



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

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

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

**TO:** Local Agency Formation Commission

**PREPARED BY:** Kathy Mabry, Commission Clerk *KM*

**MEETING DATE:** June 7, 2021

**SUBJECT:** Approval of Meeting Minutes:  
**April 5, 2021 Regular Meeting**

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**DISCUSSION AND RECOMMENDATION**

The Commission will consider approving the draft meeting minutes prepared by staff for the April 5, 2021 Regular Meeting, included as Attachment One.

Staff recommends approval.

**ATTACHMENT**

- 1) Draft Minutes for April 5, 2021 Regular Meeting

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Margie Mohler, Vice Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

Diane Dillon, Chair  
County of Napa Supervisor, 3rd District

Brad Wagenknecht, Commissioner  
County of Napa Supervisor, 1st District

Ryan Gregory, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Kenneth Leary, Commissioner  
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  
MEETING MINUTES OF APRIL 5, 2021**

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

Chair Mohler called for a moment of silence to honor former Commissioner Gregory Rodeno who passed away in March 2021.

Chair Mohler then called the regular meeting of April 5, 2021 to order at 2:00 PM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Margie Mohler, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Diane Dillon, Vice Chair	Eve Kahn (* <i>Voting</i> )	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht	Beth Painter	Dawn Mittleman Longoria, Analyst II
Mariam Aboudamous		Kathy Mabry, Secretary
<i>Public Member * - Vacant</i>		

**2. PLEDGE OF ALLEGIANCE**

Chair Mohler led the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

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

**VOTE:**

**AYES:** WAGENKNECHT, ABOUDAMOUS, DILLON, KAHN AND MOHLER

**NOES:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

**4. PUBLIC COMMENTS**

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

**5. CONSENT ITEMS**

- a) Approval of Meeting Minutes: February 1, 2021 Regular Meeting
- b) Proposed Amendment to Policy on Social Media Use (RESOLUTION #2021-04)
- c) Proposed Amendment to Policy on Executive Officer Performance Review (RES. #2021-05)
- d) Current and Future Proposals
- e) CALAFCO Reports
- f) Chair Rotation

Upon motion by Commissioner Wagenknecht and second by Commissioner Kahn, the consent items were unanimously approved:

**VOTE:**

**AYES:** WAGENKNECHT, KAHN, ABOUDAMOUS, DILLON AND MOHLER

**NOES:** NONE

**ABSENT:** NONE

**ABSTAIN:** NONE

**6. PUBLIC HEARING ITEMS**

**a) Appointment of Public Member**

The city and county members of the Commission considered making an appointment to fill the remainder of an unexpired term for the Regular Public Member position with a term that expires on May 2, 2022. Six candidates applied: Bruce Bardessono; Tom Gamble; Eve Kahn; Kenneth Leary; Nick Van Male; and Alton (Alex) Weeks.

Staff provided an overview, adding there were six supplemental items for this item in the form of support letters (3 for Eve Kahn and 1 for Kenneth Leary). The supplemental items were provided to the Commission and posted to the agency’s website prior to the meeting.

Chair Mohler thanked all of the candidates for applying for the Public Member position.

Chair Mohler invited the candidates to speak. With the exception of Bruce Bardessono, all candidates were present and spoke to the Commission.

Chair Mohler opened the public hearing.

Public comments were received from Jim Hinton who expressed support for Mr. Weeks, as well as for Mr. Leary. Leon Garcia expressed his support for Mr. Leary.

Chair Mohler closed the public hearing.

Commissioner comments included Commissioner Gregory’s support for Mr. Leary, and Commissioner Wagenknecht in support of Commissioner Kahn.

Commissioner Aboudamous nominated Kenneth Leary and Commissioner Mohler seconded the nomination.

