



**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 Secretary

**MEETING DATE:** December 3, 2018

**SUBJECT:** Approval of Meeting Minutes:  
**October 1, 2018, Regular Meeting**

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**DISCUSSION AND RECOMMENDATION**

The Commission will consider approving the attached summary minutes prepared by staff for the October 1, 2018, regular meeting.

Staff recommends approval.

**ATTACHMENT**

- 1) Regular meeting minutes: October 1, 2018

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Margie Mohler, Chair  
Councilmember, Town of Yountville

Scott Sedgley, Commissioner  
Councilmember, City of Napa

Kenneth Leary, Alternate Commissioner  
Councilmember, City of American Canyon

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

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

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

Gregory Rodeno, Commissioner  
Representative of the General Public

Erik Lawrence, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF OCTOBER 1, 2018**

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

Chair Mohler called the regular meeting of Monday, October 1, 2018, to order at 2:01 PM. At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Margie Mohler, Chair	Kenneth Leary	Brendon Freeman, Executive Officer
Brad Wagenknecht, Vice Chair	Erik Lawrence	DeeAnne Gillick, Commission Counsel
Diane Dillon	Ryan Gregory	Kathy Mabry, Secretary
Scott Sedgley		
Gregory Rodeno		

**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 Sedgley and second by Commissioner Wagenknecht, the Commission unanimously adopted the agenda as submitted:

**VOTE:**

**AYES:** SEDGLEY, WAGENKNECHT, DILLON, MOHLER AND RODENO  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**4. PUBLIC COMMENTS**

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

**5. CONSENT ITEMS**

- a) **Approval of Meeting Minutes: August 6, 2018, Regular Meeting**
- b) **Current and Future Proposals**
- c) **Work Program Progress Report**

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

**VOTE:**

**AYES:** WAGENKNECHT, DILLON, MOHLER, RODENO AND SEDGLEY  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**6. DISCUSSION ITEMS**

**a) Revised Draft South County Region Municipal Service Review and Sphere of Influence Updates**

The Commission received and discussed the revised draft South County Region Municipal Service Review and Sphere of Influence Updates. The report was originally presented in February 2018, however, it was continued, and staff was directed to return with a revised draft. At its August 6, 2018, meeting, a revised draft report was presented. Following discussion, the item was continued again, and staff was directed to return with a revised report to include additional information.

Staff provided an overview, informing the Commission of one key change made, which was to remove ACFPD's SOI request in response to formal correspondence from ACFPD.

Additionally, staff noted a new Appendix C was added to the report which includes an overview of ISO ratings.

Staff recommended affirming each agency's SOI with no changes, and indicated the public comment period is open through November 9, 2018.

Commissioner Leary requested the Commission postpone this matter until a decision is made regarding the proposed Watson Ranch in American Canyon.

Jason Holley, American Canyon City Manager spoke to the Commission saying that the City approves the current report, as presented, and recommended it be moved forward.

No formal action was taken by the Commission as part of this item.

Upon motion by Commissioner Sedgley and second by Commissioner Rodeno, the Commission directed staff to move forward and return with final a report on December 3, 2018:

**VOTE:**

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

**7. ACTION ITEMS**

**a) Authorize Commission Chair to Execute Consultant Contract for Countywide Water and Wastewater Municipal Service Review**

The Commission considered executing a consultant contract related to the Countywide Water and Wastewater Municipal Service Review. The recommended action is for the Commission to authorize the Executive Officer to negotiate a contract with Policy Consulting Associates and Berkson Associates to prepare the Countywide Water and Wastewater Municipal Service Review, and authorize the Chair to sign the contract.

Staff provided a summary of the Focus Group, which was formed to develop the request for proposals. Members of the Focus Group include: 1) Phil Brun, City of Napa Public Utilities Director; 2) Steve Hartwig, City of American Canyon Public Works Director; 3) Tim Healy, Napa Sanitation District General Manager; 4) David Morrison, County of Napa, Director of Planning, Building & Environmental Services; and 5) Steve Rogers, Town of Yountville, Town Manager.

