



Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

■ Margie Mohler, Chair ■ Diane Dillon, Vice Chair ■ Mariam Aboudamous ■ Brad Wagenknecht ■ Vacant
■ Ryan Gregory, Alternate ■ Eve Kahn, Alternate ■ Beth Painter, Alternate

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Consistent with the California Governor's Executive Order N-29-20 promoting social distancing, there will be no physical or in-person meeting location available to the public. Instead, the meeting will be conducted by teleconference. All staff reports for items on the meeting agenda are available on the Commission's website at https://www.napa.lafco.ca.gov/staff_reports.aspx. The meeting will be accessible for all members of the public to attend via the link and phone number listed below.

REGULAR MEETING AGENDA

Monday, February 1, 2021, 2:00 PM

This meeting will be conducted by teleconference. Written public comments may be submitted PRIOR to the meeting by 10:00 A.M. on February 1, 2021. Public comments DURING the meeting: See "COVID-19 – Notice of Meeting Procedures" on page 3 of the agenda.

Join Teleconference Meeting **Electronically** (computer, tablet or smartphone): click on the link below:

<https://countyofnapa.zoom.us/j/88528140852>

Join Teleconference Meeting by **Telephone**:

Dial: (669) 900-6833

Follow the prompts: Meeting ID: 88528140852#

Please avoid the speakerphone function to prevent echoing.

If you need assistance before or during the meeting, please contact Commission Clerk Kathy Mabry at: kmabry@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645.

1. CALL TO ORDER BY CHAIR; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. OATH OF OFFICE FOR NEW COMMISSIONERS

Commission Counsel will administer Oaths of Office for new Commissioners Mariam Aboudamous and Beth Painter.

4. 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.

5. PUBLIC COMMENTS

The public is encouraged to 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. See "COVID-19 – Notice of Meeting Procedures" on page 3 of the agenda to submit comments.

6. RECOGNITION OF SERVICE: Scott Sedgley

7. CONSENT ITEMS

All items calendared as consent are considered ministerial or non-substantive action items. As such, all consent items may be approved under one vote of the Commission. With the concurrence of the Chair, a Commissioner may request discussion of an item on the consent calendar.

- a) [Approval of Meeting Minutes: December 7, 2020 Regular Meeting](#)
- b) [Amendment No. 3 to Legal Services Contract with Sloan Sakai Yeung & Wong LLP](#)
- c) [Authorize Use of Digital Signatures](#)

8. INFORMATION ITEMS

Information items will be received by the Commission without a presentation from staff unless requested by the Commission. Information items do not involve any action by the Commission.

- a) [Current and Future Proposals](#)
- b) [Second Quarter Budget Report for Fiscal Year 2020-2021](#)
- c) [CALAFCO Messaging Materials](#)
- d) [Executive Officer Report](#)

9. 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. See “COVID-19 – Notice of Meeting Procedures” on page 3 of the agenda to submit comments.

- a) [Magnolia Drive/State Highway 221 Annexation to the Napa Sanitation District and Associated CEQA Findings \(Approx. 10 Minutes\)](#)

The Commission will consider approving a proposal submitted by landowner petition for annexation of one incorporated parcel totaling approximately 23.1 acres in size to the Napa Sanitation District. The affected territory is located at 100 Magnolia Drive in the City of Napa and identified by the County Assessor as 046-450-054. The annexation is intended to facilitate the planned Napa Valley College Student Housing Project. Napa Valley Community College District, as Lead Agency pursuant to CEQA, prepared an Initial Study and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Napa Valley College Student Housing Project for purposes of addressing any environmental impacts. The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

- b) [Devlin Road No. 5 Annexation to the Napa Sanitation District and Associated CEQA Findings \(Approx. 10 Minutes\)](#)

The Commission will consider approving a proposal submitted by resolution of application from the Napa Sanitation District for annexation of one unincorporated parcel and the adjacent portion of public right-of-way totaling approximately 24.3 acres in size. The affected territory is located along Devlin Road, currently has no situs address, and is identified by the County Assessor as 057-020-025. The annexation is intended to facilitate the planned Nova Business Park Subdivision. Napa County, as Lead Agency pursuant to CEQA, prepared an Initial Study and adopted a Mitigated Negative Declaration addressing any environmental impacts. The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

- c) [Proposed Policy on Spheres of Influence \(Approx. 20 Minutes\)](#)

The Commission will consider a draft *Policy on Spheres of Influence* prepared by a technical working group consisting of staff from the local municipalities. It is recommended the Commission adopt a resolution adopting the *Policy on Spheres of Influence* and concurrently delete Section III of the *General Policy Determinations*.

