000.00	-	4,000.00	(3,000.00)	400.00 %
<b>Total Charges for Services</b>	<b>1,000.00</b>	<b>-</b>	<b>1,000.00</b>	<b>-</b>	<b>4,000.00</b>	<b>(3,000.00)</b>	<b>400.00 %</b>
<b>Miscellaneous Revenues</b>							
47900 - Miscellaneous	4,000.00	-	4,000.00	-	-	4,000.00	0.00 %
<b>Total Miscellaneous Revenues</b>	<b>4,000.00</b>	<b>-</b>	<b>4,000.00</b>	<b>-</b>	<b>-</b>	<b>4,000.00</b>	<b>0.00 %</b>

Fund: 8400 - Local Agency Formation Comm

Division: 84000 - LAFCO - Administration

Org: 8400000 - LAFCO - Administration

Object	Budget			Encumbrances	Actuals	Available Budget	% of Budget
	Adopted	Adjustments	Revised				
<b>Salaries and Employee Benefits</b>							
51210 - Director/Commissioner Pay	18,000.00	-	18,000.00	-	1,950.00	16,050.00	10.83 %
51300 - Medicare	300.00	-	300.00	-	28.28	271.72	9.43 %
51305 - FICA	700.00	-	700.00	-	120.90	579.10	17.27 %
<b>Total Salaries and Employee Benefits</b>	<b>19,000.00</b>	<b>-</b>	<b>19,000.00</b>	<b>-</b>	<b>2,099.18</b>	<b>16,900.82</b>	<b>11.05 %</b>
<b>Services and Supplies</b>							
52100 - Administration Services	614,588.00	-	614,588.00	-	-	614,588.00	0.00 %
52125 - Accounting/Auditing Services	7,500.00	-	7,500.00	4,200.00	1,218.00	2,082.00	72.24 %
52130 - Information Technology Svcs	27,746.00	-	27,746.00	-	6,936.50	20,809.50	25.00 %
52131 - ITS Communication Charges	2,757.00	-	2,757.00	-	689.25	2,067.75	25.00 %
52140 - Legal Services	35,000.00	-	35,000.00	28,845.33	6,154.67	-	100.00 %
52310 - Consulting Services	45,000.00	82,754.00	127,754.00	126,471.84	-	1,282.16	99.00 %
52345 - Janitorial Services	300.00	-	300.00	216.00	84.00	-	100.00 %
52515 - Maint - Software	1,512.00	-	1,512.00	-	1,512.00	-	100.00 %
52600 - Rents/Leases - Equipment	3,000.00	-	3,000.00	1,909.34	590.57	500.09	83.33 %
52605 - Rents/Leases - Buildings/Land	27,570.00	-	27,570.00	20,730.00	9,120.00	(2,280.00)	108.27 %
52700 - Insurance - Liability	922.00	-	922.00	-	-	922.00	0.00 %
52800 - Communications/Telephone	3,000.00	-	3,000.00	1,800.00	290.04	909.96	69.67 %
52830 - Publications and Legal Notices	1,000.00	-	1,000.00	-	274.38	725.62	27.44 %
52835 - Filing Fees	200.00	-	200.00	-	(120.00)	320.00	-60.00 %
52900 - Training/Conference Expenses	20,000.00	-	20,000.00	-	-	20,000.00	0.00 %
52905 - Business Travel/Mileage	1,000.00	-	1,000.00	-	-	1,000.00	0.00 %
53100 - Office Supplies	2,500.00	-	2,500.00	-	138.96	2,361.04	5.56 %
53110 - Freight/Postage	100.00	-	100.00	-	-	100.00	0.00 %
53115 - Books/Media/Subscriptions	119.00	-	119.00	-	-	119.00	0.00 %
53120 - Memberships/Certifications	3,411.00	-	3,411.00	-	3,411.00	-	100.00 %

53205 - Utilities - Electric	2,500.00	-	2,500.00	-	379.86	2,120.14	15.19 %
53415 - Computer Software/Licnsng Fees	225.00	-	225.00	-	-	225.00	0.00 %
53650 - Business Related Meals/Supply	1,000.00	-	1,000.00	-	-	1,000.00	0.00 %
<b>Total Services and Supplies</b>	<b>800,950.00</b>	<b>82,754.00</b>	<b>883,704.00</b>	<b>184,172.51</b>	<b>30,679.23</b>	<b>668,852.26</b>	<b>24.31 %</b>

<b>33100 - Beginning Available Fund Balance</b>					417,577.58		
<b>Total Revenues</b>	774,950.00		774,950.00		<u>516,627.74</u>	258,322.26	66.67 %
<b>Total Expenditures</b>	819,950.00	<u>82,754.00</u>	902,704.00	<u>184,172.51</u>	<u>32,778.41</u>	685,753.08	24.03 %
<b>Net Surplus / (Deficit)</b>	(45,000.00)	(82,754.00)	(127,754.00)		483,849.33		
<b>33100 - Current Available Fund Balance</b>					901,426.91		



**Local Agency Formation Commission of Napa County**  
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**Agenda Item 5f (Consent/Information)**

**TO:** Local Agency Formation Commission  
**PREPARED BY:** Brendon Freeman, Executive Officer *BF*  
Stephanie Pratt, Clerk/Jr. Analyst *SP*  
**MEETING DATE:** December 9, 2024  
**SUBJECT:** CALAFCO Annual Conference Report

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

LAFCO's state organization, CALAFCO, held their Annual Conference on October 16-18 in Yosemite. It provided an excellent opportunity to network and learn from each other. Representing Napa LAFCO were two Commissioners and two staff members.

Both Executive Officer Freeman and Clerk/Jr. Analyst Pratt were engaged on the months-long planning committee that aimed to align efforts across environmental justice, water management, and organizational leadership for a more equitable and sustainable future.

Environmental Justice – The conference focused on enhancing community engagement and educating residents about LAFCO, emphasizing collaboration with environmental justice advocates and leveraging existing processes like general plans and state grants.

Water – Two sessions focused on water systems, both private and public, related to empowering water policy advocates through education, collaboration, and inclusion.

Succession Planning – The conference highlighted the importance of succession planning for LAFCO staff to ensure continuity and effective governance while navigating change.

Clerk/Jr. Analyst's photo of American Canyon was featured on the cover of CALAFCO's annual magazine The Sphere.

**ATTACHMENTS**

- 1) CALAFCO 2024 Annual Conference Program with Speaker Bios
- 2) The Sphere 2024 cover

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



# welcome

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TO THE 2024

# CALAFCO

A N N U A L C O N F E R E N C E

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OCTOBER 16-18, 2024

*Yosemite, California*

## SCHEDULE AT-A-GLANCE

### WEDNESDAY – OCTOBER 18

7:00 a.m.	Registration Opens
7:15 a.m.	Mobile Workshop
10:00 a.m.	LAFCO 101
1:30 p.m.	Conference Opening
2:00 p.m.	GENERAL SESSION: In the Halls and Behind the Walls: When Legislation Turns Political
3:15 p.m.	Refreshment Break
3:30 p.m.	GENERAL SESSION: Equity in Action: LAFCO'S Role in Environmental Justice
5:30 p.m.	Welcome Reception
6:30 p.m.	Optional Dinner (Requires pre-purchased ticket) or Dinner on Your Own

### THURSDAY – OCTOBER 17

6:30 a.m.	Breakfast Buffet
8:00 a.m.	Registration Opens
8:00 a.m.	Regional Caucus Meetings and Elections
9:15 AM	CALAFCO Annual Business Meeting
10:30 AM	Refreshment Break
10:45 AM	Regional & Attorney Roundtables
12:00 PM	Networking Buffet Lunch
1:45 p.m.	<b>BREAKOUT SESSIONS</b>
1)	Connecting the Drops: Private Water Systems in California
2)	Consolidations: Beyond the LAFCO Process, the Commissioners' Role
3:15 p.m.	Refreshment Break
3:30 p.m.	<b>BREAKOUT SESSIONS</b>
1)	What Would You Do?
2)	What Does that LAFCO Hat Look Like?
5:15 p.m.	Pre-dinner Reception
6:15 p.m.	Dinner and Awards

### FRIDAY – OCTOBER 18

6:30 AM	Breakfast Buffet
7:30 a.m.	CALAFCO Board of Directors Meeting
8:00 AM	Registration Opens
9:00 a.m.	GENERAL SESSION: Preparing for Future LAFCO Leaders, TODAY!
10:15 a.m.	Refreshment Break
10:30 a.m.	GENERAL SESSION: Empowering Water Policy Champions Through Education, Collaboration, and Inclusive Fellowship
12:00 p.m.	Conference Adjourns

# WELCOME

## TO THE 2024 CALAFCO CONFERENCE!



### Welcome from the Chair of the Board

On behalf of the CALAFCO Board of Directors, I want to welcome you to our Annual Conference here amid the towering mountains and forests of Yosemite National Park. Thank you for joining us as we gather to merge ideas with solutions and seek to address the unique and complicated challenges of our great state. As we gather to discuss issues of importance to LAFCOs, I heartily encourage you to take advantage of your time here to expand your network, and to avail yourself of all of the resources available to you and your LAFCO.

Thank you for your leadership in shaping the future of LAFCO and I hope you enjoy the Conference!

**Margie Mohler, Commissioner, Napa LAFCO**  
Chair, CALAFCO Board of Directors



### Welcome from the Conference Chair

On behalf of the CALAFCO Conference Committee, I am honored and delighted to welcome you to the 2024 CALAFCO Annual Conference. This conference offers a unique opportunity for LAFCOs from around the state to get together and talk about our roles as LAFCO Commissioners and Staff. I am confident the content-rich sessions will showcase how LAFCOs can merge innovative and creative ideas with solutions as we continue to face California's greatest challenges.

Thank you for taking the time to participate in this conference and welcome to Yosemite!

**Acquanetta Warren**  
Commissioner, San Bernardino LAFCO,  
Vice President of the CALAFCO Board of Directors

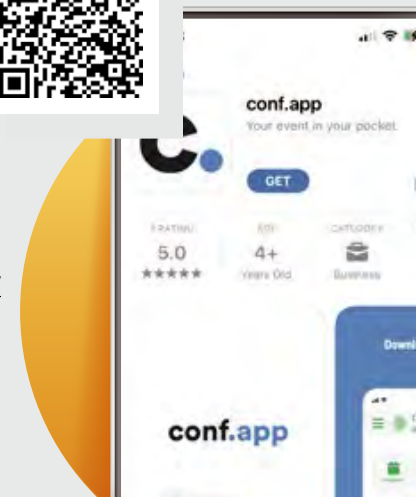


**Wifi CREDENTIALS:**  
**Network: Tenayalodge**

## Calafco Event App



1. Download **conf.app** from the App Store or Google Play
2. Scan the QR code (to the right) to load the event on the app, or type the event URL into your phone, <https://agenda.conf.app/3b6b69ab-b433-4660-b93c-60e75a1ccfff>
3. Press on it to access





# SCHEDULE

# PRE-CONFERENCE ACTIVITIES

## WEDNESDAY, OCTOBER 16<sup>TH</sup>

7:00 a.m. – 4:00 p.m.	Registration
7:15 a.m. – 12:30 p.m.	<b>Mobile Workshop: The Road to Glacier Point - Mariposa County &amp; Yosemite National Park's Collaborative Service Provision</b>

Learn how Mariposa County and Yosemite National Park are collaborating on service provision through intergovernmental efforts and the engagement of local stakeholders.

Buses Load at 7:15 a.m. at the Port Cochere, and depart Promptly at 7:30 a.m.

10:00 a.m. – 12:00 p.m.	<b>LAFCO 101</b> Location: Salon IV
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Government codes? Statutory requirements? Legal ramifications? If any of these have you scratching your head sometimes, fear not because this "LAFCO 101" session will not only give you an inside scope on becoming a LAFCO expert in these areas but will also be entertaining beyond belief.

Don't take our word for it and check this session out – you won't be disappointed.

Panelists: Joe Serrano, Executive Officer, Santa Cruz LAFCO; and Paula C. P. de Sousa, Partner, Best Best & Krieger LLP's Special District Practice Group - Moderator: Joe Serrano

2.0 AICP CM credits



## WEDNESDAY, OCTOBER 16<sup>TH</sup>

1:30 p.m. – 2:00 p.m.	<b>Conference Opening</b> Location: Salons I, II, & III
2:00 p.m. - 3:15 p.m.	<b>GENERAL SESSION: In the Halls and Behind the Walls: When Legislation Turns Political</b> Location: Salons I, II, & III

What most of us know about the legislative process is a straight-forward two-house flow that we were taught during our high school civics classes. But what happens to that process when a bill turns political? Join us as veteran lobbyists share their war stories regarding a recent bill concerning the County Water Authority Act and learn what really occurs in the Capitol when competing interests scramble in an attempt to affect a bill's outcome.

Panelists: Kirk Kimmelshue, Partner, Fernández Jensen Kimmelshue Government Affairs - Moderator: Tom Kennedy, President, Kennedy Water Consulting

1.25 AICP CM credits

3:15 p.m. – 3:30 p.m.	<b>Refreshment Break</b> Location: Foyer
3:30 p.m. – 5:00 p.m.	<b>General Session: Equity in Action: LAFCO'S Role in Environmental Justice</b> Location: Salons I, II, & III

Join us for a dynamic session where we will explore how LAFCOs can champion environmental justice. Delve into the history and legislation that shape this crucial work and learn how LAFCOs can drive sustainable growth and foster inclusive decision-making to create healthier environments for everyone. Discover strategies for ensuring fair treatment and meaningful involvement of all communities in the planning and provision of public services. Come ready to share your ideas and collaborate on actionable solutions!

Panelists: Beth Altshuler Muñoz, President and Founder, BAM Consulting, Inc.; Phoebe Seaton, Co-founder and Co-Executive Director, Leadership Counsel for Justice and Accountability; Keene Simonds, Executive Officer, San Diego LAFCO - Moderator: Sylvia Arenas, Vice Chair, Santa Clara LAFCO and Supervisor, County of Santa Clara

1.5 AICP CM credits

5:30 p.m. – 7:00 p.m.	<b>Welcome Reception</b> Location: Terrace
6:30 p.m. – 8:00 p.m.	<b>Optional Dinner Buffet (Requires pre-purchased ticket)</b> Location: Pavilion
7:00 p.m.	<b>Dinner on Your Own</b>

# THURSDAY, OCTOBER 17<sup>TH</sup>

## SCHEDULE

6:30 a.m. – 8:00 a.m.	<b>Breakfast Buffet</b> <i>Location: Foyer</i>
8:00 a.m. – 4:00 p.m.	<b>Registration</b> <i>Location: Foyer</i>
8:00 a.m. – 9:00 a.m.	<b>Regional Caucus Meetings and Elections</b> <i>Locations: Counties Room, Forest View Room, Salon IV, and Salons VII &amp; VIII</i>
9:15 a.m. – 10:30 a.m.	<b>CALAFCO Annual Business Meeting</b> <i>Location: Salons I, II, &amp; III</i>
10:30 a.m. – 10:45 a.m.	<b>Refreshment Break</b> <i>Location: Foyer</i>
10:45 a.m. – 11:45 a.m.	<b>Regional &amp; Counsel Roundtables</b> <i>Locations: Counties, Forest View, Salon IV, Salon VI, and Salon VII &amp; VIII</i>
12:00 p.m. – 1:30 p.m.	<b>Networking Buffet Lunch</b> <i>Location: Foyer</i>
1:45 p.m. – 3:15 p.m.	<b>Breakout Sessions</b>

### Connecting the Drops: Private Water Systems in California *Location: Forest View Room*

We all know LAFCOs have purview over cities and special districts, but what about private water systems? Gain a better understanding on how they operate and the challenges they face. Learn how LAFCOs can play a role in their future and hear a true story about how one private water system wasn't too big to fail.

*Panelists: JM Brown, Analyst, County of Santa Cruz; Nicolas L. Jaber, Attorney, Serviam by Wright LLP; and Lydia Rossiter, Senior Utility Consultant, Moonshot Missions - Moderator: Joe Serrano, Executive Officer, Santa Cruz LAFCO*

1.5 AICP CM credits

### Consolidations: Beyond the LAFCO Process, the Commissioners' Role *Location: Salon V*

Consolidations on the horizon? This session will go beyond the staff processing of an application and focus on the role commissioners can take to promote and support consolidations/reorganizations and further LAFCO's goal to promote the efficient provision of services.

*Jim Holmes, Placer LAFCO and Supervisor, County of Plumas; and Lou Ann Texeira, Executive Officer, Contra Costa LAFCO - Moderator: Samuel Martinez, Executive Officer, San Bernardino LAFCO*

1.5 AICP CM credits

3:15 p.m. – 3:30 p.m.	<b>Refreshment Break</b> <i>Location: Foyer</i>
3:30 p.m. – 5:00 p.m.	<b>Breakout Sessions</b>

### What Would You Do? *Location: Forest View Room*

This fun and interactive session will present situations that came before LAFCO Boards and presented unusual challenges and issues. The panelists will present an overview of a situation faced by their commissioners and allow for discussion of the conflicting LAFCO goals, what the commission decided and the results of the decision.

*Panelists: John Benoit, Executive Officer, Calaveras LAFCO; David Braun, Executive Officer, Madera LAFCO; Crystal Craig, Assistant Executive Officer, Riverside LAFCO - Moderator: Adriana Romo, Deputy Executive Officer, Los Angeles LAFCO*

1.5 AICP CM credits

### What Does that LAFCO Hat Look Like? *Location: Salon V*

As we all know, the Cortese-Knox-Hertzberg Act directs commissioners to make decisions on behalf of the public as a whole and not for their home agency when they serve on LAFCO. But what does it mean for commissioners to be "independent"? Hear from seasoned commissioners on how they interpret that general direction in statute and share how they approach proposals while they wear their "LAFCO hat."

*Panelists: Gay Jones, Special District Member Commissioner, Sacramento LAFCO, and CALAFCO Board Member; Blake Inscore, City Member Commissioner, Del Norte LAFCO, and CALAFCO Board Member; Yxstian Gutierrez, County Member Commissioner, Riverside LAFCO, and CALAFCO Board Member; and John Withers, Partner with California Strategies, LLC, and Irvine Ranch Water District Board of Directors - Moderator: Paula C.P. de Sousa, Partner, Best Best & Krieger*

1.5 AICP CM credits

5:15 p.m. – 6:15 p.m.	<b>Pre-dinner Reception</b> <i>Location: Foyer</i>
6:15 p.m. – 9:00 p.m.	<b>Dinner Banquet and Awards Ceremony</b> <i>Location: Salons I, II, and III</i>

# SCHEDULE

# FRIDAY, OCTOBER 18<sup>TH</sup>

6:30 a.m. – 9:00 a.m.	<b>Breakfast Buffet</b> <i>Location: Foyer</i>
7:30 a.m. – 8:45 a.m.	<b>CALAFCO Board of Directors Meeting</b> <i>Location: Forest View Room</i>
8:00 a.m. – 9:00 a.m.	<b>Registration</b>
9:00 a.m. – 10:15 a.m.	<b>GENERAL SESSION: Preparing for Future LAFCO Leaders, TODAY!</b> <i>Location: Salons I, II, &amp; III</i>

A LAFCO career is such a lucrative profession if you think about it – once you discover or stumble upon it of course. In fact, most employees end their careers with LAFCO after 10, 20, 30+ years under their belts. But how do you replace someone with that much experience? How do you find the right candidate to pass the torch to? This session goes over succession planning and how to gain/retain LAFCO talent.

Panelists: Brendon Freeman, Executive Officer, Napa LAFCO; Larkyn Feiler, Contract Executive Officer, Lake and Colusa LAFCOs; Rachel Jones, Executive Officer, Alameda LAFCO - Moderator: Joe Serrano, Executive Officer, Santa Cruz LAFCO

1.25 AICP CM credits

10:15 a.m. – 10:30 a.m.	<b>Refreshment Break</b> <i>Location: Foyer</i>
10:30 a.m. – 12:00 p.m.	<b>GENERAL SESSION: Empowering Water Policy Champions Through Education, Collaboration, and Inclusive Fellowship</b> <i>Location: Salons I, II, &amp; III</i>

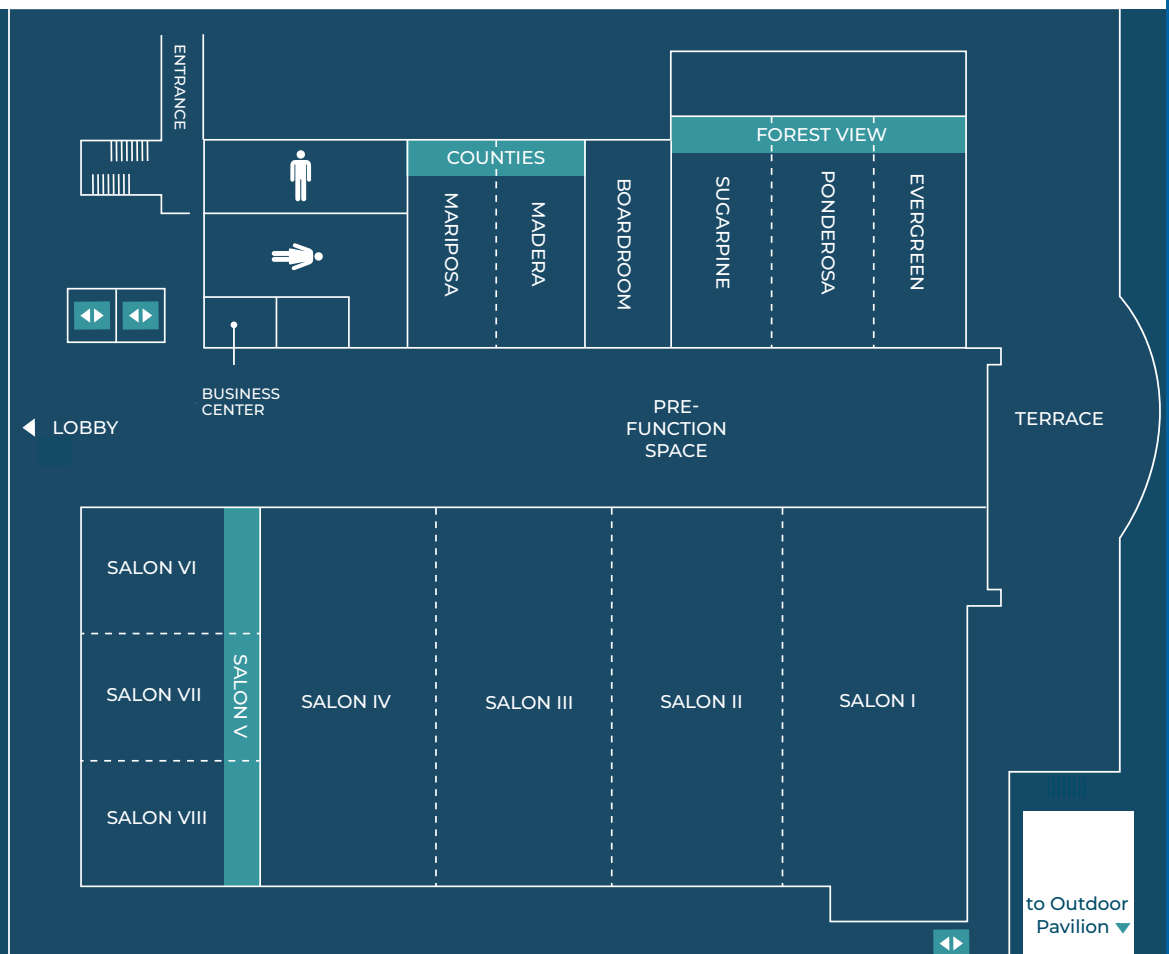
Hear from water experts and elected officials to expand your knowledge about California water policy to promote timely and equitable actions that serve to develop a robust economy, healthy communities, and a resilient environment for all Californians.

Panelists: Kristin Dobbin, UC Cooperative Extension Specialist, UC Berkeley; Rey Leon, Mayor, City of Huron and WELL UnTapped Fellowship Graduate; Destiny Rodriguez, Trustee, State Center Community College District and WELL UnTapped Fellowship Graduate; and Eddie Valero, Supervisor, County of Tulare and WELL UnTapped Fellowship Graduate - Moderator: Brendon Freeman, Executive Officer, Napa LAFCO

1.5 AICP CM credits

12:00 p.m.	<b>Conference Adjourns</b>
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## TENAYA LODGE MAP





# CALAFCO BOARD OF DIRECTORS

**Margie Mohler, Chair**  
**Acquanetta Warren, Vice Chair**

**Gay Jones, Treasurer**  
**Blake Inscore, Secretary**

## NORTHERN REGION

**Bill Connelly**  
Butte LAFCO  
**Blake Inscore**  
Del Northern LAFCO  
**Gordon Mangel**  
Nevada LAFCO  
**Josh Susman**  
Nevada LAFCO

## SOUTHERN REGION

**Kimberly Cox**  
San Bernardino LAFCO  
**Yxstian Gutierrez**  
Riverside LAFCO  
**Derek McGregor**  
Orange LAFCO  
**Acquanetta Warren**  
San Bernardino LAFCO

## CENTRAL REGION

**Gay Jones**  
Sacramento LAFCO  
**Rodrigo Espinosa**  
Merced LAFCO  
**Anita Paque**  
Calaveras LAFCO  
**Tamara Wallace**  
El Dorado LAFCO

## COASTAL REGION

**Kenneth Leary**  
Napa LAFCO  
**Michael McGill**  
Contra Costa LAFCO  
**Margie Mohler**  
Napa LAFCO  
**Wendy Root Askew**  
Monterey LAFCO

## CALAFCO STAFF

**René LaRoche, Executive Director**  
**Clark Alsop, Legal Counsel**  
**Brandon Dante, Accountant**

**Stephen Lucas, Executive Officer**  
**José Henriquez, Deputy Executive Officer**  
**Dawn Mittleman, Deputy Executive Officer**  
**Gary Thompson, Deputy Executive Officer**

## CALAFCO CONFERENCE PLANNING COMMITTEE

### BOARD MEMBERS

**Acquanetta Warren, Chair,**  
San Bernardino LAFCO

**Kenneth Leary, Napa LAFCO**  
**Gordon Mangel, Nevada LAFCO**

**Anita Paque, Calaveras LAFCO**

### MOBILE WORKSHOP

**Rosemarie Smallcombe, Mariposa LAFCO Chair**  
**Miles Menetrey, Mariposa County Board of Supervisors Chair**  
**Laura Young, Madera LAFCO**  
**Steve Engfer, Mariposa LAFCO Executive Officer**

### OTHER MEMBERS

**José Henriquez, Co-Chair, Sacramento LAFCO**  
**Paula C.P. de Sousa, Best, Best & Krieger**  
**Brendon Freeman, Napa LAFCO**  
**Uma Hinman, Mendocino LAFCO**  
**René LaRoche, CALAFCO**  
**Carolanne Ieromnimon, RSG**  
**Neelima Palacherla, Santa Clara LAFCO**  
**Stephanie Pratt, Napa LAFCO**  
**Adriana Romo, Los Angeles LAFCO**  
**Erica Sanchez, El Dorado LAFCO**  
**Joe Serrano, Santa Cruz LAFCO**  
**Jim Simon, RSG**  
**Laura Young, Madera LAFCO**

### GOLD ASSOCIATE MEMBERS



**COLANTUONO  
HIGHSMITH  
WHATLEY, PC**



**PLANWEST  
PARTNERS, INC.**



# ABOUT THE SPEAKERS

## **Beth Altshuler Muñoz - President and Founder, BAM Consulting, Inc.**

Beth works with public agencies, foundations, Community-Based Organizations (CBO), and residents to apply a Health (and Equity) in All Policies lens to the challenges and opportunities in their communities. She loves combining her skills in data analysis, community engagement and facilitation, and policy writing so places can better incorporate public health, racial equity, and environmental justice into their land use and urban policy decisions. At the forefront of the healthy communities' discipline for 20 years, Beth is committed to creating livable places, reducing health and racial inequities, and engaging residents in the future of their communities. After over a decade working at larger consulting firms, she established an independent practice in March of 2020 to work on projects that support and expand the capacity of CBOs and public agencies to engage in equitable planning and policy work.