Based on the Focus Group's recommendation, the Commission ultimately selected Policy Consulting Associates and Berkson Associates, and allocated \$150,000 in the current fiscal year budget for the MSR. The proposed schedule includes an anticipated completion date of December 2019.

**7. ACTION ITEMS – continued:**

a) Staff is working with Policy Consulting Associates and Berkson Associates, as well as Commission Counsel, to finalize a professional services agreement. Staff anticipates that a final agreement will be complete and ready for signature by the Chair later this month. Public comment was received by Yountville Town Manager, Steve Rogers, who thanked the Commission, members of the Focus Group, and especially the Executive Officer for bringing the Focus Group forward. He also stated he supports a recommendation for the contract allocation to increase up to \$20,000, if needed, for additional engineering component. Chair Mohler suggested running the contract by the Focus Group when it is received, and thanked the Executive Officer for bringing all players together for this important study. The Executive Officer expressed his gratitude to the Focus Group for all their work. Upon motion by Commissioner Wagenknecht and second by Commissioner Rodeno, the Commission approved the staff recommendation to authorize the Executive Officer to negotiate a contract with Policy Consulting Associates and Berkson Associates, directed staff to set a cap on the contract amount, and authorized the Chair to sign the contract after negotiations, with the assistance of Counsel:

**VOTE:**

**AYES:            WAGENKNECHT, RODENO, DILLON, MOHLER AND SEDGLEY**  
**NOES:            NONE**  
**ABSENT:        NONE**  
**ABSTAIN:       NONE**

**b) Proposed Silverado Trail No. 3 Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission considered a landowner petition to annex approximately 12.5 acres of incorporated territory to the Napa Sanitation District (NSD). The affected territory is located within the City of Napa along Silverado Trail and is within NSD’s sphere of influence. The County Assessor identifies the affected territory as 052-010-011. The City of Napa serves as lead agency under CEQA and has accordingly prepared an initial study and mitigated negative declaration and mitigation monitoring and reporting program addressing all potential environmental impacts associated with the proposed annexation. The recommended action is for the Commission to adopt a resolution approving the proposal with standard terms and conditions and making CEQA findings.

Commissioner Ryan Gregory recused himself from this item due to personal business reasons. Staff provided an overview. Additionally, staff informed the Commission of an error in the staff report which misidentified the project annual water demand as 0.27 acre-feet, however, the projection **should read 1.1 acre-feet.**

Upon motion by Commissioner Sedgley and second by Commissioner Wagenknecht, the Commission approved a resolution approving the proposal with standard terms and conditions, along with the aforementioned modification (**Resolution #2018-11**):

**VOTE:**

**AYES:            SEDGLEY, WAGENKNECHT, DILLON, MOHLER AND RODENO**  
**NOES:            NONE**  
**ABSENT:        NONE**  
**RECUSED:      GREGORY**

**7. ACTION ITEMS – continued:**

**c) Proposed Pheasant Lane/Garfield Lane Annexation to the Napa Sanitation District and Associated CEQA Findings**

The Commission considered a landowner petition to annex approximately 2.7 acres of incorporated territory to the Napa Sanitation District (NSD). The affected territory as proposed is located at 5 Pheasant Lane and identified by the County Assessor as 038-160-020. Staff has modified the proposal to expand the affected territory to also include two additional parcels located at 20 Garfield Lane and 30 Garfield Lane, identified by the County Assessor as 038-160-010 and 038-160-019, respectively. The affected territory as modified is located within the City of Napa and NSD’s sphere of influence. The City of Napa serves as lead agency under CEQA. The Commission serves as responsible agency under CEQA and determines the proposal as modified is statutorily exempt under Public Resources Code Section 15282(k) and categorically exempt under Public Resources Code Section 15332. The recommended action is for the Commission to adopt a resolution approving the modified proposal with standard terms and conditions and making CEQA findings.