Upon motion by Commissioner Aboudamous and second by Commissioner Mohler, Kenneth Leary was appointed to fill the remainder of an unexpired term for the Regular Public Member position effective June 7, 2021 with a term that expires on May 2, 2022:

**VOTE:**

<b>AYES:</b>	<b><u>ABOUDAMOUS, MOHLER, WAGENKNECHT AND DILLON</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>NONE</u></b>
<b>ABSTAIN:</b>	<b><u>KAHN</u></b>

**b) Proposed Budget for Fiscal Year 2021-2022 and Draft Amendment to the Schedule of Fees and Deposits**

The Commission considered adopting a resolution to approve a proposed budget for fiscal year 2021-2022. Proposed operating expenses total \$553,916 and proposed operating revenues total \$540,270 with the remaining shortfall of \$13,646 to be covered by drawing from reserves.

The Commission also discussed a draft amendment to its Schedule of Fees and Deposits for its consideration.

The recommended action was for the Commission to adopt the proposed budget by resolution, circulate the proposed budget for public review and comment, and circulate the draft amendment to the Schedule of Fees and Deposits for public review and comment.

The Executive Officer thanked this year’s Budget Committee members (Commissioners Mohler and Gregory) for their work on the proposed budget, as well as provided an overview of the agency’s expenses, revenues and shortfalls. Complete financial information was provided in the staff report for this agenda item.

Staff identified an error on page 4 of the staff report in the Town of Yountville’s portion, stating that the amount is written correctly on the budget sheet attached to the staff report.

Also, the date on the footnote under the table was incorrect written as 2020, but should be 2021.

**6. PUBLIC HEARING ITEMS – continued:**

Chair Mohler opened the public hearing.

Public comments were received from Erin Morris, City of Napa Planning Department.

Chair Mohler closed the public hearing.

Upon motion by Commissioner Wagenknecht and second by Commissioner Gregory, the Commission unanimously approved the following staff recommendations:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County adopting a Proposed Budget for the 2021-2022 Fiscal Year (**RESOLUTION #2021-06**);
- 2) Direct staff to circulate the adopted proposed budget to each of the funding agencies as well as the general public for review and comment;
- 3) Direct staff to circulate the draft amendment to the *Schedule of Fees and Deposits* (“Fee Schedule”) to the general public for public review and comment; and;
- 4) Direct the Budget Committee to return with recommendations for a final budget and Fee Schedule amendment for adoption at a noticed public hearing on June 7, 2021:

**VOTE:**

**AYES:** WAGENKNECHT, GREGORY, ABOUDAMOUS, KAHN, AND MOHLER

**NOES:** NONE

**ABSENT:** DILLON

**ABSTAIN:** NONE

**7. ACTION ITEMS**

**a) Montalcino Resort No. 2 Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission considered approving a proposal submitted by resolution of application for the annexation of three unincorporated parcels totaling approximately 36.1 acres in size to the Napa Sanitation District (NSD). The affected territory is located in the Napa Valley Business Park with no current situs address, and identified by the County Assessor as 057-020-006, 057-020-017, and 057-020-018. The annexation is intended to facilitate the planned Montalcino Resort project.

The County of Napa, as Lead Agency pursuant to CEQA, previously certified an Environmental Impact Report (EIR) and a Subsequent EIR addressing the environmental impacts associated with the Montalcino Resort project, including annexation to NSD.

The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Staff provided an overview of this item.

Upon motion by Commissioner Gregory and second by Commissioner Wagenknecht, the proposed annexation was approved by the Commission (**RESOLUTION #2021-07**):

**VOTE:**

**AYES:** GREGORY, WAGENKNECHT, ABOUDAMOUS, KAHN, AND MOHLER

**NOES:** NONE

**ABSENT:** DILLON

**ABSTAIN:** NONE

**7. ACTION ITEMS – continued:**

**b) Legislative Report**

The Commission received a report on legislative items directly or indirectly affecting LAFCOs. The recommended actions were for the Commission to do the following:

- (1) Authorize the Executive Officer to submit a letter to the Legislature in support of Assembly Bill (AB) 1581;
- (2) Authorize the Executive Officer to submit a letter to the Legislature in support of AB 959;
- (3) Direct the Executive Officer to watch AB 1250, Senate Bill (SB) 273, and SB 403, and return with updates as appropriate at future Commission meetings;
- (4) Discuss SB 13 and the City of St. Helena’s pending proposed amendment, and consider submitting a formal position letter to the Legislature; and (5) Discuss San Diego LAFCO’s proposed amendment to Government Code (G.C.) §56133(e) and consider taking a position in concept.

