



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

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June 4, 2012

Agenda Item No. 5c (Consent/Action)

May 29, 2012

TO: Local Agency Formation Commission

FROM: Kathy Mabry, Commission Secretary

SUBJECT: Approval of Minutes for Regular Meeting on April 2, 2012

A. Discussion and Recommendation

Attached are summary minutes prepared for the Commission's Regular Meeting on April 2, 2012. Staff recommends approval.

Respectfully submitted,

Kathy Mabry
Commission Secretary

Attachment: as stated

Lewis Chilton, Chair
Councilmember, Town of Yountville

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brian J. Kelly, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF APRIL 2, 2012

1. CALL TO ORDER; ROLL CALL

Chair Chilton called the regular meeting of April 2, 2012 to order at 4:00 P.M. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Lewis Chilton, Chair	Juliana Inman	Keene Simonds, Executive Officer
Bill Dodd, Vice Chair	Gregory Rodeno	Laura Anderson, Commission Counsel; and
Joan Bennett		Chris Apalla, Commission Counsel
Brian J. Kelly		Brendon Freeman, Analyst
Brad Wagenknecht	Excused: Mark Luce	Kathy Mabry, Secretary

2. PLEDGE OF ALLEGIANCE

Chair Chilton led the Pledge of Allegiance.

3. AGENDA REVIEW

There were no requests to rearrange the agenda.

4. PUBLIC COMMENT

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

5. CONSENT ITEMS

a) Approval of Meeting Minutes

The Commission received summary minutes for the February 6, 2012 regular meeting.

b) Notice of Appointment by County of Napa Board of Supervisors

The Commission received correspondence from the County of Napa advising the Board of Supervisors has reappointed Commissioner Brad Wagenknecht to a new four-year term commencing on May 7, 2012. Chair Chilton welcomed Commissioner Wagenknecht back for another term.

c) Update on Office Relocation

The Commission received an update on the status of the scheduled office relocation to 1030 Seminary Street, Suite B, Napa, California. This included noting LAFCO will be closed for public business for 48 hours beginning on Monday, April 16th and reopen at the new office location on Wednesday, April 18th.

d) CALAFCO Quarterly Report

The Commission received a report prepared by the California Association of Local Agency Formation Commissions summarizing the Board's actions at its most recent meeting held on February 10, 2012. The report noted that the dues are going up by 2.2%, and Executive Director Bill Chiat, announced his retirement.

e) Current and Future Proposals

The Commission received a report summarizing current and future proposals. No new proposals have been submitted since the February 6, 2012 meeting.

Upon motion by Commissioner Bennett and second by Commissioner Kelly, the consent calendar items were approved.

6. PUBLIC HEARING ITEMS

a) Appointment of Alternate Public Member

The city and county members considered making an appointment for the alternate public member position. The appointment term is four years beginning May 2012 and ending May 2016. Staff gave the Commission a brief review of the policy pertaining to the appointment process. Staff noted that the recruitment process netted two applicants: Incumbent Gregory Rodeno and Albert Iliff.

Chair Chilton opened the public hearing and acknowledged that 1 of the 2 candidates were present: Gregory Rodeno. Per the adopted appointment procedures, all four voting members nominated a candidate as follows: Dodd (*Rodeno*); Wagenknecht (*Rodeno*); Bennett (*Rodeno*) and Chair Chilton (*Rodeno*).

Chair Chilton closed the public hearing.

Upon motion by Chair Chilton and second by Commissioner Wagenknecht, Gregory Rodeno was re-appointed to Alternate Public Member to fill an unexpired term ending in May 2016.

b) Proposed Budget for Fiscal Year 2012-2013

The Commission considered adopting a proposed budget for 2012-2013 nearly identical to the draft approved in February and subsequently circulated for review among local funding agencies. Proposed operating expenses total \$432,001 and represent a 0.9% increase over the current fiscal year. Proposed operating revenues total \$423,295 with the remaining shortfall (\$8,706) to be covered by drawing down on agency reserves.

Chair Chilton opened and closed the public hearing with no comments received.

Upon motion by Commissioner Kelly and second by Commissioner Bennett, the Commission unanimously:

- 1) Adopted the proposed budget (**Resolution No. 2012-02**)
- 2) Directed the Executive Officer to circulate the adopted proposed budget to each funding agency; and
- 3) Directed the Executive Officer to schedule a public hearing for June 4, 2012 to consider adopting a final budget.

c) Consideration of a Time Extension to Complete Proceedings: Reorganization of the Napa Berryessa Resort Improvement District (NBRID)

The Commission considered a recommendation from staff to authorize a time extension to complete a special condition tied to the previously approved reorganization of the Napa Berryessa Resort Improvement District into the Napa Berryessa Community Services District. Staff also recommended a related and minor change to the text of the special condition at the request of the Napa Berryessa Resort Improvement District.