## **Sylvia Arenas - Vice Chair, Santa Clara LAFCO; and Supervisor, County of Santa Clara**

Sylvia represents San Jose and South Santa Clara County on the County of Santa Clara Board of Supervisors and has been a tireless champion for families, women, children, and racial equity. For over twenty years, she has worked on public policy that addresses community issues; and approaches her job as an opportunity to change the rules to make our community and society more equitable. Arenas serves as the Chair of the Housing, Land Use, Environment, and Transportation Committee and Vice-Chair of the Children, Seniors, and Families Committee of the County of Santa Clara. She serves as the Vice Chair of Santa Clara LAFCO.

## **John Benoit – Executive Officer, Calaveras LAFCO**

John has a professional background in LAFCO, land use planning, project management, environmental, and community and economic development. He is the Calaveras Executive Officer, and was formerly the contract Executive Officer for Lake, Colusa, Modoc, Yuba, Sutter, Plumas, Glenn and Lassen counties. As LAFCO contract staff to rural commissions, John plans and organizes LAFCO activities, processes applications, establishes policies and programs, and provides general administration, budget management, and environmental review services. He has been a lecturer in geography and French at three community colleges in Northern California and holds a Master's degree in geography. John is also the recipient of the 2019 CALAFCO Lifetime Achievement Award.

## **David Braun – Executive Officer, Madera LAFCO**

Dave has served as the Executive Officer of Madera LAFCO since November 2013. He previously was employed as an Associate Planner for the City of Fresno for over 25 years. For much of that time he processed all the Annexations Applications for the City of Fresno. He also worked in the current planning section and processed a variety of development entitlements.

Dave holds a bachelor's degree in Geography and a Masters of City and Regional Planning from California State University Fresno.

## **J.M. Brown – Analyst for Supervisor Bruce McPherson, Santa Cruz Board of Supervisorso**

J.M. acts as the primary point of contact with Supervisor McPherson for residents and organizations in the rural and mountainous San Lorenzo Valley. He oversees the Office's involvement in natural resource issues, including recovery from the 2020 CZU Fire that destroyed more than 450 residences in the District. He also serves as a liaison with state and federal agencies and elected offices. J.M. previously worked as a reporter for the Santa Cruz Sentinel and chaired the City of Santa Cruz Parks and Recreation Commission.

## **Crystal Craig – Assistant Executive Officer, Riverside LAFCO**

Crystal began her service as the Assistant Executive Officer in 2020, after previously serving as a Local Government Analyst I,II,III beginning in 2002. Her principal duties include supervising staff, assisting in the preparation of the yearly budget and audit, processing reorganizations, annexations (particularly water & wastewater projects), consolidation studies, technical boundary clean-ups, incorporations, island annexations, manages municipal service review projects and preparation of Municipal Service Reviews (MSR) reports, Sphere of Influence (SOI) studies, and communicates statutory requirements on boundary changes.

Crystal implemented Geographic Information Systems (GIS) at Riverside LAFCO and works on maintaining City & Special District GIS layers. She was the recipient of the CALAFCO Achievement Award for "Outstanding LAFCO Professional" on October 7, 2021, and on June 27, 2024, was the recipient of the Inland Empire American Society for Public Administration, public service award for "Outstanding Rising Administrator".

Prior to LAFCO, her experiences have always been in public service that include political internships at the White House under the Clinton Administration, the California State Assembly, and at KABC Channel 7 Los Angeles Eyewitness News and as a Campaign Manager for Riverside Unified School District to pass a School Bond Measure. Crystal holds a B.A. degree in Political Science and Administrative Studies from the University of California, Riverside and is certified in GIS and Watershed Management.

Outside of work, Crystal is an aviation enthusiast, world traveler, and enjoys outdoor adventures with her toy poodle Gigi.

## **Cary Curtis – Beckwourth Peak Fire Protection District Board Director, Plumas County**

Cary enjoyed a 40-year career as Vice President of a major financial services company leading diverse teams charged with developing and implementing strategic initiatives, programs and products for the retail sector. She moved to Plumas County in 2008 where she has been involved with special districts for 12 years. Cary served 10 years with Gold Mountain Community Services District, and as Board President steered the district to long term financial stability. She served as Vice Chair for the Local Emergency Services Study Group tasked with identifying and implementing a solution to under-funded and inconsistent fire services in Eastern Plumas County, and in 2023 she led the successful drive for a new parcel tax to support the newly formed Beckwourth Peak FPD. In her free time, Cary has a passion for the outdoors and traveling.

## **Paula C.P. de Sousa – Partner, Best Best & Krieger LLP's Special District Practice Group**

Paula joined BBK upon graduating from the University of the Pacific, McGeorge School of Law. She practices out of the firm's San Diego office in most areas of public agency representation, including the Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act. Paula serves as legal counsel to San Bernardino LAFCO, assistant legal counsel to Orange LAFCO, and serves as general counsel to a number of special districts in San Diego County (agencies providing sewer and water services).

She advises CALAFCO as assistant general counsel, assists in drafting legislation on CALAFCO's behalf, and regularly advises other public agency clients with respect to LAFCO-related issues. She is the primary author of several "white papers" utilized by LAFCOs and public agencies throughout the state on changes in law impacting changes of organization and reorganizations.

# ABOUT THE SPEAKERS

## **Kristin Dobbin – Water Justice Policy and Planning Specialist, UC Davis Cooperative Extension, Department of Environmental Science, Policy and Management**

Kristin's research and extension work focuses on the implementation of California's Human Right to Water Policy (AB 685). Prior to coming to UC Berkeley, Kristin was a National Science Foundation Postdoctoral Fellow at the Luskin Center for Innovation at the University of California at Los Angeles. She received her PhD in the Graduate Group in Ecology at the University of California Davis in 2021.

## **Larkyn Feiler – Executive Officer, Lake and Colusa LAFCOs**

Larkyn is the new contract Executive Officer for Lake and Colusa LAFCOs. In addition, she is continuing eight plus years as the contract Analyst for Mendocino LAFCO. Larkyn has a Bachelor of Science Degree in Environmental Science from the University of Redlands, and a specialty in Geographic Information Systems (GIS). Prior to LAFCO, she spent nearly ten years in the Nevada County Planning Department and served as the subject matter expert in recreation planning.

## **Brendon Freeman – Executive Officer, Napa LAFCO**

Brendon has been the Napa Executive Officer since July 2015 when he was promoted from Napa LAFCO Staff Analyst, a position that he held since June 2008. Brendon previously served four years on the City of Napa Community Development Block Grant Citizens' Advisory Committee, three years on the Napa Valley Support Services Board of Directors, and is currently a proud member of the Napa Sunrise Rotary service club. Brendon holds a Bachelor of Arts degree in Economics with a minor in Statistics from the University of California, Davis.

## **Yxstian Gutierrez– Riverside LAFCO; and Supervisor, County of Riverside**

Dr. Yxstian Gutierrez is the Riverside County Supervisor for District 5. He served as a three-term Mayor of the City of Moreno Valley and was the city's first-ever directly elected Mayor. He has served as a Councilmember for the City of Moreno Valley since 2013. On December 5, 2022, he was sworn in officially by the Clerk of the Board as a County Supervisor. In addition, he has served as a full-time university professor, an educational leader, and an executive director of curriculum and instruction.

## **Jim Holmes – Placer LAFCO; and Supervisor, County of Placer**

Jim has served as a Placer County Supervisor since 2005 and as a LAFCO Commissioner since 2007. An Auburn native with 29 years of experience as a business owner, Jim serves on multiple boards and commissions including the Auburn Union Elementary School District Board, the Placer Consolidated Fire Protection District Board, the Auburn Area Chamber of Commerce, and the Boys & Girls Club of Auburn. He is also a founding member of both the North Auburn Municipal Advisory Council and the Highway 49 Business Association.

## **Blake Inscore - City Member Commissioner, Del Norte LAFCO, CALAFCO Board Member**

Blake is currently a member of the Del Norte LAFCO and has served as its Chair on three occasions over his tenure on the commission. He is also a CALAFCO Board Member and holds the Officer position of Secretary. Blake is also a Member of the Crescent City Council and serves as Mayor. Prior to his election to the City Council, Blake was a member of the Crescent City Planning Commission for more than four years and was Chair during the last two years of his appointment. Blake also sits on the Del Norte Local Area Transportation Commission, on the Crescent City Chamber of Commerce Board, on the Del Norte Solid Waste Management Authority, for which he is the Chair, and a variety of other committees.

Blake is a minister by vocation having served Churches in Oregon, Arizona, and California over the past 36 years. He and his wife Lenea moved to Crescent City in 2008 and quickly became involved in the community.

## **Nicolas L. Jaber – Attorney at Serviam by Wright LLP**

Nic represents cities and counties across the State of California. He focuses his practice on municipal defense litigation and civil and criminal prosecution. Nic also oversees Serviam's active court receivership appointments over various distressed residential and agricultural parcels of real property and a failing, privately held drinking and wastewater system.

Nic earned his Bachelor of Arts in Philosophy from the University of California, Berkeley; and his Juris Doctor from the Chapman University Dale E. Fowler School of Law.

Nic and his wife Alexia reside in Orange County, California.

## **Gay Jones - Special District Member Commissioner, Sacramento LAFCO**

Gay has represented special districts on CALAFCO since 2006 and Sacramento LAFCO since 2004, Gay has served as a Director for Sacramento Metropolitan Fire District since its inception in 2000. Commissioner Jones is a retired Captain with the Sacramento Fire Department, 1981-2006. From her days as a Peace Corps Volunteer to today, she continues to serve her community on many local levels. Gay received an undergraduate degree in philosophy and a Master's degree in health and human services. Gay looks forward to continued discussion for achieving LAFCO goals to improve all our communities.

## **Rachel Jones - Executive Officer, Alameda LAFCO**

Rachel has been with the Alameda LAFCO since June of 2018. Prior to her current position, she served as the Interim Executive Officer and Analyst at Marin LAFCO for over two years where she administered their Municipal Service Review program. She also previously served as the Donor Stewardship Associate and Board Liaison for SPUR, an urban planning think-tank in the Bay Area.

Rachel holds a Bachelor of Science degree in Urban Planning from Cornell University and is a graduate of Bishop O'Dowd High School in Oakland.

SR received a degree in History from the University of California at San Diego, and currently resides near Nevada City.

## **Tom Kennedy – President, Kennedy Water Consulting**

Tom is the President of Kennedy Water Consulting, LLC, which he formed when he retired from over 30 years in the public sector, culminating as General Manager of Rainbow Municipal Water District. Tom holds a degree in Aerospace Engineering from San Diego State and a Masters in Public Administration from Cal State Fullerton.

Tom's area of expertise includes all aspects of water/wastewater agency management but he also has deep experience in LAFCO matters having served on the San Diego LAFCO Special District Advisory Committee for 8 years. Tom has been involved in numerous, and sometimes contentious reorganization processes through San Diego LAFCO, and currently is helping a software company to develop customized application tracking software specifically designed for LAFCOs.



# ABOUT THE SPEAKERS

## **Kirk Kimmelshue – Partner, Fernández Jensen Kimmelshue Government Affairs**

Kirk has more than a decade of lobbying and consulting experience for a wide variety of corporate interests in addition to direct legislative experience inside the State Capitol. Prior to his current role, he was the Region Vice President of State Government Affairs for Anheuser-Busch, Inc. where he advanced the company's legislative agenda in California, Nevada, Arizona, and Hawaii. Kirk also acted as the State Government Affairs Representative for Chevron USA, and prior to that served as Chief of Staff in the Assembly where he forged strong relationships with legislative leaders and staff on both sides of the aisle.

Kirk has become a trusted resource for legislators and staff in the Capitol and is known for his positive outlook and belief that no challenge is too large to overcome and that no two sides are too far apart to sit down and find a pathway forward.

Kirk holds a Master of Science Degree in Agricultural Communications, with an Emphasis in Public Policy, from Oklahoma State University, and a Bachelor of Science degree in Agriculture Business, Concentration in Marketing and Policy, from California Polytechnic State University at San Luis Obispo.

## **Rey Leon – Mayor, City of Huron, and WELL UnTapped Fellowship Graduate, Class of 2019**

Rey is the Mayor of the City of Huron, California as well as the founder and executive director of The LEAP Institute (Latino Equity Advocacy & Policy), a valley-based Latino nonprofit organization where he leads innovation for equity. He was born in Fresno and raised in the Huron area. Based in Fresno County, with a focus on economic, environmental and climate justice while empowering renewable technologies, clean energy, green jobs, and community development. He has been working to ensure that environmental justice principles are advanced in the region's institutions and culture. He is a graduate of the University of California at Berkeley where he obtained a Bachelor's degree in Chicano studies with an emphasis in public health.

## **Samuel Martinez – Executive Officer, San Bernardino LAFCO**

Sam joined San Bernardino LAFCO as an Analyst in 2003, moved up to Senior Analyst in 2008, promoted to Assistant Executive Officer in 2011, and was appointed Executive Officer in 2018. Prior to joining LAFCO, he was a planner for the County of San Bernardino.

## **Destiny Rodriguez – Trustee, State Center Community College District, and WELL UnTapped Fellowship Graduate, Class of 2024**

Destiny has worked on air quality, health, and environmental issues in the Central Valley for over fifteen years. She currently serves as the Executive Director at MOVE the Valley, a multi-racial and multigenerational coalition focusing on integrated voter engagement, voter education, and get-out-the-vote (GOTV) efforts within historically marginalized and excluded communities. Destiny is also a graduate of the Gamaliel National Leadership Training and Emerge California Political Candidate Training Program 2020.

Destiny has a Bachelor of Science Degree in Mass Communications Journalism with emphasis on Public Relations, and Chicano Latin American Studies from California State University, Fresno. She continues to be an advocate to provide safeguards for our community.

## **Adriana Romo – Deputy Executive Officer, Los Angeles LAFCO**

Adriana has been the Deputy Executive Officer for Los Angeles (LA) LAFCO since 2017. In this position, she assists with the administration of the local office, managing office finances, including the annual budget development, facilitating annual audits, and is the human resources specialist.

Also, as a former LAFCO Analyst, she offers her experience and knowledge to support LA LAFCO analysts. Prior to LA LAFCO, Adriana served as an Analyst to Riverside LAFCO for 15 years where she developed a specialty in water resources.

In 2007, Adriana was selected from amongst 20 other young California professionals to participate in the Water Education Foundation Water Leaders program, where she was immersed in the Sacramento Bay-Delta history, ecosystem, and politics. Through the years, she has co-processed multiple changes of organization and reorganizations including an incorporation, a couple of dissolutions, a consolidation, several requests for proposals, and various Municipal Service Reviews.

Adriana holds a Bachelor of Arts in Political Science from the University of California Riverside, and a 2005 Master's in Public Administration with a Concentration in Water Resources Management from the California State University, San Bernardino.

## **Lydia Rossiter – Senior Utility Consultant with Moonshot Missions**

Lydia has spent the last 20+ years in state and local government and has held various titles including but not limited to board of director for the Municipal Management Association of Northern California. She holds certifications in water treatment, water distribution, and wastewater treatment and earned her bachelor's degree from Stanford University and her master's degree from Golden Gate University. Lydia is committed to thoughtful analysis and collaboration leading to successful solutions.

## **Phoebe Seaton – Co-founder and Co-Executive Director, Leadership Counsel for Justice and Accountability**

Phoebe, a native Californian, attended the University of California, Berkeley, where she received her B.A. She then spent time in Guatemala, working to address human rights violations, and went on to complete her J.D. at the University of California, Los Angeles. Phoebe joined CRLA, Inc. following law school and worked at the organization's Delano office prior to launching the Community Equity Initiative, a program designed to address critical infrastructure and service deficits in low income, unincorporated communities in California.

In 2013, Phoebe co-founded Leadership Counsel with Veronica Garibay. Phoebe is based in Sacramento and leads Leadership Counsel's state-level policy work.

## **Joe Serrano – Executive Officer, Santa Cruz LAFCO**

Joe began his LAFCO career as an intern for Orange LAFCO in 2008 and was their analyst until 2013 before he started expanding his LAFCO knowledge with other LAFCOs, including San Bernardino, San Diego, and Monterey. Today, he is the Executive Officer of Santa Cruz LAFCO.

Joe earned a double major in Finance & Accounting from Cal State University, Fullerton and has over 16 years of LAFCO experience.

## **Keene Simonds – Executive Officer, San Diego LAFCO**

Keene was appointed LAFCO Executive Officer in September 2017, and is responsible for overseeing the agency's regulatory and planning responsibilities consistent with Commission policies. He previously served as LAFCO Executive Officer in the San Francisco Bay Area (Marin and Napa Counties) along with holding different positions with a private consulting firm in Beverly Hills California and non-profit organization in Philadelphia Pennsylvania. Keene holds undergraduate and graduate degrees from Pepperdine University and University of Southern California, respectively. Previous activities also include serving as a Board member for Marin Space and the California Urban Forest Council. Keene and his family live in Old Escondido.

# ABOUT THE SPEAKERS

## **Lou Ann Teixeira – Executive Officer, Contra Costa LAFCO**

Lou Ann has served as the Executive Officer for Contra Costa LAFCO since 2005. Prior to that she served as Executive Officer for Alameda LAFCO, Analyst/Legislative Coordinator for the County of Alameda, and Assistant City Manager with the City of Dublin and the City of Walnut Creek. Additionally, Lou Ann has been active in CALAFCO, serving as both Executive Officer and Deputy Executive Officer, as well as on the Legislative Committee.

## **Eddie Valero – Supervisor, County of Tulare, and WELL UnTapped Fellowship Graduate, Class of 2022**

Supervisor Valero was first elected to the Board of Supervisors in 2018, and serves as Tulare County Supervisor representing District 4. A longtime resident of the Central Valley, he left his hometown to obtain an Ivy League education and returned with the goal of prosperity for Tulare County residents.

He has been working with the greater North County to positively impact at-risk youth, particularly fatherless young men, throughout the Central Valley. Supervisor Valero's education in City and Regional Planning along with public service experiences over the years have prepared him to serve District 4. He is a servant leader who believes in community voice and collaboration while valuing ideas and interests.

## **John Withers - Irvine Ranch Water District Board of Directors, and California Strategies, LLC, Partner**

John serves on the Irvine Ranch Water District Board of Directors and is a partner with California Strategies, LLC, in Irvine, a statewide, strategic government-relations firm. He is a past chair and commissioner on Orange LAFCO, a member and past chairman of the Orange County Sanitation District Board of Directors (where he has served since 2009), and a National Water Research Institute board member.

He has also served on the Santa Ana Regional Water Quality Control Board. In past positions, John has served as vice president of community development for Lewis Operating Corporation, and as director of water resources for Psomas & Associates, a civil engineering and planning firm. He was also the director of governmental affairs for the Building Industry Association Orange County Chapter, and a legislative advocate for Crocker Bank.

A native Southern Californian, John attended Los Angeles city schools and received his Bachelor of Arts degree in economics and urban studies from UCLA. He was one of the few selected to be a Coro Foundation Fellow and earned a Master of Arts degree in urban studies from Occidental College. John lives in Northwood with his wife, Katie. They have three grown children, Carolyn, Gordon and Peter.





Journal of the  
California Association of Local Agency Formation Commissions

# THE SPHERE

## 2024

Message from the Chair

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Jerry Gladbach  
Honored  
Page 5

LAFCO Software  
Page 8

and More...

Cover Photo by  
Stephanie Pratt, Napa LAFCO



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 5g (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer B F

**MEETING DATE:** December 9, 2024

**SUBJECT:** Chair Rotation for 2025

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**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

The Commission's *Policy on Establishing the Officers of the Commission* ("the Policy"), included as Attachment 1, provides an annual rotational system for the appointment of the Chair and Vice Chair offices based on seat designations. The Chair and Vice Chair serve one-year terms that begin on January 1.

Each regular Commissioner is assigned a seat designation. Alternate Commissioners do not have seat designations and are not eligible for the Chair or Vice Chair offices.

Under the Policy, Commissioners Leary (Public Member) and Painter (City Member I) will become the Commission's Chair and Vice Chair, respectively, on January 1, 2025.

Schedules for the Chair and Vice Chair rotation and a listing of Commissioner seat designations are provided on the following page.

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**Schedule for Chair and Vice Chair Rotation**

Term	Chair	Vice Chair
2025	Public Member	City Member I
2026	City Member I	County Member I
2027	County Member I	City Member II
2028	City Member II	County Member II
2029	County Member II	Public Member

**Commissioner Seat Designations**

Seat Designation	Current Member
City Member I	Beth Painter
City Member II	Margie Mohler
County Member I	Belia Ramos
County Member II	Anne Cottrell
Public Member	Kenneth Leary
Alternate City Member	Vacant
Alternate County Member	Joelle Gallagher
Alternate Public Member	Eve Kahn

**ATTACHMENT**

- 1) Policy on Establishing the Officers of the Commission



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Establishing the Officers of the Commission*

(Adopted: August 9, 2001; Last Amended: June 6, 2022)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000 includes provisions specifying the composition of the Commission in [Chapter 2 \(commencing with Section 56325\)](#). In addition, these sections specify the procedures to select Commissioners, terms of office, and selection of the Chair of the Commission.

#### **II. Purpose**

It is the policy of the Commission to establish policies which provide for the smooth and consistent operations of Commission business. The selection of officers of the Commission is a regular occurrence and therefore should follow adopted policy.

#### **III. Officers of the Commission**

- A) The officers of LAFCO shall consist of a Chair, a Vice Chair, and a Clerk.
- B) The Chair and Vice Chair shall be appointed and serve terms in accordance with Section V “Appointment of Chair and Vice Chair.”
- C) The Executive Officer or the Executive Officer’s designee shall serve as the Clerk.

#### **IV. Duties of Officers**

- A) Duties of the Chair: The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission according to “Rosenberg’s Rules of Order.” The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.
- B) Duties of the Vice Chair: In the absence of the Chair, the Vice Chair shall assume all duties and responsibilities of the Chair's office.
- C) Duties of the Clerk: The Clerk shall call the roll, note approval of the minutes or corrections thereto, maintain record of testimony and action of the Commission on each item, and any other action deemed appropriate and necessary by the Commission to conduct its meetings and business.

## V. Appointment of Chair and Vice Chair

- A) Term of Office: Beginning in 2024, the terms of office of the Chair and Vice Chair shall be for one year, beginning on January 1.
- B) Rotation: The Chair and Vice Chair shall be appointed by the Commission according to the following annual rotational system, effective January 1, 2024, unless a temporary change is made pursuant to Section V(C):

<u>Chair Designations</u>	<u>Vice Chair Designations</u>
County Member II	Public Member
Public Member	City Member I
City Member I	County Member I
County Member I	City Member II
City Member II	County Member II

It shall be the responsibility of the Executive Officer to maintain a record of the seat designations and occupants, and to annually inform the Commission prior to the rotation.

- C) The Commission may create temporary changes to the rotation as part of an action item placed on a meeting agenda. If the Chair and Vice Chair offices are both vacant, and in the event the procedures set forth in Section VI “Vacancy,” below, are not feasible, the Executive Officer may call a meeting to order until the Chair and Vice Chair are appointed.

## VI. Vacancy

The offices of Chair and Vice Chair shall reside with the particular appointing authority assigned to a designated seat. In the event that a Commissioner serving as Chair or Vice Chair is no longer able to serve on the Commission for any reason, the remainder of that Commissioner’s term in office shall be fulfilled by the other Commissioner from the same appointing authority (for example, if the Commissioner designated as “City Member I” is removed from the office of Chair in January, the Commissioner designated “City Member II” shall serve as Chair through the day immediately prior to the first Monday in May), subject to the following:

- A) On January 1 of the following year, the established rotation set forth in Section V(B) “Rotation,” above, shall resume.
- B) Should the office of Chair or Vice Chair be vacated by the Public Member, the Commission shall appoint another Commissioner at its next meeting to fulfill the remainder of the officer’s unexpired term.



**Local Agency Formation Commission of Napa County**  
 Subdivision of the State of California

1754 Second Street, Suite C  
 Napa, California 94559  
 Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 5h (Consent/Information)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Stephanie Pratt, Clerk/Jr. Analyst *SP*

**MEETING DATE:** December 9, 2024

**SUBJECT:** Expiring Commissioner Terms in 2025

**SUMMARY**

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

All Commissioner terms are four years, pursuant to California Government Code section 56334. The Commission has two members with terms scheduled to expire on May 5, 2025: Margie Mohler (City Member) and Joelle Gallagher (Alternate County Member).

Appointments of city members to the Commission are the sole jurisdiction of the Napa County City Selection Committee. Appointments of county members to the Commission are the sole jurisdiction of the Board of Supervisors. Staff will notify the City Selection Committee and the Board of Supervisors and request they each make a new four-year appointment or reappointment for the affected seats before May 5, 2025.

In addition, the Alternate City Member seat is currently vacant with an unexpired term ending May 3, 2027. The letter to the City Selection Committee will include a request to appoint a new Alternate City Member to complete the unexpired term.