9. ACTION ITEMS (CONTINUED)

d) Strategic Plan and Work Program Progress Report (Approx. 10 Minutes)

The Commission will receive a report on its *Strategic Plan 2018-2022* and *Work Program 2020-2021*. Staff recommends combining into one report the sphere of influence (SOI) updates for all of the special districts that were included in the *Napa Countywide Water and Wastewater Municipal Service Review*. The recommended action is for the Commission to provide direction to the Executive Officer with respect to: (1) the proposed combining of SOI updates or any other desired changes to current and future work activities; and (2) possible scheduling of a future strategic planning session.

e) Ratification of an Outside Sewer Service Agreement Involving the Napa Sanitation District and 1118 Wine Country Avenue and Associated CEQA Findings (Approx. 5 Minutes)

The Commission will ratify an outside service agreement approved by the Executive Officer authorizing the Napa Sanitation District to provide new public sewer service to an incorporated property located in the City of Napa at 1118 Wine Country Avenue (APN 035-511-014) to address a public health threat. The outside service agreement is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15282(k).

10. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken, except to place the item on a future agenda if approved by a majority of the Commission.

11. ADJOURNMENT TO NEXT SCHEDULED MEETING

Monday, April 5, 2021 at 2:00 P.M. The meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.

MEETING INFORMATION

COVID-19 – Notice of Meeting Procedures

TELECONFERENCE MEETING: In order to slow the spread of the Coronavirus (COVID-19) pandemic, the Commission will conduct this meeting as a teleconference in compliance with the Governor’s Executive Order N-29-20 and Napa County Shelter at Home Order issued March 18, 2020, and members of the Commission or Commission staff may participate in this meeting telephonically or electronically. Members of the public may participate in the meeting, as described below.

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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 **February 1, 2021 at 10:00 A.M.** by email to kmabry@napa.lafco.ca.gov or by mail to Napa LAFCO at 1030 Seminary Street, Suite B, Napa, CA 94559-2814. 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 Clerk prior to the deadline of **February 1, 2021 at 10:00 A.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.

SUBMITTING SPOKEN COMMENTS DURING THE COMMISSION MEETING:

Electronically:

1. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Commission calls for the item on which you wish to speak, click “participants”, a menu will appear. On computer or tablet: click on the “raise hand” icon or word. On a smartphone: click on your name in the list of participants, click on “raise hand”. Staff will activate and unmute speakers in turn.
3. When you are called upon to speak please provide your name and address for the record.
4. When called, please limit your remarks to the time limit allotted (3 minutes).

By phone (landline):

1. Your phone number will appear but not your name.
2. When the Commission calls for the item on which you wish to speak, press *9 to “raise your hand”. Staff will activate and unmute speakers in turn. You will be called upon using the last four digits of your phone number, since your name is not visible.
3. When you are called upon to speak please provide your name and address for the record.
4. When called, please limit your remarks to the time limit allotted (3 minutes).

VIEWING RECORDING OF TELECONFERENCE MEETING: The Commission’s teleconference meeting will be recorded. Members of the public may access the teleconference meeting and other archived Commission meetings by going to https://www.napa.lafco.ca.gov/cm_meeting_video.aspx. Please allow up to one week for production time.

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 the environmental document; (2) testimony of proponent; (3) testimony of opponent; (4) public testimony; (5) rebuttal by proponent; (6) provision of additional clarification by staff as required; (7) close of the public hearing; (8) Commission discussion and Commission vote.

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 and in conformance with the COVID-19-Notice of Meeting Procedures. 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 the Commission Clerk at (707) 259-8645 or kmabry@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 three 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 <https://www.napa.lafco.ca.gov> or by contacting the Commission Clerk at kmabry@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645. If the supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at <https://www.napa.lafco.ca.gov>. Staff reports are available online at https://www.napa.lafco.ca.gov/staff_reports.aspx or upon request to the Commission Clerk at kmabry@napa.lafco.ca.gov or call the LAFCO office at (707) 259-8645.
