



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MEETING MINUTES OF JUNE 1, 2015**

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

Chair Inman called the regular meeting of June 1, 2015 to order at 4:00 PM.  
At the time of roll call, the following Commissioners and staff were present:

Regular Commissioners	Alternate Commissioners	Staff
Juliana Inman, Chair	Joan Bennett	Brendon Freeman, Interim Executive Officer
Diane Dillon, Vice-Chair	Keith Caldwell ( <i>Excused</i> )	Jennifer Gore, Legal Counsel
Brian Kelly ( <i>arrived at 4:20</i> )	Gregory Rodeno ( <i>Excused</i> )	Kathy Mabry, Secretary
Greg Pitts		
Brad Wagenknecht		

**2. PLEDGE OF ALLEGIANCE**

Chair Inman led the Pledge of Allegiance.

**3. APPROVAL OF AGENDA**

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

**VOTE:**

**AYES:**            **INMAN, WAGENKNECHT, DILLON AND PITTS**  
**NOES:**            **NONE**  
**ABSENT:**        **KELLY**  
**ABSTAIN:**       **NONE**

**4. PUBLIC COMMENTS**

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

**5. CONSENT ITEMS**

**a) Approval of Meeting Minutes: February 2, 2015, March 16, 2015 (Special meeting) and April 6, 2015**

**b) Time Extension Request: Orchard Avenue No. 4 Annexation to the Napa Sanitation District** The Commission approved a 1 year time extension effective June 2, 2015 to June 2, 2016.

**c) Time Extension Request: Big Ranch Road No. 5 Annexation to the Napa Sanitation District** The Commission approved a 1 year time extension effective June 2, 2015 to June 2, 2016.

**d) Current and Future Proposals**

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

**VOTE:**

**AYES:**            **WAGENKNECHT, DILLON, INMAN AND PITTS**  
**NOES:**            **NONE**  
**ABSENT:**        **KELLY**  
**ABSTAIN:**       **NONE**

**6. ACTION ITEMS**

**a) Commission Policy Update: Appointment of Chair and Vice-Chair**

The Commission considered adopting a proposed amendment to its policy on the appointment of Chair and Vice-Chair. The proposed policy amendment would change the commencement dates for the Chair and Vice-Chair positions from January 1<sup>st</sup> to May 1<sup>st</sup> each calendar year to be in alignment with the Napa County City Selection Committee process for making membership appointments to the Commission.

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

Staff provided a summary of the proposed revisions, and then recommended Option 2 and Alternative Section 4, which will better define the word “vacancy” in the policy:

Under **Option 2**, the office would reside with the individual Commissioner. For example, if City Member I were Chair, and was removed from the Commission, the current Vice-Chair (County Member I) would become the Chair and would fulfill the remaining term, as well as the following term under the regular rotation. Under this option, the Commission would avoid the potential problem of a new Commissioner fulfilling the remainder of a prior officer’s term in office. But, it also cuts short the term in office for the appointing authority, plus it creates the potential for an officer to serve close to two years in an office if the seat is vacated early on in the prior officer’s term.

**Alternative Section 4** attempts to address the shortcomings in Option 2. Under this alternative, the office would reside with the individual, but the policy also specifies that, in the event of a vacancy, the other member from the same appointing authority would fulfill the unexpired term, and then the regular rotation would resume the following May 1<sup>st</sup>. For example, if City Member I were Chair, but City Member I was no longer appointed to LAFCO, City Member II would fulfill the remainder of the term as Chair, and on May 1st, County Member I would become Chair. This would also likely avoid having an inexperienced Commissioner serve as an officer.

Upon motion by Commissioner Dillon and second by Commissioner Pitts, the Commission unanimously approved staff’s recommendation for **Option 2 and Alternative Section 4**, as described above, however, staff was directed to amend Section 4, paragraph B to have the words “on an interim basis” stricken:

**VOTE:**

<b>AYES:</b>	<b><u>DILLON, PITTS, INMAN AND WAGENKNECHT</u></b>
<b>NOES:</b>	<b><u>NONE</u></b>
<b>ABSENT:</b>	<b><u>KELLY</u></b>
<b>ABSTAIN:</b>	<b><u>NONE</u></b>

**b) Commission Policy Update: Commissioner Stipends**

The Commission considered making changes to its policy regarding stipend payments for commissioners to attend meetings and trainings relating to LAFCO business.

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

Staff provided a summary of the proposed revisions.

At its April 6, 2015 meeting, the Commission directed staff to add a new category of LAFCO-related activities that result in commissioners receiving a stipend for their participation.

The amended policy includes a new section C(1)(e) that would provide up to 4 stipends per year per commissioner for attending training, classes, or other activities that are mandated or related to LAFCO business.

**b) Commission Policy Update: Commissioner Stipends - continued:**

The Commission discussed the proposed amendments to the existing policy.

Commissioner Dillon expressed concerns over the number of stipends and expenses which are allowed, and approval being required by the Executive Officer, instead of by the Chair.

Chair Inman suggested Commissioner Dillon work along with the Interim Executive Officer to provide additional policy language and bring it back to the Commission at the next meeting.