A full listing of all Commissioners and term expiration dates follows:

<b>Member</b>	<b>Position</b>	<b>Term Expires</b>
<b>Margie Mohler</b>	<b>City Member</b>	<b>May 5, 2025</b>
<b>Joelle Gallagher</b>	<b>Alternate County Member</b>	<b>May 5, 2025</b>
Belia Ramos	County Member	May 4, 2026
Kenneth Leary	Public Member	May 4, 2026
Vacant	Alternate City Member	May 3, 2027
Beth Painter	City Member	May 3, 2027
Anne Cottrell	County Member	May 1, 2028
Eve Kahn	Alternate Public Member	May 1, 2028

Margie Mohler, Commissioner  
 Councilmember, Town of Yountville

Anne Cottrell, Chair  
 County of Napa Supervisor, 3rd District

Kenneth Leary, Vice Chair  
 Representative of the General Public

Beth Painter, Commissioner  
 Councilmember, City of Napa

Belia Ramos, Commissioner  
 County of Napa Supervisor, 5th District

Eve Kahn, Alternate Commissioner  
 Representative of the General Public

Vacant, Alternate Commissioner  
 Councilmember, City of American Canyon

Joelle Gallagher, Alternate Commissioner  
 County of Napa Supervisor, 1st District

Brendon Freeman  
 Executive Officer



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**Agenda Item 6a (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Tracy A. Schulze, County of Napa Auditor-Controller. *TS*

**MEETING DATE:** December 9, 2024

**SUBJECT:** Financial Audit for Fiscal Year Ending June 30, 2024

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**RECOMMENDATION**

Receive and file the financial audit report for the fiscal year ending June 30, 2024.

**SUMMARY**

Brown Armstrong was retained to conduct an independent audit of the agency's financial statements for the 2023-24 fiscal year. Brown Armstrong completed their audit in November 2024 and found no material misstatements. The audit also found no instances of significant or unusual changes in reporting practices and does not include any suggestions for improvements (Attachments 1 and 2).

Brown Armstrong's audit provides an unqualified opinion that the Commission's financial statements are reliable representations of the agency's financial position as of June 30, 2024. This "clean" opinion affirms the Commission maintains an effective level of internal control in managing its financial records and transactions which helps to ensure maximum accountability with respect to the agency's use of public funds. The audit also affirms that the Commission is in relatively strong financial position given it finished the fiscal year with an available/unrestricted fund balance of \$417,477; an amount representing approximately 56.7% of the agency's actual expenditures for the 2023-24 fiscal year and 50.9% of the fiscal year 2024-25 adopted budget amount of \$819,950.

A financial summary chart (Attachment 3) depicts changes in the Commission's audited fund balance for the past 15 fiscal years, beginning with 2009-10.

**ATTACHMENTS**

- 1) LAFCO Financial Audit Report for the Fiscal Year Ended June 30, 2024
- 2) Communications Letter from Brown Armstrong to the Commissioners
- 3) LAFCO Financial Summary Chart Fiscal Years 2009-10 to 2023-24

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

**LOCAL AGENCY FORMATION  
COMMISSION OF NAPA COUNTY**

**FINANCIAL STATEMENTS  
AND  
INDEPENDENT AUDITOR'S REPORT**

**FOR THE YEAR ENDED  
JUNE 30, 2024**



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
JUNE 30, 2024

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**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
COMMISSION MEMBERSHIP  
FOR THE YEAR ENDED JUNE 30, 2024**

<u>Name</u>	<u>Title</u>	<u>Term Expiration</u>
Anne Cottrell	Chair Napa County Board of Supervisors	May 2028
Kenneth Leary	Vice Chair Public Member	May 2026
Belia Ramos	Commissioner Napa County Board of Supervisors	May 2026
Margie Mohler	Commissioner City Selection Committee	May 2025
Beth Painter	Commissioner City Selection Committee	May 2027
Mariam Aboudamous	Alternate Commissioner City Selection Committee	May 2027
Joelle Gallagher	Alternate Commissioner Napa County Board of Supervisors	May 2025
Eve Kahn	Alternate Commissioner Public Member	May 2028

**FINANCIAL SECTION**



## INDEPENDENT AUDITOR'S REPORT

Board of Commissioners  
Local Agency Formation Commission of Napa County  
Napa, California

### Report on the Audit of the Basic Financial Statements

#### *Opinions*

We have audited the accompanying basic financial statements of the governmental activities and the major fund of the Local Agency Formation Commission of Napa County (the Commission), as of and for the year ended June 30, 2024, and the related notes to the basic financial statements, which collectively comprise the Commission's basic financial statements as listed in the table of contents.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Commission, as of June 30, 2024, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

#### *Basis for Opinions*

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Basic Financial Statements section of our report. We are required to be independent of the Commission and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### *Responsibilities of Management for the Basic Financial Statements*

Management is responsible for the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the basic financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Commission's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

***Auditor's Responsibilities for the Audit of the Basic Financial Statements***

Our objectives are to obtain reasonable assurance about whether the basic financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the basic financial statements.

In performing an audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the basic financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the basic financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the basic financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Commission's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 4–7 and 20–21 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

**Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated November 27, 2024, on our consideration of the Commission's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Commission's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control over financial reporting and compliance.

BROWN ARMSTRONG  
ACCOUNTANCY CORPORATION

*Brown Armstrong*  
*Accountancy Corporation*

Bakersfield, California  
November 27, 2024

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
FOR THE YEAR ENDED JUNE 30, 2024**

The Local Agency Formation Commission of Napa County (the Commission) administers a section of California Government Code known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Commission is delegated regulatory and planning responsibilities to coordinate the logical formation and development of local agencies in a manner preserving agricultural and open-space resources, promoting the orderly extension of municipal services, and discouraging urban sprawl. Key duties include regulating boundary changes through annexations or detachments; approving city incorporations or disincorporations; and forming, consolidating, or dissolving special districts. The Commission is also responsible for preparing studies in order to knowledgeably perform its regulatory activities, including establishing and updating spheres of influence for all cities and special districts within its jurisdiction. Spheres are planning tools used by the Commission to designate the territory it believes represents the appropriate and probable future service area of the affected agency. All jurisdictional changes, such as annexations, must be consistent with the spheres of the affected agencies with limited exceptions. As of June 30, 2024, there are currently 23 total cities and special districts subject to Commission jurisdiction in Napa County (the County).

The Commission was first established in 1963 as an office within the County. From 1963 to 2000, 100% of the Commission's annual budget was funded by the County. On July 1, 2001, in conjunction with the enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Commission became autonomous of the County in terms of fulfilling its statutory duties and responsibilities. This transition was highlighted by the Commission appointing its own executive officer and counsel as well as altering its funding to include contributions from the cities of American Canyon, Calistoga, Napa, and St. Helena and the Town of Yountville. The County is now responsible for funding 50% of the Commission's annual budget with the remaining portion divided among the four cities and town based on a locally adopted formula as provided under Government Code Section 56381.

This narrative overview and analysis of the financial activities for the fiscal year ended June 30, 2024, is offered by the Commission's manager, the Executive Officer, to provide greater context to the audit performed by the Commission's independent auditor, Brown Armstrong Accountancy Corporation. Please read it in conjunction with the Commission's basic financial statements, which follow this section.

### **OVERVIEW OF THE BASIC FINANCIAL STATEMENTS**

This discussion and analysis are intended to serve as an introduction to the Commission's basic financial statements. The following Statement of Net Position and Governmental Fund Balance Sheet, and the Statement of Activities and Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balance, provide information about the activities of the Commission. The financial statements also include various note disclosures, which further describe the Commission's activities.

#### **Government-Wide Statements**

The government-wide financial statements are designed to provide readers with a broad overview of the Commission's finances, in a manner similar to a private sector business.

The Statement of Net Position presents information on all of the Commission's assets and liabilities, with the difference between the two reported as net position.

The Statement of Activities presents information showing how the Commission's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in the statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused vacation leave).

## Fund Financial Statements

A fund is a grouping of related accounts used to maintain control over resources segregated for specific activities or objectives. The Commission, like other local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Fund financial statements report essentially the same functions as those reported in the government-wide financial statements. However, unlike the government-wide financial statements, fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year.

Because the focus of governmental funds is narrower than government-wide financial statements, it is useful to compare the information presented. Both the Governmental Fund Balance Sheet and the Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balance provide reconciliations to facilitate the comparison between governmental funds and government-wide statements.

## Notes to the Basic Financial Statements

The notes provide additional information essential to a full understanding of the data provided in the government-wide and fund financial statements.

## Required Supplementary Information (RSI)

RSI is presented concerning the Commission's General Fund budgetary comparison schedule. The Commission adopts an annual appropriated budget for its General Fund. A budgetary comparison schedule has been provided for the General Fund to demonstrate compliance with this budget.

## FINANCIAL ANALYSIS OF THE COMMISSION

### Net Position

The Commission has presented its basic financial statements under the reporting model required by Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis (MD&A) – for State and Local Governments*.

	<u>2024</u>	<u>2023</u>	<u>Variance</u>
<b>Assets</b>			
Current Assets	\$ 421,110	\$ 413,711	\$ 7,399
Noncurrent Assets	<u>55,903</u>	<u>82,961</u>	<u>(27,058)</u>
<b>Total Assets</b>	<u>477,013</u>	<u>496,672</u>	<u>(19,659)</u>
<b>Liabilities</b>			
Current Liabilities	3,533	1,754	1,779
Long-Term Liabilities	<u>60,455</u>	<u>87,755</u>	<u>(27,300)</u>
<b>Total Liabilities</b>	<u>63,988</u>	<u>89,509</u>	<u>(25,521)</u>
<b>Net Position</b>			
Net Investment in Capital Assets (Leased Assets)	(4,552)	(4,794)	242
Unrestricted	<u>417,577</u>	<u>411,957</u>	<u>5,620</u>
<b>Total Net Position</b>	<u>\$ 413,025</u>	<u>\$ 407,163</u>	<u>\$ 5,862</u>



Net position may serve over time as a useful indicator of a government's financial position. In the case of the Commission, total assets exceeded total liabilities by \$413,025 as of June 30, 2024, due to revenues exceeding projected expenses.

### Changes in Net Position

The government-wide financial statement presented below represents an analysis of the Commission's governmental activities.

#### Condensed Statement of Activities For the Year Ended June 30, 2024

	2024	2023	Variance
<b>Revenues:</b>			
Intergovernmental	\$ 679,476	\$ 627,588	\$ 51,888
Charges for Services	44,320	32,777	11,543
Interest Income	18,168	7,243	10,925
<b>Total Revenues</b>	<u>741,964</u>	<u>667,608</u>	<u>74,356</u>
<b>Expenses:</b>			
Contracted Administrative Services	581,932	442,964	138,968
Services and Supplies	152,738	112,651	40,087
Debt Service:			
Interest	1,432	1,937	(505)
<b>Total Expenses</b>	<u>736,102</u>	<u>557,552</u>	<u>178,550</u>
<b>Change in Net Position</b>	5,862	110,056	(104,194)
<b>Net Position - Beginning of Year</b>	<u>407,163</u>	<u>297,107</u>	<u>110,056</u>
<b>Net Position - End of Year</b>	<u>\$ 413,025</u>	<u>\$ 407,163</u>	<u>\$ 5,862</u>

### Financial Analysis of the Commission's Governmental Fund

As noted earlier, fund accounting is used by the Commission to ensure and demonstrate compliance with finance-related legal requirements.

For the year ending June 30, 2024, the Commission reported an ending fund balance of \$417,577, for an increase of \$5,620 from the prior year.

### BUDGETARY HIGHLIGHTS

The Commission practices bottom-line accounting, giving management the discretion to use excess funds in one account to offset deficits in other accounts. This allows management to minimize the fiscal impact of unanticipated increases in contracted administrative services by controlling spending in other accounts.

State law requires that the County, and the four cities and town within the County, fund the Commission's budget each year. The Commission is also authorized to establish and collect fees for the purposes of offsetting agency contributions. It is also the practice of the Commission to make use of its unrestricted fund balance to help cover operating costs to help minimize the fiscal impact on local agencies as long as the balance does not fall below the equivalent of four months of operating expenses. This practice of using the unrestricted fund balance to help cover operating costs occasionally results in budgeting an

operating shortfall. For the year ending June 30, 2024, the Commission budgeted an operating shortfall of \$114,998. The actual change in fund balance was a surplus of \$5,620, primarily due to revenues and expenses remaining stable and aligned during this fiscal year. In addition, expenditures were not as high as budgeted, due to a consulting contract with AP Triton that was not fully expended by year end. Budget for this contract has been carried forward into fiscal year 2025.

It should be noted that Intergovernmental Revenues represent the amount each agency was required to contribute to the Commission's budget.

### **CAPITAL ASSETS**

During fiscal year 2008-09, the Commission purchased an electronic document management system with a cost of \$19,657. This asset was depreciated over an estimated useful life of 5 years, using the straight-line depreciation method, and therefore, was fully depreciated as of fiscal year 2013-14.

During fiscal year 2021-22, the Commission implemented GASB Statement No. 87, *Leases*. The Commission recognized two (2) right-to-use leased assets for a building lease and a Xerox copier machine. Right-to-use leased assets totaled \$55,903 (net of accumulated amortization) as of June 30, 2024. Refer to Note 3 for additional details.

During fiscal year 2023-24, the Commission terminated the contract with ECS Imaging, which involved maintenance and support for the document electronic management system. The system is outdated and not needed, due to increases in network storage capacity. As a result, the Commission approved to release the restricted fund balance of \$19,657, into available/unrestricted fund balance.

### **DEBT ADMINISTRATION**

The Commission's long-term obligations were for lease liabilities. The Commission's obligations totaled \$60,455 as of June 30, 2024. Refer to Note 4 for additional details.

### **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET**

The Commission is committed to fulfilling its state-mandated mission with as little fiscal impact on local agencies as possible. In preparing the budget for fiscal year 2024-25, the Commission used a spending baseline to estimate how much it would cost to continue the level of its activities and services at next year's price for labor and supplies. The Commission's adopted fiscal year 2024-25 budget is \$819,950, an overall percentage increase of 1% from prior year's original adopted budget. This slight increase is due to administrative services, and training and conference expense increases.

### **CONTACTING THE COMMISSION**

These financial statements are designed to provide a general overview of the Commission's finances for all those interested. Through a memorandum of understanding, the County provides certain management and administrative functions, including financial management and accounting. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Local Agency Formation Commission of Napa County  
1754 Second Street, Suite C  
Napa, California 94559

**BASIC FINANCIAL STATEMENTS**

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**  
**STATEMENT OF NET POSITION**  
**JUNE 30, 2024**

<b>Assets</b>	
Cash in County Treasury	\$ 418,910
Deposits with Others	2,200
Leased Assets	
Right-to-Use Assets, Net of Accumulated Amortization	<u>55,903</u>
<b>Total Assets</b>	<u><u>477,013</u></u>
<b>Liabilities</b>	
Accounts Payable	3,224
Accrued Salaries and Benefits	309
Long-Term Liabilities	
Due Within One Year:	
Lease Liability	28,627
Due in More Than One Year:	
Lease Liability	<u>31,828</u>
<b>Total Liabilities</b>	<u><u>63,988</u></u>
<b>Net Position</b>	
Net Investment in Capital Assets (Leased Assets)	(4,552)
Unrestricted	<u>417,577</u>
<b>Total Net Position</b>	<u><u>\$ 413,025</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2024**

<b>Program Expenses</b>	
Contracted Administrative Services	\$ 581,932
Services and Supplies	152,738
Debt Service:	
Interest	<u>1,432</u>
<b>Total Program Expenses</b>	<u>736,102</u>
<b>Program Revenues</b>	
Intergovernmental Revenues:	
County of Napa	339,738
Other Governmental Agencies	339,738
Charges for Services	<u>44,320</u>
<b>Total Program Revenues</b>	<u>723,796</u>
Net Program Revenue	(12,306)
<b>General Revenues</b>	
Interest Income	<u>18,168</u>
<b>Change in Net Position</b>	5,862
<b>Net Position - Beginning of Year</b>	<u>407,163</u>
<b>Net Position - End of Year</b>	<u><u>\$ 413,025</u></u>

The accompanying notes are an integral part of these financial statements.

LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
BALANCE SHEET  
GOVERNMENTAL FUND  
JUNE 30, 2024

<b>Assets</b>	
Cash in County Treasury	\$ 418,910
Deposits with Others	<u>2,200</u>
<b>Total Assets</b>	<u><u>\$ 421,110</u></u>
<b>Liabilities</b>	
Accounts Payable	\$ 3,224
Accrued Salaries and Benefits	<u>309</u>
<b>Total Liabilities</b>	<u>3,533</u>
<b>Fund Balance</b>	
Unassigned	<u>417,577</u>
<b>Total Fund Balance</b>	<u>417,577</u>
<b>Total Liabilities and Fund Balance</b>	<u><u>\$ 421,110</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
RECONCILIATION OF THE GOVERNMENTAL FUND  
BALANCE SHEET TO THE STATEMENT OF NET POSITION  
JUNE 30, 2024**

**Reconciliation of the Balance Sheet to the Statement of Net Position**

Total fund balance - governmental fund (page 10)	\$ 417,577
Amounts reported for governmental activities in the statement of net position are different because:	
Right-to-use leased assets used for governmental activities are not reported as assets in the governmental fund.	55,903
Lease liability is not reported in the governmental fund.	<u>(60,455)</u>
Net position of governmental activities (page 8)	<u>\$ 413,025</u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN FUND BALANCE  
GOVERNMENTAL FUND  
FOR THE YEAR ENDED JUNE 30, 2024**

**Revenues**

Intergovernmental Revenues:

County of Napa	\$ 339,738
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Other Governmental Agencies	339,738
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Charges for Services	44,320
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Interest Income	18,168
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<b>Total Revenues</b>	<b>741,964</b>
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**Expenditures**

Contracted Administrative Services	581,932
------------------------------------	---------

Services and Supplies	125,680
-----------------------	---------

Debt Service:

Principal	27,300
-----------	--------

Interest	1,432
----------	-------

<b>Total Expenditures</b>	<b>736,344</b>
---------------------------	----------------

<b>Change in Fund Balance</b>	5,620
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<b>Fund Balance - Beginning of Year</b>	<b>411,957</b>
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<b>Fund Balance - End of Year</b>	<b>\$ 417,577</b>
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The accompanying notes are an integral part of these financial statements.



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
RECONCILIATION OF THE GOVERNMENTAL FUND STATEMENT OF REVENUES,  
EXPENDITURES, AND CHANGES IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED JUNE 30, 2024**

**Reconciliation of Statement of Revenues, Expenditures, and  
Changes in Fund Balance to the Statement of Activities**

Net change in fund balance - governmental fund (page 12)	\$ 5,620
Amounts reported for governmental activities in the statement of activities are different because:	
Lease amortization expense does not use current financial resources but has an effect on net position.	(27,058)
Lease principal payments on long-term debt use current financial resources but have no effect on net position.	<u>27,300</u>
Change in net position of governmental activities (page 9)	<u><u>\$ 5,862</u></u>

The accompanying notes are an integral part of these financial statements.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
NOTES TO THE BASIC FINANCIAL STATEMENTS  
JUNE 30, 2024**

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Reporting Entity**

The Local Agency Formation Commission of Napa County (the Commission) was created in 1963 by the California Legislature to encourage the orderly formation and development of local agencies, promote the efficient extension of municipal services, and protect against the premature conversion of agricultural and open-space lands. In 2001, following the enactment of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Commission became an independent agency separate from the County of Napa (the County). As of June 30, 2024, there are 23 cities and special districts under the jurisdiction of the Commission in the County.

The Board of Commissioners is comprised of five regular and three alternate members. Each member is appointed pursuant to California Government Code Section 56000 et. seq. and represents one of the following three interests:

- **County Members:** Two regular and one alternate member represent the County. These members are members of the County Board of Supervisors. Appointments are made by the Board of Supervisors.
- **City Members:** Two regular and one alternate member represent the four cities and town in the County. The members are mayors or council members. Appointments are made by the City Selection Committee.
- **Public Members:** One regular and one alternate member represent the general public. Appointments are made by the County and City Members on the Commission.

The Commission includes all activities (operations of its administrative staff and commission officers) considered to be a part of the Commission. The Commission reviewed the criteria developed by the Governmental Accounting Standards Board (GASB) in its issuance of Statement No. 14 and amended by Statement No. 61, relating to the financial reporting entity, to determine whether the Commission is financially accountable for other entities. The Commission has determined that no other outside entity meets the above criteria and, therefore, no agency has been included as a component unit in the financial statements. In addition, the Commission is not aware of any entity that would be financially accountable for the Commission that would result in the Commission being considered a component unit of that entity.

**B. Basis of Presentation and Accounting**

*Government-Wide Financial Statements*

The Statement of Net Position and Statement of Activities display information about the primary government (the Commission). These statements include the financial activities of the overall Commission.

The Statement of Activities presents a comparison between direct expenses and program revenues for the Commission's governmental activity. Direct expenses are those that are specifically associated with the Commission's governmental activity. Program revenues include grants and contributions that are restricted to meeting the operational or capital requirements of the Commission. Revenues that are not classified as program revenues, including all taxes and investment income, are presented as general revenues.

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES** (Continued)**B. Basis of Presentation and Accounting** (Continued)*Government-Wide Financial Statements* (Continued)

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of when the related cash flows take place. Nonexchange transactions are those in which the Commission gives (or receives) value without directly receiving (or giving) equal value in exchange, including grants. Revenues from grants are recognized in the fiscal year in which all eligible requirements have been satisfied. No grants have been received or are anticipated to be received in the near future.

When both restricted and unrestricted net position are available, restricted resources are used before non-restricted resources.

*Fund Financial Statements*

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized when measurable and available ("susceptible to accrual"). Taxes, interest, certain state and federal grants, and charges for services revenues are accrued when their receipt occurs within sixty days after the end of the accounting period so as to be measurable and available. Expenditures are generally recorded when a liability is incurred, as under the accrual basis of accounting. However, debt service expenditures, as well as expenditures related to compensated absences, are recorded only when payment is due.

The General Fund is the Commission's primary operating fund. It accounts for all financial resources of the general government.

**C. Capital Assets**

Capital assets are recorded at historical cost or estimated historical cost if actual historical cost is not available. Contributed capital assets are valued at their estimated fair market value on the date contributed. The Commission defines capital assets as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Capital assets used in operations are depreciated using the straight-line method over their estimated useful lives in the government-wide statements. Depreciation begins on the first day of the fiscal year following the period the asset is placed in service and ends in the fiscal year that it is retired from service or is fully depreciated.

**D. Use of Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**E. Lease Assets**

Right-to-use leased assets are recorded at the amount of the initial measurement of the lease liabilities and modified by any lease payment made to the lessor at or before the commencement of the lease term, less any lease incentives received from the lessor at or before the commencement of the lease term along with any direct costs that are ancillary charges necessary to place the leased assets into service in accordance with GASB Statement No. 87, *Leases*.

Right-to-use leased assets are amortized using the straight-line method over the shorter of the lease term or the useful life on the underlying asset, unless the lease contains a purchase option that the Commission has determined is reasonably certain of being exercised.

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES** (Continued)F. New Accounting Pronouncements Implemented

**GASB Statement No. 99 – Omnibus 2022.** The requirements of this statement are effective as follows:

- The requirements related to extension of the use of the London Interbank Offered Rate (LIBOR), accounting for Supplemental Nutrition Assistance Program (SNAP) distributions, disclosures of nonmonetary transactions, pledges of future revenues by pledging governments, clarification of certain provisions in GASB Statement No. 34, as amended, and terminology updates related to GASB Statement No. 53 and GASB Statement No. 63 are effective upon issuance.
- The requirements related to leases, public-private and public-public partnerships (PPPs), and subscription-based information technology arrangements (SBITAs) are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter.
- The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of GASB Statement No. 53 are effective for fiscal years beginning after June 15, 2023, and all fiscal years thereafter.

This statement does not impact the financial statements or disclosures of the Commission as the Commission does not have these types of transactions.

**GASB Statement No. 100 – Accounting Changes and Error Corrections—an Amendment of GASB Statement No. 62.** For fiscal years beginning after June 15, 2023, and all reporting periods thereafter. Earlier application is encouraged. This statement does not impact the financial statements or disclosures of the Commission as the Commission did not present accounting changes or error corrections in the annual report.

G. Future Accounting Pronouncements

**GASB Statement No. 101 – Compensated Absences.** The requirements of this statement are effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. Earlier application is encouraged. The Commission has not fully judged the impact of implementation of this standard on the financial statements.

**GASB Statement No. 102 – Certain Risk Disclosures.** The requirements of this statement are effective for fiscal years beginning after June 15, 2024, and all reporting periods thereafter. The Commission has not fully judged the impact of implementation of GASB Statement No. 102 on the financial statements.

**GASB Statement No. 103 – Financial Reporting Model Improvements.** The requirements of this statement are effective for fiscal years beginning after June 15, 2025, and all reporting periods thereafter. The Commission has not fully judged the impact of implementation of GASB Statement No. 103 on the financial statements.

**NOTE 2 – CASH**

Cash at June 30, 2024, consisted of the following:

Cash in County Treasury	\$ 418,910
	<u>\$ 418,910</u>

**NOTE 2 – CASH** (Continued)

The Commission maintains all of its cash and investments with the County Treasurer in an investment pool. On a quarterly basis, the Treasurer allocates interest to participants based upon their average daily balances. Required disclosure information regarding categorization of investments and other deposit and investment risk disclosures can be found in the County's financial statements. The County's financial statements may be obtained by contacting the County's Auditor-Controller's Office at 1195 Third Street, Room B-10, Napa, California 94559. The County Treasury Oversight Committee oversees the Treasurer's investments and policies.

Required disclosures for the Commission's deposit and investment risks at June 30, 2024, were as follows:

Credit risk	Not rated
Custodial risk	Not applicable
Concentration of credit risk	Not applicable
Interest rate risk	Not available

Investments held in the County's investment pool are available on demand and are stated at cost plus accrued interest, which approximates fair value. The Commission has no deposit or investment policy that addresses a specific type of risk.

**NOTE 3 – CAPITAL ASSETS AND RIGHT-TO-USE LEASED ASSETS**

Capital assets and right-to-use leased assets activity at June 30, 2024, were as follows:

	Balance July 1, 2023	Additions	Retirements	Balance June 30, 2024
Capital assets being depreciated:				
Equipment	\$ 19,657	\$ -	\$ -	\$ 19,657
Total capital assets being depreciated	19,657	-	-	19,657
Less accumulated depreciation:				
Equipment	(19,657)	-	-	(19,657)
Total accumulated depreciation	(19,657)	-	-	(19,657)
Capital assets, net	-	-	-	-
Right-to-use leased assets being amortized:				
Building	125,943	-	-	125,943
Equipment	9,033	-	-	9,033
Total right-to-use leased assets being amortized	134,976	-	-	134,976
Less accumulated amortization:				
Building	(48,279)	(25,189)	-	(73,468)
Equipment	(3,736)	(1,869)	-	(5,605)
Total accumulated amortization	(52,015)	(27,058)	-	(79,073)
Right-to-use leased assets, net	82,961	(27,058)	-	55,903
Total capital assets and right-to-use leased assets, net	\$ 82,961	\$ (27,058)	\$ -	\$ 55,903

Amortization for right-to-use leased assets (see Note 4) for the fiscal year ended June 30, 2024, was \$27,058.