Staff provided an overview, noting comment letters were received from Phil Brun, City of Napa and Gary Margadant.

Commissioner comments were heard.

Upon motion by Commissioner Wagenknecht and second by Aboudamous, the Commission directed staff to authorize the Executive Officer to submit formal letters of support for Assembly Bills 1581, 959; watch AB 1250, Senate Bills 273 and 403; and continue to discuss SB 13 and the City of St. Helena’s pending proposed amendment, and San Diego LAFCO’s proposed amendment to Government Code (G.C.) §56133(e); and return with updates as appropriate at future Commission meetings:

**VOTE:**

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

**c) Agreement for the Provision of Support Services**

The Commission received a report on the current status of the Commission’s Agreement for the Provision of Support Services (“the Agreement”) with the County of Napa, which was made effective July 1, 2003, and subsequently amended 10 times. The recommended action was for the Commission to provide formal direction to the Executive Officer with respect to pursuing any amendments to the Agreement with representatives of the County.

It was also recommended the Commission consider establishing an ad hoc subcommittee with two appointed members to assist the Executive Officer in this process.

Staff provided an overview of this item, followed by Commission discussion. Staff provided a copy of amendments that had been recommended by a previous ad hoc subcommittee, which included Commissioner Wagenknecht.

Upon motion by Commissioner Wagenknecht and second by Commissioner Kahn, staff was directed to pursue amendments to the Support Services Agreement with County staff, however, the Commission did not approve forming a sub-committee at this time:

**VOTE:**

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

**7. ACTION ITEMS – continued:**

**d) Appointment of Outreach Committee Member**

The Commission considered appointing a member to fill a vacant seat on its ad hoc Outreach Committee. The Outreach Committee was established in February of 2020 with Commissioners Kahn and former Commission Kenneth Leary, for purposes of determining options and resources needed to develop a communications and outreach strategy. The Committee developed a draft Outreach Plan.

Alternate Commissioner Kahn currently serves on the Outreach Committee.

Former Commissioner Kenneth Leary vacated the other seat on the Outreach Committee.

Staff recommends the Commission appoint a member to fill the vacant seat on the Outreach Committee.

Chair Mohler stated for clarification that the City of Napa is the lead agency for the Island Annexation program, and not Napa LAFCO.

Following discussion, Commissioner Wagenknecht nominated future Commissioner Leary (appointed to the Regular Public Member position during item #6a) to the Outreach Committee.

However, Commissioner Wagenknecht amended his nomination to include Alternate Commissioner Painter, along with future Commissioner Leary to serve as the two members of the Outreach Committee, and Commissioner Gregory seconded the motion:

**VOTE:**

<b>AYES:</b>	<b><u>WAGENKNECHT, GREGORY ABOUDAMOUS, AND MOHLER</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>DILLON</u></b>
<b>ABSTAIN:</b>	<b><u>KAHN</u></b>

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

There was no discussion of this item.

**9. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING**

The meeting was adjourned at 4:12 PM. The next regular LAFCO meeting is scheduled for Monday, June 7, 2021, at 2:00 PM. It is anticipated the meeting will be conducted by teleconference due to COVID-19 in compliance with Executive Order N-29-20.

**NOTE: At the next meeting, the Chair position will rotate and Commissioner Dillon will become the Chair and Commissioner Mohler will become Vice Chair as discussed in today's agenda item #5f.**

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Margie Mohler, LAFCO Chair

ATTEST:

Dawn Mittleman Longoria, Analyst II

Prepared by:

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Kathy Mabry, Commission Secretary