Upon motion by Commissioner Wagenknecht and second by Commissioner Pitts, the Commission agreed to continue this item:

**VOTE:**

**AYES:** WAGENKNECHT, PITTS, DILLON, INMAN AND KELLY  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**c) Garfield Lane No. 4 Annexation to the Napa Sanitation District**

The Commission considered a landowner petition to annex a 1.0 acre incorporated parcel to the Napa Sanitation District. The subject parcel is located at 40 Garfield Lane in the City of Napa. The purpose of the proposed annexation is to facilitate the residential development of the subject parcel as contemplated in the applicant's tentatively approved development project.

Staff provided an overview of the proposed annexation.

Upon motion by Commissioner Kelly and second by Commissioner Pitts, the proposed annexation and resolution were unanimously approved by the Commission (**Resolution #2015-03**):

**VOTE:**

**AYES:** KELLY, PITTS, DILLON, INMAN AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**d) Legislative Report**

The Commission received an update on pending legislation affecting LAFCOs and considered authorizing the Executive Officer to sign letters in support or opposition of any locally relevant bills as desired. The following bills were presented: AB 402 (Dodd); SB 239 (Hertzberg); and SB 272 (Hertzberg).

Staff provided an overview of the pending legislation.

John Moreno, Field Rep. for Assembly member Dodd spoke to the Commission and summarized the AB 402 bill, and requesting a letter of support from the Commission.

Commissioner Pitts abstained from voting on AB 402.

Upon motion by Commissioner Kelly and second by Commissioner Dillon, the Commission directed staff to work with the Chair to send letters of support for AB 402 and letters of opposition for SB 239 and SB 272, unless amended:

**VOTE:**

**AYES:** KELLY, DILLON, INMAN AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** PITTS

**7. PUBLIC HEARING ITEMS**

**a) Final Budget for Fiscal Year 2015-2016**

The Commission considered adopting a final budget setting operational expenses and revenues for 2015-2016. The recommended final budget is nearly identical to the proposed budget adopted in April and subsequently circulated for public review. Operating expenses total \$525,683 and represents a 2.2% increase over the current fiscal year. Operating revenues total \$482,444 and represents an 8.6% increase over the current fiscal year. The anticipated shortfall (\$43,239) would be covered by agency reserves. Staff recommends the Commission adopt a resolution approving the final budget for 2015-2016.

Staff provided an overview of the proposed budget.

Chair Inman opened the public hearing. No public comments were received.

Chair Inman closed the public hearing.

The Commission commended Brendon Freeman on preparing the budget for upcoming fiscal year. Upon motion by Commissioner Kelly and second by Commissioner Wagenknecht, the final budget for 2015-2016 was approved by the Commission (**Resolution #2015-05**):

**VOTE:**

**AYES:** KELLY, WAGENKNECHT, DILLON, INMAN AND PITTS  
**NOES:** NONE  
**ABSENT:** NONE  
**ABSTAIN:** NONE

**b) Sphere of Influence Update for the Napa Sanitation District**

The Commission received a staff report providing information on activities to date regarding the draft sphere of influence update for the Napa Sanitation District (NSD). Staff recommends that the Commission continue the public hearing to the next regular meeting in deference to the need for additional information.

Staff provided an overview of the draft sphere of influence update for the NSD.

Following a brief discussion, the Commission agreed to continue this item to the next regularly scheduled meeting to allow time for affected agencies to provide requested information needed to respond to questions and comments raised on the draft sphere of influence update for NSD.

Upon motion by Commissioner Kelly and second by Commissioner Dillon, the Commission agreed to continue this item and directed staff to present a final sphere update at the next regular meeting:

**VOTE:**

**AYES:** KELLY, DILLON, INMAN AND WAGENKNECHT  
**NOES:** NONE  
**ABSENT:** PITTS (left meeting at 4:46)  
**ABSTAIN:** NONE

**8. EXECUTIVE OFFICER REPORT**

The Executive Officer provided a brief report on the agency's adopted study schedule, noting the sphere of influence updates and municipal services reviews have fallen behind for various reasons including staffing, unanticipated proposal activity, etc. Staff noted it was looking at in-house and hiring out for the completion of the studies, and has been working on a plan to catch up.

The Commission encouraged staff to review the study schedule and develop a work plan, and then report back to the Commission at the next regular meeting.

**9. COMMISSIONER COMMENTS**

- Commissioner Kelly congratulated Brendon Freeman for accepting the offer to become the Interim Executive Office for 60 days and beyond, if possible.
- Possible Special Meeting to be held at end of June (29<sup>th</sup>?) to discuss American Canyon item and Executive Officer candidates, if any.
- Chair Inman invited anyone interested to attend: Grassroots Guide to CEQA's Purpose, Power and Process to be held on Saturday, June 6<sup>th</sup>, 10AM to 4PM at Napa Valley College.

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

The meeting was adjourned at 5:26PM. The next regular LAFCO meeting is scheduled for Monday, August 3, 2015 at 4:00 PM at the Napa County Board of Supervisors Chambers, 1195 Third Street, 3<sup>rd</sup> Floor, Napa, CA 94559.

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Juliana Inman, Chair

ATTEST:

Brendon Freeman, Interim Executive Officer

Prepared by:

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Kathy Mabry  
Commission Secretary