**NOTE 4 – LONG-TERM LIABILITIES**

The Commission has entered into two (2) lease agreements as follows:

The Commission has entered into a lease agreement, with a recognized inception date of August 1, 2021, as lessee for the use of 1754-C 2<sup>nd</sup> St. The lease term ends on July 31, 2026. An initial lease liability of \$125,943 was recorded on August 1, 2021. As of June 30, 2024, the value of the lease liability was \$56,930. The Commission recorded \$25,430 as the principal portion of the lease payments for the year ended June 30, 2024. The Commission has a fixed base rent schedule, ranging from \$1,850 a month on August 1, 2021, to \$2,350 a month ending July 1, 2026. The Commission is utilizing the County's incremental borrowing rate of 1.9%.

The Commission has entered into a lease agreement, with a recognized inception date of July 1, 2021, as lessee for the use of a Xerox copier machine. The lease term ends on April 28, 2026. An initial lease liability of \$9,033 was recorded on July 1, 2021. As of June 30, 2024, the value of the lease liability was \$3,525. The Commission recorded \$1,870 as the principal portion of the lease payments for the year ended June 30, 2024. The Commission has a fixed base rent of \$163 a month through the end of the term on April 28, 2026. The Commission is utilizing the County's incremental borrowing rate of 1.9%.

Principal and interest payments to maturity are as follows:

<u>Year Ending June 30,</u>	<u>Principal</u>	<u>Interest</u>
2025	\$ 28,627	\$ 902
2026	29,485	346
2027	<u>2,343</u>	<u>4</u>
Total	<u>\$ 60,455</u>	<u>\$ 1,252</u>

**NOTE 5 – NET POSITION/FUND BALANCE****Net Position**

Net position comprises the various net earnings from operating and nonoperating revenues, expenses, and capital contributions. Net position is classified in the following three components: net investment in capital assets, net position – restricted, and net position – unrestricted. The Commission reports net investment in capital assets and net position – unrestricted balances. Net investment in capital assets consists of all capital and right-to-use leased assets, net of accumulated depreciation/amortization and reduced by outstanding debt that is attributable to the acquisition, construction, and improvement of those assets. Unrestricted net position consists of all other net position not included in the above categories.

**Fund Balance**

Governmental funds report fund balance in classifications based primarily on the extent to which the Commission is bound to honor constraints on the specific purposes for which amounts in the funds can be spent. As of June 30, 2024, fund balances for governmental funds are made up of the following:

- *Nonspendable fund balance* – amounts that are not in spendable form (such as inventory) or are required to be maintained intact.
- *Restricted fund balance* – amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation.

**NOTE 5 – NET POSITION/FUND BALANCE** (Continued)**Fund Balance** (Continued)

- *Committed fund balance* – amounts constrained to specific purposes by the Commission itself, using its highest level of decision-making authority. To be reported as committed, amounts cannot be used for any other purpose unless the Commission takes the same highest level of action to remove or change the constraint.
- *Assigned fund balance* – amounts the Commission intends to use for a specific purpose. Intent can be expressed by the Board of Commissioners or by an official or body to which the Board of Commissioners delegates the authority.
- *Unassigned fund balance* – amounts that are available for any purpose. Positive amounts are reported only in the General Fund.

The Board of Commissioners establishes (and modifies or rescinds) fund balance commitments by adopting a final budget no later than June 15th and approving amendments as needed throughout the year. A fund balance commitment is further indicated in the budget document as a designation or commitment of the fund (such as for special incentives).

In circumstances when an expenditure is made for a purpose for which amounts are available in multiple fund balance classifications, fund balance is generally depleted in the order of restricted, committed, assigned, and unassigned.

The Commission strives to maintain an unassigned fund balance to be used for unanticipated emergencies of approximately four months of expenditures.

**NOTE 6 – RELATED PARTY TRANSACTIONS**

During the year ended June 30, 2024, the Commission paid the County, a related party, \$458,718 for employee administrative costs, accounting services, and information technology.

In addition, the Commission received \$339,738 during the year ended June 30, 2024, from the County, a related party, pursuant to Government Code Section 56381. The County provides half of the intergovernmental revenue to the Commission. The other half is funded by the City of Napa, City of St. Helena, City of American Canyon, City of Calistoga, and Town of Yountville.

**NOTE 7 – RISK MANAGEMENT**

The Commission is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Commission participates in the County's risk pool. Information about coverage can be found in the County's basic financial statements.

**NOTE 8 – SUBSEQUENT EVENTS**

Subsequent events have been evaluated through November 27, 2024, which is the date the basic financial statements were available to be issued. No events have occurred that would require disclosure.

**REQUIRED SUPPLEMENTARY INFORMATION**



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
BUDGETARY COMPARISON SCHEDULE  
FOR THE YEAR ENDED JUNE 30, 2024**

	Original Budget	Final Budget	Actual	Variance with Final Budget
<b>Revenues</b>				
Intergovernmental Revenues	\$ 679,476	\$ 679,476	\$ 679,476	\$ -
Charges for Services	23,460	23,460	44,320	20,860
Interest Income	6,500	6,500	18,168	11,668
<b>Total Revenues</b>	<b>709,436</b>	<b>709,436</b>	<b>741,964</b>	<b>32,528</b>
<b>Expenditures</b>				
Contracted Administrative Services	564,448	576,365	581,932	(5,567)
Services and Supplies	218,223	217,794	125,680	92,114
Debt Service:				
Principal	30,275	30,275	27,300	2,975
Interest	-	-	1,432	(1,432)
<b>Total Expenditures</b>	<b>812,946</b>	<b>824,434</b>	<b>736,344</b>	<b>88,090</b>
Change in Fund Balance	<u>\$ (103,510)</u>	<u>\$ (114,998)</u>	5,620	<u>\$ 120,618</u>
Fund Balance - Beginning of Year			<u>411,957</u>	
Fund Balance - End of Year			<u>\$ 417,577</u>	

See accompanying note to the required supplementary information.

**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
NOTE TO THE REQUIRED SUPPLEMENTARY INFORMATION  
FOR THE YEAR ENDED JUNE 30, 2024**

**BUDGET AND BUDGETARY REPORTING**

The Local Agency Formation Commission of Napa County (the Commission) prepares and legally adopts a final budget on or before June 15th of each fiscal year.

After the budget is approved, the appropriations can be added to, subtracted from, or changed only by Board of Commissioners resolution. All such changes must be within the revenues and reserves estimated as available in the final budget or within revised revenue estimates as approved by the Commission.

An operating budget is adopted each fiscal year on the modified accrual basis of accounting. Additionally, encumbrance accounting is utilized to assure effective budgetary control. Encumbrances outstanding at year-end represent the estimated amount of the expenditures ultimately to result if the unperformed contracts in process at year-end are completed or purchase commitments satisfied. Such year-end encumbrances are reported as reservations of fund balances and do not constitute expenditures or liabilities because the commitments will be honored during the subsequent year and included in the subsequent year's budget. Unencumbered appropriations lapse at year-end. Budgets are prepared using accounting principles generally accepted in the United States of America.

The legal level of budgetary control (the level on which expenditures may not legally exceed appropriations) is at the object level. Object levels of expenditures are as follows: salaries and benefits, services and supplies, and other charges.

**OTHER REPORT**



**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER  
 FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
 BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
 ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Commissioners  
 Local Agency Formation Commission of Napa County  
 Napa, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of the governmental activities and the major fund of the Local Agency Formation Commission of Napa County (the Commission), as of and for the year ended June 30, 2024, and the related notes to the basic financial statements, which collectively comprise the Commission's basic financial statements, and have issued our report thereon dated November 27, 2024.

**Report on Internal Control over Financial Reporting**

In planning and performing our audit of the basic financial statements, we considered the Commission's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Commission's basic financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

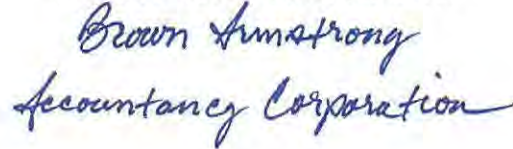
**Report on Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Commission's basic financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the basic financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of This Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Commission's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Commission's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

BROWN ARMSTRONG  
ACCOUNTANCY CORPORATION

A handwritten signature in blue ink that reads "Brown Armstrong Accountancy Corporation". The signature is written in a cursive style and is positioned below the printed name of the firm.

Bakersfield, California  
November 27, 2024



Board of Commissioners  
 Local Agency Formation Commission of Napa County  
 Napa, California

We have audited the financial statements of the governmental activities and the major fund of the Local Agency Formation Commission of Napa County (the Commission) for the year ended June 30, 2024. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 13, 2024. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Matters**

#### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Commission are described in Note 1 to the financial statements. As described in Note 1 to the financial statements, the Commission adopted Governmental Accounting Standards Board (GASB) Statement No. 100, *Accounting Changes and Error Corrections – an amendment of GASB Statement No. 62*, during the fiscal year ended June 30, 2024. These GASB statements did not impact the financial statements or disclosures of the Commission during the fiscal year, as there were no accounting changes or corrections made. We noted no transactions entered into by the Commission during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the Commission's financial statements were:

Management's estimate of the discount rate for the purpose of calculating the right-to-use leased assets and lease liabilities relating to leases. We evaluated the key factors and assumptions used to develop the estimate of the discount rate for the purpose of calculating the right-to-use leased assets and lease liabilities relating to leases in determining that it is reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- The disclosure of right-to-use leased assets and long-term liabilities in Notes 3 and 4, respectively, to the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

**BAKERSFIELD**  
 4200 Truxtun Avenue, Suite 300  
 Bakersfield, CA 93309  
 661-324-4971

**FRESNO**  
 10 River Park Place East, Suite 208  
 Fresno, CA 93720  
 559-476-3592

**STOCKTON**  
 2423 West March Lane, Suite 202  
 Stockton, CA 95207  
 209-451-4833

*Difficulties Encountered in Performing the Audit*

We encountered no significant difficulties in dealing with management in performing and completing our audit.

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. No such misstatements were identified.

*Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated November 27, 2024.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Commission's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Commission's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

**Other Matters**

We applied certain limited procedures to Management's Discussion and Analysis and the Budgetary Comparison Schedule, which are required supplementary information (RSI) that supplement the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

**Restriction on Use**

This information is intended solely for the information and use of the Board of Commissioners and management of the Commission and is not intended to be, and should not be, used by anyone other than these specified parties.

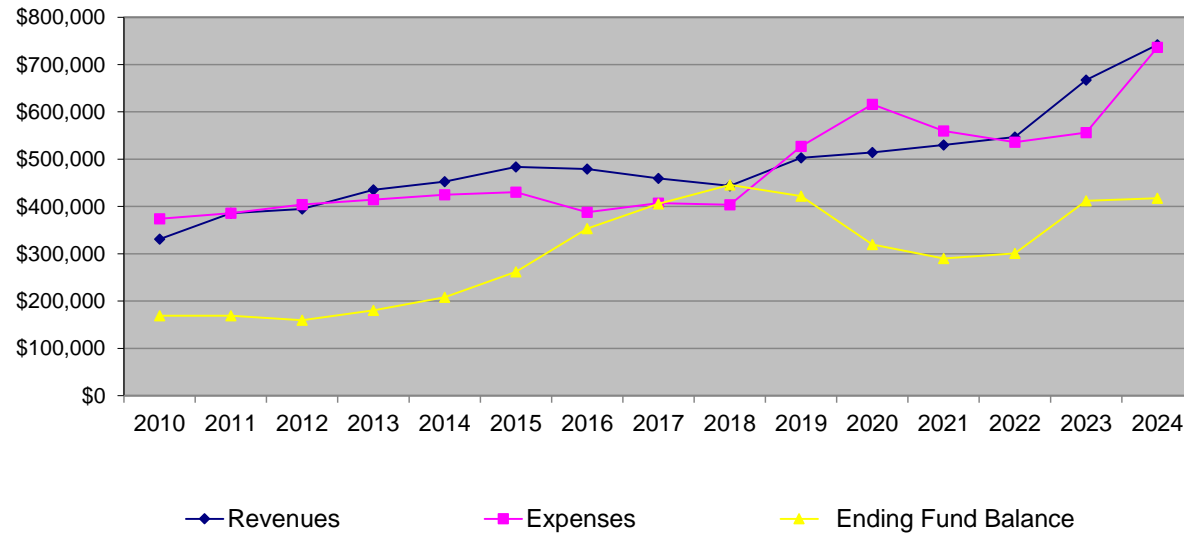
BROWN ARMSTRONG  
ACCOUNTANCY CORPORATION

*Brown Armstrong*  
*Accountancy Corporation*

Bakersfield, California  
November 27, 2024

LAFCO Financial Summary  
For the Past 15 Years

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Revenues	\$ 330,942	\$ 386,070	\$ 394,658	\$ 435,317	\$ 452,727	\$ 483,743	\$ 479,137	\$ 459,555	\$ 443,870	\$ 503,137	\$ 514,135	\$ 530,167	\$ 546,687	\$ 667,608	\$ 741,964
Expenses	373,993	385,677	404,358	414,578	424,924	430,146	387,701	407,207	403,630	526,982	616,203	559,686	536,072	556,509	736,344
Surplus/Deficit	\$ (43,051)	\$ 393	\$ (9,700)	\$ 20,739	\$ 27,803	\$ 53,597	\$ 91,436	\$ 52,348	\$ 40,240	\$ (23,845)	\$ (102,068)	\$ (29,519)	\$ 10,615	\$ 111,099	\$ 5,620
<b>Fund Balance:</b>															
Beginning Fund Balance	\$ 211,870	\$ 168,819	\$ 169,212	\$ 159,512	\$ 180,251	\$ 208,054	\$ 261,651	\$ 353,087	\$ 405,435	\$ 445,675	\$ 421,830	\$ 319,762	\$ 290,243	\$ 300,858	\$ 411,957
Surplus/Deficit 6/30	(43,051)	393	(9,700)	20,739	27,803	53,597	91,436	52,348	40,240	(23,845)	(102,068)	(29,519)	10,615	111,099	5,620
Ending Fund Balance	\$ 168,819	\$ 169,212	\$ 159,512	\$ 180,251	\$ 208,054	\$ 261,651	\$ 353,087	\$ 405,435	\$ 445,675	\$ 421,830	\$ 319,762	\$ 290,243	\$ 300,858	\$ 411,957	\$ 417,577
<b>Breakdown of Fund Balance:</b>															
Petty Cash Reserve	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
Equipment Replacement Reserve	3,931	7,862	11,793	15,724	19,557	19,557	19,557	19,557	19,557	19,557	19,557	19,557	19,557	19,557	-
Available Fund Balance	164,788	161,250	147,619	164,427	188,397	241,994	333,430	385,778	426,018	402,173	300,105	270,586	281,201	392,300	417,477
Total Fund Balance	\$ 168,819	\$ 169,212	\$ 159,512	\$ 180,251	\$ 208,054	\$ 261,651	\$ 353,087	\$ 405,435	\$ 445,675	\$ 421,830	\$ 319,762	\$ 290,243	\$ 300,858	\$ 411,957	\$ 417,577







**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 6b (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer B F

**MEETING DATE:** December 9, 2024

**SUBJECT:** Consider Ad Hoc Subcommittee Appointments

---

**RECOMMENDATION**

It is recommended the Commission make appointments to the ad hoc Fiscal Year 2025-26 Budget Committee, the ad hoc Legislative Committee, and the ad hoc Policy Committee.

**SUMMARY**

The Commission will consider the membership of three ad hoc subcommittees. Commissioners appointed to a subcommittee receive per diems for each subcommittee meeting attended. A summary of the subcommittees and recommended actions follows.

***Policy Committee***

The Commission recently discussed the concept of establishing an ad hoc Policy Committee to review and update several local policies that staff believes require amendments. The Commission's current Policy Manual is included as Attachment 1. If the Commission agrees to establish a Policy Committee, staff recommends the Commission appoint two members to advise the Executive Officer. Key policy issues identified by staff include, but are not limited to, the following:

- Recognize LAFCO independence wherever appropriate in local policies
- Budget and financial management, including reserves and contingency funds
- Reconsider annual Chair rotation
- Determine when municipal service review data is no longer relevant for proposals
- Establish new standalone policy for the Work Program
- Consider a new policy on strategic planning
- Consider requiring outside service agreements (OSAs) to run with property deeds
- Consider if a discontinued use with an OSA should be allowed to resume service
- Reconsider local definition of disadvantaged unincorporated communities
- Update records retention policies to reflect the abandonment of Laserfiche software

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Kenneth Leary, Vice Chair  
Representative of the General Public

Beth Painter, Commissioner  
Councilmember, City of Napa

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Brendon Freeman  
Executive Officer

***Fiscal Year 2025-26 Budget Committee***

The Commission establishes an ad hoc Budget Committee each year consistent with the adopted *Budget Policy*, included as part of Attachment 1. The Budget Committee includes two Commissioners to advise the Executive Officer in preparing a budget for review and adoption by the Commission. The Budget Committee is also tasked with considering the Commission's fee schedule and work program. The Budget Committee automatically terminates with the adoption of a final budget. For reference, Commissioners Mohler and Leary served on the most recent Budget Committee. Staff recommends the Commission appoint two members to the Fiscal Year 2025-26 Budget Committee.

***Legislative Committee***

The Commission establishes an ad hoc Legislative Committee each year consistent with the adopted *Legislative Policy*, included as part of Attachment 1. The Legislative Committee includes two Commissioners to advise the Executive Officer in the review of proposed legislation related to LAFCOs and making recommendations to the full Commission to take positions on pertinent bills. The Legislative Committee automatically terminates at the end of the calendar year. For reference, Commissioners Cottrell and Painter served on the Legislative Committee for calendar year 2024. Staff recommends the Commission appoint two members to the Legislative Committee for calendar year 2025.

**ATTACHMENT**

- 1) Policy Manual

LOCAL AGENCY FORMATION COMMISSION  
OF NAPA COUNTY

# *Policy Manual*



*We Manage Local Government Boundaries,  
Evaluate Municipal Services, and Protect Agriculture*

## MISSION STATEMENT

The Local Agency Formation Commission of Napa County (LAFCO) is committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

Available to download at: [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

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## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on the Appointment of Counsel*

(Adopted: April 11, 2001; Last Amended: August 1, 2022)

#### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Commission to appoint legal counsel to advise it and to appoint alternate legal counsel in the event of a conflict of interest consistent with [California Government Code §56384\(b\)](#).

#### **II. PURPOSE**

The purpose of this policy is to guide the Local Agency Formation Commission (LAFCO) of Napa County in appointing legal counsel and, when appropriate, alternate legal counsel.

#### **III. PROCEDURES**

The Commission shall appoint a Commission Counsel for a term specified as part of the appointment. Further, the policy of the Commission is:

- A. If the Commission determines that a conflict of interest exists for its counsel in the processing and review of a proposal, the Commission will appoint alternate legal counsel for that proposal. If the Commission determines that an applicant should bear the costs of alternate counsel, it shall require that the applicant put on deposit with the County Auditor funds sufficient to cover associated costs.
- B. The Commission will consider written requests that alternate legal counsel advise the Commission and its staff on matters pertaining to a particular proposal. This request may be made by any applicant, affected agency, or affected individual. Requests will be considered at the next regular meeting of the Commission for which the matter may be noticed properly. Approval of any such request is contingent upon the placement on deposit with the County Auditor of funds sufficient to cover associated costs.
- C. In all instances, appointment of alternate legal counsel is solely at the discretion of the Commission.
- D. When alternate legal counsel is used, the Commission reserves the right to make final approval of a proposal contingent upon payment of any outstanding legal costs in excess of the deposit on hand with the County Auditor.
- E. When alternate legal counsel is used, upon written confirmation from the Executive Officer that all billing matters have been resolved, the County Auditor will return any unexpended portion of funds on deposit.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on the Appointment of a Public Member and Alternate Public Member*

(Adopted: October 11, 2001; Last Amended: November 18, 2019)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for the composition of the Commission including the Public Member as follows:

The composition of the Commission shall include one member representing the general public, hereinafter referred to as “public member.” The Commission may designate one alternate public member. The selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members appointed by each of the appointing authorities ([California Government Code \(G.C.\) §56325\(d\)](#)).

#### **II. Purpose**

It is the intent of the Commission to establish a policy for the appointment of a public member and alternate public member which is consistent with CKH. This policy also includes procedures to address a vacancy in the position and other relevant matters.

#### **III. Eligibility**

The public member and alternate public member shall be a resident of Napa County. No person may serve as public member or alternate public member if at the same time they are an officer or employee of the County, a city, town or district within Napa County.<sup>1</sup> For purposes of this policy, an officer of a local government agency is a member of a local public board, commission, committee, or council with the authority to make advisory or final decisions relative to land use or the provision of municipal services.

#### **IV. Term of Office**

The term of office for Public Member and Alternate Public Member shall be four years and shall end on the first Monday in May of the year in which the term expires. The Public Member and Alternate Public Member shall continue to serve until a successor is appointed.

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<sup>1</sup> The term “district” is defined in [G.C. §56036](#).

## **V. Appointment Procedures**

### **A) New Term for Public Member or Alternate Public Member**

It is the policy of the Commission that in anticipation of the expiration of a four-year term for the Public Member or Alternate Public Member, the following procedures will be taken:

At a regular meeting at least 120 days prior to the scheduled expiration of the Public Member or Alternate Public Member's term, the Executive Officer shall inform the Commission of the impending vacancy and whether the incumbent is eligible to seek reappointment. The Commission shall take one of the following two actions as set forth in the following subsection 1 or 2 below.

- 1) Direct the Executive Officer to recruit candidates and schedule a public hearing to consider making an appointment to the position. Tasks of the Executive Officer shall include, but not limited to, the following:
  - (a) At least 60 days prior to the scheduled hearing for the appointment, issue a notice announcing the vacancy and that the Commission is accepting applications for the position. The notice shall be posted at the LAFCO office and on its website, sent to all local agencies, and published in a newspaper of general circulation in Napa County.<sup>2</sup> The notice shall indicate if the incumbent is eligible for reappointment.
  - (b) Determine the filing period to receive applications for the position. All applications shall be made available to each city and county member on the Commission at least 14 days prior to the scheduled hearing for the appointment.
  - (c) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the appointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.
- 2) If the incumbent is eligible and has served no more than one four-year term, the Commission may direct the Executive Officer to schedule a public hearing to consider approving reappointment. Tasks of the Executive Officer shall include, but not limited to, the following:
  - (a) Issue a notice announcing the scheduled reappointment of the incumbent. The notice shall be posted at the LAFCO office and on its website and sent to all local agencies. The notice shall be posted at least 21 days prior to the hearing for which the reappointment has been scheduled.
  - (b) If it becomes necessary for the Commission to cancel or reschedule the meeting at which the hearing for the reappointment has been scheduled, the Executive Officer shall reschedule the hearing for the next regular meeting.

---

<sup>2</sup> For purposes of this policy, notice to local agencies is fulfilled by sending a copy of the notice to the clerk or secretary of the legislative body of each local agency in Napa County. Publishing in a newspaper of general circulation in Napa County shall be conducted by publishing, at minimum, a prominently placed display ad.

## B) Mid-Term Vacancies

An appointment to fill an unexpired term for the position of Public Member or Alternate Public Member shall be preceded by posting a notice of vacancy. The notice will be posted at the LAFCO office and on its website and sent to all local agencies. The notice will be posted at least 21 days prior to the meeting at which time the Commission will consider taking action to fill the unexpired term. An appointment to fill an unexpired term will occur as follows:

- 1) Public Member: If the position of Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term through one of the following:
  - (a) Appoint the Alternate Public Member.
  - (b) Fill the position in the manner prescribed in Section V(A) “New Term for Public Member or Alternate Public Member” for the appointment of the Public Member to a new term.
- 2) Alternate Public Member: If the position of Alternate Public Member becomes vacant prior to the expiration of the term, it is the policy of the Commission that it may fill the unexpired term in the manner prescribed in Section V(A) “New Term for Public Member or Alternate Public Member” for the appointment of the Alternate Public Member to a new term.

## C) Conducting Public Hearings for Appointing a Public Member or Alternate Public Member

It is the policy of the Commission that a public hearing to appoint either the Public Member or Alternate Public Member shall be conducted as follows:

The Chair shall open the public hearing and first invite candidates to address the Commission. The Commission may ask questions of the candidates. The Chair shall then invite public comments from the audience. Upon the close of the public comment period, the Public Member or Alternate Public Member will be selected based upon a motion and second followed by an affirmative vote.





## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Budget Policy*

(Adopted: August 9, 2001; Last Amended: November 18, 2019)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for establishing a budget and for the receipt of funds. [Government Code \(G.C.\) §56381](#) establishes that the Commission shall annually adopt a budget for the purpose of fulfilling its duties under CKH.

#### **II. Purpose**

It is the intent of the Commission to adopt a policy for budget purposes which establishes procedures for compiling, adopting and administering the budget. The Commission is committed to providing transparency of its operations including its fiscal activities. The Commission follows recognized accounting principles and best practices in recognition of its responsibility to the public.

#### **III. Preparation of Annual Budget**

- A) An annual budget shall be prepared, adopted and administered in accordance with [\(G.C.\) §56381](#).
- B) The Commission should annually consider the Fee Schedule, including any anticipated changes, and Work Program in conjunction with the budget process.
- C) The Commission is committed to ensuring the agency is appropriately funded each fiscal year to effectively meet its prescribed regulatory and planning responsibilities. The Commission is also committed to controlling operating expenses to reduce the financial obligations on the County of Napa, the cities and town, hereafter referred to as the “funding agencies,” whenever possible and appropriate.
- D) The budget shall include an undesignated/unreserved fund balance equal to a minimum of one-third (i.e., four months) of annually budgeted operating expenses.
- E) The Commission shall establish an ad-hoc budget committee at the last meeting of each calendar year comprising of two Commissioners which will terminate with the adoption of the final budget. Commissioners appointed to a budget committee shall receive a regular per diem payment for each meeting attended.
- F) The adopted final budget should be posted on the Commission’s website for public viewing for a minimum of five years.
- G) The Executive Officer shall provide quarterly budget reports to the Commission for informational purposes.

#### IV. Budget Contributions and Collection of Funds

[G.C. §56381](#) establishes that the Commission shall adopt annually a budget for the purpose of fulfilling its duties under CKH. It further establishes that the County Auditor shall apportion the operating expenses from this budget in the manner prescribed by [G.C. §56381\(b\)](#), or in a manner mutually agreed upon by the agencies responsible for the funding of the Commission's budget [G.C. §56381\(c\)](#) states that:

After apportioning the costs as required in subdivision (b), the auditor shall request payment from the Board of Supervisors and from each city no later than July 1 of each year for the amount that entity owes and the actual administrative costs incurred by the auditor in apportioning costs and requesting payment from each entity. If the County or a city does not remit its required payment within 60 days, the Commission may determine an appropriate method of collecting the required payment, including a request to the auditor to collect an equivalent amount from the property tax, or any fee or eligible revenue owed to the County or city. The auditor shall provide written notice to the County or city prior to appropriating a share of the property tax or other revenue to the Commission for the payment due the Commission pursuant to this section.

