



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

Agenda Item 5a (Consent/Action)

TO: Local Agency Formation Commission

PREPARED BY: Dawn Mittleman Longoria, Analyst II/Interim Clerk *DML*

MEETING DATE: February 7, 2022

SUBJECT: Approval of Meeting Minutes:
February 7, 2022 Regular Meeting and March 10, 2022 Special Meeting

DISCUSSION AND RECOMMENDATION

The Commission will consider approving the draft meeting minutes prepared by staff for the February 7, 2022 Regular Meeting, included as Attachment One, and the March 10, 2022 Special Meeting, included as Attachment Two.

Staff recommends approval of both meeting minutes.

ATTACHMENTS

- 1) Draft Minutes for February 7, 2022 Regular Meeting
- 2) Draft Minutes for March 10, 2022 Special Meeting

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 FEBRUARY 7, 2022**

1. WELCOME AND CALL TO ORDER; ROLL CALL (*teleconference*)

Chair Dillon called the regular meeting of Monday, February 7, 2022 to order at 2:00 PM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Diane Dillon, Chair	Ryan Gregory	Brendon Freeman, Executive Officer
Margie Mohler, Vice Chair	Eve Kahn	DeeAnne Gillick, Commission Counsel
Brad Wagenknecht	Beth Painter	Dawn Mittleman Longoria, Analyst II/Interim Clerk
Mariam Aboudamous		
Kenneth Leary		

2. PLEDGE OF ALLEGIANCE

Chair led the Pledge of Allegiance.

3. AB 361 REMOTE TELECONFERENCING ACTION

Pursuant to AB 361, the Commission considered the status of the ongoing public emergency and facts related to health and safety of meeting attendees due to COVID-19 and considered further findings related to holding this Commission meeting by teleconference pursuant to the provisions of subdivision (e) of Government Code Section 54953.

The Commission discussed the state of emergency and the current circumstances and agreed that those conditions warrant continued teleconference meetings.

Note: This issue was also discussed in agenda item #9c Direction of Future Commission Meetings. The Commission requested guidance from Legal Counsel.

Commission Counsel, DeeAnne Gillick advised that, in compliance with the Brown Act, the Commission should make a motion confirming their decision.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the Commission agreed to continue holding Commission meetings by teleconference:

VOTE:

AYES: MOHLER, WAGENKNECHT, ABOUDAMOUS, DILLON, AND LEARY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

4. APPROVAL OF AGENDA

Chair Dillon asked if there were any requests to rearrange the agenda.

Upon motion by Commissioner Mohler and second by Commissioner Leary, the Commission adopted the agenda, without amendment:

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON, AND WAGENKNECHT

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

NOTE: At this time, agenda item #6 was presented with special guests attending via Zoom:**5. RECOGNITION OF SERVICE: Kathy Mabry**

The Commission's Secretary and Clerk retired after 21 years of service to Napa LAFCO. Executive Officer Freeman expressed appreciation for Mrs. Mabry's dedication and service to the organization. He noted various accomplishments over the years, including working under five separate Executive Officers, relocating the office three times and working on 20 clean audits. Executive Officer Freeman expressed best wishes to Mrs. Mabry in retirement. Pamela Miller, CALAFCO Executive Director presented a framed award from the CALAFCO Board and expressed appreciation for her service to CALAFCO.

Former Napa Executive Officer, Keene Simonds, spoke of accomplishments Mrs. Mabry made during his tenure.

Former Napa Executive Officer, Dan Swartz, stated that he was glad to have hired Mrs. Mabry.

The Commissioners each expressed their appreciation for Mrs. Mabry's assistance and dedication. They wished her all the best in her well-deserved retirement.

Analyst Dawn Mittleman Longoria stated that it had been a pleasure working with Mrs. Mabry and wished her a wonderful retirement.

6. PUBLIC COMMENTS

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

7. CONSENT ITEMS**Action Items:**

a) Approval of Meeting Minutes: December 6, 2021 Regular Meeting

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

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON, AND WAGENKNECHT

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Receive Report for Information Only:

b) Second Quarter Budget Report for Fiscal Year 2021-22

c) Legislative Report

d) Napa LAFCO Quarterly Newsletter

e) CALAFCO Quarterly Report

f) Current and Future Proposals

8. ACTION ITEMS**a) Proposed S Terrace Drive Reorganization and Associated CEQA Findings**

The Commission considered approving a proposal submitted by landowner petition for annexation of one unincorporated parcel totaling approximately 0.1 acres in size to the City of Napa along with concurrent detachment from County Service Area No. 4. The affected territory is located at 2159 S Terrace Drive and identified by the County Assessor as 046-271-007. The City of Napa serves as lead agency under CEQA and has accordingly prepared an environmental impact report for the City of Napa General Plan addressing all potential environmental impacts associated with the proposed annexation. The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Dawn Mittleman Longoria, Analyst II presented this item. She explained that the request is due to a contaminated well. She also explained that the parcel is located within the *Imola/Parish* City of Napa island.

Commissioner Wagenknecht asked whether staff contacts neighbors to join the annexation.

Executive Officer Freeman explained that in this situation time was of the essence due to the contaminated well.

Commissioner Leary asked about the location of water pipes.

Executive Officer Freeman explained the location of water pipes.