Staff provided an overview. In addition, staff informed the Commission of an error in the staff report on page 1 which misidentifies the APN for 30 Garfield Lane as 038-060-019, however, the **correct APN is 038-160-019**. This same error was made on the actual agenda for item #7c. Upon motion by Commissioner Sedgley and second by Commissioner Wagenknecht, the Commission approved a resolution approving the proposal with standard terms and conditions, along with the modified APN (**Resolution #2018-12**):

**VOTE:**

**AYES: SEDGLEY, WAGENKNECHT, DILLON, MOHLER AND RODENO**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**d) Proposed Policy on Disadvantaged Unincorporated Communities**

The Commission considered a proposed Policy on Disadvantaged Unincorporated Communities prepared by the Policy Committee (Commissioner Mohler and Rodeno). The recommended action is for the Commission to adopt a resolution to adopt the Policy on Disadvantaged Unincorporated Communities.

On August 6, 2018, the Commission discussed a draft Policy and directed the Committee to circulate the draft Policy for public review and comment. The draft Policy was made available to all local agencies and members of the public for review and comment from August 7, 2018, through September 7, 2018. No comments were received and therefore the Committee returns with an identical Policy for formal adoption at today’s meeting.

Upon motion by Commissioner Dillon and second by Commissioner Wagenknecht, the Commission approved a resolution to adopt the *Policy on Disadvantaged Unincorporated Communities* (**Resolution #2018-13**):

**VOTE:**

**AYES: DILLON, WAGENKNECHT, MOHLER, RODENO AND SEDGLEY**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

**7. ACTION ITEMS – continued:**

**e) Legislative Report**

The Commission received an update on recent legislative items and consider authorizing the Executive Officer to submit a letter to all independent special districts in Napa County describing Senate Bill 929 (SB 929) and the new internet website requirement.

Staff provided a summary of 2018 legislative action of interest to the Commission.

Staff indicated it has prepared a draft letter to all independent special districts in Napa County describing the new internet website requirements under SB 929.

Upon motion by Commissioner Rodeno and second by Commissioner Dillon, the Commission authorized the Executive Officer to submit a letter to all independent special districts in Napa County describing the new internet website requirements under SB 929:

**VOTE:**

**AYES: RODENO, DILLON, MOHLER, SEDGLEY AND WAGENKNECHT**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**f) Consider Adjustment to the Executive Officer’s Compensation**

The Commission considered a proposed adjustment to the Executive Officer’s compensation based on the performance evaluation initiated during the Commission’s August 6, 2018, meeting. The proposed adjustment would be effective July 1, 2018. The recommended action is for the Commission to adopt a resolution approving the adjustment.

Chair Mohler presented the item affirming that the Commission has completed the review of the Executive Officer’s performance, and therefore, it is recommended that the Executive Officer’s salary be increased from step 2 to step 3 effective at the beginning of this 2018-2019 fiscal year consistent with the commencement of his evaluation and negotiations.

Chair Mohler recommended the Commission adopt the draft resolution approving a step adjustment to the Executive Officer’s compensation based on his performance evaluation. All other benefits shall remain the same consistent with the benefits provided by the County of Napa.

Upon motion by Commissioner Rodeno and second by Commissioner Sedgley, the Commission approved a resolution approving the adjustment to the Executive Office’s compensation (**Resolution #2018-14**):

**VOTE:**

**AYES: RODENO, SEDGLEY, DILLON, MOHLER AND WAGENKNECHT**

**NOES: NONE**

**ABSENT: NONE**

**ABSTAIN: NONE**

**8. EXECUTIVE OFFICER REPORT**

The Executive Officer provided a summary of recent activities, as well as announcing the CALAFCO Conference coming up this week in Yosemite. Several Commissioners, staff and counsel will be attending.

Also, the LAFCO Analyst recruitment has been initiated by Napa County Human Resources. It is anticipated the Analyst will be selected in December and officially begin work in January 2019.

**9. COMMISSIONER COMMENTS**

There were no Commissioner comments.

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

The meeting was adjourned at 3:00 PM. The next regular LAFCO meeting is scheduled for Monday, December 3, 2018, at 2:00 PM.

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Margie Mohler, LAFCO Chair

ATTEST: Brendon Freeman, Executive Officer

Prepared by: \_\_\_\_\_  
Kathy Mabry, Commission Secretary