It is the intent of the Commission that all agencies provide the costs apportioned to them from the LAFCO budget. Pursuant to [G.C. §56381\(c\)](#), the policy of the Commission is:

- A) If the County or a city or a town does not remit its required payment within 45 days of the July 1 deadline, the County Auditor shall send written notice to the agency in question that pursuant to [G.C. §56381\(c\)](#) and this policy, the Auditor has the authority to collect the amount of the Commission's operating expenses apportioned to that agency after 60 days from the July 1 deadline.
- B) If the County or a city or a town does not remit its required payment within 60 days of the July 1 deadline, the County Auditor shall collect an amount equivalent to the cost apportioned to that agency from the property tax owed to that agency, or some other eligible revenue deemed appropriate or necessary by the County Auditor. The County Auditor shall send written notice of the action taken to the agency and to the Commission.

## V. Executive Officer Purchasing and Budget Adjustment Authority

Pursuant to [G.C. §56380](#), the Commission shall make its own provision for necessary quarters, equipment, supplies, and services. The associated operating costs are provided for through the Commission's adoption of its annual budget in the manner prescribed in [G.C. §56381](#).

It is the intent of the Commission to charge the LAFCO Executive Officer with the responsibility and authority for coordinating and managing the procurement of necessary quarters, equipment, supplies, and services, and to adjust the annual budget as necessary under certain circumstances. The policy of the Commission is:

- A) The Executive Officer is charged with the responsibility and authority for coordinating and managing the procurement of necessary quarters, equipment, supplies, and services in accordance with applicable laws, regulations and policies.
- B) The Executive Officer is authorized to act as the agent for LAFCO in procuring necessary quarters, equipment, supplies, and services.
- C) Only the Commission itself or the Executive Officer may commit LAFCO funds for the purchase of any necessary quarters, equipment, supplies, or services for LAFCO use.
- D) The Executive Officer is delegated purchasing authority on behalf of LAFCO for necessary quarters, equipment, supplies, and services not to exceed \$5,000 per transaction. The Commission must approve any purchase of necessary quarters, equipment, supplies, and services that exceed the monetary limits set forth in this policy.
- E) Following review and approval by the Chair, the Executive Office is authorized to make adjustments and administrative corrections to the budget without Commission action provided the adjustments and corrections are within the total budget allocations adopted by the Commission.
- F) Following review and approval by the Chair, the Executive Officer is authorized to adjust the budget for purposes of carrying over to the new fiscal year any encumbered funds that have been approved by the Commission in a prior fiscal year and involve unspent balances. Said funds include committed contracts for services that were not completed in the prior fiscal year and must be re-encumbered by way of a budget adjustment in the new fiscal year.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on CEQA*

(Adopted on December 4, 2006; Last Amended: October 4, 2021)

#### **I. BACKGROUND**

Under Public Resources Code Section 15022, each public agency shall adopt objectives, criteria, and specific procedures consistent with the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act (“the Guidelines”) for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents.

In adopting procedures to implement CEQA, a public agency may adopt the State CEQA Guidelines through incorporation by reference. The agency may then adopt only those specific procedures or provisions which are necessary to tailor the general provisions of the guidelines to the specific operations of the agency. A public agency may also choose to adopt a complete set of procedures identifying in one document all the necessary requirements.

#### **II. PURPOSE**

The Guidelines are the regulations that explain and interpret the law for both the public agencies required to administer CEQA and for the public generally. They are found in Chapter 3 of Title 14 in the California Code of Regulations. The Guidelines provide objectives, criteria and procedures for the orderly evaluation of projects and the preparation of environmental impact reports, negative declarations, and mitigated negative declarations by public agencies. The fundamental purpose of the Guidelines is to make the CEQA process comprehensible to those who administer it, to those subject to it, and to those for whose benefit it exists. To that end, the Guidelines are more than mere regulations which implement CEQA as they incorporate and interpret both the statutory mandates of CEQA and the principles advanced by judicial decisions. The Governor's Office of Planning and Research prepares and develops proposed amendments to the Guidelines and transmits them to the Secretary for Resources. The Secretary for Resources is responsible for certification and adoption of the Guidelines and amendments thereto.

Revision of the CEQA Guidelines is an on-going process. By statute, the Secretary of Resources is required to review and consider amendments to the Guidelines every two years. Annual changes to CEQA and evolving case law make revisions to the Guidelines necessary on a continual basis.

#### **III. CEQA GUIDELINES AND COMMISSION LOCAL INTEREST POLICIES**

It is the Commission’s policy to adopt the Guidelines approved by the State Department of Resources and as amended from time to time, in the preparation of all environment documentation. Whenever an agency other than the Commission is involved in the approval of a project, the Commission prefers that the other agency be designated as the “Lead Agency.” For annexations and/or reorganizations involving annexation to a city, the city shall act as the Lead Agency under CEQA for the proposal. CEQA processing shall be undertaken in accordance with the most recent version of CEQA, the Guidelines, and the Commission’s adopted policies.

Notably, the Commission has identified additional areas of local interest that shall be addressed by the Lead Agency in the preparation of any CEQA document. These include:

- A. Cumulative and regional impacts;
- B. Impacts to public services, including but not limited to, water supply and distribution systems; wastewater treatment and sewer collection systems; solid waste disposal capacity and collection; public school districts, fire and police protection; and public facilities, including discussion on the ability of the receiving entities (i.e. water district, sewer district, school district) to provide the services to the proposed boundary change area;
- C. Conversion of prime agricultural lands to urban uses and protection/preservation of prime agricultural lands and resources;
- D. Consistency with general and specific plans; and
- E. Availability of affordable housing.



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**  
***Policy on Conducting Authority Proceedings***

Adopted: April 11, 2001  
 Amended: December 1, 2008

**I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 directs the Commission to administer conducting authority proceedings for all approved changes of organization or reorganization unless waived. Commission duties in administering conducting authority proceedings are codified in Government Code Sections 57000 et. seq.

**II. Objective**

The objective of this policy is to guide the Commission in administering conducting authority proceedings in an orderly and consistent manner. This includes establishing procedures in (a) scheduling, (b) noticing, (c) holding, and (d) completing protest hearings.

**III. Procedures**

**A. Scheduling**

- 1) The Executive Officer shall schedule a protest hearing within 35 days after the Commission's approval of the change of organization or reorganization.
- 2) The date of the protest hearing shall not be scheduled before the expiration of the 30-day reconsideration period.

**B. Noticing**

- 1) The Executive Officer shall provide notice no less than 21 days and not more than 60 days before the scheduled date of the protest hearing.
- 2) The notice on the protest hearing shall be published, posted, and mailed to all affected agencies and landowners as well as interested parties. The notice shall also be mailed to all affected registered voters if the territory is inhabited.
- 3) The notice on the protest hearing shall summarize the change of organization or reorganization, including a statement of justification and a description of the affected territory's location. The notice shall clearly state the time, date, and location of the protest hearing.
- 4) The notice on the protest hearing shall be accompanied by a standard protest form as provided in Attachment One.

### **C. Holding**

- 1) The Executive Officer shall be responsible for holding the protest hearing. At the protest hearing, the Executive Officer shall take the following actions:
  - Summarize the Commission's resolution approving the change of organization or reorganization.
  - Open the protest hearing to receive written or verbal protests.
  - Continue the protest hearing from time to time, if needed, but not to exceed 60 days from its original scheduled date.
  - Close the protest hearing.
- 2) At the close of the protest hearing, the Executive Officer shall work with the County of Napa Assessor and Registrar of Voters' Offices, as needed, in validating the written protests filed and not withdrawn.

### **D. Completing**

- 1) Within 30 days of the close of the protest hearing, the Executive Officer shall determine the value of the written protests filed and not withdrawn on the change of organization or reorganization.
- 2) The Executive Officer shall present his or her determination regarding the value of the written protests filed and not withdrawn to the Commission at a public meeting. The Commission shall adopt a resolution confirming the value of the written protests filed and not withdrawn and take one of the following actions:
  - If the affected territory is uninhabited:
    - Terminate the change of organization or reorganization if the landowners representing 50% or more of the assessed value of the affected land have filed written protests; or
    - Order the change of organization or reorganization without election if the landowners that have filed written protests representing less than 50% of the assessed value of the affected land.
  - If the affected territory is inhabited:
    - Terminate the change of organization or reorganization if 50% or more of the registered voters residing within the affected land have filed written protests; or
    - Order the change of organization or reorganization subject to an election if more than 25% but less than 50% of the registered voters residing within the affected land have filed written protests; or

- Order the change of organization or reorganization subject to an election if at least 25% of the number of landowners who also represent at least 25% of the assessed value of the affected land have filed written protests; or
  - Order the change of organization or reorganization without election if less than 25% of the registered voters have filed written protests or less than 25% of the number of landowners representing less than 25% of the assessed value of the affected land have filed written protests.
  - If the affected territory is inhabited and a landowner-voter district:
    - Terminate the change of organization or reorganization if 50% or more of the voting power of the eligible voters have filed written protests.
- 3) If the Commission terminates the change of organization or reorganization, the Executive Officer shall prepare a Certificate of Termination of Proceedings.
- 4) If the Commission orders a change of organization or reorganization without election, the Executive Officer shall prepare a Certificate of Completion.
- 5) If the Commission orders a change of organization or reorganization subject to an election, the Executive Officer shall provide written notice to the Board of Supervisors or affected city council to conduct the election. At the conclusion of the election, the Executive Officer shall take one of the following actions:
- Prepare a Certificate of Completion for the change or organization or reorganization if approved by voters.
  - Prepare a Certificate of Termination of Proceedings for the change of organization or reorganization if disapproved by voters.





## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Conducting Commission Meetings and Business*

(Adopted: August 9, 2001; Last Amended: February 7, 2022)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), pursuant to California Government Code Section 56300, directs the Commission to exercise its regulatory and planning responsibilities consistent with its written policies and procedures.<sup>1</sup> This includes establishing written rules to help ensure all meetings and related business occurs in an orderly and transparent manner.

#### **II. Purpose**

The purpose of this policy is to provide clear and concise direction to Commissioners and staff with regard to conducting Commission meetings and related business involving the preparation of agendas, issuance of per diems, and reimbursement for member expenses.

#### **III. Rules and Procedures in Conducting Business**

##### **A. Conducting Meetings**

- 1) The Commission acknowledges and affirms the conducting of its meetings and related business are subject to applicable California laws, most notably the provisions of CKH and the Ralph M. Brown Act (“Brown Act”).
- 2) Three members of the Commission constitute a quorum. In the absence of a regular member, their alternate member (city, county, or public member as applicable) may serve and vote. In the absence of a quorum, the members present shall adjourn the meeting to a stated time and place of their choosing. If all members are absent, the Executive Officer or their designee may adjourn the meeting to a stated time and place. In such case, the Executive Officer shall cause written notice of adjournment to be given and shall post a notice of adjournment, consistent with the requirements of the Brown Act.
- 3) A regular and/or special meeting of the Commission may be adjourned to any day prior to the date established for the next succeeding regular meeting of the Commission.
- 4) If there is no business for the Commission's consideration five days before any regular scheduled meeting, the Executive Officer shall have the power to cancel the meeting by notifying the Chair and members there is no business before the Commission and the meeting has been cancelled.

---

<sup>1</sup> Hereinafter all section references are to the California Government Code unless otherwise noted.

- 5) Special meetings may be called by the Chair at their discretion. Special meetings may also be called upon the written request of a majority of the members of the Commission submitted to the Chair. Notice of special meetings shall be given in accordance with the Ralph M. Brown Act.
- 6) The Commission shall conduct its meetings in accordance with the rules of procedure set forth in the edition of “Rosenberg’s Rules of Order” that is most current at the time of the meeting.
- 7) On all roll call votes, the names of the Commissioners shall be called in alphabetical order with the Chair voting last.
- 8) It is the responsibility of the Executive Officer to ensure that adequate staff and related resources are available for all Commission meetings.
- 9) If an applicant would like to speak to the Commission during an item, they will arrange the amount of time allotted in conjunction with the Executive Officer and the Chair prior to the meeting.

#### B. Meeting Agendas

- 1) It is the responsibility of the Executive Officer to prepare an agenda and all supporting documents for the Commission, and to distribute these materials to the Commission and all affected and interested parties not less than five days prior to a scheduled regular meeting.
- 2) Meeting agenda items, except for consent items, shall concisely list the various items being considered and include a formal title along with a brief description of the underlying action or discussion and the Executive Officer’s recommendation, if applicable.
- 3) The Executive Officer shall ensure items are agendized in an appropriate and timely manner relative to the Commission meeting its regulatory and planning responsibilities under CKH.
- 4) Each meeting agenda shall provide an opportunity for Commissioners to identify and request a matter for future discussion or action with the concurrence of the majority of the voting membership present. The Chair shall also have discretion to direct the Executive Officer to agendize a matter for the next available meeting to address an urgent or otherwise time-sensitive issue in which applicable legal notice can be provided.
- 5) It is the responsibility of the Executive Officer to see that legal notice for all agenda items to be considered by the Commission is given in accordance with the provisions of CKH and all other applicable laws.

### C. Commissioner Stipends

- 1) Each Commissioner shall receive a stipend of \$150.00 per day for time and attendance at the following meetings:
  - a) Regular and special meetings of the Commission.
  - b) Meetings of standing or ad hoc committees of the Commission.
  - c) Attendance at the annual conference held by the California Association of Local Agency Formation Commissions (CALAFCO).
  - d) Meetings of CALAFCO when a Commissioner is a member of the CALAFCO Board of Directors.
  - e) Up to four days per year for other trainings, classes, or activities that are mandated or related to LAFCO business, with prior authorization from the Commission or Chair.
- 2) A Commissioner shall receive no more than five stipends per month pursuant to this policy.

### D. Commissioner Reimbursement for Expenses

- 1) Each Commissioner may claim reimbursement for the actual amount of reasonable and necessary expenses incurred in performing the duties of their office, to be approved by the Executive Officer in accordance with Section D.2., below, and the Commission's approved budget for such expenses, including:
  - a) Attending conferences, workshops, and training programs of CALAFCO.
  - b) Attending CALAFCO meetings if the member is on the Board.
  - c) Attending other Commission related meetings, trainings, classes, or activities that are mandated or related to LAFCO business, with prior authorization from the Commission or Chair.
- 2) All reimbursement of expenses for Commissioners shall be provided in accordance with the same rules and manner as provided for Commission staff.<sup>2</sup>

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<sup>2</sup> Refer to the current agreement for staff support services between the Commission and County of Napa, calling for reimbursement pursuant to the travel expense policy approved by the County Board of Supervisors in effect on the date of travel.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Conflict of Interest Code*

(Adopted: January 9, 2003; Last Amended: October 3, 2016)

1. **Purpose.** The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act (the "Act"). Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference as if set forth fully herein.
2. **List of Designated Employees.** For the purposes of the Act and this Conflict of Interest Code, the Designated Employees of LAFCO shall be the persons holding those offices and performing the functions of the positions set forth in Appendix "A," attached hereto and incorporated by reference herein.
3. **List of Disclosure Categories.** For purposes of the requirements of the Act and the provisions of this code, the disclosure categories for the Designated Employees of LAFCO shall be those set forth in Appendix "B," attached hereto and incorporated by reference herein.
4. **Documents Comprising Conflict of Interest Code.** For purposes of the Act, the terms of Section 18730 of Title 2 of the California Code of Regulations and Appendices "A" and "B" shall together constitute the Conflict of Interest Code of LAFCO on and after the date of confirmation by the Napa County Board of Supervisors.
5. **Effective Date of Code.** This Conflict of Interest Code shall become effective when confirmed by the Napa County Board of Supervisors acting as the code reviewing body for LAFCO.
6. **Documents to be filed with the Board of Supervisors.** As the "Filing Officer" under this Code, the LAFCO Secretary shall file three certified copies of the Conflict of Interest Code, as approved/amended by the LAFCO Commission, with the Napa County Board of Supervisors as the code reviewing body for LAFCO.
7. **Time of Filing Statements of Economic Interests.** All persons who are required by this Conflict of Interest Code to file Statements of Economic Interests ("Statements" or "Form 700s"), shall file assuming office, leaving office, and annual Statements as required by Section 18730 of Title 2 of California Code of Regulations

8. Place of Filing. Designated employees shall file their Statements of Economic Interests with the LAFCO Secretary, who shall retain the original Statements in the LAFCO business office.

9. Public Inspection of Conflict of Interest Code and Statements. A copy of the Conflict of Interest Code and all filed Statements shall be maintained in the office of LAFCO and be available for public inspection and copying during regular business hours.

10. LAFCO Review of Adopted Code.

A. No later than October 1 of each even-numbered year, LAFCO shall submit to the Napa County Board of Supervisors, as the code reviewing body for LAFCO, a written statement signed by the LAFCO Executive Officer, or his designee, that either:

1. LAFCO has reviewed the Conflict of Interest Code, that the Conflict of Interest Code designates accurately all positions which make or participate in the making of governmental decisions for LAFCO, that the disclosure assigned those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of income which may foreseeably be affected materially by the decisions made by those designated positions, and that the Conflict of Interest Code contains the provisions required by Government Code section 87302; or

2. LAFCO has reviewed the Conflict of Interest Code and has determined that amendment is necessary to designate all positions which make or participate in the making of governmental decisions for LAFCO, or to update the disclosure categories assigned to require the disclosure of all investments, business positions, interests in real property and sources of income which may be affected materially by the designated positions, or to include other provisions required by Government Code section 87302. If the statement contains this report, LAFCO shall submit the amendment to the Napa County Board of Supervisors within 90 days of the report.

B. Changed circumstances which require amendment of the Conflict of Interest Code shall include, but not be limited to:

1. The creation of positions which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest;

2. The reclassification, renaming, or deletion of previously designated positions;

3. The addition, deletion, or modification of statutorily-required provisions of this Conflict of Interest Code; or

4. The addition, deletion, or modification of the specific types of investments, business positions, interests in real property, and sources of income which are reportable unless such changes have been automatically incorporated into this Conflict of Interest Code as the result of inclusion of the changes into the model code by the Fair Political Practices Commission.

## APPENDIX "A"

**LIST OF DESIGNATED EMPLOYEES**

Because of the nature of the powers and duties conferred on the Local Agency Formation Commission of Napa County under the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et. seq.), the policies adopted by the LAFCO Commission, and the terms of support services and consultant agreements approved by the LAFCO Commission, the following positions within LAFCO may involve the making or participation in the making of decisions of LAFCO which may foreseeably have a material effect on financial interests of the holders of the positions. The positions are listed because their scope of authority or work involve either making final decisions for LAFCO which have financial consequences or developing and/or exercising such a level of expertise and ongoing relationship with those who make such decisions that the decision-makers can reasonably be expected to routinely trust and rely upon their advice.

For purposes of filing Statements of Economic Interests as required by this Conflict of Interest Code, the "Designated Employees" of LAFCO shall be those persons who actually occupy or carry out the functions of the following positions, whether as elected or appointed officers, compensated employees, or contracted consultants:

**DESIGNATED EMPLOYEE POSITIONS**

**Members of the LAFCO Commission** (including any persons serving as **Alternate Commission Members**)

**LAFCO Executive Officer**

**LAFCO Legal Counsel**

**Auditor-Controller** (Napa County Auditor-Controller, serving ex-officio)

**Contract Consultants for LAFCO** - Contract consultants shall be included in the list of Designated Employees and shall disclose their material financial interests in regard to all of the adopted disclosure categories, subject to the following limitation:

The LAFCO Executive Officer may determine in writing that a particular contract consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to comply or fully comply with all of the disclosure requirements described in Appendix "B". This written determination shall include a description of the contract consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. This determination is a public record and shall be retained for public inspection and be available for inspection and copying in the same location and manner as LAFCO's copy of the Conflict of Interest Code.

**APPENDIX “B”****DISCLOSURE CATEGORIES**

The decisions which the Designated Employees may make, or participate in making, for LAFCO may involve exercising or directly influencing the exercise of powers conferred on LAFCO by the Cortese-Knox-Hertzberg Local Government Reorganization Act (Government Code Section 56000 et. seq.).

The decisions by the Designated Employees in the course of their work for LAFCO may have the potential to materially impact any or all of those types of financial interests listed in all the Disclosure Schedules of the Statement of Economic Interests Form 700 adopted by the Fair Political Practices Commission.

For this reason, all of the Designated Employees under this Conflict of Interest Code, other than contract consultants who are exempted from disclosure on a case-by-case basis pursuant to Appendix “A,” shall disclose the following financial interests:

- (i) All income including gifts, loans and travel payments as defined in Government Code Section 82030; and
- (ii) All investments as defined in Government Code Section 82034; and
- (iii) All interests in real property as defined in Government Code Section 82033; and
- (iv) All business positions as defined in 2 California Code of Regulations Section 18730(b)(7)(D) in business entities that may foreseeably be affected materially by the decisions made by LAFCO or any Designated Employee of LAFCO.

**CERTIFICATIONS**

I hereby certify that I am the Secretary and custodian of records of the Local Agency Formation Commission and that the attached Resolution is a true and correct copy of the original approved by the LAFCO Commission and on file in the LAFCO office.

Kathy Mabry,  
LAFCO Secretary

By Kathy Mabry

I hereby certify that the Conflict of Interest Code for the Local Agency Formation Commission of Napa County was approved and confirmed by the Napa County Board of Supervisors, as the code reviewing body for LAFCO by action of the Board of Supervisors on December 20, 2016, and recorded in the certified minutes of the Board of Supervisors for that date.

Clerk of the Napa County Board of Supervisors

By Gladys D. Cain





## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Disadvantaged Unincorporated Communities*

(Adopted: October 1, 2018)

#### **I. BACKGROUND**

An essential component of the state's Environmental Justice framework is to identify and engage disadvantaged and disproportionately impacted communities. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) includes provisions requiring the Commission to identify the location and characteristics of disadvantaged unincorporated communities (DUCs) and take specific actions relating to DUCs pursuant to Government Code (G.C.) §56375, §56425, and §56430. CKH broadly defines DUCs in G.C. §56033.5 and allows the Commission to determine an appropriate local definition of DUCs with consideration given to local conditions and circumstances.

#### **II. DEFINITION**

The Commission defines “disadvantaged unincorporated communities” as territory that meets all of the following:

- a) Substantially developed with primarily residential uses. For purposes of this policy, “substantially developed” is determined by the Commission by considering the factors set forth in subsection (b)(4) of Government Code §56375.3.
- b) Does not have reliable public water, sewer, or structural fire protection service available.
- c) Meets the definition of “inhabited territory”, meaning at least 12 registered voters (G.C. §56046).
- d) Has a median household income level of less than 80% of the statewide median household income based on available data provided by the United States Census Bureau American Community Survey. The Commission will rely on data for census places identified by the Census Bureau as disadvantaged communities (less than 80% of the state's median household income) and will annually review Census Bureau American Community Survey data to determine if local and/or statewide median household income levels have changed.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Establishing the Officers of the Commission*

(Adopted: August 9, 2001; Last Amended: June 6, 2022)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000 includes provisions specifying the composition of the Commission in [Chapter 2 \(commencing with Section 56325\)](#). In addition, these sections specify the procedures to select Commissioners, terms of office, and selection of the Chair of the Commission.

#### **II. Purpose**

It is the policy of the Commission to establish policies which provide for the smooth and consistent operations of Commission business. The selection of officers of the Commission is a regular occurrence and therefore should follow adopted policy.

#### **III. Officers of the Commission**

- A) The officers of LAFCO shall consist of a Chair, a Vice Chair, and a Clerk.
- B) The Chair and Vice Chair shall be appointed and serve terms in accordance with Section V “Appointment of Chair and Vice Chair.”
- C) The Executive Officer or the Executive Officer’s designee shall serve as the Clerk.

#### **IV. Duties of Officers**

- A) Duties of the Chair: The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission according to “Rosenberg’s Rules of Order.” The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission.
- B) Duties of the Vice Chair: In the absence of the Chair, the Vice Chair shall assume all duties and responsibilities of the Chair's office.
- C) Duties of the Clerk: The Clerk shall call the roll, note approval of the minutes or corrections thereto, maintain record of testimony and action of the Commission on each item, and any other action deemed appropriate and necessary by the Commission to conduct its meetings and business.

## **V. Appointment of Chair and Vice Chair**

- A) Term of Office: Beginning in 2024, the terms of office of the Chair and Vice Chair shall be for one year, beginning on January 1.
- B) Rotation: The Chair and Vice Chair shall be appointed by the Commission according to the following annual rotational system, effective January 1, 2024, unless a temporary change is made pursuant to Section V(C):

<u>Chair Designations</u>	<u>Vice Chair Designations</u>
County Member II	Public Member
Public Member	City Member I
City Member I	County Member I
County Member I	City Member II
City Member II	County Member II

It shall be the responsibility of the Executive Officer to maintain a record of the seat designations and occupants, and to annually inform the Commission prior to the rotation.

- C) The Commission may create temporary changes to the rotation as part of an action item placed on a meeting agenda. If the Chair and Vice Chair offices are both vacant, and in the event the procedures set forth in Section VI “Vacancy,” below, are not feasible, the Executive Officer may call a meeting to order until the Chair and Vice Chair are appointed.

## **VI. Vacancy**

The offices of Chair and Vice Chair shall reside with the particular appointing authority assigned to a designated seat. In the event that a Commissioner serving as Chair or Vice Chair is no longer able to serve on the Commission for any reason, the remainder of that Commissioner’s term in office shall be fulfilled by the other Commissioner from the same appointing authority (for example, if the Commissioner designated as “City Member I” is removed from the office of Chair in January, the Commissioner designated “City Member II” shall serve as Chair through the day immediately prior to the first Monday in May), subject to the following:

- A) On January 1 of the following year, the established rotation set forth in Section V(B) “Rotation,” above, shall resume.
- B) Should the office of Chair or Vice Chair be vacated by the Public Member, the Commission shall appoint another Commissioner at its next meeting to fulfill the remainder of the officer’s unexpired term.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Executive Officer Performance Review*

(Adopted: April 11, 2001; Last Amended: April 5, 2021)

#### **I. Background**

Recognizing that the intent of the Cortese-Knox-Hertzberg Local Government Reorganization Act is that the Commission should function independent of any local agency, the policy of the Commission is that, pursuant to [California Government Code §56384](#), it shall appoint an Executive Officer who serves at-the-will of the Commission.

#### **II. Purpose**

The purpose of this policy is to provide clear and concise direction to the Commission regarding the timing and process for performance reviews of the Executive Officer.