The Commission discussed their priority to annex unincorporated island in the City of Napa. They questioned LAFCO's authority to clean up these islands. The Commission requested a report on LAFCO's authority and process regarding islands

Upon motion by Commissioner Mohler and second by Commissioner Aboudamous, the proposed reorganization was approved:

VOTE:

AYES: MOHLER, ABOUDAMOUS, DILLON, LEARY, AND WAGENKNECHT

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

b) Proposed Orchard Avenue No. 5 Annexation to the Napa Sanitation District and Associated CEQA Findings

The Commission considered a proposal submitted by landowner petition for the annexation of one incorporated parcel totaling approximately 1.0 acres in size to NSD. The affected territory is located in the City of Napa at 1065 Orchard Avenue and identified by the County Assessor as 035-042-022. The annexation is intended to eliminate the onsite private septic system for the existing single-family residence. Annexation is exempt from CEQA under CEQA Guidelines Section 15282(k). The recommended action was for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Analyst Longoria presented this item. She explained that all potential future development was considered in the factors for consideration. This information was based solely on the City of Napa zoning and did not take into account site constraints.

Upon motion by Commissioner Wagenknecht and second by Commissioner Mohler, the annexation proposal was approved:

VOTE:

AYES: WAGENKNECHT, MOHLER, DILLON, ABOUDAMOUS, AND LEARY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

c) Proposed Amendment to Policy on Conducting Commission Meetings and Business

The Commission considered a proposed amendment to its Policy on Conducting Commission Meetings and Business as prepared by the ad hoc Policy Committee. The recommended action is for the Commission to adopt a resolution approving the amendment

Executive Officer Freeman explained the purpose of the amendment is to provide consistency and transparency for applicants wishing to make a presentation to the Commission.

Upon motion by Commissioner Wagenknecht and second by Commissioner Leary, the proposed policy amendment was approved:

VOTE:

AYES: MOHLER, LEARY, ABOUDAMOUS, DILLON, AND WAGENKNECHT
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

9. DISCUSSION ITEMS**a) Strategic Plan and Work Program Progress Report**

The Commission received a progress report on its adopted strategic plan and work program. The Commission discussed costs for a future strategic planning session and issues to review such as island annexations, municipal service reviews (MSRs), emergency services, and onboarding new Commissioners. The Commission decided to schedule the planning session after new Commissioners have been seated on the Commission. The Commission also directed staff to schedule at least one meeting to discuss islands and MSRs before the strategic planning session.

b) Legal Counsel Request for Proposal Update and Direction

The Commission received an update on the status of its request for proposal for legal counsel. The Commission's legal counsel, DeeAnne Gillick, removed herself during the discussion. The Commission determined that the ad-hoc legal counsel subcommittee should evaluate candidates and schedule a special meeting to interview the top candidates.

c) Direction on Future Commission Meetings

The Commission considered alternatives for holding future Commission meetings in person, remotely, or as a hybrid. During today's agenda item #3, the Commission also discussed this matter.

The Commission reviewed the pros and cons of having in-person vs hybrid meetings, as well as what is best for the community during the on-going pandemic. The Commission decided to continue holding virtual meetings due to continued health concerns. The Commission's preference will be discussed again at the April Commission meeting.

10. COMMISSIONER COMMENTS/REQUESTS FOR FUTURE AGENDA ITEMS

The Commission noted the discussion that occurred for item 8a) S. Terrace Drive Reorganization, specifically outreach to neighbors in the *Imola/Parish* island. A survey of the area was conducted ten years ago with limited responses. The Commission requested that staff return with a succinct report providing the current process for outreach to neighbors when a landowner applies for annexation. Commissioner Painter suggested inviting staff from the City of Napa and possible from Napa Sanitation District. The Commission further explained that the general discussion of islands would be scheduled as part of the Strategic Planning session.

11. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 3:30 PM. The next regular LAFCO meeting is scheduled for Monday, April 4, 2022, at 2:00 PM.

The meeting will be conducted by teleconference due to COVID-19 in compliance with California Assembly Bill 361.

Diane Dillon, LAFCO Chair

ATTEST:

Brendon Freeman, Executive Officer

Prepared by:

Dawn Mittleman Longoria, Analyst II/Interim Clerk



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
SPECIAL MEETING MINUTES OF MARCH 10, 2022**

1. WELCOME AND CALL TO ORDER; ROLL CALL (*teleconference*)

Chair Dillon called the special meeting of Thursday, March 10, 2022 to order at 9:00 AM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Diane Dillon, Chair	Eve Kahn	Brendon Freeman, Executive Officer
Margie Mohler, Vice Chair		DeeAnne Gillick, Commission Counsel
Brad Wagenknecht		Dawn Mittleman Longoria, Analyst II/ Interim Clerk

2. PLEDGE OF ALLEGIANCE

Chair led the Pledge of Allegiance.

3. AB 361 REMOTE TELECONFERENCING ACTION

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The Commission discussed the state of emergency and the current circumstances and agreed that those conditions warrant continued teleconference meetings.

Upon motion by Commissioner Mohler and second by Commissioner Wagenknecht, the Commission agreed to continue holding Commission meetings by teleconference:

VOTE:

AYES: MOHLER, WAGENKNECHT, DILLON, AND KAHN

NOES: NONE

ABSENT: ABOUDAMOUS, GREGORY, LEARY, AND PAINTER

ABSTAIN: NONE

4. APPROVAL OF AGENDA

Chair Dillon asked if there were any requests to rearrange the agenda. None were expressed.

5. CLOSED SESSION:

a) Public Employee Appointment – (Government Code Section 54957(b)(1))

Title: General Counsel

There was no reportable action to report on this item.

Let the record reflect that it was necessary for Commissioner Wagenknecht to leave during the closed session.

6. ADJOURNMENT TO NEXT REGULAR SCHEDULED MEETING

The meeting was adjourned at 11:30 AM. The next regular LAFCO meeting is scheduled for Monday, April 4, 2022 at 2:00 P.M. The meeting will be conducted by teleconference due to COVID-19 in compliance with California Assembly Bill 361.

Diane Dillon, LAFCO Chair

ATTEST:
Brendon Freeman, Executive Officer

Prepared by:

Dawn Mittleman Longoria, Analyst II/Interim Clerk

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