Chair Chilton opened the public hearing.

Stu Williams, Chairman of the NBRID Transition Committee, spoke to the Commission and gave a brief summary of the underlying issue holding up the completion of the reorganization involving NBRID reaching agreement on water and sewer service agreements with the Pensus Group. Mr. Williams stated his support for the request for an extension, and that he was hoping for approval by the Commission today.

Chair Chilton closed the public hearing.

6. c) **Consideration of a Time Extension to Complete Proceedings: Reorganization of the Napa Berryessa Resort Improvement District (NBRID) - *continued*:**

Upon motion by Commissioner Wagenknecht and second by Commissioner Dodd, the Commission unanimously approved the following actions:

- (1) A time extension to complete the reorganization proceeding as requested by NBRID to December 31, 2017; and
- (2) A request by NBRID to amend Section 9 of LAFCO Resolution No. 2011-04 to read:
“The Executive Officer shall receive notification from NBRID that it has reached a written agreement with the concessionaire at what was formerly known as Steele Park ensuring concessionaire’s connection and utilization of NBRID’s water and sewer systems and its payment of all associated fees and assessments for such services.

d) **Rosewood Lane No. 1 Reorganization**

The Commission considered a proposal from a landowner to annex approximately 1.05 acres of unincorporated territory to the Napa Sanitation District. The affected territory includes a single-family residence located at 1430 Rosewood Lane (038-160-030) and an adjacent right-of-way segment. An emergency outside service agreement for this proposal was approved in December 2011 by Chair Dodd. Staff recommended approval of the proposal with two amendments to require concurrent (a) annexation to the City of Napa; and (b) detachment from County Service Area No. 4. Staff also recommended adoption of a negative declaration consistent with an initial study prepared in accordance with the California Environmental Quality Act. Staff provided clarification for the Commission concerning its policy on urban timing, but noted this should be waived in deference to the opportunity to coordinate the extension of governmental services to developing area.

Chair Chilton opened the public hearing.

Ralph Melligio, Landowner/Applicant, spoke to the Commission giving a brief history of the proposal and commending staff on their work on the outside service agreement. He also stated he was hoping for approval by the Commission today.

Chair Chilton closed the public hearing.

Upon motion by Commissioner Bennett and second by Commissioner Dodd, the resolution approving a negative declaration was adopted (**Resolution No. 2012-03**); and the resolution approving the reorganization was adopted (**Resolution No. 2012-04**).

7. **ACTION ITEMS**

a) **Proposed Strategic Plan for 2012-2014**

The Commission considered approving a two-year strategic plan prepared by the Committee on Policies and Procedures. The strategic plan outlined goals and implementing strategies based on Commissioner comments provided at the November 21, 2011 biennial workshop. Staff provided clarification for the Commission concerning the specific measurements, and noted that the plan will be reviewed and reset the strategic plan every two years at the biennial workshop as appropriate. Commissioners Bennett and Wagenknecht expressed interest in making an effort to renew and strengthen the Commission’s coordination with local agencies to help ensure appropriate communication relative to current and planned activities. Commissioner Bennett requested the item be continued and staff circulate copies of the strategic plan for public review and return at the next meeting.

8. DISCUSSION ITEMS

a) Municipal Service Review on Countywide Law Enforcement Services

The Commission received a draft report on LAFCO's scheduled municipal service review on countywide law enforcement services. The report was presented to the Commission for discussion in anticipation of preparing a final report for approval at the next regular meeting. City of Napa Police Chief, Richard Melton, spoke to the Commission regarding the report noting the challenges of comparing jurisdictions within the county.

Commissioner Inman noted a flaw in the report on page 14, section 3.1 (i) indicating that the percentage rates shown are not the actual unemployment rates.

Following Commission discussion, staff was directed to initiate a 30-day public comment period on the draft report in anticipation of returning in June with a final report – with or without amendments – for approval by the Commission.

b) Legislative Report

Staff provided the Commission with a report summarizing the California Legislature items under discussion for the second year of the 2011-2012 session affecting Local Agency Formation Commissions. The report was presented for discussion with possible direction for staff with respect to issuing comments. No action was taken.

9. EXECUTIVE OFFICER REPORT

The Commission was provided with a verbal report from the Executive Officer regarding the following items:

- CALAFCO Annual Staff Workshop, April 25-27, 2012 in Murphys
- Article Concerning Napa LAFCO's Proposed Amendments to G.C. Section 56133 in *Sphere*
- Island Annexation Program

10. CLOSED SESSION

There was no closed session.

11. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

12. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING: June 4, 2012

The meeting was adjourned at 5:20 p.m. The next regular LAFCO meeting is scheduled for Monday, June 4, 2012 at 4:00 p.m.

Lewis Chilton, Chair

ATTEST: Keene Simonds
Executive Officer

Prepared by:

Kathy Mabry
Commission Secretary