#### **II. Procedures**

The Executive Officer shall be subject to regular performance review by the Commission in closed session. Alternate Commissioners may not participate in a closed session performance review of the Executive Officer unless they are filling in for an absent regular Commissioner. With respect to this performance review, the policy of the Commission is:

- A. The first performance review of the Executive Officer shall occur approximately six months following the date of hire. The second performance review shall occur approximately twelve months following the date of hire. Thereafter performance reviews shall occur annually.
- B. The process for these performance reviews shall be:
  - 1) At least three weeks prior to the meeting at which the review is to take place, the Executive Officer shall send to each Commissioner, including Alternate Commissioners, a letter of self-evaluation. The Executive Officer or Commission Counsel will provide a performance review form or survey following review by the Commission Chair.
  - 2) At least one week prior to the review, each Commissioner and Alternate Commissioner is strongly encouraged to send a completed form or survey to the Commission Chair or the Chair's designee who should be someone other than the Executive Officer.
  - 3) The Chair or Chair's designee shall tabulate and summarize the forms or surveys and present this information to the Commission and the Executive Officer during the performance review.

- C. At the completion of the performance review, the Commission will consider any appropriate action with respect to the compensation of the Executive Officer.
  
- D. The Commission or the Executive Officer may request the use of an outside facilitator to assist in the evaluation process. The Chair shall appoint the facilitator in consultation with the Executive Officer. Should the cost of the facilitator's services exceed the Executive Officer delegated purchasing authority, the cost will be subject to a vote of the Commission at either a regular or special meeting and the facilitator may not commence services until budget authority has been obtained.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Indemnification*

(Adopted: May 5, 2008; Last Amended: October 3, 2022)

#### **I. PURPOSE**

The purpose of this policy is to guide the Local Agency Formation Commission (LAFCO) of Napa County in the indemnification process when processing applications.

#### **II. PROCEDURES**

As part of any application, the applicant and the real party in interest shall agree to indemnify the Local Agency Formation Commission of Napa County (LAFCO) in the following circumstances:

- A change of organization or reorganization which shall include all actions listed under [California Government Code \(G.C.\) §56021](#)
- A request for a sphere of influence amendment under [G.C. §56425](#)
- A request for an outside service agreement under [G.C. §56133](#), [§56133.5](#), or [§56133.6](#)
- Other applications as deemed necessary by the Executive Officer or Commission Counsel

A real party in interest includes the landowner of the property subject to the application and/or registered voter.

LAFCO may additionally require an applicant and/or real party in interest to execute an additional indemnity agreement as a condition of approval for any application.

Commission Counsel shall prescribe the terms and conditions of the indemnification agreement that shall be part of the application or subsequent conditions of approval.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Legislative Policy*

(Adopted: December 4, 2017; Last Amended: April 4, 2022)

- 1) The Local Agency Formation Commission (LAFCO) of Napa County (“the Commission”) shall establish a standing committee to review proposed legislation (“Legislative Committee”). At the beginning of each two-year legislative session, the Commission shall appoint (or re-appoint) two members to the Legislative Committee, in addition to LAFCO’s Executive Officer. Meetings of the Legislative Committee must be noticed in accordance with the Ralph M. Brown Act.
- 2) The Legislative Committee shall, at least annually, review the California Association of LAFCOs’ legislative platform as well as the Commission’s adopted legislative platform if applicable and determine what action is needed in terms of adopting or amending a local legislative platform. The Legislative Committee shall present recommendations to the full Commission with respect to actions related to the local legislative platform.
- 3) The Legislative Committee shall, at least annually, review proposed legislation affecting LAFCO. The Executive Officer shall continue monitoring proposed legislation and present recommendations to the full Commission with respect to formal positions on proposed legislation.
- 4) In the event that proposed legislation affecting LAFCO cannot be considered by the full Commission due to timing, the Executive Officer is authorized to submit written correspondence to the appropriate entity regarding the Commission’s position if the position is consistent with the adopted legislative platform of the Commission. The Chair, or the Vice-Chair if the Chair is unavailable, shall review and approve the written correspondence prior to it being submitted by the Executive Officer.
- 5) All submitted correspondence pursuant to this policy will be included on the next available Commission agenda.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Municipal Service Reviews*

(Adopted: November 3, 2008; Last Amended: June 6, 2022)

#### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Commission to prepare municipal service reviews (MSRs) in conjunction with its mandate to review and update each city and special district's sphere of influence every five years, as necessary. The legislative intent of the MSR process is to inform the Commission with regard to the availability, capacity, and efficiency of governmental services provided within its jurisdiction prior to making sphere of influence determinations. The MSR provides LAFCO with a tool to comprehensively study existing and future public service needs and to evaluate options for accommodating growth, preserving agriculture, preventing urban sprawl, and ensuring critical services are efficiently and cost-effectively provided.

Napa County has been at the forefront of preserving agriculture. The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands.

#### **II. PURPOSE**

The purpose of this policy is to guide the Local Agency Formation Commission (LAFCO) of Napa County in scheduling, preparing, and adopting MSRs.

#### **III. OBJECTIVE**

The objective of the Commission in conducting MSRs is to evaluate governmental services necessary to support orderly growth and development in Napa County. Underlying this objective is the development and expansion of the Commission's knowledge and understanding of the current and planned provision of local governmental services in relationship to the present and future needs of the community. The Commission will use MSRs not only to inform subsequent sphere of influence (SOI) determinations, but also to identify opportunities for greater coordination and cooperation between service providers as well as possible government structure changes.

The MSR process requires LAFCO to make determinations regarding the provision of public services pursuant to [Government Code \(G.C.\) §56430](#) and empowers, but does not require, the Commission to initiate changes of organization based on MSR conclusions. However, the Commission, affected local agencies, and the public may subsequently use the determinations and related analysis to consider whether to pursue changes to service delivery, government organization, or SOIs.



#### **IV. SCHEDULING**

The Commission will adopt an annual Work Program during the fourth quarter of each fiscal year in conjunction with the budget process, which shall include a schedule for initiating and completing MSR's consistent with the Commission's obligation to review and update each city and special district's SOI, as necessary, and consistent with the Commission's adopted [Policy on SOIs](#). MSR's shall be completed for each city and each special district as defined in [G.C. §56036](#). When feasible, the Commission shall schedule MSR's in conjunction with general plan updates.

The Executive Officer may revise the adopted Work Program to add, modify, or eliminate scheduled MSR's to address changes in circumstances, priorities, and available resources. Revisions to the Work Program shall be presented at the next Commission meeting for information purposes.

At the discretion of the Executive Officer and in consultation with the Commission, each MSR will generally be prepared in four distinct phases:

- A. The first phase will involve the distribution of a request for information to be completed by the affected local agency and returned to LAFCO staff for review and analysis. Staff will compile this information in an administrative draft report, which will be made available to staff from each affected local agency for review and comment to identify any needed technical corrections.
- B. The second phase will be the release of a public draft report that includes technical corrections identified by the affected local agencies. Staff will present the public draft report for discussion purposes only at the next Commission meeting. The public draft report will be provided to the Commission and affected local agencies, and will be made available to the public for review and comment for a period of no less than 30 days.
- C. In the third phase, a final report that includes any new information or comments generated during the public review period will be presented to the Commission for formal action at a noticed public hearing.
- D. In the fourth phase, every effort should be made to disseminate the MSR beyond the affected agencies. Stakeholders and the general public should be made aware and have access to the information and recommendations included in the MSR.

#### **V. PREPARATION**

##### **A. Format**

The Commission may prepare MSR's using any of the following formats:

- 1) A countywide service-specific MSR will examine a governmental service or services across multiple local agencies on a countywide basis.
- 2) A region-specific MSR will examine governmental services provided by all local agencies that are entirely contained within a designated geographic area.
- 3) An agency-specific MSR will examine targeted governmental services provided by a specific local agency as described in Section V(C)(3) of this policy.

## B. Local Agency Participation

The Commission will encourage input from affected local agencies in designing MSRs to enhance the value of the process among stakeholders and capture unique local conditions and circumstances effecting service provision. This includes identifying appropriate performance measures as well as regional growth and service issues transcending political boundaries. The Commission will also seek input from the affected local agencies in determining final geographic area boundaries for region-specific MSRs. Factors the Commission may consider in determining final geographic area boundaries include, but are not limited to, SOIs, jurisdictional boundaries, urban growth boundaries, general plan designations, topography, and socio-economic communities of interest.

## C. Content

MSRs shall include:

- 1) Written determinations for each of the following factors enumerated under [G.C. §56430\(a\)](#):
  - a) Growth and population projections for the affected area.
  - b) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
  - c) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
  - d) Financial ability of agencies to provide services.
  - e) Status of, and opportunities for, shared facilities.
  - f) Accountability for community service needs, including governmental structure and operational efficiencies.
  - g) Any other matter related to effective or efficient service delivery, as required by commission policy.
  
- 2) An evaluation of the following matters related to effective or efficient service delivery pursuant to [G.C. §56430\(a\)\(7\)](#) if the Executive Officer, in consultation with the agencies being reviewed, determines the matter is relevant:
  - a) Agricultural Preserve and Measure P
  - b) Location and characteristics of existing outside service agreements
  - c) Joint powers agreements involving the direct provision of public services
  - d) Growth goals and policies of the land use authorities in Napa County
  - e) Climate change
  - f) Housing, including affordable housing and workforce housing
  - g) Transportation
  - h) Cumulative service impacts related to current and planned development

- 3) An evaluation of target governmental services, which may include, but are not limited to, water, wastewater, law enforcement, fire protection, emergency medical, streets, and parks. General governmental services such as courts, social services, human resources, tax collection, and administrative services will generally not be included in the MSR. LAFCO reserves the right to consider additional service classifications in each MSR.

## **VI. SPHERE OF INFLUENCE**

A completed MSR will be used to inform the review and, if appropriate, update of each affected agency's SOI consistent with [G.C. §56430\(a\)](#) as well as the Commission's adopted Work Program and [Policy on SOIs](#). The Commission and any affected local agencies are encouraged to discuss the need for SOI updates. The Commission may complete the MSR and any appropriate SOI actions at the same meeting or as part of separate meetings.

## **VII. ENVIRONMENTAL REVIEW**

MSRs are informational documents and generally exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to [California Code of Regulations §15306](#) because they are limited to basic data collection, research, and resource evaluation activities that do not result in a serious or major disturbance to any environmental resource. However, if an MSR is used to facilitate a significant governmental change such as formation of a new special district, it can be assumed the MSR would be subject to CEQA and may require the preparation of an environmental impact report. The Commission shall act in accordance with its adopted [Policy on CEQA](#).

## **VIII. ADOPTION**

The Commission will complete each scheduled MSR by formally receiving a final report and adopting a resolution codifying its written determinations as part of a public hearing. Each completed MSR will be provided to any affected local agencies and included on the Commission's website for public viewing.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Outside Service Agreements*

(Adopted: November 3, 2008; Last Amended: February 5, 2018)

#### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 includes provisions requiring cities, towns, and special districts to request and receive written approval from the Commission before providing new or extended services by agreements outside their jurisdictional boundaries with limited exemptions pursuant to Government Code (G.C.) Sections 56133, 56133.5, and 56134.

The Commission may authorize a city, town, or special district to provide new or extended service outside its jurisdictional boundary, but within its sphere of influence, in anticipation of a subsequent change of organization, such as an annexation. The Commission may also authorize a city, town, or special district to provide new or extended service outside its jurisdictional boundary *and* sphere of influence (a) to address an existing or impending threat to public health or safety or (b) if the Commission makes the determinations set forth in Section V(A)(4) of this policy at a noticed public hearing.

#### **II. PURPOSE**

The purpose of these policies is to guide the Commission in reviewing city, town, and special district requests to provide new or extended services by agreement outside their jurisdictional boundaries. This includes making policy statements and establishing consistent procedures with respect to the form, review, and consideration of requests.

#### **III. OBJECTIVE**

The objective of the Commission in implementing these policies is to ensure the extension of services by cities, towns, and special districts outside their jurisdictional boundaries is logical and consistent with supporting orderly growth and development in Napa County, and to prevent the circumvention of the LAFCO process by providing services by contract instead of through the annexation of territory. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies.

From LAFCO's perspective, an Outside Service Agreement can:

- 1) Protect the public from threats to health and safety.
- 2) Impose restrictions that limit development to existing intensities.
- 3) Permit a city or town to plan for future development in an orderly manner through the use of traditional zoning or specific plans.
- 4) Discourage premature development of fringe properties.

#### **IV. DEFINITIONS**

The Commission shall incorporate the following definitions in administering this policy:

- A. “Services” shall mean any municipal service provided by a city, town, or special district unless otherwise exempted under G.C. Section 56133.
- B. “New” shall mean the extension of a service to previously unserved non-jurisdictional land.
- C. “Extended” shall mean the intensification of existing services.
- D. “Outside Service Agreement” shall mean an agreement contemplated by G.C. Sections 56133, 56133.5, or 56134.

#### **V. LOCAL CONSIDERATIONS**

##### **A. Consideration of New or Extended Services Outside a Jurisdictional Boundary and Outside the Sphere of Influence (G.C. Sections 56133(c) or 56133.5)**

When considering any proposed Outside Service Agreement pursuant to G.C. Section 56133(c) or the Pilot Program under G.C. Section 56133.5, the Commission will consider the following, which will be addressed in the Executive Officer’s written report:

- 1) The ability of the applicant to extend the subject service to the affected territory.
- 2) The application’s consistency with the policies and general plans of all affected local agencies.
- 3) The application’s effect on growth and development within and adjacent to the affected territory.
- 4) The documentation presented pursuant to G.C. Section 56133(c)(1), which must provide substantial evidence to support a finding by the Commission of an impending threat to the health or safety of the public or the residents of the affected territory.
- 5) The application’s potential impacts on prime agricultural or open space lands.
- 6) The application’s consistency with the Commission’s adopted municipal service review determinations and recommendations.
- 7) The application’s potential impacts with respect to supporting affordable or farmworker housing.

**B. Consideration of New or Extended Services Outside the Jurisdictional Boundary but within the Sphere of Influence in Anticipation of a Later Change of Organization (G.C. Section 56133(b))**

Annexations to cities, towns, and special districts involving territory located within the affected agency's sphere of influence are preferred to Outside Service Agreements. The Commission recognizes, however, that there may be instances when Outside Service Agreements involving territory within the affected agency's sphere of influence are appropriate given unique local circumstances.

When submitting an application under G.C. Section 56133(b), the city, town, or district must state with specificity the nature and timing of the anticipated later change of organization for the area affected by the potential Outside Service Agreement.

**C. Environmental Review**

The review of a proposed Outside Service Agreement will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. Napa LAFCO will act as the Lead Agency under CEQA for its environmental review of any Outside Service Agreement request.

If an environmental assessment/analysis was prepared for the project associated with the service extension request (i.e. the County or agency's environmental analysis for a project) and LAFCO was afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review of an Outside Service Agreement.

A complete set of the adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Executive Officer or the Commission.

**VI. FORM OF REQUEST**

The Commission encourages cities, towns, and special districts to coordinate with the Executive Officer prior to filing a request under G.C. Sections 56133 or 56134 in order to determine if the Pilot Program under G.C. Section 56133.5 or the exemptions under G.C. Section 56133(e) may apply.

Requests to authorize an Outside Service Agreement shall be filed with the Executive Officer by the affected city, town, or special district. Requests shall be made by resolution of application with a cover letter accompanying a completed application using the form provided in Attachment A. Requests shall identify any assurances that the Outside Service Agreement would not induce growth or result in the premature conversion of agricultural or open space lands to an urban use.

Requests shall include a check in the amount prescribed under the Commission's adopted fee schedule along with a copy of the proposed Outside Service Agreement. The application shall be signed by an authorized representative of the city, town, or special district.

## **VII. REVIEW OF REQUEST**

The Executive Officer shall review and determine within 30 days of receipt whether the request to authorize an Outside Service Agreement is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

## **VIII. CONSIDERATION OF REQUEST**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation.

In the case of a request involving an existing or impending public health or safety emergency, the Executive Officer will consult with the Chair regarding the request. If the Chair agrees that the request should be granted, then the Executive Officer may approve the request. The Commission shall ratify the approval at the next scheduled meeting. If the Chair does not agree, then the request will be presented at the Commission's next meeting.

For requests not involving an existing or impending public health or safety threat, the Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given but no later than 90 days from the date the request is deemed complete.

The Commission may approve, approve with conditions, or deny the request for an Outside Service Agreement. The Commission's determination and any required findings will be set out in a resolution that specifies the property or area to be served, the services to be provided, and the authority of the agency to provide its services outside its boundaries.

If the request is approved, the Commission's approval shall expire within one year from approval unless a contract has been executed and the construction of any needed infrastructure improvements has commenced. A one-time extension may be requested by the applicant for a period of time that is necessary to complete the Commission's conditions. Time extension requests shall include a check in the amount prescribed under the Commission's adopted fee schedule.



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**

**APPLICATION  
OUTSIDE SERVICE AGREEMENT**

**A. Applicant Information**

- 1) Agency Name: \_\_\_\_\_
- 2) Contact Person and Title: \_\_\_\_\_
- 3) Contact Information: \_\_\_\_\_  

Telephone _____	E-Mail _____
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- 4) Mailing Address: \_\_\_\_\_  

Address _____	City, State, Zip Code _____
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**B. Type of Outside Service Agreement**

- 1) New  Extended
- 2) Water  Sewer  Other: \_\_\_\_\_

**C. Location of Territory to be Served**  
(attach additional sheets if necessary)

- 1) Assessor Parcel Number: \_\_\_\_\_  
Size: \_\_\_\_\_ Current Use: \_\_\_\_\_
- 2) Assessor Parcel Number: \_\_\_\_\_  
Size: \_\_\_\_\_ Current Use: \_\_\_\_\_
- 3) Assessor Parcel Number: \_\_\_\_\_  
Size: \_\_\_\_\_ Current Use: \_\_\_\_\_



**D. Service Information**

- 1) Describe how the agency would provide the proposed new or extended service to the subject territory. Please identify any necessary infrastructure or facility improvements and associated funding requirements necessary to provide service to the subject territory.

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- 2) If the proposed new or extended service involves water or sewer, identify the anticipated demand in terms of use (i.e., gallons) associated with serving the subject territory.

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- 3) Does the agency have sufficient capacities to provide the proposed new or extended service to the subject territory without adversely effecting existing service levels?

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- 4) What services, if any, are currently provided to the subject territory?

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**E. Additional Information**

- 1) Identify the subject territory’s land use designation and zoning standard along with the minimum parcel density requirements.

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- 2) Are there any proposed or approved, but not yet built, development projects involving the subject territory?

Yes  No

If yes, describe the proposed projects or the approved permits/land use entitlements.

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- 3) The Commission’s action regarding this request by the agency to provide new or extended services outside its jurisdictional boundary is subject to the requirements of the California Environmental Quality Act (CEQA). Has the agency conducted any CEQA reviews for any projects associated with this application?

Yes  No

If yes, please provide copies of the environmental documentation, including the Notice of Exemption or Notice of Determination as well as proof of payment of applicable California Department of Fish & Game fees.

- 4) Is the subject territory located within the agency’s sphere of influence?

Yes  No

If no, please identify whether there is an existing or impending threat to public health and safety or to the residents in support of the application.

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## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Proposals*

(Adopted: August 9, 1972; Last Amended: December 5, 2022)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) specifies the Local Agency Formation Commission (LAFCO) of Napa County's principal objectives are discouraging urban sprawl, preserving open space and agricultural resources, and encouraging the orderly formation and development of cities, towns, and special districts and their municipal services based on local conditions.<sup>1</sup> Regulatory duties include approving or disapproving proposals involving the formation, reorganization, expansion, and dissolution of cities, towns, and special districts. The Commission's regulatory actions must be consistent with its adopted written policies and procedures. The Commission must also inform its regulatory duties through a series of planning activities, which includes establishing and updating spheres of influence (SOIs).<sup>2</sup>

#### **II. Purpose**

The purpose of this policy is to guide the Commission in considering proposals for changes of organization as defined under [California Government Code \(G.C.\) §56021](#) and reorganizations as defined under [G.C. §56073](#).

#### **III. Objective**

It is the objective of the Commission to acknowledge and incorporate the policies of the Legislature regarding the promotion of orderly, well-planned development patterns that avoid the premature conversion of agricultural and open space lands and ensure effective, efficient, and economic provision of essential public services. The Commission reserves discretion in administering these policies to address special conditions and circumstances as needed.

#### **IV. Commission Declarations**

The Commission declares its intent not to permit the premature conversion of agricultural or open space lands to urban uses. The Commission shall adhere to the following policies in the pursuit of this intent, and all proposals shall be reviewed with these policies as guidelines.

##### **A) Use of Municipal Service Reviews:**

In evaluating a proposal, the Commission will use information contained within the most recently completed Municipal Service Review (MSR) for any affected agencies. The Commission retains discretion to determine if the most recent MSR is adequate for making decisions related to proposals.

<sup>1</sup> CKH is codified under [G.C. §56000](#) et seq.

<sup>2</sup> The Commission's *Policy on Spheres of Influence* is available online at: <https://www.napa.lafco.ca.gov>.

- B) Use of County General Plan Designations:  
 In evaluating a proposal, the Commission will give great weight to the Napa County General Plan to determine designated agricultural and open space lands. The Commission recognizes that inconsistencies may occur between the County General Plan and city or town general plans with respect to agricultural and open space designations. Notwithstanding these potential inconsistencies, the Commission will give great weight to the County General Plan in recognition of the public support expressed in both the incorporated and unincorporated areas of Napa County for the County's designated agricultural and open space lands through enactment of Measure P in 2008.<sup>3</sup>
- C) Recognition of the Napa County Agricultural Preserve:  
 The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is, and should continue to be, the predominant land use. The Commission will consider the Agricultural Preserve in the processing of proposals.
- D) Location of Urban Development:  
 The Commission will give great weight to urban growth boundaries and guide urban development away from agricultural or open space lands until such times as urban development becomes an overriding consideration as determined by the Commission. The Commission encourages urban development be located within areas designated for urban use in the County General Plan and in close proximity to a city, town, or special district that can provide any needed public services. Urban development should be discouraged if it is apparent that any needed public services necessary for the proposed development cannot readily be provided by a city, town, or special district.
- E) Timing of Urban Development:  
 The Commission discourages proposals involving the premature annexation of undeveloped or underdeveloped lands to cities, towns, and special districts that provide potable water, sewer, fire protection and emergency response, or police protection services. This policy does not apply to proposals in which the affected lands are subject to a specific development plan or agreement under consideration by a land use authority. This policy does not apply to city or town annexation proposals in which the affected lands are part of an unincorporated island.<sup>4</sup>
- F) Encouragement of Reorganizations:  
 The Commission encourages reorganization proposals when appropriate and feasible to facilitate boundary changes involving two or more local governmental agencies. The Commission recognizes the efficiency of reorganizations to simplify and expedite logical and orderly concurrent boundary changes.

<sup>3</sup> Measure P is an extension of Measure J, which was enacted in 1990 and requires voter approval for any changes that would re-designate unincorporated agricultural and open space lands.

<sup>4</sup> The Commission's *Policy on Unincorporated Islands* is available online at: <https://www.napa.lafco.ca.gov>.

- G) Factors for Evaluating Proposals Involving Agricultural or Open Space Lands:  
The Commission recognizes there are distinct and varying attributes and classifications associated with agricultural and open space designated lands. A proposal which includes agricultural or open space land shall be evaluated considering the following factors:
- (1) "Agricultural land", as defined by [G.C. §56016](#).
  - (2) "Prime agricultural land", as defined by [G.C. §56064](#).
  - (3) "Open space", as defined by [G.C. §56059](#).
  - (4) Land that is under contract to remain in agricultural or open space use, such as a Williamson Act Contract or Open Space Easement.
  - (5) Land with a County General Plan agricultural or open space designation (*Agricultural Resource* or *Agriculture, Watershed and Open Space*).
  - (6) The adopted general plan policies of the County and any affected city or town.
- H) Activating Latent Services and Deactivating Existing Services:  
Commission approval is required for a special district to establish new services (i.e., activate latent service powers that were not previously authorized) or divestiture of existing services (i.e., deactivate service powers that were previously authorized) within all or parts of its jurisdictional boundary. Requests by a special district shall be made by adoption of a resolution of application and include all the information required and referenced under [G.C. §56824.12](#).

## V. Policies Concerning Annexations

- A) General Policies Concerning All Annexations:
- (1) Inclusion in SOI:  
The affected territory shall be included, or the applicant has concurrently requested the affected territory be included, within the affected agency's SOI prior to issuance of the Executive Officer's certificate of filing for the subject annexation proposal. The Executive Officer may amend both an SOI amendment and annexation application for Commission consideration and action at the same meeting.
  - (2) Property Tax Exchange Agreement:  
A property tax exchange agreement between all affected agencies should be in place prior to submittal of an annexation proposal.

- (3) Inclusion of Public Rights-of-Way:  
When a proposal for annexation involves territory located adjacent to a public right-of-way, the proposal should also include the adjacent portion of right-of-way to facilitate logical and orderly boundaries for any affected agencies.
- (4) Boundary Modifications:  
The Commission encourages modifications to proposed annexation boundaries when appropriate and feasible in order to facilitate logical and orderly boundaries for any affected local agencies. During the preliminary consultation phase, staff will encourage applicants to contact landowners of nearby properties to solicit interest in joining the annexation.
- B) Policies Concerning Annexations to a City or Town:
- (1) General Plan Designation and Rezoning:  
The territory proposed for annexation shall be included in the city or town general plan and rezoned prior to submittal of an annexation proposal.
- (2) Urban Growth Boundaries:  
To the extent that a city or town maintains an urban growth boundary, the affected territory proposed for annexation should be included in the urban growth boundary prior to submittal of an annexation proposal. This does not apply to proposals consistent with [G.C. §56742](#).
- (3) Proposals Within Unincorporated Islands:  
When a proposal for annexation involves territory within an unincorporated island, staff will encourage the affected city or town to apply for the annexation of the entire island.
- C) Policies Concerning Annexation of Municipally-Owned Land:
- (1) Land Owned and Used by a City or Town Located Outside Their SOI:  
Land that is owned by a city or town, used by the city or town for a municipal purpose, and located outside their SOI may be annexed pursuant to [G.C. §56742](#).
- (2) Restricted Use Lands Owned by Public Agencies:  
The Commission discourages annexation of municipally-owned land designated agricultural or open space in the County General Plan or subject to a Williamson Act contract unless the land will be used for a municipal purpose and no suitable alternative site reasonably exists within the affected agency's SOI.
- (3) Municipal Purpose Defined:  
Municipal purpose means a public service facility, but does not include agricultural or open space land.

D) Concurrent Annexation Policies:

The Commission encourages concurrent annexations to cities, towns, and special districts whenever appropriate and feasible.

(1) City of Napa and Napa Sanitation District (NSD):

a) Annexations to NSD:

All annexation proposals to NSD involving territory located outside of the City should include annexation to the City if the affected territory is located within the City's SOI, is located within the City's Rural Urban Limit, and annexation is legally possible.

b) Annexations to the City:

All annexation proposals to the City involving territory located outside of NSD should annex to NSD if the affected territory is located within NSD's SOI and if service is available.

(2) City of American Canyon and American Canyon Fire Protection District (ACFPD):

a) Annexations to ACFPD:

All annexation proposals to ACFPD involving territory located outside of the City should annex to the City if the affected territory is located within the City's SOI, is located within the City's Urban Limit Line, and annexation is legally possible.

b) Annexations to the City:

All annexation proposals to the City involving territory located outside of ACFPD should annex to ACFPD if the affected territory is located within ACFPD's SOI and if service is available.

(3) County Service Area (CSA) No. 4:

a) Annexations to Cities or Towns:

All annexations to a city or town should include concurrent detachment from CSA No. 4 unless the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more.

**VI. Policies Concerning City or Town Incorporations**

A) The Commission discourages proposals to incorporate communities unless substantial evidence suggests the County and any affected special districts are not effectively meeting the needs of the community.

B) The Commission discourages proposals to incorporate communities involving land that is not already receiving essential public services from special districts.



## LOCAL AGENCY FORMATION COMMISSION NAPA COUNTY

### *Policy on Records Retention and Destruction*

(Adopted: August 1, 2011; Last Amended: August 2, 2021)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, pursuant to [California Government Code \(G.C.\) §56382](#), directs the Commission to make arrangements for the retention and safekeeping of records relating to activities and actions tied to administering its regulatory and planning responsibilities. This includes preserving and protecting records for future public reference relating to the formation, expansion, and reorganization of cities and special districts and their municipal services.

Many other laws and standards apply to the management, retention, and destruction of Commissions records, including G.C. §58000 *et seq.* related to destruction of public agency records.

#### **II. Purpose**

The intent of this policy is to provide guidance to Commission staff regarding the management, retention, and, when authorized by the Executive Officer upon compliance with this Policy, destruction of agency records. Effective implementation of the policy will help to ensure accountable and accurate handling of agency records in a manner that provides for prompt retrieval while reducing storage requirements for inactive and outdated documents.

Benefits include:

- Reduce administrative expenses, expedite procedures
- Free filing cabinet and office space
- Reduce the cost of records storage
- Eliminate duplication of effort
- Find records faster
- Protection of records

#### **III. Definitions**

- A) **Computer Drives:** Computer drives, including network drives, USB drives, etc.; other than the Laserfiche repository.
- B) **Drafts:** Those records that are not retained for the purpose of preserving the informational content for future reference.<sup>1</sup>
- C) **Electronic Document Management System (EDMS):** the Commission has purchased Laserfiche software as one of multiple systems for the purpose of preserving selected final versions of Official Records in a manner that complies with the Trustworthy Electronic Records laws.

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<sup>1</sup> 64 Ops. Cal. Atty. Gen. 317 (1981)



- D) **Non-Record:** Published books and pamphlets printed by outside agencies.
- E) **Official Records:** Final versions of records which are made or retained for the purpose of preserving the informational content for future reference or documents defined in the agency's business practices.<sup>2, 3</sup>
- F) **Records:** Any writing containing information relating to the conduct of the Commission's business that is prepared, owned, used, or retained, regardless of physical form or characteristics.<sup>4</sup>
- G) **Trustworthy Electronic Records:** Electronic records that can serve as the Official Records.<sup>5</sup>

#### IV. General Guidelines

- A) The Commission's Executive Officer shall be responsible for administering this policy to ensure the effective management, retention, and, as appropriate, destruction of records consistent with this policy and the attached Records Retention Schedule (Attachment A).
- B) The following general guidelines apply to all Commission records:
  - (1) **Copies, drafts, notes, or non-records** may be destroyed at any time without authorizations being obtained. This includes copies, drafts, notes, and non-records stored on computer drives.
  - (2) **Destruction of Official Records** that have exceeded their retention period (as provided for in the Records Retention Schedule (Attachment A)) shall be authorized according to policies and procedures prior to destroying them, using the "Authorization to Destroy Records" form (Attachment B), and obtaining all authorizations prior to the official record being destroyed.
  - (3) **Holds on Destruction:** Litigation, complaints, claims, public records act requests, audits, and/or investigations suspend normal retention periods, and records shall not be destroyed unless authorized by the Commission's attorney.
  - (4) **Repository for Trustworthy Electronic Records:** If an electronic record is to serve as the Commission's Official Record, it may be placed in the Laserfiche repository or the Commission's shared drive or the County of Napa's trustworthy record, and various legal requirements complied with. The record shall include all referenced attachments. All official records shall comply with Basic Legal Requirements.<sup>6</sup>

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<sup>2</sup> 64 Ops. Cal. Atty. Gen. 317 (1981)

<sup>3</sup> 2 CCR §22620.1 *et seq.*

<sup>4</sup> Government Code §6252 through §6257

<sup>5</sup> Government Code §56382, §12168.7, EVC §1550, 2 CCR §22620.1 *et seq.*

<sup>6</sup> Government Code §56382, §12168.7, EVC §1550, 2 CCR §22620.1 *et seq.*



**LOCAL AGENCY FORMATION COMMISSION NAPA COUNTY**  
*Policy on Records Retention and Destruction (Last Amended: August 2, 2021)*

**Records Retention Schedule**

<b>Record Type</b>	<b>Record Description (Non-Exclusive)</b>	<b>Retention: Original Record</b>
<b>Administrative</b>		
Accounts Payable	invoices for purchase orders, reimbursements, services received	audited + 4 years
Accounts Receivable	invoices for applications, miscellaneous fees, services provided	audited + 4 years
Administrative Policies & Procedures	adopted guidelines, standards, requirements <sup>1</sup>	superseded + 4 years
Audits	independent analyses of year-end financial statements	Permanent
Budgets	annual revenue and expense ledgers, adjustments, transfers	Permanent
Consultant Contracts	information services provided by contracted third parties	completion + 7 years
General Correspondence	communication with public and local agencies, including e-mails	5 years
Oath of Office	commissioners' oaths of office taken at commencement of term	Permanent
Payroll	employee timesheets, leave balances, labor distribution reports <sup>2</sup>	audited + 7 years
Personnel Files	employee applications, performance reviews, leave forms <sup>3</sup>	separation + 6 years
Personnel Files – Medical Files	pre-employment physical clearances, etc.	separation + 30 years
Public Member Recruitment	notice of vacancy, applications, appointments	current + 10 years
Public Records Requests	written requests to inspect or copy agency documents	current + 2 years
Requests for Proposals	written solicitation for consultant services <sup>4</sup>	current + 5 years
Statements of Economic Interest	FPPC Form 700 - disclosure of income/gifts <sup>5</sup>	current + 7 years
Vendor Agreements and Leases	third party equipment/facility services	completion + 5 years
<b>Meetings</b>		
Affidavits	affirmations relating to postings and publications	2 years
Agendas & Agenda Packets	staff reports and related documents for calendared meeting items	Permanent
Audio/Video Recordings	auditory and visual recordings of regular and special meetings	2 years
Elections – Administration	correspondence, schedules, etc.	2 years
Elections – Historical	Sample ballot, final results	Permanent
Mailing Lists	landowner and/or registered voter rolls tied to public hearings	2 years
Minutes	summary of discussion/action for regular and special meetings	Permanent
Resolutions	records of adopted actions	Permanent
<b>Regulatory Records</b>		
Agency Maps	jurisdictional boundaries, spheres of influence, service areas	Permanent
Change of Organization Proposals	application, petition, staff report, certificates, etc. <sup>6</sup>	Permanent
Change of Reorganization Proposals	application, petition, staff report, certificates, etc. <sup>7</sup>	Permanent
Outside Service Requests	application, staff report, environmental document <sup>8</sup>	Permanent
Related Correspondence	communication with public and local agencies including e-mails	5 years
<b>Planning Records</b>		
Municipal Service Reviews <sup>9</sup>	written report and supporting documentation	Permanent
Other Studies	written report and supporting documentation	Permanent
Sphere of Influence Updates <sup>10</sup>	written report and supporting documentation	Permanent
Related Correspondence	communication with public and local agencies including e-mails	5 years

**Notes**

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<sup>1</sup> Records relating to administrative policies and procedures shall include documents that have been subsequently amended, superseded, or replaced.

<sup>2 / 3</sup> : Commission currently contracts with the County of Napa for staff support services. Accordingly, the County's Auditor's Office and Human Resources Department independently retain payroll and personnel records, respectively, pursuant to their own records retention schedules.

<sup>4</sup> : Records relating to requests for proposals include accepted and unaccepted bids, including proposal statements, bidder forms, data sheets, proof of insurance, and evaluation rankings.

<sup>5</sup> : Government Code §81009 specifies statements of economic interest must be maintained a minimum of seven years; original statements can be stored on space-saving materials after two years.

<sup>6 / 7 / 8</sup> : Records relating to change of organization proposals, change of reorganization proposals, and outside service requests include information generated or managed by LAFCO.

<sup>9 / 10</sup> : The contents of municipal service reviews and sphere of influence updates shall include written reports and resolutions making determinations with respect to Government Code §56430 and §56425, respectively.

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## Attachment B

Date: \_\_\_\_\_

Department: LAFCO of Napa County**AUTHORIZATION TO DESTROY PAPER RECORDS**

Records Description (All records from LAFCO office)	Agency
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	

I certify the above Records are approved for destruction on an on-going (day-forward) basis, provided they comply with written policies and procedures approved by the Commission:

\_\_\_\_\_

LAFCO Secretary/Clerk

\_\_\_\_\_

Date

**CHECK ONE OPTION FOR DESTRUCTION:**

Shredding is required (Records contain private information) or  Recycle (Records do NOT contain private info.)

**THE PAPER VERSION OF THE ABOVE RECORDS ARE APPROVED FOR DESTRUCTION:**

\_\_\_\_\_

LAFCO Executive Officer

\_\_\_\_\_

Date

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*(Complete after destruction has been performed, if done by employees).*

**I HEREBY CERTIFY** that the items listed above have been destroyed in accordance with policies and procedures:

\_\_\_\_\_

LAFCO Secretary/Clerk

\_\_\_\_\_

Date



## Local Agency Formation Commission of Napa County

Subdivision of the State of California

*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

### Schedule of Fees and Deposits

Effective Date: January 1, 2023

These are the policies of the Local Agency Formation Commission (LAFCO) of Napa County with respect to setting fees and deposits in fulfilling LAFCO's regulatory and planning duties prescribed under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

1. This schedule shall be administered in accordance with the provisions of [Government Code \(G.C.\) Section 56383](#).
2. This schedule includes both "fixed" and "at-cost" fees. Fixed fees represent reasonable cost estimates for processing routine proposals and based on a number of predetermined staff hours. At-cost fees apply to less routine proposals and based on the number of actual staff hours. Staff time is charged at a fully burdened hourly rate of \$170.
3. Proposals submitted to the Commission shall be accompanied by the appropriate proposal fees as detailed in this schedule. Staff shall identify which fees are due at the time the proposal is submitted and the timing when other fees are required. Any required proposal fees that have not been received at the time of Commission action on a proposal shall be made a condition of proposal approval.
4. Staff may stop work on any proposal until the applicant submits a requested deposit or fee.
5. All deposit amounts for at-cost proposals shall be determined by the Executive Officer. The Executive Officer shall provide a written accounting of all staff time and related expenses billed against the deposit. If the cost in processing a proposal begins to approach or exceed the deposited amount, the Executive Officer shall request additional monies from the applicant.
6. Upon completion of an at-cost proposal, staff shall issue to the applicant a statement detailing all billable expenditures from a deposit. Staff shall refund the applicant for any monies remaining from the deposit less one-half hour of staff time to process the return as provided in this schedule.
7. All fees payable to the Commission shall be submitted by check and made payable to "LAFCO of Napa County."
8. In the course of processing proposals, staff is required to collect fees on behalf of other agencies such as the State Board of Equalization. The Commission recognizes these are "pass through" fees that are not within the Commission's discretion and therefore no Commission action is required to make changes to those fees in this schedule.

9. Applicants are responsible for any fees or charges incurred by the Commission and/or required by other governmental agencies in the course of the processing of a proposal.
10. Applicants are responsible for any extraordinary administrative costs as determined by the Executive Officer and detailed for the applicant in a written statement.
11. Proposal fees shall not be charged by the Commission for city annexation proposals involving one or more entire unincorporated islands subject to [G.C. Section 56375.3](#) and the Commission's [Policy on Unincorporated Islands](#), unless otherwise determined by the Executive Officer based on extraordinary circumstances.
12. If the processing of a proposal requires the Commission contract with another agency firm, or individual for services beyond the normal scope of staff work, such as the drafting of an Environmental Impact Report or Comprehensive Fiscal Analysis, the applicant shall be responsible for all costs associated with that contract. The applicant will provide the Commission with a deposit sufficient to cover the cost of the contract.
13. With respect to instances where the Commission approves an outside service agreement under [G.C. Section 56133](#), the fee for a subsequent annexation involving the affected territory and affected agency will be reduced by one-half if filed within one calendar year.
14. Requests for research on any particular subject will be provided at no cost for the first two hours. This includes, but is not limited to, archival retrieval, identifying properties relative to agency boundaries, and discussing potential proposals. Any additional research time will be billed at the fully burdened hourly rate provided in this schedule.
15. Annexation or detachment proposals involving boundary changes for two or more agencies qualify as reorganizations and will be charged an additional fee of \$850 (five hours). Annexation proposals involving cities that require concurrent detachment from County Service Area No. 4 and no other boundary changes will only incur an additional fee of \$170 (one hour).
16. The Commission shall annually review this schedule and update the fully burdened hourly rate to help maintain an appropriate level of cost-recovery.

**INITIAL PROPOSAL FEES**

The following fees must be submitted to the Commission as part of the proposal filing. The Executive Officer will identify the specific deposits, fees, and amounts that apply to the proposal.

**Change of Organization or Reorganization: Annexations and Detachments**

<b>• Proposals Exempt from California Environmental Quality Act</b>	
100% Consent from Landowners and Agencies where the Commission is Responsible or Lead Agency	\$5,100 (30 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Responsible or Lead Agency	\$6,800 (40 hours)
<b>• Proposals Not Exempt from California Environmental Quality Act / Negative Declaration</b>	
100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$5,950 (35 hours)
100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$8,500 (50 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$7,650 (45 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$10,200 (60 hours)
<b>• Proposals Not Exempt from California Environmental Quality / Environmental Impact Report</b>	
100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$6,800 (40 hours)
100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$8,500 (50 hours) plus consultant contract
Without 100% Consent from Landowners and Agencies where the Commission is Responsible Agency	\$8,500 (50 hours)
Without 100% Consent from Landowners and Agencies where the Commission is Lead Agency	\$10,200 (60 hours) plus consultant contract

**Change of Organization or Reorganization: Other**

• City Incorporations and Disincorporations	at-cost
• Special District Formations, Consolidations, Mergers and Dissolutions	at-cost
• Special District Requests to Activate or Deactivate Powers	at-cost

**Other Service Requests**

• New or Extended Outside Service Request	\$3,400 (20 hours)
• Request for Reconsideration	\$3,400 (20 hours)
• Request for Time Extension to Complete Proceedings	\$850 (5 hours)
• Municipal Service Reviews	at-cost
• Sphere of Influence Establishment/Amendment	at-cost

<b>Miscellaneous</b>	
• Special Meeting	\$1,200
• Alternate Legal Counsel	at-cost

**OTHER PROPOSAL FEES**

These fees generally apply to proposals that have been approved by the Commission and are not required at the time of filing. An exception involves the fee for registered voter lists, which may be required before the Commission takes action on an application if the underlying activity is subject to protest proceedings. Other fees in this section apply to service requests that are not tied to a specific proposal, such as research and photocopying.

<b>Fees Made Payable to the County of Napa</b>	
• Assessor’s Annexation Mapping Fee	\$162
• Ownership Verification Fee (Landowner Proposals)	\$13
• Signature Verification Fee (Registered Voter Proposals)	\$13
• County Surveyor’s Review Fee	\$253.09
• Elections’ Registered Voter List Fee	\$75 hourly
• Clerk-Recorder’s Environmental Filing Fee	\$50
• Clerk-Recorder’s Environmental Document Fee	
.....Environmental Impact Report	\$3,839.25
.....Mitigated Negative Declaration	\$2,764.00
.....Negative Declaration	\$2,764.00

<b>Fees Made Payable to LAFCO</b>	
• Geographic Information System Update	\$170
• Public Hearing Notice Newspaper Publishing	at-cost
• Photocopying	\$0.10 (black) / \$0.40 (color)
• Mailing	at-cost
• Audio Recording of Meeting	at-cost
• Research/Archive Retrieval	\$170 hourly

<b>Fees Made Payable to the State Board of Equalization to Record Boundary Changes</b>			
Acre	Fee	Acre	Fee
0.00-0.99	\$300	51.00-100.99	\$1,500
1.00-5.99	\$350	101.00-500.99	\$2,000
6.00-10.99	\$500	501.00-1,000.99	\$2,500
11.00-20.99	\$800	1,001.00-2,000.99	\$3,000
21.00-50.99	\$1,200	2,001.00+	\$3,500





## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Policy on Scheduling of Commission Meetings*

(Adopted: June 14, 2001; Last Amended: August 1, 2022)

#### **I. BACKGROUND**

Meetings of the Local Agency Formation Commission (LAFCO) of Napa County will be noticed and conducted in accordance with the Ralph M. Brown Act, [California Government Code \(G.C.\) §54950 et seq.](#) In response to [G.C. §54954](#), this policy establishes the time and place for regular meetings and additionally establishes how a special meeting may be scheduled.

#### **II. PROCEDURES**

##### **A. Regular Meetings**

- 1) The regular meeting day of the Commission is the first Monday of each even-number month (February, April, June, August, October, and December) at 2:00 PM. The location will be the County of Napa Board of Supervisors Chambers located at 1195 Third Street, Third Floor, Napa, California 94559.
- 2) The Chair may cancel a regular meeting if he or she determines the Commission cannot achieve a quorum or there is a lack of business. Regular meetings may also be canceled with the consent of a majority of the regular members of the Commission. For the purpose of this policy, a majority includes at least one member representing the cities and one member representing the county.

##### **B. Special Meetings**

- 1) Special meetings may be scheduled in accordance with the Ralph M. Brown Act which at the time of the adoption of this policy allows the Commission Chair to schedule special meetings as needed. The Chair shall consult with the Executive Officer in scheduling special meetings to ensure a quorum is available at a specified place and time.
- 2) Requests from outside parties for special meetings must be made in writing and submitted to the Executive Officer. If approved and scheduled by the Chair, the affected outside party requesting the special meeting will be responsible for any related charges pursuant to the Commission's *Schedule of Fees and Deposits*.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Social Media Use*

(Adopted: October 3, 2011; Last Amended: April 5, 2021)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (“CKH”) Act of 2000, pursuant to [California Government Code §56300](#), directs the Commission to exercise its regulatory and planning responsibilities consistent with its written policies and procedures. The Commission is also directed under subsection (f) to maintain an internet website to ensure pertinent agency information is readily available to the public; a provision intended to improve engagement with the public. Further, subsequent to CKH’s enactment in January 1, 2001, advances in internet-based programs have significantly expanded the type and scope of social media tools available in engaging the public. Several social media tools are now commonly used by public agencies to promote government information and services to a continually increasing audience.

#### **II. Purpose**

The purpose of this policy is to provide clear and concise direction to Commission staff regarding the appropriate use of authorized social media sites in disseminating information to, and engaging with, the public. This includes establishing standards and protocols in managing authorized social media sites to help ensure appropriate decorum is maintained in communicating with the public.

#### **III. Policy Statement**

The Commission shall use authorized social media sites to maintain and enhance effective communication with local agencies and the public. This policy shall be reviewed periodically to ensure consistency with industry practices.

#### **IV. Administration**

- A) The Executive Officer shall be responsible for maintaining user accounts and passwords for all social media sites authorized by the Commission for use by staff. The Executive Officer or designee will be responsible for posting, monitoring, and removing content consistent with this policy.
- B) This policy shall be implemented in conjunction with all related administrative policies adopted by the Commission or as applicable through the Commission’s contract with the County of Napa for staff support services. This includes, but is not limited to, complying with the County’s policies concerning the use of computers pursuant to [County Policy Manual Section 31A](#).

- C) The Commission shall exercise discretion in reconciling inconsistencies or conflicts between Commission and County policies as it relates to the use of social media sites.

#### **V. Compatibility with Website**

- A) The Commission's website (<https://www.napa.lafco.ca.gov>) shall continue to serve as the agency's primary and predominant internet presence. Towards this end, whenever possible, content posted on the Commission's social media sites will also be made available on the agency website.
- B) Content published by staff on the Commission's social media sites shall not be offered in lieu of information on the agency's website. The Commission's social media sites shall all contain hyperlinks to the agency's website.

#### **VI. Posts**

- A) Posts published by staff on the Commission's social media sites are not kept in the ordinary course of business of the Commission.
- B) Posts published by visitors on the Commission's social media sites are deemed transitory in nature and are not considered records of the Commission.

#### **VII. Disclaimer Notice**

- A) The Commission's social media sites shall include a disclaimer notice informing visitors that all postings must comply with content standards as they are outlined in Section VIII, Subsection C of this policy. This includes advising visitors that the Commission disclaims responsibility and liability for any materials the agency deems inappropriate for posting that cannot be removed in an expeditious and otherwise timely manner.

#### **VIII. General Content Standards**

- A) The Executive Officer or designee shall regularly monitor the Commission's social media sites to ensure content standards as established in this policy are maintained.
- B) The Commission's social media sites shall notify visitors that the intended purposes of the sites are to facilitate communication between the Commission and the public. Sites must provide clear statements of the discussion topics introduced for public comments so that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal.

- C) The Executive Officer or designee shall remove any postings, comments, or other communications on its social media sites that are deemed inappropriate if any of the following forms of content are present:
- (1) Profane language or content;
  - (2) Content promoting, fostering, or perpetuating discrimination of protected classes under California Government Code §12940;
  - (3) Sexual content or hyperlinks to sexual content;
  - (4) Comments in support of or opposition to political campaigns or ballot measures;
  - (5) Solicitations of commerce;
  - (6) Conduct or encouragement of illegal activity;
  - (7) Information that may compromise the safety or security of the public or public infrastructure; and
  - (8) Content violating a legal ownership interest of any other party.

#### **IX. Authorized Social Media Sites**

- A) The social media sites authorized by the Commission for use by staff are identified by their short-term designation below and corresponding address.
- (1) Facebook / <http://www.facebook.com>
  - (2) Twitter / <http://www.twitter.com>

#### **X. Specific Standards and Protocols for Authorized Social Media Sites**

##### A) Facebook

- (1) The Executive Officer shall hold and maintain the Commission's Facebook account. Account information, including the password, will be kept by the Executive Officer and registered to his or her work e-mail address.
- (2) The Commission will have only one Facebook account, but may have more than one Facebook page under that account.
- (3) Postings and comments will not be added to the Commission's Facebook page(s) without the approval of the Executive Officer or designee.
- (4) The Commission's Facebook page(s) will be described as "government" and depict the agency's adopted logo and mission statement in the introduction box. The following description will be included on each Facebook page:

"This is an official Facebook page of LAFCO of Napa County. More information about LAFCO is available on our agency's website, <https://www.napa.lafco.ca.gov>. This page is intended to facilitate broad and enhanced communication between LAFCO and the public."

- (5) The Executive Officer will determine when to turn on the comment option on the Facebook page(s). If comments are allowed, the Facebook page shall include the following disclaimer on content:

“Comments posted to this page will be monitored, and inappropriate content will be removed, as soon as possible consistent with the agency’s Policy on Social Media Use available on LAFCO’s website at: [https://www.napa.lafco.ca.gov/uploads/documents/Policy\\_SocialMediaUse\\_4-5-21.pdf](https://www.napa.lafco.ca.gov/uploads/documents/Policy_SocialMediaUse_4-5-21.pdf). LAFCO disclaims responsibility and liability for any inappropriate postings that cannot be removed in an expeditious and otherwise timely manner.”

- (6) The Executive Officer or designee shall monitor comments on the Facebook page(s) no less than once a week. If monitoring is not available, the Executive Officer or designee shall turn off the comment option.
- (7) The Executive Officer or designee may add photographs or videos to the Facebook page(s). However, all postings of photographs or videos of the public must be accompanied by written waivers of the affected individuals.
- (8) Visitors to the Facebook page(s) shall not be allowed to post photographs, videos, or hyperlinks. Notification will be provided through a disclaimer.

#### B) Twitter

- (1) The Executive Officer shall hold and maintain the Commission’s Twitter account. Account information, including the password, will be kept by the Executive Officer and registered to his or her work e-mail address.
- (2) The Commission will have only one Twitter account.
- (3) Postings and retweets will not be added to the Commission’s Twitter page without the approval of the Executive Officer or designee.
- (4) The Commission’s biography summary on its Twitter page will include a hyperlink to the agency’s website along with the following disclaimer:

“This is an official Twitter page of LAFCO of Napa County. More information about LAFCO is available on our agency’s website, <https://www.napa.lafco.ca.gov>. This page is intended to facilitate specific and enhanced communication between LAFCO and the public.”

- (5) Postings and retweets shall be relevant, timely, and informative. Postings shall also remain professional and incorporate proper grammar and avoid the use of jargon or abbreviations.



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Spheres of Influence*

(Adopted on June 7, 2021)

#### I. BACKGROUND

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, beginning with [California Government Code \(G.C.\) §56425](#), requires the Local Agency Formation Commission (LAFCO or “Commission”) to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” ([G.C. §56076](#)). Every determination made by LAFCO shall be consistent with the SOIs of the local agencies affected by that determination ([G.C. §56375.5](#)). The Commission encourages cities, towns, and the County of Napa (“County”) to meet and agree to SOI changes. The Commission shall give “great weight” to these agreements to the extent they are consistent with its policies ([G.C. §56425\(b\) and \(c\)](#)). Local agency SOIs are established and changed in part based on information in municipal service reviews, including adopted determinative statements and recommendations ([G.C. §56430](#)).

#### II. PURPOSE

The purpose of these policies is to guide the Commission in its consideration of SOI amendment requests as well as SOI reviews and updates initiated by LAFCO. This includes establishing consistency with respect to the Commission’s approach in the scheduling, preparation, and adoption of SOI reviews and updates. Requests to amend an SOI may be made by any person or local agency as described in Section VI of this policy. Requests to amend an SOI are encouraged to be filed with LAFCO’s Executive Officer as part of the Commission’s municipal service review (MSR) and SOI review process.

#### III. OBJECTIVE

It is the intent of the Commission to determine appropriate SOIs that promote the orderly expansion of cities, towns, and special districts in a manner that ensures the protection of the environment and agricultural and open space lands while also ensuring the effective, efficient, and economic provision of essential public services, including public water, wastewater, fire protection and emergency response, and law enforcement. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies. An SOI is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

#### **IV. DEFINITIONS**

Recognizing that an SOI is a plan for the probable physical boundary and service area of a local government agency as determined by LAFCO, the Commission incorporates the following definitions:

- A. “Agricultural lands” are defined as set forth in [G.C. §56016](#).
- B. “Open space” are defined as set forth in [G.C. §56059](#).
- C. “Prime agricultural land” is defined as set forth in [G.C. §56064](#).
- D. “Infill” is defined as set forth in [Public Resources Code §21061.3](#).
- E. “Underdeveloped land” is defined as land that lacks components of urban development such as utilities or structure(s).
- F. “Vacant land” is defined as land that has no structure(s) on it and is not being used. Agricultural and open space uses are considered a land use and therefore the underlying land is not considered vacant land.
- G. “SOI establishment” refers to the initial adoption of a city or special district SOI by the Commission.
- H. “SOI amendment” refers to a single change to an established SOI, typically involving one specific geographic area and initiated by a landowner, resident, or local agency.
- I. “SOI review” refers to a comprehensive review of an established SOI conducted as part of an MSR. Based on information collected in the SOI review component of an MSR, the Commission shall determine if an SOI update is needed.
- J. “SOI update” refers to a single change or multiple changes to an established SOI, typically initiated by the Commission and based on information collected in the SOI review.
- K. “Zero SOI” when determined by the Commission, indicates a local agency should be dissolved and its service area and service responsibilities assigned to one or more other local agencies.
- L. “Study area” refers to territory evaluated as part of an SOI update for possible addition to, or removal from, an established SOI. The study areas shall be identified by the Commission in consultation with all affected agencies.

## **V. LOCAL CONSIDERATIONS**

### **A. General Guidelines for Determining Spheres of Influence**

The following factors are intended to provide a framework for the Commission to balance competing interests in making determinations related to SOIs. No single factor is determinative. The Commission retains discretion to exercise its independent judgment as appropriate:

- 1) Land defined or designated in the County of Napa General Plan land use map as agricultural or open space shall not be approved for inclusion within any local agency's SOI for purposes of new urban development unless the action is consistent with the objectives listed in Section III of this policy.
- 2) The Commission encourages residents, landowners, and local agencies to submit requests for changes to SOIs to the LAFCO Executive Officer as part of the LAFCO-initiated MSR and SOI review process.
- 3) The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is and should continue to be the predominant land use. Measure J was passed by voters in 1990 and Measure P was passed by voters in 2008 and requires voter approval for any changes that would re-designate unincorporated agricultural and open-space lands. The Commission will consider the Agricultural Preserve and intent of voters in passing Measure J and Measure P in its decision making processes to the extent they apply, prior to taking formal actions relating to SOIs.
- 4) In the course of an SOI review for any local agency as part of an MSR, the Commission shall identify all existing outside services provided by the affected agency. For any services provided outside the affected agency's jurisdictional boundary but within its SOI, the Commission shall request the affected agency submit an annexation plan or explanation for not annexing the territory that is receiving outside services. For any services provided outside an agency's jurisdictional boundary and SOI, the Commission encourages a dialogue between the County and the affected agency relating to mutually beneficial provisions.
- 5) In the course of reviewing a city or town's SOI, the Commission will consider the amount of vacant land within the affected city or town's SOI. The Commission discourages SOI amendment requests involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill development is more appropriate.



- 6) A local agency's SOI shall generally be used to guide annexations within a five-year planning period. Inclusion of land within an SOI shall not be construed to indicate automatic approval of an annexation proposal.
- 7) When an annexation is proposed outside a local agency's SOI, the Commission may consider both the proposed annexation and SOI amendment at the same meeting. The SOI amendment to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- 8) A local agency's SOI should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission. This includes information contained in current MSRs. The Commission shall consider the following municipal service criteria in determining SOIs:
  - a) The present capacity of public facilities and adequacy of public services provided by affected local agencies within the current jurisdiction, and the adopted plans of these local agencies to address any municipal service deficiency, including adopted capital improvement plans.
  - b) The present and probable need for public facilities and services within the area proposed or recommended for inclusion within the SOI, and the plans for the delivery of services to the area.
- 9) The Commission shall consider, at a minimum, the following land use criteria in determining SOIs:
  - a) The present and planned land uses in the area, including lands designated for agriculture and open-space.
  - b) Consistency with the County General Plan and the general plan of any affected city or town.
  - c) Adopted general plan policies of the County and of any affected city or town that guide future development away from lands designated for agriculture or open-space.
  - d) Adopted policies of affected local agencies that promote infill development of existing vacant or underdeveloped land.
  - e) Amount of existing vacant or underdeveloped land located within any affected local agency's jurisdiction and current SOI.
  - f) Adopted urban growth boundaries by the affected land use authorities.

## **B. Scheduling Sphere of Influence Reviews and Updates**

[G.C. §56425\(g\)](#) directs the Commission to update each SOI every five years, as necessary. Each year, the Commission shall adopt a Work Program with a schedule for initiating and completing MSRs and SOI reviews based on communication with local agencies. This includes appropriate timing with consideration of city, town, and County general plan updates. The Commission shall schedule SOI updates, as necessary, based on determinations contained in MSRs.

## **C. Environmental Review**

SOI establishments, amendments, and updates will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. If an environmental assessment or analysis is prepared by an agency for a project associated with an SOI establishment, amendment, or update, and LAFCO is afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review process. All adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Commission.

## **VI. REQUESTS FOR SPHERE OF INFLUENCE AMENDMENTS**

### **A. Form of Request**

Any person or local agency may file a written request with the Executive Officer requesting amendments to an SOI pursuant to [G.C. §56428\(a\)](#). Requests shall be made using the form provided in Attachment A and be accompanied by a cover letter and a map of the proposed amendment. Requests shall include an initial deposit as prescribed under the Commission's adopted Schedule of Fees and Deposits. The Executive Officer may require additional data and information to be included with the request. Requests by cities, towns, and special districts shall be made by resolution of application.

### **B. Review of Request**

The Executive Officer shall review and determine within 30 days of receipt whether the request to amend an agency's SOI is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

### **C. Consideration of Request**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation. The Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given. The Commission may approve, approve with conditions, or deny the request for an SOI amendment. The Commission's determination and any required findings will be set out in a resolution that specifies the area added to, or removed from, the affected agency's SOI. While the Commission encourages the participation and cooperation of the subject agencies, the determination of an SOI is a LAFCO responsibility and the Commission is the sole authority as to the sufficiency of the documentation and consistency with law and LAFCO policy.

**Local Agency Formation Commission of Napa County**  
 1754 Second Street, Suite C  
 Napa, California 94559  
 (707) 259-8645 Telephone  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

**Questionnaire for Amending a Sphere of Influence**

1. Applicant information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ (Primary) \_\_\_\_\_ (Secondary)

E-Mail Address: \_\_\_\_\_

2. What is the purpose for the proposed sphere of influence amendment?

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Describe the affected territory in terms of location, size, topography, and any other pertinent characteristics.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Describe the affected territory’s present and planned land uses.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- 5. Identify the current land use designation and zoning standard for the affected territory.

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- 6. Is the affected territory subject to a Williamson Act contract? If yes, please provide a copy of the contract along with any amendments.

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- 7. If applicable, identify the governmental agencies currently providing the listed municipal services to the affected territory.

Water: \_\_\_\_\_

Sewer: \_\_\_\_\_

Fire: \_\_\_\_\_

Police: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_



## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Telecommuting*

(Adopted: July 8, 1997; Last Amended: November 18, 2019)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 is the enabling legislation for LAFCO. The Act includes the legislative intent, powers and composition of the Commission. LAFCO is established as an independent agency although the Commission is comprised of local government representatives. Each LAFCO has the authority to establish standards and policies to reflect local conditions. In order to carry out its legislative mandate, the Commission has the authority to appoint and assign staff personnel and to employ or contract for professional or consulting services to carry out and effect the functions of the commission ([Government Code \(G.C.\) §56375\(k\)](#)).

#### **II. Purpose**

LAFCO considers telecommuting to be a viable work option that, when appropriately applied, benefits both the organization and the individual employee. Various studies confirm that telecommuting is cost effective and has a positive environmental impact ([Forbes, July 20, 2017](#)). It is the intent of the Commission to adopt a policy which allows staff to telecommute at the discretion of the Executive Officer.

Telecommuting is defined as allowing designated employees, on a periodic basis and during their scheduled work hours, to fulfill their job responsibilities at a site other than their primary work location. Telecommuting can both accommodate the needs of employees and benefit the community by reducing distractions, interruptions, stress, traffic, greenhouse gas emissions, and parking impacts.

#### **III. Guidelines and Principles**

Telecommuting is a cooperative arrangement between the supervisor and employee, not an entitlement, and is based upon the needs of the job as well as the employee's past and present levels of performance. Jobs suitable for telecommuting are characterized by clearly defined tasks and work products. Telecommuting is a tool allowing for flexibility in work options. Telecommuting does not change the basic terms and conditions of employment with LAFCO. Each telecommuting arrangement is jointly agreed between the employee and Executive Officer. Telecommuting is voluntary and may be terminated, at will, at any time either by the Executive Officer or the employee.

#### **IV. Ground Rules**

Telecommuting occurs on a part-time basis. Salary, job responsibilities, and benefits do not change as a result of telecommuting. Telecommuters shall have regularly scheduled work hours agreed upon with the Executive Officer. Telecommuters will be as accessible as their on-site counterparts during their agreed upon regular business hours, regardless of work location. Telecommuters will exercise caution to ensure they have a safe work area. Telecommuters working at home will take all precautions necessary to secure privileged information in the home and prevent unauthorized access to the LAFCO shared drive from the home. Telecommuting expenses related to equipment will be dealt with on a case-by-case basis between the employee and the Executive Officer. Telecommuters shall comply with all established employment rules and regulations as set forth by the [County of Napa](#).



## LOCAL AGENCY FORMATION COMMISSION OF NAPA

### *Policy on Unincorporated Islands*

(Adopted: February 3, 2020)

#### **I. Background**

Unincorporated islands (hereinafter “islands”) are areas of unincorporated territory that are completely or substantially surrounded by an incorporated city or town. The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for streamlining the annexation of islands to cities and towns ([California Government Code \(G.C.\) §56375.3](#)). CKH prohibits creation of new islands unless the Commission determines the prohibition would be detrimental to the orderly development of the community and that the area is located such that it could not reasonably be annexed to another city or town, or incorporated as a new city or town ([G.C. §56744](#)). As a condition of annexation to a city or town that includes territory located within an island, the Commission may require that the annexation include the *entire* island ([G.C. §56375\(a\)\(5\)](#)).

#### **II. Purpose**

It is the intent of the Commission to establish a policy that clearly defines the characteristics of islands in Napa County to allow for their streamlined annexation to cities and towns. This is consistent with the intent of the California Legislature when it enacted special legislation, originally adopted in 1977 and subsequently expanded, that made it possible for certain islands to be annexed *without* a protest hearing or election. In approving this legislation, the Legislature recognized the following:

- A) Islands continue to represent a serious and unnecessary statewide governmental inefficiency and that this inefficiency would be resolved if these islands were annexed into the appropriate surrounding city or town.
- B) Property owners’ ability to vote on boundary changes is a statutory privilege and not a constitutional right.
- C) Islands are inherently inefficient and that these inefficiencies affect not just residents within islands, but also those residing throughout the city or town and the county.

#### **III. Annexation Procedures**

In order to utilize the streamlined annexation provisions codified under [G.C. §56375.3](#), a city or town is required to initiate the process by adopting a resolution of application and submit the adopted resolution to the Commission. The Commission shall approve the annexation at a noticed public hearing and waive protest proceedings. The Commission may not disapprove the annexation. A property tax sharing agreement between the County and the affected city or town is required before the Commission may take final action on annexation consistent with [Revenue and Taxation Code §99](#). The Commission encourages any city or town to enter into tax sharing agreements for affected islands prior to adoption of a resolution of application.

#### **IV. Local Policy Definition of “Island”**

The Commission defines an “island” in Napa County to include unincorporated territory that meets all of the following criteria:

- A) Located entirely within a city or town’s sphere of influence;
- B) Does not exceed 150 acres in size;
- C) Does not contain prime agricultural land as defined in the Cortese-Knox-Hertzberg Act ([G.C. §56064](#));
- D) Does not contain lands subject to Measure P or has a General Plan designation of Agricultural Resource or Agriculture, Watershed and Open Space as reflected in the County of Napa General Plan Land Use Map;
- E) Designated for urban development in the general plan of the annexing city or town;
- F) Surrounded or substantially surrounded by the annexing city or town. Substantially surrounded territory is unincorporated territory with an outer boundary that is 50% or more contiguous to the annexing city or town’s jurisdictional boundary;
- G) The outer boundary is the annexing city or town’s jurisdictional boundary, the annexing city or town’s sphere of influence, and/or property owned by the State of California;
- H) The territory is developed or developing. This determination is based on the availability of public utilities, the presence of public improvements, or the presence of physical improvements on the parcels within the area; and
- I) The territory is currently receiving municipal service benefits from the annexing city or town, or would benefit from the city or town following annexation.





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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 6c (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer B F

**MEETING DATE:** December 9, 2024

**SUBJECT:** Strategic Plan and Work Program Updates and Possible Direction

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**RECOMMENDATION**

It is recommended the Commission discuss the update from staff regarding the Strategic Plan 2023-2025 and the Work Program for Fiscal Year 2024-25 and consider providing direction to staff with respect to any desired changes to the Work Program.

**BACKGROUND AND SUMMARY**

On July 10, 2023, the Commission conducted a strategic planning workshop and discussed its goals, priorities, opportunities, and constraints. On October 2, 2023, the Commission adopted the Strategic Plan 2023-2025, included as Attachment 1. The Strategic Plan includes a statement of the Commission's values as well as three priority goals.

On June 3, 2024, the Commission adopted the Work Program for Fiscal Year 2024-25, included as Attachment 2. The Work Program includes schedules for key activities such as municipal service reviews and sphere of influence studies.

Notably, staff has been operating with only two full-time employees since June 2024, resulting in a measurable reduction in staff's capacity to complete all of the major projects anticipated in the Work Program. Several of the scheduled studies are planned to be completed in-house. Staff recommends the Commission consider adjusting some of the study plans to anticipate hiring a private consultant. This would involve directing staff to return at a future meeting to seek authorization to circulate a request for proposals.

**ATTACHMENTS**

- 1) Strategic Plan 2023-2025
- 2) Work Program for Fiscal Year 2024-25

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



**LOCAL AGENCY FORMATION COMMISSION  
OF NAPA COUNTY**

**TWO YEAR STRATEGIC PLAN  
JULY 1, 2023 – JUNE 30, 2025**

**ADOPTED ON OCTOBER 2, 2023**



## **MISSION STATEMENT OF THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**

The **Local Agency Formation Commission of Napa County** is committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.





# VALUES OF THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

The *Local Agency Formation Commission of Napa County* is deeply invested in the communities we serve. We are committed to the mission of LAFCO and place high value in that which allows us to successfully partner with all stakeholders in service to the communities of Napa County.





## **FY 2023-24 / 2024-25**

### **Napa LAFCO Goals**

Goal: Understand how the 2020 Water-Wastewater Municipal Service Review may benefit the region



Assess & prioritize  
recommendations



Engage stakeholder  
partners

Goal: Initiate & complete the countywide Fire-EMS Municipal Service Review



Initiate & complete the  
Municipal Service Review



**Goal: Continue gaining greater LAFCO independence**  
(Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000)



Amend the agreement between  
LAFCO & County to create greater  
independence



## **The Commission**

Margie Mohler, Chair  
City Member (Town of Yountville)

Anne Cottrell, Vice Chair  
County Member (Third Supervisorial District)

Kenneth Leary, Commissioner  
Public Member

Beth Painter, Commissioner  
City Member (City of Napa)

Belia Ramos  
County Member (Fifth Supervisorial District)

Mariam Aboudamous, Alternate Commissioner  
City Member (City of American Canyon)

Joelle Gallagher, Alternate Commissioner  
County Member (First Supervisorial District)

Eve Kahn, Alternate Commissioner  
Public Member

## **The Commission Staff**

Brendon Freeman, Executive Officer  
Dawn Mittleman Longoria, Assistant Executive Officer  
Stephanie Pratt, Clerk/Jr. Analyst  
Gary Bell, Legal Counsel (Colantuono, Highsmith & Whatley)



<b>Napa LAFCO Work Program for Fiscal Year 2024-25</b>			
		<b>Timeline</b>	<b>Comments</b>
<b>STUDIES</b>	Countywide Fire & EMS MSR (Consultant)	Draft report in Oct 2024	Previous Countywide Fire MSR completed in 2006. Contracting with AP Triton to prepare the report.
	County Service Area No. 4 MSR & SOI (In-House)	Draft report in Dec 2024	Previous MSR & SOI completed in 2017. Will initiate following completion of County report on farmworker housing needs.
	Napa Sanitation District SOI (In-House)	Draft report in Feb 2025	Previous MSR completed in 2014 (Central County Region MSR). Previous SOI completed in 2015. Staff has engaged District staff, County staff, and interested community members to identify potential SOI study areas.
	City of St. Helena MSR & SOI (In-House)	Draft report in June 2025	Previous MSR & SOI completed in 2008.
<b>ADMINISTRATION</b>	Audit	Annual	Presented by the County Auditor-Controller annually in December.
	Budget	Annual	Ad hoc Budget Committee appointed annually in December to assist staff in preparing budget and work program. Staff presents quarterly budget reports.
	Legislation	Annual	Ad hoc Legislative Committee appointed annually in December to review state legislation and recommend formal positions.
	New Commissioner Orientation	Ongoing	Mandatory in-person orientation process for new commissioners. Develop commissioner handbook.
	Policies	Ongoing	Policy amendments will be proposed as needed. Policy Manual updated accordingly.
	Proposals	Ongoing	See "Current and Future Proposals" staff report on each meeting agenda for a status update.
	Staff Training	Ongoing	Clerk/Jr. Analyst requires ongoing training on LAFCO's administrative functions and application processing.
	Website/Document Management	Ongoing	Staff continuously updates information on website including agendas, minutes, meeting recordings, audits, budgets, etc.
<b>OTHER</b>	LAFCO Independence	ASAP	Strategic plan goal to enhance independence. Ad hoc subcommittee assisting staff in review of Support Services Agreement with Napa County.
	Special Projects & Studies	TBD	To be determined in budget cycle and strategic planning. Typically involves a contract with a consultant to be funded with reserves. See Countywide Fire & EMS MSR in "Studies".
	Education & Outreach to Stakeholders & Public	Ongoing	Proactive engagement with local agencies. Conduct regular presentations. Leverage website whenever possible.
	Climate Resiliency in LAFCO's Work	Ongoing	Research policies & best practices of other LAFCOs. Consider adopting additional local policies.
	Coordination & Provision of Broadband Services	TBD	Participate in the North Bay Broadband Consortium. Coordinate with other LAFCOs.
	2024 CALAFCO Annual Conference	October 16 - 18, 2024	Location is Tenaya Lodge near Yosemite. All staff and commissioners encouraged to attend
	2025 CALAFCO Staff Workshop	TBD	Location to be determined. All staff encouraged to attend.
<b>Work Program Adopted on June 3, 2024</b>			





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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 6d (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer *B F*

**MEETING DATE:** December 9, 2024

**SUBJECT:** California Government Code Sections 56133.5 and 56133.6 Pilot Programs Report to the Legislature

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**RECOMMENDATION**

It is recommended the Commission consider directing staff to submit the report to the Legislature, included as Attachment 1, with any desired changes.

**BACKGROUND AND SUMMARY**

The Commission will consider providing formal direction to the Executive Officer to submit a report to the Legislature consistent with the California Government Code (G.C.) sections 56133.5 and 56133.6 pilot programs. The report is due before January 1, 2025, and describes the Commission's participation in the pilot programs.

In 2015, then-Assembly member Bill Dodd authored Assembly Bill 402, enacted on January 1, 2016, and codified as G.C. section 56133.5. This statute established a pilot program that allows Napa and San Bernardino LAFCOs to authorize cities and special districts to provide municipal services outside both their jurisdictional boundaries and spheres of influence under unique circumstances. The Commission utilized G.C. section 56133.5 one time in October 2019 when it authorized the City of Napa to provide water service to the Carneros Resort and Spa.

G.C. section 56133.5 was scheduled to be repealed on January 1, 2021, but was extended for five years by Senator Dodd with an amendment recognizing the establishment of a new pilot program codified as G.C. section 56133.6. G.C. section 56133.5 is included as Attachment 2 and scheduled to be repealed on January 1, 2026.

G.C. section 56133.6 allows Napa LAFCO to authorize the City of St. Helena to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence under unique circumstances. G.C. section 56133.6 is included as Attachment 3 and also scheduled to be repealed on January 1, 2026.

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Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Beth Painter, Commissioner  
Councilmember, City of Napa

Vacant, Alternate Commissioner  
Councilmember, City of American Canyon

Anne Cottrell, Chair  
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner  
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner  
County of Napa Supervisor, 1st District

Kenneth Leary, Vice Chair  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

The Commission is required to submit a report to the Legislature before January 1, 2025, on its participation in the two pilot programs. A draft report is included as Attachment 1. The Commission is invited to make any desired changes to the report. For example, the Commission may wish to include a request for one or both pilot programs to be extended for another five years. Notably, the Commission has not utilized either pilot program in the last five years.

## **ATTACHMENTS**

- 1) Draft Report to the Legislature on the Commission's Participation in the Pilot Programs
- 2) California Government Code Section 56133.5
- 3) California Government Code Section 56133.6



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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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December 10, 2024

TO: California State Legislature

FROM: Local Agency Formation Commission of Napa County

SUBJECT: California Government Code Sections 56133.5 and 56133.6 Pilot Programs

The Local Agency Formation Commission (LAFCO) of Napa County submits this report to the Legislature in compliance with California Government Code (G.C.) section 56133.5(d). This report summarizes LAFCO of Napa County's participation in the pilot programs codified as G.C. sections 56133.5 and 56133.6.

Napa LAFCO received one request for extension of service pursuant to G.C. section 56133.5 and zero requests pursuant to G.C. section 56133.6.

In 2019, the City of Napa requested authorization under G.C. section 56133.5 to provide public water service outside its jurisdictional boundary and sphere of influence. Napa LAFCO approved the request on October 7, 2019. The report that accompanies Napa LAFCO's approval is available online at:

[napa.lafco.ca.gov/files/f33b3a054/10-7-19\\_6b\\_CarnerosOSA-Napa.pdf](http://napa.lafco.ca.gov/files/f33b3a054/10-7-19_6b_CarnerosOSA-Napa.pdf)

Napa LAFCO is not aware of any additional potential requests under G.C. section 56133.5 or 56133.6 within the foreseeable future. Toward this end, Napa LAFCO does not request an extension of either pilot program.

If you have any questions, please do not hesitate to contact me at (707) 259-8645 or [bfreeman@napa.lafco.ca.gov](mailto:bfreeman@napa.lafco.ca.gov).

Sincerely,

Brendon Freeman  
 Executive Officer

Distribution: Secretary of the Senate  
 Chief Clerk of the Assembly  
 Legislative Counsel  
 Senator Bill Dodd, District 3  
 Sam Martinez, San Bernardino LAFCO Executive Officer

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Margie Mohler, Commissioner  
 Councilmember, Town of Yountville

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Brendon Freeman  
 Executive Officer

**State of California**

**GOVERNMENT CODE**

**Section 56133.5**

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56133.5. (a) A pilot program is hereby established for the Napa and San Bernardino commissions. If consistent with adopted policy, the Napa and San Bernardino commissions may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, subject to approval at a noticed public hearing in which the commission makes all of the following determinations:

(1) The extension of service or services deficiency was identified and evaluated in a review of municipal services prepared pursuant to Section 56430.

(2) The commission determines both of the following:

(A) The extension of service will not result in adverse impacts on open space or agricultural lands.

(B) The extension of service will not result in growth-inducing impacts.

(3) A sphere of influence change involving the affected territory and its affected agency is not feasible under this division or desirable based on the adopted policies of the commission.

(b) Subdivision (d) of Section 56133 shall apply to any request for new or extended services pursuant to this section.

(c) For purposes of this section, “planned use” means any project that is included in an approved specific plan as of July 1, 2015.

(d) The Napa and San Bernardino commissions shall submit a report before January 1, 2025, to the Legislature on their participation in the pilot program, including how many requests for extension of services were received on or after the effective date of this section, and the action by the commission to approve, disapprove, or approve with conditions. The Napa commission shall also include in the report on the pilot program information on its decision to approve, deny, or approve with conditions any authorization for the City of St. Helena to provide new or extended services outside its jurisdictional boundary and sphere of influence, as described in Section 56133.6. The report required to be submitted pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

(e) The pilot program established pursuant to this section shall be consistent with Chapter 8.5 (commencing with Section 1501) of Part 1 of Division 1 of the Public Utilities Code.

(f) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Added by Stats. 2021, Ch. 482, Sec. 1. (SB 13) Effective October 4, 2021. Repealed as of January 1, 2026, by its own provisions.)

**State of California**

**GOVERNMENT CODE**

**Section 56133.6**

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56133.6. (a) As part of the pilot program established pursuant to Section 56133.5, the Napa commission may authorize the City of St. Helena to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to 341 Saint Helena Hwy S, St. Helena, Napa County, Assessor's Parcel Numbers 027-130-006 and 027-130-005, and to 401 St. Helena Highway S, St. Helena, Napa County, Assessor's Parcel Numbers 027-120-052, 027-120-061, and 027-120-062, subject to approval at a noticed public hearing in which the Napa commission makes all of the following determinations:

(1) The extension of service or services will result in specific environmental benefits, including transitioning septic systems to a treated sewer system, and either of the following:

(A) The extension of services will serve an agricultural employee housing development, as contemplated by Section 17021.8 of the Health and Safety Code, of no less than 6 units and no more than 12 units.

(B) The extension of services will serve a mobilehome park reuse or mobilehome park redevelopment of no more than 25 units.

(2) The extension of service or service deficiency was identified and evaluated in a review of municipal services prepared pursuant to Section 56430.

(3) The commission determines both of the following:

(A) The extension of service will not result in adverse impacts on open space or agricultural lands.

(B) The extension of service will not result in growth-inducing impacts.

(4) A sphere of influence change involving the affected territory and its affected agency is not feasible under this division or desirable based on the adopted policies of the commission.

(b) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

(Added by Stats. 2021, Ch. 482, Sec. 2. (SB 13) Effective October 4, 2021. Repealed as of January 1, 2026, by its own provisions.)